

# CITY OF HAMILTON MOTION

Council Date: September 25, 2024

**MOVED BY COUNCILLOR M. FRANCIS.....**

**SECONDED BY COUNCILLOR .....**

**Request for the Mayor to Reverse the Mayoral Decision Respecting Affordable Housing at 5 & 13 Lake Ave. South - REVISED**

WHEREAS City Council officially voted to deny the conversion of the 5 & 13 Lake Ave S. parking lots to affordable housing;

WHEREAS, the Lobbyist Registrar’s report states that Mayor Horwath was communicated to about legislation in the following way “find a workaround in relation to the defeat of the staff proposal to make available parking lots on Lake Ave South in Stoney Creek”;

WHEREAS, Mayor Andrea Horwath’s Mayoral Decisions overturned City Council's decision to deny the conversion of the parking lot using Strong Mayor Powers;

WHEREAS, the Lobbyist Registrar has determined that the lobbying efforts related to the complaint, contravened the City of Hamilton’s Lobbyist Registry Bylaw;

WHEREAS, according to Strong Mayors, *Building Homes Act, 2022*, S.O. 2022, c. 18 – Bill 3 Section 284.14 maintains that a veto decision must be made in good faith;

WHEREAS, Hamilton City Council approved the 2023-2026 Office of the Auditor General Work Plan (Report AUD23012) which included a Housing Services Audit; and

WHEREAS, the Office of the Auditor General is the administrator of the City of Hamilton’s Fraud and Waste Hotline, the scope of which includes procurement irregularities.

THEREFORE, BE IT RESOLVED:

- (a) That Council request to Mayor Horwath to reverse her decision to use Strong Mayor Powers for the overturning of Council's decision to deny affordable housing on 5 & 13 Lake Ave. South;
- (b) That the Office of the Auditor General review the Lobbyist Registrar’s Report respecting the Inquiry re: Graham Cubitt – DBG-LRI-2024-01 and include any related risk mitigation measures and impacts of the findings, as they related to the upcoming Housing Services Audit, per the Council-Approved 2023-2026 Office of the Auditor General Work Plan (Report AUD23012) in the Auditor General’s report; and

- (c) That the Office of the Auditor General investigate the issues and findings contained in Lobbyist Registrar's Report re: Inquiry re: Graham Cubitt – DBG-LRI-2024-01, with recommendations related to understanding any risks associated with subsequent events and related procurements.