



AUDIT, FINANCE & ADMINISTRATION COMMITTEE MINUTES 14-002

9:30 a.m.

Monday, March 24, 2014

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors R. Powers (Chair), B. Clark (Vice Chair),
C. Collins, B. Johnson, B. Morrow, M. Pearson

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:

1. Various Advisory Committee Minutes (Item 5.1)

(Johnson/Pearson)

That the following Advisory Committee Minutes, be received:

- (a) Committee Against Racism, November 26, 2013 (Item 5.1(a))
- (b) Aboriginal Advisory Committee, December 5, 2013 (Item 5.1(b))
- (c) LGBTQ Advisory Committee, September 19, 2013 (Item 5.1(c))
- (d) Status of Women Committee, October 24, 2013 (Item 5.1(d))

CARRIED

2. 2013 Fourth Quarter Emergency and Non-Competitive Procurements Report (FCS13014(c)) (City Wide) (Item 5.2)

(Johnson/Pearson)

That Report FCS13014(c)), respecting the 2013 Fourth Quarter Emergency and Non-Competitive Procurements Report, be received.

CARRIED

3. 2013 Fourth Quarter Non-compliance with the Procurement Policy Report (FCS13015(c)) (City Wide) (Item 5.3)

(Johnson/Pearson)

That Report FCS13015(c), respecting the 2013 Fourth Quarter Non-compliance with the Procurement Policy Report, be received.

CARRIED

4. **Status Report of Tenders and Requests for Proposals for November 2, 2013 to December 31, 2013 (FCS13016(j)) (City Wide) (Item 5.4)**

(Johnson/Pearson)

That Report FCS13016(j), respecting the Status Report of Tenders and Requests for Proposals for November 2, 2013 to December 31, 2013, be received.

CARRIED

5. **Reserve/Revenue Fund Investment Performance Report - December 31, 2013 (FCS13063(a)) (City Wide) (Item 5.5)**

(Johnson/Pearson)

That Report FCS13063(a), respecting the Reserve/Revenue Fund Investment Performance Report - December 31, 2013, be received.

CARRIED

6. **Hamilton Future Fund Investment Performance Report - December 31, 2013 (FCS13064(a)) (City Wide) (Item 5.6)**

(Johnson/Pearson)

That Report FCS13064(a), respecting the Hamilton Future Fund Investment Performance Report - December 31, 2013, be received.

CARRIED

7. **Cemetery Accounts Investment Performance Report - December 31, 2013 (FCS13065(a)) (City Wide) (Item 5.7)**

(Johnson/Pearson)

That Report FCS13065(a), respecting the Cemetery Accounts Investment Performance Report - December 31, 2013, be received.

CARRIED

8. **Report of the 2013 Remuneration and Expenses as required under Section 284 of the *Municipal Act* (FCS14006) (City Wide) (Item 5.8)**

(Johnson/Pearson)

That Report FCS14006, respecting the Report of the 2013 Remuneration and Expenses as required under Section 284 of the *Municipal Act*, be received.

CARRIED

9. **Freedom of Information Quarterly Report (October 1 to December 31, 2013) (CL13001(c)) (City Wide) (Item 5.9)**

(Johnson/Pearson)

That Report CL13001(c), respecting the Freedom of Information Quarterly Report (October 1 to December 31, 2013), be received.

CARRIED

10. Tax Appeals under Sections 357 and 358 of the Municipal Act, 2001 (FCS14016) (City Wide) (Item 5.10)

(Collins/Pearson)

- (a) That Appendix "A" attached to Report FCS14016, respecting the "Tax Appeals processed under Section 357 of the *Municipal Act, 2001*", in the amount of \$85,721, be approved; and,
- (b) That Appendix "B" attached to Report FCS14016, respecting the "Tax Appeals due to a Gross or Manifest Clerical Error, pursuant to Section 358 of the *Municipal Act, 2001*", in the amount of \$12,221, be approved.

CARRIED

11. Treasurer's Apportionment of Land Taxes (FCS14002(a)) (Ward 12) (Item 5.11)

(Pearson/Collins)

That the 2013 land taxes in the amount of \$21,926 for Wentworth Standard Condominium Plan 484, Ancaster, originally known as Roll #2518 140 280 29015 0000, be apportioned and split amongst the seventy-nine condominium units, as set out in the attached Appendix "A" to Report FCS14002(a).

CARRIED

12. Follow Up of Audit Report 2011-10 - Human Resources - Grievance Processes (AUD14005) (City Wide) (Item 5.12)

(Collins/Morrow)

That Report AUD14005, respecting the follow up of Audit Report 2011-10, Human Resources – Grievance Processes, be received.

CARRIED

13. Follow Up of Audit Report 2012-05 - Long Term Contract Review - Recycling Collection Services (Blue Box Collection) (AUD14006) (City Wide) (Item 5.13)

(Morrow/Clark)

That Report AUD14006, respecting the follow up of Audit Report 2012-05, Long Term Contract Review – Recycling Collection Services (Blue Box Collection), be received.

CARRIED

14. Follow Up of Audit Report 2012-02 - Public Works - Bridge Maintenance Program (AUD14009) (City Wide) (Item 5.14)

(Pearson/Clark)

That Report AUD14009, respecting the follow up of Audit Report 2012-02, Public Works – Bridge Maintenance Program, be received.

CARRIED

15. Follow Up of Audit Report 2012-10 - Public Health Services - Tobacco Control Program (AUD14010) (City Wide) (Item 5.15)

(Pearson/Johnson)

That Report AUD14010, respecting the follow up of Audit Report 2012-10, Public Health Services – Tobacco Control Program, be received.

CARRIED

16. Amended Water and Wastewater/Storm Arrears Policy (FCS14007) (City Wide) (Item 8.1)

(Clark/Collins)

That the Amended Water and Wastewater/Storm Arrears Policy, as outlined in the attached Appendix “A” to Report FCS14007, be approved.

CARRIED

17. Reserve/Revenue Funds and Trust Accounts Statement of Investment Policies and Procedures Review (FCS14020) (City Wide) (Item 8.3)

(Clark/Collins)

That the 2013 Reserve/Revenue Funds and Trust Accounts Statement of Investment Policies and Procedures be deleted and replaced with the 2014 Reserve/Revenue Funds and Trust Accounts Statement of Investment Policies and Procedures, attached as Appendix “A” to Report FCS14020.

CARRIED

18. Audit Report 2013-16 - Community and Emergency Services - Homes for the Aged - Accommodation Fees and Trust Funds (AUD14007) (City Wide) (Item 8.4)

(Clark/Pearson)

(a) That the Management Action Plans, as detailed in Appendix “A” of Report AUD14007 be approved;

(b) That the Acting General Manager of Community and Emergency Services be directed to instruct the appropriate staff to have the Management Action Plans (attached as Appendix “A” to Report AUD14007) implemented; and,

(c) That Legal staff, the Director of Audit Services and the Administrator for Homes for the Aged be directed to devise a policy respecting Powers of Attorney for residents of City of Hamilton homes for the aged and report back to the Emergency & Community Services Committee.

**AMENDMENT CARRIED
MOTION AS AMENDED CARRIED**

19. Performance Audit Report 2013-14 - Unlicensed Businesses (Value for Money Audit) (AUD14008) (City Wide) (Item 8.5)

(Collins/Clark)

- (a) That the Management Action Plans, as detailed in the attached Appendix "A" to Report AUD14008, be received;
- (b) That the Acting General Manager of Planning and Economic Development be directed to instruct the appropriate staff to investigate and detail the costs of staff resources and technology improvements required to implement recommendations 1 and 2 of Appendix "A" of Report AUD14008 and report back with a work plan, to the Audit, Finance and Administration Committee, no later than the July 9, 2014; and,
- (c) That, notwithstanding sub-section (b) above, staff be directed to modify the current work plan to ensure that unlicensed businesses be inspected in the immediate future to ensure that there are no health and safety issues at these establishments.

**AMENDMENT CARRIED
MOTION AS AMENDED CARRIED**

20. Authority to Negotiate and Place a Debenture Issue(s) (FCS14022) (City Wide) (Item 8.6)

(Morrow/Pearson)

- (a) That the General Manager, Finance & Corporate Services, be authorized and directed to negotiate the terms and placement of a debenture issue(s) in an amount not to exceed \$89,000,000 Canadian currency;
- (b) That the General Manager, Finance and Corporate Services, be authorized and directed to engage the services of a fiscal agent(s) and/or Infrastructure Ontario's Loan Program, and outside legal counsel; and enter into all agreements necessary, including Letter(s) of Representation with The Canadian Depository for Securities Ltd., to secure the terms and issuance of a debenture issue(s); and,
- (c) That a By-Law be passed authorizing the debenture issue(s) negotiated and placed in accordance with recommendation (a) above.

CARRIED

21. Audit of City of Hamilton Utilities (9.1)

(Clark/Pearson)

That staff be directed to review the potential for including an audit of the City utilities (Horizon, Water and Wastewater), including the process on arrears, to the 2015 work plan and report back to the Audit, Finance & Administration Committee.

CARRIED

**22. Live Streaming of Audio and Video in City Hall Upper and Lower Forecourts
(Item 9.2)**

(Clark/Pearson)

That staff be directed to review the possibility of providing live streaming of audio and video for Council and Standing Committee meetings in the upper and lower City Hall lobby areas for meetings that require overflow seating outside of the Council Chambers.

CARRIED

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

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

- (i) Added as Item 4.1 – Delegation Request from Joey Coleman, respecting the City's New Public Facing Agenda System.

(Johnson/Clark)

That the agenda for the March 24, 2014 Audit, Finance & Administration Committee meeting be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) February 10, 2014 (Item 3.1)

(Johnson/Collins)

That the Minutes of the February 10, 2014 meeting of the Audit, Finance and Administration Committee be approved, as presented.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

4.1 Joey Coleman respecting the City's New Public Facing Agenda System

(Collins/Johnson)

- (a) That the delegation request from Joey Coleman, respecting the City's New Public Facing Agenda System, be approved.

- (b) That the Rules of Order be waived to permit Joey Coleman to appear before Committee on March 24, 2014.

CARRIED

(e) DELEGATIONS (Item 6)

- (i) Gerald Asa, Vice President of The Effort Trust Company, respecting the Proposed Amendments to the Water and Wastewater / Storm Arrears Policy (Item 6.1)**

Mr. Asa addressed Committee respecting the proposed Water and Wastewater / Storm Arrears Policy amendments. Mr. Asa voiced concerns respecting the proposed amendments to the Water and Wastewater / Storm Arrears Policy; primarily with respect to the notification of arrears process.

(Pearson/Johnson)

That the presentation from Gerald Asa, Vice President of The Effort Trust Company, respecting the Water and Wastewater / Storm Arrears Policy, be received.

CARRIED

- (ii) Written Submission from Martin Wray, Vice President of Operations for Cadillac Fairview, respecting the Proposed Amendments to the Water and Wastewater / Storm Arrears Policy (Item 6.2)**

(Morrow/Johnson)

That the correspondence from Martin Wray, Vice President of Operations for Cadillac Fairview, respecting the proposed amendments to the Water and Wastewater / Storm Arrears Policy, be received.

CARRIED

- (iii) Joey Coleman respecting the City's New Public Facing Agenda System**

Joey Coleman addressed Committee, respecting the City's agenda system. His comments included, but were not limited to, the following:

- Mr. Coleman understands that the goals of the upgrade are to focus on improvement to internal workflow, but externally he is no longer able to view agendas on his tablet or laptop, and now requires the use of a mouse to work the very small icons.
- His web site advised him that he now has hundreds of broken links.
- He believes this was a missed opportunity for public engagement.

- Accessibility at City Hall is limited and occasionally overflow seating is required for people who want to come to engage in the process.
- We should have the ability to simulcast at City Hall outside of Council Chambers.
- Mr. Coleman believes that the Engagement Committee is the best place to address those matters.
- Very limited amount of time, when chambers isn't being used, to make the required changes.

(Johnson/Pearson)

That the presentation from Joey Coleman, respecting the City's New Public Facing Agenda System, be received.

CARRIED

(f) Aboriginal Advisory Committee – Draft Terms of Reference (AAC14001) (City Wide) (Item 8.2)

(Johnson/Pearson)

That Report AAC14001, respecting the Draft Terms of Reference for the Aboriginal Advisory Committee, be referred to the General Manager of Finance & Corporate Services for a report back to the Audit, Finance & Administration Committee.

CARRIED

(g) By-law Compliance by Bidders to City of Hamilton Projects (Item 10.1)

Councillor Johnson introduced the following Notice of Motion:

That staff be directed to review the tender process to determine the feasibility of including a phase in the procedure, which ensures staff have confirmed that bidders are compliant with the zoning and licensing by-laws, prior to awarding a contract(s), and report back to the Audit, Finance & Administration Committee.

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 11)

11.1 Amendments to Outstanding Business List

(Pearson/Morrow)

That the proposed new due dates for the following Outstanding Business List items, be approved:

- (a) Item "F" - Costs Associated with Condominium Corporation Maintenance
Current Due Date: March 24, 2014
Proposed New Due Date: June 23, 2014
- (b) Item "G" - Employee Attendance Performance Measures - Comprehensive Annual Report
Current Due Date: March 24, 2014
Proposed New Due Date: April 14, 2014
- (c) Item "M" - Timelines for the Retention of E-mails
Current Due Date: March 24, 2014
Proposed New Due Date: April 14, 2014
- (d) Item "P" - Performance Audit Report 2013-13 - Employer Paid Parking (Value for Money Audit)
Current Due Date: March 24, 2014
Proposed New Due Date: April 14, 2014
- (e) Provision of Information Technology Services to Global Spectrum
Current Due Date: March 24, 2014
Proposed New Due Date: April 14, 2014

CARRIED

(i) ADJOURNMENT (Item 13)

(Morrow/Pearson)

That, there being no further business, the Audit, Finance & Administration Committee, be adjourned at 11:40 a.m.

CARRIED

Respectfully submitted,

Councillor R. Powers, Chair
Audit, Finance & Administration Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk