



AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 17-001

9:30 a.m.

Monday, January 23, 2017
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Councillor D. Skelly (Chair)
Councillor A. VanderBeek (Vice-Chair)
Councillors A. Johnson, C. Collins, M. Pearson and B. Johnson

**Absent with
Regrets:** Councillor L. Ferguson - Personal

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 17-001 AND RESPECTFULLY RECOMMENDS:

1. **Tax Appeals under Sections 357 and 358 of the *Municipal Act*, (2001) (FCS17003) (City Wide) (Item 5.1)**
 - (a) That Appendix A to AF&A Report 17-001 respecting the Tax Appeals processed under Section 357 of the *Municipal Act*, (2001), in the amount of \$114,847 be approved; and,
 - (b) That Appendix B to AF&A Report 17-001 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 \$7,800, be approved.
2. **Follow-Up to Audit Report 2014-2015 Roster Requirements Review (AUD17001) (City Wide) (Item 5.2)**

That Report AUD17001 respecting a Follow-Up to Audit Report 2014-2015 Roster Requirements Review, be received.

3. Follow-Up to Audit Report 2013-2019 GPS/AVL Systems Performance Review (AUD17002) (City Wide) (Item 5.3)

That Report AUD17002 respecting a Follow-Up to Audit Report 2013-2019 GPS/AVL Systems Performance Review, be received.

4. Follow-Up to Audit Report 2013-05 Community and Emergency Services – Food Services (Arenas and Recreation Facilities) (AUD17003) (City Wide) (Item 5.4)

That Report AUD17003 respecting a Follow-Up to Audit Report 2013-05 Community and Emergency Services – Food Services (Arenas and Recreation Facilities), be received.

5. Whistleblower Information Update for Q4 2016 (AUD17004) (City Wide) (Item 5.5)

That Report AUD17004 respecting a Whistleblower Information Update for Q4 2016, be received.

6. City of Hamilton/Ministry of Transportation 2016/2017 Dedicated Gas Tax Funding Agreement (FCS17006) (City Wide) (Item 8.1)

- (a) That the Mayor and General Manager, Finance and Corporate Services be authorized and directed to enter into an Agreement between the City of Hamilton and the Province of Ontario related to the funding commitment made by the Province of Ontario to the Municipality under the Dedicated Gas Tax Funds For Hamilton's Public Transportation Program;
- (b) That the Mayor and General Manager, Finance and Corporate Services be authorized and directed to execute the Letter of Agreement attached as Appendix A to Report FCS17006;
- (c) That the By-law attached as Appendix C to AF&A Report 17-001 authorizing and directing the Mayor and General Manager, Finance and Corporate Services to sign a Letter of Agreement between the City of Hamilton and the Province of Ontario with respect to funding under the Dedicated Gas Tax Funds for Public Transportation Program, be passed;
- (d) That, upon being passed, a certified copy of the By-law, together with two copies of the signed Letter of Agreement, be forwarded to the Ministry of Transportation.

7. 2015 Reserve Report (FCS17004) (City Wide) (Item 8.2)

- (a) That the 2015 Reserve Report and the 2015 Reserves Detail Report, with 2014 Comparative figures and 2016 Projections, attached as Appendix A to Report FCS17004 be approved;
- (b) That Reserve 102025 be renamed from Ronald V. Joyce Centre Reserve to First Ontario Concert Hall Reserve;
- (c) That Reserve 112218 be renamed from Best Start Initiative Reserve to Early Years System Reserve.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised that there were no changes to the agenda.

The Agenda for the January 23, 2017 meeting of the Audit, Finance & Administration Committee was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) December 12, 2016 (Item 3.1)

The Minutes of the December 12, 2016 Audit, Finance & Administration Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Jim Enos, Hamilton Wentworth Family Action Council, respecting the draft Transgender and Gender Non-Conforming Protocol (for a future meeting) (Item 4.1)

The delegation request from Jim Enos, Hamilton Wentworth Family Action Council, respecting the draft Transgender and Gender Non-Conforming Protocol, was approved for a future meeting.

(e) PUBLIC HEARINGS / DELEGATIONS (Item 6)

(i) Shekar Chandrashekar, Respecting a Freedom Of Information Request for Access to Police Services Accounting Records (Item 6.1)

Mr. Shekar Chandrashekar addressed the Committee respecting a Freedom of Information Request for Access to Police Services Accounting Records.

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

The delegation from Mr. Shekar Chandrashekar, respecting a Freedom of Information Request for Access to Police Services Accounting Records, was received.

Staff was directed to report back to the Audit, Finance and Administration Committee addressing Mr. Chandrashekar's concerns and outline any next steps that may be required in addressing them.

(f) MOTIONS (Item 9)

The Committee moved into Closed Session respecting Item 9.1 – a Motion to Refer the City of Hamilton Transgender Protocol pursuant to Section 8.1, Sub-section (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(i) Referral of the City of Hamilton Transgender Protocol (Item 9.1)

The motion respecting the City of Hamilton Transgender Protocol being referred to the General Issues Committee was DEFEATED.

(g) ADJOURNMENT (Item 13)

There being no further business, the Audit, Finance & Administration Committee adjourned at 10:26 a.m.

Respectfully submitted,

Councillor D. Skelly,
Chair, Audit, Finance & Administration
Committee

Lauri Leduc
Legislative Coordinator
Office of the City Clerk

City of Hamilton
Corporate Services Department
Taxation Division
Section 357 Tax Appeals of the *Municipal Act, 2001*

357-12-170	208 Roxborough Ave	Gross or Manifest Error only 1 full bathroom and unfinished basement	2012	-64.60
357-12-265	894 Nebo Rd	Demolition of flooded basement denied - basement finish never assessed	2012	0.00
357-13-027	60 Martindale Cres	Major Renovations denied should be on Section 364	2013	0.00
357-13-146	1000 Hwy 5 W	Demolition of three portable buildings	2013	-48.20
357-13-160	18-20 Kenilworth Ave N	Tax Class Conversion denied does not meet criteria for change	2013	0.00
357-13-210	459-461 Concession 5 W	Demolition denied temporary buildings not assessed	2013	0.00
357-14-033	1045 Upper Paradise Rd	Demolition of portables no \$ value as the school is exempt	2014	0.00
357-14-069	100 West 5th St	Demolition of hospital buildings	2014	-1,957.85
357-14-192	100 West 5th St	Demolition of hospital buildings	2013	-625.85
357-14-286	288 Albright Rd	Tax Class Conversion now all residential	2014	-239.90
357-14-320	293 Wellington St N	Exempt cancelled handled through a PRAN	2014	0.00
357-14-321	293 Wellington St N	Exempt cancelled handled through a PRAN	2014	0.00
357-14-322	40 Wellington St N	Exempt denied areas requested already exempt	2015	0.00
357-14-336	270 Sherman Ave N	Major Renovations denied reduction through Section 364	2014	0.00
357-14-338	226 Kenilworth Ave N	Major Renovations denied no access to building no permit on file	2014	0.00

City of Hamilton
Corporate Services Department
Taxation Division
Section 357 Tax Appeals of the *Municipal Act, 2001*

357-15-015	302 Grays Rd	Tax Class Conversion denied this is vacant commercial space	2015	0.00
357-15-098	559 Highway 6 N	Demolition/Exemption part of the Clappison Corners expansion	2015	-2,246.50
357-15-213	221 York Blvd	Exempt denied the space used for worship is already exempt	2015	0.00
357-15-217	843 Main St E	Fire in September 2015 caused extensive damage to the building	2015	-616.40
357-15-235	163 Dundas St E	Demolition of buildings no \$\$ value as this is a City property	2015	0.00
357-15-281	103 MacNab St N	Tax Class Conversion should be residential vacant land not CXN	2015	-4,052.98
357-15-308	2 Windsor St	Major Renovations denied - reductions from 2014 already carried forward	2015	0.00
357-15-320	0 Upper Mount Albion	Gross or Manifest Error denied only OMAFRA can grant farm status	2015	0.00
357-16-027	2 Dundas St E	Demolition of two storey commercial building	2016	-6,242.61
357-16-044	858 Burlington St E	Demolition of building did not carry forward	2016	-1,302.20
357-16-074	501 Upper Sherman	Exempt first worship service June 5, 2016	2016	-7,044.88
357-16-092	100 Fletcher Rd	Exempt owner by the Hamilton Wentworth Catholic School Board	2016	-13,383.20
357-16-170	282 MacNab St N	Tax Class Conversion now 100% residential	2016	-2,278.29
357-16-239	1721 Burlington St E	Demolition of 2 storey non-residential building	2016	-19,345.34
357-16-255	90 Dartnall Rd	Demolition of 1 ½ storey single family dwelling	2016	-1,519.46

City of Hamilton
Corporate Services Department
Taxation Division
Section 357 Tax Appeals of the *Municipal Act, 2001*

357-15-208	324 South Service Rd	Fire damage was tremendous the entire building has to be replaced	2015	-19,172.30
357-16-001	324 South Service Rd	Fire damage was tremendous the entire building has to be replaced	2016	-26,391.21
357-16-117	53 Gibson Ave	Demolition of all structures	2016	-8,315.02
			TOTAL	-114,846.79

City of Hamilton
Corporate Services Department
Taxation Division
Section 358 Tax Appeals of the *Municipal Act, 2001*

358-12-063	208 Roxborough Ave	Gross or Manifest Error only 1 full bathroom and unfinished basement	2011	-63.29
358-12-064	208 Roxborough Ave	Gross or Manifest Error only 1 full bathroom and unfinished basement	2010	-62.00
358-13-071	18-20 Kenilworth Ave N	Gross or Manifest Error denied does not meet criteria for class change	2010	0.00
358-13-072	18-20 Kenilworth Ave N	Gross or Manifest Error denied does not meet criteria for class change	2012	0.00
358-13-073	18-20 Kenilworth Ave N	Gross or Manifest Error denied does not meet criteria for class change	2011	0.00
358-14-063	166 Regional Rd 20	Gross or Manifest Error trucking business ended years ago now all residential	2013	-750.23
358-14-064	166 Regional Rd 20	Gross or Manifest Error trucking business ended years ago now all residential	2012	-721.10
358-15-080	103 MacNab St N	Gross or Manifest Error should be classed as residential vacant land not CXN	2014	-3,415.68
358-15-081	103 MacNab St N	Gross or Manifest Error should be classed as residential vacant land not CXN	2013	-2,788.36
			TOTAL	-7,800.66

Authority: Item , Name of Committee
Report
CM: Date

Bill No.

CITY OF HAMILTON

BY-LAW NO. _____

**To Authorize the Signing of an Agreement between the City of Hamilton and the
Ministry of Transportation Related to Funding Provided Under the Dedicated
Gas Tax Funds for Public Transportation Program.**

WHEREAS the Council of the City of Hamilton deems it advisable to enter into an agreement with Her Majesty the Queen in right of Ontario, as represented by the Minister of Transportation related to funding provided by the Province of Ontario to the Municipality under the Dedicated Gas Tax Funds for Public Transportation Program;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The Mayor and General Manager, Finance & Corporate Services are authorized and directed to sign the Letter of Agreement between the City of Hamilton and Her Majesty the Queen in right of Ontario, as represented by the Minister of Transportation which is attached Schedule A and forms part of this By-law.
2. This By-law may be cited for all purposes as the 2016/2017 City of Hamilton/Ministry of Transportation Gas Tax Funding Agreement Bylaw.
3. This By-law is deemed to have come into force on _____, 2017.

PASSED this _____ day of _____, 2017.

Fred Eisenberger
MAYOR

Rose Caterini
CLERK