



City of Hamilton

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REVISED

Meeting #: 23-011
Date: July 13, 2023
Time: 9:30 a.m.
Location: Council Chambers
Hamilton City Hall
71 Main Street West

Tamara Bates, Legislative Coordinator (905) 546-2424 ext. 4102

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 June 15, 2023
5. **COMMUNICATIONS**
6. **DELEGATION REQUESTS**
7. **DELEGATIONS**
8. **STAFF PRESENTATIONS**
 - 8.1 Update on the Hamilton Anti-Racism Resource Centre CM20007(d)
 - 8.2 Tax and Rate Operating Budgets Variance Report as at April 30, 2023 – Budget Control Policy Transfers (FCS23063) (City Wide)
9. **CONSENT ITEMS**

9.1 Professional and Consultant Services Roster 2022-2024
(PW23045/PED23130/FCS23079) (City Wide)

*9.2 Standards and Approved Products Committee Report (PW21071(a)) (City Wide)

10. DISCUSSION ITEMS

10.1 Halton Water Supply Amending Agreement (PW23050) (City Wide)

10.2 Fraud, Waste, and Whistleblower Semi-Annual Update (AUD23009) (City Wide)

10.3 Governance Review Sub-Committee Report 23-003 (July 5, 2023)

11. MOTIONS

11.1 Review of the City of Hamilton Volunteer Advisory Committees

12. NOTICES OF MOTION

13. GENERAL INFORMATION / OTHER BUSINESS

13.1 Amendments to the Outstanding Business List

a. Items to be Added

a. Grightmire Arena Lessons Learned Audit (AUD22004) (City Wide)

Item on OBL: 22-C

Removed in error on the February 2, 2023 agenda.

14. PRIVATE AND CONFIDENTIAL

14.1 Procurement Organizational Design Changes(FCS23082) (City Wide)

Pursuant to Section 9.3, Sub-section (d) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-section (d) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to labour relations or employee negotiations.

15. ADJOURNMENT



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE MINUTES 23-010

9:30 a.m.

June 15, 2023

Council Chambers
Hamilton City Hall

Present: Councillors C. Kroetsch (Chair), T. Hwang (Vice-Chair), J. Beattie, B. Clark, M. Spadafora M. Tadeson, A. Wilson, and M. Wilson

Also Present: Councillors J.P. Danko and N. Nann

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. **2022 City of Hamilton Financial Report and Audited Financial Statements (FCS23059) (City Wide) (Item 8.1)**

(Hwang/Spadafora)

That the 2022 City of Hamilton Financial Report and Audited Financial Statements, attached as Appendix "B" to Report FCS23059, be approved.

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

2. **Consent Items (Item 9)**

(A. Wilson/Tadeson)

That the following Consent Items be received:

- (a) Ward Specific Funding Initiatives Update as of December 31, 2022 (FCS23052) (City Wide) (Item 9.2)
- (b) Community Benefits Charges Reserve Status Report as of December 31, 2022 (FCS23054) (City Wide) (Item 9.3)

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

3. Governance Review Sub-Committee Report 23-002, May 25, 2023 (Item 10.1)

(Hwang/Spadafora)

(a) Feedback from the Advisory Committees on the Code of Conduct for Local Boards (FCS23032(a)) (Item 9.1)

That Report FCS23032(a), respecting Feedback from the Advisory Committees on the Code of Code of Conduct for Local Boards, be received.

(b) Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards (FCS23034(a)) (Item 10.1)

That the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards, attached hereto as Appendix 'A', be approved.

(c) Use of Electronic Devices During Closed Meetings (Item 11.1)

WHEREAS, the City's Procedural By-law 21-021, as amended, at this time strictly prohibits the use of all electronic devices during closed session meetings;

WHEREAS, members of Committee and Council are required to use their computers/laptops during closed meetings, to review reports and add their names to the speaker list; and

WHEREAS, members of Committee and Council from time to time are required to respond to email and text inquiries during a closed meeting;

THEREFORE, BE IT RESOLVED:

That Section 8.7 of the City's Procedural By-law 21-021, as amended, be amended to allow the use of computers/laptops during Closed Meetings, and that notice of the proposed amendment be given pursuant to the City's Public Notice Policy By-law 07-351:

8.7 Electronic devices at IN-PERSON / VIRTUAL / HYBRID meetings:

- (a) Every person shall have all electronic devices, including but not limited to phone, computers, and similar electronic devices, etc. switched to a non-audible function during Council and Committee meetings.
- (b) The use of personal electronic devices at IN-PERSON / VIRTUAL / HYBRID Closed Meetings be strictly prohibited;
- (c) The use of City electronic devices at IN-PERSON / VIRTUAL / HYBRID Closed Meetings be limited to text communications;
- (d) The use of all electronic devices at IN-PERSON / VIRTUAL / HYBRID Closed Meetings are not to be used as a telephone, recording device or camera;
- (e) Staff from the Office of the City Clerk are exempted from 8.7(c) when using electronic devices for record-keeping purposes.

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

4. 2022 Reserve Report (FCS23027) (City Wide) (Item 10.2)

(Spadafora/Hwang)

- (a) That the 2022 Reserve Report and the 2022 Reserve Details Report with 2021 Comparative Figures and 2023 to 2025 Projections attached as Appendix "A" to Report FCS23027, be received;
- (b) That reserve Working Fund-General (112400) be closed and the balance be allocated to the Tax Stabilization Reserve (110046);
- (c) That \$1,980,213.10 be allocated from the Safe Restart Agreement Reserve (110054) to the COVID-19 Emergency Reserve (110053);
- (d) That the following reserves be closed:
 - (i) Development Charges service component reserve Stormwater – Residential (110304);
 - (ii) Development Charges service component reserve Stormwater – Non-Residential (110305);

- (iii) Development charges service component reserve Administrative Studies Community Based – Residential (110354);
- (iv) Development Charges service component reserve Administrative Studies Community Based – Non-Residential (110355);
- (v) Development Charges service component reserve Parking Services – Residential (110344);
- (vi) Development Charges service component reserve Parking Services – Non-Residential (110345);
- (vii) Development Charges service component reserve Airport Services – Residential (110342);
- (viii) Development Charges service component reserve Airport Services – Non-Residential (110343);
- (e) That reserve Federal Gas Tax Reserve (112213) be renamed to Canada Community-Building Fund Reserve;
- (f) That reserve Building Permit Fees Revolving Fund (104050) be renamed to Building Permit Revenue Stabilization;
- (g) That Hamilton Public Library reserve Accessibility, Renewal and Health & Safety Reserve (106013) be renamed to Capital Enhancement Reserve in accordance with the approved recommendation by the Hamilton Public Library Board on December 18, 2019.

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

5. Development Charges Reserves Status Report as of December 31, 2022 (FCS23035) (City Wide) (Item 10.3)

(Spadafora/Clark)

That Report FCS23035, "Development Charges Reserves Status Report as of December 31, 2022", be forwarded, if requested, to the Ministry of Municipal Affairs and Housing.

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 14 Councillor Mike Spadafora

6. Offsetting Parking Revenue for the City's Business Improvement Areas (PED23112) (Wards 1, 2, 3, 4, 7, 12 and 13) (Item 10.4)

(a) (Clark/Spadafora)

- (i) That each of the City's 11 Business Improvement Areas (BIAs) that participate annually in the Parking Revenue Sharing Program (PRSP) be provided a grant in 2023 that is equal to the amount they received in 2022 through the PRSP, with the exception of the Locke Street BIA which would receive an amount equivalent to their 2019 Parking Revenue Sharing Grant;
- (ii) That the total Grant amount of \$124,563.09 be funded from the Economic Development Capital Initiatives Budget (Account No. 3621708900).

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 14 Councillor Mike Spadafora

(b) (A. Wilson/M. Wilson)

- (i) That Corporate Services staff report back to the Audit, Finance and Administration Committee on options to wind up and wind down the Former Municipalities - Capital Reserves coincidentally with the 2023 Reserve Report; and
- (ii) That staff review the Business Improvement Area Parking Revenue Sharing Program and report back coincident with the 2024 allocation report with recommendations:
 - 1. To ensure equitable and predictable funding for participating Business Improvement Areas;

2. To ensure alignment with the City of Hamilton's Climate Action Strategy and active transportation goals; and
3. To ensure the future sustainability and structure of the funding agreement given the recent lack of surpluses in the Hamilton Municipal Parking System.

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

7. Shoreline Protection Consulting Assignments (PW23046) (Wards 1, 2, 5 and 10) (Item 10.5)

(Beattie/Clark)

- (a) That in accordance with By-law 20-205 Procurement Policy as amended, Procurement Policy #5.4 section 2(d), that staff be directed to proceed with a new Request for Proposals for a roster of multiple consultancy firms specializing in coastal engineering for implementation of the Disaster Mitigation and Adaptation Funding project for Shoreline Protection Measures; and
- (b) That the General Manager, Public Works Department be authorized to negotiate, enter into and execute a Contract, and any ancillary documents required to give effect thereto, in a form satisfactory to the City Solicitor.

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

8. Grants Sub-Committee Report 23-003 (June 13, 2023) (Added Item 10.6)

(Spadafora/Hwang)

- (a) **City Enrichment Fund – Appeal Process Update (GRA23003(a)) (City Wide) (Item 9.1)**

- (i) That Report GRA23003(a), respecting City Enrichment Fund – Appeal Process Update, be received.
- (ii) WHEREAS, as an annual funding program, City Enrichment Fund (CEF) staff were directed to bring forward a funding formula and rationale that does not exceed the approved and allocated overall budget amount;

WHEREAS, during the 2023 budget process Council approved of \$6,575,410 (8% enhancement included which was approved through the 2023 budget deliberations);

WHEREAS, at the May 16, Grants Sub-Committee, staff recommended that all City Enrichment Fund applicants who received a passing score be recommended for funding;

WHEREAS, at the May 24, 2023 Council meeting, Council approved a one-time appeal process for all applicants of the 2023 City Enrichment Fund;

WHEREAS, the appeal process was open to all 2023 CEF grant applicants; applicants must demonstrate need and clearly articulate the adverse impacts hindering operational capacity with the original recommended amount;

WHEREAS, the Grants Sub-Committee will review the list of appeals and identify additional funding amounts;

THEREFORE, BE IT RESOLVED:

1. That the appeal requests from applicants in all categories in the amount of \$673,742 be approved, and funded from the City Enrichment Fund Reserve # 112230;
2. That the Sexual Assault Center (Hamilton and Area) funding request for CS-B5 for \$26,000, CS-B7 for \$25,000, and CS-B8 for \$16,000, be topped up to the full amount by further funding \$6,500 to CS-B5, \$2,000 to CS-B7, and \$4,000 to CS-B8, to be funded from the City Enrichment Fund Reserve # 112230;
3. That the Binbrook Santa Clause Parade funding request be topped up by \$1,250 to be funded from the City Enrichment Fund Reserve # 112230;
4. That any funds allocated and distributed through the City Enrichment Fund appeal process be exempt on a one-time basis and not be counted toward any formula that restricts

regular funding from the City, based on the 30% guideline and threshold; and,

5. That staff be directed to consult with community organizations in order to develop a further equitable City Enrichment Fund process and report back to the Grants Sub-Committee.

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

10. DISCUSSION ITEMS

10.6 Grants Sub-Committee Report 23-003 (June 13, 2023)

12. NOTICES OF MOTION

12.1 Review of the City of Hamilton Volunteer Advisory Committees

(Spadafora/Tadeson)

That the agenda for the June 15, 2023 Audit, Finance and Administration Committee meeting, be approved, as amended.

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) June 1, 2023 (Item 4.1)

(Tadeson/Spadafora)

That the Minutes of the June 1, 2023 meeting of the Audit, Finance and Administration Committee, be approved, as presented.

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

(d) STAFF PRESENTATIONS / PRESENTATIONS (Item 8)

(i) 2022 City of Hamilton Financial Report and Audited Financial Statements (FCS23059) (City Wide) (Item 8.1)

Paul Ciapanna, KPMG, addressed Committee respecting the 2022 City of Hamilton Financial Report and Audited Financial Statements (FCS23059) (City Wide), with the aid of a presentation.

(Hwang/Spadafora)

That the presentation from Paul Ciapanna, KPMG, respecting the 2022 City of Hamilton Financial Report and Audited Financial Statements (FCS23059) (City Wide), be received.

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

(e) CONSENT ITEMS (Item 9)

(A. Wilson/Tadeson)

That the following Consent Items, be received:

(i) Various Advisory Committee Minutes (Item 9.1)

1. Committee Against Racism (Item 9.1(a))
 - (aa) Minutes – March 28, 2023 (Item 9.1(a)(a))
 - (ab) No-Quorum Report – April 25, 2023 (Item 9.1(a)(b))
 - (ac) No-Quorum Report – May 10, 2023 (Item 9.1(a)(c))
2. Hamilton Mundialization Committee Minutes – April 19, 2023 (Item 9.1(b))

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

(f) DISCUSSION ITEMS (Item 10)

(i) Grants Sub-Committee Report 23-003 (June 13, 2023) (Item 10.6)

(Spadafora/Hwang)

(a) City Enrichment Fund – Appeal Process Update (GRA23003(a)) (City Wide) (Item 9.1)

- (i) That Report GRA23003(a), respecting City Enrichment Fund – Appeal Process Update, be received.
- (ii) WHEREAS, as an annual funding program, City Enrichment Fund (CEF) staff were directed to bring forward a funding formula and rationale that does not exceed the approved and allocated overall budget amount;

WHEREAS, during the 2023 budget process Council approved of \$6,575,410 (8% enhancement included which was approved through the 2023 budget deliberations);

WHEREAS, at the May 16, Grants Sub-Committee, staff recommended that all City Enrichment Fund applicants who received a passing score be recommended for funding;

WHEREAS, at the May 24, 2023 Council meeting, Council approved a one-time appeal process for all applicants of the 2023 City Enrichment Fund;

WHEREAS, the appeal process was open to all 2023 CEF grant applicants; applicants must demonstrate need and clearly articulate the adverse impacts hindering operational capacity with the original recommended amount;

WHEREAS, the Grants Sub-Committee will review the list of appeals and identify additional funding amounts;

THEREFORE, BE IT RESOLVED:

1. That the appeal requests from applicants in all categories in the amount of \$673,742 be approved, and funded from the City Enrichment Fund Reserve # 112230;
2. That the Sexual Assault Center (Hamilton and Area) funding request for CS-B5 for \$26,000, CS-B7 for \$25,000, and CS-B8 for \$16,000, be topped up to the full amount by further funding \$6,500 to CS-B5, \$2,000 to CS-B7, and \$4,000 to CS-B8, to be funded from the City Enrichment Fund Reserve # 112230;
3. That the Binbrook Santa Clause Parade funding request be topped up by \$1,250 to be funded from the City Enrichment Fund Reserve # 112230;
4. That any funds allocated and distributed through the City Enrichment Fund appeal process be exempt on a one-time basis and not be counted toward any formula that restricts regular funding from the City, based on the 30% guideline and threshold; and,
5. That staff be directed to consult with community organizations in order to develop a further equitable City Enrichment Fund process and report back to the Grants Sub-Committee.

Councillor Kroetsch relinquished the Chair to Councillor Hwang to introduce the following amendment.

Councillor Kroetsch put the following amendment on the floor, which was later withdrawn:

(Kroetsch/M. Wilson)

That Item 1 (ii)(a) of the Grants Sub-Committee report be **amended** as follows:

- (a) That the appeal requests from applicants ~~**in all categories in the amount of \$673,742**~~ be approved, and funded from the City Enrichment Fund Reserve #112230, **as follows:**
- (i) Funding of A appeals at 45 applications**
 - (ii) Funding of B appeals at 21 applications**

(g) NOTICES OF MOTION (Item 12)

Councillor M. Wilson introduced the following Notice of Motion:

(i) Review of the City of Hamilton Volunteer Advisory Committees (Added Item 12.1)

WHEREAS, the City of Hamilton is dedicated to advancing and articulating City decision-making efforts by ensuring the process by which participants are provided information and are engaged is meaningful, clear, convenient, and accessible to all residents;

WHEREAS, the City of Hamilton supports community engagement as it empowers individuals and groups to give them a voice and a platform to express their opinions, concerns, and ideas, which encourages active participation, enabling community members an opportunity to shape the decisions that affect them directly;

WHEREAS, engagement in the community fosters a sense of ownership and responsibility, leading to increased community pride and motivation to work towards common goals and provides policy makers and elected officials with meaningful feedback that can inform decision making;

WHEREAS, Community engagement promotes collaboration and cooperation among stakeholders, including residents, local businesses, community-based organizations, multiple levels of government and non-profits, thereby, bringing people together and facilitating the exchange of knowledge, resources, and expertise, leading to innovative solutions and shared idea generation;

WHEREAS, the Advisory Committee with Persons with Disabilities and the Hamilton Municipal Heritage Committee are Sub-Committees of Council and are required by Provincial legislation, they are outside the scope of this proposed review

WHEREAS, the City of Hamilton is currently creating a robust public engagement policy and administrative framework; and

WHEREAS, enhancing engagement throughout civic participation processes can inherently support high-level Term of Council Priorities including (1) Equity, Diversity and Inclusion; and (2) Trust and Confidence in City Government;

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton pause all Volunteer Advisory Committees, with the exception of the Climate Change Advisory Committee, for which recruitment for the current Council term is underway; and
- (b) That City Manager's Office and Corporate Services staff be directed to report back to the Audit, Finance and Administration Committee with recommendations on the following:
 - (i) best practices that prioritizes resident engagement including access to, understanding of and participation in community engagement;
 - (ii) review and provide recommendations to Council as informed by existing partnerships with local community-based organizations and networks to help shape and advise decision-making efforts on City initiatives, programs, services, policies, and by-laws;
 - (iii) existing community-based engagement methods inclusive of the Volunteer Advisory Committees to fulfil the priorities of Council aligned with the Term of Council priorities 2022 – 2026; and
 - (iv) a resource list of local equity-deserving groups doing community and grassroots organizing that can be contacted for engagement and feedback on City Wide processes and policies.

(h) ADJOURNMENT (Item 15)

(Hwang/A. Wilson)

That, there being no further business, the Audit, Finance and Administration Committee, be adjourned at 1:05 p.m.

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson

YES - Ward 14 Councillor Mike Spadafora


Respectfully submitted,

Councillor Cameron Kroetsch, Chair
Audit, Finance and Administration
Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk



CITY OF HAMILTON
CITY MANAGER'S OFFICE
Government and Community Relations

TO:	Mayor and Members Audit, Finance & Administration
COMMITTEE DATE:	July 13, 2023
SUBJECT/REPORT NO:	Update on the Hamilton Anti-Racism Resource Centre CM20007(d)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Morgan Stahl (905) 546-2424 Ext. 2178
SUBMITTED BY:	Morgan Stahl Director, Government and Community Relations
SIGNATURE:	

RECOMMENDATION

- a) That a one-time payment of \$75,000.00 from Tax Stabilization Fund #110046 be provided to the Hamilton Anti-Racism Resource Centre for the period of December 2023 – April 2024.
- b) That the Hamilton Anti-Racism Resource Centre (HARRC), through the Executive Director, be requested to provide their 5-year operational and sustainability plan to the City of Hamilton ahead of the 2024 budget process identifying the role that the City will play to support their sustainability for the future.

HISTORICAL BACKGROUND

Established in 2018, the Hamilton Anti-Racism Resource Centre (HARRC), operated for ten months and was paused in February 2019 to further refine the centre's governance structure and position the centre for success with community consultation and input. In December 2019, Council approved directions toward the re-opening of the Hamilton Anti-Racism Resource Centre (HARRC), ensuring that voices of racialized individuals and members of equity-deserving communities were foundational to the re-opening and Hamilton Anti-Racism Resource Centre's continued work. This was a significant demonstration of the City's commitment to addressing issues of racism and providing support to equity-deserving communities.

**SUBJECT: Update on the Hamilton Anti-Racism Resource Centre CM20007(d)
(City Wide) - Page 2 of 5**

As part of the extensive engagement and consultation work, led by EMpower Strategy Group, it was strongly recommended that Hamilton Anti-Racism Resource Centre (HARRC) operate with an independent Board of Directors, develop terms of reference, separate governance structure and recruit an Executive Director.

In 2021, Council approved a \$203,846 commitment from the Tax Stabilization Reserve to support Hamilton Anti-Racism Resource Centre operations for the remainder of the 26-month commitment to facilitate start up and resumption of operations. This was disbursed to the HARRC in September 2021 in order to coincide with the September 7, 2021 start-date of their new Executive Director and appointment of Board of Directors. These funds come to completion in November 2023 which covers Hamilton Anti-Racism Resource Centre's operating costs for the original 26-month term.

The recommendations included in this report would provide Hamilton Anti-Racism Resource Centre with operating funding for an additional 6-months until April 2024 and provide the Executive Director the opportunity to present their 5-year operational and sustainability plan to the City of Hamilton during the 2024 budget process demonstrating the need for investment and outlining the requested funds from the City to continue operations through to 2029.

Lyndon George, Executive Director, will attend the July 13, 2023 Audit, Finance and Administration meeting to provide a status update on Hamilton Anti-Racism Resource Centre inclusive of the services provided through the agreement of the previously Council approved \$203,846 commitment, The Executive Director's presentation, Update and Progress for HARRC is provided as Appendix "A" to CM20007(d).

The Hamilton Anti-Racism Resource Centre was established to provide resources and support to residents experiencing racism, to collect and report statistically on incidents and trends of racism, and to provide information, education and advocacy to foster community capacity and understanding of anti-racism and anti-discrimination in Hamilton.

Through comparative research efforts we heard: a multi-pronged approach is needed; a single "one size fits all" municipal model is not appropriate or effective; while municipalities are able to use various levers to influence behaviour, mitigating hate requires coordinated action well beyond municipal control; and no single municipality has currently addressed or alleviated issues of hate, racism and discrimination, but Hamilton can learn from the composite experience of others and collaborative partnerships with organizations like the Hamilton Anti-Racism Resource Centre.

The mandate of the Hamilton Anti-Racism Resource Centre is as follows:

OUR Vision: To be the best place to raise a child and age successfully.
OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.
OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Update on the Hamilton Anti-Racism Resource Centre CM20007(d)
(City Wide) - Page 3 of 5**

“The Hamilton Anti-Racism Resource Centre (HARRC) is committed to advancing education about race, racism, discrimination, racial equality, and anti-racist theory and practice in Hamilton. We do so by holding workshops, programs, and events, and offering support services to the community. We directly support affected members of our community by receiving complaints about racism and referring complainants to appropriate community resources.

We gather data and monitor incidents of racism and hate crimes in Hamilton and encourage compliance with existing anti-discriminatory legislation. Our mandate also involves liaising with community agencies, organizations, and community leaders, and proposing, drafting, and advocating for legislative changes to address systemic racism. We also consider and confront related topics such as anti-discrimination, anti-oppression, human rights related issues, ableism, intersectionality, trauma, and decolonization.”

ALIGNMENT TO CITY OF HAMILTON INITIATIVES

Over the past several years, the City of Hamilton has been leading the development and implementation of a broad range of policies, procedures, strategic initiatives, investments and action plans to address issues of hate in the community and promote the creation of a safe, welcoming, and inclusive city for all.

City-led initiatives that further support and align with the mandate of Hamilton Anti-Racism Resource Centre and Hate Prevention, Mitigation and Community Initiatives Action Plan objectives include:

- Community Safety and Well-Being Plan
- Hamilton Immigration Partnership Council (HIPC)
- Equity, Diversity & Inclusion Framework & Workplan
- City Enrichment Fund & One-Time Enhancement Grant Relief Program
- 25-Year Community Vision (Our Future Hamilton)
- Urban Indigenous Strategy
- Youth Engagement Strategy

While the above work is underway, recent incidents of hate and racism in Hamilton indicate that more work is needed. These incidents leave a long-lasting impact on the individuals and communities who are victims, and they affect all Hamiltonians by impugning the City’s reputation and diminishing community sense of belonging for many equity-deserving populations.

The City and our partners strive to ensure Hamilton remains a safe and supportive community for all residents regardless of their background, colour, faith, ability, gender

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**SUBJECT: Update on the Hamilton Anti-Racism Resource Centre CM20007(d)
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or orientation, however, there is a need to bring Hamiltonians together collectively to address, prevent, and mitigate incidents of hate in our City.

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: That a one-time payment of \$75,000.00 from Tax Stabilization Fund #110046 be provided to the Hamilton Anti-Racism Resource Centre for the period of December 2023 – April 2024.

Staffing: N/A

Legal: N/A

RATIONALE FOR RECOMMENDATION

The Hamilton Anti-Racism Resource Centre provides on-going supports to the local community, on behalf of the City, as part of their existing funding and service agreement. An overview of these supports and programs are listed below:

Community Participation & Engagement

- Develop and Maintain Partnerships such as support community groups and coalitions with aligning mandates such as No Hate in the Hammer, HCCI, etc.
- Participate in community-based events to provide education and engagement opportunities (i.e. Hamilton Anti-Racism Resource Centre branded tent and experiential learning exercise at Supercrawl 2022, participation in local festivals and events, active community engagement and soliciting community feedback).
- Keep apprised with news, updates, cases and legislation related to racist incidents as well as anti-racism, anti-discrimination and anti-oppression training.
- Create promotional materials, employ marketing strategies, social media and conduct outreach to promote Hamilton Anti-Racism Resource Centre and it's programs.

Equity & Inclusion

- Provide advocacy, referrals, community resources, evidence-based research and strategic support to residents experiencing racism and discrimination within the community.
- Develop an online platform for reporting hate incidents and hate crimes to address the issue of hate in Hamilton.
- Conduct research into racism, hate and oppression in Hamilton to articulate trends and develop prevention strategies.

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**SUBJECT: Update on the Hamilton Anti-Racism Resource Centre CM20007(d)
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- Develop and deliver anti-racism workshops, programs, conferences, public education and prevention strategies for the benefit of Hamiltonians who experience or witness racism.
- Connect funding grants to local initiatives aimed at eliminating racism.
- Develop programs that remove barriers to equitable participation for Black, Indigenous, and racialized communities in the community.

Data Collection

- Manage and securely store confidential data, information, and records.
- Develop and implement protocol and processes for operating the Centre, including intake via phone, email, walk-ins.
- Collect, maintain, and analyze statistics based on complaints and incidents.

The recommendation of a one-time payment of \$75,000.00 included in this report would provide Hamilton Anti-Racism Resource Centre operating funding in order to enable the organization to continue to fulfil their existing workplan, strategic plan, services and programming listed above. In addition, it would provide the Executive Director the opportunity to present their 5-year operational and sustainability plan to the City of Hamilton during the 2024 budget process.

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

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Presentation by Hamilton Anti-Racism Resource Centre, Executive Director, Lyndon George

Appendix “B” – Municipal Best Practises & Jurisdictional Scan



HARRRC
Hamilton Anti-Racism Resource Centre

HARRRC Presentation City of Hamilton Audit, Finance & Administration

Lyndon George, Executive Director,
Hamilton Anti-Racism Resource Centre
July 13, 2023

Hamilton Anti-Racism Resource Centre Timeline

- 2018: Launched as a collaborative pilot project with City of Hamilton, McMaster and HCCI
- 2019 -February paused for broader community engagement
- 2019- 2020: Extensive public consultations, oversight under Strategic Partnerships and Communications Division
- 2020 -October: Community Advisory Panel (CAP) established to recruit inaugural board
- 2021 -February: City Council approves HARRC board of directors

HARRC STATEMENT OF ANTI-COLONIAL PRINCIPLES

Colonialism remains embedded in the social, legal, political and economic context of Canada. HARRC recognizes the need to decentralize power and share leadership as it works toward fulfilling its mandate. As such, it adheres to a set of agreed upon principles that are anti-colonial in nature and practice. These principles are a set of broad value statements that provide guidance and clarity for making ethical choices. These principles are evident within the strategic direction of HARRC and are included in every aspect of the organization's work

Connection – Our anti-racism work is deeply connected to the land and the people

HARRC understands that racism intersects with all other systems of oppression and has both local and global impacts. Its work cannot be separated from the people it serves (Indigenous nations and racialized communities) and the land on which it operates (environment and resources of Turtle Island).

What HARRC is about

The Hamilton Anti-Racism Resource Centre is committed to advancing education about race, racism, discrimination, racial equality, and anti-racist theory and practice in Hamilton.

The organization provides:

- **workshops**
- **local programing**
- **learning resources**
- **support services**

HARRC directly supports affected members of our community by receiving complaints about racism and referring complainants to appropriate community resources.

Organizational activity includes:

- **responding to incidents of hate & racism**
- **hate/racism data collection**
- **monitoring incidents of racism and hate crimes in Hamilton**
- **encouraging compliance with existing anti-discriminatory legislation**
- **liaising with community agencies, organizations, and community leaders**
- **proposing, drafting, and advocating policy changes to address systemic racism**
- **educating on topics such as anti-discrimination, anti-oppression, human rights, ableism, trauma, and decolonization**



HARRC
Hamilton Anti-Racism Resource Centre



What the data says

Hamilton Hate Crime Statistics 2022: Police report



- Hamilton Police saw a **61 per cent increase** in the number of hate/bias incidents and criminal offences compared to the previous year. In 2022, there were 174 hate/bias occurrences reported to Hamilton Police.
- Majority of reported occurrences were directly related to racial bias, followed by religion and sexual orientation. The Black community, the Jewish community and the 2S&LGBTQIA community were the groups most frequently victimized.
- Racist incidents were the top reported, with 91 total, including 11 hate crimes. This included 65 incidents targeting the Black community, up from 35 in 2021.
- 23 incidents targeting people for their sexual orientation or gender identity.
- 42 incidents targeting the Jewish community up from 24 incidents in 2021.



Police reported hate crimes across Canada 2021

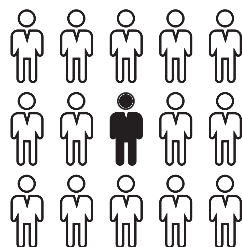
Statistics Canada - March 2023



The number of police reported hate crimes increased 27% in the second year of the pandemic. This follows a 36% increase in 2020

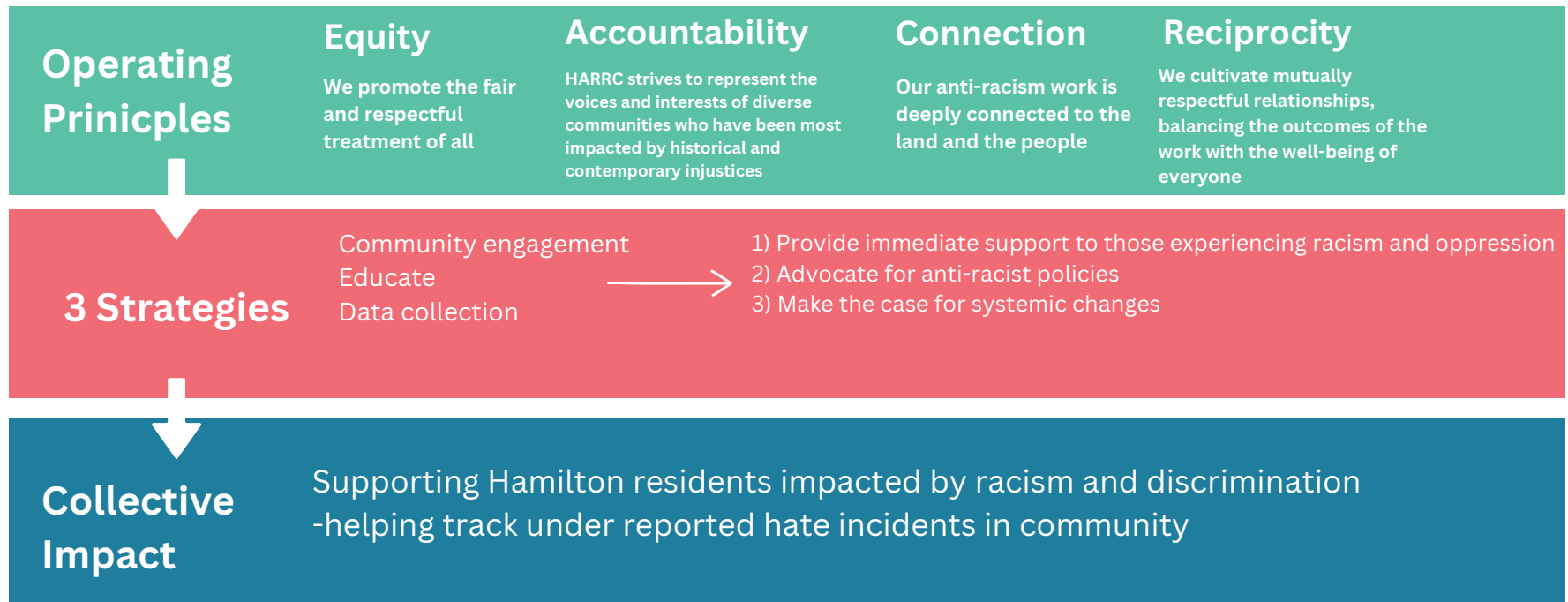


In 2021 all provinces and two territories reported increases



Hate crimes motivated by sexual orientation rose in 2021 after falling slightly in 2020

Strategic Plan 2021-2026



Collective action against hate

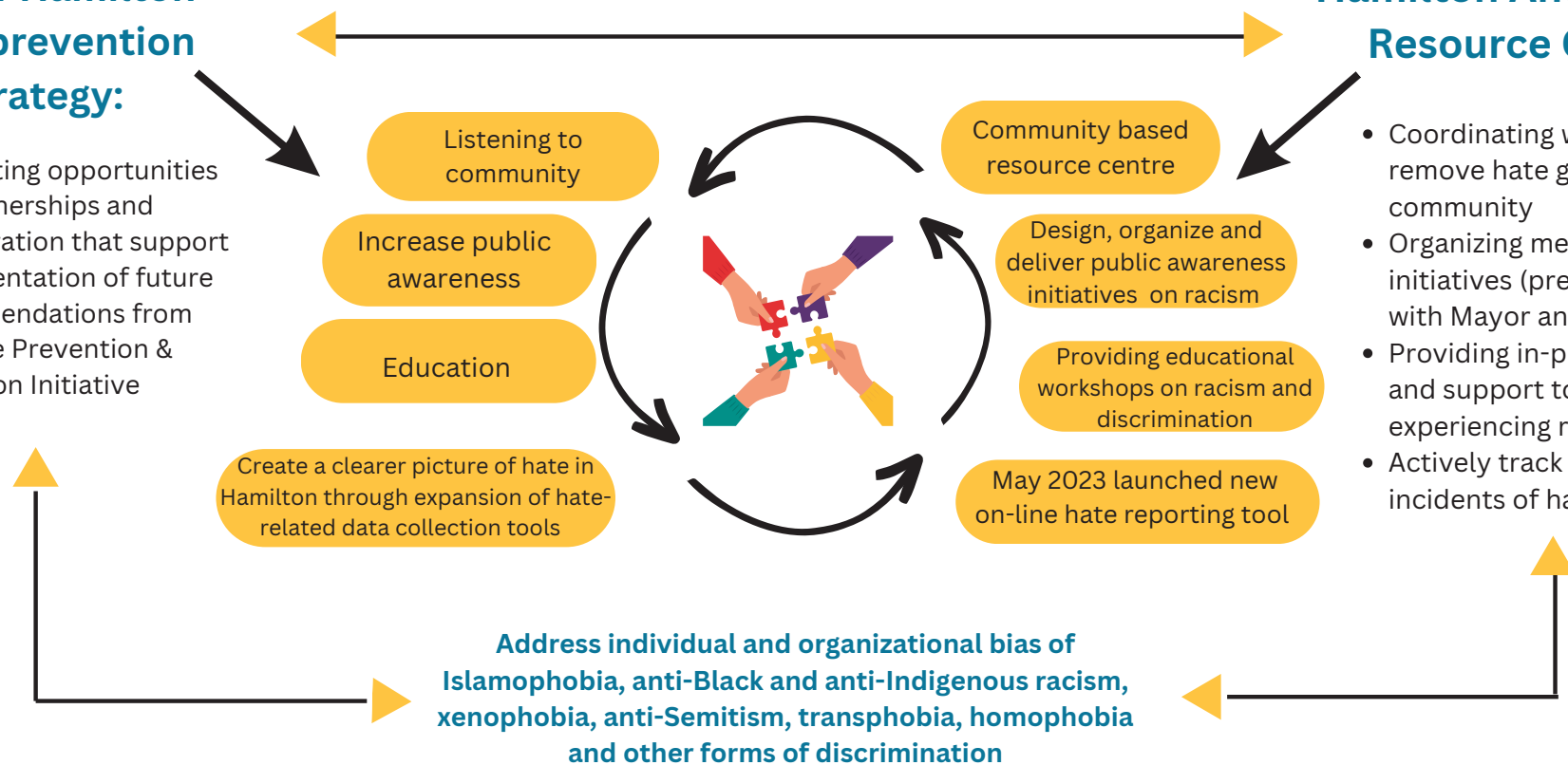
Community Safety and Well-being Plan Recommendations for actions to address hate

City of Hamilton Hate prevention strategy:

- Connecting opportunities for partnerships and collaboration that support implementation of future recommendations from the Hate Prevention & Mitigation Initiative

Hamilton Anti-Racism Resource Centre

- Coordinating with city staff to remove hate graffiti in community
- Organizing media awareness initiatives (press conference with Mayor and faith leaders)
- Providing in-person service and support to individuals experiencing racism
- Actively track and monitor incidents of hate and racism



HARRC responding to community needs

- Organizing community rally in Binbrook in response to **hate symbols**
- **No hate zone event** -Hamilton Public Library community response to hate symbols
- Co-ordinating with Hamilton Farmers Market staff responding to **anti-Semitic symbols** at the downtown market
- Community listening sessions in-response to experiences with racism and discrimination for newcomers
- Planning stirring committee member **Black History Month**



HARRC education, awareness and engagement campaigns

Advocacy campaigns



Survey and online engagements



Policy development



HARRC Executive Director
Lyndon George

- "Diversity is about having a seat at the table, inclusion is having a voice at the table, and belonging is having that voice be heard. For the first time, the community will have an opportunity to recommend to Council who should represent Hamilton on the Police Service Board. It's an important step in the right direction. During the last council meeting before the October 24th election, city councillors voted 11-3 in favour of the Audit, Finance and Administration report creating a new selection committee. The committee includes 6 community representatives and 6 city council members. The process to create a new selection process for the citizen appointee to the Police Service Board was initiated by the city's Committee Against Racism Citizen Report outlining the urgent need to include equity-seeking community groups in the decision-making process."

Taimur Qasim
-Chair
Committee
Against
Racism

"As Chair and Member of the Committee Against Racism, I believe that City Council's decision today to update Hamilton City by-laws to create a selection committee to assist with the selection of the Citizen Appointee to the Hamilton Police Services Board is a big step forward in addressing some of the hate and racism within the city. This new Selection Committee gives the community an opportunity to voice their thoughts on who they feel best represents them as the Citizen Appointee on the Hamilton Police Services Board. It also gives Councillors another opportunity to engage with the community to better understand their concerns and lived experiences. I thank everyone who contributed to the development and progression of this proposal, as well as the City Council for listening and agreeing."

WeSupportHamilton.ca

Online -Hate reporting platform launched

WeSupport is about recognizing that the experience of hate can come with the experience of pain and suffering.

These experiences should not be left in isolation. WeSupport is a way to respond with care as the entry point.

The platform offers a way to share experiences, to connect with existing resource when navigate difficult systems of complaint, whether it be in areas of healthcare, employment, education, housing, community safety, public policy, juridical and others.

Online

Community Reporting Hate & Resources Platform

Community driven hate reporting tool to better understand hate incidents in the greater Hamilton area.

REPORT HATE INCIDENT →

Activate Windows
Go to Settings to activate Windows.

This new tool will look to fill the gap in reporting left by those who may not be comfortable reporting to police, as well as capture incidents that may not have resulted in an assault, for example hate bias incidents.

HARRC
HAMILTON CENTRE FOR CIVIC INCLUSION

ONLINE

Community Reporting Hate & Resources Platform

WeSupportHamilton.ca
A community-centred hate reporting tool to better understand hate incidents in the greater Hamilton area.
An outlet to report,
With resources to navigate experiences with hate in Hamilton.

We Support Hamilton: Hate-incident reporting tool launched

New community website allows residents to report a hate incident and connect with their resources and help.

By Grant Lefkowitz, Executive Reporter
Mon, May 2, 2022 | @Grant_Leaz

f t in e

www.hamiltonreport.com

HARRC's current focus

- ✓ Raising awareness of new online reporting platform
- ✓ Supporting individuals who experience racism & discrimination
- ✓ Securing operational funding beyond 2023
- ✓ Develop programing that removes barriers to equitable participation for Black, Indigenous, 2SLGBTQAI+ and Racialized communities
- ✓ Advance education about race, racism, discrimination



HARRC
Hamilton Anti-Racism Resource Centre

Thank you to our funders!



Community partners



Community campaigns

Black History Month
Hamilton Anti-Hate tool kit
Hamilton for all campaign




Summary of Municipal Best Practices & Jurisdictional Scan			
Municipality	Population	Anti-Racism Strategy	Staff Resourcing (detailed where available) / Overview
City of Toronto	2.732 M	Toronto Action Plan to Confront Anti-Black Racism	<ul style="list-style-type: none"> City’s Confronting Anti-Black Racism Unit (CABR) is responsible for rolling out the Toronto Action Plan to Confront Anti-Black Racism. Five-year plan, includes 22 recommendations and 80 actions to address five areas: Children & Youth Development; Health & Community Services; Job Opportunities & Income Supports; Policing & The Justice System; and, Community Engagement & Black Leadership. <p>Staffing: <i>Confronting Anti-Black Racism Division – 11 total staff</i></p>
City of Ottawa	994,837	Anti-Racism Strategy, approved June 2022	<ul style="list-style-type: none"> Five-year plan to proactively identify and remove systemic barriers in City policies, programs and services. Strategy proposes an action plan with seven areas of focus, 28 recommendations and 132 actions to be implemented over the next five years. June 2023: the City is currently hosting information sessions to inform residents of the City’s first Anti-Racism Strategy, its priorities and next steps. <p>Staffing: <i>Anti-Racism and Ethnocultural Relations Initiatives; led by the Anti-Racism Secretariat – 4 total staff</i></p>
City of Brampton	603,346	Equity Office with identified priority areas / initiatives	<ul style="list-style-type: none"> Equity Office’s city-wide equity, diversity, inclusion and anti-racism initiatives will be developed and implemented over a five-years period in alignment with the Term of Council Priorities. <p>Staffing: <i>Black African and Caribbean Social, Cultural Economic Empowerment and Anti-Black Racism Unit – 5 total staff</i></p>

Waterloo Regional Municipality	535,154	Anti-Racism Initiative	<ul style="list-style-type: none"> • Actions that the Indigenous initiatives, anti-racism, accessibility, and equity team work on are grouped into three main categories: review internal challenges and working to remove systemic barriers; collaborate with local action groups; and communicate goals and include the community. <p>Staffing: <i>Indigenous initiatives, anti-racism, accessibility, and equity team – 4 total staff</i></p>
City of London	422,324	Community Diversity & Inclusion Strategy (CDIS); Anti-Racism and Anti-Oppression Framework and Equity Tool	<ul style="list-style-type: none"> • Anti-Racism and Anti-Oppression division was formed in 2021 with the mandate to create and sustain action-focused, positive, and lasting systemic change in the City of London • Community Diversity & Inclusion Strategy (CDIS): designed as a living document, meant to be constantly modified to remain responsive to emergency community issues. <p>Staffing: <i>Anti-Racism and Anti-Oppression Division – 5 total staff</i></p>
City of Markham	342,970	Diversity Action Plan and Eliminating Anti-Black Racism Action Plan	<ul style="list-style-type: none"> • July 2022: Markham released its updated Diversity Action Plan (2022 to 2027) and a new Eliminating Anti-Black Racism Plan (2022 to 2027). The two plans outline ongoing actions that will guide the City in its journey to equity and will enable Markham to be a more socially-cohesive and inclusive community. <p>Staffing: <i>City Staff (Diversity, Equity and Inclusion, and Human Resources); Special Advisor to the Mayor on Anti-Black Racism – total staff unknown</i></p>
City of Windsor	233,763	Diversity and Inclusion Initiative, and Anti-Racism/Anti-	<ul style="list-style-type: none"> • Anti-Racism/Anti-Discrimination Strategy: external proponent will design and deploy a range of community-based engagement tools/methods with the

		Discrimination Strategy (in development)	<p>purpose of engaging diverse residents and staff and identifying issues, barriers, gaps challenges and opportunities.</p> <p>Staffing: <i>Structure Unknown</i></p>
City of Kingston	136,685	Implementation of EDI Office Workplan Priorities	<ul style="list-style-type: none"> Several key objectives identified by the EDI office related to EDI Office workplan goals, including in the areas of: Culture and Climate; Recruitment and Retention; Education and Training; and Policies and Services. (2021-22) <p>Staffing: <i>CAO, EDI Office – 3 total staff</i></p>
City of Edmonton	981,280	City of Edmonton Anti-Racism Strategy, and Anti-Black Racism Action Plan	<ul style="list-style-type: none"> Approved strategy will include: Independent Anti-racism Body; High Level Anti-Racism Organization in City Administration; and, Core Operational and Capacity-Building Funding. <p>Staffing: <i>Structure Unknown</i></p>
Halifax Regional Municipality	431,479	Diversity and Inclusion Framework; Anti-Black Racism Strategy and Action Plan	<ul style="list-style-type: none"> Municipality is advancing the adoption of internal and externally-focused anti-Black racism strategies and actions. Staff will also deliver on key priorities set out in the Diversity & Inclusion Framework – designed to assist the entire organization in efforts to build a diverse and inclusive workforce and provide programs and services to residents by using a diversity and inclusion lens. <p>Staffing: <i>Office of Diversity & Inclusion, CAO – 8 total staff</i></p>



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

TO:	Chair and Members Audit, Finance and Administration Committee
COMMITTEE DATE:	July 13, 2023
SUBJECT/REPORT NO:	Tax and Rate Operating Budgets Variance Report as at April 30, 2023 – Budget Control Policy Transfers (FCS23063) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Kayla Petrovsky Fleming (905) 546-2424 Ext. 1335
SUBMITTED BY:	Kirk Weaver Acting Director, Financial Planning, Administration and Policy Corporate Services Department
SIGNATURE:	

RECOMMENDATION(S)

- (a) That the Tax and Rate Operating Budgets Variance Report, as at April 30, 2023, attached as Appendices “A”, to Report FCS23063, be received;
- (b) That the Tax and Rate Operating Budgets Variance Report, as at April 30, 2023, attached as Appendices “B”, to Report FCS23063, be received;
- (c) That, in accordance with the “Budgeted Complement Control Policy”, the 2023 complement transfer from one department / division to another or a change in complement type, with no impact on the levy, as outlined in Appendix “C” to Report FCS23063, be approved;
- (d) That, in accordance with the “Budget Control Policy”, the 2023 budget transfers from one department / division to another with no impact on the property tax levy, as outlined in Appendix “D” to Report FCS23063, be approved;
- (e) That, in accordance with the “Budgeted Complement Control Policy”, the extensions of temporary positions with 24-month terms or greater, with no impact on the levy, as outlined in Appendix “E” to Report FCS23063, be approved.

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**SUBJECT: Tax and Rate Operating Budget Variance Report as at April 30, 2023 –
Budget Control Policy Transfers (FCS23063) (City Wide) –
Page 2 of 14**

EXECUTIVE SUMMARY

Staff has committed to provide Council with three variance reports for the Tax and Rate Supported Operating Budgets during the fiscal year. This is the first submission for 2023 based on the operating results as of April 30, 2023. Appendix “A” to Report FCS23063 summarizes the Tax Supported Operating Budget year-end variances by department and division while Appendix “B” to Report FCS23063 summarizes the year-end variances of the Rate Supported Operating Budget by program.

The forecasted Tax Supported Operating Budget surplus of \$10.8 M is broken down by surpluses of \$0.2 M for Boards and Agencies and \$16.1 M for Capital Financing offset by a \$5.5 M deficit for City Departments / Other. For the Rate Supported Operating Budget, the forecasted deficit of \$294 K is related to unfavourable revenues of \$1.0 M, partially offset by a favourable operating expenditure variance of \$0.7 M.

In addressing the financial pressures related to pandemic response and recovery, the City assumes fully leveraging the following confirmed funding sources:

- Ministry of Health – one-time funding approvals of \$12.0 M;
- Safe Restart Agreement (SRA) – Transit Phase 3 eligible funding of \$2.1 M was budgeted for 2023 (\$2.1 M carryover from 2022);
- Other Ministry Funding – Long-term Care allocations of \$3.3 M;
- COVID-19 Emergency Reserve – approved funding of \$8.4 M.

The City’s allocation from the COVID-19 Recovery Funding for Municipalities Program was fully utilized in 2022. There have been no new announcements from senior levels of government to confirm that any additional funding to assist with COVID-19 related expenditures will be provided to the City. The City has previously set aside \$35.6 M of discretionary funds in the COVID-19 Emergency Reserve in order to offset future impacts of the pandemic on operations. In accordance with the *Municipal Act, 2001*, Section 289, the City must provide for any deficit in operations through reserves or the tax levy in the following year. City staff will recommend financing options in the Tax and Rate Operating Budgets Variance Report as at December 31, 2023, that generally is presented to Committee and Council in April, should a deficit occur for 2023 operations.

Additional details, including impacts from supply chain delays and inflation, are presented in the Analysis and Rationale for Recommendation(s) section beginning on page 4 of Report FCS23063.

**SUBJECT: Tax and Rate Operating Budget Variance Report as at April 30, 2023 –
Budget Control Policy Transfers (FCS23063) (City Wide) –
Page 3 of 14**

2023 Budget Transfers, Extensions and Amendments

In accordance with the “Budget Control Policy” and “Budgeted Complement Control Policy”, staff is submitting nine recommended items. The complement transfers, identified in Appendix “C” to Report FCS23063, moves budgeted complement from one department / division to another to accurately reflect where the staff complement is allocated within the department / division for the purpose of delivering programs and services at desired levels, without impacting the tax levy or rate.

Two of the nine complement changes staff is recommending are complement type changes from temporary unbudgeted positions to permanent positions, identified in Appendix “C” to Report FCS23063. The change to permanent positions has no impact to the 2023 operating levy as they will be funded from in-year operating program savings and incorporated into the 2024 Operating Budget. This is consistent in accordance with the Budget Control Policy.

The tax operating budget amendments, identified in Appendix “D” to Report FCS23063, moves budget from one division or department to another. Completing this transfer simplifies the budget review process for the following year by ensuring comparable budget data.

Staff is also recommending one item, where temporary positions with 24-month terms or greater, are being extended as identified in Appendix “E” to Report FCS23063 with no impact on the levy.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The financial information is provided in the Analysis and Rationale for Recommendation(s) section of Report FCS23063 beginning on page 4.

Staffing: Staffing implications of Report FCS23063 are detailed in Appendices “C”, “D”, and “E”, which outline the 2023 staff complement transfers from one department / division to another or a change in complement type with no impact on the levy. Also outlined are extensions of temporary positions and budget amendments with no impact on the levy.

Legal: N/A

**SUBJECT: Tax and Rate Operating Budget Variance Report as at April 30, 2023 –
Budget Control Policy Transfers (FCS23063) (City Wide) –
Page 4 of 14**

HISTORICAL BACKGROUND

Staff has committed to provide Council with three variance reports for the Tax Supported and Rate Supported Operating Budgets during the fiscal year. This is the first submission for 2023 based on the operating results as of April 30, 2023.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Budget Control Policy (Appendix 1 to FCS12010, CBP – 2). The purpose of this Policy is to ensure that City staff has appropriate authority to manage budget resources to ensure programs and services are delivered in an effective and efficient manner. Council also requires assurance that budget resources are used for the purpose intended through the approval of the annual budget.

Budget Complement Control Policy (Appendix “A” to FCS16024, CBP – 1). The purpose of this Policy is to ensure that the City’s staff complement is managed in an effective and efficient manner. The Policy provides guidance on transferring complement, increasing or decreasing complement and changing complement type.

RELEVANT CONSULTATION

Staff in all City of Hamilton departments and boards provided the information in Report FCS23063.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

The following provides an overview of the more significant issues affecting the 2023 Tax and Rate Supported Operating Budget forecasted variances. Appendix “A” to Report FCS23063 summarizes the Tax Supported Operating Budget year-end variances by department and division and Appendix “B” to Report FCS23063 summarizes the Rate Supported Operating Budget variances by program.

Table 1 provides a summary of the projected operating results as at April 30, 2023. The projected Tax Supported Operating Budget surplus after applying all available COVID-19 recovery funding from senior levels of government is \$10.8 M or approximately 1.0% of the 2023 net levy.

**SUBJECT: Tax and Rate Operating Budget Variance Report as at April 30, 2023 –
Budget Control Policy Transfers (FCS23063) (City Wide) –
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Table 1 - Tax Supported Operating Budget Variance Forecast

	2023 Approved Budget	2023 Year-End Forecast	2023 Variance (Forecast vs Budget)	
			\$	%
TAX SUPPORTED				
Planning & Economic Development	33,471	33,223	249	0.7%
Healthy and Safe Communities	300,020	304,227	(4,207)	(1.4)%
Public Works	293,579	297,251	(3,672)	(1.3)%
Legislative	5,499	5,547	(48)	(0.9)%
City Manager	14,827	15,207	(380)	(2.6)%
Corporate Services	44,207	41,822	2,385	5.4%
Corporate Financials / Non Program Revenues	(28,256)	(28,256)	(0)	(0.0)%
Hamilton Entertainment Facilities	150	0	150	100.0%
TOTAL CITY EXPENDITURES	663,497	669,020	(5,524)	(0.8)%
Hamilton Police Services	192,361	192,361	0	0.0%
Library	33,956	33,753	203	0.6%
Other Boards & Agencies	16,809	16,809	(0)	(0.0)%
City Enrichment Fund	6,575	6,575	(0)	(0.0)%
TOTAL BOARDS & AGENCIES	249,702	249,498	203	0.1%
CAPITAL FINANCING	156,410	140,287	16,123	10.3%
TOTAL OTHER NON-DEPARTMENTAL	406,112	389,785	16,326	4.0%
TOTAL TAX SUPPORTED	1,069,608	1,058,805	10,803	1.0%

COVID-19 Funding

During the COVID-19 pandemic, there were numerous announcements from the Federal and Provincial governments regarding funding opportunities to address financial pressures for individuals and organizations. Appendix "F" to Report FCS23063 provides a summary of all the net financial pressures from COVID-19 for 2023 and all funding from senior levels of government that were applied to offset the pressures. All of the City's allocation of COVID-19 Recovery Funding for Municipalities Program (CRFMP) was utilized in 2022. For 2023, COVID-19 related pressures of \$27.3 M have been identified. Of this amount, \$17.4 M has dedicated funding sources and \$8.5 M has been approved by Council to be funded from the COVID-19 Emergency Reserve. The remaining pressure of \$1.4 M remains unfunded.

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**SUBJECT: Tax and Rate Operating Budget Variance Report as at April 30, 2023 –
Budget Control Policy Transfers (FCS23063) (City Wide) –
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Some recovery pressures related to COVID-19 are expected to continue into 2023, though there are no commitments from senior governments to provide additional funding. The City has set aside \$35.6 M of discretionary funds in the COVID-19 Emergency Reserve in order to offset future impacts of the pandemic on operations. Council has previously committed \$8.5 M of this funding through the 2023 budget leaving an uncommitted balance of \$27.3 M. City staff will recommend financing options in the Tax and Rate Operating Budgets Variance Report as at December 31, 2023, that generally is presented to Committee and Council in April, should a deficit related to COVID-19 pressures occur for 2023 operations.

Tax Supported Operating Budget

Appendix “A” to Report FCS23063 summarizes the Tax Supported Operating Budget variances by department and division.

Through the 2023 Tax Supported Operating Budget process, Council approved a one-time gapping adjustment to be made in Corporate Financials to fund 50% of the Hamilton Paramedic Service Business Cases in the amount of \$2,155,200 from gapping savings. This increased the 2023 gapping target from the previous \$5.1 M target for the year to \$7.3 M as detailed in Table 2.

It is projected that, at year-end, the corporate wide gapping actuals will be \$9.3 M, compared to the corporate wide gapping target of \$7.3 M, resulting in a surplus of \$2.0 M.

Table 2 – Net Gapping Variance

NET GAPPING BY DEPARTMENT	GAPPING TARGET (\$000's)	2023 PROJECTED GAPPING (\$000's)	VARIANCE (\$000's)
Planning & Economic Development	\$ 866	\$ 2,526	\$ 1,660
Healthy and Safe Communities	\$ 1,050	\$ 900	\$ (150)
Public Works	\$ 2,247	\$ 3,011	\$ 764
Legislative	\$ 85	\$ (35)	\$ (120)
City Manager	\$ 229	\$ (151)	\$ (380)
Corporate Services	\$ 643	\$ 3,062	\$ 2,419
Corporate Financials (One-Time)	\$ 2,155	\$ -	\$ (2,155)
Consolidated Corporate Savings	\$ 7,275	\$ 9,313	\$ 2,038

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

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Planning and Economic Development Department

The Planning and Economic Development Department is forecasting a surplus of \$249 K.

The General Manager division is projecting a surplus of \$48 K for the 2023 year-end as a result of administrative expenditure savings and gapping.

The Transportation Planning and Parking Division is projecting a surplus of \$135 K. This is mainly attributable to increased fees of \$659 K (on-street parking revenues, processing fees and other revenues) in addition to gapping savings of \$273 K. This was partially offset by higher than budgeted contractual parking fees and material and supply expenditures. The division is also receiving less COVID-19 funding from reserve than what was budgeted in 2023 as a result of less COVID related revenue loss than anticipated.

Growth Management Division is projecting a \$6 K surplus. This is a result of \$3.9 M in projected revenues above forecast and a \$0.8 M projected gapping surplus. This total surplus will be transferred to the Development Fees Stabilization Reserve. The Planning Division's surplus of \$3.3 M relating to the revenue and gapping surplus will also be transferred to the Development Fees Stabilization Reserve.

The Building Division is projecting a deficit of \$25 K as a result of gapping pressures.

Tourism & Culture and Licensing & By-Law Services are projecting a combined surplus of \$83 K as a result of gapping savings, partially offset by other increases in expenditures (material and supply) and lost revenues (site rentals).

The Planning and Economic Development departmental gapping target is \$0.9 M for 2023. As at April 30, 2023, the projected year-end gapping amount is \$2.5 M, resulting in a projected surplus of \$1.6 M.

Healthy and Safe Communities Department

Overall, the Healthy and Safe Communities (HSC) Department is projecting a deficit of \$4.2 M for the 2023 year end.

The HSC Administration Division is projecting a deficit of \$48 K for year end as a result of gapping due to additional temporary positions. \$85 K in COVID-19 related housing pressures were previously approved by Council to be funded from the COVID-19 Emergency Reserve.

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The Children's and Community Services Division is forecasting a surplus of \$281 K as a result of gapping savings.

The Ontario Works division is projecting a deficit of \$232 K. The projected deficit is mainly attributable to an increase in client benefit referrals of \$371 K offset by \$61 K in gapping savings and contractual service savings of \$65 K.

Housing Services is projecting a deficit of \$1.9 M relating to a \$4.1 M in family hotel cost expenditures slightly offset by Social Housing provider reconciliation recoveries of \$2.2 M. \$6.7 M in COVID-19 related housing pressures were previously approved by Council to be funded from the COVID-19 Emergency Reserve.

Long-Term Care Division is projecting an unfavourable variance of \$0.5 M driven by unfavourable staffing costs partially offset by higher than anticipated revenues (including increased level of care funding). \$0.6 M in COVID-19 related pressures were previously approved by Council to be funded from the COVID-19 Emergency Reserve.

Recreation is forecasting a deficit of \$1.2 M. There are projected revenue losses of \$1.2 M for arenas. As a consequence of COVID-19, it has taken longer than anticipated to return to normal operations. In addition, changing market conditions due to COVID-19 resulted in higher than expected employee related costs as a result of challenges in recruitment of required staff.

Hamilton Fire Department is projecting a deficit of \$381 K. This is a consequence of overtime costs for COVID-19 related absences in addition to vehicle costs for fuel and tires.

Hamilton Paramedic Service is projecting a deficit of \$385 K. The unfavourable variance is due to overtime costs in addition to COVID-19 response and recovery efforts (enhanced cleaning) that are not funded. This was partially offset by higher than expected user fee revenue and lower than expected vehicle fuel costs.

Public Health Services is projecting an overall surplus of \$71 K. The favourable variance is attributable to Registered Nurse FTE vacancy in the Health Hazards and Vector Borne Disease Program.

The Healthy and Safe Communities departmental gapping target is \$1.1 M for the 2023 year. As at April 30, 2023, the projected year-end gapping amount is (\$0.9 M), resulting in a projected deficit of \$0.2 M.

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Public Works Department

Overall, the Public Works department is forecasting a deficit of \$3.7 M. There are several contributors, both favourable and unfavourable, across the divisions that are leading to the projected position.

The General Administration, Corporate Asset Management and Corporate Facilities & Energy Management Divisions are forecasting a combined gapping deficit of \$918 K for the 2023 year end. This is a result of unbudgeted temporary staffing and inability to meet gapping target.

Engineering Services is projecting a surplus of \$0.3 M due to higher than expected Road Cut Administrative Program fees and Permit Revenues along with other user fee revenues collected for various Corridor Management activities administered by this section.

Environmental Services anticipates a surplus of \$0.3 M. This is a result of gapping savings from known difficulties in hiring students and seasonal workers and periodic vacancies throughout the year.

Waste Management is forecasting a deficit of \$2.9 M. Contributing to the deficit is a forecasted unfavourable variance of \$1.3 M in contracted services for waste collection. The annual escalation factor was higher than what was budgeted. The main driver for the increase in escalation factor is higher than expected natural gas prices. There is also a \$1.2 M deficit expected in commodities based on tonnages, year-to-date activities and actual versus budgeted commodity prices. There are also higher than forecasted costs for site security at the transfer stations, resulting in a \$250 K deficit.

Transit is forecasting a deficit of \$1.7 M. This is a result of several favourable and unfavourable variances across the division. Favourable variances include in the DARTS contract of \$1.5 M, \$0.4 M in Taxi contract and PRESTO contract of \$0.4 M. This was offset by unfavourable fare revenues of \$3.0 M, overtime costs and vehicle parts impacts due to rising inflation prices of \$0.6 M. Transit has budgeted \$2.1 M in COVID-19 related revenue pressures that are being covered by the \$2.1 M in carryover Safe Restart Agreement – Transit funding from 2022.

Transportation Operations and Maintenance is forecasting a surplus of \$1.3 M. The surplus is driven by gapping of \$1.8 M. This is due to seasonal staff hiring due to hiring delays and staff vacancies. This was partially offset by an unfavourable variance of \$527 K due to increased fuel costs.

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The Public Works departmental gapping target, included in the explanations above, is \$2.2 M for the 2023 year. As at April 30, 2023, the projected year-end gapping amount is \$3.0 M, resulting in a projected surplus of \$0.8 M.

Legislative

The Legislative budget is projected to be at a slight deficit of \$48 K for 2023 resulting from savings in contingency and contractual budgets, offset by gapping target, legal and membership fees.

The Legislative departmental gapping target is \$85 K for 2023. As at April 30, 2023, the projected year-end gapping amount is (\$35 K), resulting in a projected deficit of \$120 K.

City Manager's Office

City Manager's Office (CMO) is projecting a deficit of \$380 K in 2023.

The Human Resources Division is projecting a deficit of \$161 K. The main drivers of the projected deficit are related to additional costs for recruitment and retention efforts to be funded from corporate surplus, offset by savings in training costs.

The CMO – Admin office is also projecting deficit of \$161 K as a result of higher than budgeted staffing costs to support the new Council transition and City Manager's Office government relations function.

Communications and Strategic Initiatives is projecting a year-end deficit of \$18 K as a result of additional recruitment and retention costs and staffing backfill costs.

The remaining divisions are forecasting a combined deficit of \$61 K. This is driven by unfavourable gapping.

The City Manager's Office departmental gapping target is \$229 K for the 2023 year. As at April 30, 2023, the projected year-end gapping amount is (\$151 K), resulting in a projected deficit of \$380 K.

Corporate Services Department

Corporate Services is forecasting an overall surplus of \$2.4 M. The overall surplus is mainly the result of favourable gapping across several divisions in addition to savings of \$225 K in software / hardware savings in the Information Technology and Customer Service, POA and Financial Integration divisions.

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The Corporate Services departmental gapping target is \$0.6 M for the 2023 year. As at April 30, 2023, the projected year-end gapping amount is \$3.0 M, resulting in a projected surplus of \$2.4 M.

Corporate Financials / Non-Program Revenues

As of April 30, 2023, Corporate Financials / Non-Program Revenues are projected to be in line with budget as of year-end. Further details will be available for the second variance report.

Hamilton Entertainment Facilities (HEF)

HEF is projected to be at a year-end surplus of \$150 K. This is a result of budgeted insurance recoveries that are projected to be recovered from Hamilton Urban Precinct Entertainment Group (HUPEG).

Capital Financing

Capital financing is projected to be at a year-end surplus of \$16.1 M, in principal and interest savings due to timing in the issuance of debt.

Boards and Agencies

In Boards and Agencies, there is a projected surplus of \$0.2 M attributable to favourable gapping with Hamilton Public Library operations.

Hamilton Police Services will be providing a forecast update to the Hamilton Police Services Board on June 22, 2023. The forecast is currently presented as in line with budget.

Rate Supported Operating Budget

As at April 30, 2023, the Rate Supported Operating Budget is projecting a deficit of \$294 K mainly due to unfavourable revenues of \$1.0 M, offset by favourable operating expenses of \$706 K.

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Revenues

As of April 30, 2023, total rate revenues had a deficit of \$3.5 M with a year-end forecast projected to be \$1.0 M unfavourable (0.4% under budget). The projected unfavourable variance is mainly due to a forecasted deficit in Industrial, Commercial and Institutional (ICI) customers of \$1.0 M. The 2023 budget accounted for a decrease in ICI due to a decline in the sector's consumption over the past several years.

In 2022, to better understand recent declined consumption of large industrial and institutional customers, staff conducted a survey of the top water users. A common theme among the responses was that steps have been taken to reduce the use of excess water, whether that be through process audits, regular reviews of water usage, leak detection programs, plumbing repairs, retrofitting, etc.

Five of the companies surveyed expect their consumption to decrease over the next five years. Again, the reductions are attributed to the review of processes, new initiatives and water conservation projects. Analysis of the top water users' consumption in Hamilton has revealed several large users have declined steadily over the past two years. Staff will continue to monitor the top users' usage and patterns throughout 2023 and possibly revise the 2024 consumption budget, if required. The Residential sector and all other rate revenues are anticipated to be on budget for 2023.

Expenditures

Overall program spending for 2023 is projected to have a favourable variance of \$706 K. The driving factors behind this are shown in Table 3.

Table 3 - Rate Budget Operating Budget Expenditures Variance Drivers

Expenditure Type	Variance (\$000s)
Capital Financing	3,034
Contractual	(1,750)
Building & Ground	(892)
Employee Related Cost	869
Material & Supply	(555)
Total Operating Expenditure	706

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Capital Financing is projecting a favourable variance of \$3.0 M due to timing in the issuance of debt.

Contractual Services is forecasting an unfavourable variance of \$1.8 M, mainly due to the utility locates contractual obligations associated with the Bill 93. The increased cost of the new locates contract will be adjusted in the 2024 Rate Budget process.

Building & Ground is forecasting an unfavourable variance of \$892 K mainly due to increased natural gas consumption at the Biosolids Facility due to the temporary closure and repair of a digester used in wastewater treatment at the Woodward Treatment Plant.

Employee related costs are estimating a favourable variance of \$869 K mainly due to net gapping savings realized from staff vacancies.

Material and Supplies is forecasting an unfavourable variance of \$555 K, mainly due to the inflationary increases in water distribution and wastewater collection operating supplies.

Appendix “B” to Report FCS23063 summarizes the Rate Budget results by program.

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Our People and Performance

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

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report FCS23063 – City of Hamilton Tax Operating Budget Variance Report as at April 30, 2023

Appendix “B” to Report FCS23063 – City of Hamilton 2023 Combined Water, Wastewater and Storm Operating Budget, Budget Variance Report as at April 30, 2023

Appendix “C” to Report FCS23063 – City of Hamilton Budget Amendment Schedule, Staff Complement Change

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Appendix “D” to Report FCS23063 – City of Hamilton Budget Amendment Schedule,
Budget Restatement

Appendix “E” to Report FCS23063 – City of Hamilton Budgeted Complement
Temporary Extension Schedule, Temporary Position Extensions

Appendix “F” to Report FCS23063 – City of Hamilton COVID-19 Pressures and Funding
Sources, April 30, 2023

KP/dt

CITY OF HAMILTON
TAX OPERATING BUDGET VARIANCE REPORT AS AT APRIL 30, 2023
(\$ 000's)

	2023 Approved Budget	2023 Actuals to April 30	Projected Actuals to Dec. 31	2023 Projected Actuals vs Approved Budget		Comments/Explanations
				\$	%	
PLANNING & ECONOMIC DEVELOPMENT						
General Manager	1,586	478	1,538	48	3.0%	\$21 K Administrative expense savings, \$14 K Space allocation savings for Climate Change Office, \$11 K Net gapping saving.
Transportation, Planning and Parking	3,154	816	3,018	135	4.3%	\$659 K Fees & General: increased revenues Admin fees, Fines, Parking revenue, Processing fees, Tow Fees, On-Street Parking Fees, On-Street Meter Revenue); \$273 K Gapping; Partially offset by: (\$418 K) Reserves: Budgeted \$1.5 M of COVID-19 reserve funding but estimating only receiving \$1.08 M for projected Covid-19 related revenue losses for MTO-Plate Denials (\$1 M), Permit (\$55 K), Parking Revenue (\$25 K); (\$315 K) Contractual: Imperial Parking staffing (\$364 K), partially offset by savings in Information Retrieval \$50 K; (\$41 K) Material and Supply: mostly Computer software (\$17 K) for ticketing software & Ticket expense (\$12 K) due to increased issuance; (\$18 K) Financial: Credit Card Charges (\$11 K) & Processing Fees (6 K)
Building	1,196	(1,723)	1,221	(25)	(2.1)%	Pressure of \$(25) K attributed mainly to \$(58) K gapping pressure partially offset by small savings in various accounts \$1.4 M projected permit fees above forecast inclusive of deferred revenues transferred to Building reserve
Economic Development	5,485	2,496	5,485	(0)	(0.0)%	Forecast to be on budget. Gapping pressure of \$46 K will be absorbed within the divisional budget, being offset by savings in Contractual, Cost allocations and Financial expenditures.
Growth Management	858	(4,603)	852	6	0.7%	\$3.9 M projected revenues above forecast inclusive of deferred revenues and \$806 K projected gapping transferred to Development Fees Stabilization Reserve.
Licensing & By-Law Services	7,162	2,158	7,136	26	0.4%	Gapping savings of \$245 K, \$54 K additional revenues (mostly from unbudgeted Administration Fees), Partially offset by: (\$252 K) Unrealized Budgeted Covid reserve funding for lost revenues likely not required due to positive revenue trends; (\$19 K) Material & Supply due to increased costs for Handheld ticketing software & support.
Planning	3,699	(2,997)	3,696	2	0.1%	\$2.9 M projected revenues above forecast inclusive of deferred revenues and \$385 K net gapping transferred to Development Fees Stabilization Reserve.
Tourism & Culture	10,332	3,290	10,275	57	0.5%	Saving in revenue of \$114 K and \$45 K Gapping; Partially offset by (\$58 K) decreased Site Rental revenues, (\$44 K) increased security at various sites.
TOTAL PLANNING & ECONOMIC DEVELOPMENT	33,471	(83)	33,223	249	0.7%	
HEALTHY AND SAFE COMMUNITIES						
HSC Administration	3,018	1,211	3,066	(48)	(1.6)%	Unfavourable variance due to (\$59 K) gapping due to additional temporary positions offset by \$11 K step differential due to backfilling vacant positions.
Children's and Community Services	11,132	1,897	10,851	281	2.5%	Favourable variance due to gapping and youth employment sponsorship.
Ontario Works	13,419	2,534	13,651	(232)	(1.7)%	Unfavourable variance due to \$371 K pressure attributable to increase in client benefit referrals offset by \$61K in gapping savings and Contractual service savings of \$65 K.
Housing Services	70,051	21,158	71,910	(1,859)	(2.7)%	Unfavourable variance of (\$1.9 M) due to a pressure of (\$4.1 M) in family hotels costs offset by \$2.2 M in social housing provider AIR recoveries.
Affordable Housing Secretariat	3	22	3	0	0.1%	Favourable variance due to gapping and ancillary cost.
Long Term Care	12,826	3,921	13,290	(464)	(3.6)%	Unfavourable variance due to (\$586 K) staffing costs, work accommodation, overtime, Long-term disability, sick pay, cohorting, and (\$105 K) supply and support services costs. This is offset partially by \$227 K in revenue received greater than anticipated including increased level of care funding.
Recreation	37,847	9,206	39,037	(1,190)	(3.1)%	Unfavourable variance due to projected lost revenue in arenas of \$1.2 M, slow return to normal operations as a consequence of COVID, as well as higher than expected costs in contractual obligations offset by savings in Employee Related costs due to challenges in recruitment of required staff. This is mainly attributable to market conditions resulting from COVID.
Hamilton Fire Department	101,107	36,464	101,488	(381)	(0.4)%	Unfavourable variance due to overtime costs for COVID absences with no assumed funding to offset the expenses, (\$229 K), vehicle costs for fuel and tires, (\$85 K), and other contractual costs (\$67 K).
Hamilton Paramedic Service	35,809	8,781	36,194	(385)	(1.1)%	Unfavourable variance due to employee related costs such as overtime (\$520 K), unfunded COVID costs for enhanced cleaning (\$135 K), and operating costs such as oxygen and prescription medications, (\$117 K). Offset partially by a favourable variance due to higher than expected user fee revenue, \$197 K, and lower than expected vehicle costs including fuel, \$190 K.
Public Health Services	14,807	4,012	14,736	71	0.5%	Favourable variance attributable to Registered Nurse full-time equivalent (FTE) vacancy in the Health Hazards and Vector Borne Disease Program.
TOTAL HEALTHY AND SAFE COMMUNITIES	300,020	89,206	304,227	(4,207)	(1.4)%	

- () Denotes unfavourable variance.

- Variances include eligible COVID related funding (identified in Appendix "E" to Report FCS23063)

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(\$ 000's)

	2023 Approved Budget	2023 Actuals to April 30	Projected Actuals to Dec. 31	2023 Projected Actuals vs Approved Budget		Comments/Explanations
				\$	%	
PUBLIC WORKS						
PW-General Administration	(228)	70	0	(228)	100.2%	The General Administration Division is forecasting a variance of (\$225 K) due to: • \$225 K in unachievable gapping target
Corporate Asset Management	2,292	679	2,724	(432)	(18.8)%	The Corporate Asset Management Division forecasted variance of (\$432 K) due to: • \$425 K for unbudgeted temporary staffing to be offset by Departmental gapping
Corporate Facilities & Energy Management	14,597	4,506	14,855	(258)	(1.8)%	The Corporate Facilities and Energy Management Division is forecasting a variance of (\$258 K) due to: • Gapping target of \$258 K will not be realized due to the amount of Cost Recovery for the division.
Engineering Services	0	83	(250)	250	0.0%	The Engineering Services division is forecasting a favourable surplus of \$250 K attributed to: • \$250 K surplus due to Road Cut Administrative Program fees and Permit Revenues along with other user fee revenues collected for various Corridor Management activities administered by this section.
Environmental Services	48,073	11,987	47,773	300	0.6%	The Environmental Services Division is forecasting a variance of \$300 K due to: • \$300 K gapping savings, above the gapping target, from known difficulties in hiring students and seasonal workers, rate differentials and periodic vacancies throughout the year.
Waste Management	48,596	15,419	51,457	(2,861)	(5.9)%	The Waste Management Division is projecting an unfavourable variance of \$2.9 M mainly due to: • \$1.3 M higher forecasted contractual costs mainly due from draft 2023 escalation factors calculating higher than budgeted. • \$1.2 M lower forecasted revenues on commodities based on tonnages, year-to-date activities and actual v. budgeted commodity prices • \$80 K higher forecasted Scale House contractual costs due to current contractor issues and needing to get an emergency contract in place. Tender to follow. • \$250 K higher forecasted costs for site security at the Transfer Stations. To be included in the 2024 budget.
Transit	93,254	44,315	94,961	(1,707)	(1.8)%	The Transit Division is forecasting a unfavourable variance of \$1.7 M mainly due to: Favourable variances of: • \$6.0 M Salaries, Wages net of Year 7 offset and Gapping Allocation • \$1.5 M DARTS Contract • \$435 K Taxi Contract • \$408 K PRESTO Commissions • \$223 K Uniform Expense • \$144 K Rebuilt Engines, Transmissions, etc. • \$119 K Brinks Pickups, Other Fees and Services • \$110 K Pass, Ticket and Transfer Expenses • \$80 K Tires and Tubes Unfavourable variances of: • (\$3.0 M) Fare Revenue • (\$4.1 M) Overtime • (\$2.9 M) Sick • (\$688 K) Vacation Pay and Stat Holiday Pay • (\$567 K) Vehicle Parts inflation impacts • (\$194 K) Taxi Scrip Program Coupon Revenue
Transportation Operations & Maintenance	86,994	34,512	85,730	1,264	1.5%	The Transportation Division is forecasting a surplus of \$1.3 M mainly due to: Favourable variance of \$1.8 M due to: • \$1.8 M net gapping savings due to seasonal staff due to hiring delays, staff vacancies attributed to normal staff turnover (retirements, job transfers, seasonal hiring, etc.). Partially offset by unfavourable variances of (\$527 K): • (\$527 K) mainly due to (\$308 K) of costs associated with increased Diesel Fuel and (\$219 K) for Unleaded Fuel.
TOTAL PUBLIC WORKS	293,579	111,571	297,251	(3,672)	(1.3)%	

- () Denotes unfavourable variance.
- Variances include eligible COVID related funding (identified in Appendix "E" to Report FCS23063)

CITY OF HAMILTON
TAX OPERATING BUDGET VARIANCE REPORT AS AT APRIL 30, 2023
(\$ 000's)

	2023 Approved Budget	2023 Actuals to April 30	Projected Actuals to Dec. 31	2023 Projected Actuals vs Approved Budget		Comments/Explanations
				\$	%	
LEGISLATIVE						
Legislative General	(286)	91	(238)	(48)	16.9%	Savings in contingency & contractual budgets; offset by gapping target, legal and membership fees.
Mavors Office	1,243	356	1,243	(0)	(0.0)%	
Volunteer Committee	121	26	121	(0)	(0.0)%	
Ward Budgets	4,421	1,348	4,421	0	0.0%	
TOTAL LEGISLATIVE	5,499	1,821	5,547	(48)	(0.9)%	
CITY MANAGER						
Auditor General	1,238	368	1,238	(0)	(0.0)%	Gapping due to temporary vacancies offset by external consulting costs to complete audits.
CMO - Admin	254	170	416	(161)	(63.4)%	Temporary staffing costs to support Council transition and City Manager's Office government relations function; retro payments.
Communications and Strategic Initiatives	2,796	946	2,914	(118)	(4.2)%	Additional costs related to recruitment & retention efforts (Internal Communications Officer) to be funded from corporate surplus; Employee leave backfill costs
Digital and Innovation Office	452	(180)	486	(34)	(7.5)%	Temporary Senior Project manager (SPM) costs offset by unused contractual budget.
Government & Community Relations	1,329	320	1,234	95	7.1%	Vacant positions; savings in Government Relations budget.
Human Resources	8,758	2,687	8,920	(161)	(1.8)%	Additional costs related to recruitment and retention efforts (senior project manager) to be funded by corporate surplus; offset by savings in training costs.
TOTAL CITY MANAGER	14,827	4,311	15,207	(380)	(2.6)%	
CORPORATE SERVICES						
City Clerk's Office	3,620	1,729	3,508	112	3.1%	\$224 K Postage recovery, \$71 K Employee cost net of Gapping; Partially offset by: (\$140 K) Postage and freight costs; (\$33 K) Marriage license costs.
Customer Service, POA and Fin'l Integration	6,355	1,937	6,095	260	4.1%	\$209 K Employee related cost, \$75 K Computer software, \$14 K Training, \$12 K Telephone costs; Partially offset by: (\$64 K) Consulting costs.
Financial Serv, Taxation and Corp Controller	4,538	1,320	4,297	241	5.3%	\$269 K Employee cost net of Gapping; Partially offset by: (\$26 K) Consulting services.
Legal Services and Risk Management	4,669	2,308	4,340	329	7.0%	\$336 K Employee related cost; Partially offset by: (\$4 K) Information retrieval.
Corporate Services - Administration	341	97	320	21	6.1%	\$12 K Training, \$5 K Contractual Services, \$3 K Membership Fees
Financial Planning, Admin & Policy	5,576	2,284	5,536	40	0.7%	\$73 K Employee related cost, \$19 K Facilities savings, \$6 K Union billing revenue; Partially offset by: (\$49 K) Subdivision processing fees and interest earned, (\$9 K) Printing and computer costs
Information Technology	19,108	3,967	17,727	1,382	7.2%	\$1.6 M Employee related cost, \$150 K Computer software; Partially offset by: (\$200 K) Temp and contract work, (\$181 K) Training and executive coaching.
TOTAL CORPORATE SERVICES	44,207	13,641	41,822	2,385	5.4%	
CORPORATE FINANCIALS						
Corporate Pensions, Benefits & Contingency	4,017	(519)	4,017	(0)	(0.0)%	Assumed on budget for year-end
Corporate Initiatives	20,513	5,409	20,513	0	0.0%	Assumed on budget for year-end
TOTAL CORPORATE FINANCIALS	24,530	4,890	24,530	(0)	(0.0)%	
HAMILTON ENTERTAINMENT FACILITIES						
Operating	150	3,833	0	150	100.0%	Insurance recoveries budgeted and projected to be recovered from HUPEG.
TOTAL HAMILTON ENTERTAINMENT FACILITIES	150	3,833	0	150	100.0%	
TOTAL CITY EXPENDITURES	716,283	229,189	721,807	(5,524)	(0.8)%	

- () Denotes unfavourable variance.

- Variances include eligible COVID related funding (identified in Appendix "E" to Report FCS23063)

CITY OF HAMILTON
TAX OPERATING BUDGET VARIANCE REPORT AS AT APRIL 30, 2023
(\$ 000's)

	2023 Approved Budget	2023 Actuals to April 30	Projected Actuals to Dec. 31	2023 Projected Actuals .vs Approved Budget		Comments/Explanations
				\$	%	
CAPITAL FINANCING						
Debt-Healthy and Safe Communities	1,169	(314)	660	509	43.5%	
Debt-Planning & Economic Development	1,304	0	25	1,279	98.1%	
Debt-Public Works	33,165	0	19,553	13,612	41.0%	
Debt-Corporate Financials	105,911	101,817	105,187	724	0.7%	
Infrastructure Renewal Levv	13,429	13,429	13,429	(0)	(0.0)%	
TOTAL CAPITAL FINANCING	154,977	114,932	138,854	16,123	10.4%	Surplus in principal and interest savings due to timing in the issuance of debt.
BOARDS & AGENCIES						
Police Services						
Operating	192,361	64,208	192,361	0	0.0%	The March 31, 2023 variance report will be provided to the Hamilton Police Services Board on June 22, 2023.
Capital Financing	1,235	0	1,235	0	0.0%	
Total Police Services	193,596	64,208	193,596	0	0.0%	
Other Boards & Agencies						
Library	33,956	10,242	33,753	203	0.6%	Due to favourable gapping.
Conservation Authorities	8,930	4,678	8,930	0	0.0%	
Hamilton Beach Rescue Unit	6,833	50	6,833	0	0.0%	
Royal Botanical Gardens	143	271	143	0	0.0%	
MPAC	660	3,417	660	0	0.0%	
Farmers Market	242	37	242	(0)	(0.0)%	Planning to be on budget, gapping savings offset by pressures in Consulting for HFM Vision project and Financial for projected unrecoverable bad debts.
Total Other Boards & Agencies	50,765	18,695	50,562	203	0.4%	
Capital Financing - Other Boards & Agencies	198	0	198	(0)	(0.0)%	
City Enrichment Fund	6,575	202	6,575	(0)	(0.0)%	
TOTAL BOARDS & AGENCIES	251,135	83,105	250,930	203	0.1%	
TOTAL EXPENDITURES	1,122,395	427,226	1,111,592	10,803	1.0%	
NON PROGRAM REVENUES						
Slot Revenues	(5,695)	0	(5,695)	0	0.0%	Assumed on budget for year-end
Investment Income	(4,800)	(9,055)	(4,800)	0	0.0%	Assumed on budget for year-end
Hydro Dividend and Other Interest	(6,568)	546	(6,568)	0	0.0%	Assumed on budget for year-end
Tax Remissions and Write Offs	8,818	(3,547)	8,818	0	0.0%	Assumed on budget for year-end
Payment In Lieu	(17,519)	0	(17,519)	0	0.0%	Assumed on budget for year-end
Penalties and Interest	(11,500)	(4,431)	(11,500)	0	0.0%	Assumed on budget for year-end
Right of Way	(3,230)	0	(3,230)	0	0.0%	Assumed on budget for year-end
Senior Tax Credit	534	2	534	0	0.0%	Assumed on budget for year-end
Supplementary Taxes	(10,130)	30	(10,130)	0	0.0%	Assumed on budget for year-end
POA Revenues	(2,698)	(600)	(2,698)	0	0.0%	Assumed on budget for year-end
TOTAL NON PROGRAM REVENUES	(52,787)	(17,056)	(52,787)	0	0.0%	
TOTAL LEVY REQUIREMENT	1,069,608	410,169	1,058,805	10,803	1.0%	

- () Denotes unfavourable variance.

- Variances include eligible COVID related funding (identified in Appendix "E" to Report FCS23063

CITY OF HAMILTON
2023 COMBINED WATER, WASTEWATER AND STORM OPERATING BUDGET
BUDGET VARIANCE REPORT as of April 30th, 2023

	2023 Council Approved Budget	2023 YTD Actuals as at April 30th	2023 Full-year Forecast	2023 Projected Variance	
	\$			\$	%
OPERATING EXPENDITURES:					
Divisional Administration & Support	11,498,313	3,723,986	11,498,313	-	0.0%
Woodward Upgrades	1,953,429	578,391	1,953,429	-	0.0%
Customer Service & Community Outreach	6,923,785	1,423,909	8,673,785	(1,750,000)	(25.3%)
Compliance & Regulations	7,843,466	2,435,653	7,843,466	-	0.0%
Water Distribution & Wastewater Collection	24,239,426	5,965,265	24,394,100	(154,674)	(0.6%)
Plant Operations	35,866,472	11,281,612	36,758,866	(892,395)	(2.5%)
Plant Maintenance	12,563,094	3,841,926	12,094,094	469,000	3.7%
Capital Planning & Delivery	5,306,737	1,543,378	5,306,737	-	0.0%
Watershed Management	1,642,718	436,527	1,642,718	-	0.0%
Wastewater Abatement Program	1,142,465	257,846	1,142,465	-	0.0%
Alectra Utilities Service Contract	6,010,198	1,994,555	6,010,198	-	0.0%
Utilities Arrears Program	500,328	30,823	500,328	-	0.0%
Sewer Lateral Management Program	325,000	71,117	325,000	-	0.0%
Hamilton Harbour Remedial Action Plan	604,011	61,725	604,011	-	0.0%
Protective Plumbing Program (3P)	752,938	115,756	752,938	-	0.0%
Financial Charges	86,118	-	86,118	0	0.0%
Sub-total	117,258,498	33,762,469	119,586,567	(2,328,069)	(2.0%)
Capital and Reserve Recoveries	(8,746,180)	(128,033)	(8,746,180)	-	0.0%
Operating Expenditures Sub-Total	108,512,318	33,634,437	110,840,387	(2,328,069)	(2.1%)
Capital and Reserve Impacts on Operating					
Contributions to Capital					
Water Quality Initiatives	64,300,080	62,740,080	62,960,080	1,340,000	2.1%
Wastewater	54,231,042	54,901,042	54,901,042	(670,000)	(1.2%)
Stormwater	14,822,000	15,492,000	15,492,000	(670,000)	(4.5%)
Sub-Total Contributions to Capital	133,353,122	133,133,122	133,353,122	0	0.0%
Contributions for DC Exemptions					
Water Quality Initiatives	2,520,000	-	2,520,000	-	0.0%
Wastewater	4,590,000	-	4,590,000	-	0.0%
Stormwater	1,890,000	-	1,890,000	-	0.0%
Sub-Total Contributions for DC Exemptions	9,000,000	-	9,000,000	-	0.0%
Capital Debt Charges					
Water Quality Initiatives	11,694,759	-	8,153,554	3,541,205	30.3%
Wastewater	13,229,466	-	7,948,226	5,281,240	39.9%
Stormwater	3,780,708	-	2,969,443	811,265	21.5%
DC Debt Charges Recoveries	(7,123,627)	-	(523,598)	(6,600,029)	92.6%
Sub-Total Debt Charges	21,581,306	-	18,547,625	3,033,681	14.1%
Sub-Total Capital Financing	163,934,428	133,133,122	160,900,747	3,033,681	1.9%
Reserve Transfers	-	-	-	-	0.0%
Sub-Total Capital and Reserve Impacts on Operating	163,934,428	133,133,122	160,900,747	3,033,681	1.9%
TOTAL OPERATING EXPENDITURES	272,446,747	166,767,559	271,741,134	705,613	0.3%

**CITY OF HAMILTON
2023 COMBINED WATER, WASTEWATER AND STORM OPERATING BUDGET
BUDGET VARIANCE REPORT as of April 30th, 2023**

	2023 Council Approved Budget	2023 YTD Actuals as at April 30th	2023 Full-year Forecast	2023 Projected Variance \$ %	
REVENUES:					
Rate Revenue					
Residential	121,736,239	26,073,673	121,736,239	0	0.0%
Industrial/Commercial/Institutional/Multi-res	128,334,602	27,447,331	127,334,602	(1,000,000)	(0.8%)
Haldimand	3,606,687	922,793	3,606,687	-	0.0%
Halton	310,553	73,560	310,553	-	0.0%
Raw Water	190,100	50,096	190,100	-	0.0%
Non-Metered	1,100,000	183,629	1,100,000	-	0.0%
Private Fire Lines	1,800,000	499,977	1,800,000	-	0.0%
Hauler / 3rd Party Sales	1,892,800	615,333	1,892,800	-	0.0%
Overstrength Agreements	3,439,098	251,564	3,439,098	-	0.0%
Sewer Surcharge Agreements	7,005,322	1,204,586	7,005,322	-	0.0%
Sub-Total Utility Rates	269,415,402	57,322,542	268,415,402	(1,000,000)	(0.4%)
Non-Rate Revenue					
Local Improvement Recoveries	275,850	-	275,850	-	0.0%
Permits / Leases / Agreements	1,151,958	186,120	1,151,958	-	0.0%
Investment Income	450,000	-	450,000	-	0.0%
General Fees and Recoveries	1,153,537	193,627	1,153,537	-	0.0%
Sub-Total Non-Rate Revenue	3,031,345	379,747	3,031,345	-	0.0%
TOTAL REVENUES	272,446,747	57,702,289	271,446,747	(1,000,000)	(0.4%)
NET SURPLUS / (DEFICIT)	(0)	109,065,270	(294,387)	(294,387)	

**CITY OF HAMILTON
 BUDGET AMENDMENT SCHEDULE**

STAFF COMPLEMENT CHANGE

Complement Transfer to another division or department and/or change to complement type ^(1,2)

ITEM #	TRANSFER FROM				TRANSFER TO				
	Department	Division	Position Title (2)	FTE	Department	Division	Position Title (2)	FTE	
1.1	Public Works	Transportation	Concrete Finisher	1.00	Public Works	Transportation	Supv Roads Compliance	1.00	
	Explanation: To approve the conversion of a Concrete Finisher (CUPE 5167 Grade E) to a Supervisor Roads Compliance (CUPE 1041 Grade 5). Budget variance will be absorbed within the current operating budget to result in no net levy increase.								
1.2	Public Works	Environmental Services	Summer Student (Cemeteries)	0.50	Public Works	Environmental Services	Cemetery Lead Hand	1.00	
	Environmental Services		Cemetery Gardener	0.50	Explanation: To approve the conversion of a Summer Student (CUPE 5167) and a Cemetery Gardener (CUPE 5167 Grade E) to a Cemetery Lead Hand (CUPE 5167 Grade G). Budget variance will be absorbed within the current operating budget to result in no net levy increase.				
1.3	Healthy & Safe Communities	Housing Sustainability Investment Roadmap Division	Director Secretariat	1.00	Planning and Economic Development	Planning	Planning Technologist II	1.00	
	Planning and Economic Development	Licensing By Law	Admin Secretary - MLE and Licensing	1.00	Healthy & Safe Communities	Housing Sustainability Investment Roadmap Division	Director Secretariat	1.00	
	Explanation: To approve the conversion and transfer of an Administrative Secretary to Director Secretariat with pay differential to be absorbed within previously approved Human Services Integration project id #6502141100 and no impact to the 2023 tax levy. Planning Tech II was transferred to HSC as approved with Report FCS22042(b) however operating requirements in Planning Division have changed and the transfer was reassessed in PED.								
1.4	Corporate Services	Financial Planning, Administration, and Policy	Financial Asst II Coop Student	0.5	Corporate Services	Financial Planning, Administration, and Policy	Financial Assistant I	1.00	
			Customer Service Rep-Taxation	0.33					
								Intermed Actng Analyst	0.17
Explanation: To convert partial positions which have historically been vacant into 1 Financial Assistant I to support the growing analytical needs in Planning & Economic Development.									
1.5	Public Works	Corporate Facilities & Energy Management	Admin Support Clk PT	0.36	Public Works	Corporate Facilities & Energy Management	Quality Mngmnt Cord	1.00	
			Technical Services Technologist Co-op	0.30			Student Local 5	0.16	
			Preventative Mtce Coordinator	0.50	Explanation: To transfer 1 FTE from Public Works, Corporate Facilities & Energy Management three partially budgeted FTE positions totaling 1.1 FTE to a new Quality Management Coordinator for the new Quality Management Office as recommended in the Rightmire Lessons Learned Report AUD22004 with the small remaining 0.16FTE used to increase the hours for the Facilities Summer Students. The salary differential of \$32,385 will be prorated and absorbed within the Operating budget for 2023 budget year and the increase included in the 2024 Operating budget.				
1.6	Healthy and Safe Communities	HPS	Logistics Technicians	0.00	Healthy & Safe Communities	HPS	Logistics Technicians	4.00	
	Explanation: Hamilton Paramedic Service - These positions are currently temporary unbudgeted positions required due to COVID. As a consequence of post-pandemic new level of service delivery requirements a new standard of critical enhanced cleaning is necessary on a permanent basis. These 4 positions are to become permanent and funded in year from potential in year program operating savings and from 50/50 Provincial funding from 2024 onward.								
1.7	Healthy and Safe Communities	Housing Services	Program Secretary	1.00	Healthy and Safe Communities	Affordable Housing Secretariat	Program Coordinator	1.00	
	Explanation: The Housing Sustainability and Investment Roadmap was approved by City Council in April 2023. One of the key components of "infrastructure" necessary to the success of the Roadmap was the creation of a cross-departmental Secretariat to coordinate and facilitate actions and recommendations in the Roadmap. The Secretariat is made up of three FTE positions: 1) Director, Housing Secretariat; 2) Special Advisor, Housing Secretariat; and 3) Program Coordinator, Housing Secretariat. The Program Coordinator position will be vital to the success of the Roadmap and will require a high level of skills, expertise, and experience. The transfer of one FTE from Housing Services to the Secretariat with a pay band upgrade will enable the creation of and adequate resources for the Program Coordinator position.								
1.8	Public Works	Facilities	Warehouse Coordinator	0.00	Healthy & Safe Communities	Hamilton Paramedic Service	Warehouse Coordinator	2.00	
			Courier	0.00			Courier	1.00	
	Explanation: To move the temporary unbudgeted positions from Public Works-Facilities to permanent Hamilton Paramedic Service positions. During COVID, a warehouse was created to handle all PPE distribution, storage and inventory control for the City. These positions controlled all of the PPE inventory required by all divisions in the City. As a consequence of post-pandemic new level of service delivery standards, this program is required to be a permanent service managed by Hamilton Paramedic Service. Therefore, these temporary unbudgeted positions are recommended to be transferred from Public Works-Facilities to Hamilton Paramedic Service in 2023 and made permanent. These 3 positions will be funded in year from potential operating program savings and then to be included in the 2024 Operating Budget, in order to receive 50/50 funding in the 2025 Operating Budget and beyond.								

Note - Complement transfers include the transfer of corresponding budget.

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

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

CITY OF HAMILTON BUDGET AMENDMENT SCHEDULE

BUDGET RESTATEMENT

Budget Transfer to another division or department

ITEM #	TRANSFER FROM			TRANSFER TO		
	Department	Division	Amount	Department	Division	Amount
1.1	Corporate Services	Non Program Expense- Dept ID 205090	\$75,000	Healthy & Safe Communities	Public Health Services (Dept ID 676000)	\$75,000
	Explanation: To transfer Hamilton Physicians budget from Corporate Financials to Public Health Services					
1.2	Healthy & Safe Communities	Children's & Community Services	\$834,544	Healthy & Safe Communities	Indigenous Relations	\$834,544
	Explanation: To transfer FTE and budget for Indigenous Strategy program from CCS to a new Division; Indigenous Relations.					
1.3	Healthy & Safe Communities	Children's & Community Services	\$137,700	Healthy & Safe Communities	Ontario Works	\$137,700
	Explanation: To transfer responsibility for the Hamilton Roundtable for Poverty Reduction (HRPR) budget from Children Services to Ontario Works					
1.4	Healthy & Safe Communities	Housing Services	\$78,004	Healthy & Safe Communities	Affordable Housing Secretariat	\$78,004
	Explanation: To transfer 1.00 budgeted FTE to Affordable Housing Secretariat from Housing.					

Note - Above budget transfers remain in the same cost category.

CITY OF HAMILTON BUDGETED COMPLEMENT TEMPORARY EXTENSION SCHEDULE

TEMPORARY POSITION EXTENSIONS

Extensions to temporary positions with terms of 24 months or greater as per the Budgeted Complement Control Policy

ITEM #	POSITION DETAILS			
	<u>Department</u>	<u>Division</u>	<u>Position Title</u>	<u>FTE</u>
1.1	Corporate Services	Financial Planning Administration and Policy	Senior Project Manager	1.0
Explanation: Contract extension for temporary staff requested for additional 18 months - period October 1st, 2023 to March 31, 2025. To complete work related to the City's 2024 DC By-law update and other divisional initiatives.				

City of Hamilton
 COVID-19 Pressures and Funding Sources
 April 30, 2023

Department/Division	Net COVID Related Pressures	COVID Funding Sources					Total Unfunded Pressure
		Social Services Relief Fund	Ministry of Health Funding	Safe Restart Agreement - Transit	Other	COVID-19 Emergency Reserve	
Planning & Economic Development							
Transportation, Planning & Parking	1,081,515					(1,081,515)	-
Licensing & By-Law Services	860					(860)	-
Tourism & Culture	3,360						3,360
Subtotal Planning & Economic Development	1,085,735	-	-	-	-	(1,082,375)	3,360
Healthy and Safe Communities							
HSC Administration	84,813					(84,813)	-
Children and Community Services	1,714						1,714
Housing Services	6,713,964					(6,713,964)	-
Hamilton Fire Department	228,525						228,525
Long-Term Care	3,918,278				(3,317,240)	(601,038)	-
Ontario Works	-						-
Hamilton Paramedic Service	931,539		(796,626)				134,913
Public Health Services	11,248,810		(11,248,810)				-
Subtotal Healthy and Safe Communities	23,127,643	-	(12,045,436)	-	(3,317,240)	(7,399,815)	365,152
Public Works							
Transit	2,100,000			(2,100,000)			-
Subtotal Public Works	2,100,000	-	-	(2,100,000)	-	-	-
Corporate Services							
Information Technology	17						17
Subtotal Corporate Services	17	-	-	-	-	-	17
Corporate Financials							
COVID19-Emergency Event	984,430						984,430
Subtotal Corporate Financials	984,430	-	-	-	-	-	984,430
TOTAL TAX SUPPORTED OPERATING BUDGET	27,297,825	-	(12,045,436)	(2,100,000)	(3,317,240)	(8,482,190)	1,352,959



INFORMATION REPORT

TO:	Chair and Members Audit, Finance and Administration Committee
COMMITTEE DATE:	July 13, 2023
SUBJECT/REPORT NO:	Professional and Consultant Services Roster 2022-2024 (PW23045/PED23130/FCS23079) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Stuart Leitch (905) 546-2424 Ext. 7808 Cynthia Graham (905) 546-2424 Ext. 2337
SUBMITTED BY: SIGNATURE:	Carlyle Khan General Manager Public Works Department 
SUBMITTED BY: SIGNATURE:	Jason Thorne General Manager Planning and Economic Development Department 
SUBMITTED BY: SIGNATURE:	Mike Zegarac General Manager Finance and Corporate Services Department 

COUNCIL DIRECTION

N/A

INFORMATION

Report PW23045/PED23130/FCS23079 summarizes the use of the Professional and Consultant Services Roster for the 2022-2024 Roster period (C12-13-21) as required under Policy #9 – Consulting and Professional Services of the currently approved

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

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

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

**SUBJECT: Professional and Consultant Services Roster
(PW23045/PED23130/FCS23079) (City Wide) – Page 2 of 3**

Procurement Policy. The Roster process for the acquisition of consulting services is currently managed by Planning and Economic Development, Corporate Services and the Public Works Department with users from all areas of the City of Hamilton (City). The 2022 Roster Information by Category; 2022-2024 Successful Roster Consultants; and the 2022 Roster Period Program Dashboard are attached as Appendix “A”, “B” and “C” attached to Report PW23045/PED23130/FCS23079.

The 2022 Roster Period Program Dashboard available to City staff tracks various metrics associated with financial data and category usage. In 2024 and 2025, the summary will include the remaining years of the 2022-2024 Roster Period data.

It is noted in Table 1 of Report PW23045 that 2022 saw fewer assignments and less value assigned to roster consultants than previous years. When reviewed with staff, it is understood that 2021 was a “bump” year, catching up from delayed projects in the previous year from pandemic impacts including reassigned staff, and legislated stop of non-essential work. In 2022, gaps in staffing, both internal and within consulting firms has limited the ability of projects to proceed more quickly, resulting in lower values and number of assignments.

This was somewhat offset by some specific categories including geotechnical category, that saw an increase due to the new Excess Soils Regulations requirement coming into effect. Pre-pandemic numbers would more typically be around 300 assignments, with a total dollar value of assignments in the year of \$19 million. It is anticipated that as pandemic recovery continues, and gaps in staffing are addressed, that the roster program will readjust to pre-pandemic levels.

Table 1: Summary of 2020 – 2022 Roster Program

	2020 Roster Year ¹	2020 Roster RFRQ ²	2021 Roster Year ¹	2021 Roster RFRQ ²	2022 Roster Year ¹	2022 Roster RFRQ ²
Total Dollar Value	\$17.5M	\$563K	\$21.7M	\$1.1M	\$17.3M	\$1.7M
Total Number of Assignments	255	3	363	5	263	8
Average Value of Each Assignment	\$68.4K	\$188K	\$59.9K	\$218K	\$65.8K	\$213K
Number of Roster Firms in Program	87			92		

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**SUBJECT: Professional and Consultant Services Roster
(PW23045/PED23130/FCS23079) (City Wide) – Page 3 of 3**

Notes:

1. Represents Roster candidates for work assignments with a procurement cost less than \$150,000;
2. Request for Roster Quotation (RFRQ) - Represents Roster candidates for work assignments with a procurement cost between \$150,000 and \$249,999.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PW23045/ PED23130/ FCS23079 – 2022 Roster Information by Category (C12-13-21)

Appendix “B” to Report PW23045/ PED23130/ FCS23079 – 2022-2024 Successful Roster Consultants (C12-13-21)

Appendix “C” to Report PW23045/ PED23130/ FCS23079 – 2022/2023/2024 Roster Period Program Dashboard (C12-13-21)

**2022 Roster Information by
Category (C12-13-21)**

Cat. No.	Roster Category	Successful Candidates	2022 Number of Assignments	2022 \$ Value of Assignments
1	Municipal Engineering Services	<ul style="list-style-type: none"> ➤ WSP E&I Canada Limited ➤ IBI Group Professional Services (Canada) Inc. ➤ R.J. Burnside & Associates Limited ➤ MTE Consultants Inc. ➤ T.Y. Lin International Canada Inc. ➤ SNC-Lavalin Inc. ➤ exp Services Inc. ➤ AECOM Canada Ltd. ➤ Stantec Consulting Ltd. ➤ R.V. Anderson Associates Limited 	4	\$524,984
			Min Value Max Value* Avg Value	\$37,870 \$209,210 \$131,246
			RFRQ Value >\$150K <\$250K	\$209,210
2	Construction Management and Inspection Services	<ul style="list-style-type: none"> ➤ WSP Canada Group Limited ➤ exp Services Inc. ➤ SNC-Lavalin Inc. ➤ Parsons Inc. ➤ MTE Consultants Inc. 	2	\$109,395
			Min Value Max Value* Avg Value	\$53,225 \$56,170 \$54,697
3	Transportation Traffic Engineering Planning	<ul style="list-style-type: none"> ➤ CIMA Canada Inc. ➤ Dillon Consulting Limited ➤ IBI Group Professional Services (Canada) Inc. ➤ AECOM Canada Ltd. ➤ R.J. Burnside & Associates Limited ➤ WSP Canada Inc. <u>Scoped</u> ➤ Alta Planning and Design Inc. ➤ Toole Design Group Canada Inc. ➤ True North Safety Group 	21	\$1,881,516
			Min Value Max Value* Avg Value	\$14,905 \$244,820 \$89,596
			RFRQ Value >\$150K <\$250K	\$244,820
4	Structural Engineering Services / Transportation	<ul style="list-style-type: none"> ➤ WSP E&I Canada Limited ➤ Morrison Hershfield Limited ➤ Dillon Consulting Limited ➤ SNC-Lavalin Inc. ➤ Stantec Consulting Ltd. ➤ R.V. Anderson Associates Limited ➤ IBI Group Professional Services (Canada) Inc. ➤ exp Services Inc. 	11	\$1,078,725
			Min Value Max Value* Avg Value	\$2,390 \$149,795 \$98,065

Cat. No.	Roster Category	Successful Candidates	2022 Number of Assignments	2022 \$ Value of Assignments
5	Wastewater Treatment Engineering and Construction Management	<ul style="list-style-type: none"> ➤ AECOM Canada Ltd. ➤ CH2M Hill Canada Limited ➤ GHD Limited ➤ Stantec Consulting Ltd. ➤ CIMA Canada Inc. <p><u>Scoped</u></p> <ul style="list-style-type: none"> ➤ Jemma Consultants Limited 	6	\$732,712
			Min Value Max Value* Avg Value	\$65,760 \$149,479 \$122,118
6	Water Treatment Engineering and Construction Management	<ul style="list-style-type: none"> ➤ AECOM Canada Ltd. ➤ CH2M Hill Canada Limited ➤ GM BluePlan Engineering Limited ➤ Stantec Consulting Limited ➤ CIMA Canada Inc. <p><u>Scoped</u></p> <ul style="list-style-type: none"> ➤ Jemma Consultants Limited 	7	\$803,360
			Min Value Max Value* Avg Value	\$39,850 \$172,785 \$114,765
			RFRQ Value >\$150K <\$250K	\$172,785
7	Environmental Planning Process	<ul style="list-style-type: none"> ➤ AECOM Canada Ltd. ➤ CH2M Hill Canada Ltd. ➤ R.J. Burnside & Associates Ltd. ➤ Stantec Consulting Ltd. ➤ IBI Group Professional Services (Canada) Inc. 	2	\$84,474
			Min Value Max Value* Avg Value	\$41,453 \$44,021 \$42,737
8	Solid Waste Management	<ul style="list-style-type: none"> ➤ SNC-Lavalin Inc. ➤ Dillon Consulting Limited ➤ WSP Canada Inc 	8	\$572,564
			Min Value Max Value* Avg Value	\$5,515 \$149,900 \$71,570

Cat. No.	Roster Category	Successful Candidates	2022 Number of Assignments	2022 \$ Value of Assignments
9	Stormwater Management / Water Resources Engineering	<ul style="list-style-type: none"> ➤ WSP E&I Canada Limited ➤ AECOM Canada Ltd. ➤ Aquafor Beech Limited ➤ IBI Group Professional Services (Canada) Inc. ➤ Resilient Consulting Corporation ➤ Matrix Solutions Inc. <p><u>Scoped</u></p> <ul style="list-style-type: none"> ➤ Robinson Consultants Inc. 	14	\$1,681,940
			Min Value Max Value* Avg Value	\$16,040 \$223,335 \$120,138
			RFRQ Value >\$150K <\$250K	\$223,335
10	Landscape Architecture	<ul style="list-style-type: none"> ➤ Alexander Budrevics and Associates Limited ➤ exp Services Inc. ➤ IBI Group Professional Services (Canada) Inc. ➤ Terraplan Landscape Architects ➤ GSP Group Inc. ➤ Forest and Field Landscape Architecture Inc. 	5	\$350,081
			Min Value Max Value* Avg Value	\$18,161 \$133,685 \$70,016
11	Architectural Services	<ul style="list-style-type: none"> ➤ Toms+McNally Design Inc. ➤ ATA Architects Inc. ➤ Grguric Architects Inc. ➤ Workshop Architecture ➤ Bortolotto Design Architect ➤ Baird Sampson Neuert Architects Inc. 	12	\$728,471
			Min Value Max Value* Avg Value	\$7,500 \$120,685 \$60,705

Cat. No.	Roster Category	Successful Candidates	2022 Number of Assignments	2022 \$ Value of Assignments
12	Geotechnical Investigation and Inspection Services	<ul style="list-style-type: none"> ➤ G2S Environmental Consulting Inc. ➤ Peto MacCallum Ltd ➤ WSP E&I Canada Limited/WSP Canada Inc. ➤ Englobe Corp. ➤ Aecon Materials Engineering Corp ➤ exp Services Inc. ➤ Landtek Limited ➤ Orbit Engineering Limited ➤ SNC Lavalin Inc. ➤ Soil-Mat Engineers & Consultants Ltd 	35	\$2,172,958
			Min Value Max Value* Avg Value	\$6,063 \$223,069 \$62,084
			RFRQ Value >\$150K <\$250K	\$223,069
13	Wastewater Collection Systems Engineering Services	<ul style="list-style-type: none"> ➤ Aquafor Beech Limited ➤ CH2M Hill Canada Limited ➤ Civica Infrastructure Inc. ➤ Stantec Consulting Ltd. ➤ GM BluePlan Engineering Limited ➤ IBI Group Professional Services (Canada) Inc. <p><u>Scoped</u></p> <ul style="list-style-type: none"> ➤ HydraTek & Associates ➤ Hatch Ltd. ➤ AECOM Canada Ltd. ➤ Ecometrix Inc. 	8	\$612,588
			Min Value Max Value* Avg Value	\$14,520 \$148,658 \$76,573
14	Water Distribution Systems Engineering Services	<ul style="list-style-type: none"> ➤ C3 Water Inc. ➤ CH2M Hill Canada Limited ➤ Stantec Consulting Ltd. ➤ GM BluePlan Engineering Limited ➤ HydraTek & Associates 	6	\$574,015
			Min Value Max Value* Avg Value	\$34,277 \$149,850 \$95,669
15	Professional Land Survey and Geomatics Services	<ul style="list-style-type: none"> ➤ J. D. Barnes Limited ➤ A. J. Clarke and Associates Limited ➤ Callon Dietz Incorporated Ontario Land Surveyors 	4	\$80,205
			Min Value Max Value* Avg Value	\$6,890 \$42,590 \$20,051

Cat. No.	Roster Category	Successful Candidates	2022 Number of Assignments	2022 \$ Value of Assignments
16	Facility Management	<ul style="list-style-type: none"> ➤ V2PM Inc. ➤ WalterFedy Inc. 	3	\$178,523
			Min Value Max Value* Avg Value	\$13,700 \$114,823 \$59,507
17	Environmental Site Assessment / Remediation Services	<ul style="list-style-type: none"> ➤ Peto MacCallum Limited ➤ Englobe Corp. ➤ G2S Environmental Consulting Inc. 	0	
18	Archaeology	<ul style="list-style-type: none"> ➤ Archaeological Services Inc. ➤ WSP E&I Canada Limited ➤ Historic Horizons Inc. ➤ Archaeological Research Associates Ltd. 	7	\$400,102
			Min Value Max Value* Avg Value	\$8,915 \$249,510 \$57,157
			RFRQ Value >\$150K <\$250K	\$249,510
19	Hydrogeology	<ul style="list-style-type: none"> ➤ Englobe Corp. ➤ exp Services Inc. 	2	\$204,815
			<u>Scoped</u> <ul style="list-style-type: none"> ➤ Earthfx Incorporated 	Min Value Max Value* Avg Value
20	Legislative Compliance	<ul style="list-style-type: none"> ➤ WSP Canada Inc./WSP E&I Canada Limited ➤ MTE Consultants Inc. ➤ Pinchin Limited 	13	\$106,130
			Min Value Max Value* Avg Value	\$2,340 \$28,000 \$8,163
21	Terrestrial and Aquatic Ecology	<ul style="list-style-type: none"> ➤ SNC Lavalin Inc. ➤ McIntosh Perry Consulting Engineers Ltd. ➤ Aquafor Beech Limited ➤ Dougan & Associates ➤ MTE Consultants Inc. ➤ Stantec Consulting Limited 	8	\$356,223
			Min Value Max Value* Avg Value	\$4,370 \$87,673 \$44,527

Cat. No.	Roster Category	Successful Candidates	2022 Number of Assignments	2022 \$ Value of Assignments
22	Street Lighting, Exterior Lighting and Electrical Engineering Services	<ul style="list-style-type: none"> ➤ Parsons Inc. ➤ R.V. Anderson Associates Limited ➤ IBI Group Professional Services (Canada) Inc. 	2	\$61,490
			Min Value Max Value* Avg Value	\$21,590 \$39,900 \$30,745
23	Public Engagement and Facilitation	<ul style="list-style-type: none"> ➤ Dillon Consulting Limited ➤ WSP E&I Canada Limited/ WSP Canada Inc. 	1	\$18,128
24	Building Envelope and Roof Consulting	<ul style="list-style-type: none"> ➤ exp Services Inc. ➤ WSP Canada Inc. ➤ MTE Consultants Inc. ➤ Engineering Link Inc. ➤ RDH Building Science Inc. ➤ UL Business Solutions Canada Inc. 	12	\$498,906
			Min Value Max Value* Avg Value	\$4,310 \$90,695 \$41,575
25	Land Use Planning Services- Policy, Zoning & Urban Design	<ul style="list-style-type: none"> ➤ Dillon Consulting Limited ➤ The Planning Partnership ➤ WSP Canada Inc. <p><u>Scoped</u></p> <ul style="list-style-type: none"> ➤ Brook McIlroy ➤ Perkins + Will Canada Inc. 	1	\$107,089

Cat. No.	Roster Category	Successful Candidates	2022 Number of Assignments	2022 \$ Value of Assignments
26	Subsurface Infrastructure Assessment and Trenchless Rehabilitation	<ul style="list-style-type: none"> ➤ Stantec Consulting Limited ➤ Robinson Consultants Inc. ➤ R.V. Anderson Associates Limited ➤ AECOM Canada Ltd. ➤ CH2M Hill Canada Limited 	7	\$734,766
			Min Value Max Value* Avg Value	\$21,415 \$149,838 \$104,966
27	Built Heritage and Cultural Heritage Landscape	<ul style="list-style-type: none"> ➤ Archaeological Research Associates Ltd. ➤ Archaeological Services Inc. ➤ MHBC Planning ➤ WSP Canada Inc. 	2	\$68,719
			Min Value Max Value* Avg Value	\$13,719 \$55,000 \$34,359
28	Project Management - Facilities	<ul style="list-style-type: none"> ➤ P2istrategies Ltd <p><u>Scoped</u></p> <ul style="list-style-type: none"> ➤ KMB International (Div of KMB Aviation Consulting Group) ➤ V2PM Inc. 	0	
29	Quantity Surveying & Cost Consulting	<ul style="list-style-type: none"> ➤ AECOM Canada Ltd. ➤ Rider Levett Bucknall (Canada) Limited ➤ Marshall & Murray Cost Consultants ➤ A.W. Hooker Associates Limited – Cost Consultant 	7	\$44,510
			Min Value Max Value* Avg Value	\$2,310 \$10,185 \$6,358

Cat. No.	Roster Category	Successful Candidates	2022 Number of Assignments	2022 \$ Value of Assignments
30	Structural, Electrical and Mechanical Engineering - Facilities	<u>Section A: Structural Engineering</u> <ul style="list-style-type: none"> ➤ WSP E&I Canada Limited/ WSP Canada Inc. ➤ MTE Consultants Inc. ➤ J.P. Samuel & Associates <u>Section B: Mechanical & Electrical Engineering</u> <ul style="list-style-type: none"> ➤ WSP E&I Canada Limited ➤ IBI Group Professional Services (Canada) Inc. ➤ Building Innovation Inc. ➤ Efficiency Engineering Inc. ➤ Trinity Engineering and Consulting Inc. 	12	\$240,494
			Min Value Max Value* Avg Value	\$2,200 \$53,730 \$20,041
31	Water and Wastewater Facility Assessment	<ul style="list-style-type: none"> ➤ GHD Limited ➤ R.J. Burnside & Associates Limited ➤ R. V. Anderson Associates Limited ➤ WSP Canada Inc. 	7	\$863,655
			Min Value Max Value* Avg Value	\$97,250 \$179,019 \$123,379
			RFRQ Value >\$150K <\$250K	\$179,019
32	Sustainable Infrastructure Planning	<ul style="list-style-type: none"> ➤ GM BluePlan Engineering ➤ AECOM Canada Ltd. ➤ R. V. Anderson Associates Limited ➤ Stantec Consulting Limited 	8	\$902,813
			Min Value Max Value* Avg Value	\$10,090 \$149,880 \$112,851
33	Elevator and Lift Device Consulting Services – Facilities	<ul style="list-style-type: none"> ➤ KJA Consultants Inc. 	0	

Cat. No.	Roster Category	Successful Candidates	2022 Number of Assignments	2022 \$ Value of Assignments
34	Energy Services	<ul style="list-style-type: none"> ➤ Efficiency Engineering Inc. ➤ Building Innovation Inc. ➤ McCallum Sather Architects Inc. ➤ WSP E&I Canada Limited ➤ WalterFedy <p><u>Scoped</u></p> <ul style="list-style-type: none"> ➤ Amp Solar Group Inc. ➤ Dynamic Energy Services Inc. ➤ OCWA 	10	\$371,344
			Min Value Max Value* Avg Value	\$8,780 \$86,050 \$37,134
35	Development Engineering Consulting Support Services	<ul style="list-style-type: none"> ➤ WSP E&I Canada Limited ➤ MTE Consultants Inc. ➤ exp Services Inc. 	4	\$540,413
			Min Value Max Value* Avg Value	\$93,385 \$149,900 \$135,103
36	Heritage Architectural and Engineering Services	<p><u>Section A: Architectural Services</u></p> <ul style="list-style-type: none"> ➤ EVOQ ➤ Stevens Burgess Architects Limited ➤ George Robb Architect ➤ ATA Architects Inc. <p><u>Section B: Engineering Services</u></p> <ul style="list-style-type: none"> ➤ John G. Cooke & Associates Limited ➤ Ojdrovic Engineering Inc. 	5	\$346,853
			Min Value Max Value* Avg Value	\$21,894 \$132,198 \$69,370
37	Commissioning Services	<ul style="list-style-type: none"> ➤ CFMS-West Consulting Inc. ➤ WSP Canada Inc. 	0	
38	Information Services - Enterprise Resource Planning (ERP)	<p><u>Section A: Peoplesoft</u></p> <ul style="list-style-type: none"> ➤ Katalogic Inc. ➤ Spyre <p><u>Section C: Kronos</u></p> <ul style="list-style-type: none"> ➤ Katalogic Inc. 	2	\$189,775
			Min Value Max Value* Avg Value	\$90,275 \$99,500 \$94,887

Cat. No.	Roster Category	Successful Candidates	2022 Number of Assignments	2022 \$ Value of Assignments
40	Transit Planning	<ul style="list-style-type: none"> ➤ CIMA Canada Inc. ➤ Dillon Consulting Limited ➤ IBI Group Professional Services (Canada) Inc. 	3	\$107,730
			Min Value Max Value* Avg Value	\$4,475 \$89,245 \$35,910
41	Information Services – Business Application & Geographic Information Systems Services:	<u>Section A: Business Applications</u> <ul style="list-style-type: none"> ➤ CIMA Canada Inc. <u>Section A Scoped</u> <ul style="list-style-type: none"> ➤ Slater Hill Inc. ➤ IT Architecture Management Institute Inc. <u>Section B: Geographic Information Systems</u> <ul style="list-style-type: none"> ➤ CIMA Canada Inc. <u>Section C: Database Services</u> <ul style="list-style-type: none"> ➤ CIMA Canada Inc. 	11	\$759,995
			Min Value Max Value* Avg Value	\$18,480 \$149,280 \$69,090
42	SCADA Services for Water & Wastewater	<ul style="list-style-type: none"> ➤ AECOM Canada Ltd. ➤ R.V. Anderson Associates Limited ➤ Eramosa Engineering Inc. 	2	\$299,810
			Min Value Max Value* Avg Value	\$149,892 \$149,918 \$149,905

* Max Value can include RFQ's up to \$250,000

“Scoped” Candidates are candidates that may not possess sufficient general qualifications to merit a spot as a Rostered Candidate for a specific Roster Category, but may possess unique expertise in a specific field, access to which may be required for various projects during the term of the Roster.

2022 - 2024 Successful Roster Consultants (C12-13-21)**Number of Firms: 92**

- 1 A. J. Clarke and Associates Ltd.
- 2 A.W. Hooker Associates Limited - Cost Consultant
- 3 AECOM Canada Ltd.
- 4 Aecon Materials Engineering Corp.
- 5 Alexander Budrevics and Associates Limited
- 6 Alta Planning + Design Canada Inc.
- 7 Amp Solar Group Inc.
- 8 Aquafor Beech Limited
- 9 Archaeological Research Associates Ltd.
- 10 Archaeological Services Inc
- 11 ATA Architects Inc.
- 12 Baird Sampson Neuert Architects Inc.
- 13 Bortolotto Design Architect
- 14 Brook McIlroy
- 15 Building Innovation Inc.
- 16 C3 Water Inc.
- 17 Callon Dietz incorporated Ontario land surveyors
- 18 CFMS-West Consulting Inc.
- 19 CH2M Hill Canada Limited
- 20 CIMA Canada Inc.
- 21 Civica Infrastructure Inc.
- 22 Dillon Consulting Limited
- 23 Dougan & Associates
- 24 Dynamic Energy Services Inc.
- 25 Earthfx Incorporated
- 26 Ecometrix Inc.
- 27 Efficiency Engineering Inc.
- 28 Engineering Link Incorporated
- 29 Englobe Corp.
- 30 Eramosa Engineering Inc.
- 31 EVOQ Corp
- 32 exp Services Inc.
- 33 Forest and Field Landscape Architecture Inc.
- 34 G2S Environmental Consulting Inc.
- 35 George Robb Architect
- 36 GHD Limited
- 37 GM BluePlan Engineering Limited
- 38 Grguric Architects Incorporated
- 39 GSP Group Inc.

40	Hatch Ltd.
41	Historic Horizon Inc.
42	HydraTek & Associates, A Division of FP&P HydraTek Inc.
43	IBI Group Professional Services (Canada) Inc.
44	IT Architecture Management Institute Inc.
45	J.D. Barnes Limited
46	J.P. Samuel & Associates
47	Jemma Consultants Limited
48	John G. Cooke & Associates Ltd.
49	Katalogic Inc
50	KJA Consultants Inc.
51	KMB International (Aviation)
52	Landtek Limited
53	Marshall & Murray Inc.
54	Matrix Solutions Inc
55	McCallum Sather Architects Inc.
56	McIntosh Perry Consulting Engineers Ltd.
57	MHBC Planning
58	Morrison Hershfield Limited
59	MTE Consultants Inc.
60	OCWA
61	Ojdrovic Engineering Inc.
62	Orbit Engineering Limited
63	p2istrategies ltd.
64	Parsons Inc.
65	Perkins + Will Canada Inc.
66	Peto MacCallum Ltd.
67	Pinchin Ltd
68	R.J. Burnside & Associates Limited
69	R.V. Anderson Associates Limited
70	RDH Building Science Inc.
71	Resilient Consulting Corporation
72	RIDER LEVETT BUCKNALL (CANADA) LTD.
73	Robinson Consultants Inc
74	Slater Hill Inc
75	SNC Lavalin Inc.
76	Soil-Mat Engineers & Consultants Ltd
77	Spyre Solutions Inc.
78	Stantec Consulting Ltd.
79	Stevens Burgess Architects Ltd.
80	T.Y. Lin International Canada Inc
81	Terraplan Landscape Architects Ltd.

- 82 The Planning Partnership Limited
- 83 Toms+McNally Design Inc.
- 84 Toole Design Group Canada Inc.
- 85 Trinity Engineering and Consulting Inc.
- 86 True North Safety Group Incorporated
- 87 UL Business Solutions Canada Inc.
- 88 V2PM Inc.
- 89 WalterFedy Inc.
- 90 Workshop Architecture Inc.
- 91 WSP Canada Inc.
- 92 WSP E&I Canada Limited

2022-2024 Roster Program Dashboard (C12-13-21)



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5	Wastewater Treatment Engineering and Construction Management	<ul style="list-style-type: none"> ➤ AECOM Canada Ltd. ➤ CH2M Hill Canada Limited ➤ GHD Limited ➤ Stantec Consulting Ltd. ➤ CIMA Canada Inc. <p><u>Scoped</u></p> <ul style="list-style-type: none"> ➤ Jemma Consultants Limited 	6	\$732,712
			Min Value Max Value Avg Value	\$65,760 \$149,479 \$122,118
6	Water Treatment Engineering and Construction Management	<ul style="list-style-type: none"> ➤ AECOM Canada Ltd. ➤ CH2M Hill Canada Limited ➤ GM BluePlan Engineering Limited ➤ Stantec Consulting Limited ➤ CIMA Canada Inc. <p><u>Scoped</u></p> <ul style="list-style-type: none"> ➤ Jemma Consultants Limited 	7	\$803,360
			Min Value Max Value Avg Value	\$39,850 \$172,785 \$114,765
			RFRQ Value >\$150K <\$250K	\$172,785
7	Environmental Planning Process	<ul style="list-style-type: none"> ➤ AECOM Canada Ltd. ➤ CH2M Hill Canada Ltd. ➤ R.J. Burnside & Associates Ltd. ➤ Stantec Consulting Ltd. ➤ IBI Group Professional Services (Canada) Inc. 	2	\$84,474
			Min Value Max Value Avg Value	\$41,453 \$44,021 \$42,737
8	Solid Waste Management	<ul style="list-style-type: none"> ➤ SNC-Lavalin Inc. ➤ Dillon Consulting Limited ➤ WSP Canada Inc 	8	\$572,564
			Min Value Max Value Avg Value	\$5,515 \$149,900 \$71,570

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			Min Value Max Value Avg Value	\$16,040 \$223,335 \$120,138
			RFRQ Value >\$150K <\$250K	\$223,335
		<u>Scoped</u>		
		<ul style="list-style-type: none"> ➤ Robinson Consultants Inc. 		
10	Landscape Architecture	<ul style="list-style-type: none"> ➤ Alexander Budrevics and Associates Limited ➤ exp Services Inc. ➤ IBI Group Professional Services (Canada) Inc. ➤ Terraplan Landscape Architects ➤ GSP Group Inc. ➤ Forest and Field Landscape Architecture Inc. 	5	\$350,081
			Min Value Max Value Avg Value	\$18,161 \$133,685 \$70,016
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			Min Value Max Value Avg Value	\$7,500 \$120,685 \$60,705

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			Min Value Max Value Avg Value	\$6,063 \$223,069 \$62,084
			RFRQ Value >\$150K <\$250K	\$223,069
13	Wastewater Collection Systems Engineering Services	<ul style="list-style-type: none"> ➤ Aquafor Beech Limited ➤ CH2M Hill Canada Limited ➤ Civica Infrastructure Inc. ➤ Stantec Consulting Ltd. ➤ GM BluePlan Engineering Limited ➤ IBI Group Professional Services (Canada) Inc. <p><u>Scoped</u></p> <ul style="list-style-type: none"> ➤ HydraTek & Associates ➤ Hatch Ltd. ➤ AECOM Canada Ltd. ➤ Ecometrix Inc. 	8	\$612,588
			Min Value Max Value Avg Value	\$14,520 \$148,658 \$76,573
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Appendix "C" to Report PW23045/PED23130/FCS23079

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			Min Value Max Value Avg Value	\$13,700 \$114,823 \$59,507
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19	Hydrogeology	<ul style="list-style-type: none"> ➤ Englobe Corp. ➤ exp Services Inc. 	2	\$204,815
			<u>Scoped</u> <ul style="list-style-type: none"> ➤ Earthfx Incorporated 	Min Value Max Value Avg Value
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			Min Value Max Value Avg Value	\$13,719 \$55,000 \$34,359
28	Project Management - Facilities	<ul style="list-style-type: none"> ➤ P2istategies Ltd <p><u>Scoped</u></p> <ul style="list-style-type: none"> ➤ KMB International (Div of KMB Aviation Consulting Group) ➤ V2PM Inc. 	0	
29	Quantity Surveying & Cost Consulting	<ul style="list-style-type: none"> ➤ AECOM Canada Ltd. ➤ Rider Levett Bucknall (Canada) Limited ➤ Marshall & Murray Cost Consultants ➤ A.W. Hooker Associates Limited – Cost Consultant 	7	\$44,510
			Min Value Max Value Avg Value	\$2,310 \$10,185 \$6,358

Cat. No.	Roster Category	Successful Candidates	2022 Number of Assignments	2022 \$ Value of Assignments
30	Structural, Electrical and Mechanical Engineering - Facilities	<u>Section A: Structural Engineering</u> ➤ WSP E&I Canada Limited/ WSP Canada Inc. ➤ MTE Consultants Inc. ➤ J.P. Samuel & Associates <u>Section B: Mechanical & Electrical Engineering</u> ➤ WSP E&I Canada Limited ➤ IBI Group Professional Services (Canada) Inc. ➤ Building Innovation Inc. ➤ Efficiency Engineering Inc. ➤ Trinity Engineering and Consulting Inc.	12	\$240,494
			Min Value Max Value Avg Value	\$2,200 \$53,730 \$20,041
31	Water and Wastewater Facility Assessment	➤ GHD Limited ➤ R.J. Burnside & Associates Limited ➤ R. V. Anderson Associates Limited ➤ WSP Canada Inc.	7	\$863,655
			Min Value Max Value Avg Value	\$97,250 \$179,019 \$123,379
			RFRQ Value >\$150K <\$250K	\$179,019
32	Sustainable Infrastructure Planning	➤ GM BluePlan Engineering ➤ AECOM Canada Ltd. ➤ R. V. Anderson Associates Limited ➤ Stantec Consulting Limited	8	\$902,813
			Min Value Max Value Avg Value	\$10,090 \$149,880 \$112,851
33	Elevator and Lift Device Consulting Services – Facilities	➤ KJA Consultants Inc.	0	


Cat. No.	Roster Category	Successful Candidates	2022 Number of Assignments	2022 \$ Value of Assignments
34	Energy Services	<ul style="list-style-type: none"> ➤ Efficiency Engineering Inc. ➤ Building Innovation Inc. ➤ McCallum Sather Architects Inc. ➤ WSP E&I Canada Limited ➤ WalterFedy <p><u>Scoped</u></p> <ul style="list-style-type: none"> ➤ Amp Solar Group Inc. ➤ Dynamic Energy Services Inc. ➤ OCWA 	10	\$371,344
			Min Value Max Value Avg Value	\$8,780 \$86,050 \$37,134
35	Development Engineering Consulting Support Services	<ul style="list-style-type: none"> ➤ WSP E&I Canada Limited ➤ MTE Consultants Inc. ➤ exp Services Inc. 	4	\$540,413
			Min Value Max Value Avg Value	\$93,385 \$149,900 \$135,103
36	Heritage Architectural and Engineering Services	<p><u>Section A: Architectural Services</u></p> <ul style="list-style-type: none"> ➤ EVOQ ➤ Stevens Burgess Architects Limited ➤ George Robb Architect ➤ ATA Architects Inc. <p><u>Section B: Engineering Services</u></p> <ul style="list-style-type: none"> ➤ John G. Cooke & Associates Limited ➤ Ojdrovic Engineering Inc. 	5	\$346,853
			Min Value Max Value Avg Value	\$21,894 \$132,198 \$69,370
37	Commissioning Services	<ul style="list-style-type: none"> ➤ CFMS-West Consulting Inc. ➤ WSP Canada Inc. 	0	
38	Information Services - Enterprise Resource Planning (ERP)	<p><u>Section A: Peoplesoft</u></p> <ul style="list-style-type: none"> ➤ Katalogic Inc. ➤ Spyre <p><u>Section C: Kronos</u></p> <ul style="list-style-type: none"> ➤ Katalogic Inc. 	2	\$189,775
			Min Value Max Value Avg Value	\$90,275 \$99,500 \$94,887

Cat. No.	Roster Category	Successful Candidates	2022 Number of Assignments	2022 \$ Value of Assignments
40	Transit Planning	<ul style="list-style-type: none"> ➤ CIMA Canada Inc. ➤ Dillon Consulting Limited ➤ IBI Group Professional Services (Canada) Inc. 	3	\$107,730
			Min Value Max Value Avg Value	\$4,475 \$89,245 \$35,910
41	Information Services – Business Application & Geographic Information Systems Services:	<u>Section A: Business Applications</u> <ul style="list-style-type: none"> ➤ CIMA Canada Inc. <u>Section A Scoped</u> <ul style="list-style-type: none"> ➤ Slater Hill Inc. ➤ IT Architecture Management Institute Inc. <u>Section B: Geographic Information Systems</u> <ul style="list-style-type: none"> ➤ CIMA Canada Inc. <u>Section C: Database Services</u> <ul style="list-style-type: none"> ➤ CIMA Canada Inc. 	11	\$759,995
			Min Value Max Value Avg Value	\$18,480 \$149,280 \$69,090
42	SCADA Services for Water & Wastewater	<ul style="list-style-type: none"> ➤ AECOM Canada Ltd. ➤ R.V. Anderson Associates Limited ➤ Eramosa Engineering Inc. 	2	\$299,810
			Min Value Max Value Avg Value	\$149,892 \$149,918 \$149,905

“Scoped” Candidates are candidates that may not possess sufficient general qualifications to merit a spot as a Rostered Candidate for a specific Roster Category, but may possess unique expertise in a specific field, access to which may be required for various projects during the term of the Roster.



INFORMATION REPORT

TO:	Chair and Members Audit, Finance and Administration Committee
COMMITTEE DATE:	July 13, 2023
SUBJECT/REPORT NO:	Standards & Approved Products Committee Report (PW21071(a)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Claudio Leon (905) 546-2424 Ext. 2971
SUBMITTED BY:	Jackie Kennedy Director, Engineering Services Public Works Department
SIGNATURE:	
SUBMITTED BY:	Shane McCauley Director, Water and Wastewater Operations Public Works Department
SIGNATURE:	

COUNCIL DIRECTION

In accordance with By-law 20-205 as amended, Procurement Policy, Policy #14: Standardization, this Report addresses the requirement of the Standards and Approved Products Committee to prepare an annual Information Report to Council outlining the rationale for any standardization of goods added to the City's Approved Products Listing, the number of goods standardized and any standardized good resulting in a single source purchase.

This Report is for the period of November 2021 to April 2023.

INFORMATION

The Standards and Approved Products Committee is a collection of various City

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**SUBJECT: Standards and Approved Products Committee Update
(PW21071(a)) (City Wide) – Page 2 of 5**

Department Representatives assembled for the purpose of conducting, on a formal basis, the review and approval of new product applications and the maintenance of the City's Construction and Materials Specifications Manual.

The Committee focuses on Linear Municipal Infrastructure products related to road, watermain, sewer, street lighting and traffic signals, all within the City's Right-of-Way, as well as park construction related products.

The Committee maintains the [Standards and Approved Products Listing and Guidelines](#) webpage, where a Product Approval Application and submission guidelines are available for suppliers wishing to submit products for evaluation.

The product application review process ensures that products and materials comply with current industry standards and satisfy the City's needs by providing best value and quality to the City's infrastructure. The review process is transparent and applies good business and technical justification when making decisions.

The City's Approved Products List is published on [The Road Authority website](#). The list is used by Contractors, Developers and City Staff for selecting products to be used on City Projects. When approved products are specified within a tender document issued by the City, it is done so in accordance with any applicable trade agreements to municipal procurement.

Some of the key benefits that the Committee offers is that it provides a single point of contact for suppliers, distributors and manufacturers. The Committee provides the City a standardized methodology for assessing products and developing specifications, resulting in uniformity throughout the City. It sends a clear message to the construction industry that the City of Hamilton is serious about attracting new business while maintaining appropriate high-quality engineering standards through the product evaluation and approval process.

The Committee consists of 17 members (15 voting members and 2 non-voting members) across 3 Departments: Public Works, and Planning and Economic Development, and Finance and Corporate Services. Voting members are representatives from key Sections and Departments that are impacted by product selection and standards implementation. These include the following:

Two Co-Director Members

- Director, Engineering Services
- Director, Water and Wastewater Operations

Four Engineering Services Members (Design, Construction and Infrastructure Renewal

- Manager, Design Services

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**SUBJECT: Standards and Approved Products Committee Update
(PW21071(a)) (City Wide) – Page 3 of 5**

- Manager, Construction Services
- Senior Project Manager, Construction Services – Inspection and Quality
- Senior Project Manager, Infrastructure Renewal

Three Transportation Engineering Members:

- Project Manager, Roadway Maintenance
- Project Manager, Pedestrian & Cycling Engineering
- Project Manager Streetlighting Engineering

Three Water Distribution and Wastewater Collection Members

- Project Manager Stormwater Operations & Maintenance
- Water Distribution Technologist/Inspector
- Senior Project Manager W&WW Distribution & Collections LRT

Two Planning and Economic Development Members

- Director, Growth Management
- Manager, Construction

One Environmental Services Member

- Manager, Landscape Architectural Services (LAS)
-

One Corporate Services Member (non-voting)

- Manager of Procurement

One Public Works Committee Chair (non-voting)

- Project Manager, Contracts and Standards

The Committee operates in accordance with its Terms of Reference and functions on consensus. Voting is used where consensus cannot be reached.

Meetings are held once a month to discuss and review product applications, standards and specifications.

Due to the increase in the amount of product approval requests received, staff workload and vacancies, there is a backlog of 36 product applications that need to be reviewed. In order to make committee meetings more productive, Technical Review Teams were formed to review applications. The Technical Review Teams are led by committee members from the asset owner group and includes subject matter experts who review products and make a recommendation to the Committee as to whether to approve products or not. The teams are the following:

- Road Products Technical Review Team lead by Roads Maintenance
- Water Products Technical Review Team lead by Hamilton Water and Wastewater Operations

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**SUBJECT: Standards and Approved Products Committee Update
(PW21071(a)) (City Wide) – Page 4 of 5**

- Sewer Products Technical Review Team lead by Hamilton Water and Wastewater Operations
- Traffic Signals and Street Lighting lead by Transportation Engineering
- Parks Technical Review Team lead by Landscape Architectural Services

At the end of the review process, the Committee issues a notification of the decision to the applicants in writing, indicating approval or rejection. Once a product is approved, any future product design or material change must be submitted by the manufacturer or the applicant to the Committee for re-evaluation, and the City reserves the right to remove any product from the Approved Products List at any time as deemed necessary.

Below is a list of products recently approved for use in Hamilton. None have resulted in the requirement for single source purchasing as these new products fall within product categories already established on the Approved Products List.

- SIP Industries – Ductile Iron Fittings Models CDMJ and XDMJ, for watermain up to 600mm diameter.
- SIP Industries – EZ Grip Model EZD Mechanical Joints Wedge-Action Restraints for Ductile Iron watermains, up to 600mm diameter.
- SIP Industries – EZ Grip Model EZPVC Mechanical Joints Wedge-Action Restraints for PVC AWWA C900 pipe watermains, up to 600mm diameter, and PVCO AWWA C909 pipe watermains, up to 300mm diameter.
- Vahn-Tech AWWA C509/C515 Gate Valves VT-GV-A15 for watermains
- Cedar Infrastructure Products – R.B. Agarwalla Curb Inlet Frame and Cover Model H2330-FSH with Inlet Bars
- IPEX Terrabrute CR PVC Watermain Pipe up to 300mm diameter. Suitable for open trench and trenchless installations.

In 2022, the development of Pavement Design, Watermain Design and Sewer Design Guidelines were initiated. The Pavement Design Guidelines are now complete, and the Watermain and Sewer Design Guidelines are scheduled to be completed in 2023. These are a comprehensive set of design guidelines that will be used by internal staff, consultants and developers when designing municipal infrastructure projects. In addition, the Committee is developing guidelines to address changes to the *Environmental Protection Act, Ontario Regulation 406 On-Site and Excess Soil Management*.

The Committee also maintains the [City's Construction and Materials Specifications Manual](#) to ensure specifications are consistent with current industry standards and regulations, and makes recommendations for revisions to Standard Specifications, Construction Standards and Standard Drawings as deemed necessary.

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**SUBJECT: Standards and Approved Products Committee Update
(PW21071(a)) (City Wide) – Page 5 of 5**

A revision to the Construction and Material Specifications Manual is planned for 2023 which will include revisions to accessibility standards to address The Advisory Committee for Persons with Disabilities concerns and the addition of standard drawings that incorporate Complete Streets Design Guidelines.

The Construction and Material Specifications Manual is widely used by consultants and Committee members in the development of their projects. The Committee provides a platform for cross-departmental participation in the review and updating of construction specifications and materials standards. The manual is available for download from the City's website free of charge.

APPENDICES AND SCHEDULES ATTACHED

N/A



CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Hamilton Water Division

TO:	Chair and Members Audit, Finance & Administration Committee
COMMITTEE DATE:	July 13, 2023
SUBJECT/REPORT NO:	Halton Water Supply Amending Agreement (PW23050) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Charlene McKay (905) 546-2424 Ext. 2671
SUBMITTED BY:	Nick Winters Director, Hamilton Water Public Works Department
SIGNATURE:	

RECOMMENDATIONS

- (a) That the Mayor and Clerk be authorized and directed to execute an agreement to amend the Water Supply Agreement between The Regional Municipality of Halton and the City of Hamilton dated November 17, 2011, and amended June 24, 2021, in the form attached as Appendix "A" to Report PW23050;
- (b) That the General Manager, Public Works, or designate, be authorized to execute any number of future amendments to the amended Water Supply Agreement, provided that any such amendments relate to matters of operation or technical capacity, and they are in a form that is satisfactory to the Director of Legal Services;
- (c) That the General Manager, Public Works, or designate, be authorized to execute any other documents that are ancillary to the agreements authorized in recommendations (a) and (b).

EXECUTIVE SUMMARY

The purpose of this report is to seek approval from Council to enter into an amending agreement with The Regional Municipality of Halton (Halton) regarding the continued

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SUBJECT: Halton Water Supply Amending Agreement (PW23050) (City Wide)
– Page 2 of 4

supply of water to the western boundary of the City of Burlington. The City currently supplies water to Halton at four separate delivery points which benefit the communities of Bridgeview, North Aldershot (including 8, 24 and 38 Mountain Brow), Snake Road and the residents at 720, 768, and 780 Mountain Brow Road West (New Mountain Brow Properties) in North Aldershot in the City of Burlington (refer to Appendix “B” to Report PW23050). It should be noted that Hamilton does not provide wastewater/storm services to Halton.

In November 2011, the City entered into an Agreement with Halton to supply water to the Bridgeview, Snake Road and North Aldershot communities in the City of Burlington (refer to Report FCS11035). The City charges Halton for water supplied as per the Agreement. The initial term of the Agreement is 10 years with an option for both parties to renew the Agreement for an additional 10-year period. This option has been exercised by both parties thereby extending the term of the Agreement to end on November 18, 2031.

The residents at 720, 768, and 780 Mountain Brow Road West in North Aldershot in the City of Burlington were added to the Water Supply Agreement in June 2021.

At this time, Halton would like to proceed with a new draw rate for only the North Aldershot (Mountain Brow Road/Mill Road/Waterdown Road) community. The proposed flow rate is a maximum draw rate of 150 L/s limit from 92 L/s and maximum daily taking of 1,000,000 litres/day. The maximum flow rate of 150 litres/second is available for a maximum of 2 hours and is anticipated to be used for only firefighting and water quality flushing purposes.

The amendment to the Water Supply Agreement permits Hamilton to temporarily discontinue the delivery, reduce the quantity and/or reduce the rate of flow of water at delivery points with written consent of the Region of Halton, during emergency situations or if Hamilton is performing planned or unplanned maintenance, rehabilitation or repairs. The Water Supply Agreement also states that any discontinuations or reductions shall be of minimum duration reasonably possible in the circumstances and that Hamilton will provide Halton with prior notice of any such discontinuance given the circumstances of each event.

Alternatives for Consideration – N/A

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: All external water supply arrangements have been established to ensure that Hamilton ratepayers will not be adversely affected. Given Hamilton’s favourable position of water treatment capacity and water supply, the

SUBJECT: Halton Water Supply Amending Agreement (PW23050) (City Wide)
– Page 3 of 4

continued supply of water to Halton (and Haldimand) provides revenue that, in part, off-sets rate revenue pressures.

Water supplied to Hamilton is charged at one and one-half (1.5) times the rate that Hamilton charges, from time to time, for the supply of water to its consumers. In 2020, the water supply to Halton reached nearly 120,000 cubic metres equating to approximately \$325K in water revenues.

Staffing: N/A

Legal: By entering into an amending water supply agreement with Halton, Hamilton will commit to supply water to additional properties located in Halton, subject to the various terms and conditions contained within the amending agreement.

HISTORICAL BACKGROUND

The City currently supplies water to Halton at three separate delivery points which benefit the communities of Bridgeview, North Aldershot and Snake Road. In the case of North Aldershot, originally the water supply was from Burlington to Waterdown but as of April 2010, the North Aldershot community has been sourced primarily by the City. The Snake Road water supply connection is thought to have been installed in the early 1970's although no documentation regarding this connection has been identified.

With respect to the Bridgeview Community, the need for a secure supply of water was determined by Halton in the early 1990's. In order to provide this supply, Halton entered into negotiations with the former Regional Municipality of Hamilton-Wentworth to construct a pipeline through a portion of Hamilton-Wentworth to a delivery point located at the border between the two regions. In 1998, Hamilton-Wentworth entered into an agreement with Halton for the supply of water for an initial ten-year term expiring October 31, 2005.

In November 2011, the City entered into an Agreement with Halton to supply water to the Bridgeview, Snake Road and North Aldershot communities in the City of Burlington ([refer to Report FCS11035](#)). The City charges Halton for water supplied as per the Agreement. The initial term of the Agreement is 10 years with an option for both parties to renew the Agreement for an additional 10-year period. This option has been exercised by both parties thereby extending the term of the Agreement to end on November 18, 2031.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

SUBJECT: Halton Water Supply Amending Agreement (PW23050) (City Wide)
– Page 4 of 4

RELEVANT CONSULTATION

Corporate Services Department - Legal & Risk Management Services Division has been consulted in the preparation of Report PW23050.

Corporate Services Department - Financial Planning, Administration and Policy Division has been consulted and supports the recommendations in Report PW23050.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The City is the owner and operator of the municipal water system that has control of the flow rates. Hamilton Water has conducted modelling to confirm that the Hamilton water system has the capacity to support the quantity and flow rates for the North Aldershot water feed as documented in the amendment. The Region of Halton has no other alternatives for water supply for North Aldershot other than the Hamilton water connection.

With the City's concerns addressed, staff supports amending the current Water Supply Agreement between the City and Halton to reflect the new water flow rates for the North Aldershot community.

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

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 PW23050 – Halton Water Supply Amending Agreement

Appendix "B" to Report PW23050 – Map of Halton Water Delivery Points

THIS AMENDING WATER SUPPLY AGREEMENT (2023) made with effect as of the ___ th day of _____, 2023 **BETWEEN:**

CITY OF HAMILTON

(hereinafter called "**Hamilton**")

- and -

THE REGIONAL MUNICIPALITY OF HALTON

(hereinafter called "**Halton**")

RECITALS

- a. Halton and Hamilton entered into an agreement dated November 17, 2011 for the supply of water to Halton Communities (the "**2011 Water Supply Agreement**"). Subsequently, the 2011 Water Supply Agreement was renewed in accordance with the renewal terms of that agreement for the term of November 17, 2021 to November 16, 2031 on the same terms and conditions.
- b. Halton Regional Council endorsed the recommendations of Report LPS94-20/PW-31-20 for amendments to the renewed 2011 Water Supply Agreement. The 2011 Water Supply Agreement was amended by an Amending Water Supply Agreement made with effect as of the 24th of June, 2021 hereinafter and collectively referred to as the "**Water Supply Agreement.**"
- c. Halton has requested that the Water Supply Agreement be amended to permit an increase in flow rate that would ensure Halton's fire flow requirements are met in the North Aldershot Community through this "**Amending Water Supply Agreement (2023)**".

NOW THEREFORE, in consideration of the mutual covenants and obligations contained herein and subject to the terms and conditions hereinafter set out, Hamilton and Halton agree as follows:

1. The Water Supply Agreement shall be amended by deleting section 2.05:

2.05 Maximum Water Consumption Amount

Halton shall not withdraw water at any time that exceeds: (a) a maximum daily volume of 1,000,000 litres; or (b) a flow rate of 5,500 litres/minute.

The deleted section shall be replaced with:

2.05 Maximum Water Consumption Amount

In the Bridgeview and Snake Road Communities and at 720, 768 and 780 Mountain Brow Road West, Halton shall not withdraw water at any time that exceeds: (a) a maximum daily volume of 1,000,000 litres; or (b) a flow rate of 92 litres/second.

In the North Aldershot Community at the Waterdown Road point of delivery, Halton shall not withdraw water at any time that exceeds: (a) a maximum daily volume of 1,000,000 litres; or (b) a flow rate of 150 litres/second.

2. The Water Supply Agreement shall be amended by deleting subsection 3.03 (d):
 - d) a supply of water not greater than 1,000,000 litres per day in volume at a flow rate not greater than 5,500 litres/minute.

The deleted subsection shall be replaced with:

- d) In the Bridgeview and Snake Road Communities and at 720, 768 and 780 Mountain Brow Road West, a supply of water not greater than (a) 1,000,000 litres per day in volume; or (b) a flow rate not greater than 92 litres/second. It is acknowledged that high flow rates are not sustainable for an extended time. For instance, the maximum flow rate of 92 litres/second is available for a maximum of 2 hours, and is anticipated to be used for only firefighting and water quality flushing purposes.

3. The Water Supply Agreement is amended by adding the following subsection 3.03 (e):

- e) In the North Aldershot Community at the Waterdown Road point of delivery, (a) a maximum supply of water not greater than 1,000,000 litres per day in volume; or (b) a flow rate not greater than 150 litres/second. It is acknowledged that high flow rates are not sustainable for an extended time. For instance, the maximum flow rate of 150 litres/second is available for a maximum of 2 hours, and is anticipated to be used for only firefighting and water quality flushing purposes.

4. The Water Supply Agreement shall be amended by deleting subsection 3.05 Temporary Discontinuations

Hamilton shall be permitted to temporarily discontinue the delivery of water at the Delivery Points if an emergency, as determined in Hamilton's sole discretion, acting reasonably, exists in Hamilton or upon receiving the prior written consent of Halton, it being understood that in either event, any such discontinuance shall be of the minimum duration possible in the circumstances. Hamilton shall use its reasonable efforts to provide Halton with prior notice of any such discontinuance given the circumstances of each event.

The deleted subsection shall be replaced with:

3.05 Temporary Discontinuations and Reductions To Service

Hamilton shall be permitted to temporarily discontinue the delivery, reduce the quantity and/or reduce the rate of flow of water at the Delivery Points when necessary, arising out of any of the following circumstances:

- a) If an emergency, as determined in Hamilton's sole discretion, acting reasonably exists;
- b) If the prior written consent of the Halton is obtained; or
- c) If Hamilton is performing planned or unplanned maintenance, rehabilitation, or repairs,

it is being understood that any such discontinuation or reduction shall be of the minimum duration reasonably possible in the circumstances. Hamilton shall use its reasonable efforts to provide Halton with prior notice of any such discontinuance given the circumstances of each event.

- 3 In all other respects, the Water Supply Agreement shall remain in full force and unamended.
- 4 This Amending Water Supply Agreement (2023) may be executed by the parties in separate counterparts each of which when so executed and delivered to all of the parties shall be deemed to be and shall be read as a single agreement among the parties and may be executed and delivered by means of electronic transmission.
- 5 This Amending Water Supply Agreement (2023) shall be binding upon and enure to the benefit of the parties hereto and their respective successors and assigns.

THE REMAINDER OF THIS PAGE HAS BEEN LEFT BLANK TENTIONALLY

SIGNATURES ARE ON PAGE 3 OF THIS AGREEMENT

IN WITNESS WHEREOF the parties have, by the signature of their representatives duly authorized in that behalf entered into this Amending Water Supply Agreement (2023).

SIGNED, SEALED AND DELIVERED)

CITY OF HAMILTON

this day of , 2023)

Per: _____

at the City of Hamilton,)

Name: Andrea Horwath

Province of Ontario)

Title: Mayor

Per: _____

Name: Andrea Holland

Title: City Clerk

this²⁷ day of June , 2023)

THE REGIONAL MUNICIPALITY OF HALTON

at the Town of Oakville,)

DocuSigned by: Andrew Farr

Province of Ontario)

Name: Andrew Farr

Title: Commissioner of Public Works

THIS AMENDING WATER SUPPLY AGREEMENT made with effect as of the 21th day of June, 2021 **BETWEEN:**

CITY OF HAMILTON

(hereinafter called "Hamilton")

- and -

THE REGIONAL MUNICIPALITY OF HALTON

(hereinafter called "Halton")

RECITALS

- a. Halton and Hamilton entered into an agreement dated November 17, 2011 for the supply of water to Halton Communities (the "2011 Water Supply Agreement"). Subsequently, the 2011 Water Supply Agreement was renewed in accordance with the renewal terms of that Agreement for the term of November 17, 2021 to November 16, 2031 on the same terms and conditions.
- b. Halton Regional Council has endorsed the recommendations in LPS94-20/PW-31-20 directing the Commissioner of Public Works to enter the necessary agreements with the City of Hamilton.
- c. Halton and Hamilton have, in accordance with the terms and conditions of that agreement, agreed to amend the 2011 Water Supply Agreement as hereinafter set out.
- d. The 2011 Water Supply Agreement as amended by this Amending Water Supply Agreement is hereinafter referred to as the "Water Supply Agreement."

NOW THEREFORE, in consideration of the mutual covenants and obligations contained herein and subject to the terms and conditions hereinafter set out, Hamilton and Halton agree as follows:

- 1. The Water Supply Agreement shall be amended by deleting the following recital on page 1:

AND WHEREAS pursuant to the provisions of section 20 of the Municipal Act, 2001 S.O. 2001, c. 25, Halton and Hamilton are permitted to enter into this Agreement for the supply of water to an adjoining municipality

The deleted recital shall be replaced with:

AND WHEREAS pursuant to the provisions of sections 19 and 20 of the Municipal Act, 2001 S.O. 2001, c. 25, Halton and Hamilton are permitted to enter into this Agreement for the supply of water to an adjoining municipality

- 2 -

2. The Water Supply Agreement shall be amended by adding the following recitals at the end of page 1:

AND WHEREAS Halton and Hamilton intend that Hamilton would service the properties at 720, 768 and 780 Mountain Brow Road West (the "**New Mountain Brow Properties**") with a secure supply of water and no future main pipeline is required to service the properties at 720, 768 and 780 Mountain Brow Road West, subject to Halton or the owners of the New Mountain Brow Properties paying Hamilton for all costs for any service line and connection between the main pipeline and the New Mountain Brow Properties.

AND WHEREAS Halton and Hamilton acknowledge that Hamilton has and intends to continue to service the properties at 8, 24, 38 Mountain Brow Road West (the "**Existing Mountain Brow Properties**") with a secure supply of water and Hamilton constructed the necessary infrastructure to provide water service to 8, 24, 38 Mountain Brow Road West.

AND WHEREAS the Water Supply Agreement was renewed in accordance with the renewal terms of that Agreement for the term of November 17, 2021 to November 16, 2031 on the same terms and conditions.

3. The Water Supply Agreement shall be amended by deleting section 1.01 on page 2:

1.01 Pipeline

All water provided by Hamilton to the Bridgeview, North Aldershot and Snake Road communities (the "**Communities**") with respect to this Agreement shall be provided through pipelines constructed by Halton (the "**Pipelines**").

The deleted section shall be replaced with:

1.01 Pipeline & Services

All water provided by Hamilton to the Bridgeview, North Aldershot, Snake Road communities (the "**Communities**") with respect to this Agreement shall be provided through pipelines that have been constructed by Halton (the "**Pipelines**").

All water provided by Hamilton to the New Mountain Brow Properties and the Existing Mountain Brow Properties (collectively the "**Mountain Brow Properties**") with respect to this Agreement shall be provided through water service pipes, which for the Existing Mountain Brow Properties, have already been constructed by Hamilton, and for the New Mountain Brow Properties, shall be constructed by Halton, the benefitting property owners or their agents (the "**Mountain Brow Services**").

Notwithstanding anything else in this Agreement, neither party shall be obligated to provide any water, unless a water service pipe is in place, meeting all applicable

- 3 -

laws, regulations, standards, codes and other rules. For clarity, Hamilton shall not be obligated to provide any service to the New Mountain Brow Properties, unless and until a service line and connection between the pipeline and the New Mountain Brow Properties has been installed. Halton or the owners of the New Mountain Brow Properties shall be responsible for the cost of any such service line and/or connection.

4. The Water Supply Agreement shall be amended by deleting section 1.02 on page 2:

1.02 Ownership of the Pipeline

All right, title and interest in the Pipelines and any related infrastructure located within Hamilton, together with any water meters supplied by Hamilton, shall be and remain vested in Hamilton. The chamber and valves related to each water meter shall be owned and maintained by Halton. The water meter shall be owned and maintained by Hamilton.

The deleted section shall be replaced with:

1.02 Pipeline & Mountain Brow Services

All right, title and interest in the Pipelines, all infrastructure located solely within Hamilton, and any water meters supplied by Hamilton shall be owned by Hamilton. All right, title and interest in the Pipelines located within a boundary road shall be owned by Hamilton.

All right, title and interest in the Mountain Brow Services and any related infrastructure located within a boundary road shall be owned by Hamilton. Any service lines to Halton Residents within the boundary road, any chamber and any valves related to each water meter shall be owned and maintained by Halton.

The delivery point for the Communities is agreed to be the water meter that adjoins the Hamilton drinking water system to the Halton Pipeline. The delivery point for the Mountain Brow Properties is agreed to be the Mountain Brow Service connection to the Hamilton drinking water system, subject to Section 1.01.

Hamilton and Halton acknowledge and agree that water pressures are expected to be near or above 100 psi in some Hamilton pipelines, including near the New Mountain Brow Properties. Where such water pressures are measured or discovered, Halton shall ensure that a residential pressure reduction management valve, or similar equipment, is installed and maintained, and Hamilton shall not be responsible for any damage caused by any pressure within a Hamilton pipeline in excess of 100 psi. Additionally, Halton shall include a clause in its agreements with the Mountain Brow Properties for the supply of water that gives Hamilton third-party beneficiary rights to defend, release, indemnify and hold harmless Hamilton on the same basis as Halton.

Hamilton and Halton agree to exchange, free of any fee or charge, any and all designs, drawings, manuals, warranties, agreements or other documents for the Pipelines arising from the normal course of construction within a reasonable amount of time, upon request of the other party. The parties further agree to denote all delivery points on any drawing.

5. The Water Supply Agreement shall be amended by deleting section 2.03 on page 3:

2.03 Maintenance

Halton covenants and agrees to be fully responsible for: (a) all water meter chambers; and (b) the maintenance of all works and/or infrastructure associated with the said water supply which are located within Halton. Hamilton hereby agrees to provide access within a reasonable period of time to Halton for the said maintenance and Halton agrees to defend, indemnify and save harmless Hamilton from and against all claims, actions, losses, expenses, costs or damages of every nature and kind whatsoever arising as a result of such maintenance by Halton.

The deleted section shall be replaced with:

2.03 Maintenance

Halton covenants and agrees to be fully responsible for: (a) all water meter chambers and valves; and (b) the maintenance of all works and/or infrastructure associated with the said water supply which are located within Halton. Hamilton hereby agrees to provide access within a reasonable period of time to Halton for the said maintenance and Halton agrees to defend, indemnify and save harmless Hamilton from and against all claims, actions, losses, expenses, costs or damages of every nature and kind whatsoever arising as a result of such maintenance by Halton.

Subject to Sections 1.01 and this 2.03, Hamilton covenants and agrees to be fully responsible for: (a) all water service pipes to the Mountain Brow Properties; and (b) the maintenance of all water service pipe works and/or infrastructure associated with the said Mountain Brow Services that are located within boundary roads. Halton hereby agrees to provide access within a reasonable period of time to Hamilton for the said maintenance, as may be required. Halton shall pay Hamilton for all costs related to the maintenance of Mountain Brow Services within boundary roads.

6. In all other respects, the Water Supply Agreement shall remain in full force and unamended.
7. This Water Supply Agreement may be executed by the parties in separate counterparts each of which when so executed and delivered to all of the parties shall be deemed to be and

shall be read as a single agreement among the parties and may be executed and delivered by means of electronic transmission.

- 8. This Water Supply Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF the parties have, by the signature of their representatives duly authorized in that behalf entered into this Amending Water Supply Agreement.

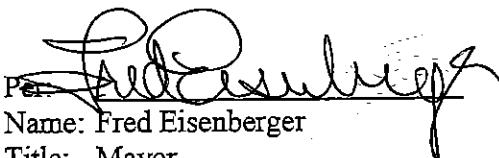
SIGNED, SEALED AND DELIVERED)

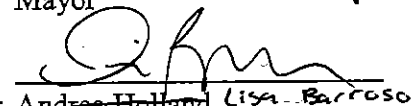
this 24 day of June, 2021)
 at the City of Hamilton,)
 Province of Ontario)

June 9, 2021)

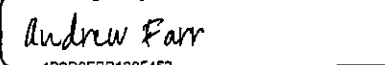
this day of , 2021)
 at the Town of Oakville,)
 Province of Ontario)

CITY OF HAMILTON

Per: 
 Name: Fred Eisenberger
 Title: Mayor

Per: 
 Name: ~~Andrea Holland~~ Lisa Barroso
 Title: City Clerk

THE REGIONAL MUNICIPALITY OF HALTON

Designated by:
 Per: 
 Name: Andrew Farr
 Title: Commissioner of Public Works

OFFICE OF THE CLERK	
APPROVED BY COUNCIL	
DATE	June 23 2021
AUTHORITY	ACA report 21-010
INTL	PR YEAR FILE 21/15316

WATER SUPPLY AGREEMENT

DATED: November 17, 2011

BETWEEN:

CITY OF HAMILTON

- and -

THE REGIONAL MUNICIPALITY OF HALTON

**WATER SUPPLY AGREEMENT
BETWEEN CITY OF HAMILTON
AND
THE REGIONAL MUNICIPALITY OF HALTON**

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THIS AGREEMENT made in sextuplicate this 17th day of November 2011
BETWEEN:

CITY OF HAMILTON
(hereinafter called "Hamilton")

OF THE FIRST PART,

-and-

THE REGIONAL MUNICIPALITY OF HALTON,
(hereinafter called "Halton")

OF THE SECOND PART.

WHEREAS Halton and Hamilton are both municipal corporations governed in accordance with the Municipal Act, 2001 S.O. 2001, c. 25;

AND WHEREAS pursuant to the provisions of section 11 of the Municipal Act, 2001 S.O. 2001, c. 25, Halton has the exclusive responsibility in its jurisdiction for public utilities, including water distribution, production, treatment and storage;

AND WHEREAS pursuant to the provisions of section 10 of the Municipal Act, 2001 S.O. 2001, c. 25, Hamilton has the exclusive responsibility in its jurisdiction for public utilities, including water distribution, production, treatment and storage;

AND WHEREAS pursuant to the provisions of section 20 of the Municipal Act, 2001 S.O. 2001, c. 25, Halton and Hamilton are permitted to enter into this Agreement for the supply of water to an adjoining municipality;

AND WHEREAS Halton was in need of a secure supply of water to service the Bridgeview Community in the City of Burlington, in the Regional Municipality of Halton and entered into an Agreement with Hamilton for the provision of water to the Bridgeview Community in 1998;

AND WHEREAS Halton and Hamilton further agreed that Hamilton would service the North Aldershot and Snake Road Communities with a secure supply of water;

AND WHEREAS Halton constructed the necessary infrastructure to provide water service to the North Aldershot and Snake Road Communities;

AND WHEREAS Halton and Hamilton wish to amend and renew the agreements for the supply of water to the Communities (as defined below);

AND WHEREAS at a meeting held on September 14, 2011 Halton Regional Council resolved to approve Report No. PW-49-11 of the Planning & Public Works Committee;

AND WHEREAS at a meeting held on June 29, 2011 Hamilton City Council resolved to approve Item No. 14 of the Audit, Finance and Administration Committee Report No. 11-009;

NOW THEREFORE, WITNESSETH THAT in consideration of the mutual covenants and obligations contained herein and subject to the terms and conditions hereinafter set out, Hamilton and Halton hereto agree as follows:

ARTICLE - I

PIPELINE AND APPURTENANCES

1.01 Pipeline

All water provided by Hamilton to the Bridgeview, North Aldershot and Snake Road communities (the "**Communities**") with respect to this Agreement shall be provided through pipelines constructed by Halton (the "**Pipelines**").

1.02 Ownership of the Pipeline

All right, title and interest in the Pipelines and any related infrastructure located within Hamilton, together with any water meters supplied by Hamilton, shall be and remain vested in Hamilton. The chamber and valves related to each water meter shall be owned and maintained by Halton. The water meter shall be owned and maintained by Hamilton.

1.03 Future Pipelines

It is the intention of Hamilton and Halton that the terms of this Agreement shall apply to any communities that may need a supply of water from Hamilton in the future (in each case, a "**Future Community**").

In the event that Halton determines that the terms of this Agreement should apply to a Future Community:

- (a) Halton shall request of Hamilton that this Agreement apply to a future agreement;
- (b) Hamilton shall agree to such request, provided that:

- (i) such application to a Future Community shall not affect Hamilton's ability to supply water to Hamilton's ratepayer in the same manner as then currently provided, in Hamilton's sole and absolute discretion;
- (ii) an engineer shall confirm on Halton's behalf that such application to a Future Community will not result in an increase in the volume and flow rates described in section 2.05 of this Agreement;
- (iii) Halton shall be responsible for all capital costs associated with the installation of Pipelines, related infrastructure and water meters required to serve a Future Community; and
- (iv) this Agreement shall be read with all necessary grammatical and interpretive changes required such that all references herein shall also be a reference to the supply of water by Hamilton to any such Future Community.

ARTICLE – II

COVENANTS OF HALTON

2.01 Payment for Supply of Water

Halton shall pay for all water delivered through the Pipelines at the rate set out at subsection 4.02 of this Agreement.

2.02 Installation of Backflow Prevention Device

Halton shall be permitted to install a backflow prevention device at all Pipeline delivery points. The maintenance and operation of the backflow prevention device shall be the exclusive responsibility of Halton and it shall be the responsibility of Halton to ensure that said backflow prevention device meets any applicable standards (i.e. CSA.64.10).

2.03 Maintenance

Halton covenants and agrees to be fully responsible for: (a) all water meter chambers; and (b) the maintenance of all works and/or infrastructure associated with the said water supply which are located within Halton. Hamilton hereby agrees to provide access within a reasonable period of time to Halton for the said maintenance and Halton agrees to defend, indemnify and save harmless Hamilton from and against all claims, actions, losses, expenses, costs or damages of every nature and kind whatsoever arising as a result of such maintenance by Halton.

2.04 Connection Rights

Halton agrees and understands that Hamilton (including parties acting at the direction or request of Hamilton) shall at all times be permitted to connect service lines and lateral mains to the Pipelines.

2.05 Maximum Water Consumption Amount

Halton shall not withdraw water at any time that exceeds: (a) a maximum daily volume of 1,000,000 litres; or (b) a flow rate of 5,500 litres/minute.

2.06 Water Testing

Upon provision of not less than seven days prior written notice delivered to Hamilton, Halton shall be permitted access to the water meter(s) used in relation to the supply of water pursuant to this Agreement for the purposes of testing them and inspecting their operation.

ARTICLE – III

COVENANTS OF HAMILTON

3.01 Suitability of Pipelines

Hamilton warrants that the Pipelines are in good working order and are suitable for the purposes of this Agreement.

3.02 Maintenance of the Pipelines

Hamilton covenants and agrees to be fully responsible for the maintenance of all works and/or infrastructure associated with the said water supply which are located within Hamilton. Such maintenance shall be to the generally accepted standard for water pipeline maintenance in Hamilton.

3.03 Water Supply

Hamilton shall deliver water having the following characteristics and quality to the Delivery Point:

- a) water meeting the Ministry of the Environment's water quality standards, as amended from time to time;
- b) water meeting all standards of the *Safe Drinking Water Act, 2002*, S.O. 2002, c. 32, as amended from time to time;
- c) water of the same quality as that supplied to consumers in Hamilton; and

- d) a supply of water not greater than 1,000,000 litres per day in volume at a flow rate not greater than 5,500 litres/minute.

3.04 Interruption of Supply

In the event that Hamilton is prevented from carrying out its obligations for supply under this Agreement for reason of any industrial disturbance, insurrection, riot, embargo, fire or explosion, act of God or war or by order of any legislative or federal authority or commission having jurisdiction over it, or by any other similar acts over which Hamilton has no control and cannot reasonably prevent; Hamilton shall, to the extent to which it is so prevented from carrying out any such obligation, be relieved from same while such disability continues.

3.05 Temporary Discontinuations

Hamilton shall be permitted to temporarily discontinue the delivery of water at the Delivery Points if an emergency, as determined in Hamilton's sole discretion, acting reasonably, exists in Hamilton or upon receiving the prior written consent of Halton, it being understood that in either event, any such discontinuance shall be of the minimum duration possible in the circumstances. Hamilton shall use its reasonable efforts to provide Halton with prior notice of any such discontinuance given the circumstances of each event.

3.06 Emergency Backup

In the event Hamilton discontinues or interrupts the delivery of water at the Delivery Points, Halton shall, at its sole cost and expense, be responsible to supply the Communities with an emergency supply of water until the regular water supply is restored.

3.07 Communication Protocol

In the event of any issue with respect to the supply (including the flow) of water arises during the Term, Halton and Hamilton shall follow the protocols outlined in the Memorandum of Understanding (the "MOU") entered into from time to time during the term of this Agreement by Hamilton and Halton. A copy of the MOU in effect as of the date hereof, signed by City of Hamilton Water & Wastewater Division on March 17, 2008 and by Region of Halton Water & Wastewater Division on April 29, 2008, including the appendix thereto, is attached hereto as Appendix "A".

In the event of any contradiction between the terms of the body of this Agreement and the MOU, the terms of the MOU shall govern.

ARTICLE - IV

BILLING

4.01 Invoice Frequency

Hamilton shall invoice Halton for water actually supplied to Halton on a monthly basis.

4.02 Billing Amount

Hamilton shall invoice Halton at 1.5 times the current rate that from time to time Hamilton charges for the supply of water to its consumers within the City of Hamilton. The billing amount shall include all charges relating to the operation and maintenance of the water meter(s) and appurtenances thereto that are located within the boundaries of Hamilton. Halton covenants and agrees that it shall be fully responsible for the cost of the hydro and maintenance of the water meter chambers in accordance with the City Waterworks By-law R84-026, as amended, re-enacted or replaced from time to time.

4.03 Interest

Halton shall pay interest on overdue accounts calculated at the same rate as charged on overdue accounts to consumers within the City of Hamilton.

4.04 Inaccuracies of Meter Readings

In the event that Hamilton or Halton determine that the water supplied to the Delivery Points is not being recorded or has not been recorded accurately for a period of time, Hamilton shall estimate the volume of said water delivered during comparable periods and such determinations and estimates shall be final and binding, and rates as provided in this Agreement shall be charged thereon. The volume estimated must be within 5% of the maximum billed volume for comparable periods. Monetary adjustments for any water supplied but not recorded accurately shall not exceed 90 days of supply in any given period.

ARTICLE - V

LIMITATION OF LIABILITY

5.01 Disclaimer

Hamilton shall not be responsible for any loss or damage sustained directly or indirectly by reason of any variation or temporary interruption in the water supply delivered hereunder or the failure to supply such water or to supply sufficient water to Halton by reason of the construction, administration, operation, repair, replacement or maintenance

of its water works system and, except as otherwise provided in this Agreement, Hamilton shall not be responsible or liable for any loss suffered by Halton that is related to or that would not arise, but for this Agreement and anything done under by reason of this Agreement. For added certainty, and without limiting the generality of the foregoing, it is agreed that due to weather and other circumstances beyond the control of Hamilton, the pressure at the Delivery Points may vary and Hamilton shall not be responsible for such variations in pressure.

5.02 Standard of Care

When undertaking the construction, administration, operation, repair, replacement or maintenance of the water works system contemplated by this Agreement, Hamilton shall use the same standard of care used in relation to the construction, administration, operation, repair, replacement or maintenance of the water works systems in Hamilton generally.

5.03 Notice to Halton

Hamilton shall also be responsible to provide Halton with sufficient notice when undertaking any works which may impact the pressure at the Delivery Points so that Halton may in turn notify the Communities.

5.04 Exception

In the event that Hamilton does not properly notify Halton as set forth in section 5.03 above, Halton will be permitted to seek indemnification from Hamilton from and against all claims, actions, losses, expenses, costs or damages of every nature and kind whatsoever to the extent that Hamilton is liable for not properly notifying Halton.

ARTICLE - VI

INDEMNITY

6.01 Indemnity to Hamilton

Halton shall and does hereby for all times covenant to defend, indemnify and save harmless Hamilton, its elected officials, officers, employees and agents, from and against any and all actions, causes of action, interest, claims, demands, costs, damages, expenses, loss or other proceedings however arising which Hamilton may bear, suffer or be put to by reason of this Agreement except to the extent such proceedings are due to the negligence of Hamilton, its elected officials, officers, employees or agents.

6.02 Indemnity to Halton

Hamilton shall and does hereby for all times covenant to defend, indemnify and save harmless Halton, its elected officials, officers, employees and agents, from and against any and all actions, causes of action, interest, claims, demands, costs, damages, expenses, loss or other proceedings however arising which Halton may bear, suffer or be put to by reason of this Agreement except to the extent such proceedings are due to the negligence of Halton, its elected officials, officers, employees or agents.

ARTICLE - VII

INSURANCE

7.01 Commercial General Liability Insurance

Halton shall effect at its own expense (including the cost of deductibles), and maintain and keep in force during the Term, insurance coverage naming as additional insureds, the City of Hamilton and the Ministry of Transportation of Ontario including a Cross Liability Provision, against all claims for personal injury, death, property damage or loss, arising from any accident or occurrence relating to this Agreement in an amount not less than Ten Million Dollars (\$10,000,000.00) in respect of each claim or occurrence.

Hamilton shall effect at its own expense (including the cost of deductibles), and maintain and keep in force during the Term, insurance coverage naming as additional insureds, The Regional Municipality of Halton and the Ministry of Transportation of Ontario including a Cross Liability Provision, against all claims for personal injury, death, property damage or loss, arising from any accident or occurrence relating to this Agreement in an amount not less than Ten Million Dollars (\$10,000,000.00) in respect of each claim or occurrence.

7.02 Acceptability, Termination, Cancellation

All insurers shall be licensed to do business in Ontario. Certificates of Insurance originally signed by authorized representatives, or, if required by Hamilton, certified copies of policies, shall be delivered to Hamilton, at Halton's cost, prior to the commencement of this Agreement, and for all policy renewals thereafter.

The insurance certificates/policies shall contain a clause that the insurers shall not cancel or materially change coverage as would affect this Agreement, without providing Hamilton at least thirty (30) days prior written notice.

If Halton fails to ensure any such policies are maintained, Hamilton may do so (but it is not obliged to) and pay the premium, and in that event Halton will reimburse Hamilton the amount so paid as premium.

7.03 Primary Coverage

All insurance coverages referred to in this Agreement shall be primary and not call into contribution any other insurance coverages.

ARTICLE – VIII

TERM

8.01 Term of Agreement

Subject to the other terms of this Article VIII, this Agreement shall remain in full force and effect for a term of ten (10) years from the date of execution of this Agreement (together with any renewal term, the "Term").

8.02 Early Termination by Halton

In the event that the supply of water from Hamilton pursuant to this Agreement is no longer required by Halton, in Halton's sole discretion, then upon providing Hamilton with not less than 120 days notice in accordance with the notice provisions contained at subsection 10.01 of this Agreement, Halton may terminate this Agreement. In so terminating this Agreement, Halton shall remove or disconnect the Pipelines and the water meter(s), water meter chamber(s) and all appurtenances and restore the lands associated therewith to a reasonable condition, in the opinion of Hamilton, and that Halton shall be responsible for all expenses associated with such removal, disconnection and restoration.

8.03 Early Termination by Hamilton

In the event that during the Term, there is not sufficient capacity in Hamilton's waterworks system to continue to supply Halton the volumes and rates of water referred to herein, in Hamilton's sole opinion, acting reasonably, then upon Hamilton providing Halton with not less than two years notice, in accordance with the notice provisions contained at subsection 10.01 of this Agreement, Hamilton may terminate this Agreement. Hamilton shall not be responsible for any loss, expense or damage sustained directly or indirectly by Halton by reason of Hamilton exercising its right to terminate this Agreement as set out in this subsection 8.03. Further, in so terminating this Agreement, Halton shall remove or disconnect the Pipelines and the water meter(s), water meter chamber(s) and all appurtenances and restore the lands associated therewith to a reasonable condition, in the opinion of Hamilton, and that Halton shall be responsible for all expenses associated with such removal, disconnection and restoration.

8.04 Renewal

Either party may, by giving written notice to the other in accordance with the notice provisions contained at subsection 10.01 of this Agreement, not less two years before

expiry of the Term to extend the Term for a renewal period of ten years. An extension for any renewal period shall be on the same terms and conditions as set out in this Agreement unless otherwise agreed upon by the Parties.

ARTICLE - IX

DISPUTES

9.01 Dispute Resolution

If a dispute arises under this Agreement which is not resolved by the operational personnel involved, Halton's Director of Water Services and Hamilton's Senior Director of Environment and Sustainable Infrastructure shall be notified and shall meet within fifteen (15) business days in attempt to resolve the dispute. In the event they are unable to resolve the dispute, they shall notify Halton's Commissioner of Public Works and Hamilton's General Manager of Public Works who shall meet as promptly as possible in attempt to resolve the dispute. In the event that they are unable to resolve the dispute, the parties may proceed to rely upon subsection 9.02 or take any other steps available at law to protect their interests.

9.02 Mediation and Arbitration

Should the parties not be able to resolve their dispute between themselves, the parties may upon mutual agreement, utilize the services of an independent third party mediator and/or arbitrator.

The mediator/arbitrator shall be mutually agreed upon by Halton and Hamilton. Each party shall be responsible for its use of the third party mediation/arbitration process however the cost of the third party mediator/arbitrator shall be shared equally between Halton and Hamilton.

Halton and Hamilton agree that the rules and procedures of the *Arbitration Act, 1991*, S.O. 1991, c. 17, as amended, shall apply. The Parties expressly agree that the provisions of the *Municipal Arbitrations Act*, R.S.O. 1990, c.M.48, shall not apply at any time to any arbitration initiated pursuant to this Agreement.

ARTICLE - X

NOTICE

10.01 Notice

Any notice required to be given under this Agreement shall be in writing, and may be given personally, by facsimile or by prepaid first class mail, in which case receipt shall be

deemed five business days after the mailing.

Notice to the parties may be delivered to the following addresses:

Halton: 1151 Bronte Road
Oakville, Ontario
L6M 3L1

Fax: 905-825-0267

Attn: Director of Water Services

Hamilton: 71 Main St. West
Hamilton, ON
L8P 4Y5

Fax: 905-546-4481

Attn: Senior Director of Environment and Sustainable
Infrastructure, Public Works Department

ARTICLE - XI

GENERAL PROVISIONS

11.01 Compliance with Laws

The rights and privileges, duties and obligations arising out of this Agreement shall be subject to any applicable statute, regulation, law, order and direction of any governmental authority having jurisdiction over the parties and now or hereafter in effect during the Term.

11.02 Binding Agreement

This Agreement shall not be in force, or bind any of the parties, until executed by both Halton and Hamilton. This Agreement shall ensure the benefit of and be binding upon the parties hereto and their successors, but shall not be assigned in whole or in part.

11.03 Time of the Essence

Time shall be of the essence of this Agreement

11.04 Applicable Law

This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario.

11.05 Amendments Must Be Equally Formal

This Agreement may not be amended except by an instrument in writing of equal formality signed by the parties to this Agreement or by their successors or assigns as limited in this Agreement.

11.06 Independent Legal Advice

Both parties acknowledge that it has read, understood and obtained independent legal advice respecting this Agreement and the terms thereof.

11.07 Waiver

Halton and Hamilton agree that any actions of either or both parties hereto in contravention of this Agreement shall not be relied upon as a waiver of any term of this Agreement and no approvals given by any employee of either party shall constitute a waiver by the respective party of its rights under this Agreement.

11.08 Further Assurances

Halton and Hamilton agree that they will, upon the reasonable request of each other, make, do, execute or cause to be made, done or executed all such further and other lawful acts, deeds, things, devices and assurances whatsoever to effect all of the terms, provisions and conditions of this Agreement.

11.09 Entire Agreement

This Agreement and the documents and instruments to be executed and delivered under it constitute the entire agreement between the parties and supersedes any previous agreement or arrangement, oral or written, between the parties. This Agreement and the documents and instruments to be executed and delivered under it, contain all the covenants, representations, and warranties of the respective parties. There are no oral representations or warranties between the parties of any kind.

[Execution pages follow.]

IN WITNESS WHEREOF the parties have, by the signature of their representatives duly authorized in that behalf, entered into this Agreement.

SIGNED, SEALED AND DELIVERED

This 17th day of November, 2011
at the City of Hamilton, Province
of Ontario.

Approved
as to form
[Signature]
Legal
Services

CITY OF HAMILTON

[Signature: R. Bratina]
Mayor, R. Bratina

[Signature: R. Caterini]
City Clerk, R. Caterini

This 4th day of October, 2011
at the Town of Oakville, Province
of Ontario.

THE REGIONAL MUNICIPALITY
OF HALTON

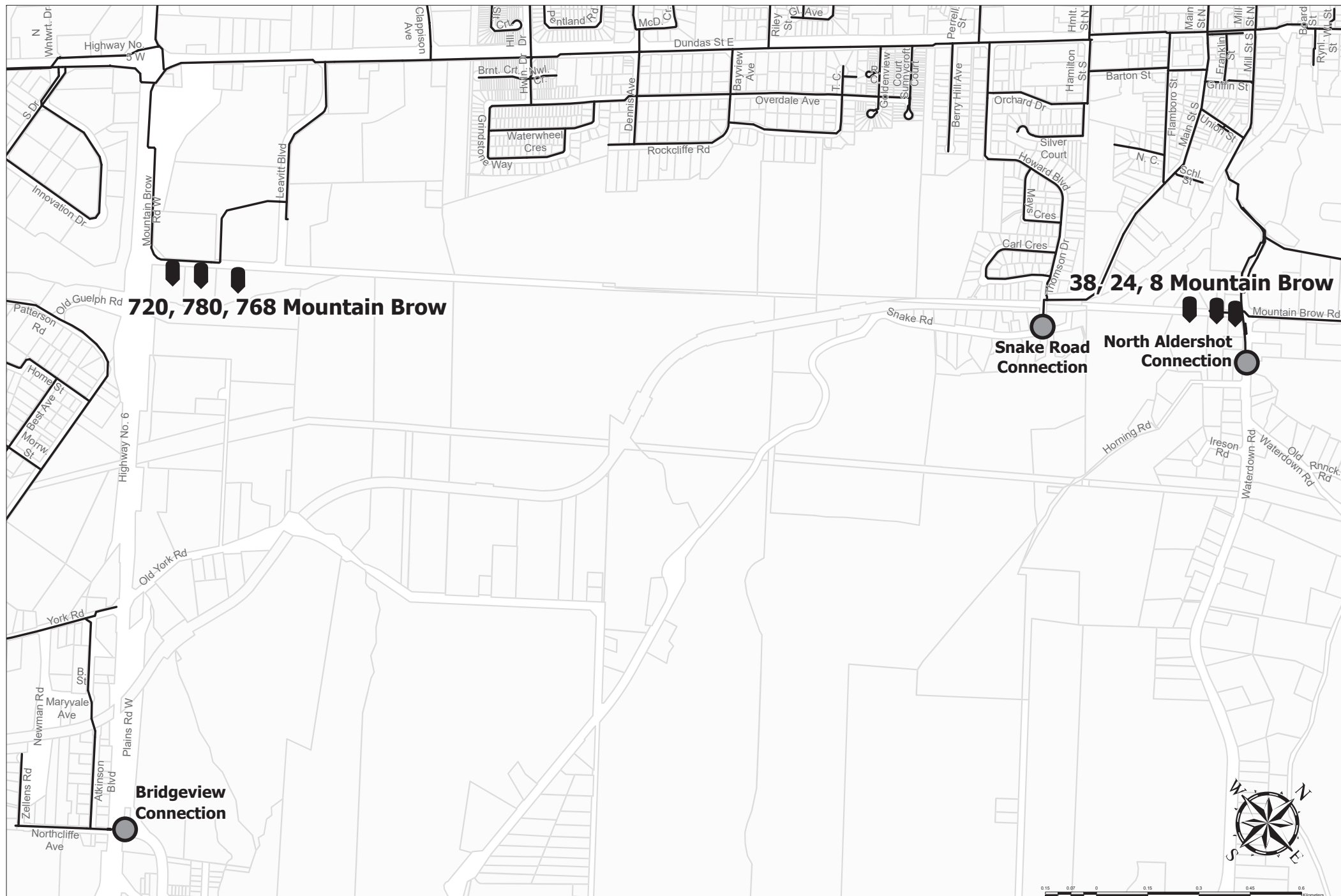
[Signature: Gary Carr]
Regional Chair, Gary Carr

[Signature: Susan Lathan]
Regional Clerk, Susan Lathan

RISK MANAGEMENT SERVICES

PER *[Signature]*

OFFICE OF THE CLERK
APPROVED BY COUNCIL
DATE June 29, 2011
REP. AP-PA 11-00 ITEM 14
EXT. 2011-7922



720, 780, 768 Mountain Brow

38, 24, 8 Mountain Brow


Snake Road Connection

North Aldershot Connection

Bridgeview Connection



CITY OF HAMILTON
OFFICE OF THE AUDITOR GENERAL

TO:	Chair and Members Audit, Finance and Administration Committee
COMMITTEE DATE:	July 13, 2023
SUBJECT/REPORT NO:	Fraud, Waste, and Whistleblower Semi-Annual Update (AUD23009) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Brigitte Minard CPA, CA, CIA, CGAP, CFE (905) 546-2424 Ext. 3107 Cindy Purnomo Stuive, IAP (905) 546-2424 Ext. 2257
SUBMITTED BY:	Charles Brown, CPA, CA Auditor General Office of the Auditor General
SIGNATURE:	

RECOMMENDATION

- (a) That the Fraud, Waste and Whistleblower Semi-Annual Update be received.
- (b) That the creation of one Full Time Equivalent (FTE) employee for a Senior Auditor be referred to the 2024 Operating Budget.

EXECUTIVE SUMMARY

This Report contains information about the number, nature and outcome of Whistleblower disclosures relating to By-law 19-181, along with information about Fraud and Waste reports received from July 2022 to December 2022, along with historical information.

The volume of hotline reports received continues to exceed the OAG's projected volumes and continues to grow. The highest reported volume was received in the six months between July and December 2022, with 74 reports received. Analysis of those reports is contained in this report. Preliminary numbers from January to June 2023 were even higher at 83 reports received.

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

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

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

**SUBJECT: Fraud, Waste, and Whistleblower Semi-Annual Update
(AUD23009) (City Wide)**

Page 2 of 11

Alternatives for Consideration – See Page 10

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The 2024 salary costs for a Senior Auditor are projected to be \$99,173 to \$123,967 (assuming a 2.5% cost of living increase, as per Finance). Once benefits are considered, the overall compensation costs are estimated to range from \$124,921 to \$153,237.

Staffing: One additional FTE for the Office of the Auditor General is being requested and this request is recommended for referral to 2024 Operating Budget Deliberations.

Legal: None.

HISTORICAL BACKGROUND

By-law 19-181 (Whistleblower By-law), Section 19 – Responsibility of the Auditor General requires reporting to Council semi-annually, in the aggregate, on the number, nature and outcome of disclosures of serious wrongdoing made under this By-law.

On June 27, 2018, Council directed the Auditor General to implement a Fraud and Waste Hotline with intake performed by an independent third party as part of a three-year pilot project. The City's Fraud and Waste Hotline launched in July 2019 and was made permanent in March 2023.

The third Fraud and Waste Annual Report (AUD23003) was presented to the Audit, Finance and Administration Committee on February 16, 2023. Report AUD23003 fulfilled the semi-annual reporting requirement for January to June 2022, as it contained the information required by the Whistleblower By-law.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Whistleblower By-law No. 19-181

RELEVANT CONSULTATION

The OCA consulted with the following areas while writing this report:

Financial Planning, Administration and Policy Division: Finance and Administration Section

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The Fraud and Waste Pilot Program has completed four complete years of operations as at June 30, 2023. The most recent Fraud and Waste Annual Report was tabled in February 2023 and the Hotline was made permanent in March 2023.

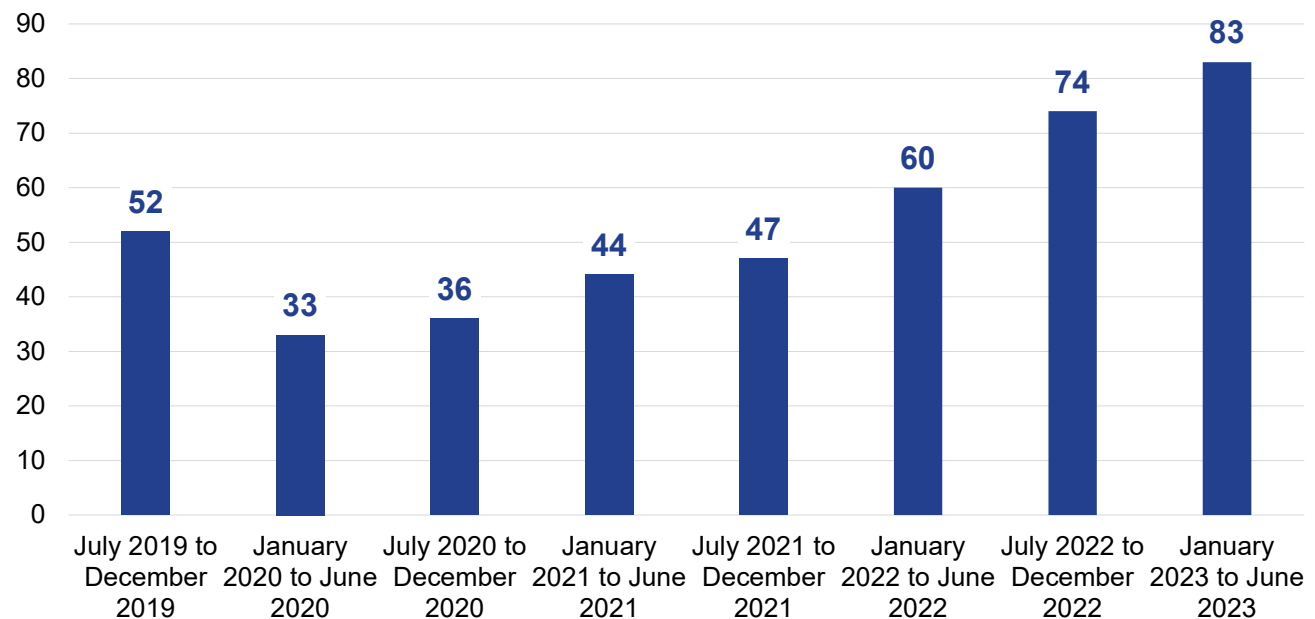
Overall, many positive results have been achieved with the hotline, and all of our intended goals and expected outcomes have been surpassed. Three Fraud and Waste Annual Reports have been issued by the Office of the Auditor General summarizing the annual achievements of this service area.

The volume of reports has been consistently high, surpassing the original expectations in every year. When Council directed the implementation of the Fraud and Waste Hotline Pilot Program, the OCA researched other jurisdictions and expected that our annual report volume would likely be in the 50-70 report range if the hotline launch was successful.

FRAUD AND WASTE REPORT VOLUME SINCE HOTLINE LAUNCH

The volume of hotline reports received for each contract year have exceeded expectations. The volume of reports received has been on upward trend since the beginning of 2020, as noted in the graph below:

Fraud and Waste Report Volume



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**SUBJECT: Fraud, Waste, and Whistleblower Semi-Annual Update
(AUD23009) (City Wide)**

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SEMI-ANNUAL SUMMARY (July 2022 to December 2022)

Report Type

The following table shows Fraud and Waste reporting activity for the second half of 2022 and the disposition of each report, including the number that resulted in an investigation by the Auditor General being undertaken. It should also be noted that there are several other investigations in progress from prior reporting periods.

Report Type	Volume
Referral – Responses Required	27
Referral - No Action Required	20
No Response Required/Not Enough Information/Out of Jurisdiction	23
Auditor General Investigations Launched	4
Total Reports (July to December 2022)	74

Report Category

A wide variety of reports were received by the Office of the Auditor General for the six-months July 2022 to December 2022. The most common report categories were the following:

Report Category	Volume
Out of Jurisdiction	15
Multiple Categories Applicable	14
Social Services – Fraud/Wrongdoing	14
Service Complaint/Concern	12
Time Theft and/or Misconduct	4
Conflict of Interest	3
Improper Financial Reporting/Budgeting	3
Theft/Misappropriation	2
Contractor/Vendor Wrongdoing	1
Employee Benefits Fraud	1
Other	5
Total Reports (July to December 2022)	74


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Investigations Launched – Types

The following table shows a breakdown of the subject matter of the investigation for those launched for reports received from July 2022 to December 2022.

Types of Investigations Launched		Volume
 Fraud		1
 Waste/Mismanagement		1
 Combined Fraud and Waste/Mismanagement		1
 Whistleblower		1
Total Investigations Launched (July to December 2022)		4

Each investigation is unique and has a customized approach. The length of time to complete an investigation varies depending on the number of allegations, the scope of the investigation, and the complexity of the matter being investigated.

In the second half of 2022, there was a variety of investigation types. It should be noted that the definition of fraud is narrower than waste or mismanagement and there will generally be a lower volume of fraud investigations compared to the other possible categories. Fraud encompasses any array of irregularities and illegal acts characterized by intentional deception (forgery, alteration of documents, misrepresentation of information, misappropriation, unauthorized use, disappearance, destruction of assets, authorizing payment for goods/services not received, improper handling of money, false claims, violations of Code of Conduct).

Waste relates primarily to poor management, inefficient processes, imprudent expenditure, inadequate oversight or abuse of policy and includes incurring unnecessary costs or risks due to ineffective practices, systems or controls. It can often involve taxpayers not receiving reasonable value for money in connection with any government funded activities due to mismanagement or through an inappropriate or careless act or omission by those with control over or access to government resources. Importantly, it doesn't necessarily involve a violation of law.

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In addition to the four investigations launched in this reporting period by the Auditor General, there are several other investigations in progress for reports received in prior reporting periods. Besides investigations launched by the Auditor General, referrals are also made to other parties based on analysis of the issues in a complaint. The parties then conduct their own internal reviews or investigations and report back the results to the Auditor General. For the semi-annual period ending December 2022 there were 27 referrals.

Whistleblower By-law Disclosures

The following table lists the number of Hotline reports that involved reporting by a qualifying Whistleblower. The comparative data is for each semi-annual time period since the Fraud and Waste Hotline launched in July 2019.

 Qualifying Disclosures						
July 2022 to December 2022	January 2022 to June 2022	July 2021 to December 2022	January 2021 to June 2021	July 2020 to December 2020	January 2020 to June 2020	July 2019 to December 2019
3	2	1	2	1	0	2

Under By-law 19-181 (Whistleblower By-law), Section 6 – Requirements with Respect to a Qualifying Disclosure, the employee must meet the following criteria: the employee making the disclosure of serious wrongdoing identified themselves and their position with the City; the employee making the disclosure of serious wrongdoing has reasonable grounds to believe there has been serious wrongdoing by one or more employees; the employee making the disclosure of serious wrongdoing does so in good faith; the employee’s disclosure of serious wrongdoing was made to the Auditor General (via one of the prescribed reporting mechanisms). Under the Whistleblower By-Law “serious wrongdoing” also includes threats to safety, fraud and dishonesty, and employee witnesses that cooperate with an investigation of the Auditor General are also protected as whistleblowers.

In the six-month period from July 2022 to December 2022, three reports were determined to be a qualifying disclosure per the Whistleblower By-law, as assessed by the Office of the Auditor General.

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For the first item, the report category is Multiple Categories Applicable (Vendor/Contractor Wrongdoing, Theft/Misuse of Assets and Other-Safety Concerns). The outcome is that the report was partially substantiated.

For the second item, the report category is Conflict of Interest. The outcome is that the report was substantiated, and the (former) employee resigned.

For the third item, the report category is Conflict of Interest. The outcome is that the report was unsubstantiated.

Employees

Reports Self-Identified as Employee						
July 2022 to December 2022	January 2022 to June 2022	July 2021 to December 2022	January 2021 to June 2021	July 2020 to December 2020	January 2020 to June 2020	July 2019 to December 2019
45%	70%	55%	57%	61%	33%	54%

The Office of the Auditor General continues to encourage employees and management to submit reports and thanks all those that submitted reports for this reporting period, and for their cooperation during report assessments and investigations. Additional information about anonymous reports and reports submitted by management will be included in the annual report.

Serious Matters Reporting

All items qualifying as a “Serious Matter” per the “Auditor General Reporting of Serious Matters to Council Policy” for the reporting period have been previously reported to Council. As at June 30, 2023, there were 11 items that qualified under this Policy since it was approved by Council in July 2020.

Serious Matters Reported to Council					
January 2023 to June 2023	July 2022 to December 2022	January 2022 to June 2022	July 2021 to December 2021	January 2021 to June 2021	July 2020 to December 2020
3	1	2	1	1	3

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Annual Report

A more detailed annual report containing additional analysis, case samples and outcomes will be issued for the twelve-month period of July 2022 to June 2023 once the analysis has been completed by the OAG. The Fraud and Waste Annual Report is expected to be submitted to the Audit, Finance, and Administration Committee in Q4 2023.

Sustained High Volumes and Staffing Requirements

Provisionally, based on the OAG's preliminary review, Fraud and Waste Hotline report volumes continued to rise through the end of June 2023, with 83 reports received in the six-month period between January to June 2023, for a total of 157 in the 12-month reporting period from July 2022 to June 2023. These are the highest volumes ever received.

From hotline inception (July 2019) to December 2022 the Auditor General launched 72 investigations and made 130 referrals for other parties such as Human Resources or Program Areas to conduct an internal review and report back to the OAG. The 72 investigations were completed by Auditor staff with a variety of approaches such as internal resources only, internal resources with support from external consultants or external consultants with support from Auditor General staff. External consultants cost 2 to 3 times or more than internal resources in terms of hourly rates. When external resources are used to support staff in the OAG who are conducting the investigation, the external consulting costs can be minimized and they have ranged historically from approximately \$10K to \$30K per investigation. When OAG has played a supporting role to external consultants, investigation costs can be substantially higher – as much as \$300K in the case of one investigation.

One way the OAG has mitigated the high cost of using external parties is by hiring one FTE under a temporary staff position that was created for this purpose. However, the position is necessarily limited to conducting fraud and waste complaints as it is receiving funding through charge back to the departments where the investigation takes place. This position has been operating on a full-time basis which demonstrates the ongoing need for such a resource to be approved permanently.

When the Fraud and Waste Hotline was launched, it was launched using existing OAG staff resources. As noted in Appendix A to Report AUD23005, over 8,700 hours were spent on Fraud and Waste Hotline administration, investigations and reporting during the initial three years of hotline operations. For the most recent reporting period, this is approximately equivalent to 2.3 frontline audit FTEs annually (excluding management's time spent on hotline matters). There are 5 frontline employees in the OCA.

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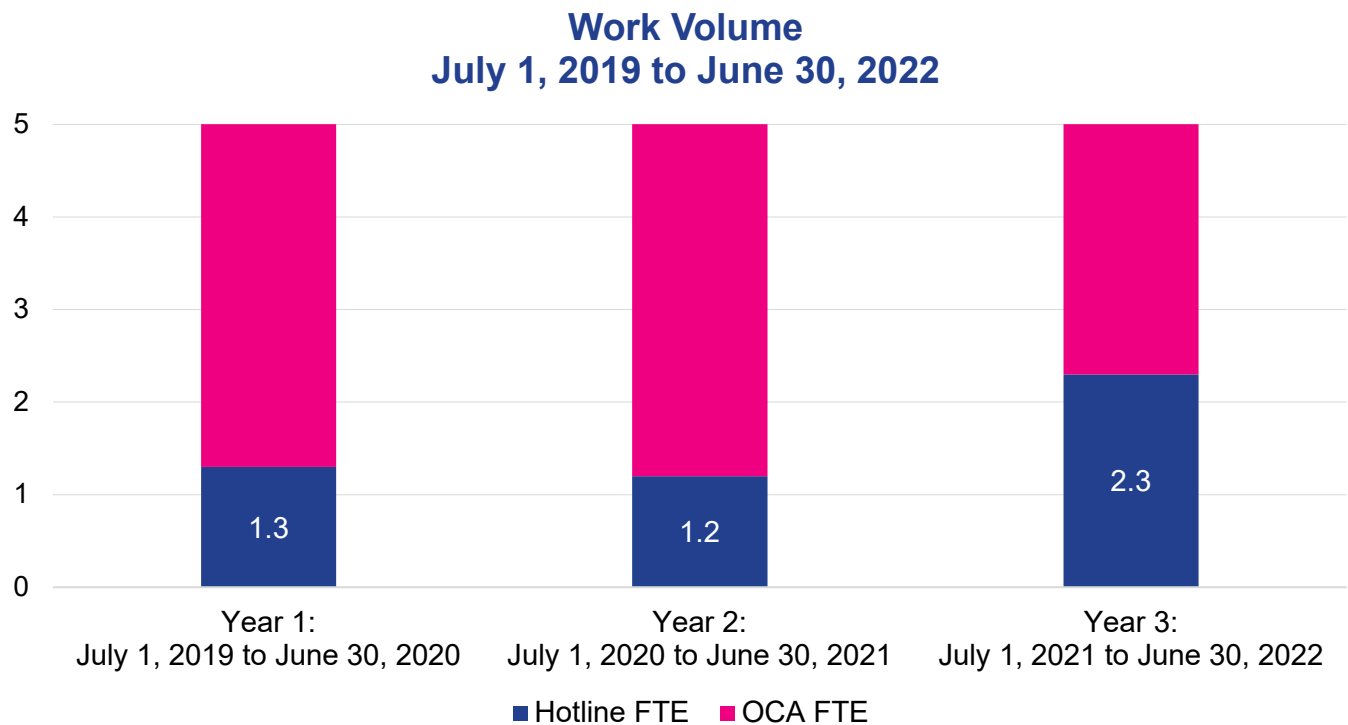
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Another way of looking at the resource requirements, the effort is similar to having completed 10 to 12 audits of significant scope and complexity during the three-year pilot. In addition, it is estimated that management spends between 30-50% of their time on Fraud and Waste matters, depending on the active number of files at any given point in time. Also, the time spent continues to grow. For example, compared to the prior year, the most recent year shows time hotline spent by OCA staff has risen by more than 90%.

Please see the graph below.



Given that the volume of reports received have continued to grow substantially since inception of the hotline, including since the issuance of the most recent report in February 2023 (AUD23005), the OAG is requesting the addition of one (1.0) additional FTE, for referral to the 2024 Operating Budget for Council's consideration. The request is to ensure that the OAG has the capacity to continue to complete audits while maintaining the operation of the Fraud and Waste Hotline. The position being requested is a Senior Auditor, which is a position that leads and completes both audits (value for money and compliance), and fraud/waste/whistleblower investigations.

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HOW TO SUBMIT A REPORT

The Fraud and Waste Hotline is available for the public, employees, and vendors that do business with the City of Hamilton.



The Fraud and Waste Hotline accepts reports through the following methods:

- **Online:** www.hamilton.ca/fraud A “Submit Report” button links to the third-party vendor page
- **Email:** cityofhamilton@integritycounts.ca
- **Phone:** 1-888-390-0393
- **Mail:** PO Box 91880, West Vancouver, BC V7V 4S4
- **Fax:** 1-844-785-0699

If any reports are received directly by the Office of the Auditor General by telephone, email, fax, mail, or the web-based suggestions form (www.hamilton.ca/audit) these complaints are entered directly into the Hotline case management system and assessed similar to any other report.

ALTERNATIVES FOR CONSIDERATION

- 1) That no additional FTE’s be referred to the 2024 Operating Budget process for the OAG. The impact of this will be that the OAG will continue to not have enough staff to deal with a sustained high volume of fraud and waste reports. The result will be that fewer audits are completed, and the OAG team will need to

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supplement resources with external consultants more often than if there was an additional FTE for work to be assigned to.

When the OAG last compared (during the 2020 budget preparations) the costs of consultants to OAG staff, OAG Senior Auditors cost about 60% less than consultants engaged with the most favourable rates via the Province of Ontario's Vendor of Record hourly rate listing for Internal Audit Services. Consultants will continue to be needed by the OAG for speciality expertise and related technology tools, but overall it is much more cost effective to utilize in-house OAG auditors to complete work than to utilize external consultants.

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

None.



Hamilton

**GOVERNANCE REVIEW SUB-COMMITTEE
REPORT 23-003**

Thursday, July 5, 2023

9:00 a.m.

**Council Chambers
Hamilton City Hall**

Present: Councillors T. Hwang (Chair), B. Clark, J.P. Danko, C. Kroetsch and N. Nann

**Absent
with Regrets:** Councillor M. Wilson - Personal

**THE GOVERNANCE REVIEW SUB-COMMITTEE PRESENTS REPORT 23-003 AND
RESPECTFULLY RECOMMENDS:**

1. Consistent Quorum Requirements for Council and Committees - Revised (Item 11.2)

WHEREAS, staff were directed by Council on June 7, 2023, to prepare the necessary amendments to By-law 21-021, A By-law to Govern the Proceedings of Council and Committees of Council, the 'Procedural By-law' to amend the quorum requirement for Committees to be the same as for Council, for the Governance Review Sub-Committee's consideration;

WHEREAS, the City's Procedural By-law 21-021, as amended, states that quorum of Council be a majority, as per Section 237(1) of the *Ontario Municipal Act, 2001*, as amended;

WHEREAS, the City's Procedural By-law 21-021, as amended, states that quorum of Committees be half of the Committee's membership; and

WHEREAS, for consistency purposes, having the same quorum requirements for Council and for Committees would be practical;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to prepare a by-law to amend the City's Procedural By-law 21-021, as amended, to amend Section 5.4 (1) to require that a majority be present:

5.4 Quorum

- (1) The quorum for all Committees shall be ***a majority (as defined in the Procedural By-Law 21-021, e.g. if membership is 5, quorum is 3)*** of the membership.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

10. DISCUSSION ITEMS

10.1 Hamilton Public Notice Policy By-law FCS23080 (formerly CL18012//LS18051)

10.2 City of Hamilton Flag and Sign Policy (CM23014) (City Wide)

The July 5, 2023 Agenda of the Governance Review Sub-Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 4)

(i) May 25, 2023 (Item 4.1)

The Minutes of the May 25, 2023 meeting of the Governance Review Sub-Committee were approved, as presented.

(d) DISCUSSION ITEMS (Item 10)

- (i) The following Items were deferred to the next meeting of the Governance Review Sub-Committee:

- (a) Hamilton Public Notice Policy By-law FCS23080 (formerly CL18012//LS18051) (Added Item 10.1); and

- (b) City of Hamilton Flag and Sign Policy (CM23014) (City Wide) (Added Item 10.2); and

- (ii) Communications, Clerks and Information Technology staff were directed to work to provide and promote the mechanism for the public to be notified respecting changes to By-Laws for report back to the next Governance Review Sub-Committee meeting.

(e) MOTIONS (Item 11)

(i) Major Efficiency Improvements to the Council Calendar for 2024 (Item 11.1)

Councillor Kroetsch withdrew his motion respecting Major Efficiency Improvements to the Council Calendar for 2024.

(ii) Consistent Quorum Requirements for Council and Committees

WHEREAS, staff were directed by Council on June 7, 2023, to prepare the necessary amendments to By-law 21-021, A By-law to Govern the Proceedings of Council and Committees of Council, the 'Procedural By-law' to amend the quorum requirement for Committees to be the same as for Council, for the Governance Review Sub-Committee's consideration;

WHEREAS, the City's Procedural By-law 21-021, as amended, states that quorum of Council be a majority, as per Section 237(1) of the *Ontario Municipal Act, 2001*, as amended;

WHEREAS, the City's Procedural By-law 21-021, as amended, states that quorum of Committees be half of the Committee's membership; and

WHEREAS, for consistency purposes, having the same quorum requirements for Council and for Committees would be practical;

THEREFORE, BE IT RESOLVED:

That staff be directed to prepare a by-law to amend the City's Procedural By-law 21-021, as amended, to amend Section 5.4 (1) to require that a majority be present:

5.4 Quorum

- (1) The quorum for all Committees shall be **a majority** of the membership rounded up to the nearest whole number.

That Section 5.4 (1) of the City's Procedural By-law 21-021, was amended, be **amended** as follows:

5.4 Quorum

- (1) The quorum for all Committees shall be **a majority (as defined in the Procedural By-Law 21-021, e.g. if membership is 5, quorum is 3) of the membership ~~rounded up to the nearest whole number.~~**

For disposition of this matter, refer to Item 1.

(f) ADJOURNMENT (Item 15)

There being no further business, the Governance Review Sub-Committee meeting was adjourned at 9:36 a.m.

Respectfully submitted,

Councillor T, Hwang, Chair
Governance Review Sub-Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk

**CITY OF HAMILTON
M O T I O N**

Audit, Finance and Administration Committee: July 13, 2023

MOVED BY COUNCILLOR M. WILSON

SECONDED BY COUNCILLOR T. HWANG

Review of the City of Hamilton Volunteer Advisory Committees

WHEREAS, the City of Hamilton is dedicated to advancing and articulating City decision-making efforts by ensuring the process by which participants are provided information and are engaged is meaningful, clear, convenient, and accessible to all residents;

WHEREAS, the City of Hamilton supports community engagement as it empowers individuals and groups to give them a voice and a platform to express their opinions, concerns, and ideas, which encourages active participation, enabling community members an opportunity to shape the decisions that affect them directly;

WHEREAS, engagement in the community fosters a sense of ownership and responsibility, leading to increased community pride and motivation to work towards common goals and provides policy makers and elected officials with meaningful feedback that can inform decision making;

WHEREAS, Community engagement promotes collaboration and cooperation among stakeholders, including residents, local businesses, community-based organizations, multiple levels of government and non-profits, thereby, bringing people together and facilitating the exchange of knowledge, resources, and expertise, leading to innovative solutions and shared idea generation;

WHEREAS, the Advisory Committee with Persons with Disabilities and the Hamilton Municipal Heritage Committee are Sub-Committees of Council and are required by Provincial legislation, they are outside the scope of this proposed review

WHEREAS, the City of Hamilton is currently creating a robust public engagement policy and administrative framework; and

WHEREAS, enhancing engagement throughout civic participation processes can inherently support high-level Term of Council Priorities including (1) Equity, Diversity and Inclusion; and (2) Trust and Confidence in City Government;

11.1

THEREFORE, BE IT RESOLVED:

- a) That the City of Hamilton pause all Volunteer Advisory Committees, with the exception of the Climate Change Advisory Committee, for which recruitment for the current Council term is underway, and the Hamilton Veterans Committee, so they can continue to plan the 2023 Remembrance Day Service; and
- b) That City Manager's Office and Corporate Services staff be directed to report back to the Audit, Finance and Administration Committee with recommendations on the following:
 - (i) best practices that prioritizes resident engagement including access to, understanding of and participation in community engagement;
 - (ii) review and provide recommendations to Council as informed by existing partnerships with local community-based organizations and networks to help shape and advise decision-making efforts on City initiatives, programs, services, policies, and by-laws;
 - (iii) existing community-based engagement methods inclusive of the Volunteer Advisory Committees to fulfil the priorities of Council aligned with the Term of Council priorities 2022 – 2026; and
 - (iv) a resource list of local equity-deserving groups doing community and grassroots organizing that can be contacted for engagement and feedback on City Wide processes and policies.