



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE MINUTES 20-009

**9:30 a.m.
October 22, 2020
Council Chambers
Hamilton City Hall**

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

Absent: Councillors B. Johnson, B. Clark – City Business

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

- 1. Upgrade of 911 System to the Next Generation 9-1-1 (NG9-1-1) Messaging Services Delivery (FCS20082 / HSC20045) (City Wide) (Item 6.1)**

(Ferguson/Wilson)

That Report FCS20082 / HSC20045 respecting an Upgrade of 911 System to the Next Generation 9-1-1 (NG9-1-1) Messaging Services Delivery, be received.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 3 - Ward 1 Councillor Maureen Wilson
YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins

- 2. Fair Wage Policy and Fair Wage Schedule Complaints Annual Report (FCS20084) (City Wide) (Item 6.2)**

(Partridge/VanderBeek)

That Report FCS20084 respecting the Fair Wage Policy and Fair Wage Schedule Complaints Annual Report, be received.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 3 - Ward 1 Councillor Maureen Wilson
YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek

YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins

3. Fraud and Waste Annual Report (AUD20007) (City Wide) (Item 8.1)

(Ferguson/VanderBeek)

That Report AUD20007 respecting the Fraud and Waste Annual Report, be received.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 3 - Ward 1 Councillor Maureen Wilson
YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins

4. 2019 Reserve Report (FCS20068) (City Wide) (Item 9.1)

(VanderBeek/Pearson)

- (a) That the 2019 Reserve Report and the 2019 Reserves Detail Report, with 2018 Comparative figures and 2020-2022 Projections, attached as Appendix "A" to Report FCS20068, be received; and,
- (b) That COVID-19 Reserve #108006 be established with previously approved initial funding of \$1,144,000.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 3 - Ward 1 Councillor Maureen Wilson
YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins

5. **Governance Review Sub-Committee Report 20-002 – October 13, 2020 (Item 9.2)**

(Pearson/VanderBeek)

(a) 2022 Council and Committee Calendar (Item 10 .1) (Attached as Appendix “A” to Governance Review Sub-Committee Report 20-002)

That the 2022 Council and Committee Calendar be approved, as presented.

(b) Recording of Closed Session Meetings (FCS20090 / LS20027) (City Wide) (Item 10.2)

That Report FCS20090 / LS20027, respecting Recording of Closed Session Meetings, be received.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 3 - Ward 1 Councillor Maureen Wilson
YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins

6. **Advisory Committee for Immigrants and Refugees Membership (Item 10.1)**

(Wilson/Pearson)

WHEREAS, the Advisory Committee for Immigrants and Refugees received resignations from Waleed Aslam and Anjum Chauhan on March 6, 2020;

THEREFORE BE IT RESOLVED:

- (a) That the resignations from Waleed Aslam and Anjum Chauhan from the Advisory Committee for Immigrants and Refugees, be received; and,
- (b) That the membership number of the Advisory Committee for Immigrants and Refugees be adjusted accordingly in order to obtain quorum.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 3 - Ward 1 Councillor Maureen Wilson
YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

4. COMMUNICATIONS

4.1 Correspondence from June Roberts, respecting an Extension of Benefits for City of Hamilton Retirees who turn 65 in 2021.

4.1(a) Additional Correspondence from June Roberts, respecting an Extension of Benefits for City of Hamilton Retirees who turn 65 in 2021.

5. DELEGATION REQUESTS

5.1 Kenneth Ukrainec, on behalf of Network Sewer and Watermain Ltd., respecting the Fair Wage Policy and Fair Wage Schedule Complaints Annual Report (FCS20084) (For today's meeting)

5.2 Jason Snyder, GardaWorld, respecting the City's decision to exclude Garda Canada Security Corp from being able to bid on work for the City (For today's meeting)

5.2(a) Staff Supporting Documentation regarding Jason Snyder, GardaWorld, respecting the City's decision to exclude Garda Canada Security Corp from being able to bid on work for the City

7. PUBLIC HEARINGS / WRITTEN DELEGATIONS / VIRTUAL DELEGATIONS

7.1(a) Staff Supporting Documentation respecting Kevin Rachman, SmartCentres REIT, respecting an Extension to Development Charges Credit

(Collins/Ferguson)

That the agenda for the October 22, 2020 Audit, Finance and Administration Committee meeting be approved, as amended.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

YES - Ward 3 - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) October 8, 2020 (Item 3.1)

(Pearson/VanderBeek)

That the Minutes of the October 8, 2020 meeting of the Audit, Finance and Administration Committee be approved, as presented.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

YES - Ward 3 - Ward 1 Councillor Maureen Wilson
NOT PRESENT - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins

(d) COMMUNICATIONS (Item 4)

(VanderBeek/Pearson)

That the following Communication Items, be received:

(i) Correspondence from June Roberts, respecting an Extension of Benefits for City of Hamilton Retirees who turn 65 in 2021 (Added Item 4.1 & 4.1(a))

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 3 - Ward 1 Councillor Maureen Wilson
YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins

(e) DELEGATION REQUESTS (Item 5)

(i) Kenneth Ukraineec, on behalf of Network Sewer and Watermain Ltd., respecting the Fair Wage Policy and Fair Wage Schedule Complaints Annual Report (FCS20084) (Added Item 5.1)

(Partridge/Pearson)

That the Delegation Request from Kenneth Ukraineec, on behalf of Network Sewer and Watermain Ltd., respecting the Fair Wage Policy and Fair

Wage Schedule Complaints Annual Report (FCS20084), be approved for today's meeting.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 3 - Ward 1 Councillor Maureen Wilson
YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins

- (ii) **Jason Snyder, GardaWorld, respecting the City's decision to exclude Garda Canada Security Corp from being able to bid on work for the City (Added Item 5.2)**

(Ferguson/Partridge)

That the Delegation Request from Jason Snyder, GardaWorld, respecting the City's decision to exclude Garda Canada Security Corp from being able to bid on work for the City, be approved for today's meeting.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 3 - Ward 1 Councillor Maureen Wilson
YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins

- (f) **PUBLIC HEARINGS / WRITTEN DELEGATIONS / VIRTUAL DELEGATIONS (Item 7)**

- (i) **Kevin Rachman, SmartCentres REIT, respecting an Extension to Development Charges Credit (approved October 8, 2020) (Item 7.1)**

Kevin Rachman, SmartCentres REIT, addressed the Committee respecting an Extension to a Development Charges Credit, with the aid of a PowerPoint presentation.

(Collins/VanderBeek)

That the delegation from Kevin Rachman, SmartCentres REIT, respecting an Extension to a Development Charges Credit, be received.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 3 - Ward 1 Councillor Maureen Wilson
YES - Ward 15 Councillor Judi Partridge

YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins

(ii) Staff Supporting Documentation regarding Kevin Rachman, SmartCentres REIT, respecting an Extension to Development Charges Credit (Added Item 7.1(a))

(Ferguson/Partridge)

That the Staff Supporting Documentation regarding Kevin Rachman, SmartCentres REIT, respecting an Extension to a Development Charges Credit, be referred back to staff to investigate further and report back to the Audit, Finance and Administration Committee.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 3 - Ward 1 Councillor Maureen Wilson
YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins

(iii) Kenneth Ukrainec, on behalf of Network Sewer and Watermain Ltd., respecting the Fair Wage Policy and Fair Wage Schedule Complaints Annual Report (FCS20084) (Added Item 7.2)

Kenneth Ukrainec, on behalf of Network Sewer and Watermain Ltd., addressed the Committee respecting the Fair Wage Policy and Fair Wage Schedule Complaints Annual Report.

(Pearson/Collins)

That the delegation from Kenneth Ukrainec, on behalf of Network Sewer and Watermain Ltd., respecting the Fair Wage Policy and Fair Wage Schedule Complaints Annual Report, be received.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 3 - Ward 1 Councillor Maureen Wilson
YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins

(Ferguson/Pearson)

That Procurement staff be directed to investigate whether the Audit Fee to be charged to Network Sewer and Watermain Ltd., is reasonable and report back to the Audit, Finance and Administration Committee.

Result: Motion CARRIED by a vote of 4 to 0, as follows:

NO - Ward 3 - Ward 1 Councillor Maureen Wilson
NO - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

(iv) Jason Snyder, GardaWorld, respecting the City's decision to exclude Garda Canada Security Corp from being able to bid on work for the City (Added Item 7.3)

Jason Snyder, GardaWorld, addressed the Committee respecting the City's decision to exclude Garda Canada Security Corp from being able to bid on work for the City.

(VanderBeek/Collins)

That the delegation from Jason Snyder, GardaWorld, respecting the City's decision to exclude Garda Canada Security Corp from being able to bid on work for the City, be received.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 3 - Ward 1 Councillor Maureen Wilson
YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins

(g) STAFF PRESENTATIONS (Item 8)

(i) Fraud and Waste Annual Report (AUD20007) (City Wide)

Charles Brown, City Auditor, addressed the Committee respecting the Fraud and Waste Annual Report (AUD20007), with the aid of a presentation.

(Collins/Pearson)

That the staff presentation respecting the Fraud and Waste Annual Report (AUD20007), be received.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 3 - Ward 1 Councillor Maureen Wilson
YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins

(h) MOTIONS (Item 10)

Councillor Wilson relinquished the Chair to Councillor Collins to introduce her motion respecting the Advisory Committee for Immigrants and Refugees Membership.

Councillor Wilson resumed the Chair.

(i) PRIVATE AND CONFIDENTIAL (Item 13)

(Ferguson/Pearson)

That the Committee moved into Closed Session respecting Items 5.2 and 5.2(a), pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-sections (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(j) DELEGATION REQUESTS (Item 5) (Continued)

(i) Staff Supporting Documentation regarding Jason Snyder, GardaWorld, respecting the City's decision to exclude Garda Canada Security Corp from being able to bid on work for the City (Added Item 5.2(a))

(VanderBeek/Pearson)

That the Staff Supporting Documentation regarding Jason Snyder, GardaWorld, respecting the City's decision to exclude Garda Canada Security Corp from being able to bid on work for the City, be received.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 3 - Ward 1 Councillor Maureen Wilson
YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark

YES - Ward 5 Councillor Chad Collins

(k) ADJOURNMENT (Item 14)

(Pearson/Ferguson)

That, there being no further business, the Audit, Finance and Administration Committee, be adjourned at 11:52 a.m.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Ward 3 - Ward 1 Councillor Maureen Wilson
YES - Ward 15 Councillor Judi Partridge
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
NOT PRESENT - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NOT PRESENT - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Chad Collins

Respectfully submitted,

Councillor Wilson, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk