



**City of Hamilton**  
**AUDIT, FINANCE AND ADMINISTRATION COMMITTEE**  
**AGENDA**

**Meeting #:** 24-010  
**Date:** May 16, 2024  
**Time:** 9:30 a.m.  
**Location:** Council Chambers  
Hamilton City Hall  
71 Main Street West

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

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1. **CEREMONIAL ACTIVITIES**
2. **APPROVAL OF AGENDA**  
(Added Items, if applicable, will be noted with \*)
3. **DECLARATIONS OF INTEREST**
4. **APPROVAL OF MINUTES OF PREVIOUS MEETING**
  - 4.1 April 22, 2024 - Special Development Charges Hearing
  - 4.2 April 23, 2024 - Special Development Charges Hearing
  - 4.3 May 2, 2024
5. **COMMUNICATIONS**
6. **DELEGATION REQUESTS**
7. **DELEGATIONS**
8. **STAFF PRESENTATIONS**
  - 8.1 Salam Hamilton Anti-Islamophobia Campaign Update (CM21015(c)) (City Wide)

**9. CONSENT ITEMS**

- 9.1 Utility Billing Transition Program Update Spring 2024 (FCS21082(g)) (City Wide)
- 9.2 Grightmire Arena Lessons Learned Audit (AUD22004) – Management Responses Status Report-PW23007(b) FCS23011(b)

**10. DISCUSSION ITEMS**

- 10.1 City Enrichment Fund Repayment Procedure (CM24003) (Outstanding Business List Item)

**11. MOTIONS**

**12. NOTICES OF MOTION**

**13. GENERAL INFORMATION / OTHER BUSINESS**

- 13.1 Amendments to the Outstanding Business List
  - 13.1.a Items Requiring a New Due Date
    - 13.1.a.a Stormwater Asset Management – Investigation of Recent Sewage Leaks
      - Added November 16, 2023
      - Original Due Date: May 2024
      - Proposed New Due Date: November 7, 2024
    - 13.1.a.b Water Meter Program Audit and Water Billing Service Transition Project
      - Added January 19, 2023
      - Original Due Date: July 2023
      - Proposed New Due Date: November 7, 2024
  - 13.1.b Items Considered Completed and to be Removed
    - 13.1.b.a Grants Sub-Committee Report 23-002 (May 16, 2023) - 2023 City Enrichment Funding Recommendations
      - Added May 18, 2024
      - Addressed as Item 10.1 on today's agenda

13.1.b.b 2024 Development Charges Background Study and By-law Update - Open House Feedback

Added: April 4, 2024

Addressed as Item 8.1(a) on the May 2, 2024 agenda

#### **14. PRIVATE AND CONFIDENTIAL**

14.1 Closed Session Minutes - April 22, 2024 - Special Development Charges Hearing

Pursuant to Section 9.5 of the City's Procedural By-law 21-021, as amended, and Section 239(3.1) of the *Ontario Municipal Act, 2001, as amended*, as this meeting is being held for the purposes of educating or training members; and, at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council or the Committee.

#### **15. ADJOURNMENT**





**AUDIT, FINANCE AND ADMINISTRATION COMMITTEE  
DEVELOPMENT CHARGES HEARING  
MINUTES 24-007**

**11:00 a.m.  
April 22, 2024  
Council Chambers  
Hamilton City Hall**

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

**Also Present:** Councillor E. Pauls

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**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 1)**

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

**4. PRIVATE AND CONFIDENTIAL**

4.1(a) Development Charges Hearing Training - Revised

**(A. Wilson/Clark)**

That the agenda for the April 22, 2024 Audit, Finance and Administration Committee Development Charges Hearing Training meeting, be approved, as amended.

**CARRIED**

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) PRIVATE AND CONFIDENTIAL (Item 4)**

**(M. Wilson/Spadafora)**

That the Audit, Finance and Administration Committee move into Closed Session, pursuant to Section 9.5 of the City's Procedural By-law 21-021, as amended, and Section 239(3.1) of the Ontario Municipal Act, 2001, as amended, as this meeting is being held for the purposes of educating or training members; and, at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council or the Committee.

**CARRIED**

(i) **Development Charges Hearing Training (Item 4.1)**

**(A. Wilson/Kroetsch)**

That the presentation provided by John Hart, Ritchie Ketcheston Hart and Biggart LLP, respecting Development Charges Hearing Training, be received.

**CARRIED**

(d) **ADJOURNMENT (Item 15)**

**(Beattie/Tadeson)**

That, there being no further business, the Audit, Finance and Administration Committee Development Charges Hearing Training, be adjourned at 12:35 p.m.

**CARRIED**

Respectfully submitted,

Councillor Tammy Hwang, Chair  
Audit, Finance and Administration  
Committee

Tamara Bates  
Legislative Coordinator  
Office of the City Clerk



## **AUDIT, FINANCE & ADMINISTRATION COMMITTEE DEVELOPMENT CHARGES HEARING**

### **MINUTES 24-008**

**12:30 p.m.**

**April 23, 2024**

**Room 264, 2<sup>nd</sup> Floor**

**Hamilton City Hall**

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

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The hearing was called to order.

#### **FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 1)**

There were no changes to the agenda.

**(Tadeson/M. Wilson)**

That the agenda for the April 23, 2024 Audit, Finance and Administration  
Committee Education Development Charges Hearing, be approved, as presented.

**CARRIED**

**(M. Wilson/Kroetsch)**

That the Audit, Finance and Administration Committee retire to obtain legal  
advice, as the Tribunal is seeking advice that is subject to solicitor client  
privilege, including communications necessary for that purpose, at 12:31 p.m.

**CARRIED**

**(Clark/Spadafora)**

That the Audit, Finance and Administration Committee reconvene the hearing at  
12:53 p.m.

**CARRIED**

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) DEVELOPMENT CHARGES HEARING (Item 3)**

**(i) Development Charges Complaint – Dr. Nader Fahmy (1151 Garner Road, Ancaster) (Item 3.1)**

The parties presented their opening statements.

**(Clark/M. Wilson)**

That the Audit, Finance and Administration Committee recess for ten minutes until 3:10 p.m.

**CARRIED**

The parties presented their closing statements.

**(A. Wilson/Kroetsch)**

That the Audit, Finance and Administration Committee retire to deliberate at 3:47 p.m.

**CARRIED**

**(Kroetsch/A. Wilson)**

That the Audit, Finance and Administration Committee reconvene the hearing at 4:27 p.m.

**CARRIED**

Having heard and considered the evidence and submissions of the parties, respecting Development Charges Complaint – Dr. Nader Fahmy (1151 Garner Road West, Ancaster), the Audit, Finance and Administration Committee **DISMISSED** the Development Charges Complaint.

For further information respecting the outcome of this matter, refer to the Notice of Decision.

**(d) ADJOURNMENT (Item 5)**

**(Clark/Spadafora)**

There being no further business, the Audit, Finance and Administration Committee Development Charges Hearing, adjourned at 4:28 p.m.

**CARRIED**



**Audit, Finance and Administration Committee  
Development Charges Hearing  
Minutes 24-008**

**April 23, 2024  
Page 2 of 2**

Respectfully submitted,

Tammy Hwang, Chair  
Audit, Finance and Administration  
Committee

Tamara Bates  
Legislative Coordinator  
Office of the City Clerk





## AUDIT, FINANCE AND ADMINISTRATION COMMITTEE MINUTES 24-009

9:30 a.m.

May 2, 2024

Council Chambers  
Hamilton City Hall

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

**Also**

**Present:** Councillors C. Cassar, J.P. Danko, and N. Nann

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

1. **2024 Development Charges Background Study, Policies and By-laws - Final Report (FCS23103(b)) (City Wide) - REVISED (Added Item 8.1(a))**

**(A. Wilson/Beattie)**

- (a) That the 2024 City of Hamilton Development Charges Study, as amended, prepared by Watson & Associates Economists Ltd., and dated December 21, 2023, amended March 28, 2024, be approved;
- (b) That, whenever appropriate, the City of Hamilton requests that grants, subsidies and other contributions be clearly designated by the provider as being to the benefit of existing development (or new development, as applicable);
- (c) That all the growth capital projects listed in the City of Hamilton Development Charges Background Study, prepared by Watson & Associates Economists Ltd., and dated December 21, 2023, amended March 28, 2024, be approved, in principle, subject to annual capital budget approvals;
- (d) That, having considered the matters in Report FCS23103(b) including the changes incorporated into the 2024 Development Charges By-law, attached hereto as Appendix "A" of Report FCS23103(b), no further meeting under s.12 of the Development Charges Act, 1997 is required;
- (e) That Appendix "A" **as amended, by adding a new Section 34 and amending all references in Sections 1(iii) and 35 from "Previous Use" to "Current Use"** attached to Report FCS23103(b) respecting a single

2024 Development Charges By-law, prepared in a form satisfactory to the City Solicitor and including the following discretionary exemption policies, be passed and enacted:

- (i) A Downtown Hamilton Community Improvement Project Area (CIPA) discretionary exemption for residential development, limited to the height restrictions Council approved through the Downtown Secondary Plan, be 40% in year one (June 1, 2024 to May 31, 2025); 35% in year two (June 1, 2025 to May 31, 2026); 30% in year three (June 1, 2026 to May 31, 2027); 20% in year four (June 1, 2027 to May 31, 2028); 10% in year five (June 1, 2028 to May 31, 2029); and 0% thereafter;
- (ii) A Downtown Hamilton Community Improvement Project Area (CIPA) discretionary exemption for non-industrial development (other than Class A Office) industrial development and the non-residential component of mixed use development, limited to the height restrictions Council approved through the Downtown Secondary Plan, be 40%;
- (iii) A Downtown Hamilton Community Improvement Project Area (CIPA) discretionary exemption for Class A Office, limited to the height restrictions Council approved through the Downtown Secondary Plan, be 70%;
- (iv) A reduced rate discretionary exemption be provided for manufacturing (Employment North American Industry Classification System (code 31-33), as well as, for production and artists' studios at a 37% discount;
- (v) A reduced rate discretionary exemption be provided for industrial development (other than manufacturing) at a 37% discount in Year 1 (June 1, 2024 to May 31, 2025) with a reduction in the exemption of 5% per year until completely phased out;
- (vi) An industrial expansion (detached building), 50% expansion of existing gross floor area exemption, be applied only to industrial businesses with primary economic activity identified as manufacturing (employment North American Industry Classification System (N.A.I.C.S.) code 31 33);
- (vii) A 100% Development Charge discretionary exemption for adaptive re-use of a protected heritage property;
- (viii) A 50% Development Charge discretionary exemption for redevelopment of an existing residential development for the purpose of creating residential facilities within an existing building and that the credit applicable, when the original building was a Residential Facility or Lodging house, be 100% of the applicable Residential Facility Rate or Lodging House Rate;

- (ix) A discretionary exemption for non-industrial developments included within a Community Improvement Project Area (CIPA) or Business Improvement Area (BIA) and for office developments (excluding medical clinics) as follows:
  - (i) 1st 5,000 square feet at 50% of the non-industrial charge;
  - (ii) 2nd 5,000 square feet at 75% of the non-industrial charge;  
and
  - (iii) 10,000 square feet or larger at 100% of the non-industrial charge;
- (x) A 100% discretionary Development Charge exemption for bona fide farming / agricultural use;
- (xi) A 100% discretionary Development Charge exemption for places of worship exempt from property taxes;
- (xii) A discretionary transition policy in which the Development Charge Rate at the time of a complete building permit application apply if the building permit is issued within six months of the next rate increase;
- (xiii) A 100% discretionary Development Charge exemption for Farm Labour Residences;
- (xiv) A 100% discretionary Development Charge Exemption for City Housing Hamilton;
- (xv) A 100% discretionary Development Charge Exemption for Parking, other than Commercial Parking;
- (xvi) A Temporary Building or Structure Exemption;
- (xvii) A discretionary Deferral Policy for Non-residential Development, a Mixed Use Development, a Residential Facility, a Lodging House or an Apartment Dwelling only;
- (xviii) A discretionary Environmental Remediation and Site Enhancement (ERASE) Deferral Agreement Policy;
- (xix) A discretionary Public Hospitals Deferral Policy;
- (xx) A discretionary Post-Secondary Deferral Policy;
- (f) That the Local Service Policy, as included in the 2024 City of Hamilton Development Charges Background Study, as amended, be approved, adopted and implemented effective June 1, 2024;
- (g) That revisions to Section L.2.4 of the Comprehensive Development Guidelines and Financial Policies, to align with the Local Service Policy, attached as Appendix "C" be adopted and approved; and

- (h) That, where public stormwater management facilities have been provided at the cost of a developer, as a condition of development approval and the said facilities are deemed to be permanent and part of an ultimate solution, “credits for services in-lieu” for the related stormwater component of the Development Charge will be applied for any unbuilt units upon the said facilities being included in the Development Charge Background Study and any applicable addendum(s).

**Result: Main Motion, As Amended, CARRIED by a vote of 8 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - CHAIR - 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. Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* as it Relates to the *Development Charges Act, 1997 (FCS24034) (City Wide) (Item 10.1)***

**(A. Wilson/Kroetsch)**

- (a) That Council endorse the proposed submissions and recommendations as provided in Appendix “B” to Report FCS24034 regarding Schedule 6 to proposed Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*; and
- (b) That the General Manager, Finance and Corporate Services, be authorized to make further submissions on Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* and any associated regulations consistent with the comments and concerns raised in Report FCS24034, as opportunities are provided for comments.

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

YES - Ward 1 Councillor Maureen Wilson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - CHAIR - 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  
ABSENT - Ward 14 Councillor Mike Spadafora

**3. Capital Project Closing Report as of September 30, 2023 (FCS23095(a)) (City Wide) (Item 10.3)**

**(Beattie/Tadeson)**

- (a) That the General Manager, Finance and Corporate Services, be authorized to fund a net amount of \$80,805.96 from the Unallocated Capital Levy

Reserve (108020) and transfer a net amount of \$2,795,802.34 to other reserves as outlined in Appendix "A" to Report FCS23095(a);

- (b) That the General Manager, Finance and Corporate Services, be directed to close the completed and / or cancelled capital projects listed in Appendix "B" to Report FCS23095(a) in accordance with the Capital Projects Closing and Monitoring Policy;
- (c) That Appendix "C" to Report FCS23095(a), Capital Projects Budget Appropriations for the period covering July 1, 2023 through September 30, 2023, be received as information; and
- (d) That Appendix "D" to Report FCS23095(a), Capital Projects Budget Appropriations of \$250,000 or greater and Capital Project Reserve Funding Requiring Council Approval, be approved.

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

YES - Ward 1 Councillor Maureen Wilson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - CHAIR - 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:

#### 5. COMMUNICATIONS

##### 5.1 Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*

5.1(a) Watson & Associates Economists Ltd. respecting the Assessment of Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*.

Referred from Council, April 24, 2024

5.1(b) Watson & Associates Economists Ltd. respecting the Assessment of Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* and the Proposed Provincial Planning Statement, 2024

Recommendation: Be received and referred to the consideration of Item 10.1, Bill 185, *Cutting Red Tape to Build*

*More Homes Act, 2024 as it relates to the Development Charges Act, 1997 (FCS24034) (City Wide)*

5.2 Development Charges By-Law

- 5.2(a) Colleen Wicken
- 5.2(b) Christiane de Savigny
- 5.2(c) Rose Janson and Family
- 5.2(d) Marie Covert
- 5.2(e) Elizabeth Watson-Morlog
- 5.2(f) Mary Love
- 5.2(g) Heather Vaughan
- 5.2(h) J. Williams
- 5.2(i) Catherine Thomas
- 5.2(j) Verena Walter
- 5.2(k) Lyn Folkes
- 5.2(l) Steve Chalastra
- 5.2(m) Jan W. Jansen
- 5.2(n) Don Brown
- 5.2(o) Candy Venning
- 5.2(p) Monica McCrory
- 5.2(q) Jane Wright
- 5.2(r) Bernice McRae
- 5.2(s) Patricia (Pat) Wilson, The Wilson Financial Group
- 5.2(t) Karijn de Jong
- 5.2(u) Luigia DeDivitiis and Allan Buck
- 5.2(v) Wendy Leigh-Bell and E. Robert Ross
- 5.2(w) Nonni Iler
- 5.2(x) Theresa McQuaig
- 5.2(y) Teresa Gregorio
- 5.2(z) Erica Hall
- 5.2(aa) Elizabeth Knight
- 5.2(ab) Steven Dejonckheere, Slate Asset Management
- 5.2(ac) Toni Wodzicki, Broccolini
- 5.2(ad) Robert Howe, Goodmans LLP

Recommendation: Be received and referred to consideration of Item 8.1, Development Charges Background Study, Policies and By-Laws

**6. DELEGATION REQUESTS**

- 6.1 2024 Development Charges Background Study, Policies and By-laws - Final Report (for today's meeting):
  - 6.1(a) Michelle Diplock, West End Home Builders' Association
  - 6.1(b) Amanda C. Stringer, Realtors Association of Hamilton Burlington
  - 6.1(c) Greg Dunnett, Hamilton Chamber of Commerce



- 6.1(d) Veronica Green, Slate Asset Management
- 6.1(e) Steven Dejonckheere, Slate Asset Management

## 8. STAFF PRESENTATIONS

- 8.1 2024 Development Charges Background Study, Policies and By-laws - Final Report (FCS23103(b)) (City Wide) - *WITHDRAWN*
  - 8.1(a) 2024 Development Charges Background Study, Policies and By-laws - Final Report (FCS23103(b)) (City Wide) – *REVISED*

## CHANGE TO THE ORDER OF THE AGENDA

Consideration of Report FCS23103(b), respecting 2024 Development Charges Background Study, Policies and By-laws - Final Report (City Wide) (Item 8.1(a) to be considered immediately following the consideration of Item 10.1, Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* as it Relates to the *Development Charges Act, 1997* (FCS24034) (City Wide)

### (Tadeson/Beattie)

That the agenda for the May 2, 2024 Audit, Finance and Administration Committee meeting, be approved, as amended.

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

ABSENT - Ward 1 Councillor Maureen Wilson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - CHAIR - 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) April 18, 2024 (Item 4.1)

#### (Kroetsch/Beattie)

That the following Minutes of April 18, 2024 be approved, as presented:

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

ABSENT - Ward 1 Councillor Maureen Wilson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - CHAIR - 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) COMMUNICATIONS (Item 5)**

**(i) Various Communications (Added Items 5.1 (a)-(b) and 5.2 (a)-(ad))**

**(Kroetsch/Clark)**

That the following Communications Items, be approved, as presented:

(1) Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* (Added Item 5.1)

(i) Watson & Associates Economists Ltd. respecting the Assessment of *Bill 185, Cutting Red Tape to Build More Homes Act, 2024*. (Added Item 5.1(a))

Referred from Council - April 24, 2024

(ii) Watson & Associates Economists Ltd. respecting the Assessment of *Bill 185, Cutting Red Tape to Build More Homes Act, 2024* and the Proposed Provincial Planning Statement, 2024 (Added Item 5.1(b))

Recommendation: Be received and referred to the consideration of Item 10.1, *Bill 185, Cutting Red Tape to Build More Homes Act, 2024* as it relates to the *Development Charges Act, 1997* (FCS24034) (City Wide)

(2) Development Charges By-Law (Added Item 5.2)

(i) Colleen Wicken (Added Item 5.2(a))  
(ii) Christiane de Savigny (Added Item 5.2(b))  
(iii) Rose Janson and Family (Added Item 5.2(c))  
(iv) Marie Covert (Added Item 5.2(d))  
(v) Elizabeth Watson-Morlog (Added Item 5.2(e))  
(vi) Mary Love (Added Item 5.2(f))  
(vii) Heather Vaughan (Added Item 5.2(g))  
(viii) J. Williams (Added Item 5.2(h))  
(ix) Catherine Thomas (Added Item 5.2(i))  
(x) Verena Walter (Added Item 5.2(j))  
(xi) Lyn Folkes (Added Item 5.2(k))

- (xii) Steve Chalastra (Added Item 5.2(l))
- (xiii) Jan W. Jansen (Added Item 5.2(m))
- (xiv) Don Brown (Added Item 5.2(n))
- (xv) Candy Venning (Added Item 5.2(o))
- (xvi) Monica McCrory (Added Item 5.2(p))
- (xvii) Jane Wright (Added Item 5.2(q))
- (xviii) Bernice McRae (Added Item 5.2(r))
- (xix) Patricia (Pat) Wilson, The Wilson Financial Group (Added Item 5.2(s))
- (xx) Karijn de Jong (Added Item 5.2(t))
- (xxi) Luigia DeDivitiis and Allan Buck (Added Item 5.2(u))
- (xxii) Wendy Leigh-Bell and E. Robert Ross (Added Item 5.2(v))
- (xxiii) Nonni Iler (Added Item 5.2(w))
- (xxiv) Theresa McQuaig (Added Item 5.2(x))
- (xxv) Teresa Gregorio (Added Item 5.2(y))
- (xxvi) Erica Hall (Added Item 5.2(z))
- (xxvii) Elizabeth Knight (Added Item 5.2(aa))
- (xxviii) Steven Dejonckheere, Slate Asset Management (Added Item 5.2(ab))
- (xxix) Toni Wodzicki, Broccolini (Added Item 5.2(ac))
- (xxx) Robert Howe, Goodmans LLP (Added Item 5.2(ad))

Recommendation: Be received and referred to consideration of Item 8.1, Development Charges Background Study, Policies and By-Laws

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

ABSENT - Ward 1 Councillor Maureen Wilson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - CHAIR - 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) DELEGATION REQUESTS (Item 6)**

**(i) 2024 Development Charges Background Study, Policies and By-laws - Final Report (for today's meeting) (Added Items 6.1 (a)-(e))**

**(Tadeson/A. Wilson)**

That the following Delegation Requests, be approved, for today's meeting.

- (1) Michelle Diplock, West End Home Builders' Association (Added Item 6.1(a))
- (2) Amanda C. Stringer, Realtors Association of Hamilton Burlington (Added Item 6.1(b))
- (3) Greg Dunnett, Hamilton Chamber of Commerce (Added Item 6.1(c))
- (4) Veronica Green, Slate Asset Management (Added Item 6.1(d))

- (5) Steven Dejonckheere, Slate Asset Management (Added Item 6.1(e))

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

ABSENT - Ward 1 Councillor Maureen Wilson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - CHAIR - 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) DELEGATIONS (Item 7)**

**(i) 2024 Development Charges Background Study, Policies and By-laws - Final Report (for today's meeting) (Added Items 7.1 (a)-(e))**

The following Delegations addressed the Committee respecting the 2024 Development Charges Background Study, Policies and By-laws - Final Report:

- (1) Michelle Diplock, West End Home Builders' Association (Added Item 7.1(a))
- (2) Amanda C. Stringer, Realtors Association of Hamilton Burlington (Added Item 7.1(b))
- (3) Greg Dunnett, Hamilton Chamber of Commerce (Added Item 7.1(c))
- (4) Veronica Green, Slate Asset Management (Added Item 7.1(d))
- (5) Steven Dejonckheere, Slate Asset Management (Added Item 7.1(e))

**(Kroetsch/A. Wilson)**

That the following Delegations, be received and referred to the consideration of Report FCS23103(b), respecting 2024 Development Charges Background Study, Policies and By-laws - Final Report (City Wide) – REVISED:

- (1) Michelle Diplock, West End Home Builders' Association (Added Item 7.1(a))
- (2) Amanda C. Stringer, Realtors Association of Hamilton Burlington (Added Item 7.1(b))
- (3) Greg Dunnett, Hamilton Chamber of Commerce (Added Item 7.1(c))
- (4) Veronica Green, Slate Asset Management (Added Item 7.1(d))
- (5) Steven Dejonckheere, Slate Asset Management (Added Item 7.1(e))

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

YES - Ward 1 Councillor Maureen Wilson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - CHAIR - 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  
ABSENT - Ward 14 Councillor Mike Spadafora

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

**(g) STAFF PRESENTATIONS (Item 8)**

**(i) 2024 Development Charges Background Study, Policies and By-laws - Final Report (FCS23103(b)) (City Wide) - REVISED (Added Item 8.1 (a))**

(a) Gary Scandlan and Erik Karvinen, Watson and Associates, provided the Committee with an overview of the 2024 Development Charges Background Study, Policies and By-laws - Final Report – REVISED.

**(Kroetsch/A. Wilson)**

That the presentation from Gary Scandlan and Erik Karvinen, Watson and Associates, respecting the 2024 Development Charges Background Study, Policies and By-laws - Final Report– REVISED, be received.

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

YES - Ward 1 Councillor Maureen Wilson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - CHAIR - 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  
ABSENT - Ward 14 Councillor Mike Spadafora

**(Kroetsch/Tadeson)**

That the Audit, Finance and Administration Committee recess from 12:55 p.m. to 1:30 p.m.

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

YES - Ward 1 Councillor Maureen Wilson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - CHAIR - 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  
ABSENT - Ward 14 Councillor Mike Spadafora

**(Kroetsch/Beattie)**

That the Audit, Finance and Administration Committee recess at 3:03 p.m. due to a fire alarm.

**CARRIED**

The meeting resumed at 3:26 p.m.

**(b) (A. Wilson/Beattie)**

- (a) That the 2024 City of Hamilton Development Charges Study, as amended, prepared by Watson & Associates Economists Ltd., and dated December 21, 2023, amended March 28, 2024, be approved;
- (b) That, whenever appropriate, the City of Hamilton requests that grants, subsidies and other contributions be clearly designated by the provider as being to the benefit of existing development (or new development, as applicable);
- (c) That all the growth capital projects listed in the City of Hamilton Development Charges Background Study, prepared by Watson & Associates Economists Ltd., and dated December 21, 2023, amended March 28, 2024, be approved, in principle, subject to annual capital budget approvals;
- (d) That, having considered the matters in Report FCS23103(b) including the changes incorporated into the 2024 Development Charges By-law, attached hereto as Appendix "A" of Report FCS23103(b), no further meeting under s.12 of the Development Charges Act, 1997 is required;
- (e) That Appendix "A" attached to Report FCS23103(b) respecting a single 2024 Development Charges By-law, prepared in a form satisfactory to the City Solicitor and including the following discretionary exemption policies, be passed and enacted:
  - (i) A Downtown Hamilton Community Improvement Project Area (CIPA) discretionary exemption for residential development, limited to the height restrictions Council approved through the Downtown Secondary Plan, be 40% in year one (June 1, 2024 to May 31, 2025); 35% in year two (June 1, 2025 to May 31, 2026); 30% in year three (June 1, 2026 to May 31, 2027); 20% in year four (June 1, 2027 to May 31, 2028); 10% in year five (June 1, 2028 to May 31, 2029); and 0% thereafter;

- (ii) A Downtown Hamilton Community Improvement Project Area (CIPA) discretionary exemption for non-industrial development (other than Class A Office) industrial development and the non-residential component of mixed-use development, limited to the height restrictions Council approved through the Downtown Secondary Plan, be 40%;
- (iii) A Downtown Hamilton Community Improvement Project Area (CIPA) discretionary exemption for Class A Office, limited to the height restrictions Council approved through the Downtown Secondary Plan, be 70%;
- (iv) A reduced rate discretionary exemption be provided for manufacturing (Employment North American Industry Classification System (code 31-33), as well as, for production and artists' studios at a 37% discount;
- (v) A reduced rate discretionary exemption be provided for industrial development (other than manufacturing) at a 37% discount in Year 1 (June 1, 2024 to May 31, 2025) with a reduction in the exemption of 5% per year until completely phased out;
- (vi) An industrial expansion (detached building), 50% expansion of existing gross floor area exemption, be applied only to industrial businesses with primary economic activity identified as manufacturing (employment North American Industry Classification System (N.A.I.C.S.) code 31-33);
- (vii) A 100% Development Charge discretionary exemption for adaptive re-use of a protected heritage property;
- (viii) A 50% Development Charge discretionary exemption for redevelopment of an existing residential development for the purpose of creating residential facilities within an existing building and that the credit applicable, when the original building was a Residential Facility or Lodging house, be 100% of the applicable Residential Facility Rate or Lodging House Rate;
- (ix) A discretionary exemption for non-industrial developments included within a Community Improvement Project Area (CIPA) or Business Improvement Area (BIA) and for office developments (excluding medical clinics) as follows:

- (i) 1st 5,000 square feet at 50% of the non-industrial charge;
  - (ii) 2nd 5,000 square feet at 75% of the non-industrial charge; and
  - (iii) 10,000 square feet or larger at 100% of the non-industrial charge;
- 
- (x) A 100% discretionary Development Charge exemption for bona fide farming / agricultural use;
  - (xi) A 100% discretionary Development Charge exemption for places of worship exempt from property taxes;
  - (xii) A discretionary transition policy in which the Development Charge Rate at the time of a complete building permit application apply if the building permit is issued within six months of the next rate increase;
  - (xiii) A 100% discretionary Development Charge exemption for Farm Labour Residences;
  - (xiv) A 100% discretionary Development Charge Exemption for City Housing Hamilton;
  - (xv) A 100% discretionary Development Charge Exemption for Parking, other than Commercial Parking;
  - (xvi) A Temporary Building or Structure Exemption;
  - (xvii) A discretionary Deferral Policy for Non-residential Development, a Mixed Use Development, a Residential Facility, a Lodging House or an Apartment Dwelling only;
  - (xviii) A discretionary Environmental Remediation and Site Enhancement (ERASE) Deferral Agreement Policy;
  - (xix) A discretionary Public Hospitals Deferral Policy;
  - (xx) A discretionary Post-Secondary Deferral Policy;
- 
- (f) That the Local Service Policy, as included in the 2024 City of Hamilton Development Charges Background Study, as amended, be approved, adopted and implemented effective June 1, 2024;
  - (g) That revisions to Section L.2.4 of the Comprehensive Development Guidelines and Financial Policies, to align with the Local Service Policy, attached as Appendix "C" be adopted and approved; and



- (h) That, where public stormwater management facilities have been provided at the cost of a developer, as a condition of development approval and the said facilities are deemed to be permanent and part of an ultimate solution, “credits for services in-lieu” for the related stormwater component of the Development Charge will be applied for any unbuilt units upon the said facilities being included in the Development Charge Background Study and any applicable addendum(s).
  
- (c) **(Kroetsch/A. Wilson)**
  - (a) That staff be directed to **amend** Appendix ‘A’ to Report FCS23103(b), respecting 2024 Development Charges Background Study, Policies and By-laws - Final Report being the proposed By-Law Respecting Development Charges on Lands within the City of Hamilton, as follows:
    - (i) To **amend** Section 1(iii) to **delete the term “Previous Use”** and replace it with **“Current Use”** as follows:
      - (iii) **“~~Previous Use~~ Current Use”** has the meaning ascribed to it in section 34.
    - (ii) To add the following, as Section 34, and renumber the existing Section 34 as Section 35:
      - 34. When Redevelopment involves the conversion of the use of an existing Building from one use to another use the existing use of the Building preceding the conversion (the “Current Use”) shall be determined as follows:**
        - (a) **If the existing use is subject to the payment of Development Charges under this By-law it shall be deemed to be the Current Use;**
        - (b) **If the existing use is a use fully exempt from the payment of Development Charges but was preceded by a use of the existing Building that is subject to the payment of Development Charges under this By-law the preceding use of the Building shall be deemed to be the Current Use of the Building and any additions to the Building during its time of use as a use fully exempt from Development Charges under this By-**

**law shall not be considered to be part of the Current Use of the Building; or,**

- (c) **If the existing use is a use fully exempt from the payment of Development Charges and there was no preceding use of the existing Building it shall be deemed to be the Current Use.**

(iii) To **amend** Section 35 as follows:

35. Where an existing Building is converted in whole or in part from one ~~use (hereinafter referred to in this section as the "Previous Use")~~ **its Current Use** to **another a different** use,

- (a) the amount of Development Charges payable shall be reduced by the amount, calculated pursuant to this By-law at the current Development Charges rates in respect of the ~~Previous Use Current Use~~ **Use**;
- (b) the ~~Previous Use Current Use~~ shall be the use as confirmed through the City's Building Division and related permit records. If such records are not available, the ~~Previous Use Current Use~~ shall be determined using property tax records or such other City records as may be available;
- (c) for greater certainty, and without limiting the generality of the foregoing, the credit for the converted building shall be reduced or eliminated by the amount of any exemption, partial exemption or other reduction provided under this By-law applicable to the ~~Previous Use Current Use~~ **Use** as if the converted Building were being assessed as new development under this By-law; and
- (d) the amount of any credit pursuant to this section shall not exceed, in total, the amount of the Development Charges otherwise payable pursuant to this By-law with respect to the Redevelopment.

- (iv) To renumber the remaining Sections, accordingly.

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

YES - Ward 1 Councillor Maureen Wilson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - CHAIR - 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  
ABSENT - Ward 14 Councillor Mike Spadafora

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

**(h) DISCUSSION ITEMS (Item 10)**

**(i) Proposed Amendments to Fair Wage Policy and Fair Wage Schedule (FCS24008/HUR24002) (City Wide) (Outstanding Business List Item) (Item 10.2)**

**(1) (A. Wilson/Beattie)**

- (a) That the Fair Wage Policy and Fair Wage Schedule, attached as Appendix "A" and Appendix "C" to Report FCS24008/HUR24002, be approved;
- (b) That staff be directed to automatically update the Fair Wage Schedule every two years, in a manner consistent with Report FCS24008/HUR24002; and
- (c) That staff be directed to report back any updates to the Fair Wage Policy every four years to the Audit, Finance and Administration Committee for consideration.

**(2) (Kroetsch/A. Wilson)**

- (a) That consideration of the following items be DEFERRED until the end of Q3 2024 to allow the stakeholders the opportunity to review the Proposed Amendments to Fair Wage Policy and Fair Wage Schedule (FCS24008/HUR24002) (City Wide) and provide comment:

- (i) Proposed Amendments to Fair Wage Policy and Fair Wage Schedule (FCS24008/HUR24002) (City Wide) (Outstanding Business List Item) (Item 10.2)
- (ii) Amendments to the Outstanding Business List (Item 13.1)

- (1) Items Considered Completed and To Be Removed (Item 13.1(a))

(a) Fair Wage Policy Review (Item 13.1(a)(i))

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

YES - Ward 1 Councillor Maureen Wilson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - CHAIR - 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

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

(i) **Closed Minutes – April 18, 2024**

**(Kroetsch/Beattie)**

- (a) That the Closed Minutes of the April 18, 2024 meeting be approved, as presented; and
- (b) That the Closed Minutes of the April 18, 2024 meeting remain confidential.

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

YES - Ward 1 Councillor Maureen Wilson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - CHAIR - 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

(j) **ADJOURNMENT (Item 15)**

**(Tadeson/M. Wilson)**

That, there being no further business, the Audit, Finance and Administration Committee, be adjourned at 3:46 p.m.

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

YES - Ward 1 Councillor Maureen Wilson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - CHAIR - 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 Tammy Hwang, Chair  
Audit, Finance and Administration  
Committee

Tamara Bates  
Legislative Coordinator  
Office of the City Clerk





## INFORMATION REPORT

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	May 16, 2024
<b>SUBJECT/REPORT NO:</b>	Salam Hamilton Anti-Islamophobia Campaign Update (CM21015(c)) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Greg Tedesco (905) 546-2424 Ext. 7168
<b>SUBMITTED BY:</b>	Morgan Stahl Director, Government Relations & Community Engagement City Manager's Office
<b>SIGNATURE:</b>	

### COUNCIL DIRECTION

Audit, Finance and Administration Committee at its meeting of May 19, 2022, approved the following:

- a) That staff be directed to develop a pilot inclusion campaign to support equity seeking community members and address issues of hate and intolerance focused on combatting racism, rooted in anti-oppression with a specific focus on Anti-Islamophobia.
- b) That a city-wide public education campaign be developed and distributed, which includes in its development the engagement of City staff and community members already engaged in related work, including but not limited to the National Council of Canadian Muslims, Hamilton Anti-Racism Resource Centre (HARRC), the Hamilton Centre for Civic Inclusion (HCCI), Hamilton Immigration Partnership Council (HIPC), and the No Hate in the Hammer Coalition.

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**SUBJECT: Salam Hamilton Anti-Islamophobia Campaign Update (CM21015(c))  
(City Wide) - Page 2 of 6**

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- c) That one-time funding for the pilot inclusion, public education, awareness and communications campaign of \$35,000 from the Tax Stabilization Reserve #110046 be approved.

## **INFORMATION**

Salam Hamilton, Hamilton's first city-wide anti-Islamophobia public education, awareness, and communications campaign, launched in October 2023 during Islamic Heritage Month. Facilitated by the Office of the City Manager, Government Relations and Community Engagement Division, City staff met extensively with local leaders, residents, and organizations representing diverse Muslim communities, as well as institutional partners, who collectively volunteered their time and efforts to plan and provide input on every element of the campaign.

Developed following a Council directive to pilot an inclusion campaign with a specific focus on Islamophobia, the Salam Hamilton campaign strategically balanced celebration and awareness as a means to educate, inform, and address issues of hate and intolerance within the City of Hamilton. Focused on combatting racism, rooted in anti-oppression, the campaign specifically centered on challenging Islamophobia and its impacts on the daily lives of Muslim residents in Hamilton. The full approved budget allocation of \$35,000 was required and utilized to develop and launch the various campaign elements such as collateral materials and resources, community supports, honorariums, communications, and marketing spend. An overview of the print and digital content produced through the campaign is included in Appendix "A" to Report CM21015(c).

Featuring the tagline 'everyone has the right to be safe' and promoting inclusive messaging, the multi-faceted campaign rollout leveraged both internal and external resources and featured:

- a dedicated City webpage (Hamilton.ca/Salam) that includes campaign materials and community resources including educational guides and toolkits related to Muslim communities and Islamophobia, as well as links to services to support persons who have experienced hate;
- a launch video released in October introducing the campaign through Islamic Heritage Month, and featuring a diversity of Hamiltonians from local Muslim communities;
- a community launch event open to all residents held at City Hall on October 3, 2023 featuring a local vendor market organized by BLK Owned, and a service fair featuring 20 City and community service tables, and guest speakers including Amira Elghawaby - Canada's first Special Representative on Combatting Islamophobia;

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**SUBJECT: Salam Hamilton Anti-Islamophobia Campaign Update (CM21015(c))  
(City Wide) - Page 3 of 6**

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- signage celebrating Islamic Heritage Month, including a banner at City Hall, street-pole banners on James Street North, pull-up displays and bookmarks available at all public library branches throughout the month of October;
- a variety of promotional posters focused on addressing Islamophobia in Hamilton, available for download on the City website and displayed within City facilities such as libraries, recreation centres, and municipal service centres on an ongoing basis;
- print, digital and social media promotion, including digital billboards and bus advertisements running through October 2023 to January 2024; and,
- a video focused on discussing the intersecting impacts of Islamophobia on Muslim residents in Hamilton and exploring the question of what a 'safe city' looks like, launched on January 29, 2024 in alignment with The National Day of Remembrance of the Quebec City Mosque Attack and Action Against Islamophobia.

### **Background, Planning and Implementation**

On July 19, 2021, the National Council of Canadian Muslims (NCCM) released a series of recommendations for municipalities, along with provincial and federal government(s), in advance of the National Summit on Islamophobia. The recommendations followed several violent, hate-related incidents specifically targeting Muslim community members in Canada, and a recognition that direct actions needed to be taken to address Islamophobia. Subsequently, a contingent of Muslim leaders in Hamilton requested City Council's endorsement and commitment to several of the municipal recommendations, including recommendation 58: 'Municipalities dedicate specific funding for anti-Islamophobia public awareness campaigns'.

As early as August 2021, staff began to meet with community members and local representatives of the NCCM to brainstorm various components of the campaign and engage in community relationship building in an effort to foster greater collaboration and provide local solutions associated with the recommendations put forward by NCCM.

In April 2023, dedicated staff in the Government Relations and Community Engagement (GRCE) Division led community engagement efforts to inform campaign goals and key deliverables, conducted research to identify municipal best practices with anti-hate / inclusion campaigns, and developed a project workplan and budget based on the Council approved funding allocation.

Following initial engagement with organizations and groups outlined in the original motion, as well as Community Relations staff in the Mayor's Office, staff invited a contingent of residents and organizations including individuals previously engaged in the Mayor's Anti-Islamophobia Advisory Group (2021) to attend a campaign planning launch event in May 2023. Following this meeting, a core planning group was formed and included a diversity of residents from Muslim communities across Hamilton, including institutional representation from the Muslim Council of Greater Hamilton and

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**SUBJECT: Salam Hamilton Anti-Islamophobia Campaign Update (CM21015(c))  
(City Wide) - Page 4 of 6**

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the Muslim Association of Hamilton. This group continued to recruit and welcome new membership throughout the planning process.

From June to September, the most intensive phase of the planning process, GRCE staff convened and facilitated several virtual and in person planning group meetings, both in- and outside of regular business hours, to plan and action the core elements of the campaign. At various points, additional City departments played a critical role in supporting this work including Communications and Strategic Initiatives, Corporate Facilities, and Print and Mail. Throughout this work, staff placed a foundational emphasis on building rapport and relationships with residents involved in the planning process, which was integral to establishing and maintaining a safe space where planning members could share their perspectives, while growing and maintaining trust and confidence in City staff through the campaign's planning and implementation phases.

### **Campaign Goals, Deliverables and Outcomes**

Through in person and online engagement, staff facilitated engagement activities to support the identification of campaign goals and deliverables, asking residents: why the campaign is important; what they want to achieve through the campaign; how they want to share the campaign; and what/who could be featured in the campaign rollout. Key themes from these responses were identified, and the planning group established core campaign goals at the onset of the planning process that included: raising awareness of the historic and ongoing impacts of Islamophobia through the development a city-wide inclusion campaign; engaging local community to develop and distribute city-wide public education campaign materials; supporting local community initiatives and events; and strengthening community collaboration.

The campaign theme 'Salam Hamilton' was developed and chosen by the planning committee as it means 'peace' and is a universal greeting that conveys connectiveness within Muslim communities and externally to the broader community. The importance of highlighting the diversity and unity throughout Muslim communities in Hamilton was a consistent theme throughout planning, as well as promoting safety and security for all Hamiltonians leading to the poster tagline 'everyone has the right to be safe'.

Through ongoing discussion and dialogue with the planning committee, themes related to both 'celebration' and 'awareness' were consistently highlighted to ensure that the many historic and current contributions of Muslim communities were locally recognized and celebrated during Islamic Heritage Month (October), while at the same time facilitating public awareness around the ongoing and intersecting impacts of Islamophobia. Through this, the planning group specifically sought to actively challenge the systemic marginalization of diverse Muslim communities in Hamilton and encourage all Hamiltonians to stand united against all forms of Islamophobia, racialized and

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**SUBJECT: Salam Hamilton Anti-Islamophobia Campaign Update (CM21015(c))  
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gender-based violence while collectively continuing to work towards Hamilton being a city that is safe, welcoming, and inclusive for all.

**Hamilton for All Campaign**

In June 2023 the Hamilton for All campaign re-launched at Hamilton City Hall with an event that was open to community partners, local organizations, and groups, as well as the broader community. Hamilton for All is a public education campaign that promotes both awareness and action by encouraging Hamiltonians to stand up against prejudice, exclusion, and discrimination, while affirming that all individuals and communities deserve to belong in Hamilton.

Campaign planning and development was facilitated by staff in the City's Planning and Economic Development Department alongside a steering committee representing several local organizations and groups, with additional funding to support the promotion of the campaign provided through the City Manager's Office in alignment with the development of the Salam Hamilton campaign. The launch phase of Hamilton for All aimed to reflect intersecting identities through the campaign, and focused on populations that statistically experience the highest levels of discrimination in Hamilton according to recent data and surveys, including: Indigenous peoples; Black and racialized persons; religious minorities or those experiencing faith-based discrimination; people from 2SLGBTQ+ communities; newcomers, immigrants and refugees; and, persons with disabilities.

The event in June 2023 also highlighted the launch of the No Hate in the Hammer anti-hate toolkit and Belonging Pledge, which the City signed on to as a commitment to be part of a movement for change, take a stand against hate in all its forms, and take action to nurture an inclusive Hamilton. Staff involved in the planning of the Salam Hamilton campaign also participated in the development and launch of both the Hamilton for All Campaign and the No Hate in the Hammer anti-hate toolkit and Belonging Pledge to ensure alignment and to leverage resources where possible to increase the promotion of these inclusion efforts both internally at the City and throughout the broader community.

**Next Steps**

The Salam Hamilton campaign website will continue to be highlighted and updated alongside other initiatives on the City's Inclusion, Diversity, Equity and Accessibility homepage ([www.hamilton.ca/OneCity](http://www.hamilton.ca/OneCity)), and campaign materials and resources developed by the community will remain available for download and use in the future. Print materials created for the campaign, such as street poll banners and display boards, will also remain available for future institutional and/or community use.

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Through the inclusion campaign, the planning group and community members highlighted the importance of ongoing work toward tangibly addressing the impacts of Islamophobia. This includes measurable goals to track progress in reducing hate incidents and violence, while also supporting long-term change through the implementation of tangible community-based strategies to address biases, facilitate dialogue and education, and promote engaged leadership from Hamilton's anchor institutions and organizations to commit to addressing Islamophobia, racialized and gender-based violence.

Following completion of the public awareness campaign, staff will continue support connections between the Salam Hamilton planning group membership to both internal and external groups and initiatives engaged in similar work, including but not limited to: the City's Hate Mitigation and Prevention Plan; Community Safety and Well-Being Plan; Community Engagement through the Office of the Mayor; National Council of Canadian Muslims; Hamilton Anti-Racism Resource Centre (HARRC); the Hamilton Centre for Civic Inclusion (HCCI); Hamilton Immigration Partnership Council (HIPC); and the No Hate in the Hammer Coalition.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report CM21015(c): Salam Hamilton Print and Digital Content

### Salam Hamilton Print and Digital Content Overview

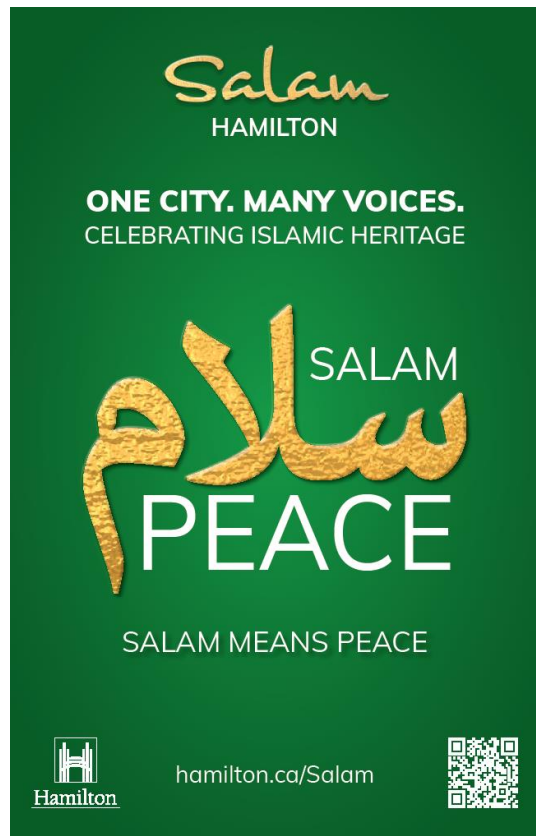
City Hall Banner:



Street Pole Banner / Bookmark Template:

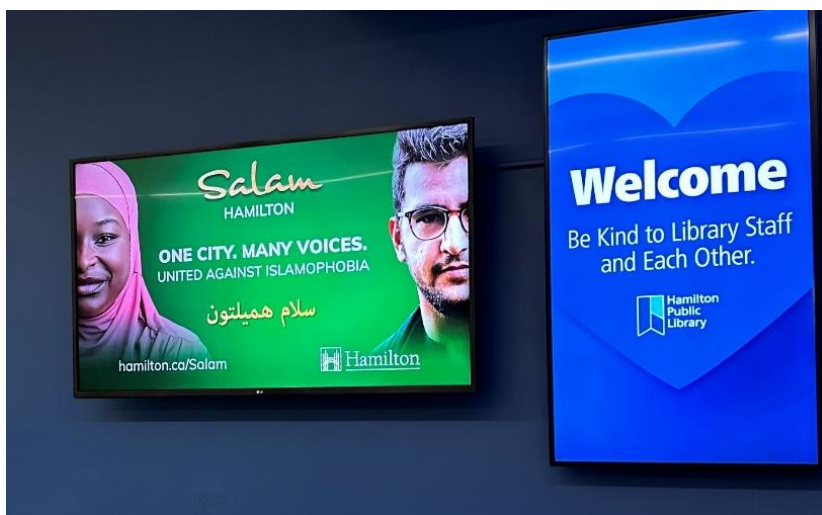
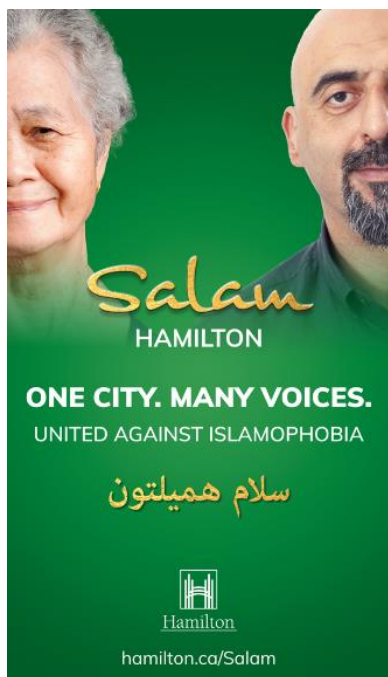
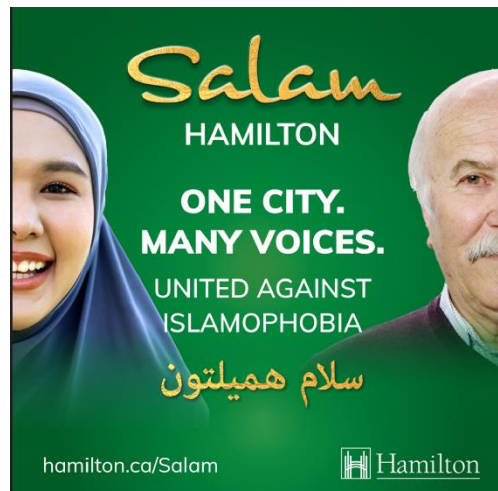


Display Boards:





Advertisements, digital and physical (i.e. webpage ads, social media promotion, bus ads, etc.):







CM21015(c)



Hamilton

# **SALAM HAMILTON ANTI-ISLAMOPHOBIA CAMPAIGN UPDATE**

May 16, 2024

Audit, Finance and Administration  
Committee

# SALAM HAMILTON - LAUNCH VIDEO



## NCCM RECOMMENDATIONS

### National Summit on Islamophobia - July 19, 2021



**Council Minutes 21-014**

**August 13, 2021  
Page 36 of 53**

- (c) That the Director of Government Relations and Community Engagement be directed to work with local leaders of the National Council of Canadian Muslims to determine what dedicated local funding may be required to fulfil community-based anti-Islamophobia initiatives and report back to the Audit, Finance and Administration Committee, to undertake NCCM Recommendation 56:

56. Municipalities provide dedicated funding for local community-based anti-Islamophobia initiatives.

# CAMPAIGN PLANNING TIMELINE

## MAY 2023

- Campaign Kick-Off
- Weekly Planning Meetings Begin
- Develop Campaign

## JULY & AUGUST 2023

- Bi-weekly Planning Meetings
- Engage Partners
- Continue to Address Action Items

## JUNE 2023

- Weekly Planning Meetings
- 1-2 Advisory Group Meetings
- Refine Campaign / List Action Items

## SEPTEMBER 2023

- Weekly Planning Meetings
- Final Preparations

**OCTOBER 2023**  
**Campaign Launch**

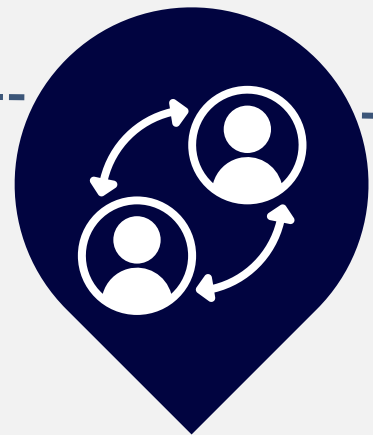


# ANTI-ISLAMOPHOBIA CAMPAIGN OBJECTIVES

RAISE AWARENESS



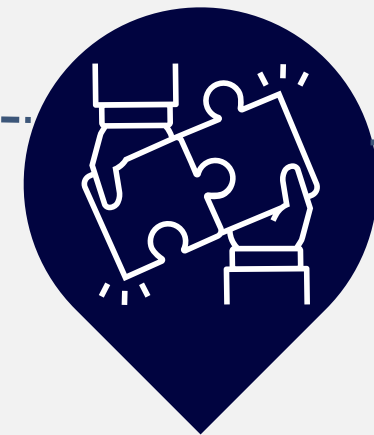
ENGAGE LOCAL COMMUNITY



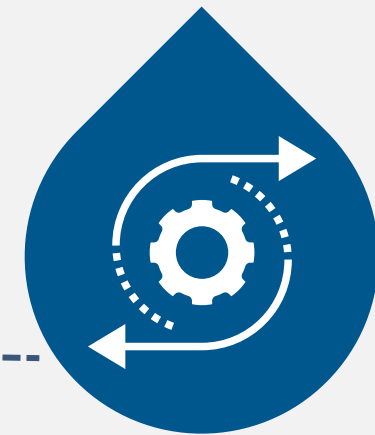
SUPPORT LOCAL COMMUNITY  
INITIATIVES AND EVENTS



STRENGTHEN COMMUNITY  
COLLABORATION



LONG TERM:  
CONTRIBUTE TO  
TANGIBLE CHANGE





*Salam*

**HAMILTON**

# SALAM HAMILTON CAMPAIGN OVERVIEW

CENTRAL WEBSITE  
[HAMILTON.CA/SALAM](http://HAMILTON.CA/SALAM)



PRINT MATERIALS, INCLUDING  
POSTERS, BANNERS, BUS ADS AND  
BILLBOARDS



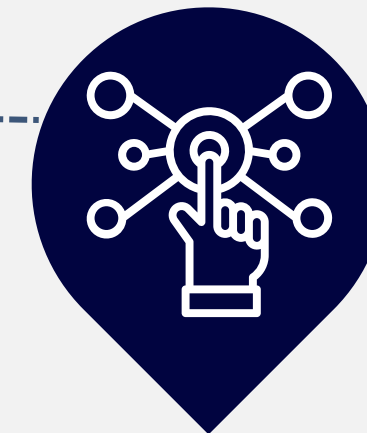
VIDEOS:  
OCTOBER AND JANUARY



COMMUNITY LAUNCH EVENT  
OCTOBER 3, 2023



DIGITAL CONTENT,  
ADVERTISING AND  
PROMOTION





# Salam HAMILTON

## Launch at City Hall

71 Main Street West, Hamilton, ON

### Tuesday, October 3, 2023

2 pm – 7 pm

Celebrate the start of Islamic Heritage Month at City Hall for:

- Local food and marketplace
- Entertainment and music
- Guest speakers
- Information booths for local services
- Family activities

**EVENT IS FREE AND OPEN TO ALL**



Hamilton MAH MCGH BLK OWNED HAMILTON



# CAMPAIGN DELIVERABLES

## Print / Digital Materials - Celebration:

Salam Intro Video

Pull-Up Banners

City Hall Banner

Coroplast Displays

Street Pole Banners

Bookmarks



# Salam

HAMILTON

## ONE CITY. MANY VOICES.

CELEBRATING ISLAMIC HERITAGE

[hamilton.ca/Salam](http://hamilton.ca/Salam)



# Salam

HAMILTON



سلام هميلتون

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CELEBRATING ISLAMIC HERITAGE



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# Salam

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# سلام


SALAM

# PEACE

SALAM MEANS PEACE



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# Salam

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**DID YOU KNOW** that many things we use today have come from Islamic civilizations or Muslim inventors? Just a few examples include the discovery of citric acid, arabesque architecture, the vertical-axis windmill, teaching hospitals, marching bands, the guitar, the lute, the water pipe (hookah or shisha), early attempts at gliding, algebra, the pinhole camera, the laws of refraction, and so much more! Including...




**SURGERY**  
The Muslim man known in the West as Avicenna (Abu-Zahrawi) wrote a medical encyclopedia which included a section titled "On Surgery". In his writings he illustrated over two hundred different surgical tools which laid the foundations for surgery in Europe.

**COFFEE**  
The word coffee has its roots in different languages, including Arabic. For example, "qahwah" was a popular drink made by the Arab people of Yemen around the 10th century. Coffee was discovered and used by Muslims, as an aid to stay up at night to pray. Through trade, Europeans were introduced to coffee and started using it around the 16th century.

**UNIVERSITY**  
Two Muslim women, Fatima and Miriam al-Fihri, created the world's first university, Al-Qarawiyyin in Fez, Morocco, in 859 CE. At the end of their education, teachers evaluated students and awarded degrees. This concept would spread from Morocco to Spain, and later to the Universities of Bologna in Italy, and Oxford in England.



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# CAMPAIGN DELIVERABLES

**Print / Digital Materials -  
Awareness:**

Individual Posters

Digital Ads

Digital Boards

Jan 2024 Video

Bus Ads (Nov - Jan)




**Salam**  
HAMILTON

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
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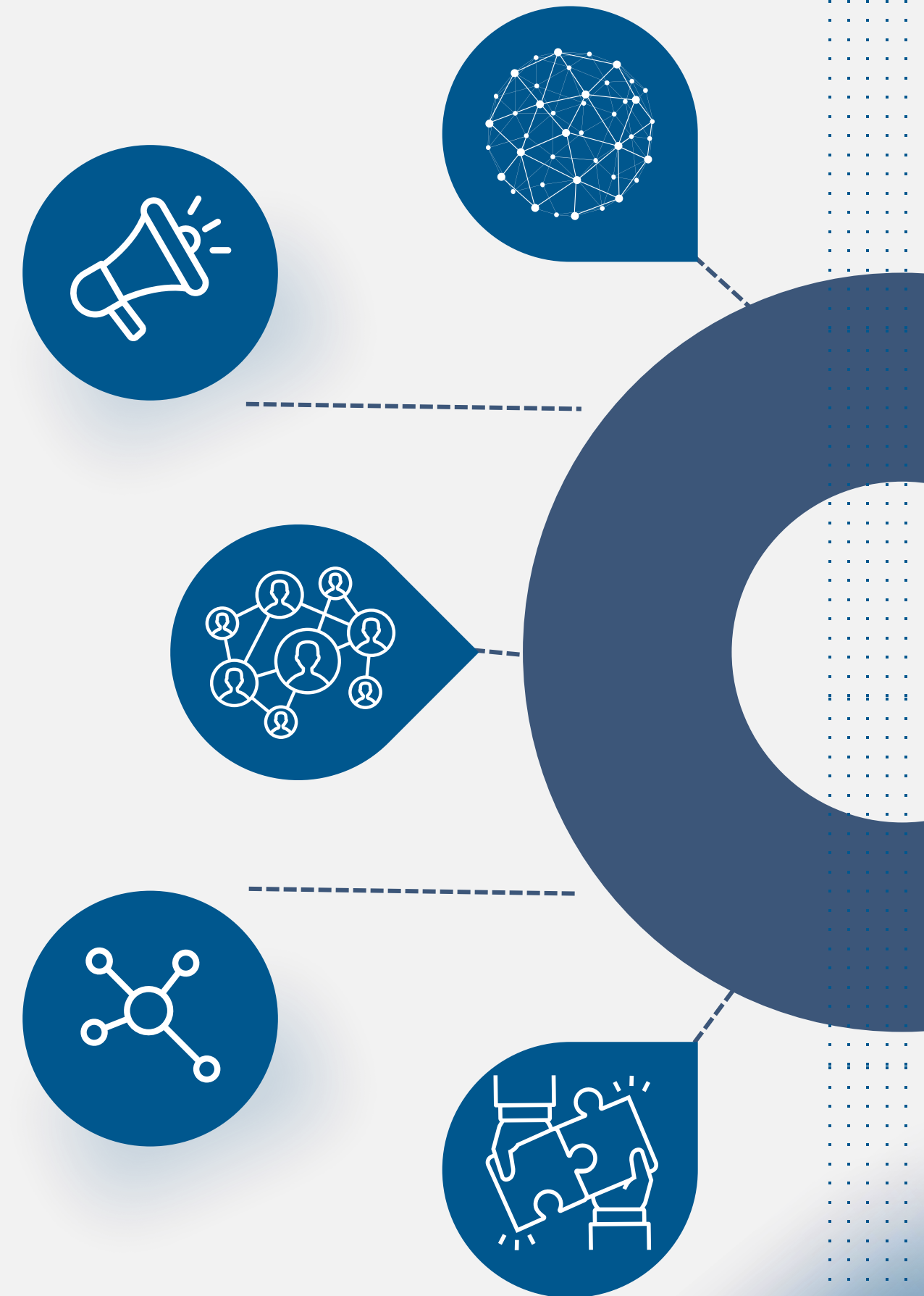
# **BEING MUSLIM IN HAMILTON - JANUARY 29: NATIONAL DAY OF REMEMBRANCE OF THE QUEBEC CITY MOSQUE ATTACK AND ACTION AGAINST ISLAMOPHOBIA**



# NEXT STEPS

Staff will continue support connections between the Salam Hamilton planning group membership to both internal and external groups and initiatives engaged in similar work, including but not limited to:

- The City's Hate Mitigation and Prevention Plan;
- Community Safety and Well-Being Plan;
- National Council of Canadian Muslims;
- Hamilton Anti-Racism Resource Centre (HARRC);
- the Hamilton Centre for Civic Inclusion (HCCI);
- Hamilton Immigration Partnership Council (HIPC); and,
- the No Hate in the Hammer Coalition







Hamilton





# INFORMATION REPORT

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	May 16, 2024
<b>SUBJECT/REPORT NO:</b>	Utility Billing Transition Program Update Spring 2024 (FCS21082(g)) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	John Savoia (905) 546-2424 Ext. 7298
<b>SUBMITTED BY:</b>	Brian McMullen Director, Financial Planning, Administration and Policy Corporate Services Department
<b>SIGNATURE:</b>	

## COUNCIL DIRECTION

Not Applicable

## INFORMATION

### Utility Billing Transition Program Implementation Timeline

On August 6, 2021, Alectra Utilities (Alectra) advised the City that it would discontinue water and wastewater utility billing services by December 31, 2024 (for further details refer to the Background section of Report FCS21082(g)). It should be noted that Alectra similarly provided notice of termination to the municipalities of Guelph, Markham and Vaughan. Collectively, the four municipalities engaged Kaihen Inc. (Kaihen) as a consultant resource to support each municipality's transition to a new utility billing solution.

Hamilton has moved forward with a Hybrid Billing Model which entails acquiring a billing software solution referred to as a Customer Information System (CIS). Once the CIS was selected, staff proceeded with procurements for a Contact Centre, Customer Portal, Bill Print and Meter Reading services and establishment of an in-house Back Office (billing and collections) unit (refer to Report FCS21082(b) for details).

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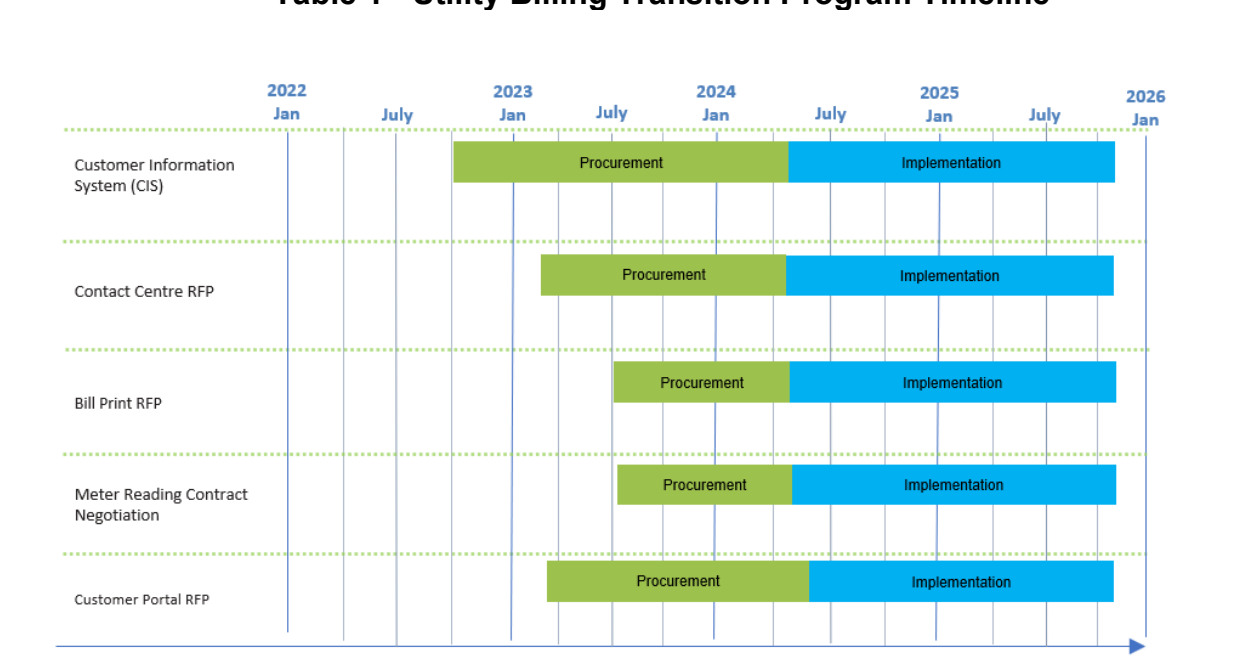
**SUBJECT: Utility Billing Transition Program Update Spring 2024 (FCS21082(g))  
(City Wide) – Page 2 of 9**

At the commencement of the Phase 2 Procurement Phase, it was planned that the CIS Request for Proposals (RFP) would be issued in early January 2023 with the procurement completed by June 30, 2023. Assuming an aggressive 14 to 16-month implementation phase, the City’s new utility billing solution was planned for a November 2024 “go-live” launch. However, as noted in a June 2023 update to Council, the CIS RFP development had experienced a number of delays that resulted in the RFP release not occurring until the end of March 2023 (for details refer to Report FCS21082(e)). The revised completion timing of the billing transition program was then forecast as Q2 2025.

As detailed in the Background section of Report FCS21082(g), the Procurement Phase involving four RFP procurements (related to CIS and customer portal acquisition, customer contact and bill print services) and a single source procurement for meter reading, has resulted in a protracted timeline such that the Procurement Phase will not be fully complete until June 2024.

Consequently, Table 1 to Report FCS21082(g) reflects that the current estimation of the billing transition implementation completion is October / November 2025. Once the selected CIS vendor (SpryPoint Services) is onboarded, the estimated completion timing will be confirmed. An amending agreement has recently been executed with Alectra to continue providing utility billing services for the City until December 31, 2025.

**Table 1 - Utility Billing Transition Program Timeline**



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**SUBJECT: Utility Billing Transition Program Update Spring 2024 (FCS21082(g))  
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**Utility Billing Program Organization Structure**

Kaihen was engaged to support the City to develop the internal utility billing back office organization structure. With no existing utility billing organization in place, new functions and resources will be required including the need to hire staff and to adopt new technologies and processes. In February 2023, Kaihen provided a final report to the City with a recommended utility billing organization structure.

As noted in Report FCS21082(e), the intent was for a report to be provided to Council in Q3 2023 regarding a resource plan for the implementation and ongoing operation of the Utility Billing Program. Subsequently, Report FCS24015 “Corporate Services Department Organizational Changes” was recently approved by Council on March 27, 2024. However, due to the cyber security incident that occurred on February 25, 2024, systems for staff recruitment were not initially available and job postings are being prioritized.

The recruitment delay associated with staffing the internal utility billing back office is problematic, with vendors onboarding in the near term that will need to work with client (City) subject matter experts and / or end users of the new billing system.

Kaihen has noted the following risks associated with the staffing delay:

- If the City resources are not onboarded / available, then valuable information may be missing from the business processes which could lead to missing steps in a process, decreased knowledge transfer or potentially change requests;
- If there are knowledge gaps, then the business processes could be missing critical steps or decision points and the learning curve to adopt the processes will be increased;
- If business rules are not gathered upfront, then there will be a knock-on delay of business processes once SpryPoint is engaged, potentially leading to change requests.

In recognition of the aforementioned risks, staff has inquired with Kaihen and Alectra regarding some temporary resources to fill the gap of subject matter experts and end users so that the implementation can proceed without additional delays. Alectra has identified resources that could provide some subject matter expert support and, as such, the City has issued a purchase order to Alectra to engage these resources over the coming months. However, there remains concerns whether these identified resources will have capacity to support the City when needed.

**SUBJECT: Utility Billing Transition Program Update Spring 2024 (FCS21082(g))  
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The City has also engaged with Kaihen for a temporary resource that will bridge the City's lack of a subject matter expert until the City recruits for the Utility Billing Supervisor role later this year. Kaihen has identified a business analyst with significant utility billing experience who will be the temporary resource for the City.

**Stormwater Rate Effective Date**

It is acknowledged that it is an advantage to incorporate a new stormwater rate structure during the development of the CIS. However, the implementation of a new stormwater rate structure cannot precede with the launch of the new utility billing solution. Given that the revised estimate for the completion of the billing transition implementation is October / November 2025, the September 1, 2025, effective date for the new stormwater fee is no longer feasible.

Currently, there are nearly 160,000 active water and wastewater accounts and it is estimated there will be more than 10,000 new stormwater only accounts. Most of the new stormwater only accounts result from the fact that stormwater fees will be applicable to all developed properties, many of which do not have an existing metered water account. There are also several thousand properties that are not currently connected to the municipal water and / or wastewater systems that will be subject to a future stormwater fee. The stormwater only accounts will take some time to set up and a targeted communication strategy will have to be employed with this customer segment as these customers have not previously received a utility invoice from Alectra.

Transitioning the existing customer base from Alectra to the City will require considerable communications to advise and assist customers. There will be changes with all new account numbers, impacts to pre-authorized payments, e-billing and customer service once the new billing solution is implemented. Given the complexity of the billing transition and to manage the associated customer service risks, implementation of a new stormwater rate should not be planned to occur simultaneously with the implementation of the new billing solution. A concurrent launch of the new billing solution and stormwater fee billing would increase the risk that customer inquiries will overwhelm the new Utility Billing external contact centre, the City's Customer Contact Centre and the Ward offices.

Staff will be recommending in a June 2024 report to the General Issues Committee that the stormwater fee effective date be pushed back to April 1, 2026, assuming the implementation of the new billing solution is completed by December 2025. Staff will continue to monitor this timing and report back if issues arise that affect the revised billing solution implementation timeframe.

**SUBJECT: Utility Billing Transition Program Update Spring 2024 (FCS21082(g))  
(City Wide) – Page 5 of 9**

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**Background**

On August 6, 2021, the City was advised that Alectra's Board of Directors, at its meeting of May 21, 2021, approved an Alectra staff recommendation to discontinue water and wastewater utility billing services by the time of the current contract expiry, being December 31, 2024 (for details refer to Report FCS21082). It should be noted that Alectra similarly provided notice of termination to the municipalities of Guelph, Markham and Vaughan.

Collectively, the four municipalities engaged Kaihen Inc. (Kaihen) as a consultant resource to support each municipality's transition to a new utility billing solution. Kaihen conducted assessments of each municipality's current systems and processes during an initial Discovery Phase (Phase 1) of the Water Billing Transition Program (Program) and completed an analysis of utility billing service delivery models both on a collective group and individual municipality basis (refer to Report FCS21082(a) for details).

Hamilton has moved forward with a Hybrid Billing Model which entails acquiring a billing software solution referred to as a Customer Information System (CIS). Once the CIS was selected, staff proceeded to procure Contact Centre, Customer Portal, Bill Print and Meter Reading services and establish an in-house Back Office (billing and collections) unit (refer to Report FCS21082(b) for details).

Phase 2 of the Program is the Procurement and Evaluation Phase, which commenced in November 2022 and involved a series of procurements:

**Customer Information System (CIS):** The municipalities commenced with a combined procurement process to acquire a CIS whereby each municipality could select its own vendor solution. The CIS Request for Proposals (RFP) was released on March 31, 2023, and closed on May 19, 2023, with procurement initially expected to be completed by October 2023. However, as procurement evaluation was nearing completion in September 2023, the other municipalities decided to halt their individual CIS evaluation efforts.

Hamilton's procurement efforts continued forward and on October 20, 2023, the City announced its preferred CIS vendor as SpryPoint Services Inc. headquartered in Charlottetown, Prince Edward Island. However, contract negotiations have been protracted and as a result, SpryPoint is now expected to onboard in May 2024.

**SUBJECT: Utility Billing Transition Program Update Spring 2024 (FCS21082(g))  
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Founded in 2011, SpryPoint is a leading enterprise software-as-a-service (SaaS) provider to over 50 utilities in the water, electric and gas sectors across North America having implemented CIS solutions for many municipalities such as Pittsburgh, Boston, Baltimore, New York City and New Orleans. To address the evolving utility landscape, SpryPoint has developed a cloud-based platform of enterprise solutions designed to help utilities improve customer service and operations through business automation.

**Contact Centre:** A Request for Proposals (RFP) was issued that permitted an in-house bid to be submitted and considered with external proposals. In accordance with Procurement Policy #22, Council approval was obtained prior to the preparation and submission of the in-house bid (refer to Report FCS21082(c) for details). The procurement was expected to be completed by November 2023 but was delayed. The Contact Centre procurement was released on December 20, 2023, and closed on February 6, 2024.

On March 27, 2024, the City announced Optima Communications International Inc. (Optima) headquartered in Toronto, Ontario as its successful vendor. Founded in 1992, Optima is a Canadian business process outsourcing solution provider that is 100% Canadian owned and operated, with all staff located within Canada. Optima provides customer service for many well known Canadian brands with large customer bases in the financial services, insurance and utilities sectors including Alectra Utilities, Hydro Ottawa, Oshawa Power and Toronto Hydro. Optima is expected to onboard in May 2024.

**Bill Print:** The Bill Print procurement has been a joint effort with the Taxation section to identify a printer vendor that will provide print services for both utility and property tax bills. The procurement was expected to commence in July 2023 and be completed by December 2023 but was delayed. The Bill Print procurement was released on February 1, 2024 and closed on March 8, 2024.

On May 1, 2024, the City announced Data Direct Group (Data Direct) headquartered in Mississauga, Ontario as its successful vendor. Established in 1994, Data Direct is one of Canada's largest integrated service providers specializing in variable imaging, print management, fulfilment and distribution. Data Direct is the incumbent print vendor for Hamilton property tax bills and provides printing services for property tax and / or utility bills for several Ontario municipalities including Belleville, Richmond Hill and Markham. Data Direct is expected to onboard in May 2024.

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**SUBJECT: Utility Billing Transition Program Update Spring 2024 (FCS21082(g))  
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**Meter Reading:** Council approval has been obtained to a single source contract with Olameter Inc. (incumbent meter reading vendor) to continue to provide manual water meter reading services for a period of two years with a one-year term extension at the City's sole option, commencing when the City assumes utility billing responsibilities from Alectra (refer to Report FCS21082(d)). Contract discussions commenced in February 2024 and are expected to be concluded in May 2024.

**Customer Portal:** A customer portal is a personalized website offering customers a single point of access to relevant customer billing information and self-service options. The Customer Portal procurement development commenced in April 2023 and was expected to be completed by December 2023 but was delayed. The Customer Portal procurement was released on February 22, 2024 and closed on April 4, 2024. The City expects to announce its preferred customer portal vendor in June 2024.

### **Utility Billing Transition Program Risk Management**

In January 2023, Council directed staff to conduct a fulsome risk assessment for the Utility Billing Transition Program, as recommended by the City's Auditor General (AG) (refer to Report AUD23002), to ensure:

- Program objectives are understood
- Significant risks are identified
- Plans are implemented to manage the risks
- Action is taken to prevent or manage any adverse impacts to the City's operations throughout the Program's duration and after the full solution is implemented

A cross-functional Steering Committee (SC) has been established with membership consisting of:

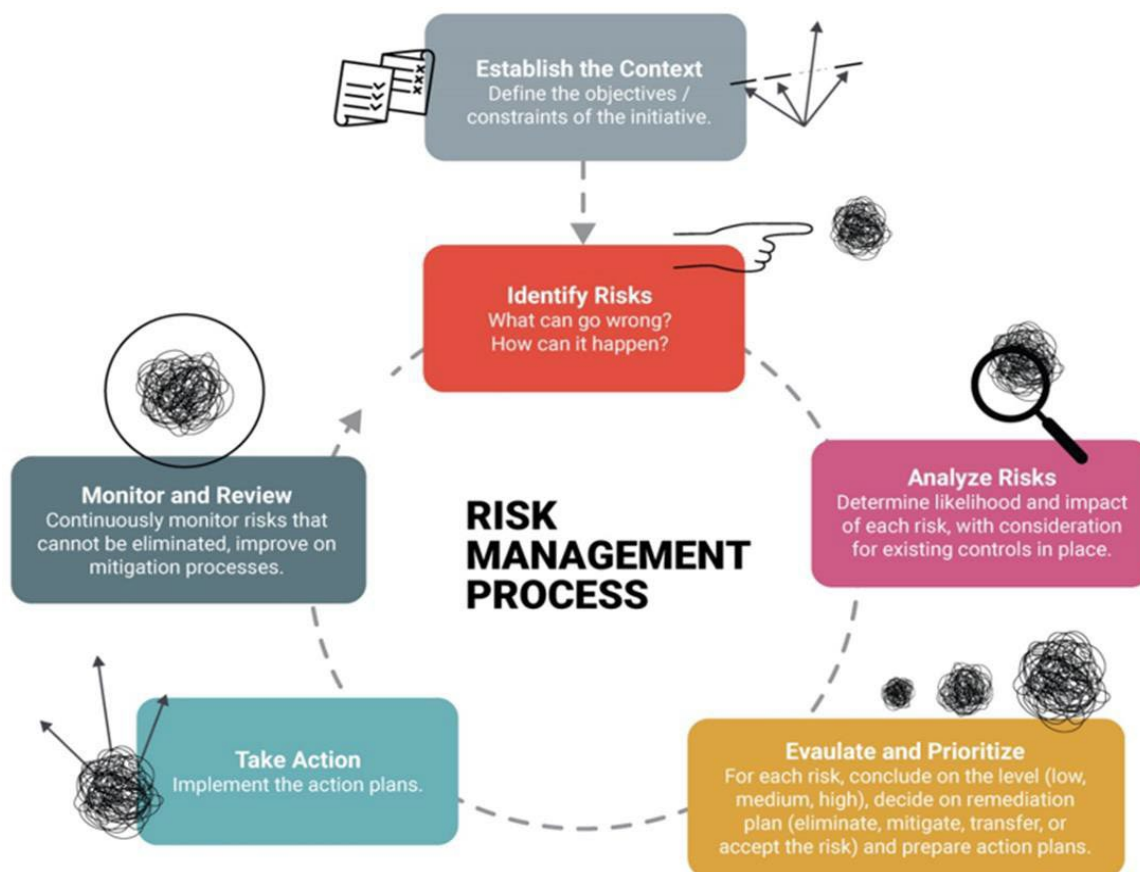
- General Manager, Finance and Corporate Services (program sponsor)
- Director, Financial Planning, Administration and Policy
- Manager, Budgets and Fiscal Policy
- Director, Information Technology Services
- Director, Hamilton Water

The SC has been meeting monthly with formal terms of reference and a program governance model having been presented and endorsed at the SC's initial meeting in April 2023.

Table 2 to Report FCS21082(g) graphically represents the risk management model that has been adopted.

**SUBJECT: Utility Billing Transition Program Update Spring 2024 (FCS21082(g))  
(City Wide) – Page 8 of 9**

**Table 2 - Risk Management Model**



Program risks that have been identified are:

1. Financial Risk
  - Project delay beyond 2025 could result in significant cost overruns.
2. Staffing Risk
  - If key staff resources should leave the project, key knowledge could be lost.
  - Tight job market in which to hire new resources with experience and right skill sets.
  - Recruitment currently on hold due to cyber incident with uncertainty as to when recruitment will resume.
3. Organizational Risk
  - Program depends on consulting resources, knowledge transfer or lack thereof, could be significant.

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**SUBJECT: Utility Billing Transition Program Update Spring 2024 (FCS21082(g))  
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4. Cultural Risk
  - Program represents a significant organizational change to the City.
5. Solution Risk
  - Water Billing solution component compatibility, capability and fit.
6. Customer Experience Risk
  - Transition to new Water Billing solution will affect the customer experience.
7. Timeline Risk
  - Risk to meet Alectra's revised transition deadline of December 2025.

**APPENDICES AND SCHEDULES ATTACHED**

Not Applicable

JS/dt



**Grightmire Arena Lessons Learned Audit (AUD22004)  
Management Responses Status Report as of March 2024**

**Completion Status Legend:**

- 🟢 Ongoing/ On Target
- 🟡 Progressing but delayed
- Complete
- Incomplete

Recom. No.	Responsible Division	Audit AUD22004 Recommendation	Management Response (AUD22004)	Recommendation Action Plan	Expected Completion Date	Completion Status	Status Update	
							Q2 2024 PW23007(b)/FCS23011(b)	Q3 2023 PW23007(a)-FCS23011(a) Q4 2022 (PW23007-FCS23011)
<b>Corporate Facilities &amp; Energy Management (CFEM) Division</b>								
1	Corporate Facilities and Energy Management Division	We recommend that management develop a risk assessment framework and process, and that formal evaluation of risk be conducted as part of the project planning for each capital project. This would inform and identify the project management approach to be taken, resources that should be allocated, as well as the issues and mitigations that need to be tracked and reviewed on an ongoing basis.	A risk assessment framework and process are planned for development as part of the continued implementation of the Quality Management System (QMS) in Public Works in 2022. The PW QMS team has developed and implemented project management documents (including a PM manual, project charter template, project transition checklist and closing report template) working with a cross-divisional team across the City. Energy, Fleet and Facilities Management Division (EFFM) has further developed project initiation and close-out checklists, a project budget template and communications plan for capital projects to continually improve project management processes and mitigate risk. EFFM's 2022-2023 initiatives include further development of planning/ design and implementation/ construction phase checklists.	Risk Assessment Process	Complete	<input checked="" type="checkbox"/>	Recommendation completed in Q3-2023.	<p><u>Q3 2023 – CFEM Update:</u> The PW QMS team developed and released a Risk Management Procedure in March 2023, which has been reviewed and is being implemented by CFEM. Risks are identified with mitigation mechanisms in the Project Charter as part of every capital project.</p> <p><u>Q4 2022 – EFFM Update:</u> EFFM has developed internal working committees for various continuous improvement initiatives. EFFM has also recently completed the recruitment for the Sr. Project Manager of the EFFM Quality Management Office, which will be in place by the end Q1 2023, following which new template documents will be prepared.</p>
3	Corporate Facilities and Energy Management Division	We recommend that contract management training be provided to project managers to ensure the City's rights under contract are protected and timely remedies can be implemented during the capital project process.	Contract management training will be provided to Project Managers involved in the planning and delivery of construction projects to ensure the City's rights are protected and timely remedies are implemented. Training will be provided once Legal and Procurement have confirmed delegated authority and available support.	Contract Management Training	Complete	<input checked="" type="checkbox"/>	Recommendation completed in Q3-2023.	<p><u>Q3 2023 – CFEM Update:</u> CFEM staff participated in contract management training in April 2023.</p> <p><u>Q4 2022 – EFFM Update:</u> Contract Management Training is being organized by the Corporate Asset Management office on the new CCDC 2-2020 contract for all departments across Public Works. Training sessions will be scheduled in Q1-2023.</p>

**Grightmire Arena Lessons Learned Audit (AUD22004)  
Management Responses Status Report as of March 2024**

**Completion Status Legend:**

- 🟢 Ongoing/ On Target
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Recom. No.	Responsible Division	Audit AUD22004 Recommendation	Management Response (AUD22004)	Recommendation Action Plan	Expected Completion Date	Completion Status	Status Update	
							Q2 2024 PW23007(b)/FCS23011(b)	Q3 2023 PW23007(a)-FCS23011(a) Q4 2022 (PW23007-FCS23011)
4	Corporate Facilities and Energy Management Division	We recommend that management consider separating the roles of project management and contract management for capital projects in general, or alternatively with those that reach a pre-determined level of risk.	Current practices will be reviewed with Legal and Procurement to determine the changes necessary related to the roles of project and contract management in general, or when a pre-determined level of risk is reached. As defined by the Office of the City Auditor (OCA), contract management for capital projects (in comparison to contract administration), is strictly concerned with contract delivery/ adherence to the contract terms (i.e., role of a contract compliance specialist). As such, EFFM will review the existing Service Level Agreement (SLA) with Legal Services with regards to the requirement to engage an experienced Legal representative knowledgeable in construction contract law to enforce contract management practices for applicable high-risk projects. EFFM will undertake a municipal scan to explore models for construction contract management successfully implemented by other municipalities in Ontario for multidisciplinary construction projects. Understanding that the City is bound by existing Legal and Procurement policies, and have limited ability/ flexibility to change processes, EFFM relies on the subject matter experts in these support divisions/department to provide guidance on contract management practices.	Municipal Scan - Roles of Project and Contract Management	Complete	<input checked="" type="checkbox"/>	<p><u>Q2 2024 – CFEM Update:</u> Following the municipal scan and internal discussions with Procurement and Legal Services, staff will continue to utilize the most appropriate contract type for project delivery between those currently developed and available in the City. This includes Construction Management (CM/CCDC 5B) as an alternate contract delivery models utilized by various municipalities which mitigates risk and adversity in relationships between the consultant and contractor.</p>	<p><u>Q3 2023 – CFEM Update:</u> A municipal scan was completed through the CFEM Director's Office in Q3 2023. Construction Management (CM/CCDC 5B) is one of the alternate contract delivery models utilized by various municipalities which mitigates risk and adversity in relationships between the consultant and contractor. Other municipalities have also expressed success with this model. CFEM &amp; Procurement have collaborated on a CCDC 5B contract template for Facilities projects, and this has been implemented on a number of CFEM projects in 2023. All the findings will be reviewed with Procurement and Legal Services to determine if there are any opportunities to separate the project management and contract management roles. This is on track to be completed by the Q4 2023 deadline.</p> <p><u>Q4 2022 – EFFM Update:</u> EFFM is on target to complete a municipal scan and working with Legal Services will initiate this in Q2 2023 once the EFFM Quality Management Office is in place, to be completed by the end of Q4 2023.</p>

**Grightmire Arena Lessons Learned Audit (AUD22004)  
Management Responses Status Report as of March 2024**





**Completion Status Legend:**

- 🟢 Ongoing/ On Target
- 🟡 Progressing but delayed
- ☑️ Complete
- ❌ Incomplete

Recom. No.	Responsible Division	Audit AUD22004 Recommendation	Management Response (AUD22004)	Recommendation Action Plan	Expected Completion Date	Completion Status	Status Update	
							Q2 2024 PW23007(b)/FCS23011(b)	Q3 2023 PW23007(a)-FCS23011(a) Q4 2022 (PW23007-FCS23011)
7	Corporate Facilities and Energy Management Division	We recommend that project management processes be improved to ensure adequate project documentation is maintained by the City, including delays and deficiencies, ensuring that contract management administrative requirements are strictly adhered to, and formal communications with the contractor are timely, effective and sufficient.	Project management processes will be improved with the planned introduction of a central filing system through the Enterprise Asset Management (EAM) project for all required project documentation, including delays and deficiencies. The EAM project is the medium-term solution to ensure adequate project documentation is always maintained. Implementation is expected by 2025. The existing EFFM Contract Analyst position along with a new Quality Management Office within EFFM will be redefined to add duties related to quality management and project record retention. A standard operating procedure detailing project management processes will also be introduced related to ensuring contract management and contract administrative requirements are strictly followed for timely and effective contractor communications.	Project Documentation - Management and Control (EAM)	Complete	☑️	Recommendation completed in Q3-2023.	<p><u>Q3 2023 – CFEM Update:</u> CFEM has reviewed the PW Project Management SOP and will follow the record retention requirements per the SOP as well as the new EAM system (once implemented). Project files for capital projects are currently maintained following the Divisional capital project folder template in alignment with Project Management principles. Future improvements will be made to incorporate document control through EAM once it is implemented for the Division.</p> <p><u>Q4 2022 – EFFM Update:</u> EFFM continues to collaborate with the departmental Public Works Quality Management System (PWQMS) and EAM project teams in the development of project management processes. EFFM has also recently completed the recruitment for the Sr. Project Manager of the EFFM Quality Management Office, which will be in place by the end of Q1 2023. Estimated Completion: Q4 2022 for Quality Management Office (QMO) and EAM implementation by 2025</p>
8	Corporate Facilities and Energy Management Division	We recommend that special contingency procedures and guidelines be developed for enhancing the oversight and contract management practices for projects in difficulty.	A standard operating procedure will be developed for the management of contingency in order to enhance the oversight and contract management practices for projects in difficulty. This procedure will define roles and responsibilities, as well as ensure updates for all projects on a routine basis through a project tracker or similar mechanism while incorporating an existing escalation protocol. Since 2020, EFFM has implemented an escalation protocol through bi-monthly project status updates on significant/major capital projects, which allows senior management to be notified of any project issues.	Critical Project Communications SOP	Complete	☑️	<p><u>Q2 2024 – CFEM Update:</u> CFEM staff are following the recently released Public Works standard operating procedure for Communications, which was developed in collaboration with the CFEM QMO. Additionally, as mentioned in the previous Q3 2023 update, project management staff continue to utilize the Key Projects tracker for enhanced oversight of key projects.</p>	<p><u>Q3 2023 – CFEM Update:</u> The PWQMS team has developed a Level II Communications SOP in collaboration with the CFEM QMO for the Public Works department. The SOP is currently in its review phase and will be released before the end of Q4 2023. This will be adopted and implemented by CFEM project management staff. Additionally, for enhanced oversight of key projects - CFEM has implemented a Key Projects tracker which is updated weekly and shared with CFEM's management team, as well as the GM of PW and his Administrative Coordinator. Divisional tracking includes key project, litigation files, HR requests, as well as Councillor and media requests. Updates are shared by CFEM's Director with the GM, who escalates critical items to Council through variance reporting, etc.</p> <p><u>Q4 2022 – EFFM Update:</u> EFFM has kept senior management and Council apprised of project status updates and will continue to do so. The standard operating procedure will be developed in 2023 once the EFFM Quality Management Office is in place.</p>

**Grightmire Arena Lessons Learned Audit (AUD22004)  
Management Responses Status Report as of March 2024**

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Recom. No.	Responsible Division	Audit AUD22004 Recommendation	Management Response (AUD22004)	Recommendation Action Plan	Expected Completion Date	Completion Status	Status Update	
							Q2 2024 PW23007(b)/FCS23011(b)	Q3 2023 PW23007(a)-FCS23011(a) Q4 2022 (PW23007-FCS23011)
9	Corporate Facilities and Energy Management Division	We recommend that Public Works implement a process to share critical capital project information such as cost estimates with Procurement to ensure the procurement team has all relevant information for a capital project.	A standard operating procedure will be developed to document the process to share critical capital project information with Procurement to ensure the Procurement team has all relevant information for a capital project e.g. cost estimates tracked in advance of tender issuance. This information could be attached as supporting documentation to the existing project budget template, RFCTA form and Project Charter submitted at the time of tender.	Share Critical Capital Project Estimates with Procurement	Complete	<input checked="" type="checkbox"/>	Recommendation completed in Q3-2023.	<p><u>Q3 2023 – CFEM Update:</u> Including the project budget as part of the Request for Contract/Tender Approval (RFCTA) form has met this recommendation and complies with the Procurement Policy. An additional SOP is not required in addition to following the Procurement forms.</p> <p><u>Q4 2022 – EFFM Update:</u> EFFM has started including the completed project budget as part of the Request for Contract/Tender Approval (RFCTA) package. The standard operating procedure will be developed in 2023 to document the process.</p>
12	Corporate Facilities and Energy Management Division	We recommend that communication with Council regarding projects in difficulty be timely and forthright, and that the risk assessment process (see Recommendation 1) be utilized to bring potentially unfavorable conditions and negative community impact to Council's attention in a proactive manner.	A standard operating procedure will be developed to document the procedure for timely and forthright communication of projects in difficulty to Council. This procedure will incorporate the output of the risk assessment process to ensure that potentially unfavorable conditions and negative community impact are proactively brought to Council's attention.	Critical Project Communications SOP	Complete	<input checked="" type="checkbox"/>	<p><u>Q2 2024 – CFEM Update:</u> Complete as noted in the response for recommendation #8.</p>	<p><u>Q3 2023 – CFEM Update:</u> Please refer to the response for recommendation #8.</p> <p><u>Q4 2022 – EFFM Update:</u> EFFM has continued to keep Council and senior management apprised of project updates since the completion of this audit. The standard operating procedure will be developed in 2023.</p>



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							Q2 2024 PW23007(b)/FCS23011(b)	Q3 2023 PW23007(a)-FCS23011(a) Q4 2022 (PW23007-FCS23011)
13	Corporate Facilities and Energy Management Division	We recommend that the budget for the capital projects portfolio include sufficient funding for necessary corporate services, such as legal, financial, and contract management expertise, in order to ensure that they City's interests are protected during the completion of capital projects.	Corporate Services Financial Planning, Administration and Policy staff will work with the Corporate Asset Management team and the asset owners to assess the type of costs charged to Capital Projects and assess resources needed to support Capital Projects. Under the Asset Management framework, staff will develop a definition of the cost of a Capital Asset including a review of operating costs recovered from Capital Projects. Staff will be looking to change our approach for costs that are recovered from Capital Projects, such that, capital projects may only include costs that are directly attributable to a capital project. Therefore, we will be reviewing costs for City project management, City contract management, other City overhead, City financial services, City and external legal services, etc. It is expected that the impact of any change will be assessed, and the pros and cons of alternatives will be provided. (Operating budget, capital financing costs, i.e. transfers to capital, may be needed to offset operating budget capital cost recoveries).	Capital Projects Portfolio Funding	<b>Complete</b>	<input checked="" type="checkbox"/>	Recommendation completed in Q3-2023.	<p><u>Q3 2023 – FPAP Update:</u> A revised process to allocate operating costs in the budget and actuals to CFEM capital projects was implemented in 2019 and reviewed in Q3 2023. Costs directly attributable to capital projects are charged to CFEM capital projects. When unexpected project costs arise, financing sources are sought and the Capital Projects' Budget Appropriation and Work-in-Progress Transfer Policy is followed. In addition, Corporate Services Financial Planning, Administration and Policy (FPAP) staff are working with all assets owners to develop consistent processes to allocate all costs directly attributable to capital projects in the budget development and in the actuals as Asset Management Plans are developed.</p> <p>→ <u>CFEM Supplemental Comment:</u> CFEM's project budget template is required to be completed for all large capital projects and includes an estimate for operating fee recoveries as a percentage of the project budget. Budget overage requests associated with unplanned project issues during the closing phase (such as litigation) would follow FPAP processes for additional funding requests.</p> <p><u>Q4 2022 – EFFM Update:</u> EFFM is continuing to work on this item. EFFM's project budget template includes an estimate for internal fee recoveries as a percentage of the project costs. This will be reviewed along with the costs of other stakeholders mentioned in the recommendation column. As noted in the update to Recommendation #7, EFFM's QMO office will be operational by the end of Q1 2023, and meeting the expected completion target will be part of its mandate.</p>

**Grightmire Arena Lessons Learned Audit (AUD22004)  
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

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14	Corporate Facilities and Energy Management Division	We recommend that management implement and/or strengthen processes to ensure that when faced with contractor claims for cost increases or time extensions due to alleged design issues, that these alleged design flaws are rigorously and independently evaluated, commensurate with their seriousness. In particular, design flaws that potentially impact safety should be promptly addressed and accountability/liability for actual design flaws is assured.	The EFFM Capital team through its new Quality Management Office, in collaboration with Legal Services & Procurement will explore means of strengthening current process that is currently governed by both (i) CCDC-2 design-bid-build contract, which defines the role of the Consultant as the contract administrator (i.e. The Consultant will provide administration of the Contract as described in the Contract Documents), & (ii) the Ontario Building Code (OBC), whereby, the capital construction projects delivered by EFFM require building permits in compliance with the OBC, which include a Commitment to General Review signed by the Prime Design Consultant and/or design Engineers to complete construction documentation, field inspections, review of shop drawings & testing reports, & contract administration services to ensure compliance with the design. Additionally, CCDC-2 also includes mechanisms for conflict resolution. EFFM will review the existing Service Level Agreement (SLA) with Legal Services with regards to the requirement to engage an experienced Legal representative knowledgeable in construction contract law to enforce contract management practices for applicable high-risk projects. This will allow the City to act promptly to enforce our contractual rights going forward in situations where alleged design flaws are raised during the construction phase.	Strengthen Contract Claim Review Process & Revise SLA between Legal & CFEM	Complete	<input checked="" type="checkbox"/>	<p><u>Q2 2024 – CFEM Update:</u> CFEM and Legal services have been working collaboratively to identify potential contractual concerns for construction projects for adherence to our contracts. Additionally, as noted in Legal Service's response to Recommendation #15, they have completed a review of the City's litigation process and all settlements over and above approved limits for staff will be presented to Council for approval. CFEM will work with Legal Services and comply with this improved process going forward.</p>	<p><u>Q3 2023 – CFEM Update:</u> CFEM is in discussion with our colleagues in Legal Services to review revisions to the SLA, including engagement of an experienced Legal representative knowledgeable in construction contract law to enforce contract management practices for applicable high-risk projects. Legal is also reviewing the settlement process for litigation as part of Recommendation #15 assigned to them.</p> <p><u>Q4 2022 – EFFM Update:</u> EFFM will formalise a process in consultation with Legal Services, Risk Management and the Procurement Section, once the EFFM QMO office is operational in Q1 2023 (as noted in the update to Recommendation #7). Limited staffing resources have resulted in requiring an extension. EFFM will collaborate with Legal Services to review the Service Level Agreement in 2023.</p>

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							Q2 2024 PW23007(b)/FCS23011(b)	Q3 2023 PW23007(a)-FCS23011(a) Q4 2022 (PW23007-FCS23011)
<b>Finance and Corporate Services Department (Procurement, Legal Services and Risk Management Services Divisions)</b>								
5	Procurement Section	We recommend that contractor performance for each contract be tracked and formally evaluated using a consistent and robust process, and that the use of contractor ratings from previous performance be considered for implementation as a procurement criterion in order to mitigate the risk of poor results.	It is within Procurement's workplan to research and develop a more robust Vendor Performance Program. The context of this program has yet to be determined however, Procurement will investigate the potential to use contractor ratings from previous contract performance as a procurement criterion in order to mitigate the risk of poor results. Procurement also recognizes that significant consultation is required with both internal and external stakeholders in order for this program to be successful. EFFM Supplemental Comment: In discussions with Procurement, EFFM will participate in this initiative to develop a more robust Vendor Performance Program.	Robust Vendor Performance Program	Revised Completion: Q4 2024  Original AUD22004 Completion: Q4 2022		Q2 2024 – Procurement Update: Staff continues to work on the development and implementation of the Vendor Performance Program with the anticipation of its completion by end of Q4 2024.	Q3 2023 – Procurement Update: A Project Manager has been recruited to review and improve the City's Vendor Performance Program and work has been initiated. Development of the new the Vendor Performance (VP) Program is ongoing, and is on track to be completed by the Q2 2024 deadline. → CFEM Supplemental Comment: CFEM are keeping Procurement apprised of vendor issues and completing the current VP form as required. We will also continue to participate in this initiative with Procurement to develop a more robust Vendor Performance Program.  Q4 2022 – Procurement Update: Procurement is still experiencing a shortage of staffing resources to complete this work. A recruitment is under way for a project manager to develop and implement. This is a priority for Procurement Staff to complete.
2	Procurement Section and Legal and Risk Management Services Division	We recommend that when using a CCDC 2 Stipulated Price contract for construction projects, that the current version be used and that the contract conforms with the changes introduced by recent changes to the <i>Construction Act</i> .	All construction contracts utilized through a procurement process are current with respect to the <i>Construction Act</i> . A working group of staff has been tasked with updating supplemental conditions to be used with the new CCDC 2-2020 Stipulated Price contract for implementation in June 2022.	CCDC 2-2020 Stipulated Price Contract	<b>Complete</b>	<input checked="" type="checkbox"/>	Recommendation completed in Q3-2023.	Q4 2022 – Procurement Update: As of June 30, 2022, the updated CCDC 2-2020 is in effect and staff are using it as required. Staff has completed its review of the supplemental conditions to the contract and these are currently being used as well.
6	Legal and Risk Management Services Division with Procurement Section	We recommend that the values used for liquidated damages be reviewed to ensure they adequately compensate the City for the damages of late delivery and daily costs incurred, and to motivate contractors to take prompt action to cure project delays/deficiencies. Where liquidated damages would likely fall short of what is necessary to motivate Contractors to meet schedule requirements, we also would recommend the use of bonus/penalty clauses and earn-backs in the Contract.	Staff will investigate and pursue best practices including discussion with other municipalities, on the approach to liquidated damages, bonus and penalty provisions pertaining to contractual dealings. Legal Services will aid Procurement in updating the approach to appropriately amending contracts arising from this investigation in order to best protect the City's interests as permitted by these measures. Further, Procurement staff will engage and consult with client staff to assess consequences and controls in order to ensure appropriate application of the changes involved.	Contract Penalties & Bonuses Process Review	<b>Complete</b>	<input checked="" type="checkbox"/>	Q2 2024 – Legal Services Update: Legal Services has incorporated updated liquidated damages language in capital construction contracts.	Q3 2023 – Legal Services Update: Legal Services is developing an updated process for liquidated damages, including standard clauses to be included in capital construction contracts. The process will also include references to the relevant sections of the Construction Act for staff reference. This is on track to be completed by the Q4 2023 deadline. → Q3 2023 – CFEM Supplemental Comment: CFEM has provided assistance to Legal Services by sharing information received from other municipalities with respect to bonus/penalty clauses as part of the municipal scan completed per Recommendation #4.  Q4 2022 – Procurement Update: Procurement staff has had preliminary discussions with both internal staff (including Facilities, Hamilton Water, Legal Services) and external municipalities within Ontario. Limited staffing resources are such that an extension is required.

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							Q2 2024 PW23007(b)/FCS23011(b)	Q3 2023 PW23007(a)-FCS23011(a) Q4 2022 (PW23007-FCS23011)
10	Procurement Section	We recommend that the practice of single sourcing of professional consulting firms be reviewed and be utilized only during exceptional circumstances. Professional consulting services generally should only be retained through a competitive process as outlined in the City of Hamilton's Procurement By-law.	The City's Procurement Policy sets out the requirements for awarding contracts to vendors. Staff agree that the most prudent mechanism to select a vendor is through a competitive process. However, where exceptional circumstances exist and a competitive process is not recommended, the appropriate approval to single source must be obtained either by the General Manager or Council.	Single-Source Contract Process Review	Complete	<input checked="" type="checkbox"/>	Recommendation completed in Q3-2023.	Q4 2022 – Procurement Update: Procurement Section has developed and implemented a revised Policy 11 approval form specifically for consultants. The new form requests additional information to support the Policy 11 request as well as includes an acknowledgement by the client department that, pending the dollar value of the services, a formal contract with the vendor will be required.
11	Procurement Section	We recommend that a standard form of contract be developed and used for the procurement of architectural consulting as well as for contract administration services including terms and conditions specific to each type of service. Furthermore, we recommend contract management techniques be utilized to manage the consultant's performance based on these agreements.	Procurement has developed and currently utilizes various templated competitive procurement documents for the engagement of contract administration and architectural consulting services. For those circumstances where architectural or contract administration services are not procured through a competitive process, staff will ensure that a formal contract is to be executed with the vendor prior to any work being carried out. The next revision of the Procurement Policy will be amended to include this requirement.	Prime Design Consultant Standard Form of Contract	Complete	<input checked="" type="checkbox"/>	Recommendation completed in Q3-2023.	Q4 2022 – Procurement Update: As noted in the update to Recommendation #10, the new Policy 11 form requires a formal contract with the vendor based on the value of services. Procurement has a standard form of contract for a Prime Consultant in place. Any standard terms of reference or scope of work required under the contract shall be created and maintained by Facilities and modified on a case by case basis to reflect project specific requirements.

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15	Legal Division	We recommend that management review its process for approving settlements that exceed a predetermined threshold to ensure appropriate due diligence is being exercised over the proposed settlement amounts. Such process should be designed to provide Council with assurances that proposed settlements of significant cost were being subjected to the necessary scrutiny and validation and were properly supported.	Management supports reviewing its process to approve settlements to ensure appropriate checks and balances are in place before recommendations are made to Council. Staff will target completion of this review Q3, 2022, in advance of 2023 budget deliberations.	Settlement Review and Approval Process Review	Complete	<input checked="" type="checkbox"/>	<p><u>Q2 2024 – Legal Services Update:</u> Legal Services presents all settlements over and above approved limits for staff to Council for approval. This is based on a legal analysis of the facts and issues related to the claim and what is in the best interest of the City.</p> <p><u>Q3 2023 – Legal Services Update:</u> Legal Services is reviewing and revising the settlement process for litigation in alignment with the Delegation of Authority By-Law, which is under development. The City Solicitor has directed that litigation files will be reported to Council on a quarterly or semi- annual basis, and proposed settlements that are beyond the authority of the City Manager and or where there is some significance will be provided to Council for instructions. This is in progress and to be implemented by Q4 2023, however the Delegation of Authority By-Law is a large initiative being led by the City Manager's office and therefore the timeline may be impacted during their consultation and implementation phases.</p> <p><u>Q4 2022 – Legal Update:</u> A new City Solicitor joined the City in mid-October 2022 and as such, the timing of implementation of this review is deferred until the new City Solicitor has been given the opportunity to review.</p>	



## Links to previous reports:

- 1 [AFA - April 7, 2022 - Confidential AUD22004 - JL Grightmire Arena Lessons Learned Audit](#)
- 2 [AFA Committee - February 2, 2023 - Report PW23007-FCS23011 - Grightmire Arena Lessons Learned – Management Responses Status Report](#)
- 3 [AFA Committee - October 5, 2023 - Report PW23007\(a\)/FCS23011\(a\) - Grightmire Arena Lessons Learned – Management Responses Status Report](#)





## INFORMATION REPORT

<b>TO:</b>	Chair and Members Audit, Finance and Administration Committee
<b>COMMITTEE DATE:</b>	May 16, 2024
<b>SUBJECT/REPORT NO:</b>	Grightmire Arena Lessons Learned Audit (AUD22004) – Management Responses Status Report (PW23007(b)/FCS23011(b)) (City Wide) <b>(Outstanding Business List Item)</b>
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Shaba Shringi (905) 546-2424 Ext. 3142 Tina Iacoe (905) 546-2424 Ext. 2796 Lisa Shields (905) 546-2424 Ext. 4636 Susan Nicholson (905) 546-2424 Ext. 4707
<b>SUBMITTED BY:</b>  <b>SIGNATURE:</b>	Carlyle Khan General Manager, Public Works  
<b>SUBMITTED BY:</b>  <b>SIGNATURE:</b>	Mike Zegarac General Manager, Finance and Corporate Services Corporate Services  

### COUNCIL DIRECTION

The Recommendations (Open Session) issued as part of the J.L. Grightmire Arena Lessons Learned Audit (AUD22004) presented at the Audit, Finance and Administration Committee on April 7, 2022, included the following:

- (c) That the General Manager of Public Works and the General Manager of Finance and Corporate Services be directed to implement the Management Responses (attached as Confidential Appendices “A” and “C” to Report AUD22004) and report back to the Audit, Finance and Administration*

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

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

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

**SUBJECT: Grightmire Arena Lessons Learned Audit (AUD22004) – Management Responses Status Report (PW23007(b)/FCS23011(b)) (City Wide) - Page 2 of 2**

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*Committee on a quarterly basis on the nature and status of actions taken in response to the audit report.*

## **INFORMATION**

This Information Report is to provide an update on the progress made by the Corporate Facilities & Energy Management Division and Finance & Corporate Services Department (Procurement, Legal Services and Risk Management Services Divisions) in response to the audit recommendations, as directed.

An implementation plan for the 15 audit recommendations has been developed and work is underway in completing the action items. To date, staff have completed 14 of the 15 recommendations, and the one remaining action item is in progress. Updates from the respective Divisions are detailed in Appendix “A” to Report PW23007(b)/FCS23011(b).

A subsequent report will be provided to the Audit, Finance and Administration Committee in the Fall of 2024 and semi-annually going forward (as required), to present ongoing status updates on the recommendations from the Grightmire Arena Lessons Learned Audit (AUD22004).


## **APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PW23007(b)/FCS23011(b) – Grightmire Arena Lessons Learned – Management Responses Update





**CITY OF HAMILTON**  
**CITY MANAGER'S OFFICE**  
**Government Relations & Community Engagement Division**

<b>TO:</b>	Chair and Members Audit Finance, and Administration Committee
<b>COMMITTEE DATE:</b>	May 16, 2024
<b>SUBJECT/REPORT NO:</b>	City Enrichment Fund Repayment Procedure (CM24003) <b>(Outstanding Business List Item)</b>
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Andrea Carvalho (289) 260-8119 Rebecca Frerotte (905) 546- 2424 ext. 4524
<b>SUBMITTED BY:</b>	Morgan Stahl Director Government Relations & Community Engagement
<b>SIGNATURE:</b>	

### RECOMMENDATION

- (a) That the current procedure for City Enrichment Fund grantees with funds owing to the City remain unchanged, due to existing policies having been updated prior to the in-take of the most recent grant cycle.
- (b) That Item A, on the Audit, Finance and Administration Outstanding Business List respecting "That staff, in collaboration with community groups in receipt of City Enrichment Funds, report back to the Audit, Finance and Administration Committee in advance of the next application cycle a procedure whereby any funds owing to the City as it relates to previous year commitments may be clawed back from future commitments" be identified as completed and removed from the outstanding business list.

### EXECUTIVE SUMMARY

The City Enrichment Fund (CEF) is the overall name for the City of Hamilton's (City) municipal investment in a wide range of program areas that support the City's Strategic Plan and 25-year Community Vision priorities. CEF invests in local charities, not-for-profit and grassroots organizations across seven unique sectors: Agriculture, Arts, Communities,

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.

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Culture and Heritage, Community Services, Environment, Sports and Active Lifestyles, and the Digital pilot program area.

At its May 18, 2023, Audit, Finance & Administration Committee Meeting Council approved Grants Sub-Committee Report 23-002, which included the motion:

- (i) That staff, in collaboration with community groups in receipt of City Enrichment Funds, report back to the Audit, Finance and Administration Committee in advance of the next application cycle a procedure whereby any funds owing to the City as it relates to previous year commitments may be clawed back from future commitments.

Since 2015, the City has provided funding to grantees (successfully funded applicants) through the CEF program. In 2023-2024 an average of 345 programs and services were funded across the seven program areas. All grantees must meet the obligations outlined in the CEF Guidelines and Funding Agreement. Grantees are required to deliver the program as described in their application, recognize the City as a funder, submit a final report outlining the results of the program, and provide a final budget demonstrating that CEF funds were spent in accordance with the Funding Agreement and funding policies. Should a Grantee not meet any of these conditions, future funding is held until the outstanding obligation is successfully met and reported on.

Each year, a small number of grantees are required to return a portion of their CEF grant due to an overall lower final program budget, resulting in the grant exceeding 30% of their overall budget. In 2022, there were ten grantees with CEF funds owing to the City ranging from \$16.37 to \$26,646, which resulted in holds placed on future grant funding payments. Several grantees reported modifications to their program resulting in a lower overall program budget. The majority of grantees with funds owing were a result of lower-than-expected program budgets due to unrealized fundraising goals and grants from other sources.

In an effort to evolve the program in response to the growing and changing community needs, an introduction to the 30% policy was amended in the Fall of 2023 and applied to the 2024 CEF cycle. 2023 grantees submitted final reports from February to April and are the last cohort of grantees where the 30% policy is applied across all applicants. Moving forward, the 30% funding policy applies to operating streams and requests above \$15,001 only. This continuous improvement initiative allows CEF funding to make a more significant impact on approximately 60% of applicants, mainly impacting small organizations, equity-deserving groups, new initiatives, and one-time projects across all CEF program areas.

Due to the policy amendment within report GRA23004, approved on September 27, 2023, the number of grantees with funds owing to the city is expected to decrease. Grantees with larger dollar amounts owed are required to pay back the funds to the City, as a potential claw back of future funds places a risk to the viability of the future program. Therefore, there is no recommendation to adjust the payback/arrears procedure, as the revised 30% guideline will likely influence the potential claw back challenges that grantees were previously facing.

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**Alternatives for Consideration – See Page 5**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: N/A

**HISTORICAL BACKGROUND**

Launched in 2015, the City Enrichment Fund presented overall guidelines and specific program area criteria approved within report FCS14024(b), 2014. The CEF funding guidelines included a 30% funding policy whereby staff funding recommendations could not exceed 30% of an applicants' total program budget. This policy was first expanded in the 2016 CEF cycle, where it was applied to all streams equally and further amended in the 2024 CEF cycle to only apply to the operating streams and applicants with requests over \$15,001.

From February to April of each year, CEF staff review Grantee Final Reports to ensure the funded program was delivered as described and within budget. CEF staff review the Final Report Budget to ensure only eligible items are included and that funding from all departments of the City, including CEF, does not exceed 30% of the total program budget. If a program budget exceeds the 30% level, staff inform grantees of the dollar amount owing and provide instructions for repayment to the City. A revision to the funding policy and resulting threshold was approved by Council and implemented for the 2024 cycle (2024 Final Reports are due in February – April 2025).

Per the CEF Funding Agreement, grantees with funds owing to the City are in arrears and are required to return the owed amount before any future funding can be released. Grantees in arrears but with additional successful applications to CEF have been approved with a 'Hold' before funding can be released. Staff work with these grantees to ensure arrears are returned to the City and that the applicants move forward in good standing.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS – N/A**

**RELEVANT CONSULTATION**

Corporate Services Department – Finance and Administration Division

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

City Enrichment Fund staff continue to take steps towards improvements in program delivery, increasing accessibility, reaching equity-deserving groups, and alignment with best practices.

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A revision to the 30% funding policy on September 27, 2023, was approved by Council with the objective of providing grantees with a greater capacity to deliver public programming and

services and reduce staff resources to administer arrears within a reasonable funding threshold amount. All CEF applications and final reports must continue demonstrating diverse program revenue and sound fiscal management.

Following the completion of each CEF cycle, grantees submit final reports from February to April annually. Grantee Final Reports provide an assessment of the funded program's measurable outcomes, the overall impact to community, and the final program budget. Staff review the final program budget to ensure the CEF funds have been spent in alignment with the CEF Guidelines and Funding Agreement. Funded programs that do not meet the CEF Guidelines or Funding Agreement Terms of Reference are flagged, and a hold is placed on the grantee, preventing the release of any future funding until all agreements have been met. Holds are typically the result of outstanding final reports, when additional information is required, or when a grantee has not met the funding policy and must repay a portion of their CEF funding.

Grantees in arrears with the City are commonly related to unspent funds or a lower-than-expected final program budget. Several issues may cause a final program budget to differ from the proposed budget, most commonly due to unrealized grants from other levels of government or agencies, and lower than expected fundraising levels. Since 2015, the number of grantees in arrears is low relative to the number of funded programs.

In the 2022 CEF cycle, the number of grantees with funds owing to CEF, resulting in holds, was 10 out of 317 applications, with arrears ranging from \$16.37 to \$26,646. In the 2023 CEF cycle, the approximate number of grantees with funds owing, resulting in holds, is 13 out of 337 applications. For the 2024 CEF cycle, the expected number of grantees with funds owing resulting in holds is expected to be lower as a result of the amended 30% policy.

Comparatively, had the 30% funding policy been applied to the 2022 and 2023 CEF cycles, the number of grantees with holds would have been 2-3 organizations, respectively.

During the 2023 CEF cycle, ten funding recommendations were held due to arrears ranging from \$16.37 to \$26,646. In all cases this was due to the 30% rule, as applicants had underspent on total program expenses or received less revenue from other sources than originally proposed in their initial budget.

On May 18, 2023, City Council, at its Audit, Finance and Administrative Committee meeting, identified arrears with nominal sums due as an administrative burden. Grantees with significant sums owing and passing funding thresholds would remain in arrears with future funding recommendations held until repayment has been provided to the City. Providing a claw back or reduction of future funding places uncertainty on the future program or service delivery. Grantees must demonstrate that they are able to pay back arrears before accepting any future funding.

The recommendation to continue the established CEF procedure for arrears is supported by

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the CEF Guidelines and Funding Agreement and done in accordance with the City's accounts receivable policies.

**ALTERNATIVES FOR CONSIDERATION**

As an alternative for consideration, Council may choose to delay accepting this recommendation to retain the payback procedure and direct staff to revisit the Council direction in Q2 2025. A review of this procedure following the 2024 CEF cycle and final reporting period would include the results of the implementation of the amended 30% policy and the relative impact on the number of grantees with financial holds.

**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 & 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 – N/A**