Audit and Administration Committee
MINUTES
9:30 a.m.
Wednesday, March 24, 2010
Room 207
Hamilton Convention Centre
One Summer’s Lane

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

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:

1. Audit Report 2009-03 - Hamilton Police Service – Cash Accounts & Revenue Processes (AUD10010) (City Wide) (Item 5.1)

   (Collins/Pearson)
   That Report AUD10010 respecting Audit Report 2009-03, Hamilton Police Service – Cash Accounts and Revenue Processes, be received.
   CARRIED

2. Follow Up of Audit Report 2008-09 - Taxation - Tax Appeals and Refunds (AUD10011) (City Wide) (Item 5.2)

   (Collins/Pearson)
   That Report AUD10011 respecting the follow up of Audit Report 2008-09, Taxation – Tax Appeals and Refunds, be received.
   CARRIED
3. Follow Up of Audit Report 2007-12 - Waste Management - Recycling Program Revenues (AUD10012) (City Wide) (Item 5.3)
   
   (Collins/Pearson)
   That Report AUD10012 respecting the follow up of Audit Report 2007-12, Waste Management – Recycling Program Revenues, be received.  
   
   CARRIED

4. Follow Up of Audit Report 2008-08 - Child Care Fee Subsidies (AUD10013) (City Wide) (Item 5.4)
   
   (Collins/Pearson)
   That Report AUD10013 respecting the follow up of Audit Report 2008-08, Child Care Fee Subsidies, be received.
   
   CARRIED

5. Report of the 2009 Remuneration and Expenses as Required under Section 284 of the Municipal Act, 2001 (FCS10023) (Item 5.5)
   
   (Collins/Pearson)
   That Report FCS10023, respecting the 2009 Remuneration and Expenses as Required under Section 284 of the Municipal Act, 2001, be received.
   
   CARRIED

6. Supply of Professional Services and Delivery of a Weigh Scale Software System (PW10036) (City Wide) (Item 5.6)
   
   (Collins/Pearson)
   That Report PW10036, respecting the Supply of Professional Services and Delivery of a Weigh Scale Software System, be received.
   
   CARRIED

7. Tax Appeals under Section 357 and Section 358 of the Municipal Act, 2001 (FCS10006(b) (City Wide) (Item 8.1)
   
   (Pearson/Collins)
   (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
8. **Federal Gas Tax Amending Agreement (FCS10021) (item 8.2)**

(Collins/Pearson)

(a) That the Mayor and City Clerk be authorized and directed to enter into an Amending Agreement between the City of Hamilton and the Association of Municipalities of Ontario, related to the funding commitment made on June 17, 2005 by the Federal Government to Ontario Municipalities under the Ontario Agreement for the Transfer of Federal Gas Revenues under the New Deal for Cities and Communities;

(b) That the Mayor and City Clerk be authorized and directed to execute the Amending Agreement attached as Appendix “A” to Report FCS10021;

(c) That the 2010-2014 Federal Gas Tax Funds be allocated to the Federal Gas Tax Reserve 112213 and utilized as per the annual capital financing strategy approved by Council;

(d) That the projects approved for federal gas tax funding in the 2009 Capital Budget as outlined in Appendix C to report FCS10021 be re-allocated between previously approved financing sources to concur with the requirements dictated under the Federal Gas Tax Municipal Funding Agreement;

(e) That the appropriate By-Law, City of Hamilton/ Association of Municipalities of Ontario Federal Gas Tax Amending Agreement By-Law be passed and enacted attached as Appendix “B” to Report FCS10021; and

(f) That a certified copy of this By-Law be forwarded to the Association of Municipalities of Ontario upon Council approval.

CARRIED

9. **Revisions to the Shareholders Direction Relating to the Hamilton Entertainment and Convention Facilities Inc. (HEC10003) (City Wide) (Item 8.3)**

(Pearson/Morelli)

That the revisions to the Shareholders Direction for the Hamilton Entertainment and Convention Facilities Inc., as shown in Appendix A to Report HEC10003, be approved.

CARRIED
10. County of Perth – Residential Farmland Property Tax (FCS10020) (City Wide) (item 8.4)

(Pearson/Whitehead)
That the County of Perth’s resolution attached as Appendix “A” to report FCS10020 respecting Residential Farmland Property Tax Concerns, be endorsed.

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) Added as Item 4.2 – Delegation request, submitted by Mr. Anthony Acheampong, regarding damage from a water main break and tax arrears for Roll # 030.232.55760.

(ii) Added as Item 5.6 – Report PW10036 - Supply of Professional Services and Delivery of Weigh Scale Software System

(iii) Added as 12.1 – Closed Session Minutes, dated February 17, 2010 (distributed under separate cover)

(Collins/Pearson)
That the agenda for the March 24, 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 3, 2010

(Morelli/Collins)
That the Minutes of the March 3, 2010 meeting of the Audit & Administration Committee meeting be amended by:
(a) Renumbering Item (d) to Item 3 – Delegation Request submitted by Mr. Ted Valeri and Mr. Rudi Spallacci, respecting RFP C5-37-09, Canada-Ontario Affordable Housing Program 2009 Extension, and renumbering the subsequent items accordingly; and,

(b) Adding the following as sub-section (b) to Item 8 – Purchasing Subcommittee Report 10-001, Amendment to Tender Documents, to read as follows:

“(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 initialing 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

(Morelli/Collins)
That the Minutes of the March 3, 2010 meeting of the Audit & Administration Committee be approved, as amended.

CARRIED

(d) Delegation Request, submitted by Mark Wills of Geoware Inc. respecting RFP C11-55-09 (Item 4.1)

(Collins/Pearson)
That the delegation request, submitted by Mark Wills of Geoware Inc. respecting RFP C11-55-09, be approved.

CARRIED

(e) Delegation request, submitted by Mr. Anthony Acheampong, regarding damage from a water main break and tax arrears for Roll # 030.232.55760 (Item 4.2)

(Collins/Pearson)
That the delegation request, submitted by Mr. Anthony Acheampong, regarding damage from a water main break and tax arrears for Roll # 030.232.55760, be approved.

CARRIED
(f) County of Perth – Residential Farmland Property Tax (FCS10020) (City Wide) (item 8.4)

(Pearson/Whitehead)
That Item “K” is removed from the Audit and Administration Committee outstanding business list.

CARRIED

(g) On-line Municipal Services and Fees (Item 9.1)

(Collins/Pearson)
(a) That staff be directed to investigate what on-line municipal services are available to the public, through the City of Hamilton, and determine a means to display them more visibly on the front page of the City’s website, and report back to the Audit & Administration Committee.

(b) That staff be directed to review the surcharges associated with all municipal services offered on-line to determine if the surcharges are required are necessary and if the on-line services can be made more convenient for members of the public, and to include this information in the report back to the Audit & Administration Committee.

CARRIED

(h) Costing of Building Projects (Item 9.2)

(Bratina/Pearson)
That staff be directed to outline how the City determines the costs associated with new building projects and the average cost of buildings in Hamilton, and report back to the Audit & Administration Committee.

CARRIED

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

(Collins/Whitehead)
That the following proposed new due date be approved:

(i) Item “H” – Customer Service – E-mails
Current Due Date: February, 2010
Proposed New Due Date: October 6, 2010

CARRIED

(j) Closed Session Minutes, dated February 17, 2010 (Item 12.1)

As the Audit & Administration Committee determined that no discussion, respecting the Closed Session Minutes of the February 17, 2010, meeting of the Audit & Administration Committee was required, the Minutes were approved in Open Session, as shown below:
(Pearson/Whitehead)
(a) That the Closed Session Minutes of the February 17, 2010, meeting of the Audit & Administration be approved, as presented.

(b) That the February 17, 2010, Minutes, of the Audit & Administration Committee, remain confidential and restricted from public disclosure, in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

CARRIED

(k) AJOURNMENT (Item 13)

(Bratina/Morelli)
There being no further business, the Audit and Administration Committee adjourned at 10:00 a.m.

Respectfully submitted,

Councillor Russ Powers, Chair
Audit and Administration Committee

Stephanie Paparella
Legislative Assistant
March 24, 2010