

***For consideration by the Council
of the City of Vaughan
on September 26, 2017***

**REPORT NO. 8 OF THE FINANCE, ADMINISTRATION AND AUDIT COMMITTEE
FOR CONSIDERATION BY COUNCIL, SEPTEMBER 26, 2017**

2. That Council dismiss the complaint filed pursuant to Section 20 of the Development Charges Act (the "DC Act") and Section 257.85 of the Education Act.

2 INTERNAL AUDIT REPORT – STATUS OF MANAGEMENT ACTION PLANS

The Finance, Administration and Audit Committee recommends approval of the recommendation contained in the following report of the Director of Internal Audit, dated September 20, 2017:

Recommendation

The Director of Internal Audit recommends:

1. That the Internal Audit Report on the Status of Management Action Plans be received.

**3 COUNCIL EXPENDITURE AND CODE OF CONDUCT REVIEW TASK FORCE:
FINDINGS REPORT
(Referred)**

The Finance, Administration and Audit Committee recommends:

- 1) That the recommendation contained in the following report of the City Clerk, dated June 19, 2017, be approved;
- 2) That the following be approved in accordance with Communication C1, memorandum from the City Clerk, dated September 14, 2017:
 - 1) That the following amendments to the recommendations of the Council Member Expense Policy (CL-012) previously submitted by the Task Force be approved:
 - A. That the source of city funding be identified on any paid advertisements placed by the Mayor and/or Members of Council;
 - B. That congratulatory letters, as they may appear in third-party publications, shall not be subject to the restrictions in the expense policy regarding paid advertising (provided they are at no cost);
 - E. That business card publications shall be permitted, however, if a corporate greeting is placed, no individual ads (or business cards) shall be permitted, particularly for holiday greetings;
 - F. That Recommendation F be removed and merged with Recommendation E;
 - H. That Recommendation H be removed and submitted under separate recommendation;
 - L. That any Member of Council may host up to 2 Social Community events per year and approval of this policy recognizes conformity with the Code of Ethical Conduct on Gifts and Benefits Rule No. 2 1 U) and further that any additional events by any Member of Council will require pre- approval or authorization from Council;

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- M.** That Member hosted Social Community Events are to be funded by donations and sponsorships, and up to \$1,500 of an individual Councillors' budget, with the exception of indirect city expenses such as staff time;
 - O.** That there must be full transparency when sponsors are involved in Social Community Events and that Sponsorships shall only be provided in conjunction with Rule 2.3 of the Code of Conduct and that any surplus shall be dealt with in accordance with Policy 9.13 of the Council Member Expense Policy;
 - Q.** That Recommendation Q be removed and submitted under separate recommendation;
- 3)** That the Corporate Communications Department inform Council of all corporate advertisements annually;
- 4)** That the City of Vaughan High School Student Unpaid Co-Op Program, as outlined in Communication C1 to the Council Expenditure and Code of Conduct Review Task Force, dated December 12, 2016, be received;
- 5)** That the following be approved in accordance with Communication C1, memorandum from the Director of Internal Audit from the Finance, Administration and Audit Committee meeting of June 19, 2017:
 - 1.** Section 4.3 of the Council Member Expense Policy be revised to state:
The Director of Internal Audit has authority to conduct periodic compliance audits to assess whether Councillor expenses are in compliance with the policy; and
 - 2.** The following be added:

Councillors may consult with the Chief Financial Officer or designate on interpretation of the Council Member Expense Policy;
- 6)** That the following amendments to the recommendations of Code of Ethical Conduct for Members of Council (CL- 011) previously submitted by the Task Force be approved:
 - F.** Rule 2.1: (k) Second Paragraph

The use of the Member's title in the event name is allowable if requested by the group or organization or residents. The display of banners or the distribution of collateral items with the Member's image is an allowable activity for Member Sponsored Social Community Events;
 - J.** That Recommendation J be deferred to allow the Integrity Commissioner to provide further information;
- 7)** That the following be approved in accordance with Communication C1, memorandum from Integrity Commissioner, dated September 12, 2017, as amended:

Recommended addition to Commentary to Rule 14: (1)

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Whereas the Code prescribes standards of behaviour to ensure compliance with the Code rules and the City of Vaughan hiring policies, which prohibit inappropriate meddling and undue use of influence; and,

Whereas the City of Vaughan is committed to providing a safe and respectful workplace for all employees at the City, The Integrity Commissioner recommends the following addition to the Commentary to Rule 14 of the Code:

Commentary. The City's Hiring and Nepotism Policy ... Section 1.4 states that Elected officials, appointed officers or employees shall not attempt to influence the recruitment process for any applicant unless it is for the position of Executive or Administrative Assistant to the Mayor and/or Members of Council.

Individual Members of Council have no role to play in influencing the hiring process for any member of staff except as indicated above. Council's role as a body is to be involved in hiring positions at DCM level or statutory level as set out in the City's Human Resources and Recruitment Policies as amended from time to time.

Recommendation

Council, at its meeting of June 27, 2017, adopted the following recommendation (Item 1, Finance, Administration and Audit Committee Report No. 7):

Recommendation of the Finance, Administration and Audit Committee meeting of June 27, 2017:

The Finance, Administration and Audit Committee recommends:

- 1) That consideration of this matter be deferred to the September 20, 2017 Finance, Administration and Audit Committee meeting; and
- 2) That the term of the Council Expenditure and Code of Conduct Review Task Force be extended to provide for additional Task Force meetings as necessary to allow further review of recommendations by Members of Council who were not part of the Task Force and that all necessary parties attend the Task Force meetings, including the Chief Financial Officer/City Treasurer and the Integrity Commissioner.

Report of the City Clerk, in consultation with the Chief Financial Officer/City Treasurer, on behalf of the Council Expenditure and Code of Conduct Review Task Force, dated June 19, 2017

Recommendation

The City Clerk, in consultation with the Chief Financial Officer/City Treasurer, on behalf of the Council Expenditure and Code of Conduct Review Task Force, forwards the following for Council's consideration:

1. That the recommended amendments to the Council Member Expense Policy (CL-012) and Code of Ethical Conduct for Members of Council (CL-011) set out in the Task Force Findings Report be approved.

4 FISCAL HEALTH REPORT – YEAR TO DATE FOR PERIOD ENDING JUNE 30, 2017

The Finance, Administration and Audit Committee recommends:

- 1) **That the recommendation contained in the following report of the Chief Financial Officer/City**

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Treasurer, the Director of Financial Planning and Development Finance/Deputy City Treasurer and the Director of City Financial Services/Deputy Treasurer, dated September 20, 2017, be approved; and

- 2) That Communication C2 memorandum from the Chief Financial Officer and City Treasurer and the Deputy City Manager, Public Works, dated September 5, 2017, be received.

Recommendation

The Chief Financial Officer/City Treasurer, the Director of Financial Planning and Development Finance/Deputy City Treasurer and the Director of City Financial Services/Deputy Treasurer recommend:

1. That the Fiscal Health Report – Year to Date for the Period Ending June 30, 2017 be received.

**5 TERM OF COUNCIL SERVICE EXCELLENCE STRATEGY MAP JANUARY-JUNE 2017
PROGRESS REPORT**

The Finance, Administration and Audit Committee recommends approval of the recommendation contained in the following report of the Senior Manager of Strategic Planning, dated September 20, 2017:

Recommendation

The Senior Manager of Strategic Planning, in consultation with the Senior Management Team, recommend:

1. That the report be received for information.

**6 CITY OF VAUGHAN DEVELOPMENT SERVICES FEE STRUCTURE REVIEW
PHASE 2 - PLANNING APPLICATION FEES
CITY-WIDE**

The Finance, Administration and Audit Committee recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager of Planning & Growth Management, the Chief Financial Officer & City Treasurer, the Director of Development Planning, the Director of Financial Planning and Development Finance, Deputy City Treasurer, and the Deputy City Clerk, dated September 20, 2017, be approved;
- 2) That the presentation by Mr. Andrew Grunda, Watson & Associates, Argentia Road, Mississauga and Communication C4, presentation material entitled “*Planning Application Fees Review Presentation*”, be received.

Recommendation

The Deputy City Manager of Planning & Growth Management, the Chief Financial Officer & City Treasurer, the Director of Development Planning, the Director of Financial Planning and Development Finance, Deputy City Treasurer, and the Deputy City Clerk recommend:

1. That the City of Vaughan Development Services Fee Structure Review, Phase 2 – Planning Application Fees, and Planning Applications Fee Review – Additional Staff Resource Impact,

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included as Attachments #1 and #2 respectively, prepared by Watson & Associates Economists Ltd., BE RECEIVED.

2. That the following By-laws be amended to implement the recommendations of the City of Vaughan Development Services Fee Structure Review, Phase 2 – Planning Application Fees, included as Attachment #1, prepared by Watson & Associates Economists Ltd.:
 - a) the Tariff of Fees for Vaughan Planning Applications By-law 173-2013;
 - b) By-law 203-15 to provide for fees and charges under the *Planning Act* for Committee of Adjustment applications; and
 - c) By-law 198-2016, to provide general fees and charges under the Municipal Act.
3. Notwithstanding Recommendation 2 above, should Council approve the Development Planning Department's additional resource requests as discussed in this report through the 2018 budget process, that the Tariff of Fees for Vaughan Planning Applications By-law 173-2013, be further amended to implement the fees shown on Attachment #2 for Development Planning applications. Alternatively, should Council approve the additional resource requests in part, that the Tariff of Fees for Planning Applications shown on Attachment #2 be reviewed by Watson & Associates Economists and modified to capture the full cost recovery only for the approved additional resource requests.

7 PROCUREMENT ACTIVITY REPORT – Q2, ENDING JUNE 30, 2017

The Finance, Administration and Audit Committee recommends approval of the recommendation contained in the following report of the Chief Financial Officer/City Treasurer and the Director of Procurement Services, dated September 20, 2017:

Recommendation

The Chief Financial Officer/City Treasurer and the Director of Procurement Services, in consultation with the City Manager and Director of Financial Planning and Development Finance/ Deputy City Treasurer recommend:

1. That the Procurement Activity Report be received.

**8 COMMUNITY IMPROVEMENT PLAN APPLICATION FILE CIP.16.002
**ENACTMENT OF COMMUNITY IMPROVEMENT PLAN AGREEMENT FOR KPMG TOWER
**PENGUIN-CALLOWAY (VAUGHAN) INC.
WARD 4 - VICINITY OF MILLWAY AVENUE AND PORTAGE PARKWAY******

The Finance, Administration and Audit Committee recommends approval of the recommendation contained in the following report of the Chief Financial Officer and City Treasurer, Chief Corporate Initiatives and Intergovernmental Relations and the Director, Financial Planning and Development Finance, Deputy City Treasurer, dated September 20, 2017:

Recommendation

The Chief Financial Officer and City Treasurer, Chief Corporate Initiatives and Intergovernmental Relations and the Director, Financial Planning and Development Finance, Deputy City Treasurer, in consultation with the Deputy City Manager, Planning and Growth Management recommends:

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1. THAT Council delegate authority to the Mayor and City Clerk to enter into all necessary Community Improvement Plan (CIP) Agreements related to the Owner's CIP Application for the KPMG office building (File CIP.16.002), in a form satisfactory to the Deputy City Manager, Legal and Human Resources and with content consistent with this and previous reports satisfactory to the Chief Financial Officer and City Treasurer, Chief Corporate Initiatives and Intergovernmental Relations and the Deputy City Manager Planning & Growth Management.

**9 CAPITAL BUDGET AMENDMENT – FL-5529-17 BY-LAW – TWO ADDITIONAL 1/2-TON PICKUPS AND FL-5527-17 – PICKUP TRUCK 4X4 ½ TON CREW CAB –
WASTEWATER/STORMWATER**

The Finance, Administration and Audit Committee recommends approval of the recommendation contained in the following report of the Deputy City Manager, Public Works and the Director of Fleet Management Services, dated September 20, 2017:

Recommendation

The Deputy City Manager, Public Works and the Director of Fleet Management Services, in consultation with the Director of Financial Planning & Development Finance and Deputy City Treasurer and the Director of Procurement Services, recommend:

1. That the approved budget in capital project FL-5529-17 – BYLAW- Two additional 1/2-ton pickups be increased by \$8,900, funded \$8,010 (90%) from Public Works/Fleet City-Wide Development Charges and \$890 (10%) from the Capital from Taxation Reserve;
2. That the approved budget in capital project FL-5527-17 - Pickup Truck 4x4 – 1/2-Ton Crew Cab - Wastewater/Stormwater be increased by \$3,800, funded from the Sewer Reserve; and
3. That inclusion of this matter on a Public Committee or Council agenda with respect to amending the capital budgets as identified above be deemed sufficient notice pursuant to Section 2(1)(c) of By-Law 394-2002, as amended.

10 RECRUITMENT FOR DEPUTY CITY MANAGER, PLANNING AND GROWTH MANAGEMENT

The Finance, Administration and Audit Committee recommends that consideration of this matter be deferred to the Council meeting of September 26, 2017, to allow staff to provide Council with further information and options.

Recommendation

The City Manager, Deputy City Manager, Legal and Human Resources and Chief Human Resources Officer recommend:

1. That Council approve the selection process for Deputy City Manager, Planning and Growth Management as outlined in the report.

**11 NEW BUSINESS – ESTABLISHING A TASK FORCE TO REVIEW THE
RECRUITMENT POLICY**

The Finance, Administration and Audit Committee recommends that staff report back to a future Committee meeting on the establishment of a Task Force to review the Recruitment Policy.

The foregoing matter was brought to the attention of the Committee by Councillor Yeung Racco.

12 NEW BUSINESS – WASTEWATER ANNUAL CHARGE FOR RURAL AREAS

The Finance, Administration and Audit Committee recommends that staff report back to a future Finance, Administration and Audit Committee meeting on the Wastewater Annual charges for rural areas.

The foregoing matter was brought to the attention of the Committee by Councillor Iafrate.

13 OTHER MATTERS CONSIDERED BY THE COMMITTEE

13.1 CONVENE INTO DEVELOPMENT CHARGE COMPLAINT HEARING

The Finance, Administration and Audit convened a Hearing under the Development Charges Act to deal with the following matter:

Item 1 - Development Charge Complaint Hearing

13.2 RECESS INTO CLOSED SESSION

The Finance, Administration and Audit Committee recessed into Closed Session at 10:01 a.m. to receive legal advice with respect to Item 1:

DEVELOPMENT CHARGE COMPLAINT HEARING

The Finance, Administration and Audit Committee reconvened into open session at 10:17 a.m. with the following Members present:

Councillor Rosanna DeFrancesca, Chair
Hon. Maurizio Bevilacqua, Mayor
Regional Councillor Mario Ferri
Regional Councillor Sunder Singh
Councillor Tony Carella
Councillor Sandra Yeung Racco
Councillor Alan Shefman

**14 COMMITTEE OF THE WHOLE (CLOSED SESSION) RESOLUTION
SEPTEMBER 20, 2017**

The following resolution was passed to enable Committee of the Whole (Closed Session) to resolve into closed session for the purpose of discussing the following:

1. **CIVIC HERO AWARD – WARD 3**
(personal matter about identifiable individuals)

2. **ONTARIO MUNICIPAL BOARD HEARING
VAUGHAN OFFICIAL PLAN 2010
1525233 ONTARIO INC. (AMICORP DEVELOPMENT INC.)
8265 ISLINGTON AVENUE
WARD 2**
(litigation or potential litigation)

3. **FORMER EMPLOYEE MATTER**
(personal matter about identifiable individuals)

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- 4. LITIGATION MATTER
LINDA D. JACKSON V. CITY OF VAUGHAN
LECG CANADA LTD., KEN FROESE AND TIMOTHY WILKIN**
(litigation or potential litigation)
- 5. ONTARIO MUNICIPAL BOARD HEARING
VAUGHAN OFFICIAL PLAN 2010
77 WOODSTREAM INC. (APPEAL NO. 25)
VICINITY OF REGIONAL ROAD 7 AND WOODSTREAM BOULEVARD
WARD 2**
(litigation or potential litigation)
- 6. ONTARIO MUNICIPAL BOARD HEARING
VAUGHAN OFFICIAL PLAN 2010
KIRBYWEST LTD. (APPEAL NO. 66)
PART OF THE EAST HALF OF LOT 30, CONCESSION 6
LORMEL DEVELOPMENTS LTD. (APPEAL NO. 167)
11273 JANE STREET (BLOCK 27)
WARD 1**
(litigation or potential litigation)
- 7. ONTARIO MUNICIPAL BOARD HEARING
VAUGHAN OFFICIAL PLAN 2010
WAL-MART CANADA CORP. (APPEAL NO. 10-C)
1900 MAJOR MACKENZIE DRIVE
WARD 4**
(litigation or potential litigation)
- 8. PROPERTY MATTER
INFRASTRUCTURE ONTARIO LANDS
KIPLING AVENUE AND HIGHWAY 407
WARD 2**
(acquisition or disposition of land)
- 9. PROPERTY MATTER
ACQUISITION OF 11421 WESTON ROAD
PUBLIC WORKS OPERATIONS CENTRE
WARD 1**
(acquisition or disposition of land)
- 10. PROPERTY MATTER
ACQUISITION OF BLOCK 59 DISTRICT PARK
WARD 2**
(acquisition or disposition of land)
- 11. PROPERTY MATTER
PROPOSED ACQUISITION OF PARKLAND
VAUGHAN MILLS CENTRE SECONDARY PLAN AREA
WARD 4**
(acquisition or disposition of land)

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The meeting adjourned at 12:21 p.m.

Respectfully submitted,

Councillor Rosanna DeFrancesca, Chair