The Chair called the meeting to order. The Chair noted that in anticipation of a possible challenge to his ruling that it was improper to allow Council to do business while its extended time ran out at the December 1, 2011 meeting and then to allow for a further extension to complete business, he have sought the opinion of a registered parliamentarian. The entirety of his parliamentary opinion has been made available to all members. He read from the section of the paper as follows:

According to Robert's Rules, a scheduled hour of adjournment is not to be interpreted as a strict cut-off time, after which the meeting automatically ceases to exist. Instead, it merely triggers the start of a deliberate process by which the chair first draws the assembly's attention to the impending adjournment, then gives a fair chance to any member who wishes to propose an extension or other permissible motion, and only then, if no such extension is adopted, expressly declares the meeting to be closed.

For this reason, the chair did rule correctly that the motion to extend the meeting by 10 minutes was in order; this is in fact precisely how a scheduled hour of adjournment should always be handled. (Further, it is noted in Robert's Rules that, since the Previous Question had already been ordered on all pending questions, the formality of extending the meeting just for the purpose of taking the vote was unusual and unnecessary in this case.)

In general, there is no need to prematurely extend a meeting that has not yet run out of time, as any such extension can and should be dealt with immediately after the original (or previously extended) time has expired.

It should be noted that, if the motion to “extend the meeting by 45 minutes” had instead been worded as a motion to “adjourn at 12:45 p.m.,” it would still have had the same parliamentary meaning and would not have affected the conclusions drawn in this opinion.

Since the chair’s ruling on the extension vote was correct, there is no need to further address the validity of the vote on the main motion to approve the parking services operating plan. That motion was duly adopted at a meeting of the council and stands as the valid decision of the council.
The Chair also directed members’ attention to a second one-page handout, which sought to clear up any confusion members may have on whether or not the motion *Previous Question* can be used while there are members who are still wishing to speak. The Chair noted that Robert’s Rules of Order does not recommend the use of Speakers’ lists. The parliamentary opinion is attached hereto as Appendix A.

It was duly moved and seconded, THAT the minutes of the previous meeting be approved (P. Donoghue/S. McCarthy)

A member noted that one of her comments at the previous meeting was not noted in the minutes. The Chair responded that the minutes of meeting were not supposed to reflect what was said in verbatim.

It was duly moved and seconded that the words “the Chair apologized” be stricken from the minutes of the previous meeting. (M. Sajjad/G. Cassar) Following a brief statement by the maker of the motion asserting that the Chair did not apologize at the last meeting, the motion was put to a vote. The motion was lost.

It was duly moved and seconded that the consideration of the entire parking budget be stricken from the minutes of the previous meeting. (G. Cassar/M. Sajjad)

The Chair opened the floor to discussion.

The UTMSU President, Mr. Cassar, spoke for the motion and made the following summarized points:

- That it was important for the integrity of ECC to re-consider the parking budget, because the parking vote occurred after the meeting’s close on December 1, 2011, questioning the legitimacy of the vote itself
- That there was not enough time for students to participate in the discussion
- That many students had their hands up and were on a ‘speakers’ list’ but were not recognized
- That the meeting occurred at a bad time for students who could not attend it in sufficient numbers
- That the parking ancillary was extremely important and deserved full consideration

The Vice-President and Principal spoke against the motion and noted that the parking budget had indeed received more than 70 minutes of discussion, which provided members ample opportunity to express their views. He further noted that expert outside opinion had been obtained, which confirmed that the Chair’s decision to ask for an extension of the meeting to complete business was in order. He asked the Chair to re-read the relevant section of the opinion piece from a registered parliamentarian for those who came into the meeting late.
The Chair re-read the section above. The motion was put to a vote. The motion was lost.

The main motion was put to a vote. The motion to approve the minutes of the previous meeting was carried.

The Chair moved on to item two in the agenda, the ratification of ECC By-election Results.

He directed members to a memorandum from the Chief Returning Officer with the results of the ECC January by-elections. He reported that out of seven vacant positions in the part-time student category, five nominations were received and therefore acclaimed. He asked Council to welcome the following five part-time students to ECC:

- Bradley Allen
- Luciano Barrantes-Pozzo
- Daniel Brzuchalski
- Hussain Bukannan
- Syed Saad Qaiser

In addition there were three nominations received for the one vacant position in the administrative staff constituency, and therefore an election was held on Friday, January 20th. He asked Council to welcome Donna Coulson, from the Department of Mathematical and Computational Sciences to ECC.

It was duly moved and seconded, 
THAT
Council ratify the results of the ECC January by-elections. (L. Bailey/A. Mullin)
The motion was carried.

Moving on to the reports of committees and officers, the Chair called on Mr. Mark Overton, Dean of Student Affairs to present the Residence budget.

Mr. Overton presented the 2012-13 residence operating plan and management report, which is attached hereto as Appendix B.

It was duly moved and seconded,
THAT
The Residence Operating Plan and Management Report for 2012-13 be approved. (M. Overton/P. Donoghue)

The Chair opened the floor to discussion.

Referring to the 95% occupancy rate in the report, a member suggested that the 5% vacancy should be “cashed in.” He noted his great concern that with 53 rooms not occupied, it represented lost revenue of $441,000. He wondered if residence was working strategically to recover the lost occupancy and further noted that the 5% increase in fees made up a
significant chunk of what could be regained if the spaces were fully occupied. He made the following additional points: that the great majority of increases came from staff hires and asked if new hires were necessary; that there was a significant increase in maintenance costs and asked what the ancillary was doing to be prudent about these. Several members commented that a 95% occupancy rate points to rates being set at appropriate levels. Another member noted that occupancy rates were appropriate in that it allowed guaranteed spots for international students.

The Dean of Student Affairs explained that in occupancy rates there has to be a balance and that the current number is in line with general practice and with other universities. He noted for example that if major maintenance had to be done on a suite of rooms, students occupying those rooms would have to be placed in the vacant areas, which were reserved for that purpose. In addition, some prospective students put a deposit down on residence fees to hold their place, but then change their minds and default on that deposit, leaving some rooms vacant. Another unpredictable factor is that students, for various reasons, decide to leave throughout the year. With respect to salaries, wages and benefits, the Mr. Overton explained that increases reflect salary and benefit increases related to renegotiated collective bargaining agreements affecting unionized staff, and the addition of two new unionized student summer caretaking positions, which will result in reduced cleaning costs. These were long-delayed vacancies.

Another member spoke against the rate increase in the budget and noted that he still thought that there was a lot of room to generate revenue with respect to the vacancy rate.

A member spoke in support of the budgets in general and noted that almost 50% of students take courses in the summer and that is a challenge for conference services to find space to run these events while at the same time offering space for such a large number of students studying in the summer. Mr. Overton added that the ancillary also needed time to take full buildings off cycle to do major maintenance on them.

A member noted that the cost of residence in comparison to the cost of housing in the area was high and asked what the ancillary was doing to stay competitive. Mr. Overton explained that UTM residence is lower in cost than those in Toronto, but higher than Guelph and Hamilton and added that those living off campus also had to pay for food. He added that prices are monitored yearly and are not out of line with the current market, noting that the fairest comparison to UTM residence rates would be the University of Toronto Scarborough’s rates.

A member spoke in favour of the residence budget and noted that the rate increases seemed reasonable in light of the fact that the ancillary provided many sought after services for students.

The Previous Question was called and was carried. (L. Bailey/D. Saini)

The main motion was put to a vote. The main motion was carried.
The Chair called on Mr. Bill McFadden, Director of Hospitality and Retail Services to present the Food ancillary budget.

Mr. McFadden presented the 2012-13 Food Services operating plan and management report, which is attached hereto as Appendix C.

It was duly moved and seconded,
THAT
The Food Services Operating Plan and Management Report for 2012-13 be approved. (B. McFadden/D. Kreuger)

The Chair opened the floor to discussion.

Several members wondered why the university was paying for the maintenance of equipment that should be the providence of the campus food service provider, Chartwells. Mr. McFadden explained that Chartwells pays the university a commission and the university pays these types of fees out of the funds of the commission. The CAO added that the university owns all of the facilities and equipment associated with food services and maintains that equipment to keep it in good order. Mr. McFadden noted that this model was adopted because university owned equipment is better quality than it would be if it was owned and maintained by a third party.

A member asked what the ancillary was planning to do to make up the projected loss of revenue due to the closure of the North Building cafeteria because of that building’s renovation. Mr. McFadden explained that the plan is to move some of the food service offerings to other areas of the North Building and also to bring expanded food offerings to the Davis Building Meeting Place location.

In response to a member’s query on the amount and type of consultation food services conducts, Mr. McFadden reported that the ancillary worked very closely with a residence student dining committee and is in the process of striking an advisory committee that's representative of all campus constituencies.

With respect to the meal plan, a member asked why funds could not be carried over from year to year, since students were always in a rush to spend their meal plan funds. Mr. McFadden referred members to the report, which benchmarked UTM food services against other Ontario schools. He noted that UTM meal plans continued to benchmark exceptionally well against peer institutions: UTM Group A meal plan average is ranked 7th out of 13 Ontario peer institutions; UTM Group B meal plan average is ranked 2nd out of 4 Ontario peer institutions that offer a partial meal plan and UTM overall average meal plan is the second
lowest of 13 peer institutions when factoring in the group A and Group B meal plans together. Moreover, Mr. McFadden reported that these comparator institutions did not offer any type of carry over, and that three of UTM’s food plans offered some carry over (light, regular and the plus plans.)

The Vice-President and Principal noted that food services on campus are of great importance to the campus and that he was focused on finding solutions to existing food quality issues and to make new investments in food offerings.

The Previous Question was called and was carried. (S. McCarthy/M. Berger)

The main motion was put to a vote. The main motion was carried.

The Chair called on Mr. McFadden to present the Conference Services Budget.

Mr. McFadden presented the 2012-13 Conference Services operating plan and management report, which is attached hereto as Appendix D.

It was duly moved and seconded, THAT The Conference Services Operating Plan and Management Report for 2012-13 be approved. (B. McFadden/P. Donoghue)

A member expressed his approval of the high quality of customer service offered by Conference services. The member wondered if conference services could contribute to the residence ancillary given the fact that residence was experiencing a high amount of debt. In addition, he asked why the $100K transfer to the operating budget did not remain in the conference services ancillary. Mr. McFadden explained that the transfer rate between residence and conference services was reviewed on an annual basis and any costs related to occupancy were reflected in the transfer. He noted that transfer guidelines were also established by SARG and carried out in consultation with Business Services. With respect to transfers to the operating budget from ancillaries, the CAO explained that it was extremely difficult to try and track one dollar in a $160M budget and noted that the campus budget was made up of approximately 85% of compensation related costs, 4% of utilities related costs, while the balance is spent between 500-600 additional categories.

The motion was put to a vote. The motion was carried.

The Chair called on the Vice-President and Principal to provide his report.

Professor Saini noted that over the past two Council meetings, there had been an intense amount of discussion and debate on ancillary budgets. Since ECC’s consideration of these budgets were of an advisory nature to his office, as the Vice-President and Principal of UTM, he needed to take into consideration several factors when making his decision. He needed to ensure that the campus ran in a fiscally sound manner, while realizing that the
university was operating under a very strict borrowing limit. For example, if the parking budget were to be turned down, the campus would not be able to accommodate student enrollment increases and would not be able to expand the parking deck. In the end, these ancillary decisions affected the entire budget. Council’s recommendations today with respect to the ancillary budgets allowed him to avoid having to make some difficult decisions.

He reported that the university has launched the public phase of its fundraising campaign and that UTM was working hard on its own campaign.

He reminded members that February 1st was the National Day of Action, when across Canada students and their allies were taking action for more accessible, high quality public education. He noted his full support of their efforts to increase education funding.

He concluded by noting that UTM was going to launch its new website soon. In addition, Professor Saini was undertaking a blog and maintaining a Facebook account as the Vice-President and Principal.

A member proposed that a note of thanks be entered into the minutes for the heads of the ancillary operations as well as the staff of Business Services for their exemplary work on behalf of the ancillaries.

The meeting adjourned at 12:49 p.m.

Secretary ___________________________  Chair ___________________________