



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE MINUTES 23-019

9:30 a.m.
December 7, 2023
Council Chambers
Hamilton City Hall

Present: Councillors C. Kroetsch (Chair), J. Beattie, B. Clark, T. Hwang, M. Spadafora, M. Tadeson, A. Wilson and M. Wilson

Also

Present: Councillor J.P. Danko

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Options for the City of Hamilton's Board of Health Governance (BOH23039) (City Wide) (Outstanding Business List Item) (Item 8.1)

(Hwang/A. Wilson)

- (a) That Council approve, in principle, a semi-autonomous Board of Health governance structure with features similar to the City of Toronto and City of Ottawa:
 - (i) That Council direct staff to prepare and submit an application to the Province of Ontario for special legislation amending the City of Hamilton Act, 1999 and the Health Promotion and Protection Act to authorize the City to implement a semi-autonomous Board of Health governance model, with features similar to the City of Toronto and City of Ottawa Board of Health governance structures; and,
 - (ii) That Council direct staff to report back to the Public Health Committee, following approval of legislative changes with a plan to implement legislative changes and establish a semi-autonomous Board of Health for the City of Hamilton;
- (b) That as an interim solution until legal authorization is received to implement a semi-autonomous Board of Health governance model, a change be made to the membership of the Public Health Standing Committee to include six City Council members, six community representatives, and one education representative, using the City of Hamilton's existing selection processes, and that for the foregoing purposes staff be directed to report back to the Public Health Committee to:

- (i) Prepare any amendments to the Procedural By-law that shall create a new Public Health Standing Committee, which By-law shall be drafted to become effective not earlier than the date on which the existing Public Health Standing Committee has been dissolved by the Mayor pursuant to section 284.8(1) of the Municipal Act; and,
 - (ii) Prepare for approval the qualifications and criteria for the selection of the community representatives to ensure that the Public Health Standing Committee members represent the community and have the necessary skills and competencies.
- (c) That Item 2023-C, respecting a consultation with stakeholders to identify issues, opportunities, and options for Board of Health governance, be removed from the Public Health Committee Outstanding Business List.

Result: Motion, CARRIED by a vote of 8 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

2. Consent Items (Items 9.1 to 9.2)

(A. Wilson/M. Wilson)

That the following Reports, be received:

- (a) 2023 Board of Health Self-Evaluation Results (BOH23040) (City Wide) (Item 9.1)
- (b) Governance Review Sub-Committee Report 23-005 (November 17, 2023) (Item 9.2)

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

3. Office of the Auditor General Work Plan 2023 to 2026 (AUD23012) (City Wide) (Item 10.2)

(A. Wilson/Kroetsch)

That Appendix "A" to Report AUD23012, respecting the Office of the Auditor General Work Plan 2023 to 2026, be approved.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 14 Councillor Mike Spadafora

4. Compound Water Meter Billing Issues (FCS23110) (City Wide) (Item 10.3)

(Tadeson/A. Wilson)

- (a) That the General Manager, Finance and Corporate Services, be authorized to enter into a deferred payment arrangement with a 24-month repayment period commencing in December 2023, pertaining to water and wastewater / storm charges for a total amount of \$135,167 regarding Alectra Utilities (Alectra) account number 3901671300 and service address of 265 Melvin Avenue, Hamilton; and
- (b) That the General Manager, Finance and Corporate Services, be authorized to enter into a deferred payment arrangement with a 24-month repayment period commencing in December 2023, pertaining to water and wastewater / storm charges for a total amount of \$132,137.82 regarding Alectra account number 788081300 and service address of 121 Hunter Street West, Hamilton.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 14 Councillor Mike Spadafora

5. Hamilton Municipal Cemeteries Trust Fund Audit – Management Update (FCS23090 / PW23078) (City Wide) (Item 10.4)

(A. Wilson/Spadafora)

- (a) That the 17 Recommendations proposed by the Office of the City Auditor attached in Appendix “A” to Report (FCS23090 / PW23078), continue to be implemented in order to strengthen program governance, controls and financial reporting; and
- (b) That the amendment to By-law No. 12-151, being a By-law respecting the City of Hamilton’s Cemeteries, be amended, attached as Appendix “B” to Report FCS23090 / PW23078, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 14 Councillor Mike Spadafora

6. Land Parcel Master Agreement (FCS23111) (City Wide) (Item 10.5)

(Spadafora/Hwang)

That staff be directed to negotiate and enter into an Agreement, satisfactory to the City Solicitor, with Teranet Inc. under Procurement Policy #11 – Non-competitive Procurements to provide all land parcel/property information, automated delivery, daily and on-demand instead of every two months.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 14 Councillor Mike Spadafora

7. 2024 City Enrichment Fund Advance Payments and 2023 Payment Update (CM23030) (City Wide) (Item 10.6)

(Hwang/A. Wilson)

- (a) That effective January 1, 2024, an advance of City Enrichment Fund funding be provided to the organizations specified in Appendix "A" attached to Report CM23030;
- (b) That any outstanding arrears due to the City of Hamilton by the organizations (as shown in the Appendix "A" attached to Report CM23030) be first applied against the approved City Enrichment Fund grant, including advances until the debt is satisfied, prior to that organization receiving the balance of any approved payment, and;
- (c) That the City Enrichment Fund requirement for audited financial statements for the Winona Peach Festival be waived on a one-time basis and that their 2023 approved funding be released.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

8. Indigenous Advisory Committee 2024 Budget Request (HSC23077) (City Wide) (Item 10.7)

(A. Wilson/Tadeson)

That the Indigenous Advisory Committee base budget submission attached as Appendix "A" to Report HSC23077 in the amount of \$3,552.00 be approved and referred to the 2024 budget process for consideration.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

9. Procurement Sub-Committee Report 23-001 (November 23, 2023) (Item 10.8)

(A. Wilson/Hwang)

That Procurement Sub-Committee Report 23-001 (November 23, 2023), be received.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 14 Councillor Mike Spadafora

10. Auditor General Reporting of Serious Matters to Council (Case #56207) (AUD23014) (City Wide) (Item 14.1)

(Spadafora/A. Wilson)

- (a) That Report AUD23014, respecting Auditor General Reporting of Serious Matters to Council (Case #56207), be received; and,
- (b) That Report AUD23014, respecting Auditor General Reporting of Serious Matters to Council (Case #56207), remain confidential.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 14 Councillor Mike Spadafora

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

1. APPOINTMENT OF CHAIR AND VICE-CHAIR - WITHDRAWN

6. DELEGATION REQUESTS

6.1 Board of Health Governance (Item 8.1) (for today's meeting)

- a. Kojo Dampsey
- b. Lyndon George, Hamilton Anti-Racism Resource Centre (HARRC)

8. STAFF PRESENTATIONS

- 8.2 Equity, Diversity and Inclusion Audit (AUD23013) (City Wide)
- **WITHDRAWN**

CHANGE TO THE ORDER OF ITEMS

The following Items will be considered immediately following Item 7, Delegations:

- 9.1 2023 Board of Health Self-Evaluation Results (BOH23040)
(City Wide)
- 9.2 Governance Review Sub-Committee Report 23-005
(November 17, 2023)

(A. Wilson/Hwang)

That the agenda for the December 7, 2023 Audit, Finance and Administration Committee meeting, be approved, as amended.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- YES - Ward 14 Councillor Mike Spadafora

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) November 16, 2023 (Item 4.1)

(Tadeson/M. Wilson)

That the Minutes of the November 16, 2023 meeting of the Audit, Finance and Administration Committee, be approved, as presented.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson

YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

(d) DELEGATION REQUESTS (Item 6)

(Tadeson/A. Wilson)

That the following Delegation Requests, be approved for today's meeting:

- (i) Board of Health Governance (Item 8.1) (for today's meeting)
 - (1) Kojo Dampsey (Added Item 6.1(a))
 - (2) Lyndon George, Hamilton Anti-Racism Resource Centre (HARRC) (Added Item 6.1(b))

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

(e) DELEGATIONS (Item 7)

(i) Board of Health Governance (Added Item 7.1)

(1) Kojo Dampsey (Added Item 7.1(a))

Kojo Dampsey, addressed Committee respecting Board of Health Governance.

(2) Lyndon George, Hamilton Anti-Racism Resource Centre (HARRC) (Added Item 7.1(b))

Lyndon George, Hamilton Anti-Racism Resource Centre (HARRC), addressed Committee respecting Board of Health Governance.

(Tadeson/A. Wilson)

That the following Delegations, be received and referred to the consideration of Item 8.1, Options for the City of Hamilton's Board of Health Governance (BOH23039) (City Wide):

- (1) Kojo Dampitey
- (2) Lyndon George, Hamilton Anti-Racism Resource Centre (HARRC)

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

For further disposition of this matter, refer to Item 1.

(f) STAFF PRESENTATIONS (Item 8)

(i) Options for the City of Hamilton's Board of Health Governance (BOH23039) (City Wide) (Outstanding Business List Item) (Item 8.1)

Dr. Elizabeth Richardson, Medical Officer of Health, addressed Committee respecting Options for the City of Hamilton's Board of Health Governance, with the aid of a presentation.

(Tadeson/A. Wilson)

That the presentation from Dr. Elizabeth Richardson, Medical Officer of Health, respecting Options for the City of Hamilton's Board of Health Governance, be received.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

For further disposition of this matter, refer to Item 1.

(g) DISCUSSION ITEMS (Item 10)

(i) Hamilton Public Notice Policy By-law FCS23080(a) (Item 10.1)

(a) (Tadeson/A. Wilson)

That the Hamilton Public Notice Policy By-law, attached as Appendix "A" to Report FCS23080(a), be passed and enacted.

(b) (M. Wilson/Clark)

(i) That Report FCS23080(a), respecting Hamilton Public Notice Policy By-law be referred to staff to report back to the Governance Review Sub-Committee on the following directions:

- (1) conduct public engagement through print and online media;
- (2) engage with media partners respecting the impact of this policy on them; and
- (3) investigate the cost of an annual mailout to notify the public about where they can find information on notices.

Result: Motion, CARRIED by a vote of 8 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

(h) GENERAL INFORMATION AND OTHER BUSINESS (Item 13)

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

(A. Wilson/Hwang)

That the following amendment to the Governance Review Sub-Committee Outstanding Business List, be approved:

- (1) Items Considered Completed and to be Removed
 - (a) Report on Recommendations for a Board of Health Advisory Committee
Added February 8, 2023 (Council Item 7.7)
Addressed as Item 8.1 on today's agenda
Referred from Governance Review Sub-Committee,
November 17, 2023

- (b) Public Notification
Added July 5, 2023 (Governance Report 23-003, Item (d)(ii))
Addressed as Item 10.1 on today's agenda
Referred from Governance Review Sub-Committee,
November 17, 2023

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

(i) PRIVATE AND CONFIDENTIAL (Item 14)

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

(i) Auditor General Reporting of Serious Matters to Council (Case #56207) (AUD23014) (City Wide) (Item 14.1)

For further disposition of this matter, refer to Item 10.

(j) ADJOURNMENT (Item 15)

(Tadeson/A. Wilson)

That, there being no further business, the Audit, Finance and Administration Committee, be adjourned at 12:10 p.m.

Result: Motion CARRIED by a vote of 8 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - CHAIR - Ward 2 Councillor Cameron Kroetsch
YES - Ward 4 Councillor Tammy Hwang
YES - Ward 9 Councillor Brad Clark
YES - Ward 10 Councillor Jeff Beattie
YES - Ward 11 Councillor Mark Tadeson
YES - Ward 13 Councillor Alex Wilson
YES - Ward 14 Councillor Mike Spadafora

Respectfully submitted,

Councillor Cameron Kroetsch, Chair
Audit, Finance and Administration
Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk