Audit and Administration Committee
MINUTES
9:30 a.m.
Wednesday, February 17, 2010
Albion Room
Hamilton Convention Centre
One Summer's Lane

Present: Councillors R. Powers (Chair), B. Morelli (Vice Chair), B. Bratina, B. Clark, C. Collins, M. Pearson and T. Whitehead

Also Present: C. Murray, City Manager
R. Rossini, General Manager, Finance & Corporate Services
L. Friday, Director, Taxation
M. Zegarac, Director, Financial Planning and Policy
D. McKinnon, Director, Water and Wastewater Operations
J. Savoi, Senior Financial Analyst
S. McCauley, Superintendent, Service Coordination
S. Parker, Horizon Utilities Corporation
S. Paparella, Legislative Assistant, Office of the City Clerk

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:

1. Cemetery Accounts Investment Performance Report - December 31, 2009 (FCS09088(a)) (City Wide) (Item 5.1)

(Pearson/Bratina)
That Report FCS09088(a), respecting Cemetery Accounts Investment Performance Report - December 31, 2009, be received.

CARRIED

2. Hamilton Future Fund Investment Performance Report - December 31, 2009 (FCS09089(a)) (City Wide) (Item 5.2)

(Pearson/Bratina)
That Report FCS09089(a), respecting the Hamilton Future Fund Investment Performance Report - December 31, 2009, be received.

CARRIED
3. Reserve/Revenue Fund Investment Performance Report - December 31, 2009 (FCS09090(a)) (City Wide) (Item 5.3)

(Pearson/Bratina)
That Report FCS09090(a), respecting the Reserve/Revenue Fund Investment Performance Report - December 31, 2009, be received.

CARRIED


(Pearson/Bratina)
(a) Request for Advance 2010 Community Partnership Program Payments (GRA10001) (City Wide) (Item 4.1)

(i) That staff be authorized and directed to provide advance monthly payments, to 2010 Community Partnership Program applicants, as shown in Appendix A to Report 10-001, based upon 2009 funding levels, prior to final approval of the 2010 Community Partnership Program budget.

(ii) That any outstanding arrears due to the City of Hamilton, by any of the organizations, listed in Appendix A to Report 10-001, be paid in full utilizing the approved advance funding, prior to the organization receiving any Community Partnership Program funding.

(b) Sexual Assault Centre (Hamilton & Area) – Request for Additional Funding (Item 4.2(a))

That the correspondence from the Sexual Assault Center (Hamilton & Area) requesting additional funding be received.

(c) One Time Funding Request - Sexual Assault Centre (Hamilton & Area) (GRA10003) (City Wide) (Item 4.2(b))

That the one-time funding request submitted by the Sexual Assault Centre (Hamilton & Area), in the amount of $18,000, to be funded firstly from the Community Partnership Program 2009 surpluses; and, secondly from Community Partnership Program reserves, be approved.
(d) **Hamilton Police Services Invoice No.16185: Argyle & Sutherland “Footprint in the Community” Parade (Added as Item 4.3(a))**

That the Hamilton Police Services invoice #16185 in the amount of $1,299.90, for three officers and three cruisers for four hours, for the Argyle & Sutherland “Footprint in the Community” parade, to be paid from the 2009 Community Partnership Program funds, be approved.

(e) **2009 Final Community Partnership Program Budget Update (City Wide) (GRA10002) (Item 4.3(b))**

(i) That the additional Event Road Closure Services (ERCS) billings for 2009, in the amount of $34,002.24, be approved and funded from the remaining 2009 Community Partnership Program Surpluses.

(ii) That the overall 2009 Community Partnership Program (CPP) Surplus, in the amount of $94,756.61, be transferred to the Grants Reserve Account #112230.  

**CARRIED**

5. **Water Billing Dispute – 249 Bay Street North, Hamilton (Item 6.2)**

(Pearson/Morelli)

(a) That the presentation, respecting a water billing dispute for 249 Bay Street North, Hamilton, be received.

(b) That the appeal, respecting a water billing dispute for 249 Bay Street North, Hamilton, be denied.

(c) That the presentation, respecting a water billing dispute for 249 Bay Street North, Hamilton, remain confidential and restricted from public disclosure, in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act."  

**CARRIED**


(Pearson/Whitehead)

(a) That the presentation, respecting a water and property tax billing dispute for 111 Emerald Street North, Hamilton, be received.

(b) That the appeal, respecting a water and property tax billing dispute for 111 Emerald Street North, Hamilton, be denied.
(c) That the presentation, respecting a water and property tax billing dispute for 111 Emerald Street North, Hamilton, remain confidential and restricted from public disclosure, in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act."

CARRIED

7. Tax Appeals under Section 357 and Section 358 of the Municipal Act, 2001 (FCS10006(a)) (City Wide)

(Collins/Morelli)
(a) That Appendix “A” attached to Report FCS10006(a) respecting the “Tax Write-offs processed under Section 357 of the Municipal Act, 2001”, in the amount of $41,326 be approved; and,

(b) That Appendix “B” attached to Report FCS10006(a) respecting the “Tax Appeals due to a Gross or Manifest Clerical Error, Pursuant to Section 358 of the Municipal Act, 2001”, in the amount of $17,481 be approved.

CARRIED

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

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

(i) A hard copy of the presentation for Item 6.1 – Delegation by Mr. Kevin McKay, Sky Dragon Community Development Cooperative was provided to Committee.

(ii) Additional Private and Confidential Information respecting Item 6.2 was provided to Committee.

(iii) Additional Private and Confidential Information respecting Item 6.3 was provided to Committee.

(Collins/Morelli)
That the agenda for the February 3, 2010 meeting of the Audit & Administration Committee be approved, as amended.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.
(c) MINUTES (Item 3)

3.1 February 3, 2010

(Morelli/Clark)
That the Minutes of the February 3, 2010 meeting of the Audit & Administration Committee be approved, as presented.

CARRIED

(d) Kevin McKay, Executive Director, Sky Dragon Community Development Cooperative, Respecting a Local Fair Trade Policy for City of Hamilton Procurement of Food and Coffee (Item 6.1)

Kevin McKay, Executive Director, Sky Dragon Community Development Cooperative, provided a PowerPoint presentation respecting a Local Fair Trade Policy for City of Hamilton Procurement of Food and Coffee. Some of the key points were as follows:

- Founded in 2002 by concerned local citizens;
- Incorporated in 2004 as a non-profit co-operative;
- Mandate of building strong, ethical, environmentally sustainable communities;
- Established a multi-use community centre at 27 King William St., Hamilton;
- Project funded 100% by community investment;
- As of today, the Sky Dragon Co-op operates the following initiatives at its downtown location:
  - The Bread & Roses Café;
  - The Sky Dragon Wellness Centre;
  - The KidzFood Organic Lunch Program;
  - The Sky Dragon Roastery; and,
  - Office and meeting space for community groups.

- In 2009, the Sky Dragon Co-op was named a “Zero Emission” business by Environment Hamilton, as part of its Climate Change Champions program.
- Video is available at: http://www.youtube.com/watch?v=5VSs70YVBFW
- Sky Dragon believes City of Hamilton could become a leader in encouraging local, ethical purchasing by considering the following partnerships:
  - Using the Sky Dragon Roastery to provide ethical coffee for City functions; and,
  - Using the Bread and Roses Café to provide ethical food for City functions.
• The Sky Dragon Roastery is an ideal choice to provide coffee for City functions because:
  - It is located in downtown Hamilton;
  - It is operated by a non-profit organization;
  - It roasts only Fair Trade and Organic Coffee;
  - It is Bullfrog Powered (renewable energy);
  - It offers unbeatable wholesale pricing; and,
  - The quality of the coffee is much higher (fresh-roasted).

• The Bread and Roses Café is an ideal partner in providing local, organic food for City functions because it:
  - Located downtown, non-profit, Bullfrog Powered;
  - Procures food from local organic and regular farmers;
  - Imported food ingredients are Fair Trade and organic;
  - Uses compostable containers, green-bin recycles all applicable waste, uses eco-cleaning products and eco-consumables (paper towel, toilet paper, printer paper); and,
  - Higher quality food at prices comparable other caterers.

• Sky Dragon Co-op believes that, by working with the Sky Dragon Co-op on ethical purchasing, the City could realize the following benefits:
  - Achieving its green mandate (climate change goals);
  - Showing leadership in promoting ethical and sustainable economy;
  - Supporting local business and community development; and,
  - Supporting local farmers.

• Mr. McKay requested, on behalf of Sky Dragon Co-op, that the Emergency & Community Services Committee direct staff to explore a partnership between the Sky Dragon Co-op and the City of Hamilton for supplying fair trade, organic, locally-roasted coffee and local, organic food for City use.

(Bratina/Clark)
(i) That the presentation provided by Kevin McKay, of Sky Dragon Community Development Cooperative, respecting a Local Fair Trade Policy for City of Hamilton Procurement of Food and Coffee, be received.

(ii) That staff be directed to review the information and request, provided by Sky Dragon Community Development Cooperative, to partner with the
City of Hamilton respecting the ethical purchasing practices, as outlined in the presentation to the Audit & Administration Committee on February 17, 2010, and report back to the Audit & Administration Committee.

CARRIED

(e) Water Billing Dispute – 249 Bay Street North, Hamilton (Item 6.2)

(Pearson/Whitehead)
That the Audit & Administration Committee move into Closed Session, at 9:54 a.m., to hear Item 6.2, respecting a Water Billing Dispute, pursuant to Section 8.1, Sub-section (b) of the City’s Procedural By-law 03-301, and Section 239, Sub-section (b) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual.

CARRIED

As shown in the Closed Session Minutes, the Audit & Administration Committee reconvened in Open Session at 10:45 a.m.

Having heard and considered the submissions of the parties, the Audit & Administration Committee provided its recommendation as shown in Item 5 above.

(f) Water and Property Tax Billing Dispute – 111 Emerald Street North, Hamilton (Item 6.3)

(Whitehead/Pearson)
That the Audit & Administration Committee move into Closed Session, at 10:48 a.m., to hear Item 6.3, respecting a Water and Property Tax Billing Dispute, pursuant to Section 8.1, Sub-section (b) of the City’s Procedural By-law 03-301, and Section 239, Sub-section (b) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual.

CARRIED

As shown in the Closed Session Minutes, the Audit & Administration Committee reconvened in Open Session at 11:24 a.m.

Having heard and considered the submissions of the parties, the Audit & Administration Committee provided its recommendation as shown in Item 6 above.
(g) Minutes of Various Advisory Committees (FOR INFORMATION PURPOSES ONLY) (Item 5.1)

(Pearson/Bratina)
That the following Advisory Committee minute be received:

(i) Gay, Lesbian, Bisexual and Transgender Advisory Committee Minutes, December 17, 2009 (Item 5.5)

CARRIED

(h) Amendments to the Outstanding Business List (Item 11.1)

(Pearson/Morelli)
That Item “G” – Heads and Beds Policy, be considered complete and removed from the Audit & Administration Committee’s Outstanding Business list.

CARRIED

(i) ADJOURNMENT (Item 13)

(Pearson/Morelli)
There being no further business, the Audit and Administration Committee adjourned at 11:28 a.m.

Respectfully submitted,

Councillor Russ Powers, Chair
Audit and Administration Committee

Stephanie Paparella
Legislative Assistant
February 17, 2010