GENERAL ISSUES COMMITTEE
REPORT 13-023
(as amended and approved by Council on November 13, 2013)
9:30 a.m.
Wednesday, November 6, 2013
Council Chambers
Hamilton City Hall
71 Main Street West

Present:
Deputy Mayor T. Jackson (Chair)
Mayor R. Bratina
Councillors B. Clark, C. Collins, S. Duvall, J. Farr,
B. Johnson, B. McHattie, S. Merulla, J. Partridge,
M. Pearson, R. Powers, T. Whitehead

Absent with Regrets:
Councillors B. Morelli, R. Pasuta – Illness
Councillor L. Ferguson – Vacation

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 13-023 AND
RESPECTFULLY RECOMMENDS:

1. 2015 ISU World Synchronized Skating Championships (Item 6.1)

That staff be directed to continue discussions with Skate Canada to facilitate a partnership toward hosting the 2015 World Synchronized Championships.

2. Social Planning and Research Council Presentation respecting Complete Streets (Item 6.7)

(a) That the Complete Streets Policy for Hamilton prepared by the Social Planning and Research Council, attached hereto as Appendix “A”, be referred to staff for review;

(b) That staff continue to work with the McMaster Institute of Transportation Logistics.

3. Letter of Support from the Durand Neighbourhood Association (Item 7.1a)

That the correspondence from Frances Murray, Secretary, on behalf of the Durand Neighbourhood Association, attached hereto as Appendix “B”, expressing support for the Pedestrian Mobility Plan, be received.
4. Pedestrian Mobility Plan (PW13078) (City Wide) (Outstanding Business List Item) (Item 7.1)

(a) That the City of Hamilton Pedestrian Mobility Plan (PMP), attached as Appendix A to Report PW13078, be approved;

(b) That the General Manager of Public Works be authorized and directed to file the Pedestrian Mobility Plan with the City Clerk for a minimum thirty (30) day public review period;

(c) That the General Manager of Planning and Economic Development be authorized to incorporate the Pedestrian Mobility Plan’s principles and guidelines into the City’s Comprehensive Development Standard regarding the planning and implementation of pedestrian facilities in future developments and subdivisions;

(d) That staff be directed to incorporate the Pedestrian Mobility Plan into the 2014 Development Charges By-Law Study Update;

(e) That the Pedestrian Mobility Plan and the pedestrian “toolbox” be implemented using a process termed “Routine Accommodation”, whereby when streets are reconstructed for infrastructure repair, replacement, upgrades and/or civic streetscape improvements, pedestrian improvements will be incorporated as part of the overall project, understanding that the implementation of a PMP for the City will potentially add approximately 2% to 7% to the costs of each road rehabilitation or expansion project;

5. Pedestrian Signal Program (TOE01010(a)) (City Wide) (Outstanding Business List Item) (Item 8.1)

(a) That the City of Hamilton Intersection Pedestrian and Mid-block Traffic Signals Policy (Report TOE01010) be replaced with the Pedestrian Signal Program Policy attached hereto as Appendix “C”;

(b) That the General Manager of Public Works be authorized and directed to file Pedestrian Signal Program Report TOE01010(a) with the City Clerk for a minimum thirty (30) day public review period;

(c) That Council authorize the General Manager of Public Works to approach the Ministry of Transportation (MTO) to participate in a pilot study for “Courtesy Crossings” applications in Hamilton;
(d) That participation in a minimum two (2) year “Courtesy Crossing” pilot be implemented with funds from the Hamilton Strategic Road Safety Program (HSRSP) not to exceed $200,000;

(e) That staff report back annually to General Issues Committee (GIC) on the proposed strategy and progress of the “Courtesy Crossings” Pilot for the City of Hamilton.

Item 6 was amended by the addition of sub-section (c):

6. Traffic Calming/Management Policy Update (PW07150(a)) (City Wide) (Item 8.2)

(a) That the Traffic Calming/Management Policy dated November 2013, attached hereto as Appendix “D”, replace the City’s 2007 Traffic Calming/Management Policy;

(b) That the General Manager of Public Works be authorized and directed to file Traffic Calming/Management Policy Update Report PW07150(a) with the City Clerk for a minimum thirty (30) day public review period;

(c) That staff report back to the General Issues Committee on the experience in implementing the Traffic Calming/Management Policy in January, 2015.

7. Amendment to the Highway Traffic Act (New Business) (No Copy)

Whereas the vast majority of Canadian Provinces recognize pedestrians as having the right-of-way;

And Whereas the purpose of right-of-way legislation for pedestrians would assist in creating a complete streets environment.

Therefore Be It Resolved:

That the City of Hamilton request that the Province of Ontario amend the Highway Traffic Act in an attempt to assist the facilitation of the complete streets initiative.

8. Debt Management Policy and Lease Financing Policy (FCS13074) (City Wide) (Item 8.3)

(a) That the Debt Management Policy, attached hereto as Appendix “E”, be approved;
(b) That the City of Hamilton Lease Financing Policy (which was approved by Council on February 25, 2004) be deleted and replaced with the Lease Financing Policy, attached hereto as Appendix “F”.

(c) That the Lease Financing Policy be forwarded to the Hamilton Police Services Board and the Hamilton Public Library Board for information.

9. 2017 Sesquicentennial Steering Committee Terms of Reference (PED13171) (City Wide) (Item 8.4)

(a) That the Terms of Reference for the 2017 Sesquicentennial Steering Committee, attached hereto as Appendix “G”, be approved;

(b) That funding to an upset limit of $25,000 to support the Sesquicentennial Steering Committee in its work to develop a Sesquicentennial Strategy be referred to the 2014 Capital Budget process.

10. Report 13-002 of the Task Force on Cleanliness and Security in the Downtown Core (Item 8.5)

(i) Task Force Strategic Planning Exercise

That Economic Development & Planning staff be directed to report to the next Task Force Committee meeting with options for facilitating a Strategic Planning Exercise with the Task Force on Cleanliness and Security in the Downtown

(ii) Weed Control Measures in Sidewalk Cracks in the Core Downtown Area

That staff be directed to report to the Task Force on Cleanliness and Security in the Downtown Core respecting weeds in sidewalk cracks in the Core Downtown area and to include details respecting treatment options and responsibilities.

11. 2014 Council/Committee Meeting Schedule (Item 9.1)

That the 2014 Council/Committee Calendar attached hereto as Appendix “H”, be approved.
12. **Development of a New Long-Term Federal Plan to Fix Canada’s Housing Crunch (Item 10.2)**

Whereas a stable and secure housing system that creates and maintains jobs and allows for a range of living options is essential to attracting new workers, meeting the needs of young families and supporting seniors and our most vulnerable citizens;

And Whereas the high cost of housing is the most urgent financial issue facing Canadians, with one in four people paying more than they can afford for housing, and mortgage debt held by Canadians now standing at just over $1.1 trillion;

And Whereas housing costs and, as the Bank of Canada notes, household debt, are undermining Canadians’ personal financial security, while putting our national economy at risk;

And Whereas those who cannot afford to purchase a home rely on the short supply of rental units, which is driving up rental costs and making it hard to house workers in regions experiencing strong economic activity;

And Whereas an inadequate supply of subsidized housing for those in need is pushing some of the most vulnerable Canadians on to the street, while $1.7 billion annually in federal investments in social housing have begun to expire;

And Whereas the stakes are especially high for Ontario’s municipal governments as housing responsibilities have already been downloaded (unlike other provinces and territories) and this is not sustainable on the property tax base;

And Whereas the Federation of Canadian Municipalities (FCM) has launched a housing campaign, "Fixing Canada’s Housing Crunch," calling on the Federal government to increase housing options for Canadians and to work with all orders of government to develop a long-term plan for Canada’s housing future;

And Whereas FCM has asked its member municipalities to pass a Council resolution supporting the campaign;

And Whereas our community has continuing housing needs, such as the current wait list for social housing of 5,709 households as of September 2013 and the associated costs, that can only be met through the kind of long-term planning and investment made possible by federal leadership.
Therefore Be It Resolved:

(a) That Council endorse the Federation of Municipalities’ (FCM) housing campaign and urge the Minister of Employment and Social Development to develop a long-term plan for housing that puts core investments on solid ground, increases predictability, protects Canadians from the planned expiry of $1.7 billion in social housing agreements and ensures a healthy stock of affordable rental housing for Canadians;

(b) That a copy of this resolution be sent to Ontario’s Minister of Municipal Affairs and Housing, the Federation of Canadian Municipalities, the Association of Municipalities of Ontario and the local M.P.s and M.P.P.s.

13. City Facility Rental Fees for 2014 Winterfest Event Organizers (New Business) (No Copy)

WHEREAS Winterfest is a community-driven event that is facilitated by the City of Hamilton;

And Whereas community Winterfest event organizers are mostly volunteers with access to minimal budgets;

And Whereas the City wants to encourage broad community participation in Winterfest;

And Whereas City staff is developing a policy that in future years will assist community event organizers to access City facilities affordably.

Therefore Be It Resolved:

That all City facility rental fees for community Winterfest event organizers be waived for 2014.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes:
ADDED DELEGATION REQUEST

For Future Meeting

4.6 Request from Simon Kiss, Wilfred Laurier University, to appear before the Committee “to address the pending motion by Councillor Clark to hold a referendum on municipal fluoridation”

4.7 Request from Ken Seville, on behalf of “Citizen Engagement Initiative Convening Table” to appear before the Committee on November 20, 2013 to provide an update on the work being done

4.8 Request from Mark Runciman, Royal Botanical Gardens, to present plans of the Rock Garden Rejuvenation Project

For Today’s Meeting

4.9 Request from Justin Jones, on behalf of “Yes We Cannon”, to speak in support of the Pedestrian Mobility Plan and a Complete Streets Policy for Hamilton

4.10 Request from Ken Bellevance to speak to disability issues

4.11 Request from Sara Mayo, on behalf of the Social Planning and Research Council of Hamilton, to speak about the Pedestrian Master Plan and present a draft Complete Streets Policy for Hamilton

NOTICE OF MOTION

10.2 Development of a New Long-Term Federal Plan to Fix Canada’s Housing Crunch

The agenda for the October 16, 2013 meeting of the General Issues Committee was approved as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) APPROVAL OF PREVIOUS MINUTES (Item 3.1)

The Minutes of the General Issues Committee Meetings held on October 16 and 18, 2013 were approved as presented.
(d) DELEGATION REQUESTS

(i) The following delegation requests were approved:

(aa) Tim Potocic of Sonic Unyon to appear before the Committee on December 4, 2013 respecting the Arts Funding Task Force Report (Item 4.1)

(bb) Louise Dompierre, President and CEO, Art Gallery of Hamilton, to provide an update on the Art Gallery of Hamilton Building Project (Item 4.2)

(dd) Steve Featherstone, Reptile Camp, respecting an amendment to the “Responsible Animal Ownership By-law” (Item 4.4)

(ee) Paul Goulet, Little Ray’s Reptile Zoo and Nature Centre – Hamilton, respecting an amendment to the “Responsible Animal Ownership By-law” (Item 4.5)

The Motion to approve delegation requests (dd) and (ee) CARRIED on the following recorded vote:

Yea: Johnson, Powers, Jackson, Duvall, Collins, Merulla, Farr
Total Yea: 7
Nays: Bratina, Clark, Pearson, Partridge, McHattie
Total Nays: 5
Absent: Morelli, Whitehead, Pasuta, Ferguson
Total Absent: 4

(ff) Simon Kiss, Wilfred Laurier University, “to address the pending motion by Councillor Clark to hold a referendum on municipal fluoridation” (Item 4.7)

(gg) Ken Seville to provide an update respecting the “Citizen Engagement Initiative”

(hh) Mark Runciman, Royal Botanical Gardens, to present plans of the Rock Garden Rejuvenation Project

(ii) John Hawker and Robin McKee, on behalf of the Sir John A. Macdonald Society (Hamilton), were approved to appear before the Committee to provide an update respecting work in progress for the City’s 48th Celebration of Sir John A. Macdonald’s Birthday and the rules of order were waived to allow the delegation to speak at today’s meeting (Item 4.3).
(iii) Justin Jones, on behalf of “Yes We Cannon”, was approved to appear before the Committee to speak in support of the Pedestrian Mobility Plan and a Complete Streets Policy for Hamilton, and the rules of order were waived to allow Mr. Jones to speak at today’s meeting.

(iv) Ken Bellavance was approved to appear before the Committee to speak to disability issues, and the rules of order were waived to allow Mr. Bellavance to speak at today’s meeting.

(v) Sara Mayo, on behalf of the Social Planning and Research Council of Hamilton, was approved to appear before the Committee to speak about the Pedestrian Master Plan and present a draft Complete Streets Policy for Hamilton, and the rules of order were waived to allow Mr. Jones to speak at today’s meeting.

(e) CONSENT ITEMS

(i) Minutes of Various Sub-Committees

The following Minutes were received for information:

(aa) Advisory Committee for Persons with Disabilities – September 10, 2013

(bb) Business Improvement Area Advisory Committee – September 10, 2013

(f) PUBLIC HEARINGS/DELEGATIONS

(i) Jackie Stell-Buckingham, Director of Events, Skate Canada, and Project Director for the 2015 ISU World Synchronized Skating Championships, and Debbi Wilkes, Director of Business Development, Skate Canada, to provide an overview of plans for the 2015 ISU Championships to be hosted at Copps Coliseum, Hamilton (Item 6.1)

Jackie Stell-Buckingham, Director of Events, Skate Canada, and Project Director for the 2015 ISU World Synchronized Skating Championships, and Debbi Wilkes, Director of Business Development, Skate Canada, thanked the Committee for the opportunity to provide an overview of plans for the 2015 ISU Championships to be hosted at Copps Coliseum.

With the assistance of a PowerPoint presentation, the delegation spoke to the following:

- What are the ISU World Synchronized Skating Championships
- What to expect
• Benefits to Hamilton as host – economic impact, worldwide media exposure during the event, goal

The Committee was also shown a promotional video and an invitation was extended to the Mayor and members of Council to attend the event in 2015.

A copy of the PowerPoint presentation is available for viewing on the City of Hamilton website.

The presentation respecting the 2015 ISU World Synchronized Skating Championship was received.

(ii) Tim Potocic, Supercrawl Productions, to present results and findings of 2013 Supercrawl Event (Item 6.2)

Tim Potocic and Mark Milne, Board Member, Supercrawl Productions, appeared before the Committee in response to a resolution of Council to report back to the Committee following the 2013 Supercrawl event.

With the assistance of a PowerPoint presentation, Mr. Potocic spoke to the following issues:

• Attendee Survey Results
  • Survey Notes
  • Gender and Age
  • Attendee Origin
  • Transportation to Supercrawl
  • Promotion and Event Awareness
  • Satisfaction
  • Attractions and Spending
  • Additional Comments from Respondents
  • Comparisons to 2012 Survey
• Economic Impact of Supercrawl 2013 in Hamilton in 2013
• Engagement Overview

The presentation from Tim Potocic of Supercrawl Productions respecting the 2013 Supercrawl event was received.

Staff was directed to investigate the feasibility of expanding future Supercrawl events to include Gage Park and report back to the General Issues Committee.
(iii) John Hawker and Robin McKee, on behalf of the Sir John A. Macdonald Society (Hamilton), be permitted to appear before the Committee to provide an update respecting work in progress for the City’s 48th Celebration of Sir John A. Macdonald’s Birthday (Item 4.3/6.4)

Robin McKee and John Hawker appeared before the Committee to request the City’s support for the grant proposal in the amount of $2,000 that is being put forward for the 2015 Bicentennial Party for Sir John A. Macdonald.

The Committee was distributed with a prototype Newsletter of The Sir John A. Macdonald Society of Hamilton, October 2013, a copy of which can be viewed on the City of Hamilton website.

The Committee was also distributed with a program for the 2013 Remembrance Day Ceremony that is scheduled at the Hamilton Municipal Cemetery on York Blvd.

The presentation from Robin McKee and John Hawker providing an update respecting work in progress for the City’s 48th Celebration of Sir John A. Macdonald’s Birthday was received.

The proposal respecting the 2015 Bicentennial Birthday of Sir John A. Macdonald was referred to staff of Tourism and Culture for appropriate action.

(iv) Dave Stephens, on behalf of Jamesville Hub, respecting “the complete streets initiative for a safe and healthier environment” (Item 6.3)

Dave Stephens appeared before the Committee on behalf of the Jamesville Hub to speak to the issue of the complete streets initiative.

With the assistance of a PowerPoint presentation, Mr. Stephens showed photographs of how having complete streets would help to renew the vibrancy of the downtown core. The Committee was distributed with a “Complete Streets Fact Sheet”

A copy of the PowerPoint presentation and the Fact Sheet can be viewed on the City of Hamilton website.

The presentation from Dave Stephens on behalf of Jamesville Hub respecting the complete streets initiative was received.
(v) Justin Jones, on behalf of “Yes We Cannon”, to speak in support of the Pedestrian Mobility Plan and a Complete Streets Policy for Hamilton (Item 4.9/6.5)

Justin Jones appeared before the Committee to commend the staff report and to speak in support of the Pedestrian Mobility Plan.

The presentation from Justin Jones, on behalf of “Yes We Cannon”, respecting the Pedestrian Mobility Plan, was received.

(vi) Ken Bellavance, to speak to Disability Issues (Item 4.10/6.6)

Ken Bellavance appeared before the Committee to speak to disability issues. As a disabled person, Mr. Bellavance spoke to the challenges that he and others face on a day-to-day basis. Mr. Bellavance stated that he has spoken to various people in the City, but it seems like he can’t get anyone to listen. Hopefully with his presentation today, the Committee will have a better understanding.

Mr. Bellavance’ comments included, but were not limited to, the following:

- One in seven people in Canada has a disability in one way or another
- Of all who are disabled, focus seems to be on those in wheelchairs or scooters
- Individuals who have an electronic device can get around much easier than he can
- Mr. Bellavance is considered totally disabled and has multiple other medical issues besides limited mobility
- Walking up and down a ramp is very difficult
- Made some suggestions of ways that mobility could be made easier, such as providing more benches so people could take a rest while going from Point A to Point B, install a pole at crosswalks to make it easier for people to step down off the curb.

Chair Jackson suggested that Mr. Bellavance may wish to attend meetings of the Seniors Advisory Committee and/or the Advisory Committee for Persons with Disabilities as both of these groups deal with the issues that Mr. Bellavance is speaking of.

The presentation from Ken Bellavance with respect to disabilities issues was received.
(vii) Sara Mayo, on behalf of the Social Planning and Research Council of Hamilton, to speak about the Pedestrian Mobility Plan and present a draft Complete Streets Policy for Hamilton (Item 4.11/6.7)

Sara Mayo, on behalf of the Social Planning and Research Council of Hamilton, appeared before the Committee to provide a preview of new data that supports the need for a mobility plan, and reasons why the City still needs a Complete Streets policy.

Ms. Mayo requested that the draft Complete Streets Policy prepared by the Social Planning and Research Council of Hamilton be referred to staff for review.

The Committee was distributed with the presentation material, which is available for viewing on the City of Hamilton website.

The presentation from Sara Mayo on behalf of the Social Planning and Research Council of Hamilton, respecting the Pedestrian Mobility Plan, was received.

See Item 2 for the disposition of this item.

(g) PRESENTATIONS

(i) Pedestrian Mobility Plan (PW13078) (City Wide) (Outstanding Business List Item) (Item 7.1)

Don Hull provided opening remarks and introduced Glenn O’Connor, Principal of G. O’Connor Consultants Inc., and Steve Molloy, Project Manager, Transportation Master Plan Implementation, who will be providing presentations respecting the Pedestrian Mobility Plan.

With the assistance of a PowerPoint presentation, Mr. O’Connor spoke to the following:

- Acknowledged Consulting Team members, including G. O’Connor Consultants Inc., Project Co-Lead (Burlington); CIMA+, Project Co-Lead (Burlington); McKibbon Wakefield Inc. (Burlington); Toole Dsign Group (Seattle); and DMD & Associates (Vancouver)
- Learning outcomes
- Hamilton’s commitment to improved mobility
- Step Forward – Purpose
- Significant public input/consultation process
- Community walk survey results and comment density
- Top six (6) things public told us…
- Location of pedestrian-involved collisions
- Development patterns – context areas
• Context area map – existing conditions
• Paradigm shift – A New Pedestrian Approach
• Routine accommodation – decision making
• Application of evidence-based design
• Policy and evidence-based practice, policy and design
• Evaluation of toolbox solutions
• Potential toolbox solutions
• Summary/Conclusion

With the assistance of a PowerPoint presentation, Steve Molloy spoke to the following:

Pedestrian Mobility Plan (Item 7.1)
• Report contributors
• Outline: purpose, underlying principles
• Background
• Current activity “snapshot” data
• Current strategic initiatives
• Plan purpose
• Plan vision
• Plan Public Consultation
• What the Public told us
• The Plan is only the beginning
• Context-Sensitive Planning
• Along the street solutions
• Crossing the street solutions
• We are already doing it
• Planning for pedestrians with the right-of-way space
• Sidewalk versus clear zone
• Pedestrian clear zone
• Future initiatives: Recommended minimum clear widths
• Future initiatives: New construction & redevelopment
• Return on investments: Health, social, environmental and economic benefits
• Cost recovery mechanism
• Future initiatives
• Recommendations.

Traffic Calming/Management Program (Item 8.2)
• Traffic Calming Program
• Traffic Calming/Management Program recommendation

Pedestrian Signal Program (Item 8.1)
• Recommendations
• Highlights
The presentation by Greg O’Connor and Steve Molloy respecting the Pedestrian Mobility Plan was received.

In addition to the recommendations approved in Report PW13078 as outlined in Item 4, staff was directed to report back to General Issues Committee on opportunities to consolidate existing committees that have similar mandates and terms of reference to create a Mobility Committee for 2015.

(h) DISCUSSION ITEMS

(i) Pedestrian Signal Program (TOE01010(a)) (City Wide) (Outstanding Business List Item) (Item 8.1)

The following was added as sub-section (b) and the balance of the sub-sections re-numbered accordingly:

(b) That the General Manager of Public Works be authorized and directed to file Pedestrian Signal Program Report TOE01010(a) with the City Clerk for a minimum thirty (30) day public review period.

The Amendment CARRIED and the Main Motion, as amended, CARRIED.

(ii) Traffic Calming/Management Policy Update (PW07150(a)) (City Wide) (Item 8.2)

The following was added as sub-section (b):

(b) That the General Manager of Public Works be authorized and directed to file Traffic Calming/Management Policy Update Report PW07150(a) with the City Clerk for a minimum thirty (30) day public review period.

The Amendment CARRIED and the Main Motion, as amended, CARRIED.

(i) MOTIONS

(i) Amendment to the Highway Traffic Act

The rules of order were waived to allow for the introduction of a motion respecting "Amendment to the Highway Traffic Act"

See Item 7 for the disposition of this item.
(ii) **City Facility Rental Fees for 2014 Winterfest Event Organizers**

The rules of order were waived to allow for the introduction of a motion respecting “City Facility Rental Fees for 2014 Winterfest Event Organizers”.

See Item 13 for the disposition of this item.

(j) **NOTICE OF MOTION**

Councillor B. Clark put the following Notice of Motion forward:

(i) **Question to Electors on the 2014 Municipal Election Ballot respecting Fluoridation of Water Supply (Item 10.1)**

(a) That Council pass a by-law to submit the following question to the electors of the City of Hamilton at the October 27, 2014 Municipal Election:

“Are you in favour of continuing fluoridation of the public water supply of the City of Hamilton?”;

(b) That the question be submitted in accordance with the Fluoridation Act and Municipal Elections Act, 1996.

In the absence of Councillor S. Duvall, Councillor B. McHattie put the following Notice of Motion forward:

(ii) **Development of a New Long-Term Federal Plan to Fix Canada’s Housing Crunch (Item 10.2)**

Whereas a stable and secure housing system that creates and maintains jobs and allows for a range of living options is essential to attracting new workers, meeting the needs of young families and supporting seniors and our most vulnerable citizens;

And Whereas the high cost of housing is the most urgent financial issue facing Canadians, with one in four people paying more than they can afford for housing, and mortgage debt held by Canadians now standing at just over $1.1 trillion;

And Whereas housing costs and, as the Bank of Canada notes, household debt, are undermining Canadians’ personal financial security, while putting our national economy at risk;

And Whereas those who cannot afford to purchase a home rely on the short supply of rental units, which is driving up rental costs and making it hard to house workers in regions experiencing strong economic activity;
And Whereas an inadequate supply of subsidized housing for those in need is pushing some of the most vulnerable Canadians onto the street, while $1.7 billion annually in federal investments in social housing have begun to expire;

And Whereas the stakes are especially high for Ontario’s municipal governments as housing responsibilities have already been downloaded (unlike other provinces and territories) and this is not sustainable on the property tax base;

And Whereas the Federation of Canadian Municipalities (FCM) has launched a housing campaign, "Fixing Canada’s Housing Crunch," calling on the Federal government to increase housing options for Canadians and to work with all orders of government to develop a long-term plan for Canada’s housing future;

And Whereas FCM has asked its member municipalities to pass a Council resolution supporting the campaign;

And Whereas our community has continuing housing needs, such as the current wait list for social housing of 5,709 households as of September 2013 and the associated costs, that can only be met through the kind of long-term planning and investment made possible by federal leadership.

Therefore Be It Resolved:

(a) That Council endorse the Federation of Municipalities’ (FCM) housing campaign and urge the Minister of Employment and Social Development to develop a long-term plan for housing that puts core investments on solid ground, increases predictability, protects Canadians from the planned expiry of $1.7 billion in social housing agreements and ensures a healthy stock of affordable rental housing for Canadians;

(b) That a copy of this resolution be sent to Ontario’s Minister of Municipal Affairs and Housing, the Federation of Canadian Municipalities, the Association of Municipalities of Ontario and the local M.P.s and M.P.P.s.

The rules of order were suspended in order to allow for the introduction of a motion respecting “Development of a New Long-Term Federal Plan to Fix Canada’s Housing Crunch”.

See Item 12 for the disposition of this matter.
(k) GENERAL INFORMATION/OTHER BUSINESS (Item 11.1)

(i) Outstanding Business Items List

(aa) Revised Due Dates

The due dates for the following items on the Outstanding Business List were revised as follows:

Item G: Removal of Fill from toxic contaminated site at Hamilton Airport
Due Date: November 6, 2013
Revised Due Date: February 2014

Item I: HPS Forensic Building
Due Date: Q4 2013
Revised Due Date: Q1 2014

Item Y: Citizens’ Committee Report on Farmers’ Market White Paper
Due Date: November 6, 2013
Revised Due Date: January 15, 2014

Item DD: ACPD Report 13-003 – Transportation Subcommittee Report
Due Date: November 6, 2013
Revised Due Date: December 4, 2013

(bb) Item to be transferred to another Standing Committee

Item NN: Reduction in Greenhouse Gas and Energy
To be transferred to the Public Works Committee

(cc) Items to be removed from the Outstanding Business List

The following items were removed from the Outstanding Business List:

Item KK: 2017 Sesquicentennial Committee (Item 8.4)

Item OO: Pedestrian Mobility Plan (Item 7.1)

Item PP: Installation Policy for Intersection and Mid-Block Pedestrian Signals (Item 8.1)
(I) PRIVATE & CONFIDENTIAL

The Committee moved into closed session at 1:00 p.m. pursuant to sub-sections 8.1(b) and (c) of the City’s Procedural By-law and Section 239.2 of the Municipal Act as the subject matters pertain to:

(i) Personal matters about identifiable individuals, including municipal or local board employees, respecting the on-going investigation of City employees (Item 12.2)

(ii) A proposed or pending acquisition or disposition of land by the municipality or local board respecting a real estate matter regarding 64 Melrose Avenue North (Item 12.1)

The Committee reconvened in Open Session.

12.1 Real Estate Matter regarding 64 Melrose Avenue North (No copy) (Ward 3 with City Wide Implications)

Direction provided in Camera

12.2 Verbal Update – On-going Investigation respecting City Employee(s)

No action to be reported.

(m) PROCEDURAL MATTERS

The Committee moved into Closed Session at 1:00 p.m. to entertain the Private and Confidential matters on the agenda and reconvened to continue the business on the agenda at 3:25 p.m.

(n) ADJOURNMENT

There being no further business, the Committee adjourned at 3:56 p.m.

CARRIED

Respectfully submitted

Councillor T. Jackson
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
Office of the City Clerk

Council – November 13, 2013
COMPLETE STREETS POLICY FOR HAMILTON
Submitted to Hamilton City Council General Issues Committee, November 6 2013

Prepared by the Social Planning and Research Council of Hamilton
Contact info: Sara Mayo smayo@sprc.hamilton.on.ca or 905-522-1148 ext. 310

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PART I: INTRODUCTION

1. Definition
a) Complete streets are designed to be safe, convenient and comfortable for every user, regardless of transportation mode, physical ability or age.
Taken from: Transport Canada http://www.tc.gc.ca/eng/programs/environment-utsp-casestudy-cs72e-completestreets-812.htm

2. Context
a) Through this policy Hamilton will join over 500 communities in North America who are using Complete Streets policies to improve livability and quality of life for all residents.

3. Purpose
a) The City of Hamilton intends and expects to realize long-term cost savings in improved public health, better environmental stewardship, reduced fuel consumption, and reduced lifecycle costs of motor vehicle infrastructure through the implementation of this Complete Streets policy. Complete Streets also contribute to walkable neighborhoods, which can foster interaction, strengthen street-level retail business, create a sense of community pride, and increase safety for all residents. In addition, Complete Streets will contribute to reducing health disparities between Hamilton’s high, medium and low income neighbourhoods.
Adapted in part from: City of Northfield http://www.ci.northfield.mn.us/index.aspx?NID=732

4. Supportive Vision, Values, Strategic Priorities and Policies
a) This policy is an important tool for the City to realize its vision of becoming the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.
b) The elements of this policy correspond to many of the City’s values in its strategic plan such as: Accountability, Cost Consciousness, Equity and Excellence.
c) This policy will help to achieve the City’s Strategic Priority #1: A Prosperous and Healthy Community.
d) This policy will help to attain the City’s Vision 2020’s transportation goals and will help to implement policy goals set out in section 4.0 Integrated Transportation Network in the City of Hamilton’s Urban Official Plan (not yet in force).
e) This policy will also help the City to achieve goals in the province’s growth management plans, policies and legislation. Some parts of the implementation of this Complete Streets policy will be enhanced by land use changes as set out in the Urban Official Plan, such as the creation of Complete Communities.

f) This policy would help achieve the Urban Official Plan’s and Transportation Master Plans objectives of a balanced transportation network.

PART II: PRINCIPLES

5. Objectives

a. The City of Hamilton shall scope, plan, design, fund, construct, operate, and maintain all City streets to provide a comprehensive and integrated network of facilities that are safe and convenient for all users of the transportation system, including pedestrians, persons using mobility aids, cyclists, public transit users and vehicles, motorists, freight providers, emergency responders, and adjacent land users.

Adapted from: Cities of Birmingham and Indiana, and Bloomington-Monroe County Metropolitan Planning Organization. http://bloomington.in.gov/media/media/application/pdf/4425.pdf

b. The implementation of Complete Streets shall contribute to reducing the social, health and economic impacts of disparities between Hamilton’s neighbourhoods. Making streets safe and convenient for walking, riding a bike or taking transit helps families save money on transportation and relieve strained budgets. The implementation of Complete Streets shall be used as a key strategy to reduce health inequities by contributing to reducing air pollution, motor-vehicle accidents, and rates of chronic diseases in Hamilton’s lowest income neighbourhoods.

Adapted in part from: Complete Streets Mean Equitable Streets, factsheet published by the National Complete Streets Coalition http://www.smartgrowthamerica.org/documents/cs/factsheets/cs-equity.pdf

b. Safety shall be achieved by street design that ensures fewer cars drive above the speed limit and well-designed intersections that demonstrate Hamilton’s commitment to becoming a pedestrian-friendly community, among other methods. Particular attention shall be paid to improving safety on school routes and around schools, to ensure more students and parents feel it is safe and convenient to walk, bike, or skate to school.

Adapted in small part from: Boston Complete Streets Guidelines
d. The conversion of currently one-way streets to two-way streets shall be investigated for streets in the lower city in particular. Conversion to complete two-way street will be implemented where it would achieve a higher level of safety and convenience for all users than conversion to complete one-way street. The additional benefits of complete two-way streets for retail stores and way-finding will also be considered.

e. Allocation of public resources for the design, construction, redevelopment and maintenance of streets shall balance the following objectives:
   a. Cost effective mobility
   b. User convenience and comfort
   c. Overall accessibility
   d. Safety and security
   e. Fairness for non-drivers
   f. Local economic development


f. Engagement with residents shall be valued in the implementation of this policy. Local projects that can demonstrate the impact of small scale improvements on safety and convenience, or that can be used to evaluate new approaches to street design, will be welcomed as opportunities to show that City is reacting to neighbourhood traffic concerns in a constructive fashion.

6. Funding
   a. The City of Hamilton roads and transit budgets shall reflect the needs of all street users and shift funding priorities to measures that achieve the goals of this Complete Streets policy, including among other measures:
      • Wider sidewalks, intersection improvements to increase pedestrian safety and additional mid-block crossings for pedestrians;
      • Accelerated implementation of cycling network;
      • Enhanced transit service, frequency and network.
b. The process to select projects for capital funding shall include additional points for projects that would increase connectivity and safety for all users of the transportation network.

PART III: IMPLEMENTATION

7. Operation
The City views Complete Streets as integral to everyday transportation decision-making practices and processes. To this end:
Adapted from: City of Indianapolis http://www.indy.gov/eGov/Council/Proposals/Documents/2012/PROP12-208.pdf

a. Complete Streets across Hamilton will be achieved incrementally over time through a combination of:
• Street design and construction in new residential neighbourhoods and road developments, including roads and parking lots built by private developers.
• Single road reconstruction/retrofit projects.
• A series of smaller improvements or maintenance activities.
Adapted in part from: City of Seattle http://www.seattle.gov/transportation/completeStreets.htm

b. All forms of travel shall be accommodated while recognizing that all streets are different and that the needs of various users will need to be balanced in a flexible manner, provided that a comparable level of safety for all users is present. The balance between the needs of users shall not be based on current ratios of users travelling on roadway, but instead on the assumption that a greater variety of users will travel on roadway if it was designed in a safe and convenient manner for all users.
Adapted in part from: City of Rochester, Minnesota http://www.co.olmsted.mn.us/planning/programs_projects/ActiveLiving/Documents/CompleteStreetsResolution.pdf

c. Complete streets principles shall be applied in due consideration of the urban, suburban, or rural context in which a project is located;

d. The City shall promote inter-departmental project coordination among city departments with an interest in the activities that occur within the public right-of-way
in order to better use fiscal resources, including Planning and Economic
Adapted from: City of Roanoke http://www.modestogov.com/ced/pdf/completestreets/MISC-11-
001%20DOC%20Roanoke%20Policy%205-24-12.pdf

e. All relevant departments will review and revise as necessary their plans, manuals,
policies, processes and programs to foster the implementation of Complete Streets
and will consider innovative design options where a comparable level of safety for
users is present.
Adapted from: Rochester, Minnesota
http://www.co.olmsted.mn.us/planning/programs_projects/ActiveLiving/Documents/CompleteStreetsResolution.pdf

f. The Public Works Department, the Planning and Economic Development
Department, and other relevant departments will review current design standards,
including subdivision regulations that apply to new roadway construction, to ensure
that they reflect the best available design guidelines, and effectively implement
Complete Streets.
Adapted from: Sample language, Smart Growth America http://www.smartgrowthamerica.org/documents/cs-local-
policy-workbook.pdf

g. Appropriate City staff shall be required to keep up-to-date on Complete Street
implementation best practices and look for ways to update regulations, procedures
and design standards as needed.

h. When available, the City shall encourage staff professional development and
training on topics related to complete streets including non-motorized transportation
issues through attending conferences, classes, seminars, and workshops.
Adapted from: Sample language, Smart Growth America http://www.smartgrowthamerica.org/documents/cs-local-
policy-workbook.pdf

i. When updating guidelines to reflect Complete Streets principles, the Level of
Service (LOS) measure, primarily a quantitative measure of the throughput of cars,
shall be replaced by measures that include quantitative and qualitative data on
service for all users. Two current alternatives are the Complete Streets LOS, and
the Quality of Service (QOS) measure.

j. While land-use is not included in this policy, the City shall continue to enhance land
use regulations that complement this Complete Streets policy, so that a greater
variety of destinations are accessible for pedestrians and cyclists. In particular, the
City shall collaborate with major institutions such as schools, health facilities, and major employers, so that the site selection and design of new facilities is compatible with this policy.

8. Exception mechanism

a. Any exception to applying this Complete Streets Policy to a specific roadway project, including private roadways, must approved by the General Issues Committee of City Council, and city staff must document the specific reason and supporting data for the exception. Such documentation shall be publicly available. Exceptions may be made when:

• An affected roadway prohibits, by law, use by specified users, in which case a greater effort shall be made to accommodate those specified users elsewhere, including on roadways that cross or otherwise intersect with the affected roadway; or


• The costs of providing accommodation are excessively disproportionate to the need or probable use; or

Adapted from: Georgia Department of Transportation

• The existing and planned population, employment densities, traffic volumes, or level of transit service around a particular roadway is so low that future expected users of the roadway will not include pedestrians, public transportation, freight vehicles, or bicyclists.

Adapted from: North Carolina Department of Transportation

PART IV: MONITORING

9. Progress Reporting and Measures of Success

a. There shall be an annual Complete Streets report prepared by the City showing progress made in implementing this policy and measuring the success in achieving the policy’s desired outcomes. The report shall include the current status of the following indicators, among others:

Complete Streets Outputs

• Linear metres of new pedestrian accommodation
• Kilometres of on-street bicycle facilities
• Number of new or reconstructed curb ramps
• Number of new mid-block intersections or crosswalk improvements
• Number of new street trees/percentage of streets with tree canopy
• Percentage completion of bicycle networks as detailed in Cycling Master Plan
• Total transit stops
• Percentage of transit stops with shelters
• Number of one-way to two-way conversions.

Complete Streets Outcomes
• Transportation mode share, including pedestrian and cyclists counts and HSR ridership data.
• Rate of collisions, injuries, and fatalities by mode. Collisions shall be defined to include cyclist or pedestrian injuries due to car doors opening in travel path.
• For at least one street per year, in-depth analysis of change in rate of collisions, injuries, and fatalities by mode with enhanced complete street features.
• Number of intersections where there have been requests for improved accommodations for all users
• Rate of children walking or cycling to school
• Rates of residents walking, cycling, or taking transit to a recreation centre

10. Open Data
   a. The City shall make available to residents, using an open-data license, data about our streets including traffic volume data, to help increase citizen engagement and accountability about decisions affecting the public.

11. Complete Streets Advisory Committee
   a. A Complete Streets Advisory Committee made up of residents and stakeholder groups shall be created to serve as a resource and a collaborative partner for City elected officials and municipal staff.
November 5, 2013

To: City of Hamilton Clerk

Please be advised that the Durand Neighbourhood Association supports the Pedestrian Mobility Master Plan scheduled for presentation to the GIC on November 6, 2013.

Pedestrian-friendly practices in road design is a top-priority issue for the Durand Neighbourhood Association, and we believe that this plan will bring a renewed focus to design elements for new and existing roads within the City of Hamilton.

Sincerely,

Frances Murray, Secretary

On behalf of

Durand Neighbourhood Association
1. **PURPOSE**

1.1 The intent of this policy is to provide the installation criteria for determining when it is appropriate to install traffic signals that are exclusively to assist pedestrians crossing the roadway.

1.2 These signals may be located at an intersection or between intersections. If they are located at an intersection (intersection pedestrian signal – IPS) the signal will consist of red, amber and green signal heads for vehicular traffic on the main street, pedestrian signals for persons crossing the main street and stop signs for the side street traffic.

2. **POLICY USE (Conditions)**

2.1 When considering the installation of an intersection or mid-block pedestrian signal, the **conditions** required must be achieved before a signal is justified or would be recommended.

3. **PEDESTRIAN SIGNAL CONDITIONS**

3.1 **Pedestrian Volume**
Use of one hundred (100) pedestrians within a **seven (7)** hour period
Revised to:
Use of one hundred (100) pedestrians within an **eight (8)** hour period
3.2 Pedestrian Delay
Average calculated delay based on pedestrian wait time for a gap in traffic and time to cross a roadway based on field data collection

No Change

3.3 Pedestrian Generators
n/a

Revised to:
To address latent demand for pedestrians, factors will be applied to locations with land uses within a walkable distance, typically considered to be within 400 metres

3.4 Traffic Control Spacing
Minimum spacing between a traffic signal or stop controlled intersection:
1) One hundred and forty (140) metres on a one (1) way roadway
2) Two hundred and fifteen (215) metres on a two (2) way roadway

Revised to:
1) One hundred and forty (140) metres on a one (1) way roadway
2) Two hundred (200) metres on a two (2) way roadway

3.5 Preventable Collisions
Average number of preventable collisions over a period of ten (10) years

3.6 Operating Speed
Based on posted speed limit and observed speed data.

3.7 Implementation Programming (City's Justification System)
A justification system that determines whether a pedestrian signal is installed or not installed.

Revised to:
The points accumulated through the scoring system will help to maintain a list of locations to assist in prioritizing implementation. This list will be submitted as part of the annual Capital Budget submission for deliberation by Council.

3.8 Reporting
n/a

Revised Program:
An annual update will be prepared for Council to report back on implementation progress and the list of outstanding priority locations in the City.
Traffic Calming Program

Proposed

Step 1
Traffic Calming/Management Request

Step 1a
Inform Neighbourhood Association/Community Council and affected Ward Councillor(s)

Step 2
If road functions as a local or collector road refer to Table A

Step 2b
If road functions as an arterial road refer to Table B

Step 3
Evaluation of Impacts

Step 4
Public Consultation

Step 4a
Inform decision, no additional request for a period of 2 years.

Step 5
Program for Implementation

Step 5a
Monitoring/Evaluation

Note: Requests to remove traffic calming measures would be required to follow the same process as above.
Procedures
Screening Process – Steps 1 & 2

**Step 1**  Traffic Calming/Management Request

**Step 1a**  Inform Neighbourhood Association/Community Council and affected Ward Councillor

**Step 2**  If road functions as a local or collector roadway refer to Table A

If road functions as an arterial roadway refer to Table B
Procedures
Evaluation of Impacts – Step 3

**Step 3**

<table>
<thead>
<tr>
<th>Data Collection &amp; Evaluation</th>
<th>Max. 100 points</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Traffic Volume</strong></td>
<td></td>
</tr>
<tr>
<td>1 point for every 200 vehicles per day (Max. 25)</td>
<td></td>
</tr>
<tr>
<td><strong>85th Percentile speed above posted</strong></td>
<td></td>
</tr>
<tr>
<td>1 point for every km over the posted speed limit (Max. 15)</td>
<td></td>
</tr>
<tr>
<td><strong>Cut-through as % of the total volume</strong></td>
<td></td>
</tr>
<tr>
<td>1 point for every % above 15% cut-through traffic (Max. 25)</td>
<td></td>
</tr>
<tr>
<td><strong>Collision History</strong></td>
<td></td>
</tr>
<tr>
<td>5 points for every collision in past 3 years (Max. 25 points)</td>
<td></td>
</tr>
</tbody>
</table>

**Consider pedestrian and cyclist impacts**
(e.g. vicinity to pedestrian/cyclist generators)
- 10 points if within 400M of a park, school, or church
- 5 points if within 400M of other destinations
- 10 points if no sidewalk is present
- 5 points if sidewalk is located on only one-side of street

- **Gradient is 5% or less**
- **Block length must be min. 150 metres**
  - Police, EMS, HSR, PW Operations and other applicable depts. are requested for official responses to each request.
**Procedures**

**Public Consultation – Step 4**

**Implementation & Monitoring – Step 5**

**Step 4**

Summary of Findings & Develop Traffic Calming/Management Plan.
1. Neighbourhood Association/Community Council is informed on findings
2. Residents are mailed plan for support (Public meeting may be necessary if issues unclear)

Survey Response Rate: Min. response Rate = 20% from survey mail-out
A non response will be understood as a yes vote. Voting Results = 50% + 1

**Step 5**

If approved, plan for street is ranked as compared to other streets (equal rankings are prioritized according to date of request)

**Step 5a**

Monitor measures 6 months to 1-year after implementation and report back to Neighbourhood Association/Community Council and affected ward councillor(s)
Procedures
Public Consultation – Step 4
Implementation & Monitoring – Steps 6 & 7

**Step 6**
Implementation of plan depends on financial requirements and complexity (may occurred as a phased approach or use of temporary measures)

**Step 7**
Staff prepares annual report to council listing all traffic calming locations.
DEBT MANAGEMENT POLICY

CITY OF HAMILTON
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   1.02 Scope
   1.03 Definitions

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   2.03 Limit Financial Risk Exposure
   2.04 Minimize Long-Term Cost of Financing
   2.05 Maintain the City’s Credit Rating

III. DEBT INSTRUMENTS AND STRUCTURING PRACTICES (pages 12-17)
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I. INTRODUCTION

1.01 Purpose
The Debt Management Policy (the "Debt Policy") provides guidelines and a framework for the issuance of bonds and other forms of indebtedness for the City of Hamilton (the "City"). The Debt Policy contains written objectives, allowances and restrictions (including applicable statutory requirements) for the debt issuance process and the management of debt.

1.02 Scope
The Debt Policy covers all debt or financial obligations including related agreements and lease financing agreements for capital that are entered into by the City as well as those employees who are responsible for the City’s debt issuance activities. Lease financing agreements entered into by the City must be undertaken in accordance with the City’s Lease Financing Policy as approved by Council (the " Lease Policy").

The City may issue a debenture or other financial instrument for long-term borrowing only to provide financing for a capital work (Municipal Act, 2001, s. 408(2.1)). The types of capital projects are as follows:

- **Growth/Development-Charge**
  Issuance of growth related debt may be undertaken in order to ensure adequate infrastructure or capital, services and resources to support the City’s growth plans. Repayment of this type of debt (principal and interest) shall be recoverable through the City’s development charges (DC).

- **Growth/Non-Development-Charge**
  Other assets or capital works considered to be growth related, but not deemed to be funded through development charges can be funded using debt. This debt would be funded primarily from taxes, water and wastewater user rates and/or reserves.

- **Non-Growth Replacement**
  To the extent practicable, replacement assets as well as regular and/or ongoing capital expenditures will be funded on a “pay as you go” basis through water and wastewater rates, tax levy, user fees and/or reserve monies.

- **Non-Growth**
  The City may also incur debt for other new capital related to the delivery of services that is not considered to be ‘growth’ in nature.
1.03 Definitions
In the Debt Policy, the following terms have the following meanings:

"amortizing debenture": A debenture that has a blended principal and interest payment that is equal in each repayment period.

"Annual Repayment Limit": A calculation, of the debt and financial obligation limit, provided annually to a municipality by the Ministry of Municipal Affairs and Housing that determines whether Ontario Municipal Board approval is required for the categories of debt or financial obligation described in Ontario Regulation 403/02 as amended.

"bank loan": A loan made by a bank listed in Schedule I or II or III to the Bank Act (Canada), a loan corporation or trust corporation registered under the Loan and Trust Corporations Act or a credit union or league to which the Credit Unions and Caisses Populaires Act, 1994 applies and includes, (a) a syndicated bank loan, and (b) a banker’s acceptance, whether or not it is discounted, if, (i) it is drawn as a bill of exchange under the Bills of Exchange Act (Canada), and (ii) it is accepted by a bank to which the Bank Act (Canada) applies.

"borrower": The counterparty receiving the funds.

"banker’s acceptance": A short-term credit obligation created by a non-financial firm such as the City and guaranteed by a bank as to payment.

"bond forward agreement": A financial contract with an eligible Schedule I, II or III bank used to hedge future interest rates by short selling a particular Government of Canada or Province of Ontario bond and repurchase the same bond at a predetermined future settlement date. A settlement payment may be required by either the issuer or the bank if there is a difference between the price at which the government debt instruments are sold and the price at which they are bought back on the settlement date.

"bought deal": A financing transaction, such as a debenture issue, in which an individual underwriter or underwriting group purchases the entire amount in order to resell to investors.

"capital financing": A generic term for the financing of capital assets. Although this can be achieved through the use of a variety of funding sources, for the purposes of the Debt Policy it is assumed to mean the use of debt.
"construction financing": A form of debt financing in which the issuer does not pay any principal and/or interest for periods of normally up to 5 years during the construction or rehabilitation of the facility.

"City": the City of Hamilton.

"City Own-Source Revenue" – is equal to "Net Revenues" per Financial Information Return (FIR) Schedule 81, Annual Debt Repayment Limit, Line 2610. The calculation of Net Revenues is basically Total City Revenues less revenues from Federal & Provincial Grants and Gas Tax, Development Charges, Parkland Dedication, and Donated Tangible Capital Assets.

"Council": the council of the City of Hamilton.

"credit rating": A rating assigned by a credit rating agency (such as Standard and Poor's or Moody's Investors Service, Inc. or Dominion Bond Rating Service Limited or Fitch Ratings) recognized by the Municipal Act, 2001, S.O. 2001, c. 25 as to the credit worthiness of an entity's debt obligations. The rating defines the financial strength of a borrower and assists investors to determine the likelihood that the debt issuer will pay the interest payments in a timely fashion and more importantly the initial investment at maturity.

"debenture": A formal written obligation to repay specific sums on certain dates. In the case of a municipality such as the City of Hamilton, debentures are typically unsecured.

"annual debt and financial obligation limit": A calculation of the debt and financial obligation limit, provided annually to a municipality by the Ministry of Municipal Affairs and Housing that determines whether Ontario Municipal Board approval is required for the categories of debt or financial obligation described in Ontario Regulation 403/02 as amended.

"debt service charges": the amount corresponding to annual debt and financial obligations.

"debt": Any obligation for the payment of money. For Ontario municipalities, debt would normally consist of debentures as well as either notes or cash loans from financial institutions, but could also include loans from reserves.

"deemed debentures": A bank loan agreement is deemed to be a debenture for the purpose of the following provisions of the Municipal Act, 2001, as set out in O. Reg. 276/02, s. 5: Section 403; Subsections 404(1) to (8) and Subsections 404(10) to (14);
Subsections 405(2); Section 406; Subsections 408(2.1) and (3), clauses 408(4)(a), (c) and (d), and subsections 408(5) and (7); Subsections 412 (2) and (4).

"development charge": (DC) Fees collected from developers at the time a building permit is issued. The fees are charged for the cost of infrastructure required to provide municipal services to new development, such as roads, transit, water and sewer infrastructure, community centres and fire and police facilities.

"DC Eligible Costs": are growth related costs for certain services as defined by the Development Charges Act.

"DC Background Study": is a document required by the Development Charges Act to identify service needs arising from residential and non-residential growth and the associated eligible costs, in order to calculate the Development Charge rates charged by the City.

"financial guarantee": An agreement whereby the City will take responsibility for the payment of debt in the event that the primary debtor fails to perform.

"financial lease": A financial arrangement whereby equipment or municipal capital facilities are provided to the City by a third party in exchange for a series of payments that extend beyond the term for which Council was elected (includes renewal options).

"foreign currency debentures": Debentures which are expressed and payable in a foreign currency.

"foreign currency exchange agreements": An agreement entered into with a financial institution to fix the rate of exchange for future payments made in a foreign currency.

"City Treasurer": the Treasurer of the City of Hamilton.

"hedging": A strategy used to offset or mitigate financial risk such as currency and/or interest rate risk.

"Infrastructure Ontario (formerly Ontario Strategic Infrastructure Financing Authority (OSIFA) or its successor organizations)": A crown corporation wholly owned by the Province of Ontario and established by the Ontario Infrastructure and Lands Corporation Act, 2011. Infrastructure Ontario provides Ontario municipalities, universities and hospitals access to an alternative financing service for longer-term fixed rate loans for the building and renewal of public infrastructure.
"instalment (serial) debentures": Debentures of which a portion of the principal matures each year throughout the life of the debenture issue.

"interest rate exchange agreement": An agreement entered into with a financial institution to fix the future rate of interest paid on a variable interest rate debenture or variable interest rate bank loan agreement.

"lease financing agreement": A financial arrangement, including a material lease or a non-material lease, whereby equipment or municipal capital facilities are provided to the City by a third party in exchange for a series of payments that may extend beyond the term for which Council was elected (includes renewal options).

"letter of credit": A binding document from a bank guaranteeing that a buyer's payment to a seller will be received on time and for the correct amount. In the event that the buyer is unable to make payment on the purchase, the bank will be required to cover the full or remaining amount of the purchase (debt).

"long-term bank loan": Long-term debt provided by a bank or a syndicate (group) of banks.

"long-term debt or financing": Any debt for which the repayment of any portion of the principal is due beyond one year.

"material lease": A lease financing agreement which extends beyond the term of Council which requires annual payments of $150,000 or more or a lease term of more than five years for commercial real property.

"municipal capital facilities": Includes land, as defined in the Assessment Act, works, equipment, machinery and related systems and infrastructures.

"non-material leases": A lease financing agreement which requires annual payments of less than $150,000 annually with a lease term of less than 5 years.

"retirement fund debentures": Debentures for which funds are accumulated on a prescribed basis, commencing one year after the issuance of the debentures, in a separate custodial account, the sum total, including interest earned, is used to fund the redemption of the debentures.

"short-term debt": Any debt for which the repayment of the entire principal is due within one year.
"sinking fund": A fund in which money is accumulated on a regular basis that when combined with interest earned is used to retire or repay the debentures on maturity.

"sinking fund debentures": A long-term debt instrument that contains a sinking fund provision that the issuer has undertaken to regularly set aside on a fixed date funds to a sinking fund for the repayment of the principal at maturity.

"syndicated bank loans": A bank loan between the City and an institution listed in the definition of "bank loan" where the financing for the bank loan is obtained through a syndicated bank financing agreement in which each of the institutions that is a party to the term agreement agrees to contribute a portion of the amount of the bank loan being given to the City under the syndicated bank loan agreement.

"tax and rate supported debt": Debt which is supported by the tax levy and by utility charges and fees.

"development-charge supported debt": Debt which is supported by development charges.

"tender": A process whereby formal bids are submitted to issue debt securities or to provide a lease.

"term debentures": Debentures that are comprised of a combination of instalment and sinking fund debentures.

"tile drainage debentures": Debentures issued to the Province of Ontario to finance the construction of a tile drainage system for agricultural land in accordance with the Tile Drainage Act, R.S.O. 1990, c. T.8.

"underwriter(s)": An individual or group of investment bankers appointed as principals or on an agency basis, for the purpose of purchasing and reselling new debentures issued by the City.

"variable interest rate debentures": Debentures that provide for one or more variations in the rate of interest payable on the principal during the term of the debenture.
II. OBJECTIVES

The objectives of the Debt Policy are as follows:

1. Comply with statutory requirements including monitoring and reporting;
2. Ensure long-term financial flexibility and sustainability;
3. Limit financial risk exposure;
4. Minimize long-term cost of financing;
5. Maintain the City’s credit rating.

2.01 Compliance with Statutory Requirements
Debt may only be undertaken by the City if and when it is in compliance with the relevant sections of the *Municipal Act, 2001*, S.O. 2001, c. 25 (the "Municipal Act, 2001"), specifically Part XIII – Debt and Investment, and the applicable regulations thereunder, as amended from time to time, including but not limited to those set out in the References section of this Debt Policy.

The City may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt (Municipal Act, 2001, s. 401(1)).

2.02 Ensure Long-Term Financial Flexibility and Sustainability
The City’s ability to respond to unanticipated and emerging financing needs is affected by its access to funding, its debt capacity and debt service charges. Financial sustainability depends on the debt levels and debt service charges being consistent with the City’s level of affordability, both current and future. Debt issuance decisions must align with ensuring long-term financial flexibility and sustainability for the City.

Goals and limits on debt, and financial measures to assist in assessing financial flexibility and sustainability are as follows:

**Goals**

- Total tax-and-rate-supported debt as a percentage of City Own-Source Revenues not to exceed 60% unless approved by Council.
- Total DC-supported debt as a percentage of the total DC Eligible Costs for the forecast period of the latest DC Background Study, not to exceed 25% unless approved by Council.
**Limits**

- The annual debt and financial obligation limit for the City is calculated in accordance with section 3 of Ontario Regulation 403/02 as amended.
- Outstanding variable interest rate bank loan agreements and variable interest rate debentures cannot exceed 15% of the total outstanding debt of the City as set out in O. Reg. 276/02, s. 8(2).

**Financial measures**

- Debt and debt service charges per capita
- Debt service charges as a percentage of City Own Source Revenue
- Debt service charges as a percentage of the municipal levy
- Debt to operating revenues
- Debt to reserves and reserve funds
- Debt maturity profile
- Cash and liquid assets to debt service; cash and liquid assets minus debt
- Other long-term liabilities
- Annual increase in debt in relation to population, assessment growth, operating revenue, average household income

**2.03 Limit Financial Risk Exposure**

Debt will be managed in a manner to limit, where practicable, exposure to interest rate risk, foreign currency risk, financial risk associated with entering into financial leases, and any other financial risks which may arise from the debt financing.

- The City's normal practice to issue debt that is only denominated in Canadian dollars with an interest rate that is fixed over its term
- If there is a material financial advantage and/or it is deemed prudent for the City to issue foreign currency debentures (debt that is subject to fluctuations in foreign currency and not denominated in Canadian currency), then the rate of currency exchange will be fixed for the term of the obligation (both principal and interest payments) on or before the date of issuance.
- Similarly, if there is a material financial advantage and/or it is deemed prudent for the City to issue variable rate debentures or enter into variable interest rate bank loan agreements, the interest rate can be left variable if in the opinion of the City Treasurer it is in the City's best interest.
- Lease finance agreements have different financial and other risks compared to traditional debt that must be considered, and where practicable mitigated prior to
their use. The City's Lease Policy identifies these risks and all requirements that must be met before entering into a lease financing agreement.

2.04 Minimize Long-Term Cost of Financing
The type, term and structure of financing instrument used to issue debt and the timing for debt issuance will be determined with a view to minimize both its and the City's overall long-term cost of financing. Factors to be considered include the following:
- current versus future expected interest rates;
- the shape of the interest rate curve;
- the availability of related reserve monies;
- the pattern of anticipated revenues or cost savings attributable to the project or purpose;
- the applicability of using bond forward agreements;
- all costs related to the financing of the project whether by debenture, construction financing or lease financing agreement;
- the use of Banker's acceptances to bridge finance pending issuance of a debenture, and may reduce up-front interest costs on an ongoing basis;
- variable interest rate debentures;
- variable interest rate bank loan agreements.

2.05 Maintain the City's Credit Rating
Maintaining a strong credit rating is a key factor in minimizing the cost of debt and accessing capital markets in an efficient manner. Moreover, as noted elsewhere, a credit rating of at least AA- (or equivalent) is needed by the City to meet statutory requirements to enter into certain types of financing or debt instruments contained in the Debt Policy.
3.01 Suitable and Authorized Financing Instruments

The types of allowed (debt) financing instruments and their structures will be dependent in part upon the term and the type of asset to be financed.

a) Short-Term Debt – Less Than One (1) Year

Financing of operational needs for a period of less than one year pending the receipt of taxes and other revenues, or interim financing for capital assets pending long-term financing may be from one or more of the following sources:

- Reserves and reserve funds. An internal loan from reserve funds to finance capital projects must be in accordance with the City’s Reserve Policies and must be approved and authorized by Council; a recommendation report requesting authorization should contain the details pertaining to the loan including amount, term, interest rate and any other relevant details.
- Bank line of credit or loan agreement
- Short-term promissory notes
- Banker’s Acceptances
- Infrastructure Ontario (or its successor organizations) short-term advances pending issuance of long-term debentures

b) Long-Term Debt - Greater Than One (1) Year

Financing of assets for a period of greater than one year may be from any of the following sources:

i) Debentures (including those issued to Infrastructure Ontario, or its successor organizations), which may be in the following form or a combination thereof:
   - Instalment/Serial
   - Sinking Fund
   - Amortizing
   - Variable Interest Rate
   - Foreign Currency (in the currencies prescribed by O. Reg. 247/01, Sched.)
   - Retirement Fund
   - Term
ii) **Reserves and Reserve Funds**
An internal loan from reserve funds to finance capital projects must be in accordance with the City's Reserve Policies and must be approved and authorized by Council; a recommendation report requesting authorization should contain the details pertaining to the loan including amount, term, interest rate and any other relevant details. Normal practice would be for a term or a period of less than or equal to fifteen years.

iii) **Bank loan agreements, variable interest rate bank loan agreements, syndicated bank loan agreements.**

iv) **Lease Financing Agreements**
Leases may be used to finance equipment, buildings, land or other assets that the City does not have a long-term interest in or may not be able to acquire through other means, and when they provide material and measurable benefits compared with other forms of financing.

v) **Construction Financing Debentures**
- May be used for a period up to five (5) years during construction or rehabilitation of certain facilities from which a revenue stream is expected to be generated (e.g. water plant) upon its completion.
- Should the City pass a debenture by-law which provides that instalments of principal or interest, or both, are not payable during the period of construction of an undertaking for which the debt was incurred, then the City shall only do so in accordance with the requirements of O. Reg. 278/02 (Construction Financing).

vi) **Tile Drainage Debentures**
These will be used to finance the construction of tile drainage systems for agriculture and for those individual farmers who apply and are accepted for financing.

c) **Debt Structures**
- Debt issues are structured to achieve the lowest possible all-in net cost of funds, subject to constraints of debt maturity, the capital asset being financed, prevailing capital market conditions and the objectives of the Debt Policy.
- The term of a debt of the City or any debenture or other financial instrument for long-term borrowing issued for it shall not extend beyond the lifetime of the capital work for which the debt was incurred and shall not exceed 40 years (Municipal Act, 2001, s. 408(3)).
• To the extent possible, debt will be structured to require repayment as soon as feasible so as to recapture its borrowing capacity for future use and minimize costs where possible.

• The principal must be amortized (repaid) over the term of the debenture and repaid to investors or contributed to a sinking fund that would provide for repayment when the debt matures.

• A by-law that authorizes a bank loan agreement shall provide for repayment of the principal and the interest on the unpaid balance in one or more instalments in each year. O. Reg. 276/02, s. 2(2).

• For variable rate debentures and variable interest rate bank loan agreements, the City may employ interest rate exchange agreements to fix the variable interest rate.

• To issue foreign currency debentures, the City must enter into one or more foreign currency exchange agreements for the debenture on or before the date it issues the debenture to convert the foreign currency principal and interest payments to Canadian currency payments. This must be done in accordance with the requirements of O. Reg. 247/01.

• Every debenture issued by the City shall rank concurrently and equally in respect of payment of principal and interest with all other debentures of the City (Municipal Act, 2001, s. 408(7)).

d) Credit Rating Requirements
The City may only issue foreign currency debentures or variable interest rate debentures, and may enter into a variable interest rate bank loan agreement or into a syndicated bank loan agreement only if either the City itself or its long-term debt obligations are rated by:

• Dominion Bond Rating Service Limited as "AA(low)" or higher, or

• Moody’s Investors Service, Inc. as “Aa3” or higher, or

• Standard and Poor’s as “AA-“, or higher, or

• Fitch Ratings as “AA-“, or higher.

O. Reg. 276/02, s. 9, O. Reg. 247/01, s. 5, s. 9(b)

3.02 Financing Risk Identification and Mitigation Strategies

Financial risks associated with financing instruments will be identified and considered prior to the use of the financing instrument in relation to other available financing instruments, and strategies to mitigate the risk will be considered and used when deemed practicable.
a) Availability of Future Debt Capacity
The City recognizes the importance of maintaining availability of debt capacity for future capital needs and to ensure long-term financial flexibility. Accordingly, the tax and rate supported budget documents show the projected amount of debt financing that may be required for each year over a ten year forward looking period so as to evaluate future debt capacity and the impact on the City's financial flexibility and sustainability.

b) Refunding Risk
The City may issue debentures for which the amortization to retirement period is longer than the contractual term of the debenture, similar to a home mortgage, resulting in the balance of the debt remaining at the end of the contractual term to be refinanced.

The risk would be that interest rates may be higher during the second financing period, resulting in higher than anticipated debt payments. For this reason the use of refunding debentures will not be a preferred method of financing by the City whenever tax levy is the primary source of funding. However there will be no restriction to the use of refunding debentures funded mainly from development charges or user rates which tend to be for longer periods and are better able to absorb increases (or decreases) to their cost of financing over time.

Further risk to the City may arise if market conditions are unfavorable to financing at the end of the first contractual term of a refunding debenture. In this case, mitigation strategies that would be considered include pre-financing, short-term borrowing from reserves, using variable rate debt and lines of credit, and making borrowing applications to government and government agencies such as Infrastructure Ontario (or its successor organizations).

c) Construction Financing
Construction financing may be used to “lock-in” the debt needed for a capital project that will eventually generate a revenue stream which could be used to make principal and interest payments (e.g. water plant). Construction financing is unique in that the debt may be accrued in advance of the project’s completion; the interest accrues and no payments are made during the building period.

The following risks compared to other forms of financing will be considered prior to the use of construction financing:
• The possibility that interest rates may fall from the time the rate for the construction loan is established and completion of construction. Should there be a high probability of this occurring, staff will consider the use of variable interest rate rather than fixed rate financing as a method to mitigate this risk;

• The possibility that the final cost of construction could be materially less than initially forecasted and financed. Staff will consider whether or not to issue debt until a fixed rate contract has been awarded or to issue debt that does not exceed 75% of the projected cost as a method to mitigate this risk.

• Other risks include that the construction project may not be able to proceed or is not completed for technical or other reasons. The mitigation option to be considered in this case will be not to issue long-term debt until all critical construction contracts have been awarded.

The City Treasurer will prepare a statement of policies and goals related to construction financing, which must be adopted by Council before a by-law is passed that provides for construction financing. The statement shall include the following:

• The fixed and estimated costs to the City;
• Whether the costs of the proposed construction financing are lower than other methods of financing available to the City;
• A detailed estimate with respect to the terms of the City’s expectations of revenue generation from the undertaking, once constructed;
• The risks to the City if the undertaking is not constructed or completed within the period of construction as estimated by Council; and
• The financial and other risks for the City.

(O. Reg. 278/02, s. 2)

d) Lease Financing Agreements
Risks arising from lease financing agreements compared to other forms of financing will be considered prior to their use. These risks are outlined in the City’s Lease Policy.

e) Variable Interest Rate Debenture and Variable Interest Rate Bank Loan Agreements
Variable interest rate debentures and variable interest rate bank loan agreements may be used when there is volatility in the financial market and/or there is an expectation of significantly lower interest rates occurring within a few months of their issue or if it is financially advantageous or otherwise deemed necessary.
The interest rate may be left variable if in the opinion of the City Treasurer it is in the City's best interest. A variable interest rate may be converted to a fixed rate by means of an interest rate exchange agreement in order to mitigate the interest rate exposure.

The City cannot enter into a variable interest rate bank loan agreement if the total amount of principal to be loaned under the agreement plus the total outstanding principal of all other variable interest rate bank loan agreements and variable interest rate debentures of the City would exceed 15% of the total outstanding principal of all undertaking or work indebtedness of the City plus the total amount of principal to be loaned under the bank loan agreement (O. Reg. 276/02, s. 8).

f) Foreign Currency Debentures
Foreign currency debentures may be used when the “all in” cost of financing in a foreign market is cheaper or the market conditions are such that domestic financing is not practicable. The risk associated with foreign currency debentures is that the rate of currency exchange incurred for future interest and principal payments could significantly increase over the term of the debt, raising its overall cost. This risk is mitigated by legislation which requires a foreign currency debenture to have the rate of exchange for all interest and principal payments fixed prior to its issue by means of a foreign currency exchange agreement. The foreign currency exchange agreement for a debenture shall, when read together, provide for the reduction of currency risk with respect to the entire amount of principal and interest payable under the debenture and shall require any amount payable to any person under the agreement or agreements to be expressed as a Canadian currency amount.

g) Bond Forward Agreements
The timing and interest rate of a City’s debenture issue is dependent upon market or economic conditions prevailing at the time of each issue, which may include unfavourable market conditions due to issuance calendars and in times of financial crisis. Therefore the City is exposed to changes in interest rates until a planned debenture issue is launched. Bond forward agreements would allow the City to lock-in the underlying interest rate of a planned debenture issue, which would facilitate the issuing process and reduce the risk of changes in interest rates.
4.01 Methods Used to Issue Debt

a) Sale Method for Debentures Issued in the Public Markets
   - Underwriting Syndicate: The use of an underwriting syndicate will be the normal method by which debentures will be sold by the City;
   - Tender: A tender process may be used when and if significant savings could be expected when compared to issuing through an Underwriting Syndicate;
   - Bought Deal/Private Placement: This may be appropriate for only "one off" or unusual financing structures when significant savings would be expected or when market conditions are volatile or otherwise difficult.

b) Bank Loan Agreements
   Bank loan agreements are deemed to be debentures. Variable interest rate bank loan agreements have a variable interest rate.

c) Debentures Issued Through Other Levels of Government
   The City may issue debentures to Infrastructure Ontario or its successor organizations. In general, when evaluating whether to participate in a loan or debt program being offered by the federal government or the government of Ontario, the interest rate and terms would be compared with the City's all-in cost of borrowing for other methods under consideration.

d) Financial Guarantees and Letters of Credit
   Financial guarantees and/or letters of credit provided by the City will be considered as debt and will be governed by the Debt Policy.

e) Debt Retirement Reserve Fund
   Council may authorize contribution to a debt retirement reserve or reserve fund to fully or partially fund the purchase of outstanding debt prior to its maturity to offset the funding requirements related to debt. Investments for the debt retirement reserve fund would be made in accordance with the City's Statement of Investment Policies and Procedures (SIP&P) for Reserve/Revenue Funds.

f) Sinking Fund
A sinking fund will be established whenever sinking fund debentures are issued during a calendar year. Investments for the sinking fund would be made in accordance with the City’s SIP&P for Reserve/Revenue Funds.

4.02 City’s Process for Issuing Debentures and/or Bank Loan Agreements

Approval by Council is required to authorize the issuance of debentures and/or a bank loan agreement, and the general process for the City is as follows:

a) The City Treasurer through a Recommendation Report to Council:
   - Requests authorization to negotiate the terms and placement of a debenture issue(s) and/or bank loan agreement in an amount to finance capital projects or for any short term loans for operations.
   - Requests authorization to engage the services of a fiscal agent(s) and external legal counsel and enter into all agreements necessary, including Letter(s) of Representation with the Canadian Depository for Securities Ltd, to secure the terms and issuance of a debenture issue(s).
   - Is directed by Council to negotiate and execute all required documentation, in a form satisfactory to the City Solicitor
   - Recommends that a by-law be passed authorizing the debenture issue and/or bank loan agreement, which was negotiated and placed.
   - Provides the details and rationale that justify the financing including the chosen structure of debt, an evaluation of the other financing options that were considered and a comparison of the costs.

b) The City Treasurer prepares the required final legal documentation and arranges for its execution and decides on the timing of the debt closing.

c) Subsequent to the closing of a debenture issue or bank loan agreement or another debt, the City Treasurer shall present to Council a report with details of the financing including the structure of the debenture and/or bank loan agreement, final monies raised, term to maturity, interest rate and cost savings compared with other forms of financing that were considered and any other relevant details.

4.03 Investment of Debt Issuance Proceeds

Funds raised through debt issuance activities will be invested in accordance with the City’s SIP&P for Reserve/Revenue Funds until such time as the funds are required.
V. DEBT MANAGEMENT PRACTICES

5.01 Ethics and Conflicts of Interest
City staff that are involved in the debt issuance process are expected to abide by the City's Code of Conduct for Employees Policy. In particular, they shall:

- Refrain from personal business activity that could conflict with the proper execution and management of financing activities or that could impair their ability to make impartial decisions;
- Disclose any material interests in financial institutions with which they conduct business;
- Disclose any personal financial/investment positions that could related to the performance of their financing activities; and
- Not undertake personal financial transactions with the same individual with whom business is conducted on behalf of the City.

5.02 Requirements for Outside Advice
The City's staff will be expected to have sufficient knowledge to prudently evaluate standard financing transactions. However, should in their opinion the appropriate level of knowledge not exist for instances such as debt issuance transactions that are unusually complicated or non-standard, or as otherwise directed, outside financial and/or legal advice will be obtained.

5.03 Legal Support
A specific borrowing by-law must be adopted by Council to authorize the borrowing through the issuance of debentures and/or the entering into a bank loan agreement for the purpose of capital financing that is covered by this Debt Policy.

The Legal Services Division provides legal advice with regard to the City's debt financing transactions and legal advice may also be obtained from external legal counsel. This advice would cover the initial proposal and extend to the various contracts and agreements that would have to be executed in conjunction with the transaction.

External legal counsel is retained by the City to provide a legal opinion on the transaction. The Legal Services Division works closely with external legal counsel. It is
the responsibility of the issuer (i.e. the City) to bear the full costs associated with the transaction.

### 5.04 Authority to Issue Debt
Council shall, before giving authorization for capital work that would require a long-term debt or financial obligation, have the City Treasurer calculate an updated Annual Repayment Limit using the most recent Annual Repayment Limit determined by the Ministry. O. Reg. 403/02, s. 4 (1). The City Treasurer must submit to Council a report requesting authority to issue debt, for instance in any of the following cases:

- To undertake temporary borrowing up to a stipulated amount to meet day-to-day expenditures, pending receipt of tax levies, user fees and revenues anticipated during the year;
- To issue debt for certain items detailing for each type of item, the amount and the maximum term of financing, the type of instrument and structure used for the debt issuance or financing;
- To issue debt or finance for sinking fund purposes in that year.

### 5.05 Reporting Requirements

**Financial Lease Agreements:**
Reporting requirements for lease financing agreements entered into by the City are contained in the City’s Lease Policy.

**Construction Financing:**
If the City has any outstanding debentures related to construction financing under clause 408 (4) of the Municipal Act, 2001, in a fiscal year, the City Treasurer shall present to Council once in that fiscal year, or more frequently, if Council so provides, a detailed report on all those debentures, containing the following:

- A description of the proportion of the construction financing debentures issued to the total long-term debt of the City and a description of the change, if any, in that estimated proportion since the previous year’s report;
- A statement by the City Treasurer as to whether, in his or her opinion, all debentures issued were made in accordance with the statement of policies and goals relating to construction financing adopted by Council;
- An update of the detailed estimate with respect to the terms of the City’s expectations of revenue generation from the undertaking;
- A record of the date of the repayment of each instalment of principal, interest or both principal and interest made during the period of construction and during the term of the debentures;
• A statement of the outstanding instalments of principal, interest or both principal and interest repayable during the currency of the debentures issued that will be due and payable in each year;
• Any such other information that Council may require or that in the opinion of the City Treasurer should be included.

Bank Loans:
If the City has any subsisting variable interest rate bank loan agreements in a fiscal year, or any subsisting interest rate exchange agreements applicable to them, the City Treasurer shall present to Council once in that fiscal year, or more frequently if Council so desires, a detailed report on all those bank loan or interest rate exchange agreements. O. Reg. 276/02, s. 12.

Variable Interest Rate Debentures and Foreign Currency Borrowing:
If the City has any outstanding variable interest rate debentures or foreign currency debentures in a fiscal year, or any subsisting interest rate or foreign currency exchange agreements applicable to them, the City Treasurer shall present to Council once in that fiscal year, or more frequently if Council so desires, a detailed report on all those debentures or agreements. O. Reg. 247/01, s. 12.

Bond Forward Agreements
If the City has entered any bond forward agreements in a fiscal year, the City Treasurer shall present to Council once in that fiscal year or more frequently if Council so desires a detailed report on all the bond forward agreements including the following information and documents:
• A statement comparing the expected and actual results of using bond forward agreement during the period of the report.
• A statement by the City Treasurer indicating whether, in his or her opinion, all of the bond forward agreements entered during the period of the report are consistent with the City's statement of policies and goals relating to the use of bond forward agreements.
• Such other information as Council requires or as the City Treasurer considers appropriate to include in the report.
O. Reg. 653/05, s. 4(1), s. 4(2)

All the above include in addition any such information as the Council may require and such other information as the City Treasurer considers appropriate to include in any of the reports.
5.06 Responsibilities

Council: Overall responsibility for authorizing debt issuance.

The City Treasurer: Responsibility for directing and implementing the activities of debt issuance including but not limited to:

- Review and recommend the type and term of financing for capital projects and operating requirements;
- Update the debt and financial obligation limit for the City as prescribed by the Municipal Act, 2001;
- In consultation with the underwriting syndicate, approves the timing and structure of debt issues;
- Coordinates the preparation of debt issue by-laws;
- May execute and sign documents on behalf of the City and perform all other related acts with respect to the issuance of debt securities;
- Liaises and assists credit rating agencies in the evaluation of the credit worthiness of the City's debt securities;
- Reviews and recommends to Council the financial and business aspects of any material lease financing agreements and transactions;
- Ensures all reporting requirements identified within the Debt Policy are met; and
- Signs required documentation under the Municipal Act, 2001.

Chair of Council: The Chair of Council may execute and sign documents on behalf of the City with respect to the issuance of debt securities and shall sign debentures.

Clerk: The Clerk may certify and sign documents on behalf of the City with respect to the issuance of debt securities.

5.07 Debt Policy Review

The Debt Policy will be reviewed periodically by the City Treasurer. Any required changes shall then be submitted to Council for consideration and approval. Any changes or revisions to the Municipal Act, 2001, or to the regulations thereunder subsequent to the formal adoption of the Debt Policy which affect the policy will apply when they come into force. The Debt Policy will be updated to reflect such change(s) at the time of formal review. Otherwise, the Debt Policy must be formally reviewed and approved by Council at a minimum every four years (from the date of the last review).
VI. USE OF DERIVATIVES

6.01 Interest Rate Exchange Agreements:
If the City has issued or plans to issue a variable interest rate debenture, it may enter interest rate exchange agreements for the debenture. (O. Reg. 247/01, s. 4(1)) Similarly, if the City has issued or plans to issue a variable interest rate bank loan agreement, it may enter interest rate exchange agreements for the bank loan agreement (O. Reg. 276/02, s. 10). The interest rate exchange agreement would fix the interest rate from a variable interest rate.

6.02 Foreign Currency Exchange Agreements:
In the case of a foreign currency debenture, the City may only issue a foreign currency debenture if it enters into one or more foreign currency exchange agreements for the debenture on or before the date it issues the debenture. (O. Reg. 247/01, s. 9 (a)). This would convert the interest and principal payable in foreign currency to a Canadian currency amount.

Credit Rating Requirement:
Further to the 6.01 and 6.02 above, the City may only enter a foreign exchange agreement or an interest rate exchange agreement with a counterparty whose debt obligations are rated:
- by Dominion Bond Rating Service Limited as "AA(Low)" or higher,
- by Fitch Ratings as "AA-" or higher,
- by Moody's Investors Service, Inc. as "Aa3" or higher, or
- by Standard and Poor's as "AA-" or higher.
O. Reg. 276/02, s.11, O. Reg. 247/01, s. 10.

6.03 Bond Forward Agreements:
If the City has passed a by-law authorizing a debenture issue denominated in Canadian currency, it may enter a bond forward agreement in order to minimize the risk related to the debentures because of fluctuations in interest rates (O. Reg. 653/05, s. 2(1)) and thereby set a ceiling on the coupon rate of a planned debenture issue.

The City may enter bond forward agreement for a debenture issue denominated in Canadian currency only if it has passed a by-law authorizing that debenture issue. Bond forward agreements will have a settlement date which is not longer than 180 days or more after which the agreement is executed. O. Reg. 653/05, s. 2(5).
Before the City passes a by-law authorizing a bond forward agreement, Council shall adopt a statement of policies and goals relating to the use of bond forward agreements. Included in the statement of policies and goals are:

- The fixed costs and estimated costs to the City resulting from the use of bond forward agreements;
- A detailed estimate of the expected results of using bond forward agreements;
- Risk control measures relating to such agreements such as credit exposure limits based on credit ratings and on the degree of regulatory oversight and the regulatory capital of the counterparty and ongoing monitoring with respect to the bond forward agreements;
- A comparison of financial and other risks to the City that would exist with and without the use of bond forward agreements.

O. Reg. 653/05, s. 3

Credit Rating Requirements for Bond Forward Agreements:
The City shall only enter into a bond forward agreement with a bank listed in Schedule I, II or III to the Bank Act (Canada) and only if the bank’s long-term debt obligations are rated by:

- Dominion Bond Rating Service as “A(high)” or higher; or
- Fitch Ratings as “A+” or higher; or
- Moody’s Investors Service Inc. as “A1” or higher; or
- Standard and Poor’s as “A+” or higher.

O. Reg. 653/05, s. 2(7).
References

- Ontario Regulation 403/02 (Debt and Financial Obligation Limits)
- Ontario Regulation 438/97 (Eligible Investments and Related Financial Agreements)
- Ontario Regulation 247/01 (Variable Interest Rate Debentures and Foreign Currency Borrowing)
- Ontario Regulation 276/02 (Bank Loans)
- Ontario Regulation 586/06 (Local Improvement Charges – Priority Lien Status)
- Ontario Regulation 653/05 (Debt Related Financial Instruments and Financial Agreements);
- Ontario Regulation 603/06 (Municipal and School Capital Facilities – Agreements and Tax Exemptions)
- Ontario Regulation 278/02 (Construction Financing)
- Tile Drainage Act, R.S.O. 1990, c. T.8 and regulations thereunder.
- City of Hamilton Reserve/Revenue and Trust Accounts Statement of Investment Policies and Procedures
- City of Hamilton Reserve Policies
- City of Hamilton Lease Financing Policy
- City of Hamilton Code of Conduct for Employees Policy
LEASE FINANCING POLICY

CITY OF HAMILTON
The City of Hamilton
Lease Financing Policy

Policy Statement

This policy constitutes the City of Hamilton’s statement of policies and goals relating to the use of lease financing agreements as required under Ontario Regulation 653/05 made under the Municipal Act, 2001.

Purpose

The purpose of this policy is to provide guidance to staff when contemplating lease agreements for the provision of municipal equipment and facilities. Lease Financing Agreements may be preferred to outright purchase and/or debt financing of equipment and facilities. The City may enter into lease arrangements in order to acquire the rights to use capital property and equipment, including some or all of the benefits and risks of ownership for specific periods of time and stipulated rental payments.

Definitions

Combined Material Impacts - The costs or risks of a proposed Non-Material Lease which, when combined with all other Non-Material Leases entered into or proposed to be entered into in a particular year by the municipality would result in an amount of payment exceeding 20% of the annual debt and financial obligation limit for the City as determined in accordance with Ontario Regulation 403/02.

Lease Financing Agreement - A financial arrangement, including a Material Lease or a Non-Material Lease, whereby equipment or municipal capital facilities are provided to the City by a third party in exchange for a series of payments that may extend beyond the term for which Council was elected (includes renewal options).

Lease Term - The term of the lease shall be the entire term of the lease including any possible extensions or renewals as stated in the lease.

Material Impact - A Lease Financing Agreement has a material impact on the City if the costs or risks associated with the agreement significantly affect the City’s debt and financial limit determined in accordance with Ontario
Regulation 403/02, or would reasonably be expected to have a significant effect on that limit.

**Material Lease** - A Lease Financing Agreement which extends beyond the term of Council which requires annual payments of $150,000 or more or a lease term of more than five years for commercial real property.

**Non-Material Lease** - A Lease Financing Agreement which requires annual payments of less than $150,000 annually with a lease term of less than 5 years.

## Classes of Capital Municipal Facilities:

Lease Financing Agreements may be entered into for the provision of the following classes of municipal capital facilities:

1. facilities used by Council
2. facilities used for the general administration of the municipality
3. municipal roads, highways and bridges
4. municipal local improvements and public utilities
   - municipal facilities for the generation of electricity
5. municipal facilities related to the provision of telecommunications, transit and transportation systems
6. municipal facilities for water, sewers, sewage, drainage and flood control
7. municipal facilities for the collection and management of waste and garbage
8. municipal facilities related to policing, fire-fighting and by-law enforcement
9. municipal facilities for the protection, regulation and control of animals
10. municipal facilities related to the provision of social and health services, including long-term care homes under Part VIII of the *Long-Term Care Homes Act, 2007*
11. municipal facilities for public libraries
12. municipal facilities that combine the facilities described in paragraphs 1 to 11
13. parking facilities ancillary to facilities described in any of the paragraphs 1 to 12
14. municipal community centres
15. parking facilities ancillary to facilities described in paragraph 14
16. municipal facilities used for cultural, recreational or tourist purpose
17. municipal general parking facilities and parking facilities ancillary to facilities described in paragraph 16
18. municipal housing project facilities

## Required Contents

Every Lease Financing Agreement must include a schedule of all fixed amounts of payment, if any, required under the lease and that may be required under any possible extensions or renewals of the lease.
All Lease Financing Agreements (material, non-material, and exempt) are to be reviewed by the Treasurer of the City of Hamilton ("City Treasurer") for classification, compliance with this policy and calculation of total annual lease payment obligations. Final execution of lease documents requires the signatures of the Mayor, City Clerk and the City Treasurer.

Non-Material Leases

In the opinion of the City Treasurer and City Council, the following types of Lease Financing Agreements will not result in a Material Impact for the municipality and are therefore Non-Material Leases:

- any lease requiring annual payments of less than $150,000.00
- any lease requiring annual payments of less than $150,000.00 entered into in accordance with the City's "Purchasing Policies and Procedures" as approved by City Council, including, but not limited to, leases of: office equipment; automobiles; information technology infrastructure; hardware and software; communications equipment; machinery and equipment
- any building or property lease entered into with a term of less than five years
- any leases in place at the time of Council approval of this policy.

Even if a Non-Material Lease does not have to be reported to Council under this policy, the lease shall be reported to Council when required by the City's "Purchasing Policies and Procedures" as approved by Council, or equivalent policy then in effect, or by any other applicable by-law or approved policy and procedure.

If, at any time after a report is made, but before the Lease Financing Agreement is entered into, the City Treasurer becomes of the opinion that a changed circumstance with respect to the proposed lease may result in a Material Impact or a Combined Material Impact for the municipality, the report respecting the proposed lease must be updated as soon as is reasonably possible and presented to Council.

Council Report on Non-Material Leases With a Combined Material Impact

Where a proposed Non-Material Lease in combination with all other Non-Material Leases entered into or proposed to be entered into in a particular year by the municipality would have a Combined Material Impact as defined (section below), the proposed Non-Material Lease is to be reported and reviewed by City Council as if it were a Material Lease under this policy.

Meaning Of Combined Material Impact

In the opinion of the City Treasurer and City Council, a proposed Non-Material Lease in combination with all other Non-Material Leases entered into or proposed to be entered
into in any particular year would have a Combined Material Impact ONLY if the annual payment of all such Non-Material Leases were greater than 20% of the City's annual debt and financial obligation limit determined in accordance with Ontario Regulation 403/02. Where such total annual payment is less than 20%, a proposed Non-Material Lease is not required to be reported to and reviewed by Council under this policy.

**Process For Approval Of A Material Lease**

**Treasurer's Report -**

Before entering into a Material Lease, the City Treasurer shall prepare a report to Council assessing the costs and financial and other risks associated with the proposed Material Lease, including any possible extensions or renewals. The report will include:

- a comparison between the fixed and estimated costs and the risks associated with the proposed Material Lease and those associated with other methods of financing;
- a statement summarizing, as may be applicable, the effective rate or rates of financing for the Material Lease, the ability for lease payment amounts to vary, and the methods or calculations, including possible financing rate changes, that may be used to establish that variance under the lease;
- a statement summarizing any contingent payment obligations under the lease that, in the opinion of the City Treasurer would result in a Material Impact for the municipality, including lease termination provisions, equipment loss, equipment replacement options and guarantees and indemnities;
- a summary of the assumptions applicable to any possible variations in the lease payment and contingent payment obligations; and
- any other matters the City Treasurer or City Council considers advisable.

**Council's Role -**

Council is responsible for determining whether the costs of financing for the proposed Lease Financing Agreement are lower than other methods of financing available to the municipality, and whether the risks associated with the Lease Financing Agreement are reasonable.

In considering the report and recommendation from the City Treasurer, Council is responsible for ensuring that legal and financial advice has been obtained, and must consider
whether the scope of the proposed lease warrants further legal or financial advice from an independent source.

If Council decides to approve entry into the Lease Financing Agreement, such approval shall be by by-law.

Annual Report To Council

Once in every fiscal year, the City Treasurershall provide a report to Council containing the following:

- a description of the estimated proportion of the total financing arrangements of the municipality that is undertaken through Lease Financing Agreements to the total long-term debt of the municipality;
- a description of the change, if any, in that estimated proportion since the previous year's report;
- a statement by the City Treasurer as to whether, in his/her opinion, all Lease Financing Agreements (Material or Non-Material) were made in accordance with this policy;
- any other information that may be requested by Council or that, in the opinion of the City Treasurer, should be recorded.

Policy Review

The Lease Financing Policy will be reviewed periodically by the City Treasurer. Any revisions to the policy must be submitted to Council for consideration and approval. The policy shall be read and interpreted in accordance with the Municipal Act, 2001, the Assessment Act, R.S.O. 1990, c. A.31, and the regulations thereunder, as amended from time to time, that apply to this policy. The policy will be updated to reflect any change(s) to applicable legislation and regulations at the time of formal review. Otherwise, the City Treasurer must formally review the policy at a minimum of every four years.
City of Hamilton Sesquicentennial Steering Committee
Terms of Reference

VISION

The City of Hamilton Sesquicentennial Steering Committee (Committee) will build a movement to celebrate and inspire Hamilton on the occasion of Canada’s Sesquicentennial, the 150th Anniversary of the founding of Canada which occurs in 2017.

MANDATE

The Committee is a group of community leaders and government representatives who will make recommendations to Hamilton City Council (Council) for the municipal celebration of the 150th Anniversary of Canada as we reflect on our achievements and growth as a nation and look ahead to the future.

STRATEGIC PRIORITIES 2014-2017

Sesquicentennial Committee will:

- Recommend to Council a Sesquicentennial strategy, including recommendations for legacy infrastructure projects and events;
- Connect with Members of Parliament (MP) and the Department of Canadian Heritage with respect to the Government of Canada’s plans for the country’s Sesquicentennial Program;
- Ensure that Hamilton’s MPs and MPPs are kept informed of the Committee’s deliberations and proposals;
- Recommend to Council a timeframe, cost estimates and funding opportunities needed for implementation of Sesquicentennial infrastructure projects and events;
- Advocate and solicit financial support from all levels of government, government agencies and the private sector to support Council-approved Sesquicentennial plans; and,
- Liaise with City staff and community stakeholders to share the Sesquicentennial vision and strategy, and to encourage widespread participation.

Outcomes:

- Committee is instrumental in creating a Sesquicentennial movement in Hamilton;
- Committee identifies and develops at least one legacy project;
- A broad range of stakeholders and interested citizens are successful in contributing to, and participating in, the Sesquicentennial movement in Hamilton; and,
- Hamilton’s Sesquicentennial Program is closely aligned with Federal and Provincial initiatives to ensure maximum impact.
Impacts:

- The physical legacy project and memories of Sesquicentennial events will have long-lasting impact on community and national identity;
- Hamiltonians of all demographics will feel they participated in the Sesquicentennial; and,
- We will have learned new ways to work together that increase our connectivity and capacity for creativity and innovation.

COMMITTEE COMPOSITION

The Committee is comprised of citizen leaders and municipal representatives, as per Table 1 below:

Table 1 – Steering Committee Composition

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<thead>
<tr>
<th>Representative</th>
<th>Member(s)</th>
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<tr>
<td>Citizens</td>
<td>4</td>
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<td>City Council</td>
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<tr>
<td>City Staff</td>
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<td><strong>Total</strong></td>
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COMMITTEE APPOINTMENTS, DURATION AND MEMBER TERMS

- The Committee shall not exceed 7 members, with a maximum of 2 members of Council and 1 member of City staff sitting on the Committee;
- Councillor B. McHattie and Councillor T. Whitehead will be Council’s representatives on the Committee for the balance of the 2010-2014 term of Council, as mandated by Council at its Council Meeting of June 26, 2013;
- Due to the Council election in 2014, 2 Council representatives to the Committee for 2015-2017 will be selected during a General Issues Committee meeting of the 2015-2019 term of Council;
- The Director of Tourism and Culture or her/his designate shall be the City staff representative to the Committee for a four-year term from January 2014 to November 2017;
• Selection of Committee members for the 2014 commencement of the Committee will be done by Councillor McHattie, Councillor Whitehead and the Director, Tourism and Culture Division through a targeted solicitation;

• Appointments to the Committee, other than elected members of City Council, shall be for a four-year term from January 2014 to November 2017; and,

• In light of the evolving phases of the Sesquicentennial, future selection of Committee members, if required, will be done by the Co-Chairs of the Committee and the Director, Tourism and Culture Division.

REPORTING

The Committee will report to Council, through the Director, Tourism and Culture Division on an annual basis or more frequently, if required.

MEETINGS

The Committee will meet bi-monthly.

ELECTION OF OFFICERS

The Committee shall appoint its Co-Chairs, with a maximum of one Co-Chair being a member of Council.

DECISION-MAKING

• Quorum is the number of people required to be present at a meeting to validate the transaction of the Committee's business. Quorum is a majority of the whole number of members of the Committee (more than 50%) and is required whenever a vote is taken by the Committee.

• Between scheduled meetings, should a decision be required, the Co-Chairs will poll all Committee members and make an objective decision based on that poll. The decision will be communicated through online means to all members.

ROLE OF COMMITTEE MEMBERS

The Committee will develop a Work Plan and, as part of each meeting agenda, review their progress in implementing the goals and objectives of the Work Plan.

Co-Chairs:

• Are the official spokespersons for the Committee and speak on behalf of the Committee to the media, as necessary;
• Ensure that the agenda is prepared and circulated prior to the meeting; and,
• Consult with Committee staff resources, as necessary.
Committee Members:
- Contribute positively to the Sesquicentennial as it evolves through different planning and development phases;
- Consider issues from a broad perspective, while at the same time representing specific sectors, communities, or viewpoints;
- Attend meetings and maintain a commitment to the Sesquicentennial during the terms served;
- Publicly support decisions made by the Committee as a whole; and,
- Abide by the provisions contained in the Terms of Reference in the performance and discharge of functions and duties.

CONDUCT OF BUSINESS

The Committee and its members are governed by all applicable City By-laws and Policies for the conduct of meetings and activities, including but not limited to:

1. Procurement Policy By-law No. 12-255 for procuring goods and services;
2. Municipal Act; and,

SUB-COMMITTEES

The Committee has the authority to strike specific sub-committees, as needed, to ensure broad citizen involvement with local projects and events as well as links between Hamilton’s Sesquicentennial Program and Federal and Provincial directions. Selection of sub-committee members will be done by the Committee through a targeted solicitation.

The Committee will, in 2014, strike a Program Sub-Committee not to exceed 20 members. The Program Committee will:

- Contribute to the creation of a Sesquicentennial strategy;
- Work with the members of the sectors, communities and organizations they represent to promote the Sesquicentennial and to encourage the development of related initiatives;
- Research opportunities for financial support from upper levels of government, government agencies and the private sector to support Sesquicentennial plans;
- Outline communication resources and partners required for the successful local and regional promotion of the Sesquicentennial; and,
- Share ideas, methodologies and resources to support citizen-led, community-produced Sesquicentennial activities throughout Hamilton.

The Program Sub-Committee will include, but not be limited to, representatives from the following sectors, communities and organizations, as per Table 2 below:
Table 2 – Program Sub-Committee Composition by sector or organization

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<th>Representative</th>
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<td>Hamilton Historical Board*</td>
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<td>Tourism Advisory Committee*</td>
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<td>Regional Tourism</td>
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<td>Festivals and Events</td>
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<td>Recreation</td>
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<td>Heritage Resource Management Section, Tourism and Culture Division</td>
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<tr>
<td>Arts, Events and Grants Section, Tourism and Culture Division</td>
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<td>Total</td>
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*As mandated by Council (City Council Meeting – June 26, 2013).

**STAFF RESOURCES**

Staff resources to be provided to the Committee and any of its sub-committees through the Tourism and Culture Division, including a recording secretary.
AMENDMENTS OF TERMS OF REFERENCE

These Terms of Reference may be amended if approved by a majority of Committee members and City Council. Notice of possible action on the Terms of Reference must be given at a prior Committee meeting and reported to Council through the Director, Tourism and Culture Division.

Approved:
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<td>5:00 p.m. – COUNCIL</td>
<td>9:30 a.m. – GIC Budget Deliberations</td>
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May 2014

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December 2014

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21  22  23  24  **CHRISTMAS EVE**  25  **CHRISTMAS DAY**  26  **BOXING DAY**  27

28  29  **SHUTDOWN**  30  **SHUTDOWN**  31  **SHUTDOWN**

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