



AUDIT, FINANCE & ADMINISTRATION COMMITTEE

MINUTES 15-009

9:30 a.m.

Monday, September 14, 2015

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors M. Pearson (Chair), A. Johnson (Vice-Chair),
L. Ferguson, C. Collins, B. Johnson, and R. Pasuta

**Absent with
Regrets:** Councillor A. VanderBeek - Personal

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:

1. Ontario Retirement Pension Plan (ORPP) (FCS15058) (City Wide) (Item 5.1)

(B. Johnson/Ferguson)

That Report FCS15058 respecting Ontario Retirement Pension Plan (ORPP), be received.

CARRIED

**2. Whistleblower Information Update for Q1 2015 and Q2 2015 (AUD15029)
(City Wide) (Item 5.2)**

(Ferguson/Pasuta)

That Report AUD15029 respecting Whistleblower Information Update for Q1 2015 and Q2 2015, be received.

CARRIED

**3. 2015 Second Quarter Request for Tenders and Proposals Report
(FCS15013(a)) (City Wide) (Item 5.3)**

(Collins/Ferguson)

That Report FCS15013(a) respecting 2015 Second Quarter Request for Tenders and Proposals Report, be received.

CARRIED

4. 2015 Second Quarter Non-Compliance with the Procurement Policy Report (FCS15015(a)) (City Wide) (Item 5.4)

(Pasuta/A. Johnson)

That Report FCS15015(a) respecting 2015 Second Quarter Non-Compliance with the Procurement Policy Report, be received.

CARRIED

5. Follow-up of Audit Report 2013-16 Community and Emergency Services - Homes for the Aged – Accommodation Fees and Trust Funds (AUD15019) (City Wide) (Item 5.5)

(B. Johnson/Pasuta)

That Report AUD15019 respecting Follow-up of Audit Report 2013-16 Community and Emergency Services - Homes for the Aged – Accommodation Fees and Trust Funds, be received.

CARRIED

6. 2014 Standard & Poor's Rating Service (FCS15057) (City Wide) (Item 5.6)

(Ferguson/Collins)

That Report FCS15057 respecting 2014 Standard & Poor's Rating Service, be received.

CARRIED

7. Treasurer's Apportionment of Land Taxes (FCS15012 (c)) (Wards 8, 9, 11 & 15) (Item 5.8)

(Collins/Pasuta)

(a) That the 2015 land taxes in the amount of \$1,684 for 143-145 Hazelton Ave., Hamilton, (Roll #2518 080 961 02012 0000) be apportioned and split amongst the two newly created parcels as set out in Appendix A to Report FCS15012(c);

(b) That the 2015 land taxes in the amount of \$1,726 for 132-134 Hazelton Ave., Hamilton, (Roll #2518 080 961 02021 0000) be apportioned and split amongst the two newly created parcels as set out in Appendix A to Report FCS15012(c);

(c) That the 2015 land taxes in the amount of \$15,238 for 90-150 Crafter Cres, Stoney Creek, (Roll #2518 003 510 80252 0000) be apportioned and split amongst the twenty-seven newly created parcels as set out in Appendix A to Report FCS15012(c);

(d) That the 2015 builder's payment in the amount of \$938 for 90-150 Crafter Cres, Stoney Creek, (Roll #2518 003 510 80252 0000) be apportioned

and split amongst the twenty-seven newly created parcels as set out in Appendix A to Report FCS15012(c);

- (e) That the 2015 land taxes in the amount of \$4,225 for 167-179 Westbank Trail, Stoney Creek, (Roll #2518 003 650 10549 0000) be apportioned and split amongst the seven newly created parcels as set out in Appendix A to Report FCS15012(c);
- (f) That the 2015 land taxes in the amount of \$4,313 for 125-135 Westbank Trail, Stoney Creek, (Roll #2518 003 650 10551 0000) be apportioned and split amongst the six newly created parcels as set out in Appendix A to Report FCS15012(c);
- (g) That the 2015 land taxes in the amount of \$5,225 for 115-123 Westbank Trail, Stoney Creek, (Roll #2518 003 650 10552 0000) be apportioned and split amongst the five newly created parcels as set out in Appendix A to Report FCS15012(c);
- (h) That the 2015 land taxes in the amount of \$4,525 for 104-118 Westbank Trail, Stoney Creek, (Roll #2518 003 650 10553 0000) be apportioned and split amongst the eight newly created parcels as set out in Appendix A to Report FCS15012(c);
- (i) That the 2015 land taxes in the amount of \$4,525 for 120-134 Westbank Trail, Stoney Creek, (Roll #2518 003 650 10554 0000) be apportioned and split amongst the eight newly created parcels as set out in Appendix A to Report FCS15012(c);
- (j) That the 2015 land taxes in the amount of \$3,563 for 146-154 Westbank Trail, Stoney Creek, (Roll #2518 003 650 10555 0000) be apportioned and split amongst the five newly created parcels as set out in Appendix A to Report FCS15012(c);
- (k) That the 2015 land taxes in the amount of \$3,525 for 172-180 Westbank Trail, Stoney Creek, (Roll #2518 003 650 10556 0000) be apportioned and split amongst the five newly created parcels as set out in Appendix A to Report FCS15012(c);
- (l) That the 2015 land taxes in the amount of \$2,850 for 208-214 Westbank Trail, Stoney Creek, (Roll #2518 003 650 10557 0000) be apportioned and split amongst the four newly created parcels as set out in Appendix A to Report FCS15012(c);
- (m) That the 2014 land taxes in the amount of \$9,760 for Wentworth Standard Condominium Plan 498, Glanbrook, (Roll #2518 902 110 04481 and Roll #2518 902 110 04482 0000) be apportioned and split amongst the twenty-three newly created parcels as set out in Appendix A to Report FCS15012(c);
- (n) That the 2014 builder's payment in the amount of \$3,752 for Wentworth Standard Condominium Plan 498, Glanbrook, (Roll #2518 902 110 04481

and Roll #2518 902 110 04482 0000) be apportioned and split amongst the twenty-three newly created parcels as set out in Appendix A to Report FCS15012(c);

- (o) That the 2015 land taxes in the amount of \$3,416 for 3477 Highway 6, Glanbrook, (Roll #2518 902 510 40200 0000) be apportioned and split amongst the two newly created parcels as set out in Appendix A to Report FCS15012(c);
- (p) That the 2015 land taxes in the amount of \$6,436 for 53-59 Lupo Dr., Flamborough, (Roll #2518 303 350 60720 0000) be apportioned and split amongst the four newly created parcels as set out in Appendix A to Report FCS15012(c); and
- (q) That the 2015 land taxes in the amount of \$4,852 for 233-237 Fellowes Cres., Flamborough, (Roll #2518 303 350 60750 0000) be apportioned and split amongst the three newly created parcels as set out in Appendix A to Report FCS15012(c).

CARRIED

8. 2015 Second Quarter Emergency and Non-Competitive Procurement Report (FCS15014 (a)) (City Wide) (Item 5.9)

(Collins/A. Johnson)

That Report FCS15014(a)) respecting 2015 Second Quarter Emergency and Non-Competitive Procurement Report, be received.

CARRIED

9. Reserve/Revenue Funds and Trust Accounts Statement of Investment Policies and Procedures Review (FCS15055) (City Wide) (Item 8.1)

(Collins/Pasuta)

That the 2014 Reserve/Revenue Funds and Trust Accounts Statement of Investment Policies and Procedures be deleted and replaced with the 2015 Reserve/Revenue Funds and Trust Accounts Statement of Investment Policies and Procedures attached as Appendix "A" to Report FCS15055.

CARRIED

10. Request to Extend Development Charges Demolition Credit - 184 Kensington Avenue North (FCS15056) (Item 8.3)

(Collins/B. Johnson)

- (a) That the request to extend the Development Charges (DC) Demolition Credit for the former single family dwelling at 184 Kensington Ave N be denied.

CARRIED

11. Tax Appeals under Sections 357 and 358 of the Municipal Act, 2001 (FCS15021(e)) (City Wide) (Item 8.4)

(B. Johnson/Ferguson)

- (a) That Appendix A attached to Report FCS15021(e) respecting the Tax Appeals processed under Section 357 of the *Municipal Act, 2001*, in the amount of \$145,415 be approved;
- (b) That Appendix B attached to Report FCS15021(e) respecting the Tax Appeals, due to a Gross or Manifest Clerical Error, Pursuant to Section 358 of the *Municipal Act, 2001*, in the amount of \$24,464 be approved.

CARRIED

12. Audit Report 2014-17- Corporate Services and Public Works - Water Billings Process (AUD15021) (City Wide) (Outstanding Business List) (Item 8.5)

(Ferguson/Pasuta)

- (a) That the Management Action Plans as detailed in Appendix "A" of Report AUD15021 be approved;
- (b) That the General Manager of Public Works and the General Manager of Finance and Corporate Services be directed to instruct the appropriate staff to have the Management Action Plans (attached as Appendix "A" to Report AUD15021) implemented.

CARRIED

13. Audit Report 2014-16 - City Manager's Office - Office of the City Clerk - Records Management (AUD15023) (City Wide) (Item 8.6)

(Ferguson/Collins)

- (a) That the Management Action Plans as detailed in Appendix "A" of Report AUD15023 be approved; and
- (b) That the City Manager be directed to instruct the appropriate staff to have the Management Action Plans (attached as Appendix "A" to Report AUD15023) implemented.

CARRIED

14. Performance Audit Report 2015-03 - Agenda Process (Value for Money Audit) (AUD15025) (City Wide) (Item 8.7)

(Collins/A. Johnson)

- (a) That the Management Action Plans as detailed in Appendix "A" of Report AUD15025 be approved; and

- (b) That the City Manager and General Manager of Finance and Corporate Services be directed to instruct the appropriate staff to have the Management Action Plans (attached as Appendix “A” to Report AUD15025) implemented.

CARRIED

15. Audit Report 2015-01 - Corporate Services - Property Tax Billing and Collection (AUD15026) (City Wide) (Item 8.8)

(B. Johnson/Ferguson)

- (a) That the Management Action Plans as detailed in Appendix “A” of Report AUD15026 be approved; and
- (b) That the General Manager of Finance and Corporate Services be directed to instruct the appropriate staff to have the Management Action Plans (attached as Appendix “A” to Report AUD15026) implemented.

CARRIED

16. Audit Report 2014-18 – Corporate Services - IT Hardware Asset Management (AUD15024) (City Wide) (Item 8.9)

(Ferguson/Collins)

- (a) That the Management Action Plans, as detailed in Private and Confidential Appendix “A” of Report AUD15024 be approved;
- (b) That the General Manager of Finance and Corporate Services be directed to instruct the appropriate staff to have the Management Action Plans (attached as Private and Confidential Appendix “A” to Report AUD15024) implemented; and
- (c) That Appendix “A” to Report AUD15024, respecting Audit Report 2014-18 – Corporate Services – IT Hardware Asset Management Audit, be received and remain confidential.

CARRIED

17. Data Dissemination Policy (FCS15064) (City Wide) (Item 8.10)

(A. Johnson/B. Johnson)

- (a) That the Data Dissemination Policy (“DDP”), attached as Appendix “A” to Report FCS15064, be approved and that the Director, Information Technology, be authorized to amend the Policy, from time to time, as required, in a form satisfactory to the City Solicitor with content approved by the General Manager, Finance & Corporate Services;
- (b) That the Director, Information Technology, or delegate, be authorized and directed to execute all data dissemination licensing agreements in a form set out in Schedule “A” of the Data Dissemination Policy (“DDP”), as may be

amended, from time to time, and other ancillary documents, as required, to implement the DDP.

CARRIED

18. Status of Women Advisory Committee Report 15-001, May 25, 2015 (City Wide) (Item 8.11)

(B. Johnson/Pasuta)

That \$2,800 be transferred from the Status of Women Advisory Committee's Volunteer Reserve Account, to fund the "Up for Debate" event on the Committee's 2015 work plan.

CARRIED

19. Committee Against Racism Report 15-001, May 25, 2015 (City Wide) (Item 8.12)

(B. Johnson/Pasuta)

- (a) That the formation of a new volunteer advisory committee under the name, Lincoln Alexander Day Planning Committee, whose main function will be to organize a yearly event to honour Lincoln Alexander Day (January 21st of each year), be approved in accordance with the Terms of Reference attached as Appendix "A" to Report CAR15001;
- (b) That a budget of \$5,000 be approved ***from the Tax Stabilization Reserve in 2015 for the 2016 year***, in order to fund the event for the first year, with subsequent years' budgets and work plan approval to be predicated on the achievement of identified success measures which are to be ***referred to the 2016 budget process to identify a sustainable funding source*** and presented to Council each year; and
- (c) That the draft work plan and draft budget, attached as Appendix "B" to Report CAR15001, be received.

MOTION AS AMENDED CARRIED

20. Extension of the Parkland Dedication Fee Demolition Credit for 6 Falcon Road, Stoney Creek (Item 9.1)

(B. Johnson/Ferguson)

That the Parkland Dedication Fee Demolition Credit expiry date for 6 Falcon Road, Stoney Creek, Ontario be extended to July 9, 2017, to mirror the Development Charge Demolition Credit Extension Date (July 9, 2017).

CARRIED

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

(A. Johnson/Ferguson)

That the Agenda for the July 8, 2015 meeting of the Audit, Finance and Administration Committee be approved, as presented.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

None.

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

(i) July 8, 2015

(Pasuta/B. Johnson)

That the Minutes of the July 8, 2015 Audit, Finance and Administration Committee meeting be approved, as presented.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

- (i) Allan Buist, Diconzo & Associates, representing Augusta Street (Hamilton) Holdings Inc., respecting Extension of Timeline for Development Charge Credits for 86 Augusta Street and 134 Catherine Street, Hamilton, Ontario (for today's meeting) (Item 4.1)**

(A. Johnson/Ferguson)

That the delegation request submitted by Allan Buist, Diconzo & Associates, representing Augusta Street (Hamilton) Holdings Inc., and presented by Sergio Manchia, respecting Extension of Timeline for Development Charge Credits for 86 Augusta Street and 134 Catherine Street, Hamilton, Ontario, be approved for today's meeting.

CARRIED

- (ii) Caroline Baker, GSP Group Inc., representing New Horizon Development Group, respecting Development Charge Deferral Agreement for the City Square 2 Development Agreement (for today's meeting – referred from the September 1, 2015 Planning Committee) (Item 4.2)**

(B. Johnson/ Ferguson)

That the delegation request submitted by Caroline Baker, GSP Group Inc., representing New Horizon Development Group, respecting Development

Charge Deferral Agreement for the City Square 2 Development Agreement, be approved for today's meeting.

CARRIED

(d) CONSENT ITEMS (Item 5)

- (i) Minutes of the Hamilton Mundialization Committee (City Wide) (Items 5.7 (a) (b) (c) and (d))**

(Collins/Pasuta)

That the Minutes of the Hamilton Mundialization dated January 21, February 18, March 18, and April 22, 2015, be received.

CARRIED

- (ii) Minutes of the Aboriginal Advisory Committee (City Wide) (Items 5.10 (a) and (b))**

(Collins/Pasuta)

That the Minutes of the Aboriginal Advisory Committee dated May 7 and June 4, 2015, be received.

CARRIED

- (iii) Minutes of the Advisory Committee for Immigrants and Refugees (City Wide) (Items 5.11 (a) and (b))**

(Collins/Pasuta)

That the Minutes of the Advisory Committee for Immigrants and Refugees dated March 12 and April 9, 2015, be received.

CARRIED

- (iv) Minutes of the Status of Women Committee (City Wide) (Items 5.12 (a) and (b))**

(Ferguson/Collins)

That the Minutes of the Status of Women Committee dated March 25 and April 23, 2015, be received.

CARRIED

- (v) Minutes of the Committee Against Racism (City Wide) (Items 5.13 (a) and (b))**

(Ferguson/Collins)

That the Minutes of the Committee Against Racism dated March 24 and April 28, 2015, be received.

CARRIED

(vi) Minutes of the LGBTQ Advisory Committee (City Wide) (Items 5.14 (a) and (b))

(Ferguson/Collins)

That the Minutes of the LGBTQ Advisory Committee dated February 19 and March 19, 2015, be received.

CARRIED

(e) DELEGATIONS (Item 6)

(i) Allan Buist, Diczonzo & Associates, representing Augusta Street (Hamilton) Holdings Inc., respecting Extension of Timeline for Development Charge Credits for 86 Augusta Street and 134 Catherine Street, Hamilton, Ontario (Added as Item 6.1)

Mr. Manchia addressed Committee respecting Extension of Timeline for Development Charge Credits for 86 Augusta Street and 134 Catherine Street, Hamilton, Ontario with the aid of a PowerPoint presentation. A copy of the presentation has been retained for the official record. Mr. Manchia's comments included, but were not limited to, the following:

- History of the property and reasons for inability to meet timelines and criteria of By-law, including Brownfield development, ideation, downtown revitalization and clean-up.
- Requests site-specific exemption from 5-year clause respecting related By-law and seeks approval today.

(Pasuta/Collins)

That the presentation from Allan Buist, Diczonzo & Associates, representing Augusta Street (Hamilton) Holdings Inc., respecting Extension of Timeline for Development Charge Credits for 86 Augusta Street and 134 Catherine Street, Hamilton, Ontario be received.

CARRIED

For disposition on this matter, refer to Item (f)(iv) below.

(ii) Caroline Baker, GSP Group Inc., representing New Horizon Development Group, respecting Development Charge Deferral Agreement for the City Square 2 Development Agreement (Added as Item 6.2)

Ms. Baker addressed Committee respecting Development Charge Deferral Agreement for the City Square 2 Development Agreement. Comments included, but were not limited to, the following:

- History of property, number of unit owners, phases of development and current approvals.
- DC Deferral Agreement approved in 2012 (5-year deferral) to allow city staff time to review DC By-law and Community Improvement Plan project area.
- DC Bylaw completed in 2015; Community Improvement Plan under review and expected completion in Spring 2016.
- In order to register Phase 2, requests modification to Section 9(2) to remove requirement when unit is sold that DCs payable and instead maintain existing 5-year deferral agreement with city.
- Proposes to register deferral agreement on title to City Square Phase 3.

(Pasuta/Collins)

That the presentation from Caroline Baker, GSP Group Inc., representing New Horizon Development Group, respecting Development Charge Deferral Agreement for the City Square 2 Development Agreement, be received.

CARRIED

For disposition on this matter, refer to (f)(v) below.

(f) DISCUSSION ITEMS (Item 8)

- (i) St. Leonard's Society of Hamilton respecting Request for Exemption of Development Charges for 22 & 24 Emerald Street South (Ward 3) (Item 8.2)**

(Collins/Ferguson)

That the correspondence respecting St. Leonard's Society of Hamilton respecting Request for Exemption of Development Charges for 22 & 24 Emerald Street South be referred back to the General Manager of Finance and Corporate Services for a staff report to a future Audit, Finance & Administration Committee.

CARRIED

- (ii) Request to Extend Development Charges Demolition Credit - 184 Kensington Avenue North (FCS15056) (Item 8.3)**

(Collins/B. Johnson)

That the matter respecting "Request to Extend Development Charges Demolition Credit 184 Kensington Ave N" be considered complete and removed from the Audit, Finance and Administration Committee Outstanding Business List.

CARRIED

- (iii) Audit Report 2014-17- Corporate Services and Public Works - Water Billings Process (AUD15021) (City Wide) (Outstanding Business List) (Item 8.5)**

(Ferguson/Pasuta)

That the Outstanding Business List Item “J” (Audit of City of Hamilton Utilities) be identified as completed and removed from the Audit, Finance and Administration Committee Outstanding Business List.

CARRIED

- (iv) **Allan Buist, Diczko & Associates, representing Augusta Street (Hamilton) Holdings Inc., respecting Extension of Timeline for Development Charge Credits for 86 Augusta Street and 134 Catherine Street, Hamilton, Ontario (Added as Item 6.1)**

(Pasuta/Collins)

That the request respecting Extension of Timeline for Development Charge Credits for 86 Augusta Street and 134 Catherine Street, Hamilton, Ontario, be referred to the General Manager of Finance and Corporate Services for a report back to the next Audit, Finance & Administration Committee.

CARRIED

- (v) **Caroline Baker, GSP Group Inc., representing New Horizon Development Group, respecting Development Charge Deferral Agreement for the City Square 2 Development Agreement (Added as Item 6.2)**

(Pasuta/Collins)

That the request respecting Development Charge Deferral Agreement for the City Square 2 Development Agreement, be referred to the General Manager of Finance and Corporate Services for a report back to the next Audit, Finance & Administration Committee.

CARRIED

(g) OTHER BUSINESS/GENERAL INFORMATION (Item 11)

11.1 (a) Exemption from Development Fees for 547 King Street E., Hamilton

(Pasuta/Collins)

That the following item be referred from the Audit, Finance & Administration Committee's Outstanding Business List to the Planning Committee's Outstanding Business List:

Item W - Correspondence from R. N. Donnell, R. N. Donnell & Company Limited, requesting an exemption from Development Fees for 547 King Street East, Hamilton (Initially referred from the June 24, 2015 Council Meeting to Audit, Finance & Administration)

CARRIED

(h) ADJOURNMENT (Item 13)

(Pasuta/B. Johnson)

That there being no further business, the Audit, Finance and Administration Committee, be adjourned at 10:47 a.m.

CARRIED

Respectfully submitted,

Councillor M. Pearson, Chair
Audit, Finance and Administration Committee

Denis Farr
Legislative Coordinator,
Office of the City Clerk