



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 22-009

**9:30 a.m.
April 21, 2022
Council Chambers
Hamilton City Hall**

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

Also Present: Councillor J. Farr

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 22-009 AND RESPECTFULLY RECOMMENDS:

**1. 50 Charlton Avenue East, Hamilton – Water and Wastewater / Storm
Account Debit Adjustment (FCS22023) (Ward 2) (Item 7.1)**

That Report FCS22023, respecting 50 Charlton Avenue East, Hamilton – Water and Wastewater / Storm Account Debit Adjustment, be received.

**2. Tax and Rate Operating Budget Variance Report as at December 31, 2021 –
Budget Control Policy Transfers (FCS21070(b)) (City Wide) (Item 8.2)**

- (a) That the Tax and Rate Operating Budget Variance Report as at December 31, 2021 attached as Appendices “A” and “B”, respectively, to Report FCS21070(b) be received;
- (b) That, in accordance with the “Budgeted Complement Control Policy”, the 2021 complement transfers from one department / division to another with no impact on the levy, as outlined in Appendix “A” to Audit, Finance and Administration Report 22-009, be approved;
- (c) That, in accordance with the “Budget Complement Control Policy”, the 2021 extensions of temporary positions with 24-month terms or greater, with no impact on the levy, as outlined in Appendix “B” to Audit, Finance and Administration Report 22-009, be approved;
- (d) That, subject to finalization of the 2021 audited financial statements, the disposition of the 2021 year-end operating budget surplus be approved as detailed in Table 1.

Table 1

DISPOSITION / RECONCILIATION OF YEAR-END SURPLUS/ (DEFICIT)	\$	\$
Corporate Surplus from Tax Supported Operations		\$ 34,326,316
Disposition to/from Self-Supporting Programs & Agencies		\$ (2,670,023)
Add: Police (Transfer from Police Reserve)	\$ 2,015,449	
Less: Library (Transfer to Library Reserve)	\$ (4,702,285)	
Add: Farmers Market (Transfer from Hamilton Farmers Market Reserve)	\$ 16,813	
Balance of Corporate Surplus		\$ 31,656,293
Less: Transfer to Tax Stabilization Reserve		\$ (759,462)
Less: Transfer to fund Hamilton's Home Energy Retrofit Opportunity (HERO) Program Study		\$ (40,000)
Less: Transfer to fund Hamilton Police Services Cannabis Enforcement		\$ (405,255)
Less: Transfer to Unallocated Capital Levy Reserve		\$ (2,000,000)
Less: Transfer to fund shortfall in Development Charge Exemptions		\$ (12,951,576)
Less: Transfer to Election Expense Reserve		\$ (500,000)
Less: Transfer to COVID-19 Emergency Reserve		\$ (15,000,000)
Balance of Tax Supported Operations		\$ -
Corporate Deficit from Rate Supported Operations		\$ (491,206)
Add: Transfer from the Rate Supported Water Reserve		\$ 1,149,056
Less: Transfer to the Rate Supported Wastewater Reserve		\$ (657,849)
Balance of Rate Supported Operations		\$ -

3. Unbilled Water and Wastewater / Storm Accounts (FCS22029) (City Wide) (Item 10.1)

That the General Manager, Finance and Corporate Services, be authorized to enter into a deferred payment arrangement with a three-month repayment period, pertaining to water and wastewater / storm charges for a total amount of \$109,771.44 regarding Alectra Utilities account number 5812771300 and service address of 95 Barlake Avenue, Hamilton.

4. Offsetting Parking Revenue for the City's Business Improvement Areas (PED22074) (Wards 1, 2, 3, 4, 7, 12 and 13) (Item 10.2)

- (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 grant in 2022 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).

5. Standardization of Microsoft Power Platform Suite of Products for Corporate Information Technology (FCS22036) (City Wide) (Item 10.3)

- (a) That Council approve the standardization of Microsoft Power Platform suite of products manufactured by Microsoft, pursuant to Procurement Policy #14 – Standardization for a period of five years from the date of Council approval;

- (b) That the General Manager, Corporate Services Department be authorized to negotiate, enter into and execute any required Contract and any ancillary documents required to give effect thereto with Microsoft approved retailer, in a form satisfactory to the City Solicitor.

6. Analysis for Hamilton Waterfront Trust - December 31, 2020 - Audited Financial Statements (FCS22019) (City Wide) (Item 10.4)

That report FCS22019, respecting Analysis for Hamilton Waterfront Trust - December 31, 2020 - Audited Financial Statements, be received.

7. Development Charges Stakeholders Sub-Committee Report 22-002 - April 12, 2022 (Item 10.6)

(a) Community Benefits Charges – Engagement and Draft Strategy (FCS22015(a)) (Item 10.1)

- (i) That Report FCS22015(a) respecting Community Benefits Charges Budget, be received.
- (ii) That Staff be directed to include an explanation of the variance in Development Charges reductions compared to the Community Benefits Charges, in their report back to the Audit, Finance and Administration Committee.

8. Request for Sustainability and Financial Viability Audit of Hamilton Waterfront Trust (FCS22038) (City Wide) (Item 10.5)

That Report FCS22038 respecting Request for Sustainability and Financial Viability Audit of Hamilton Waterfront Trust, be REFERRED to Council on April 27, 2022.

9. Confidential Correspondence from David A. van der Woerd, Ross & McBride LLP, respecting the Hamilton Waterfront Trust (Added Item 14.2)

That the Confidential Correspondence from David A. van der Woerd, Ross & McBride LLP, respecting the Hamilton Waterfront Trust be REFERRED to Council on April 27, 2022.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

8. PRESENTATIONS (Item 8)

- 8.3(a) J.L. Grightmire Arena Lessons Learned Audit- Responses and Actions

14. PRIVATE AND CONFIDENTIAL (Item 14)

- 14.2 Confidential Correspondence from David A. van der Woerd, Ross & McBride LLP, respecting the Hamilton Waterfront Trust

Recommendation: Be received and referred to staff for a report back to the Audit, Finance and Administration Committee.

The agenda for the April 21, 2022 Audit, Finance and Administration Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) April 7, 2022 (Item 4.1)

The Minutes of the April 7, 2022 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) CONSENT ITEMS (Item 7)

The following Various Advisory Committee Minutes, were received:

- (i) Immigrant and Refugee Advisory Committee - January 13, 2022 (Item 7.2(a))
- (ii) Immigrant and Refugee Advisory Committee – March 10, 2022 (Item 7.2(b))

(e) PRESENTATIONS (Item 8)

(i) Hamilton Waterfront Trust - 2020 Annual Briefing by Werner Plessl, Executive Director (Item 8.1)

Werner Plessl, Executive Director of the Hamilton Waterfront Trust address the Committee respecting the Hamilton Waterfront Trust - 2020 Annual Briefing.

The presentation from Werner Plessl, Executive Director of the Hamilton Waterfront Trust, respecting the Hamilton Waterfront Trust - 2020 Annual Briefing, was received.

(ii) Tax and Rate Operating Budget Variance Report as at December 31, 2021 – Budget Control Policy Transfers (FCS21070(b)) (City Wide) (Item 8.2)

Mike Zegarac, General Manager of Finance and Corporate Services addressed the Committee with a staff presentation respecting Report

FCS21070(b), the Tax and Rate Operating Budget Variance Report as at December 31, 2021 - Budget Control Policy Transfers.

The Staff Presentation respecting Report FCS21070(b) the Tax and Rate Operating Budget Variance Report as at December 31, 2021 - Budget Control Policy Transfers, was received.

For further disposition of this matter, please refer to Item 2.

(iii) J.L. Grightmire Arena Lessons Learned Audit Report, Recommendations, and Management Response (Item 8.3)

Charles Brown, City Auditor addressed the Committee with a staff presentation respecting the J.L. Grightmire Arena Lessons Learned Audit Report, Recommendations, and Management Response.

The Staff Presentation respecting the J.L. Grightmire Arena Lessons Learned Audit Report, Recommendations, and Management Response, was received.

(iv) J.L. Grightmire Arena Lessons Learned Audit - Responses and Actions (Item 8.3(a))

Rom D'Angelo, Director, Energy, Fleet & Facilities Management addressed the Committee with a staff presentation respecting the J.L. Grightmire Arena Lessons Learned Audit – Responses and Actions.

The Staff Presentation respecting the J.L. Grightmire Arena Lessons Learned Audit - Responses and Actions, was received.

The Audit, Finance and Administration Committee recessed until 1:15 pm.

(f) DISCUSSION ITEMS (Item 10)

(i) Request for Sustainability and Financial Viability Audit of Hamilton Waterfront Trust (FCS22038) (City Wide) (Item 10.5)

Consideration of Items 10.5 (Report FCS22038, respecting Request for Sustainability and Financial Viability Audit of Hamilton Waterfront Trust) and 13.1 (Amendments to the Outstanding Business List), were DEFERRED until after Closed Session.

(g) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

Mike Zegarac, General Manager of Finance and Corporate Services addressed the Committee to recognize that Rick Male, Director, Financial Services Taxation & Corporate Controller, is retiring on April 29, 2022 and to thank him for 43 years of public service.

(h) PRIVATE AND CONFIDENTIAL (Item 14)

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

(i) Closed Minutes – April 7, 2022 (Item 14.1)

- (a) The Closed Session Minutes of the April 7, 2022 Audit, Finance and Administration Committee meeting, were approved as presented; and,
- (b) The Closed Session Minutes of the April 7, 2022 Audit, Finance and Administration Committee meeting, remain confidential.

Committee moved into Closed Session respecting Item 14.2 pursuant to Section 9.1, Sub-sections (d), (f), (i), (j) and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (d), (f), (i), (j) and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to labour relations or employee negotiations; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

(ii) Confidential Correspondence from David A. van der Woerd, Ross & McBride LLP, respecting the Hamilton Waterfront Trust (Added Item 14.2)

For disposition of this matter, refer to Item 9.

(h) DISCUSSION ITEMS (Item 10) (Continued)

(i) Request for Sustainability and Financial Viability Audit of Hamilton Waterfront Trust (FCS22038) (City Wide) (Item 10.5)

For disposition of this matter, refer to Item 8.

(i) GENERAL INFORMATION / OTHER BUSINESS (Item 13) (Continued)

(i) Amendments to the Outstanding Business List:

That the amendments to the Audit, Finance & Administration Committee's Outstanding Business List, **be amended** by removing the following item from the Items Considered Complete and Needing to Be Removed (Item 13.1(a)), as follows:

Council – April 27, 2022

~~**Correspondence from Trent Jarvis, Hamilton Waterfront Trust,
respecting an update to the Audit, Finance and Administration
Committee in April or May of 2022**~~

~~**Added: March 24, 2022 at AF&A - Item 5.2**~~

~~**Removed: April 21, 2022 at AF&A - Item 10.5**~~

~~**OBL Item: 22-A**~~

The following amendments to the Audit, Finance & Administration Committee's Outstanding Business List, were approved:

- (a) Items Considered Complete and Needing to Be Removed (Item 13.1(a):

Correspondence from the Hamilton Waterfront Trust respecting their December 31, 2020 Audited Financial Statements

Added: November 4, 2021 at AF&A - Item 5.1

Removed: April 21, 2022 at AF&A - Item 10.4

OBL Item: 21-O

- (b) Items Requiring a New Due Date (Item 13.1(b):

Review of Procurement Policies as it relates to Hiring Local Trades

Added: January 18, 2017 at GIC

Original Due Date: Q3 2020

Proposed New Due Date: Q1 2023

OBL Item: G

Implementation and Resources Required re: Corporate Goals and Areas of Focus for Climate Mitigation & Adaptation

Added: December 4, 2019 at GIC

Original Due Date: Q4 2021

Proposed New Due Date: Q3 2022

OBL Item: 19-T

Municipal Property Tax Billing Software (FCS20006) (City Wide) (Item 10.2)

Added: February 6, 2020 at AF&A

Original Due Date: Q1 2021

Proposed New Due Date: Q1 2023

OBL Item: 20-A

2020 Property and Liability Insurance Renewal Report (LS20010) (City Wide)

Added: May 13, 2020 at Council

Original Due Date: Q4 2020

Proposed New Due Date: March 2023

OBL Item: 20-C

(j) ADJOURNMENT (Item 15)

There being no further business, the Audit, Finance and Administration Committee, adjourned at 3:08 p.m.

Respectfully submitted,

Councillor Pearson, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

**CITY OF HAMILTON
 BUDGET AMENDMENT STAFF COMPLEMENT CHANGE**

STAFF COMPLEMENT CHANGE

Complement Transfer to another division or department ^(1,2)

ITEM #	TRANSFER FROM				TRANSFER TO			
	<u>Department</u>	<u>Division</u>	<u>Position Title (2)</u>	<u>FTE</u>	<u>Department</u>	<u>Division</u>	<u>Position Title (2)</u>	<u>FTE</u>
1.1	Planning & Economic Development	Building	Building Division Assistant	0.50	Corporate Services	Customer Service & POA	Cust Contact Centre Dispatcher	0.50
	Explanation: Transfer is to facilitate the call consolidation for identified services, as identified in the Call Handling report, from Building Services to the Customer Contact Centre.							
1.2	Public Works	Energy, Fleet & Facilities	Vehicle Ops Clerk	1.00	Public Works	Energy, Fleet & Facilities	Vehicle Service Coordinator	1.00
	Explanation: To convert a Vehicle Ops Clerk (JobID 665) grade F to a Vehicle Service Coordinator (JobID 5402) grade J in Fleet Services. Tasks currently being performed by the Fleet Forepersons will be transferred to the new position: scheduling routine preventative schedules services, responding to vendors on results of PM inspections and authorizing additional work as necessary. It will allow Foreman additional time for scheduling and prioritizing work of the internal mechanical staff. The cost differential of \$32K will be offset by savings realized through efficiencies in vehicle scheduling and prioritizing work performed by city staff versus contracting to external vendors and will have a zero net levy impact.							

Note - Complement transfers include the transfer of corresponding budget.
(1) - All other budgeted complement changes that require Council approval per Budgeted Complement Control Policy must be done through either separate report or the budget process (i.e. Increasing/decreasing budgeted complement).
(2) - If a position is changing, the impact of the change is within 1 pay band unless specified.

**CITY OF HAMILTON
BUDGETED COMPLEMENT TEMPORARY EXTENSION SCHEDULE**

TEMPORARY POSITION EXTENSIONS

Extensions to temporary positions with terms of 24 months or greater as per the Budgeted Complement Control Policy

ITEM #	TRANSFER FROM				TRANSFER TO			
	<u>Department</u>	<u>Division</u>	<u>Position Title</u>	<u>FTE</u>	<u>Department</u>	<u>Division</u>	<u>Position Title</u>	<u>FTE</u>
1.1	City Manager's Office	Digital & Innovation Office	Sr. Project Manager Digital & Innovation	1.0	City Manager's Office	Digital & Innovation Office	Sr. Project Manager Digital & Innovation	1.0
	Explanation: Employee is expected to be on maternity leave for 12 months of the 24 month contract term. Existing approved funding is available to support the position for the extension. Position will not be back-filled during 12 month maternity leave due to skill set and portfolio knowledge requirements. Request is for an extension of 12 months.							
1.2	Public Works	PW - General Administration	Senior Project Manager	1.00	Public Works	PW - General Administration	Senior Project Manager	1.0
	Explanation: Temporary position with a 24 month term is expiring, requesting approval for additional 24 months extension. The additional costs will be funded by gapping. Zero net levy impact. Request is for an extension of 24 months months.							