



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE MINUTES 21-013

9:30 a.m.

September 9, 2021

Council Chambers

Hamilton City Hall

Present: Councillors L. Ferguson (Chair), B. Clark, B. Johnson, M. Pearson, A. VanderBeek, and M. Wilson

Absent: Councillor C. Collins - Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

**1. City Auditor Reporting of Serious Matters to Council (Case #39691)
(AUD21007) (City Wide) (Item 7.1)**

(Clark/VanderBeek)

That Report AUD21007, City Auditor Report of Serious Matters to Council (Case #39691), be received.

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

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

**2. Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer
(LGBTQ) Advisory Committee - Changing the Standing Committee to which
the LGBTQ Advisory Committee Reports (Item 10.1)**

(Pearson/Wilson)

That the Standing Committee to which the LGBTQ Advisory Committee Reports be changed from the Audit, Finance and Administration Committee to the Emergency and Community Services Committee, including updating any Standing Committee mandates or terms of reference that might be impacted by this change.

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

YES - Ward 13 Councillor Arlene VanderBeek

YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

3. Offsetting Parking Revenue Losses for the City's Business Improvement Areas (PED21161) (Wards 1, 2, 3, 4, 7, 8, 12, and 13) (Item 10.2)

(Wilson/VanderBeek)

- (a) That each of the City's eleven Business Improvement Areas (BIAs) that participate annually in the Parking Revenue Sharing Program (PRSP) be provided a one-time grant in 2021 that is equal to the amount they received in 2020 through the PRSP, with the exception of the Locke Street BIA which would receive an amount equivalent to their 2019 Parking Revenue Sharing grant;
- (b) That the total grant amount of \$124,563.09 be funded from the Economic Development Investment Reserve (Account No. 112221).

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

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

4. Governance Review Sub-Committee Report 21-006 – August 24, 2021 (Item 10.3)

(Wilson/VanderBeek)

- (a) **Councillor Ward Office Budgets and Policy Guidelines for Eligible Expenses for Elected Officials (FCS18083(c)) (City Wide) (Item 10.1)**

That Appendix "A" to Governance Review Sub-Committee Report 21-006, Policy and Guidelines for Eligible Expenses for Elected Officials: Budget for the Office of the Mayor, Legislative Budget and Councillor Ward Office Budget, be approved.

Result: Motion CARRIED by a vote of 5 to 1, as follows:

YES - Ward 13 Councillor Arlene VanderBeek
NO - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

5. Fraud and Waste Report #32153 - Update (AUD21009) (City Wide) (Added Item 14.1)

(Pearson/Clark)

- (a) That the direction provided to staff in Closed Session, respecting Report AUD21009, Fraud and Waste Report #32153 – Update, be approved: and,
- (b) That Report AUD21009, Fraud and Waste Report #32153 – Update, remain confidential.

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

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
YES - Ward 9 Councillor Brad Clark
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

14. PRIVATE AND CONFIDENTIAL

14.1 Fraud and Waste Report #32153 - Update (AUD21009) (City Wide)

(Pearson/Clark)

That the agenda for the September 9, 2021 Audit, Finance and Administration Committee meeting be approved, as amended.

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

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

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) August 12, 2021 (Item 4.1)

(VanderBeek/Wilson)

That the Minutes of the August 12, 2021 meeting of the Audit, Finance and Administration Committee be approved, as presented.

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

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

(d) DISCUSSION ITEMS (Item 10)

(i) Governance Review Sub-Committee Report 21-006 – August 24, 2021 (Item 10.3)

(Wilson/VanderBeek)

(a) Councillor Ward Office Budgets and Policy Guidelines for Eligible Expenses for Elected Officials (FCS18083(c)) (City Wide) (Item 10.1)

That Appendix “A” to Governance Review Sub-Committee Report 21-006, Policy and Guidelines for Eligible Expenses for Elected Officials: Budget for the Office of the Mayor, Legislative Budget and Councillor Ward Office Budget, be approved.

Councillor Ferguson relinquished the Chair to introduce the following motions:

(Ferguson/VanderBeek)

That Item (g)(i) from the Information Section be lifted and added as Item 2 of the Governance Review Sub-Committee Report 21-006.

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

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

(Ferguson/Pearson)

2. Proposed Amendment to the Procedural By-law Referred by Council on August 13, 2021 to Governance Review Sub-Committee, respecting Special Meetings of Council (Added Item 10.2)

That Council approve the proposed *amendment* to Sub-Section 3.4, Special Meetings of Council of Procedural By-law 21-021, as follows:

3.4 Special Meetings of Council

- (7) *Notwithstanding subsection 3.4(3), on urgent and extraordinary occasions, with the consent of the majority of all the Members of Council, recorded in the Minutes, a special meeting of the Council may be called by the Mayor without notice to consider and deal with such urgent and extraordinary matters.***

Result: Amendment DEFEATED by a vote of 3 to 3, as follows:

NO - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NO - Ward 9 Councillor Brad Clark
NOT PRESENT - Ward 5 Councillor Chad Collins
NO - Ward 1 Councillor Maureen Wilson

Councillor Ferguson assumed the Chair.

For further disposition of this matter, please refer to Item 4.

(e) PRIVATE AND CONFIDENTIAL (Item 14)

(Pearson/VanderBeek)

That Committee move into Closed Session respecting Item 14.1, pursuant to Section 9.1, Sub-sections (b), (d) and (e) of the City's Procedural By-law 21-021, and Section 239(2), Sub-sections (b), (d) and (e) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including municipal or local board employees; labour relations or employee negotiations; and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

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

YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

**(i) Fraud and Waste Report #32153 - Update (AUD21009) (City Wide)
(Added Item 14.1)**

For disposition of this matter, please refer to Item 5.

(f) ADJOURNMENT (Item 15)

(Pearson/VanderBeek)

That, there being no further business, the Audit, Finance and Administration Committee, be adjourned at 10:21 a.m.

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

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
YES - Ward 9 Councillor Brad Clark
NOT PRESENT - Ward 5 Councillor Chad Collins
YES - Ward 1 Councillor Maureen Wilson

Respectfully submitted,

Councillor Ferguson, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk