



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE MINUTES 12-007

9:30 a.m.

Monday, September 10, 2012

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors B. Johnson (Chair), M. Pearson (Vice Chair),
B. Clark, B. Morelli and R. Powers

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:

- 1. Freedom of Information Quarterly Report (April 1 to June 30, 2012) (CL12004(a)) (City Wide) (Item 5.1)**

(Pearson/Clark)

That Report CL12004(a), respecting the Freedom of Information Quarterly Report (April 1 to June 30, 2012), be received.

CARRIED

- 2. 2012 Second Quarter Emergency and Non-Competitive Procurements Report (FCS12040(a)) (City Wide) (Item 5.2)**

(Pearson/Clark)

That Report FCS12040(a), respecting the 2012 Second Quarter Emergency and Non-Competitive Procurements Report, be received.

CARRIED

- 3. 2012 Second Quarter Non-compliance with the Procurement Policy Report (FCS12038(a)) (City Wide) (Item 5.3)**

(Pearson/Clark)

That Report FCS12038(a), respecting the 2012 Second Quarter Non-compliance with the Procurement Policy Report, be received.

CARRIED

4. **Monthly Status Report of Tenders and Requests for Proposals for June 7, 2012 to August 1, 2012 (FCS12018(e)) (City Wide) (Item 5.4)**

(Pearson/Clark)

That Report FCS12018(e), respecting the Monthly Status Report of Tenders and Requests for Proposals for June 7, 2012 to August 1, 2012, be received.

CARRIED

5. **Reserve/Revenue Fund Investment Performance Report - June 30, 2012 (FCS12067) (City Wide) (Item 5.5)**

(Pearson/Clark)

That Report FCS12067, respecting the Reserve/Revenue Fund Investment Performance Report - June 30, 2012, be received.

CARRIED

6. **Cemetery Accounts Investment Performance Report - June 30, 2012 (FCS12069) (City Wide) (Item 5.6)**

(Pearson/Clark)

That Report FCS12069, respecting the Cemetery Accounts Investment Performance Report - June 30, 2012, be received.

CARRIED

7. **Hamilton Future Fund Investment Performance Report - June 30, 2012 (FCS12068) (City Wide) (Item 5.7)**

(Pearson/Clark)

That Report FCS12068, respecting the Hamilton Future Fund Investment Performance Report - June 30, 2012, be received.

CARRIED

8. **Update – Needs Assessment of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Community of Hamilton (FCS11104(b)) (City Wide) (Item 5.8)**

(Pearson/Clark)

That Report FCS11104(b), respecting an update of the Needs Assessment of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Community of Hamilton, be received.

CARRIED

9. Tax Appeals under Section 357 and 358 of the Municipal Act (2001) (FCS12007(f)) (City Wide) (Item 5.9)

(Clark/Pearson)

- (a) That Appendix "A" attached to Report FCS12007(f), respecting the "Tax Write-Offs processed under Section 357 of the *Municipal Act, 2001*", in the amount of \$89,811, be approved;
- (b) That Appendix "B" attached to Report FCS12007(f), 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 \$69,400, be approved.

CARRIED

10. Development Charges Reserves Status Report as of December 31, 2011 (FCS12052) (City Wide) (Item 5.10)

(Clark/Pearson)

- (a) That Report FCS12052 – Development Charges Reserves Status Report as of December 31, 2011, be received for information;
- (b) That Report FCS12052 – Development Charges Reserves Status Report as of December 31, 2011, be forwarded to the Ministry of Municipal Affairs and Housing.

CARRIED

11. Request for Relief from Development Charges Liability at 168 West Avenue North, Hamilton, Ontario (Item 8.1(a))

(Clark/Pearson)

That the correspondence from Mark McMaster, respecting his request for relief from development charges liability at 168 West Avenue North, Hamilton, Ontario, be received.

CARRIED

12. Development Charges and Fees Exemption Request – 168 West Avenue North, Hamilton (FCS12062) (Ward 3) (Item 8.1(b))

(Powers/Pearson)

- (a) That the request to waive the Development Charge (DC) Liability of \$3,324.20 for the conversion of 168 West Avenue North, from a place of worship to a single family dwelling, be denied;
- (b) That the request to waive the Cash-in-Lieu of Parkland Dedication Fee in the amount of \$3,404 for the conversion of 168 West Avenue North, from a place of worship to a single family dwelling, be denied.

CARRIED

13. Amendment of Provincial Offences Administration (POA) Collection Fee By-law (FCS12066) (City Wide) (Item 8.2)

(Pearson/Powers)

That the by-law attached as Appendix "A" to Report FCS12066, be passed to amend By-law 07-007 to establish new collection agency fees at 9.9% (corporations), 12.5% (individuals) for debt assignment to the first agency and at 10% (corporations) and 23% (individuals) for debt re-assignment to the second agency.

CARRIED

14. Proposed Write-offs of Outstanding Fines for Provincial Offences (FCS12059) (City Wide) (Item 8.3)

(Powers/Morelli)

That staff be authorized to write-off all outstanding Provincial Offences deemed uncollectible with a due date of December 31, 2004.

CARRIED

15. Treasurer's Write-off of Taxes for the Dr. Bob Kemp Hospice under Section 354 of the *Municipal Act*, 2001 (FCS12060) (Ward 7) (Item 8.4)

(Pearson/Powers)

That the Treasurer, under Section 354(4)(b) of the *Municipal Act* (2001), be directed to write off taxes in the amount of \$40,831 for the Dr. Bob Kemp Hospice at 227 Stone Church Road East.

CARRIED

16. Interview Sub-Committee (to the Audit, Finance & Administration Committee) Report 12-001, dated September 4, 2012 (12.1)

(Pearson/Powers)

(a) That the following applicants be appointed to the Committee Against Racism for the balance of the 2010-2014 term of Council or until successors are appointed by Council:

(i) Maher Naschwati

(ii) Marlene Dei-Amoah

(b) That the following applicants be appointed to the Status of Women Advisory Committee for the balance of the 2010-2014 term of Council or until successors are appointed by Council:

(i) Linda Gill

- (ii) Jeannie Howe
- (iii) Nashwa Khan

- (c) That the Interview Sub-committee (to the Audit, Finance & Administration Committee) Report 12-001, be released as a public document.

CARRIED

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

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

- (i) Added as Item 12.1 - Interview Sub-Committee (to the Audit, Finance & Administration Committee) Report 12-001, dated September 4, 2012

(Pearson/Powers)

That the agenda for the September 10, 2012 Audit, Finance & 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) June 11, 2012 (Item 3.1)

(Pearson/Powers)

That the Minutes of the June 11, 2012 meeting of the Audit, Finance and Administration Committee be approved, as presented.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

- (i) **Mark McMaster, respecting Items 8.1(a) and 8.1(b) - Request for Relief from Development Charges Liability at 168 West Avenue North, Hamilton, Ontario (Item 4.1)**

(Powers/Pearson)

That the delegation request, submitted by Mark McMaster, respecting Items 8.1(a) and 8.1(b) - Request for Relief from Development Charges Liability at 168 West Avenue North, Hamilton, Ontario, be approved.

CARRIED

(e) DELEGATIONS / PUBLIC HEARINGS (Item 6)

(i) Mark McMaster, respecting Item 8.1(a) and 8.1(b) - Request for Relief from Development Charges Liability at 168 West Avenue North, Hamilton, Ontario (Item 6.1)

Mr. McMaster addressed Committee for the second time, respecting his request for relief from Development Charges liability at 168 West Avenue North, Hamilton, Ontario. Mr. McMaster's spoke to his correspondence, which is listed as Item 8.1(a) on this agenda, and 8.1(b), Report FCS12062 - Development Charges and Fees Exemption Request – 168 West Avenue North, Hamilton.

(Pearson/Clark)

That the presentation by Mark McMaster, respecting his request for relief from Development Charges liability at 168 West Avenue North, Hamilton, Ontario, be received.

CARRIED

(f) Status of Provincial Offences Administration (POA) Fine Collections and Staffing (Item 9.1)

(Pearson/Clark)

That staff be directed to provide a report, respecting the status of Provincial Offences Administration (POA) fine collections and staffing, to the Audit, Finance & Administration Committee, prior to the 2013 budget deliberations.

CARRIED

(g) Reciprocal Agreements with Provinces and States for the Collection of Outstanding *Provincial Offences Act* Fines

(Clark/Pearson)

That staff be directed to provided a report, respecting which provinces and states currently have reciprocal agreements with the Province of Ontario for the collection of outstanding *Provincial Offences Act* fines, how those agreements are implemented, and what impacts those agreements have on the licensee/offenders ability to continue driving until such outstanding fines have been paid.

CARRIED

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

11.1 Various Advisory Committee Minutes

(Morelli/Pearson)

That the following Advisory Committee Minutes, be received:

(a) Aboriginal Advisory Committee:

- (i) November 17, 2011
- (ii) February 13, 2012
- (iii) March 1, 2012
- (iv) May 3, 2012

(b) Committee Against Racism:

- (i) January 25, 2011
- (ii) June 28, 2011
- (iii) July 26, 2011
- (iv) September 13, 2011
- (v) October 25, 2011
- (vi) November 22, 2011
- (vii) December 13, 2011

(c) Immigrant and Refugee Advisory Committee:

- (i) June 9, 2011
- (ii) September 8, 2011
- (iii) October 13, 2011
- (iv) November 10, 2011
- (v) December 8, 2011

(d) Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee:

- (i) February 16, 2011
- (ii) August 18, 2011
- (iii) September 15, 2011
- (iv) October 20, 2011
- (v) November 17, 2011
- (vi) March 15, 2012

(e) Hamilton Mundialization Committee:

- (i) May 18, 2011
- (ii) September 21, 2011
- (iii) October 19, 2011
- (iv) December 14, 2011
- (v) February 15, 2012
- (vi) March 21, 2012
- (vii) April 18, 2012
- (viii) May 23, 2012

(f) Status of Women Committee:

- (i) June 23, 2011
- (ii) September 22, 2011
- (iii) October 27, 2011
- (iv) November 24, 2011
- (v) February 23, 2012
- (vi) April 26, 2012
- (vii) May 24, 2012

CARRIED

11.2 Amendments to the Outstanding Business List:

(Morelli/Powers)

That the proposed new due date for the following Item, be approved:

- (a) Item "B" – LGBTQ Space Requirements
Current Due Date: September 10, 2012
Proposed New Due Date: December 10, 2012

CARRIED

(i) ADJOURNMENT (Item 13)

(Morelli/Clark)

That, there being no further business, the Audit, Finance and Administration Committee be adjourned at 9:57 a.m.

CARRIED

Respectfully submitted,

Councillor B. Johnson, Chair
Audit, Finance and Administration Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk
September 10, 2012