

### CITY OF HAMILTON

**CORPORATE SERVICES DEPARTMENT**  
**Financial Planning and Policy Division**

| TO: | Mayor and Members  
<table>
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<th>Committee of the Whole</th>
<th>WARD(S) AFFECTED:</th>
<th>WARD 1</th>
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<td>COMMITTEE DATE:</td>
<td>June 7, 2010</td>
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<td>SUBJECT/REPORT NO:</td>
<td>Infrastructure Stimulus Fund Amending Agreement (FCS09052(f)) (Ward 1)</td>
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| SUBMITTED BY: | Roberto Rossini  
| General Manager  
| Finance and Corporate Services | PREPARED BY: | John Savoia (905) 546-2424 Ext. 7298 |

**RECOMMENDATION:**

(a) That the Mayor and Chief Administrative Officer (City Manager) be authorized and directed to execute an Amending Agreement between the City of Hamilton and the Ministry of Energy and Infrastructure and the Ministry of Agriculture, Food and Rural Affairs, related to the scope change for Coronation Arena (ISF project no. 2344), whereby the renovation of the existing Coronation Arena will occur rather than a redevelopment of the arena into a three pad complex, under the Infrastructure Stimulus Fund Program;

(b) That the appropriate By-Law, *City of Hamilton/ Ministry of Energy and Infrastructure/Ministry of Agriculture, Food and Rural Affairs Infrastructure Stimulus Fund Amending Contribution Agreement* By-Law be passed and enacted attached as Appendix “A” to Report FCS09052(f); and

(c) That a certified copy of this By-Law be forwarded to the Canada Ontario Infrastructure Secretariat upon Council approval.

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**Vision:** To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.  

**Values:** Honesty, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork
EXECUTIVE SUMMARY

On June 5, 2009, the Federal and Ontario governments approved under the Infrastructure Stimulus Fund (ISF) a project request for Coronation Arena (ISF Project No. 2344) to undertake the redevelopment of Coronation Arena and the replacement of the outdoor pool. The $3 million funding for this project includes $1 million in funding from each of the three levels of government. Part of the project scope for the submission included the replacement of Coronation Arena and the potential development of a three-pad ice complex as part of a public/private partnership.

Following the project funding announcement, the public/private partnership opportunities were reviewed and determined to not be viable. Therefore, due to the time limitations and challenges that may result in the City not meeting the terms and conditions of the ISF Contribution Agreement and the associated risk of potential claw back of the funding, staff recommended that the scope of the project be changed to include the renovation of the existing Coronation arena rather then a redevelopment of the arena into a three pad complex as part of a public/private partnership. The replacement of the outdoor swimming pool, as outlined in the original project submission remained unchanged.

In February 2010, Council authorized staff to submit to the ISF Joint Management Committee a formal request to allow the change of scope for the Coronation Arena project with the understanding that the work to renovate the arena and replace the existing outdoor pool could be completed by the ISF substantial completion deadline of March 31st, 2011 (for further details refer to Report CS10015).

On May 5th, 2010, the City was advised that the ISF Joint Management Committee supports the change of scope for the Coronation Arena project with the requirement for the City to enter into an Amending Agreement to formally revise the ISF Contribution Agreement for the change in project scope re the Coronation Arena redevelopment project.

Alternatives for Consideration – Not Applicable

FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)

Ratification of the Amending Agreement results in the City under the approved change of project scope to renovate Coronation Arena and replace the existing outdoor pool by the ISF substantial completion deadline of March 31st, 2011.
HISTORICAL BACKGROUND  (Chronology of events)

On June 5, 2009, the City of Hamilton received funding approval, as part of the Infrastructure Stimulus Fund, to undertake the redevelopment of Coronation outdoor pool and arena. A total of $3 million was approved with funding shared equally between all levels of government (federal, provincial, and municipal). Part of the project scope included the decommissioning of Coronation Arena with the goal to replace the arena with a new three-pad ice complex in the west Hamilton area as part of a public/private partnership.

Due to the time limitations and challenges that may result in the City not meeting the terms and conditions of the ISF Contribution Agreement and the associated risk of potential claw back of funding, staff recommended that the project scope be changed to include the renovation of Coronation arena rather than building a three pad arena as part of a potential public/private partnership as the partnership opportunities upon review were deemed not viable.

A formal request was made in February 2010 to the ISF Joint Management Committee to allow for a change of scope for the Coronation Arena project with the understanding that the work to renovate the arena and replace the existing outdoor pool could be completed by the ISF substantial completion deadline of March 31st, 2011 (for further details refer to Report CS10015).

On May 5th, 2010, the City was advised that the ISF Joint Management Committee supports the change of scope for the Coronation Arena project with the requirement for the City to enter into an Amending Agreement to formally revise the ISF Contribution Agreement for the change in project scope re the Coronation Arena redevelopment project.

POLICY IMPLICATIONS

N/A

RELEVANT CONSULTATION

City Manager’s Office – Legal Services Division
Community Services – Recreation Division
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### ANALYSIS / RATIONALE FOR RECOMMENDATION
(include Performance Measurement/Benchmarking Data, if applicable)

N/A

### ALTERNATIVES FOR CONSIDERATION:
(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

N/A

### CORPORATE STRATEGIC PLAN (Linkage to Desired End Results)


**Financial Sustainability**
- Delivery of municipal services and management capital assets/liabilities in a sustainable, innovative and cost effective manner
- Address infrastructure deficiencies and unfunded liabilities

**Intergovernmental Relationships**
- Acquire greater share of Provincial and Federal grants (including those that meet specific needs)

**Healthy Community**
- Adequate access to food, water, shelter and income, safety, work, recreation and support for all (Human Services)

### APPENDICES / SCHEDULES

Appendix “A” to Report FCS09052(f)
CITY OF HAMILTON

BY-LAW NO. __________

To Authorize the Execution of an Amending Agreement between the City of Hamilton and Her Majesty the Queen in Right of Ontario as represented by the Ministry of Energy and Infrastructure and the Ministry of Agriculture, Food and Rural Affairs Related to Funding Provided Under the Infrastructure Stimulus Fund Program.

WHEREAS the City of Hamilton has entered into an agreement with Her Majesty the Queen in Right of Ontario as represented by the Ministry of Energy and Infrastructure, and the Ministry of Agriculture, Food and Rural Affairs related to funding provided to the Municipality under the Infrastructure Stimulus Fund Program;

AND WHEREAS the Council of the City of Hamilton deems it advisable to amend the said Agreement with respect to a change in scope of the intended works related to the Coronation Arena Rehabilitation project;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Council hereby authorizes the Mayor and Chief Administrative Officer (City Manager) to sign an amending agreement between the City of Hamilton and Her Majesty the Queen in Right of Ontario as represented by the Ministry of Energy and Infrastructure, and the Ministry of Agriculture, Food and Rural Affairs, pursuant to the terms and conditions set out in the original Infrastructure Stimulus Fund Contribution Agreement with respect to a change in scope of the intended works related to the Coronation Arena Rehabilitation project.

2. This bylaw shall come into effect upon its passing.
3. This bylaw may be cited for all purposes as “City of Hamilton/ Ministry of Energy and Infrastructure/Ministry of Agriculture, Food and Rural Affairs Infrastructure Stimulus Fund Contribution Amending Agreement Bylaw XX-XXX.”

PASSED and ENACTED this day of , 2010.

__________________________________________  __________________________________________
MAYOR                                           CLERK