

**MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL HELD ON  
MONDAY, JANUARY 14, 2008, AT 5801 CAVENDISH BOULEVARD,  
CÔTE SAINT-LUC, AT 8:00 P.M.**

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PRESENT:

Mayor Anthony Housefather, B.C.L., L.L.B, M.B.A. presiding  
Councillor Dida Berku, B.C.L.  
Councillor Mitchell Brownstein, B. Comm., B.C.L., L.L.B.  
Councillor Mike Cohen, B.A.  
Councillor Steven Erdelyi, B.Sc., B.Ed.  
Councillor Ruth Kovac, B.A.  
Councillor Allan J. Levine, B.Sc., M.A., DPLI  
Councillor Glenn J. Nashen

ALSO PRESENT:

Mr. Ken Lerner, City Manager  
Mr. Jonathan Shecter, Director of Legal Services and City Clerk,  
acted as Secretary of the meeting

080101

**COUNCIL'S OBJECTION TO THE ADOPTION BY THE AGGLOMERATION  
COUNCIL OF THE *RÈGLEMENT DU CONSEIL D'AGGLOMÉRATION SUR LES  
TAXES (EXERCICE FINANCIER DE 2008)***

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WHEREAS Section 115 of *An Act respecting the exercise of certain municipal power in certain urban agglomerations* (R.S.Q., ch. E-20.001) (the "Act") stipulates that a related municipality may object to the Quebec Municipal Commission regarding by-laws adopted by the Agglomeration Council;

WHEREAS under Section 85 of the Act, the Agglomeration Council may levy any tax or impose any other method of financing that may be levied or imposed by a local municipality;

WHEREAS the foregoing is subject to the right of objection stipulated in Section 115 of the Act;

WHEREAS on December 20, 2007, the Agglomeration Council adopted the agglomeration budget;

WHEREAS on December 20, 2007, the Agglomeration Council adopted a by-law entitled, "*Règlement du conseil d'agglomération sur les taxes (exercice financier de 2008)*" (the "By-Law");

WHEREAS certain expenses included in the 2008 agglomeration budget are local in nature and should not be financed by agglomeration revenues but by local revenues said expenses include: the 311 service and local activities in buildings used for elite sports;

WHEREAS, taking the foregoing into account, the real estate agglomeration tax rate imposed on the ratepayers of the agglomeration is higher than it would have been had the expenses for which a tax was levied and which were included in the agglomeration budget had merely been relegated to the expenses related to agglomeration powers;

WHEREAS the taxation structure of the agglomeration was crafted to avoid an increase in the fiscal burden of the ratepayers of the City of Montreal; without taking into account the global interest of all the ratepayers within the agglomeration thus unduly and discriminatorily favouring the ratepayers of the City of Montreal;

WHEREAS the 2008 budget evidences that the City of Montreal's elected officials taxed immovables of six (6) or more dwellings at the same rate as a single family home at the agglomeration level but set its own local taxes differently adopting a residual rate of 0,4665 per \$100.00 evaluation and for the immovables of six (6) dwellings or more, adopting a rate of 0,5613 per \$100.00 evaluation, which is 20,3% higher;

WHEREAS a tax rate for six (6) or more dwellings set 20% higher than the residual tax rate at the agglomeration level (vs. the local level), would have resulted in lower residual and non-residential tax rates which would have translated into a reduction of approximately two (2) million dollars in taxes for the reconstituted municipalities;

WHEREAS the financing for the supply of water, as included in the 2008 budget, does not comply with the requirements of article 68 of Decree 1229-2005 concerning the Montreal Agglomeration;

WHEREAS the methodology defined in the by-law concerning Mixed Expenditures, adopted by the Agglomeration Council in 2007 - which delineates a rate of 7,72% for Administration Expenses for 2008 - was unanimously rejected by all representatives of the reconstituted municipalities at the time of its adoption;

WHEREAS all budgetary decisions were made without the input of the elected officials representing the residents of the reconstituted municipalities despite that agglomeration revenues generated by real estate taxes represent sixty (60) to seventy-five (75) percent of the municipal taxes levied within their territories; and

WHEREAS under Section 115 of the Act, an authenticated copy of the resolution setting out the objection is sent simultaneously to the Municipal Commission of Quebec and every other related municipality within the same 30-day period;

It was

MOVED BY COUNCILLOR DIDA BERKU  
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

TO exercise the right of objection stipulated in Section 115 of *An Act respecting the exercise of certain municipal power in certain urban agglomerations* with respect to the By-law entitled, "*Règlement du conseil d'agglomération sur les taxes (exercice financier de 2008)*" adopted by the Agglomeration Council;

TO send to the Quebec Municipal Commission the objection of the City of Côte Saint-Luc with respect to the *Règlement du conseil d'agglomération sur les taxes (exercice financier de 2008)* adopted by the Agglomeration Council;

TO simultaneously sent copies of this resolution to the other related municipalities."

CARRIED UNANIMOUSLY

**QUESTION PERIOD**

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The question period started at 8:03 p.m. and finished at 8:05 p.m. One (1) person asked to speak and was heard.

1) Alex Davis

The resident wished to inquire as to any status or update on any major files regarding city business to which Councillor Berku responded that a meeting was held at the Meadowbrook Golf Course for which the City was invited at the last moment - and for which she was out of town - and for which Montreal West Mayor Campbell Stuart sent someone from Montreal West who was asked to leave the meeting. Mayor Housefather then advised the resident that there was no present movement regarding the city's position regarding the foregoing matter.

080102

**APPROVAL OF THE CLOSING OF THE MEETING**

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It was

MOVED BY COUNCILLOR STEVEN ERDELYI  
SECONDED BY COUNCILLOR DIDA BERKU

AND RESOLVED:

“THAT Council hereby authorizes the Mayor to declare the Meeting closed.”

CARRIED UNANIMOUSLY

**AT 8:05 P.M. MAYOR HOUSEFATHER DECLARED THE MEETING CLOSED.**

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ANTHONY HOUSEFATHER  
MAYOR

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JONATHAN SHECTER  
DIRECTOR OF LEGAL SERVICES  
AND CITY CLERK