



## **AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 19-019**

**AS AMENDED AT COUNCIL ON DECEMBER 11, 2019**  
**FURTHER AMENDED AT COUNCIL ON JANUARY 22, 2020**  
**FURTHER AMENDED AT COUNCIL ON FEBRUARY 12, 2020**

**12:14 p.m.**

**December 5, 2019  
Council Chambers  
Hamilton City Hall**

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

**Also Present:** Councillor N. Nann

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**THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT  
19-019 AND RESPECTFULLY RECOMMENDS:**

**1. Appointment of Committee Chair and Vice-Chair for 2020 (Item 1)**

- (i) That Councillor M. Wilson be appointed as Chair of the Audit, Finance & Administration Committee for 2020.
- (ii) That Councillor B. Clark be appointed as Vice-Chair of the Audit, Finance & Administration Committee for 2020.

**2. 2019 Third Quarter Request for Tenders and Proposals Report  
(FCS19041(b)) (City Wide) (Item 7.1)**

That Report FCS19041(b), respecting 2019 Third Quarter Request for Tenders and Proposals Report, be received.

**3. 2019 Third Quarter Emergency and Non-competitive Procurements Report  
(FCS19042(b)) (City Wide) (Item 7.2)**

That Report FCS19042(b), respecting the 2019 Third Quarter Emergency and Non-competitive Procurements Report, be received.

**4. Third Quarter Non-compliance with the Procurement Policy Report  
(FCS19043(b)) (City Wide) (Item 7.3)**

That Report FCS19043(b), respecting the Third Quarter Non-compliance with the Procurement Policy Report, be received.

**5. 2019 Freedom of Information Quarterly Report (July 1 to September 30)  
(CL19005(b)) (City Wide) (Item 7.4)**

That Report CL19005(b), respecting the T2019 Freedom of Information Quarterly Report (July 1 to September 30), be received.

**6. Audit and Accountability Fund Third Party Reviewer's Report (FCS19059(b)) (City Wide) (Item 9.1)**

That Report FCS19059(b), respecting the Audit and Accountability Fund Third Party Reviewer's Report, be received.

**7. Hamilton Anti-Racism Resource Centre Update (HUR18010(c)) (City Wide) (Item 9.2)**

(i) That the staff direction provided in Closed Session, be approved and remain confidential.

(ii) WHEREAS the City is committed to addressing issues of Racism within the Community;

WHEREAS the City is committed to the re-opening of the Hamilton Anti Racism Resource Centre (HARRC) as soon as possible; and

WHEREAS the City is committed to ensuring that the voices of racialized members of the community are foundational to the work of HARRC.

**THEREFORE BE IT RESOLVED:**

That Sub-section (ii) (a) and (e) of Item 7 of the Audit, Finance and Administration Committee Report 19-019 respecting the Hamilton Anti-Racism Resource Centre Update (HUR18010(c)), be deleted in its entirety and replaced with the following in lieu thereof and the remaining sub-sections be renumbered accordingly:

**7. Hamilton Anti-Racism Resource Centre Update (HUR18010(c)) (City Wide) (Item 9.2)**

(ii) (a) — That the City of Hamilton assume full responsibility for the interim operation of a modified model of the Hamilton Anti-Racism Resource Centre (HARRC) for a period of 6-12 months to allow for the following to occur:

(i) — An interim operating model consisting of an active website presence, online reporting, phone reporting, and referral service to existing local service providers be developed by staff in Human Resources Talent and Diversity Team no later than the end of February 2020;

- ~~(ii) Staff establish an Independent Board of Directors to have governance and operational oversight of HARRC;~~
- ~~(iii) Staff continue to seek input from the community to continue to understand current needs and issues; and,~~
- ~~(iv) Staff to establish appropriate governance model and related Terms of Reference to operate HARRC once the Independent Board of Directors is established;~~
- ~~(e) That City staff report back to Committee and Council to provide a status update in June 2020; and,~~
- (a) That the City procure a process for securing consulting services for the establishment of an Independent Board of Directors for the operation of HARRC;**
- (b) That the Consultant shall create a community advisory panel comprised of individuals representative of the diverse community of Hamilton;**
- (c) That the Consultant shall report back to Audit, Finance and Administration Committee with the Terms of Reference for the Independent Board of Directors for Council approval;**
- (d) That the consultant shall collaborate with staff and the Community Advisory Panel to facilitate the recruitment process, including the determination of relevant competencies, for the selection of potential candidates for the Independent Board of Directors;**
- (e) That the potential list of candidates for the composition of the Independent Board of Directors be presented to Audit, Finance and Administration Committee by the Consultant for Council's approval by June 30, 2020;**
- (f) That both the Advisory Panel and the Independent Board of Directors incorporate EDI best practices;**
- (g) That the existing funding agreement between the partners McMaster University, Hamilton Centre for**

Civic Inclusion and the City of Hamilton be dissolved, and the outstanding funds held by McMaster University of approximately \$50,000 be returned to the City of Hamilton;

(h) That the Mayor and City Clerk be authorized and directed to execute any documents required to implement subsections (a) and (b), with content acceptable to the and in a form satisfactory to the City Solicitor;

(i) That the City continues to fund HARRC as per the original commitment of \$100,000/year from the Tax Stabilization Fund Reserve Account 58300 110046 for the remainder of the three-year pilot project (26 months remaining); and

(j) That Appendix 'E' to Report HUR18010(c) remain confidential.

**8. Citizen Committee Report - Committee Against Racism - Transitional Model for the Re-opening of HARRC (CAR-19-01) (Added Item 9.3)**

That the Citizen Committee Report - Committee Against Racism - Transitional Model for the Re-opening of HARRC (CAR-19-01), be received and referred to staff for consideration and report back to the Audit, Finance & Administration Committee **in February 2020.**

**9. Supplementary Audit Report - Housing Services Division: Capital (AUD19004(a)) (City Wide) (Item 10.1)**

- (a) That the Management Responses as detailed in Report AUD19004(a) be approved, and,
- (b) That the General Manager of Healthy and Safe Communities be directed to instruct the appropriate staff to have the Management Responses implemented.

**10. Children's Services Risk Assessment Report (AUD19014) (City Wide) (Item 10.2)**

That the General Manager of Healthy and Safe Communities be directed to instruct the appropriate staff to have the Management Responses implemented, which were developed for the potential risks identified in the Children's Services Risk Assessment.

**11. Children's Services: Office of the City Auditor Consulting Report (AUD19015) (City Wide) (Item 10.3)**

That the General Manager of Healthy and Safe Communities be authorized and directed to instruct the appropriate staff to implement the management

responses outlined in Appendix “B” to report AUD19015 Children's Services: Office of the City Auditor Consulting Report.

**12. 2020 Budget Submissions Volunteer Advisory Committee (HUR19026) (City Wide) (Item 10.4)**

- (a) That the Volunteer Advisory Committee 2020 budget base submissions be approved as follows and referred to the 2020 budget process:
  - (i) Advisory Committee on Immigrant & Refugees in the amount of \$3,500.00, attached as Appendix “A” to Report HUR19026;
  - (ii) Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee in the amount of \$3,914.00, attached as Appendix “B” to Report HUR19026;
  - (iii) Aboriginal Advisory Committee in the amount of \$3,552.00, attached as Appendix “C” to Report HUR19026;
  - (iv) Hamilton Mundialization Committee in the amount of \$5,890.00, attached as Appendix “D” to Report HUR19026;
  - (v) Hamilton Status of Women Committee in the amount of \$3,500.00, attached as Appendix “E” to Report HUR19026;
  - (vi) Committee Against Racism in the amount of \$8,900.00, attached as Appendix “F” to Report HUR19026.
- (b) That, in addition to the base funding, a one-time budget allocation for 2020 of \$2,000 to support external community partners working to promote the safety and well-being of woman identified and non-binary Hamiltonians, to be funded by the Status of Women Committee’s reserve, attached as Appendix “E” to Report HUR19026, be approved and referred to the 2020 budget process for consideration.
- (c) That, in addition to the base funding, a one-time budget allocation for 2020 of \$7,000.00, for ongoing support to the Hamilton Anti-Racism Resource Centre, to be funded by the Committee Against Racism’s reserve, attached as Appendix “F” to Report HUR19026 be approved and referred to the 2020 budget process for consideration.

**13. Reserve / Revenue Funds and Trust Accounts Statement of Investment Policies and Procedures Review (FCS19074) (City Wide) (Item 10.5)**

That Appendix “A” attached to Audit, Finance and Administration Report 19-019, respecting the Reserve / Revenue Funds and Trust Accounts Statement of Investment Policies and Procedures dated December 5, 2019 be approved and replace the previous Reserve / Revenue Funds and Trust Accounts Statement of

Investment Policies and Procedures contained in Report FCS15055 and approved by Council on September 23, 2015.

**14. Legalization of Cannabis Edibles (HUR19028) (City Wide) (Item 10.6)**

That Report HUR19028, respecting the Legalization of Cannabis Edibles, be received.

**15. Routine Disclosure and Active Dissemination Policy (CL19013) (City Wide) (Item 10.7)**

- (a) That Report CL19013 entitled Routine Disclosure and Active Dissemination Policy, be approved;
- (b) That the Routine Disclosure and Active Dissemination Policy, attached as Appendix "B" to to Audit, Finance and Administration Report 19-019, be approved; and,

**The following Item was amended on January 22, 2020.**

**The following Item was further amended on February 12, 2020.**

**16. CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request (FCS19090) (City Wide) (Item 10.8)**

**Amendment to Item 16 of the Audit, Finance & Administration Committee Report 19-022, respecting Report FCS19090 - CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request (City Wide)**

WHEREAS, at its meeting of December 11, 2019, Council approved Item 16 of the Audit, Finance & Administration Committee Report 19-022, respecting Report FCS19090 - CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request; thereby, approving two loans to CHH, subject to the terms and conditions contained in Appendices "C" and "D" to Audit, Finance & Administration Committee Report 19-022;

WHEREAS, Appendices "C" – External Loan Guidelines for 500 MacNab North Tower Renewal; and, "D" External Loan Guidelines for Roxborough Park Development included the following items;

- f) Late Payment charges will be applied as per the City's policy on late payments.
- f) In the event of non-payment or late payments, the City will follow current protocols on collecting payments on amounts owing.
- h) In case of Loan default, the loan agreement must ensure that the applicant's asset or other security is included as collateral against the loan. The value of the asset or security must be of an equivalent value to the loan.

WHEREAS, the value of the property prior to project completion and perhaps after project completion may not equal the value of the loans for these affordable housing projects;

WHEREAS, the City's policy on late payment charges would result in an undesirable interest rate of 15% annual interest being payable by CHH in respect of any late payments; and,

WHEREAS, loans secured by mortgages have collection remedies unique to them and it is desirable to have loan default remedy procedures consistent with other City loans secured by mortgages;

THEREFORE, BE IT RESOLVED:

That Item 16 of the Audit, Finance and Administration Committee Report 19-022, respecting Report FCS19090 - CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request, ***be amended by amending Appendices "C" and "D" as attached to Audit, Finance and Administration Committee Report 19-022, by deleting sub-sections "f)", "f)" and "h)" in their entirety, and re-lettering the remaining sub-sections,*** as attached hereto.

Main Motion ***as amended*** to read as follows:

**16. CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request (FCS19090) (City Wide) (Item 10.8)**

- (a) That a 10-year, interest-bearing loan of \$9,229,500 for CityHousing Hamilton Corporation from the City of Hamilton for the 500 MacNab North Tower Renewal, be authorized and approved in accordance with the terms and conditions contained in Appendix "C", ***as amended, attached hereto;***
- (b) That a loan receivable be established on the City's balance sheet, not to exceed \$9,229,500, to record the corresponding CityHousing Hamilton Corporation liabilities regarding the long-term financing for the 500 MacNab North Tower Renewal;
- (c) That the Mayor and City Clerk be authorized and directed to execute a loan agreement together with any ancillary documentation in a form satisfactory to the City Solicitor and content satisfactory to the General Manager of Finance and Corporate Services and that the General Manager of Finance and Corporate Services be authorized to approve and execute any loan amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions in Appendix "C" ***as amended, attached hereto,*** are maintained;

- (d) That a short-term, interest-bearing construction loan of \$29,225,000 for CityHousing Hamilton Corporation for the Roxborough Park Development, be authorized and approved in accordance with the terms and conditions contained in in Appendix "D" ***as amended, attached hereto***;
- (e) That a loan receivable be established on the City's balance sheet, not to exceed \$29,225,000, to record the corresponding CityHousing Hamilton Corporation liabilities regarding the financing for the Roxborough Park Development.
- (f) That the City of Hamilton will act as guarantor of any long-term financing not to exceed \$22,491,020 (construction cost less land sale) sought by CityHousing Hamilton Corporation for the Roxborough Park Development and that the General Manager of Finance and Corporate Services and City Clerk be authorized to execute any agreements and ancillary documents relating to the guarantee; and,
- (g) That the Mayor and City Clerk be authorized and directed to execute a loan agreement together with any ancillary documentation, in a form satisfactory to the City Solicitor and content satisfactory to the General Manager of Finance and Corporate Services and that the General Manager of Finance and Corporate Services be authorized to approve and execute any loan amending agreements relating to the long-term financing, together with any ancillary amending documentation, if required, provided that the terms and conditions in Appendix "D" ***as amended, attached hereto***, are maintained.
- (a) That a 10-year, interest-bearing loan of \$9,229,500 for CityHousing Hamilton Corporation from the City of Hamilton for the 500 MacNab North Tower Renewal, be authorized and approved in accordance with the terms and conditions contained in Appendix "C" to to Audit, Finance and Administration Report 19-019;
- (b) That a loan receivable be established on the City's balance sheet, not to exceed \$9,229,500, to record the corresponding CityHousing Hamilton Corporation liabilities regarding the long-term financing for the 500 MacNab North Tower Renewal;
- (c) That the Mayor and City Clerk be authorized and directed to execute a loan agreement together with any ancillary documentation in a form satisfactory to the City Solicitor and content satisfactory to the General Manager of Finance and Corporate Services and that the General Manager of Finance and Corporate Services be authorized to approve and execute any loan amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions

in Appendix "C" to to Audit, Finance and Administration Report 19-019, are maintained;

- (d) That a short-term, interest-bearing construction loan of \$29,225,000 for CityHousing Hamilton Corporation for the Roxborough Park Development, be authorized and approved in accordance with the terms and conditions contained in in Appendix "D" to to Audit, Finance and Administration Report 19-019;
- (e) That a loan receivable be established on the City's balance sheet, not to exceed \$29,225,000, to record the corresponding CityHousing Hamilton Corporation liabilities regarding the financing for the Roxborough Park Development.
- (f) That the City of Hamilton will act as guarantor of any long-term financing not to exceed \$22,491,020 (construction cost less land sale) sought by CityHousing Hamilton Corporation for the Roxborough Park Development and that the General Manager of Finance and Corporate Services and City Clerk be authorized to execute any agreements and ancillary documents relating to the guarantee; and,
- (g) That the Mayor and City Clerk be authorized and directed to execute a loan agreement together with any ancillary documentation, in a form satisfactory to the City Solicitor and content satisfactory to the General Manager of Finance and Corporate Services and that the General Manager of Finance and Corporate Services be authorized to approve and execute any loan amending agreements relating to the long-term financing, together with any ancillary amending documentation, if required, provided that the terms and conditions in Appendix "D" to Audit, Finance and Administration Report 19-019 are maintained.

WHEREAS, at its meeting of January 22, 2020, Council approved Item 16 of the Audit, Finance & Administration Committee Report (AF&A) 19-022, respecting Report FCS19090 - CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request as amended; thereby, approving two loans to CHH, subject to the terms and conditions contained in the amended Appendices "C" and "D";

WHEREAS, for these affordable housing projects, the value of the property prior to project completion and perhaps after project completion may not equal the value of the loans; and

WHEREAS, loans secured by mortgages have collection remedies unique to them and it is desirable to have loan default remedy procedures consistent with other City loans secured by mortgages;

**THEREFORE, BE IT RESOLVED:**

(a) That Item 16 of the Audit, Finance and Administration Committee Report 19-022, respecting Report FCS19090 - CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request, as amended, be **amended** by adding recommendation (h) as follows:

(h) ***That Council, in its capacity as Service Manager for social housing, approve the request from CityHousing Hamilton for Service Manager consent, as required by the Housing Services Act, 2011, to mortgage its housing assets at 20-30 Congress Crescent, Hamilton as collateral security to obtain the required financing to support CityHousing Hamilton's Tower Renewal at 500 MacNab Street North, Hamilton;***

(b) That Appendix "C" - External Loan Guidelines for 500 MacNab North Tower Renewal to Report FCS19090 - CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request, be **amended** as follows:

(i) Type of Loan: ***Interest-Bearing*** loan for \$9,229,500; 10-year Amortization

(ii) 1. Payment Provisions and Schedule; The City will advance the \$9,229,500 to CHH (electronically) on or about February **15**, 2020. The loan is repayable, together with interest, in 10 annual equal installments by CHH to the City beginning February **15**, 2021.

500 MacNab Street North \$9,229,500 Loan Repayment Schedule 10-Year Amortization; interest rate of 2.63% per Annum		
No.	Date	Payment
1	February 15, 2021	1,063,000
2	February 15, 2022	1,063,000
3	February 15, 2023	1,063,000
4	February 15, 2024	1,063,000
5	February 15, 2025	1,063,000
6	February 15, 2026	1,063,000
7	February 15, 2027	1,063,000
8	February 15, 2028	1,063,000
9	February 15, 2029	1,063,000
10	February 15, 2030	1,063,000
Total Payments (P&I)		\$ 10,630,000
Principal Amount		(9,229,500)
Total Interest and Administration		\$ 1,400,500
Breakdown of Interest and Administration		
Interest		\$ 1,267,373
Administration Fee		\$ 133,127

- (iii) 4. Security: ***The City requires a security in the form of a collateral mortgage registered on title to 500 MacNab St or an alternate location. CHH properties at 20-30 Congress Drive with an assessed value of over \$21 million is granted Service Manager consent and been deemed acceptable as the alternate location.***

(c) That Appendix "D" - External Loan Guidelines for Roxborough Park Development to Report FCS19090 - CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request Amended Loan Term Sheet Roxborough Park Development, Hamilton, be ***amended*** as follows:

- (i) 2. Payment Provisions: ***CHH will receive invoices from the developer (Roxborough Park Inc.) based on the percentage of work completed. The City will advance the funds to CHH only upon written request and only after CHH's project manager and City of Hamilton's Director of Housing Services or designate have approved the invoice for payment and verified that the work stated on the invoice has been completed. Invoices will contain a 10% holdback provision. Requests for advances may be made on a monthly basis.***
- (ii) 8. Security: The City will be next in priority only to a CMHC registered mortgage or a long-term (greater than 20 years) third party financing. ***The General Manager of Finance and Corporate Services has the authority to request collateral security in other assets owned by CHH.***

Main Motion ***as amended*** to read as follows:

**16. CityHousing Hamilton Corporation (CHH) Redevelopment Financing Request (FCS19090) (City Wide) (Item 10.8)**

- (a) That a 10-year, interest-bearing loan of \$9,229,500 for CityHousing Hamilton Corporation from the City of Hamilton for the 500 MacNab North Tower Renewal, be authorized and approved in accordance with the terms and conditions contained in Appendix "C", ***as amended, attached hereto;***
- (b) That a loan receivable be established on the City's balance sheet, not to exceed \$9,229,500, to record the corresponding CityHousing Hamilton Corporation liabilities regarding the long-term financing for the 500 MacNab North Tower Renewal;

- (c) That the Mayor and City Clerk be authorized and directed to execute a loan agreement together with any ancillary documentation in a form satisfactory to the City Solicitor and content satisfactory to the General Manager of Finance and Corporate Services and that the General Manager of Finance and Corporate Services be authorized to approve and execute any loan amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions in Appendix "C" **as amended, attached hereto**, are maintained;
- (d) That a short-term, interest-bearing construction loan of \$29,225,000 for CityHousing Hamilton Corporation for the Roxborough Park Development, be authorized and approved in accordance with the terms and conditions contained in in Appendix "D" **as amended, attached hereto**;
- (e) That a loan receivable be established on the City's balance sheet, not to exceed \$29,225,000, to record the corresponding CityHousing Hamilton Corporation liabilities regarding the financing for the Roxborough Park Development.
- (f) That the City of Hamilton will act as guarantor of any long-term financing not to exceed \$22,491,020 (construction cost less land sale) sought by CityHousing Hamilton Corporation for the Roxborough Park Development and that the General Manager of Finance and Corporate Services and City Clerk be authorized to execute any agreements and ancillary documents relating to the guarantee;
- (g) That the Mayor and City Clerk be authorized and directed to execute a loan agreement together with any ancillary documentation, in a form satisfactory to the City Solicitor and content satisfactory to the General Manager of Finance and Corporate Services and that the General Manager of Finance and Corporate Services be authorized to approve and execute any loan amending agreements relating to the long-term financing, together with any ancillary amending documentation, if required, provided that the terms and conditions in Appendix "D" **as amended, attached hereto**, are maintained; **and**
- (h) ***That Council, in its capacity as Service Manager for social housing, approve the request from CityHousing Hamilton for Service Manager consent, as required by the Housing Services Act, 2011, to mortgage its housing assets at 20-30 Congress Crescent, Hamilton as collateral security to obtain the required financing to support CityHousing Hamilton's Tower Renewal at 500 MacNab Street North, Hamilton.***

17. **Governance Review Sub-Committee Report 19-006 - November 26, 2019  
(Item 10.9)**

(a) **2019 Review of the City's Procedural By-law 18-270 (CL19010 / LS19041) (City Wide) (Item 10.1)**

- (i) That the Summary of the Proposed Revisions, as detailed in the **amended** Appendix Appendix "E" to to Audit, Finance and Administration Report 19-019, be approved; and,
- (ii) That a by-law to Amend By-law No. 18-270, the Council Procedural By-law substantially in the form attached as the **amended** Appendix 'B' to Governance Review Sub-Committee Report 19-006, be enacted by Council.

18. **Commercial Relationship Between the City of Hamilton and Century Group Inc. (FCS18100(a) / LS18060(a)) (City Wide) (Item 14.2)**

That the recommendation (d) of Item 6 of Audit, Finance and Administration Committee Report 19-001 respecting the Commercial Relationship Between the City of Hamilton and Century Group Inc. (FCS18100 / LS18060) be deleted in its entirety and the following be inserted therein:

~~(d) — That recommendations (a), (b) and (c) be released publicly following approval by Council;~~

**(a) That the interim ban imposed by Council on Century Group Inc. (CGI) or any of its related corporate or individual entities from competing or being awarded any City of Hamilton (City) contracts be extended to until and including December 31, 2020;**

**(b) That staff be directed to continue to reject any current and future bids, proposals or quotations received from Century Group Inc., or any of its related corporate or individual entities until and including December 31, 2020;**

**(c) That the City of Hamilton not enter into any contract with Century Group Inc., or any of its related corporate or individual entities, until and including December 31, 2020.**

**(d)** That the contents of this Report FCS18100(a) / LS18060(a), respecting the Commercial Relationship Between the City of Hamilton and Century Group Inc., remain confidential.

**19. Negotiation Update for the Continued Supply of Raw Water to 690 Strathearne Avenue North (FCS18049(d) / LS18014(b)) (Ward 4) (Added Item 14.4)**

- (a) That the direction provided to Staff in Closed Session, respecting Report FCS18049(d) / LS18014(b), the Negotiation Update for the Continued Supply of Raw Water to 690 Strathearne Avenue North, be approved; and,
- (b) That the contents of Report FCS18049(d) / LS18014(b) remain confidential and not be released as a public document except as necessary to implement Council's directions at the discretion of the City Solicitor.

**FOR INFORMATION:**

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

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

**5. COMMUNICATIONS (Item 5)**

- 5.1 Correspondence from Ameil J. Joseph, Associate Professor, School of Social Work, McMaster University, respecting the Hamilton Anti-Racism Resource Centre Relaunch

Recommendation: Be received and referred to the consideration of Item 9.2, the Hamilton Anti-Racism Resource Centre Update (HUR18010(c)) (City Wide).

**6. DELEGATION REQUESTS (Item 6)**

- 6.1 Mouna Bile, HARRC Community Working Group, respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update (For today's meeting)
- 6.2 Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update (For today's meeting)
- 6.3 Tajseem Hussain, respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update (For today's meeting)
- 6.4 Gabriela Roberts, Black Students Association McMaster, respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update (For today's meeting)
- 6.5 Michael Abraham, The Space Youth Centre, respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update (For today's meeting)

- 6.6 Charles Frechette, ArcelorMittal Long Product Canada (AMLPC), respecting the progress of negotiation between the City's staff and AMLPC, and asking for an extension (For today's meeting)

**9. STAFF PRESENTATIONS (Item 9)**

- 9.1 Audit and Accountability Fund Third Party Reviewer's Report (FCS19059(b)) (City Wide)

Added supplementary consultant reports:

9.1(a) Development Charges Support Review

9.1(b) Transportation Modelling Review

9.1(c) Water Distribution Asset Maintenance

- 9.3 Citizen Committee Report - Committee Against Racism - Transitional Model for the Re-opening of HARRC (CAR-19-01)

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

- 14.4 Negotiation Update for the Continued Supply of Raw Water to 690 Strathearne Avenue North (FCS18049(d) / LS18014(b)) (Ward 4)

**CHANGE TO THE ORDER OF ITEMS**

Councillor Clark requested to have Items 9.2 & 9.3 moved up on the agenda to be before Item 9.1.

The agenda for the December 5, 2019 Audit, Finance and Administration Committee meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

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

**(i) November 21, 2019 (Item 4.1)**

The Minutes of the November 21, 2019 meeting of the Audit, Finance and Administration Committee were approved, as presented.

**(d) COMMUNICATIONS (Item 5.1)**

Communication Item 5.1, Correspondence from Ameil J. Joseph, Associate Professor, School of Social Work, McMaster University, respecting the Hamilton Anti-Racism Resource Centre Relaunch, was received and referred to the consideration of Item 9.2, the Hamilton Anti-Racism Resource Centre Update (HUR18010(c)) (City Wide).

**(e) DELEGATION REQUESTS (Item 6)**

The following Delegation Requests, were approved for today's meeting:

- (i) Mouna Bile, HARRC Community Working Group, respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update (For today's meeting) (Added Item 6.1)
- (ii) Kojo Damphey, Hamilton Centre for Civic Inclusion, respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update (For today's meeting) (Added Item 6.2)
- (iii) Tajseem Hussain, respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update (For today's meeting) (Added Item 6.3)
- (iv) Gabriela Roberts, Black Students Association McMaster, respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update (For today's meeting) (Added Item 6.4)
- (v) Michael Abraham, The Space Youth Centre, respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update (For today's meeting) (Added Item 6.5)
- (vi) Charles Frechette, ArcelorMittal Long Product Canada (AMLPC), respecting the progress of negotiation between the City's staff and AMLPC, and asking for an extension (For today's meeting) (Added Item 6.6)

**(f) PUBLIC HEARINGS / DELEGATIONS (Item 8)**

- (i) Mouna Bile, HARRC Community Working Group, respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update (Added Item 8.1)**

Mouna Bile, HARRC Community Working Group, addressed the Committee respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update.

For disposition of this matter, please refer to Item 7 & (g)(ii).

- (ii) Kojo Damphey, Hamilton Centre for Civic Inclusion, respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update (Added Item 8.2)**

Kojo Damphey, Hamilton Centre for Civic Inclusion, addressed the Committee respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update.

For disposition of this matter, please refer to Item 7 & (g)(ii).

**(iii) Tajseem Hussain, respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update (Added Item 8.3)**

Tajseem Hussain, addressed the Committee respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update.

For disposition of this matter, please refer to Item 7 & (g)(ii).

**(iv) Gabriela Roberts, Black Students Association McMaster, respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update (Added Item 8.4)**

Gabriela Roberts, Black Students Association McMaster, addressed the Committee respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update.

For disposition of this matter, please refer to Item 7 & (g)(ii).

**(v) Michael Abraham, The Space Youth Centre, respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update (Added Item 8.5)**

Michael Abraham, The Space Youth Centre, addressed the Committee respecting Item 9.2, the Hamilton Anti-Racism Resource Centre Update.

For disposition of this matter, please refer to Item 7 & (g)(ii).

**(vi) Charles Frechette, ArcelorMittal Long Product Canada (AMLPC), respecting the progress of negotiation between the City's staff and AMLPC, and asking for an extension (Added Item 8.6)**

Charles Frechette, ArcelorMittal Long Product Canada (AMLPC), addressed the Committee respecting the progress of negotiation between the City's staff and AMLPC, and asking for an extension, with the aid of a presentation.

A copy of the presentation is available on the City's website at [www.hamilton.ca](http://www.hamilton.ca) or through the Office of the City Clerk.

For disposition of this matter, please refer to Item 19 & (k)(iii).

The Delegations for Items 8.1 through 8.6, were received.

**(g) STAFF PRESENTATIONS (Item 9)**

**(i) Audit and Accountability Fund Third Party Reviewer's Report (FCS19059(b)) (City Wide) (Item 9.1)**

Mike Zegarac, General Manager, Finance and Corporate Services, Corporate Services, introduced Jim Bruzzese, President of BMA, to present the Audit and Accountability Fund Third Party Reviewer's Report, with the aid of a presentation.

The presentation respecting the Audit and Accountability Fund Third Party Reviewer's Report, was received.

A copy of the presentation is available on the City's website at [www.hamilton.ca](http://www.hamilton.ca) or through the office of the City Clerk.

Additional supplementary materials provided by BMA, were received:

- 1) Development Charges Support Review (Added Item 9.1(a))
- 2) Transportation Modelling Review (Added Item 9.1(b))
- 3) Water Distribution Asset Maintenance (Added Item 9.1(c))

The additional supplementary information from BMA, respecting the Development Charges Support Review (Added Item 9.1(a)), the Transportation Modelling Review (Added Item 9.1(b)), and the Water Distribution Asset Maintenance (Added Item 9.1(c)), was forwarded to the appropriate staff for review and a report back to the appropriate Standing Committee.

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

**(ii) Hamilton Anti-Racism Resource Centre Update (HUR18010(c)) (City Wide) (Item 9.2)**

Jodi Koch, Director of Talent and Diversity, addressed the Committee respecting the Hamilton Anti-Racism Resource Centre Update, with the aid of a presentation.

The presentation respecting the Hamilton Anti-Racism Resource Centre Update, was received.

A copy of the presentation is available on the City's website at [www.hamilton.ca](http://www.hamilton.ca) or through the office of the City Clerk.

**(iii) Citizen Committee Report - Committee Against Racism - Transitional Model for the Re-opening of HARRC (CAR-19-01) (Added Item 9.3)**

Marlene Dei-Amoah, Chair, and Louic Leblanc, Vice-Chair of the Committee Against Racism, addressed the Committee respecting the Citizen Committee Report - Committee Against Racism - Transitional Model for the Re-opening of HARRC (CAR-19-01).

The presentation respecting the Citizen Committee Report - Committee Against Racism - Transitional Model for the Re-opening of HARRC (CAR-19-01), was received.

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

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

The Committee moved into Closed Session respecting Item 9.2 Appendix 'E', pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(i) **Appendix "E" to Report HUR18010(c) - Hamilton Anti-Racism Resource Centre Update (City Wide) (Item 14.3)**

Staff were provided direction in Closed Session.

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

(i) **DISCUSSION ITEMS (Item 10)**

(i) **Governance Review Sub-Committee Report 19-006 – November 26, 2019 (Item 10.9)**

**Amendment to Item 1 of the Governance Review Sub-Committee Report 19-006 respecting the 2019 Review of the City's Procedural By-law 18-270**

WHEREAS the Ontario Municipal Benchmarking Initiative (OMBI) has been renamed to Municipal Benchmarking Network Canada (MBNC).

THEREFORE BE IT RESOLVED:

That Appendix 'A' and Appendix 'B' to Governance Review Sub-Committee Report 19-006, be **further amended** to change all references to the Ontario Municipal Benchmarking Initiative (OMBI) to the Municipal Benchmarking Network Canada (MBNC).

(a) **2019 Review of the City's Procedural By-law 18-270 (CL19010 / LS19041) (City Wide) (Item 10.1)**

- (i) That the Summary of the Proposed Revisions, as detailed in the **Revised** Appendix 'A' attached to the Governance Review Sub-Committee Report 19-006, be approved; and,
- (ii) That a by-law to Amend By-law No. 18-270, the Council Procedural By-law substantially in the form attached as the **Revised** Appendix 'B' to the Governance Review Sub-Committee Report 19-006, be enacted by Council.

For disposition of this matter, please refer to Item 17.

**(j) GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

**(i) Amendments to the Outstanding Business List (Item 13.1)**

The following amendment to the Outstanding Business List was approved:

**(a) Items to be Removed (Item 13.1(a)):**

Access By Design Policy  
Routine Disclosure and Active Dissemination Policy  
(CL19013)  
Item 10.7 on today's agenda (Item 15 above)  
OBL Item: 19-I

**(k) PRIVATE AND CONFIDENTIAL (CONTINUED) (Item 14)**

**(i) November 21, 2019 – Closed Session Minutes (Item 14.1)**

- (a) The Closed Session Minutes of the November 21, 2019 Audit, Finance and Administration meeting, were approved as presented; and,
- (b) The Closed Session Minutes of the November 21, 2019 Audit, Finance and Administration meeting, will remain confidential.

The Committee moved into Closed Session respecting Items 14.2 & 14.4, pursuant to Section 8.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (e), (f) and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations on or to be on by or on behalf of the municipality or local board.

**(ii) Commercial Relationship Between the City of Hamilton and Century Group Inc. (FCS18100(a) / LS18060(a)) (City Wide) (Item 14.2)**

Staff were provided direction in Closed Session.

For disposition of this matter, refer to Item 18.

**(iii) Negotiation Update for the Continued Supply of Raw Water to 690 Strathearne Avenue North (FCS18049(d) / LS18014(b)) (Ward 4) (Added Item 14.4)**

Staff were provided direction in Closed Session.

For disposition of this matter, refer to Item 19.

**(I) ADJOURNMENT (Item 15)**

There being no further business, the Audit, Finance and Administration Committee, be adjourned at 5:49 p.m.

Respectfully submitted,

Councillor Collins, Chair  
Audit, Finance and Administration  
Committee

Angela McRae  
Legislative Coordinator  
Office of the City Clerk