AUDIT, FINANCE AND ADMINISTRATION COMMITTEE
MINUTES 18-006

9:30 a.m.
May 7, 2018
Council Chambers
Hamilton City Hall

Present: Councillors A. VanderBeek (Chair), B. Johnson, M. Pearson, D. Skelly, L. Ferguson, C. Collins, and A. Johnson

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THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Freedom of Information Quarterly Report (January 1 to March 31) (CL18003) (City Wide) (Item 5.1)

(Pearson/Ferguson)
That Report CL18003, respecting Freedom of Information Quarterly Report (January 1 to March 31), be received.

CARRIED

2. Treasurer's Investment Report 2017 Fiscal Year by Aon Hewitt (FCS18041) (City Wide) (Item 5.2)

(Pearson/Skelly)
(a) That Report FCS18041, respecting the Treasurer's Investment Report 2017 Fiscal Year by Aon Hewitt, be received; and

(b) That Report FCS18041, be forwarded to the Hamilton Future Fund Board of Governors.

CARRIED

3. Development Charges Annual Indexing - Effective July 6, 2018 (FCS18051) (City Wide) (Item 5.3)

(Skelly/A. Johnson)
That Report FCS18051, respecting Development Charges Annual Indexing - Effective July 6, 2018, be received.

CARRIED

4. 2017 Provincial Offences Administration (POA) Annual Report (FCS18031) (City Wide) (Item 5.4)

(Pearson/Ferguson)
That Report FCS18031, respecting the 2017 Provincial Offences Administration (POA) Annual Report, be received.

CARRIED

5. Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Update (HUR17002(a)) (City Wide) (Item 5.5)

(A. Johnson/Collins)
That Report HUR17002(a), respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Update, be received.

CARRIED

6. Follow Up to Audit Report 2014-12 - Planning & Economic Development - By-Law Enforcement (AUD18004) (City Wide) (Item 5.6)

(Pearson/B. Johnson)
That Report AUD18004, respecting a Follow Up to Audit Report 2014-12 - Planning & Economic Development - By-Law Enforcement, be received.

CARRIED

7. Live Streaming of Audio and Video at City Hall Upper and Lower Lobby Areas (PW17058(a)) (City Wide) (Item 5.7)

(Collins/B. Johnson)
That Report PW17058(a), respecting the Live Streaming of Audio and Video at City Hall Upper and Lower Lobby Areas, be received.

CARRIED

8. Capital Lifecycle Renewal - Dundas Library Roof and HVAC (PW18039) (Ward 13) (Item 5.8)

(Pearson/Ferguson)
That Report PW18039, respecting Capital Lifecycle Renewal - Dundas Library Roof and HVAC, be received.

CARRIED

9. Accounts Receivable Write-Offs for 2017 (FCS18047) (City Wide) (Item 8.1)

(Ferguson/A. Johnson)

(a) That the General Manager of Finance and Corporate Services be authorized to write-off uncollectible General Accounts Receivables in the amount of $11,574.42 attached as Appendix “A” to Report FCS18047;

(b) That the Schedule of General Accounts Receivable Write-Offs less than $1,000 in the amount of $7,406.79, attached as Appendix “B” to Report FCS18047, be received for information;

(c) That the General Manager of Finance and Corporate Services be authorized to write-off uncollectible Hamilton Farmers Market Receivables in the amount of $2,742.69 attached as Appendix “C” to Report FCS18047.

CARRIED

10. Proposed Write-Offs of Outstanding Fines for Provincial Offences (FCS18046) (City Wide) (Item 8.2)

(Ferguson/A. Johnson)
That staff be authorized to write-off the following outstanding Provincial Offences fines deemed uncollectible, in the total amount of $1,200,568:

(a) $1,176,780 in uncollectible fines with a sentence date of December 31, 2010 and prior;

(b) $23,788 in underpayments from April 1, 2017 through March 31, 2018.

CARRIED

11. City of Hamilton Development Charges By-law 14-153 Background Study Re: Industrial Development Expansion Policy Amendment (FCS18053) (City Wide) (Item 8.3)

(Ferguson/Collins)
(a) That Report FCS18053 be recognized as a DC Background Study under Section 10 of the *Development Charges Act, 1997, as amended,* for the purpose of providing background for amending definitions and policy of the existing Development Charge By-law 14-153;

(b) That the approval of Report FCS18053 be considered the Public Release of the DC Background Study as required by Section 10 (4) of the *Development Charges Act, 1997, as amended*;

(c) That the July 11, 2018 Audit, Finance and Administration Committee meeting be designated a public meeting as required under Section 12 (1) (a) of the *Development Charges Act, 1997, as amended*;

(d) That the City Clerk be directed to provide appropriate notice of the Public Meeting in accordance with Section 12 (1) (b) of the *Development Charges Act, 1997, as amended*;

(e) That Staff be directed to prepare an amending by-law for consideration following any and all public delegations at the July 11, 2018 Public meeting;

(f) That the impact resulting from an approved policy change related to industrial expansions be added to the 2019 Tax and Rate Budgets;

(g) That the matter respecting "Treatment of development charges with respect to industrial expansions" be identified as complete and removed from the Audit, Finance and Administration Committee Outstanding Business List.

CARRIED

12. Grants Sub-Committee Report 18-002 - April 20, 2018 (Item 8.4)

(Pearson/B. Johnson)

(a) 2018 City Enrichment Funding Recommendations (GRA18003) (City Wide) (Item 4.1)

(i) That the 2018 City Enrichment Fund recommended funding allocation, in the amount of ***$6,196,732,*** as outlined in the attached Appendix "A", as ***further*** amended, to Report ***18-002***, be approved;

(ii) That Appendix "B" to Report GRA18003, Application Summary, be received;

(iii) That Appendix "B" to Report 18-002, Payment Plan, be approved; and,

(iv) That the grants, as listed in Appendix "C" to Report 18-002, as amended, be approved and the funds be released, pending the submission of additional information, by July 20, 2018, to the satisfaction of the Director of Strategic Partnerships and Communications.

(b) Dundas Youth Chaplaincy – Routes Youth Centre (CS D-4) (Item 4.1)

That an enhancement of an additional $300 for the Dundas Youth Chaplaincy – Routes Youth Centre base budget, be referred to the 2019 Operating Budget process (GIC) for consideration.

(c) Flamborough Information and Community Services – Seniors Support (CS E-7) (Item 4.1)

That an enhancement of an additional $1,116 for the Flamborough Information and Community Services – Seniors Support base budget, be referred to the 2019 Operating Budget process (GIC) for consideration.

(d) Flamborough Information and Community Services – Community Outreach (CS F-5) (Item 4.1)

That an enhancement of an additional $4,105 for the Flamborough Information and Community Services – Community Outreach base budget, be referred to the 2019 Operating Budget process (GIC) for consideration.

(e) Binbrook Agricultural Society – Binbrook Fair (AGR A-2) (Item 4.1)

That an enhancement of an additional $1,041 for the Binbrook Agricultural Society – Binbrook Fair base budget, be referred to the 2019 Operating Budget process (GIC) for consideration.

(f) The Equestrian Association for the Disabled (TEAD) – Operating (AGR A-12) (Item 4.1)

That an enhancement of an additional $2,500 for The Equestrian Association for the Disabled (TEAD) - Operating base budget, be referred to the 2019 Operating Budget process (GIC) for consideration.

(g) The Equestrian Association for the Disabled (TEAD) – Scholarship Program (SAL E-2) (Item 4.1)

That an enhancement of an additional $2,145 for The Equestrian Association for the Disabled (TEAD) – Scholarship Program base budget, be referred to the 2019 Operating Budget process (GIC) for consideration.

(h) Brott Music Festival (ARTS A-8) (Item 4.1)

That an enhancement of an additional $40,000 for the Brott Music Festival base budget, to be added to the annual City Enrichment Fund Program, be referred to the 2019 Operating Budget process for consideration.

(i) Winona Peach Festival – Winona Peach Festival (CCH A-2) (Item 4.1)

That an enhancement of an additional $8,258 for the Winona Peach Festival – Winona Peach Festival base budget, to be added to the annual City Enrichment Fund Program, be referred to the 2019 Operating Budget process for consideration.

(j) Cactus Festival of Dundas Ontario – Dundas Cactus Festival (CCH A-4) (Item 4.1)

That an enhancement of an additional $2,346 for the Cactus Festival of Dundas Ontario – Dundas Cactus Festival base budget, to be added to the annual City Enrichment Fund Program, be referred to the 2019 Operating Budget process for consideration.

(k) Dundas Historical Society Museum – Dundas Museum and Archives Exhibition Project (CCH A-5) (Item 4.1)

That an enhancement of an additional $2,550 for the Dundas Historical Society Museum – Dundas Museum and Archives Exhibition Project base budget, to be added to the annual City Enrichment Fund Program, be referred to the 2019 Operating Budget process for consideration.

(l) Dundas Valley Orchestra – Concerts Presented in 2018 (CCH A-8) (Item 4.1)

That an enhancement of an additional $653 for the annual Dundas Valley Orchestra – Concerts base budget, to be added to the annual City Enrichment Fund Program, be referred to the 2019 Operating Budget process for consideration.

(m) Dundas Cactus Parade Inc. – Dundas Cactus Parade (CCH A-15) (Item 4.1)

That an enhancement of an additional $135 for Dundas Cactus Parade Inc. – Dundas Cactus Parade base budget, to be added to the annual City Enrichment Fund Program, be referred to the 2019 Operating Budget process for consideration.

(n) Lynden Canada Day Committee – Lynden Canada Day Celebration (CCH A-23) (Item 4.1)

That an enhancement of an additional $2,500 for the Lynden Canada Day Committee – Lynden Canada Day Celebration (CCH A-23) base budget, to be added to the annual City Enrichment Fund Program, be referred to the 2019 Operating Budget process for consideration.

(o) Ancaster Heritage Days (CCH A-31) (Item 4.1)

That an enhancement of an additional $3,510, for the Ancaster Heritage Days – Ancaster Heritage Days base budget, to be added to the City Enrichment Fund Program, be referred to the 2019 Operating Budget process for consideration.

(p) Hamilton Santa Claus Parade Committee (CCH A-40) (Item 4.1)

That an enhancement of an additional $10,075, for the Hamilton Santa Claus Parade Committee – Hamilton Santa Claus Parade base budget, to be added to the City Enrichment Fund Program, be referred to the 2019 Operating Budget process for consideration.

(q) United Way Current Shortfalls and Funding Cuts (Item 4.1)

That the Untied Way be requested to provide a presentation to the Grants Sub-Committee that explains their current shortfalls and funding cuts to the Hamilton community.

Main Motion as *Amended* CARRIED

13. Committee Against Racism Membership (Item 9.1)

(Pearson/Skelly)
WHEREAS, the Committee Against Racism is having challenges in obtaining quorum for their meetings;

WHEREAS, Roger Wayne Cameron has been absent without notice from 3 or more consecutive Committee Against Racism meetings;

WHEREAS, without quorum the Committee Against Racism cannot recommend the removal of a Committee Member who has not provided a letter of resignation nor explained the reasons for their absence;

THEREFORE BE IT RESOLVED:

(a) That Roger Wayne Cameron be removed as a member of the Committee Against Racism; and

(b) That the membership number of the Committee Against Racism be adjusted accordingly in order to obtain quorum.

CARRIED

14. Impact of Bill 148 on Service Contracts (LS18009(a) / FCS18001(a)) (City Wide) (Item 12.2)

(Skelly/Pearson)
(d) That Report LS18009(a)/FCS18001(a), including the recommendations and Appendix A, remain confidential.

CARRIED

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes to the agenda:

1. DELEGATION REQUESTS

4.2 Joe Deschenes Smith, Trillium Housing, respecting implementation of by-law 14-153 and how the City can add its support for housing

affordability at Trillium Housing's two affordable housing projects in Hamilton (For a future meeting)

4.3 Shekar Chandrashekar, respecting an opportunity to rebut information contained in Report FCS18030 (For a future meeting)

2. NOTICES OF MOTION

10.1 Committee Against Racism Membership – revised Notice of Motion

(A. Johnson/Pearson)
That the agenda for the May 7, 2018 Audit, Finance and Administration Committee meeting be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) April 23, 2018 (Item 3.1)

(Ferguson/Skelly)
That the Minutes of the April 23, 2018 meeting of the Audit, Finance and Administration Committee be approved, as presented.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

(i) Robert Elliot, Lawson Ministries, Salvation Army, respecting the business case and benefits of hiring employees with disabilities (For a future meeting) (Item 4.1)

(Skelly/B. Johnson)
That the delegation request from Robert Elliot, Lawson Ministries, Salvation Army, respecting the business case and benefits of hiring employees with disabilities, be approved for a future meeting.

CARRIED

(ii) Joe Deschenes Smith, Trillium Housing, respecting implementation of by-law 14-153 and how the City can add its support for housing affordability at Trillium Housing's two affordable housing projects in Hamilton (For a future meeting) (Added Item 4.2)

(B. Johnson/Pearson)
That the delegation request from Joe Deschenes Smith, Trillium Housing, respecting implementation of by-law 14-153 and how the City can add its support for housing affordability at Trillium Housing's two affordable housing projects in Hamilton, be approved for a future meeting.

CARRIED

(iii) Shekar Chandrashekar, respecting an opportunity to rebut information contained in Report FCS18030 (For a future meeting) (Added Item 4.3)

(Skelly/Pearson)
That the delegation request from Shekar Chandrashekar, respecting an opportunity to rebut information contained in Report FCS18030, be received.

CARRIED

(e) DISCUSSION ITEMS (Item 8)

(i) Grants Sub-Committee Report 18-002 - April 20, 2018 (Item 8.4)

Renaissance Music – Renaissance Music 5.0 (ART B-9) Proposed City Enrichment Fund Grant

(Pearson/B. Johnson)
(a) That Appendix "A" to sub-section (a) to Item 1 of the Grants Sub-Committee Report 18-002, be amended by:

(i) Increasing the recommended 2018 City Enrichment Fund grant for the Renaissance Music – Renaissance Music 5.0 (ART B-9), as shown in Appendix "A" to Report 18-002, by $2,625, from $0 to $2,625, with the $2,625 to be funded from the Grant Reserve #112230 for 2018; and,

(b) That sub-section (a) to Item 1 of the Grants Sub-Committee Report 18-002, be amended by deleting the dollar amount of *"$6,187,192"* and replacing it with the dollar amount of "***$6,189,817***; by adding the word "***further***"; and, by deleting the number "GRA18003" and replacing it with the number "***18-002***", to read as follows:

(a) That the 2018 City Enrichment Fund recommended funding allocation, in the amount of ***$6,189,817,*** as outlined in the attached Appendix "A", as ***further*** amended, to Report ***18-002***, be approved;

***Amendment* CARRIED**

(ii) Hamilton Chinese Sports Association – Fun to Play (SAL F-5)

(Pearson/B. Johnson)

(a) That Appendix "A" to sub-section (a) to Item 1 of the Grants Sub-Committee Report 18-002, be amended by:

(i) Increasing the recommended 2018 City Enrichment Fund grant for the Hamilton Chinese Sports Association – Fun to Play (SAL F-5), as shown in Appendix "A" to Report 18-002, by $1,915, from $2,238 to $4,153, with the $1,915 to be funded from the Grant Reserve #112230 for 2018; and,

(b) That sub-section (a) to Item 1 of the Grants Sub-Committee Report 18-002, be amended by deleting the dollar amount of *"$6,189,817"* and replacing it with the dollar amount of "***$6,191,732,*** to read as follows:

(a) That the 2018 City Enrichment Fund recommended funding allocation, in the amount of ***$6,191,732,*** as outlined in the attached Appendix "A", as further amended, to Report 18-002, be approved;

***Amendment* CARRIED**

(iii) Rotary Club of Waterdown - Oh Canada Rotary Ribfest (CCH A-14)

(Pearson/B. Johnson)

(a) That Appendix "A" to sub-section (a) to Item 1 of the Grants Sub-Committee Report 18-002, be amended by:

(i) Increasing the recommended 2018 City Enrichment Fund grant for the Rotary Club of Waterdown - Oh Canada Rotary Ribfest (CCH A-14), as shown in Appendix "A" to Report 18-002, by $5,000, from $20,000 to $25,000, with the $5,000 to be funded from the Grant Reserve #112230 for 2018;

(b) That sub-section (a) to Item 1 of the Grants Sub-Committee Report 18-002, be amended by deleting the dollar amount of *"$6,191,732"* and replacing it with the dollar amount of "***$6,196,732,*** to read as follows:

(a) That the 2018 City Enrichment Fund recommended funding allocation, in the amount of ***$6,196,732,*** as outlined in the attached Appendix "A", as further amended, to Report 18-002, be approved; and,

(c) That an enhancement of an additional $5,000 for the Rotary Club of Waterdown - Oh Canada Rotary Ribfest base budget, be referred to the 2019 Operating Budget process (GIC) for consideration.

***Amendment* CARRIED**

(iv) Typographical Corrections

(Pearson/Skelly)
WHEREAS, the Grants Sub-Committee at its meeting of April 20, 2018, approved an increase of $329 to the recommended City Enrichment Fund grant for the Dundas Community Services – Community Outreach (CH F-8);

WHEREAS, the additional $329 was properly reflected in sub-section (a) to Item 1 of the Grants Sub-Committee Report, but not in the amending resolution in the Minutes;

WHEREAS, the Grants Sub-Committee at its meeting of April 20, 2018, approved an increase of $87 for the Polish Symfonia Choir (CCH A-36), bringing the 2018 grant from $4,038 to $4,125, but reads $4,12*1* in the minutes; a difference of $4;

WHEREAS, the additional $4 was properly reflected in Appendix "A" to Item 1 of the Grants Sub-Committee Report, but not in the resolution in the Minutes;

THEREFORE BE IT RESOLVED:

(a) That, in order to correct both typographical errors, Appendix "A" to sub-section (a) to Item 1 of the Grants Sub-Committee Report 18-002, be amended by:

(i) Increasing the recommended 2018 City Enrichment Fund grant for Appendix "A" to Report 18-002, by $329, from $10,770 to $11,099, with the $329 to be funded from the Grant Reserve #112230 for 2018; and,

(ii) Deleting the dollar amount of $4,121 and replacing it with the dollar amount of $4,125 for the Polish Symfonia Choir (CCH A-36).

***Amendment* CARRIED**

(f) NOTICES OF MOTION (Item 10)

(i) Committee Against Racism Membership (Item 10.1)

Councillor Pearson introduced a Notice of Motion regarding the Committee Against Racism Membership.

(Pearson/Skelly)
That the Rules of Order be waived to allow for the introduction of a Motion regarding the Committee Against Racism Membership.

CARRIED

For disposition of this matter please refer to Item 13.

(g) GENERAL INFORMATION / OTHER BUSINESS (ITEM 11)

That the following amendments to the Outstanding Business List, be approved:

(Ferguson/Collins)
11.1.a Items considered complete and needing to be removed:

Live Streaming of Audio and Video at City Hall Upper and Lower Lobby Areas
(Item 5.7 on today's agenda)
Item on OBL: B
Request for approval of the urgent work and HVAC repairs required for the Dundas Library
(Item 5.8 on today's agenda)
Item on OBL: K

CARRIED

(h) PRIVATE AND CONFIDENTIAL (ITEM 12)

(i) Closed Session Minutes – April 23, 2018 (Item 12.1)

(Collins/Ferguson)
(a) That the Closed Session Minutes of the April 23, 2018 Audit, Finance and Administration meeting, be approved as presented; and

(b) That the Closed Session Minutes of the April 23, 2018 Audit, Finance and Administration meeting, remain confidential.

CARRIED

(Collins/Skelly)
That Committee move into Closed Session respecting Item 12.2 pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e), (f), (i), and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City; advice that is subject to solicitor/client privileges, including communications necessary for that purpose; a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; and a position, plan, procedure, criteria or instruction to be applied to any

negotiations carried on or to be carried on by or on behalf of the municipality or local board.

CARRIED

(ii) Impact of Bill 148 on Service Contracts (LS18009(a) / FCS18001(a)) (City Wide) (Item 12.2)

Staff were provided with direction in Closed Session.

For disposition of this matter, please refer to Item 14.

(i) ADJOURNMENT (Item 13)

(Ferguson/Pearson)
That, there being no further business, the Audit, Finance and Administration Committee, be adjourned at 10:52 a.m.

CARRIED

Respectfully submitted,

Councillor VanderBeek, Chair
Audit, Finance and Administration Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk