Audit and Administration Committee
REPORT 08-012
9:30 a.m.
Wednesday, October 22, 2008
Committee Room 207
Hamilton Convention Centre
One Summer’s Lane

Present:
Chair M. Pearson
Vice-Chair B. Bratina
Mayor Eisenberger
Councillors C. Clark, C. Collins, B. Morelli, R. Pasuta

Absent with Regrets:
Councillors R. Powers (personal), T. Whitehead (personal)

Also Present:
J. Rinaldo, Acting City Manager
P. Barkwell, Acting General Manager, Finance and Corporate Services
S. Stewart, General Manager, Public Works
H. Hale Tomasik, Human Resources
N. Everson, Economic Development and Planning
Chris Hill, Public Works
M. Meyer, City Clerk’s Office

THE AUDIT AND ADMINISTRATION COMMITTEE PRESENTS REPORT 08-012 AND RESPECTFULLY RECOMMENDS:

1. Minutes of the Committee against Racism meeting held on April 22, 2008 (Item 5.1)

   That the minutes of the April 22, 2008 meeting of the Committee against Racism be received.

2. Minutes of the GLBT Advisory Committee meeting held on April 2, 2008 (Item 5.2)

   That the minutes of the April 2, 2008 meeting of the GLBT Advisory Committee be received.

Council – October 29, 2008
3. **Minutes of the GLBT Advisory Committee meeting held on April 28, 2008 (Item 5.3)**

   That the minutes of the April 28, 2008 meeting of the GLBT Advisory Committee be received.

4. **Minutes of the Immigrant and Refugee Advisory Committee held on April 10, 2008 (Item 5.4)**

   That the minutes of the April 10, 2008 meeting of the Immigrant and Refugee Advisory Committee be received.

5. **Minutes of the Mundialization Committee meeting held on April 16, 2008 (Item 5.5)**

   That the minutes of the April 16, 2008 meeting of the Mundialization Committee be received.

6. **Minutes of the Mundialization Committee meeting held on May 21, 2008 (Item 5.6)**

   That the minutes of the May 21, 2008 meeting of the Mundialization Committee be received.

7. **Minutes of the Mundialization Committee meeting held on June 18, 2008 (Item 5.7)**

   That the minutes of the June 18, 2008 meeting of the Mundialization Committee be received.

8. **Minutes of the Status of Women Committee meeting held on June 26, 2008 (Item 5.8)**

   That the minutes of the June 26, 2008 meeting of the Status of Women Committee be received.

9. **Master Trust Pension Investment Performance June 30, 2008 (FCS08089) (City Wide) (Item 5.9)**

   That Information Report FCS08089 respecting Master Trust Pension Investment Performance June 30, 2008 be received.
10. **Monthly Status Report of Tenders and Requests for Proposals for August 7, 2008 to September 10, 2008 (FCS08026(d)) (City Wide) (Item 5.10)**

(Bratina/Eisenberger)
That Information Report FCS08026(d) respecting Monthly Status Report of Tenders and Requests for Proposals for August 7, 2008 to September 10, 2008 be received.

11. **Apportionment of Taxes for Properties in Stoney Creek and Glanbrook (FCS08001(f)) (Ward 11) (Item 5.11)**

(a) That the 2008 property taxes, in the amount of $978.61 for 0 Dartmouth Gate, Stoney Creek (Roll #2518 003 020 32018), be apportioned and split amongst the two newly created parcels as set out in Appendix A hereto;

(b) That the 2008 property taxes, in the amount of $2,716.73 for 25-39 Palacebeach Trail, Stoney Creek, (Roll #2518 003 020 32049), be apportioned and split amongst the eight newly created parcels as set out in Appendix A hereto;

(c) That the 2008 property taxes, in the amount of $2,760.55 for 3-17 Palacebeach Trail, Stoney Creek, (Roll #2518 003 020 32056), be apportioned and split amongst the nine newly created parcels as set out in Appendix A hereto;

(d) That the 2008 land taxes, in the amount of $2,848.18 for 28-36 Dartmouth Gate, Stoney Creek, (Roll #2518 003 020 32061), be apportioned and split amongst the five newly created parcels as set out in Appendix A hereto;

(e) That the 2008 land taxes, in the amount of $3,038.07 for 46-54 Dartmouth Gate, Stoney Creek, (Roll #2518 003 020 35916), be apportioned and split amongst the five newly created parcels as set out in Appendix A hereto;

(f) That the 2008 land taxes, in the amount of $3,077.87 for 98-108 Donald Bell Drive, Glanbrook, (Roll #2518 901 410 71685), be apportioned and split amongst the six newly created parcels as set out in Appendix A hereto; and

(g) That the 2008 land taxes, in the amount of $3,240.59 for 85-95 Donald Bell Drive, Glanbrook, (Roll #2518 901 410 71695), be apportioned and split amongst the six newly created parcels as set out in Appendix A hereto.
12. **Waterdown Municipal Centre also known as Flamborough Town Hall (163 Dundas Street East) (PED08241) (Ward 15) (Item 8.1)**

(a) That staff be directed to proceed with discussions with the Hamilton Library Board to explore the potential of the Waterdown Municipal Service Centre being utilized as a multi-use facility that incorporates library services;

(b) That staff be directed to explore space efficiency options within the existing built form of the Waterdown Municipal Service Centre to accommodate the Flamborough Chamber of Commerce prior to the Chamber’s relocation from the Clappison’s Corners Visitor Information Centre;

(c) That the City of Hamilton participate in discussions between the Flamborough Chamber of Commerce and the Province of Ontario respecting the provision of provincial services through the Flamborough Chamber of Commerce;

(d) That the Item respecting the relocation of the Flamborough Chamber of Commerce to the Waterdown Municipal Service Centre be identified as being complete and removed from the Audit and Administration Committee’s outstanding business list.

13. **Services Provided by Interim HR Directors (HUR08016) (City Wide) (Item 8.2)**

That Report HUR08016 respecting Services Provided by Interim HR Directors be received.

14. **Extension of Human Rights Specialist Contract (HUR08017) (City Wide) (Item 8.3)**

That Council approve the extension of Human Rights Specialist contract for a four (4) month period until the 2009 budget process is deliberated.

15. **Award of Corporate Tender C12-14-08 Supply and Delivery of Office Supplies As and When Required (FCS08098) (City Wide) (Item 8.4)**

That the Corporate Tender C12-14-08 for the Supply and Delivery of Office Supplies As and When Required, be awarded to the lowest Compliant Bidder, Grand & Toy Ltd.
16. **Award of Corporate Tender C12-18-08 Supply and Delivery of Electronic Media Storage Supplies and Toner Cartridges (FCS08097) (City Wide) (Item 8.5)**

That the Corporate Tender C12-18-08 for the Supply and Delivery of Electronic Media Storage Supplies and Toner Cartridges, be awarded to Laser Recharge Inc. and Kerr Norton Inc., with an estimated annual expenditure of:

- Laser Recharge Inc. $50,411.00
- Kerr Norton Inc. $19,791.00

17. **Vendor Approval Requests – Central Fleet (PW08115/FCS08095) (City Wide) (Item 8.6)**

(a) That Report PW08115/FCS08095 be received for information; and

(b) That approval be given for the single source request from the Energy, Fleet and Facilities Division to DeFoe’s Auto Service Ltd., 208 Hillyard Street, Hamilton in the amount of $750,000 for the calendar year 2008.

18. **Vendor Approval Requests – Transit Fleet (PW08116/FCS08096) (City Wide) (Item 8.7)**

(a) That Report PW08116/FCS08096 be received; and

(b) That, for the 2008 calendar year, approval is given for the Transit Division to single source from the following original equipment suppliers (OEM):

- New Flyer Industries in the amount of $650,000.
- Harper Power Products the current supplier for Allison transmissions and Detroit Diesel engines in the amount of $385,000.
- Cummins Eastern Canada, the current supplier for Cummins engines in the amount of $260,000.

19. **Tax Appeals under Sections 357 and 358 of the Municipal Act (2001) (FCS08008(g)) (City Wide) (Item 8.8)**

(a) That the tax write-offs processed under Section 357 of the Municipal Act, 2001, in the amount of $100,033.87 be approved as set out in Appendix "B" hereto; and

(b) That the tax appeals, due to a gross or manifest clerical error, pursuant to Section 358 of the Municipal Act, 2001, in the amount of $14,849.27 be approved as set out in Appendix “C” of hereto.
20. **Hamilton Conservation Authority – Confederation Park Loan Request and Consolidation of Loans (FCS08093) (City Wide) (Item 8.9)**

   (a) That the City of Hamilton provide loans totaling $525,000 to the Hamilton Conservation Authority (HCA) to fund:
      (i) the cost overrun on the tube slide expansion at Wild Waterworks - $250,000;
      (ii) the 2007 Confederation Park deficit – $275,000.

   (b) That the following existing loans to the HCA, plus accrued interest to October 31, 2008, in the amount of $50,190 be consolidated with the new loans requested in a) above:
      (i) Lakeland Centre Loan $ 628,843
      (ii) Tube Slide Expansion Loan $1,500,000

   (c) That the repayment terms on the new consolidated loan in the amount of $2,704,033 be for fifteen (15) years, at an interest rate of 5.18% (in accordance with the City’s External Loan Guidelines), as per the Loan Repayment Schedule attached as Appendix A to this report FCS08093; and

   (d) That the General Manager, Finance and Corporate Services and the City Solicitor be authorized to draft the Consolidation Loan Agreement for execution by the Mayor and City Clerk.

21. **Governance Review Sub-Committee Report 08-001 (Item 8.10)**

   (a) **Election of Chair and Vice Chair (Item 1)**
      (i) That Councillor Russ Powers be appointed Chair of the Governance Review Sub-Committee;
      (ii) That Councillor David Mitchell be appointed Vice-Chair of the Governance Review Sub-Committee.

22. **Governance Review Sub-Committee Report 08-002 (Item 8.11)**

   (i) **2009 Committee/Council Meeting Calendar (Item 3)**

      That the 2009 Committee/Council meeting calendar, as presented and attached hereto as Appendix “D”, be approved.

   (ii) **2010 Committee/Council Meeting Calendar (Item 4)**

      That the tentative 2010 Committee/Council meeting calendar, as presented and attached hereto as Appendix “E”, be approved.
(iii) Ward Boundaries/Rep by Pop (Item 6)

That no further action be taken with respect to rep by pop and Ward boundary changes until the Council of 2010-2014.

23. Citizen Appointment to the Gay, Lesbian, Bisexual and Transgender Advisory Committee (Item 9.1)

That Jay Adams be appointed to the Gay, Lesbian, Bisexual and Transgender Advisory Committee for the balance of the 2006-2010 term of Council or until such time as a successor is appointed by Council.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes to the agenda:

(i) Added as Item 4.2 is a delegation request from Flamborough Chamber of Commerce respecting Waterdown Municipal Centre also known as Flamborough Town Hall

(ii) Added as Item 8.11 is Governance Review Sub-Committee Report 08-002

(iii) Added as Item 9.1 is a motion respecting Citizen Appointment to the Gay, Lesbian, Bisexual and Transgender Advisory Committee

The agenda was approved as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) MINUTES (Item 3)

(i) Minutes of the Audit and Administration Committee meeting held on September 17, 2008 (Item 3.1)

The minutes of the Audit and Administration Committee meeting held on September 17, 2008 were approved as presented.
(d) **Monthly Status Report of Tenders and Requests for Proposals for August 7, 2008 to September 10, 2008 (FCS08026(d)) (City Wide) (Item 5.10)**

Councillor Collins requested that staff report back prior to Council via e-mail with further information respecting what the following items are and where they fit into the budget process:

- C11-84-08 – Tender for Supply and Delivery of Curbside Collection Containers
- C11-90-08 – Tender for the Supply and Delivery of 50,000 Reusable Apartment Bags
- C11-48-08 – Proposal for Professional Consultant Services Required for Hamilton Street Railway Operational Review

(e) **Delegation Requests (Item 4)**

(i) **Hamilton Public Library Board respecting the Waterdown Municipal Centre also known as Flamborough Town Hall (Item 4.1)**

The delegation request from the Hamilton Public Library Board respecting the Waterdown Municipal Service Centre was approved and added as Item 6.1.

(i) **Flamborough Chamber of Commerce respecting the Waterdown Municipal Centre also known as Flamborough Town Hall (Item 4.1)**

The delegation request from the Flamborough Chamber of Commerce respecting the Waterdown Municipal Service Centre was approved and added as Item 6.2.

(f) **Delegations (Item 6)**

(i) **Hamilton Public Library Board respecting the Waterdown Municipal Centre also known as Flamborough Town Hall (Added Item 6.1)**

Jennifer Gautrey from the Hamilton Public Library Board made a verbal presentation respecting the relocation of the Waterdown library branch to the Waterdown Municipal Centre. The presentation included the following points:

- The Waterdown Municipal Centre is the preferred location for construction.
- The existing branch location is not large enough and, being a designated heritage building cannot be renovated or expanded.
• The Hamilton Public Library Board would like to investigate the Waterdown Municipal Centre to find out whether it is suitable and cost effective to relocate there.

The presentation by Jennifer Gautrey, Hamilton Public Library Board, respecting the Waterdown Municipal Centre, was received.

(ii) Flamborough Chamber of Commerce respecting the Waterdown Municipal Centre also known as Flamborough Town Hall (Added Item 6.2)

Susan Cetinski, immediate past president of the Flamborough Chamber of Commerce (FCC), made a presentation respecting the relocation of the FCC to the Waterdown Municipal Centre. A handout was distributed and a copy was submitted for the record. The presentation included the following points:
• There is likely enough space in the Waterdown Municipal Centre to accommodate the FCC, as it requires only 350 square feet of office space
• The FCC is willing to pay fair market value for the space.
• The FCC has had discussions with Ted McMeekin to operate under contract to the provincial government to provide services respecting driver’s licenses and OHIP cards.
• It is logical to share the building and provide a wide array of services.

Ms. Cetinski recommended that the Audit and Administration Committee recommend that Council explores space optimization.

The presentation by Susan Cetinski, Flamborough Chamber of Commerce, respecting the Waterdown Municipal Centre, was received.

(g) Waterdown Municipal Centre also known as Flamborough Town Hall (163 Dundas Street East) (PED08241) (Ward 15) (Item 8.1)

That Item 8.1 be amended by inserting the following recommendations and renumbering accordingly:

(b) That staff be directed to explore space efficiency options within the existing built form of the Waterdown Municipal Service Centre to accommodate the Flamborough Chamber of Commerce prior to the Chamber’s relocation from the Clappison’s Corners Visitor Information Centre;

(c) That the City of Hamilton participate in discussions between the Flamborough Chamber of Commerce and the Province of
Ontario respecting the provision of provincial services through the Flamborough Chamber of Commerce;

(h) **Services Provided by Interim HR Directors (HUR08016) (City Wide) (Item 8.2)**

Committee expressed some concerns respecting the costs outlined in Report HUR08016 and requested that updates include anticipated costs. Committee also requested that staff provide written updates, rather than verbal, for the purpose of future reference.

(i) **Vendor Approval Requests – Central Fleet (PW08115/FCS08095) (City Wide) (Item 8.6)**

In response to questions from the Committee, Chris Hill, Manager of Central Fleet, Public Works, advised that DeFoe’s Auto Service is used most often because it is able to service both heavy and light duty vehicles and it is in close proximity to the central fleet facility. He informed Committee that a system is being developed to flag purchases that require approval. He further advised that the institution of a tendered system means that the list of vendors will be reduced, although the money spent will remain the same.

(j) **Hamilton Conservation Authority – Confederation Park Loan Request and Consolidation of Loans (FCS08093) (City Wide) (Item 8.9)**

Peter Barkwell advised that he would e-mail Committee with an explanation respecting the Lakeland Centre cost overruns.

(k) **GENERAL INFORMATION/OTHER BUSINESS (Item 11)**

(i) **Waterfront Trust Audit Statements**

In response to a question from Committee, Joe Rinaldo advised that the Waterfront Trust Audit Statements, which were referred by Council, would be on the November 5, 2008 Audit and Administration Committee meeting agenda, and that a representative has been asked to attend.

(ii) **Lister Block Negotiations**

Councillor Bratina requested an update on the Lister Block negotiations, specifically respecting the base building. Joe Rinaldo advised that LIUNA submitted its requirements on October 15, 2008, and staff will provide an update once the submission has been analyzed. He further
advised that the City has until December 19, 2008 to respond and that the agreement is not binding until then.

(iii) Provincial Funding

Committee expressed concerns respecting provincial funding. Councillor Clark requested an update at Committee of the Whole. Joe Rinaldo advised that social services funding has been deferred. He stated that the City’s preliminary budget analysis is based on a neutral uploading of funds, and that he will follow up with the Mayor and provincial staff respecting this.

(l) Minutes of the June 18, 2008 Closed Session Meeting (Item 12.1)

The minutes of the Audit and Administration Committee closed session meeting held on September 17, 2008 were approved in open session as presented and will remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

(m) ADJOURNMENT (Item 13)

The Audit and Administration Committee adjourned at 10:26 a.m.

Respectfully submitted,

Councillor Maria Pearson, Chair
Audit and Administration Committee

Mary-Ann Meyer
Legislative Assistant
October 22, 2008