



## **AUDIT, FINANCE AND ADMINISTRATION COMMITTEE MINUTES 18-001**

**9:30 a.m.  
January 22, 2018  
Council Chambers  
Hamilton City Hall**

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

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### **THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:**

**1. 2018 Interim Levy and Temporary Borrowing By-Laws (FCS18007) (City Wide) (Item 5.4)**

**(Pearson/Ferguson)**

- (a) That Appendix "A" attached to Report FCS18007 "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" attached to Report FCS18007 "By-law to Authorize an Interim Tax Levy for 2018", be passed.

**CARRIED**

**2. Tax Appeals Under Sections 357 and 358 of the Municipal Act (2001) (FCS18008) (City Wide) (Item 5.5)**

**(Ferguson/Pearson)**

- (a) That Appendix "A" to Report FCS18008 respecting the Tax Appeals processed under Section 357 of the *Municipal Act, (2001)*, in the amount of \$38,681 be approved;
- (b) That Appendix "B" to Report FCS18008 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.

**CARRIED**

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

**(Skelly/Ferguson)**

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

**CARRIED**

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

**(Pearson/A. Johnson)**

That the Building Permit Fee Reserve Policy Attached as Appendix "A" to Report FCS18004 be approved.

**CARRIED**

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

**(Pearson/Skelly)**

**(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.

**CARRIED**

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

**(Pearson/Ferguson)**

- (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 "C" to Report FCS18013 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.

**CARRIED**

**7. Hamilton Status of Women Advisory Committee Membership (Added Item 10.2)**

**(Skelly/B. Johnson)**

- (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.

**CARRIED**

**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)**

**(Pearson/Ferguson)**

- (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.

**CARRIED**

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

**(Pearson/Collins)**

- (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.**

**Main Motion as Amended CARRIED**

**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.

**(B. Johnson/Skelly)**

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

**CARRIED**

**(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)**

**(Pearson/A. Johnson)**

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

**CARRIED**

**(d) DELEGATION REQUESTS (Item 4)**

**(A. Johnson/Pearson)**

That Items 4.1 through 4.5 being delegation requests regarding the changes to minimum wage and requesting a rate increase, be 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)**

**CARRIED**

**(Skelly/Pearson)**

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

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

**CARRIED**

**(e) CONSENT ITEMS (Item 5)**

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

**(A. Johnson/Pearson)**

That the minutes of the Aboriginal Advisory Committee meeting of October 5, 2017, be received.

**CARRIED**

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

**(Skelly/A. Johnson)**

That the minutes of the Committee Against Racism meeting of September 26, 2017, be received.

**CARRIED**

- (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.

**(Pearson/Skelly)**

That the delegation from Viv Saunders respecting the 2018 Capital Budget, be received.

**CARRIED**

**(B. Johnson/Skelly)**

(a) That the correspondence from Viv Saunders, be received; and

(b) That staff be 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.

**CARRIED**

**(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.

**(Pearson/Skelly)**

That the letter from Susan Canning respecting Property Tax Penalties, be received.

**CARRIED**

- (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)**

**(Ferguson/Skelly)**

That staff be 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.

**CARRIED**

**(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.

**(Ferguson/A. Johnson)**

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

**CARRIED**

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.

**(Skelly/B. Johnson)**

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

**CARRIED**

For disposition of this matter refer to Item 7.

**(i) PRIVATE AND CONFIDENTIAL**

**(Pearson/Collins)**

That Committee move 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.

**CARRIED**

**(j) ADJOURNMENT (Item 13)**

**(Ferguson/B Johnson)**

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

**CARRIED**

Respectfully submitted,

Councillor VanderBeek, Chair  
Audit, Finance and Administration  
Committee

Angela McRae  
Legislative Coordinator  
Office of the City Clerk