



COMMUNITY BENEFITS PROTOCOL SUB-COMMITTEE REPORT 24-002

1:30 p.m.

December 16, 2024

Room 264 (Hybrid), 2nd Floor

Hamilton City Hall

71 Main Street West

Present: Councillors C. Kroetsch (Chair), T. Hwang, N. Nann, M. Tadeson, and M. Wilson (Virtual)
K. Andrus (Vice-Chair) and V. Nikolskaya

**Absent
with Regrets:** C. Craven and M. Ellerker

THE COMMUNITY BENEFITS PROTOCOL SUB-COMMITTEE PRESENTS REPORT 24-002 AND RESPECTFULLY RECOMMENDS:

1. Community Benefits and Social Value Procurement (HSC24042/FCS24069) (City Wide) (Item 8.1)

- (1) That sub-sections (b) through (f), ***as amended***, to Report HSC24042/FCS24069, respecting Community Benefits and Social Value Procurement, be REFERRED to the Procurement Sub-Committee with the direction that the Social Procurement Pilot Program prioritize Indigenous-owned, diverse-owned, and equity-deserving businesses and social enterprises:
 - (b) That the Procurement Division, Corporate Services and Strategic Initiatives, Health and Safe Communities, in consultation with the cross departmental Procurement Advisory Committee, jointly report back to the Community Benefits Protocol Sub-Committee with a proposed Phase One - Social Procurement Pilot Program leveraging City-led procurement activities to deliver additional social value outcomes as a first step in exploring a social procurement policy;
 - (c) That Procurement Division and Strategic Initiatives, Health and Safe Communities, in consultation with the cross departmental Procurement Advisory Committee be directed to jointly oversee the development and delivery of a corporate wide staff training,

including workshops, on social value outcomes for staff involved in procurement activities and applicable business units;

- (d) That the Director of Procurement, be authorized and directed to engage an external consultant in the development of the Social Procurement Pilot Program and supporting staff training and workshops;
 - (e) That up to \$75 K from the Tax Stabilization Reserve (110046) be allocated to fund the consultant and works required for the Phase 1 - Social Procurement Pilot Program and including any staff training sessions and workshops; and,
 - (f) That the Director of Procurement, or their assigned delegate, be authorized and directed, on behalf of the City of Hamilton, to enter into and/or execute all necessary agreements and ancillary documents on terms satisfactory to the above identified individuals and in a form satisfactory to the City Solicitor.
- (2) That sub-section (a) to Report HSC24042/FCS24069, respecting Community Benefits and Social Value Procurement, be DEFERRED to a future meeting of the Community Benefits Protocol Sub-Committee:
- (a) That the Community Benefits Sub-Committee adopt the use of the term “social value outcome” in place of “Community Benefits” as the overarching term when referring to the work resulting from the recommendations of this report;

2. Municipal Social Procurement Policies – Analysis of Recommendations from Research Shop, McMaster University (HSC24053/FCS24031) (City Wide) (Item 9.1)

That report HSC24053/FCS24031 respecting Municipal Social Procurement Policies – Analysis of Recommendations from Research Shop, McMaster University, be REFERRED to the Procurement Sub-Committee.

3. Light Rail Transit Early Works Community Employment Benefits (Item 11.1)

WHEREAS, the construction of the Light Rail Transit (LRT) project and the delivery of regular operation and service will create significant employment opportunities;

WHEREAS, community benefits agreements ensure residents have equitable opportunities and economic inclusion through commitments to social procurement and social enterprise opportunities;

WHEREAS, the Pillar One “Employment Opportunities” of Metrolinx’s Community Benefits and Supports Program, and reiterated by their former President and

Chief Executive Officer Phil Verster, looks to promote apprenticeship training and workforce development opportunities for local communities and equity seeking groups;

WHEREAS, Metrolinx, through project delivery on the Finch West, Eglinton Cross Town and Hazel McCallion LRTs, has gained substantial experience in delivering Community Employment Benefits and providing apprenticeship training and workforce development opportunities for local communities and equity seeking groups; and

WHEREAS, The City of Hamilton has been responsible for the delivery of several LRT early works, including Wentworth – Construction of a 500mm and 200mm watermain, Sherman – Construction of a 300mm watermain; and, Rosewood/Main – Construction of a 1200mm watermain paid for by Metrolinx.

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to work with Metrolinx, to identify projects, and attempt to deliver community employment benefits and social procurement ideals to the City-led procurement for any future LRT early works tendered in 2025 and beyond;
- (b) That City Staff report back to the relevant committees the findings of those conversation with Metrolinx, including any challenges, barriers or successes; and
- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor and Metrolinx while meeting the City's procurement policy and authority to award the contracts.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

8. STAFF PRESENTATIONS

- 8.1 Community Benefits and Social Value Procurement (HSC24042/FCS24069) (City Wide) – PRESENTATION ADDED

12. NOTICES OF MOTION

- 12.1 Policy Framework for Voluntary Donations for Community Benefits

The agenda for the December 16, 2024, Community Benefits Protocol Sub-Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

K. Andrus declared a Non-Disqualifying interest to Item 9.1 – Municipal Social Procurement Policies – Analysis of Recommendations from Research Shop, McMaster University (HSC24053/FCS24031) as he was involved with the creation of the Municipal Social Procurement Policy Recommendations from McMaster University Research Shop.

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

(i) May 28, 2024 (Item 4.1)

The Minutes of the May 28, 2024, meeting of the Community Benefits Protocol Sub-Committee was approved, as presented.

(d) STAFF PRESENTATIONS (Item 8)

(i) Community Benefits and Social Value Procurement (HSC24042/FCS24069) (City Wide) (Item 8.1)

Tina Iacoe, Director Procurement, Carrie Brooks-Joiner, Director Strategic Services, and Breanne Gascho, Senior Project Manager, addressed Committee respecting Report HSC24042/FCS24069, Community Benefits and Social Value Procurement, with the aid of a PowerPoint presentation.

(1) The presentation from Tina Iacoe, Director Procurement, Carrie Brooks-Joiner, Director Strategic Services, and Breanne Gascho, Senior Project Manager, respecting Report HSC24042/FCS24069, Community Benefits and Social Value Procurement, was received.

(2) Report HSC24042/FCS24069 was put on the floor:

(a) That the Community Benefits Sub-Committee adopt the use of the term “social value outcome” in place of “Community Benefits” as the overarching term when referring to the work resulting from the recommendations of this report;

(b) That the Procurement Division, Corporate Services and Strategic Initiatives, Health and Safe Communities, in consultation with the cross departmental Procurement Advisory Committee, jointly report back to the Community Benefits Protocol Sub-Committee with a proposed Phase One - Social Procurement Pilot Program leveraging City-led procurement activities to deliver additional social value outcomes as a first step in developing a social value framework;

- (c) That Procurement Division and Strategic Initiatives, Health and Safe Communities, in consultation with the cross departmental Procurement Advisory Committee be directed to jointly oversee the development and delivery of a corporate wide staff training, including workshops, on social value outcomes for staff involved in procurement activities and applicable business units;
- (d) That the Director of Procurement, be authorized and directed to engage an external consultant in the development of the Social Procurement Pilot Program and supporting staff training and workshops;
- (e) That up to \$75 K from the Tax Stabilization Reserve (110046) be allocated to fund the consultant and works required for the Phase 1 - Social Procurement Pilot Program and including any staff training sessions and workshops; and,
- (f) That the Director of Procurement, or their assigned delegate, be authorized and directed, on behalf of the City of Hamilton, to enter into and/or execute all necessary agreements and ancillary documents on terms satisfactory to the above identified individuals and in a form satisfactory to the City Solicitor.

(3) The following amendment was placed on the floor:
That sub-section (b) to Report HSC24042/FCS24069, respecting Community Benefits and Social Value Procurement, **be amended**, as follows:

- (b) That the Procurement Division, Corporate Services and Strategic Initiatives, Health and Safe Communities, in consultation with the cross departmental Procurement Advisory Committee, jointly report back to the Community Benefits Protocol Sub-Committee with a proposed Phase One - Social Procurement Pilot Program leveraging City-led procurement activities to deliver additional social value outcomes as a first step in ***developing a social value framework exploring social procurement policies***;

(4) The following amendment was placed on the floor
That Report HSC24042/FCS24069, respecting Community Benefits and Social Value Procurement, **be amended** by adding a new sub-section (g), as follows:

- (g) ***That staff be directed to prepare an amendment to the 2025 budget to include the appropriate resourcing to***

develop a community benefits protocol/framework to fulfill the mandate of the Community Benefits Protocol Sub-Committee.

The above amendment to Report HSC24042/FCS24069, respecting Community Benefits and Social Value Procurement, was WITHDRAWN.

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

(e) CONSENT ITEMS (Item 9)

(i) Municipal Social Procurement Policies – Analysis of Recommendations from Research Shop, McMaster University (HSC24053/FCS24031) (City Wide) (Item 9.1)

Report HSC24053/FCS24031 was placed on the floor:

That report HSC24053/FCS24031 respecting Municipal Social Procurement Policies – Analysis of Recommendations from Research Shop, McMaster University, be received.

For disposition of this matter, refer to Item 2.

(f) NOTICES OF MOTION (Item 12)

Councillor Tadeson introduced the following Notice of Motion:

(i) Policy Framework for Voluntary Donations for Community Benefits (Added Item 12.1)

WHEREAS, Community Benefits Agreements have become a growing tool in other Ontario cities to negotiate benefits for communities and local neighbourhoods as part of major development applications;

WHEREAS, various formats for Community Benefits Agreements and voluntary donations have been successfully implemented in municipalities like Ottawa and Toronto; and

WHEREAS, the City of Hamilton currently lacks a comprehensive policy framework to guide the acceptance and utilization of voluntary donations for community benefits;

THEREFORE, BE IT RESOLVED:

(a) That staff be directed to:

- (i) Conduct research on best practices and lessons learned regarding Community Benefits Agreements and voluntary donation programs in comparable municipalities, with a focus on Ottawa and Toronto. This research should include a review of existing policies, procedures, and implementation challenges; and
 - (ii) Report back to the Community Benefits Protocol Sub-Committee with findings and recommendations.
- (b) That staff be directed to, in consultation with the Community Benefits Protocol Sub-Committee:
- (i) Develop clear criteria for identifying potential pilot projects within wards to test different types of Community Benefits Agreements and voluntary donation agreements. These criteria should consider factors such as project scope, community impact, and alignment with Council directed City priorities;
 - (ii) Establish a process for engaging with developers on identified pilot projects to explore the potential for voluntary community benefit donations. This process should include clear guidelines on disclosure, transparency, and accountability;
 - (iii) Develop a draft policy framework for voluntary donations for community benefits, outlining procedures for accepting, managing, and allocating funds. This framework should address potential legal and ethical considerations, including alignment with the Lobbyist Registry; and
 - (iv) Report back to the Community Benefits Protocol Sub-Committee with the draft policy framework and recommendations for pilot project implementation.

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

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

The following amendments to the Community Benefits Protocol Sub-Committee's Outstanding Business List, were approved:

- (1) Items Considered Complete and to be Removed (Item 13.1(a)):
 - (i) Municipal Social Procurement Policies – Analysis of Recommendations from Research Shop, McMaster University

Added: May 28, 2024 at Community Benefits Protocol Sub-Committee (e)(ii)
Addressed as Item 9.1 on today's agenda.

(h) ADJOURNMENT (Item 15)

There being no further business, the Community Benefits Protocol Sub-Committee was adjourned at 3:55 p.m.

Respectfully submitted,

Councillor Cameron Kroetsch
Chair, Community Benefits
Protocol Sub-Committee

Matt Gauthier
Legislative Coordinator
Office of the City Clerk