

City Clerk's Division

COUNCIL FOLLOW-UP NOTICE

TO: Mike Zegarac
Michael Kyne
Ron Sabo
Charles Brown
Lora Fontana
Andrea Holland
Janet Pilon

DATE: May 25, 2022

FROM: Angela McRae

RE: City Council Meeting – May 25, 2022 - AF&A Report 22-010

A. REPORT:

Please find below AF&A Report 22-010 approved as presented by City Council at its meeting held on May 25, 2022.

B. NOTES:

Please take the necessary steps to execute the direction of Council.

Thank you,

Angela McRae

CC: Cyrus Tehrani
Brian McMullen
Kirk Weaver
Shelley Hesmer
David Trevisani
Duncan Robertson
Morgan Stahl (Items 12 and (e)(iii))
Mimi John
Cindy Mercanti (Items 7 and 8)
Carrie McIntosh (Item 10)
Stephanie Paparella (Items 11 and (f)(i))
Tina Iacoe (Items 13 and (i)(ii))
Cindy Mutch (Items (e)(i) and (e)(ii))



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 22-010

**9:30 a.m.
May 19, 2022
Council Chambers
Hamilton City Hall**

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

Absent: Councillor L. Ferguson – City Business

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 22-010 AND RESPECTFULLY RECOMMENDS:

1. Development Charges Indexing – Effective July 6, 2022 (FCS22039) (City Wide) (Item 7.2)

That Report FCS22039, respecting Development Charges Indexing – Effective July 6, 2022, be received.

2. Development Charges Reserves Status Report as of December 31, 2021 (FCS22040) (City Wide) (Item 7.3)

(a) That Report FCS22040, “Development Charges Reserves Status Report as of December 31, 2021”, be received and made available to the public;

(b) That Report FCS22040, “Development Charges Reserves Status Report as of December 31, 2021”, be forwarded, if requested, to the Ministry of Municipal Affairs and Housing.

3. Professional and Consultant Services Roster 2019 - 2021 (PW22035 / PED22123 / FCS22041) (City Wide) (Item 7.4)

That Report PW22035 / PED22123 / FCS22041, respecting Professional and Consultant Services Roster 2019 - 2021, be received.

4. Reserve / Revenue Fund Investment Performance Report - December 31, 2021 (FCS22032) (City Wide) (Item 7.5)

That Report FCS22032, respecting Reserve / Revenue Fund Investment Performance Report - December 31, 2021, be received.

5. Hamilton Future Fund Investment Performance Report - December 31, 2021 (FCS22033) (City Wide) (Item 7.6)

That Report FCS22033, respecting Hamilton Future Fund Investment Performance Report - December 31, 2021, be received.

6. Cemetery Trust Accounts Investment Performance Report - December 31, 2021 (FCS22034) (City Wide) (Item 7.7)

That Report FCS22034, respecting Cemetery Trust Accounts Investment Performance Report - December 31, 2021, be received.

7. 2021 Provincial Offences Administration Annual Report (FCS22026) (City Wide) (Item 7.8)

That Report FCS22026, respecting 2021 Provincial Offences Administration Annual Report, be received.

8. Proposed Write-off for Provincial Offences (FCS22027) (City Wide) (Item 10.1)

That staff be authorized to write-off the following outstanding Provincial Offences fines deemed uncollectible, in the total amount of \$2,889,903.07, as follows:

- (a) \$995,613.77 in uncollectible fines with a sentence date of December 31, 2014 and prior;
- (b) \$1,084.09 in underpayments from April 1, 2021 through March 31, 2022; and,
- (c) \$1,893,205.21 in fines held by persons deceased in 2021.

9. Parkland Dedication Reserve Status Report as of December 31, 2021 (FCS22022) (City Wide) (Item 10.2)

- (a) That Report FCS22022 "Parkland Dedication Reserve Status Report as of December 31, 2021" be received and made available to the public;
- (b) That Report FCS22022 "Parkland Dedication Reserve Status Report as of December 31, 2021" be forwarded, if requested, to the Ministry of Municipal Affairs and Housing.

10. Treasurer's Investment Report 2021 Fiscal Year by Aon (FCS22024) (City Wide) (Item 10.3)

That Report FCS22024 "Treasurer's Investment Report 2021 Fiscal Year by Aon", as provided to Council, be forwarded to the Hamilton Future Fund Board of Governors, for information.

11. Grants Sub-Committee Report 22-002 - May 9, 2022 (Item 10.4)

(a) 2022 City Enrichment Funding Recommendations (GRA22002) (City Wide) (Item 5.1)

- (i) That, the 2022 City Enrichment Fund recommended funding allocation, in the amount of \$6,098,732 (as outlined in the attached Revised Appendix "A" to AF&A Report 22-010), be approved;
- (ii) That, Appendix "B" to Report GRA22002, Application Summary, be received;
- (iii) That, Appendix "B" to AF&A Report 22-010, Payment Plan, be approved;
- (iv) That, the Grants for the following organizations with outstanding arrears with the City Enrichment Fund, as of December 31, 2021 be approved and funding be withheld pending the full settlement of such arrears:
 - (1) AGR-A4 Golden Horseshoe Beekeepers' Association \$282.00;
 - (2) AGR-A5 Hamilton-Wentworth 4-H Association \$897.50;
 - (3) AGR-A10 Hamilton Wentworth Soil and Crop Improvement Association \$2,461.51;
 - (4) CCH-A12 Hamilton Folk Arts Heritage Council \$41,482.00;
 - (5) CCH-A14 South Asian Heritage Association of Hamilton & Region \$3,115.00;
 - (6) CCH-A40 Festitalia Corporation \$5,952.00; and,
 - (7) CCHA-53 Hamilton Santa Claus Parade Committee \$32,779.00;
- (v) That, the following grants be approved, and funding be withheld, pending the submission of additional information, by July 20, 2022:
 - (1) AGR-15 Wentworth District Women's Institute;
 - (2) ART-A30 Industry Performance Makers Arts Organization;
 - (3) ART-D26 Reverend Marco D'Andrea;
 - (4) ART-B3 Greater Hamilton Arts and Events;
 - (5) CCH-A36 Stoney Creek BIA;
 - (6) CCH-B1 Pride Hamilton;

- (7) SAL-A3 & SAL-B6 The Hamilton and District Soccer Association;
 - (8) SAL-A4 Hamilton Ringette Association;
 - (9) ART-A34 Chamber Music Hamilton;
 - (10) CCH-A50 Flamborough Santa Claus Parade;
 - (11) CCH-A51 Hamilton Waterfront Trust;
 - (12) CCH-A52 Polish Symfonia Choir; and,
 - (13) CCH-A53 Hamilton Santa Claus Parade Committee;
- (vi) That staff be directed to report back, before summer, with respect to the status of the organizations whose 2022 City Enrichment Fund grants are being withheld, pending full settlement of outstanding arrears, as shown below:
- (1) AGR-A4 Golden Horseshoe Beekeepers' Association \$282.00
 - (2) AGR-A5 Hamilton-Wentworth 4-H Association \$897.50
 - (3) AGR-A10 Hamilton Wentworth Soil and Crop Improvement Association \$2,461.51
 - (4) CCH-A12 Hamilton Folk Arts Heritage Council \$41,482.00
 - (5) CCH-A14 South Asian Heritage Association of Hamilton & Region \$3,115.00
 - (6) CCH-A40 Festitalia Corporation \$5,952.00
 - (7) CCHA-53 Hamilton Santa Claus Parade Committee \$32,779.00;
- (vii) That staff be directed to report back, before summer, with respect to the status of those organizations whose 2022 City Enrichment Fund Grant is being withheld, pending the submission of additional Information, as shown below:
- (1) AGR-15 Wentworth District Women's Institute
 - (2) ART-A30 Industry Performance Makers Arts Organization
 - (3) ART-D26 Reverend Marco D'Andrea
 - (4) ART-B3 Greater Hamilton Arts and Events

- (5) CCH-A36 Stoney Creek BIA
- (6) CCH-B1 Pride Hamilton
- (7) SAL-A3 & SAL-B6 The Hamilton and District Soccer Association
- (8) SAL-A4 Hamilton Ringette Association
- (9) ART-A34 Chamber Music Hamilton
- (10) CCH-A50 Flamborough Santa Claus Parade
- (11) CCH-A51 Hamilton Waterfront Trust
- (12) CCH-A52 Polish Symfonia Choir
- (13) CCH-A53 Hamilton Santa Claus Parade Committee; and,

(viii) That, should an additional Grants Sub-committee meeting not be possible prior to summer, the Legislative Coordinator be permitted to place the forthcoming report directly on the Audit, Finance & Administration agenda.

(b) 2021 City Enrichment Funding Recommendations (GRA21002(a) / PED22122) (City Wide) (Item 6.1)

- (i) That 2021 City Enrichment Fund grant recipients in the Arts Creation and Presentation stream be given a project deadline extension until November 1, 2022, pending the receipt of a written request for said extension by the recipient to the Arts Program Manager by June 30, 2022; and,
- (ii) That any 2021 City Enrichment Fund grant recipients in the Arts Creation and Presentation stream who have withdrawn approved applications and returned surplus funds to the City of Hamilton be eligible to reactivate their project and be given a project deadline extension until November 1, 2022 pending the receipt of a written request for said extension by the recipient to the Arts Program Manager by June 30, 2022.

12. Support for the National Council of Canadian Muslims brought forward by the NCCM recommendations in Motion 6.2 (CM21015(b)) (City Wide) (Item 10.5)

- (a) That staff be directed to develop a pilot inclusion campaign to support equity-seeking community members and address issues of hate and intolerance focused on combatting racism, rooted in anti-oppression with a specific focus on Anti-Islamophobia;

- (b) That a city-wide public education campaign be developed and distributed, which includes in its development the engagement of City staff and community members already engaged in related work, including but not limited to the National Council of Canadian Muslims, Hamilton Anti-Racism Resource Centre (HARRC), the Hamilton Centre for Civic Inclusion (HCCI), Hamilton Immigration Partnership Council (HIPC), and the No Hate in the Hammer Coalition; and,
- (c) That one-time funding for the pilot inclusion, public education, awareness and communications campaign of \$35,000 from the Tax Stabilization Reserve #110046 be approved.

13. Procurement of Liquid Chlorine in Railway Tank Cars for the Woodward Water and Wastewater Treatment Plants (FCS22050 / LS22025 / PW22047) (City Wide) (Added Item 14.2)

- (a) That Council approve the single source procurement, pursuant to Procurement Policy #11 – Non-competitive Procurements, for the supply and delivery of Liquid Chlorine to the City by Olin Canada ULC and that the General Manager, Public Works Department be authorized to enter into and execute a Contract and any necessary agreements and ancillary documents required to give effect thereto, all in a form satisfactory to the City Solicitor;
- (b) That Report FCS22050 / LS22025 / PW22047, respecting Procurement of Liquid Chlorine in Railway Tank Cars for the Woodward Water and Wastewater Treatment Plants, remain confidential; and,
- (c) That staff be directed to prepare an information report back to Audit Finance & Administration Committee with the total annual contract price for the supply and delivery of Liquid Chlorine in Railway Tank Cars for the Woodward Water and Wastewater Treatment Plants, following the execution of the agreement.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

6. DELEGATION REQUESTS (Item 6)

- 6.1 Karl Andrus, Hamilton Community Benefits Network (HCBN), respecting Community Benefits Charge (For a future meeting)

12. NOTICES OF MOTION (Item 12)

- 12.1 City Enrichment Fund Budget Request

14. PRIVATE AND CONFIDENTIAL (Item 14)

- 14.2 Procurement of Liquid Chlorine in Railway Tank Cars for the Woodward Water and Wastewater Treatment Plants (FCS22050 / LS22025 / PW22047) (City Wide)

The agenda for the May 19, 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 21, 2022 (Item 4.1)

The Minutes of the April 21, 2022 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Karl Andrus, Hamilton Community Benefits Network (HCBN), respecting Community Benefits Charge (For a future meeting) (Added Item 6.1)

The delegation request from Karl Andrus, Hamilton Community Benefits Network (HCBN), respecting Community Benefits Charge, was approved for a future meeting.

(e) CONSENT ITEMS (Item 7)

That the following Various Advisory Committee Minutes, were received:

- (i) Hamilton Mundialization Advisory Committee - February 16, 2022 (Item 7.1(a))
- (ii) Hamilton Mundialization Advisory Committee - No Quorum Notes - April 20, 2022 (Item 7.1(b))
- (iii) Hamilton Women and Gender Equity Committee - March 24, 2022 (Item 7.1(c))

(f) DISCUSSION ITEMS (Item 10)

(i) Grants Sub-Committee Report 22-002 - May 9, 2022 (Item 10.4)

(1) 2022 City Enrichment Funding Recommendations (GRA22002) (City Wide) (Item 5.1)

- (a) That, the 2022 City Enrichment Fund recommended funding allocation, in the amount of \$6,088,340 (as outlined in the attached Appendix "A" to Report 22-002), be approved;

- (b) That, Appendix “B” to Report GRA22002, Application Summary, be received;
- (c) That, Appendix “B” to Report 22-002, Payment Plan, be approved;
- (d) That, the Grants for the following organizations with outstanding arrears with the City Enrichment Fund, as of December 31, 2021 be approved and funding be withheld pending the full settlement of such arrears:
 - (i) AGR-A4 Golden Horseshoe Beekeepers' Association \$282.00;
 - (ii) AGR-A5 Hamilton-Wentworth 4-H Association \$897.50;
 - (iii) AGR-A10 Hamilton Wentworth Soil and Crop Improvement Association \$2,461.51;
 - (iv) CCH-A12 Hamilton Folk Arts Heritage Council \$41,482.00;
 - (v) CCH-A14 South Asian Heritage Association of Hamilton & Region \$3,115.00;
 - (vi) CCH-A40 Festitalia Corporation \$5,952.00; and,
 - (vii) CCHA-53 Hamilton Santa Claus Parade Committee \$32,779.00;
- (e) That, the following grants be approved, and funding be withheld, pending the submission of additional information, by July 20, 2022:
 - (i) AGR-15 Wentworth District Women’s Institute;
 - (ii) ART-A30 Industry Performance Makers Arts Organization;
 - (iii) ART-D26 Reverend Marco D'Andrea;
 - (iv) ART-B3 Greater Hamilton Arts and Events;
 - (v) CCH-A36 Stoney Creek BIA;
 - (vi) CCH-B1 Pride Hamilton;

- (vii) SAL-A3 & SAL-B6 The Hamilton and District Soccer Association;
 - (viii) SAL-A4 Hamilton Ringette Association;
 - (ix) ART-A34 Chamber Music Hamilton;
 - (x) CCH-A50 Flamborough Santa Claus Parade;
 - (xi) CCH-A51 Hamilton Waterfront Trust;
 - (xii) CCH-A52 Polish Symfonia Choir; and,
 - (xiii) CCH-A53 Hamilton Santa Claus Parade Committee;
- (f) That staff be directed to report back, before summer, with respect to the status of the organizations whose 2022 City Enrichment Fund grants are being withheld, pending full settlement of outstanding arrears, as shown below:
- (i) AGR-A4 Golden Horseshoe Beekeepers' Association \$282.00
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 - (iii) AGR-A10 Hamilton Wentworth Soil and Crop Improvement Association \$2,461.51
 - (iv) CCH-A12 Hamilton Folk Arts Heritage Council \$41,482.00
 - (v) CCH-A14 South Asian Heritage Association of Hamilton & Region \$3,115.00
 - (vi) CCH-A40 Festitalia Corporation \$5,952.00
 - (vii) CCHA-53 Hamilton Santa Claus Parade Committee \$32,779.00;
- (g) That staff be directed to report back, before summer, with respect to the status of those organizations whose 2022 City Enrichment Fund Grant is being withheld, pending the submission of additional Information, as shown below:
- (i) AGR-15 Wentworth District Women's Institute
 - (ii) ART-A30 Industry Performance Makers Arts Organization

- (iii) ART-D26 Reverend Marco D'Andrea
 - (iv) ART-B3 Greater Hamilton Arts and Events
 - (v) CCH-A36 Stoney Creek BIA
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 - (vii) SAL-A3 & SAL-B6 The Hamilton and District Soccer Association
 - (viii) SAL-A4 Hamilton Ringette Association
 - (ix) ART-A34 Chamber Music Hamilton
 - (x) CCH-A50 Flamborough Santa Claus Parade
 - (xi) CCH-A51 Hamilton Waterfront Trust
 - (xii) CCH-A52 Polish Symfonia Choir
 - (xiii) CCH-A53 Hamilton Santa Claus Parade Committee; and,
- (h) That, should an additional Grants Sub-committee meeting not be possible prior to summer, the Legislative Coordinator be permitted to place the forthcoming report directly on the Audit, Finance & Administration agenda.

**(2) 2021 City Enrichment Funding Recommendations
(GRA21002(a) / PED22122) (City Wide) (Item 6.1)**

- (a) That 2021 City Enrichment Fund grant recipients in the Arts Creation and Presentation stream be given a project deadline extension until November 1, 2022, pending the receipt of a written request for said extension by the recipient to the Arts Program Manager by June 30, 2022; and,
- (b) That any 2021 City Enrichment Fund grant recipients in the Arts Creation and Presentation stream who have withdrawn approved applications and returned surplus funds to the City of Hamilton be eligible to reactivate their project and be given a project deadline extension until November 1, 2022 pending the receipt of a written request for said extension by the recipient to the Arts Program Manager by June 30, 2022.

Councillor Johnson introduced the following Amendment to the Motion:

WHEREAS, the City Enrichment Fund is the overall name for the City of Hamilton's municipal investment in a wide range of program areas that supports the City's strategic plan;

WHEREAS, the fund comprises 6 Program Areas (Agriculture, Arts, Communities, Culture & Heritage, Community Services, Environment, Sports & Active Lifestyles) with funding streams and categories;

WHEREAS, the City Enrichment Fund ran out of funds based on the 2022 City Enrichment Fund budget in two program areas despite applicants scoring successfully.

WHEREAS, the City Enrichment Fund online application platform did not allow stream switches once the application was submitted.

THEREFORE, BE IT RESOLVED:

That Item (1) 2022 City Enrichment Funding Recommendations (GRA22002) (City Wide) (Item 5.1), Sub-Section (a), be **amended**, to reflect the following **amendments** to Appendix "A":

- (a) That, the 2022 City Enrichment Fund recommended funding allocation, in the amount of **\$6,098,732** (as outlined in the attached **Revised** Appendix "A" to Report 22-002), be approved;
 - (i) ***That staff be directed to access funds from the City Enrichment Fund reserve #112230 totalling \$2,500 to the Binbrook Parade Committee for the Binbrook Santa Claus Parade.***
 - (ii) ***That staff be directed to access funds from the City Enrichment Fund reserve #112230 totalling \$7,892 to provide one-time funding to applications that received prior year funding, deemed to be disqualified (DNQ'd) this year, due to an improper stream selection who would have otherwise qualified for funding in the applicable stream.***
 - (a) ***CCH-C5 Ottawa Street BIA – Sew Hungry \$7,892***

For further disposition of this matter, refer to Item 11.

(g) NOTICES OF MOTION (Item 12)

Councillor Johnson introduced the following Notice of Motion:

City Enrichment Fund Budget Request

WHEREAS, the City Enrichment Fund is the overall name for the City of Hamilton's municipal investment in a wide range of program areas that supports the City's strategic plan;

WHEREAS, the fund comprises 6 Program Areas (Agriculture, Arts, Communities, Culture & Heritage, Community Services, Environment, Sports & Active Lifestyles) with funding streams and categories;

WHEREAS, the last budget increase to the City Enrichment Fund was approved in 2019, to bring total budget allocation to \$6,088,340; and,

WHEREAS, the 2022 request from applicants totalled \$9,858,419; total value of eligible requests based on 2022 applications totalled \$8,110,633; funding allocation was capped at \$6,088,340 or 75% of the total request;
THEREFORE, BE IT RESOLVED:

That an increase to the City Enrichment Fund be forwarded for consideration to the 2023 Budget submission.

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

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 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 27, 2022 at Council - Item 6.6(a)

OBL Item: 22-A

Support for the National Council of Canadian Muslims brought forward by the NCCM recommendations in Motion 6.2 (CM21015(a))

Added: March 24, 2022 at AF&A - Item 7.8

Removed: May 19, 2022 at AF&A - Item 10.5

OBL Item: 22-B

(i) 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 21, 2022 (Item 14.1)

(a) The Closed Session Minutes of the April 21, 2022 Audit, Finance and Administration Committee meeting, were approved as presented; and,

- (b) The Closed Session Minutes of the April 21, 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 (f), (i) and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (f), (i) and (k) 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; 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; 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) **Procurement of Liquid Chlorine in Railway Tank Cars for the Woodward Water and Wastewater Treatment Plants (FCS22050 / LS22025 / PW22047) (City Wide) (Added Item 14.2)**

That the recommendations ***be amended***, by adding an additional sub-section (c), to read as follows:

- (c) ***That staff be directed to prepare an information report back to Audit Finance & Administration Committee with the total annual contract price for the supply and delivery of Liquid Chlorine in Railway Tank Cars for the Woodward Water and Wastewater Treatment Plants, following the execution of the agreement.***

For further disposition of this matter, refer to Item 13.

- (j) **ADJOURNMENT (Item 15)**

There being no further business, the Audit, Finance and Administration Committee adjourned at 10:33 a.m.

Respectfully submitted,

Councillor Pearson, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

