Committee of the Whole
REPORT 07-011

1:00 p.m.
March 26, 2007
Council Chambers
Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor F. Eisenberger


Absent with regrets: Councillor B. Morelli – Police Services

Also Present: G. Peace, City Manager
J. Rinaldo, General Manager, Finance and Corporate Services
L.A. Coveyduck, General Manager, Planning and Economic Development
J.A. Priel, General Manager, Community Services
P. Barkwell, City Solicitor
K. Christenson, City Clerk
M. Gallagher, Coordinator, COW

COMMITTEE OF THE WHOLE PRESENTS REPORT 07-011 AND RESPECTFULLY RECOMMENDS:

1. Request to address Committee by Diane Elms respecting Integrity Commissioner

That the written presentation submitted by Diane Elms be received.
2. **Establishment of a City Integrity Commissioner Office**  
   (FCS07047/CL07003/LS07004)

   (a) That Report FCS07047/CL07003/LS07004 respecting Establishment of a City Integrity Commissioner Office, be received.

   (b) That an Accountability and Transparency Sub-Committee, composed of the Mayor and 4 members of City Council (Whitehead, Clark, McHattie, Duvall) and four members of the Community selected at large, be established to review the Municipal Act, as amended, respecting the establishment of the Office of the Integrity Commissioner and other options to enhance accountability and transparency in the City of Hamilton and make recommendations to Council on policies, procedures and or/by-laws that will enhance the accountability and transparency of the operation of the City Of Hamilton

   (c) That the Council delegate the authority to the Integrity Commissioner, once implemented;

   (d) That the selection of the 4 members of the community be competed by May 15, 2007

   (e) That the Terms of Reference for the sub-committee attached as Appendix “A” hereto, be approved as amended to include the investigation of the following:

      (i) Possibility of locating the Integrity Commissioner at the Province of Ontario.

      (ii) What other senior levels of government are doing with respect to breach of code of conduct matters?

   (f) That the establishment of a City of Hamilton Integrity Commissioner’s mandate be expanded to provide jurisdiction over complaints respecting City of Hamilton staff.

3. **FCM 70th Annual Conference and Municipal Expo – Nomination of Council member**

   That Councillor Whitehead be provided consent to seek election to the FCM Board of Directors.
4. **Hamilton Artists Inc. Funding Advance Request - $27,500 (FCS07034) (City Wide)**

That a $27,500 advance on the approved $750,000 Hamilton Future Fund grant requested by Hamilton Artists Inc. to fund a Feasibility Study be approved.

5. **Hamilton Artists Inc. Request for $750,000 Grant from the Hamilton Future Fund FCS07034(a)**

That report FCS07034(a) respecting Hamilton Artists Inc. Request for $750,000 Grant from the Hamilton Future Fund be received.

**FOR THE INFORMATION OF COUNCIL:**

(a) **CHANGES TO THE AGENDA**

The Clerk noted the following changes to the agenda:

Written presentation by Diane Elms who is unable to attend today’s meeting. The presentation has been circulated.

Added Item 7.2(a and b) respecting Hamilton Artist’s Inc. Both reports have been circulated. As well our City Solicitor has requested the opportunity to speak to Committee in closed session to provide you legal advice regarding the conditions imposed by the City on the grant to Hamilton Artists Inc.

The agenda was adopted as amended.

(b) **DECLARATIONS OF INTEREST**

None declared.

(c) **ADOPTION OF MINUTES**

3.1 February 26, 2007
The minutes were adopted as presented.

3.2 February 28, 2007
That the minutes be adopted as presented.

3.3 Minutes of Closed Session Meeting held on February 12, 2007
The minutes were adopted as presented.
3.4 Minutes of Closed Session Meeting held on February 28, 2007
The minutes were adopted as presented.

(d) DELEGATIONS/PRESENTATIONS

(i) MPAC Presentation

Mr. Dave Baulcomb, Municipal Relations Representative, Heather Colquhoun (Account Manager Zone 2), Hollie Scheibel (Municipal Relations Assistant), MPAC provided a power point presentation to Committee. Highlights of which included:

- Overview (Mission, Corporate Overview, Municipal Relations Department, Municipal Relations Representatives
- Customer Service (Property Owners, Municipalities)
- Valuation Overview
- Local Activities
- Looking Ahead

The delegation was directed to provide additional information on the following:
(a) income producing properties/student housing
(b) expectations for 2008/2009/2010 to help the City prepare for future budgets.

(ii) New Amendments to the Municipal Act

Peter Barkwell, City Solicitor presented a power point presentation on the New Amendments to the Municipal Act.

Highlights included:

- Broad Authority
- Role of Council
- Role of Mayor
- Mayor as CEO
- Required Policies
- Added to meeting requirements
- New Delegation of Powers and Duties
- New Accountability and Transparency
- Revived Demolition and Conversion of Residential Properties
- Parking
- Changes to licensing
- Changes to Enforcement
- Changes to Budgets
- Changes to accounting principles
- Provincial regulatory powers
- City of Toronto Act, 2006

Staff were directed to review other potential powers that the Toronto council has that the City of Hamilton does not.

The presentation was received.

(e) Establishment of a City Integrity Commissioner Office
(FCS07047/CL07003/LS07004)

A Recorded Vote was taken on the following amendment:

That the establishment of a City of Hamilton Integrity Commissioner’s mandate be expanded to provide jurisdiction over complaints respecting City of Hamilton staff.


Nays: Mayor F. Eisenberger, Councillor B. McHattie

Absent: Councillor Powers

(f) Hamilton Artists Inc. Funding Advance Request - $27,500 (FCS07034) (City Wide)

A Recorded Vote was taken on the following motion:

That report FCS07034(a) respecting Hamilton Artists Inc. Request for $750,000 Grant from the Hamilton Future Fund be received.


Nays: Councillors T. Jackson, L. Ferguson

Absent: Councillor Powers

Respectfully submitted

Mayor F. Eisenberger
Committee of the Whole Minutes

M. Gallagher
Co-ordinator
COW/Council
March 26, 2007