



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE MINUTES 19-016

9:30 a.m.

November 7, 2019

Council Chambers

Hamilton City Hall

Present: Councillors C. Collins (Chair), B. Clark, M. Pearson, B. Johnson and J. Partridge

Absent: Councillors A. VanderBeek, L. Ferguson – Personal, Councillor M. Wilson – City Business

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

- 1. Compassionate Grants for Laneway Houses (FCS19086) (City Wide) (Item 7.3)**

(Pearson/Partridge)

That Report FCS19086 respecting Compassionate Grants for Laneway Houses, be received.

CARRIED

- 2. 2019 Freedom of Information Quarterly Report (April 1 to June 30) (CL19005(a)) (City Wide) (Item 7.4)**

(Pearson/Partridge)

That Report CL19005(a), respecting the 2019 Freedom of Information Quarterly Report (April 1 to June 30), be received.

CARRIED

- 3. Governance Review Sub-Committee - Clerk's Report 19-005 - October 28, 2019) (Added Item 7.5)**

(Pearson/Partridge)

That the Governance Review Sub-Committee – Clerk's Report 19-005, be received.

CARRIED

- 4. Habitat for Humanity Hamilton's Request for Reimbursement of Fees for Habitat Developments (FCS19084) (City Wide) (Item 10.1)**

(Johnson/Partridge)

- (a)** That Habitat for Humanity Hamilton's request for reimbursement of the City Development Charges, totalling \$130,695.25 for 12 Wickham Avenue, 2-10 Dennis Avenue and 278 Wilson Street be approved and funded from Reserve "110041 Social Housing Stabilization";

- (b) That Habitat for Humanity Hamilton's request for reimbursement of the Waterdown Special Area Development Charge of \$3,441 for 2-10 Dennis Avenue be approved and funded from Reserve "110041 Social Housing Stabilization";
- (c) That Habitat for Humanity Hamilton's request for reimbursement of the Cash in Lieu of Parkland Dedication assessed for the 12 Wickham Avenue and 278 Wilson Street, totalling \$13,500, be denied;
- (d) That Habitat for Humanity Hamilton's request for reimbursement of \$537 in Building Division fees (Building, Water and Sewer permit fees) be denied; and,
- (e) That Habitat for Humanity Hamilton's request for a reimbursement of the OPA 28 fee of \$4,341 for 2-10 Dennis Avenue be denied.

Result: Motion CARRIED by a vote of 4 to 0, as follows:

NOT PRESENT - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
CONFLICT - Councillor Brad Clark

5. Provincial Offences Administration Amending Agreement to the Software License Agreement and Software Support Agreement for Court Administration Management System CAMS (FCS19083) (City Wide) (Item 10.2)

(Clark/Pearson)

- (a) That staff be authorized and directed to enter into an amending agreement between the City of Hamilton and The Regional Municipality of Niagara regarding the software license agreement and software support agreement for the Court Administration Management System (CAMS);
- (b) That the Mayor and City Clerk be authorized and directed to execute the amending agreement between the City of Hamilton and the Regional Municipality of Niagara in a form satisfactory to the City Solicitor; and,
- (c) That Council approve the single source procurement, pursuant to Procurement Policy #11 – Non-competitive Procurements, for the service agreement to provide third-party support to the Court Administration Management System (CAMS) until a suitable replacement can be found and that the General Manager, Corporate Services Department be authorized to negotiate, enter into and execute a Contract and any ancillary documents required to give effect thereto with White Acre Information Technology Services, in a form satisfactory to the City Solicitor.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

NOT PRESENT - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

6. Appointments to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee for the 2018-2022 Term (Item 14.1)

(Clark/Pearson)

That the recommendations for the Appointments to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee for the 2018-2022 Term be approved and released publicly following approval by Council.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

NOT PRESENT - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

7. Development Charges (DC) Transition Policy (Section 41) of DC By-law 19-142 (FCS19088) (City Wide) (Item 14.2)

(Pearson/Clark)

That the contents of Report FCS19088, respecting Development Charges (DC) Transition Policy (Section 41) of DC By-law 19-142, be received and remain confidential.

CARRIED

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

The Committee Clerk advised of the following changes to the agenda:

6. DELEGATION REQUEST (Item 6)

- 6.1 Sergio Manchia, Urbancore Developments Inc., respecting the Development Charges liability for the proposed self storage facility at 9 Aeropark Boulevard known as Upper James Self (For today's

meeting) – Request was amended to add the subject lands located at 54 Dundas Street, Waterdown, Waterdown Mini Storage Inc abutting the L3 WesCam project

- 6.2 Mouna Bile, Hamilton Community Legal Clinic, respecting recommendations towards the re-opening of Hamilton Anti-Racism Resource Centre (For a future meeting)
- 6.3 Sean Ferris, Habitat for Humanity Hamilton, respecting Item 10.1 - Report FCS19084 - Habitat for Humanity Hamilton's Request for Reimbursement of Fees for Habitat Developments (For today's meeting)

7. CONSENT ITEMS (Item 7)

- 7.5 Governance Review Sub-Committee – Clerk's Report 19-005 – October 28, 2019

12. NOTICES OF MOTION (Item 12)

- 12.1 Methodology for Infrastructure Master Plans to Support Future Calculation of Variable Development Charges

(Pearson/Clark)

That the agenda for the November 7, 2019 Audit, Finance and Administration Committee meeting be approved, as amended.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

NOT PRESENT - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Clark declared an interest to Item 10.1, Report FCS19084 respecting Habitat for Humanity Hamilton's Request for Reimbursement of Fees for Habitat Developments, as he has a non-pecuniary indirect, apparent conflict under common law due to a former professional relationship with Habitat for Humanity Hamilton.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) October 17, 2019 (Item 4.1)

(Johnson/Partridge)

That the Minutes of the October 17, 2019 meeting of the Audit, Finance and Administration Committee be approved, as presented.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

NOT PRESENT - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(d) DELEGATION REQUESTS (Item 6)

(Johnson/Pearson)

That the following Delegation Requests be approved, as follows:

- (i) Sergio Manchia, Urbancore Developments Inc., respecting the Development Charges liability for the proposed self storage facility at 9 Aeropark Boulevard known as Upper James Self Storage and the subject lands located at 54 Dundas Street, Waterdown, Waterdown Mini Storage Inc abutting the L3 WesCam project (For today's meeting) (Item 6.1)
- (ii) Mouna Bile, Hamilton Community Legal Clinic, respecting recommendations towards the re-opening of Hamilton Anti-Racism Resource Centre (For a future meeting) (Added Item 6.2)
- (iii) Sean Ferris, Habitat for Humanity Hamilton, respecting Item 10.1 - Report FCS19084 - Habitat for Humanity Hamilton's Request for Reimbursement of Fees for Habitat Developments (For today's meeting) (Added Item 6.3)

Result: Motion CARRIED by a vote of 5 to 0, as follows:

NOT PRESENT - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(e) CONSENT ITEMS (Item 7)

(i) Advisory Committee Minutes (Item 7.1)

(Pearson/Partridge)

That the following Advisory Committee Minutes, be received:

- (1) Advisory Committee for Immigrants and Refugees - March 14, 2019 (Item 7.1(a))
- (2) Committee Against Racism - January 22, 2019 (Item 7.1(b))
- (3) Hamilton Status of Women Advisory Committee - March 28, 2019 (Item 7.1(c))
- (4) Hamilton Status of Women Advisory Committee - June 27, 2019 (Item 7.1(d))
- (5) Hamilton Aboriginal Advisory Committee - May 2, 2019 (Item 7.1(e))

CARRIED

(ii) Interview Sub-Committee to the Audit, Finance & Administration Committee Minutes 19-003 - October 21, 2019 (Item 7.2)

(Pearson/Partridge)

That the Interview Sub-Committee to the Audit, Finance & Administration Committee Minutes 19-003 from October 21, 2019, be received.

CARRIED

(f) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) Sergio Manchia, Urbancore Developments Inc., respecting the Development Charges liability for the proposed self storage facility at 9 Aeropark Boulevard known as Upper James Self Storage and the subject lands located at 54 Dundas Street, Waterdown, Waterdown Mini Storage Inc abutting the L3 WesCam project (For today's meeting) (Added Item 8.1)

Sergio Manchia, Urbancore Developments Inc., addressed the Committee respecting Development Charge liability for the proposed self storage facility at 9 Aeropark Boulevard known as Upper James Self Storage and the subject lands located at 54 Dundas Street, Waterdown, Waterdown Mini Storage Inc abutting the L3 WesCam project, with the aid of a presentation.

(Pearson/Clark)

That Sergio Manchia be permitted additional time, beyond the permitted 5 minutes, to continue with his presentation.

CARRIED

(Clark/Pearson)

That the delegation from Sergio Manchia, Urbancore Developments Inc., respecting Development Charge liability for the proposed self storage facility at 9 Aeropark Boulevard known as Upper James Self Storage and the subject lands located at 54 Dundas Street, Waterdown, Waterdown Mini Storage Inc abutting the L3 WesCam project, be received.

CARRIED

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

(Partridge/Clark)

That staff be directed to report back to the Audit, Finance & Administration Committee respecting the Development Charges liability at 54 Dundas Street, Waterdown, Waterdown Mini Storage Inc and other properties that would fall under the same category.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

NOT PRESENT - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(ii) Sean Ferris, Habitat for Humanity Hamilton, respecting Item 10.1 - Report FCS19084 - Habitat for Humanity Hamilton's Request for Reimbursement of Fees for Habitat Developments (Added Item 8.2)

Sean Ferris, Habitat for Humanity Hamilton, addressed the Committee respecting Item 10.1 - Report FCS19084 - Habitat for Humanity Hamilton's Request for Reimbursement of Fees for Habitat Developments.

(Partridge/Johnson)

That the delegation from Sean Ferris, Habitat for Humanity Hamilton, respecting Item 10.1 - Report FCS19084 - Habitat for Humanity Hamilton's Request for Reimbursement of Fees for Habitat Developments, be received.

CARRIED

For disposition of the matter refer to Item 4.

(g) NOTICES OF MOTION (Item 12)

(i) Methodology for Infrastructure Master Plans to Support Future Calculation of Variable Development Charges (Item 12.1)

As Councillor Wilson was not in attendance to introduce her Notice of Motion, will be considered as a Motion at the November 21, 2019 Audit, Finance & Administration Committee meeting.

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(i) Amendments to the Outstanding Business List (Item 13.1)

(Partridge/Johnson)

That the following amendments to the Outstanding Business List, be approved:

(a) Items to be Removed (Item 13.1(a)):

Compassionate Grant – Laneway Houses Prior to June 13, 2019

Item 7.3 on today's agenda - Compassionate Grants for Laneway Houses (FCS19086) (City Wide)
OBL Item: 19-M(a)

Request for Development Charge and Parkland Dedication Reimbursement to Habitat for Humanity Hamilton
Item 10.1 on today's agenda - Habitat for Humanity Hamilton's Request for Reimbursement of Fees for Habitat Developments (FCS19084) (City Wide)
OBL Item: 19-K

Result: Motion CARRIED by a vote of 5 to 0, as follows:

NOT PRESENT - Councillor Maureen Wilson

YES - Chair Chad Collins

YES - Councillor Judi Partridge

NOT PRESENT - Councillor Arlene VanderBeek

NOT PRESENT - Councillor Lloyd Ferguson

YES - Councillor Brenda Johnson

YES - Councillor Maria Pearson

YES - Councillor Brad Clark

(i) PRIVATE AND CONFIDENTIAL (Item 14)

(i) Appointments to the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee for the 2018-2022 Term (Item 14.1)

Committee determined that discussion of Item 14.1 was not required in Closed Session, so the item was addressed in Open Session.

For further disposition of this matter, refer to Item 6.

(Clark/Pearson)

That Committee move into Closed Session respecting Item 14.2, pursuant to Section 8.1, Sub-section (e) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (e) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

NOT PRESENT - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(ii) Development Charges (DC) Transition Policy (Section 41) of DC By-law 19-142 (FCS19088) (City Wide) (Item 14.2)

For further disposition of this matter, refer to Item 7.

(j) ADJOURNMENT (Item 15)

(Pearson/Clark)

That, there being no further business, the Audit, Finance and Administration Committee, be adjourned at 10:46 a.m.

CARRIED

Respectfully submitted,

Councillor Collins, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk