



City of Hamilton

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE

Meeting #: 18-013
Date: September 24, 2018
Time: 9:30 a.m.
Location: Council Chambers, Hamilton City Hall
71 Main Street West

Angela McRae, Legislative Coordinator (905) 546-2424 ext. 5987

	Pages
1. APPROVAL OF AGENDA	
(Added Items, if applicable, will be noted with *)	
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10.	NOTICES OF MOTION	
11.	GENERAL INFORMATION / OTHER BUSINESS	
11.1	Outstanding Business List:	
11.1.a	Items considered complete and needing to be removed: Extension for Development Charge (DC) Deferral Agreement #156, located at 170 Rockhaven Lane Item 8.4 on today's agenda OBL Item: M	
12.	PRIVATE AND CONFIDENTIAL	
12.1	Closed Minutes - September 10, 2018 Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (e) and (f) of the <i>Ontario Municipal Act, 2001</i> , as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor/client privileges, including communications necessary for that purpose.	

- 12.2 Protocol for Gender Identity & Gender Expression, Transgender & Gender Non-Conforming Update (HUR17002(b)) (City Wide) (Tabled at the September 10, 2018 Meeting)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (e) and (f) 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 municipality or local board; and advice that is subject to solicitor/client privileges, including communications necessary for that purpose.

- 12.2.a Protocol for Gender Identity & Gender Expression, Transgender & Gender Non-Conforming Update (HUR17002(c)) (City Wide)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (e) and (f) 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 municipality or local board; and advice that is subject to solicitor/client privileges, including communications necessary for that purpose.

- 12.3 Commercial Relationship Between the City of Hamilton and Transform Van and Truck, Division of Burncrest Industries Ltd. (FCS18082 / LS18055) (City Wide)

Pursuant to Section 8.1, Sub-section (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to advice that is subject to solicitor/client privileges, including communications necessary for that purpose.

- 12.4 Commercial Relationship Between the City of Hamilton and Allan Fyfe Equipment Limited and Related Entities (FCS18089 / LS18056) (City Wide)

Pursuant to Section 8.1, Sub-section (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to advice that is subject to solicitor/client privileges, including communications necessary for that purpose.

12.5 Commercial Relationship Between the City of Hamilton and Canada Fibers Ltd. (LS18047(a) / FCS18088) (City Wide)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (e) and (f) 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 municipality or local board; and advice that is subject to solicitor/client privileges, including communications necessary for that purpose.

12.6 Impact of Bill 148 on Service Contracts (LS18009(b) / FCS18001(b)) (City Wide)

Pursuant to Section 8.1, Sub-sections (e), (f), (i), and (k) of the City's Procedural By-law 18-270, 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.

13. ADJOURNMENT



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE MINUTES 18-012

9:30 a.m.
September 10, 2018
Council Chambers
Hamilton City Hall

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

**Absent with
Regrets:** Councillor A. Johnson – Personal

Also Present: Councillor T. Whitehead

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Treasurer's Apportionment of Land Taxes (FCS18066(a)) (Ward 12) (Item 5.1)

(Ferguson/Anderson)

That the 2017 land taxes in the amount of \$129,272 for 1061 Garner Road E and 0 Garner Road E, Ancaster (Roll #2518 140 280 16200 0000 and 2518 140 280 37990 0000) be apportioned and split amongst the two hundred and fifty-two newly created parcels as set out in Appendix "A" to Report FCS18066(a).

CARRIED

2. 2018 Second Quarter Request for Tenders and Proposals Report (FCS18037(a)) (City Wide) (Item 5.2)

(Pearson/Ferguson)

That Report FCS18037(a) respecting the 2018 Second Quarter Request for Tenders and Proposals Report, be received.

CARRIED

3. 2018 Second Quarter Emergency and Non-competitive Procurements Report (FCS18038(a)) (City Wide) (Item 5.3)

(Ferguson/Collins)

That Report FCS18038(a) respecting the 2018 Second Quarter Emergency and Non-competitive Procurement Report, be received.

CARRIED

4. **Second Quarter Non-compliance with the Procurement Policy Report (FCS18039(a)) (City Wide) (Item 5.4)**

(Anderson/Ferguson)

That Report FCS18039(a), respecting the Second Quarter Non-compliance with the Procurement Policy Report, be received.

CARRIED

5. **Tax Appeals under Sections 357 and 358 of the *Municipal Act, (2001)* (FCS18008(b)) (City Wide) (Item 5.5)**

(B. Johnson/Pearson)

(a) That Appendix "A" to Report FCS18008(b) respecting the Tax Appeals processed under Section 357 of the *Municipal Act, (2001)*, in the amount of \$72,152.95 be approved; and

(b) That Appendix "B" to Report FCS18008(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 \$20,317.33 be approved.

CARRIED

6. **Toronto Tank Lines - Property Tax Arrears (FCS18076) (Ward 5) (Outstanding Business List Item) (Item 8.1)**

(Collins/B. Johnson)

(a) That no adjustments to the taxes levied and/or penalty and interest charges incurred on roll number 051 493 00030 0000 (804 BEACH BLVD) be made until the pending assessment appeals are settled, and only if the pending assessment appeals result in a reduction to the property's assessment;

(b) That staff initiate discussions to establish a process that would ensure that the Municipal Property Assessment Corporation (MPAC) and the City of Hamilton (City) be provided timely notification and access to all development activity occurring on Federal lands, specifically the Hamilton Port Authority lands;

(c) That staff investigate the possibility of any regulatory or legislative changes to require the Federal government to comply with the Ontario Building Code with respect to the application for a municipal building permit for all development activity occurring on its lands;

(d) That the item identified as "Staff Report Respecting Supplemental Taxes and Assessment Complaints Respecting 500 Eastport Blvd" be removed from the Audit Finance & Administration Committee's Outstanding Business List; and

- (e) ***That staff be directed to extend a Pre-Authorized Payment Plan with no penalty and interest on the \$ \$430,734.04 outstanding property tax amounts on roll number 051 493 00030 0000 (804 BEACH BLVD) effective September 12, 2018 and extending to December 31, 2019.***
Main Motion, as Amended CARRIED

7. Energy, Fleet and Facilities Reserves Policy Update (FCS18080) (City Wide) (Item 8.2)

(B. Johnson/Ferguson)

- (a) That the Ivor Wynne Community Fund Reserve (112223) be renamed to the Tim Hortons Field Capital Reserve;
- (b) That the 50 Main Street East Facility Capital Reserve (108039) be renamed to the General Facility Capital Reserve;
- (c) That the Reserve Policy for the Vehicle Replacement - Central Garage Reserve (110025), attached as Appendix "A" to Report FCS18080, be approved;
- (d) That the Reserve Policy for the Tim Hortons Field Capital Reserve (112223), attached as Appendix "B" to Report FCS18080, be approved; and
- (e) That the Reserve Policy for the General Facility Capital Reserve (108039), attached as Appendix "C" to Report FCS18080, be approved.

CARRIED

8. Governance Review Sub-Committee Report 18-004 - August 29, 2018 (Item 8.3)

(Pearson/Collins)

- (a) **Review of the City's Procedural By-law Amendments (CL18007(a) / LS18039(a)) (City Wide) (Item 8.1)**
- (i) That a new By-law, ***as amended*** to Govern the Proceedings of Council and Committees of Council substantially in the form attached hereto as Appendix 'A', as amended to Governance Review Sub-Committee Report 18-004, be enacted by Council; and
- (ii) That Council repeal the By-law to Govern the Proceedings of Council and Committees of Council, being By-law 14-300, as amended.
- (b) **Review of the Selection Process (CL18011) (City Wide) (Item 8.4)**
- (i) That the Nomination Meeting for the members of Council-Elect be held on November 20, 2018;

- (ii) That the Revised City of Hamilton Policy respecting the Appointment of Citizens to the City's Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees, attached hereto as Appendix "B" to Governance Review Sub-Committee Report 18-004, be approved; and
- (iii) That the Revised City of Hamilton Advisory Committee Procedural Handbook, attached hereto as Appendix "C" to Governance Review Sub-Committee Report 18-004, be approved.

Main Motion, As Amended CARRIED

9. Dundas Community Services - Community Outreach Base Budget Increase Request - City Enrichment Fund (CS F-8) (Item 10.1)

(VanderBeek/Collins)

That the following motion be referred to the Grants Sub-Committee:

That an enhancement of an additional \$329 for the Dundas Community Services – Community Outreach (CS F-8) base budget, be referred to the 2019 Operating Budget process (GIC) for consideration.

CARRIED

10. Commercial Relationship Between the City of Hamilton and APM Construction Services Inc. (LS18037 / FCS18026) (City Wide) (Item 12.3)

(Pearson/Ferguson)

- (c) That recommendations (a) and (b) be released publicly following approval by Council; and
- (d) That the contents of Report LS18037 / FCS18026 remain confidential.

CARRIED

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

1. DELEGATION REQUESTS

- 4.2 Mike McCalmont, Toronto Tank Lines, respecting Item 8.1 - Toronto Tank Lines - Property Tax Arrears (For today's meeting)

2. NOTICES OF MOTION

- 10.1 Dundas Community Services - Community Outreach Base
Budget Increase Request - City Enrichment Fund (CS F-8)

(Ferguson/Anderson)

That the agenda for the September 10, 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)

August 15, 2018 (Item 3.1)

(Pearson/B. Johnson)

That the Minutes of the August 15, 2018 meeting of the Audit, Finance and Administration Committee be approved, as presented.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

- (i) Martin Maretzki, respecting pot hole damage to vehicle (For a future meeting)**

(B. Johnson/Pearson)

That the delegation request from Martin Maretzki, respecting pot hole damage to his vehicle, be approved for a future meeting pending the receipt of additional information from staff.

CARRIED

- (ii) Mike McCalmont, Toronto Tank Lines, respecting Item 8.1 - Toronto Tank Lines - Property Tax Arrears (For today's meeting) (Added Item 4.2)**

(Ferguson/B. Johnson)

That the delegation request from Mike McCalmont, Toronto Tank Lines, respecting Item 8.1 - Toronto Tank Lines - Property Tax Arrears, be approved for today's meeting.

CARRIED

(e) PUBLIC HEARINGS/DELEGATIONS (Item 6)

- (i) Dominic Sorbara, respecting a residential water billing dispute (Approved July 11, 2018) (Item 6.1)**

The delegate was not present when called upon.

- (ii) Robert Zeidler, 2418032 Ontario Ltd., respecting excessive water charges at 270 Sherman Ave. N. (Approved August 15, 2018) (No copy) (Item 6.2)**

Robert Zeidler from 2418032 Ontario Ltd., addressed the Committee respecting excessive water charges at 270 Sherman Ave. N., with the aid of a presentation. A copy of the presentation has been included in the official record.

(Pearson/Anderson)

That the delegation from Robert Zeidler, 2418032 Ontario Ltd., respecting excessive water charges at 270 Sherman Ave. N., be received.

CARRIED

A copy of the presentation is available at www.hamilton.ca.

- (iii) Mike McCalmont, Toronto Tank Lines, respecting Item 8.1 - Toronto Tank Lines - Property Tax Arrears (Item 6.3)**

(Ferguson/Collins)

That Item 6.3 being a delegation from Mike McCalmont, Toronto Tank Lines, respecting Item 8.1 - Toronto Tank Lines - Property Tax Arrears; and Item 8.1 being Report FCS18076, respecting Toronto Tank Lines – Property Tax Arrears, be DEFERRED until after Item 8.3 to allow the delegate time to arrive.

CARRIED

Mike McCalmont and Steve Porcnic, representing Toronto Tank Lines, addressed the Committee respecting Report FCS18076, Toronto Tank Lines - Property Tax Arrears.

(Collins/Pearson)

That the delegation from Mike McCalmont and Steve Porcnic, Toronto Tank Lines, respecting Report FCS18076, Toronto Tank Lines - Property Tax Arrears, be received.

CARRIED

(f) **DISCUSSION ITEMS (Item 8)**

(i) **Toronto Tank Lines - Property Tax Arrears (FCS18076) (Ward 5)
(Outstanding Business List Item) (Item 8.1)**

(B. Johnson/Pearson)

That Report FCS18076 respecting Toronto Tank Lines – Property Tax Arrears be LIFTED from the table.

CARRIED

(Collins/Ferguson)

That the recommendations be amended by adding the following subsection (e):

- (e) *That staff be directed to extend a Pre-Authorized Payment Plan with no penalty and interest on the \$ \$430,734.04 outstanding property tax amounts on roll number 051.493.00030.0000 (804 BEACH BLVD) effective September 12, 2018 and extending to December 31, 2019.*

Amendment CARRIED

For further disposition of this matter, refer to Item 6.

(ii) **Governance Review Sub-Committee Report 18-004 (Item 8.3)**

Chair VanderBeek advised that public notice was given for the Review of the City's Procedural By-law Amendments, Item 1 of the Governance Review Sub-Committee Report 18-004, inviting interested parties to make representations at today's meeting. There were no registered speakers and no one in attendance came forward to speak to the proposed changes.

(Ferguson/Pearson)

That Section 7.1 (a) be **amended** and the **numbering be corrected** as follows:

- 7.1** No Person in attendance at a Council or Committee meeting shall:
- (a) be **disrespectful** or disrupt the Meeting in any manner;
 - (b) bring food or beverages, water excepted, into the Council Chamber when a meeting is being held;
 - (c) address remarks to anyone but the Chair;
 - (d) interrupt a person who has the floor;
 - (e) applaud participants in debate.

Amendment CARRIED

For further disposition of this matter, refer to Item 8.

Councillor Brenda Johnson wished to be recorded as OPPOSED to the main motion as amended.

(h) **NOTICES OF MOTION (Item 10)**

Councillor VanderBeek relinquished the Chair to introduce a Notice of Motion.

(i) **Dundas Community Services - Community Outreach Base Budget Increase Request - City Enrichment Fund (CS F-8)**

Councillor VanderBeek introduced a Notice of Motion respecting the Dundas Community Services - Community Outreach Base Budget Increase Request - City Enrichment Fund (CS F-8).

(VanderBeek/Pearson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Dundas Community Services - Community Outreach Base Budget Increase Request - City Enrichment Fund (CS F-8).

CARRIED

For disposition of this matter please refer to Item 9.

Councillor VanderBeek assumed the Chair.

(i) **GENERAL INFORMATION / OTHER BUSINESS (Item 11)**

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

(B. Johnson/Pearson)

11.1(a) Items requiring a new due date:
Ward-Specific Funding Initiatives - Area Rating Special
Capital Re-investment Reserves, Discretionary
Spending, Cell Tower and Minor Maintenance
Item on OBL: L
Due Date: October 2018
Revised Due Date: ~~June 2019~~ **December 2018**

11.1(b) Items considered complete and needing to be removed:
Staff Reports Respecting Supplement Taxes and
Assessment Complaints Respecting 500 Eastport Blvd
(Item 8.1 on today's agenda)
Item on OBL: J

Amendment CARRIED
Main Motion, As Amended CARRIED

(j) PRIVATE & CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – August 15, 2018 (Item 12.1)

(Pearson/Ferguson)

- (a) That the Closed Session Minutes of the August 15, 2018 Audit, Finance and Administration meeting, be approved as presented; and
- (b) That the Closed Session Minutes of the August 15, 2018 Audit, Finance and Administration meeting, remain confidential.

CARRIED

(Pearson/Anderson)

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) and (f) 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 municipality or local board; and advice that is subject to solicitor/client privileges, including communications necessary for that purpose.

CARRIED

(ii) Protocol for Gender Identity & Gender Expression, Transgender & Gender Non-Conforming Update (HUR17002(b)) (City Wide) (Item 12.2)

(Pearson/Anderson)

That Report HUR17002(b), respecting the Protocol for Gender Identity & Gender Expression, Transgender & Gender Non-Conforming Update be TABLED until the September 24, 2018 Audit, Finance and Administration Committee Meeting to allow staff to provide Committee with additional information.

CARRIED

(iii) Commercial Relationship Between the City of Hamilton and APM Construction Services Inc. (LS18037 / FCS18026) (City Wide) (Item 12.3)

Staff were provided with direction in Closed Session.

For further disposition of this matter, refer to Item 10.

(k) ADJOURNMENT (Item 13)

(Anderson/Pearson)

That, there being no further business, the Audit, Finance and Administration Committee, be adjourned at 12:21 p.m.

CARRIED

Respectfully submitted,

Councillor VanderBeek, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

Form: Request to Speak to Committee of Council

Submitted on Monday, September 17, 2018 - 8:13 am

==Committee Requested==

Committee: Audit, Finance & Administration

==Requestor Information==

Name of Individual: Don Thompson

Name of Organization: Commissionaires Hamilton

Contact Number: 905 - 527 - 2775 x 23

Email Address: dops@on.aibn.com

Mailing Address:

151 York Blvd, Suite 208
Hamilton, ON L8R 3M2

Reason(s) for delegation request: Unpaid monies owing from Purchasing Department headed by Tina Iacoe, resulting from provincial government imposition of new minimum wage legislation on January 1, 2018; and no commitment to contemplate an additional legislated increase to \$15/hr on Jan 1, 2019; despite repeated good faith attempts to negotiate by Commissionaires Hamilton.

Will you be requesting funds from the City? Yes

Will you be submitting a formal presentation? Yes

Good morning, and thank you for your time today.

My name is Don Thompson, Director of Operations for the Canadian Corps of Commissionaires (Hamilton); a not - for - profit corporation with a social mandate to employ former members of the Canadian Forces and the RCMP by providing security and bylaw services to all three levels of government and the private sector.

I am a retired soldier myself, having served in both the Reserve and the Regular Forces for over 7 years, including NATO duty in the Federal Republic of Germany and operations and exercises throughout the world, including the high Arctic. I have been in my role with Commissionaires Hamilton since May of this year, and also have several years serving with the Commissionaires in eastern Canada.

Commissionaires has existed as a not- for- profit with the same social mandate nationally since 1925 and locally as the Hamilton Division for over 80 years, since 1937. We have provided security and parking bylaw enforcement services to the City of Hamilton since the 1950s.

I'm here to ask you to assist us with resolving the issue of monies owing to Commissionaires Hamilton by the City, resulting from the increase in minimum wage as mandated by the Government of Ontario.

In July 2017 Commissionaires Hamilton met with and sent letters to all clients, including the Bylaw Enforcement division in the City of Hamilton, who would be affected by the minimum wage increase. This letter detailed the increase required to implement the decision as forecasted by the province and showed the simple calculation necessary to arrive at a new bill rate. This letter has been provided to you in the information package delivered last week.

In early fall, we met with our clients and secured agreements in principle with each of them, including the City of Hamilton's Manager of Bylaw Enforcement and School Safety, James Buffet who supported the billing rate of \$20.25 indicated on the spreadsheet in my information package. The email summarizing this meeting and the rates endorsed by Mr. Buffet are included in the information package you received last week.

I say agreement in principle because although the provincial government had indicated their plan for minimum wage, there was no definitive timeline stated, and since the government was in the process of holding public meetings and consultations with all concerned parties, there was ostensibly no guaranteed implementation date.

When the provincial government announced the implementation timeline, we again met with our clients and they signed off on the increase forecasted in our original letter.

There was one notable exception, as the Purchasing Department for the City of Hamilton who, while aware of the legislated requirement, made no effort to enact this change, as opposed to the remainder of our client portfolio.

I inherited this situation at the end of May of this year, and as you can see from the contract negotiation timeline that you have been provided with, I have made little headway since that time. Since the Purchasing Department has declined to compensate us as discussed last fall, Commissionaires Hamilton has had to subsidize the difference in wages since January 1, as the guards who had been making \$12.75/hr were brought up to the provincial minimum of \$14/hr.

Recouping the monies owing will have a two-fold effect, upon payment: it will allow us to attract and retain effectively, and will dramatically increase our revenue generation ability for the city.

When we have an operating surplus at the end of our Fiscal Year, we return this back to our members in the form of a dispersal prorated on the number of hours worked within that year. Having to finance the differential between what is currently being billed and what is being paid out to our bylaw officers has impacted all of our members negatively.

The bottom line cost for the City of Hamilton to honor the discussion between us and this department, and to follow the direction imposed by the provincial Government now stands at \$35,289.20 over the course of the year from 1 January - Sep 6 2018. The remainder of the calendar year, based on current staffing levels, would amount to approximately \$17,500.

However, if this Committee can approve these outstanding amounts to be paid immediately, we will be able to resolve the difficult issues of recruitment and retention that we currently face for this detachment. I have also included my bill rate proposal for 2019, and have shared the Burlington bylaw rates for comparison purposes, as they are a stable and fully staffed detachment, which can be directly attributed to the compensation received.

On Sept 6, 2018, I received an email from Matt Brash, Procurement Specialist, Financial Services for the City of Hamilton, with a Vendor Incident Report Form, requesting a strategy to deal with the lack of staffing that the detachment has faced since the start of 2018. I replied immediately with a detailed analysis of efforts taken to recruit and retain staff, and the lack of success due to the compensation being offered, which I have included with my presentation.

I ask that this Committee do the right thing and direct the Purchasing Department to take the necessary action as outlined in our letter dated July 2017, and allow us to compensate our employees in accordance with the important, difficult, and oftentimes dangerous job that they have performed for the city of Hamilton for over 60 years.

Thank you.



21 September 2018

Hamilton Bylaw Contract Negotiation Timeline:

Sept 21, 2017 – Sit Down Meeting By Tom, Rick & Gerry With Client Contact James Buffet; Proposed New Wage Schedule Created And Email Sent To James Buffet By Tom

Jan 2018 – New Minimum Wage Goes Into Effect; City Not In Compliance

Jan – Jun, 2018 – Efforts Continue To Engage City In Conversation Re: New Contract Without Success

Jun 19, 2018 – Meeting With James Buffet and Mary Collins; Contract Status Mentioned

Jun 21, 2018 – Don Given Name Of Contact (Matthew Brash; 905-546-2424 ext 5973) In City Purchasing Dept By James Buffet Re: Contract

Jun 21 – Jul 12, 2018 – Multiple VM's Left With Matthew; No Contact

Jul 13, 2018 – After Multiple Calls, Don Receives VM from Matthew; “Person Looking After This is Tina Iacoe (tina.iacoe@hamilton.ca); She Will Be Available July 23, 2018”

Jul 16, 2018 – Email Composed By Don and Sent To Tina Requesting Meeting ASAP.

Jul 16, 2018 - Contacted by Tina and Admin. Asst Dianne Williams; meeting scheduled for July 23 at 10:00.

Jul 23, 2018 – Met with Tina, James Buffet, and Matt Thrash at 10:00. Presented request for retroactive owing/new bill rate schedule. Tina requests 2017 guard pay rates. Emailed rates at 11:45.

Aug 3, 2018 – Sent follow up email to Tina and James, to touch base and ask if any further info was required.

Aug 8, 2018 – Received email from Tina indicating that she had spoken with her Director and “*we have decided that the best course of action would be to proceed with a report to Committee and Council. I will send you an email advising you when the report will be presented to Committee and also give you details as to how you could delegate to Committee should you wish to do so. I am really trying to get the report to Committee sometime in September.*”

Sept 6, 2018 – Received email from Matt Brash with a Vendor Incident Form attached, indicating failure of Corps to provide adequate staffing and demanding a response within 7 days outlining action plan to address staff shortage.



21 September 2018

Sept 6, 2018 – Replied to Matt & Tina with detailed analysis indicating the root cause of our inability to fully staff the detachment; specifically, the lack of adequate compensation that could be rectified by the City upon acceptance of our proposal from July 23, 2018.

Sept 6, 2018 – Received email from Tina stating that the report was being finalized, and that I would receive her email with next steps “early next week”.

Sept 14, 2018 – Received email from Tina at 16:03 on Friday afternoon detailing next steps, including dates and submission process for speaking to the Committee. A link to the Request to Speak submission portal was included within the email.

Sept 17, 2018 – Received email from Christine Vernem, acknowledging receipt of application to speak to Committee, and that it had been forwarded to Angela McRae, Legislative Coordinator for the Audit, Finance and Administration Committee.

Sept 18, 2018 – Received email from Angela McRae requesting a submission outlining my presentation to Committee, and indicating the Committee itinerary and processes.

From: [Iacoe, Tina](#)
To: [Don Thompson](#); [Brash, Matthew](#)
Cc: [Buffett, James](#); [Richard Luden](#); [ceo](#)
Subject: RE: Commissionaires - Vendor Performance
Date: September 6, 2018 5:04:04 PM
Attachments: [image001.jpg](#)

Hi Don.

Thanks for your email. Ironically the report to Committee and Council is being finalized today and is currently scheduled to go to the AFA meeting on Monday, September 24th. You would have received my email to this effect early next week. I will discuss the Vendor Performance Incident Form further with Matt and we will let you know if the scheduled response date can be modified.

Thanks.

Tina Iacoe CPPO, CPPB
Manager of Procurement, City of Hamilton
905-546-2424, ext. 2796

From: Don Thompson [mailto:dops@on.aibn.com]
Sent: September 6, 2018 1:51 PM
To: Brash, Matthew <Matthew.Brash@hamilton.ca>; Iacoe, Tina <Tina.Iacoe@hamilton.ca>
Cc: Buffett, James <James.Buffett@hamilton.ca>; Richard Luden <ceo@on.aibn.com> ceo
Subject: RE: Commissionaires - Vendor Performance
Importance: High

Thank you for your correspondence, Matt.

Tina, you had indicated on Aug 8 that you would “... **send you an email advising you when the report will be presented to Committee and also give you details as to how you could delegate to Committee should you wish to do so.**”

As it appears that we have no other option to recoup the outstanding amounts owed to us from January 1 of this year (comprised of the differential between the minimum wage legislation imposed on all employers in the province and the amount that the City of Hamilton has continued to disburse), I was hoping to have had your email detailing next steps to resolve this issue, (along with the issue of compensation for the guards going forward) in time to prepare for the Committee meeting, about which you stated “...**I am really trying to get the report to Committee sometime in September.**”

Given the compressed time frame required to not only reply to Matt’s request, but to also formulate a Committee report due in the very near future (along with conducting the normal day to day business of our organization), I find myself at a bit of a loss on how to proceed.

As you are no doubt aware, we have struggled to fill these positions for the very reason that we find ourselves at loggerheads in the first place; namely, the rate of pay does not attract or retain suitable candidates for this type of work. In fact, I shared with you compensation structures for other municipalities (Burlington specifically) that have stable and fully manned complements, due to being properly compensated.

The fact that these workers are attempting to exist on minimum wage salaries, creates an environment that negates any chance of hiring quality candidates. I have several initiatives that I want to deploy (including paid lunch breaks to allow for immediate response to emergent situations), that would enhance recruiting and make this employment more attractive. However, a commitment from the City is necessary in order to enact these measures.

This department of the City of Hamilton is the only contract in our entire portfolio (and indeed, across portfolios in other divisions throughout Ontario) who refuse to acknowledge the legislation that has been imposed upon all of us. Even other departments within the City have recognized and resolved this issue. This resistance to acknowledge the business realities imposed by the legislation, is directly impacting recruitment and retention, and is categorically the main influencer to the situation that we are currently in. This is borne out by the number of candidates who apply for these positions, and then decline once they realize the work conditions and the compensation.

As you can see by the table below, since January there have been 10 candidates sent to Hamilton By-Law to fill the positions. Of those 10, we have had a single successful retention. However, it is worth noting that Mr. Spiteri has already submitted a request for a transfer because he cannot afford to drive to work and park based on his current wages. There is every likelihood of losing him in the short term.

Swick	Tyler	15 Jan 18 (Offer made)	22 Jan 18	Decline Offer
Walker	Paul	9-Feb 18 (Offer made)	12-Feb 18	Decline Offer
Spiteri	Garrett	14-Feb 18		
Jaundoo	Andrew	16-Mar 18 (Offer made)	16-Mar 18	Decline Offer
Wood	Jason	3-May 18 (Offer made)	3-May 18	Decline Offer
Himberg	Kenisha	4-May 18 (Offer made)	11-May 18	Decline Offer
Kheir	Hani	28-May 18 (Hired)	3-Aug 18	Unsuccessful Trg
Hobe	Jessica	16-July (Offer made)	16-July 18	Decline Offer
Milsap	Lorne	23-July (Offer made)	1-Aug 18	Resigned
Arlotta	Paul	1-Aug (offer made)	8-Aug 18	Resigned

The current staffing crisis has been exacerbated by the departure of several trained, qualified and effective officers to other jobs that simply offered higher compensation.

Since you have identified that we have no recourse except further delays by presenting to Committee at some future date, there is no rectification of this issue possible within the one week identified by Matt. I strongly encourage you to take the necessary actions that we have identified so that we can fulfill our contractual obligations and continue to build on our 5 decade long business relationship.

I await your direction on how to proceed.

Don Thompson

Director of Operations

Canadian Corps of Commissionaires (Hamilton)

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From: Brash, Matthew <Matthew.Brash@hamilton.ca>

Sent: September 6, 2018 12:05 PM

To: Don Thompson <dops@on.aibn.com>

Cc: Buffett, James <James.Buffett@hamilton.ca>

Subject: Commissionaires - Vendor Performance

Importance: High

Hi Don

Please find attached a copy of the Vendor Incident Report form related to the parking enforcement contract. Please review comments and provide a response detailing any corrective actions or any additional information you may have within 1 week. The issue at hand, and one that has been communicated before is the concerns we have around staffing numbers, which are ultimately effecting service numbers.

We appreciate you looking into this for us and look forward to your formal written response.
Thank you.

Matthew Brash CPPO, CPPB
Procurement Specialist
Financial Services, City of Hamilton
(905) 546-2424 Ext.5973

2018 Bylaw Bill Schedule & Rate Revision Proposal

Commissionaires Hamilton current admin fee is 38%. The proposed 35% admin fee is in addition to approx. .25/hr held in abeyance in the event of another minimum wage increase. This will be paid out beginning on Jan 1, 2019 if required, to prevent any payroll discrepancy.

<u>Location</u>	<u>Position</u>	<u>Bill Rate</u>	<u>Wage Rate</u>	<u>Adm % Actual</u>	<u>Adm Fee</u>	<u>Proposed Bill Rate</u>	<u>Proposed Wage Rate</u>	<u>Adm %</u>	<u>Adm Fee</u>	<u>Jan 1, 2019</u>
Hamilton	Officer	16.84	14.00	20.29	2.84	20.25	14.75	35	5.25	.25
	Trainer/Cpl	17.61	14.50	21.93	3.11	21.02	15.25	35	5.25	.25
	Sgt	17.81	15.25	16.79	2.56	21.28	15.50	35	5.50	.25
	MWO	21.24	17.25	23.13	3.99	24.55	18.00	35	6.30	.25
Burlington	Officer	22.75	16.26	39.91	6.49	N/A	N/A	N/A	N/A	N/A
	WO	23.62	16.88	39.93	6.74	N/A	N/A	N/A	N/A	N/A

2019 Bylaw Bill Schedule & Rate Revision Proposal

The proposed 35% admin fee is in addition to approx. .25/hr held in abeyance in the event of another minimum wage increase. This will be paid out beginning on Jan 1, 2020 if required, to prevent any payroll discrepancies.

<u>Location</u>	<u>Position</u>	<u>Bill Rate</u>	<u>Wage Rate</u>	<u>Adm % Actual</u>	<u>Adm Fee</u>	<u>Proposed Bill Rate</u>	<u>Proposed Wage Rate</u>	<u>Adm %</u>	<u>Adm Fee</u>	<u>Jan 1, 2020</u>
Hamilton	Officer	20.25	15.00	35	5.25	21.56	15.75	35	5.50	.25
	Trainer/Cpl	21.02	15.50	35	5.50	22.27	16.25	35	5.75	.25
	Sgt	21.28	15.75	35	5.50	22.62	16.25	35	6.10	.25
	MWO	24.55	18.25	35	6.30	25.86	18.75	35	6.15	.25

Type	Date	Num	Name	Memo	Qty	Current Billing	Amount	2018 Bill Rate (Prop.)	Differential	Total Owning	2018 Bill Rate (Prop.)
Invoice	01/11/2018	44697	HAMILTON-BYLAW-3533	REG HRS COM FOOT PATROLS	402.50	16.84	6,778.10	20.25	3.41	1,372.53	21.56
Invoice	01/25/2018	44803	HAMILTON-BYLAW-3533	REG HRS COM FOOT PATROLS	496.00	16.84	8,352.64	20.25	3.41	1,691.36	21.56
Invoice	02/08/2018	44899	HAMILTON-BYLAW-3533	REG HRS COM FOOT PATROLS	433.00	16.84	7,291.72	20.25	3.41	1,476.53	21.56
Invoice	02/22/2018	44993	HAMILTON-BYLAW-3533	REG HRS COM FOOT PATROLS	470.50	16.84	7,923.22	20.25	3.41	1,604.41	21.56
Invoice	03/08/2018	45102	HAMILTON-BYLAW-3533	REG HRS COM FOOT PATROLS	541.75	16.84	9,123.07	20.25	3.41	1,847.37	21.56
Invoice	03/22/2018	45213	HAMILTON-BYLAW-3533	REG HRS COM FOOT PATROLS	515.50	16.84	8,681.02	20.25	3.41	1,757.86	21.56
Invoice	04/05/2018	45337	HAMILTON-BYLAW-3533	REG HRS COM FOOT PATROLS	380.50	16.84	6,407.62	20.25	3.41	1,297.51	21.56
Invoice	04/19/2018	45432	HAMILTON-BYLAW-3533	REG HRS COM FOOT PATROLS	464.50	16.84	7,822.18	20.25	3.41	1,583.95	21.56
Invoice	05/03/2018	45545	HAMILTON-BYLAW-3533	REG HRS COM FOOT PATROLS	478.50	16.84	8,057.94	20.25	3.41	1,631.69	21.56
Invoice	05/17/2018	45644	HAMILTON-BYLAW-3533	REG HRS COM FOOT PATROLS	460.75	16.84	7,759.03	20.25	3.41	1,571.16	21.56
Invoice	05/31/2018	45738	HAMILTON-BYLAW-3533	REG HRS COM FOOT PATROLS	456.75	16.84	7,691.67	20.25	3.41	1,557.52	21.56
Invoice	06/14/2018	45843	HAMILTON-BYLAW-3533	REG HRS COM FOOT PATROLS	417.75	16.84	7,034.91	20.25	3.41	1,424.53	21.56
Invoice	06/28/2018	45930	HAMILTON-BYLAW-3533	REG HRS COM FOOT PATROLS	440.50	16.84	7,418.02	20.25	3.41	1,502.11	21.56
Invoice	07-12-2018	46028	HAMILTON-BYLAW-3533	REG HRS COM FOOT PATROLS	444.50	16.84	1,161.96	20.25	3.41	1,515.75	21.56
Invoice	07/26/2018	46116	HAMILTON-BYLAW-3533	REG HRS COM FOOT PATROLS	324.00	16.84	5,456.16	20.25	3.41	1,104.84	21.56
Invoice	08/09/2018	46204	HAMILTON-BYLAW-3533	REG HRS COM FOOT PATROLS	312.25	16.84	5,258.29	20.25	3.41	1,064.77	21.56
Invoice	08/23/2018	46301	HAMILTON-BYLAW-3533	REG HRS COM FOOT PATROLS	318.50	16.84	5,363.54	20.25	3.41	1,086.09	21.56
Invoice	01/11/2018	44697	HAMILTON-BYLAW-3533	S T HRS COM FOOT PATROLS	69.00	16.84	1,161.96	20.25	3.41	235.29	21.56
Invoice	02/22/2018	44993	HAMILTON-BYLAW-3533	S T HRS COM FOOT PATROLS	53.50	16.84	900.94	20.25	3.41	182.44	21.56
Invoice	04/05/2018	45337	HAMILTON-BYLAW-3533	S T HRS COM FOOT PATROLS	54.00	16.84	909.36	20.25	3.41	184.14	21.56
Invoice	05/31/2018	45738	HAMILTON-BYLAW-3533	S T HRS COM FOOT PATROLS	50.50	16.84	850.42	20.25	3.41	172.21	21.56
Invoice	07-12-2018	46028	HAMILTON-BYLAW-3533	S T HRS COM FOOT PATROLS	45.50	16.84	766.22	20.25	3.41	155.16	21.56
Invoice	08/09/2018	46204	HAMILTON-BYLAW-3533	S T HRS COM FOOT PATROLS	32.00	16.84	538.88	20.25	3.41	109.12	21.56
					7,662.25	16.84	122,708.87	20.25	3.41	26,128.34	21.56
Invoice	01/11/2018	44697	HAMILTON-BYLAW-3533	REG HRS CORPORAL	6.50	17.68	114.92	21.28	3.60	23.40	22.62
Invoice	01/11/2018	44697	HAMILTON-BYLAW-3533	REG HRS CORPORAL	14.50	17.68	256.36	21.28	3.60	52.20	22.62
Invoice	01/25/2018	44803	HAMILTON-BYLAW-3533	REG HRS CORPORAL	25.00	17.68	442.00	21.28	3.60	90.00	22.62
Invoice	02/08/2018	44899	HAMILTON-BYLAW-3533	REG HRS CORPORAL	6.50	17.68	114.92	21.28	3.60	23.40	22.62
Invoice	02/22/2018	44993	HAMILTON-BYLAW-3533	REG HRS CORPORAL	7.50	17.68	132.60	21.28	3.60	27.00	22.62
Invoice	03/08/2018	45102	HAMILTON-BYLAW-3533	REG HRS CORPORAL	14.00	17.68	247.52	21.28	3.60	50.40	22.62
Invoice	03/22/2018	45213	HAMILTON-BYLAW-3533	REG HRS CORPORAL	29.00	17.68	512.72	21.28	3.60	104.40	22.62
Invoice	04/05/2018	45337	HAMILTON-BYLAW-3533	REG HRS CORPORAL	45.00	17.68	795.60	21.28	3.60	162.00	22.62
Invoice	04/19/2018	45432	HAMILTON-BYLAW-3533	REG HRS CORPORAL	29.00	17.68	512.72	21.28	3.60	104.40	22.62
Invoice	05/03/2018	45545	HAMILTON-BYLAW-3533	REG HRS CORPORAL	13.00	17.68	229.84	21.28	3.60	46.80	22.62
Invoice	05/17/2018	45644	HAMILTON-BYLAW-3533	REG HRS CORPORAL	13.00	17.68	229.84	21.28	3.60	46.80	22.62
Invoice	05/31/2018	45738	HAMILTON-BYLAW-3533	REG HRS CORPORAL	13.00	17.68	229.84	21.28	3.60	46.80	22.62
Invoice	06/14/2018	45843	HAMILTON-BYLAW-3533	REG HRS CORPORAL	38.00	17.68	671.84	21.28	3.60	136.80	22.62
Invoice	06/28/2018	45930	HAMILTON-BYLAW-3533	REG HRS CORPORAL	21.00	17.68	371.28	21.28	3.60	75.60	22.62
Invoice	07/12/2018	46028	HAMILTON-BYLAW-3533	REG HRS CORPORAL	21.00	17.68	371.28	21.28	3.60	75.60	22.62

Invoice	07/26/2018	46028	HAMILTON-BYLAW-3533	REG HRS CORPORAL	14.00	17.68	247.52	21.28	3.60	50.88	22.62
Invoice	08/09/2018	46028	HAMILTON-BYLAW-3533	REG HRS CORPORAL	13.00	17.68	229.84	21.28	3.60	46.80	22.62
Invoice	08/23/2018	46028	HAMILTON-BYLAW-3533	REG HRS CORPORAL	40.50	17.68	716.04	21.28	3.60	145.80	22.62
					296.00	17.68	6,426.68	21.28	3.60	990.00	
Invoice	01/11/2018	44697	HAMILTON-BYLAW-3533	REG HRS SGT	8.50	17.68	150.28	21.02	3.34	28.39	22.27
Invoice	01/11/2018	44697	HAMILTON-BYLAW-3533	REG HRS SGT	62.75	17.81	1,117.58	21.02	3.34	209.59	22.27
Invoice	01/25/2018	44803	HAMILTON-BYLAW-3533	REG HRS SGT	68.00	17.81	1,211.08	21.02	3.34	227.12	22.27
Invoice	02/08/2018	44899	HAMILTON-BYLAW-3533	REG HRS SGT	85.50	17.81	1,522.76	21.02	3.34	285.57	22.27
Invoice	02/22/2018	44993	HAMILTON-BYLAW-3533	REG HRS SGT	77.50	17.81	1,380.28	21.02	3.34	258.85	22.27
Invoice	03/08/2018	45102	HAMILTON-BYLAW-3533	REG HRS SGT	80.00	17.81	1,424.80	21.02	3.34	267.20	22.27
Invoice	03/22/2018	45213	HAMILTON-BYLAW-3533	REG HRS SGT	57.00	17.81	1,015.17	21.02	3.34	190.38	22.27
Invoice	04/05/2018	45337	HAMILTON-BYLAW-3533	REG HRS SGT	64.00	17.81	1,139.84	21.02	3.34	213.76	22.27
Invoice	04/05/2018	45338	HAMILTON-BYLAW-3533	REG HRS SGT	8.00	17.81	142.48	21.02	3.34	26.72	22.27
Invoice	04/19/2018	45432	HAMILTON-BYLAW-3533	REG HRS SGT	79.00	17.81	1,406.99	21.02	3.34	263.86	22.27
Invoice	05/03/2018	45545	HAMILTON-BYLAW-3533	REG HRS SGT	77.00	17.81	1,371.37	21.02	3.34	257.18	22.27
Invoice	05/17/2018	45644	HAMILTON-BYLAW-3533	REG HRS SGT	80.00	17.81	1,424.80	21.02	3.34	267.20	22.27
Invoice	05/31/2018	45738	HAMILTON-BYLAW-3533	REG HRS SGT	72.00	17.81	1,282.32	21.02	3.34	240.48	22.27
Invoice	06/14/2018	45843	HAMILTON-BYLAW-3533	REG HRS SGT	55.00	17.81	979.55	21.02	3.34	183.70	22.27
Invoice	06/28/2018	45930	HAMILTON-BYLAW-3533	REG HRS SGT	73.00	17.81	1,300.13	21.02	3.34	243.82	22.27
Invoice	07/12/2018	46028	HAMILTON-BYLAW-3533	REG HRS SGT	64.00	17.81	1,139.84	21.02	3.34	213.76	22.27
Invoice	07/26/2018	46116	HAMILTON-BYLAW-3533	REG HRS SGT	71.00	17.81	1,264.51	21.02	3.34	237.14	22.27
Invoice	08/09/2018	46204	HAMILTON-BYLAW-3533	REG HRS SGT	72.00	17.81	1,282.32	21.02	3.34	240.48	22.27
Invoice	08/23/2018	46301	HAMILTON-BYLAW-3533	REG HRS SGT	46.00	17.81	819.26	21.02	3.34	153.64	22.27
Invoice	01/11/2018	44697	HAMILTON-BYLAW-3533	S T HRS SGT	8.25	17.81	146.93	21.02	3.34	27.56	22.27
Invoice	02/22/2018	44993	HAMILTON-BYLAW-3533	S T HRS SGT	7.75	17.81	138.03	21.02	3.34	25.89	22.27
Invoice	04/05/2018	45337	HAMILTON-BYLAW-3533	S T HRS SGT	8.25	17.81	146.93	21.02	3.34	27.56	22.27
Invoice	05/31/2018	45738	HAMILTON-BYLAW-3533	S T HRS SGT	8.00	17.81	142.48	21.02	3.34	26.72	22.27
Invoice	07/12/2018	46028	HAMILTON-BYLAW-3533	S T HRS SGT	6.50	17.81	115.77	21.02	3.34	21.71	22.27
Invoice	08/09/2018	46204	HAMILTON-BYLAW-3533	S T HRS SGT	6.50	17.81	115.77	21.02	3.34	21.71	22.27
					1,245.50	17.81	22,181.25	21.02	3.34	4,159.97	22.27
Invoice	01/11/2018	44697	HAMILTON-BYLAW-3533	REG HRS CWO DAWNE LUDEN	56.00	21.24	1,189.44	24.55	3.31	185.36	25.86
Invoice	01/25/2018	44803	HAMILTON-BYLAW-3533	REG HRS CWO DAWNE LUDEN	80.00	21.24	1,699.20	24.55	3.31	264.80	25.86
Invoice	02/08/2018	44899	HAMILTON-BYLAW-3533	REG HRS CWO DAWNE LUDEN	79.00	21.24	1,677.96	24.55	3.31	261.49	25.86
Invoice	02/22/2018	44993	HAMILTON-BYLAW-3533	REG HRS CWO DAWNE LUDEN	70.00	21.24	1,486.80	24.55	3.31	231.70	25.86
Invoice	03/08/2018	45102	HAMILTON-BYLAW-3533	REG HRS CWO DAWNE LUDEN	72.00	21.24	1,529.28	24.55	3.31	238.32	25.86
Invoice	03/22/2018	45213	HAMILTON-BYLAW-3533	REG HRS CWO DAWNE LUDEN	76.50	21.24	1,624.86	24.55	3.31	253.22	25.86
Invoice	04/05/2018	45337	HAMILTON-BYLAW-3533	REG HRS CWO DAWNE LUDEN	31.50	21.24	669.06	24.55	3.31	104.27	25.86
Invoice	04/19/2018	45432	HAMILTON-BYLAW-3533	REG HRS CWO DAWNE LUDEN	63.50	21.24	1,348.74	24.55	3.31	210.19	25.86
Invoice	05/03/2018	45545	HAMILTON-BYLAW-3533	REG HRS CWO DAWNE LUDEN	79.50	21.24	1,688.58	24.55	3.31	263.15	25.86
Invoice	05/17/2018	45644	HAMILTON-BYLAW-3533	REG HRS CWO DAWNE LUDEN	80.00	21.24	1,699.20	24.55	3.31	264.80	25.86

Invoice	05/31/2018	45738	HAMILTON-BYLAW-3533	REG HRS CWO DAWNE LUDEN	71.25	21.24	1,513.35	24.55	3.31	235.91	25.86
Invoice	06/14/2018	45843	HAMILTON-BYLAW-3533	REG HRS CWO DAWNE LUDEN	79.00	21.24	1,677.96	24.55	3.31	261.49	25.86
Invoice	06/28/2018	45930	HAMILTON-BYLAW-3533	REG HRS CWO DAWNE LUDEN	72.00	21.24	1,529.28	24.55	3.31	238.32	25.86
Invoice	07-12-2018	46028	HAMILTON-BYLAW-3533	REG HRS CWO DAWNE LUDEN	40.00	21.24	849.60	24.55	3.31	132.40	25.86
Invoice	07/26/2018	46116	HAMILTON-BYLAW-3533	REG HRS CWO DAWNE LUDEN	72.00	21.24	1,529.28	24.55	3.31	238.32	25.86
Invoice	08/09/2018	46204	HAMILTON-BYLAW-3533	REG HRS CWO DAWNE LUDEN	63.50	21.24	1,348.74	24.55	3.31	210.19	25.86
Invoice	08/23/2018	46301	HAMILTON-BYLAW-3533	REG HRS CWO DAWNE LUDEN	80.00	21.24	1,699.20	24.55	3.31	264.80	25.86
Invoice	01/11/2018	44697	HAMILTON-BYLAW-3533	S T HRS CWO DAWNE LUDEN	7.25	21.24	153.99	24.55	3.31	24.00	25.86
Invoice	02/22/2018	44993	HAMILTON-BYLAW-3533	S T HRS CWO DAWNE LUDEN	8.00	21.24	169.92	24.55	3.31	26.48	25.86
Invoice	04/05/2018	45337	HAMILTON-BYLAW-3533	S T HRS CWO DAWNE LUDEN	7.75	21.24	164.61	24.55	3.31	25.65	25.86
Invoice	05/31/2018	45738	HAMILTON-BYLAW-3533	S T HRS CWO DAWNE LUDEN	8.00	21.24	169.92	24.55	3.31	26.48	25.86
Invoice	07-12-2018	46028	HAMILTON-BYLAW-3533	S T HRS CWO DAWNE LUDEN	7.50	21.24	159.30	24.55	3.31	24.83	25.86
Invoice	08/09/2018	46204	HAMILTON-BYLAW-3533	S T HRS CWO DAWNE LUDEN	7.50	21.24	159.30	24.55	3.31	24.83	25.86
					1,211.75	21.24	25,737.57	24.55	3.31	4,010.89	
					<u>10,415.50</u>		<u>177,054.37</u>			<u>35,289.20</u>	(Total Outstanding)



**MINUTES: Hamilton Mundialization Advisory Committee
Wednesday, June 20, 2018 – 6:00 p.m.
Hamilton City Hall, Room 192**

Present: Rein Ende, Bob Semkow, Nick van Velzen, Pat Semkow, Ron Vine

Regrets: Councilor Arlene VanderBeek, Jan Lukas

Absent: Leo Johnson

Also Present: Nadia Olivieri, Staff Liaison

Guests: n/a

WELCOME & INTRODUCTIONS (6:05 pm)

Declaration of Land Acknowledgement Statement

1. APPROVAL OF THE AGENDA

(R. Ende/N. van Velzen)

That the Hamilton Mundialization Advisory Committee agenda of June 20, 2018 be approved as amended.

- i) 5.0 Membership status discussion**
- ii) 6.2 Discuss web domain registration fee**

CARRIED

2. DECLARATIONS OF INTEREST –none declared

3. APPROVAL OF MINUTES

3.1. Minutes of March 21, 2018

(R. Ende/P. Semkow)

That the Minutes of March 21, 2018 be approved as presented.

CARRIED

4. PRESENTATIONS – n/a

5. DISCUSSION ITEMS

5.0 Mundialization Membership Status

Motion: Resignation

(B. Semkow/ N. van Velzen)

Accept Ramon Petgrave’s resignation and request that the Chair provide a letter of service appreciation.



Letter from Chair to be provided through regular mail.

Motion: Termination of membership
(R. Ende/P. Semkow)

Based on ongoing lack of consistent and predictable attendance, and having previously been advised of this issue, the remaining members, request that Council terminate Leo Johnson membership to the Mundialization VAC pursuant to VAC expectations and procedures.

CARRIED

5.1. 2018 Activity Plan

5.1.1. Confirm priority discussion items for June meeting (as May meeting cancelled)

5.1.2. World Citizenship Award

5.1.2.1. Debrief 2018 Award- timing went well, food was appropriate, attendance was underwhelming. For future awards, may have built-in a process for reviewing applications prior to proceed to provide the applications to the judges

There are only 3 WCA medallions remaining. They are looking quite tarnished.

5.1.3. Kaga/Dundas 50th Anniversary events

5.1.3.1. Updates

Lan provided a detail of August events related to the arrival of Mayor and Kids for Kaga past and present students

Discussed the relevance of Mundialization Committee and its long time connection to Kaga. It is very relevant for Committee members to attend and support the events.

Motion: Reception Attendance Funding

(R. Ende/N. van Velzen) That the members of the Committee be authorized to attend the reception organization by the Dundas –Kaga group for Friday, August 17 at the Dundas Town Hall and 100% of the fee be paid through Committee funding.

CARRIED

Mundialization Cabinet Display to be changed to reflect the Kaga/Dundas 50th Anniversary events. Richard Barlas will be completing the cabinet with additional items borrowed from Lan Whiting

5.1.4. Hiroshima – Nagasaki Event (Dundas City Council Aug 9 10:00 am – 3:00pm)



5.1.4.1. Updates

Rein provided updates – flute player, Mundialization Chair to provide an overview of Mundialization Volunteer Advisory Committee
Keep format of reception similar to last year.
Culture of Peace has provided \$150 to cover poster and talent.
Reception food to be covered by Mundialization Committee

Motion: Nagasaki-Hiroshima Event

(R. Ende/N. van Velzen) That the committee approve the expenditure of up to \$600.00 for refreshment /snack for the Nagasaki – Hiroshima event **CARRIED**

Also consider donation of any unused refreshment to St. Patrick’s church program/the YWCA. The Chair agreed to deliver any unused refreshment.

5.1.5. Gandhi Peace Festival

5.1.5.1. Updates – no dates confirmed. Possible end of September 2018 date pending.

5.1.6. Photo contest

5.1.6.1. Determine at October meeting to determine if Mundialization Committee will proceed with Photo Contest

5.1.7. Festitalia Racalmutese regional dinner in support of twin City Racalmuto (Friday September 28, 2018)

Motion: Membership subsidization

(R. Ende/ N. van Velzen)

Members of the Committee be able to attend the event and reimbursed 50% of the cost.

CARRIED

Ron will purchase tickets for those members wishing to attend.

5.2 Policy for member subsidization (attending events)

Motion: Community Events Attendance Subsidization Policy

(R. End/P. Semkow)

That the Mundialization Committee confirms the existence of a Community Events Attendance Subsidization Policy for the purpose of promoting member participation to events that support the mandates of the Mundialization Volunteer Advisory Committee

CARRIED



5.3 Other relevant policy development. Defer

6. OTHER BUSINESS

6.1. Web domain

A past member has been paying the yearly domain fee for the Mundialization website. This fee is about \$15.00

Motion: Funding of web domain
(N. van Velzen / P. Semkow) that the Committee pay annual \$15.00 fee for domain.

CARRIED

At a future meeting determine who on the Committee is responsible for updating the information on the web site on a regular basis. Determine if the content has to be reviewed by City of Hamilton Communications.

6.2. Summer meetings: as per usual there will be no meetings in July and August 2018

7. Information sharing -n/a

8. ADJOURNMENT

(P. Semkow/ B. Semkow)

That the June 20, 2018 meeting of Mundialization be adjourned. **7:25pm**

CARRIED

**NEXT MEETING: September 12, 2018, 6:00 p.m.
Hamilton City Hall, Room 192**



ax/iz financial solutions
strategic - unique - proven

1. 2016 INFINITI - 39KM.
2. POTHOLE DAMAGE APRIL 19/18 - Whound
DRUMS FRONT
JUST BEFORE WINTACOM-18
3. MAGNITUDE of CLAIM. - \$3600
4. MAGNITUDE of DAMAGE - RIM, TIRE, BALL JOINT
ALIGNMENT.
5. SPEED of TRUCK. - 80km/hr.
- Busy
6. "TAX" on TAXES - UNSAFE TO LEAVE VEHICLE
7. ENDEMIC PROBLEM WITH POTHOLES. 2017 BUS
→ SPEC ARTICLES APRIL 17/18
(2 days prior to incident)
→ Aug 16/18 - over 500 claims
8. Hess + King (SW corner)
Pothole in curb lane (Driver side) Since MAY/18
- Still not repaired!

MARIA MALETTI

OAKVILLE INFINITI

2507246 ONTARIO INC. o/a Oakville Infiniti
2270 South Service Rd. West
Oakville, ON L6L 5M9
Telephone: (905) 827-7191
Fax: (905) 827-7107
www.oakvilleinfiniti.com

CUSTOMER #: [REDACTED]

17583

* INVOICE *

MARTIN M MARETZKI

PAGE 1

HOME [REDACTED] CONT [REDACTED]
BUS: [REDACTED] CELL: [REDACTED]

SERVICE ADVISOR: 243 MAJID MAHMOOD

COLOUR	YEAR	MAKE/MODEL	VIN	LICENSE	ODOMETER IN/ OUT	TAG	
OAB-Majest	16	INFINITI Q50	[REDACTED]		30966/30966	T0596	
IN SERVICE DATE	DEL. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
19OCT16 DD			WAIT 20APR18		134.50	CASHI	21APR18
CSO OPENED	CSO CLOSED	OPTIONS: SOLD-STK:Q16062 DLR:43174 TRN:Automatic					
12:04 19APR18	09:09 21APR18	1)PRESTIGE PLUS 2)OIL 4 LIFE					

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
------	--------	------	------	-------	------	-----	-------

A tow in -LEFT FRONT TIRE WENT FLAT
 DIAG DIAGNOSTIC PROCEDURES - ADVISOR WILL PROVIDE
 DETAILED DESCRIPTION!
 462 CPI 0.00 0.00 0.00

30966 rim bent and tire ripped from rim from impact - recommended
 rim ,tire, alignment and wheel bearing l/f then re check

B** MOUNT AND BALANCE ONE TIRE
 TIRES1 MOUNT AND BALANCE ONE TIRE
 317 CPI 0.50 49.95 49.95
 1 DOC00-4HK9C ROAD WHEEL 1855.18 1855.18 1855.18
 1 DU265-021144D TIRE 496.00 479.34 479.34
 1 NITRO6 NITRO/CAP 2.00 0.00 0.00
 1 1 TIRE/STEWARDSHIP/FEE 4.75 4.75 4.75

30966 0.80 REPLACED LEFT FRONT RIM, TIRE, SWAPPED OVER TIRE
 PRESSURE SENSOR AND NUT AND CLEARED TIRE LIGHT.

C** INFINITI 4 WHEEL ALIGNMENT - CHECK AND PERFORM ADJUSTMENTS
 CAUSE: PERFORM 4 WHEEL ALIGNMENT
 4WAI INFINITI 4 WHEEL ALIGNMENT - CHECK AND
 PERFORM ADJUSTMENTS
 317 CPI 1.50 129.95 129.95

30966 1.50 4-WHEEL LAZER ALIGNMENT.

D** REPLACE LEFT FRONT WHEEL BEARING
 E REPLACE LF WHEEL BEARING
 317 CPI 2.50 336.25 336.25
 1 40202-4GE0A HUB 353.51 353.51 353.51
 1 40073-0L700 PIN 1.96 1.96 1.96

30966 2.50 REPLACED LEFT FRONT WHEEL BEARING.

Thank You
for Your
Business!

STATEMENT OF DISCLAIMER
The buyer warrants that all of the warranties with respect to the sale of this Infiniti. The seller hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for a any liability in connection with the sale of this Infiniti.

NOTWITHSTANDING anything herein, until payment in full is acknowledged, the existence of a lien in accordance with the storage and repair act on the vehicle above described in respect to materials supplied and services rendered for the full amount charged. I further acknowledge and agree that on delivery of the vehicle, and before payment in full to Oakville Infiniti, that the lien shall continue in full force and effect and that the subject vehicle shall be subject to repossession by you at your sole discretion and I further agree to release any claim on such repossession (or my agent) shall hold the above work.

I HEREBY ACKNOWLEDGE MY INDEBTEDNESS IN THE AMOUNT OF \$ _____ BEING THE TOTAL AMOUNT OWING OR THE BALANCE AS SHOWN HEREON

SIGNATURE _____ DATE _____

You agree by your signature below that Oakville Infiniti may retain any of your personal information we presently have on file and/or any of your personal information set out on this form. You acknowledge and agree that (i) we collect, use such information in order to provide or recommend services to you and/or to communicate with you, including marketing communications and (ii) in order to carry out the foregoing purposes we may share your personal information with (a) our computing and marketing service providers, such as CDK Global Co. (b) motor vehicle manufacturers with whom we have a franchise agreement and (c) others as may be specifically allowed by applicable law.

R-780853727

X

DESCRIPTION	TOTALS
LABOUR AMOUNT	
PARTS AMOUNT	
SUBLET AMOUNT	
MISC. CHARGES	
TOTAL CHARGES	
INSURANCE/PAYABLE	
SALES TAX - HST	
PAY THIS AMOUNT	



INFINITI

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CUSTOMER #: [REDACTED]

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PAGE 2

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SERVICE ADVISOR: 243 MAJID MAHMOOD

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LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL

FOR YOUR CONVENIENCE YOU CAN BOOK ALL YOUR APPOINTMENTS ONLINE AT OAKVILLENISSAN.COM/OAKVILLEINFINITI.COM.
 WE TRULY APPRECIATE YOUR BUSINESS AT OAKVILLE INFINITI. IN THE EVENT YOU RECEIVE A SURVEY FROM INFINITI CANADA AND YOU CAN NOT SCORE OUR SERVICE A 10, PLEASE CONTACT THE MANAGER.

PST AMOUNT

417.42

**Thank You
 for Your
 Business!**

STATEMENT OF DISCLAIMER
 The below warranty constitutes all of the warranties with respect to the sale of the debiteems. The dealer hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this debiteem.

NOTWITHSTANDING anything herein until payment in full I acknowledge the existence of a lien in accordance with the charge and repair act on the vehicle above described in respect to materials supplied and services rendered for the full amount charged. I further acknowledge and agree that on delivery of the vehicle, and before payment in full to Oakville Infiniti, that the lien shall continue in full force and effect and that the subject vehicle shall be subject to repossession by you at your sole and absolute discretion and further do release any claim on such repossession. I or my agent authorize the above work.

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X _____

DESCRIPTION	TOTALS
LABOUR AMOUNT	516.15
PARTS AMOUNT	2694.74
	0.00
SUBLET AMOUNT	0.00
MISC. CHARGES	0.00
TOTAL CHARGES	3210.89
INSURANCE/PAYABLE	0.00
SALES TAX - HST	417.42
PAY THIS AMOUNT	3628.31

R-780853727



Driver one of 500-plus pothole claimants in Hamilton this year

News Aug 16, 2018 by [Teviah Moro](/hamilton-author/teviah-moro/F66F2AEE-9643-4EF3-8691-03117AA544CD/) (<mailto:tmoro@thespec.com>) [The Hamilton Spectator](#)

Matthew Kelly is holding out to see if city council will cough up the cost of his bent rim after he drove over a pothole this past winter.

"If I get denied, I go to small claims court."

At first, it was about money, he says. Now it boils down to principle.

Kelly is one of more than 500 drivers who have filed claims for pothole-related damage in what has turned out to be a banner year for rutted roads in Hamilton.

The 37-year-old says he was driving his 2014 Hyundai Elantra early one January morning when he hit a crater on Upper Gage Avenue near Mohawk Road.

He had his car towed to a garage, where the mechanic charged him \$674 to repair a bent rim.

In mid-July, the city's legal department told him the municipality would cover half of the bill.

"I said, 'Thanks, but no thanks.'"

One of his options was to make his case before the city's audit, finance and administration committee.

The frost a distant memory, Kelly — wearing short sleeves and shorts — showed up at City Hall Wednesday armed with photos of the warped wheel and the pothole to ask councillors for a reimbursement.

The offer to cover 50 per cent was "very generous," he told councillors. "But who's going to pay the other 50 per cent of the claim?"

Risk manager John McLennan told the committee the winter's manic freeze-and-thaw cycle contributed to more than 500 pothole-related claims. Over the past decade or so, a normal year would see between 100 and 150.

Generally, staff examine road maintenance records and compare them to standards in the Municipal Act to decide if the city was in any way negligent. McLennan said the city rejects 90 per cent of claims.

"In certain instances, we will find that our records will not pass muster in small claims court," he said. "If we make an offer of 50 per cent, it is because we feel we may have some exposure there."

City solicitor Nicole Auty said that doesn't necessarily mean the municipality assumes responsibility for the mishap. It's a question of whether the city can "get to the finish line and successfully defend the claim."

McLennan said there's an expectation that drivers must shoulder some responsibility in trying to avoid potholes or other obstacles such as a piece of lumber.

Kelly said he didn't see the curbside pothole before he hit it. He also said a resident who lives on that particular stretch of Gage told him the pothole regularly rattled cars there.

While responsibility plays into the argument, so do tax dollars.

McLennan said the cost would be substantial if the city reimbursed this season's roughly 500 claims, noting the average is about \$500 to \$750 each.

Such a gesture would also open the floodgates, he suggested. "You'd pretty much be paying claims any time a person has a rim or tire problem."

Coun. Lloyd Ferguson, who had "mixed feelings" about Kelly's situation, said he supported staff's offer of 50 per cent. "The city wasn't negligent. It was the darn weather that caused it."

Coun. Aidan Johnson said the pothole pain is a symptom of changing weather patterns.

"I think it's pointing out what we are talking about are the costs associated with the toll of climate change on our infrastructure."

Councillors opted to back staff on the city's offer to cover half of Kelly's bill.

After his appeal, Kelly said he understands city officials have to scrutinize each case but called the claims process "ridiculous."

"So there were more claims last year ... That's not my problem. That's not everybody else's problem. You pay out more money this year."

On Friday, city council must give final approval to the audit, finance and administration committee's report.

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tmoro@thespec.com (<mailto:tmoro@thespec.com>)

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Driver one of 500-plus pothole claimants in Hamilton this year

Matthew Kelly, one of 500-plus pothole claimants in Hamilton this year, says he will fight the city at small claims court if it doesn't cover the cost of his bent rim

News Aug 16, 2018 by [Teviah Moro \(/hamilton-author/teviah-moro/F66F2AEE-9643-4EF3-8691-03117AA544CD/\)](#) [✉ \(mailto:tmoro@thespec.com\)](mailto:tmoro@thespec.com) The Hamilton Spector

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Road repairs high priority for Hamilton councillors

News Apr 17, 2018 by [Kevin Werner](/hamilton-author/kevin-werner/F7740FF8-81D2-4170-8530-B60E4C793E3A/) (mailto:kwerner@hamiltonnews.com) **Stoney Creek News**

A few of Hamilton's worst deteriorating roads will get a makeover this year after councillors approved spending \$5.9 million on repairs.

Staff identified four high-priority roads for improvement, including Burlington Street from Sherman Avenue to Nikola Tesla Boulevard at a cost of \$3.3 million; Upper Gage Avenue from the Lincoln Alexander Expressway to Mohawk Road at a cost of \$950,000; and Cannon Street from Sherman to James Street at a cost of \$1.6 million.

Other roads on the priority list that could be done this year if city officials receive appropriate pricing include: Barton Street from Gage to Kenilworth avenues for \$1.8 million; Barton from Sanford Avenue to Lottridge Street at a cost of \$1.1 million; Highway 5 from Mill to Evans at a cost of \$2 million; Osler Drive in Dundas at a cost of \$1.3 million, Upper Sherman Avenue from Southampton to Mohawk for \$900,000; Upper James Street from Fennell Avenue to Mohawk Road for \$400,000; and Upper James from Kennedy Avenue to Christopher Drive for \$550,000.

The total cost if all of these road projects are completed is about \$14 million.

Councillors approved \$13.5 million for road repairs earlier this year during budget discussions, targeting neighbourhood streets, and another \$5.9 million devoted to arterial roads.

Councillors did approve raising the property tax by 0.2 per cent to raise \$1.64 million to repay the city's reserve fund over 15 years. The city is planning to borrow the needed \$19.4 million to invest in its road repairs.

Hamilton has a growing annual infrastructure deficit of about \$195 million.

Staff identified 64 high-priority roads that are in desperate need of repairs at a cost of nearly \$40 million.

The \$13.5 million will be allocated among the 15 wards with each councillor receiving \$900,000. But councillors representing wards 1 to 8 will also be using their area-rating reserves to supplement the road projects, putting suburban politicians at a disadvantage, said Ancaster Coun. Lloyd Ferguson.

"The optics doesn't look good," said Ferguson. "The suburbs are being left behind."

Ferguson, who also lamented that \$900,000 "doesn't go very far" for road repairs, is proposing to use his share of the road repair money for a "shave and pave" along Meadowbrook from Wilson Street to Jerseyville Road.

Ward 5 Coun. Chad Collins is proposing to spend his \$900,000, plus another \$430,000 taken from his area-rating reserve to repair the roads along St. Andrews Drive, Fairway Drive, Glen Manor, Chipping Place, Wedgewood Avenue and Nicholas Drive.

Councillors at their April 11 meeting approved a motion from Mountain Coun. Donna Skelly to spend over \$900,000, along with area-rating funds, to fix Upper Sherman, designated by staff as one of the worst roads in the city.

Mountain Coun. Terry Whitehead is also looking at using his allotment to improve a portion of Scenic Drive.

And last month councillors approved spending about \$900,000 to make repairs to Main Street West's deteriorating surface that had vehicles driving almost on gravel. The money was taken from a special Ward 1 reserve fund.

Dan McKinnon, general manager of public works, said the road repair projects that need only a "shave and pave" — replacing the top level of asphalt — could be completed this year. But if sewers, water mains, curbs or other work needs to be done underneath the road the project won't be completed until 2019 or 2020.

The repairs are expected to extend the life of the road by a decade.

Sam Sidawi, manager of asset management, said after 30 years he has never seen road deterioration as bad as it has become.

"This is a climate change issue," he said. "A flash freeze acts like a shovel. We are anticipating more of this."

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by Kevin Werner (/hamilton-author/Kevin-Werner/f7740ff8-81d2-4170-8530-b60e4c793e3a/)

Kevin Werner is a Regional Reporter for Hamilton Community News (Ancaster News, Dundas Star News, Mountain News and Stoney Creek News). He can be reached at kwerner@hamiltonnews.com (mailto: kwerner@hamiltonnews.com)

Email: kwerner@hamiltonnews.com
(mailto: kwerner@hamiltonnews.com) **Facebook**
(<https://www.facebook.com/HamiltonCommunityNewsOfficial/>)
Twitter (<https://twitter.com/WerkHCN>)

Cunningham Lindsey
235 Martindale Rd.
St. Catharines, ON L2W 1A5
Telephone (905) 688-6444 Facsimile (905) 684-5033



May 5th, 2018

Martin Maretzki

Subject: Insured: City of Hamilton
Our File: [REDACTED]
Date of Loss: 04/19/2018

The City of Hamilton has forwarded your claim for vehicle damage to Cunningham Lindsey Canada (Hamilton Office) for handling in conjunction with the City's Risk Management Services Section (RMS). Hamilton City Council has provided RMS with a mandate to compensate claimants for damages when a liability investigation indicates negligence on the part of the City of Hamilton. The mere fact that damages have occurred on public property (roadway, park, road allowance, etc.) does not in itself constitute negligence. For the City to be considered negligent, damages must be shown to have been caused by a failure to provide a reasonable degree of care in the provision of services or infrastructure. If the investigation indicates negligence on the part of the City, every effort will be made to compensate a claimant fairly. If the investigation does not indicate negligence, a claim will be denied with a detailed explanation of the reason(s) for the denial.

With respect to pothole claims in particular, the provincial government has created a series of guidelines entitled the Municipal Maintenance Standards (MMS) within The Municipal Act. Briefly stated, where potholes are concerned, the MMS are standards related to the inspection and maintenance of roadways. Municipalities are judged for negligence by these standards. If a municipality has satisfied the MMS relative to a given pothole then they will not be found negligent in the provision of the roadway infrastructure to the motoring public. If a municipality has not satisfied the MMS then they would be considered negligent and, consequently, it would be in order to compensate a motorist who has incurred vehicle damage from a pothole.

Roads are classified within the MMS based on speed limit and the amount of daily traffic. As you might expect, roads with the highest speed limits and highest vehicle counts have the highest standards for inspection and maintenance. The following table from the MMS establishes the standards for inspection:

PATROLLING FREQUENCY	
Class of Highway (Road)	Patrolling Frequency (Inspection)
1	3 time every 7 days
2	2 times every 7 days
3	1 time every 7 days
4	1 time every 14 days
5	1 time every 30 days

The MMS also provide standards for pothole repair based on the class of road and the size of the pothole. When a pothole is discovered, either by patrol, or by notification from the public, the MMS establishes the following standards for repair:

POTHOLES ON PAVED SURFACE OF ROADWAY			
Class of Highway (Road)	Surface Area	Depth	Time Allowance For Repair
1	600 cm squared	8 cm	4 days
2	800 cm squared	8 cm	4 days
3	1000 cm squared	8 cm	7 days
4	1000 cm squared	8 cm	14 days
5	1000 cm squared	8 cm	30 days

When pothole claims are investigated, liability is determined by the standards established by the above two charts. In keeping with the Council designated mandate, pothole claims must be denied when an investigation indicates that the City's Roads Division has satisfied the standards of the two above charts in relation to a specific roadway and pothole.

Please refer to

http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_020239_e.htm in order to examine the MMS as they are written in The Municipal Act, 2001.

If the investigation indicates negligence, and compensation for damages from a pothole are considered, there will generally be a reduction in the compensation for contributory negligence on the part of the motorist. Contributory negligence stems from the theory that a motorist applying all the principles of defensive driving, in a properly maintained vehicle, should be able to notice and avoid almost any road hazard. For potholes claims a contributory negligence factor of 50% is consistently applied to the reasonable value of repairs.

Regrettably, potholes and similar road irregularities are a fact of life, particularly in northern climates. Hazards such as potholes can develop very quickly, especially during freeze/thaw cycles of weather. It is not reasonable to expect the City to keep its approximate 6500 kilometres of roadway completely hazard free. Again, there is an expectation for motorists to anticipate and avoid such hazards.

Enclosed for your information is a brief description and diagram of how potholes form in the roadway.

The investigation of your claim will generally take 3-5 weeks to complete. The 5 primary areas of the investigation are:

- Classification of roadway
- Patrol history of Roads Division
- Maintenance activity of Roads Division
- Weather conditions
- Other motorist complaints and/or incidents

As you might expect it does take some time to compile all the information necessary to make the most informed decision possible. The investigation depends on the provision of information from the Roads Division whose primary focus at this time of year is understandably on active road maintenance. We respectfully ask for your patience in this regard.

It is very important to remember that your vehicle is your property, and, as such, you bear the responsibility for its maintenance and repair. If you feel your vehicle is unsafe to drive, for whatever reason, you should take it to a licensed mechanic. If you drive your vehicle in an unsafe condition you are risking further damages to your own vehicle and if they occur the repair expenses would be your responsibility alone. You would also be risking injury to yourself, your passengers, pedestrians and other motorists.

Your options for the immediate repair of your vehicle are to pay for the repairs yourself or to make a claim with your automobile insurer. If you make a claim with your insurer, they are likely to pursue the City for repair costs on your behalf if they feel the City has been negligent in the repair of the roadway. Regardless of whether you or your insurer repairs the vehicle, care should be taken to preserve all relevant evidence for your claim.

Please feel free to contact our office with any questions or concerns you may have about your claim or the City of Hamilton claims handling process.



INFORMATION REPORT

TO:	Chair and Members Audit, Finance and Administration Committee
COMMITTEE DATE:	September 24, 2018
SUBJECT/REPORT NO:	Performance and Learning Strategy (HUR18016) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Nenzi Cocca Ext. 3924 Dawn Hannemann Ext.4265
SUBMITTED BY:	Lora Fontana Executive Director Human Resources and Organizational Development
SIGNATURE:	

Council Direction

Not Applicable

Information

On April 12, 2018, Senior Leadership Team approved the Performance and Learning Strategy (Strategy). The Strategy will support the People and Performance Plan by creating a three year, future-focused Performance and Learning Strategy for the City of Hamilton (City). The key objective of the Strategy is to create a framework for how the City will invest in our people. This will enable the City to attract, engage and retain a high-performing workforce, and achieve and maintain our desired culture which inspires employees to be proud of working for the City of Hamilton. The Strategy also supports the delivery of high quality, cost conscious public service to ensure satisfaction, trust and confidence from our citizens.

The Strategy incorporates best practices and trends which integrates learning and development into a culture of continuous learning and rewards development and growth. Through the use of technology, the City will modernize the learning experience and make learning accessible to all employees. The City is taking a holistic, talent management approach. The Strategy will support engaged, empowered employees, who are proud to deliver sensational service to Hamiltonians.

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Approach and Methodology

A Learning and Development review was conducted to gain a better understanding of current state, needs and challenges. In discussion and collaboration with internal subject matter experts involved in various departmental and divisional learning and development initiatives, a high level review was completed. The Organizational Development and Learning (OD&L) team in Human Resources, along with a Project Team consisting of Human Resource Leaders and subject matter experts, considered the City's Mission, Vision, Values and Strategic Priorities, the Our People and Performance Plan (specifically Focus #3 – Continuous Learning), outcomes of the Our People Engagement Survey and a number of other internal and external resources. This approach ensured that the Strategy reflects best practices and current trends.

The Performance and Learning Strategy Guiding Principles

As illustrated in Appendix A to Report HUR18016, a Framework was used to guide the initial high level review, set future goals and identify key actions required to be successful. The Framework contributes to the elements identified and established as the City's Talent Management Model (see Appendix B to Report HUR18016). Both the Framework and Talent Management Model were developed in consideration of a number of guiding principles which include the premise that learning and development should be equally accessible to all employees, based on core competencies that enhance performance and support career mobility. People Leaders in the organization must develop confidence and competency to coach for improved performance and support employees in achieving their career goals. By leveraging our internal resources and creating vendor relationships which align with the Strategy and the City's financial directives, we will provide learning tools, resources and systems that facilitate self-directed learning.

Workforce Demographics

As an organization committed to continuous learning, the City of Hamilton wants to offer employees an agile, accessible, inclusive and on-demand learning experience which supports employees in their professional development and career mobility. In consideration of our multi-generational workforce, the Performance and Learning Strategy will meet the diverse learning styles and needs of all employees.

By identify our customer segments (Executive Leaders, New/Current People Leaders, Emerging People Leaders, New/Current Individual Contributors and Eligible Retirees) learning and development can be targeting and customized. To take it a step further, the

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Strategy also identifies six career stages, which employees will declare as part of their Performance Accountability and Development (PAD) discussions with their leaders. These career stages include new employees, employees who wish to stay in their current role and develop subject matter expertise, employees who wish to step up into a promotional opportunity, employees who wish to step back into a role with less responsibility or time commitment, employees who wish to step across into lateral positions in a different area, or employees who are preparing to retire and are available to mentor and ensure knowledge transfer.

Next Steps and Action Items

Alignment to the City's Mission, Vision, Values, Strategic Priorities, and the Our People and Performance Plan is essential to the success of the Strategy. To clearly articulate the City's commitment to these values, Human Resources is embarking on a branding exercise to create and market the City's Employer Value Proposition. This proposition will attract key talent, promote employee engagement and develop a robust communication and marketing strategy for learning and development programs that aligns with the vision and image we want to create as an employer of choice.

A Learning and Development (L&D) Governance Structure will be established to clarify roles, responsibilities and decision making authority. This will include the creation of an L&D Advisory Committee with cross-organization representation. To build on the existing Leadership Profile, which focused on executive leadership (City Manager, General Manager and Director Level), Leadership Profiles for the Manager and Supervisor level will be developed to clearly articulate their respective responsibilities and accountabilities.

OD&L is currently working with internal subject matter experts to identify the knowledge, skills and abilities required for each of the City's core competencies. Having already established competency-based performance accountability and development through the PAD process and form, the OD&L team will now focus on embedding these core corporate competencies into learning and development assets such as curriculum and training materials. Determining which assets to pursue will require aligning our current learning and development with the core competencies, and identifying gaps in our current offerings that will require solutions which will support increased performance through sustained growth. The outcome will be maximizing the City's return on investment in their people. Moving forward, to ensure consistency and alignment with these efforts, Human Resources will have oversight of all corporate learning programs.

By leveraging existing technology and modernizing the learning experience through online tools, capital investment and self-serve capabilities, we are well on our way through the development of the HR Portal (scheduled for launch in November, 2018). Human Resources will continue with the implementation of a training administration module in PeopleSoft to track regulatory and/or legislative training and certification, along with

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**SUBJECT: Performance and Learning Strategy
(HUR18016) (City Wide)****Page 4 of 5**

corporate mandated learning and training. To maintain momentum and ensure success, a capital budget request to implement a talent management technological solution will enable the City to leverage a learning management system to deliver training and content. Our continued support of learning and development through the acquisition of a learning management system will be accelerated by the pace of technology. In order to keep up, resources and capital investment is imperative to ensure we reap the benefits of the best digital tools available, broaden our understanding of how to implement them, and demonstrate return on investment through efficiencies and enhanced learning experiences and outcomes. Human Resources needs to position itself as a leader in digital transformation, and accordingly, our Performance and Learning Strategy requires technological investment to set our employees and leaders up for success.

To demonstrate the value of learning and development programs, learning metrics will be identified and reported on, to support continuous improvement and determine the degree to which learners acquire skills and transfer the knowledge back into the workplace.

Finally, identification and securing of resources necessary to implement the Strategy successfully will involve an analysis of training dollars spent, assessment of resource requirements moving forward (human and capital), the financial mechanisms to track training expenditures, and the establishment of a centrally managed vendor roster to enable quick response to internal requests. By communicating these factors to key stakeholders, we will ensure alignment and buy-in of the Strategy at all levels of the organization.

Outcomes

The People and Performance Plan (specifically Focus Area #3) outlines our organization's aspiration towards continuous learning; a City that fosters learning as an integral part of work life, continuous improvement and innovation. The City encourages creativity and innovation by promoting and investing in the ongoing skills and knowledge development of its employees, tied to the organization's goals. There is commitment and support for on-the-job learning and development as well as career growth opportunities based on personal and corporate objectives.

Career engagement is an empowering and impactful initiative which places ownership for learning and career development in the hands of the employee. Accordingly, the Strategy is designed to guide the organization in performance and learning, which will be employee enabled, manager facilitated and corporately supported. A well-defined and communicated Performance and Learning Strategy will be essential to attract, engage and retain the best employees. Creating modern tools and agile technology to deliver on-demand learning experiences will enhance career direction and employability at each stage of an employees' time with the City of Hamilton. Finally, the proper governance structure which defines oversight, responsibilities and the proper learning structure will

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**SUBJECT: Performance and Learning Strategy
(HUR18016) (City Wide)**

Page 5 of 5

provide People Leaders with the support necessary to respect and support an individual's career aspirations.

In conclusion, the Performance and Learning Strategy will allow the City to embrace a culture of continuous learning and high performance. Through the use of technology, effective governance and best practice, we will create a City of engaged, empowered employees who take pride in delivering sensation service to our citizens.

Appendices and Schedules Attached

Appendix A to Report HUR18016 – Talent Management Model

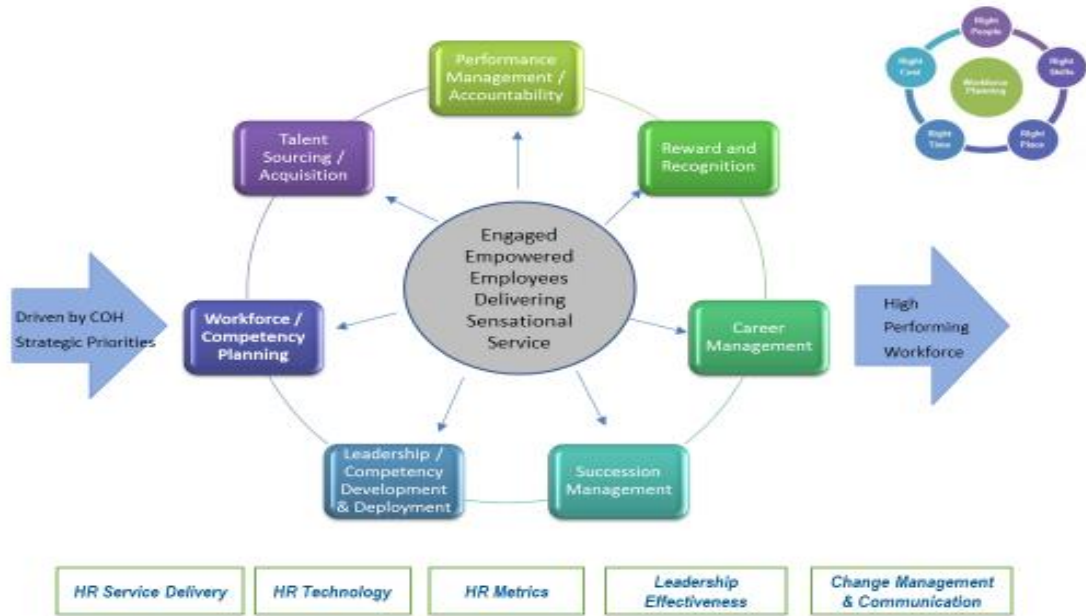
Appendix B to Report HUR18016 – New Performance & Learning Framework

OUR Vision: To be the best place to raise a child and age successfully.

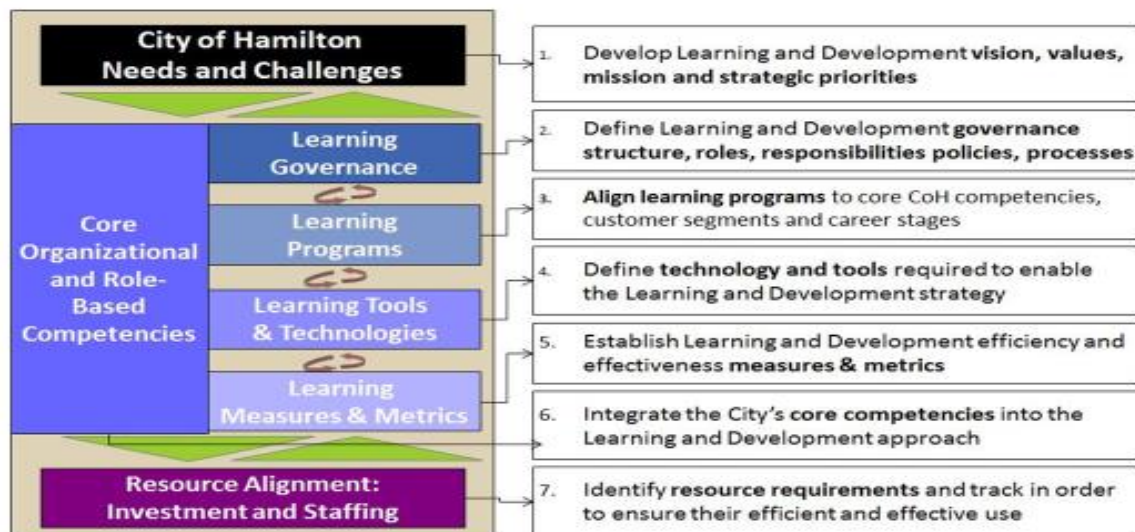
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

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Talent Management Model



New Performance & Learning Framework




Performance & Learning Strategy

Nenzi Cocca, Director, HR Systems & Operations

Dawn Hannemann, Manager, Organizational Development & Learning

Audit, Finance and Administration Committee
September 24, 2018 (HUR18016)

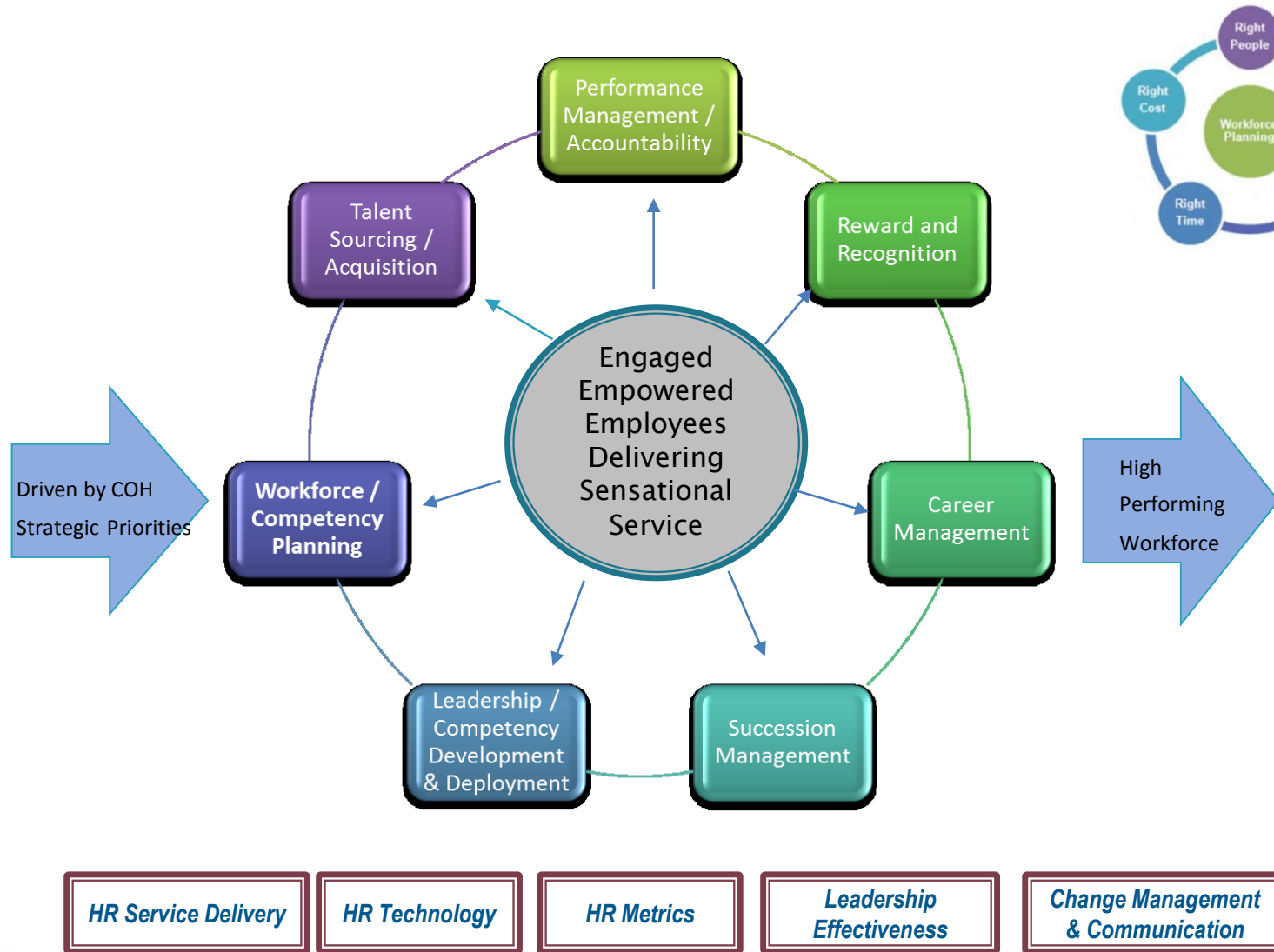
New P&L Framework

- ▶ Recognizing the learning and development needs of ALL EMPLOYEES
 - ▶ Invest in our people – build on Leadership Profile and follow best practice and trends
 - ▶ Leverage CORPORATE CORE COMPETENCIES and ROLE BASED COMPETENCIES
 - ▶ Resource Alignment – best, efficient and most effective use of capital (technology and staffing)
- 

3 Year, Future Focused

- ▶ Support the People & Performance Plan
- ▶ Framework for investing in our people
- ▶ Will attract, engage and retain high performing workforce
- ▶ Achieve and maintain our desired culture
- ▶ Will inspire employees to be PROUD to work for the City
- ▶ Support the delivery of high quality, cost conscious public service
- ▶ Instill satisfaction, trust & confidence from our citizens


Talent Management Model



Career Stages

Career Stage	Objective
1. New Employee	Job Competence / Organizational Knowledge
2. Stay in Place	Job Mastery – Subject Matter Expert
3. Step Up	Promotion – more responsibility or formal people leadership role
4. Step Back	Job with less responsibility or part-time hours
5. Step Across	Transfer to a position / job at the same level
6. Step Out	Retirement – Mentor / knowledge transfer role

Next Steps

- ▶ Branding and the Employee Value Proposition
 - ▶ Learning & Development Governance Structure
 - ▶ Core Corporate Competencies
 - ▶ Leveraging technology and modernizing the learning experience through capital investment
 - ▶ Learning metrics
 - ▶ Financial analysis (training dollars, ROI, vendor management)
- 

Outcomes

- ▶ Support the **People and Performance Plan**
- ▶ Create **modern tools and agile technology** to deliver on demand learning,
- ▶ Enhance **career progression**
- ▶ **Engage, empower employees** to take pride in delivering **sensational service** to our citizens

**EMPLOYEE ENABLED
MANAGER FACILITATED
CORPORATELY SUPPORTED**

More to come...



Hamilton Online
Workplace Information



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
Financial Planning, Administration and Policy Division

TO:	Chair and Members Audit, Finance and Administration Committee
COMMITTEE DATE:	September 24, 2018
SUBJECT/REPORT NO:	Tax and Rate Operating Budget Variance Report as at June 30, 2018 – Budget Control Policy Transfers (FCS18067(a)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Kayla Petrovsky (905) 546-2424 Ext. 1335 Tom Hewitson (905) 546-2424 Ext. 4159
SUBMITTED BY:	Brian McMullen Acting General Manager Finance and Corporate Services
SIGNATURE:	

RECOMMENDATION

That, in accordance with the “Budgeted Complement Control Policy”, the 2018 complement transfers from one department / division to another with no impact on the levy, as outlined in Appendix “C” to Report FCS18067(a), be approved.

EXECUTIVE SUMMARY

Staff has committed to provide Council with three variance reports for the Tax Supported and Rate Supported Operating Budgets during the fiscal year (spring / fall / year-end). This is the second submission for 2018 based on the operating results as of June 30, 2018. Appendix “A” to Report FCS18067(a) summarizes the Tax Supported Operating Budget projected year-end variances by department and division while Appendix “B” to Report FCS18067(a) summarizes the projected year-end variances of the Rate Supported Operating Budget by program.

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**SUBJECT: Tax and Rate Operating Budget Variance Report as at June 30, 2018 –
Budget Control Policy Transfers (FCS18067(a)) (City Wide) – Page 2 of 10**

Both Tax and Rate Supported Operating Budgets are projecting positive variances of \$9.4M and \$1.0M, respectively. The projected Tax Supported Operating Budget Surplus of \$9.4M is composed of surpluses in City departments of \$3.7M, Boards and Agencies of \$216K and Capital Financing of \$5.5M. The projected surplus in the Tax Operating Budget is mainly concentrated in the Planning and Economic Development and Healthy and Safe Communities departments and is related to gapping surpluses, operational efficiencies, maximization of subsidies and increased revenues. This is partially offset by a projected deficit in Public Works of -\$1.8M. Regarding the Rate Supported Operating Budget, the projected surplus of \$1.0M is related to unfavourable revenue variances of -\$2.9M, offset by a favourable expenditure variance of \$0.9M and capital financing of \$3.0M.

Additional details are presented in the Analysis and Rationale for Recommendation section of this Report.

2018 Budget Transfers

In accordance with the “Budget Control Policy” and “Budgeted Complement Control Policy”, staff is submitting six items recommended for transfer. The complement transfers, identified in Appendix “C” to Report FCS18067(a), move budgeted complement from one department / division to another to accurately reflect where the staff complement is allocated for the purpose of delivering programs and services at desired levels. These budget complement transfers have materialized since the time of the 2018 budget submission and, if approved, will amend the 2018 Operating Budget with no impact on the levy.

Alternatives for Consideration – None

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The financial information is provided in the Analysis and Rationale for Recommendation section of this Report.

Staffing: N/A

Legal: N/A

HISTORICAL BACKGROUND

Staff has committed to provide Council with three variance reports on the Tax and Rate Operating Budget during the fiscal year (spring / fall / year-end). This is the second submission for 2018 based on the operating results as at June 30, 2018.

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**SUBJECT: Tax and Rate Operating Budget Variance Report as at June 30, 2018 –
Budget Control Policy Transfers (FCS18067(a)) (City Wide) – Page 3 of 10**

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

Staff in all of the City of Hamilton departments and boards and agencies provided the information in this Report.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The following provides an overview of the more significant issues affecting the 2018 projected Tax and Rate Operating Budget surplus.

Table 1 provides a summary of the projected corporate results as at June 30, 2018. The Tax and Rate Supported Operating Budget projected surplus is \$10.4M or approximately 1.2% of the net levy.

Table 1

**CITY OF HAMILTON
2018 Projected Year-End Variance
(\$000's)**

	2018 Approved Budget	2018 Year-End Forecast	2018 Variance (Forecast vs Budget)	
			\$	%
TAX SUPPORTED				
Planning & Economic Development	28,954	28,343	611	2.1%
Healthy and Safe Communities	240,103	234,812	5,291	2.2%
Public Works	231,558	233,382	(1,824)	(0.8)%
Legislative	4,880	4,875	5	0.1%
City Manager	10,556	10,551	5	0.0%
Corporate Services	28,474	28,439	35	0.1%
Corporate Financials / Non Program Revenues	(25,031)	(24,585)	(446)	(1.8)%
Hamilton Entertainment Facilities	3,618	3,618	0	0.0%
TOTAL CITY EXPENDITURES	523,112	519,435	3,677	0.7%
Hamilton Police Services	160,470	160,470	0	0.0%
Library	29,981	29,765	216	0.7%
Other Boards & Agencies	12,872	12,872	0	0.0%
City Enrichment Fund	6,023	6,023	0	0.0%
TOTAL BOARDS & AGENCIES	209,346	209,130	216	0.1%
CAPITAL FINANCING	125,523	119,987	5,536	4.4%
TAX SUPPORTED	857,981	848,552	9,429	1.1%
RATE SUPPORTED	0	(1,020)	1,020	N/A
TOTAL	857,981	847,532	10,449	1.2%

() - Denotes unfavourable variance

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**SUBJECT: Tax and Rate Operating Budget Variance Report as at June 30, 2018 –
Budget Control Policy Transfers (FCS18067(a)) (City Wide) – Page 4 of 10**

Tax Supported Operating Budget

Departmental Budgets

Appendix “A” to Report FCS18067(a) summarizes the Tax Supported Operating Budget variances by department and division and Appendix “B” to Report FCS18067(a) summarizes the Rate Supported Operating Budget results by program.

Further to the direction from Council for the 2018 budget, the City has changed the reporting methodology and the budgeted gapping savings of -\$4.5M previously held in Corporate Financials has been distributed to the departments. It is projected that at year-end the corporate-wide gapping actuals will be -\$8.1M representing a surplus of \$3.6M.

Each department’s gapping variance (target vs. projection) is detailed in the following sections, along with other departmental highlights.

Planning and Economic Development

Planning and Economic Development is forecasting a favourable variance of \$611K, which is mainly the result of projected gapping savings of \$279K across several divisions. The Growth Management division is projecting a surplus of \$282K, which is driven by a gapping surplus and savings in office equipment, slightly offset by office construction and furniture for office accommodations. The Licensing and By-Law Services division is projecting a favourable variance of \$201K due to gapping and increased revenues in Licensing and Animal Services, partially offset by pressures in materials and supplies and financial charges. The Transportation, Planning and Parking division is forecasting a year-end surplus of \$91K. This is driven by favourable parking revenues and savings in external contractual staff, offset by pressures in gapping, vehicles costs, printing and postage and unanticipated building repairs. The remaining favourable variances in Planning, General Manager and Building divisions (combined \$134K variance) are mainly a result of gapping.

Tourism and Culture is projecting an unfavourable variance of -\$94K due to building repairs and maintenance, gapping pressures, lost sponsorships and consulting services.

The Planning and Economic Development departmental gapping target is -\$775K for the 2018 year. As at June 30, 2018, the projected year-end gapping amount is -\$1.1M, resulting in a projected surplus of \$0.3M.

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SUBJECT: Tax and Rate Operating Budget Variance Report as at June 30, 2018 – Budget Control Policy Transfers (FCS18067(a)) (City Wide) – Page 5 of 10

Healthy and Safe Communities

Overall, the Healthy and Safe Communities Department is projecting a positive variance of \$5.3M. The major driver is the favourable variance projected in Housing Services of \$2.7M due to Social Housing prior year-end reconciliation and adjustments related to property taxes, offset by Rent Geared-to-Income (RGI) pressures and unbudgeted staffing costs. The Ontario Works (OW) division is projecting a surplus of \$792K as a result of maximization of additional available subsidies and gapping.

The Recreation division is projecting a favourable variance of \$457K due to the temporary closure of five recreation centres during maintenance periods (Jimmy Thompson, Dundas Arena, Sir Allan MacNab, Norman Pinky Lewis and Huntington Rec Centre).

The Hamilton Fire Department is projecting a favourable variance of \$271K due to employee related cost savings, offset by unfavourable variances in line of duty death benefits, legislative training, facilities repairs and lower than anticipated shop recoveries.

Wentworth and Macassa Lodges are forecasting a combined favourable variance of \$193K due to an unbudgeted 2018 approved provincial subsidies increase and preferred accommodation revenues and anticipated hydro savings, offset by increased employee related costs.

Public Health Services is projecting a combined favourable variance of \$921K due to an unbudgeted 2018 Ministry approved provincial subsidies increase and gapping.

All other divisions are forecasting minor variances.

The Healthy and Safe Communities departmental gapping target is -\$866K for the 2018 year. As at June 30, 2018, the projected year-end gapping amount is -\$2.7M, resulting in a projected surplus of \$1.8M.

Public Works

Overall, the Department is forecasting an unfavourable variance of -\$1.8M. There are a number of contributors, both favourable and unfavourable, across the divisions that are leading to this projected deficit.

Roads and Traffic is forecasting an overall positive variance of \$1.4M, due to gapping in the timing of vacancies / retirements and extended vacancies relating to the recruitment process and timing. Engineering Services is also forecasting a positive variance of \$600K due to process improvements implemented internally and externally by Ontario One Call (\$100K) in addition to savings realized from the Lighting Asset Modernization Program (LAMP) (\$500K).

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**SUBJECT: Tax and Rate Operating Budget Variance Report as at June 30, 2018 –
Budget Control Policy Transfers (FCS18067(a)) (City Wide) – Page 6 of 10**

The remaining divisions are forecasting deficits. The Transit division is projecting an unfavourable variance of -\$2.3M which is primarily driven by a -\$1.6M DARTS contract variance and lower than budgeted transit revenues of -\$754K (despite trending favourably to 2017 June YTD revenues). Overtime, while still unfavourable, has been trending downward each month from March through the end of June. Favourable variances, mainly in licence fees and materials and supplies help to slightly mitigate the total effect of the unfavourable variances.

The Environmental Services division is forecasting a negative variance of -\$656K. Among the major factors is the closure near the end of June of the Central Composting Facility which resulted in increased contractual costs of \$305K at the landfill and transfer stations due to increased tonnages handled at those facilities. It is also estimated that the cost to send a portion of the City's organic material to another composting plant will cost approximately \$750K. Materials Recycling Facility (MRF) – Mixed Fibre revenues is also estimated to be -\$1.2M below budget due to the world-wide collapse of fibre commodities. MRF commodity revenue shortfall can be mitigated through departmental surplus or through the Waste Recycling Reserve. The negative variances were slightly offset by net favourable gapping projected of \$1.2M.

The Energy, Fleet and Facilities division anticipates a gapping deficit in addition to an expected deficit in fleet recoveries, contributing to the division's projected unfavourable variance of -\$852K.

The Public Works departmental gapping target is -\$2.0M for the 2018 year. As at June 30, 2018, the projected year-end gapping amount is -\$3.3M, resulting in a projected surplus of \$1.3M.

Legislative

Negative departmental gapping was offset by a favourable variance due to savings in communications resulting in an overall departmental surplus of \$5K.

The Legislative departmental gapping target is -\$76K for the 2018 year. As at June 30, 2018, the projected year-end gapping amount is -\$64K, resulting in a projected deficit of -\$12K.

City Manager's Office

City Manager's Office projects a favourable variance of \$5K primarily related to savings in training and increased revenues in the Strategic Partnerships and Communications division.

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**SUBJECT: Tax and Rate Operating Budget Variance Report as at June 30, 2018 –
Budget Control Policy Transfers (FCS18067(a)) (City Wide) – Page 7 of 10**

The City Manager's Office departmental gapping target is -\$205K for the 2018 year. As at June 30, 2018, the projected year-end gapping amount is -\$110K, resulting in a projected deficit of -\$95K.

Corporate Services

Corporate Services is forecasting an overall positive variance of \$35K. This is driven by positive gapping. Financial services and City Clerk's Office are forecasting a combined favourable variance of \$286K due to favourable gapping and an anticipated increase in fees and savings in postage and service contracts in the City Clerk's Office division. This was greatly offset by a combined unfavourable projected variance in the Customer Service, Financial Planning, Administration and Policy and Information Technology divisions of -\$252K. The unfavourable variance in Customer Service is a result of gapping pressures. This was slightly offset by savings in contracts and leases, training and consulting fees. Financial Planning, Administration and Policy also has unfavourable gapping pressures. The Information Technology division has an unfavourable variance of -\$124K due to contractual fees, training and consulting costs slightly offset by favourable gapping due to vacancies.

The Corporate Services departmental gapping target is -\$576K for the 2018 year. As at June 30, 2018, the projected year-end gapping amount is -\$789K, resulting in a projected surplus of \$213K.

Corporate Financials / Non Program Revenues

Corporate Financials / Non Program Revenues show a -\$446K combined unfavourable variance. Contributing factors are identified as follows:

Corporate Financials

Corporate Pensions, Benefits and Contingency

The projected favourable variance in the Corporate Pensions, Benefits and Contingency of \$65K is a result of a reduction in the pension benefit liability.

Corporate Initiatives

A projected deficit of -\$322K in Corporate Initiatives is mainly due to increased insurance premium cost.

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Non Program Revenues

Non Program Revenues show a projected unfavourable variance of -\$189K. This is mainly the result of an unfavourable variance of -\$859K expected in POA Revenues based on the average change over last four years and the declining trend in fines. This was slightly offset by a favourable projected variance of \$600K in Penalties and Interest as a result of revenues forecasted to exceed budget based on actuals to August.

Boards and Agencies

In Boards and Agencies, there is a favourable variance of \$216K attributable to Library Services. This is a result of favourable gapping.

Of note, the City has appealed the Conservation Authority levies. The City must remit based on the amount levied by the Conservation Authorities until such time that a judicial review is heard and the appeal process is complete. There is the potential for a -\$2.4M unfavourable variance for 2018 pending the outcome of the review and appeals.

Capital Financing

Capital financing has projected a year-end surplus of \$5.5M due to the delay in debt issuance with projected principal and interest savings. This includes a \$5.0M transfer to the Unallocated Capital Levy Reserve at 2018 year-end as approved in the 2018 Tax Capital Budget (Report FCS17099). Without this transfer, the overall Capital Financing surplus would be \$10.5 M.

Rate Supported Operating Budget

As at June 30, 2018, the Rate Supported Operating Budget is projecting a favourable variance of \$1.0M due to savings in overall program expenditures of \$0.9M and a net surplus in Debt Financing costs of \$3.0M, slightly offset by a revenue shortfall -\$2.9M.

Expenditures

Program spending, including debt financing, for 2018 is projected to be a favourable variance of \$3.9M or 1.9% of gross budget by year-end. The driving factors behind this favourable expenditure variance are shown in Table 2.

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**SUBJECT: Tax and Rate Operating Budget Variance Report as at June 30, 2018 –
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**Table 2
2018 Projected Year-End Expenditure Variance**

Expenditure Type	Variance (\$000's)
Agencies & Support Payments	815
Employee Related	617
Contractual	8
Recoveries	5
Vehicle Expenses	1
Materials & Supplies	(45)
Cost Allocations	(171)
Building & Grounds	(334)
Total Operating	896
Debt Charges	5,779
DC Debt Charges Recoveries	(2,755)
Capital Financing	3,024
Total Expenditures	3,920

A favourable operating expenditure variance of \$0.9M is primarily a result of surpluses in employee related costs and less uptake on the Protective Plumbing Program (Agencies & Support Payments) partially offset by an unfavourable variance in Buildings & Grounds due to expenses due to additional security requirements and building repairs.

Appendix “B” to Report FCS18067(a) summarizes the Rate Budget results by program.

Debt charge savings of \$5.8M projected for year-end are mainly attributed to a delay in debt issuance. A portion of the unissued forecasted debt relates to DC related debt and therefore, debt charge savings are offset by an unfavourable DC Debt Charges Recoveries of \$2.8M resulting in a net surplus of \$3.0M.

Revenues

Rate related revenues are projecting an unfavourable variance of approximately -\$2.9M (1.4% to budget). With respect to Non Rate revenue, a favourable variance of \$25K is forecasted.

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Rate Related Revenue

Rate related revenues are projecting an unfavourable variance of -\$2.9M (1.4% to budget) mainly due to seasonal consumption trends experienced through the summer months across customer sectors, Multi-Residential, Industrial, Commercial and Institutional \$1M and Residential \$2M. The unfavourable variance is partially offset by a positive variance of \$125K due to an increase in Private Fire Lines customers.

The City of Hamilton's water sales contracts with Halton and Haldimand are forecasting to align to budget.

Non Rate Revenue

Non Rate revenues are projecting a favourable amount of \$25K due general fees and recoveries.

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" – City of Hamilton Tax Operating Budget Variance Report as at June 30, 2018

Appendix "B" – City of Hamilton Combined Water, Wastewater and Storm Systems Rate Operating Budget Variance Report as at June 30, 2018

Appendix "C" – City of Hamilton Budgeted Complement Transfer Schedule

KP/dt

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CITY OF HAMILTON
TAX OPERATING BUDGET VARIANCE REPORT AS AT JUNE 30, 2018
(\$ 000's)

	2018 Approved Budget	2018 Actuals Jun YTD	Projected Actuals to Dec. 31	2018 Projected Actuals .vs Approved Budget		Comments/Explanations
				\$	%	
PLANNING & ECONOMIC DEVELOPMENT						
General Manager	1,075	541	1,040	35	3.3%	Favourable variance due to gapping.
Transportation, Planning and Parking	1,739	(450)	1,648	91	5.2%	Favourable variance due to increased revenues and savings in contractual services, offset by pressures in gapping, vehicles costs, printing & postage and unanticipated building repairs.
Building	1,404	(342)	1,371	33	2.4%	Favourable variance due to gapping and savings in other miscellaneous expenses.
Economic Development	5,252	2,672	5,255	(3)	(0.1)%	
Growth Management	177	(2,723)	(105)	282	159.3%	Favourable variance due to gapping and savings in office equipment, offset by office construction & furniture for office accommodations.
Licensing & By-Law Services	6,616	3,028	6,415	201	3.0%	Favourable variance due to gapping and increased revenues in Licensing and Animal Services, partially offset by pressures in material and supply and financial charges.
LRT Office	0	2,321	0	0	0.0%	
Planning	3,748	1,104	3,682	66	1.8%	Favourable variance due to gapping, memberships due to vacancies and consulting costs, offset by pressures due to office renovations for office accommodations and additional advertising expenses.
Tourism & Culture	8,943	4,912	9,037	(94)	(1.1)%	Favourable variance due to increased revenues and savings in contractual costs, offset by building repairs and maintenance, gapping pressures, lost sponsorships and consulting services.
TOTAL PLANNING & ECONOMIC DEVELOPMENT	28,954	11,063	28,343	611	2.1%	

- () Denotes unfavourable variance.

CITY OF HAMILTON
TAX OPERATING BUDGET VARIANCE REPORT AS AT JUNE 30, 2018
 (\$ 000's)

	2018 Approved Budget	2018 Actuals Jun YTD	Projected Actuals to Dec. 31	2018 Projected Actuals .vs Approved Budget		Comments/Explanations
				\$	%	
HEALTHY AND SAFE COMMUNITIES						
HSC Administration	2,588	1,411	2,570	18	0.7%	Favourable variance due to delays in hiring.
Children's Services and Neighbourhood Development	8,741	9,610	8,725	16	0.2%	Favourable variance due to savings in various operating lines offset by decrease in Red Hill subsidy recovery due to lower anticipated fall enrollment.
Ontario Works	11,823	3,217	11,031	792	6.7%	Favourable variance due to gapping and maximizing additional available subsidies for OW Employment and OW Admin.
Housing Services	45,428	21,011	42,747	2,681	5.9%	Favourable variance due to Social Housing prior year reconciliations (AIR), mortgages and property taxes; offset by RGI pressure and unbudgeted staffing costs .
Macassa Lodge	7,841	3,978	7,706	135	1.7%	Favourable variances due to unbudgeted 2018 approved provincial subsidies increase and preferred accommodation revenues and anticipated hydro savings; offset by increased employee related costs.
Wentworth Lodge	5,486	2,569	5,428	58	1.1%	Favourable variances due to unbudgeted 2018 approved provincial subsidies increase and preferred accommodation revenues and anticipated utilities savings; offset by increased employee related costs.
Recreation	32,186	18,024	31,729	457	1.4%	Favourable variance mainly due to temporary closures of recreational facilities.
Hamilton Fire Department	91,168	46,856	90,897	271	0.3%	Favourable variance due to employee related costs offset by unfavourable variances in legislative training, line of duty death benefit, facilities repairs and lower than anticipated shop recoveries.
Hamilton Paramedic Service	22,351	11,402	22,409	(58)	(0.3)%	Unfavourable variance due to significant increases in costs for medical supplies and gasoline; offset partially by a favourable variance in unbudgeted 2018 approved provincial subsidies, employee related costs and other operating expenses.
Public Health Services - Medical Officer of Health & Provincial Subsidy	(16,310)	(8,134)	(17,235)	925	5.7%	Favourable variance due to unbudgeted 2018 Ministry approved increase in provincial subsidies, maximizing available funding envelopes and gapping due to timing of vacancies/hires.
Public Health Services - Epidemiology, Wellness and Communicable Disease Control	12,815	6,263	12,773	42	0.3%	Favourable variance due to salary gapping.
Public Health Services - Healthy Environments	8,096	3,600	7,936	160	2.0%	Favourable variance due to gapping offset by actual staffing costs reflected in Healthy Families.
Public Health Services - Healthy Families	7,890	3,909	8,096	(206)	(2.6)%	Unfavourable variance due to staffing costs offset by existing budget within Healthy Environments.
TOTAL HEALTHY AND SAFE COMMUNITIES	240,103	123,716	234,812	5,291	2.2%	

- () Denotes unfavourable variance.

CITY OF HAMILTON
TAX OPERATING BUDGET VARIANCE REPORT AS AT JUNE 30, 2018
(\$ 000's)

	2018 Approved Budget	2018 Actuals Jun YTD	Projected Actuals to Dec. 31	2018 Projected Actuals .vs Approved Budget		Comments/Explanations
				\$	%	
<u>PUBLIC WORKS</u>						
Roads & Traffic	73,722	41,822	72,320	1,402	1.9%	Favourable variance mainly attributable to gapping in the timing of vacancies/retirements and extended vacancies relating to the recruitment process and timing.
PW-General Administration	772	496	772	0	0.0%	
Energy Fleet and Facilities	9,012	4,553	9,864	(852)	(9.5)%	Negative variance due to fleet recoveries expected to be lower than budget (\$400K), gapping target not expected to be realized (\$254K), and unrealized revenue (\$70K)
Engineering Services	6,315	2,145	5,715	600	9.5%	Favourable variance due to process improvements implemented internally and externally by On1Call in addition to savings realized from the City-wide LED retrofit project.
Environmental Services	76,124	33,028	76,780	(656)	(0.9)%	Gapping - \$1.179M resulting from high staff turnover, extended vacancies relating to the recruitment timing and process, salary differential for new employees compared to replaced or retired staff. Central Composting Facility (CCF) – Closure on June 25 results in increased contractual costs of \$305K at the landfill and transfer stations due to increased tonnages handled at those facilities. Additionally, pending third party processing of a portion of the City's Source Separated Organics will have an estimated cost of \$750K. Materials Recycling Facility (MRF) – Mixed Fiber revenues estimated to be \$1.2M below budget due to China National Sword and the world wide collapse of fibre commodities. MRF commodity revenue shortfall can be mitigated through Departmental Surplus or through the Waste Recycling Reserve.
Transit	65,613	39,364	67,931	(2,318)	(3.5)%	DARTS expenditures continue to be at issue, with the known variance as at June 30, 2018 projected to be \$1.6M unfavourable. Fare Revenue is projected to be ahead of 2017 actuals by \$850K but continues to be \$754K unfavourable to the 2018 budgeted amount. Employee Related costs are currently showing to be unfavourable by \$447K. Overtime, while still unfavourable, has been trending downward each month from March through the end of June. The downward trend appears to be continuing into July and August. Favourable variances, mainly in Licence Fees and Materials and Supplies help to mitigate the total effect of the unfavourable variances noted above.
TOTAL PUBLIC WORKS	231,558	121,408	233,382	(1,824)	(0.8)%	
<u>LEGISLATIVE</u>						
Legislative General	(387)	(136)	(392)	5	1.3%	Favourable variance due to savings in communications offset by temporary staffing costs.
Mayors Office	1,120	509	1,120	0	0.0%	
Volunteer Committee	110	24	110	0	0.0%	
Ward Budgets	4,037	1,887	4,037	0	0.0%	
TOTAL LEGISLATIVE	4,880	2,284	4,875	5	0.1%	

- () Denotes unfavourable variance.

CITY OF HAMILTON
TAX OPERATING BUDGET VARIANCE REPORT AS AT JUNE 30, 2018
(\$ 000's)

	2018 Approved Budget	2018 Actuals Jun YTD	Projected Actuals to Dec. 31	2018 Projected Actuals .vs Approved Budget		Comments/Explanations
				\$	%	
<u>CITY MANAGER</u>						
Strategic Partnerships & Communications	2,227	1,644	2,376	(149)	(6.7)%	Unfavourable variance due gapping, partially offset by increased revenues.
Audit Services	1,066	472	932	134	12.6%	Favourable variance due to gapping & savings in training.
CMO - Administration	378	96	378	0	0.0%	
Human Resources	6,885	3,515	6,865	20	0.3%	Favourable variance due to gapping and vacancies and savings in training.
TOTAL CITY MANAGER	10,556	5,727	10,551	5	0.0%	
<u>CORPORATE SERVICES</u>						
City Clerk's Office	2,390	1,121	2,297	93	3.9%	Favourable variance due to gapping, anticipated increase in fees and savings in postage & service contracts offset by overspending on specialty paper.
Corporate Services - Administration	325	148	303	22	6.8%	Favourable variance due to training, consulting & conferences offset by unfavourable gapping.
Customer Service	5,111	2,501	5,186	(75)	(1.5)%	Unfavourable variance due to reserve repayment for Call Consolidation and gapping pressures offset by savings in contracts and leases, training and consulting fees.
Financial Planning, Admin & Policy	4,720	3,119	4,773	(53)	(1.1)%	Unfavourable variance due to gapping & reduced recoveries from other departments.
Financial Services	3,905	1,897	3,712	193	4.9%	Favourable variance due to gapping.
Information Technology	8,775	5,510	8,899	(124)	(1.4)%	Unfavourable variance due to contractual fees, training and consulting costs offset by favourable gapping due to vacancies.
Legal Services	3,248	3,251	3,269	(21)	(0.6)%	Unfavourable variance due to additional rent paid for move to Courthouse offset by savings.
TOTAL CORPORATE SERVICES	28,474	17,547	28,439	35	0.1%	
<u>CORPORATE FINANCIALS</u>						
Corporate Pensions, Benefits & Contingency	15,646	8,541	15,581	65	0.4%	Reduction in pension benefit liability.
Corporate Initiatives	4,156	(1,142)	4,478	(322)	(7.7)%	Increased insurance premium cost.
TOTAL CORPORATE FINANCIALS	19,802	7,399	20,059	(257)	(1.3)%	
<u>HAMILTON ENTERTAINMENT FACILITIES</u>						
Operating	3,618	2,044	3,618	0	0.0%	
TOTAL HAMILTON ENTERTAINMENT FACILITIES	3,618	2,044	3,618	0	0.0%	
TOTAL CITY EXPENDITURES	567,945	291,188	564,079	3,866	0.7%	

- () Denotes unfavourable variance.

CITY OF HAMILTON
TAX OPERATING BUDGET VARIANCE REPORT AS AT JUNE 30, 2018
(\$ 000's)

	2018 Approved Budget	2018 Actuals Jun YTD	Projected Actuals to Dec. 31	2018 Projected Actuals .vs Approved Budget		Comments/Explanations
				\$	%	
<u>CAPITAL FINANCING</u>						
Debt-Planning & Economic Development	194	(61)	61	133	68.6%	
Debt-Healthy and Safe Communities	2,175	(2,649)	4,456	(2,281)	(104.9)%	
Debt-Public Works	38,074	(3,832)	32,117	5,957	15.6%	Due to delay in debt issuance, principal and interest savings. \$5M is allocated to be transferred to the Unallocated Capital Levy Reserve at year-end. Without this transfer, the overall Capital Financing surplus would be \$10.5M.
Debt-Corporate Financials	70,747	66,614	69,020	1,727	2.4%	
Infrastructure Renewal Levy	13,429	13,429	13,429	0	0.0%	
TOTAL CAPITAL FINANCING	124,619	73,501	119,083	5,536	4.4%	
<u>BOARDS & AGENCIES</u>						
<u>Police Services</u>						
Operating	160,470	79,809	160,470	0	0.0%	No material variances expected – Police expected to be on target with the 2018 budget.
Capital Financing	717	(311)	717	0	0.0%	
Total Police Services	161,187	79,498	161,187	0	0.0%	
<u>Other Boards & Agencies</u>						
Library	29,981	15,970	29,765	216	0.7%	Due to anticipated positive gapping.
Conservation Authorities	5,417	5,365	5,417	0	0.0%	
Hamilton Beach Rescue Unit	132	10	132	0	0.0%	
Royal Botanical Gardens	625	363	625	0	0.0%	
MPAC	6,587	3,294	6,587	0	0.0%	
Farmers Market	111	(77)	111	0	0.0%	
Total Other Boards & Agencies	42,853	24,925	42,637	216	0.5%	
Capital Financing						
Capital Financing - Other Boards & Agencies	187	(281)	187	0	0.0%	
City Enrichment Fund	6,023	3,534	6,023	0	0.0%	
TOTAL BOARDS & AGENCIES	210,250	107,676	210,034	216	0.1%	
TOTAL EXPENDITURES	902,814	472,365	893,196	9,618	1.1%	

- () Denotes unfavourable variance.

CITY OF HAMILTON
TAX OPERATING BUDGET VARIANCE REPORT AS AT JUNE 30, 2018
(\$ 000's)

	2018 Approved Budget	2018 Actuals Jun YTD	Projected Actuals to Dec. 31	2018 Projected Actuals .vs Approved Budget		Comments/Explanations
				\$	%	
<u>NON PROGRAM REVENUES</u>						
Payment In Lieu	(15,589)	(12,686)	(15,727)	138	0.9%	Based on 2018 Final billing.
Penalties and Interest	(10,500)	(5,208)	(11,100)	600	5.7%	Forecasted to exceed budget based on actuals to August.
Right of Way	(3,211)	(3,228)	(3,228)	17	0.5%	Based on 2018 Final billing.
Senior Tax Credit	598	676	571	27	4.5%	Based on 2018 Final billing.
Supplementary Taxes	(9,125)	17	(9,125)	0	0.0%	
Tax Remissions and Write Offs	11,148	(733)	11,260	(112)	(1.0)%	Impacted by the timing of previous year's grant payments. Environmental Remediation and Site Enhancement (ERASE) program grants projected to exceed budget.
Hydro Dividend and Other Interest	(5,300)	(623)	(5,300)	0	0.0%	
Investment Income	(4,100)	(9,727)	(4,100)	0	0.0%	
Slot Revenues	(5,000)	(909)	(5,000)	0	0.0%	
POA Revenues	(3,754)	(1,888)	(2,895)	(859)	(22.9)%	Forecast based on average change over last 4 years and the declining trend in fines.
TOTAL NON PROGRAM REVENUES	(44,833)	(34,309)	(44,644)	(189)	(0.4)%	
TOTAL LEVY REQUIREMENT	857,981	438,056	848,552	9,429	1.1%	

- () Denotes unfavourable variance.

**CITY OF HAMILTON
COMBINED WATER, WASTEWATER AND STORM SYSTEMS
RATE OPERATING BUDGET VARIANCE REPORT AS AT JUNE 30, 2018**

	2018 Approved Budget	2018 Actual at June 30	2018 Projected To Year End	2018 Projected Variance		2018 % Spent
				\$	%	
				OPERATING EXPENDITURES:		
<u>Environmental Services</u>						
Divisional Administration & Support	2,079,860	1,032,014	2,233,219	(153,359)	(7.4%)	107.4%
Woodward Upgrades	1,220,310	702,744	1,703,563	(483,253)	(39.6%)	139.6%
Customer Service	432,400	156,932	322,600	109,800	25.4%	74.6%
Outreach and Education	1,325,620	526,508	1,214,070	111,550	8.4%	91.6%
Service Co-ordination	3,111,660	1,409,684	3,091,660	20,000	0.6%	99.4%
Engineering Systems & Data Collection	1,278,170	619,639	1,098,620	179,550	14.0%	86.0%
Compliance & Regulations	798,230	393,242	818,230	(20,000)	(2.5%)	102.5%
Laboratory Services	3,449,120	1,746,626	3,528,033	(78,913)	(2.3%)	102.3%
Environmental Monitoring & Enforcement	1,755,150	782,522	1,699,257	55,893	3.2%	96.8%
Water Distribution & Wastewater Collection	21,484,360	7,617,128	21,200,598	283,762	1.3%	98.7%
Sustainable Initiatives	1,470,340	525,692	1,439,636	30,704	2.1%	97.9%
Plant Operations & Maintenance	42,957,230	15,911,126	43,084,628	(127,398)	(0.3%)	100.3%
Capital Delivery	1,865,830	674,386	1,717,338	148,492	8.0%	92.0%
Infrastructure & Source Water Planning	2,459,220	938,827	2,289,323	169,897	6.9%	93.1%
Alectra Utilities Service Contract	5,574,720	2,698,398	5,574,720	-	0.0%	100.0%
Sewer Lateral Mgmt Program	500,000	204,660	500,000	-	0.0%	100.0%
Wastewater Abatement Program	1,000,000	553,632	1,000,000	-	0.0%	100.0%
Corporate & Departmental Support Services	6,212,780	3,161,158	6,367,466	(154,686)	(2.5%)	102.5%
Utilities Arrears Program	500,000	125,644	500,000	-	0.0%	100.0%
Hamilton Harbour Remedial Action Plan	304,980	83,546	304,980	-	0.0%	100.0%
Protective Plumbing Program (3P)	2,000,000	430,050	1,199,980	800,020	40.0%	60.0%
Financial Charges	188,200	-	184,580	3,620	1.9%	98.1%
Capital and Reserve Recoveries	(8,678,950)	(11,143)	(8,678,950)	-	0.0%	100.0%
Sub-Total Environmental Services	93,289,230	40,283,016	92,393,551	895,679	1.0%	99.0%

**CITY OF HAMILTON
COMBINED WATER, WASTEWATER AND STORM SYSTEMS
RATE OPERATING BUDGET VARIANCE REPORT AS AT JUNE 30, 2018**

	2018 Approved Budget	2018 Actual at June 30	2018 Projected To Year End	2018 Projected Variance		2018 % Spent
				\$	%	
<u>Capital and Reserve Impacts on Operating</u>						
<u>Contributions to Capital</u>						
Water	36,982,000	36,982,000	36,982,000	-	0.0%	100.0%
Wastewater	45,474,000	45,475,000	45,474,000	-	0.0%	100.0%
Stormwater	8,516,000	8,516,000	8,516,000	-	0.0%	100.0%
Sub-Total Contributions to Capital	90,972,000	90,973,000	90,972,000	-	0.0%	100.0%
<u>Contributions for DC Exemptions</u>						
Water	2,547,000	-	2,547,000	-	0.0%	100.0%
Wastewater	4,590,000	-	4,590,000	-	0.0%	100.0%
Stormwater	1,863,000	-	1,863,000	-	0.0%	100.0%
Sub-Total Contributions for DC Exemptions	9,000,000	-	9,000,000	-	0.0%	100.0%
<u>Debt Charges</u>						
Water Quality Initiatives	9,448,540	-	6,582,511	2,866,029	30.3%	69.7%
Wastewater	8,737,300	-	7,012,631	1,724,669	19.7%	80.3%
Stormwater	1,839,140	-	651,022	1,188,118	64.6%	35.4%
DC Debt Charges Recoveries	(2,917,440)	(162,840)	(162,840)	(2,754,600)	94.4%	5.6%
Sub-Total Debt Charges	17,107,540	(162,840)	14,083,324	3,024,216	17.7%	82.3%
Sub-Total Capital Financing	117,079,540	90,810,160	114,055,324	3,024,216	2.6%	97.4%
Transfer to Reserves	494,520	-	494,520	-	0.0%	100.0%
Sub-Total Capital and Reserve Impacts on Operating	117,574,060	90,810,160	114,549,844	3,024,216	2.6%	97.4%
TOTAL EXPENDITURES	210,863,290	131,093,176	206,943,395	3,919,895	1.9%	98.1%

**CITY OF HAMILTON
COMBINED WATER, WASTEWATER AND STORM SYSTEMS
RATE OPERATING BUDGET VARIANCE REPORT AS AT JUNE 30, 2018**

	2018 Approved Budget	2018 Actual at June 30	2018 Projected To Year End	2018 Projected Variance		2018 % Spent
				\$	%	
REVENUES:						
Rate Revenue						
Residential	(92,860,600)	(35,993,765)	(90,860,600)	(2,000,000)	2.2%	97.8%
Industrial Commercial Institutional (ICI)	(102,918,990)	(40,403,441)	(101,918,990)	(1,000,000)	1.0%	99.0%
Haldimand / Halton	(2,433,760)	(806,365)	(2,433,760)	-	0.0%	100.0%
Non-Metered	(550,000)	(566,080)	(550,000)	-	0.0%	100.0%
Private Fire Lines	(1,350,000)	(735,049)	(1,475,000)	125,000	(9.3%)	109.3%
Hauler / 3rd Party Sales	(1,475,000)	(699,664)	(1,475,000)	-	0.0%	100.0%
Overstrength Agreements	(2,249,480)	(458,917)	(2,249,480)	-	0.0%	100.0%
Sewer Surcharge Agreements	(4,000,000)	(1,235,911)	(4,000,000)	-	0.0%	100.0%
Sub-Total Utility Rates	(207,837,830)	(80,899,193)	(204,962,830)	(2,875,000)	1.4%	98.6%
Non-Rate Revenue						
Local Improvement Recoveries	(275,850)	(114,386)	(275,850)	-	0.0%	100.0%
Permits / Leases / Agreements	(1,441,600)	(448,558)	(1,441,600)	-	0.0%	100.0%
Investment Income	(450,000)	-	(450,000)	-	0.0%	100.0%
General Fees and Recoveries	(858,010)	(530,839)	(833,010)	(25,000)	2.9%	97.1%
Sub-Total Non-Rate Revenue	(3,025,460)	(1,093,783)	(3,000,460)	(25,000)	0.8%	99.2%
TOTAL REVENUES	(210,863,290)	(81,992,976)	(207,963,290)	(2,900,000)	1.4%	98.6%
NET REVENUE / EXPENDITURE	-	49,100,201	(1,019,895)	1,019,895	(0.5%)	

**CITY OF HAMILTON
BUDGETED COMPLEMENT TRANSFER SCHEDULE**

STAFF COMPLEMENT CHANGE


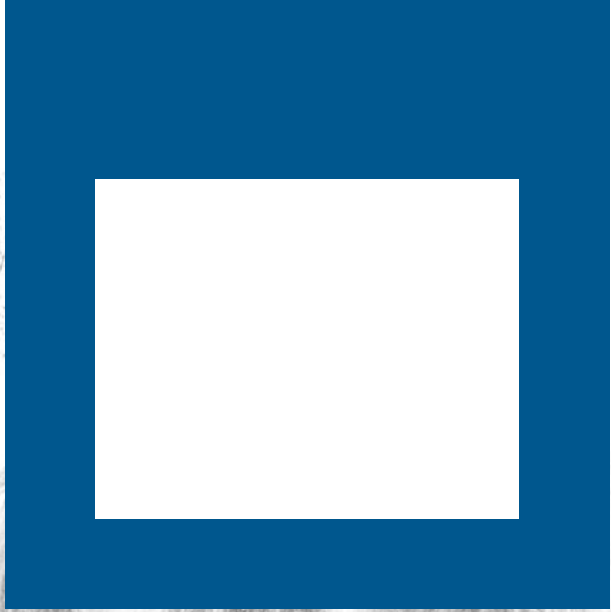
Complement Transfer to another division or department ⁽¹⁾

ITEM #	TRANSFER FROM				TRANSFER TO			
	Department	Division	Position Title (2)	FTE	Department	Division	Position Title (2)	FTE
1.1	Planning & Economic Development	Licensing By Law Services	License Clerk (Grade F)	2.0	Planning & Economic Development	Licensing and By-Law Services	Licensing Administrator (Grade H)	2.0
	Explanation: As agreed to by the Union, LR and GM the Licence Clerk position is eliminated and replaced through attrition. The position change is in response to the change in industries we support. The financial Impact is an increase of \$15.6K for 2 FTE, funded from Divisional efficiencies.							
1.2	Planning & Economic Development	Licensing By Law Services	Program Assistant -Licensing	1.0	Planning & Economic Development	General Manager	Continuous Improvement and Process Analyst	1.0
	Explanation: To support a continuous improvement program for all Planning and Economic Development divisions. No financial impact on levy							
1.3	Planning & Economic Development	Licensing By Law Services	Licensing Facilitator (Grade K)	1.0	Planning & Economic Development	Licensing By Law Services	Project Manager (Grade 5)	1.0
	Explanation: To support the growing Licensing initiatives, respond to increased customer requests for new business types and meet the changing needs of the industries we support. The financial Impact is an increase of \$7K funded from Divisional efficiencies.							
1.4	Planning & Economic Development	Licensing By Law Services	Forestry Officer (Grade H)	1.0	Planning & Economic Development	Licensing By Law Services	Municipal Law Enforcement Officer (Grade K)	1.0
	Explanation: To support the work types, public requests and growing industry we support. Position changed to mirror the same across the section. The financial Impact is an increase of \$12K funded from Divisional efficiencies.							
1.5	Corporate Services	Financial Services	Receptionist - Procurement	1.0	Corporate Services	Financial Services	Procurement Contract Coordinator	1.0
	Explanation: Convert Receptionist - Procurement (Grade E) position to a Procurement Contract Coordinator (Grade G). Financial impact of \$3,570 will be absorbed by the division with no impact to the net levy.							
1.6	Public Works	Roads & Traffic	Community Program Analyst	1.0	Public Works	General Administration	Quality Support Analyst	1.0
	Explanation: Requesting approval to transfer and convert a vacant Community Program Analyst position (C1 Grade J, budget \$88,360) in Roads & Traffic to a Quality Support position under the General Administration Division at the same level. There will be no impact to the operating budget as a result of this transfer.							

Note - Complement transfers include the transfer of corresponding budget.

(1) - All other budgeted complement changes that require Council approval per Budgeted Complement Control Policy must be done through either separate report or the budget process (i.e. Increasing/decreasing budgeted complement).

(2) - If a position is changing, the impact of the change is within 1 pay band unless specified.



**TAX AND RATE OPERATING BUDGET
VARIANCE REPORT AS OF
JUNE 30, 2018
FCS18067(a)**

Audit, Finance & Administration Committee – September 24, 2018

- 1. Summary of Tax and Rate Operating Budget Variance Forecasts**
- 2. Tax Supported Operating Budget Variance Forecast**
- 3. Rate Supported Operating Budget Variance Forecast**

2018 PROJECTED YEAR END OPERATING BUDGET VARIANCES (\$000's)

	2018 Approved Budget	2018 Year-End Forecast	2018 Variance (Forecast vs Budget)	
			\$	%
PLANNING & ECONOMIC DEVELOPMENT	28,954	28,343	611	2.1%
HEALTHY & SAFE COMMUNITIES	240,103	234,812	5,291	2.2%
PUBLIC WORKS	231,558	233,382	(1,824)	(0.8%)
LEGISLATIVE	4,880	4,875	5	0.1%
CITY MANAGER	10,556	10,551	5	0.0%
CORPORATE SERVICES	28,474	28,439	35	0.1%
CORP FINANCIALS/ NON PROG REVENUES	(25,031)	(24,585)	(446)	(1.8%)
HAMILTON ENTERTAINMENT FACILITIES	3,618	3,618	0	0.0%
TOTAL CITY DEPARTMENTS	523,112	519,435	3,677	0.7%
TOTAL BOARDS & AGENCIES	209,346	209,130	216	0.1%
CAPITAL FINANCING	125,523	119,987	5,536	4.3%
TOTAL TAX SUPPORTED	857,981	848,552	9,429	1.1%
TOTAL RATE SUPPORTED	0	(1,020)	1,020	100.0%
TOTAL	857,981	847,532	10,449	1.2%

() Denotes unfavourable variance

Tax Supported Operating Budget Variance Forecast

CITY DEPARTMENT VARIANCES

(\$000's)

	2018 Approved Budget	2018 Year-End Forecast	2018 Variance (Forecast vs Budget)	
			\$	%
<u>TAX SUPPORTED</u>				
Planning & Economic Development	28,954	28,343	611	2.1%
Healthy and Safe Communities	240,103	234,812	5,291	2.2%
Public Works	231,558	233,382	(1,824)	(0.8)%
Legislative	4,880	4,875	5	0.1%
City Manager	10,556	10,551	5	0.0%
Corporate Services	28,474	28,439	35	0.1%
Corporate Financials / Non Program Revenues	(25,031)	(24,585)	(446)	(1.8)%
Hamilton Entertainment Facilities	3,618	3,618	0	0.0%
TOTAL CITY EXPENDITURES	523,112	519,435	3,677	0.7%

() Denotes unfavourable variance

DEPARTMENT VARIANCES EXPLANATION

SUMMARY

Main Drivers for Variance:

Planning and Economic Development:

\$0.6 M departmental surplus

- \$279 K in gapping savings across several divisions
- \$150 K favourable projected contractual revenues in Growth Management division
- \$91 K favourable in Transportation, Planning, and Parking due to higher than budgeted revenues and contractual service savings

Healthy and Safe Communities:

\$5.3 M departmental surplus

- \$2.7 M favourable Housing Services variance
 - Relates to Social Housing prior year end reconciliation and adjustments related to property taxes, offset by for RGI pressures and unbudgeted staffing costs.
- \$792 K surplus in the Ontario Works (OW) division as a result of maximization of additional available subsidies and gapping.
- \$0.5 M favourable Recreation variance due to temporary closures of recreational facilities
- \$0.9 M favourable Public Health Services variance due to unbudgeted 2018 approved provincial subsidies increase and gapping.

DEPARTMENT VARIANCES EXPLANATION

SUMMARY

Public Works:

(\$1.8 M) departmental deficit

- (\$2.3 M) unfavourable Transit variance
 - (\$1.6 M) DARTS contract variance
 - Reduced fare revenues of (\$754 K)
- (\$656 K) unfavourable Environmental Services variance
 - The Central Composting Facility (CCF) closure resulted in increased contractual costs of \$305K
 - The cost to send a portion of the City's organic material to another composting plant will cost approximately \$750K
 - The Mixed Fibre revenues are also estimated to be \$1.2M below budget due to the world-wide collapse of fibre commodities
 - Partially offset by favourable gapping
- (\$852 K) unfavourable in Energy, Fleet and Facilities mainly due to gapping and unfavourable fleet recoveries.
- \$1.4 M favourable variance in Roads and Traffic due to gapping

DEPARTMENT VARIANCES EXPLANATION

SUMMARY

Corporate Services:

\$35 K departmental surplus

- \$286 K combined favourable variance in Financial Services and City Clerk's Office due to gapping
- (\$252 K) combined unfavourable projected variance in the Customer Service, Financial Planning, Administration and Policy and Information Technology divisions
 - Mainly a result of gapping in Customer Service and Financial Planning, Admin, and Policy
 - The Information Technology division has an unfavourable variance of -\$124K due to contractual fees, training and consulting costs slightly offset by favourable gapping due to vacancies.

Corporate Financials / Non Program Revenues:

(\$446 K) departmental deficit

- (\$256 K) unfavourable variance (Corporate Financials)
 - Mainly due to insurance premiums in excess of budget
- (\$189 K) unfavourable variance (Non Program Revenues)
 - Unfavourable variance of (\$859K) expected in POA Revenues based on the average change over last 4 years and the declining trend in fines
 - \$600K in Penalties and Interest as a result of revenues forecasted to exceed budget

OTHER NON-DEPARTMENTAL VARIANCES (\$000's)

	2018 Approved Budget	2018 Year-End Forecast	2018 Variance (Forecast vs Budget)	
			\$	%
Hamilton Police Services	160,470	160,470	0	0.0%
Library	29,981	29,765	216	0.7%
Other Boards & Agencies	12,872	12,872	0	0.0%
City Enrichment Fund	6,023	6,023	0	0.0%
TOTAL BOARDS & AGENCIES	209,346	209,130	216	0.1%

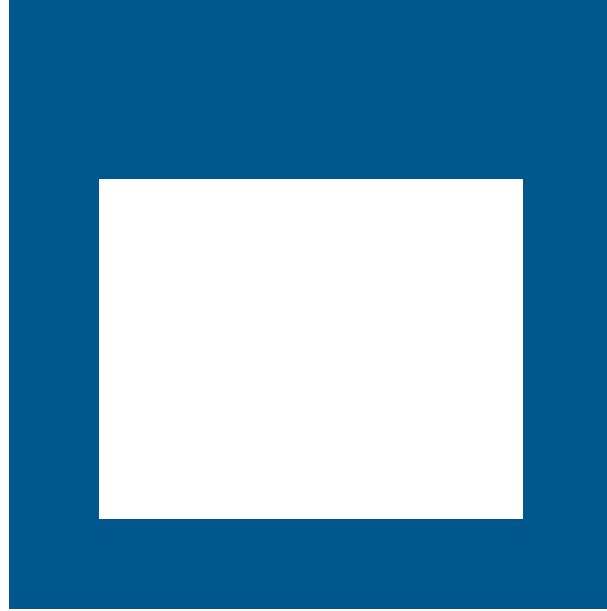
* Anomalies due to rounding

() Denotes unfavourable variance

Rate Supported Operating Budget Variance Forecast

2018 RATE OPERATING BUDGET PROJECTED YEAR-END VARIANCE (\$000's)

	2018 Approved Budget	2018 Projected To Year End	2018 Projected Variance	
			\$	%
TOTAL EXPENDITURES	210,863	206,943	3,920	1.9%
TOTAL REVENUES	(210,863)	(207,963)	(2,900)	1.4%
NET	-	(1,020)	1,020	(0.5%)



THANK YOU



CITY OF HAMILTON
Corporate Services Department
City Clerk's Office

TO:	Audit, Finance and Administration Committee
COMMITTEE DATE:	September 24, 2018
SUBJECT/REPORT NO:	Records Retention By-law Amendments CL18009 (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Lisa Barroso Ext. 2743
SUBMITTED BY:	Janet Pilon Acting City Clerk Office of the City Clerk
SIGNATURES:	

RECOMMENDATION

That the draft by-law, entitled "To Amend By-law No. 11-040 To Establish Retention Periods for Records of the City of Hamilton", substantially attached as Appendix "A", be enacted by Council.

EXECUTIVE SUMMARY

The *Municipal Act, 2001* provides that a municipality shall retain and preserve its records in a secure and accessible manner. The Act also provides that a record of the municipality may be destroyed if a retention period for the record has been established and the retention period has expired.

The proposed Records Retention By-law was prepared in compliance with Federal and Provincial legislation and conforms to industry standards and is attached as Appendix "A" for your approval.

FINANCIAL – STAFFING – LEGAL IMPLICATIONS (for recommendation(s) only)

Financial: There are no direct financial implications affecting the adoption of the Records Retention By-law Amendment.

Staffing: There are no staffing implications affecting the adoption of the By-law.

Legal: A lack of clear records retention guidelines can cause challenges for staff. Current retention guidelines will assist in eliminating any potential uncertainty of records responsive to any request from the public.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Records Retention By-law Amendments (CL18009) (City Wide) - Page
2 of 4**

HISTORICAL BACKGROUND (Chronology of events)

The current Records Retention By-law 11-040, as amended, was passed on January 26th, 2011 and amended by By-laws 12-254 on November 24, 2012 and 13-316 on December 11, 2013, respectively.

The By-law is reviewed by staff, as required, and the proposed amendments are presented in this report for Committee/Council approval.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The proposed amendments are presented to ensure that the retention by-law is reflective of current legislative requirements and is in keeping with current record keeping practices.

RELEVANT CONSULTATION

Divisional staff representatives have provided input in reviewing the file categories and corresponding retention periods.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION
(Include Performance Measurement/Benchmarking Data if applicable)**

The Records Retention By-law 11-040 provides an alpha-numeric file system with an easy-to-read schedule that applies retention periods to corresponding file categories. It conforms to industry standards. The following file classification amendments are proposed to Schedule "A" of the City's Records Retention By-law 11-040:

AD08 - Strategic Planning/Management

- Retention changed from 10 years to Superseded +10, subject to archival review

AD12 - Accessibility of Records – Information Requests

- Retention changed from T+3 years to T+2 years. T= close of file

CO06 - Council/Standing Committee Meeting Recordings

- Retention changed from 'temporarily suspended pending review' to permanent subject to archival review at end of term of council

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**SUBJECT: Records Retention By-law Amendments (CL18009) (City Wide) - Page
3 of 4**

CO09 02 - Vital Statistics – Documentation

- New file classification developed to incorporate back-up information/files of vital events including marriage applications, voided marriage licenses and death registration paperwork. This series does not include Marriage and Death Registers. Total Retention C + 3 years

EM06 02 - Emergency Response

- New file class developed to incorporate records related to operational responses to emergencies. Total Retention is T+15 where T= end of emergency

HR14 - Volunteer and Unpaid Student Files

- New file class developed to incorporate records associated with volunteer and unpaid student placements in Public Health. Retention is T+7 where T=last day of employment

PE04 01 - Building, Grading and Structural Inspections

- Retention changed from C+17 to Permanent

PE08 02 - Building Plans and Specifications

- Retention changed from C+17 to Permanent

SH08 - Public Health

- This file classification has been under review and is now complete. Public Health staff developed the file classifications and retention based on Health industry standards and legislated requirements. Appendix 'B' attached to this report, forms the new file classification and retention guidelines for Public Health Services.

TS14 - Motor Vehicle Accident Reports

- New file classification developed to incorporate records associated with motor vehicle accident reports. Retention is T+4 where T = completion of investigation

ALTERNATIVES FOR CONSIDERATION

(Include Financial, Staffing, Legal and Policy Implications and Pros and Cons for each alternative)

It is advisable that Council adopt the proposed changes to Schedule "A" of the Records Retention By-law, as the current retention guidelines are identified as outdated.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

OUR Vision: To be the best place to raise a child and age successfully.

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**SUBJECT: Records Retention By-law Amendments (CL18009) (City Wide) - Page
4 of 4**

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix 'A' – Draft Amendment to the Records Retention By-law

Appendix 'B' – Public Health Services Schedule

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

Appendix “A” to Report CL18009 – Page 1 of 3

Authority: Item , Audit, Finance & Administration
Committee
Report
CM:

Bill No.

CITY OF HAMILTON**BY-LAW NO.****TO AMEND BY-LAW NO. 11-040
TO ESTABLISH RETENTION PERIODS FOR RECORDS
OF THE CITY OF HAMILTON**

WHEREAS the Council of the City of Hamilton enacted by-law 11-040 being a By-law to Establish Retention Periods for Records of the City of Hamilton, on January 26, 2011, pursuant to section 255, of the *Municipal Act, 2001*;

AND WHEREAS the Council of the City of Hamilton, in adopting item X of Report 18-XX of the Audit, Finance & Administration Committee, at its meeting held on the 24th day of September, 2018, recommended that Records Retention By-law 11-040 be amended as hereinafter provided;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following file classifications in Schedule A to Records Retention By-law 11-040 be amended as follows:
 - (a) **AD08 - Strategic Planning/Management**
Retention changed from 10 years to Superseded +10, subject to archival review
 - (b) **AD12 - Accessibility of Records – Information Requests**
Retention changed from T+3 years to T+2 years. T= close of file
 - (c) **CO06 - Council/Standing Committee Meeting Recordings**
Retention changed from ‘temporarily suspended pending review’ to permanent subject to archival review at end of term of council

Appendix "A" to Report CL18009 – Page 2 of 3

- (d) **EM06 01 – Emergency Preparedness Planning**
 Scope notes: Records associated with information related to Emergency Preparedness Planning.
 Includes: Mock/training exercises, emergency preparedness plans and business continuity plans.
 Excludes: Operational responses (see EM06 02 - Emergency Response)
 Retention unchanged
- (e) **PE04 01 - Building, Grading and Structural Inspections**
 Retention changed from C+17 to Permanent
- (f) **PE08 02 - Building Plans and Specifications**
 Retention changed from C+17 to Permanent

2. That Schedule A to Records Retention By-law 11-040 be amended by adding the following file classifications:

- (a) **CO09 02 - Vital Statistics – Documentation**
 Scope Notes: Includes records of vital events including marriage applications, voided marriage licenses and death registration paperwork. This series does not include Marriage and Death Registers.

Total Retention C + 3 years

- (b) **EM06 02 - Emergency Response**
 Scope Notes: Records associated with information related to operational responses to emergencies where either the City or individual Department is one of the lead record holders for activation or partial activation of the Incident Management System (IMS).

Excludes: Mock/training exercises, emergency preparedness plans and business continuity plans. (see EM06 01 - Emergency Preparedness Planning).
 New file class developed to incorporate records related to operational responses to emergencies.

Total Retention is T+15. T= end of emergency

- (c) **HR14 - Volunteer and Unpaid Student Files**
 Scope Notes: Records associated with the administration, coaching, mentoring, precepting, supervising, delivery, screening, orientation and maintenance of volunteers and unpaid student placements.

Includes: Volunteer requests and role descriptions, volunteer applications, unpaid student placement applications, interview questions, references verification, orientation materials, scheduling, and individual volunteer performance monitoring, supervision notes, health and safety certificates.

Appendix “A” to Report CL18009 – Page 3 of 3

Excludes: Volunteer or Student Placement policies and procedures. (see AD 07 Policies and Procedures); Police Background Checks (retained by Human Resources); Paid Students (e.g. Internships) who must be processed through Human Resources (see HR 03 01).

Total Retention is T+7. T = last day of employment

(d) TS14 - Motor Vehicle Accident Reports

Scope Notes: Records associated with Motor Vehicle Accident Reports.

Total Retention is T+4. T = completion of investigation

3. That Schedule A to Records Retention By-law 11-040 be amended by deleting file classification **SH08 - Public Health** and adding a File Plan category entitled Public Health Services including all corresponding file classifications as provided in Schedule A to this by-law.
4. This By-law comes into force on the day it is passed.

PASSED this day of September, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

Public Health Services											
Primary	Secondary	Tertiary	Series Title	Scope Notes (Description)	Active (yrs)	Inactive (yrs)	Total Retention (Minimum) (yrs)	Vital Record	Archival Record	Responsible Department	Remarks/Citations
PH	01	01	Client and Case Files	<p>Records associated with clients who have had interaction with Public Health Services programs and services (including Records Access Requests).</p> <p><u>Includes, but is not limited to:</u></p> <ul style="list-style-type: none"> - Community as client (i.e. where a community or group is the client such as schools, workplaces, daycares or community organizations) - Individual client records (i.e. where the client is a person; these records include referral forms, consent forms, correspondence, etc.) - Chronic Disease Prevention Client Records - Prevention of Injury and Substance Misuse Client Records - Reproductive and Child Health Client Records - Infectious Diseases Clients Records - Sexual Health and Sexually Transmitted Infections Client Records - HIV/AIDS Client Records - Syphilis Client Records - Tuberculosis Client Records - Tobacco Cessation Client Records - Telephone logs relating to personal health information from clients - Human/Animal Contact Exposure Client Records - Mental Health Client Records (including raw data) - health promotion materials, curriculum and meeting minutes referred to in client records (when charting by reference) <p>Excludes: Dental Client Records (see PH-01-02); Vaccine Preventable Diseases Client Charts (incl. Adverse Event Following Immunization (AEFI) (see PH-01-03)</p>			T + 15*	Y	N	Public Health	<p>* For clients 18 years and over: T = client's last visit, or discharge For clients under age 18: T = 18 minus age of client discharge</p> <p>Statements of Conscience: under 18 T= 18 minus age of client at date of completion of form 18 yrs & over T= completion of form</p> <p>Infectious Diseases T = Discharge of client/ closure of annual file</p> <p>Total Retention = up to 33 years</p>

PH	01	02	Dental Client Records	Records associated with clients who have had interaction with Public Health Services Dental Programs (includes Records Access Requests). <u>Includes:</u> Dental Screening assessment; Dental Health Client Records (including assessment of dental screening for clients referred for other services, referrals, parent notification; dental follow up			Dental Screening T+3*				*Dental screening T= end of school year **Dental Health Client Records Adult (18 & over) T = Discharge of Client Under age 18 T = 18 minus age of client at discharge
PH	01	03	Vaccine Preventable Diseases Client Charts (incl. AEFI)	Records associated with vaccinations, and interactions with clients related to vaccine preventable diseases (includes Records Access Requests). <u>Includes:</u> Group vaccinations clinics where clients range in age - (e.g. community clinics, mass school immunizations, pandemic), vaccinations by single cohort; adverse event following immunization intervention (AEFI) records . <u>Excludes:</u> Cold Chain Inspection Records (see PH 05 03 (Vaccine Cold Chain)	T+2		T+15				Clinics with a range of ages: If youngest client is 18 or over: T = date of clinic If youngest client is under 18: T = 18 minus the age of the youngest client Immunization clinics of single cohort: For age 18 & over: T = end of school year Under 18 years: T = 18 minus age of youngest client Consents T = end of calendar year Statements of Conscience: If under age 18: T = 18 minus age of client as of date of completion of form If age 18 or over: T = date of completion of form

Total Data Points: 104

			<p>NOTES:</p> <p>1. Retention periods for client records are dictated by whomever is the client.</p> <p>2. If there is no Date of Birth indicated for a record and an age needs to be determined, consider the type of service that is being delivered to the client and base client's age on past practices associated with that service (e.g. in case of school vaccination records for which there is no date of birth for an individual, data of birth would be based on school grade level).</p>							1, 2, 3, 4, 5, 6, 7, 8, 10, 13
PH	02	Medical Directives and Medical Delegations	<p><u>Medical Directive:</u> A formal written order for a procedure or a series of procedures that may be implemented for a number of clients when specific circumstances exist. A directive is always written by a regulated health professional who has the legislative authority to order the procedure for which she/he has ultimate responsibility.</p> <p><u>Medical Delegation:</u> A formal written document in which a regulated health professional who has the authority and competence to perform a procedure under one of the controlled acts delegates the performance of that procedure to another individual.</p>			P				Public Health
PH	03	Program Operations	<p>Records associated with program management, administration and service delivery of the full range of programs operating within Hamilton PHS.</p> <p><u>Includes:</u> All record types related to the management and administration of Public Health Services programs; operational plans; day planners*; paper notebooks*, electronic notebooks* capturing transitory information; personal health information captured in the referral/intake process where the individual never becomes a client (voluntary programs only); client scheduling; medical equipment maintenance records***.</p> <p><u>Excludes:</u> Financial records (see Finance and Accounting FA); Contracts and Agreements (see Legal Affairs LA 03 01/ LA 03 02); Employee Records (see Human Resources HR); Ministry Reporting (see AD 11 Intergovernmental Relations); clients referred for mandatory follow-up (see PH 01 01 to PH 01 01 03 Client & Case Files)</p>	C+2	4	C + 6* Dental Sterilization equipment C+10 yrs***	Y	Y**	Public Health	<p>*Day planners /Notebooks/ Electronic notes are maintained for C + 2 years then destroyed.</p> <p>***Maintenance Records for Sterilization equipment (dental) C+ 10 yrs</p> <p>**Archival Review: Minutes, plans and reports related to the development and management of specific programs</p>

PH	04	Health Promotion & Program Delivery	<p>Records associated with information on the development, implementation and evaluation of programming of the following:</p> <ul style="list-style-type: none"> - Healthy Eating - Healthy Weights - Comprehensive Tobacco Control (includes prevention, cessation and control of tobacco use) - Food Handling and Safety - Physical Activity - Exposure to ultraviolet radiation - Workplace Wellness Programs - School Health - Prevention of Injury and Substance Misuse - Violence Prevention and Mental Health Promotion - Reproductive Health - Child Health - Dental Health - Infectious Disease Prevention & Control (includes promotion of infection control practices) - Rabies Prevention and Control - Sexual Health, STI's, and Blood-borne Infections Prevention - Tuberculosis Prevention - Vaccine Preventable Disease Promotion - Safe Water - Emergency Preparedness (health promotion activities only) - Epidemiology (health promotion activities only) - Determinants of Health <p><u>Includes:</u> Documents related to the development of healthy public policies, initiatives, distribution lists, correspondence, presentations, inventories of program materials.</p> <p><u>Excludes:</u> PH 01 Client & Case Files; Rabies investigation records (see PH 11 Vector Borne Disease Investigations & Rabies Investigations); boil water advisories (see PE 05 Premise Inspections and Enforcement); emergency preparedness plans, business continuity plans, and emergency preparedness mock/training exercises (see EM06 01 - Emergency Preparedness Planning); Research and Evaluation (see PH 04 Research, Evaluation).</p>	T+2	4	T + 6	Y	Y*	Public Health	*Archival review: include but not limited to reports of the Medical Officer of Health; statistical research reports on program effectiveness
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PH	05		Research and Evaluation	<p>Records associated with research and evaluation activities conducted by PHS Programs.</p> <p><u>Includes:</u> Research and evaluation projects and plans, situational assessments, program reviews, questionnaires, surveys, needs assessments, research ethics, research data, literature searches and references, findings reports, dissemination strategies and information, benchmarking, resources, tools, workshops, in-services, presentations related to research and evaluation methods and best practices for specific research and evaluation project, and research funding opportunities.</p> <p><u>Excludes:</u> Financial research proposal and submissions (see <i>Grants & Loans FA 11</i>)</p>	C +2	5	T + 7 up to P*	y	Y**	Public Health	<p>T = Completion of research.</p> <p>*Retention of research conducted through a Research Ethics Board may be determined by the agreement signed off by the investigating parties; or assessed on a case by case basis.</p> <p>**Archival Review: Records which describe research protocols, findings and research evaluation</p>
PH	06	01	Premise Inspections and Enforcement	<p>Records associated with information related to premise inspections and documentation related to complaints/service requests on food safety, safe water, health hazards, and infectious diseases.</p> <p><u>Includes, but not limited to:</u> All records, related to inspection of food service settings, long term care facilities, retirement homes, day care centres, hospitals, detention centres, personal service settings, funeral homes, pools, spas, septic systems, boil water advisories, and individual complaints or service requests (e.g. for an inspection).</p> <p>NOTE: Court files of charges/tickets that have been resolved are considered transitory notes since the original records are given to the court. Therefore these copies can be destroyed after 1 to 2 years.</p> <p><u>Excludes:</u> Outbreak client records or records related to personal illness (see <i>PH 01 Client Records</i>); Records related to Smoke Free Ontario Act (see <i>PH 09</i>); Black Books (see <i>Inspectors'/Officers' Notes PH 05 02</i>); Cold Chain Inspections (see <i>PH 05 03</i>)</p>	T+2		T + 15	Y	N	Public Health	<p>Complaints/Service Requests: 2</p> <p>Boil Water Advisories: 9</p>
PH	06	02	Inspectors'/ Officers' Notes	<p>Note books (Black Books/field notes) used to document relevant data in the process of conducting inspections and enforcement which may be used as by inspectors or officers as memory aids to present evidence in legal proceedings.</p> <p><u>Includes, but not limited to:</u> Notes and photgraphs made electronically when the officer uses a computer or other electronic devices to records noes in place of notebooks.</p>			T+15			Public Health	<p>T = date of last entry</p> <p>2</p>

PH	06	03	Vaccine Cold Chain	Records associated with vaccine cold chain inspections.			T+15			Public Health	2
PH	07		Accreditation and Continuous Quality Improvement	Records associated with compiling, researching and submitting all information subject to accreditation processes, including accreditation review and assessment. <u>Includes:</u> Correspondence re: Accreditation, summary reports; Accreditation project files; final assessments; project scope and planning; Ontario Public Health Organizational Standards assessment and related materials. <u>Excludes:</u> Original corporate or departmental policy documents. (See AD 07 Policies & Procedures); business process reviews (see PH 16 Project Management)	C + 1	6	T + 7	N	N	Public Health	T = End of accreditation period.
PH	08		Vaccine Preventable Diseases Health Protection and Disease Prevention	Records associated with health protection activities related to vaccine preventable diseases such as the storage, distribution, and inventory management of vaccine. <u>Excludes:</u> Cold Chain Inspections (see PH 05 03) Premise Inspections and Enforcement); Client records (see PH 01 01 & PH 01 03 Client & Case Files), Vaccine Preventable Health Promotion activities (see PH 03 Health Promotion Program Delivery)	C+1	2	C + 3	Y	N	Public Health	
PH	09		Medical (OHIP) and Dental Claims Processing	Records associated with submission and administration of OHIP claims for Sexual Health and Clinical Services. Also includes payment of Dental claims by Hamilton PHS and OHIP claims.	C + 2	10	C + 12	N	N	Public Health	
PH	10		Comprehensive Tobacco Control Enforcement & Investigation	Records associated with information related to comprehensive tobacco control and the enforcement of the Smoke-Free Ontario Act. <u>Includes:</u> Documents related to Tobacco Enforcement, Smoke-Free Ontario (SFO), warning letters, and signage. <u>Excludes:</u> Health promotion records (see PH 03 Health Promotion & Program Delivery); Tobacco Cessation Client Records (see PH 01 Client and Case Files); Black books (see Inspectors'/Officers' Notes PH 05 02)	C+2	4	T + 7	N	N	Public Health	T = ticket "closed" 12

PH	11	Outbreak Management	<p>Records associated with the monitoring, reporting, prevention, containment and management of communicable/reportable disease outbreaks.</p> <p><u>Includes:</u> Client line lists, client interview tools and documentation, outbreak meeting minutes, email correspondence, documentation of control measures, iPHIS records, lab results, notifications to laboratories, media releases, medical advisories.</p> <p><u>Excludes:</u> Promotion of Infectious Disease Control practices (see PH 03 Health Promotion & Program Delivery); and vaccine/medication distribution (see PH 07 Vaccine Preventable Diseases Health Protection and Disease Prevention); Incident Management System documentation of an outbreak response (see EM06 02 - Emergency Response).</p>	T+2	8	T + 15	N	Y*	Public Health	*Archival Review: reports or minutes related to Outbreak Management should be retained permanently
PH	12	Vector-Borne Disease Investigations & Rabies Investigations	<p>Records associated with information related to the investigations of and/or surveillance of diseases such as rabies and vector-borne diseases, which include, but are not limited to, West Nile Virus and Lyme disease.</p> <p><u>Excludes:</u> Client records (see PH 01 01 Client Records), West Nile Virus Registry (see West Nile Virus Registry PH 12)</p>	C+2	4	C + 6	N	N	Public Health	
PH	13	West Nile Virus Registry	<p>Records associated with the collection of personal health information of residents who have voluntarily submitted their names to be contacted in the event Public Health Services determines the need to apply an adulticide (fogging) within the City.</p>	S		S	N	N	Public Health	S = superceded (Individual is known to no longer reside in the City of Hamilton).
PH	14	Disease Inventory and Control - Epidemiology	<p>Records associated with population-based disease research, inventory, data collection, analysis and monitoring.</p> <p><u>Includes:</u> Medical research; precedent cases; disease statistics and inventory; epidemiological studies, data and reports; population health and health demographic surveys; health informatics.</p> <p><u>Excludes:</u> Quality of services received, i.e. survey or questionnaire re: satisfaction of service; research and evaluation (see PH 04 Research and Evaluation).</p>	C+1	14	P*	N	Y	Public Health	*Permanent subject to selection at end of inactive retention period.

PH	15	Health Statistics and Surveillance	<p>Records associated with the provision of health statistics and other data related to health behaviours, risks and trends. Utilizing such databases as (but not limited to) iPHIS, HELPS, RRFSS, CCHS and census data, statistics are produced and interpreted in order to support evidence-informed program decisions.</p> <p><u>Includes:</u> Health statistics and epidemiology, requests tracking, data access, collection and management, data sets and analysis, technical notes, graphs, tables, maps, abstract submissions, oral/poster presentations, socio-demographic reports and health status reports, factsheets, surveillance reports, reporting and dissemination strategies and related information.</p> <p><u>Excludes:</u> Contact tracing (see PH 01 01 Client & Case files).</p>	C+2	5	P*	N	Y	Public Health	* P - Demographic, health status reports & surveillance summary reports
PH	16	Medical Officer of Health	<p>Records associated with operations, accountability, leadership, advice and decision-making directed or issued by the Medical Officer of Health.</p> <p><u>Includes:</u> Records demonstrating the accountability of the Medical Officer of Health to Citizens; records having evidentiary or legal purpose; Correspondence; program structure and strategy documentation; correspondence with MOHLTC and other provincial/federal ministries, reports to MOHLTC and other provincial/federal ministries .</p> <p><u>Excludes:</u> General staffing files for Full Time/Part Time employees, volunteers and students (See HR)</p>	C + 1	14	P*	N		Public Health	2, 11 * Archival
PH	17	Project Management	<p>Records related to initiating, planning, executing, monitoring, controlling and closing PHS projects and business process reviews.</p> <p><u>Includes, but not limited to:</u> Project plans, charters, schedules, reports, directives, change requests, project data, minutes, status updates, communications, deliverables.</p> <p><u>Excludes:</u> Projects related to direct program and service delivery (see PH 03 Health Promotion & Program Delivery)</p>	T+1	6	T+7			Public Health	T = completion of the project. Project is defined as an initiative with a beginning and an end.

Citations

- 1 Medicine Act, 1991, General, O. Reg 114/94 s.19(1)
- 2 Limitations Act, 2002, S.O. 2002, c.24, Schedule B, ss.15(1)(2)
- 3 General Regulation under Municipal Freedom of Information and Protection of Privacy Act, R.R.O. 1990. R.823
- 4 College of Nurses of Ontario Practice Guideline Independent Practice, 2014
- 5 College of Dietitians of Ontario Records Keeping Guidelines for Registered Dietitians, 2014

6 The College of Physician and Surgeons of Ontario, Policy Medical Records, May 2012

7 Royal College of Dental Surgeons of Ontario (Guidelines Dental Recordkeeping, May 2008)

8 Child and Family Services Act, R.S.O. 1990, C.C.11, s.54

9 Records of Site Condition - Part XV.1 of the Act Regulation, under the Environment Protection Act, O. R. 153/04, ss. 16, 18

10 Mandatory Blood Testing Act, 2006, S.O. 2006, c. 26.

11 Evidence Act, R.S.O. 1990, c. E.24

12 Smoke Free Ontario Act, S. O. 1994, c. 10, s. 14.(14)

13 Drug and Pharmacies Regulation Act, R. S. O. 1990, c. H.4, ss. 156. (1),(2); as am. S.O. 1991, Vol. 2, c. 18, s. 47. (16); s. 1



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
Information Technology Division

and

HEALTHY AND SAFE COMMUNITIES DEPARTMENT
Hamilton Paramedic Service

TO:	Chair and Members Audit, Finance and Administration Committee
COMMITTEE DATE:	September 24, 2018
SUBJECT/REPORT NO:	Standardization of Hardware and Software for Corporate Information Technology – Ruggedized Computing Devices (FCS18085 / HSC18048) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Joe Fazarri (905) 546-2424 Ext. 5705 Ben Roth (905) 546-2424 Ext. 7743
SUBMITTED BY: SIGNATURE:	Brian McMullen Acting General Manager Finance and Corporate Services Department
SUBMITTED BY: SIGNATURE:	Mike Sanderson Chief, Hamilton Paramedic Service Healthy and Safe Communities Department

RECOMMENDATION

- (a) That Panasonic Toughbook, with Gamber-Johnson mounts for vehicle installations, be approved as the Corporate Standard for Ruggedized Computing Devices;
- (b) That ruggedized computing devices and mounts, as required, be acquired pursuant to the provisions of Procurement Policy By-law No. 17-064, and that the General Manager of Finance and Corporate Services or their designate be authorized and directed to enter into and sign, on behalf of the City of Hamilton, all negotiated agreements and all necessary associated documents with vendors in a form satisfactory to the City Solicitor.

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Standardization of Hardware and Software for Corporate Information Technology – Ruggedized Computing Devices (FCS18085 / HSC18048) (City Wide) - Page 2 of 5

EXECUTIVE SUMMARY

Panasonic Toughbook Computers were previously approved on December 9, 2009 (Report FCS09119) as the Corporate Standard for ruggedized computing devices to be obtained from the manufacturer on a single-source basis.

Following an evaluation of alternatives, staff are recommending that Panasonic Toughbook Ruggedized Computing Devices, with Gamber-Johnson mounts for vehicle installations, be approved as the Corporate Standard pursuant to the Corporate Procurement Policy, Section 4.14, Policy for Standardization, with devices and mounts to be acquired through competitive procurement pursuant to Procurement By-law No. 17-064.

The Information Technology Division is responsible for setting Corporate Technology Standards to ensure the City has a computing environment that provides consistent, reliable and secure technology services to staff which are efficiently and effectively supported. Council approved a number of Corporate Standards through Report FCS17030.

Similar to the items approved in that report, the major benefits of standardizing are:

- Simpler administration and operations;
- Lower support and testing costs;
- Investment to date in hardware, monitoring tools and staff training;
- Improved support to business units; and,
- Fewer contracts to prepare and administer.

Each product will be reviewed annually and changes will be reported to Council.

Alternatives for Consideration – See Page 5

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Funding for ruggedized computing devices and the associated accessories is included in the annual Departmental capital and / or operating budgets.

Staffing: There are no staffing implications associated with Report FCS18085 / HSC18048.

Legal: There are no staffing implications associated with Report FCS18085 / HSC18048.

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SUBJECT: Standardization of Hardware and Software for Corporate Information Technology – Ruggedized Computing Devices (FCS18085 / HSC18048) (City Wide) - Page 3 of 5

HISTORICAL BACKGROUND

Panasonic ruggedized computing devices have been used by City departments since at least 2005, and have been designated as the Corporate Standard since 2009. The Hamilton Paramedic Service and the Hamilton Police Service are currently the only City department / divisions to use fully ruggedized devices, with other users having adopted semi-ruggedized or other mobile computing devices suited to their operational needs.

Most of the ruggedized devices used by the Hamilton Paramedic Service are Panasonic Toughbook model CF-19, which are no longer produced and are due for life-cycle replacement. The Hamilton Paramedic Service also uses several newer Panasonic Toughbook model CF-31 devices, which will be due for replacement in two to three years. The Hamilton Police Service uses several models of Panasonic Toughbooks and Toughpads.

To inform recommendations for life-cycle replacement of the current Panasonic Toughbooks, the Hamilton Paramedic Service recently concluded a comparative evaluation of most common ruggedized devices used by Ontario Emergency Services, these ruggedized devices include the Dell Latitude 7214, the Getac V110V3 and the Panasonic Toughbook CF-20. The devices were trialled over a period of several months, and evaluated by front-line staff in the following areas:

- Screen size and function
- Keyboard
- Ruggedness
- Tablet / flip-screen use
- Touch Screen
- Mount – computer and vehicle control access, passenger operation, driving; and,
- Overall performance

A Gamber-Johnson computer mount was installed in a common in-cab configuration and used with each of the ruggedized devices. The Gamber-Johnson computer mount is standard equipment on fleet ambulances and conforms to the Ontario Provincial Land Ambulance & Emergency Response Vehicle Standard.

The Dell Latitude and the Panasonic Toughbook CF-20 were the clear favourites in the evaluation, with the less expensive Panasonic device being preferred by the majority of users. The Hamilton Paramedic Service's Health and Safety Committee were consulted throughout the evaluation of the ruggedized devices, and support the selection of the Panasonic Toughbook. Accordingly, it is recommended that Panasonic Toughbook Ruggedized Computing Devices, with Gamber-Johnson mounts for vehicle installations, continue to be approved as the Corporate Standard.

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SUBJECT: Standardization of Hardware and Software for Corporate Information Technology – Ruggedized Computing Devices (FCS18085 / HSC18048) (City Wide) - Page 4 of 5

As ruggedized computers have an expected service life of five years, it is proposed that this designation be reviewed when necessary as with other Corporate Standards established as a result of Council approval to Report FCS17030. As the manufacturer produces several different models of Toughbook, with CF-19, CF-20 and CF-31 models as well as Toughpads currently being used in the City, the Corporate Standard designation is proposed for Panasonic Toughbook Ruggedized Computing Devices in general, and not a specific model.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Pursuant to the Corporate Procurement Policy, Section 4.14, "Policy for Standardization" this Report seeks to establish a Standard for hardware and ruggedized computing devices. If approved, ruggedized devices and associated accessories will be added to the consolidated list of standardized Hardware, Software and Support Services maintained by the Information Technology Division.

Vehicle installations of ruggedized computing devices in Hamilton Paramedic Service vehicles are subject to the provisions of the current version of the Ontario Provincial Land Ambulance & Emergency Response Vehicle Standard.

RELEVANT CONSULTATION

Corporate Services Department, Procurement Division / Section – Procurement staff regarding the interpretation and application of the Procurement Policy.

Corporate Services Department, Legal Services Division – Legal Services was consulted on this report regarding legal implications.

Hamilton Police Service Division, Information Services – As the other principal user of ruggedized devices, the Hamilton Police Service Division has reviewed this report and supports the recommendations.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The existing IT Standards previously approved by Council are up for review and renewal with a report being required for Council approval to extend these Standards. Based on a comparative evaluation of alternatives, this Report recommends that Council approve Panasonic Toughbook Ruggedized Computing Devices, with Gamber-Johnson mounts for vehicle installations, as the Corporate Standard for ruggedized computing devices.

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SUBJECT: Standardization of Hardware and Software for Corporate Information Technology – Ruggedized Computing Devices (FCS18085 / HSC18048) (City Wide) - Page 5 of 5

ALTERNATIVES FOR CONSIDERATION

Without a Corporate Standard being established, a competitive bid process would be required. This process could result in a mixed environment with IT staff having to support multiple device types and front-line staff having to become familiar with multiple device types.

Financial Implications: This alternative could well have a negative impact on the Total Cost of Ownership and infrastructure reliability, as additional training would be needed for staff to become familiar with the new manufacturers equipment, and costs could increase as the City would be paying software maintenance on multiple software solutions providing a similar service. This alternative is not recommended as it would require a significant financial investment to integrate additional manufacturers into our environment as well as add administrative overhead. It would also increase the burden on the Legal Services, Information Technology and Procurement Divisions by having to create and administer multiple contracts for similar services.

Staffing Implications: If Panasonic equipment is not selected front line Paramedics would have to become familiar with two different technologies to perform a single function.

Legal Implications: There are no legal implications associated with this alternative.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

None

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INFORMATION REPORT

TO:	Chair and Members Audit, Finance and Administration
COMMITTEE DATE:	September 24, 2018
SUBJECT/REPORT NO:	2018 United Way Funding Review (CM18020) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Tameem Miri
SUBMITTED BY:	John Hertel Director, Strategic Partnerships & Communications City Manager's Office
SIGNATURE:	

Council Direction:

Grants Sub-Committee at its meeting on June 12th, 2018, passed the following motion:

"Staff was directed to communicate with the remaining organizations that were affected by the United Way funding cutbacks, with respect to the impacts the deficit has on each of those organizations, and report back to the Grants Sub-Committee."

INFORMATION:

Amalgamated United Way Halton & Hamilton

Over the course of the past decade, the previous United Way Burlington & Greater Hamilton has invested \$30 million into local programs on behalf of donors. In recent years, the charitable sector has seen significant change, presenting new fundraising challenges to an organization like the United Way. In April 2017, as a result of the changing landscape within the sector and to better leverage their resources, United Way Halton & Hamilton amalgamated four local United Ways to create one organization. The new organization, United Way Halton & Hamilton consolidates United Way Burlington & Greater Hamilton, United Way Halton Hills, United Way Milton, and United Way Oakville. The newly formed United Way Halton & Hamilton positions the organization to realize economies of scale and greater efficiencies with a goal to raise and invest more in all of these communities.

New Framework – Road to Greater Impact (RTGI)

United Way Burlington and Greater Hamilton had previously operated under a funding framework that followed the guidelines of the National Organization, United Way Centraide, providing support to programs that aligned with broad priority areas. In 2015, the organization launched a process to re-position the funding framework in order to

maximize the impact of investments within the community. This process, called Road to Greater Impact, was community led including consultation with agencies, subject matter experts, key informants, advisors, community members and donors. In Hamilton, United Way and its partners reached a consensus on six local priorities, all concentrated around addressing poverty and supporting families. The new funding framework was implemented for the 2018 United Way funding cycle and consists of the following six priority areas:

From Poverty to Possibility	All That Kids Can Be	Healthy People, Strong Communities
1) Food Security	3) After-School Programs	5) Counselling & Mental Health
2) Youth Career Building	4) Family Support	6) Community Inclusion

For the first time in a decade, this new funding framework resulted in an open application process whereby both traditionally funded programs and new programs were eligible to apply for United Way funding.

United Way – Fundraising Challenges

United Way Halton & Hamilton (UW) derives their fundraising dollars from two primary sources:

- 1) Restricted Donations – whereby donations are restricted and targeted to a specific charity of the donor’s choice.
- 2) Unrestricted Donations – whereby donations do not have any donor restrictions and can be placed in the general community fund to support United Way agencies.

In January of 2018, United Way Halton & Hamilton recognized the risk of not reaching their unrestricted fundraising target. As a result, the organization hosted a meeting in February of 2018 to ensure agencies were aware of the shortfall and prepared for some possible funding reductions. For the past several years, United Way Hamilton had accessed reserve funds to offset funding shortfalls within the Hamilton community. Unfortunately, for the 2018 funding cycle, all United Way Hamilton reserve funds had been exhausted.

United Way Hamilton Funding Cutbacks

The United Way Halton & Hamilton faced funding challenges in the 2018 cycle as a result of numerous factors including:

- Facing a shortfall in un-restricted fundraising revenues
- A depleted reserve fund in Hamilton
- A new investment framework that resulted in an open application process.

The factors listed above contributed to a reduction or elimination in funding to a number of longstanding United Way agencies. Below is a summary of the impact to the Hamilton community.

UW Funding Reductions	# of Programs Impacted	2017 UW Funding	2018 UW Funding	Total Dollar Value of Funding Loss
Funds Eliminated ¹	19	\$ 382,821	\$ 0	-\$ 382,821
Funds Reduced ²	5	\$ 293,015	\$ 208,181	-\$ 84,834
Returning Agencies - New Programs ³	8	\$ 247,446	\$ 38,400	-\$ 209,046
Total	32	\$ 923,282	\$ 246,581	-\$ 676,701

¹ Refer to Appendix A for a detailed breakdown of United Way defunded programs.

² Refer to Appendix B for a detailed breakdown of United Way program funding reductions.

³ Refer to Appendix C for a detailed breakdown of Agencies that lost funding as a result of realigning their program to the new United Way funding priorities.

Defunded - Returning Programs

A total of 19 returning programs were completely defunded from United Way funding for the 2018 cycle, impacting 15 agencies throughout the Hamilton community. In aggregate, a combined \$382,821 of funding was discontinued for these programs. The impact to each program ranges from a small scale down of the program to offset the funding reductions, to a complete cancellation of the defunded program. Appendix A provides a detailed breakdown of how each one of the 19 programs was impacted due to a loss in United Way funding.

Funding Reduced - Returning Programs

A total of 5 returning programs received a funding reduction for the 2018 United Way funding cycle, impacting 4 agencies throughout the Hamilton community. In aggregate, these programs lost \$84,834 of funding. Appendix B provides a detailed breakdown of how each one of the 5 programs was impacted due to a loss in United Way funding.

Returning Agencies – New Programs

An additional 4 agencies that received UW funding in 2017 for a combined 13 programs, adjusted their 2018 UW program applications in order to better align with the new UW funding priorities. Realigning the programs resulted in 3 agencies receiving no funding for the programs with 1 realizing a significant year-over-year decrease. In aggregate, these agencies lost a combined \$209,046 in funding from the United Way for these programs. Appendix C provides a year-over-year comparison of the level of funding received from the United Way for each of these agencies.

City Enrichment Fund – Funding Relief

In order to ensure the financial viability of programs funded through the City Enrichment Fund (CEF), Council approved emergency one-time funding for 6 organizations to offset UW funding reductions. The chart below provides a high level summary of the financial assistance provided to each of the 6 organizations.

Organization	City Enrichment Fund Reserve Funding
Catholic family Services	\$ 25,629
Dundas Community Services	\$ 32,000
Glanbrook Community Services	\$ 11,780
Multiple Sclerosis Society of Canada	\$ 39,146
St. Matthew`s House	\$ 10,072
YWCA Hamilton	\$ 22,309
Total	\$140,936

The CEF reserve has a remaining balance of \$36,067.

United Way – Communications Activity

The process to re-position the UW investment framework began in 2015. UW hosted multiple Agency Meetings from 2015 – 2018, highlighting the new funding framework - Road to Greater Impact (RTGI). An allocation letter was sent to all agencies in March of 2017 referencing investment changes and the potential for funding changes to existing programs. United Way hosted a final meeting in February 2018 in order to inform agencies of the un-restricted funding shortfall and the potential for changes in investment.

City of Hamilton staff communicated with all of the organizations impacted by the United Way funding reductions, confirming that all agencies were provided notice of the changes in the framework. However, organizations criticized the feedback they received throughout the 2018 UW application process; most agencies received feedback from the United Way that indicated their programs aligned to the new funding framework and felt blindsided when their funding was discontinued. The timing of the funding announcements also placed the organizations in a tough position. United Way sent out investment letters in late March / early April 2018 informing agencies if their application was successful. Final funding payments for the 2017 cycle were also processed in late March 2018. Organizations that were optimistic of funding for the 2018 cycle, based on feedback from the United Way, had very little time to secure alternative sources of funding to offset the United Way reductions.

Although United Way launched a new investment framework, the primary reason programs were impacted was the result of a fundraising shortfall. United Way Hamilton had exhausted its reserve fund in previous years, resulting in no available funds to draw upon to bridge the funding shortfall in 2018.

APPENDICES ATTACHED

Appendix “A” to CM18020 – 2018 United Way Funding – Defunded Programs.

Appendix “B” to CM18020 – 2018 United Way Funding – Reduced Program Funding.

Appendix “C” to CM1802 – 2018 United Way Funding – Returning Agencies with New Applications.

**Appendix "A" to Report CM18020
Page 1 of 6**

2018 UNITED WAY FUNDING – DEFUNDED PROGRAMS						
ORGANIZATION	PROGRAM	2017 UW FUNDING	2018 UW FUNDING	2018 PROGRAM BUDGET	% OF 2018 PROGRAM BUDGET CUT	IMPACT ON PROGRAM DELIVERY
Canadian Hearing Society, Hamilton	Hearing Care Counselling	\$ 26,726	\$ 0	\$ 503,000	5.3%	Canadian Hearing Society will offset the funding reduction with alternate sources of funding. No program cuts have been undertaken for the 2018 fiscal year but may be required in 2019 and beyond.
Canadian Red Cross Society, Hamilton/Wentworth, Burlington	Transportation/Friendly Visiting	\$ 29,256	\$ 0	N/A	N/A	Due to scheduling conflicts the Canadian Red Cross was not able to provide program data prior to the completion of this report.
Children's International Learning Centre	Hamilton Youth Steel Orchestra	\$ 12,827	\$ 0	\$ 36,100	35.5%	The Hamilton Youth Steel Orchestra program was able to offset \$5,000 of the UW reduction through a grant from the Hamilton Community Foundation. Program cuts include instrument tuning deferral, studio downsizing and program delivery reduced from twice to once weekly.

Appendix "A" to Report CM18020

Page 2 of 6

ORGANIZATION	PROGRAM	2017 UW FUNDING	2018 UW FUNDING	2018 PROGRAM BUDGET	% OF 2018 PROGRAM BUDGET CUT	IMPACT ON PROGRAM DELIVERY
Elizabeth Fry Society, Southern Ontario	A Woman's Journey	\$ 6,128	\$ 0	\$ 8,630	71%	As a result of UW funding cuts the Elizabeth Fry Society has temporarily placed their Court Program on hold. The Court Program is their first point of contact with individuals that require their services. Without a presence at court, it would be difficult for the organization to deliver their programs. The organization also lost a key staff member as a result of the funding cuts.
Elizabeth Fry Society, Southern Ontario	Court Support	\$ 13,561	\$ 0	\$ 17,260	78.6%	
Elizabeth Fry Society, Southern Ontario	Release Planning	\$ 26,457	\$ 0	N/A	N/A	
Flamborough Information and Community Services	Waterdown Seniors Social Club	\$ 17,273	\$ 0	\$ 34,136	50.6%	Flamborough Info & Comm. Serv. is attempting to offset UW funding reductions through fundraising efforts and alternative grant programs. As a result of the funding reduction a key staff member exited the organization, reducing not only their Seniors Program but also their Community Bus Program. Fundraising outcomes will be a determining factor for 2018 program delivery.

Appendix "A" to Report CM18020
Page 3 of 6

ORGANIZATION	PROGRAM	2017 UW FUNDING	2018 UW FUNDING	2018 PROGRAM BUDGET	% OF 2018 PROGRAM BUDGET CUT	IMPACT ON PROGRAM DELIVERY
Glanbrook Community Services	Meals Made Easy	\$ 12,701	\$ 0	\$ 222,983	5.7%	Glanbrook Community Services received \$11,780 in one-time relief funding from the City Enrichment Fund reserve to offset the reduction in UW funding.
Hamilton Jewish Social Services	Casework	\$ 14,487	\$ 0	\$ 195,647	7.4%	Hamilton Jewish Social Service was unsuccessful in offsetting the UW funding reductions through fundraising efforts. Small scale down of program delivery for the 2018 fiscal year including the cancellation of the seniors' lunch program.
Hamilton Jewish Social Services	Seniors	\$ 5,918	\$ 0	\$ 157,097	3.8%	
Hamilton Association for Residential & Recreational Redevelopment Programs (HARRRP)	Social & Recreational Opportunities	\$ 36,390	\$ 0	\$ 79,650	45.7%	HARRRP is increasing fundraising efforts to offset the UW funding reduction. Currently, organization has cut staffing costs, reduced expenditures to keep the program available to the community. The organization provides community space to many programs within the community.

Appendix "A" to Report CM18020

Page 4 of 6

ORGANIZATION	PROGRAM	2017 UW FUNDING	2018 UW FUNDING	2018 PROGRAM BUDGET	% OF 2018 PROGRAM BUDGET CUT	IMPACT ON PROGRAM DELIVERY
John Howard Society, Hamilton	Transportation Program	\$ 7,896	\$ 0	N/A	N/A	John Howard Society has been forced to significantly reduce program delivery as a result of UW funding reductions. The organization has reduced the number available monthly trips to Kingston. The Crisis Intervention program has a large waiting list that has only grown since the funding reductions. The funding reduction has reduced the availability of a Coordinator for the Crisis Intervention Program.
John Howard Society, Hamilton	Crisis Intervention & Reintegration Services	\$ 19,110	\$ 0	N/A	N/A	
Lynwood Charlton Centre	Under the Willows	\$ 6,361	\$ 0	N/A	N/A	Due to scheduling conflicts the Lynwood Charlton Centre was not able to provide program data prior to the completion of this report.
Multiple Sclerosis Society of Canada, Hamilton	Health & Wellness	\$ 39,146	\$ 0	\$ 57,207	68.4%	Multiple Sclerosis Society of Canada received \$39,146 in one-time relief funding from the City Enrichment Fund reserve to offset the reduction in UW funding.

**Appendix "A" to Report CM18020
Page 5 of 6**

ORGANIZATION	PROGRAM	2017 UW FUNDING	2018 UW FUNDING	2018 PROGRAM BUDGET	% OF 2018 PROGRAM BUDGET CUT	IMPACT ON PROGRAM DELIVERY
Navy League of Canada, Hamilton	Navy League Cadet & Royal Canadian Sea Cadet Youth	\$ 13,825	\$ 0	\$ 26,000	53.2%	Navy League of Canada has reduced program delivery as a result of UW funding cuts. The organization no longer offers daily programming. Organization currently operating out of a temporary location which has allowed them to manage costs. Once permanent location is secured organization will have significantly greater financial pressures.
St. Joseph's Home Care	Personal & Home Support Services	\$ 39,385	\$ 0	\$ 39,385	100%	St. Joseph's Home Care has cancelled their Home Support service as a result of the UW funding reductions.
YMCA Hamilton / Burlington / Brantford	Helping Hands	\$ 7,005	\$ 0	N/A	N/A	YMCA will offset the UW funding reduction through their Strong Kids fundraising campaign. Organization has also reduced expenditures in order to ensure program delivery is not impacted.

Appendix "A" to Report CM18020

Page 6 of 6

ORGANIZATION	PROGRAM	2017 UW FUNDING	2018 UW FUNDING	2018 PROGRAM BUDGET	% OF 2018 PROGRAM BUDGET CUT	IMPACT ON PROGRAM DELIVERY
YWCA Hamilton	Leadership Training	\$ 48,369	\$ 0	\$ 69,927	69.2%	The YWCA has requested for additional funding from donors to partially offset the UW funding reduction. The organization has also realigned staffing in some areas, and increased internal fundraising goals in order to minimize impact on program delivery.

SUMMARY

# OF ORGANIZATIONS	2017 UW FUNDING	2018 UW FUNDING	VARIANCE
19	\$ 382,821	\$ 0	-\$ 382,821

Appendix "B" to Report CM18020

Page 1 of 2

2018 UNITED WAY FUNDING – REDUCED PROGRAM FUNDING						
ORGANIZATION	PROGRAM	2017 UW FUNDING	2018 UW FUNDING	2018 PROGRAM BUDGET	% OF 2018 PROGRAM BUDGET CUT	IMPACT ON PROGRAM DELIVERY
Catholic Family Services	Individual & Family Counselling	\$128,147	\$102,518	\$ 304,554	8.4%	Catholic Family Services received \$25,629 in one-time relief funding from the City Enrichment Fund reserve to offset the reduction in UW funding.
John Howard Society, Hamilton	Family Support	\$25,759	\$25,000	\$54,564	1.4%	John Howard Society received a minor reduction in UW funding for this program. The request for UW funding for this program was more than double of what was received. Organization will deliver a scaled down version of the program based on the funding dollars received.
YMCA Hamilton / Burlington / Brantford	Day Camp	\$19,556	\$17,000	N/A	N/A	YMCA will offset the UW funding reduction through their Strong Kids fundraising campaign. Organization has also reduced expenditures in order to ensure program delivery is not impacted.
YMCA Hamilton / Burlington / Brantford	Children & Youth Health& Fitness	\$53,329	\$42,663	N/A	N/A	

Appendix "B" to Report CM18020
Page 2 of 2

ORGANIZATION	PROGRAM	2017 UW FUNDING	2018 UW FUNDING	2018 PROGRAM BUDGET	% OF 2018 PROGRAM BUDGET CUT	IMPACT ON PROGRAM DELIVERY
YWCA Hamilton	After School Programs	\$66,224	\$21,000	\$120,181	N/A	YWCA significantly reduced their funding request from the UW to \$21,034 for the After School Program in 2018. The remaining \$45,190 of funding was requested for the Young Women & Girls Program. YWCA was not success in transitioning the UW funding from the After School Program to the Young Women and Girls Program.

SUMMARY

# OF PROGRAMS IMPACTED	2017 UW FUNDING	2018 UW FUNDING	VARIANCE
5	\$ 293,015	\$ 208,181	-\$ 84,834

Appendix "C" to Report CM18020

Page 1 of 2

2018 UNITED WAY FUNDING – RETURNING AGENCIES WITH NEW APPLICATIONS

The following agencies adjusted their previous UW program applications to better align with the new funding framework.

ORGANIZATION	2017 PROGRAM	2017 UW FUNDING	2018 PROGRAM	FUNDING REQUEST	2018 UW FUNDING
Canadian National Institute for the Blind	Counselling & Referral	\$ 21,015	Peer & Home-Based Support	\$ 25,000	\$ 0
	Rehabilitation Services	\$ 49,036	Beyond the Classroom	\$ 25,000	\$ 0
			Youth Empowerment	\$ 25,000	\$ 0

The Canadian National Institute for the Blind received \$70,051 of UW funding in 2017 versus \$0 of UW funding for 2018.

ORGANIZATION	2017 PROGRAM	2017 UW FUNDING	2018 PROGRAM	FUNDING REQUEST	2018 UW FUNDING
Dundas Community Services	Information Dundas	\$ 8,916	Community Outreach	\$ 19,000	\$ 0
	Individual & Family Counselling	\$ 1,996	Counselling & Referral	\$ 13,000	\$ 0
	Community Development & Planning	\$ 2,629			
	Coordinated Services	\$ 3,324			
	Volunteer Services	\$ 644			

Dundas Community Services received \$17,509 of UW funding in 2017 versus \$0 of UW funding in 2018 for these new programs.

Appendix "C" to Report CM18020

Page 2 of 2

ORGANIZATION	2017 PROGRAM	2017 UW FUNDING	2018 PROGRAM	FUNDING REQUEST	2018 UW FUNDING
YWCA Hamilton	Woman's Transitional Housing	\$ 22,309	Transitional Living – Food Security	\$ 20,644	\$ 0
	Living Well	\$ 66,441	Transitional Living – Mental Health	\$ 40,000	\$ 0
	Employment Support Services	\$ 20,644			

YWCA Hamilton received \$109,394 of UW funding in 2017 versus \$0 of UW funding in 2018 for these new programs.

ORGANIZATION	2017 PROGRAM	2017 UW FUNDING	2018 PROGRAM	FUNDING REQUEST	2018 UW FUNDING
St. Matthew's House	Basic Needs & Practical Services	\$ 45,222	Emergency Food Program	\$ 60,000	\$ 38,400
	Roxborough Food Bank	\$ 3,250			
	Roxborough Senior Centre	\$ 2,020			


St. Matthew's House received \$50,492 of UW funding in 2017 versus \$38,400 of UW funding in 2018 for these new programs.

SUMMARY

# OF ORGANIZATIONS	2017 UW FUNDING	2018 UW FUNDING	VARIANCE
4	\$ 247,446	\$ 38,400	-\$ 209,046



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
Financial Planning, Administration and Policy Division

TO:	Chair and Members Audit, Finance and Administration Committee
COMMITTEE DATE:	September 24, 2018
SUBJECT/REPORT NO:	Request for Extension, Development Charge Deferral Agreement #156, 170 Rockhaven Lane (FCS18081) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Lindsay Gillies (905) 546-2424 Ext. 2790 Alicia Li (905) 546-2424 Ext. 1434
SUBMITTED BY:	Cindy Mercanti Director, Customer Service and POA Acting Director, Financial Planning and Policy Corporate Services Department
SIGNATURE:	

RECOMMENDATIONS

- (a) That the General Manager of Finance and Corporate Services be authorized, in a form satisfactory to the City Solicitor, to extend Development Charge (DC) Deferral Agreement #156 for one year until October 1, 2019 according to the terms outlined in Appendix "B" to Report FCS18081;
- (b) That "Request for Extension, Development Charge (DC) Deferral Agreement #156, 170 Rockhaven Lane", be considered complete and removed from the Audit, Finance and Administration Committee Outstanding Business List.

EXECUTIVE SUMMARY

Council, at its meeting of August 17, 2018, received a letter as Item 5.4 from Dinesh Mahabir, President of Hawk Ridge Homes Inc. (Hawk Ridge), requesting an extension for Development Charge (DC) Deferral Agreement #156, located at 170 Rockhaven Lane (Appendix "A" to Report FCS18081). Staff was directed to report to the Audit, Finance and Administration Committee. Hawk Ridge has communicated challenges with the sale of the three remaining units and requested a one-year extension. Hawk Ridge has worked co-operatively with the terms of the existing agreement and staff is supportive of an extension according to the terms outlined in Appendix "B" to Report FCS18081.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

SUBJECT: Request for Extension, Development Charges Deferral Agreement #156, 170 Rockhaven Lane (FCS18081) (City Wide) - Page 2 of 5

DC Deferral Agreement #156 was entered into on October 1, 2013 by Hawk Ridge for a 53-unit, mixed-use condo development at 170 Rockhaven Lane for \$824,213.92. The agreement is set to expire on October 1, 2018 and has a remaining balance of \$53,287.70, representing the three unsold units.

There is precedent for extending DC Deferral Agreements. Most recently, in March 2018, through the approval of Report FCS18033 which provided a 14-month extension for 35 Upper Centennial (Southmount Healthcare Centre).

In order to balance the City's requirement for financial resources to support development related activity while recognizing the financial challenges facing the DC Deferral Agreement holder, staff is recommending a payment schedule as detailed in Appendix "B" to Report FCS18081. The one-year extension will commence from October 1, 2018 to October 1, 2019. Included in the recommended repayment schedule is that payments continue to be made at the time each unit closes and interest be compounded monthly and that the rate be set at the City's October 2018 five-year serial debenture rate plus 5.25% (which is comprised of 3.25% for the new DC Deferral Policy Rate plus 2.00% for the Extended Agreement Rate). Please note that the August 2018 rate is used for illustration purposes only and the October 2018 rate will be used at the execution of the extension agreement.

Alternatives for Consideration – See Page 5

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Staff is recommending a one-year extension of the agreement from October 1, 2018 to October 1, 2019 with full payment due on or before October 1, 2019.

The interest rate shall be set at the City's five-year serial debenture rate plus 5.25% (which is comprised of 3.25% for the new DC Deferral Policy Rate plus 2.00% for the Extended Agreement Rate). The five-year serial debenture rate used for this illustration is 2.85% as of August 2018. However, at execution of the extension agreement the October 2018 rate will be used.

This recommendation is illustrated in Appendix "B" to Report FCS18081.

Staffing: None

SUBJECT: Request for Extension, Development Charges Deferral Agreement #156, 170 Rockhaven Lane (FCS18081) (City Wide) - Page 3 of 5

Legal: Hawk Ridge has agreed to the payment terms illustrated in Appendix "B" to Report FCS18081. Hawk Ridge will be required to apply for and enter into a new DC Deferral Agreement. An application fee of \$750 will be required and the agreement will be in a form satisfactory to the City Solicitor. Prior to the commencement of the Extension Agreement, Hawk Ridge will be responsible for bringing any property taxes in arrears up to date. Terms of the Extension Agreement shall include maintaining the property taxes in good standing, registering the agreement on title as a mortgage, providing a personal guarantee, providing proof of insurance satisfactory to the City's risk management division, and other standard terms of DC Deferral Agreements including provisions which, in the event of default, would transfer any balance outstanding to the property tax roll.

By registering the agreement on the property, the property could not be transferred without the agreement balance being cleared.

HISTORICAL BACKGROUND

On October 1, 2013, Hawk Ridge entered into Deferral Agreement #156 to defer the assessed DCs of \$824,213.92 applicable to the project at 170 Rockhaven Lane.

The Deferral Agreement required that interest accrue at the City's five-year serial debenture rate plus 0.25% (2.66%) compounded semi-annually, fixed for the five-year term. The entire amount plus interest was to be repaid within five years. However, there were payments required for each unit as the units closed. Hawk Ridge has met the payment requirements with each unit closing over the agreement term.

The City's five-year serial debenture rate is communicated by RBC Capital Markets at the beginning of every month. The rate in effect the month that the agreement was entered into is fixed for the five-year term.

On July 13, 2018, a notice of expiration was mailed detailing the final amount of \$53,287.70 that would be due, including all accrued interest, on October 1, 2018.

Council, at its meeting of August 17, 2018, received a letter as Item 5.4 from Dinesh Mahabir, President of Hawk Ridge Homes Inc. (Hawk Ridge), requesting an extension for DC Deferral Agreement #156, located at 170 Rockhaven Lane (Appendix "A" to Report FCS18081). Staff was directed to report to the Audit, Finance and Administration Committee.

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SUBJECT: Request for Extension, Development Charges Deferral Agreement #156, 170 Rockhaven Lane (FCS18081) (City Wide) - Page 4 of 5

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

DC By-Law 14-153 (previously 09-143) permits the General Manager of Finance and Corporate Services to enter into a DC Deferral Agreement for a term not to exceed five years. Therefore, any extension past the five-year term requires Council approval.

Council has previously approved extensions of DC Deferral Agreements, most recently in March 2018, through the approval of FCS18033 which provided a 14-month extension for 35 Upper Centennial Parkway (The Southmount Healthcare Centre).

RELEVANT CONSULTATION

Corporate Services, City Solicitor Division, Commercial / Development / Policy Section

ANALYSIS AND RATIONALE FOR RECOMMENDATIONS

The primary rationale for the staff recommendation is the need to balance the requirement for financial resources to support development related activity, while showing an understanding of the financial challenges the DC Deferral Agreement holder is experiencing.

The Extended Agreement Rate is 2.00% higher than the rate charged for new DC Deferral Agreements which will provide an incentive for DC Deferral Agreement holders to meet the original agreement obligations while reducing City's financial loss over the one-year extension.

ALTERNATIVE FOR CONSIDERATION

The alternative is to enforce the original agreement terms.

Under this alternative, Hawk Ridge is required to pay back the outstanding balance of \$53,287.70 (interest included) on or before October 1, 2018. Any portion of the amount that remains unpaid after October 1, 2018 will be transferred to the property tax roll immediately. The amount would then be collected in the same manner as property taxes in arrears.

The advantages of proceeding with enforcement are twofold. The City enforces the original agreement terms that were previously entered into with Hawk Ridge. The City may receive the funds that are due and owing earlier than the staff recommendation.

The City also needs to consider the financial and reputational aspects of proceeding with enforcement despite the City's awareness of the Hawk Ridge's financial struggles. The financial disadvantages are the costs staff will incur in enforcing the agreement with Hawk Ridge including litigation such as the issuance of a statement of claim in the

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**SUBJECT: Request for Extension, Development Charges Deferral Agreement
#156, 170 Rockhaven Lane (FCS18081) (City Wide) - Page 5 of 5**

Ontario Superior Court of Justice. Being able to show to the courts that the City has made concessions and efforts to work with the challenges of the agreement holder will be perceived favourably in the event of any future enforcement.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Request for Extension, Development Charges Deferral Agreement #156, 170 Rockhaven Lane (August 17, 2018 Council).

Appendix “B” – Recommended Extension Terms and Sample Payment Illustration: Deferral Agreement #156, 170 Rockhaven Lane

LG/AL/dt



Hamilton City Council
c/o City Clerk
71 Main Street West, City Hall
Hamilton, ON L8P 4Y5

Re:170 Rockhaven Lane, Waterdown, ON. – Deferral Agreement No. 156 –
Expiring Oct. 1,2018

Regarding the above agreement, we would like to apply to council for their approval in extending this Deferral Agreement(No.156) for 1 year until Oct. 1,2019. The balance owing on the DC will then become fully due and payable with all of the interest occurred, and there will be no further extensions requested. However if the units are sold prior to this date, we will discharge them in the standard format.

We have had various issues with selling the commercial units, one of the main drawbacks is the property taxes levelled on these units. Property taxes ran up to many tens of thousands of dollars thus limiting our cash flow and ability to pay the DC on multiple units, ahead of their closing. There are still three unsold units in this complex, and it would be very helpful to us if council would consider our request to extend the terms of the DC for one more year.

We thank you in advance, and look forward to your early response.

Dinesh Mahabir
President
Hawk Ridge Homes Inc.
Email: dinesh@hawkridgehomes.ca cell:905-630-5091

Appendix “B” to Report FCS18081
Page 1 of 2

**Recommended Extension Terms and Sample Payment Illustration:
Deferral Agreement #156, 170 Rockhaven Lane**

Staff Recommendation: Provide a DC Deferral Agreement Extension ^[1] for a one-year term from October 1, 2018 to October 1, 2019 with full payment due on or before October 1, 2019 according to the following terms.

The DC Deferral Agreement will be extended for one year to October 1, 2019 using the City’s five-year serial debenture rate plus 5.25% (which is comprised of 3.25% for the new DC Deferral Policy Rate plus 2.00% for the Extended Agreement Rate).

This sample schedule uses the August 2018, five-year serial debenture rate for illustration only. The actual October 2018, five-year serial debenture rate would be used in the actual calculation.

Amount: \$53,287.70
This is the balance owing on DC Deferral Agreement #156 at expiration on October 1, 2018.

Interest Rate Applied: Five-year serial debenture rate plus 5.25%
(August 2018 rate used in illustration)

August Rate:	2.85%
New DC Deferral Policy Rate:	3.25%
Extended Agreement Rate:	<u>2.00%</u>
Total Interest Rate	8.10%

Compound Period: Monthly

Payments: Payments ad hoc as the remaining units close for sale.
Illustration shows sample payment dates.

Total Payments: \$56,607.59
(Total payments will vary depending on closing date of units.)

Total Interest: \$3,319.89
(Total interest will vary depending on closing date of units and the actual interest rate the agreement is entered into.)

Note [1]: As a condition of the staff recommendation, the Agreement holder will be responsible for bringing any property taxes in arrears up to date, maintaining the property taxes in good standing, registering the Agreement on title as a mortgage, providing a personal guarantee, providing proof of insurance satisfactory to the City’s risk management division, and other standard terms of DC Deferral Agreements including provisions which, in the event of default, would transfer any balance outstanding to the property tax roll.

Appendix "B" to Report FCS18081
Page 2 of 2

Past payment history of existing DC Deferral - expires October 1, 2018:

Date From	Date To	Interest Rate (%)	Beginning Balance (\$)	Payments / Adjustments (\$)	Period Interest	Closing Balance Outstanding (\$)
01-Oct-13	31-Dec-13	2.66%	824,213.92	-	5,466.01	829,679.93
01-Jan-14	31-Dec-14	2.66%	829,679.93	-	22,216.24	851,896.16
01-Jan-15	31-Dec-15	2.66%	851,896.16	(700,900.00)	14,232.59	165,228.76
01-Jan-16	31-Dec-16	2.66%	165,228.76	(32,600.00)	3,870.40	136,499.15
01-Jan-17	31-Dec-17	2.66%	136,499.15	(69,150.00)	2,480.92	69,722.60
01-Jan-18	01-Oct-18	2.66%	69,722.60	(17,550.00)	1,115.10	53,287.70

Illustration of potential payment schedule for one-year extension to October 1, 2019:

Date From	Date To	Sample Interest Rate (%)	Beginning Balance (\$)	Sample Payments (\$)	Period Interest	Closing Balance Outstanding (\$)
01-Oct-18	31-Oct-18	8.10%	53,287.70	-	354.76	53,642.46
01-Nov-18	30-Nov-18	8.10%	53,642.46	-	357.13	53,999.59
01-Dec-18	31-Dec-18	8.10%	53,999.59	-	371.49	54,371.07
01-Jan-19	31-Jan-19	8.10%	54,371.07	-	374.04	54,745.12
01-Feb-19	28-Feb-19	8.10%	54,745.12	-	340.17	55,085.29
01-Mar-19	31-Mar-19	8.10%	55,085.29	-	378.96	55,464.24
01-Apr-19	30-Apr-19	8.10%	55,464.24	(18,500.00)	246.09	37,210.34
01-May-19	31-May-19	8.10%	37,210.34	-	255.99	37,466.32
01-Jun-19	30-Jun-19	8.10%	37,466.32	-	249.43	37,715.76
01-Jul-19	31-Jul-19	8.10%	37,715.76	(18,860.00)	129.72	18,985.47
01-Aug-19	31-Aug-19	8.10%	18,985.47	-	130.61	19,116.08
01-Sep-19	01-Oct-19	8.10%	19,116.08	-	131.51	19,247.59
	Final Payment		19,247.59	(19,247.59)	-	-

Note that the above schedule is for illustration purposes. The interest rate and timing of actual payments will be dependent on the October 2018 five-year serial debenture interest rate and the closing dates of the remaining units.

CITY OF HAMILTON

MOTION

Audit, Finance & Administration Committee: September 24, 2018

MOVED BY COUNCILLOR L. FERGUSON.....

SECONDED BY MAYOR / COUNCILLOR

Temporary Delegation of Authority to Impose Vendor Ban of Up to One Year

WHEREAS, Policy #1, subsection 4.1(10) of the Procurement Policy By-law permits the Procurement Sub-Committee to impose an interim ban upon a vendor from competing or being awarded a City Contract for a period of up to 12 months under certain circumstances;

WHEREAS, a municipal election will be held October 22, 2018, and it may not be possible to convene a meeting of the Procurement Sub-Committee in the months of October and November;

WHEREAS, the Procurement Sub-Committee reports to the Audit, Finance & Administration Committee; and,

WHEREAS, the new term of Council will commence December 3, 2018;

THEREFORE, BE IT RESOLVED:

- (a) That the General Managers of Public Works and Finance & Corporate Services be provided delegated authority to impose an interim ban upon a vendor from competing or being awarded any City contract, under the circumstances described in Policy #1, subsection 4.1(10) of the Procurement Policy By-law, where the Manager of Procurement has demonstrated and the General Managers of Public Works and Finance & Corporate Services are satisfied that there is sufficient evidence of act(s) or omission(s) described in Policy #1 of the Procurement Policy By-law on the part of a vendor;
- (b) That an interim ban may be imposed on a vendor, pursuant to Policy #1, subsection 4.1(10) of the Procurement Policy By-law, for a period of up to 12 months;
- (c) That the decision of the General Managers of Public Works and Finance & Corporate Services shall be final with respect to any interim ban on a vendor, pursuant to Policy #1, subsection 4.1(10) of the Procurement Policy By-law; and,
- (d) That the authority delegated to the General Managers of Public Works and Finance & Corporate Services respecting the authority to impose a vendor ban(s) for up to a 12 month period, shall only apply from October 1, 2018 to November 30, 2018, before and after which time the delegated authority shall be void and of no force or effect.