



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 18-001

9:30 a.m.

January 22, 2018

Council Chambers

Hamilton City Hall

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

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 18-001 AND RESPECTFULLY RECOMMENDS:

- 1. 2018 Interim Levy and Temporary Borrowing By-Laws (FCS18007) (City Wide) (Item 5.4)**
 - (a) That Appendix "A" to AF&A Report 18-001, a "By-law to Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues for 2018", be passed;
 - (b) That Appendix "B" to AF&A Report 18-001, a "By-law to Authorize an Interim Tax Levy for 2018", be passed.

- 2. Tax Appeals Under Sections 357 and 358 of the Municipal Act (2001) (FCS18008) (City Wide) (Item 5.5)**
 - (a) That Appendix "C" to AF&A Report 18-001, respecting the Tax Appeals processed under Section 357 of the *Municipal Act, (2001)*, in the amount of \$38,681 be approved;
 - (b) That Appendix "D" to AF&A Report 18-001, 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 \$3,861 be approved.

3. Whistleblower Information Update for Q4 2017 (AUD18001) (City Wide) (Item 5.6)

That Report AUD18001 respecting the Whistleblower Information Update for Q4 2017, be received.

4. Revised Building Permit Fee Reserve Policy (FCS18004) (City Wide) (Item 5.7)

That the Building Permit Fee Reserve Policy Attached as Appendix “E” to AF&A Report 18-001, be approved.

5. HMRF/HWRF Pension Administration Sub-Committee – Report 17-001 (Item 8.1)

(a) HMRF/HWRF/HSR Pension Plans – Investigation of Transfer to OMERS (FCS17096) (City Wide) (Item 4.1)

That Report FCS17096 respecting HMRF/HWRF/HSR Pension Plans – Investigation of Transfer to OMERS (FCS17096) (City Wide), attached hereto as Appendix A, be received.

(b) Financial Statements of the Hamilton Municipal Retirement Fund Pension Plan and Financial Statements of the Hamilton Wentworth Retirement Fund Pension Plan (Added Item 4.2)

That the Financial Statements of the Hamilton Municipal Retirement Fund Pension Plan and Financial Statements of the Hamilton Wentworth Retirement Fund Pension Plan, attached hereto as Appendix B, be received.

(c) Hamilton-Wentworth Retirement Fund (HWRF) Valuation at December 31, 2016 (FCS17095) (City Wide) (Item 5.1)

That Report FCS17095 respecting the Hamilton-Wentworth Retirement Fund (HWRF) Valuation at December 31, 2016 (FCS17095) (City Wide), attached hereto as Appendix C, be received.

(d) 2017 Master Trust Pension Statement of Investment Policies and Procedures (FCS17079) (City Wide) (Item 6.1)

(a) That the 2016 Master Trust Statement of Investment Policies and Procedures be deleted and replaced with the 2017 Master Trust Statement of Investment Policies and Procedures, attached hereto as Appendix D;

- (b) That the 2017 Master Trust Statement of Investment Policies and Procedures, attached hereto as Appendix D, be forwarded to the Hamilton Street Railway Pension Advisory Committee for their information.

(e) Master Trust Pension Investment Performance Report June 30, 2017 (FCS17088) (City Wide) (Item 6.2)

That Report FCS17088 respecting the Master Trust Pension Investment Performance, June 30, 2017, attached hereto as Appendix E, be received.

(f) Master Trust Pension Investment Performance Report December 31, 2016 (FCS16060(a)) (City Wide) (Item 6.3)

That Report FCS16060(a) respecting the Master Trust Pension Investment Performance, December 31, 2016, be received.

6. City of Hamilton / Ministry of Transportation 2017-2018 Dedicated Gas Tax Funding Agreement (FCS18013) (City Wide) (Item 8.2)

- (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 FCS18013;
- (c) That the By-law attached as Appendix "F" to AF&A Report 18-001, 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. Hamilton Status of Women Advisory Committee Membership (Added Item 10.2)

- (a) That the letters of resignation from Laura Cattari from the Hamilton Status of Women Advisory Committee, and attached hereto, be received; and
- (b) That the membership number of the Hamilton Status of Women Advisory Committee be adjusted accordingly in order to obtain quorum.

8. Development Charges Complaint under Section 22(2) of the Development Charges Act – Mattamy Waterdown Limited, 22 Spring Creek Live / Works Units (LS18001 / FCS18010) (City Wide) (Item 12.2)

- (a) That staff be directed to oppose the appeal to the Ontario Municipal Board made under Section 22(2) of the Development Charges Act by Mattamy Waterdown Limited dated December 4, 2017 in regard to development charges paid with respect to development at 22 Spring Creek Drive, Flamborough;
- (b) That the staff of Legal Services be authorized to retain expert witnesses, as required, including staff from Watson & Associates Economists Ltd. and charge the costs to DC By-laws OMB Appeals (3381255201);
- (c) That Report LS18001 / FCS18010 remain confidential.

9. Centralization of Information Technology Services (FCS18016) (City Wide) (Item 12.3)

- (c) That Council approve a temporary Project Manager for 24 months to support the IT centralization review and that this temporary position is funded through the Tax Stabilization Reserve 110046;
- (d) That Report FCS18016 remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

1. DELEGATION REQUESTS

- 4.5 Delegation Request from Roman Kaczmarek of Romex Security Inc regarding the changes to minimum wage and requesting a rate increase (for the February 12, 2018 meeting).
- 4.6 Delegation Request from Viv Saunders regarding the 2018 Capital Budget (for today's meeting).

2. CONSENT ITEMS

- 5.6 The agenda face page had a typographical error in the audit report number – please note that the Report is AUD18001 (and not AUD180010).

3. NOTICES OF MOTION

- 10.1 Supplement Taxes and Assessment Complaints Respecting 500 Eastport Blvd.
- 10.2 Hamilton Status of Women Advisory Committee Membership

4. PRIVATE AND CONFIDENTIAL

- 12.1 Commercial Relationship between the City of Hamilton and M.J. Dixon Construction Limited (LS13018(b))/FCS13041(b)) (City Wide)

At the request of M.J. Dixon Construction and the support of staff, it is proposed that this Item be further tabled until the March 26, 2018 meeting in order to allow M.J. Dixon Construction Limited an opportunity to attend the meeting.

The agenda for the January 22, 2018 Audit, Finance and Administration Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) December 7, 2017 (Item 3.1)

The Minutes of the December 7, 2017 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

Items 4.1 through 4.5 being delegation requests regarding the changes to minimum wage and requesting a rate increase, were approved for the February 12, 2018 meeting:

- (i) John Livingstone (Canadian Corps of Commissionaires – Hamilton) (Item 4.1)**
- (ii) Jim Bonotti (Star Security) (Item 4.2)**
- (iii) Doug Goodrow (ServiceMaster Contract Services) (Item 4.3)**
- (iv) Bill Houston (Sunshine Building Maintenance) (Item 4.4)**
- (v) Roman Kaczmarek (Romex Security Inc) (Added Item 4.5)**

Item 4.6, a delegation request from Viv Saunders regarding the 2018 Capital Budget (Item 5.3), was approved for today's meeting:

- (vi) Viv Saunders regarding the 2018 Capital Budget (Added Item 4.6)**

(e) CONSENT ITEMS (Item 5)

- (i) Minutes of the Aboriginal Advisory Committee meeting of October 5, 2017 (Item 5.1)**

The minutes of the Aboriginal Advisory Committee meeting of October 5, 2017, were received.

- (ii) Minutes of the Committee Against Racism meeting of September 26, 2017 (Item 5.2)**

The minutes of the Committee Against Racism meeting of September 26, 2017, were received.

- (iii) Correspondence from Viv Saunders respecting the 2018 Capital Budget (referred to Audit, Finance and Administration Committee by Council on December 8, 2017) (Item 5.3)**

Viv Saunders addressed the Committee respecting the 2018 Capital Budget.

The delegation from Viv Saunders respecting the 2018 Capital Budget, was received.

(a) The correspondence from Viv Saunders, was received; and

(b) Staff was directed to report back to the Audit Finance and Administration Committee with a report to:

- (i) Clarify the items referenced in Item 5.3 (being the correspondence from Viv Saunders);
- (ii) Provide details on sponsorship and infrastructure capital projects spending; and
- (iii) Provide recommendations to align the policies related to: Area Rating Funding, Minor Rehabilitation Funding, and the Cell Phone Tower Funding.

(f) PUBLIC HEARINGS/DELEGATIONS

- (i) Robert Homier respecting purchasing of City vehicles (approved December 7, 2017) (no copy) (Item 6.1)**

Robert Homier was not able to attend due to illness and was advised to contact the Clerk's office to reschedule at a later date.

- (ii) Susan Canning respecting Property Tax Penalties (approved on December 7, 2017) (Item 6.2)**

The Committee Clerk advised that Susan Canning was not able to attend and therefore provided a letter respecting Property Tax Penalties.

The letter from Susan Canning respecting Property Tax Penalties, was received.

- (iii) Viv Saunders respecting the 2018 Capital Budget (Added Item 6.3)**

For disposition of this matter refer to Item (e)(iii).

(g) MOTIONS

- (i) Staff Reports Respecting Supplement Taxes and Assessment Complaints Respecting 500 Eastport Blvd (Added Item 10.1)**

Staff were directed to review the correspondence from Steve M. Pocrnic, President & CEO of Pocrnic Realty Advisors Inc., respecting 500 Eastport Blvd., Hamilton, supplement taxes for 2013-2016; and, assessment complaints 2013-2018 (attached hereto), and report back to the Audit, Finance & Administration Committee with recommended options as to how to resolve the matter.

(h) NOTICES OF MOTION

- (i) Supplement Taxes and Assessment Complaints Respecting 500 Eastport Blvd (Added Item 10.1)**

Councillor Ferguson introduced a Notice of Motion regarding Supplement Taxes and Assessment complaints respecting 500 Eastport Blvd.

The Rules of Order were waived to allow for the introduction of a Motion regarding Supplement Taxes and Assessment complaints respecting 500 Eastport Blvd.

For disposition of this matter refer to Information Item (g)(i).

(ii) Hamilton Status of Women Advisory Committee Membership (Added Item 10.2)

Councillor Skelly introduced the following a Notice of Motion regarding Supplement Taxes and Assessment complaints respecting the Hamilton Status of Women Advisory Committee Membership.

The Rules of Order were waived to allow for the introduction of a Motion regarding the Hamilton Status of Women Advisory Committee Membership.

For disposition of this matter refer to Item 7.

(i) PRIVATE AND CONFIDENTIAL

The Committee moved into Closed Session respecting Items 12.2 & 12.3, pursuant to Section 8.1, Sub-sections (b), (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (b), (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees and litigation or potential litigation, including solicitor/client privileges, including matters before administrative tribunals, affecting the City.

(j) ADJOURNMENT (Item 13)

There being no further business, the Audit, Finance and Administration Committee, adjourned at 10:56 a.m.

Respectfully submitted,

Councillor VanderBeek, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

Authority:

Bill No.

CITY OF HAMILTON

BY-LAW NO.

To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues for 2018

WHEREAS the Council for the City of Hamilton deems it necessary to pass and enact a by-law to authorize the temporary borrowing of monies by the City to meet current budget expenditures for the year 2018 pending receipt of current revenues;

AND WHEREAS section 407(1) of the Municipal Act, 2001, provides as follows:

"At any time during a fiscal year, a municipality may authorize temporary borrowing, until the taxes are collected and other revenues are received, of the amounts that the municipality considers necessary to meet the expenses of the municipality for the year and of the amounts, whether or not they are expenses for the year, that the municipality requires in the year"

AND WHEREAS Section 407(2) of the Municipal Act, 2001, imposes certain limitations on the amounts that may be borrowed at any one time.

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

1. (a) The City of Hamilton is hereby authorized to borrow from a Bank or person by way of Promissory Notes or Bankers Acceptances from time to time a sum or sums of monies not exceeding at any one time the amounts specified in subsection (2) of the Municipal Act, 2001 to pay off temporary bank overdrafts for the current expenditures of the City for the year 2018, including amounts for sinking funds, principal and interest falling due within such fiscal year and the sums required by law to provide for the purposes of the City.
- (b) The amount of monies that may be borrowed at any one time for the purposes of subsection (1) of the Municipal Act, 2001, together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed the prescribed percentages of the total of the estimated revenues of the City as set forth in

the estimates adopted for the year, which percentages are set out in section 407 of the Municipal Act, 2001 as it may be amended from time to time.

2. (a) Until estimates of revenue of the City for the 2018 year are adopted, borrowing shall be limited to the estimated revenues of the City as set forth in estimates adopted for the next preceding year.
- (b) The total estimated revenues of the City, including the amounts levied for Education purposes, adopted for the year 2018 are One Billion, Nine Hundred Million Dollars (\$1,900,000,000).
3. All sums borrowed pursuant to the authority of this By-law, together with any and all similar borrowings in the current year and in previous years that have not been repaid shall, together with interest thereon, be a charge upon the whole of the revenues of the City for the current year and for all preceding years, as and when such revenues are collected or received.
4. The Treasurer shall, and is hereby authorized and directed to, apply in payment of all sums borrowed pursuant to this By-law, together with interest thereon, all of the monies thereafter collected or received for the current and preceding years, either on account or realized in respect of taxes levied for the current year and preceding years or from any other sources which may lawfully be applied for such purpose.
5. That the Mayor and failing such person, the Deputy Mayor of the City Council and failing such person, the City Manager, together with the Treasurer or any one of the Temporary Acting Treasurers be authorized and directed to sign and execute the aforesaid Promissory Notes and Bankers Acceptances, hypothecations, agreements and such other documents, writings and papers which shall give effect to the foregoing.
6. This By-law shall come into force and effect on the 1st day of January 2018, and shall remain in force and effect until December 31, 2018.

PASSED and ENACTED this day of , 2018 A.D.

MAYOR _____

CITY CLERK

Authority:

BILL NO.

CITY OF HAMILTON

BY-LAW NO.

To Authorize an Interim Tax Levy for 2018

WHEREAS the Council for the City of Hamilton deems it necessary to pass a by-law to levy on the whole of the assessment for each property class in the local municipality rateable for a local municipality purpose, a sum not to exceed that which would be produced by applying the prescribed percentage (or 50 percent if no percentage is otherwise prescribed) of the total amounts billed to each property for all purposes in the previous year on the properties that, in the current year, are in the property class as provided for in Section 317 of the Municipal Act, 2001;

AND WHEREAS Section 317 of the Municipal Act, 2001, also authorizes a Municipal Council, by by-law, to adjust the interim taxes on a property if the Council is of the opinion that the Interim Levy on a property is too high or too low in relation to its estimate of the total taxes which will be levied on the property in 2018;

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

1. The interim tax levies shall be levied and collected upon the whole of the rateable property categories in columns 1 and 2, shown below:

Column 1

Column 2

Class

Class Code

Residential	RT
Farmlands Awaiting Development	C1/R1/M1
Multi-Residential	MT
New Multi-Residential	NT
Residual Commercial	CT/DT
New Residual Commercial	XT/YT
Residual Commercial Vacant Unit	CU/DU
New Residual Commercial Vacant Unit	XU/YU
Shopping Centre	ST
New Shopping Centre	ZT
Shopping Centre Vacant Unit	SU
New Shopping Centre Vacant Unit	ZU
Parking and Vacant Commercial Land	GT/CX

Residual Industrial	IT
New Residual Industrial	JT
Residual Industrial Vacant Unit/Land	IU/IX
New Residual Industrial Vacant Unit	JU/JX
New Construction Large Industrial	KT
New Construction Large Industrial Vacant Unit	KU
Large Industrial	LT
Large Industrial Vacant Unit	LU
Landfills	HT
Pipeline	PT
Farmland	FT
Managed Forest	TT
Rail Right of Way	WT CN
Rail Right of Way	WT CP
Utility Right of Way	UT

2. The interim tax levy shall become due and payable in two installments as allowed under Section 342(1)(a) of the Municipal Act, 2001, as follows:

Fifty percent of the interim levy, rounded, shall become due and payable on the 28th day of February, 2018 and the balance of the interim levy shall become due and payable on the 30th day of April, 2018 and non-payment of the amounts due on the dates stated, in accordance with this section, shall constitute default.

3. That when payment of any instalment or any part of any instalment of taxes levied by this by-law is in default, penalties and where applicable interest, shall be imposed respectively in accordance with City of Hamilton policies.
4. Section 342(1) (b) of the Municipal Act, 2001 allows for alternative instalment due dates to spread the payment of taxes more evenly over the year. Therefore, the interim tax levy for those on a 12 month pre-authorized automatic withdrawal payment plan shall be paid in 6 equal installments due and payable on or after the first or fifteenth day of each month January to June, inclusive. For those on the 10-month pre-authorized automatic withdrawal payment plan the interim levy shall be paid in 5 equal installments due and payable on or after the first day of each month February to June, inclusive. The pre-authorized payment plans shall be penalty free for as long as the taxpayer is in good standing with the terms of the plan agreements.
5. The interim tax levy rates shall also apply to any property added to the assessment roll after this by-law is enacted.
6. This by-law shall come into force and effect on the 1st day of January, 2018.

PASSED and ENACTED this day of , 2018 A.D.

MAYOR

CITY CLERK

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

357-16-240	15 Queen St S	Demolition not processed adjustment of tax class creates a debit	2016	0.00
357-16-299	726 Strathearne Ave	Tax Class Conversion McAsphalt Marine reduce from 392,376 to 368,826	2015	1803.41
357-16-299a	726 Strathearne Ave	Tax Class Conversion McAsphalt Marine reduce from 392,376 to 368,826	2015	-2388.21
357-16-300	726 Strathearne Ave	Tax Class Conversion McAsphalt Marine reduce from 392,376 to 368,826	2016	2504.64
357-16-300a	726 Strathearne Ave	Tax Class Conversion McAsphalt Marine reduce from 392,376 to 368,826	2016	-3216.96
357-16-372	509 Concession 5 Rd E	Tax Class Conversion farm status granted by OMAFRA	2016	-3,476.31
357-16-376	2120 Concession 10 Rd W	Fire denied the building was never assessed	2016	0.00
357-16-377	600 Concession 5 Rd W	Tax Class Conversion processed on PRAN	2016	0.00
357-17-010	812 King St W	Fire building will not be accessible until sometime in 2018	2017	-5,122.07
357-17-031	123 Middletown Rd	Demolition of one storey single family dwelling	2017	-2,189.52
357-17-054	88 Forsyth Ave N	Exempt part of McMaster University	2017	-13,943.23
357-17-094	208 Barton St	Exempt now a Place of Worship Bosnian Islamic Centre	2017	-1,126.18
357-17-105	154 Jackson St E	Tax Class Conversion now residential	2017	-3,903.69
357-17-112	671 Tate Ave	Exempt now a Place of Worship God's Kingdom Society of the Living God Corp	2017	-2,174.07

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

357-17-125	679 Highway 52 N	Demolition of 2 storey single family dwelling	2017	-801.03
357-17-180	1161 Settlers Rd	Demolition of 2 storey single family dwelling	2017	-294.70
357-17-192	2740 Wilson St W	Demolition of 2 storey single family dwelling	2017	-111.38
357-17-196	102 First Rd W	Demolition of 1 storey single family dwelling	2017	-790.66
357-17-199	216 Cedardale Ave	Demolition of 1 storey single family dwelling	2017	-255.79
357-17-200	39 Cameron Dr	Demolition of 1 storey single family dwelling	2017	-367.21
357-17-201	630 Lions Club Rd	Demolition of house increases the value of the property	2017	0.00
357-17-207	94 Lovers Lane	Demolition of 1 storey single family dwelling	2017	-186.39
357-17-208	35 Chester Rd	Demolition of house	2017	-253.97
357-17-209	253 Fiddlers Green Rd	Demolition of 1 storey single family dwelling	2017	-70.24
357-17-210	105 Byron Ave	Demolition of 1 storey single family dwelling	2017	-778.51
357-17-211	132 Slinger Ave	Demolition of 1 storey single family dwelling	2017	-671.54
357-17-214	19 Athens Ave	Demolition of 1 ½ storey single family dwelling	2017	-552.53
357-17-216	41 Oak Ave	Demolition of house	2017	-314.70

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

			TOTAL	-38,680.84
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City of Hamilton
Corporate Services Department
Taxation Division
Section 358 Tax Appeals of the *Municipal Act, 2001*

358-17-035	0 McNeilly Rd	Gross or Manifest error the roll was created in error	2016	-2,029.78
358-17-035	0 McNeilly Rd	Gross or Manifest error the roll was created in error	2016	-1,831.09
			TOTAL	-3,860.87

Reserve Policy – Building Permit Fee Reserve Policy		Corporate Services Department
Policy No: Obligatory - 104050		Page 1 of 2
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POLICY STATEMENT	This Policy sets out the guidelines for the sources, uses and appropriate target level for the balances in the Building Permit Fee Reserve.
PURPOSE	<p>The Building Permit Fee Reserve is an obligatory reserve fund established for the direct and indirect costs of administration and enforcement of the <i>Building Code Act</i>. This Reserve also provides a source of funding to offset extraordinary and unforeseen expenditures for one-time expenditures, for permit fee revenue shortfalls and for various contingent and potential future liabilities.</p> <p>Operating budget surpluses in the Building Enterprise Zone Program cannot be used to fund general City expenditures and will be transferred to this Reserve. Operating budget deficits in this program will be funded from the Building Permit Fee Reserve and not for other City funds. This Reserve is not intended to be a long-term funding source for general operations.</p>
SCOPE	This Policy applies to all City employees that manage financial resources.
PRINCIPLES	<p>The following principles apply to this Policy:</p> <p>Authority:</p> <ul style="list-style-type: none"> • All transfers from the Building Permit Fee Reserve (104050) are to be approved by the Chief Building Official, the General Manager of Planning and Economic Development Department or the City Manager in accordance with their relevant expenditure limits set out by the City. Any expenditure above these limits is to be approved by City Council by a budget submission, a separate Council report or a Council motion. • Where City Council approval is required, staff in the Building Division must make a request to the Financial Planning, Policy and Administration Division of the Corporate Services Department responsible for reserves for approval to use the Building Permit Fee Reserves. All relevant information is to be included with the request. • The Chief Building Official, in consultation with the General Manager of Finance and Corporate Services, has the authority to recommend the use of the Reserve as per the <i>Building Code Act</i>.

Reserve Policy – Building Permit Fee Reserve Policy		Corporate Services Department
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PRINCIPLES (Cont'd)	<p>The source of funds that are to be transferred to this Reserve include:</p> <ul style="list-style-type: none"> • Year-end Net Building Permit Fee operating budget surplus in Building Enterprise Zone Program. • Repayment of principal plus interest for any internal borrowings from the reserve as per policies and procedures. • Remaining balances in operating reserves approved for closure. • Investment income earned on the reserve's balance as per policies and procedures. • One time unexpected sources of operating revenues. <p>The use of funds from this Reserve to ensure the administration and enforcement of the <i>Building Code Act</i> is permitted if other sources of funding are not available. Uses are governed by the <i>Building Code Act</i> and may include:</p> <ul style="list-style-type: none"> • Year-end Net Building Permit Fee operating budget deficit in the Building Enterprise Zone Program. • Operating program phase-ins, pilot programs and one-time grants. • Procurement of external services for investigations, plan examination and inspection, when expert advice is required. • Procurement of technology which increases productivity or increases level of service provided to permit applicants. • Provision of Ontario Building Code training of staff. • Service enhancements that have a benefit to permit applicants. • Investment in capital assets related to the administration and enforcement of the <i>Building Code Act</i>. • Internal borrowings from Reserve • Extraordinary and unforeseen operating expenditures.
RESERVE BALANCE TARGET LEVEL	<p>The balance in the reserve has a target level \$ as follows:</p> <p>Target Level: 2.0 times the annual program operating cost</p> <ul style="list-style-type: none"> • Building Permit Reserve: \$22 million (2017)
GOVERNING LEGISLATION	<i>Building Code Act</i>
RESPONSIBILITY FOR THE POLICY	Corporate Services Department Director of Financial Planning, Administration and Policy
POLICY HISTORY	This Reserve Policy replaces the Stabilization Reserve Policy approved by Council in April 2001 in Report PD01027.

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 2017 / 2018 City of Hamilton / Ministry of Transportation Gas Tax Funding Agreement Bylaw.
3. This By-law is deemed to have come into force on _____, 2018.

PASSED this _____ day of _____, 2018.

Fred Eisenberger
MAYOR

Rose Caterini
CLERK

Comment [lp1]: I don't think 22(1) is the authority for this - the City does have authority to provide a public transportation system. Suggest just get rid of the recital.

22. (1) A municipality may provide a system that it would otherwise not have power to provide within the municipality, if it does so in accordance with an agreement with the Province of Ontario under a program established and administered by the Province of Ontario. 2001, c. 25, s. 22 (1).