THE FOLLOWING ITEMS WERE REPORTED TO CITY COUNCIL FOR CONSIDERATION:

1. Minutes of the Advisory Committee for Persons with Disabilities Meeting – May 2, 2006 (Item 5.1)

   (Mitchell/Whitehead)
   That the Minutes of the Advisory Committee for Persons with Disabilities meeting held on May 2, 2006, be received. CARRIED
2. **Tile Drainage Loan (Neeb) (FCS06066) (Ward 14) (Item 2)**

(Mitchell/Whitehead)
That the Tile Drainage Loan Application submitted by John Neeb, 2525 Governors Road, (part of Lots 25 and 26, Concession 1, former Town of Flamborough), in the amount of $7,500.00 be approved, subject to the availability of Provincial funding and an Inspection Completion Certificate being filed with the City by the Drainage Inspector.  

CARRIED

3. **Development Charges By-law 04-145 Amendments and GO Development Charges By-law (FCS06063) (City Wide) (Item 6.1)**

(Collins/Mitchell)
(a) That the industrial development charge rate phase-in schedule, as shown in Section 18 of Development Charges Bylaw 04-145 be amended as follows:

- Year 3 (July 6, 2006 to July 5, 2007): $2.30 sq. ft. (indexed)
- Year 4 (July 6, 2007 to July 5, 2008): $2.80 sq. ft. (indexed)
- Year 5: (July 6, 2008 to July 5, 2009): $3.30 sq. ft. (indexed)

With indexing to July 6, 2006, the $2.30 industrial development charge rate would be $2.58 per sq ft;

(b) That the commercial/institutional/office development charge rate of $16.03 per sq. ft. for the first 10,000 sq. ft. of development be phased in over a two-year period. The charge would be set at 60% ($9.62) as of July 6, 2006; 80% ($12.82 plus indexing) as of July 6, 2007 and 100% (plus indexing) as of July 6, 2008;

(c) That the non-residential development charge rate for new commercial/institutional/office developments be set as follows:

- (i) For developments up to 5,000 sq. ft. at 50% of the rate in effect
- (ii) For developments, 5,001 to 10,000 sq. ft. at 75% of the rate in effect.
- (iii) For developments greater than 10,000 sq. ft.:
  - (aa) the area in excess of 10,000 sq. ft. to be charged $12.32 per sq. ft. as of July 6, 2006;
  - (bb) the area in excess of 10,000 sq. ft. to be charged $16.03 per sq. ft. as of July 6, 2007 (plus indexing).

(d) That the residential development charge rate increase under Bylaw 04-145, as amended, be phased in with 50% of the amendment increase taking effect on July 6, 2006 and the full rate increase taking effect on January 6, 2007;
(e) That apartment developments be permitted to defer payment of development charges by entering into a development charge deferral agreement;

(f) That the interest rate charged on development charge deferral agreements conform with the general City policy for external loans and therefore be set at the five-year debenture rate plus one-quarter percent (for administration);

(g) That the development charge reimbursement for stormwater management ponds identified in the development charge background study and constructed by developers be limited to a maximum of the total dollar value identified in the background study for land and construction costs;

(h) That a permanent transition policy be implemented as follows:

- That the development charge rates payable are the rates in effect on the date a completed building permit application is received and accepted by the City, provided that the permit is issued within 6 months of the effective date of a rate increase.

Where the building permit is revoked by the Chief Building Official on or after the date of the rate increase, any subsequent application for a building permit on the lands or site will be subject to the rates in effect on the date of permit issuance;

(i) That a one-time transition policy be implemented as follows:

- For site plan applications, where a complete application for site plan approval has been received by the City prior to May 1, 2006, and no building permit in relation thereto has been issued prior to July 6, 2006, the development charges payable upon issuance of the building permit shall be based on the rates in effect on July 5, 2006, provided that the building permit is issued prior to Jan 6, 2007.

Where the building permit is revoked by the Chief Building Official on or after July 6, 2006, any subsequent application for a building permit on the lands or site will be subject to the rates in effect on the date of permit issuance;

(j) That the amending development charge background study titled, “City of Hamilton 2006 Development Charges Update Study” prepared by CN Watson & Associates and dated May 2006, be adopted and approved along with the capital project listings set out therein, subject to annual review during the capital budget process;
(k) That the GO Transit development charge background study titled, “City of Hamilton Development Charge Background Study for the GO Transit Service” prepared by CN Watson & Associates and dated June 5, 2006, be adopted, and that Council ensure that the GTTA (GO Transit) approved 2006-2016 Ten Year Growth Capital Plan be carried out herewith, including the City’s share of the program cost in its 10-year capital forecast;

(l) That the assumptions with respect to anticipated development, levels of service, capital grants, subsidies, and other contributions and other deductions required under the Development Charges Act contained within the background studies identified in recommendations (j) and (k) be adopted;

(m) That, whenever appropriate, the City request donors to clearly designate grants, subsidies, and other contributions as being for the benefit of existing development (or new development as applicable);

(n) That the amending Development Charges By-law, attached hereto as Appendix A, being an amendment to Development Charges By-law 04-145, be passed and enacted;

(o) That the GO Transit Development Charges By-law, attached hereto as Appendix B, be passed and enacted;

(p) That Council determine that no further public meeting is required.

(q) That an independent peer review consultant chosen from the City’s consultant roster, agreed to by both the Hamilton Halton Homebuilders’ Association and the City, be retained by the City and funded from the Development Charges fund to review the rationale for cost allocation related to growth, including post period benefit allocation for the Upgrades to the Woodward Wastewater Treatment Plant;

(r) That the peer reviewer take into consideration current regulatory and cost allocation trends in the Greater Toronto Area;

(s) That the findings be brought before the Corporate Administration Committee prior to the January 6, 2007 final Development Charges residential phase-in, for consideration. CARRIED as amended

(Bruckler/Pearson)
That the presentation by Mr. Wayne Lazzarato, General Manager, Dufferin Construction Company, respecting Bid Disqualification for Contract No. PW-06-243 – Tender for Red Hill Valley Project, Mainline Paving, Mud Street Interchange to QEW Interchange, be received and no action taken. CARRIED

5. Duncan Glaholt, Solicitor on behalf of Lafarge Canada Inc., respecting Bid Disqualification for Contract No. PW-06-243 – Tender for Red Hill Valley Project, Mainline Paving, Mud Street Interchange to QEW Interchange (Added item 6.3)

(Bruckler/Pearson)
That the presentation by Mr. Duncan Glaholt, Solicitor representing Lafarge Canada Inc., respecting Bid Disqualification for Contract No. PW-06-243 – Tender for Red Hill Valley Project, Mainline Paving, Mud Street Interchange to QEW Interchange, be received and no action taken. CARRIED

6. Policy for Business Travel, Seminars and Conferences – Amendments (FCS04065(b)) (City Wide) (Item 8.1)

(Collins/Braden)
That the Policy for Business Travel, Seminars and Conferences as amended - attached hereto as Appendix “A” to Report FCS04065(b) be approved. CARRIED

7. Banking Agreement – Authorization to Negotiate (FCS06065) (City Wide) (Item 8.2)

(Braden/Bruckler)
(a) That the General Manager, Finance and Corporate Services, be authorized to negotiate a two year agreement with The Royal Bank of Canada for the provision of banking services with an option to extend for a further two years based on terms set out in Report FCS06065;

(b) That following the expiration of the above-noted banking agreement, that staff be directed to issue a request for proposal for the provision of banking services for a ten-year term. CARRIED as amended
8. **Award of Contract C6-04-06 for the Provision of Roster Candidates for Information Technology Related Services as Required (FCS06055) (City Wide)** (Item 8.3)

(Collins/Braden)

(a) That RFP C6-04-06 issued for the Provision of Roster Candidates for Information Technology Related Services as Required, be awarded to the Vendors as noted in Appendix “A” attached to Report FCS06055;

(b) That the General Manager of Finance and Corporate Services be authorized to enter into an agreement with the proposed vendors for one year with an option to renew for one additional year as outlined in RFP C6-04-06. **CARRIED**

9. **2006 GST Reduction – Impact on User Fees (FCS06070) (City Wide)** (Item 8.4)

(Pearson/Braden)

(a) That the full GST reduction be incorporated into the City’s user fees effective July 1, 2006;

(b) That, after reducing the fee to incorporate the GST reduction, adjustments of up to +/- $0.50 to certain 2006 user fees as identified in Appendix A to report FCS06070 be approved;

(c) That municipal on-street and off-street parking rates (inclusive of all fees and taxes) remain unchanged;

(d) That the City Solicitor & Corporate Counsel be authorized and directed to amend By-Law 06-120: A By-law to Establish Certain 2006 User Fees and Charges for Services Provided by the City of Hamilton; By-Law 05-378: 2006 Sewer Use Fees and Charges; By-Law 05-379: 2006 Water Fees and Charges; and, By-law 05-375: 2006 Fees and Charges for Laboratory Services, for the purpose of incorporating the adjustments contained in Appendix “A” to Report FCS06070. **CARRIED as amended**

10. **Report 06-001 of the HMRF/HWRF Pension Administration Sub-Committee** (Item 8.5)

(Bruckler/Pearson)

(a) **Master Trust Statement of Investment Policies and Procedures (FCS06062) (City Wide)** (Item 3(b))

(i) That Report FCS06062, “Master Trust Statement of Investment Policies and Procedures” for the City of Hamilton defined benefit pension plans Master Trust, be approved;
(ii) That the former Investment Policies of the former Hamilton Municipal Retirement Fund (HMRF), Hamilton-Wentworth Retirement Fund (HWRF), and the Hamilton Street Railway (HSR), be rescinded;

(iii) That the approved “Statement of Investment Policies and Procedures” be forwarded to the sub-committee of the Hamilton Street (HSR) Pension Advisory Committee for their information.

CARRIED

(b) Hamilton-Wentworth Retirement Fund (HWRF) Review (FCS06057) (City Wide) (Item 6)

(Bruckler/Pearson)

(i) That the information contained in Appendix “A” and “B” of Report FCS06057 be received, and that the HWRF review be considered complete and no further action required;

(ii) That staff prepare a report for the next meeting with findings regarding the feasibility of amending the Plan Text to provide inflationary increases equal to that provided under the Ontario Municipal Employees Retirement System (OMERS) plan.

CARRIED

FOR THE INFORMATION OF THE COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes:

Delegation Requests from:

(i) Duncan Glaholt, Solicitor, on behalf of Lafarge Construction, with respect to bid disqualification for Contract PW-06-243 – Tender for Red Hill Valley Project, Mainline Paving, Mud Street Interchange to QEW Interchange
(ii) John MacLennan, City of Hamilton appointee on Conservation Halton, to give a verbal update
(iii) Mark Giavedoni, on behalf of McMaster University, respecting the proposed amendments to the Development Charges By-law

Following items are noted as “to be distributed” on agenda:

(i) Item 8.4 – 2006 GST Reduction – Impact on User Fees (FCS06070)
(ii) Item 8.5 – Report 06-001 of the HMRF/HWRF Pension Administration Committee
(Whitehead/Mitchell)
That the agenda be approved, as amended. CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)
None.

(c) APPROVAL OF MINUTES (Item 3)

(Whitehead/Mitchell)
That the Minutes of the May 17, 2006 meeting of the Corporate Administration Committee be received and adopted as presented. CARRIED

(d) DELEGATION REQUESTS (Item 4)

(Whitehead/Mitchell)
That the Delegation Request from Duncan Glaholt, Solicitor on behalf of Lafarge Canada Inc., respecting Bid Disqualification for Contract No. PW-06-243 – Tender for Red Hill Valley Project, Mainline Paving, Mud Street Interchange to QEW Interchange, be approved to be heard at today’s meeting. CARRIED

(Braden/Bruckler)
That the Delegation Request from John MacLennan respecting Conservation Halton, be approved. CARRIED

(Braden/Bruckler)
That the delegation request from Mark Giavedoni, on behalf of McMaster University, respecting the proposed amendments to the Development Charges By-law, be approved. CARRIED

(e) DEVELOPMENT CHARGES BY-LAW 04-145 AMENDMENTS AND GO DEVELOPMENT CHARGES BY-LAW (FCS06063) (City Wide) (Item 6.1)

Councillor Mitchell, Chairman of the Development Charges Stakeholders Subcommittee acknowledged and thanked the members on the Sub-Committee for their participation and contribution. He also thanked the efforts of the consultant and staff to bring the proposed amendments to the Development Charges By-law forward.
Gary Scandlan of C. N. Watson and Associates Ltd., outlined the proposed amendments to Development Charges By-law 04-145. The presentation given by Mr. Scandlan was distributed to the Committee and a copy has been retained in the Office of the City Clerk for the public record.

Following Mr. Scandlan’s presentation, Joe Spiler, Manager of Capital Budgets and Development, outlined the major issues that prompted the amendments to Development Charges By-law 04-145 and the recommendations contained in the Report.

Joe Rinaldo, General Manager of Finance and Corporate Services, advised that a more comprehensive review of development charges will be done following the completion of GRIDS, at which time the transportation component will be addressed.

The Committee requested additional information as follows:

(i) options for differing development charges re: brownfields vs greenfields
(ii) provide development charge capital capacity for all “soft” service areas
(iii) ratio of arenas to population.

Following the consultant and staff presentations, a public meeting was held pursuant to Section 12 of the Development Charges Act, 1997 to present and obtain public input on the City’s proposed amendments to Development Charges by-law 04-145. Councillor Samson advised that Notice of the Public Meeting was advertised in the Spectator and Brabant Newspapers on May 26 and June 2, 2006, inviting interested parties to make representations. He also advised that any person in attendance can make representations relating to the proposed amendments.

The Committee received presentations from the following:

6.1.1 Don McLean

Mr. McLean thanked the Committee for the opportunity to participate on the Stakeholders’ Sub-Committee. In his presentation, he expressed his concern that because provincial rules prevent the City from recovering many of the costs of growth, those costs, with some exemptions such as affordable housing, hospitals, brownfields, are borne by the existing taxpayers.

A copy of Mr. McLean’s presentation has been retained in the Office of the City Clerk for the public record.
6.1.2 Joan Roberts

Joan Roberts thanked the Committee for the opportunity to participate on the Stakeholders’ Sub-Committee.

Ms. Roberts commented on the process in which development charges are determined, and the residential development charges. She also suggested a restructuring of the Sub-Committee.

A copy of Ms. Robert’s presentation has been retained in the Office of the City Clerk for the public record.

6.1.3 Jeff Young, Losani Homes

Jeff Young, Chief Financial Officer for Losani Homes, appeared before the Committee in a dual capacity to represent the residential construction building industry and as a resident of the City of Hamilton. He expressed his concern that the increase in development charges has a potential long-term impact not only on the construction industry, but on the local economy. He asked that more time be taken in order to make the right and most transparent decision possible.

6.1.4 Peter Serrani, President, Hamilton Halton Homebuilders Association.

Peter Serrani addressed the Committee on behalf of builders, developers, suppliers, trade contractors and certified professionals. His remarks focused on the impact that the increase in development charges will have on home buyers.

A copy of Mr. Serrani’s presentation has been retained in the Office of the City Clerk for the public record.

6.1.5 Adi Irani, Hamilton Halton Home Builders Association

Adi Irani, expressed his concern that the not only are the final wastewater plant expansion costs prohibitive, but also, that the percentage of cost attributed to growth are much too high, and that the existing population should be allocated with more of the total cost.

Mr. Irani provided the Committee with resolutions for the Committee’s consideration which address his concerns.

A copy of Mr. Irani’s comments and resolutions has been retained in the Office of the City Clerk for the public record.
6.1.6 Mark Giavedoni, Solicitor on behalf of McMaster University

Mark Giavedoni, Solicitor representing McMaster University, appeared before the Committee to request that McMaster be included as a stakeholder for future discussions respecting development charges. He indicated that McMaster concurs with the provision that student residences be 50% exempt; however, the “academic teaching purposes” still needs to be defined.

Following the list of registered speakers, Chairman Samson asked if there were any members of the public wishing to speak. Subsequently, the Committee received a deputation from the following:

Roman Lewczuk, New England Homes

Mr. Lewczuk indicated that although he is not a member of the HHHBA, he has been a homebuilder in Hamilton for 15 years. He noted that the increase cannot be passed on to homebuyers anymore. As a homebuilder, he does not mind paying his fair share; however, the increase in development charges is too much too fast.

As there were no further members of the public wishing to speak to this issue, Councillor Samson declared the public meeting respecting proposed amendments to the Development Charges By-law to be closed.

A public meeting was held pursuant to Section 12 of the Development Charges Act, 1997 to present and obtain public input on the GO Transit Development Charge By-law. Councillor Samson advised that Notice of the Public Meeting was advertised in the Spectator and Brabant Newspapers on May 26 and June 2, 2006, inviting interested parties to make representations. He also advised that any person in attendance can make representations relating to the proposed amendments.

The Committee received a presentation from the following:

Adi Irani, Hamilton Halton Home Builders Association

Mr. Irani expressed concerns over the ridership between 2005 and 2015 and requested a copy of the ridership survey.

Chairman Samson asked if there were any members of the public wishing to speak. As there were no further members of the public wishing to speak to this issue, Councillor Samson declared the public meeting respecting the GO Transit Development Charge By-law to be closed.
Committee Minutes

(Bruckler/Collins)
That sub-sections (q), (r) and (s) be added. Amendment CARRIED
(See Item 3)

(Dilanni/Braden)
That sub-sections (b) and (c) be amended to provide that there be no phase in of development charge rates for commercial/institutional/offic development over 10,000 square feet. Motion WITHDRAWN

(Bruckler/Pearson)
That sub-sections (b) and (c) be deleted in their entirety and replaced. Amendment CARRIED
(See Item 3) Motion as amended CARRIED

(f) JAKE SUDAC, DISTRICT MANAGER, DUFFERIN CONSTRUCTION COMPANY, RESPECTING BID DISQUALIFICATION FOR CONTRACT NO. PW-06-243 – TENDER FOR RED HILL VALLEY PROJECT, MAINLINE PAVING, MUD STREET INTERCHANGE TO QEW INTERCHANGE (Item 6.2)

The Committee received a deputation from Wayne Lazzarato, General Manager of Dufferin Construction Company, respecting Bid Disqualification for Contract No. PW-06-243 – Tender for Red Hill Valley Project, Mainline Paving, Mud Street Interchange to QEW Interchange.

(g) DUNCAN GLAHOLT, SOLICITOR ON BEHALF OF LAFARGE CANADA INC., RESPECTING BID DISQUALIFICATION FOR CONTRACT NO. PW-06-243 – TENDER FOR RED HILL VALLEY PROJECT, MAINLINE PAVING, MUD STREET INTERCHANGE TO QEW INTERCHANGE (Added tem 6.3)

The Committee received a deputation from Duncan Glaholt, Solicitor representing Lafarge Canada Inc., respecting Bid Disqualification for Contract No. PW-06-243 – Tender for Red Hill Valley Project, Mainline Paving, Mud Street Interchange to QEW Interchange.

(h) BANKING AGREEMENT – AUTHORIZATION TO NEGOTIATE (FCS06065) (CITY WIDE) (Item 8.2)

(Collins/Braden)
That sub-section (b) be added. (See Item 7) Amendment CARRIED
Motion as amended CARRIED
(i) MUNICIPAL TAX COMPETITIVENESS SURVEY 2005 (FCS06069) (CITY WIDE) (Item 7.1)

(Braden/Pearson)
That Report FCS06069 respecting Municipal Tax Competitiveness Survey 2005, be tabled. CARRIED

(j) 2006 GST REDUCTION – IMPACT ON USER FEES (FCS06070) (CITY WIDE) (Item 8.4)

(Pearson/Braden)
That sub-section (d) be amended with the inclusion of By-law 05-375: 2006 Fees and Charges for Laboratory Services. Amendment CARRIED
Motion as amended CARRIED

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

(i) Outstanding Business Item Q – Impact of Closure – Bingo Central (Due Date: June 21, 2006) (Item 11.1)

Judy Downey, Co-ordinator of Standards and Licensing, provided an update, advising that 43 organizations were displaced by the closure of Bingo Central, of which 5 were from out of town, and that a moratorium has been issued on the 5. She also provided statistical information on the revenue that each charity is netting out, and indicated that the closure of Bingo Central has had a positive impact on other organizations.

(Pearson/Braden)
(a) That the verbal report with respect to the impact of the closure of Bingo Central be received;

(b) That Item Q on the Outstanding Business List of the Corporate Administration Committee be removed. CARRIED

(ii) Outstanding Business Items S.1 and S.2 – Without Cause Severance Packages/Non Union Staff Terminations and Approval Process (Due Date: June 21, 2006) (Item 12.2)

The Committee moved In Camera to receive an update from Catherine Graham, Manager of Human Resources and independent legal advice from John F. Evans, Q.C., of Evans Sweeny Bordin LLP. No action to be reported.
(iii) Denial of Service Attack – Network Services Staff

Christine Swenor, Director of Information Technology Services, advised the Committee of an incident on Monday, June 19, 2006 where the City’s network faced a security threat. Staff in Network Services was able to detect the threat and prevent it from causing any damage and resulting downtime, and the loss of any internet e-mail. Had the problem not been detected, it had the potential to crash the e-mail system and network. The Committee extended their congratulations to staff for a job well done.

(I) PRIVATE AND CONFIDENTIAL (Item 12)

(Dilann/Collins)
That the Committee move In Camera to discuss a personnel issue involving identifiable individuals and to receive legal advice with respect to Contract PW-06-243. CARRIED

(Braden/Pearson)
That the Committee reconvene in Open Session. CARRIED

There being no further business, the Committee adjourned at 4:00 p.m.

Respectfully submitted

Councillor S. Samson
Chair
Corporate Administration Committee

Carolyn Biggs
Legislative Assistant
June 21, 2006