Audit and Administration Committee
MINUTES
9:30 a.m.
Wednesday, April 21, 2010
Room 207
Hamilton Convention Centre
One Summer’s Lane

Present: Councillors R. Powers (Chair), B. Morelli (Vice Chair), B. Bratina, C. Collins and M. Pearson
Absent with Regrets: Councillor B. Clark – Personal
Councillor T. Whitehead - Personal
Also Present: C. Murray, City Manager
R. Rossini, General Manager, Finance & Corporate Services
T. Tollis, City Treasurer
R. Caterini, City Clerk
P. Barkwell, City Solicitor, Legal Services City Managers Office
L. Friday, Director, Taxation
M. Zegarac, Director, Financial Planning & Policy
R. Males, Director of Financial Services
A. Grozelle, Legislative Assistant, Office of the City Clerk

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:

1. Monthly Status Report of Tenders and Requests for Proposals for February 6, 2010 to March 8, 2010 (FCS10017(a)) (City Wide)(Item 5.7)

(Collins/Pearson)
That Report FCS10017(a), respecting Tenders and Requests for Proposals for February 6, 2010 to March 8, 2010, be received.

CARRIED

   (Collins/Pearson)
   (a) That Report 10-002 of the Governance Review Sub-Committee – March 25, 2010 be received

   (b) That (Item1) of Report 10-002 of the Governance Review Sub-Committee recommendation on the Hamilton Youth Advisory Committee Secondary Logo (HAC10-001) which reads; That the secondary logo, attached as Appendix “A” hereto, be approved for use by the Hamilton Youth Advisory Committee, subject to the guidelines as set out for the use of secondary logos for promotional purposes, be approved.

   CARRIED

4. **Tax Appeals under Section 357 and 358 of the Municipal Act, 2001 (FCS10006(c)), (City Wide) (Item 8.1)**

   (Collins/Pearson)
   (a) That Appendix “A” attached to report FCS10006(b) respecting the “Tax Write-offs processed under Section 357 of the Municipal Act, 2001”, in the amount of $181,890 be approved; and

   (b) That Appendix “B” attached to report FCS10006(b) 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 $2,439 be approved.

   CARRIED

5. **Status of Women Advisory Committee Report 10-001 respecting 2010 work plan activities (City Wide)(Item 8.2)**

   (Pearson/Bratina)
   That $5,000 be transferred from the Status of Women Advisory Committee’s Volunteer Reserve account to fund various projects on the Committee’s 2010 work plan.

   CARRIED

6. **Payment Card Industry (PCI) Compliance (FCS10032) (City Wide)(Item 8.3)**

   (Collins/Pearson)
   That the Capital Project for the implementation of the Payment Card Industry (PCI) Compliance work be approved and funded to a maximum of $600,000 through the Computer Replacement Reserve #110015.

   CARRIED
7. Proposed Payment Plan of Expired Development Charge Deferral Agreement #99 (The Courtyard by Marriott Hamilton) (FCS10028) (Ward 8) (Item 8.4)

(Bratina/Pearson)
(a) That a new Development Charge Deferral Agreement to replace the expired Development Charge Deferral Agreement #99 (The Courtyard by Marriott Hamilton), in the amount of $495,708.41, be approved; and

(b) That the payment schedule and related terms, assuming an effective interest rate of 4.09%, as per Appendix “A” of FCS10028 be approved.

CARRIED

9. Amendment to Item 8 of the Audit and Administration Committee Report 10-003, respecting the amendment to tender documents (Item 8.6)

(Pearson/Collins)
That Item 8 of Audit and Administration Committee Report 10-003 be amended by adding the following as Sub-section (b):

8(b) That Purchasing Policy #18 – Policy for Vendor Complaint Resolution, be amended to permit a vendor to challenge only the one year ban described in sub-section (a) to the appropriate Standing Committee of Council (currently Audit and Administration) where there are extenuating circumstances respecting why the initialling was not done within one (1) business day of the City’s request. The Standing Committee will provide to Council a recommendation with respect to the vendor’s complaint.

CARRIED

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

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

(i) That the Outstanding Business List created after the Committee’s January 14, 2010 meeting be merged with the existing list. (merged copy attached)

(ii) Added as Item 11.1 (iv) – Item ‘T’ (on the revised Outstanding Business List)- That staff be directed to report back to Committee of the Whole respecting the savings that can be achieved through the implementation of the proposed Program Enhancement per Appendix B to Report FCS10013 [addition of a web application developer]
(iii) The delegation for Item 6.1 has informed us that he will be unable to attend due to a work conflict that has just arose. As such Items 6.1 and 12.1 will be deferred to a future meetings Agenda.

(Collins/Pearson)
That the agenda for the April 21, 2010 meeting of the Audit & Administration Committee be approved, as amended.  
CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)
There were no declarations of interest.

(c) MINUTES (Item 3)

3.1 March 24, 2010

(Pearson/Bratina)
That the Minutes of the March 24, 2010 meeting of the Audit & Administration Committee meeting be approved as presented.
CARRIED

(d) Delegation Request, submitted by John Ariens, Director of Habitat for Humanity Hamilton, regarding Municipal Development Charges (Item 4.1)

(Bratina/Collins)
That the delegation request, submitted by John Ariens, Director of Habitat for Humanity Hamilton, regarding Municipal Development Charges, be approved.  
CARRIED

(e) Delegation request, submitted by Steve Miazga, Hamilton Conservation Authority, regarding a loan request to offset a pension deficit for the Hamilton Conservation Authority (Item 4.2)

(Bratina/Collins)
That the delegation request, submitted by Steve Miazga, Hamilton Conservation Authority, regarding a loan request to offset a pension deficit for the Hamilton Conservation Authority, be approved.  
CARRIED
(f) Response to correspondence from Tom Glendale dated January 14, 2010, to the Audit and Administration Budget Committee of January 14, 2010, respecting Report FCS10013 "Corporate Services Proposed Enhancements" (FCS10024) (City Wide) (Item 5.8)

(Collins/Pearson)
That report FCS10024 responding to correspondence from Tom Glendale be received.

CARRIED

(g) Delegation by Mr. Anthony Acheampong, regarding damage from a water main break and tax arrears for Roll#030.232.55760 (Item 6.1)

(Collins/Pearson)
The delegation by Mr. Anthony Acheampong, regarding damage from a water main break and tax arrears for Roll#030.232.55760 was deferred to a future agenda when the delegate could be in attendance.

CARRIED

(h) 2009 Litigation File Closing Summary LS010006 (City Wide) (8.5)

(Pearson/Collins)
That Report LS10006 – 2009 Litigation File Closing Summary, (Item 8.5) on the April 21, 2010 Agenda of the Audit and Administration Committee be deferred until such time as Council Clark is present.

CARRIED

(i) Minutes of Various Advisory Committees (FOR INFORMATION PURPOSES ONLY) (Items 5.1, 5.2, 5.3, 5.4, 5.5 and 5.6)

(Pearson/Bratina)
That the following Advisory Committee minutes be received:

(i) Gay, Lesbian, Bi-Sexual and Transgender Advisory Committee Minutes, February 18, 2010 (Item 5.1)

(ii) Hamilton Mundialization Committee Minutes, January 20, 2010 (Item 5.2)

(iii) Immigration and Refugee Advisory Committee Minutes February 11, 2010 (Item 5.3)
(iv) Committee Against Racism Minutes January 26, 2010 (Item 5.4)
(v) Committee Against Racism Minutes February 23, 2010 (Item 5.5)
(vi) Status of Women Committee Minutes February 26, 2010(Item 5.6)

CARRIED

(j) Amendments to the Outstanding Business List (Item 11.1)

That the following be marked complete and be removed from the outstanding business list.

(Collins/Pearson)
(i) Item “P” - Responding to correspondence from Tom Glendale, be considered complete and removed from the Audit & Administration Committee’s Outstanding Business list

(Collins/Bratina)
(ii) Item ‘G’ City Funding of Dundas Community Arts Foundation, be considered complete and removed from the Audit & Administration Committee’s Outstanding Business list

(Collins/Bratina)
(iii) Item ‘Q’ Human Resources to report to Committee of the Whole with respecting service level changes to achieve a 2% net levy increase, be considered complete and removed from the Audit & Administration Committee’s Outstanding Business list

(Collins/Bratina)
(iv) Item ‘R’ staff report to the Committee of the Whole in regards to adding an additional funding for the Physician Recruitment and Retention annual budget.

(Collins/Bratina)
(v) Item ‘T’ (on the revised Outstanding Business List)- That staff be directed to report back to Committee of the Whole respecting the savings that can be achieved through the implementation of the proposed Program Enhancement per Appendix B to Report FCS10013 [addition of a web application developer]

CARRIED
(j) PRIVATE AND CONFIDENTIAL (Item 12)

(Collins/Pearson)
(i) Report (FCS10038) Damage from a Water Main Break & Tax Arrears at 801-803 King Street East, was deferred to a future meeting.

CARRIED

(k) AJOURNMENT (Item 13)

(Bratina/Collins)
There being no further business, the Audit and Administration Committee adjourned at 10:32 a.m.

Respectfully submitted,

Councillor Russ Powers, Chair
Audit and Administration Committee

Andy Grozelle
Legislative Assistant
April 21, 2010