AUDIT, FINANCE AND ADMINISTRATION COMMITTEE
MINUTES 19-010

9:30 a.m.
July 11, 2019
Council Chambers
Hamilton City Hall

Present: Councillors C. Collins (Chair), M. Wilson, B. Clark, M. Pearson B. Johnson, L. Ferguson, A. VanderBeek and J. Partridge

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Professional and Consultant Services Roster 2017-2018 (PW19048 / PED19130 / FCS19052) (City Wide) (Item 7.1)

(Clark/Wilson)
That Report PW19048 / PED19130 / FCS19052, respecting the Professional and Consultant Services Roster 2017-2018, be received.

CARRIED

2. 2019 First Quarter Request for Tenders and Proposals Report (FCS19041) (City Wide) (Item 7.2)

(Clark/Wilson)
That Report FCS19041, respecting the 2019 First Quarter Request for Tenders and Proposals Report, be received.

CARRIED

3. 2019 First Quarter Emergency and Non-competitive Procurements Report (FCS19042) (City Wide) (Item 7.3)

(Clark/Wilson)
That Report FCS19042, respecting the 2019 First Quarter Emergency and Non-competitive Procurements Report, be received.

CARRIED

4. First Quarter Non-compliance with the Procurement Policy Report (FCS19043) (City Wide) (Item 7.4)

(Clark/Wilson)
That Report FCS19043, respecting the First Quarter Non-compliance with the Procurement Policy Report, be received.

CARRIED

5. Tax and Rate Operating Budget Variance Report as at April 30, 2019 – Budget Control Policy Transfers (FCS19055) (City Wide) (Item 9.1)

(Pearson/Ferguson)
That, in accordance with the "Budgeted Complement Control Policy", the 2019 complement transfer transferring complement from one department / division to another with no impact on the levy, as outlined in Appendix "C" to Report FCS19055, be approved.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
NOT PRESENT - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

6. Fraud and Waste Hotline Launch (AUD19011) (City Wide) (Item 9.2)

(Clark/Johnson)
(a) That Report AUD19011 respecting the launch of the City of Hamilton's Fraud and Waste Hotline be received;

(b) That the name of the Audit Services Division be amended to the Office of the City Auditor in all corporate systems, so that the independent and objective nature of the work performed is more easily understood by the public and staff;

(c) That the position Director of Audit Services be known as the City Auditor and this be updated in all corporate systems; and,

(d) That the relevant By-laws be updated (By-law 12-073 and By-law 09-227) to reflect the change from Audit Services Division to Office of the City Auditor and Director of Audit Services to City Auditor.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
NOT PRESENT - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

7. Human Rights, Diversity and Inclusion Strategic Plan Presentation Update (HUR19017) (City Wide) (Item 9.3)

(Clark/Johnson)
That Report HUR19017, respecting the Human Rights, Diversity and Inclusion Strategic Plan Presentation Update, be received.

CARRIED

8. Diversity and Inclusion Strategic Plan Annual Report (HUR19016) (City Wide) (Item 10.1)

(Clark/Pearson)
That Report HUR19016, respecting the Diversity and Inclusion Strategic Plan Annual Report, be received.

CARRIED

9. 2018 City of Hamilton Financial Report and Audited Financial Statements (FCS19048) (City Wide) (Item 10.2)

(Pearson/VanderBeek)
That the 2018 City of Hamilton Financial Report and Audited Financial Statements, attached as Appendix “B” to Report FCS19048, be approved.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

10. Audit Report - Housing Services Division: Capital (AUD19004) (City Wide) (Item 10.3)

(Pearson/Clark)
(a) That the Management Responses as detailed in Appendix “A” of Report AUD19004 be approved; and,

(b) That the General Manager of Healthy and Safe Communities be directed to instruct the appropriate staff to have the Management Responses (attached as Appendix “A” to Report AUD19004) implemented.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

11. Virtual Reality Stations for the Canadian Warplane Heritage Museum (Added Item 11.1)

(Johnson/Partridge)
WHEREAS, the Canadian Warplane Heritage Museum is one of the premier tourist attractions in Hamilton with over 88,000 visitors annually;

WHEREAS, this Museum is developing both Virtual Reality (VR) and Augmented Reality (AR) program plans and are on the new threshold of “edutainment”;

WHEREAS, the Museum is currently offering a visitor experience through Virtual Reality technology;

WHEREAS, the Education and Youth Services program at the Museum provides specialized programming and instruction to over 20,000 students annually;

WHEREAS, in accordance with its stated mandate to “instruct and educate”, the Museum proposes to purchase 6 VR stations and related accessories at the cost of $29,514; and,

WHEREAS, the John C. Munro Hamilton International Airport has offered to cover 50% of the total cost of the VR stations;

THEREFORE, BE IT RESOLVED:

That that the City of Hamilton fund the remaining 50% of the total cost of the Virtual Reality Stations for the Canadian Warplane Heritage Museum, in an amount not to exceed $14,757, to be funded from Corporate Financials Dept ID 211090.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson

YES - Councillor Brad Clark

12. Invocation of the Residential Municipal Relief Assistsance Program (Added Item 11.2)

(Collins/Partridge)
WHEREAS, the City of Hamilton invoked the Residential Relief Assistance Program for basement flooding from record Lake Ontario water levels in 2017;

WHEREAS, the 2019 Lake Ontario level surpassed the 2017 levels impacting municipal infrastructure and private properties in the Beach Neighbourhood; and

WHEREAS, the Beach Boulevard Community has been identified as particularly vulnerable to rising lake levels given its low lying elevation;

THEREFORE BE IT RESOLVED

(a) That for the purpose of invoking the Residential Municipal Relief Assistance Program for basement flooding, City Council declare a disaster for the record lake levels of 2019 for all affected properties within the Beach Community;

(b) That payment of claims be based on compassionate grounds only and not to be construed as an admission of liability on the part of the City of Hamilton;

(c) That the eligibility criteria for the Residential Municipal Disaster Relief Assistance Program as previously approved in Report FCS06007 respecting the Proposed Residential Municipal Disaster Relief Assistance Program for Basement Flooding be applied;

(d) That the costs associated with these claims be funded from the Storm Sewer Reserve 108010; and,

(e) That staff be authorized, if required, to retain an independent adjuster for the administration of claims under the Residential Municipal Disaster Relief Assistance Program and that these administrative costs be funded from the Storm Sewer Reserve 108010.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

13. IBI Group Project Management Assignments (PW19066) (Ward 8) (Item 14.1)

(Pearson/Johnson)
That the contents of Report PW19066, respecting the IBI Group Project Management Assignments remain confidential.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

1. DELEGATION REQUESTS (Item 6)

6.5 Kojo Damptey, Hamilton Centre for Civic Inclusion, respecting the Diversity and Inclusion Strategic Plan Annual Report (HUR19016) & Human Rights, Diversity and Inclusion Strategic Plan Presentation Update (HUR19017) (For today's meeting)

2. NOTICES OF MOTION (Item 12)

12.1 Virtual Reality Stations for the Canadian Warplane Heritage Museum

12.2 Invocation of the Residential Municipal Relief Assistsance Program

3. GENERAL INFORMATION / OTHER BUSINESS (Item 13)

13.1 Amendments to the Outstanding Business List

13.1(a) Proposed Due Dates:

Item: C
Outstanding Uncompleted Audit Recommendations (AF&A Report 16-006)
Proposed Due Date: August 2019

Item: E
Everyone Rides Initiative Pilot Project (PW16086)
Proposed Due Date: October 2019

Item: 19-A
Correspondence from the Federation of Canadian Municipalities (FCM) respecting the 2019-2020 Membership Invoice - Advocacy Fund Contribution along with Appendix A (AF&A Report 19-002 - Item 1)
Proposed Due Date: August 2019

Item: 19-E
Converting Contractual Positions to Permanent (GIC - Final Operating Budget Report 19-002 - Item (i)(3)(dd))
Proposed Due Date: October 2019

Item: 19-H
Academic and Student Residence Development Grant Program (AF&A Report 19-008 - Item 13)
Proposed Due Date: October 2019

Item: 19-I
Access By Design Policy (AF&A Report 19-009 - Item 11)
Proposed Due Date: Q3 2019

(Pearson/Clark)
That the agenda for the July 11, 2019 Audit, Finance and Administration Committee meeting be approved, as amended.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

NOT PRESENT - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Clark declared an interest in Item 6.4 a Delegation Request from Sean Ferris, Habitat for Humanity Hamilton, respecting reimbursement of specific fees paid to the City related to building permits for the construction of these homes, as he has a former professional relationship with Habitat for Humanity Hamilton.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) June 6, 2019 (Item 4.1)

(Ferguson/VanderBeek)
That the Minutes of the June 6, 2019 meeting of the Audit, Finance and Administration Committee be approved, as presented.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(d) DELEGATION REQUESTS (Item 6)

(Johnson/Pearson)
(i) That the following Delegation Requests be approved for a future meeting:

(1) Karin Dearness, Andy Stone, Philip Toms, and John Ariens respecting reimbursement of rezoning and development charges related to a laneway house at 390.5 Aberdeen Avenue, Hamilton (Ward 1) (For a future meeting) (Item 6.1)

(2) Mark R McKenzie, Hamilton District Heavy Construction Association (HAND), respecting opposition to proposed Social Procurement initiative (For a future meeting) (Item 6.2)

(3) Manuel Bastos, LIUNA 837, respecting a presentation on Social Procurement (For a future meeting) (Item 6.3)

(4) Sean Ferris, Habitat for Humanity Hamilton, respecting reimbursement of specific fees paid to the City related to building permits for the construction of these homes (For a future meeting) (Item 6.4)

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson

YES - Councillor Maria Pearson
CONFLICT - Councillor Brad Clark

(ii) Kojo Damptey, Hamilton Centre for Civic Inclusion, respecting the Diversity and Inclusion Strategic Plan Annual Report (HUR19016) & Human Rights, Diversity and Inclusion Strategic Plan Presentation Update (HUR19017) (For today's meeting) (Added Item 6.5)

(Clark/Partridge)
That the delegation request from Kojo Damptey, Hamilton Centre for Civic Inclusion, respecting the Diversity and Inclusion Strategic Plan Annual Report (HUR19016) & Human Rights, Diversity and Inclusion Strategic Plan Presentation Update(HUR19017), be approved for today's meeting.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(e) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) Terry MacDougall, respecting an appeal to a water bill amount (Approved June 6, 2019) (Item 8.1)

Terry MacDougall, addressed the Committee respecting an appeal to a water bill amount.

(VanderBeek/Partridge)
That the delegation from Terry MacDougall, respecting an appeal to a water bill amount, be received.

CARRIED

(ii) Supporting Documentation Provided by Staff respecting Terry MacDougall's water bill (Item 8.1(a))

(Ferguson/Pearson)
That the supporting documentation provided by staff respecting Terry MacDougall's water bill, be received.

CARRIED

(iii) Kojo Damptey, Hamilton Centre for Civic Inclusion, respecting the Diversity and Inclusion Strategic Plan Annual Report (HUR19016) & Human Rights, Diversity and Inclusion Strategic Plan Presentation Update (HUR19017) (Added Item 8.2)

Kojo Damptey, Hamilton Centre for Civic Inclusion, addressed the Committee respecting the respecting the Diversity and Inclusion Strategic Plan Annual Report (HUR19016) & Human Rights, Diversity and Inclusion Strategic Plan Presentation Update (HUR19017), with the aid of a handout.

(Wilson/Pearson)
That the delegation from Kojo Damptey, Hamilton Centre for Civic Inclusion, respecting the Diversity and Inclusion Strategic Plan Annual Report (HUR19016) & Human Rights, Diversity and Inclusion Strategic Plan Presentation Update (HUR19017), be received.

CARRIED

A copy of the handout is available on the City's website at www.hamilton.ca or through the office of the City clerk.

For further disposition, refer to Items 7 and 8.

(f) STAFF PRESENTATIONS (Item 9)

(i) Tax and Rate Operating Budget Variance Report as at April 30, 2019 – Budget Control Policy Transfers (FCS19055) (City Wide) (Item 9.1)

Brian McMullen, Director Financial Planning Administration and Policy, addressed the Committee respecting Tax and Rate Operating Budget Variance Report as at April 30, 2019 - Budget Control Policy Transfers, with the aid of a presentation.

(Pearson/Ferguson)
That the presentation respecting Tax and Rate Operating Budget Variance Report as at April 30, 2019 - Budget Control Policy Transfers, be received.

CARRIED

A copy of the presentation is available on the City's website at www.hamilton.ca or through the office of the City Clerk.

For further disposition of this matter, refer to Item 5.

(ii) Fraud and Waste Hotline Launch (AUD19011) (City Wide) (Item 9.2)

Charles Brown, Director of Audit Services, and Brigitte Minard, Deputy City Auditor, addressed the Committee respecting the Fraud and Waste Hotline Launch, with the aid of a presentation.

(Johnson/Clark)
That the presentation respecting the Fraud and Waste Hotline Launch, be received.

CARRIED

A copy of the presentation is available on the City's website at www.hamilton.ca or through the office of the City Clerk.

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

(iii) Human Rights, Diversity and Inclusion Strategic Plan Presentation Update (HUR19017) (City Wide) (Item 9.3)

Jodi Koch, Director of Talent and Diversity, addressed the Committee respecting the Human Rights, Diversity and Inclusion Strategic Plan Presentation Update, with the aid of a presentation.

(Clark/Pearson)
That the presentation respecting the Human Rights, Diversity and Inclusion Strategic Plan Presentation Update, be received.

CARRIED

A copy of the presentation is available on the City's website at www.hamilton.ca or through the office of the City Clerk.

For further disposition of this matter, refer to Item 7.

(g) NOTICES OF MOTION (Item 12)

(i) Virtual Reality Stations for the Canadian Warplane Heritage Museum (Added Item 12.1)

Councillor Johnson introduced her Notice of Motion respecting Virtual Reality Stations for the Canadian Warplane Heritage Museum.

(Johnson/Clark)
That the rules of order be waived to allow for the introduction of a Motion respecting Virtual Reality Stations for the Canadian Warplane Heritage Museum.

Result: Motion CARRIED by a 2/3 majority vote of 8 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson

YES - Councillor Maria Pearson
YES - Councillor Brad Clark

For further disposition of this matter, refer to Item 11.

Councillor Collins relinquished the Chair to introduce the following Notice of Motion.

(ii) Invocation of the Residential Municipal Relief Assistsance Program (Added Item 12.2)

Councillor Collins introduced his Notice of Motion respecting Invocation of the Residential Municipal Relief Assistsance Program.

(Collins/Johnson)
That the rules of order be waived to allow for the introduction of a Motion respecting Invocation of the Residential Municipal Relief Assistsance Program.

Result: Motion CARRIED by a 2/3 majority vote of 8 to 0, as follows::

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

For further disposition of this matter, refer to Item 12.

Councillor Collins assumed the Chair.

(iii) Restorative Practices Council and Senior Leadership Team Workshop (Added Item 12.3)

Councillor Clark introduced the following Notice of Motion.

WHEREAS the city of Hamilton is committed to proactive civic engagement,

WHEREAS the City of Hamilton is committed to the successful implementation of our Human Rights, Diversity and Inclusion Strategic plan;

WHEREAS the City Council and Senior Leadership Team regularly meets and consults with a wide variety of residents, associations, stakeholders, and businesses;

WHEREAS our communities are advising us that they are experiencing an increase in hateful, bigoted and oppressive racism;

WHEREAS a key to any successful consultation or dialogue is the ability to see issues and concerns through the lenses of different communities and individual; and

WHEREAS the restorative practices circles have been tremendously successful in broadening the perspectives, understanding and active listening skills of participants

THEREFORE, BE IT RESOLVED

That the City Manager be directed to organize a one-day Restorative Practices Council and Senior Leadership Team Workshop with two facilitators from the John Howard Society, Garth Bell and Ruth Greenspan.

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(i) Amendments to the Outstanding Business List:

(Pearson/VanderBeek)
That the following amendments to the Audit, Finance & Administration Committee's Outstanding Business List, be approved:

(a) Proposed Due Dates:

Item: C
Outstanding Uncompleted Audit Recommendations
(AF&A Report 16-006)
Proposed Due Date: August 2019

Item: E
Everyone Rides Initiative Pilot Project (PW16086)
Proposed Due Date: October 2019

Item: 19-A
Correspondence from the Federation of Canadian Municipalities (FCM) respecting the 2019-2020 Membership Invoice - Advocacy Fund Contribution along with Appendix A (AF&A Report 19-002 - Item 1)
Proposed Due Date: August 2019

Item: 19-E
Converting Contractual Positions to Permanent (GIC - Final Operating Budget Report 19-002 - Item (i)(3)(dd))
Proposed Due Date: October 2019

Item: 19-H
Academic and Student Residence Development Grant Program (AF&A Report 19-008 - Item 13)
Proposed Due Date: October 2019

Item: 19-I
Access By Design Policy (AF&A Report 19-009 - Item 11)
Proposed Due Date: Q3 2019

Result: Motion CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(i) PRIVATE AND CONFIDENTIAL (Item 14)

(Pearson/Clark)
That Committee move into Closed Session respecting Item 14.1, pursuant to Sub-sections (d) and (e) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (d) and (e) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

Result: Motion CARRIED by a vote of 7 to 0, as follows:

YES - Councillor Maureen Wilson
YES - Chair Chad Collins
YES - Councillor Judi Partridge
YES - Councillor Arlene VanderBeek
NOT PRESENT - Councillor Lloyd Ferguson
YES - Councillor Brenda Johnson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark

(i) IBI Group Project Management Assignments (PW19066) (Ward 8) (Item 14.1)

Staff were provided with direction in Closed Session.

For further disposition of this matter, refer to Item 13.

(j) ADJOURNMENT (Item 15)

(Pearson/Partridge)
That, there being no further business, the Audit, Finance and Administration Committee, be adjourned at 12:26 p.m.

CARRIED

Respectfully submitted,

Councillor Collins, Chair
Audit, Finance and Administration
Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk