



**GENERAL ISSUES COMMITTEE
2015 BUDGET
MINUTES 15-003(a)**

9:30 a.m.

Friday, January 23, 2015

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Mayor F. Eisenberger, Deputy Mayor R. Pasuta (Chair)
Councillors A. Johnson, J. Farr, M. Green, S. Merulla, C. Collins,
T. Jackson, S. Duvall, T. Whitehead, D. Conley, M. Pearson, B.
Johnson, L. Ferguson, A. VanderBeek, J. Partridge

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:

1. 2015 Niagara Peninsula Conservation Authority Levy Apportionment (FCS15018) (City Wide) (Item 7.1)

(Pearson/Partridge)

That Report FCS15018, respecting the 2015 Niagara Peninsula Conservation Authority Levy Apportionment, be received.

CARRIED

2. 2015 Tax Supported User Fees (FCS15005) (City Wide) (Item 8.1)

(Jackson/Conley)

(a) That the 2015 User Fees, attached as Appendix "A" to Report FCS15005 – 2015 Tax Supported User Fees, be approved; and,

(b) That the City Solicitor and Corporate Counsel be authorized and directed to prepare all necessary by-laws, for the purposes of enacting the 2015 User Fees, attached as Appendix "A" to Report FCS15005.

CARRIED

3. Concession Street Reconstruction (PW14116(a) (Ward 7) (Item 8.3)

(Duvall/Jackson)

(a) That \$2,610,000 from Rates Reserve #108015 - Waterworks capital reserve, be utilized to fund the award of the tender for the watermain replacement and watermain lining portions of the Concession Street from

Upper Wellington to Upper Sherman Reconstruction, Contract C15-68-14 HW;

- (b) That the \$2,610,000 be transferred to project ID 5141571301 (Watermain replacement with Roads); and,
- (c) That the General Manager of Public Works be authorized and directed to award the tender of Contract C15-68-14 HW, being the Reconstruction of Concession Street from Upper Wellington to Upper Sherman, Belwood Avenue from Concession Street to Alpine Street.

CARRIED

4. Marketing and Scheduling of the Tim Horton's Stadium Facilities (Added 9.1)

(Green/Farr)

- (a) That the City staff responsible for the booking of Tim Horton's Stadium be directed to report to the General Issues Committee, respecting the marketing and scheduling process for community bookings and available schedules for the Tim Horton's Stadium facilities; and,
- (b) That staff be directed to withhold or suspend any new community bookings requested, beyond February 11, 2015, within our legal authority and pending legal review, of the Tim Horton's Stadium facilities , and or associated amenities, until such time as Council and community members have had an opportunity to understand the scheduling process and available dates and times for the Tim Horton's Stadium facility.

**AMENDMENT CARRIED
MOTION AS AMENDED CARRIED**

5. Terms of Reference for the Capital Projects Work in Progress (WIP) List (Item 10.3)

(Collins/Johnson)

- (a) That a Capital Projects Work-in-Progress Sub-Committee be established to assist Council in reviewing the Capital Projects Work in Progress (WIP) list.
- (b) That staff be directed to prepare a Terms of Reference for the Capital Projects Work-in-Progress Sub-Committee and report to the General Issues Committee.
- (c) That the following members of Council be appointed to the Capital Projects Work-in-Progress Sub-Committee:

- 1. B. Johnson

2. J. Partridge
3. M. Pearson
4. T. Whitehead
5. C. Collins
6. D. Conley

CARRIED

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

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

- (i) Added as Item 3.2 – Minutes of the January 15, 2015 General Issues Budget Committee Meeting
- (ii) A presentation has been added to Item 8.2, respecting Responses to the Council Enquiries regarding the 2015 Tax Supported Capital Budget
- (iii) Added as Item 8.3 – Report PW14116(a), respecting the Concession Street Reconstruction (Ward 7)
- (iv) SMT has requested that Item 8.1, Report FCS15005 – 2015 Tax Supported User Fees, be moved up on the agenda to be addressed before Item 7.1.

(Pearson/VanderBeek)

That the agenda for the January 23, 2015 General Issues Committee Budget meeting be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETINGS (Item 3)

(i) January 9, 2015 (Item 3.1)

(Green/A. Johnson)

That the Minutes of the January 9, 2015 General Issues Committee Budget meeting, be approved as presented.

CARRIED

(ii) January 15, 2015 (Item 3.2)

(VanderBeek/Pearson)

That the Minutes of the January 15, 2015 General Issues Committee Budget meeting, be approved as presented.

CARRIED

(d) PRESENTATIONS (Item 7)

(i) 2015 Niagara Peninsula Conservation Authority Levy Apportionment (FCS15018) (City Wide) (Item 7.1)

Mike Zegarac, General Manager of Finance & Corporate Services, provided a PowerPoint presentation respecting the 2015 Niagara Peninsula Conservation Authority Levy Apportionment. The presentation included, but was not limited to, the following:

General Background:

- Conservation Authorities determine their budget requirements and then set a levy for each municipality within their watershed, based on Provincial Regulation (Ont. Reg. 670/00).
- The regulation provides two options for determining the apportionment:
 - by mutual agreement; and,
 - By formula as set out in the regulation.
- Each year the Ministry of Natural Resources and Forestry sends out the apportionments to the Conservation Authority.

Niagara Peninsula Conservation Authority Apportionment:

- Prior to Amalgamation (2001), the assessment used to determine Hamilton's (Region) apportionment was based on Glanbrook, Ancaster and Stoney Creek.
- The resulting share of the NPCA levy was about 6.7%.
- At amalgamation, an issue was identified as the formula, which now applied to all of the new City of Hamilton's assessment, would result in a significant shift in apportionment.
- This would result in Hamilton's share increasing from about 6.7% to 20%.

Agreement:

- For 2001 – 2003 an interim agreement was used, which kept Hamilton's share at about 6.7%.
- In 2004, all four conservation authorities agreed on an apportionment formula that would recognize the portion of Hamilton's assessment within their watersheds.
- Hamilton's share of the NPCA levy was reduced to about 4%, due to the use of more accurate assessment data.
- The Ministry has been calculating the apportionments, based on this Agreement since 2004.

2015 NPCA Apportionment:

- In December of 2014, NPCA staff met with Hamilton staff and identified a concern about the apportionment.
- In January of 2015, NPCA staff confirmed that by their interpretation of the provincial regulations, the Agreement was invalid as it was not agreed to by all the participating municipalities (only the Conservation Authorities).
- In the absence of a new agreement, the NPCA has indicated that it will be apportioning their 2015 budget, based on the provincial formula, not the existing agreement.
- This would increase the City of Hamilton's share from about 4% to 20%; resulting on an increase in cost of about \$865,000 (Draft).

City's Response To-date:

- City's position is that the 2004 Agreement is valid.
- City staff recognizes that the agreement is due for review and recommends that this occur for the 2016 apportionments.
- The review must include all four conservation authorities.
- The conservation authorities and municipalities should lobby the Province for an update to Regulation 670/00 to ensure that the apportionment formula uses assessments that reflect properties within the watershed of a conservation authority.

- Staff continues to liaise with the Conservation Authorities and the Province.
- Staff will recommend options to Council once the Niagara Peninsula Authority formally submits their levy.

(Ferguson/Partridge)

That the presentation, respecting the 2015 Niagara Peninsula Conservation Authority Levy Apportionment, be received.

CARRIED

A full copy of the presentation is available on the City's website at www.hamilton.ca.

(e) DISCUSSION ITEMS (Item 8)

(i) Responses to Council Enquiries respecting the 2015 Tax Supported Capital Budget (Item 8.2)

Mike Zegarac, General Manager of Finance & Corporate Services, provided a PowerPoint presentation regarding the Council Enquiries respecting the 2015 Tax Supported Capital Budget. The presentation included, but was not limited to, the following:

- Council Consultation:
 - Ward Capital 1-on-1 Meetings
 - Bus Tour
 - Workshops
 - Meetings with Program Areas
 - Information continues to be provided to Committee members regarding 2015 capital projects and active accounts.
 - Staff are reviewing the 2015 recommended capital projects and active accounts in response to Committee's motion.
- Standing Committee Work in Progress (WIP) Variance Reporting:
 - December 14, 2011, Council directed Staff to present Capital Status Reports for their program areas to the respective Standing Committees. This process started June 30, 2013.
 - Staff are open to any Committee direction in an effort to improve the process

- Next Steps:
 - January 30, 2015 GIC
 - Council approval February 11, 2015

(Duvall/Collins)

That the presentation, regarding the Council Enquiries respecting the 2015 Tax Supported Capital Budget, be received.

CARRIED

A full copy of the presentation is available on the City's website at www.hamilton.ca.

(f) MOTIONS (Item 9)

(i) Potential Purchase of the Green Space at Scenic Drive and Sanatorium Road

(Collins/Whitehead)

That staff be directed to report to the General Issues Committee respecting the potential purchase of the green space located at Scenic Drive and Sanatorium Road.

CARRIED

(g) NOTICES OF MOTION (Item 10)

(i) Marketing and Scheduling of the Tim Horton's Stadium Facilities (Added 10.1)

Councillor M. Green introduced the following Notice of Motion:

WHEREAS; the City of Hamilton is in charge of bookings for the new Tim Horton's Stadium;

AND WHEREAS; community booking has yet to become available;

AND WHEREAS; the community should be provided with opportunities to be made aware of what amenities are available to them through tours and marketing communications;

AND WHEREAS; staff was directed to prepare a multi-year Strategic Marketing Plan for Tim Horton's Field to maximize use and revenue opportunities;

THEREFORE BE IT RESOVLED:

- (a) That the City staff responsible for the booking of Tim Horton's Stadium be directed to report to the General Issues Committee, respecting the marketing and scheduling process for community bookings and available schedules for the Tim Horton's Stadium facilities; and,
- (b) That staff be directed to withhold or suspend any bookings of the Tim Horton's Stadium facilities, and or associated amenities, until such time as Council and community members have had an opportunity to understand the scheduling process and available dates and times for the Tim Horton's Stadium facility.

(Green/Farr)

That the Rules of Order be waived to allow for the introduction of a motion, respecting the Marketing and Scheduling of the Tim Horton's Stadium Facilities.

CARRIED

(Farr/A. Johnson)

That sub-section (b) be amended by adding the words "*new community bookings requested, beyond February 11, 2015, within our legal authority and pending legal review,*" after the words "suspend any", to read as follows:

- (b) That staff be directed to withhold or suspend any **new community bookings requested, beyond February 11, 2015, within our legal authority and pending legal review,** of the Tim Horton's Stadium facilities, and or associated amenities, until such time as Council and community members have had an opportunity to understand the scheduling process and available dates and times for the Tim Horton's Stadium facility.

CARRIED

The main motion, shown as Item 4 above, CARRIED, as amended, on the following vote:

Yeas: F. Eisenberger, T. Whitehead, S. Duvall, T. Jackson, C. Collins, S. Merulla, M. Green, J. Farr, A. Johnson, D. Conley, M. Pearson, B. Johnson, A. VanderBeek, R. Pasuta, J. Partridge

Total: 13

Nays: L. Ferguson

Total: 1

(ii) Niagara Peninsula Conservation Authority's Levy Apportionment (10.2)

Councillor Collins introduced the following Notice of Motion:

That staff be directed to prepare and move forward with the appeal process to the Commissioner of Mining and Lands with respect to the Niagara Peninsula Conservation Authority's Levy Apportionment, in the event the Niagara Peninsula Conservation Authority approves a 2015 Levy Apportionment in excess of the one from 2014.

(h) ADJOURNMENT (Item 13)

(Pearson/B. Johnson)

That, there being no further business, the General Issues Committee, be adjourned at 12:24 p.m.

CARRIED

Respectfully submitted,

Councillor R. Pasuta, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk