Present: Mayor F. Eisenberger


Absent with regrets: Councillor B. McHattie - Bereavement

Also Present: G. Peace, City Manager
J. Rinaldo, General Manager, Finance and Corporate Services
J. Priel, General Manager, Community Services
J. Kay, General Manager, Fire Chief, HES
T. McCabe, General Manager of Planning and Economic Development
K. Christenson, City Clerk
R. Caterini, Deputy Clerk
M. Gallagher, Co-ordinator

COMMITTEE OF THE WHOLE PRESENTS REPORT 07-023 AND RESPECTFULLY RECOMMENDS:

1. Incorporating By-laws (PW07096) (Item 4.1)

That Report PW07096 respecting Incorporating By-laws be received.
2. **Northbound Right Turn on Red Prohibition – King Street East and York Road (PW07097) (Ward 13) (Item 4.2)**

   (a) That right turns on a red traffic signal indication be prohibited at all times for northbound traffic on York Road at the intersection of King Street East and York Road in Dundas;

   (b) That the By-law outlined in Report PW07097 as Appendix “A” be passed and enacted to amend City of Hamilton By-law No. 01-215.

3. **City of Hamilton Support for the Canadian International Military Tattoo (PED07203) (Item 4.3)**

   (a) That Council provide funding in the amount of $35,000 to the Canadian International Tattoo for the 2007 event, to be funded from the Tax Stabilization Reserve.

   (b) That staff be directed to meet with representatives of the Canadian International Tattoo to discuss the event’s business plan and request that a delegation appear before Committee of the Whole to discuss the City’s future funding commitment beyond 2007.

   (c) That staff be directed to complete the funding agreement with the Tattoo, and that the Mayor and City Clerk be authorized to sign the agreement.

4. **Agreement Addendum to the: Safer Communities – 1,000 Officers Partnership Program (SCOPPP) with Ministry of Community Safety and Correctional Services for Additional Funding for Front-line Officers (City Wide) (Item 4.4)**

   That the Mayor and City Clerk be authorized and directed to execute the Funding Agreement Addendum: Safer Communities – 1,000 Officers Partnership Program (SCOPP) respecting additional funding for front-line officers between the Province of Ontario, the City of Hamilton and the Hamilton Police Services Board, such agreement to be in a form satisfactory to Corporate Counsel.

5. **Elected Official Remuneration (CM06016(a)) - (City Wide) (Item 6.1a)**

   (a) That report CM06016(a) with respect to elected official remuneration prepared by Gazda, Houlne & Associates Inc. be received;

   (b) That the recommendations with respect to elected official remuneration be adopted as follows:

   *Council – July 11, 2007*
(i) Continue to utilize the same market comparator group and establish a formal policy of carrying out a survey update in the last year of the term of Council;

(ii) Continue the use of Standing Committees to more effectively spread committee work among Councillors; at the start of the new term of Council, review the number and type of Standing Committees to ensure proper support to Council as a Whole and equitable distribution of the committee work load;

(iii) Maintain the current remuneration for the Mayor with an annual adjustment based on the increases to non-union salaries rather than changes in the CPI; assuming that non-union salaries increase by 2.5% at Hamilton, adjust the Mayor’s remuneration to $114,506;

(iv) Increase the Councillor remuneration from $56,358 to $65,344

(v) With the above recommended adjustment to Councillor remuneration, narrow the differential between the compensation of the Mayor and Councillor at Hamilton

(c) That By-Law No. 01-023 To Establish the Remuneration of Members of Council be amended and submitted to Council to provide annual increases effective each January 1st, equivalent to that provided to Non-Union Supervisory employees and as required.

(d) That the relevant item be removed from the Outstanding Business List of the Audit and Administration Committee.

6. **One Third Expense Allowance (FCS07026) (Item 6.1(b))**

(a) That Report FCS07026 respecting One Third Expense Allowance be received.

(b) That City Council confirm its intention to retain for this term of Council, the one-third of the remuneration paid to the elected Members of Council and its Local Boards as expenses incident to the discharge of their duties as Members of Council and its Local boards;
(c) That the 1/3 portion of remuneration be advertised in all publications for the stated salary of Councillor and the Mayor

(d) That the continuation of the One-Third Tax Free Provision be considered during the next Term of Council (2011-2014)

(e) That the relevant item be removed from the Outstanding Business List of the Audit and Administration Committee.

7. Resource and Deployment Review of Emergency Medical Services (EMS) (HES06005(a)) (City Wide) (Item 6.2)

(a) That the Operational Review of Emergency Medical Services for the City of Hamilton (third party review), prepared by Integrated Performance Solutions (IPS) (attached as Appendix “A” to Report HES06005(a)), be received.

(b) That staff be directed to implement Staff Option 2 below resulting in an increase of $7.03 million and an increase in 64 FTEs;

**Option 2**

(i) That in order to support and effectively manage the front-line services, provide an equitable city-wide paramedic response time, positively impact the overall response time, and minimize the frequency of EMS resource depletion, HES with the assistance of the Human Resources Department is recommending to:

(aa) add five (5) FTEs and apply the support structure (attached as Appendix “H” to Report HES06005(a));

(bb) hire 58 full-time equivalent paramedics and acquire the other necessities to staff six (6) paramedic response units to provide 24/7 coverage and (5) ambulances to provide 12/7 coverage, and one (1) full-time equivalent emergency vehicle technician;

(cc) HES management reference the consultants’ related recommendations when considering EMS deployment strategies and locations and in the interim maintain the existing hybrid dynamic deployment model.

(ii) That in order to enhance the city-wide level of medical care HES consult with OPSEU Local 256 and CUPE Local 1041 to support the implementation of:
(aa) all paramedics being trained and equipped to perform 12 Lead ECG acquisition contingent on new costs being limited to equipment and supplies and that the hospitals affirm that the transfer of care for heart attack patients will occur immediately on hospital arrival;

(bb) up to 36 primary care paramedics a year be trained and equipped to perform intravenous (IV) access, IV sugar, until at least 60% of the primary care paramedics are complete;

(cc) all paramedics be trained and equipped in a basic airway adjunctive device contingent on the CoH costs remaining within the existing paramedic training allocations.

(iii) That in order to make the best medical decisions regarding the level of out-of-hospital care offered by HES that is appropriate for the CoH, HES staff enter into a contract with an independent, duly qualified emergency medical doctor to provide HES with municipally focused advice and oversight that is free of direct or indirect bias from other agencies or organizations.

(iv) That the local hospitals (St. Joseph’s Hospital and Hamilton Health Sciences) continue to work collaboratively with HES to reduce hospital off-load delays by considering the following:

(aa) advocating for provincial assistance to resolve related health care system issues contributing to hospital off-load delays; and

(bb) voluntarily implement the following guidelines:

1. that 90% of the time the patient will be off-loaded and the transfer of care be complete within 15 minutes of the paramedic arriving at the emergency department triage desk, and that this occurs within 30 minutes, 99% of the time.

(v) That staff meet with the MOHLTC to discuss three (3) alternatives to collaborate on the improvement of ambulance dispatch services as follows and report back to the Emergency and Community Services Committee:
Committee of the Whole

Report 07-023

(aa) the MOHLTC Central Ambulance Communication Centre (CACC) agrees to enter into a performance contract with the CoH beginning December 31, 2007 that includes the following terms:

(bb) CACC maintains the MOHLTC standard to dispatch an emergency call within two (2) minutes, 90% of the time;

(cc) the MOHLTC implement any remaining recommendations from the 2001 Provincial “External Review of Hamilton CACC”¹; and

(dd) implement IPS recommendations related to CACC, including managing the hospital off-load circumstances; or

(ee) investigate the feasibility, terms and costs for the CoH to purchase ambulance dispatch services from a source other than the MOHLTC; or

(ff) investigate the feasibility, terms and costs for the CoH to assume CACC Hamilton operations as per the Niagara Region model.

(c) That Report HES06005(a) be referred to the 2008 Budget process for consideration.

(d) That staff continue to collaborate with area hospitals to resolve hospital off-load delays as outlined in Report HES06005(a).

(e) That the petition (attached as Appendix “C” to Report HES06005(a)) related to hospital off-load circumstances be approved and signed by the Mayor and forwarded to the Province.

(f) That staff collaborate with the Ministry of Health and Long-Term Care (MOHLTC) to ensure appropriate ambulance dispatch performance as outlined in Report HES06005(a).

(g) That staff measure and publicly report on:

(i) the frequency that within six (6) minutes of being requested by ambulance dispatch, any person or rescuer arrives at the scene of an out-of-hospital sudden cardiac arrest patient to initiate CPR and/or defibrillation; and

(ii) the frequency that within ten (10) minutes of being requested by ambulance dispatch, an ambulance or paramedic response unit arrives at the scene of an out-of-hospital life-threatening medical emergency (Canadian Triage Acuity Scale, Level one Patient).

Council – July 11, 2007
(h) That staff establishes and convenes a Community Emergency Medical Services Resource and Deployment Advisory Task Force in accordance with the terms (attached as Appendix “D” to Report HES06005(a)) to consider the following supplementary options as discussed in the “Alternatives for Consideration”, and provide consensus input and report back to Committee of Whole during the 2008 Budget deliberations:

(i) other deployment models, notably static and fully dynamic;
(ii) additional hospital off-load solutions;

(i) That the additional 2007 expenditure in the amount of $1.9M be funded firstly from the HES 2007 Budget, second from any year end Corporate Surpluses and lastly from the Tax Stabilization Reserve.

(j) That the one-time Capital requirement of $1.16M be funded from the unallocated Capital Reserve.

(k) That the General Manager/Chief of Hamilton Emergency Services formally request the provincial government to provide appropriate subsidy adjustments for the 2007 and 2008 fiscal year based on the revised Hamilton Emergency Services – Emergency Medical Services (HES-EMS) Operations and corresponding Budgets.

(l) That Hamilton Emergency Services provides a progress update on the status of the implementation and results of the aforementioned recommendations to the Emergency & Community Services Committee at the December 5, 2007 meeting and again during the 2008 budget deliberations.

(m) That the EMS Operational Review be presented to the Ministry of Health and Long Term Care as the City of Hamilton’s business case for the needed 50/50 cost-shared provincial funding formula for the $11.99 million in additional operating costs required to meet ambulance response time standards.

8. **Best Start Initiative Reserve (ECS07055) (Item 7.1)**

(a) That a Best Start Initiative Reserve be established and that it be funded in the amount of $9,155,250.58, to be transferred to the Best Start Initiative Reserve from the Deferred Revenue account #12683-000100.
(b) That any future refunds of Best Start capital dollars from the Hamilton-Wentworth District School Board also be directed to the Best Start Initiative Reserve.

(c) That the Best Start Initiative Reserve be utilized to offset Provincial shortfalls in the cost sharing of the City of Hamilton's Best Start and Child Care administrative costs and to sustain the Best Start Initiative in accordance with the Best Start Network's annual work plans.

(d) That in keeping with Council's reserve-use policy, that staff be directed to seek Council's approval for the use of these funds either through the Budget Process or through a specific report to Council.

(e) That $1.5 million from the Best Start Initiative Reserve be approved for expenditures in 2007.

9. Health and Safety Specialist for Culture and Recreation Division (ECS07056) (City Wide) (Item 7.2)

That the addition of one FTE for a Health and Safety Specialist in the Community Services Department to implement the recommendations of the Municipal Health and Safety Association Audit of Culture and Recreation worksites and provide ongoing supports to ensure compliance with Ministry of Labour health and safety requirements and standards be approved.

10. Apportionment of Taxes for Properties in Hamilton, Glanbrook, Ancaster and Flamborough (FCS07001(d)) (Wards 5, 11, 12 and 15) (Item 7.3)

(a) That the 2005 land taxes for Roll #2518 050 472 00630 (415 Berkindale Drive, Hamilton), be apportioned in the amount of $1,382.62 and split amongst the six newly created parcels as set out in Appendix A to report FCS07001(d);

(b) That the 2006 and 2007 land taxes for Wentworth Condo Plan 398 levied against Roll #2518 140 280 18230 (60 Joshua Drive, Ancaster), be apportioned in the amount of $24,758.33 and split amongst the fifty newly created parcels as set out in Appendix A to report FCS07001(d);

(c) That the 2005 and 2006 land taxes for Roll #2518 303 610 65800 (50 7th Concession Road East, Flamborough), be apportioned in the amount of $11,389.52 and split amongst the two newly created parcels as set out in Appendix A to report FCS07001(d);
(d) That the 2007 land taxes for Roll #2518 901 130 67140 (0 McKibbon Avenue, Glanbrook), be apportioned in the amount of $8,468.20 and split amongst the twenty newly created parcels as set out in Appendix A to report FCS07001(d);

(e) That the 2007 land taxes for Roll #2518 901 130 68400 (58 Fletcher Road, Glanbrook) and Roll #2518 901 130 69005 (0 Fletcher Road, Glanbrook), be apportioned in the amount of $42,486.81 and split amongst the one hundred and ten newly created parcels as set out in Appendix A to report FCS07001(d); and

(f) That the 2007 land taxes for Wentworth Condo Plan 412 levied against Roll #2518 901 410 87700 (310 Southbrook Drive, Glanbrook), be apportioned in the amount of $12,708.93 and split amongst the nineteen newly created parcels as set out in Appendix A to report FCS07001(d).

11. Development Charges Reserve Status Report as at December 31, 2006 (FCS07069) (Item 7.4)

That report FCS07069 “Development Charge Reserves Status Report as at December 31, 2006” be received.

12. Tax and Rate Operating Budget Variance Report to May 31, 2007 (FCS07071) (Item 7.5)

That the 2007 Tax and Rate Operating Budget Variance Report to May 31, 2007 be received.

13. Developer’s Option to Construct Parks (PW07098) (City Wide) (Item 7.6)

(a) That Appendix "A" attached to Report PW07098 is hereby approved as the standard form Parkland Development Financial Agreement;

(b) That the General Manager of Public Works, in consultation with the City Treasurer, the City Solicitor and the General Manager of Planning and Economic Development, or their respective delegates, be hereby authorized to make minor amendments to the approved form as may be required in specific cases;

(c) That the Mayor and Clerk be hereby authorized to execute Parkland Development Financial Agreements in situations where all of the following criteria have been met, namely;
(i) that the subject lands must relate to a park/open space area whose park development costs are included in the City’s Development Charges background study which the current Development Charge By-law is based on;

(ii) that the subject lands are required to be dedicated to the City pursuant to a condition of Draft Plan approval;

(iii) that the developer has agreed to construct all required park works as part of the development of a plan of subdivision, and

(iv) that the City has agreed to reimburse the developer for the City share of the said park works in accordance with the City’s Development Charges By-law 04-145, as amended.

14. GTA Fare System Project – HSR Replacement Fare Box System PW04117(d) (Item 7.7)

(a) That Request for Proposal No. RFP2007-001 issued by the City of Brampton, on behalf of The Hamilton Street Railway Company, The Corporation of the City of Brampton and The Corporation of the City of Burlington, be awarded to Garival Inc. in the amount of $3,226,054 (subject to applicable adjustment for PST) for the supply of a replacement fare box system for the Transit fleet and such associated implementation services as are contemplated;

(b) That subject to proper Board authorization, The Hamilton Street Railway Company be authorized and directed to execute all agreements related to the replacement fare box system (including, without limiting the foregoing the Joint Procurement Agreement, the Memorandum of Understanding for IBI Consulting Services, the Vendor Agreement, the Software Licence Agreement, the Maintenance and Support Agreement and the Escrow Agreement) in a form(s) acceptable to the City Solicitor;

(c) That subject to proper Board authorization, the General Manager of The Hamilton Street Railway Company be authorized and directed to negotiate, execute and implement any necessary Change Orders and/or ancillary documents as may arise during project implementation, provided that such Change Orders conform to City of Hamilton Purchasing Policies and that, as a result of such Change Orders, the approved project Capital Budget of $4,500,000.00 (Capital Fund Account 5300351100) is not exceeded;

(d) That, when required, the Mayor and City Clerk be authorized and directed to execute all agreements and/or ancillary documents related to the replacement fare box system in a form(s) acceptable to the City Solicitor.
15. Hamilton City Hall and National Historic Sites Status (PED07024) (Ward 2) (Item 7.8)

That Report PED07024 respecting Hamilton City Hall and National Historic Sites Status report be received.

16. Hamilton Street Railway Company ("HSR") - Corporate Governance LS07007 (City Wide) (Item 7.9)

(a) That Council, sitting, firstly, as representatives of the beneficial Shareholder (City of Hamilton), and, secondly, sitting as the Board of Directors of The Hamilton Street Railway Company ("HSR"), authorize the updating of the corporate governance of the HSR as set out in Appendices A and B to Report LS07007;

(b) That Council, in its capacities outlined in Recommendation 1 above, ratify and confirm the required documentation in the forms attached as Appendices A and B to Report LS07007;

(c) That Council, sitting as Council for the City, authorize City staff to undertake and perform the duties on behalf of the HSR as set out in Appendix B to Report LS07007;

17. 2007 Non-Union Salary Adjustment (HUR07004) (Item 10.2)

(a) That the non-union salary schedule for all City full-time non-union staff be increased by 2.5% effective April 1, 2007, and that individual salaries be adjusted accordingly;

(b) That the contents of report HUR07004 respecting the 2007 Non-Union Salary Adjustment remain confidential as it contains information related to labour relations and employee negotiations.

18. Coach House at Dundurn National Historic Site (ECS07009) (Ward 1) (Item 10.3)

(a) That the Coach House Restaurant at Dundurn National Historic Site cease operation as a City operated banquet and restaurant facility by February 2008.

(b) That Report ECS07009 remain a confidential document as the subject matter pertains to personal matters about identifiable individuals including municipal board employees.
19. Resolution of Appeal of DC Bylaw 06-173 (FCS07072) (Item 10.4)

That the City of Hamilton agree to settle the appeal of the Hamilton Halton Homebuilders Association by way of Minutes of Settlement to be filed with the Ontario Municipal Board attached hereto.

20. Lease Negotiations for Lister Block (Verbal Update) (Item 10.5)

That subsections (e) of Item 2 of Committee of the Whole Report 06-020 respecting Lease of 28-50 James Street North (Lister Building) approved by Council on September 27, 2006 be amended by deleting the lease commencement date of January 31, 2007 and inserting the date, December 31, 2007 in lieu thereof.

21. Amalgamated Transit Union (ATU) Local 107 Negotiations Update (HUR07006) (Item 10.6)

That report HUR07006 respecting Amalgamated Transit Union (ATU) Local 107 Negotiations Update be received.

22. Acquisition of Playfield opposite 397 King Street West, Dundas (Ward 13) (Item 10.7)

(a) That the City of Hamilton proceed with an Offer to Acquire from the Hamilton-Wentworth District School Board the 2.48 acre playfield opposite 397 King Street West, Dundas under the conditions outlined in the report.

(b) That the conditions outlined in the report remain confidential.

23. Amalgamated Transit Union Local 107 Retro Arbitration Award (HUR07005) (10.8)

(a) That staff be authorized and directed to implement the arbitration award, retroactive to January 1, 2004, as set out in Report HUR07005 for the Amalgamated Transit Union Local 107 (ATU 107), at an estimated cost of $591,000;

(b) That this amount be funded from the 2007 Budget;

(c) That Report HUR07005 remain confidential as the subject matter pertains to labour relations.
24. Dynes Tavern Heritage Assessment (Added Item)

(a) That the city provide a grant to the Hamilton Beach Preservation committee up to $5,000 for the purpose of funding a “heritage assessment” of 337 Beach Boulevard formerly known as the Dynes Tavern

(b) That staff assist the Preservation Committee in retaining a qualified individual or company as soon as possible to undertake a heritage assessment

(c) That any remaining funds be returned to the City of Hamilton;

(d) That the Beach Community Reserve be utilized as the source of funding.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA

The Clerk noted the following changes to the agenda which were approved:

Added Private and Confidential matter to be noted as Item 10.8 respecting Amalgamated Transit Union Local 107 Retro Arbitration Award (HUR07005)

We also have three items of correspondence respecting 397 King Street West, Dundas from Dundas District Innovation Group and Bill Nelan and Susan Nelan all of which have been circulated

(b) DECLARATIONS OF INTEREST

Item 22 and 23 – Councillor Mitchell declared an interest in these items as his Brother-in-law is a member of the ATU local.

(c) ADOPTION OF MINUTES

The following minutes were received and adopted as presented:
3.1 May 10, 2007 (special)
3.2 May 31, 2007
3.3 June 11, 2007
10.1 Closed Session Minutes of June 11, 2007

(d) DELEGATION REQUESTS

The following delegation requests were approved:

5.1 Dr. Chris Spence, Hamilton-Wentworth District School Board (for presentation at the September 11th Committee of the Whole respecting video on poverty)

5.2 Mario Posteraro, President, OPSEU Local 256 respecting Item 6.2-Resource and Deployment Review of Emergency Medical Services

(e) DELEGATIONS/PRESENTATIONS

(i) Elected Official Remuneration (CM06016(a)) - (City Wide) (Item 6.1a)

Mr. T.J. Gazda presented an overview of the “Council Compensation Review Project” report.

A recorded vote was held on subsection (b) and (c) of this item as follows:

Yeas: Eisenberger, Bratina, Clark, Collins, Duvall, Ferguson, Jackson, McCarthy, Morelli, Pasuta, Mitchell, Pearson, Powers, Whitehead
Total: 14
Nays: Merulla
Total: 1
Absent: McHattie
Total: 1

(ii) One Third Expense Allowance (FCS07026) (Item 6.1(b))

A recorded vote was held on subsection (b) of this item as follows:

Yeas: Bratina, Clark, Collins, Duvall, Ferguson, Jackson, McCarthy, Merulla, Morelli, Pasuta, Pearson, Powers, Whitehead
Total: 13
Nays: Eisenberger, Mitchell
Total: 2
Total: 1
Absent: McHattie  
Total: 1

(i) Mario Posteraro, President, OPSEU Local 256 respecting Item 6.2- Resource and Deployment Review of Emergency Medical Services

Mr. Posteraro, Labour representative for the City of Hamilton’s 180 front-line paramedics, addressed the Committee to respectfully request Council to approve Option 2.

Mr. Posteraro addressed issues including:
- types of ambulance shortage
- “code red” events escalation since May, 2006
- meeting requirements of response time

(ii) Resource and Deployment Review of Emergency Medical Services (Item 6.2)

Brent Browett, Director, EMS provided an extensive review of the report and Options in a presentation to Committee

Option 2 Carried on a Standing Recorded Vote as follows:

Yeas: Bratina, Collins, Duvall, Jackson, Merulla, Pasuta, Mitchell, Powers, Whitehead  
Total: 9

Nays: Eisenberger, Clark, Ferguson, McCarthy, Pearson  
Total: 5

Absent: McHattie, Morelli  
Total: 2

There being no further business, the meeting adjourned at 5:10 p.m.

Respectfully submitted,

Mayor F. Eisenberger

M. Gallagher  
Co-ordinator  
July 11, 2007