Public Works, Infrastructure and Environment Committee

REPORT 04-018
9:30 a.m.
Monday, October 18, 2004
Council Chambers
2nd Floor, Hamilton City Hall
71 Main Street West, Hamilton

Present: Councillors C. Collins, Chair, and D. Mitchell, Vice-Chair
D. Braden, P. Bruckler, M. Ferguson, T. Jackson,
M. McCarthy, and S. Merulla

Also Present: Councillors B. Bratina, M. Pearson, T. Whitehead
S. Stewart, Acting General Manager, D. Hull, B. Shynal,
B. Goodger, J. Mater, C. Murray, M. L. Tanner, G. Davies,
C. Alkerton, and W. Oakes, Public Works Department
J. Rinaldo, General Manager J. Spiler, and S. Bauld
Corporate Administration Department
I. Bediou - Clerk’s Department

THE PUBLIC WORKS, INFRASTRUCTURE AND ENVIRONMENT COMMITTEE PRESENTS REPORT 04-018 AND RESPECTFULLY RECOMMENDS:

1. Delegation request from Emidio and Rita Masi, dated September 23, 2004, respecting a request to extend a water service connection from an existing watermain. (Item 7.1)

That staff work with Mr. and Mrs. Masi to upgrade their well using the new technology available.
2. Mitigation Options for 2004 Projected Current Budget Deficit, Public Works Department (PW04115) (Item 8.1)

(a) That Report PW04115 be deferred to the next Strategic Planning and Budgets Committee to be considered with the Corporate Variance Report.

(b) That in the interim, staff provide a list of works included in the portion of the Road’s Summer Maintenance Program which will be postponed as per the report recommendation.

(c) That the status of the Federal Government’s New Cities Deal proposal on Infrastructure funding be provided.

3. City Hall Accommodations Project - C3-03-03 Evaluation Status Report (PW03010b/FCS03064b) - (City Wide Implications) (Item 9.2)

(a) That the Consolidated Facility Project C3-03-03, City Hall Accommodations, be terminated and the proponents be thanked for their efforts and participation to date;

(b) That the existing City Hall building be retained and staff be directed to prepare a plan to carry out a comprehensive renovation of City Hall;

(c) That based on a traditional design and construction method and the renovation plan as per recommendation b), staff prepare a detailed project budget and construction implementation plan for inclusion and final approval in the 2005 Capital Budget, and future impacted capital budgets;

(d) That staff be authorized to carry out regular inspections of the existing City Hall building and immediately respond as required to maintain a safe building until the renovation work is complete, subject to Council approval;

(e) That the Real Estate Section of Planning & Development Department be authorized to negotiate longer term leases or purchases in the downtown core with a goal to promote synergies between departments subject to the lease or purchase being economically viable and the location suiting the needs of the department; and

(f) That the City Hall Political Steering Committee continue to oversee the processes outlined in Recommendations (b) through (e) of Report PW03010b/FCS03064b.
4. Award of Request for Proposals No. C11-105-03 - Design, Construction and Operation of Materials Recycling Facility and Central Composting Facility: CCF Contract Negotiations (PW04076(a)/FCS04097(a)) (Item 13.1)

(a) That the City of Hamilton approve the documents contained in Schedule “A” to Report PW04076C/LS04018 and that the General Managers of Public Works and Finance and Corporate Services be authorized and directed to negotiate and finalize contracts with the Preferred Proponent, Maple Reinders Constructors Ltd., for the design, construction and operation of a Centralized Composting Facility (CCF).

(b) That pending the finalization of the contracts referred to in recommendation (a), the General Manager of Public Works be authorized and directed to permit Maple Reinders Constructors Ltd. to immediately commence the design work on the CCF, at an estimated cost of $1.2 million, subject to termination by the General Manager of Public Works at any time.

(c) That the Mayor and City Clerk be authorized and directed to execute the contract(s) successfully finalized with Maple Reinders Constructors Ltd. pursuant to recommendation (a) above, all documentation required to implement recommendation (b) above, and any necessary ancillary documents, all in a form satisfactory to the City Solicitor.

(d) That if the Province of Ontario agrees to the City’s request to transfer the Millennium Funding for the Materials Recycling Facility project to the CCF project, that By-law No. 04-226, being a by-law to authorize the entering into and execution of agreements with Her Majesty the Queen in right of Ontario, as represented by The Minister of Municipal Affairs and Housing, for Ontario Millennium Partnerships Initiative, be amended to reflect the change in projects.

(e) That the documents contained in Schedule “A” to Report PW04076C/LS04018 may be publicly released upon the approval of the recommendations contained in said Report by City Council.

5 Award of Request for Proposals Contract No. C11-105-03 – Design, Construction and Operation of Materials Recycling Facility and Central Composting Facility: MRF Alternatives (PW04076b/FCS04097b) - (City Wide) (Item 9.3)

(a) That the City exercise its right not to award Request for Proposal for Contract No. C11-105-03, Project A for the Design, Construction and Operation of a Materials Recycling Facility, in

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accordance with Section 1, Sub-Section 5.4 of the Request for Proposals document.

(b) That the City of Hamilton continue to process recyclables in two streams, for the period of 2006-2010.

(c) That the General Manager of Public Works be authorized and directed to finalize cost estimates for the retrofit of the existing Materials Recycling Facility at 1579 Burlington Street East, at a cost not to exceed $8.1 million (2005 dollars) during the period of 2005-2010.

(d) That the capital costs and financing plan for retrofitting the Materials Recycling Facility be established through the 2005 capital budget process.

(e) That the General Manager of Public Works be authorized and directed to enter into negotiations with Canada Fibers Limited for an additional two (2) years beyond the current contract terms which provide for up to three (3), one (1) year extensions (total of up to five (5) years beyond 2005 to 2010) for the operation of the City’s Materials Recycling Facility and report back to Council.

6. Waste Collection Services Strategy (PW04114) (City Wide) (Item 9.4)

That Report PW04114 entitled Waste Collection Services Strategy be received.

7. Accessible Transportation Services, Status of Complaints under Ontario Human Rights Code (PW03140(a)) (Distributed under separate cover) (Item 13.2)

(a) That the complaints filed with the Ontario Human Rights Commission relating to the provision of Accessible Transportation Services by the City of Hamilton be resolved on the terms set forth in Report PW03140(a)/LS03027(a);

(b) That the Mayor and the City Clerk be authorized and directed to execute all documents which are necessary to resolve the said complaints, in a form satisfactory to the City Solicitor and Corporate Counsel;

(c) That the program costs in the amount of $127,500, resulting from the elimination of the registration fee for users of DARTS services, be incurred as a budget over-run in the current year Public Works budget;
(d) That the future financial implications of the program enhancements resulting from the implementation of the proposed resolution of the said complaints be addressed in the 2005 Public Works budget through submission of program enhancements representing a net operating budget levy impact of $569,500 and associated capital costs of $664,000;

(e) That the Mayor be authorized and directed to correspond with the Minister of Transportation concerning the significant financial consequences which the City of Hamilton has undertaken to accept in order to improve the service levels for accessible transportation services in the City of Hamilton, and to request increased funding from the Province of Ontario to assist municipalities in providing these essential services to their communities.

8. Ontario Municipal Act Minimum Maintenance Standards Affecting Operations and Maintenance Programs (PW04016(a) (Distributed under separate cover). (Item 13.3)

(a) That the Roads and Traffic program service levels affected by the Ontario Municipal Act as recommended in Report PW04016a representing limited compliance with the Act’s prescribed minimum maintenance standards be endorsed.

(b) That the Minister of Municipal Affairs and Housing be advised that the City of Hamilton does not agree with the Minimum Maintenance Standards for Municipal Highways (Ontario Regulation 239/02) made under the Municipal Act and that the City of Hamilton requests that the Regulation either be repealed or that the Province of Ontario provide additional funding to the City in an amount equal to the City’s costs of meeting the standards in the Regulation.

(c) That a “Program enhancement” request for funding in the amount of $66,000 to provide a second annual traffic signal conflict monitor check be forwarded to the 2005 budget process for consideration.

(d) That the Association of Municipalities of Ontario be advised of the recommendations of the City of Hamilton in this matter.

FOR THE INFORMATION OF COUNCIL:

(a) DECLARATIONS OF INTEREST

None were declared.
(b) Changes to the agenda:
The Clerk advised of the following change to the agenda:

The confidential report Item 13.1 needs to be considered before considering the recommendations in Items 9.3 to 9.6 therefore the Committee will hear the staff presentations but not consider the recommendations until after going in camera to consider the confidential reports

c) Minutes
The Minutes of the October 4, 2004 meeting were approved as presented.

d) Public Hearings/Delegations:
(i) Emidio and Rita Masi, dated September 23, 2004, respecting a request to extend a water service connection from an existing watermain. (Item 7.1)

Councillor Mitchell introduced Mr. and Mrs. Masi who were present at the meeting and he explained their frustrating situation as their well is no longer providing an adequate water supply.

Mary Lou Tanner informed the Committee that the cost of extending the water service connection to Mr. and Mrs. Masi’s property would be prohibitive. She indicated that staff have been in contact with the Masi’s and have suggested options that are available to upgrade their well using new technology.


Mr. Waddell addressed the Committee and explained the two stream system of collecting recyclable versus the one stream system. He indicated that his company uses the one stream system which he feels is more cost effective because all the sorting is done at the plant by machine.

Mr. Waddell advised the Committee that if the City encounters any problems during its negotiations with the proponents who were awarded the RFP contract, or if the City experiences any
interruptions in service that Halton Recycling would be willing to enter into negotiations with the City.

The Chairman thanked Mr. Waddell for his presentation.

(e) Mitigation Options for 2004 Projected Current Budget Deficit, Public Works Department (PW04115) (Item 8.1)

The Committee expressed concerns with the recommendation to delay repairs to the City’s infrastructure (roads) and the report was referred to the Strategic Planning and Budgets Committee.

(f) Presentations:

(i) Disability Management/Return to Work Program Review – Catherine Graham and Mark Amorosi. (Item 9.1)

Catharine Graham provided a brief introduction and copies of the presentation were distributed.

Mark Amorosi made the power point presentation. He provided background and indicated that a consultant was hired to review the City’s Disability Management/Return to Work Program and provided an outline on the consultant’s recommendations and the progress made to date to reform the program. He indicated that a Human Resources report providing more details will be forthcoming.

On a motion moved by Councilor Merulla and seconded by Councillor Bruckler, the Committee received the staff presentation.

(ii) City Hall Accommodations Project - C3-03-03 Evaluation Status Report (PW03010b/FCS03064b) - (City Wide Implications)(Item 9.2)

Scott Stewart made a power point presentation and provided a copy to be distributed.

He indicated that Michael Watson, Tim McCabe, Chuck Alkerton, Joe Spiler, Stephen Bauld, and Joe Rinaldo were available to answer questions, as well as Peter Barkwell from legal and he added that Councillors Ferguson, Mitchell and Bruckler had provided input through the steering committee.

The Committee discussed the issues at length.
On a motion moved by Councillor Bruckler and seconded by Councillor Jackson, subsection (f) of the staff recommendation was amended by deleting the letter (d) after the word *through* and inserting the letter (e). The Committee approved the recommendation as amended.

(iii) **Beth Goodger made power point presentations with respect to the following reports:**

(i) Award of Request for Proposals Contract No. C11-105-03 – Design, Construction and Operation of Materials Recycling Facility and Central Composting Facility: MRF Alternatives (PW04076b/FCS04097b) - (City Wide) (Item 9.3)

(ii) Waste Collection Services Strategy (PW04114) (City Wide) (Item 9.4)

(iii) Waste Collection Services Strategy (PW04114)(a) (City Wide) (item 9.5)

(iv) Activity Based Costing/Waste Collection Services (PW04113) (City Wide) (item 9.6)

The Committee withheld considering the recommendations until after considering the In-Camera reports (particularly Report PW04076(a)/FCS04097(a) - Item 13.1.)

(g) **Private and Confidential**

*(Jackson/Ferguson)*

That the Committee go In Camera to consider Items 13.1, 13.2 and 13.3 which are subject to solicitor client privilege.

CARRIED

*(Ferguson/Bruckler)*

That the Committee reconvene in Open Session.

CARRIED

After reconvening in open session, Council approved the staff recommendations of Confidential Reports Item 13.1, 13.2 and 13.3. (See pages 3, 4 & 5)
The Committee approved the staff recommendation in Item 9.3 and received report PW04114 (Item 9.4). (See pages 3 and 4)

(h) Waste Collection Services Strategy (PW04114)(a) (City Wide) (Item 9.5)
It was moved by Councillor Bruckler and seconded by Councillor Ferguson that the above item be referred to the next Public Works Infrastructure and Environment Committee meeting scheduled in two weeks on November 1, 2004.

(i) Activity Based Costing/Waste Collection Services (PW04113) (City Wide) (item 9.6)

(i) It was moved by Councillor Jackson and seconded by Councillor Merulla that the above item be referred to the next Public Works Infrastructure and Environment Committee meeting scheduled in two weeks (November 1, 2004).

(ii) It was moved by Councillor Merulla and seconded by Councillor Jackson that staff review the cost of splitting the recycling component of the collections services on a 50/50 basis between private and public service providers (regardless of the additional costs which would be incurred due to the impact on the City’s fleet) and report back to Committee with their findings.

(j) Motions
None.

(k) General Information/Other Business

Councillor Merulla requested that Clerk’s staff prepare reconsideration motions to be presented to the next Council meeting (scheduled for October 27) with respect to a previously approved report respecting access to information and disclosure of legal fees and also a previously approved report with respect to Hamilton Hydro fees (all of which had initiated from other Sub-Committees).
The meeting of the Public Works Infrastructure and Environment Committee adjourned at 3:01 p.m.

Respectfully submitted,

Councillor Chad Collins, Chair
Public Works, Infrastructure and Environment Committee

Ida Bedioui, Legislative Assistant
Public Works, Infrastructure and Environment Committee
October 18, 2004