



## City of Hamilton

# AUDIT, FINANCE AND ADMINISTRATION COMMITTEE

**Meeting #:** 19-014  
**Date:** October 3, 2019  
**Time:** 9:30 a.m.  
**Location:** Council Chambers, Hamilton City Hall  
71 Main Street West

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

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**1. CEREMONIAL ACTIVITIES**

**2. APPROVAL OF AGENDA**

(Added Items, if applicable, will be noted with \*)

**3. DECLARATIONS OF INTEREST**

**4. APPROVAL OF MINUTES OF PREVIOUS MEETING**

4.1 September 19, 2019

**5. COMMUNICATIONS**

5.1 Correspondence from the Hamilton Waterfront Trust respecting their December 31, 2018 Audited Financial Statements

Recommendation: Be received.

**6. DELEGATION REQUESTS**

**7. CONSENT ITEMS**

7.1 2019 Second Quarter Request for Tenders and Proposals Report (FCS19041(a)) (City Wide)

7.2 2019 Second Quarter Emergency and Non-competitive Procurements Report (FCS19042(a)) (City Wide)

- 7.3 Second Quarter Non-compliance with the Procurement Policy Report (FCS19043(a)) (City Wide)
- 7.4 Semi-Annual Employee Attendance Report 2019 (HUR19020) (City Wide)
- 7.5 Semi-Annual Occupational Injury and Illness Claims 2019 (HUR19021) (City Wide)
- 7.6 Hamilton Aboriginal Advisory Committee Minutes - June 19, 2019

**8. PUBLIC HEARINGS / DELEGATIONS**

**9. STAFF PRESENTATIONS**

**10. DISCUSSION ITEMS**

- 10.1 Reporting Process for Office of the City Auditor Audit Assurance Reports (AUD19006) (City Wide)
- 10.2 Employee Code of Conduct Updates (HUR19022 / AUD19009) (City Wide)
- 10.3 Parkland Dedication Reserve Status Report as of December 31, 2018 (FCS19072) (City Wide)

**11. MOTIONS**

- 11.1 Water Service Line Replacement to Allow for Meter Replacement at 226 Beach Blvd., Hamilton

**12. NOTICES OF MOTION**

**13. GENERAL INFORMATION / OTHER BUSINESS**

**14. PRIVATE AND CONFIDENTIAL**

- 14.1 September 19, 2019 - Closed Minutes

Pursuant to Section 8.1, Sub-section (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to 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.

- 14.2 City-Wide Cash Handling Policy and Guideline Revisions (FCS19067) (City Wide)  
(Distributed under separate cover)

Pursuant to Section 8.1, Sub-section (a) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (a) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to the security of the property of the municipality or local board.

- 14.3 Appeals of the Development Charge By-laws 19-141 and 19-142 (LS19034 / FCS19071) (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 municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

## 15. ADJOURNMENT





## **AUDIT, FINANCE AND ADMINISTRATION COMMITTEE MINUTES 19-013**

**9:30 a.m.**

**September 19, 2019**

**Council Chambers**

**Hamilton City Hall**

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

**Absent:** Councillor A. VanderBeek – Personal

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### **THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:**

- 1. Trunked Two-Way Radio System Upgrade (FCS18068(a) / HSC18037(a)) (City Wide) (Item 14 .2)**

**(Johnson/Partridge)**

That the recommendations of Report FCS18068(a) / HSC18037(a), respecting Trunked Two-Way Radio System Upgrade remain confidential until after Council approval.

**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

### **FOR INFORMATION:**

- (a) CHANGES TO THE AGENDA (Item 2)**

The Committee Clerk advised that there were no changes to the agenda.

**(Ferguson/Pearson)**

That the agenda for the September 19, 2019 Audit, Finance and Administration Committee meeting be approved, as presented.

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

YES - Councillor Maureen Wilson  
YES - Chair Chad Collins

NOT PRESENT - Councillor Judi Partridge  
NOT PRESENT - 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)**

There were no declarations of interest.

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

**(i) September 5, 2019 (Item 4.1)**

**(Clark/Pearson)**

That the Minutes of the September 5, 2019 meeting of the Audit, Finance and Administration Committee be approved, as presented.

**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

**(d) PRIVATE AND CONFIDENTIAL (Item 14)**

**(i) September 5, 2019 – Closed Minutes (Item 14.1)**

**(Ferguson/Partridge)**

(a) That the Closed Session Minutes of the September 5, 2019 Audit, Finance and Administration meeting, be approved as presented; and,

(b) That the Closed Session Minutes of the September 5, 2019 Audit, Finance and Administration meeting, 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  
NOT PRESENT - Councillor Arlene VanderBeek  
YES - Councillor Lloyd Ferguson

YES - Councillor Brenda Johnson  
YES - Councillor Maria Pearson  
YES - Councillor Brad Clark

**(Wilson/Clark)**

That Committee move into Closed Session respecting Item 14.2, pursuant to Section 8.1, Sub-section (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

**CARRIED**

**(ii) Trunked Two-Way Radio System Upgrade (FCS18068(a) / HSC18037(a)) (City Wide)**

Staff were provided with direction in Closed Session.

For further disposition of this matter, refer to Item 1.

**(e) ADJOURNMENT (Item 15)**

**(Clark/Wilson)**

That, there being no further business, the Audit, Finance and Administration Committee, be adjourned at 11:11 a.m.

**CARRIED**

Respectfully submitted,

Councillor Collins, Chair  
Audit, Finance and Administration  
Committee

Angela McRae  
Legislative Coordinator  
Office of the City Clerk







SENT BY EMAIL

September 10, 2019

Stephanie Paparella  
Legislative Co-ordinator  
Office of the City Clerk  
71 Main Street West, 1<sup>st</sup> Floor  
Hamilton, ON  
L8P 4Y5

**Subject: December 31, 2018 Audited Financial Statements**

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Please find attached, audited financial statements for the Hamilton Waterfront Trust for the year ended December 31, 2018.

Annual financial statement is required to be forwarded to your attention by the Hamilton Waterfront Trust. This statement is meant to fulfill the requirement for information under the deed agreement item (12) signed by the Corporation of the City of Hamilton and The Hamilton Harbour Commissioners dated November 24, 2000.

Yours truly,



Werner Plessl  
Executive Director  
Hamilton Waterfront Trust

cc: Janette Smith, City Manager  
Mike Zegarac, GM Finance & Corporate Services  
Brian McMullen, Director, Financial Planning, Administration and Policy  
Joseph Spiler, Manager of Capital Budgets and Development



Hamilton Waterfront Trust  
Consolidated Financial Statements  
For the year ended December 31, 2018

**Hamilton Waterfront Trust**  
**Consolidated Financial Statements**  
For the year ended December 31, 2018

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BDO Canada LLP  
 3115 Harvester Road, Suite 400  
 Burlington ON L7N 3N8 Canada

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## Independent Auditor's Report

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To the Board of Directors of  
 Hamilton Waterfront Trust

### Opinion

We have audited the consolidated financial statements of Hamilton Waterfront Trust and its subsidiaries (the "Group"), which comprise of the consolidated statement of financial position as at December 31, 2018, and the consolidated statements of operations and changes in net assets and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

In our opinion, the consolidated financial statements present fairly, in all material respects, the financial position of the Group as at December 31, 2018, and its results of operations and cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

### Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Consolidated Financial Statements section of our report. We are independent of the Group in accordance with the ethical requirements that are relevant to our audit of the consolidated financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### Responsibilities of Management and Those Charged with Governance for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the consolidated financial statements, management is responsible for assessing the Group's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Group or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Group's consolidated financial reporting process.

### Auditor's Responsibilities for the Audit of the Consolidated Financial Statements

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these consolidated financial statements.



As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Group's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Group's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the consolidated financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Group to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities within the Group to express an opinion on the consolidated financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

*BDO Canada LLP*

Chartered Professional Accountants, Licensed Public Accountants  
Burlington, Ontario  
July 9, 2019

## Hamilton Waterfront Trust Consolidated Statement of Financial Position

December 31	2018	2017
<b>Assets</b>		
<b>Current</b>		
Cash	\$ 553,896	\$ 220,558
Accounts receivable (Note 2)	185,065	347,246
Inventories and prepaid expenses	28,221	29,942
	<u>767,182</u>	<u>597,746</u>
<b>Capital assets (Note 3)</b>	<b>1,456,917</b>	<b>2,419,936</b>
<b>Note Receivable (Note 6)</b>	<b>2,202,149</b>	<b>-</b>
	<u>\$ 4,426,248</u>	<u>\$ 3,017,682</u>

### Liabilities and Net Assets

<b>Current</b>		
Accounts payable and accrued liabilities	\$ 781,873	\$ 957,711
Current portion of deferred capital contributions (Note 4)	41,742	69,298
	<u>823,615</u>	<u>1,027,009</u>
<b>Deferred revenue - City of Hamilton</b>	<b>458,830</b>	<b>444,498</b>
<b>Deferred capital contributions (Note 4)</b>	<b>1,210,319</b>	<b>2,158,964</b>
	<u>2,492,764</u>	<u>3,630,471</u>
<b>Net assets (deficiency)</b>	<b>1,933,484</b>	<b>(612,789)</b>
	<u>\$ 4,426,248</u>	<u>\$ 3,017,682</u>

On behalf of the Board:

  
\_\_\_\_\_  
Director

  
\_\_\_\_\_  
Director

The accompanying notes are an integral part of these consolidated financial statements.

## Hamilton Waterfront Trust Consolidated Statement of Operations and Changes in Net Assets

<b>For the year ended December 31</b>	<b>2018</b>	<b>2017</b>
<b>Revenue</b>		
Investment income	\$ 2,015	\$ 14,547
City of Hamilton contract and management income	119,663	103,558
Other income	70,877	37,610
Hamiltonian Tour Boat	35,202	35,199
Williams Fresh Cafe	1,459,362	1,466,079
Hamilton Scoops	171,165	167,053
Hamilton Trolley	41,372	41,681
Fishing Derby	1,094	2,188
Waterfront Grill	50,316	60,669
HWT Centre	74,701	258,845
Outdoor Ice Rink	307,049	303,450
Skate Rental	99,345	90,741
Waterfront Development, City of Hamilton management contract	605,759	668,624
Waterfront Wheels	13,611	16,510
Tall Ships	-	93,070
	<b>3,051,531</b>	<b>3,359,824</b>
<b>Expenses</b>		
Advertising and promotion	43	340
Bank charges	4,508	10,803
Building expenses	6,001	12,926
Dues and memberships	1,537	2,124
Equipment expenses	3,766	3,490
Insurance	11,248	9,948
Office expenses	14,839	15,610
Professional fees	60,182	49,374
Salaries and benefits	329,008	294,415
Telephone	9,399	9,066
Travel	373	472
Other expenses	29,288	14,230
Hamiltonian Tour Boat	35,274	28,604
Williams Fresh Cafe	1,378,293	1,368,048
Hamilton Scoops	151,443	119,685
Hamilton Trolley	43,275	47,462
Fishing Derby	13,561	14,389
Waterfront Grill	62,309	68,213
HWT Centre	95,839	413,581
Outdoor Ice Rink	306,994	303,000
Skate Rental	53,516	41,625
Waterfront Development, City of Hamilton management contract	605,759	668,624
Waterfront Wheels	13,446	11,769
Tall Ships	-	64,941
	<b>3,229,901</b>	<b>3,572,739</b>
<b>Deficiency of revenue over expenses before amortization and other revenue (expenses)</b>	<b>(178,370)</b>	<b>(212,915)</b>
<b>Other revenue (expenses)</b>		
Amortization of capital assets	(73,134)	(176,489)
Amortization of deferred capital contributions	41,742	69,298
Bad debts associated with tenant dispute	-	(156,274)
Legal fees associated with tenant dispute	(316,729)	(136,123)
Gain on disposal of HWT Centre	2,667,343	-
Property taxes	405,421	-
	<b>2,724,643</b>	<b>(399,588)</b>
<b>Excess (deficiency) of revenue over expenses for the year</b>	<b>2,546,273</b>	<b>(612,503)</b>
<b>Net assets (deficiency), beginning of year</b>	<b>(612,789)</b>	<b>(286)</b>
<b>Net assets (deficiency), end of year</b>	<b>\$ 1,933,484</b>	<b>\$ (612,789)</b>

The accompanying notes are an integral part of these consolidated financial statements.



## Hamilton Waterfront Trust Consolidated Statement of Cash Flows

<b>For the year ended December 31</b>	<b>2018</b>	<b>2017</b>
<b>Cash flows from operating activities</b>		
Excess (deficiency) of revenue over expenses for the year	\$ 2,546,273	\$ (612,503)
Adjustments to reconcile excess (deficiency) of revenue over expenses to net cash provided by (used in) operating activities		
Amortization of capital assets	73,134	176,489
Amortization of deferred capital contributions	(41,742)	(69,298)
Gain on disposal of HWT Centre	(2,667,343)	-
Changes in non-cash working capital balances		
Accounts receivable	162,181	(114,059)
Inventories and prepaid expenses	1,721	(3,894)
Accounts payable and accrued liabilities	(175,838)	290,765
Deferred revenue	14,332	444,498
	<b>(87,282)</b>	111,998
<b>Cash flows from investing activity</b>		
Purchase of capital assets	(39,380)	(21,898)
<b>Cash flow from financing activity</b>		
Proceeds from note receivable	460,000	-
<b>Increase in cash during the year</b>	<b>333,338</b>	90,100
<b>Cash, beginning of year</b>	<b>220,558</b>	130,458
<b>Cash, end of year</b>	<b>\$ 553,896</b>	<b>\$ 220,558</b>

The accompanying notes are an integral part of these consolidated financial statements.

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## Hamilton Waterfront Trust Notes to Consolidated Financial Statements

**December 31, 2018**

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### 1. Significant Accounting Policies

#### **Nature of Business**

The purpose of the Hamilton Waterfront Trust (the "Organization") is to improve and develop lands around the Hamilton Harbour and to encourage the local community to enjoy the Bay area. Hamilton is a culturally and ethnically diversified mosaic. Therefore, the Organization helps to promote the image of Hamilton to businesses and individuals over a wide radius.

Following a strategic review undertaken by the Board of Directors, it was decided to restructure the Organization to become a not-for-profit organization effective November 21, 2016. As part of the reorganization on that same date, HWT Inc., a wholly-owned subsidiary, was incorporated.

The Organization is incorporated under the Ontario Corporations Act, and now have a continuance under the Canada Not-for-Profit Corporations Act.

The Organization is registered under the Income Tax Act (Canada) (the "Tax Act") and, as such, is exempt from income taxes.

#### **Basis of Accounting and Presentation**

The consolidated financial statements of the Organization have been prepared using Canadian accounting standards for not-for-profit organizations.

These consolidated financial statements include the accounts of the Organization and HWT Inc. All significant intercompany transactions and balances have been eliminated.

#### **Revenue Recognition**

The Organization follows the deferral method of accounting for contributions.

Unrestricted revenue is recognized when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

Deferred capital contributions related to capital assets represent the unamortized and unallocated amount of grants received for the purchase of capital assets. The amortization of capital contributions is recorded as revenue in the statement of operations.

The Organization recognizes all other revenue when services are performed or goods are sold, there is no uncertainty as to the customer acceptance, the price to the buyer is fixed or determinable and collection is reasonably assured.

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## Hamilton Waterfront Trust Notes to Consolidated Financial Statements

**December 31, 2018**

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### 1. Significant Accounting Policies (Continued)

#### Capital assets

Capital assets are recorded at cost. Amortization is based on their estimated useful life using the following methods and rates or terms:

Boat	-	15 years straight-line
Building	-	5% declining balance
Computer equipment	-	30% declining balance
Dock	-	5% declining balance
Furniture and equipment	-	20% declining balance
Trolleys	-	15 years straight-line
Leasehold improvements	-	straight-line over the term of the lease

#### Use of Estimates

The preparation of consolidated financial statements in accordance with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the consolidated financial statements, and the reported amount of revenue and expenses during the reporting period. Actual results could differ from management's best estimates as additional information becomes available in the future.

#### Financial Instruments

Financial instruments are recorded at fair value when acquired or issued. Subsequently, financial instruments are reported at cost or amortized cost less impairment, if applicable. Financial assets are tested for impairment when changes in circumstances indicate the asset could be impaired. Transaction costs on the acquisition, sale or issue of financial instruments are charged to the financial instrument for those measured at amortized cost.

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### 2. Accounts Receivable

	<u>2018</u>	<u>2017</u>
Trade accounts receivable	\$ 533,138	\$ 695,319
Impairment allowance	(348,073)	(348,073)
	<u>\$ 185,065</u>	<u>\$ 347,246</u>

## Hamilton Waterfront Trust Notes to Consolidated Financial Statements

**December 31, 2018**

### 3. Capital Assets

	2018		2017	
	Cost	Accumulated Amortization	Cost	Accumulated Amortization
Boat	\$ 52,156	\$ 38,565	\$ 52,157	\$ 35,088
Building	17,016	7,517	17,016	7,017
Computer equipment	42,844	41,288	42,844	40,622
Dock	15,522	8,009	15,522	7,614
Furniture and equipment	209,092	168,689	206,651	158,113
Trolleys	335,782	169,570	298,844	146,263
Leasehold improvements	2,542,155	1,324,012	3,610,933	1,429,314
	<b>\$ 3,214,567</b>	<b>\$ 1,757,650</b>	<b>\$ 4,243,967</b>	<b>\$ 1,824,031</b>
Net book value		<b>\$ 1,456,917</b>		<b>\$ 2,419,936</b>

On January 1, 2018, the Organization disposed of leasehold improvements with a net book value of \$929,265 as part of the termination of its lease with the City of Hamilton (Note 6). The gain on disposal, which is included as an other income item on the income statement, was \$2,667,343.

### 4. Deferred Capital Contributions

Restricted capital contributions are amortized on the same basis as the underlying capital assets.

	2018	2017
<b>Balance</b> , beginning of year	\$ 2,228,262	\$ 2,297,560
Less: contributions recognized as revenue	(41,742)	(69,298)
Less: disposal of HWT Centre (Note 6)	(934,459)	-
	<b>1,252,061</b>	2,228,262
Less: current portion	(41,742)	(69,298)
<b>Balance</b> , end of year	<b>\$ 1,210,319</b>	<b>\$ 2,158,964</b>

### 5. Commitments

The Organization leases a premise at an annual rent of \$33,500 plus applicable taxes that expires on October 31, 2019.

Future minimum payments under the operating lease are as follows:

2019	\$ 27,917
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## Hamilton Waterfront Trust Notes to Consolidated Financial Statements

**December 31, 2018**

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### **6. Note Receivable**

Effective January 1, 2018, the Organization's lease on the Parks Discovery Centre with the City of Hamilton was terminated. In consideration of the Organization entering into this arrangement, The City of Hamilton agreed to pay an early surrender fee in the form of a note. The note receivable bears interest at 4% per annum and is payable in equal annual installments of \$230,000 inclusive of interest, with final payment made on January 1, 2032.

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### **7. Financial Instrument Risks**

#### **Credit Risk**

Credit risk is the risk that one party to a financial instrument will cause a financial loss for the other party by failing to discharge an obligation. The Organization is exposed to credit risk resulting from the possibility that a customer or counterparty to a financial instrument defaults on their financial obligations. The Organization's financial instruments that are exposed to concentrations of credit risk relate primarily to its accounts receivable balances. This risk has not changed from the prior year.

#### **Liquidity Risk**

Liquidity risk is the risk that the Organization encounters difficulty in meeting its obligations associated with financial liabilities. Liquidity risk includes the risk that, as a result of operational liquidity requirements, the Organization will not have sufficient funds to settle a transaction on a due date; will be forced to sell financial assets at a value which is less than what they are worth; or may be unable to settle or recover a financial asset. Liquidity risk arises from the Organization's accounts payable and accrued liabilities. This risk has not changed from the prior year.

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### **8. Comparative Figures**

Certain of the comparative figures included in these consolidated financial statements have been reclassified to conform to the presentation adopted for the current year.





# INFORMATION REPORT

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	October 3, 2019
<b>SUBJECT/REPORT NO:</b>	2019 Second Quarter Request for Tenders and Proposals Report (FCS19041(a)) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Patricia Vasquez (905) 546-2424 Ext. 5972
<b>SUBMITTED BY:</b>	Rick Male Director, Financial Services and Taxation & Corporate Controller Corporate Services Department
<b>SIGNATURE:</b>	

## COUNCIL DIRECTION

Procurement Policy, Section 4.2 – Approval Authority, Item (6) requires a quarterly status report for Request for Tenders and Request for Proposals be prepared and presented to Council.

## INFORMATION

This Report provides an update on the status of active Request for Tenders and Request for Proposals and Co-operative Contracts for the second quarter of 2019.

Request for Tenders and Request for Proposals have been issued and awarded in accordance with the City of Hamilton Procurement Policy. Those items with a status of “Under Review” will remain on the Report until such time an award is made. Request for Tenders and Request for Proposals listed under the “Co-operative Contracts” section was entered into by the City of Hamilton (City) via a co-operative procurement in accordance with the City’s Procurement Policy, Section 4.12 – Co-operative Procurements.

Appendix “A” to Report FCS19041(a) details all Request for Tenders and Request for Proposals documents issued by the City or entered into by the City through a co-operative procurement. Award information is current as of July 10, 2019.

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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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**SUBJECT: 2019 Second Quarter Request for Tenders and Proposals Report  
(FCS19041(a)) (City Wide) - Page 2 of 2**

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**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report FCS19041(a) – 2019 Second Quarter Request for Tenders and Proposals Report

PV/dw



**CITY OF HAMILTON**  
 Summary of Tenders and Proposals Issued – April 1, 2019 – June 30, 2019

**Contracts Awarded**

<b>Contract Reference</b>	<b>Contract Title</b>	<b>Closing Date (mm/dd/yyyy)</b>	<b>Vendor</b>	<b>Award Amount</b>
C11-03-19	Tender for Supply and Delivery of Out Front and Zero Turn Mowers  Section One: Out Front Mowers Section Two: Zero Turn Mowers	02/01/2019	Galer Farm Equipment Ltd.	\$291,876.40 \$50,431.17
C11-09-19	Proposal for Sports Field Line and Logo Painting	02/11/2019	Sports Field Solutions	\$1,193,733.00
C11-11-19	Tender for the Supply and Delivery of Tractors with Attachments  Section Two: Utility Tractors with Attachment Section One: Compact Tractors with Attachments	02/25/2019	Connect Equipment  Galer Farm Equipment Ltd.	\$92,914.00 \$94,337.20
C13-08-19	Tender for Prequalified General Contractors Required for the Demolition of the Waterdown Wastewater Treatment Plant (DC018) and Overflow Management	02/28/2019	Bestco Construction (2005) Ltd.	\$2,216,665.00
C11-16-19	Proposal for Event Operation, Maintenance and Repair Services of Audio Visual Equipment at the City of Hamilton Tim Hortons Field	03/06/2019	Bates Audio Productions Inc.	\$399,500.00
C13-09-19	Tender for Prequalified General Contractors Required for the Greenhill (HD05A) Pumping Station Immediate Need to Provide Electrical Upgrades for Temporary Power	03/06/2019	Selectra Inc.	\$640,113.25

### Contracts Awarded

<b>Contract Reference</b>	<b>Contract Title</b>	<b>Closing Date (mm/dd/yyyy)</b>	<b>Vendor</b>	<b>Award Amount</b>
C11-04-19	Proposal for Pavement Inspection Survey	03/07/2019	Englobe Corp.	\$247,106.27
C12-05-19	Proposal for Chemical Water Treatment Service Program for Cooling Towers, Chilled and Hot Water Systems	03/07/2019	1221122 Ontario Limited O/A Keytech Water Management	\$39,985.00
C15-21-19 (H)	Tender for Mountain Avenue North & Neil Avenue Sidewalk Installation	03/08/2019	Steed and Evans Limited	\$167,000.00
C11-02-19	Tender for Rural Roadside Mowing Services - District West	03/11/2019	Schutten Brothers Holdings o/a Heritage Green Landscape Contractors	\$834,442.00
C12-06-19	Proposal for Supply and Delivery of Medical Grade Gloves  Section 1 - Term One Pricing  Section 2 - Term One Pricing	03/15/2019	Bio Nuclear Diagnostics Inc. Maxill Inc.	\$229,620.00 \$74,250.00
C13-03-19	Tender for City of Hamilton Police Services Division 30 HVAC Replacement	03/15/2019	E. S. Fox Limited	\$539,017.00
C2-01-19	Proposal for Fraud and Waste Hotline Services for the City of Hamilton	03/19/2019	WhistleBlower Security Inc.	\$39,000.00
C11-14-19	Proposal for Provision of Upfitting Services for Light Duty Vehicles As and When Required	03/21/2019	Auto Truck Group Canada Inc.	\$342,773.29
C11-22-19	Tender for Supply and Delivery or Pickup of Cold Patch Asphalt Mix	03/21/2019	Black Armour Asphalt Products Inc.	\$810,000.00

### Contracts Awarded

<b>Contract Reference</b>	<b>Contract Title</b>	<b>Closing Date (mm/dd/yyyy)</b>	<b>Vendor</b>	<b>Award Amount</b>
C11-13-19	Tender for Contractor Required to Perform Granular Shouldering within the City of Hamilton	03/22/2019	D&D Trucking and Construction Service Inc.	\$1,170,000.00
C15-02-19 (HSW)	Tender for Hewitson Road Reconstruction and Dupont Street Resurfacing	03/22/2019	Wesroc Construction Ltd.	\$1,107,851.00
C13-07-19	Tender for Prequalified General Contractor for New Municipal Wastewater Pumping Station (HC062) on Pier 8 - Hamilton	03/25/2019	Ball-Rankin Construction Inc.	\$8,891,900.00
C15-18-19 (HW)	Tender for Birch Avenue Reconstruction	03/25/2019	Baiocco Construction Corp	\$2,705,864.55
C15-04-19 (H)	Tender for Cannon Street Road Resurfacing	03/26/2019	Associated Paving & Materials Ltd.	\$1,900,929.30
C13-04-19	Tender for Stormwater Management Facility (Pond) Dredging and Associated Works at Various Locations within the City of Hamilton	03/28/2019	Seawaves Development Services Inc.	\$1,176,100.00
C3-02-19	Proposal for Consultant Services Required to undertake a Sports, Entertainment and Convention Venues Review for the City of Hamilton	03/29/2019	Ernst & Young LLP	\$190,000.00
C15-24-19 (HSW)	Tender for Pier 7 and 8 Water, Sewer, Road Installation	04/01/2019	New-Alliance Ltd.	\$9,245,230.00
C15-11-19 (HW)	Tender for Ferguson Avenue North Reconstruction	04/03/2019	1573335 Ontario Ltd. O/A Charlton Group	\$1,329,999.90
C15-20-19 (H)	Tender for Red Hill Valley Parkway Resurfacing	04/08/2019	Coco Paving Inc.	\$8,446,000.00
C5-08-19	Proposal for Advertising Sales for Recreation Guide and 55+ Program Guide	04/09/2019	Metroland Media Group Ltd.	\$108,000.00

### Contracts Awarded

<b>Contract Reference</b>	<b>Contract Title</b>	<b>Closing Date (mm/dd/yyyy)</b>	<b>Vendor</b>	<b>Award Amount</b>
C5-05-19	Tender for HVAC Demand and Routine Services at Lodges	04/10/2019	Chamberlain Building Services Inc.	\$76,645.50
C11-26-19	Tender for Installation of Large Caliper Trees in Soft Surface Areas	04/10/2019	The Gordon Company Inc. Northern Landscaping	\$239,100.00 \$252,300.00
C18-05-19 (ST 19-04)	Tender for Site Maintenance Services Required at Various CityHousing Hamilton Properties  Area 1,2,5,6,7,10,12,13,14,15  Area 4 and 8	04/10/2019	ABC Enterprises  2478388 Ontario Inc.	\$667,225.00  \$193,324.88
C5-11-19	Tender for Onsite Preventive Maintenance of Stryker Power-Pro Cots and Power Load Systems	04/12/2019	Physio-Control	\$136,407.60
C11-24-19	Tender for Supply, Installation and Maintenance of Large Caliper Trees in Subdivisions	04/12/2019	The Gordon Company	\$311,235.00
C15-35-19 (P)	Tender for Confederation Beach Park - Sports Park Development Phase 1 - Prequalified Bidders Only	04/16/2019	Orin Contractors Corp	\$3,076,996.46
C13-11-19	Tender for Confederation Beach Park Erosion Repairs	04/18/2019	TDI International Ag Inc. dba Eco Blue Systems	\$720,433.55
C15-27-19 (P)	Tender for John Rebecca Park	04/18/2019	Ball-Rankin Construction Inc.	\$2,353,124.00
C15-25-19 (HSW)	Tender for Baldwin Street and Court Street Reconstruction	04/23/2019	DESO Construction Limited	\$820,000.00
C11-20-19	Tender for the Supply and Repair of Automotive Exhaust System Parts and	04/24/2019	435898 Ontario Ltd. O/A A & A Exhaust Systems	\$23,593.36

### Contracts Awarded

<b>Contract Reference</b>	<b>Contract Title</b>	<b>Closing Date (mm/dd/yyyy)</b>	<b>Vendor</b>	<b>Award Amount</b>
	Services As and When Required			
C11-21-19	Tender for Closed Circuit TV Inspection Services and Cleaning of Existing Sewers	04/24/2019	Pipetek Infrastructure Services Inc.	\$583,045.00
C13-15-19	Tender for Prequalified General Contractors Required for the Ben Nevis and Dewitt (HD08A) Water Pumping Station Upgrades	04/30/2019	W.S. Nicholls Construction Inc.	\$2,077,929.60
C13-18-19	Tender for Waterdown Seniors Centre New Washroom Project	04/30/2019	Bestco Construction (2005) Ltd.	\$150,580.00
C13-13-19	Tender for Mountain Transit Centre Exterior Upgrades	05/01/2019	Newman Bros. Limited	\$1,958,114.00
C13-27-19	Tender for Chain Link Fence Repairs, Replacements and New Installations	05/01/2019	F. M. Page & Sons Inc.	\$402,130.00
C15-19-19 (P)	Tender for Bookjans Park	05/01/2019	Oakridge Group Inc.	\$444,971.00
C15-45-19 (BR)	Tender for Bridge 405 and Bridge 360	05/03/2019	Decew Construction Inc.	\$968,106.00
C15-54-19 (M)	Tender for Asphalt Speed Cushion Installations	05/07/2019	Decew Construction Inc.	\$379,800.00
C11-25-19	Tender for the Supply and Delivery of Low Profile Conventional Cab and Chassis with Maximum 16 Foot Aluminum Cargo Body with Various Size Compartments	05/09/2019	Metro Freightliner Hamilton Inc.	\$450,970.00
C15-60-19 (M)	Tender for 2019 Bonded Wearing Course Program	05/09/2019	Norjohn Contracting And Paving Limited	\$435,374.00
C15-61-19 (M)	Tender for 2019 Surface Treatment Program	05/10/2019	Cornell Construction Limited	\$2,721,649.02

### Contracts Awarded

<b>Contract Reference</b>	<b>Contract Title</b>	<b>Closing Date (mm/dd/yyyy)</b>	<b>Vendor</b>	<b>Award Amount</b>
C13-35-19	Tender for 5th Phase of Roof Replacement for Wentworth Street Operations Centre	05/15/2019	Roque Enterprises	\$374,150.00
C18-02-19 (PT 19-02)	Tender for Supply and Install of Replacement Windows at Three CityHousing Hamilton High-Rise Residential Apartment Buildings  Building A - 430 Cumberland Building B - 555 Queenston  Building C - 395 Mohawk Road East	05/15/2019	Crystal Windows and Doors  JASS Construction	\$1,197,815.00 \$286,925.00 \$1,395,490.00
C15-01-19 (BR)	Tender for Replacement of Bridge 385 on Westover Road	05/16/2019	Coco Paving Inc.	\$439,999.00
C15-53-19 (M)	Tender for Concrete Transit Pad Installation and Replacement	05/21/2019	Ontario Concrete Paving Ltd.	\$272,300.00
C18-08-19 (PT 19-01)	Tender for Asbestos Abatement, Residential Moving and Cleaning Services required for 20 and 30 Congress Crescent Apartment Buildings	05/21/2019	Integricon Property Restoration and Construction Group Inc.	\$1,664,715.38
C13-38-19	Tender for Street Lighting Pole Replacements	05/22/2019	Ducon Utilities Limited	\$237,630.00
C15-44-19 (TR)	Tender for Construction and Modifications of Traffic Signal and Pedestrian Cross Overs	05/23/2019	Decew Construction Inc.	\$374,249.50
C13-33-19	Tender for City of Hamilton Police Services Division 10 Roof Replacement	05/28/2019	Nortex Roofing Ltd.	\$407,950.00

### Contracts Awarded

<b>Contract Reference</b>	<b>Contract Title</b>	<b>Closing Date (mm/dd/yyyy)</b>	<b>Vendor</b>	<b>Award Amount</b>
C15-62-19 (M)	Tender for Centre Road and Concession 6 East Drainage Improvements	05/30/2019	JB Construction Management Corporation	\$144,885.78
C15-32-19 (BR)	Tender for Bridge 417 and 441 Culvert Replacement On Harrison Road	06/04/2019	JB Construction Management Corporation	\$717,091.05
C18-11-19	Tender for the Supply and Install of Replacement Boilers at Two CityHousing Hamilton High-Rise Residential Apartment Buildings	06/19/2019	JTS Mechanical Systems Inc.	\$658,166.00
C3-02-18	Proposal for the Supply and Delivery of Parking Payment Machines to the City of Hamilton	12/06/2018	Cale Systems Inc.	\$922,500.00

### Contracts Cancelled

<b>Contract Number</b>	<b>Contract Title</b>	<b>Closing Date (mm/dd/yyyy)</b>	<b>Reason for Cancellation</b>
C15-33-19 (W)	Tender for Robert Street and Barton Street Large Valve Replacement	04/11/2019	Bids received were over budget. Tender will be redesigned and reissued in late 2019.
C5-12-19	Tender for Accessible Trail at Captain Cornelius Park - Phase Two	04/15/2019	Bid received was over budget. Tender will be reissued in late 2019.
C11-10-19	Proposal for the Supply, Delivery, Installation and Maintenance of New and Existing Water Meters for the City of Hamilton	04/23/2019	No compliant proposals received. Request for Proposal to be reissued in July 2019.



### Contracts Pending Award

<b>Contract Number</b>	<b>Contract Title</b>	<b>Closing Date (mm/dd/yyyy)</b>	<b>Contract Status</b>
C11-08-19	Proposal for the Supply and Delivery of Uniforms for Transit Operations	02/28/2019	Closed & Under Review
C3-01-19	Proposal for Provision of Cashiering and Security Services for the Hamilton Convention Centre Parking Garage and York Boulevard Parkade	03/26/2019	Closed & Under Review
C11-15-19	Proposal for Prime Consultant Services for Sir Wilfrid Laurier New Gymnasium Replacement	04/05/2019	Closed & Under Review
C3-03-19	Proposal for Consultant Services Required to Develop a Community Energy Plan for the City of Hamilton	04/17/2019	Closed & Under Review
C11-12-19	Proposal for Operations and Maintenance of the City of Hamilton's Material Recycling Facility	05/14/2019	Closed & Under Review
C9-02-19	Tender for Light Duty Towing Services for Disabled Hamilton Police Services Vehicles	05/29/2019	Closed & Under Review
C13-31-19	Tender for Dundas Lawn Bowling Club Canopy Addition and Barrier Free Accessible Double Door	05/31/2019	Closed & Under Review
C18-07-19	Proposal for Jamesville Redevelopment Opportunity	06/06/2019	Closed & Under Review
C13-30-19	Tender for Prequalified General Contractors Required for the Stone Church and Garth (HDR05) Reservoir and Valve House Upgrades – Phase 1	06/11/2019	Closed & Under Review
C15-12-19 (TR)	Tender for Construction & Modification of Traffic Signal Infrastructure	06/12/2019	Closed & Under Review

### Contracts Pending Award

<b>Contract Number</b>	<b>Contract Title</b>	<b>Closing Date (mm/dd/yyyy)</b>	<b>Contract Status</b>
C11-71-19	Tender for Supply & Delivery of Traffic Signal Heads	06/13/2019	Closed & Under Review
C11-27-19	Tender for Supply & Delivery of Traffic Poles, Hardware, Signal Arms & Casting	06/19/2019	Closed & Under Review
C11-28-19	Tender for Supply Installation and Maintenance of Roadway Markings	06/20/2019	Closed & Under Review
C11-23-19	Proposal for Operation and Maintenance at Barton Community Hub	06/25/2019	Closed & Under Review
C11-38-19	Tender for Supply & Delivery of Components for Pedestrian Crossover Systems	06/25/2019	Closed & Under Review
C11-40-19	Tender for Supply and Delivery of Aqua Ammonia to the City of Hamilton Water and Wastewater Treatment Facility	06/25/2019	Closed & Under Review
C15-51-19 (H)	Tender for End of the Line Bus Loop Rehabilitation	06/26/2019	Closed & Under Review
C11-32-19	Proposal for Telephone Survey Services for Our Citizen Survey	06/28/2019	Closed & Under Review
C12-08-19	Proposal for Pest Control Services - Integrated Pest Management Program	07/02/2019	Not closed as of July 1, 2019
C5-13-19	Tender for Snow Removal at Macassa and Wentworth Lodges	07/03/2019	Not closed as of July 1, 2019
C13-43-19	Tender for Maintenance, Supply and Installation of Audio and Visual System at Tim Hortons Field	07/03/2019	Not closed as of July 1, 2019
C13-16-19	Tender for Site Preparation and Surface Treatment at Various Sites as and when Required	07/04/2019	Not closed as of July 1, 2019
C13-44-19	Tender for Contractors Required for Demolition at 350 Wentworth St. North	07/05/2019	Not closed as of July 1, 2019
C15-13-19 (TR)	Tender for Construction of Traffic Signal Infrastructure	07/05/2019	Not closed as of July 1, 2019

### Contracts Pending Award

<b>Contract Number</b>	<b>Contract Title</b>	<b>Closing Date (mm/dd/yyyy)</b>	<b>Contract Status</b>
C3-04-19	Proposal for Consultant Required to Complete a Parking Master Plan for the City of Hamilton	07/08/2019	Not closed as of July 1, 2019
C2-03-19	Proposal for Learning Management System for the City of Hamilton	07/09/2019	Not closed as of July 1, 2019
C11-18-19	Tender for the Supply and Delivery of Various Chemicals for City of Hamilton Water and Wastewater Treatment Facilities	07/10/2019	Not closed as of July 1, 2019

**CITY OF HAMILTON**  
 Summary of Tenders and Proposals Issued – April 1, 2019 – June 30, 2019

**Co-operative Contracts**

<b>City Contract Reference</b>	<b>Contract Title</b>	<b>Cooperative Group</b>	<b>Effective Date (mm/dd/yyyy)</b>	<b>Vendor</b>	<b>Estimated City Spend</b>
C17-05-17	Supply of Electrical Materials and Lighting Solutions	Grand River Cooperative Purchasing Group	04/01/2019	Gerrie Electric	\$21,181.57
C17-03-19	Corporate Card Program	Supply Chain Ontario	04/01/2019	Bank of Montreal	\$70,000.00 (Revenue Generated)



## INFORMATION REPORT

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	October 3, 2019
<b>SUBJECT/REPORT NO:</b>	2019 Second Quarter Emergency and Non-competitive Procurements Report (FCS19042(a)) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Patricia Vasquez (905) 546-2424 Ext. 5972
<b>SUBMITTED BY:</b>	Rick Male Director, Financial Services and Taxation & Corporate Controller Corporate Services Department
<b>SIGNATURE:</b>	

### COUNCIL DIRECTION

Council has directed Procurement to report on the use of Sections 4.10 and 4.11 of the Procurement Policy on a quarterly basis.

### INFORMATION

This Report is issued quarterly in accordance with the Procurement Policy. The report details the procurement of goods and/or services during emergency situations and those detailed in Section 4.11 – Non-Competitive Procurements for the second quarter of 2019.

The Policy for Non-Competitive Procurements is used in narrowly defined circumstances where it is justified that the policies for the general acquisition process could not be followed. The “Emergency Procurement/Non-Competitive Procurement Form” is completed by the Client Department and approved by the General Manager.

During the second quarter of 2019, there were 101 purchases totalling \$4,742,347.43 which were processed through the use of an approved Policy 10 or 11. These are summarized in Appendix “A” to Report FCS19042(a).

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**SUBJECT: 2019 Second Quarter Emergency and Non-competitive Procurements  
Report (FCS19042(a)) (City Wide) - Page 2 of 4**

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The breakdown are as follows:

- 5 purchases totalling \$451,544.55 were issued under Policy 10, as “Emergency” purchases, whereby goods and services were acquired by the most expedient and economical means. The following purchase represents the largest dollar amount in this category:
  - Purchase Order 91825 for \$392,339.86 was issued to Wesroc Construction Limited. This emergency resulted from a leak on a critical 1200mm watermain near the High Lift Pumping Station at the Woodward Drinking Water Plant. Wesroc Construction was authorized to perform emergency works to repair the 1200mm watermain. It was important to schedule and coordinate this work to occur between the shutdowns of Kenilworth and Greenhill pumping stations. Works included coordinating locations, excavation, installation of a by-pass line, replacement of leaking flanges and line repair.
  
- 17 purchases totalling \$943,778.94 represent short-term “Extensions” of current contracts which have expired, and unforeseeable circumstances have caused a delay in awarding a new contract. The following purchases represent the largest dollar amounts in this category:
  - \$395,000.00 was issued to Kemira Water Solutions Canada Inc. for the following work:
    - Purchase Order 88819 for \$280,000.00 was issued to supply and deliver ferric sulfate, sodium bisulphite and sodium hypochlorite for the treatment/production of potable water and the treatment of municipal wastewater. This extension is required to provide sufficient time to complete the procurement process and award a new contract.
    - Purchase Order 88818 for \$115,000.00 was issued to supply and deliver poly aluminum chloride for the treatment/production of potable. A continues supply of poly aluminum chloride is critical to treat/produce potable water. This extension is required to provide sufficient time to complete the procurement process and award a new contract.
  - Purchase Order 68116 for \$230,000.00 was issued to Bridgestone Canada Inc. for leasing tires for transit section. A report regarding lease vs. buy was completed and it was determined that more information is required before proceeding with a tender. This extension is required to provide sufficient time to complete the procurement process and award a new contract.

**SUBJECT: 2019 Second Quarter Emergency and Non-competitive Procurements  
Report (FCS19042(a)) (City Wide) - Page 3 of 4**

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- Purchase Order 91483 for \$100,000.00 was issued to 1984080 Ontario Inc. / Carstar for provision of vehicle collision repair services as required. The decision has been made to transfer control of the contract from Risk Management to Fleet Services given that Fleet Services is more appropriate entity to evaluate vendor performance. Saving is realized with the extension of current contract (C12-17-12) as pricing is favourable comparing to industry standards. As a result, this extension is required to provide sufficient time to complete the procurement process and award a new contract.
- 78 purchases totalling \$3,347,023.94 were identified as “Single Source” purchases whereby a particular vendor was recommended because it was more cost-effective or beneficial to the City. The following purchases represent the largest dollar amounts in this category:
  - Purchase Order 91714 for \$168,000.00 was issued to Pestalto Environmental Health Services to provide Mosquito Larvae Abatement Services for the control of West Nile Virus and other Potential Mosquito Borne Diseases (Larvicide in City Catch Basins and Surface Waters). The existing vendor defaulted on the Contract which resulted in having an alternate vendor provide the required services.
  - Purchase Order 91827 for \$150,000.00 was issued to Mississauga Bus Coach and Truck Repairs Inc. for the supply and delivery of Voith rebuilt transmissions being the only certified warranty repair facility for Voith. Services are required given that the age and the standard lifecycle of the transmissions has been reached,
  - Purchase Order 92030 for \$150,000.00 was issued to North Lake Design Lab to provide AMANDA professional and technical services including consulting, development, programming and support services to the AMANDA system, in order to complete Planning and Economic Developments departmental 2019 priority projects.
  - Purchase Order 90079 issued to AECOM Canada Ltd. was increased by \$129,145.00 for additional engineering services including the investigation, design, contract administration for the replacement of the concrete roof and HVAC on the four access houses for the underground galleries at Woodward Avenue Wastewater Treatment Plant. The original purchase order was issued to the vendor as a Roster assignment under C12-07-16.
  - Purchase Order 77309 issued to Invizij Architects Inc. was increased by \$120,000.00 due to added architectural scope redesign upon discovering unforeseen asbestos and a complete redesign of the mechanical systems for the Provincial Offences Administration Office building.

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**SUBJECT: 2019 Second Quarter Emergency and Non-competitive Procurements  
Report (FCS19042(a)) (City Wide) - Page 4 of 4**

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**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report FCS19042(a) – First Quarter Emergency and Non-Competitive Procurements Report

PV/dw



2019 Second Quarter Emergency and Non-Competitive Procurements Report

PO No.	Type	Amount	Name	Department/Division
<b>Corporate Wide</b>				
Various PO's	EXTN	\$40,800.22	Maxill Inc.	Corporate Wide
<b>Corporate Services</b>				
91839	SGLE	\$2,136.70	Softchoice Corporation	Information Technology
88972	SGLE	\$5,000.00	The Sequoia Group Ltd.	Financial Services
90380	SGLE	\$20,000.00	Fishbowl Solutions Inc.	Information Technology
91389	SGLE	\$24,250.00	Flycast Partners, Inc.	Information Technology
91471	SGLE	\$33,000.00	Onix Networking Corp.	Information Technology
92030	SGLE	\$150,000.00	North Lake Design Lab	Information Technology
<b>Healthy and Safe Communities</b>				
91422	SGLE	\$6,000.00	Hamilton Health Sciences Corporation	Epidemiology, Wellness, and Communicable Disease Control
91412	SGLE	\$10,000.00	1888783 Ontario Inc.	Epidemiology, Wellness, and Communicable Disease Control
92060	SGLE	\$12,207.00	Better Hearing Solutions	Recreation
88258	EXTN	\$18,469.00	Canadian Corps Of Commissionaires	Ontario Works
91728	SGLE	\$31,730.00	Sprout Summer Growing Camp	Children's Services and Neighbourhood Development
91341	SGLE	\$36,000.00	DEL Management Solutions Inc.	Housing Services
91569	SGLE	\$36,000.00	Darkhorse Analytics Inc.	Hamilton Paramedic Service
91333	SGLE	\$50,000.00	Brant County Health Unit	Healthy Environments
91334	SGLE	\$50,000.00	Halton Region Health Department	Healthy Environments
91336	SGLE	\$50,000.00	Norfolk County	Healthy Environments
91337	SGLE	\$50,000.00	Region Of Waterloo	Healthy Environments
91338	SGLE	\$50,000.00	Wellington-Dufferin-Guelph Public Health	Healthy Environments
91339	SGLE	\$50,000.00	Niagara Region Public Health	Healthy Environments
91456	SGLE	\$60,000.00	Pearson Canada Assessment Inc.	Healthy Families
91585	SGLE	\$99,850.00	Middlesex-London Health Unit	Healthy Environments
91714	SGLE	\$168,000.00	Pestalto Environmetnal Health	Healthy Environments
<b>Planning and Economic Development</b>				
91875	EXTN	\$405.92	Maxill Inc.	Tourism and Culture
91894				
91469	EXTN	\$5,045.00	E-Safe Pest Control	Tourism and Culture
91488	SGLE	\$8,000.00	CTM Media Group Ltd.	Tourism and Culture
85830	SGLE	\$9,770.00	ATA Architects Inc.	Tourism and Culture
91887	SGLE	\$11,493.00	Schindler Elevator Corporation	Transportation Planning and Parking
91976	SGLE	\$14,000.00	Crowdriff Inc.	Tourism and Culture
91587	SGLE	\$20,000.00	University Of Toronto	Transportation Planning and Parking

2019 Second Quarter Emergency and Non-Competitive Procurements Report

PO No.	Type	Amount	Name	Department/Division
91929 91932	SGLE	\$23,100.00	Meridian Planning Consultants Inc.	Planning and Chief Planner
91651	SGLE	\$25,000.00	ESRI Canada Limited	Planning and Chief Planner
91888	SGLE	\$50,000.00	All Season Landscaping & Maintenance	Licensing and By-law Services
91583	SGLE	\$70,000.00	Project For Public Spaces Inc.	General Manager Office
91886	SGLE	\$93,500.00	Historic Plaster Conservation Services	Tourism and Culture
<b>Police</b>				
91790	SGLE	\$6,845.00	Environmental Consulting Occp Health	Police
91475	EXTN	\$8,990.00	Maxill Inc.	Police
91821	SGLE	\$10,355.69	Chubb Edwards	Police
91350 91683	SGLE	\$16,919.00	Cellebrite Usa Inc.	Police
91355	SGLE	\$25,207.60	Grayshift LLC.	Police
91644 91681	SGLE	\$25,775.08	Motorola Solutions Canada Inc.	Police
91272	SGLE	\$27,840.00	JSI Telecom	Police
91769	SGLE	\$68,915.00	Icor Technology	Police
<b>Public Works</b>				
No PO	EXTN	\$15,000.00	1984080 Ont Inc./Carstar On Ferguson	Energy, Fleet and Facilities Management
No PO	EXTN	\$15,000.00	A Action Towing and Recovery Inc.	Energy, Fleet and Facilities Management
No PO	EXTN	\$15,000.00	Metro Freightliner Hamilton Inc.	Energy, Fleet and Facilities Management
91326	EXTN	\$68.80	Maxill Inc.	Hamilton Water
90878	SGLE	\$2,230.00	Fisher Heating Inc.	Energy, Fleet and Facilities Management
91809	EMER	\$2,319.13	Cardi Construction Limited	Environmental Services
91352	EMER	\$10,375.90	Royal Fence Limited	Transportation Operations and Maintenance
91481	EMER	\$12,291.92	Johnson Controls L.P.	Energy, Fleet and Facilities Management
90175	SGLE	\$12,500.00	Exp Services Inc.	Energy, Fleet and Facilities Management
90419	SGLE	\$12,574.00	GHD Limited	Hamilton Water
77459	SGLE	\$13,800.00	Shoreplan Engineering Limited	Environmental Services
91661	EXTN	\$15,000.00	1105729 Ontario Inc.	Energy, Fleet and Facilities Management
88853	SGLE	\$23,000.00	Toms + Mcnally Design Inc.	Energy, Fleet and Facilities Management
91798	SGLE	\$24,280.00	Aegent Energy Advisors Inc.	Energy, Fleet and Facilities Management
88653	EXTN	\$25,000.00	958535 Ontario Inc.	Energy, Fleet and Facilities Management
91711	SGLE	\$25,200.00	Tacel Ltd.	Transportation Operations and Maintenance
91472	SGLE	\$30,000.00	Complete Cranes	Hamilton Water
89288	SGLE	\$34,200.00	GHD Limited	Hamilton Water
91604	EMER	\$34,217.74	Pure Technologies Ltd.	Hamilton Water
82636	SGLE	\$42,000.00	Ainley & Associates Ltd.	Hamilton Water

2019 Second Quarter Emergency and Non-Competitive Procurements Report

PO No.	Type	Amount	Name	Department/Division
91890	SGLE	\$43,350.00	Fairway Electrical Services Inc.	Energy, Fleet and Facilities Management
89294 90298	SGLE	\$44,000.00	Dillon Consulting Limited	Environmental Services
88576	SGLE	\$46,035.64	Country Roads Ltd. O/A Crossroads	Energy, Fleet and Facilities Management
88314	SGLE	\$50,000.00	Green Stream Lawn & Vegetation Mngmt Inc.	Hamilton Water
91398	SGLE	\$50,000.00	Wood Canada Ltd.	Energy, Fleet and Facilities Management
91500	SGLE	\$50,000.00	Legends Landscape Supply Inc.	Environmental Services
91752	SGLE	\$50,000.00	Mactek Technologies	Energy, Fleet and Facilities Management
91853	SGLE	\$55,797.08	Industrial Scientific Canada ULC	Hamilton Water
92045	SGLE	\$56,350.00	Renew Aggregate Systems Inc.	Transportation Operations and Maintenance
87900	EXTN	\$60,000.00	Fastenal Canada Ltd.	Energy, Fleet and Facilities Management
91812	SGLE	\$60,000.00	Stephen Harris Business Solutions	Engineering Services
91755	SGLE	\$60,082.33	Simplicity Air Ltd.	Transit
89927 90157	SGLE	\$61,000.00	Bestco Construction (2005) Ltd.	Energy, Fleet and Facilities Management
86715	SGLE	\$63,568.00	8646511 Canada Inc.	Hamilton Water
83949 86638	SGLE	\$65,885.00	McCallum Sather Architects Inc.	Energy, Fleet and Facilities Management
91405 91845	SGLE	\$66,887.82	ESRI Canada Limited	Transportation Operations and Maintenance
91366	SGLE	\$70,000.00	Sysco Canada Inc.	Energy, Fleet and Facilities Management
88917	SGLE	\$74,115.00	Caird-Hall Construction Inc.	Energy, Fleet and Facilities Management
89675	SGLE	\$75,150.00	Hatch Corporation	Hamilton Water
91874	SGLE	\$90,000.00	Airlines Pavement Markings Inc.	Transportation Operations and Maintenance
91700	SGLE	\$94,980.00	SLR Consulting (Canada) Ltd.	Hamilton Water
91483	EXTN	\$100,000.00	1984080 Ont Inc./Carstar On Ferguson	Energy, Fleet and Facilities Management
77309	SGLE	\$120,000.00	Invizij Architects Inc.	Energy, Fleet and Facilities Management
90079	SGLE	\$129,145.00	Aecom Canada Ltd.	Hamilton Water
91827	SGLE	\$150,000.00	Mississauga Bus Coach And Truck Repairs	Transit
68116	EXTN	\$230,000.00	Bridgestone Canada Inc.	Transit
91825	EMER	\$392,339.86	Wesroc Construction Limited	Hamilton Water
88818 88819	EXTN	\$395,000.00	Kemira Water Solutions Canada Inc.	Hamilton Water





# INFORMATION REPORT

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	October 3, 2019
<b>SUBJECT/REPORT NO:</b>	Second Quarter Non-compliance with the Procurement Policy Report (FCS19043(a)) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Patricia Vasquez (905) 546-2424 Ext. 5972
<b>SUBMITTED BY:</b>	Rick Male Director, Financial Services & Corporate Controller Corporate Services
<b>SIGNATURE:</b>	

## COUNCIL DIRECTION

Procurement Policy, Section 4.19, Item (3) requires a quarterly report be prepared and presented to Council to report the use of all Procurement Policy Non-Compliance Forms.

## INFORMATION

This Report is issued quarterly in accordance with the Procurement Policy. This report details the use of all Procurement Policy Non-Compliance Forms for the second quarter of 2019.

Procurements that are non-compliant with the Procurement Policy can be identified at any time during the procurement process. Procurements are deemed to be non-compliant with the Procurement Policy when the applicable Policy (Policies) and published procedure(s) are not followed. Under Policy 19, the General Manager is responsible for reviewing each incident and determines the appropriate level of disciplinary action to be taken.

During the second quarter of 2019, there were fourteen (14) instances relating to the use of Policy 19, totalling \$227,646.60. The instances are summarized in Appendix "A" to Report FCS19043(a).

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**SUBJECT: 2019 Second Quarter Non-compliance with the Procurement Policy Report (FCS19043(a)) (City Wide) - Page 2 of 2**

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**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report FCS19043(a) – 2019 Second Quarter Non-compliance with the Procurement Policy Report

PV/dw

## 2019 Second Quarter Non-Compliance with the Procurement Policy Report

PO No.	Amount	Name	Division
<b>City Manager's Office</b>			
P-Card	\$34.96	Staples	Strategic Partnerships & Communications
P-Card	\$15.56	Staples	Strategic Partnerships & Communications
<b>Corporate Services</b>			
92052	\$17,650.00	Escribe Software Ltd.	City Clerk
<b>Healthy &amp; Safe Communities</b>			
90866	\$11,600.00	Louise Kool & Galt Limited	Children's Services and Neighbourhood Development
<b>Legislative</b>			
P-Card	\$729.97	Staples	Councillor Office
Cheque	\$225.00	Bob Penner	Councillor Office
<b>Library</b>			
91520	\$41,510.00	Ristech Company	Hamilton Public Library
<b>Planning and Economic Development</b>			
91927	\$73,600.00	Mohawk College Enterprise	Strategic Initiatives
91468	\$28,300.00	Acceo Solutions Inc.	Transportation Planning and Parking
91932	\$18,100.00	Meridian Planning Consultants Inc.	Planning and Chief Planner
86360	\$3,000.00	BMA Management Consulting Inc.	Growth Management
P-Card	\$962.00	The Uniform Group	Transportation Planning and Parking
<b>Public Works</b>			
92078	\$20,895.00	FM Page and Sons Inc.	Waterfront Development
91602	\$11,024.11	Darco Sales & Service	Energy, Fleet & Facilities Management







# INFORMATION REPORT

<b>TO:</b>	Chair & Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	October 3, 2019
<b>SUBJECT/REPORT NO:</b>	Semi-Annual Employee Attendance Report 2019 (HUR19020) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Gord Muise 905-546-2424 Ext. 2655 David Lindeman 905-546-2424 Ext. 5657 Heather McNicol 905-546-2424 Ext. 2635
<b>SUBMITTED BY:</b>	Lora Fontana Executive Director Human Resources
<b>SIGNATURE:</b>	

## Council Direction:

Human Resources reports on employee attendance performance measures to the Audit Finance and Administration Committee on an annual and semi-annual basis. This report presents absence data covering January 1 to June 30, 2019 with comparisons from 2015 through 2018 for the same period (Q1 and Q2). In accordance with Council's direction at the March 21, 2019 Audit, Finance and Administration Committee meeting, this analysis will also include information on absenteeism for certain divisions, specifically the top five divisions with the highest absenteeism levels.

## Information:

This report is an analysis of the days lost to Short-Term Disability (STD), Long-Term Disability (LTD), Work Accommodation and Personal Emergency Leave (PEL) days for eligible active employees during the reporting period, excluding Police and Library. The data utilized in this semi-annual update has been extracted from PeopleSoft and Parklane reporting records. In addition to providing an overall summary of city-wide absenteeism, this report also focuses on those divisions with higher levels of absenteeism and the variety of efforts used to mitigate those levels.

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**SUBJECT: Semi-Annual Employee Attendance Report 2019  
(HUR19020) (City Wide)****Page 2 of 14**

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**Executive Summary:**

For the review period January to June 2019, days lost per eligible employee covered by the Income Protection Plan (IPP) due to Short-Term Disability (STD) and Long-Term Disability (LTD) increased in 2019 over 2018, while Personal Emergency Leave (PEL) days lost decreased. Overall, when looking at all absences types per eligible employee, the total number of days lost decreased slightly from 10.9 (2018) to 10.8 (2019).

STD absences increased in some categories and decreased in others from 2018 to 2019 respectively within the period January to June. Specifically,

- Significant sick absences increased from 3.4 days to 3.6 days per employee.
- Incidental sick absences increased from 2.1 days to 2.4 days.
- Modified sick absences decreased by 0.1 day and Chronic sick absences remained the same at 0.3 days (see Appendix A to Report HUR19020).

**Fire Department (Sick Bank)**

The number of days lost per eligible employee decreased from 7.4 days in 2018 to 6.6 days in 2019. This reduction is the lowest level of sick absenteeism for this group in the last 5 years and is largely reflective of the collaborative efforts between Human Resources and Fire Department leadership.

**Corporate Mitigation Efforts**

Division-specific efforts have been taken to mitigate those areas experiencing higher levels of absenteeism, including increased efforts employed in the areas of mental health and well-being. Favourable results have also been observed as a result of greater contact with absent employees, increasing employee engagement, multi-stakeholder case consultation, identification of suitable modified work, and increasing awareness of the Employee and Family Assistance Program (EFAP) supports and greater levels of intervention by a number of Human Resources staff. This report includes details on the efforts made and the initiatives underway to address absenteeism in targeted divisions, as requested by Council.

**Detailed Report Findings:****Background**

This report identifies average days lost per eligible employee covered by the Income Protection Plan (IPP) or Accumulated Sick Bank, where applicable. Absences are the result of STD and LTD and PEL days.

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Absences due to occupational illness or injury (i.e. WSIB) are excluded from this report as they are contained in the annual and semi-annual Occupational Injury and Illness Reports (refer to Report HUR19021).

**Definitions**

**Income Protection Plan (IPP)** - provides eligible employees with an income if they cannot perform their normal duties due to illness/non-occupational injury during both STD and LTD.

- **Eligible Employee** - a full-time employee who meets the conditions of their collective agreement or employment contract eligibility for payment through the IPP as a result of illness or non-occupational injury.
- **Short-Term Disability (STD)** - includes absences of less than 1 day up to 130 days. STD includes the following types of absences:
  - **Incidental sick absences** are less than 6 days in duration and are managed primarily by an employee's supervisor and do not require a sick claim form. **Note:** Effective January 1, 2020, renegotiated collective agreements as well as the updated policies for non-union employees will require employees to submit medical documentations for those absences extending to the 4<sup>th</sup> working day.
  - **Significant sick absences** are 6 days up to 130 days in duration and require a medical claim form(s) and are additionally managed with the assistance of Return to Work Services staff in Human Resources.
  - **Modified sick absences** are for those employees who are participating in a graduated return to work program and are paid for partial sick days.
  - **Chronic Sick Absence** - a chronic condition (disease) of long duration and generally slow progression or a long-term condition which has fluctuating periods of poor health and deterioration or relapse while the person generally maintains a level of functionality. These absences are self-identified by employees and monitored by the Occupational Health Nurse in Human Resources.
- **Sick Bank Plan** – allows employees to accumulate sick credits that can be used to cover lost time if they cannot perform their normal duties due to illness/non-occupational injury. For the purposes of this Report, Sick Bank entitlement is exclusive to the Fire Department.

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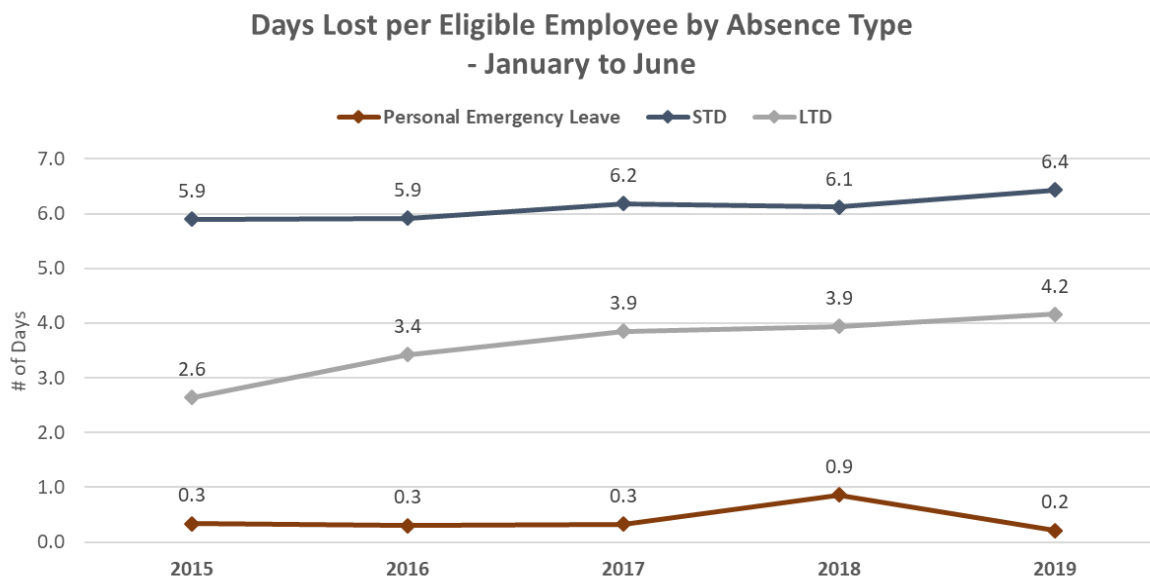
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- **Long-Term Disability (LTD)** – includes absences that extend beyond a 6-month qualifying period (i.e. 130 days), when an employee continues to be totally disabled beyond their STD absence. The LTD absences are currently managed by Manulife Financial.
- **Personal Emergency Leave (PEL)** - a legislated job protected leave covered under the Employment Standards Act.
- **Working Days** - defined as a 7-hour shift.

**City of Hamilton Absenteeism (Excluding Fire)**

**Figure 1: Days Lost Per Eligible Employee**



Overall, 10.8 days per eligible employee were lost during the first 6 months of 2019. Of the 10.8 days, 6.4 days were attributed to STD, of which 2.4 days related to incidental absences. Figure 1 represents the trend over the last 5 years. Notably, there are slight increases in absences due to STD and LTD during this period while there was a 0.7 day decrease in PEL absences. Overall, there was a slight decrease in absenteeism (i.e. 0.1 day) for this period January to June 2019 as compared to 2018 (i.e. 10.9 vs. 10.8).

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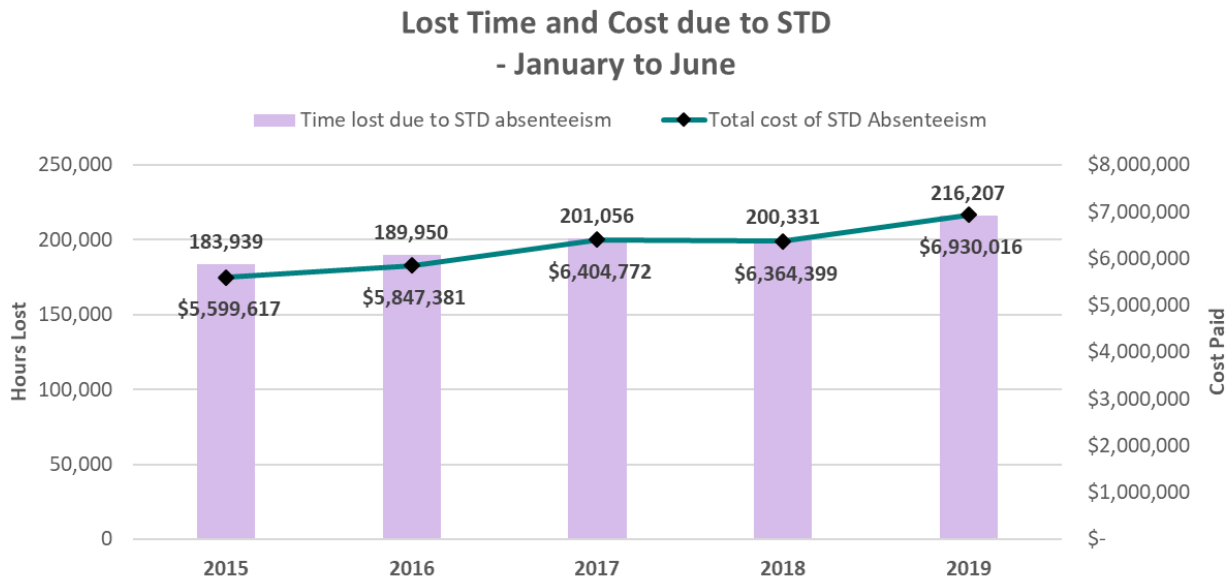
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**Figure 2: STD Lost Time and Cost**



An estimated 216,207 hours were lost due to STD during the first six months of 2019. This is equivalent to 6.4 days per eligible employee. The associated STD cost is higher in 2019 when compared to 2018 (\$6.9M vs. \$6.3M). This increase in costs is primarily attributable to the increase in salaries and other employee related costs for 2019 as compared to 2018.

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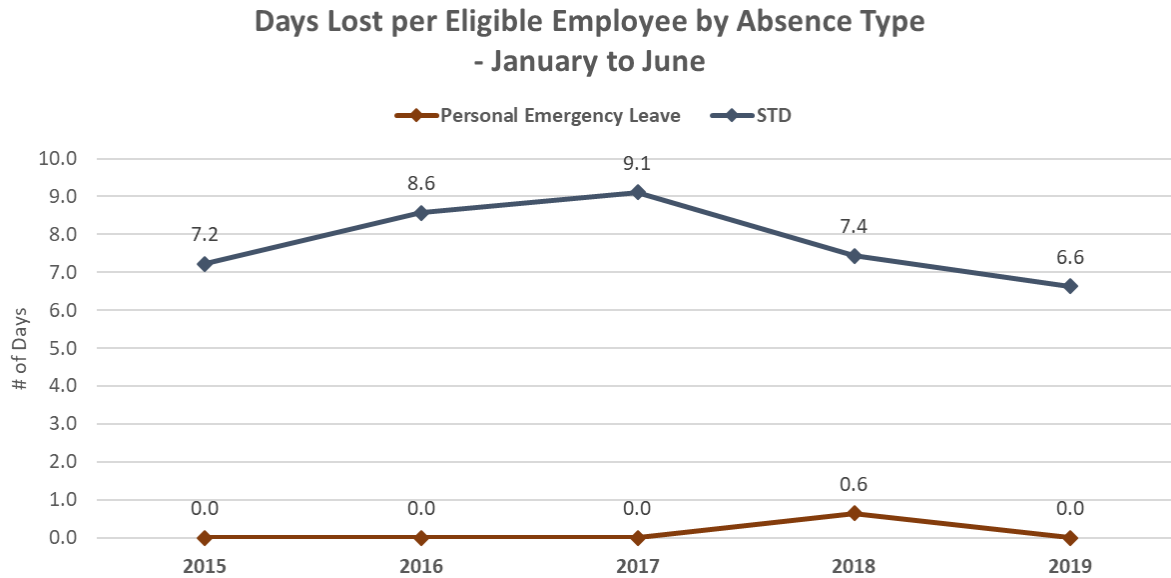
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**Fire Department Absenteeism (Sick Bank Plan)**

**Figure 3: STD Days Lost (Fire)**



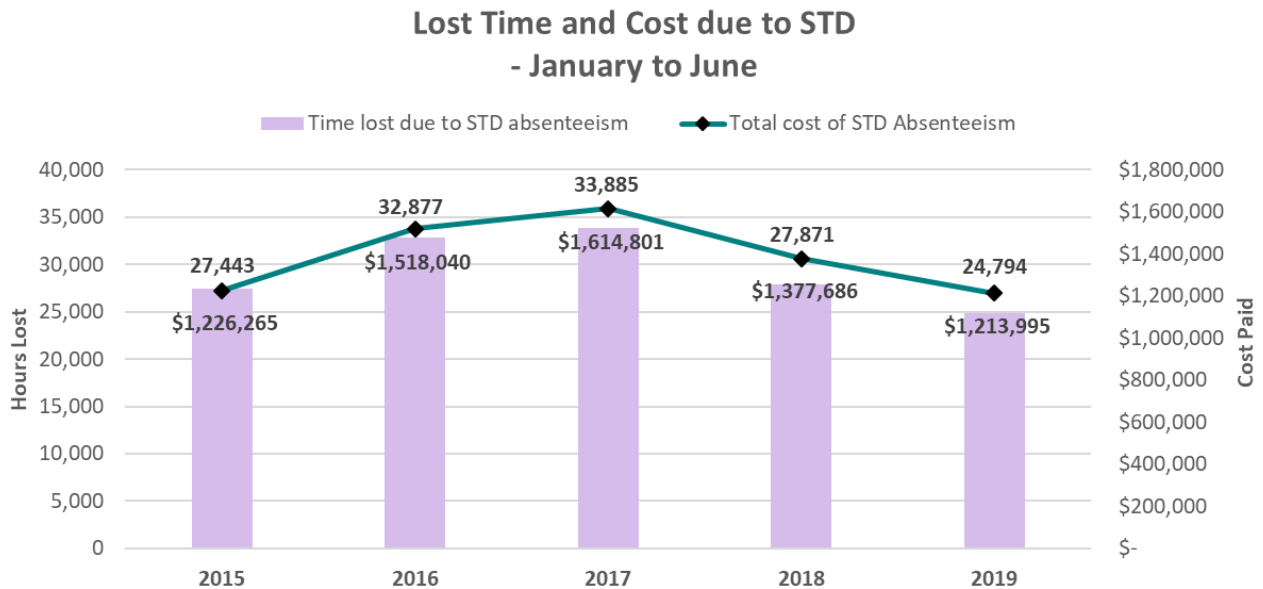
The above figure shows the year over year days lost by absence type between January to June during the 5 year period 2015 – 2019 for the Fire Department. The number of days lost per eligible employee decreased from 7.4 days in 2018 to 6.6 days in 2019. This is the lowest level of sick absenteeism for this group in the last 5 years.

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**Figure 4: STD Costs (Fire)**



The above figure shows the year over year total time lost and cost for the Fire Department due to STD absenteeism between January to June over 5 year period from 2015 - 2019.

Total hours lost is approximately 11% lower than last year between January to June (24,794 in 2019 vs. 27,871 in 2018). The cost of STD absences for the same period is also lower than 2018 (\$1.21M vs. \$1.377M). Despite an increase in salaries and other employee related costs, STD related costs in the Fire Department have decreased in 2019.

### Drivers of Short-term Disability Claims

In order to gain greater insight into employee absenteeism, Human Resources staff have started analyzing broad-based data on the medical conditions that are causing employees to miss time from work. Documentation was only available for sick absences 6 days to 130 days in length. The analysis found the top 2 indicators for the last 18 months (January 1, 2018 to June 30, 2019) were:

- Musculoskeletal injuries accounted for 22% of claims
- Mental Health accounted for 19%

The remaining claims were related to various respiratory, digestive, neurological and other conditions. Human Resources staff will continue to review STD claims information to help inform its employee health programs and will include this data and activities in future reports.

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Health Status Indicators (derived from Extended Health Care Benefits Information)

The most common five indicators are:

- Infections
- High Blood Pressure
- Depression
- Ulcer / Reflux
- Allergy

The above indicators are based on drug utilization for all Extended Health Care (EHC) plans at the City (including the boards and retiree plans). Benefit plans are structured based on union code and not by department, therefore every union has a benefit plan specific to their negotiated benefits. Manulife is unable to report on indicator data at the department level, however the top 5 common indicators are consistent across most of the City's benefit plans and as such, it would be expected that the data would be similar between each department.

**Employee and Family Assistance Program (EFAP)**

The City provides counselling and health coaching support through Homewood Health.

**EFAP Utilization Rates:**

Homewood Health received 541 new cases from January 1 – June 30, 2019. This represents 7.73% utilization by our employee population, which equates to a projected annual utilization of 15.47%. In comparison, Q1 - Q2 utilization in 2018 was 584 new cases, or 8.35% utilization rate, equating to an annual utilization rate of 16.69% for 2018.

In terms of primary presenting issues, the top concerns of individuals accessing the services are psychological in nature which represents the most utilized aspect of EFAP services of 248 cases (or 57.4% of EFAP cases), followed by relationship concerns with 63 cases (14.6% of EFAP cases), followed by family concerns with 41 cases (9.5% of all cases).

**Addressing Absenteeism at the Division Level**

Further to Council's request from the 2018 Annual Absenteeism Report, the following provides a summary of division specific absenteeism data for those divisions experiencing higher levels of absenteeism, corresponding trends and the targeted Human Resources (HR) related initiatives to address such absenteeism. For each area, specific initiatives have been implemented to help increase employee well-being and provide greater management control of absenteeism.

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**Transit**

- For the first six months of 2019, approximately 9.9 days were lost per eligible employee due to STD. This is the highest level of STD absenteeism within the last five years and is 9% higher than STD absenteeism recorded in 2018.
- Lost time due to incidental sick absences is 3.2 days, approximately 28% higher than the same period in 2018 (see Appendix B to Report HUR19020).

**Initiatives to Address Absenteeism**

- For HSR employees whose absence extends to the third working day, the Attendance Management Coordinator is contacting the employee via telephone to offer support and early intervention.
- The HSR is piloting a new attendance data-base which provides opportunity for improved absence monitoring, reporting and sharing of information with RTW Services.
- HSR Management adopted measures in accordance with the collective agreement, whereby identified patterned absenteeism will require submission of a completed STD claim form on the first day of absence.
- In the case of culpable absenteeism, appropriate disciplinary action is taken. In cases where absenteeism is innocent, yet excessive, the City is reviewing data and circumstances to determine if termination on the basis of frustration of employment contract is warranted.
- Several Our People Survey (OPS) action items focused on providing additional support for employee engagement, health and wellness. These action items include staffing and resource plans, customer education and communication strategy to reinforce appropriate customer interactions, as well as a Green Belt project to reduce the number of collisions. Anticipated results will support appropriate staffing levels, reduce negative customer interactions and provide for safer working conditions, all of which will help promote employees staying at work.
- Human Resources and HSR leadership will be piloting a new Attendance Management Program (AMP) that monitors both the amount and patterns of absences. The new program will replace the existing trigger-based non-culpable program with one that focuses on culpable absenteeism with no identifiable triggers.
- Human Resources (RTWS) is working with HSR Management to identify and expand the scope of available modified work to increase early and safe return to work opportunities.
- The HR Business Partner assigned to HSR is facilitating and coordinating efforts to mitigate unfavourable trends/issues.

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**Ontario Works (OW)**

- For the first six months of 2019, approximately 7.5 days were lost per eligible employee due to STD. This lost time is 18% lower than observed in 2018.
- The days lost due to significant sick absences is 3.5 days, approximately 33% lower than the same period in 2018 (Appendix C to Report HUR19020).

**Initiatives to Address Absenteeism**

- In consultation with RTW Services and Labour Relations, OW Management reviews cases of culpable absenteeism, or patterned absenteeism, and where appropriate, disciplinary action is taken. In cases where absenteeism is innocent, yet excessive, the City is reviewing data and circumstances to determine if termination on the basis of frustration of employment contract is warranted
- Working group meetings are scheduled on a regular basis to continue case reviews with OW Management, RTW Services and Labour Relations. These discussions also include Health, Safety and Wellness Specialists to determine opportunities to leverage mental health training and EFAP support, as a number of employees reported conditions related to a mental health diagnosis.
- Human Resources and Ontario Works leadership will be piloting the new Attendance Management Program (AMP) that monitors both the amount and patterns of absences and focuses on the more problematic and incidental absences.
- The HR Business Partner assigned to OW is facilitating and coordinating efforts to mitigate unfavourable trends/issues.
- OW leadership is currently reviewing opportunities for increased mental health training for all staff.
- Positions with frequent absences were evaluated for determining the potential need for Physical and Cognitive Demands Analyses. This will help clearly define the physical and cognitive requirements of the positions and support the creation of appropriate modified and return to work plans.

**Lodges**

- For the first six months of 2019, approximately 10 days were lost per eligible employee due to STD. This lost time is 11% higher than observed in 2018.
- The days lost due to significant sick absences is 5.4 days, approximately 32% higher when compared to the same period in 2018.
- The days lost due to incidental sick absences is 3.8 days, approximately 19% higher when compared to the same period in 2018 (see Appendix D to Report HUR19020).

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**Initiatives to Address Absenteeism**

- Return to Work (RTW) Services is working closely with Lodges Management to identify suitable modified work to support early and safe return to work for PSW positions, which are often difficult to accommodate.
- In consultation with RTW Services and Labour Relations, Lodges Management regularly review cases of culpable absenteeism, or patterned absenteeism, and where excessive levels of absenteeism warrant a termination based on frustration of employment contract. In cases where absenteeism is innocent, yet excessive, the City is reviewing data and circumstances to determine if termination on the basis of frustration of employment contract is warranted
- Human Resources and Lodges Management will be piloting a new Attendance Management Program (AMP) that monitors both the amount and patterns of absences and focuses on the more problematic and incidental absences.
- Human Resources and Lodges Management are currently reviewing opportunities to provide enhanced resources to support the Lodges unique staffing challenges.
- The HR Business Partner assigned to the Lodges is facilitating and coordinating efforts to mitigate unfavourable trends/issues.

**Hamilton Paramedic Services**

- For the first six months of 2019, approximately 9.3 days were lost per eligible employee due to STD. This lost time is 18% higher than that observed in 2018.
- The days lost due to significant sick absences is 3.6 days, approximately 38% higher when compared to the same period in 2018 (see Appendix E to Report HUR19020).

**Initiatives to Address Absenteeism**

- In consultation with RTW Services and Labour Relations, Paramedic Services Management reviews cases of culpable absenteeism, or pattern absenteeism, and where appropriate, disciplinary action is taken. This includes circumstances where excessive levels of absenteeism warrant a termination based on frustration of the employment contract.
- Working group meetings have been scheduled on a regular basis to continue case reviews with Paramedic Services Management, RTW Services and Labour Relations. These discussions include Health, Safety and Wellness staff to determine opportunities to leverage mental health training and EFAP support, as a number of absent employees reported absenteeism related to a mental health diagnosis.
- The HR Business Partner assigned to Hamilton Paramedic Services is facilitating and coordinating efforts to mitigate unfavourable trends/issues.

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- Paramedic Services Management and RTW Services are proactively reviewing opportunities for increased availability for early and safe return to work.

**City Housing Hamilton**

- For the first six months of 2019, approximately 6.1 days were lost per eligible employee due to STD. This lost time is 24% lower than that observed in 2018.
- The days lost due to significant sick absences is 3.9 days, approximately 33% lower when compared to the same period in 2018 (see Appendix E to Report HUR19020).

**Initiatives to Address Absenteeism**

- Positions with frequent absences were evaluated for determining the potential need for Physical and Cognitive Demands Analysis. This will help clearly define the physical and cognitive requirements of the positions and support the creation of appropriate modified and return to work plans.
- Working group meetings have been scheduled with City Housing Management, RTW Service and Labour Relations. These discussions would also include Health, Safety and Wellness staff to determine opportunities to leverage mental health training and non-violent crisis intervention (for client interactions).

**Broad Scope Initiatives**

- Human Resources is exploring opportunities for providing staff with virtual health services to facilitate timely access to professional medical and health advice. Such services could potentially reduce the need for employees to miss time from work through earlier interventions of medical guidance and medical treatments. These services could be provided through current benefits providers or enhancements to future contracts with these providers.
- Commencing January 1, 2020, changes have been made to collective agreements and non-union policies that will require employees to submit medical documentation earlier in their sick absence, specifically in cases where their absence extends to the 4th working days. Where the nature of their illness or injury is such that an employee expects to be off for 8 working days or more, a claim form will need to be submitted on or before the 8<sup>th</sup> day of absence. Employees who do not submit the required medical documentation will not be paid for their absence.
- Some employee benefit plans have been changed to increase benefit levels for psychological care and allow claims for a wider range of healthcare professionals including clinical psychologists, psychiatrists, psychotherapists and social workers.

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**SUBJECT: Semi-Annual Employee Attendance Report 2019  
(HUR19020) (City Wide)****Page 13 of 14**

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- Human Resources is piloting a new Attendance Management Program (AMP) that monitors both the amount and patterns of absences. The focus will be on the more problematic and incidental absences within specific work groups. It is anticipated that this more targeted focus will result in the identification of more culpable absences, and with proper intervention, will likely result in improved attendance.
- Human Resources has established a contract with Cubic Health, a third-party consultant who will conduct more extensive analysis into the health state of City employees from a drug and health claims perspective. This analysis will provide the City with “Population Health Mapping”, which will assess the prevalence of acute and chronic disease within the workforce. The review will also assess the appropriateness and effectiveness of the current extended health care plan design and provide recommendations on potential plan design changes to eliminate inefficient spending and highlight areas that require further investment to address emerging needs. The review will initially be completed for the non-union group in 2019 with plans to evaluate the unionized extended health care plans in 2020 and beyond.
- Human Resources is undergoing a review of its RTW and Health, Safety and Wellness sections through a third party vendor with expertise in disability management. It is anticipated that the outcome of the review will provide Human Resources with a path forward that will better rationalize the provision of services and lead to improved outcomes for the organization. It is hoped that by making much needed adjustments to return to work processes and practices, Human Resources will be better able to eliminate any remaining inefficiencies that are potential barriers to a more effective disability management system.
- Human Resources is currently reviewing the criteria used to address chronic health conditions. Most recently, efforts are being made to update employee medical information that will allow Return to Work Services to better understand changes in the frequency of absence.
- Preliminary discussions are ongoing between Human Resources and McMaster University’s Institute for Research on Aging. Working collaboratively with HR, the McMaster study team will collect City data that will measure employee levels of health and well-being. The area of study will include physiological, psychological, social and lifestyle indicators of health. It is anticipated that a pilot study will commence in the latter part of 2019 in targeted areas experiencing higher levels of absenteeism.

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**SUBJECT: Semi-Annual Employee Attendance Report 2019  
(HUR19020) (City Wide)**

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**APPENDICES AND SCHEDULES ATTACHED**

Appendix A to Report HUR19020 - Absence Summary from January to June 2019  
Appendix B to Report HUR19020 - Absence Summary for Transit Division  
Appendix C to Report HUR19020 - Absence Summary for Ontario Works Division  
Appendix D to Report HUR19020 - Absence Summary for Lodges Division  
Appendix E to Report HUR19020 - Absence Summary for Hamilton Paramedic Services Division  
Appendix F to Report HUR19020 - Absence Summary for City Housing Hamilton Division

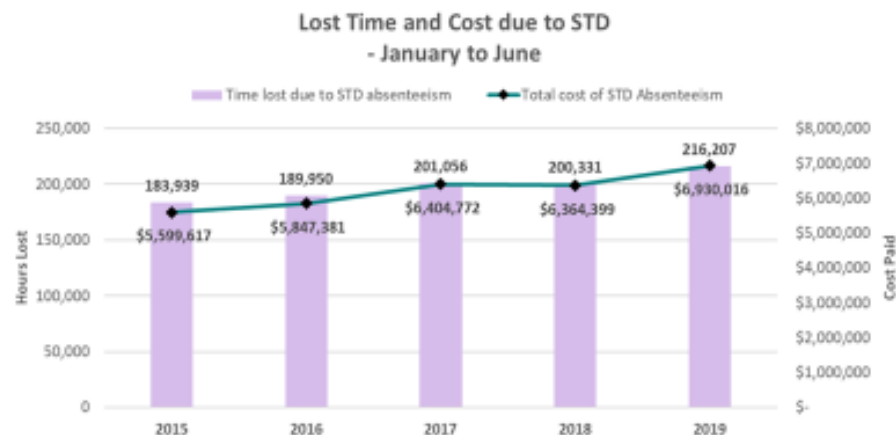
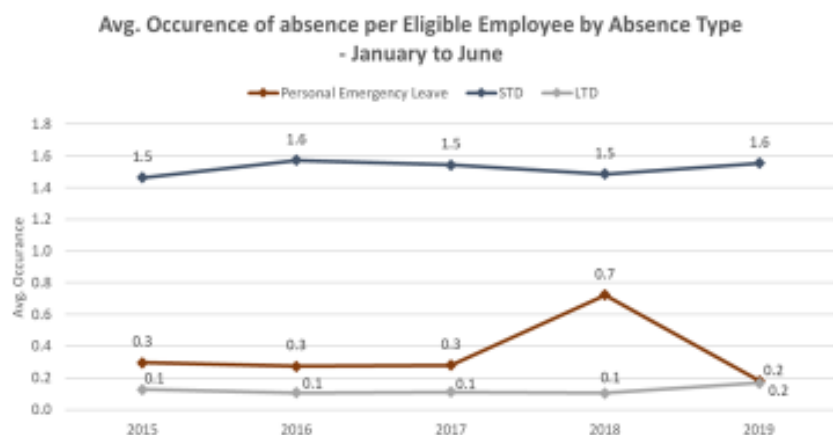
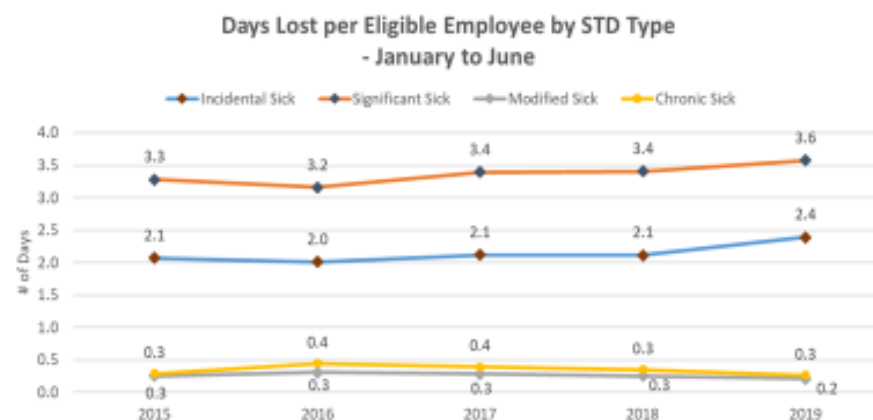
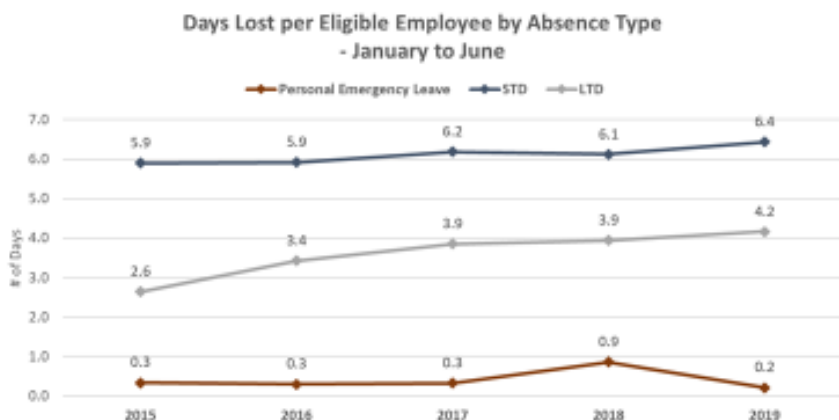
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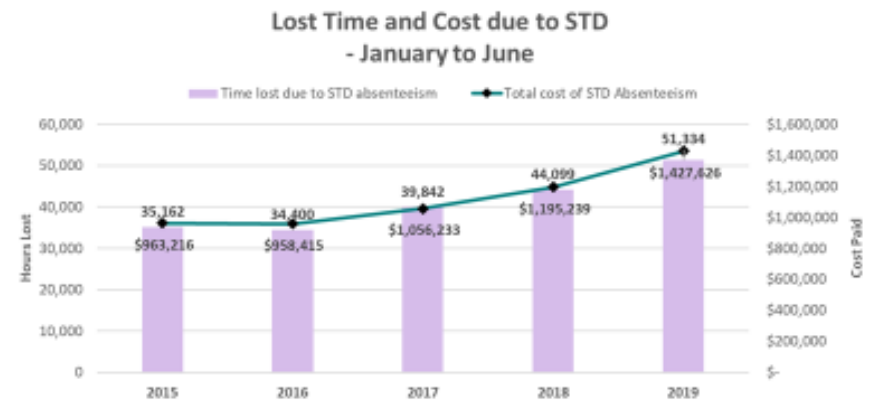
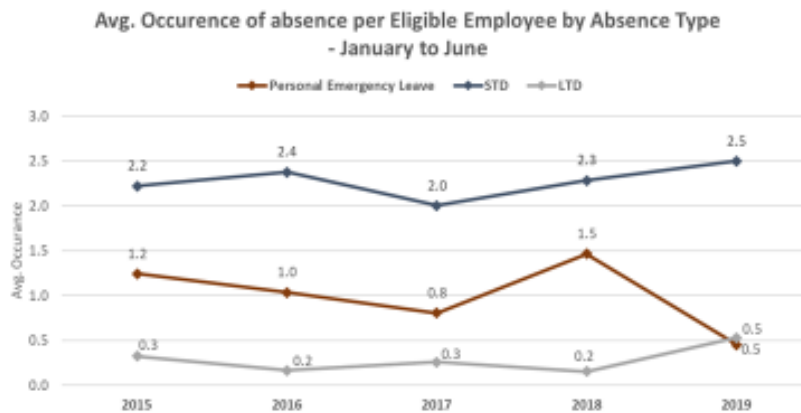
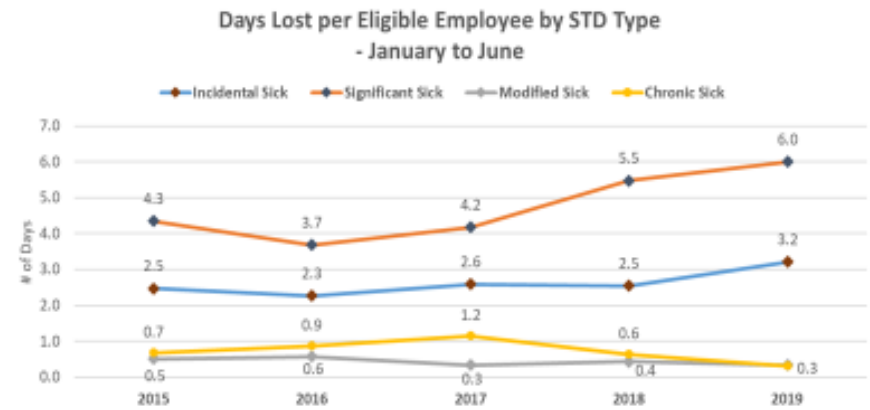
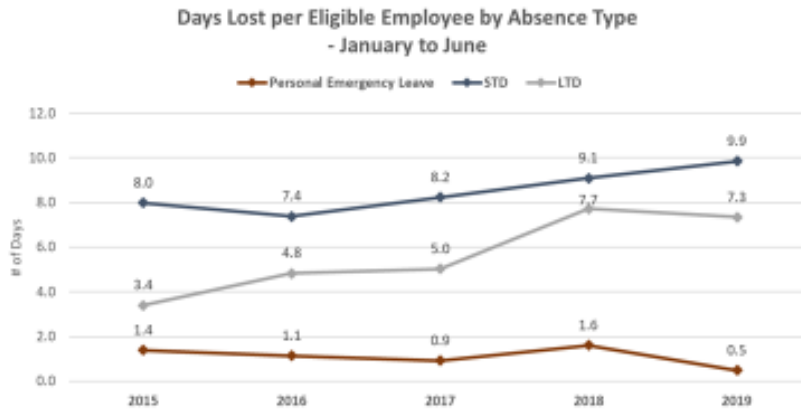
## Absence Summary for COH less Police, Fire, & Library – Actuals for January to June







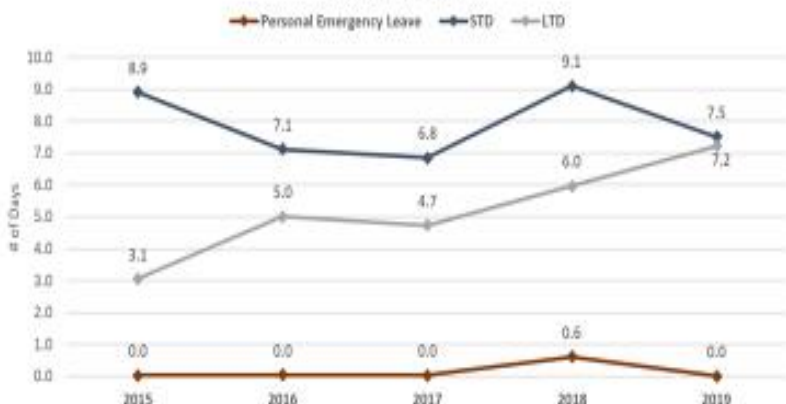
## Absence Summary for Transit Division



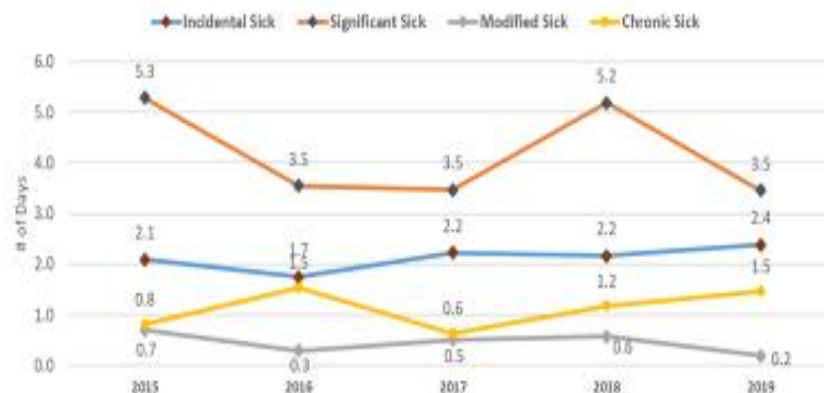


## Absence Summary for Ontario Works Division

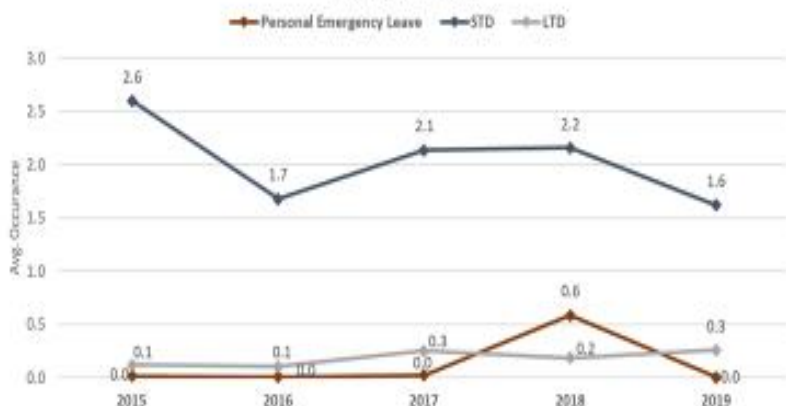
Days Lost per Eligible Employee by Absence Type  
- January to June



Days Lost per Eligible Employee by STD Type  
- January to June



Avg. Occurrence of absence per Eligible Employee by Absence Type  
- January to June

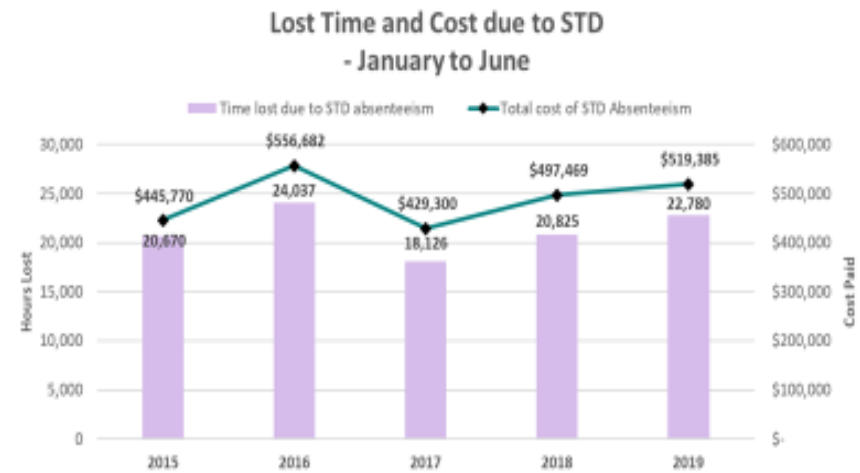
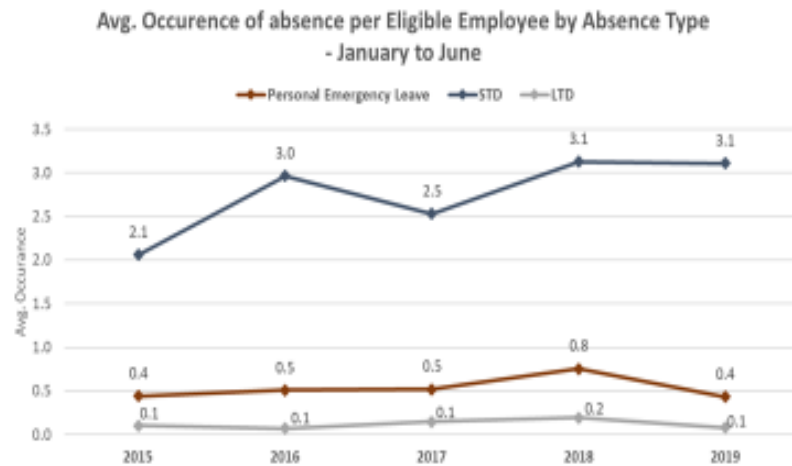
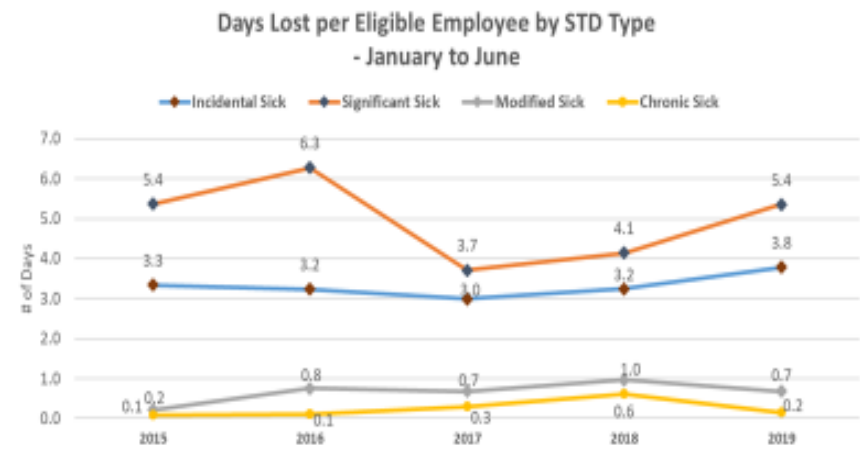
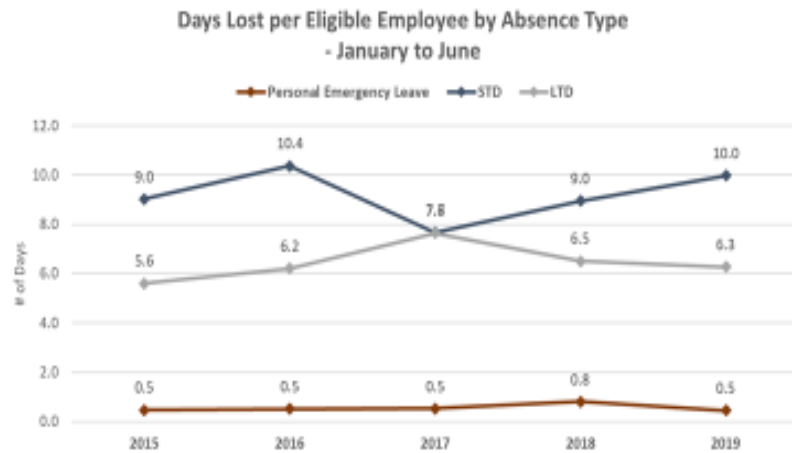


Lost Time and Cost due to STD  
- January to June



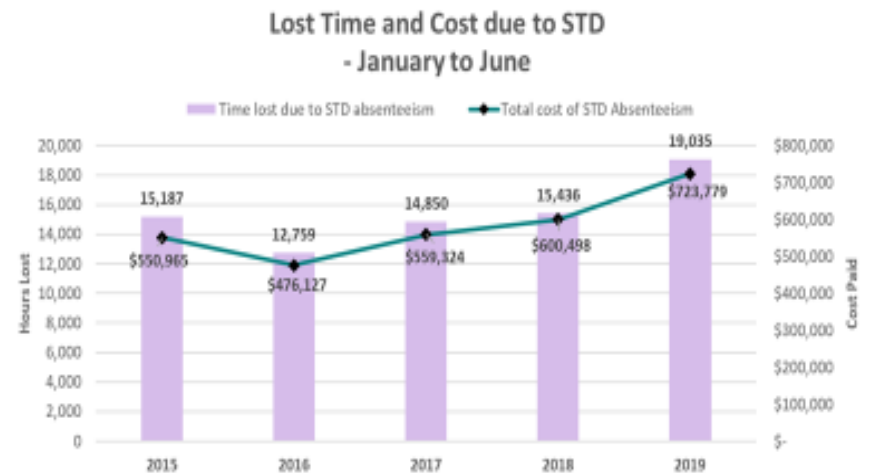
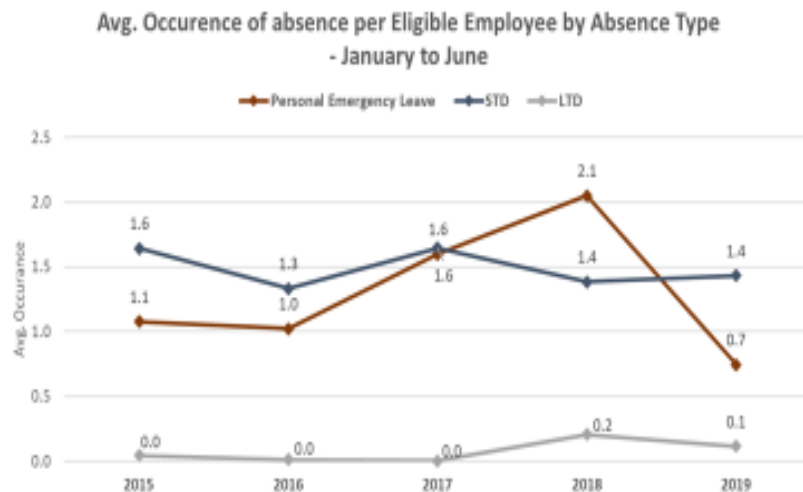
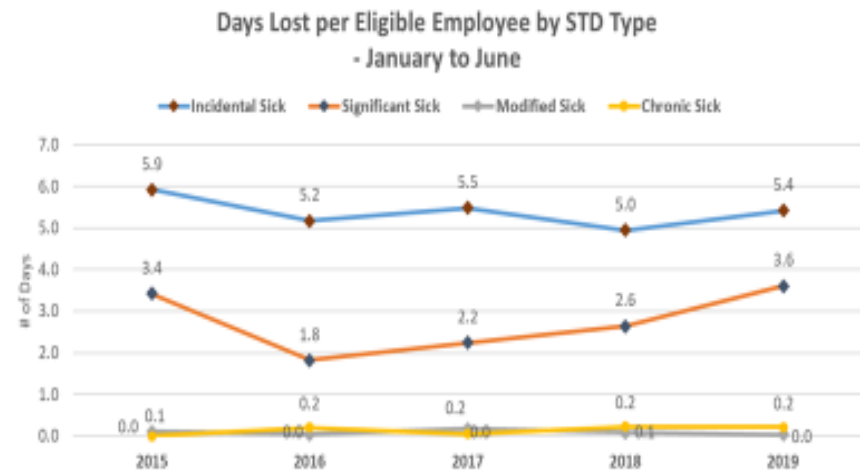
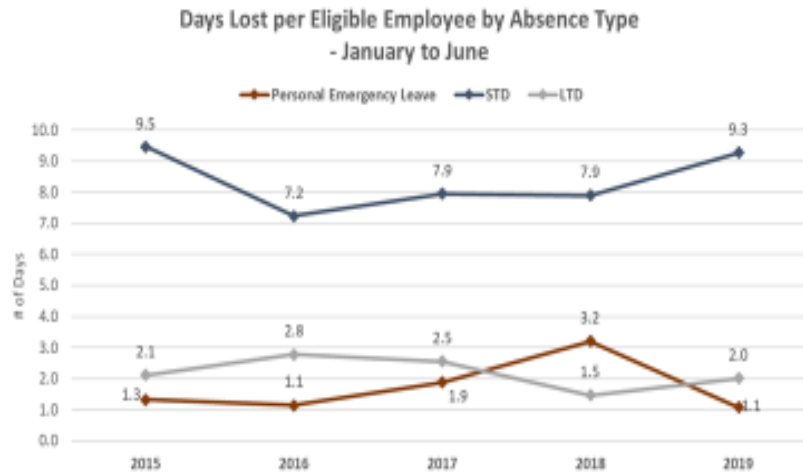


## Absence Summary for Lodges Division





## Absence Summary for Hamilton Paramedic Services Division

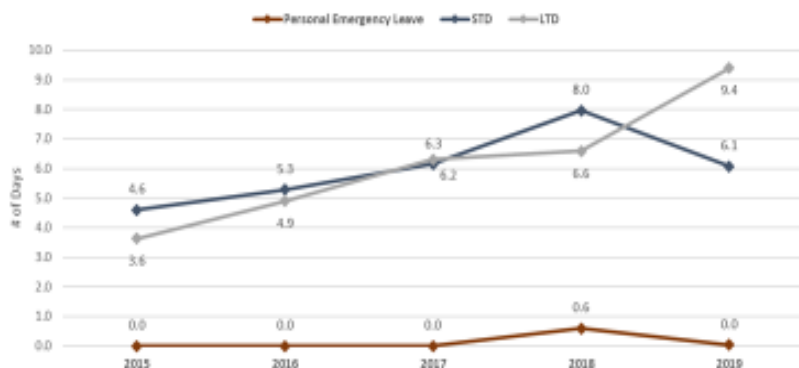




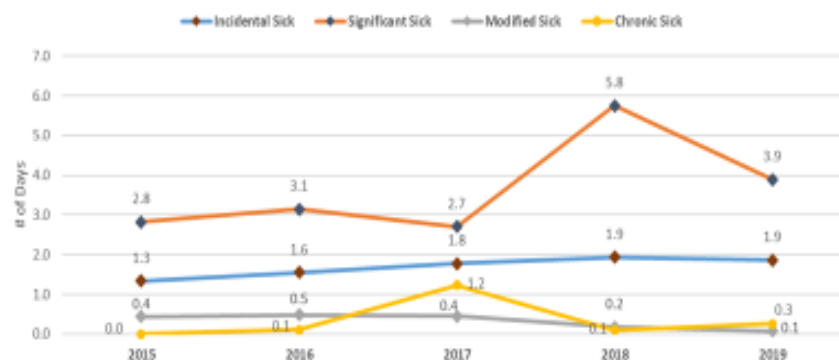


## Absence Summary for City Housing Hamilton Division

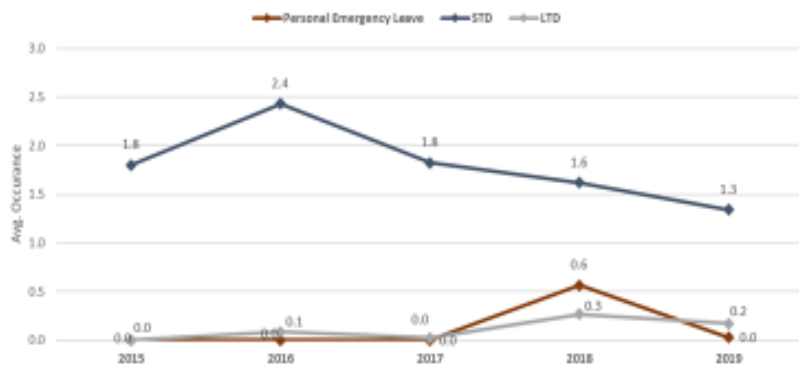
Days Lost per Eligible Employee by Absence Type  
- January to June



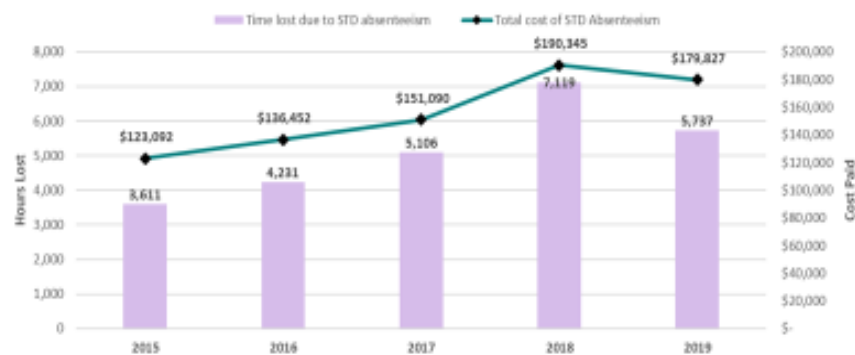
Days Lost per Eligible Employee by STD Type  
- January to June



Avg. Occurrence of absence per Eligible Employee by Absence Type  
- January to June



Lost Time and Cost due to STD  
- January to June







## INFORMATION UPDATE

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>DATE:</b>	October 3, 2019
<b>SUBJECT/REPORT NO:</b>	Semi-Annual Occupational Injury and Illness Claims 2019 (HUR19021) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	David Lindeman (905) 546-2424 Ext. 5657
<b>SUBMITTED BY:</b>	Lora Fontana Executive Director Human Resources
<b>SIGNATURE:</b>	

### Council Direction:

At the May 11, 2015 meeting of Audit, Finance & Administration Committee, Council asked for regular information updates on our Workplace Safety and Insurance Board (WSIB) experience, including identifying our lost-time injury rate, as well as areas that are having a higher number of incidents and provide strategies to reduce incidents addressing those areas. Council also requested that severity rates be included in the data. As such, Human Resources will continue to provide annual and semi-annual WSIB reports. The lost-time injury and severity rates are provided in the annual reports.

This semi-annual report provides a snapshot of occupational health and safety trends by comparing new lost-time injury and illness for claims filed in January – June (Q1 - Q2) for 2015 to 2019. The annual report contains information on all claims in addition to new claims.

### Information:

- Lost time injuries decreased by 8% in the first two quarters of 2019 compared to 2018 (210 from 219).
- Days lost to new injuries increased by 22% in the first two quarters of 2019 compared to 2018 (1,411 to 1,725).
- Musculoskeletal Disorders and Slips, Trip or Fall injuries are still the leading cause of injury.
- Mental Health claims in 2019 remained near the level of 2018 which is higher than previous years.

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**SUBJECT: Semi-Annual Occupational Injury and Illness Claims 2019  
(HUR19021) (City Wide)**

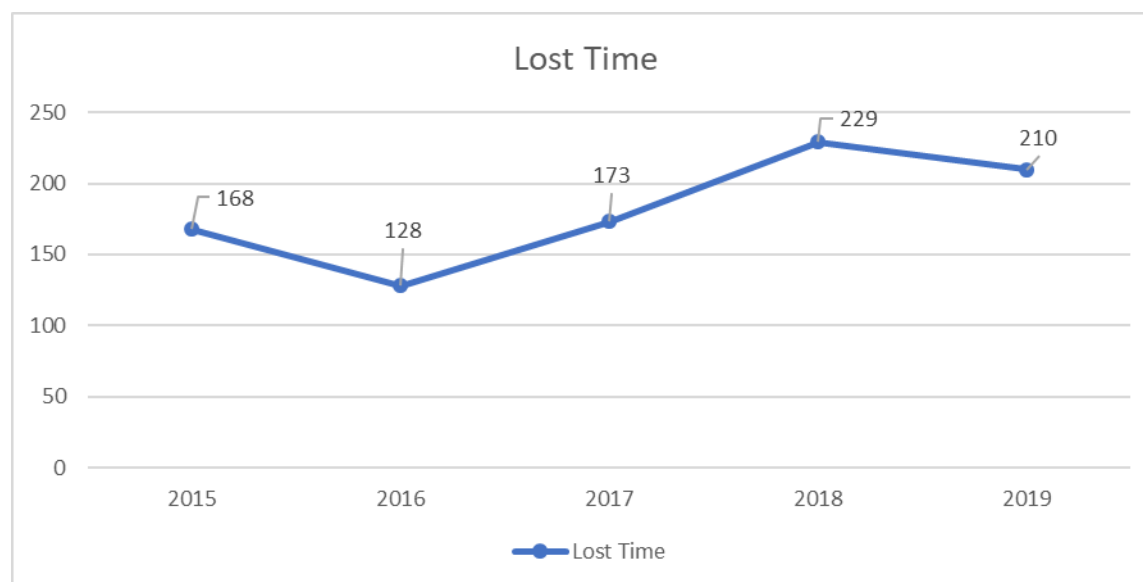
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**Table 1: New Lost Time Injuries Q1 - Q2 2015 to 2019**

	2015	2016	2017	2018	2019
Healthy & Safe Communities	88	55	82	130	115
Public Works	74	56	80	87	78
City Housing Hamilton	1	5	3	2	8
Planning & Economic Development	4	11	8	9	6
Corporate Services	1	1	0	1	3
City Manager's Office	0	0	0	0	0
<b>Corporation</b>	<b>168</b>	<b>128</b>	<b>173</b>	<b>229</b>	<b>210</b>

Overall, the City has experienced a decrease in the number of lost time injuries and shifts lost in the first half of 2019 compared to the same period in 2018.

**Graph 1: Lost time Incidents (Quarter Q1-Q2 2015 to Q1 - Q2 2019)**



The number of lost time injuries declined in the first half of 2019 after two years of increases for the same period of time (Q1 and Q2).

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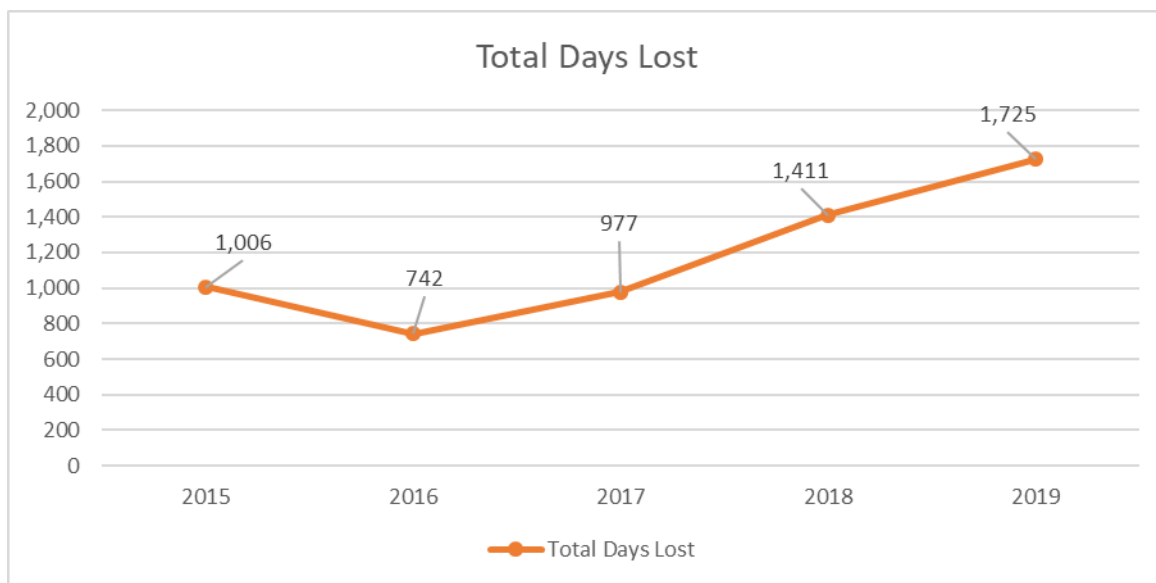
**SUBJECT: Semi-Annual Occupational Injury and Illness Claims 2019  
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**Table 2 - Days Lost to New Lost Time Injuries**

	2015	2016	2017	2018	2019
Healthy & Safe Communities	352	286	362	620	760
Public Works	582	371	452	685	737
Corporate Services	38	1	0	2	135
City Housing Hamilton	0	14	24	6	68
Planning & Economic Development	34	66	125	98	25
City Manager's Office	0	0	0	0	0
<b>Corporation</b>	<b>1,006</b>	<b>742</b>	<b>977</b>	<b>1,411</b>	<b>1,725</b>

**Graph 2: Total Days Lost per New Lost Time Incident (Quarter Q1 – Q2 2015 to Q1 – Q2 2019)**



Graph 2 shows a rise in days lost in the first six months of 2019 compared to the same period in previous years. The increase is partially attributed to the severity and nature of the injuries and illnesses that are occurring and the limited opportunities to quickly return workers to work. For example, mental health claims often require longer periods away from work for treatment and recovery and involve a gradual return to work to ensure successful re-entry into the workforce.

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**SUBJECT: Semi-Annual Occupational Injury and Illness Claims 2019  
(HUR19021) (City Wide)**

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### Type and Nature of Injuries and Illnesses

The nature of workplace injuries is identified and tracked for each incident using workers compensation classification standards.

**Table 2** shows the mix of injury and illness classification for the most frequent injury type presented as injury claim counts for the period of Q1 - Q2 each year.

**Table 3** shows the mix of injury classification for the most frequent injury type presented as a percentage of all claims for the period of Q1 - Q2 each year.

**Table 2: Top Lost Time Injuries by Major Type Count Q1 - Q2 2015 to 2019**

Injury Type by Claim Counts	2015	2016	2017	2018	2019
Musculoskeletal Disorder	65	51	63	89	79
Slip, Trip or Fall	29	29	30	38	47
Mental Health	2	2	10	19	20
Struck By	13	11	18	15	17
Struck Against	9	3	7	5	10
Motor Vehicle Accident	10	5	17	10	8
Violence	2	6	10	13	8

**Table 3: Top Lost Time Injuries by Major Type Percentage Q1 - Q2 2015 to 2019**

Injury Type by Percentage of Claims	2015	2016	2017	2018	2019
Musculoskeletal Disorder	43.62%	42.50%	35.39%	38.70%	37.62%
Slip, Trip or Fall	22.82%	24.17%	20.78%	16.52%	22.38%
Mental Health	1.34%	1.67%	5.62%	8.26%	9.52%
Struck By	8.72%	9.17%	10.11%	6.52%	8.10%
Struck Against	6.04%	2.50%	3.93%	2.17%	4.76%
Motor Vehicle Accident	6.71%	4.17%	9.55%	4.35%	3.81%
Violence	1.34%	5.00%	5.62%	5.65%	3.81%

Musculoskeletal Disorders and Slips, Trips or Falls injuries are still the leading cause of injury.

Work-related mental health claims remained higher Q1 and Q2 2019 compared to pre-2018 levels. These types of illnesses now account for nearly 10% of our lost time claims.

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By reducing stigma and encouraging dialogue, it was expected that we would experience a rise in WSIB claims related to workplace mental health issues. As the City continues to roll out the mental health training into more departments, we are prepared for the possible increase in employees becoming more aware of their own mental health and associating their poor mental health with workplace issues.

### **Areas of Focus**

This report includes updates on health and safety activities within divisions that have historically experienced higher levels of occupational injury and illness due to the type of work performed and the hazards encountered by workers while performing their duties. Human Resources, divisional leadership and workers work together to identify hazards and develop solutions to control or eliminate those hazards.

Note: previous reports have included information on Waste Operations. That group has been able to reduce the number of lost time injuries within their team and have sustained the lower level for a number of years now and are not included in this report.

### **Hamilton Fire Department**

Fire Department leadership with assistance from Human Resources targeted prevention of lost-time claims due to musculoskeletal injuries, mental health risks and slips and falls. In response, initiatives this year include:

- Delivery of the Mental Health Commission of Canada's Road to Mental Readiness (R2MR) workplace mental health training program to firefighters used certified in-house Career and Volunteer Division trainers. Approximately 195 staff have completed R2MR training so far.
- Health, Safety and Wellness Specialist instituted safe lifting and prevention of slips and falls awareness campaigns. The campaigns included posters and messaging in all fire stations on being aware of surroundings, proper body mechanics and adapting to changing conditions.

### **Lodges**

The Lodges Leadership team, Human Resources and front-line staff, continue to develop strategies to prevent musculoskeletal disorders (MSDs), exposure to Occupational Disease and violence.

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**SUBJECT: Semi-Annual Occupational Injury and Illness Claims 2019  
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New equipment is assisting staff by reducing strains associated with helping residents with their day-to-day activities. New procedures are now in place for material handling in housekeeping and laundry services and employees have better skills and knowledge on safe lifting techniques. Employees have improved the timeliness of reporting hazards to supervisors and have become more effective in their communication of concerns. Supervisors are coaching employees to ensure available equipment is being used properly and consistently.

Improvements in infection control policies, availability of equipment, maintaining best practices and adherence to handwashing and other procedures are now in place that will reduce staff exposures and limit the transmission of pathogens in the workplace. There has also been a reduction in the number of illness outbreaks this year.

Management is ensuring staff have the training and supports they need to safely provide services to residents who are admitted with responsive behaviours that can make interactions with residents difficult.

**Hamilton Street Railway (HSR) Operations**

HSR management, Human Resources and front-line staff are collaborating on efforts to address workplace ergonomic hazards, mental health and violence. This includes working closely with the joint health and safety to develop initiatives that will help control workplace hazards by focusing on tools and training for operators and supervisors that will help them respond incidents and concerns.

Operators are being trained on properly setting up seats and making other adjustments to their driving positions to prevent musculoskeletal injuries. A vibration study will be undertaken by an outside consultant to identify any potential risk to operators and responding to the study's findings and recommendations, as appropriate. Bus manufacturers have been contacted to ensure specifications are up to date and best practices are identified for operation and maintenance of the fleet of specific buses.

Many HSR people leaders have been certified in Workplace Mental Health through completion of training delivered by Queen's University. Others are scheduled to attend the training or are currently enrolled. Additionally, mental health training for all staff is being considered.

To assist with the return to work of injured employees and facilitate stay-at-work strategies, HSR management and Human Resources Return to Work team are collaborating on identifying suitable accommodations that can be offered to injured workers to assist them at returning or remaining at work.

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**Hamilton Paramedic Services (HPS)**

HPS has seen a rise in mental health claims as well as musculoskeletal injuries. In response to the increase, management has provided mental health supports through our EFAP provider and other community resources. An education campaign was launched to increase awareness of proper lifting procedures and body mechanics.

The peer-to-peer critical incident support team and program continue to function in support of paramedics experiencing mental health issue. The team is relatively new and continues to evolve to support employees in need of assistance.

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## Hamilton

### **MINUTES**

#### **Aboriginal Advisory Committee Wednesday, June 19, 2019 – 5:30 P.M. City Hall, 71 Main St. W., Room 192**

**Present:** Marilyn Wright, Allan Loft, Deborah Elmes, Patty Lawlor, Scott Cruickshank,

**Regrets:** Connie Bellamy, Khitanya Petgrave

**Also Present:** Betsy Pocop – Human Rights, Diversity & Inclusion (staff)

**Chairperson:** Marilyn Wright

#### **Welcome and Introductions**

- All were welcomed

#### **Opening**

- A. Loft did an opening

### **1. Changes to the Agenda**

#### **Motion #1**

##### **D. Elmes/A. Loft**

That the Aboriginal Advisory Committee accepts the June 19, 2019 agenda, as presented.

**CARRIED**

### **2. Declaration of Interest**

- There were no declarations of interest

### **3. Approval of Previous Minutes**

- Members inquired as to the letter of support to be prepared for the Urban Indigenous Strategy
- B. Pocop to follow up with N. Jones to inquire about the letter
- Item 5.4- that the affiliations of the selected community members to oversee the selection process for the new term be included for the record
- Item 5.5 – that it be clear that the discussion captured in 5.5 should be clarified to indicate that they were two separate points and events discussed

Aboriginal Advisory  
Committee Meeting

2

June 19, 2019

### **Motion #2**

**S. Cruickshank/P. Lawlor**

That the minutes of May 2, 2019, be approved as amended.

**CARRIED**

#### **4. Presentations**

- No presentations

#### **5. Discussion Items**

##### **5.1 Business Arising from Previous Minutes**

- M. Wright advised she ordered the cakes for the June 21<sup>st</sup> event and will provide B. Pocop with receipts for reimbursement
- P. Lawlor advised she did not have an update for the 2020 collaboration (HPL Panels)

##### **5.2. Urban Indigenous Strategy Update**

- B. Pocop provided update on N. Jones' behalf
- Shelly Hill, the new Senior Project Manager has started in the role
- The Indigenous flags will be permanently installed at City Hall
- The Urban Indigenous Strategy is scheduled to be presented at the Committee meeting scheduled for June 20<sup>th</sup>

##### **5.3 Truth and Reconciliation Calls to Action**

- Item deferred until after the Urban Indigenous Strategy is presented to Council to discuss the adoption of the identified Calls to Action

##### **5.4 Book Display Update**

- P. Lawlor provided an update
- There was positive feedback received for the book display
- The display has been extended until July 18<sup>th</sup>
- P. Lawlor explained there were costs associated with the book display, including items that will remain with the committee for future displays. A request for reimbursement of costs associated with the display was made.
- The Committee thanked P. Lawlor for her work with the display

### **Motion #3**

**D. Elmes/A. Loft**

That the Aboriginal Advisory Committee reimburse P. Lawlor for costs associated with the 2019 book display for up to \$250.00.

**CARRIED**

P. Lawlor abstained from the vote.

**5.5 2018-2022 Committee Appointment Process**

- B. Pocop advised of the recommended appointments from the selection committee
- M. Wright proposed engaging more youth with the committee's work in consideration of their interest in joining the committee at a future date
- The Committee was in agreement to have M. Wright reach out to two youth community members to invite them to attend a future meeting
- B. Pocop shared the names of the selected appointments for the 2018-2022 term and recommendations of the community leadership that oversaw the selection process

**Motion #4****D. Elmes/M. Wright**

That the Aboriginal Advisory Committee receive the recommendations of appointments from the selection committee for the 2018-2022 term

**CARRIED****Motion #5****A. Loft/S. Cruickshank**

That the Aboriginal Advisory Committee recommends to Council the appointment of the following individuals for the 2018-2022 term, commencing on July 12, 2019, and until successors are chosen:

1. Constance (Connie) Bellamy
2. Cat Cayuga
3. Scott Cruickshank
4. Deborah Elmes
5. Allan Loft
6. Laura Workman
7. Marilyn Wright
8. Patty Lawlor (Ally, non-voting)
9. Khitanya Petgrave (Ally, non-voting)

**CARRIED****5.6 Committee Schedule**

- The Committee agreed to cancel their meeting in July, schedule an orientation session for August 29<sup>th</sup>, 2019 for the new term once the appointees are confirmed by Council, and have their first meeting of the new term in September.

**5.7 Final report on national Inquiry into MMIWG**

- Item deferred

Aboriginal Advisory  
Committee Meeting

4

June 19, 2019

**5.8 Councillor's Role**

- Item deferred. Discussion to occur with Councillor Nann present

**5.9 Call to Action to Support 2SLGBTQ+ Communities in Hamilton**

- D. Elmes to attend LGBTQ Advisory Committee meeting on behalf of the Aboriginal Advisory Committee

**Closing**

- A. Loft did a closing

**6. Adjournment**

Meeting adjourned at 7:44pm

**Next Meeting**

- Next meeting scheduled for September 5, 2019



**CITY OF HAMILTON**  
**CITY MANAGER'S OFFICE**  
**Office of the City Auditor**

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	October 3, 2019
<b>SUBJECT/REPORT NO:</b>	Reporting Process for Office of the City Auditor Audit Assurance Reports (AUD19006) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Brigitte Minard CPA, CA, CIA, CGAP (905) 546-2424 Ext. 3107  Charles Brown CPA, CA, CPA (Illinois) (905) 546-2424 Ext. 4469
<b>SUBMITTED BY:</b>	Charles Brown City Auditor Office of the City Auditor
<b>SIGNATURE:</b>	

### **RECOMMENDATION(S)**

That the Reporting Process for City Audit Assurance Reports attached as Appendix "A" to Report AUD19006, be approved.

### **EXECUTIVE SUMMARY**

The current reporting and distribution process for Office of the City Auditor Audit Assurance reports (summarized in Appendix "A" of Report AUD19006) provides for the distribution of the draft audit reports to management for response. Management responses to the recommendations are contained in the final audit reports. This format is considered a best practice and provides valuable and timely information to members of the Audit, Finance and Administration Committee in their oversight role.

### **Alternatives for Consideration – See Page 3**

### **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

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**SUBJECT: Reporting Process for Office of the City Auditor Audit Assurance Reports (AUD19006) (City Wide) - Page 2 of 4**

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Financial: None.

Staffing: None.

Legal: None.

**HISTORICAL BACKGROUND**

A reporting process for City Audit Reports has been in place at the City of Hamilton since the original process was approved at the January 12, 2005 Council Meeting.

At the Audit and Administration Committee meeting of February 7, 2007, the Committee asked for clarification regarding the reporting process of the Internal Auditor. Staff were directed to review the current reporting process and report back to Committee with various options and/or alternatives. A process was approved by Council on March 28, 2007, approving the process that was laid out in report CM07014.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

Municipal Act, 2001 sections 222.19 to 223.23

Office of the City Auditor Charter (AUD19005)

City of Hamilton By-law 19-180 (City Auditor By-law)

**RELEVANT CONSULTATION**

The reporting process for the City of Toronto, City of Winnipeg and the Auditor General of Canada were previously used for comparison purposes under the Analysis and Rationale section.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)**

As indicated in the current Office of the City Auditor Charter (AUD19005), the City's Office of the City Auditor is guided by the *International Standards for the Professional Practice of Internal Auditing* of the Institute of Internal Auditors and/or legislative requirements, as applicable, for audit assurance work.

Standard 2440 and the related Implementation Guidance for Standard 2440, states "*The chief audit executive must communicate results to the appropriate parties*" and "*The chief audit executive is responsible for reviewing and approving the final engagement communication before issuance and for deciding to whom and how it will be disseminated.*" At the City of Hamilton, the Chief Audit Executive (CAE) is the City Auditor.

Examples of how this can be accomplished include: a post-engagement meeting (i.e. closing meeting) in which the results are discussed with management and staff of the audited area; or a review by management of the draft report with observations and recommendations to management for the audited process or service. This helps to ensure that there have been no misunderstandings or misinterpretations of fact by providing the opportunity for the auditee to clarify specific items and to express views on the conclusions and recommendations.

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**SUBJECT: Reporting Process for Office of the City Auditor Audit Assurance Reports (AUD19006) (City Wide) - Page 3 of 4**

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Comparisons of the current City of Hamilton process for the distribution of audit reports against the practices of other government audit groups was previously conducted by the Office of the City Auditor. Most audit organizations follow a similar process. An informal confidential draft report is forwarded to management for review and input. This input is incorporated into the report, creating a formal draft report which is again forwarded to management, now for responses to the recommendations. The management responses are included in the formal draft, next to each recommendation, which is presented to the Audit, Finance and Administration Committee. The report does not become a public document until the final report goes to Committee and Council.

In the United States, for government internal audit groups operating under the *Government Auditing Standards*, audit reports are required to include pertinent views of the officials of the audited organization concerning the auditor's issues and recommendations and their planned corrective action. Written responses are typically received from the appropriate management representative of the audited entity and submitted to the Audit Committee. Even though there is not statutory requirement for Canadian internal auditors in government to follow such a standard, it is considered a best practice.

The option recommended in this report is a revised version of the existing practice that has been updated to include information about the broader range of work that the Office of the City Auditor now performs.

**ALTERNATIVES FOR CONSIDERATION**

1. The process described in Appendix "A" to Report AUD19006 is recommended. It compares to the methods used by other government audit groups, provides timely and comprehensive information to the Audit, Finance and Administration Committee and Council. It also allows for staff to be properly prepared to answer Councillors' questions.
2. An alternative method whereby audit issues and recommendations will be discussed with management and staff of the audited entity in a closing meeting, but the actual audit report will go only to Committee without a Management Response. Committee and Council will then direct management to formulate a response and bring back a separate report to a subsequent Committee meeting. This is not recommended as the delay in responding to the recommendations to a later date diminishes the impact of the audit report and the need for timely information regarding implementation plans. It also differs from practices of several comparators in that management's responses are not included in the auditor's report.
3. Another alternative would see no discussion of audit results with management and staff of the audited entity. The audit report would go directly to the Audit, Finance and Administration Committee and Council. Direction would be given for management to then subsequently respond to the report. This is not recommended

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**SUBJECT: Reporting Process for Office of the City Auditor Audit Assurance Reports (AUD19006) (City Wide) - Page 4 of 4**

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as there would be no opportunity for auditees to ensure that there were no misinterpretations or misunderstandings in the detail before the document was made public. This option also contravenes the prescribed standard used for the practice of internal auditing which states that results and recommendations should be discussed with appropriate staff before issuing final reports.

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN****Community Engagement and 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 People and Performance**

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

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report AUD19006 Reporting Process for Office of the City Auditor Audit Assurance Reports

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**APPENDIX "A"**  
**REPORTING PROCESS FOR OFFICE OF THE CITY AUDITOR**  
**AUDIT ASSURANCE REPORTS**

**Compliance Audit Reports**

1. At the conclusion of the fieldwork required for an audit/review, a formal audit report will be drafted. In most cases, the report will follow a short, columnar format and include Background Information, Observations, Recommendations and Management Responses. The Background Information, Observations and Recommendations are written by the Office of the City Auditor. This draft report will then be distributed to management responsible for formulating a response to each recommendation. A two-week turnaround time will be allowed.
2. The responses received from management will be incorporated into the third column of the report. Responses will include an "Agree/Disagree" along with a brief management response that should include current and future actions, an expected completion date or a reason for the disagreement, as warranted.
3. This report will then be circulated to the General Manager(s) of the responsible department(s) for review and approval of the Management Response only. A one-week turnaround time will be allowed.
4. Upon the approval, the final audit report will be presented to the Audit, Finance and Administration Committee for receipt, discussion and staff direction.
5. If management cannot provide a response or provides an insufficient response within the timelines noted above or is delaying the submission of the report to the Audit, Finance and Administration Committee, the City Auditor (or designate) may present the report to the Audit, Finance and Administration Committee and communicate in the report that a Management Response was not received within the Council-approved timelines and/or provide commentary on response deficiencies.

**Follow Up Reports**

1. As prior audits are followed up, any new information will be added to the original audit/review report of a process/service. This additional, new information will be the result of the Office of the City Auditor's follow up review.
2. This draft report will be sent to appropriate staff and the General Manager(s) of the department(s) responsible for the implementation of the recommendations for information and to ensure the remarks by the Office of the City Auditor are reflective of current conditions.
3. The follow up report will be presented to the Audit, Finance and Administration Committee for receipt.

**Value for Money Audit Reports**

The process for Value for Money Reports is the same as Compliance Audit Reports, with the exception that a three-week turnaround time will be allowed and a long form, narrative report that includes Background Information, Audit Objectives, Scope, Detailed Observations by topic or issue, Recommendations and Management Responses.

**Note**

Copies of all audit/review and follow up reports are provided to the Senior Leadership Team (SLT) members for information only at the time the Clerk's Office is requested to place the reports on the Audit, Finance and Administration Committee agenda.



**CITY OF HAMILTON**  
**City Manager's Office**  
**Human Resources**

<b>TO:</b>	Chair & Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	October 3, 2019
<b>SUBJECT/REPORT NO:</b>	Employee Code of Conduct Updates (HUR19022/AUD19009) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Aine Leadbetter (905) 546-2424 Ext. 6667 Brigitte Minard (905) 546-2424 Ext. 3107
<b>SUBMITTED BY:</b>	Lora Fontana Executive Director Human Resources  Charles Brown City Auditor Audit Services
<b>SIGNATURE:</b>	

### RECOMMENDATION(S)

- (a) That Council approve the inclusion of Schedule F: Interacting with the Office of the City Auditor (Appendix A to Report HUR19022/AUD19009) in the City's Code of Conduct for employees;
- (b) That Council approve the amended wording as highlighted in Schedule D: Outside Employment and Activity (Appendix B to Report HUR19022/AUD19009) in the City's Code of Conduct for employees.

### EXECUTIVE SUMMARY

The City of Hamilton's Code of Conduct outlines the responsibilities and expectations of all City employees, with regard to conflicts of interest, outside activity and employment, anti-nepotism, business and financial integrity, and receipt of fees gifts and hospitality. The Code of Conduct is reviewed on annual basis to ensure that the policy remains relevant and up-to-date, and to provide an opportunity to adjust and amend as required.

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**SUBJECT: Employee Code of Conduct Updates (HUR19022/AUD19009)  
(City Wide)**

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As a part of the 2019 Code of Conduct review, amendments have been made to Schedule D: Outside Employment and Activity, to include stronger language that prohibits City employees from participating in groups or engaging in hate activity that goes against City values and culture and is otherwise detrimental to our community.

In addition, amendments have been made in response to a Council Motion from February 13, 2019, directing staff to develop a policy or protocol to set out clear guidelines, expectations, responsibilities and obligations for City staff when responding to inquiries from the City of Hamilton Auditor General. In response, a new Schedule F: Interacting with the Office of the City Auditor, has been developed and appended to the existing Code of Conduct.

**Alternatives for Consideration –Not Applicable**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: None

Staffing: None

Legal: None

**HISTORICAL BACKGROUND**

In February 2019, Council directed staff to develop a protocol or policy setting out clear guidelines, expectations, responsibilities and obligations for city staff when responding to inquiries from the City of Hamilton Auditor General and to append the Code of Conduct to all employment contracts for the City Manager, Directors, and General Managers. Following the motion, staff in the Office of the City Auditor worked with Human Resources to develop a new policy to meet the requirements of the motion.

In June 2019, Human Resources staff embarked on the annual review of the Code of Conduct policy. In response to recent activity within the community, a recommendation was made to amend Schedule D: Outside Employment and Activity, to include language to prevent City of Hamilton employees from engaging in outside activities that conflict with City culture values and are detrimental to fostering an inclusive environment.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

Once approved, the Code of Conduct document will be modified to include the new schedule and updated wording. Employees will be required to review the updated policy when released and going forward as a part of the annual review process.

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**SUBJECT: Employee Code of Conduct Updates (HUR19022/AUD19009)  
(City Wide)****- Page 3 of 4**

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**RELEVANT CONSULTATION**

Human Resources staff conducted a best practice review and consulted with counterparts in other municipalities and levels of government in the development of Schedule F: Interacting with the Office of the City Auditor and amendments to Schedule D: Outside Employment and Activity.

The Office of the City Auditor was consulted specifically in the creation and review of Schedule F: Interacting with the Office of the City Auditor.

The City's Corporate Policy Review Group undertook the annual review of the Code of Conduct, and were consulted on Schedule F and the amendments to Schedule D.

The City's Senior Leadership Team (SLT) reviewed and provided feedback and direction on the amendments to the Code of Conduct.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The Code of Conduct for City of Hamilton employees is one of the City's more important policies as it outlines the expected behaviours of all employees. All employees are required to review the Code of Conduct and indicate their understanding by signing off on an annual basis. In addition, the Code of Conduct is reviewed by Human Resources staff and the Corporate Policy Review Group on an annual basis to ensure that the policy remains relevant and up-to-date, and also to provide the opportunity to address any gaps that are identified.

The inclusion of the policy document outlining the expectations of engaging with the Office of the City Auditor and expectations with regard to involvement with hate groups in the Code of Conduct ensures that employees will review annually, and also ensures a formal policy review process. In addition, as the Code of Conduct is attached to all employee employment contracts, this ensures that all new employees will be aware of their obligations when beginning their employment with the City of Hamilton.

**ALTERNATIVES FOR CONSIDERATION**

None

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN****Our People and Performance**

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**SUBJECT: Employee Code of Conduct Updates (HUR19022/AUD19009)  
(City Wide)**

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**APPENDICES AND SCHEDULES ATTACHED**

Appendix A to Report HUR19022/AUD19009 Code of Conduct Schedule D: Outside Employment and Activity

Appendix B to Report HUR19022/AUD19009 Code of Conduct Schedule F: Interacting with the Office of the City Auditor

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<b>Corporate Human Resources Policy</b>	 Hamilton	<b>Code of Conduct for Employees</b>
Work Environment		Content Updated: 2019-08-23
Policy No: HR-01-09		
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**Schedule F: Interacting with the Office of the City Auditor**

<b>PURPOSE</b>	<p>In accordance with the Municipal Act and City of Hamilton By-Law 19-180, the City Auditor acts as an Accountability Officer of the City of Hamilton. The Auditor and the Office of the City Auditor (OCA) fulfils this duty by assisting City Council in holding itself and its administrators accountable for the quality of stewardship over public funds and for the achievement of value for money in City operations. The OCA’s mandate is to report to Hamilton City Council via the Audit, Finance and Administration Committee objective information and recommendations resulting from independent audits of the government's programs, and in other areas outlined in the Audit Charter.</p> <p>Audits are vital to ensuring transparency in government and in building trust and confidence. The purpose of this schedule is to outline the roles, responsibilities and expectations of all staff when involved in an audit investigation or other work.</p>
<b>SCOPE</b>	<p>Schedule F of the Code of Conduct applies to all employees at the City of Hamilton, including but not limited to regular, temporary and contract employees, volunteers, students and interns.</p> <p>Schedule F is applicable to the following types of work undertaken by the OCA:</p> <ul style="list-style-type: none"> <li>• All types of audits (including compliance, value for money or a combination of the two)</li> <li>• Investigations (including Fraud, Waste and Whistleblower)</li> <li>• Other types of work at the City Auditor’s discretion</li> </ul> <p>Schedule F is not applicable to the following types of work due to their collaborative nature:</p> <ul style="list-style-type: none"> <li>• Risk assessments</li> <li>• Consulting projects (including research)</li> </ul> <p>If for these types of work, issues in obtaining information are encountered, the work may either be cancelled or be switched to an audit or investigation, at the discretion of the City Auditor.</p>

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<b>GUIDING PRINCIPLES</b>	<p>The following principles guide interactions between City employees and the Office of the City Auditor (OCA), when conducting audits and investigations.</p> <p><b><u>Independence</u></b>                  The City Auditor and staff are independent of City administration and operations. This independence is a safeguard that enables the OCA to fulfil its auditing and reporting responsibilities objectively and fairly. City auditors must therefore be free from any external impairment to that independence.</p> <p><b><u>Respect</u></b>                  Under the <i>Municipal Act</i> the OCA has the mandate and the authority to set the parameters of an audit. All dealings with the OCA shall be respectful of that authority.</p> <p><b><u>Responsibility</u></b>                  All City staff involved in an audit have a responsibility to ensure a positive and constructive relationship and working environment. In particular, Leaders have a duty to ensure this relationship is maintained through the course of an audit.</p> <p><b><u>Co-operation</u></b>                  It is the responsibility of all City staff to provide the OCA with access to the people, information, systems and records necessary to the performance of its legislated audit responsibilities. Provision of information will occur in an atmosphere that respects and protects the confidentiality of staff members</p>
<b>DEFINITIONS</b>	
<b>Accountability Officer</b>	Independent parties that ensure transparency and accountability and receive and investigate complaints. This

<b>Corporate Human Resources Policy</b>	 <b>Hamilton</b>	<b>Code of Conduct for Employees</b>
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<b>Audit Working Papers</b>	<p>can include the City Auditor, Integrity Commissioner, Lobbyist Registrar or Ombudsman</p> <p>Auditors' files, notations, analysis and documentation, both electronic and paper, that support findings and conclusions in their report.</p>
<b>Information</b>	All hard copy, electronic records and meta data.
<b>Sensitive and Confidential Information</b>	Information that is protected, including information excluded from MFIPPA and PFIPPA FOI requests.
<b>TERMS AND CONDITIONS</b>	
<b>Audit Standards</b>	<p>While conducting an audit, Auditors are obliged to follow audit standards. Auditors are required to maintain an attitude of professional scepticism in ensuring that all the information examined is supportable.</p> <p>Auditors are obliged to obtain sufficient and appropriate evidence regarding the information gathered, including electronic, written and verbal.</p>
<b>Confidentiality</b>	Confidentiality is an integral part of the audit process and the OCA has a duty to protect the confidentiality of information received and cannot communicate information other than as part of the audit report and in prescribed situations. Accordingly, per section 223.22 (4) of the <i>Municipal Act</i> , audit working papers shall not be made available as they are confidential. Information collected by the auditors is not subject to public access under <i>the Municipal Freedom of Information and Protection of Privacy Act</i> (MFIPPA).
<b>When Requested to Interact with the</b>	When involved in an audit investigation or other work, all City of Hamilton employees will:

<b>Corporate Human Resources Policy</b>	 Hamilton	<b>Code of Conduct for Employees</b>
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<p><b>Office of the City Auditor</b></p>	<ul style="list-style-type: none"> <li>• Fully cooperate with the OCA</li> <li>• At the start of the audit, share all relevant information (including consultant’s reports) and provide access to systems</li> <li>• Respond courteously, with fairness and honesty to inquiries and requests for information or assistance from the OCA and not limit or unreasonably delay the time allowed to provide information and conduct interviews.</li> <li>• Respect that the OCA has the authority to select and determine what information is required for the audit, decide the pertinence of information, the selection or application of audit procedures and transactions or events to be examined.</li> <li>• Not restrict the audit or interfere with the auditors’ ability to form independent, objective opinions and conclusions, or in matters of audit selection, scope and report content.</li> <li>• Provide clear and full disclosure of requested information and explanations, and the appropriate access to City resources and information sources.</li> <li>• Provide original supporting documentation when available and requested by the auditors, and shall in no way alter, change or delete information or records.</li> <li>• Leaders shall permit access to staff for the purposes of interviews, confidentially if so requested by the auditor.</li> <li>• Leaders will cooperate with any requests to assign a coordinator to work with the Office of the City Auditor to coordinate materials and ensure that the audit investigation or other work is handled efficiently. However, that should not constrict auditors from having</li> </ul>
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<b>Corporate Human Resources Policy</b>	 Hamilton	<b>Code of Conduct for Employees</b>
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<p><b>Release of Sensitive Information</b></p>	<p>direct access to information custodians or operational staff.</p> <p>All City records including confidential and sensitive information are subject to review by the OCA. Where approval is required by the General Manager for release of information, the approval process should not unreasonably delay the audit process.</p> <p>Any information including sensitive and confidential information, must be provided in full and not be redacted, altered or abridged.</p> <p>If, during the course of an audit, an employee commits or becomes aware of any infraction of the <i>Code of Conduct</i> they are obligated to contact the City Auditor to report the activity directly, or using the Fraud and Waste Hotline.</p>
<p><b>Issues Arising During the Course of an Audit</b></p>	<p>If at any time, an employee is unclear if the infraction of the <i>Code of Conduct</i> jeopardizes the integrity of the audit, they will contact the Office of the City Auditor for consultation in the matter, or through the Fraud and Waste Hotline.</p> <p>The bringing forth of such information will be held in strict confidence by the City Auditor. Once the City Auditor has documented the information, it will be reviewed to determine how the infraction impacts the audit and develop next steps in dealing with the issue.</p>
<p><b>RELATED DOCUMENTS</b></p>	<p><i>OCA activity is guided by the following professional standards and/or legislative requirements:</i></p> <ul style="list-style-type: none"> <li>• <i>Municipal Act, Sections 223.19-223.23 (Auditor General), as applicable.</i></li> <li>• <i>City of Hamilton Whistleblower By-law (19-181).</i></li> <li>• <i>City Auditor Bylaw (19-180)</i></li> </ul>

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	<ul style="list-style-type: none"> <li>• <i>International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors, for audit, assurance and general consulting work.</i></li> <li>• <i>Certified Fraud Examiners Code of Professional Standards issued by the Association of Certified Fraud Examiners for Fraud, Waste and Whistleblower assessments and investigations.</i></li> <li>• <i>Fraud and Waste Hotline</i></li> </ul>
<b>COMPLIANCE</b>	<p>Every employee is expected to be aware of and act in compliance with this policy and with the related Code of Conduct for Employees Policy. Any employee under investigation may be suspended with or without pay or be re-assigned to other duties pending completion of the investigation, depending on the particulars of the case and the best interests of the City. Where there is serious wrongdoing as defined in the Whistleblower By-law, then the By-Law prevails. Violations of this policy may result in appropriate disciplinary measures, up to and including dismissal.</p>

<b>Corporate Human Resources Policy</b>	 <b>Hamilton</b>	<b>Code of Conduct for Employees</b>
Work Environment		Content Updated: 2014-09-16
Policy No: HR-01-09		
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**Schedule D: Outside Employment and Activity**

<b>PURPOSE</b>	<p>The City of Hamilton recognizes that City employees are engaged in pursuits outside of their work day. This may include, but is not limited to, involvement in community groups and organizations, working with political organizations, and/or seeking additional employment opportunities in addition to their role at the City.</p> <p>While the City supports employees in their personal endeavors, the outside activities of employees must align with the City’s culture and values and must not create a conflict of interest, contravene City of Hamilton policies and procedures or misrepresent the City of Hamilton in any way. In addition, employees’ behaviour outside of the workplace must not diminish the trust and confidence that the community has in City administration or impact the City’s ability to provide services to the community.</p>
<b>DEFINITIONS</b>	
<b>Hate</b>	<p>Acts of hate are committed to intimidate, harm or terrify victims and the identifiable groups to which they belong. Victims of hate are targeted on the sole basis of who they are and/or the groups to which they belong (i.e., being Jewish, Muslim, Transgender, Black, Indigenous, etc.).</p> <p>Hate Related Incidents may involve intimidation, harassment, physical force or threat of physical force against a person, a group or a property if motivated by hatred/bias/prejudice against an identifiable group. Acts of hate may be committed by strangers or individuals well known to the victim. Perpetrators may include individuals, groups, organizations and institutions. Victims may be reluctant to report hate for a variety of reasons, including: not recognizing that the motivation was hate; fear of retaliation; embarrassment and humiliation; and/or uncertainty of the criminal justice system response.</p>
<b>Hate Activity</b>	<p>Can include, but is not limited to, verbal slurs; threats; vandalism; intimidation and harassment; and public messages that imply that members of an identifiable group are to be despised, scorned, denied respect and made subject to ill-treatment on the basis of</p>

<b>Corporate Human Resources Policy</b>	 Hamilton	<b>Code of Conduct for Employees</b>
Work Environment		Content Updated: 2014-09-16
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	<p>group affiliation. Such messages may include group symbols, slogans or epithets and can be transmitted in many ways (e.g. graffiti, posters, flyers, hate mail, over the telephone, website and e-mail content, etc.)</p>
<p><b>TERMS AND CONDITIONS</b></p> <p><b>Outside Employment</b></p>	<p>Employees shall not take outside employment, including self-employment, if such employment:</p> <ul style="list-style-type: none"> <li>• causes a real or apparent conflict of interest; or</li> <li>• is performed in such a way as to appear to be an official act of or to represent the City; or</li> <li>• interferes with regular duties in any way, or involves the use of City premises, resources or equipment including but not limited to City e-mail, telephones, cell phones, or supplies.</li> </ul> <p>Where it appears that a conflict of interest might arise in accepting outside employment, employees must notify their supervisor in writing of the nature of such outside employment prior and receive written permission prior to the acceptance of such employment (See Reporting a Conflict of Interest below).</p>
<p><b>Outside Business &amp; Financial Activity</b></p>	<p>No employee participating in any outside business or financial activity shall do so during work hours or use the City's facilities or property including but not limited to vehicles, equipment, tools, photocopiers, stationery, telephones or cell phones, computers, etc., for the benefit or purpose of such business or activity.</p>
<p><b>Purchase or Lease of Real Property</b></p>	<p>No employee of the City shall directly or indirectly purchase or lease real property from or to the City, nor shall an employee have any direct or indirect interest in a company which purchases or leases real property from or to the City, unless this interest has been fully disclosed to the appropriate approving authority and unless the</p>



<b>Corporate Human Resources Policy</b>	 Hamilton	<b>Code of Conduct for Employees</b>
Work Environment		Content Updated: 2014-09-16
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<p><b>Employees Doing Business with the City</b></p>	<p>purchase or lease of the real property is done through a public process</p> <p>No employee shall knowingly approve or attempt to influence the approval of any license, permit, contract, agreement or other document on behalf of the City for his or her own personal use, or for the use of an individual with whom the employee has a financial or social relationship. This is in accordance with the City's <u>Procurement Policy By-law</u>.</p>
<p><b>Individual Behavior Outside of the Workplace</b></p>	<p>Employees must not engage in any behaviour outside of the workplace that:</p> <ul style="list-style-type: none"> <li>• Violates City polices, including the Code of Conduct and the Harassment and Discrimination policy</li> <li>• Falls under the City's definition of hate or hate activity</li> <li>• Is in misalignment with the City's culture and values</li> <li>• Is detrimental to the City of Hamilton</li> <li>• Impacts the City's ability to carry out services</li> <li>• Negatively impacts the trust and confidence that the community has in City administration</li> </ul>
<p><b>Involvement with Outside Groups</b></p>	<p>No employee of the City of Hamilton shall participate or otherwise be involved with groups who engage in hate or hate activity.</p> <p>When considering involvement with outside groups, employees should ensure that they are aware of and fully understand the group's objectives, values and beliefs to ensure that they are not in misalignment with the City's corporate culture and values.</p>
<p><b>Community Board Activity</b></p>	<p>No employee shall accept an appointment to the Board of a community agency or association that deals with matters related to the activities of the City, without the written permission of his or her Director or designate. Written permission of the Director or designate is not required if the employee is appointed to the Board of the agency or association by the City to represent the City's interests.</p>

<b>Corporate Human Resources Policy</b>	 Hamilton	<b>Code of Conduct for Employees</b>
Work Environment		Content Updated: 2014-09-16
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<b>Political Activity</b>	<p>Any City employee serving on a community board shall take all reasonable actions to avoid any real conflict or apparent conflict between Board activity and the City’s interests. Where a real or apparent conflict exists, the employee shall declare the conflict and shall not take part in, or be present for, any Board discussion or decision about the issue raising the conflict of interest. If the conflict of interest is significant, the employee shall resign from the board.</p> <p>To ensure public trust in the City of Hamilton, employees must be, and appear to be, both personally impartial and free from undue political influence in the exercise of their duties.</p> <p>Employees engaged in political activities must take care to separate personal political activities from their position of employment with the City.</p> <p>Employees who are politically involved in Municipal, Provincial, or Federal levels of government must make it clearly understood that they are acting personally and not as representatives of the City.</p> <p>Employees who are running for elected office at the municipal level must abide by the respective legislation governing such elections. This includes abiding by s. 30 of the Municipal Elections Act, 1996 which requires that employees request and <u>obtain an unpaid leave of absence beginning as of the day the employee is nominated and ending on voting day</u>; and deems employees who are elected to office to have resigned from employment immediately before making their declaration of office.</p> <p>Any employee who is politically involved shall ensure that such involvement does not interfere with his or her ability to perform his or her corporate duties objectively.</p> <p>Employees must not engage in any political activity during working hours or utilize City assets resources or property.</p>
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<b>Corporate Human Resources Policy</b>	 Hamilton	<b>Code of Conduct for Employees</b>
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	<p>Employees shall not identify themselves as City employees when engaged in political activity (e.g. employees shall not wear clothing with the City of Hamilton logo while canvassing for a candidate).</p> <p>Notices, posters or similar material in support of a particular candidate or political party are not to be displayed or distributed by employees at City work sites or on City property. An employee’s decision to support a candidate or political party financially remains a personal decision.</p>
<b>COMPLIANCE</b>	<p>Every employee is expected to be aware of and act in compliance with the Code of Conduct for Employees Policy and the related Schedules. Any employee under investigation may be suspended with or without pay or be re-assigned to other duties pending completion of the investigation, depending on the particulars of the case and the best interests of the City. Where there is a serious wrongdoing, as defined in the Whistleblower By-law, that By-law applies. Violations of this Schedule may result in appropriate disciplinary measures, up to and including dismissal with cause.</p>





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

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	October 3, 2019
<b>SUBJECT/REPORT NO:</b>	Parkland Dedication Reserve Status Report as of December 31, 2018 (FCS19072) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Samantha Blackley (905) 546-2424 Ext. 2132
<b>SUBMITTED BY:</b>	Mike Zegarac General Manager, Finance and Corporate Services Corporate Services Department
<b>SIGNATURE:</b>	

### RECOMMENDATION(S)

- (a) That Report FCS19072 "Parkland Dedication Reserve Status Report as of December 31, 2018" be received and made available to the public;
- (b) That Report FCS19072 "Parkland Dedication Reserve Status Report as of December 31, 2018" be forwarded, if requested, to the Ministry of Municipal Affairs and Housing.

### EXECUTIVE SUMMARY

As per the requirements of the *Planning Act, 1990*, as amended, an annual report of the Parkland Dedication Reserve activity must be provided to Council. The Parkland Dedication Reserve Status Report is the "Treasurer's Statement" as outlined in the *Planning Act, 1990*, as amended, which must be made available to the public and forwarded to the Ministry, at their request.

The Parkland Dedication Reserve receives revenues assessed under Sections 42, 51.1 and 53 of the *Planning Act, 1990*. These funds are to be "spent only for the acquisition of land to be used for park or other public recreational purposes, including the erection, improvement or repair of buildings and the acquisition of machinery for park or other public recreational purposes".

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(FCS19072) (City Wide) - Page 2 of 5**

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The overall Parkland Dedication Reserve balance has increased by \$7.53 M since 2017 to a balance of \$42.76 M. This increase is due to collections exceeding direct capital expenditures. The stated balance excludes a potential liability for over-dedication of land by developers. The over-dedication is currently estimated at \$21.59 M dependent on future buildout density and the ability to develop the subject lands. After considering the potential liability, the available funds in the Parkland Dedication Reserve at December 31, 2018 would be \$21.17 M.

**Alternatives for Consideration – Not Applicable**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: The Parkland Dedication Reserve Status Report reflects balances in the City's audited financial statements and the Financial Information Return (FIR). The year-end Parkland Dedication Reserve balance is \$42.76 M, as outlined in Table 1.

Table 1  
Parkland Dedication Reserve  
For the year ended December 31, 2018

Beginning Balance:	<b>\$35,235,013.24</b>
Revenues:	
Interest Income	971,774.60
Dedication Fee	7,469,845.00
Property Purchases Repayment (Note 1)	498,010.07
Capital Closing Report	<u>413,359.21</u>
Total Revenues	\$ 9,352,988.88
Land Expenditures:	
Summit Park	274,762.00
John and Rebecca Park	<u>1,550,000.00</u>
Total Land Expenditures	\$ 1,824,762.00
Ending Balance	<b><u>\$42,763,240.12</u></b>

Note to Table 1:

- (1) The outstanding principal for Council authorized borrowings from this Reserve as at December 31, 2018 is \$1,410,394.27.

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Table 2 shows that the stated year-end balance excludes a potential liability for over-dedication of land by developers for 28 subdivisions. The over-dedication is currently estimated at \$21.59 M dependent on future buildout density and the ability to develop the subject lands. After considering the potential liability, the available funds in the Parkland Dedication Reserve at December 31, 2018 is \$21.17 M

Table 2  
Parkland Dedication Reserve – Available Balance  
As at December 31, 2018

Stated Balance:	\$42,763,240.12
Potential liability resulting from over-dedication of land (28 subdivisions)	<u>(\$21,592,967.44)</u>
Available balance:	\$21,170,272.68

Staffing: None.

Legal: None.

## **HISTORICAL BACKGROUND**

Report FCS19072 is historical, in nature, and details the 2018 activity in the Parkland Dedication Reserve.

The Parkland Dedication revenues were collected through Sections 42, 51.1 and 53 of the *Planning Act, 1990*, as amended, which provides the Council of a local municipality to require the conveyance of land to the municipality for park or other public recreational purposes as a condition of development or redevelopment or the subdivision of lands. The Parkland Dedication By-law 18-126 provides the City specific enactment of these sections.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

The Parkland Dedication Reserve Status Report FCS19072 is the “Treasurer’s Statement” as outlined in the *Planning Act, 1990*, which must be sent to the Minister, if requested.

## **RELEVANT CONSULTATION**

Staff from Planning and Economic Development has provided information regarding the over-dedication of parkland and are supportive of Report FCS19072.

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(FCS19072) (City Wide) - Page 4 of 5**

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**ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)**

As per the requirements of the *Planning Act, 1990*, as amended, an annual report regarding the Parkland Dedication Reserve activity must be provided to Council and made available to the public.

The Treasurer's statement for the Parkland Dedication Reserve should include the following information for the preceding year, as per the requirements of the *Planning Act, 1990*, section 42 (18).

- (a) Statements of the opening and closing balances of the special account and of the transactions relating to the account;
- (b) Statements identifying,
  - (i) any land or machinery acquired during the year with funds from the special account,
  - (ii) any building erected, improved or repaired during the year with funds from the special account,
  - (iii) details of the amounts spent, and
  - (iv) for each asset mentioned in subclauses (i) and (ii), the manner in which any capital cost not funded from the special account was or will be funded; and
- (c) Any other information that is prescribed (2015, c. 26, s. 28 (11)).

The *Planning Act, 1990* was updated through the *Smart Growth for Our Communities Act, 2015* which received Royal Assent on December 3, 2015. The resulting changes to the *Planning Act, 1990* came into effect for the year ended December 31, 2015.

This status Report FCS19072 reflects the changes to the requirements of the *Planning Act*. Notably, municipalities are required to show which projects have been funded from the Parkland Dedication Reserve, as well as, the other amounts funded to those projects during the year. There is also the requirement that Council makes this statement available to the public. The Parkland Dedication Reserve Status Report FCS19072 will be made available to the public through either Committee minutes or on request.

Report FCS19072 summarizes the changes in the Parkland Dedication Reserve for the year ended December 31, 2018. The Parkland Dedication Reserve balance as of December 31, 2018 was 42.76 M. The increase in the Parkland Dedication Reserve balance of \$7.53 M is due to collections exceeding direct capital funding of expenditures as reported in Table 1. Table 1 includes repayments to this Reserve from Council authorized borrowings. The outstanding principal for Council authorized borrowings from this Reserve as at December 31, 2018 is \$1,410,394.27. Annual repayments to this Reserve continue until 2027.



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Table 2 shows that the stated year-end balance includes the potential liability for over-dedication of land by developers. The over-dedication is currently estimated at \$21.59 M dependent on future buildout density and the ability to develop the subject lands. After considering the potential liability, the available funds in the Parkland Dedication Reserve at December 31, 2018 is \$21.17 M.

**ALTERNATIVES FOR CONSIDERATION**

Not applicable.

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

**Community Engagement and 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.

**APPENDICES AND SCHEDULES ATTACHED**

None.

SB/dt



# CITY OF HAMILTON

## MOTION

**Audit, Finance and Administration Committee: October 3, 2019**

**MOVED BY COUNCILLOR C. COLLINS.....**

**SECONDED BY COUNCILLOR .....**

**Water Service Line Replacement to Allow for Meter Replacement at 226 Beach Blvd., Hamilton**

WHEREAS 226 Beach Blvd., Hamilton is a residential property serviced with a water meter that is approximately 27 years old that Hamilton Water requires to be replaced to ensure meter accuracy;

WHEREAS the private water service line and internal house piping of 226 Beach Blvd., Hamilton is substantially composed of galvanized pipe that is severely corroded and structurally unstable to proceed with a water meter replacement;

WHEREAS pursuant to the City By-law R84-026 (the Waterworks By-law), City of Hamilton is responsible for the maintenance and repair of the public portion of the water service, with the property owner responsible for the portion of water service pipes on private property;

WHEREAS the owner of 226 Beach Blvd., Hamilton is unable to finance the private water service line at this time;

WHEREAS there is no other City program in place to assist the owner of 226 Beach Blvd., Hamilton with the replacement of a private water service line composed of galvanized pipe at this time; and,

WHEREAS following consultation with Hamilton Water staff, it is desired to provide the owner of 226 Beach Blvd., Hamilton with financial assistance to replace the water service line on a compassionate basis;

**THEREFORE BE IT RESOLVED:**

- (a) That subsequent to the execution of a promissory note between the Owner of 226 Beach Blvd., Hamilton and the City of Hamilton, in a form satisfactory to the City Solicitor, Hamilton Water staff be directed to coordinate the replacement of the private water service line and the water meter at 226 Beach Blvd., Hamilton; and,
- (b) That the Owner of 226 Beach Blvd., Hamilton repay the costs to replace the private water service line, in the form of an interest-free loan up to a maximum amount of \$2,600 by means of the Alectra water account for 226 Beach Blvd., Hamilton within 2 years of completion of the private water service line replacement.