Audit and Administration Committee
MINUTES
9:30 a.m.
Wednesday, June 16, 2010
Albion Room
Hamilton Convention Centre
One Summer’s Lane

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

Also Present: Councillor Merulla
C. Murray, City Manager
R. Rossini, General Manager, Finance & Corporate Services
T. Tollis, City Treasurer
A. Priel, General Manager, Community Services
Deborah Hindley, Senior Project Manager
Janine Gaunt, Area Supervisor, Community Services
R. Males, Director of Financial Services
A. Grozelle, Legislative Assistant, Office of the City Clerk

THE FOLLOWING ITEMS WERE REPORTED TO COUNCIL FOR CONSIDERATION:

1. Hamilton Conservation Authority, 2009 Financial Statements (Item 5.2)

(Collins/Morelli)
That the Report of the Hamilton Conservation Authority, 2009 Financial Statements, be received.

CARRIED

2. Response to Canon Delegation Request (FCS10059) (Added Item 5.3)

(Collins/Morelli)
That Report (FCS10059), Response to Canon Delegation Request, be received.

CARRIED
3. Delegation request from Mohith Vijayakumar of Canon Canada Incorporated regarding RFP: C12-03-10 (Added Item 4.1)

(Clark/Pearson)
That Staff meet with Canon Canada to discuss the outstanding issues with the award of tender and that this form part of the materials brought before the Committee when the tender is to be awarded.

CARRIED

4. Re: Freedom of Information Request #09-152 (Appeal MA10-40) (Added Item 11.2)

(Pearson / Collins)
That the Staff Report on this matter be brought to Councils June 23, 2010 meeting.

CARRIED

5. Municipal Alcohol Policy (CS10025) (Item 7.1)

(Collins/Pearson)
(a) That the Municipal Alcohol Policy and Operating Standards and Procedures, attached as Appendix A to Report CS10025, be approved;

(b) That the existing Municipal Alcohol Risk Management Guidelines be deleted in its entirety, from the City of Hamilton Special Events Policy and Guidelines, and replaced with the Municipal Alcohol Policy and Operating Standards and Procedures, attached as Appendix A to Report CS10025, effective January 1, 2011;

(c) That the City of Hamilton Designated Properties List for Permissible and Non-Permissible Facilities, attached as Appendix B to Report CS10025, be approved;

(d) That the General Manager of the Community Services Department, or designate, be authorized to approve events permitting alcohol at properties appearing on the City of Hamilton Designated Properties List, attached as Appendix B to Report CS10025, under the categories of Recreation Centres, Arenas, Community Halls and Special Event Advisory Team approved events.

(e) That the General Manager of the Community Services Department, be authorized to execute the Facility Rental Agreements, for events serving alcohol at properties appearing on the City of Hamilton Designated Properties list (attached as Appendix B to Report CS10025), under the categories of Recreation Centres, Arenas, Community Halls and Special
Event Advisory Team approved events, in a form satisfactory to the City Solicitor;

(f) That the General Manager of the Public Works Department, or designate, be authorized to approve events serving alcohol at properties appearing on the City of Hamilton Designated Properties List, attached as Appendix B to Report CS10025, under the categories of Municipal Service Centres, Parks or on Road Allowances;

(g) That the General Manager of the Public Works Department, be authorized to execute the Facility Rental Agreements or approvals, for events serving alcohol at properties appearing on the City of Hamilton Designated Properties list (attached as Appendix B to Report CS10025), under the categories of Municipal Service Centres, Parks or on Road Allowances, in a form satisfactory to the City Solicitor;

(h) That the General Manager of the Community Services Department and/or the General Manager of the Public Works Department, be authorized to approve requests for events serving alcohol on City properties that are not on the City of Hamilton Designated Properties List, following a complete review by the department with operational jurisdiction over the requested venue; and, consultation with the affected Ward Councillor(s),

(i) That the General Manager of the Community Services Department and/or the General Manager of the Public Works Department be authorized to execute Facility Rental Agreements for events serving alcohol on City properties that are not on the City of Hamilton Designated Properties List, in a form satisfactory to the City Solicitor;

(j) That Alcohol-related events in City-owned facilities, on the Outstanding Business List, be considered complete and removed from the Audit and Administration Committee’s Outstanding Business List.

CARRIED

6. Tax Appeals under Section 357 and 358 of the Municipal Act 2001 (FCS10006(e) (City Wide) (Item 8.1)

(Collins/Whitehead)

(a) That Appendix “A” attached to report FCS10006(e) respecting the “Tax Write-offs processed under Section 357 of the Municipal Act, 2001”, in the amount of $50,646 approved; and

(b) That Appendix “B” attached to report FCS10006(e) 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 $43,902 be approved.

CARRIED
7. Treasurer’s Apportionment of Land Taxes for Properties in Stoney Creek (FCS10011(a)) (Ward 11) (Item 8.2)

(Collins/Morelli)
(a) That the 2010 property taxes in the amount of $4,586 for 3-19 Springstead Ave., Stoney Creek (Roll #2518 003 010 15030), be apportioned and split amongst the five newly created parcels as set out in Appendix A to report FCS10011(a); and

(b) That the 2009 and 2010 property taxes in the amount of $3,524 for 213 Jones Rd., Stoney Creek (Roll #2518 003 240 34400), be apportioned and split amongst the two newly created parcels as set out in Appendix A to report FCS10011(a).

CARRIED

8. Award of Contract C12-05-10 Provision of Heavy Duty Truck and Equipment Services for Fleet Services (FCS10046) (City Wide) (Item 8.3)

(Collins/Whitehead)
That the Corporate Tender C12-05-10 Provision of Heavy Duty Truck and Equipment Services for Fleet Services be awarded to the two lowest compliant bids:

a) Metro Freightliner Hamilton Inc.; and

b) Barton Truck Centre Ltd

CARRIED

9. Cash Handling Review Update (FCS07093(c)) (City Wide) (Item 8.4)

(Collins/Whitehead)
(a) That report FCS07093(c) respecting the Cash Handling Review Update, be received; and

(b) That outstanding Item C be removed from the outstanding business list.

CARRIED

10. Capital Budget Increase – Flamborough Twin Pad Arena (FCS10052) (Ward 15) (Item 8.5)

(Collins/Pearson)
(a) That capital project #7100554707, the Flamborough Twin Pad Arena, be increased by $850,000 to $18.735 million (refer to Table 1 of report FCS10052); and

(b) That the additional $850,000 be funded from the existing OPA 28 development levy generated from growth within the Flamborough area.

CARRIED

11. Report 10-002 of the Grants Sub-Committee June 10, 2010 Meeting (City Wide) (Item 8.6)

(Collins/Pearson)

(i) 2009 Annual Report - Community Partnership Program (Social and Community Services Stream) (GRA10006) (City Wide)

That Report GRA10006, respecting the 2009 Annual Report - Community Partnership Program (Social and Community Services Stream), be received.

(ii) Events Criteria Review (GRA10005) (City Wide)

That Report GRA10006, respecting the 2009 Annual Report - Community Partnership Program (Social and Community Services Stream), be received.

(iii) 2010 Community Partnership Program Approval (10-004) (City Wide)

(a) That the 2010 Community Partnership Program recommended funding allocation, in the amount of $3,278,639, as outlined in the attached Appendix “A” to Report 10-002, as amended, be approved.

(b) That Event Road Closure Services in the amount of $326,461 be approved.

(c) That $31,652 of the $326,461 for Event Road Closure Services, be earmarked; pending the receipt of completed Event Road Closure Services application forms by the Event Organizers.

(d) That in the case where a successful grant applicant has outstanding arrears with the City of Hamilton, the grant first be applied against the outstanding arrear as of December 31, 2009, with the remainder to be paid to the organization, in accordance with the Community Partnership Program payment plan.
(e) That the groups identified to receive an annual grant within the Special Events Category of the Community Partnership Program, be transferred and grandfathered from the Event Road Closure Services budget to the Special Events budget base, in lieu of Event Road Closure Services to cover the cost of traffic services.

(f) That any additional Event Road Closure requests, above $326,461, be considered on a pro-rata basis, based on submission only, if at year-end the Community Partnership Program is in a surplus position.

(g) That the amount of $55,022 be set aside for a contingency budget, to be dedicated for 2010 unexpected Community Partnership Program funding, be approved.

(h) That funding in excess of the 30% maximum guidelines for the following Community Services programs, within the Community Partnership Program, be approved in 2010:

(i) Community Information Services – 33% ($81,228);
(ii) East Kiwanis - Multicultural Parent Program (NCB) – 31% ($25,000);
(iii) St. Joseph’s Immigrant Women’s Centre – Mom at Work (NCB) – 98% ($22,150);
(iv) Salvation Army – Young Parents Resource Centre (NCB) – 60% ($104,000);
(v) Salvation Army – Grace Haven (NCB) – 100% ($44,400);
and,
(vi) Canadian Red Cross – Emergency Community Assistance (NCB) – 58% ($33,000).

(i) That the following groups receive an annual grant within the Special Events Category, of the Community Partnership Program, to be transferred from the Event Road Closure Services budget to the Special Events budget base for the total amount of $28,053.27, in lieu of Event Road Closure Services to cover the cost of traffic services:

(i) Ancaster Remembrance Day ($495.01);
(ii) Remembrance Day (Dundas Legion) ($362.46);
(iii) Hamilton Remembrance Day ($331.61);
(iv) Stoney Creek Remembrance Day ($501.69);
(v) Waterdown Remembrance Day ($343.50);
(vi) Hamilton Firefighters Chilli Cook-Off (Hamilton Professional Firefighters Association) ($650.80);
(vii) Road 2 Hope (City Kidz) ($2,510.71);
(viii) Communita Maria SS Del Monte (3) (Comunita Racalmutese) ($712.37);
(ix) Reflections of Our Past: 175th Homecoming Celebration (Stewart Memorial Church) ($520.64);
(x) Rockton World’s Fair (Rockton Agricultural Society) ($488.06);
(xi) 72nd Annual Scout/Guide Parade (Hamilton Scout/Guide Parade Committee) ($801.90);
(xii) St. Anthony’s Feast (St. Anthony’s Feast Committee) ($422.87);
(xiii) Around the Bay Road Race (Around the Bay Road Race Inc.) ($983.14);
(xiv) Ancaster Heritage Days Parade (Ancaster Heritage Day Committee) ($637.63);
(xv) Ancaster Old Mill Race (Ancaster Old Mill Race) ($568.41);
(xvi) Dundas Cactus Parade (Dundas Cactus Parade Inc.) ($953.48);
(xvii) Dundas International Buskerfest (Dundas International Buskerfest Committee) ($588.72);
(xviii) Light the Way for Santa (Flamborough Santa Claus Parade Committee) ($2,189.22);
(xix) Hamilton Mardi Gras Carnival Parade (Hamilton Carnival Cultural Committee) ($618.06);
(xx) Hamilton Mustard Festival ($361.04);
(xi) Hamilton Santa Claus Parade ($1,470.13);
(xii) James South District Block Party ($650.80);
(xiii) Kidsfest (Westdale Village BIA) ($260.32);
(xxiv) Labour Day Parade (Hamilton and District Labour Council) ($859.17);
(xxv) The Locke Street Festival (Locke Street Merchants Association) ($4,722.71);
(xxvi) Lynden Canada Day Parade (Lynden Canada Day Committee) ($522.28);
(xxvii) Ottawa Street's Street Sale (Ottawa Street BIA) ($246.35);
(xxviii) Stoney Creek Flag Day (Stoney Creek Chamber of Commerce) ($1,037.16);
(xxix) Stoney Creek Santa Claus Parade (Stoney Creek Santa Claus Parade) ($2,055.37);
(XXX) Super Crawl (Super Crawl) ($780.95); and,
(xxxi) Westfest (Westdale Village BIA) ($406.71).

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) That Report 10-002 of the Grants Sub-Committee June 10, 2010 Meeting be added to the Agenda as Item 8.6

(ii) That the Delegation Request from Mohith Vijayakumar of Canon Canada Incorporated regarding RFP: C12-03-10 be added to the Agenda as Item 4.1

(iii) That Report (FCS10059) Response to Canon Delegation Request, be added to the Agenda as Item 5.3

(Morelli/Pearson)
That the agenda for the June 2, 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 June 2, 2010

(Collins /Morelli)
That the Minutes of the June 2, 2010 meeting of the Audit & Administration Committee meeting be approved as presented.

CARRIED

(d) **Delegation request from Mohith Vijayakumar of Canon Canada Incorporated regarding RFP: C12-03-10 (Added Item 4.1 and 6.1)**

(Collins/Pearson)
That the Delegation Request from Canon Canada Incorporated, regarding RFP: C12-03-10 be approved.

CARRIED

(Collins/Pearson)
That the rules be waived to allow the Delegation request for Canon Canada Incorporated to address the Committee today due to the time sensitive nature of their matter.
That the delegation from Canon Canada made by Russel Michael (Senior Branch Manager, Central Region) and Eric Turcot (Senior Director, Business Solutions Division Sales) be received.

CARRIED

(Pearson/Collins)

Re: Freedom of Information Request #09-152 (Appeal MA10-40) (Added Item 11.2)

(Pearson/Clark)

That the discussion Re: Freedom of Information Request #09-152 (Appeal MA10-40) be added to the Agenda as Item 11.2 and that this item be moved up in the agenda to be addressed before Item 7.1

CARRIED

Municipal Alcohol Policy (CS10025) (Item 7.1)

Committee indicated that the Presentation from Janine Gaunt would not be necessary instead choosing to pose several questions.

GENERAL INFORMATION/OTHER BUSINESS

Amendments to the Outstanding Business List (Item 11.1)

(Pearson/Morelli)

Outstanding Business List Items Requiring Approval to be Removed:

(i) Item ‘B’ Cash Handling Review

CARRIED

Re: Freedom of Information Request #09-152 (Appeal MA10-40) (Added Item 11.2)

For disposition see above Item 4.

PRIVATE AND CONFIDENTIAL (Item 12)

Closed Session Minutes, June 2, 2010 (Item 12.1)

(Whitehead/Collins)

(a) That the Closed Session Minutes of the June 2, 2010, meeting of the Audit and Administration Committee be approved, as presented.
(b) That the June 2, 2010 Closed Session Minutes, of the Audit and Administration Committee, remain confidential and restricted from public disclosure, in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act."

CARRIED

(I) AJOURNMENT (Item 13)

(Pearson/Bratina)
There being no further business, the Audit and Administration Committee adjourned at 10:46 a.m.

CARRIED

Respectfully submitted,

Councillor Russ Powers, Chair
Audit and Administration Committee

Andy Grozelle
Legislative Assistant
June 16, 2010