Present: Councillors B. Clark (Chair), B. Johnson (Vice Chair)
B. Morelli, M. Pearson, R. Powers

Also Present: C. Murray, City Manager
R. Caterini, City Clerk
R. Rossini, General Manager, Finance & Corporate Services
T. Tollis, Treasurer
A. Pekaruk, Internal Auditor
H. Hale Tomasik, Exec. Director, H.R. & Organizational Development
M. Hazell, Senior Director, Parking & By-law Services
J. Lee, Director, Customer Service, Access & Equity
D. Belaisis, Manager, Employment Services
S. Paparella, Legislative Assistant, Office of the City Clerk

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 11-004, AND RESPECTFULLY RECOMMENDS:

1. Tax Appeals under Section 357 and 358 of the Municipal Act, 2001 (FCS11003(a)) (City Wide) (Item 5.1)

   (a) That Appendix “A” attached to Report 11-004, respecting the “Tax Write-Offs processed under Section 357 of the Municipal Act, 2001”, in the amount of $50,748, be approved;

   (b) That Appendix “B” attached to Report 11-004, 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 $59,153, be approved.
2. Treasurer's Apportionment of Land Taxes for Various Properties in Dundas, Glanbrook and Stoney Creek (FCS11001(a)) (Wards 9, 10, 11 and 13) (Item 5.2)

(a) That the 2010 property taxes in the amount of $5,080 for 4-20 Carriage Lane, Dundas, (Roll #2518 260 210 16000 0000) be apportioned and split amongst the five newly created parcels, as set out in Appendix C to Report 11-004;

(b) That the 2010 tax payments in the amount of $2,497 for 4-20 Carriage Lane, Dundas, (Roll #2518 260 210 16000 0000) be apportioned and split amongst the five newly created parcels, as set out in Appendix C to Report 11-004;

(c) That the 2010 property taxes in the amount of $18,366 for 2490 Highway 56, Glanbrook, (Roll #2518 901 340 40000 0000) be apportioned and split amongst the seventy-four newly created parcels, as set out in Appendix C to Report 11-004;

(d) That the 2009 property taxes in the amount of $9,762 for Wentworth Standard Condo Plan (WSCP) 404, Stoney Creek, (Roll #2518 003 130 23400 0000) be apportioned and split amongst the fifty-eight units, as set out in Appendix C to Report 11-004;

(e) That the 2010 property taxes in the amount of $38,802 for 65 Highbury Drive, Stoney Creek, (Roll #2518 003 850 0020 0000) be apportioned and split amongst the sixty-five newly created parcels, as set out in Appendix C to Report 11-004;

(f) That the 2010 tax payments in the amount of $28,834 for 65 Highbury Drive, Stoney Creek, (Roll #2518 003 850 0020 0000) be apportioned and split amongst the sixty-five newly created parcels, as set out in Appendix C to Report 11-004.

3. Follow Up of Audit Report 2008-13 - Long Term Contract Review – Canada Fibers Ltd. (AUD11014) (City Wide) (Item 5.3)

That Report AUD11014 respecting the follow up of Audit Report 2008-13, Long Term Contract Review – Canada Fibers Ltd., be received.

4. Follow Up of Audit Report 2009-05 - Tow Procedures (AUD11018) (City Wide) (Item 5.4)

That Report AUD11018, respecting the follow up of Audit Report 2009-05, Tow Procedures, be received.
5. **Water for People-Canada Donation Request (FCS11018/PW11015) (City Wide) (Item 5.5)**

That Report FCS11018/PW11015, respecting Water for People-Canada Donation Request, be received.

6. **Reserve/Revenue Fund Investment Performance Report - December 31, 2010 (FCS10075(a)) (City Wide) (Item 5.6)**

That Report FCS10075(a), respecting the Reserve/Revenue Fund Investment Performance Report - December 31, 2010, be received.

7. **Hamilton Future Fund Investment Performance Report - December 31, 2010 (FCS10076(a)) (City Wide) (Item 5.7)**


8. **Cemetery Accounts Investment Performance Report - December 31, 2010 (FCS10077(a)) (City Wide) (Item 5.8)**

That Report FCS10077(a), respecting the Cemetery Accounts Investment Performance Report - December 31, 2010, be received.

9. **Monthly Status Report of Tenders and Requests for Proposals for January 1, 2011 to February 4, 2011 (FCS11004) (City Wide) (Item 5.9)**


10. **FOI Quarterly Report – October 1 to December 31, 2010 (CL10001(c)) (City Wide) (Item 5.18)**

That Report CL10001(c), respecting the FOI Quarterly Report – October 1 to December 31, 2010, be received.

11. **Proposed Waterworks By-Law Amendments (FCS11007) (City Wide) (Item 8.1)**

   (a) That the proposed amendments to the Waterworks By-law R84-026, as amended, attached as Appendix D to Report 11-004, be approved;
(b) That the City Solicitor be authorized and directed to prepare the necessary amending By-laws to the Waterworks By-law R84-026, as amended, and to the Water and Wastewater Fees and Charges By-law, which reflect the approved amendments attached as Appendix D to Report 11-004;

(c) That, if required, staff be authorized and directed to amend the Service Agreement between the City of Hamilton and Horizon Utilities Corporation, dated May 31, 2005, and/or the Amending Agreement to this Service Agreement, dated March 22, 2010, to reflect the approved amendments attached as Appendix D to Report 11-004 in a form satisfactory to the City Solicitor and with content satisfactory to the General Manager of Finance and Corporate Services;

(d) That the General Manager of Finance and Corporate Services and the City Clerk be authorized and directed to execute any and all documents necessary to implement amendments, if required, to the Service Agreement between the City of Hamilton and Horizon Utilities Corporation, dated May 31, 2005, and/or the Amending Agreement to this Service Agreement, dated March 22, 2010, to reflect the approved amendments attached as Appendix D to Report 11-004, in a form satisfactory to the City Solicitor.

12. Audit Report 2010-08 - Human Resources - Recruitment and Selection (AUD11011) (City Wide) (Item 8.2)

(a) That Report AUD11011 respecting Audit Report 2010-08, Human Resources – Recruitment and Selection, be received.

(b) That the Management Action Plans, attached as Appendix “E” to Report 11-004, which reflects the following amendment, be approved:

   (i) Item 11(b) (of Appendix E to Report 11-004), respecting the Hiring of Crossing Guards

       That no further action be taken respecting the recruitment and selection process for School Crossing Guards.

(c) That the employee records for all School Crossing Guards be maintained at the City’s Human Resources offices.

(d) That the City Manager be directed to instruct the appropriate staff to implement the Management Action Plans, attached as Appendix “E” to Report 11-004, as amended.
(e) That staff be directed to provide a verbal update on the Management Action Plan by the fourth quarter of 2011;

(f) That the Human Resources Department provide a report to the Audit, Finance & Administration Committee on the services they provide to individual departments.

13. **Audit Report 2010-11 - Citizen Service Centre - Funds Handling (AUD11012) (City Wide) (Item 8.3)**

   (a) That Report AUD11012, respecting Audit Report 2010-11, Citizen Service Centre – Funds Handling, be received;

   (b) That the Management Action Plans, as detailed in Appendix “F” of Report 11-004, be approved; and,

   (c) That the General Manager of Finance and Corporate Services be directed to instruct the appropriate staff to have the Management Action Plans (attached as Appendix F to Report 11-004) implemented.

14. **Audit Report 2010-07 - Information Services (IS) - Business Process Management (AUD11013) (City Wide) (Item 8.4)**

   (a) That Report AUD11013 respecting Audit Report 2010-07, Information Services (IS) – Business Process Management, be received;

   (b) That the Management Action Plans, as detailed in Appendix “G” of Report 11-004 be approved; and,

   (c) That the General Manager of Finance & Corporate Services be directed to instruct the appropriate staff to have the Management Action Plans (attached as Appendix “G” to Report 11-004) implemented.

15. **Audit Report 2010-12 - Provincial Offences Administration (POA) - Revenue & Cash Handling (AUD11015) (City Wide) (Item 8.5)**

   (a) That Report AUD11015, respecting Audit Report 2010-12, Provincial Offences Administration (POA) – Revenue & Cash Handling, be received;

   (b) That the Management Action Plans as detailed in Appendix “H” of Report 11-004 be approved; and,

   (c) That the General Manager of Finance and Corporate Services be directed to instruct the appropriate staff to have the Management Action Plans (attached as Appendix H to Report 11-004) implemented.

 Council – March 9, 2011
16. Grants Sub-committee Report 11-001 (Item 8.6)

(a) Appointment of Chair and Vice Chair (Item A)

(i) That Councillor R. Powers be appointed as Chair of the Grants Sub-committee for the 2010-2014 term of Council.

(ii) That Councillor L. Ferguson be appointed as Vice Chair of the Grants Sub-committee for the 2010-2014 term of Council.

(b) Request for Advance 2011 Community Partnership Program Payments (GRA11001) (City Wide)

(i) That staff be authorized and directed to provide advance monthly payments, to 2011 Community Partnership Program applicants, as shown in Appendix “I” to Report 11-004, based upon 2010 funding levels, prior to final approval of the 2011 Community Partnership Program budget.

(ii) That any outstanding arrears due to the City of Hamilton, by any of the organizations, listed in the attached Appendix “I” to Report 11-004, be paid in full utilizing the approved advance funding, prior to the organization receiving any Community Partnership Program funding.

(c) 2010 Final Community Partnership Program Budget Update (GRA11002) City Wide)

(i) That the additional Event Road Closure Services (ERCS) billings for 2010 in the amount of $94,158, be approved and funded from the remaining 2010 Community Partnership Program Surpluses.

(ii) That the overall 2010 Community Partnership Program (CPP) Surplus, in the amount of $29,554, be transferred to the Grants Reserve Account #112230.

(iii) That the amount for SISO in the amount of $1,230 be committed to the reserve.

17. Proposed Integrated Accessibility Regulation under the Accessibility for Ontarians with Disabilities Act, 2005 (FCS11026) (City Wide) (Item 8.7)

(a) That Appendix A to Report FCS11026 – Proposed Integrated Accessibility Regulation under the Accessibility for Ontarians with Disabilities Act, 2005
containing Comments on the Proposed Regulation, be referred to the General Issues Committee.

(b) That in order to meet the Provincial deadline of March 18, 2011 for comments on the proposed Integrated Accessibility Regulations under the Accessibility for Ontarians with Disabilities Act, 2005, that staff be directed to submit Report FCS11026 to the Accessibility Directorate of Ontario;

(c) That the Accessibility Directorate of Ontario be advised that the City of Hamilton requires additional time to review the proposed regulations and reserves its right to make amendments to the submitted comments at a later date;

(d) That the Mayor be directed to correspond with the Minister of Community and Social Services to request that the Province provide funding to assist Ontario municipalities with implementation of the requirements of the Accessibility for Ontarians with Disabilities Act and its regulations, and to advise the Minister that the City of Hamilton is in the process of reviewing the Act, and has noticed significant cost implications to Ontario municipalities in the Act.

18. Citizen Appointments to Volunteer Committees (Items 9.1 and 9.2)

(a) That Zafar Siddiqui be appointed to the Committee Against Racism for the 2010-2014 term of Council or until such time as a successor is appointed by Council.

(b) That Bashasat Tayyab be appointed to the Hamilton Status of Women Committee for the 2010-2014 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 4.1 – Delegation request, submitted by Ivan Holloway, on behalf of Capital Sewer Services Inc., respecting Contract 11-102-10, Inspection and Cured-in-Place Pipe Structural Rehabilitation for Existing Sewers in the City of Hamilton

(ii) Added as Item 4.2 – Delegation request, submitted by Chad Pearson, of Plexxis, respecting a Biometric Labour Expenses Control Tool
(iii) Added to Item 6.1 – Correspondence from Keith Beck, respecting his Proposal to Reduce the Fees Paid by the Municipality to the Fund Managers of the City’s Reserves

(iv) Item 8.7 – Report FCS11026 – Proposed Integrated Accessibility Regulation under the Accessibility for Ontario with Disabilities Act, 2005, which is listed as “to be distributed” on the agenda.

(v) Added as Item 9.2 – A motion respecting a Citizen Appointment to the Status of Women Committee.

The agenda for the March 2, 2011 meeting of the Audit, Finance & Administration Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) February 17, 2011

The February 17, 2011 Minutes of the Audit, Finance & Administration Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Delegation request, submitted by Ivan Holloway, on behalf of Capital Sewer Services Inc., respecting Contract 11-102-10, Inspection and Cured-in-Place Pipe Structural Rehabilitation for Existing Sewers in the City of Hamilton (Item 4.1)

The delegation request, submitted by Ivan Holloway, on behalf of Capital Sewer Services Inc., respecting Contract 11-102-10, Inspection and Cured-in-Place Pipe Structural Rehabilitation for Existing Sewers in the City of Hamilton, was approved.

(ii) Delegation request, submitted by Chad Pearson, of Plexxis, respecting a Biometric Labour Expenses Control Tool (Item 4.2)

The delegation request, submitted by Chad Pearson, of Plexxis, respecting a Biometric Labour Expenses Control Tool, was approved.
(e) ADVISORY COMMITTEE MINUTES

The following Advisory Committee Minutes were received:

(i) Committee Against Racism Minutes, dated November 23, 2010 (Item 5.10)

(ii) Committee Against Racism Minutes, dated December 14, 2010 (Item 5.11)

(iii) Hamilton Mundialization Committee Minutes, dated October 13, 2010 (Item 5.12)

(iv) Hamilton Mundialization Committee Minutes, dated November 17, 2010 (Item 5.13)

(v) Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee Minutes, dated October 21, 2010 (Item 5.14)

(vi) Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee Minutes, dated December 9, 2010 (Item 5.15)

(vii) Status of Women Committee Minutes, dated September 23, 2010 (Item 5.16)

(viii) Status of Women Committee Minutes, dated October 28, 2010 (Item 5.17)

(f) DELEGATIONS (Item 6)

(i) Keith Beck, KBConsulting, respecting a Proposal to Reduce the Fees Paid by the Municipality to the Fund Managers of the City’s Reserves (Item 6.1)

The Committee had called upon Mr. Beck; however, Mr. Beck was not in attendance.

The written submission, provided by Keith Beck, KBConsulting, respecting a Proposal to Reduce the Fees Paid by the Municipality to the Fund Managers of the City’s Reserves, was received.

(g) Proposed Waterworks By-Law Amendments (FCS11007) (City Wide) (Item 8.1)

The Chair advised that pursuant to, the City of Hamilton’s Public Notice Policy By-law, 07-351, public notice respecting the proposed amendments to the
Waterworks By-Law R84-026 was provided in all local newspapers on February 11, 2011.

(h) **Audit Report 2010-08 - Human Resources - Recruitment and Selection (AUD11011) (City Wide) (Item 8.2)**

(a) That Item 8(c) (of Appendix E to Report 11-004), respecting the Investigation of Word Recognition Software that is compatible with PeopleSoft to assist in the applicant screening process, be tabled for a one year period in order for Human Resource staff to complete their assessment of the current PeopleSoft system, which has a module for an enhanced screening process.

(b) That, prior to any assessment of Word Recognition Software, staff be directed to investigate the costs associated with an assessment of that software, and report to the Audit, Finance & Administration Committee within one year.

Councillor Clark wished to be recorded as OPPOSED to tabling Item 8(c) of Appendix E to Report 11-004, respecting Word Recognition Software.

(i) **PRIVATE AND CONFIDENTIAL (Item 12)**

(i) **Closed Session Minutes – January 19, 2011 (Item 12.1)**

The Closed Session Minutes of the January 19, 2011 meeting of the Audit, Finance & Administration Committee were approved, as presented.

The January 19, 2011 Minutes of the Audit, Finance & Administration Committee, will remain confidential and restricted from public disclosure, in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act."

(j) **AJOURNMENT (Item 13)**

There being no further business, the Audit, Finance & Administration Committee adjourned at 10:16 a.m.

Respectfully submitted,

Councillor Brad Clark, Chair
Audit, Finance and Administration Committee

Stephanie Paparella
Legislative Assistant
March 2, 2011