Audit and Administration Committee
REPORT 07-009
9:30 a.m.
Wednesday, June 20, 2007
Council Chambers
Hamilton City Hall
71 Main Street West, Hamilton

Present: Chair C. Collins
Vice-Chair M. Pearson
Councillors B. Clark, R. Powers

Absent with regrets: Councillor B. Morelli – City Business
Councillor T. Whitehead – Illness
Councillor B. Bratina – Another Commitment

Also Present: G. Peace, City Manager
T. Tollis, Finance & Corporate Services
K. Christenson, City Clerk
G. Boychuck, Finance and Corporate Services
P. Barkwell, Legal Services
M. Gallagher, City Clerk’s

THE AUDIT AND ADMINISTRATION COMMITTEE PRESENTS REPORT 07-009 AND RESPECTFULLY RECOMMENDS:

1. Monthly Status Report of Tenders and Requests for Proposals for April 27, 2007 to May 24, 2007 – (FCS07030(c)) – (City Wide) (Item 5.1)

That Report FCS07030(c) respecting Monthly Status Report of Tenders and Requests for Proposals for April 27, 2007 to May 24, 2007, be received.

2. A-1 Asphalt Maintenance Ltd. Fair Wage Policy Compliancy (FCS07064) (City Wide) (Item 5.2)

That Report FCS07064 respecting A-1 Asphalt Maintenance Ltd. Fair Wage Policy Compliancy, be received.
3. **City of Hamilton $35,000,000 Serial Debentures, Dated June 19, 2007, Maturing June 19, 2022 (FCS07067) (City Wide) (Item 5.3)**

    That Report FCS07067 respecting City of Hamilton $35,000,000 Serial Debentures, Dated June 19, 2007, Maturing June 19, 2022, be received.

4. **ADPD Committee Minutes from their meeting held on March 6, 2007 (Item 5.4)**

    That the Minutes of the March 6, 2007 meeting of the Advisory Committee for Persons with Disabilities, be received.

5. **Presentation by Elaine Marion, respecting Exemption to Existing Policy Prohibiting Rodeos and Wild West Shows in City of Hamilton Facilities (Item 6.1)**

    That the presentation by Ms. Marion respecting Exemption to Existing Policy Prohibiting Rodeos and Wild West Shows in City of Hamilton Facilities, be received.

6. **Correspondence from Sylvia Opl respecting city’s policy prohibiting rodeos and Wild West Shows (Item 6.2)**

    That the correspondence from Sylvia Opl respecting the city’s policy prohibiting rodeos and wild west shows, be received.

7. **Correspondence from Paul Glendenning respecting city’s policy prohibiting rodeos and Wild West Shows (Item 6.3)**

    That the correspondence from Paul Glendenning respecting the city’s policy prohibiting rodeos and wild west shows, be received.

8. **Correspondence from Carin Kelley respecting city’s policy prohibiting rodeos and Wild West Shows (Item 6.4)**

    That the correspondence from Carin Kelley respecting the city’s policy prohibiting rodeos and wild west shows, be received.

9. **Presentation by Pat Ielasi respecting Municipal Councillors running for Provincial Office (Item 4.1)**

    That the presentation by Pat Ielasi respecting municipal councilors running for provincial office, be received.
10. Compliance Audit Committee CL07007 (City Wide) (Item 8.1)

(a) That, in accordance with Section 81(3.1) of the Municipal Elections Act, 1996, as amended, Council re-establish the Compliance Audit Committee for any City of Hamilton Municipal By-elections that may be required during the current term of council and for the 2010 general Municipal Election and delegate its powers and functions under Sections 81(3), (4), (7), (10) and (11) of the Act to the said Committee; and,

(b) That the following citizens be reappointed to the Compliance Audit Committee for the term up to and including the 2010 Municipal Election:

Mr. Gary Ostofi
Ms. Mary Jane Weirshora
Mr. John Klein
Ms. Linda Lister
Mr. Ross Anderson

11. Award of Contract C12-04-07 for Provision of External Printer and Mail Services As and When Required - (FCS07065) - (City Wide) (Item 8.2)

That Request for Tender C12-04-07 issued for Provision of External Printer and Mail Services be awarded, as and when required, to the following Vendors:

(a) Section A: Business Cards, Letterhead and Envelopes - Data Business Solutions Inc.

(b) Section B: General Print and Copy Services - Athens Printing; Stirling Print Solutions; Minuteman Press; Data Business Solutions Inc.; Ricoh Canada Inc.

(c) Section C: Mail Services - Pegasus Direct Mail Worx Inc.

12. Flamborough Twin Pad Arena Financing (FCS07061) (Ward 15) (Item 8.3)

(a) That the 2008 Flamborough Twin Pad Arena Capital Budget be adjusted as per Table 1 of report FCS07061;

(b) That the increase in the Culture and Recreation Division operating Budget resulting from the addition of the Twin Pad Arena be area rated to the former Town of Flamborough.
13. **Municipal Disaster Relief Assistance Program - May 25 Flooding Event (FCS06007(b))(City Wide) (Item 8.4)**

(a) That the Residential Municipal Disaster Relief Assistance Program be enacted to provide residents with a compassionate grant in an amount not to exceed $750.00 for residential basement flooding during a heavy rain event on May 25, 2007;

(b) That payment of such claims be based on compassionate grounds only and not to be construed as an admission of liability on the part of the City of Hamilton;

(c) That the Eligibility Criteria for the Residential Municipal Disaster Relief Assistance Program as previously approved in report FCS06007(a) be applied;

(d) That the costs associated with these claims be funded from the residential Municipal Disaster Relief Program Reserve;

(e) That $170,000.00 be added to the Residential Municipal Disaster Relief Assistance Program Reserve to be funded equally from Waterworks, Sanitary Sewer and Storm Reserves; and

(f) That staff be authorized to retain an independent adjuster for the administration of claims under the Residential Municipal Disaster Relief Assistance Program.

14. **Grants Sub-Committee Report 07-004 (Item 8.5)**

(a) **Fee Waiver Report - The Children's Wish Foundation of Canada (GRA07001(o)) (Ward 11)**

That the fee waiver in the amount of $433.25, for The Children's Wish Foundation of Canada, who utilized the auditorium of the Glanbrook Arena on Saturday, April 14, 2007, to conduct a progressive euchre tournament, be approved.

(b) **Fee Waiver Request for Glanbrook Minor Hockey Association (GRA07001(q)) (Ward 11)**

That the fee waiver, in the amount of $2,067.98, for Glanbrook Minor Hockey Association to use the Glanbrook Arena Auditorium and Mezzanine to conduct their monthly executive meetings, tournament headquarters (January 13, 2007) and various other activities relative to their association, for a period of January to December 2007 for a total of 14 occasions, be approved.
(c) Fee Waiver Request for the Glanbrook Figure Skating Club (GRA07001(r)) (Ward 11)

That the fee waiver, in the amount of $507.38, for Glanbrook Figure Skating Club who utilized the mezzanine at the Glanbrook Arena and Auditorium to conduct their annual carnival on March 30 and 31, 2007, be approved.

(d) Fee Waiver Request for Order of the Eastern Star, Binbrook Chapter #117 (GRA07001(s)) (City Wide)

That the fee waiver, in the amount of $1,014.75, for the Order of the Eastern Star, Binbrook Chapter #117, for the period of January to June and September to December 2007, to utilize the downstairs room at the Binbrook Memorial Hall, the first Wednesday of each month, three hours per occasion, 10 months of the year and Saturday, March 31, 2007 for three hours, be approved.

(e) Fee Waiver Request for Mount Hope Seniors Club (GRA07001(t)) (Ward 11)

That the fee waiver, in the amount of $3,044.25, for the Mount Hope Seniors Club to utilize the downstairs room at the Mount Hope Hall for the period of January to December 2007, every Thursday per month, for a total of 33 days, be approved.

(f) Fee Waiver Request for Binbrook Women's Institute (GRA07001(u)) (Ward 11)

That the fee waiver, in the amount of $1,383.75, for the Binbrook Women's Institute for the period of January to June and September to November, 2007, to utilize the downstairs room at the Binbrook Memorial Hall, one occasion per month, five hours per occasion, nine months of the year, be approved.

(g) Fee Waiver Request for the Binbrook Senior Citizens (GRA07001(v)) (Ward 11)

That the fee waiver, in the amount of $2,952.00, for the Binbrook Senior Citizens, for the period of January to April and September to December, 2007, to utilize the lower room at the Binbrook Memorial Hall, each Monday per month, three hours per occasion, eight months of the year for a total of 32 occasions, be approved.
(h) CANUSA Games Tryouts for Competitions between Hamilton and Flint, Michigan (GRA07001(w)) (City Wide)

That the fee waiver request, in the amount of $3,244.77, for the CANUSA Games use of Mohawk Sports Park, Turner Park, and Huntington Recreation Centre to be utilized for the 2007 CANUSA Games tryouts and weekend competitions against Hamilton and Flint, Michigan, be approved.

(i) Outstanding Business List Item “D” – The Definition, Scope and Criteria of Programs in the Culture Category (Added Item 4.9)

That staff be directed to amend the language in all applicable Community Partnership Program documents, related to the Culture Category, by removing the word “gated”, for the 2008 cycle.

15. Grants Sub-Committee Report 07-005 (Item 8.6)

(a) Fee Waiver Request for Dundas Rotary Club - Annual Lobsterfest Dinner (GRA07001(p)) (Ward 13)

That the fee waiver, in the amount of $963.62 (including G.S.T. $54.55) for Dundas Rotary Club for their Annual Lobsterfest Dinner on Saturday, June 2nd, 2007, using facilities at the J. L. Grightmire Arena, be approved.

(b) Fee Waiver Request - East Mountain Baseball Association (Ward 6) (GRA07001(x))

That the fee waiver, in the amount of $256.75, for the East Mountain Baseball Association to utilize a Meeting Room at Huntington Park Recreation Centre for baseball registration sessions, for the period of February 17 to May 7, 2007, be approved.

(c) Fee Waiver Request – Hamilton Naturalist Club (GRA07001(y) (Ward 2)

That the fee waiver, in the amount of $312.75, for the Hamilton Naturalists Club to utilize the meeting room at Bennetto Recreation Centre once month for a total of nine occasions, for the period of March to November 2007, be approved.
(d) **Fee Waiver Request – City of Hamilton, Public Works Department (GRA07001(z)) (Ward 2)**

That the fee waiver, in the amount of $470.75, for the Public Works Department to utilize the auditorium and gymnasium at Bennetto Recreation Centre, on May 23, 2007, to conduct a Student Career Day be approved.

(e) **Transition of the National Child Benefit Grant Programs to the Community Partnership Program in 2008 (GRA07006) (City Wide)**

(i) That the transition process for the National Child Benefit grant programs, which are currently funded through the City’s 2007 National Child Benefit Municipal Reinvestment Strategy, to the Community Partnership Program as of 2008, (as outlined on Appendix A to Report GRA07006) be approved.

(ii) That the amount of $589,601 be transferred from the Community Services Department Budget to the Grants Budget for the 2008 Budget Year.

16. **Selection Sub-Committee – Citizen Volunteer Committee (Item 9.1)**

(a) That a Selection Sub-committee comprised of three members of the Audit and Administration Committee and appropriate staff liaisons for each Volunteer Committee, be established to review and consider the applications received for the following Citizen Volunteer Committees:

(i) Committee Against Racism

(ii) Status of Women

(iii) Advisory Committee for Persons with Disabilities

(iv) Advisory Committee for Immigrants and Refugees Committee

(b) That the Selection Sub-committee be comprised of Councillor R. Powers and two additional members of the Audit and Administration Committee.
17. **Laneway Crossing – 21 Ridgewood Boulevard, Dundas (Item 9.2)**

(a) That the laneway, measuring approximately 100' in length, crossing municipal lands identified as 21 Ridgewood Boulevard, Dundas, Ontario (Property Number: 252610029030032) and providing the only access to the rear of residences identified as 564, 584 and 648 Governor’s Road, Dundas, Ontario, be declared a municipal roadway;

(b) That a Bylaw be passed and enacted to formalize this designation.

**FOR THE INFORMATION OF COUNCIL:**

(a) **CHANGES TO THE AGENDA**

The agenda was adopted as amended with the following additions:

Added letters of correspondence from Sylvia Opl, Paul Glendenning and Carin Kelley respecting rodeos in Hamilton. The correspondence was received by committee and introduced as Items 6.2 to 6.4 respectively

(b) **DECLARATIONS OF INTEREST**

None

(c) **APPROVAL OF MINUTES**

3.1 Minutes of the May 23, 2007 Audit and Administration Committee meeting

The minutes were received and adopted as presented.

(d) **PRESENTATIONS**

(I) *Presentation by Elaine Marion, Re: Exemption to Existing Policy Prohibiting Rodeos and Wild West Shows in City of Hamilton Facilities*

The presentation by Ms. Marion respecting Exemption to Existing Policy Prohibiting Rodeos and Wild West Shows in City of Hamilton Facilities was received.

Ms. Marion highlighted the following issues with respect to the existing policy:

- Need to strengthen the policy and include circuses, exotic animals acts, performances, and petting zoos
addressed injuries and deaths that could happen at an event
- information from concerned organizations

(ii) **Pat Ielasi respecting running for Provincial Office (Item 8.5)**

The delegation by Pat Ielasi was entertained at today’s meeting.

Mr. Ielasi addressed the issue of members of council who choose to run for Provincial or Federal Office while in municipal office.

The following issues were highlighted:

a) Any Councillor expressing a desire to seek higher office while still holding a municipal seat and where the term of office has not expired be required to immediately resign there position.

b) The cost of a bi-election shall be paid for by either
   i) The Councillor who resigns
   ii) The Party that the Councillor is running for

c) The Councillor is not eligible to run in the Bi-election to replace them in the event they lose there bid for higher Office

Committee suggested that Mr. Ielasi bring forward his concerns to Members of Provincial Parliament.

The presentation was received.

(e) **GENERAL INFORMATION/OTHER BUSINESS**

(i) Outstanding Business Item A
Access to Information – Application of Solicitor-client Privilege to Lawyers Bills of Account

New Due Date: August 8, 2007 Committee of the Whole

(ii) Outstanding Business Item E
Hamilton Fire- Fighters Drum Corps Loan

New Due Date: July 11, 2007
Committee of the Whole

The meeting adjourned at 10:15 a.m.
Respectfully submitted,

Councilor C. Collins
Chair

June 20, 2007
M. Gallagher, Co-ordinator
Council, Committee of the Whole