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THE REGIONAL MUNICIPALITY OF NIAGARA
CORPORATE AND FINANCIAL SERVICES COMMITTEE
REPORT 6-2003

Minutes of a meeting of the Corporate and Financial Services Committee held in Committee Room 4, Regional Municipal Building, Thorold, Ontario, on Wednesday, March 26, 2003, commencing at 10:00 a.m.

ATTENDANCE

Committee: Councillors Martin, Chair; Badawey; Beamer; Bentley; Davidson; Hildreth; Muir; Partington; Saracino; Timms.

Staff: Mr. Trojan, Chief Administrative Officer; Mr. Bacchus, Commissioner, Corporate Services; Mr. Hollick, Regional Clerk; Mr. Lockyer, Treasurer; Ms. Reilly, Legislative Assistant.

Staff
(Part-time): Ms. Beckwith, General Manager, Niagara Regional Housing; Mr. Bernard, Manager, Niagara Area Courts; Mr. Cambray, Commissioner of Planning & Development; Ms. Chamberlain, Fixed Assets Analyst; Mr. Christensen, Director, Health Protection & Promotion; Mr. Farley, Director of Planning Services; Mr. Forgeron, Senior Planner; Mr. Murphy, Manager, Policy & Development; Mr. Nicholson, Senior Policy Coordinator Planner; Mr. Roach, Manager, Financial Services, P.W.; Ms. Williams, Senior Financial Analyst; Mr. Young, Manager, Health Protection & Promotion.

Others: Councillor Rigby. Messrs. Pettit, Chair; Harrington, Vice-Chair; Nash and Voth, Members, of the Community Advisory Committee on Property Assessment and Taxation Reform.

CLOSED SESSION

56. Moved by Councillor Bentley
Seconded by Councillor Saracino

That this Committee do now meet in Closed Session for purposes of receiving information of a confidential nature relating to Personnel and Legal Matters.

Carried.

57. Water & Wastewater Services Division – Personnel Matter

Mr. Neville, Commissioner, Public Works Department, provided an oral report on a personnel matter relating to the Water & Wastewater Services Division.

58. Internet Development

Mr. Hollick, Regional Clerk, provided an oral report on Internet Development.

Moved by Councillor Partington
Seconded by Councillor Davidson

That staff proceed with the preparation of a report regarding Internet Development.

Carried.

59. Moved by Councillor Bentley
Seconded by Councillor Beamer

That this Committee do now rise with report.

Carried.

CLERK'S DEPARTMENT

60. Award of Contract-POA Third Party Collections
Request for Proposals #2002 – EFP-16

Moved by Councillor Hildreth
Seconded by Councillor Partington

That Report CLK 11-2003, March 26, 2003, respecting Award of Contract-POA third Party Collections Request for Proposals #2002-RFP-16, be received.

That individual contracts for the supply of third party collection services for defaulted POA fines be awarded to Collectcorp Inc. and to ARO Collections Inc. for an initial period of 24 months.

Carried.

MINUTES

61. Report 2-2003

Mr. Bacchus, Commissioner, Corporate Services, provided a brief overview of the minutes of the Ad Hoc Committee of Council on Property Assessment and Taxation Reform meeting of March 19th, 2003. Mr. Bacchus apprised Committee of the analysis prepared regarding the 2003 Tax Policy and Tax Rates, noting that this analysis was prepared taking into consideration Provincial Policies and the 2002 Municipal Tax Study. The study concluded that Niagara's multi-residential tax burden has improved significantly when compared to the 2001 study and is in fact lower than the majority of municipalities across Ontario. Niagara's industrial ratio, however, remains significantly higher when compared to the 2001 study's comparators. The Committee advised that four scenarios were considered by the PATR Committee and it was recommended that Scenario A as contained in Report CSD 34-2003 (attached to minutes) be adopted for the year 2003. This Scenario was adopted as it had the least impact on residential with only a small impact on industrial areas. The Committee also adopted the New Multi-residential class tax ratio be set at 1.000.

Moved by Councillor Bentley
Seconded by Councillor Hildreth

That Report 2-2003, being the minutes of the Ad Hoc Committee of Council on Property Assessment and Taxation Reform meeting of March 19, 2003, be approved.

Carried.

62.

CORRESPONDENCE

Mr. Bacchus apprised Committee of the correspondence items related to various tax issues. He commented that Communication CFS 13-2003 is a memorandum he wrote in response to Communication CFS 12-2003 from Tony and Lori Tuinstra regarding their concerns with multi-residential tax ratios. Communication CFS 11-2003 is a memorandum regarding the upcoming presentation to Regional Council by the President of MPAC.

Moved by Councillor Timms
Seconded by Councillor Davidson

That the following communications be received:

- CFS 12-2003 Tony and Lori Tuinstra regarding Multi-residential Tax Ratios
- CFS 13-2003 Memorandum from Shafee Bacchus, Commissioner, Corporate Services (March 25, 2003) regarding Correspondence from Tony and Lori Tuinstra
- CFS 11-2003 Memorandum from Shafee Bacchus, Commissioner, Corporate Services (March 24, 2003) regarding Upcoming Presentation to Regional Council by the President of MPAC
(Attached to minutes for all members of Council.)

Carried.

CORPORATE SERVICES DEPARTMENT

63. Regional Wastewater Billing Error Respecting City of Welland

Moved by Councillor Muir
Seconded by Councillor Badawey

That Report CSD 44-2003, March 26, 2003 (PWA 52-2003, March 25, 2003) regarding Regional Wastewater Billing Error Respecting City of Welland, be received.

That this report describing the billing error for wholesale wastewater flows charged to the City of Welland from October 1997 be received;

That the Commissioner of Corporate Services be authorized to make the necessary financial arrangements to address the overcharging in a manner acceptable to the City of Welland;

That the agreed upon refund be taken from the Region's Wastewater Reserve Fund.

Carried.

64. Administrative Procedures for Implementation of Waiver/Exemption from Regional Development Charges

Conflict of Interest

Councillor Timms declared an indirect pecuniary interest with respect to Report CSD 39-2003/DPD 48-2003 regarding Administrative Procedures for Implementation of Waiver/Exemption from Regional Development Charges, as his family has an interest in a development company, and he therefore took no part in the discussion of, or voting, on this matter.

Mr. Bacchus, Commissioner, Corporate Services, advised that Regional Council approved the Development Charges Waiver/Exemption program in November 2002 as a means of encouraging development in central urban areas. The Commissioner highlighted the proposed administrative criteria for implementation of the program for community renewal in urban areas.

Mr. Bacchus commented that, while Councillor Hildreth is on the Staff Task Force on Development Charges, it would be beneficial to have more Councillors on this task force to deal with the anticipated demands on it due to the Smarter Niagara Incentives. Councillors Davidson, Badawey and Partington volunteered to serve on this task force.

Moved by Councillor Davidson
Seconded by Councillor Badawey

That the map in Appendix 2 with respect to the City of Thorold, be amended to include the four or five lots separated by a pond not recognized in the urban boundaries shown on the map, for exemption/waiver of Regional Development Charges.

Carried.

Moved by Councillor Partington
Seconded by Councillor Davidson

That the map in Appendix 2 with respect to the City of St. Catharines, be amended to include the Hartzell Road areas under the Smart Growth study, for exemption/waiver of Regional Development Charges.

Carried.

Moved by Councillor Badawey
Seconded by Councillor Davidson

That Report CSD 39-2003, March 26, 2003 (DPD 48-2003), respecting the Administrative Procedures for Implementation of Waiver/Exemption from Regional Development Charges, be received and approved with the preceding amendments.

That this report be used as the administrative criteria for the Regional Development Charges Waiver/Exemption Program.

That additional areas within the urban boundaries be considered for this program where a neighbourhood and community improvement plan have been prepared and supported by both the local municipality and Regional Niagara.

That this report be circulated for information to the local municipalities, builders, developers, consultants, and other interested parties.

Carried.

65. Smarter Niagara – Brownfield
Incentives Program Details

Moved by Councillor Badawey
Seconded by Councillor Davidson

That Report CSD 42-2003, March 26, 2003 (DPD 49-2003), regarding Smarter Niagara – Brownfield Incentives Program Details, be received.

That the Tax Increment Funding (TIF) Programs, (Tax Assistance Program and the Tax Arrears Credit Program) as outlined in this report be approved.

That the Environmental Assessment Grant Program and the Municipal Brownfield Leadership Program be approved as outlined in this report and funding for implementation of the Program be considered in the 2004 budget.

That the formula calculating a tax refund or grant under the TIF program be a sliding scale providing 80% of the tax increase return for the first three years and a decrease of 10% per year thereafter for each remaining year of the 10 year program.

That Regional Planning staff develop in consultation with the area planners draft Community Improvement Plan policies to assist local municipalities in the implementation of the Brownfield incentive programs.

That a copy of this report be sent to all the local municipalities with an invitation to partnership with the Region in the implementation of these programs.

Carried.

66. Affordable Housing Program:
Community Rental Housing Initiative

Conflict of Interest

Councillor Badawey declared an indirect pecuniary interest with respect to Report CSD 41-2003 (COM 17/DPD 47-2003) regarding Affordable Housing Program: Community Rental Housing Initiative, as a family member is Chair of the Board and he therefore took no part in the discussion of, or voting, on this matter.

Moved by Councillor Davidson
Seconded by Councillor Timms

That Report CSD 41-2003, March 26, 2003 (COM 17-2003/DPD 47-2003) regarding Affordable Housing Program: Community Rental Housing Initiative, be received.

That the Recommendations in the attached report "Affordable Housing Program: Community Rental Housing Initiative" be supported.

That appropriate staff be authorized to participate as members of the Task Force to explore the feasibility of implementing the "Affordable Housing Program: Community Rental Housing Initiative" in Niagara.

Carried.

(Refer to staff direction on page CFS 43.)

67. Niagara Regional Housing Board Request for Regional
Municipality of Niagara Year End Reserve Transfers

Conflict of Interest

Councillor Badawey declared an indirect pecuniary interest with respect to Report CSD 35-2003 regarding Niagara Regional Housing Board Request for Regional Municipality of Niagara Year End Reserve Transfers, as a family members is Chair of the Board and he therefore took no part in the discussion of, or voting, on this matter.

Moved by Councillor Timms
Seconded by Councillor Saracino

That Report CSD 35-2003, March 26, 2003, regarding Niagara Regional Housing Board Request for Regional Municipality of Niagara Year End Reserve Transfers, be received.

That a Niagara Regional Housing Reserve Fund be established for longer term or exceptional needs such as capital financing, mitigation of significant interest rate fluctuations, etc.

That the existing Community Services LSR Reserve balance of \$5,281,740 be reallocated as follows: a) \$309,396 to a new Children's Services Reserve Fund and b) the remainder of \$4,972,344 be left in the reserve, to be renamed the Niagara Regional Housing Reserve Fund.

That \$445,271 of 2002 Niagara Regional Housing surplus, relating to emergency capital for housing providers, be transferred to the Niagara Regional Housing Reserve Fund.

That the use of the Niagara Regional Housing Reserve Fund be subject to approval processes consistent with those governing other Regional reserve funds as noted in this report.

That the Regional Clerk ensure that the appropriate bylaw(s) are prepared for consideration at Regional Council on April 3, 2003.

Carried.

68. West Nile Virus – Protocol for the Control of Mosquito Larvae

Moved by Councillor Partington
Seconded by Councillor Saracino

That Report CSD 45-2003, March 26, 2003 (PHD 22-2003) regarding West Nile Virus – Protocol for the Control of Mosquito Larvae, be received.

That Council endorse the Integrated Pest Management protocol outlined in this report, for the vector control component of Regional Niagara's West Nile Virus program; and

That \$350,000 in year-end surplus be allocated to temporarily fund contractual services for the West Nile Virus program in 2003.

That a report be presented to the Community and Health Services Committee, prior to the implementation of Tier 3, the application of adulticides; and

That area Mayors ensure that their Councils pass a resolution to the Provincial government requesting increased Provincial leadership including 100% funding for the West Nile Virus program; and

That area municipalities and the public be fully informed, through the Public Health Department's Communication Plan, of the preventive measures that need to be taken to protect them from the West Nile Virus.

That consultation take place with nearby jurisdictions, including those in the United States, to ensure appropriate protection of our citizens.

Carried.

(Refer to staff direction on page CFS 43.)

69. Final Report on Required Transfers for the
Year Ended December 31, 2002 – Current Operations

Moved by Councillor Partington
Seconded by Councillor Saracino

That Report CSD 43-2003, March 26, 2003, respecting Final Report on Required Transfers for the Year Ended December 31, 2002 – Current Operations, be received.

That \$1.7 million be transferred to the Tax Rate Stabilization reserve to fund the “prior year surplus” line in the 2003 budget of an equivalent amount.

That \$300,000 be transferred to the Capital Levy reserve to support process improvement cost reduction initiatives in 2003.

That \$200,000 be transferred to replenish the Region’s Reduction Relief reserve, in order to ensure the availability of funding potentially required for corporate development relating to achievement of the required permanent base budget net savings of approximately \$1.9 million.

That \$1.3 million received as compensation for lost property tax revenue relating to power dams be transferred to the Tax Rate Stabilization reserve, in order to fund an equivalent transfer from the reserve in the 2003 budget.

That consistent with prior years, the net results from long term spending areas be transferred to or from the appropriate reserves or reserve funds as indicated in this report.

That the Regional Clerk ensure that the appropriate by-law(s) are prepared for consideration at Regional Council on April 3, 2002.

Carried.

70. Capital Budget Allocation By-law for the 2003 Buildings and Equipment Capital Program

Moved by Councillor Muir
Seconded by Councillor Hildreth

That Report CSD 37-2003, March 26, 2003 (PWA 46-2003, March 25, 2003) regarding Capital Budget Allocation by-law for the 2003 Buildings and Equipment Capital Program, be received.

That financing be approved for Project ZGD0210 Regional Radio System included in the 2003 Buildings and Equipment Capital Program for \$1,191,408 gross and net amounts.

That financing be approved for Project ZGD0306 ARWIS / Brine Station Strategies included in the 2003 Buildings and Equipment Capital Program for \$500,000 gross and net amounts.

That debenture financing (1-5 years) in the amount of \$1,515,001 be approved for these two projects.

That the Regional Clerk be directed to ensure that the appropriate bylaw(s) are prepared for presentation to Regional Council on April 3, 2003.

Carried.

71. Capital Budget Allocation By-law and Financing Approval for the 2003 Roads Capital Program

Moved by Councillor Muir
Seconded by Councillor Hildreth

That Report CSD 38-2003, March 26, 2003 (PWA 47-2003, March 25, 2003), regarding Capital Budget Allocation By-law and Financing Approval for the 2003 Roads Capital Program, be received.

That budget allocations from the approved 2003 Capital Budget for the Roads Capital Program in the amount of \$19,975,000 gross and \$18,775,000 net be approved for the projects listed in Appendix A attached.

That financing for the projects, including debenture financing (1-10) years of \$13,556,908 be approved for each individual project as listed.

That the Regional Clerk be directed to ensure that the appropriate bylaw(s) are prepared for presentation to Regional Council on April 3, 2003.

Carried.

72. Capital Budget Allocation and Financing Approval for Automated Resident Care and Trust Systems from the 2003 Corporate Information Systems Capital Budget

Moved by Councillor Muir
Seconded by Councillor Hildreth

That Report CSD 40-2003, March 26, 2003 (COM 16-2003, March 24, 2003), regarding Capital Budget Allocation and Financing Approval for Automated Resident Care and Trust Systems from the 2003 Corporate Information Systems Capital Budget, be received.

That budget allocations in the gross and net amount of \$102,000 be approved for project ZGC0303 Resident Care Plans and Trust Systems as submitted in the 2003 Corporate Information Systems Capital Budget, be received.

That the financing for the project be approved in the amount of \$102,000 from the Capital Levy reserve.

That the Regional Clerk be directed to ensure that the appropriate By-laws are prepared for presentation to Regional Council.

Carried.

73. Initiation & Approval of ZPL0201, Waterfront Trail Construction: Investing in the Lake Ontario Waterfront Trail to Support Healthy Communities: Partnership Funding Secured

Moved by Councillor Badawey
Seconded by Councillor Timms

That Report CSD 36-2003, March 26, 2003 (DPD 42-2003), respecting the Initiation and Approval of ZPL0201, Waterfront Trail Construction: Investing in the Lake Ontario Waterfront Trail to Support Healthy Communities: Partnership Funding Secured, be received.

That the budget allocation from the approved 2003 Planning Capital Budget for project ZPL0201 Waterfront Trail Construction in the amount of \$339,900 gross and \$203,940 net be approved and allocated to the three Trail sections as listed in this report.

That the financing for the project of \$203,940 from the Capital Levy Reserve be approved.

That the Regional Clerk be authorized to ensure that the appropriate by-laws are prepared for presentation to Regional Council.

That copies of this report be circulated for information purposes to the Waterfront Regeneration Trust; the Regional Public Works Department; all Provincial and Federal Members of Parliament for Niagara; the local trail partners in Grimsby, Lincoln, St. Catharines (Rotary Club Lakeshore), Niagara-on-the-Lake, Port Colborne, Fort Erie, Wainfleet and the Niagara Peninsula Conservation Authority.

Carried.

OTHER BUSINESS

74. Canada/U.S. Trade Relations

Councillor Partington expressed his concerns regarding possible deterioration in the Canada/U.S. trade relations given Canada's stand on the war in Iraq. He requested a report from Mr. Connor of the Niagara Economic and Tourism Corporation as to the amount of trade and possible impact to such industries as: Floral; Agriculture; Steel; Automobile, Tourism and others.

Moved by Councillor Partington
Seconded by Councillor Beamer

That Mr. Connor, Chief Executive Officer, Niagara Economic and Tourism Corporation, provide a report to the Corporate and Financial Services Committee on the amount and types of trade between Canada and the United States and the possibilities and/or consequences of any negative impact to Canada/U.S. trade relations, due to Canada's stance on the War in Iraq.

Carried.

STAFF DIRECTIONS

That staff be directed to:

- (i) Prepare a report/study to determine what the stock of rental housing would be taking into consideration rented condominium units. (Minute item 66.)
- (ii) That the Public Health Department's Communication Plan with respect to the West Nile Virus include discussions with the School Boards and the distribution of pertinent literature to students. (Minute item 68.)

ADJOURNMENT

Committee adjourned at 11:50 a.m. to meet on Wednesday, April 9, 2003, at 10:00 a.m. in Committee Room 4, Regional Headquarters.

Doug Martin
Chair

Gail Reilly
Legislative Assistant

Thomas R. Hollick
Regional Clerk