



AUDIT, FINANCE & ADMINISTRATION COMMITTEE
MINUTES 17-003
9:30 a.m.
Monday, March 6, 2017
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Councillor D. Skelly (Chair)
Councillor A. VanderBeek (Vice-Chair)
Councillors A. Johnson, C. Collins, M. Pearson, B. Johnson and L. Feguson

Also Present: Mayor F. Eisenberger, Councillors M. Green, T. Whitehead and D. Conley

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:

- 1. Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons (HUR17002) (City Wide) (Item 8.1)**

(A. Johnson/B. Johnson)

That the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons, attached as REVISED Appendix A to Report HUR17002 be approved, as **amended**:

That REVISED Appendix A to Report HUR17002, be amended to include "the Canadian Charter of Rights and Freedom" after the words "In accordance with" in the first paragraph of the first page:

The City of Hamilton (The City) is committed to providing a safe, respectful, and inclusive environment for community members who use our services and for all employees. The City has a legal and moral responsibility to maintain environments that are free from discrimination and harassment for community members and employees. The City is committed to enhancing equity and inclusion through the provision of City services and within the workplace, and to promote awareness of our human rights obligations. In accordance with ***the Canadian Charter of Rights and Freedom***, the Ontario Human Rights Code (the Code), the City recognizes the dignity and worth of every person such

that each person feels a part of our community and is able to contribute fully without harassment or discrimination.

CARRIED

2. Inclusion of Report HUR17002 to the Protocol respecting Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons (Item 9.1)

(A. Johnson/Mayor Eisenberger)

WHEREAS transgender, nonbinary, and Two Spirit people are an invaluable source of social wealth; and

Whereas Hamilton is on lands protected by the Dish With One Spoon Wampum Agreement, and the traditional territory and waters of diverse First Nations, including those nations' Two Spirit people;

Therefore be it resolved that:

- (a) That Report HUR17002, respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons, be included in the Protocol as Appendix "C";
- (b) That the Mayor correspond with the Association of Municipalities Ontario, the Federation of Canadian Municipalities, the Hamilton Police Services Board and all Ontario municipal Councils regarding the Protocol, including a copy of this Motion, the Protocol and appendices, and an explanation of the Protocol; and
- (c) That the Mayor, on behalf of Council, send a letter to the board of our Hamilton Niagara Haldimand Brant Local Health Integration Network, sharing the Protocol and appendices with our LHIN, particularly highlighting the paragraphs in the relevant staff report re transgender health, and asking the LHIN for its advice on best next steps toward the achievement of equality for transgender citizens in the context of our local provision of health care.

CARRIED

3. Report of the 2016 Remuneration and Expenses as Required under Section 284 of the *Municipal Act* REVISED (FCS17015) (City Wide) (Item 5.1)

(A. Johnson/Ferguson)

That Report FCS17015 respecting the Report of the 2016 Remuneration and Expenses as Required under Section 284 of the *Municipal Act* REVISED, be received.

CARRIED

4. 2016 Fourth Quarter Request for Tenders and Proposals Report (FCS16044(c)) (City Wide) (Item 5.2)

(Ferguson/B. Johnson)

That Report FCS 16044(c) respecting the 2016 Fourth Quarter Request for Tenders and Proposals Report, be received.

CARRIED

5. 2016 Fourth Quarter Emergency and Non-Competitive Procurements Report (FCS16045(c)) (City Wide) (Item 5.3)

(VanderBeek/B. Johnson)

That Report FCS16045(c) respecting the 2016 Fourth Quarter Emergency and Non-Competitive Procurements Report, be received.

CARRIED

6. 2016 Fourth Quarter Non-Compliance with the Procurement Policy Report (FCS16046(c)) (City Wide) (Item 5.4)

(VanderBeek/A. Johnson)

That Report FCS16046(c) respecting the 2016 Fourth Quarter Non-Compliance with the Procurement Policy Report, be received.

CARRIED

7. Fair Wage Policy and Fair Wage Schedule Complaints Annual Report (FCS17009) (Item 5.5)

(A. Johnson/VanderBeek)

That Report FCS17009 respecting the Fair Wage Policy and Fair Wage Schedule Complaints Annual Report (FCS17009), be received.

CARRIED

8. Payment Processing (FCS16077(a))(City Wide) (Item 5.6)

(A. Johnson/B. Johnson)

That Report FCS16077(a) respecting the Payment Processing, be received.

CARRIED

9. 2015 Audited Financial Statements for City of Hamilton Business Improvement Areas (BIAs) (FCS17014) (City Wide) (Item 5.7)

(VanderBeek/Ferguson)

That Report FCS17014 respecting the 2015 Audited Financial Statements for City of Hamilton Business Improvement Areas (BIAs), be received.

CARRIED

10. Treasurer's Apportionment of Land Taxes (FCS17017) (Wards 4, 8, and 11) (Item 5.8)

(B. Johnson/Ferguson)

- (a) That the 2016 land taxes in the amount of \$82,621 for 100-144 Burland Crescent, Hamilton (Roll #2518 050 391 00040 0000) be apportioned and split amongst the two newly created parcels as set out in Appendix "A" to Report FCS17017;
- (b) That the 2016 land taxes in the amount of \$7,248 for 794 West 5th Street, Hamilton (Roll #2518 080 971 05000 0000), and the land taxes in the amount of \$11,715 for 810 West 5th Street, Hamilton (Roll # 2518 080 971 05060 0000), and the land taxes in the amount of \$1,831 for 0 Springvalley Crescent, Hamilton (Roll # 2518 080 971 09040 0000) be apportioned and split amongst the thirty-seven newly created parcels as set out in Appendix "A" to Report FCS17017;
- (c) That the 2016 land taxes in the amount of \$2,787 for 132-142 Kinsman Drive, Binbrook (Roll #2518 901 340 34782 0000) be apportioned and split amongst the six newly created parcels as set out in Appendix "A" to Report FCS17017;
- (d) That the 2016 builder's payment in the amount of \$982 for 132-142 Kinsman Drive, Binbrook (Roll #2518 901 340 34782 0000) be apportioned and split amongst the six newly created parcels as set out in Appendix "A" to Report FCS17017;
- (e) That the 2016 land taxes in the amount of \$8,675 for 1-41 Finton Lane, Binbrook (Roll #2518 901 340 04302 0000) be apportioned and split amongst the twenty-one newly created parcels as set out in Appendix "A" to Report FCS17017.

CARRIED

11. 2017 Property and Liability Insurance Renewal Report (FCS17013) (City Wide) (Item 8.2)

(VanderBeek/A. Johnson)

- (a) That the Liability and Property Insurance coverage for the term January 1, 2017, to January 1, 2018, be renewed through Jardine Lloyd Thompson Canada Inc. (JLT) at a cost of \$4,259,589 (net of applicable taxes) and be funded through the 2017 Risk Management Services Budget, in accordance with Appendix "A" attached to Report FCS17013; and
- (b) That the General Manager, Finance and Corporate Services, be authorized and directed to execute all associated documents related to the renewal of the Liability and Property Insurance coverage for the term January 1, 2017, to January 1, 2018, through Jardine Lloyd Thompson Canada Inc., on behalf of the City.

CARRIED

12. Tax Appeals under Sections 357 and 358 of the Municipal Act, 2001 (FCS17003(a)) (City Wide) (Item 8.3)

(B. Johnson/VanderBeek)

- (a) That Appendix "A" to Report FCS17003(a) respecting the Tax Appeals processed under Section 357 of the *Municipal Act, (2001)*, in the amount of \$89,175 be approved; and
- (b) That Appendix "B" to Report FCS17003(a) 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 \$55,447 be approved.

CARRIED

13. Management Update on Performance Audit Report 2015-02 – Claims Adjusters and Operations Efficiencies (Value for Money Audit) (FSC17016) (City Wide) (Item 8.4)

(Collins/B. Johnson)

That the contract position of Risk Management Assistant, created through the approval of Performance Audit Report 2015-02 – Claims Adjusters and Operational Efficiencies (Value for Money Audit) (AUD15018) (City Wide) (Item 8.3), be extended for a further 18 months at the expiry of the current 18 month contract in June 2017.

CARRIED

14. Development Charges Demolition Credit Extension Mountain Plaza Mall Development Request (FCS17008) (City Wide) (Item 8.5)

(A. Johnson/Collins)

- (a) That the City Development Charges (DC) demolition credits for the Mountain Plaza Mall (651–677 Upper James Street) for 47,248.61 square feet be extended for a final period of three years until January 12, 2020; and
- (b) That any foregone DC revenue related to the extension of DC demolition credits on the Mountain Plaza Mall redevelopment, currently estimated at \$916,000 total, be funded through the Waterworks Capital Reserve (108015), the Sanitary Sewer Reserve (108005), the Storm Sewer Reserve (108010) and the Tax Stabilization Reserve (110046), currently estimated at \$116 K, \$232 K, \$63 K, and \$505 K, respectively.

CARRIED

15. Audit Report 2015-11 Public Works – Capital Projects Contract Review and Follow Up to Audit Report 2013-11 Construction Contracts Review (AUD17005) (City Wide) (Item 8.6)

(A. Johnson/B. Johnson)

- (a) That the Management Action Plans as detailed in Appendix "A" of Report AUD17005 be approved;

- (b) That the General Manager of Public Works be directed to instruct the appropriate staff to have the Management Action Plans (attached as Appendix "A" to Report AUD17005) implemented; and
- (c) That Appendix "B" of Report AUD17005, respecting the follow up of Audit Report 2013-11, Construction Contracts Review, be received.

CARRIED

16. Audit Report 2015-14 Continuous Auditing Pilot – Procurement Cards (AUD17006) (City Wide) (Item 8.7)

(VanderBeek/Collins)

- (a) That the Management Action Plans as detailed in Appendix "A" of Report AUD17006 be approved; and
- (b) That the General Manager of Finance and Corporate Services be directed to instruct the appropriate staff to have the Management Action Plans (attached as Appendix "A" to Report AUD17006) implemented.

CARRIED

17. Governance Review Sub-Committee Report 17-001 - February 6, 2017 (Item 8.8)

(Ferguson/VanderBeek)

(i) Bill 8 - Ontario Ombudsman's Expanded Authority Update(LS16023(a)/CL16012(a)) (City Wide) (Item 5.1)

- (a) That Report LS16023(a)/CL16012(a), attached as Appendix A to Report 17-001, respecting Bill 8 - Ontario Ombudsman s expanded authority update, be received;
- (b) That the Status Quo option (de-centralized complaints resolution process) be endorsed.

(ii) Ward Budgets (FCS16074(a)) (City Wide) (Item 8.1)

- (a) That Report FCS16074(a) respecting Ward Budgets, be received; and
- (b) That the Administration Coverage Allowance in the Ward Budgets be adjusted annually by the same rate to reflect employee-related inflationary increases.

CARRIED

18. Development Charge Demolition Credit Extension, 849 Scenic Drive, Hamilton (Item 10.1)

(A. Johnson/VanderBeek)

WHEREAS, a delegation request for a future meeting was approved at the February 6, 2017 Audit, Finance and Administration meeting respecting a request

for Development Charge Demolition Credit extension on behalf of Valery (Chedoke Browlands) Development Inc. (Valery Homes), Demolition Permit No. 00-152509, 849 Scenic Drive, Hamilton; and

WHEREAS, a specific request to have said Development Charge Demolition Credit extension was not received at the February 6, 2017 Audit, Finance and Administration meeting

THEREFORE BE IT RESOLVED:

That the General Manager, Finance and Corporate Services be directed to prepare a report to the Audit, Finance & Administration Committee regarding a request for Development Charge Demolition Credit extension on behalf of Valery (Chedoke Browlands) Development Inc. (Valery Homes), Demolition Permit No. 00-152509, 849 Scenic Drive, Hamilton.

CARRIED

19. Hamilton Water Procurement Projects (LS17009/FCS17027) (City Wide)

(VanderBeek/Ferguson)

That Report LS17009/FCS17027 respecting Hamilton Water Procurement Projects, be received, and remain confidential.

CARRIED

20. Commercial Relationship Between the City of Hamilton and Kenaidan Contracting Ltd. (LS17009(a)/FCS17027(a))

(a) That Report LS17009(a)/FCS17027(a) respecting the Commercial Relationship Between the City of Hamilton and Kenaidan Contracting Ltd., be referred to Council.

CARRIED

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

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

1. CHANGES TO THE ORDER OF ITEMS

- (a) Public Hearings / Delegations respecting Item 8.1 the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons, be moved up in the agenda to be considered following the approval of the delegation requests;
- (b) Item 8.1 respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons

(HUR17002) be moved up in the agenda to be considered following the Public Hearings / Delegations respecting Item 8.1;

- (c) Item 9.1 a motion regarding the Inclusion of Report HUR17002 to the Protocol respecting Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons, be moved up in the agenda to be considered following the consideration of Item 8.1; and
- (d) Public Hearings / Delegations respecting Item 12.2 the Commercial Relationship Between the City of Hamilton and Kenaidan Contracting Ltd. (4.27) be moved to be heard just prior to the Committee going into Closed Session.

2. REVISED DISCUSSION ITEMS

Revised Appendix A to the following report:

- 8.1 Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons (HUR17002) (City Wide)

Revised Appendix A to the following report:

- 5.1 Report of the 2016 Remuneration and Expenses as Required under Section 284 of the Municipal Act (FCS17015) (City Wide)

3. ADDED DELEGATION REQUESTS (for today's meeting)

- 4.15 Lisa Jeffs, Manager, Youth Wellness Centre, St Joseph's Healthcare Hamilton respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons.
- 4.16 Warren Greene, Warren Greene Consultant, respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons.
- 4.17 Noa Mendelsohn Aviv, Canadian Civil Liberties Association respecting Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons.
- 4.18 Arthur D. Hedden respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons.
- 4.19 Myka Burning, Six Nations of Grand River Pride Committee, respecting Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons.

- 4.20 Lyndon George, Two Spirited of the First Nations – Hamilton Community Legal Clinic respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons.
- 4.21 Anthony Marco, Hamilton and District Labour Council respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons.
- 4.22 Ty Laframboise, Youth Wellness Centre and NGen respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons.
- 4.23 Aric Bales and Latisha Laing, Rainbow Youth Collaborative respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons.
- 4.24 Kensi McNaughton, Six Nations of The Grand River respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons.
- 4.25 Micaela Corcoran, Status of Women Advisory Committee respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons.
- 4.26 Darryl Byers, Queer and Trans Youth Collaborative respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons.
- 4.27 David Kirkland, President & COO, Kenaidan Contracting Ltd. respecting Item 12.2 Commercial Relationship Between the City of Hamilton and Kenaidan Contracting Ltd. (LS17009(a)/FCS17027(a))

4. ADDED MOTION

- 9.1 Inclusion of Report HUR17002 to the Protocol respecting Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons

5. ADDED NOTICES OF MOTION

- 10.1 Development Charge Demolition Credit Extension, 849 Scenic Drive, Hamilton

6. REMOVED FROM THE AGENDA

- 8.1(a) Correspondence from Anthony Marco, President, Hamilton and District Labour Council respecting the Protocol for Gender Identity

and Gender Expression; Transgender and Gender non-Conforming Persons (HUR17002).

Recommendation: Be received.

7. DELEGATION REQUEST WITHDRAWN

4.8 Nicole Mossop, respecting the proposed Trans and Gender Non-Conformity Protocol

(Pearson/VanderBeek)

That the Agenda for the March 6, 2017 meeting of the Audit, Finance & Administration Committee 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 6, 2017 (Item 3.1)

(B. Johnson/A. Johnson)

That the Minutes of the February 6, 2017 Audit, Finance & Administration Committee meeting be approved, as presented.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

(B. Johnson/Eisenberger)

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

- (i) Autumn Getty, Trans Peer Support Group, respecting the proposed Trans and Gender Non-Conformity Protocol (Item 4.1)
- (ii) Rabbi Jordan D. Cohen, Temple Anshe Sholom respecting the proposed Trans and Gender Non-Conformity Protocol (Item 4.2)
- (iii) Dr. Carys Massarella, St Joseph's Healthcare respecting the proposed Trans and Gender Non-Conformity Protocol (Item 4.3)
- (iv) Lenore Lukasik-Foss, Sexual Assault Centre (Hamilton and Area), SACHA respecting the proposed Trans and Gender Non-Conformity Protocol (Item 4.4)
- (v) Kaiden Penney and Daniel Blum, McMaster Students Union - Queer Student's Community Centre respecting the proposed Trans and Gender Non-Conformity Protocol (Item 4.5)

- (vi) Tai Jacob, McMaster Student Union Women and Gender Equity Network respecting the proposed Trans and Gender Non-Conformity Protocol (Item 4.6)
- (vii) Susan Gapka, Trans Lobby Group respecting the proposed Trans and Gender Non-Conformity Protocol (Item 4.7)
- (viii) Reverend Victoria Ingram, First Unitarian Church of Hamilton, respecting the proposed Trans and Gender Non-Conformity Protocol (Item 4.9)
- (ix) Reverend Alissa Bender, Hamilton Mennonite Church, respecting the proposed Trans and Gender Non-Conformity Protocol (Item 4.10)
- (x) Randell Neudorf, The Commons Mennonite Church, respecting the proposed Trans and Gender Non-Conformity Protocol (Item 4.11)
- (xi) Nick de Koning, Ontario English Catholic Teachers Association, respecting the proposed Trans and Gender Non-Conformity Protocol (Item 4.12)
- (xii) Yolisa de Jager, Good Shepherd Centres - Women's Services; Co-Chair of the Woman Abuse Working Group, respecting the proposed Trans and Gender Non-Conformity Protocol (Item 4.13)
- (xiii) Ian Sloan, The United Church of Canada; New Vision United Church respecting the proposed Trans and Gender Non-Conformity Protocol (Item 4.14)
- (xiv) Lisa Jeffs, Manager, Youth Wellness Centre, St Joseph's Healthcare Hamilton respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons (Item 4.15)
- (xv) Warren Greene, Warren Greene Consultant, respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons (Item 4.16)
- (xvi) Noa Mendelsohn Aviv, Canadian Civil Liberties Association respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons (Item 4.17)
- (xvii) Arthur D. Hedden respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons (Item 4.18)
- (xviii) Myka Burning, Six Nations of Grand River Pride Committee, respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons (Item 4.19)

- (xix) Lyndon George, Two Spirited of the First Nations – Hamilton Community Legal Clinic respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons (Item 4.20)
- (xx) Anthony Marco, Hamilton and District Labour Council respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons (Item 4.21)
- (xxi) Ty Laframboise, Youth Wellness Centre and NGen respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons (Item 4.22)
- (xxii) Aric Bales and Latisha Laing, Rainbow Youth Collaborative respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons (Item 4.23)
- (xxiii) Kensi McNaughton, Six Nations of The Grand River respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons (Item 4.24)
- (xxiv) Micaela Corcoran, Status of Women Advisory Committee respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons (Item 4.25)
- (xxv) Darryl Byers, Queer and Trans Youth Collaborative respecting the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons (Item 4.26)
- (xxvi) David Kirkland, President & COO, Kenaidan Contracting Ltd. respecting Item 12.2 Commercial Relationship Between the City of Hamilton and Kenaidan Contracting Ltd. (LS17009(a)/FCS17027(a)) (Item 4.27)

CARRIED

(e) PUBLIC HEARINGS / DELEGATIONS

(A. Johnson/VanderBeek)

That the delegations listed below respecting Item 8.1 the Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons (HUR17002), be received.

- (i) Jim Enos, Hamilton Wentworth Family Action Council (The handout provided is available on the City's website at www.hamilton.ca or through the Office of the City Clerk)
- (ii) Tim McClemon, Gabriel Byrne and James Diemert, AIDS Network
- (iii) Rodney Vermeulen, Trinity Canadian Reformed Church

- (iv) Michelle Poirier, Equity and Inclusion Office, McMaster University (The handout provided is available on the City's website at www.hamilton.ca or through the Office of the City Clerk)
- (v) Will Rowe
- (vi) Andre Schutten, Association for Reformed Political Action (ARPA) (The handout provided is available on the City's website at www.hamilton.ca or through the Office of the City Clerk)
- (vii) Pastor Steve Swets, Rehoboth United Reformed Church
- (viii) Violetta Nikolskaya, LBGTQ Advisory Committee
- (ix) Cole Gately
- (x) Colleen McTigue
- (xi) Autumn Getty, Trans Peer Support Group
- (xii) Rabbi Jordan D. Cohen and Rabbi Lavery-Yisraeli, Temple Anshe Sholom
- (xiii) Dr. Carys Massarella, St Joseph's Healthcare
- (xiv) Jia Qing and Lenore Lukasik-Foss, Sexual Assault Centre (Hamilton and Area), SACHA (The handout provided is available on the City's website at www.hamilton.ca or through the Office of the City Clerk)
- (xv) Kaiden Penney and Daniel Blum, McMaster Students Union - Queer Student's Community Centre
- (xvi) Tai Jacob, McMaster Student Union Women and Gender Equity Network
- (xvii) Susan Gapka and Martine Stonehouse, Trans Lobby Group
- (xviii) Reverend Victoria Ingram, First Unitarian Church of Hamilton
- (xix) Reverend Alissa Bender, Hamilton Mennonite Church
- (xx) Randell Neudorf, The Commons Mennonite Church
- (xxi) Nick de Koning, Ontario English Catholic Teachers Association
- (xxii) Linsey MacPhee, Woman Abuse Working Group
- (xxiii) Ian Sloan, The United Church of Canada, New Vision United Church
- (xxiv) Lisa Jeffs, Manager, Youth Wellness Centre, St Joseph's Healthcare Hamilton (The handout provided is available on the City's website at www.hamilton.ca or through the Office of the City Clerk)

- (xxv) Warren Greene, Warren Greene Consultant
- (xxvi) Noa Mendelsohn Aviv, Canadian Civil Liberties Association
- (xxvii) Arthur D. Hedden
- (xxviii) Myka Burning, Six Nations of Grand River Pride Committee
- (xxix) Lyndon George, Two Spirited of the First Nations – Hamilton Community Legal Clinic
- (xxx) Anthony Marco, Hamilton and District Labour Council
- (xxxi) Ty Laframboise and Jake Maurice, Youth Wellness Centre and NGen
- (xxxii) Aric Bales and Latisha Laing, Rainbow Youth Collaborative
- (xxxiii) Kensi McNaughton, Six Nations of The Grand River
- (xxxiv) Micaela Corcoran, Status of Women Advisory Committee
- (xxxv) Darryl Byers, Queer and Trans Youth Collaborative

CARRIED

(f) DISCUSSION ITEMS (Item 8)

(i) Protocol for Gender Identity and Gender Expression; Transgender and Gender Non-Conforming Persons (HUR17002) (City Wide) (Item 8.1)

Ms. Bonnie MacPhail, Labour Relations Officer provided the Committee with an overview of the report.

(A. Johnson/Eisenberger)

That REVISED Appendix A to Report HUR17002, be amended to include “the Canadian Charter of Rights and Freedom” be added after the words “In accordance with” in the first paragraph of the first page:

The City of Hamilton (The City) is committed to providing a safe, respectful, and inclusive environment for community members who use our services and for all employees. The City has a legal and moral responsibility to maintain environments that are free from discrimination and harassment for community members and employees. The City is committed to enhancing equity and inclusion through the provision of City services and within the workplace, and to promote awareness of our human rights obligations. In accordance with ***the Canadian Charter of Rights and Freedom***, the Ontario Human Rights Code (the Code), the City recognizes the dignity and worth of every person such that each person feels a part of our community and is able to contribute fully without harassment or discrimination.

CARRIED

For disposition of this matter, refer to Item 1.

**(ii) 2017 Property and Liability Insurance Renewal Report (FCS17013)
(City Wide) (Item 8.2)**

Councillor Ferguson wished to be marked as OPPOSED to Report FCS17013, respecting 2017 Property and Liability Insurance Renewal Report.

For disposition of this matter, refer to Item 11.

(g) NOTICES OF MOTION (Item 10)

**Development Charge Demolition Credit Extension, 849 Scenic Drive,
Hamilton (Item 10.1)**

Councillor A. Johnson introduced the following Notice of Motion:

WHEREAS, a delegation request for a future meeting was approved at the February 6, 2017 Audit, Finance and Administration meeting respecting a request for Development Charge Demolition Credit extension on behalf of Valery (Chedoke Browlands) Development Inc. (Valery Homes), Demolition Permit No. 00-152509, 849 Scenic Drive, Hamilton; and

WHEREAS, a specific request to have said Development Charge Demolition Credit extension was not received at the February 6, 2017 Audit, Finance and Administration meeting

THEREFORE BE IT RESOLVED:

That the General Manager, Finance and Corporate Services be directed to prepare a report to the Audit, Finance & Administration Committee regarding a request for Development Charge Demolition Credit extension on behalf of Valery (Chedoke Browlands) Development Inc. (Valery Homes), Demolition Permit No. 00-152509, 849 Scenic Drive, Hamilton.

(A. Johnson/VanderBeek)

That the Rules of Order be waived to allow for the introduction of a motion respecting Development Charge Demolition Credit Extension, 849 Scenic Drive, Hamilton.

CARRIED

For disposition of this matter, refer to Item 18.

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

(i) Amendments to the Outstanding Business List (Item 11.1)

(Pearson/VanderBeek)

- (a) That the following Item be marked as completed and removed from the Outstanding Business List:

Development Charges Demolition Credit Extension Mountain Plaza
Mall Development Request (FCS17008) (City Wide) (Outstanding
Business List Item) (Item 8.5)

CARRIED

(i) PUBLIC HEARINGS / DELEGATIONS (Continued)

- (a) David Kirkland, President & COO, Kenaidan Contracting Ltd. respecting Item 12.2 Commercial Relationship Between the City of Hamilton and Kenaidan Contracting Ltd. (LS17009(a)/FCS17027(a)) (Item 4.27)**

(Collins/A. Johnson)

That the delegation from David Kirkland, President & COO, Kenaidan Contracting Ltd. respecting Item 12.2 Commercial Relationship Between the City of Hamilton and Kenaidan Contracting Ltd. (LS17009(a)/FCS17027(a)), be received.

CARRIED

(j) PRIVATE AND CONFIDENTIAL (Item 12)

(Collins/B. Johnson)

That Committee move into Closed Session respecting:

- Item 12.1 - Hamilton Water Procurement Projects (LS17009/FCS17027) (City Wide) (Tabled at the General Issues Committee meeting, February 15, 2017); and
- Item 12.2 – Commercial Relationship Between the City of Hamilton and Kenaidan Contracting Ltd. (LS17009(a)/FCS17027(a))

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

For further disposition on these matters, refer to Items 19 and 20.

(k) ADJOURNMENT (Item 13)

(Collins/VanderBeek)

That, there being no further business, the Audit, Finance & Administration Committee be adjourned at 3:56 p.m.

CARRIED

Respectfully submitted,

Councillor D. Skelly,
Chair, Audit, Finance & Administration
Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk