



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE MINUTES 22-008

**9:30 a.m.
April 7, 2022
Council Chambers
Hamilton City Hall**

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

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Fraud, Waste and Whistle Blower Semi-Annual Update (AUD22003) (City Wide) (Item 7.2)

(Ferguson/Wilson)

That Report AUD22003, respecting the Fraud, Waste and Whistle Blower Semi-Annual Update, be received.

Result: Motion CARRIED by a vote of 7 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
YES - Ward 5 Councillor Russ Powers
YES - Ward 1 Councillor Maureen Wilson

2. Annual Occupational Injury & Illness Claims Report 2021 (HUR22002) (City Wide) (Item 7.3)

(Powers/VanderBeek)

That Report HUR22002, respecting the Annual Occupational Injury & Illness Claims Report 2021, be received.

Result: Motion CARRIED by a vote of 7 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
YES - Ward 5 Councillor Russ Powers
YES - Ward 1 Councillor Maureen Wilson

3. Annual Employee Attendance Report 2021 (HUR22003) (City Wide) (Item 7.4)

(Powers/VanderBeek)

That Report HUR22003, respecting the Annual Employee Attendance Report 2021, be received.

Result: Motion CARRIED by a vote of 7 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
- YES - Ward 5 Councillor Russ Powers
- YES - Ward 1 Councillor Maureen Wilson

4. Governance Review Sub-Committee Report 22-001 - March 31, 2022 (Added Item 10.1)

(Powers/Johnson)

(a) APPOINTMENT OF A CHAIR AND VICE-CHAIR (Item 1)

- (i) That Councillor M. Wilson be appointed as Chair of the Governance Review Sub-Committee for the remainder of the 2018-2022 term.
- (ii) That Councillor A. VanderBeek be appointed as Vice-Chair of the Governance Review Sub-Committee for the remainder of the 2018-2022 term.

(b) Verbal Updates to Council (FCS22021 / CM22002) (City Wide) (Outstanding Business List Item) (Item 7.1)

That Report FCS22021 / CM22002, respecting Verbal Updates to Council, be received.

(c) 2023 Committee and Council Meeting Calendar (Item 10.1) (Attached as Appendix "A" to Governance Review Sub-Committee Report 22-001)

That the 2023 Committee and Council Meeting Calendar be approved, as presented.

(d) Review of City of Hamilton's Agencies, Boards, Committees and other Affiliated Entities (LS22016 / FCS22025) (City Wide) (Item 10.2)

- (i) That Confidential Appendix "B" and "C" attached to Report LS22016 / FCS22025 respecting the Review of City of Hamilton's Agencies, Boards, Committees and other Affiliated Entities be approved;

- (ii) That Confidential Appendix “A”, “B” and “C” to Report LS22016 / FCS22025 respecting the Review of City of Hamilton’s Agencies, Boards, Committees and other Affiliated Entities, remain confidential; and
- (iii) That the City Clerk be directed to respond to the Ombudsman on behalf of the City with a list of those entities that the City of Hamilton considers to be ‘council’, ‘committee’ or a ‘local board’ with information contained in Confidential Appendix “B” to Report LS22016 / FCS22025 respecting the Review of City of Hamilton’s Agencies, Boards, Committees and other Affiliated Entities.

Result: Motion CARRIED by a vote of 7 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
- YES - Ward 5 Councillor Russ Powers
- YES - Ward 1 Councillor Maureen Wilson

5. Grightmire Arena Lessons Learned Audit (AUD22004) (City Wide) (Item 14.2)

(VanderBeek/Powers)

- (a) That Report AUD22004 and Confidential Appendices “A” and “B” to Report AUD22004 respecting Grightmire Arena Lessons Learned Audit be received and remain confidential and restricted from public disclosure;
- (b) That Management Responses as detailed in Confidential Appendices “A” and “C” to Report AUD22004 be received;
- (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 Committee **on a quarterly basis** on the nature and status of actions taken in response to the audit report; and,
- (d) That Council waive the right to privilege for paragraphs 112, 135-137, 142, 144-145, 149, 155, 157-158, and 161 in Confidential Appendix “C” to Report AUD22004, respecting J. L. Grightmire Arena Lessons Learned Audit, and that Confidential Appendix “C” to Report AUD22004 be made public as part of the agenda for the April 21, 2022 Audit, Finance and Administration Committee meeting.

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

- YES - Ward 13 Councillor Arlene VanderBeek

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

6. Appointments to the Women and Gender Equity Committee (Added Item 14.3)

(Johnson/Wilson)

That the appointments to the Women and Gender Equity Committee, for the remainder of the 2018 – 2022 term of Council, be approved and released publicly following approval by Council.

Result: Motion CARRIED by a vote of 7 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
YES - Ward 5 Councillor Russ Powers
YES - Ward 1 Councillor Maureen Wilson

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

7. CONSENT ITEMS (Item 7)

7.1(k) Committee Against Racism - February 23, 2021
7.1(l) Committee Against Racism - March 23, 2021
7.1(m) Committee Against Racism - May 25, 2021
7.1(n) Committee Against Racism - June 22, 2021
7.1(o) Committee Against Racism - September 21, 2021
7.1(p) Committee Against Racism - January 26, 2022

10. DISCUSSION ITEMS (Item 10)

10.1 Governance Review Sub-Committee Report 22-001 – March 31, 2022

14. PRIVATE AND CONFIDENTIAL (Item 14)

14.3 Appointments to the Hamilton Women and Gender Equity Committee

(VanderBeek/Wilson)

That the agenda for the April 7, 2022 Audit, Finance and Administration Committee meeting be approved, as amended.

Result: Motion CARRIED by a vote of 7 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
YES - Ward 5 Councillor Russ Powers
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) March 24, 2022 (Item 4.1)

(Powers/Ferguson)

That the Minutes of the March 24, 2022 meeting of the Audit, Finance and Administration Committee be approved, as presented.

Result: Motion CARRIED by a vote of 7 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
YES - Ward 5 Councillor Russ Powers
YES - Ward 1 Councillor Maureen Wilson

(d) COMMUNICATIONS (Item 5)

(i) Correspondence from Paul Paradis, Ross & McBride LLP, respecting a request for extension of Development Charge Demolition Credits, Hamilton Central Business Park - Formerly 440 Victoria Ave. N. now Studebaker Place and Ferris St. - DCR Holdings Inc. (Item 5.1)

(Ferguson/Johnson)

That the correspondence from Paul Paradis, Ross & McBride LLP, respecting a request for extension of Development Charge Demolition Credits, Hamilton Central Business Park - Formerly 440 Victoria Ave. N. now Studebaker Place and Ferris St. - DCR Holdings Inc., be received and referred to the General Manager of Finance and Corporate Services for a report back to Audit, Finance and Administration Committee.

Result: Motion CARRIED by a vote of 7 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
YES - Ward 5 Councillor Russ Powers
YES - Ward 1 Councillor Maureen Wilson

(ii) Correspondence from Trent Jarvis, Chair, Hamilton Waterfront Trust, respecting his retirement from the Hamilton Waterfront Trust Board of Trustees (Item 5.2)

(Ferguson/Wilson)

That the correspondence from Trent Jarvis, Chair, Hamilton Waterfront Trust, respecting his retirement from the Hamilton Waterfront Trust Board of Trustees, be received.

Result: Motion CARRIED by a vote of 7 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
YES - Ward 5 Councillor Russ Powers
YES - Ward 1 Councillor Maureen Wilson

(e) CONSENT ITEMS (Item 7)

(Johnson/VanderBeek)

That the following Various Advisory Committee Minutes, be received:

- (i) Hamilton Aboriginal Advisory Committee - May 6, 2022 (Item 7.1(a))
- (ii) Hamilton Aboriginal Advisory Committee - June 3, 2021 (Item 7.1(b))
- (iii) Hamilton Aboriginal Advisory Committee - September 2, 2021 (Item 7.1(c))
- (iv) Hamilton Aboriginal Advisory Committee - October 7, 2021 (Item 7.1(d))
- (v) Hamilton Aboriginal Advisory Committee - November 4, 2021 (Item 7.1(e))
- (vi) Hamilton Aboriginal Advisory Committee - December 2, 2021 (Item 7.1(f))
- (vii) Hamilton Aboriginal Advisory Committee - January 6, 2022 (Item 7.1(g))
- (viii) Hamilton Aboriginal Advisory Committee - February 3, 2022 (Item 7.1(h))
- (ix) Committee Against Racism - No Quorum Notes - March 22, 2022 (Item 7.1(i))
- (x) Hamilton Women and Gender Equity Committee - February 24, 2022 (Item 7.1(j))
- (xi) Committee Against Racism - February 23, 2021 (Added Item 7.1(k))
- (xii) Committee Against Racism - March 23, 2021 (Added Item 7.1(l))
- (xiii) Committee Against Racism - May 25, 2021 (Added Item 7.1(m))
- (xiv) Committee Against Racism - June 22, 2021 (Added Item 7.1(n))
- (xv) Committee Against Racism - September 21, 2021 (Added Item 7.1(o))

(xvi) Committee Against Racism - January 26, 2022 (Added Item 7.1(p))

Result: Motion CARRIED by a vote of 7 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
YES - Ward 5 Councillor Russ Powers
YES - Ward 1 Councillor Maureen Wilson

(f) PRIVATE AND CONFIDENTIAL (Item 14)

Committee determined that discussion of Item 14.1 was not required in Closed Session, so the item was addressed in Open Session, as follows:

(i) Closed Minutes – March 24, 2022 (Item 14.1)

(Powers/Wilson)

- (a) That the Closed Session Minutes of the March 24, 2022 Audit, Finance and Administration Committee meeting, be approved as presented; and,
- (b) That the Closed Session Minutes of the March 24, 2022 Audit, Finance and Administration Committee meeting, remain confidential.

Result: Motion CARRIED by a vote of 7 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
YES - Ward 5 Councillor Russ Powers
YES - Ward 1 Councillor Maureen Wilson

(ii) Grightmire Arena Lessons Learned Audit (AUD22004) (City Wide) (Item 14.2)

(VanderBeek/Wilson)

That Matthew Alter from Cassels be permitted to attend the Closed Session portion of the meeting with respect to Report AUD22004, Grightmire Arena Lessons Learned Audit.

Result: Motion CARRIED by a vote of 7 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
YES - Ward 5 Councillor Russ Powers
YES - Ward 1 Councillor Maureen Wilson

(Ferguson/Johnson)

That the Committee move into Closed Session respecting Item 14.2 pursuant to Section 9.1, Sub-section (f) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-section (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Result: Motion CARRIED by a vote of 7 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
YES - Ward 5 Councillor Russ Powers
YES - Ward 1 Councillor Maureen Wilson

**(ii) Grightmire Arena Lessons Learned Audit (AUD22004) (City Wide)
(Item 14.2) (Continued)**

For further disposition of this Item, refer to Item 5.

**(iii) Appointments to the Women and Gender Equity Committee (Added
Item 14.3)**

Committee determined that discussion of Item 14.3 was not required in Closed Session, therefore, item was addressed in Open Session.

For further disposition of this Item, Refer to Item 6.

(g) ADJOURNMENT (Item 15)

(Johnson/Clark)

That, there being no further business, the Audit, Finance and Administration Committee, be adjourned at 12:24 p.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
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark
YES - Ward 5 Councillor Russ Powers
NOT PRESENT - Ward 1 Councillor Maureen Wilson

Respectfully submitted,

Councillor Pearson, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk