



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE MINUTES 23-002

9:30 a.m.
February 2, 2023
Council Chambers
Hamilton City Hall

Present: Councillors C. Kroetsch (Chair), T. Hwang (Vice-Chair), J. Beattie, M. Tadeson, A. Wilson and M. Wilson

Absent with Regrets: Councillor B. Clark – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Grightmire Arena Lessons Learned – Management Responses Status Report (PW23007/FCS23011) (Item 10.1)

(A. Wilson/Beattie)

That Report PW23007/FCS23011, respecting Grightmire Arena Lessons Learned – Management Responses Status Report, be received.

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

YES - Ward 1 Councillor Maureen Wilson
NO - CHAIR Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
ABSENT - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson

2. 2022 City Enrichment Fund Update (GRA23001) (City Wide) (Item 10.2)

(M. Wilson/Hwang)

That the overall 2022 City Enrichment Fund surplus (attached as Appendix “A” to Report GRA23001), in the amount of \$160,772 be transferred to the City Enrichment Fund Reserve # 112230.

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

YES - Ward 1 - Councillor Maureen Wilson
YES - CHAIR Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang

ABSENT - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson

3. Capital Project Closing Report as of September 30, 2022 (FCS22079(a)) (City Wide) (Added Item 10.3)

(A. Wilson/Beattie)

- (a) That the General Manager, Finance and Corporate Services, be authorized to transfer a net amount of \$289,205.62 to the Unallocated Capital Levy Reserve (108020) and a net amount of \$5,347,466.43 to other reserves as outlined in Appendix "A" to Report FCS22079(a);
- (b) That the General Manager, Finance and Corporate Services, be directed to close the completed and / or cancelled capital projects listed in Appendix "B" to Report FCS22079(a) in accordance with the Capital Projects Closing and Monitoring Policy;
- (c) That Appendix "C" to Report FCS22079(a), Capital Projects Budget Appropriations for the period covering July 1, 2022 through September 30, 2022, be received as information;
- (d) That Appendix "D" to Report FCS22079(a) Capital Projects Budget Appropriations of \$250,000 or greater and Capital Project Reserve Funding Requiring Council Approval, be approved.

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
ABSENT - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson

4. Citizen Committee Report - Hamilton Women and Gender Equity Committee, respecting Feedback on the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards (Added Item 10.4)

(A. Wilson/Hwang)

That the Citizen Committee Report from the Hamilton Women and Gender Equity Advisory Committee, respecting Feedback on the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards, be received and referred to Clerk's staff.

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
ABSENT - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson

5. Citizen Committee Report - Hamilton Women and Gender Equity Committee, respecting Feedback on the City of Hamilton Code of Conduct for Local Boards (Added Item 10.5)

(A. Wilson/Tadeson)

That the Citizen Committee Report from the Hamilton Women and Gender Equity Advisory Committee, respecting Feedback on the City of Hamilton Code of Conduct for Local Boards, be received and referred to Clerk's staff.

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
ABSENT - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson

6. Delegated Authority to Staff relating to Water Service Line Leaks (Added Item 11.1)

(Hwang/M. Wilson)

WHEREAS, individual community members, corporations, non-profit organizations, and all other resident entities can delegate to the Audit Finance and Administration Committee to ask for Council consideration for bill adjustments and waiving of penalties, fees, interest accrued relating to charges for water and wastewater services;

WHEREAS, some properties with water meters located at the property line may experience increased water and wastewater/storm billings related to downstream water service line leaks;

WHEREAS, there is no Council approved policy/by-law authority for staff to address water service line leaks and their associated costs to claimants; and

WHEREAS, staff are better equipped to respond to technical and other considerations related to decision making with respect to water service line leaks than members of Council;

THEREFORE, BE IT RESOLVED:

That staff report back to the Audit, Finance and Administration Committee with a Water Service Line Leak Wastewater Bill Adjustment Policy to provide delegated authority for staff to make decisions on bill adjustments, waiving of fees/penalties, or enforcement of fees associated with water service line leaks; such policy to include an evaluation framework that would allow staff to determine the validity of water service line leak claims and appeals.

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
ABSENT - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

10. DISCUSSION ITEMS

- 10.1 Grightmire Arena Lessons Learned – Management Responses Status Report (PW23007/FCS23011) Outstanding Business List – ***Appendix A, listed as Confidential, was released publicly***
- 10.3 Capital Project Closing Report as of September 30, 2022 (FCS22079(a)) (City Wide)
- 10.4 Citizen Committee Report - Hamilton Women and Gender Equity Committee, respecting Feedback on the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards
- 10.5 Citizen Committee Report - Hamilton Women and Gender Equity Committee, respecting Feedback on the City of Hamilton Code of Conduct for Local Boards

11. MOTIONS

- 11.1 Delegated Authority to Staff relating to Water Service Line Leaks

12. NOTICES OF MOTION

12.1 Constituent Management Software

12.2 Council Access to and Copies of Confidential Records

(Hwang/Beattie)

That the agenda for the February 2, 2023 Audit, Finance and Administration Committee meeting be approved, as amended.

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
ABSENT - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) January 19, 2023 (Item 4.1)

(A. Wilson/Tadeson)

That the Minutes of the January 19, 2023 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 1 Councillor Maureen Wilson
YES – CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
ABSENT - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson

(d) DELEGATIONS (Item 7)

(i) Angelo Cristofaro, Consilium Public Sector Services Inc., respecting Fairness of procurement process for contract number C5-09-22 - Development of a Multi-Year Plan to Build Safer Communities (Item 7.1)

Angelo Cristofaro, Consilium Public Sector Services Inc., addressed Committee respecting Fairness of procurement process for contract number C5-09-22 - Development of a Multi-Year Plan to Build Safer Communities.

(M. Wilson/Beattie)

That the delegation from Fairness of procurement process for contract number C5-09-22 - Development of a Multi-Year Plan to Build Safer Communities, be received.

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
ABSENT - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson

(e) DISCUSSION ITEMS (Item 10)

- (i) Pending Staff Reports on the Feedback Received from the Advisory Committees on the new Code of Conduct (in effect May 1, 2023) and the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards (Added Items 10.4 and 10.5)**

(Kroetsch/A. Wilson)

- (a) That staff be directed to report to the Audit, Finance and Administration Committee respecting feedback received from the Advisory Committees on the new Code of Conduct (in effect May 1, 2023) and the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards; and
- (b) That the reports be released early, to provide the Advisory Committees with sufficient notice in order for them to arrange to delegate on the report, should they wish to do so.

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
ABSENT - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson

(f) NOTICES OF MOTION (Item 12)

(i) Constituent Management Software (Added Item 12.1)

(Beattie/M. Wilson)

That the Rules of Order be waived to allow for the introduction of a motion respecting Constituent Management Software.

Result: Motion DEFEATED by a vote of 2 to 4, as follows:

NO - Ward 1 Councillor Maureen Wilson
NO - CHAIR - Ward 2 Councillor Cameron Kroetsch
NO - Ward 4 Councillor Tammy Hwang
ABSENT - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
NO - Ward 13 Councillor Alex Wilson

(ii) Council Access to and Copies of Confidential Records (Added Item 12.2)

Councillor Kroetsch introduced the following Notice of Motion:

WHEREAS, a Notice of Motion was placed on the Audit, Finance and Administration Committee, on October 21, 2021 directing staff to develop a procedure to allow Members of Council access to Confidential Records such as memoranda of understanding, contracts and other such agreements that are the work product of confidential reports to Council, attached as Appendix A to this motion;

WHEREAS, on November 3, 2021 Clerks staff developed and communicated to all of Council and the public, the Council Access to Confidential Information Procedure (the "Procedure") attached as Appendix B to this motion; and

WHEREAS, on November 4, 2021 the Audit, Finance and Administration Committee deliberated the Procedure; and

WHEREAS, Clerks staff have also developed a Records Guide for Council attached as Appendix C to this motion which provides information to all of Council with respect to the approved processes for accessing Confidential Information.

THEREFORE, BE IT RESOLVED:

That the Council Access to Confidential Information Procedure is amended so that members of City Council have access to confidential information or records in a manner similar to the process used for accessing Closed

Session documents (i.e. through a web-based password-protected document software like eSCRIBE or CitySHARE).

(f) GENERAL INFORMATION / OTHER BUSINESS (Item 15)

(i) Amendments to the Outstanding Business List (Item 13.1)

(A. Wilson/Tadeson)

That the following amendments to the Outstanding Business List, be approved:

- (a) Items Considered Complete and to be Removed
1. Road Maintenance Small Tools and Equipment Inventory Audit and Follow Up to Audit Report AUD11006 (AUD21010) (City Wide)
Item on OBL: 21-M
Addressed as Item 10.7 on the January 19, 2023 agenda.
 2. Grightmire Arena Lessons Learned Audit (AUD22004) (City Wide)
Item on OBL: 22-C
Addressed as Item 10.1 on today's agenda

(g) ADJOURNMENT (Item 15)

(A. Wilson/Beattie)

That, there being no further business, the Audit, Finance and Administration Committee, be adjourned at 11:48 a.m.

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

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
ABSENT - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson

Respectfully submitted,

Councillor Cameron Kroetsch, Chair
Audit, Finance and Administration
Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk