Mayor R. Bratina called the meeting to order and called upon Reverend Jason Small of Community Church, to lead Council in prayer.

**APPROVAL OF THE AGENDA**

The Clerk advised of the following changes to the agenda:

1. **ADDED CORRESPONDENCE**

   5.3 Correspondence from Tim Potoci, Festival Director, Sonic Unyon/Supercrawl requesting funding commitment

   Recommendation: Be received and referred to the General Manager of Planning and Economic Development for a report to the General Issues Committee as part of the 2013 Budget considerations.

2. **REPORTS FOR DISTRIBUTION**

   6.5 Audit, Finance & Administration Committee Report 12-009 – November 12, 2012 (To be distributed)
6.6 Emergency & Community Services Committee Report 12-010 – November 12, 2012 (To be distributed)

3. MOTIONS

7.3 Amendment to Subsection (b) of Item 8 of Emergency and Community Services Report 12-005 respecting 2012 Proposed Provincial Budget and Changes to the Discretionary Benefits (CS12020(a))

7.4 Subsection (c) of Item 4 of the Emergency and Community Services Report 12-007 respecting Community Homelessness Prevention Initiative (CHPI) (CS12031)

4. NOTICES OF MOTION

8.1 Stoney Creek Santa Claus Parade

5. AMENDED BILL LIST

(Pearson/Johnson)
That the agenda for the November 14, 2012 meeting of Council be approved, as amended.

CARRIED

DECLARATIONS OF INTEREST

Councillor B. Morelli declared an interest to Item 14 of the Audit, Finance and Administration Report 12-009, respecting Municipal Services & Property Taxation on Condominium Properties, as he is a condominium owner.

Councillor R. Powers declared an interest to Item 3 of the General Issues Committee Report 12-032, respecting 2013 Discretionary Benefits and Community Start-Up Benefit, as a family member is employed with a local social services agency which receives funds through these programs.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

3.1 Presentation of Queen’s Diamond Jubilee Medal to former Councillor William McCulloch

The Mayor invited William McCulloch forward and presented him with the Queen’s Diamond Jubilee Medal.
APPROVAL OF MINUTES

4.1 October 24, 2012

(Johnson/Pearson)
That the Minutes of the October 24, 2012, meeting of Council be approved, as presented.

CARRIED

4.2 November 7, 2012

(Johnson/Pearson)
That the Minutes of the November 7, 2012, special meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Merulla/Collins)
That Council Communications 5.1 through 5.3 be approved, as amended, as follows:

5.1 Communication from Joe Minor, respecting Food Growth in a Toxic Ditch

Recommendation: Be referred to the General Manager of the Planning and Economic Development Department for the appropriate action and that staff report back on the paper trail.

5.2 Correspondence from Jennifer Hewson, President and Claire Fletcher, Treasurer, of Jacks’ and Jills’ Co-operative Preschool Inc., respecting the Rental Rate of the Room above the Lions Outdoor Pool in Ancaster

Recommendation: Be received and referred to the General Manager of the Community Services Department for a report to the Emergency & Community Services Committee.

5.3 Correspondence from Tim Potocic, Festival Director, Sonic Unyon/Supercrawl requesting funding commitment

Recommendation: Be received and referred to the General Manager of Planning and Economic Development for a report to the General Issues Committee as part of the 2013 Budget considerations.

CARRIED

(McHattie/Farr)
That Council move into Committee of the Whole for consideration of the Committee Reports.

CARRIED
GENERAL ISSUES COMMITTEE REPORT 12-031

(Bratina/Partridge)
That the THIRTY-FIRST Report of the General Issues Committee be adopted, and the information section received. (attached hereto)

CARRIED

PUBLIC WORKS REPORT 12-012

5. Amendments to Solid Waste Management By-law 09-067 (PW09021a) (City Wide) (Item 8.3)

(Collins/Morelli)
That Item 5 of the Public Works Committee Report 12-012 be amended as follows:

That the by-law amending the Solid Waste Management By-law 09-067 be amended be deleting Section 14 which reads as follows:

Section 14: Removes the green cart as an acceptable container for leaf and yard waste. Green carts will still be acceptable container for organic waste, which includes the topping up of leaf and yard waste as an acceptable practice.

CARRIED

(McHattie/Farr)
That the TWELFTH Report of the Public Works Committee be adopted, as amended, and the information section received. (attached hereto)

CARRIED

PLANNING COMMITTEE REPORT 12-017

(Clark/Pearson)
That the SEVENTEENTH Report of the Planning Committee be adopted, and the information section received. (attached hereto)

CARRIED

GENERAL ISSUES COMMITTEE REPORT 12-032


(Clark/Johnson)
That Item 12(a) of the General Issues Committee Report 12-032 be amended as follows:

That Subsection (ii) be amended by adding the following words after the word “approval”, “following the consideration of the conditions to be placed on the casino.”, to read as follows:
(ii) That the questions proposed for polling be drafted and provided to Council for perusal and approval following the consideration of the conditions to be placed on the casino.

CARRIED

(Bratina/Powers)
That the THIRTY-SECOND Report of the General Issues Committee be adopted, as amended, and the information section received. (attached hereto)

CARRIED

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE 12-009

8. Succession Management and Leadership Development (HUR12017) (City Wide) (Item 7.1)

(Clark/Powers)
That Item 8 of the Audit, Finance and Administration Committee Report 12-009, be amended as follows:

(a) That Report HUR12017, respecting Succession Management and Leadership Development, be referred back to the City Manager to be modified to a succession development program and to seek advice from the provincial civil service;

(b) That the program be transparent and open to all employees;

(c) That the City Manager report back to the Audit, Finance and Administration Committee.

CARRIED

(Johnson/Pearson)
That the NINTH Report of the Audit, Finance and Administration Committee be adopted, as amended, and the information section received. (attached hereto)

CARRIED

EMERGENCY AND COMMUNITY SERVICES COMMITTEE 12-010

6. Ice Rates for Junior Hockey Clubs (CS12033) (City Wide) (Outstanding Business List Item) (Item 8.2)

(Partridge/Jackson)
That subsection (a)(i) of Item 6 of Emergency and Community Services Committee Report 12-010 respecting Ice Rates for Junior Hockey Clubs (CS12033) be amended by deleting the words “50% of full rate” to read as follows:

(a) That the recommended criteria to determine ice rental rates to be charged to Ontario Hockey Association junior teams utilizing City of Hamilton municipal arenas for the 2012-2013 season, be approved as follows:
Eligibility Criteria | Ice Rate to be Paid (excluding HST)
---|---
(i) 80% or more of the team players being Hamilton residents | $125.29 (Affiliated rate - 50% of full rate)

(Partridge/Pasuta)
That the TENTH Report of the Emergency and Community Services Committee be adopted, as amended, and the information section received. (attached hereto)
CARRIED

(McHattie/Farr)
That the Committee of the Whole Rise and Report.
CARRIED

**MOTIONS**

7.1 Advertising along the Red Hill Valley Parkway and Lincoln Alexander Parkway

(Merulla/Morelli)
That staff be directed to bring a report to the General Issues Committee, which explores advertising along the Red Hill Valley Parkway as well as the Lincoln Alexander Parkway (LINC) in order to maximize revenues.
CARRIED

7.2 J. L. Grightmire Arena Renovations Project - 2014 Allan Cup Senior Hockey Championship

(Powers/Pasuta)
WHEREAS, the 2014 National Senior Hockey Championship for the Allan Cup will be held in Dundas at the J. L. Grightmire Arena and it is important that renovations be completed in advance of this; and,

WHEREAS, the J. L. Grightmire Arena Renovations Project has been submitted for the Community Infrastructure Improvement Fund (CIIF) Program; and, if approved, must be shovel-ready in order to meet the CIIF project completion deadline of March 31, 2014; and,

WHEREAS, the J. L. Grightmire Arena Renovations Project has been listed under the 2013 capital pre-approval list and the design would be funded from Account # 7101354536 (Program – Arena Retrofits); and,

WHEREAS, Invizij Architects Inc. has previously worked with the Hockeyville Legacy Foundation, a community and funding partner of this project, and is familiar and supportive of the design requirements;
Therefore Be It Resolved:

(a) That the upset limit of $100,000 for the use of the Consultant Roster (Purchasing Policy #9) be waived for the design of the J. L. Grightmire Arena Renovation Project.

(b) That Invizij Architects Inc. be approved as a single source design consultant for the J. L. Grightmire Arena Renovations Project to ensure the project is ready in time for the National Senior Hockey Championships in late 2014.

CARRIED

7.3 Re: Amendment to Subsection (b) of Item 8 of Emergency and Community Services Report 12-005 respecting 2012 Proposed Provincial Budget and Changes to the Discretionary Benefits (CS12020(a))

(Partridge/Duvall)
That Subsection (b) of Item 8 of Emergency & Community Services Report 12-005 which reads as follows:

(b) That the City of Hamilton advise the Premier of Ontario, Ontario Works, Disability Support Program and Low Income Program recipients that the City of Hamilton will only fund discretionary benefits until December 31, 2012;

be amended by deleting the words December 31, 2012 and inserting the words June 30, 2013 to read as follows:

(b) That the City of Hamilton advise the Premier of Ontario, Ontario Works, Disability Support Program and Low Income Program recipients that the City of Hamilton will only fund discretionary benefits until June 30, 2013;

CARRIED

7.4 Re: Subsection (c) of Item 4 of the Emergency and Community Services Report 12-007 respecting Community Homelessness Prevention Initiative (CHPI) (CS12031)

(Partridge/Merulla)
That sub-section (c) to Item 4 of the Emergency & Community Services Committee Report 12-007, respecting the Community Homelessness Prevention Initiative, which was TABLED and which reads as follows be LIFTED from the table:

(c) That the General Manager of the Community Services Department be authorized and directed to fund the Consolidated Homelessness Prevention Initiative for 2013 in the annualized amount of $3,351,080 from 2013 Community Services departmental surplus, the 2013 corporate surplus and/or the Tax Stabilization Reserve (110046) pending the 2013 budget deliberations.

CARRIED
That Subsection (c) of Item 4 of the Emergency and Community Services Report 12-007, respecting Community Homelessness Prevention Initiative, as it was addressed as Item 3 of the General Issues Committee Report 12-032, be withdrawn.

CARRIED

7.5 Stoney Creek Santa Claus Parade

(Clark/Pearson)

(a) That a grant in the amount of $45,000, be approved for the Stoney Creek Santa Claus Parade for a period of three (3) years (2012 – 2014), to be funded from the Newalta Reserve Account (#117036), and paid out as follows:

(i) 2012 - $15,000 less the $3,485 paid out through the Community Partnership Program in 2012, for a total of $11,515.

(ii) 2013 and 2014 - $15,000 per year.

(b) That the organizers of the Stoney Creek Santa Claus Parade be advised that they will be responsible for paying all costs for the Stoney Creek Santa Claus Parade directly to their vendors for roads and traffic services as well as Hamilton Police Service.

(c) That staff be directed to transfer the $3,485, which was already paid to the Stoney Creek Santa Claus Parade Committee through the Community Partnership Program (CPP), from the Newalta Reserve Account (#117036) to the CPP Account (#604005).

(d) That staff be directed to hold in abeyance the base budget amount of $7,661, in the Community Partnership Program (CPP) account, for the Stoney Creek Santa Claus Parade for a three year period (2012 to 2014), in order that the Stoney Creek Santa Claus Parade be able to reapply for a CPP grant in 2015 at the current level.

(e) That the event organizers provide annually all receipts to the Finance staff.

CARRIED

NOTICES OF MOTION

Councillor B. Clark introduced the following Notice of Motion:

8.1 Stoney Creek Santa Clause Parade

(a) That a grant in the amount of $45,000, be approved for the Stoney Creek Santa Claus Parade for a period of three (3) years (2012 – 2014), to be funded from the Newalta Reserve Account (#117036), and paid out as follows:
(i) 2012 - $15,000 less the $3,485 paid out through the Community Partnership Program in 2012, for a total of $11,515.

(ii) 2013 and 2014 - $15,000 per year.

(b) That the organizers of the Stoney Creek Santa Claus Parade be advised that they will be responsible for paying all costs for the Stoney Creek Santa Claus Parade directly to their vendors for roads and traffic services as well as Hamilton Police Service.

(c) That staff be directed to transfer the $3,485, which was already paid to the Stoney Creek Santa Claus Parade Committee through the Community Partnership Program (CPP), from the Newalta Reserve Account (#117036) to the CPP Account (#604005).

(d) That staff be directed to hold in abeyance the base budget amount of $7,661, in the Community Partnership Program (CPP) account, for the Stoney Creek Santa Claus Parade for a three year period (2012 to 2014), in order that the Stoney Creek Santa Claus Parade be able to reapply for a CPP grant in 2015 at the current level.

(e) That the event organizers provide annually all receipts to the Finance staff.

(Clarke/Pearson)
That the Rules of Order be waived to allow for the introduction of a motion respecting grant funding for the Stoney Creek Santa Claus Parade.

CARRIED

STATEMENT BY MEMBERS

Members of Council used this opportunity to discuss matters of general interest.

PRIVATE AND CONFIDENTIAL

10.1 Closed Session Minutes – October 30, 2012

(Partridge/Duvall)
(a) That the Closed Session Minutes of the October 30, 2012 meeting of Council be approved, as presented;

(b) That the Closed Session Minutes of the October 30, 2012 meeting of Council, remain confidential and restricted from public disclosure.

CARRIED
(Merulla/Morelli)
That the Bill List for the November 14, 2012 Meeting of Council be amended through the addition of the following as Bill 254, 255, 256 and 257 and renumbering the balance:

<table>
<thead>
<tr>
<th>Bill No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>254</td>
<td>To Amend By-law No. 11-040, To Establish Retention Periods for Records of the City of Hamilton</td>
</tr>
<tr>
<td>255</td>
<td>To Adopt and Maintain a Procurement Policy for the City of Hamilton</td>
</tr>
<tr>
<td>256</td>
<td>To Amend By-law No. 10-209, A By-law to Regulate the Hamilton Farmers’ Market</td>
</tr>
<tr>
<td>257</td>
<td>To Exempt from Taxation for Municipal and School Board Purposes the Leasehold Interest of Tradeport International Corporation in the Lands Comprising Hamilton International Airport as a Municipal Capital Facility Pursuant to the Provisions of Subsection 110(6) of the Municipal Act, 2001, and Ontario Regulation 603/06</td>
</tr>
</tbody>
</table>

Amendment CARRIED

(Merulla/Morelli)
That Bills No. 246 to 258 attached hereto, be passed, as amended, that the Corporate Seal be affixed thereto, and that the By-laws be numbered and signed by the Mayor and the City Clerk and read as follows:

<table>
<thead>
<tr>
<th>Bill No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>246</td>
<td>To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking Schedule 8 – No Parking Zones Schedule 9 – Alternate Side Parking Schedule 12 – Permit Parking Zones Schedule 13 – No Stopping Zones Schedule 20 – School Bus Loading Zones</td>
</tr>
<tr>
<td>247</td>
<td>To Amend By-law No. 06-147, Being a By-law to Authorize the City to Enter into Extension Agreements</td>
</tr>
<tr>
<td>248</td>
<td>To Incorporate City Land Designated as Blocks 51 and 52 on Plan 62M-1148 into Medici Lane</td>
</tr>
<tr>
<td>249</td>
<td>To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses Schedule 25 - Taxicabs</td>
</tr>
<tr>
<td>250</td>
<td>To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses Schedule 22 – Salvage and Second-Hand Goods, Pawnbroker, and Jewellery and Precious Metals Businesses</td>
</tr>
<tr>
<td>251</td>
<td>To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 2 and 4 Blanshard Street and 0 Poulette Street</td>
</tr>
</tbody>
</table>
To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 546 and 548 Fifty Road and 32 and 36 Kingspoint Circle

To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 455 Jones Road

To Amend By-law No. 11-040, To Establish Retention Periods for Records of the City of Hamilton

To Adopt and Maintain a Procurement Policy for the City of Hamilton

To Amend By-law No. 10-209, A By-law to Regulate the Hamilton Farmers’ Market

To Exempt from Taxation for Municipal and School Board Purposes the Leasehold Interest of Tradeport International Corporation in the Lands Comprising Hamilton International Airport as a Municipal Capital Facility Pursuant to the Provisions of Subsection 110(6) of the Municipal Act, 2001, and Ontario Regulation 603/06

To Confirm the Proceedings of City Council

CARRIED

(Duvall/Jackson)
That, there being no further business, the City Council meeting be adjourned at 7:23 p.m.

CARRIED

Respectfully submitted,

Mayor B. Bratina

R. Caterini, B. Comm., AMCT
City Clerk
Office of the City Clerk
THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 12-031 AND RESPECTFULLY RECOMMENDS:

1. Extension of Residential Protective Plumbing Subsidy Program.

   That additional funding (estimated $1.5 million) to sustain the existing Residential Protective Plumbing Subsidy Program (3P) (Project ED5160960900) for the balance of 2012 be approved and funded firstly from the 2012 Rate Budget surplus and secondly, from the Water/Wastewater Reserves.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA

   The Clerk advised of the following change:

   (i) Added Notice of Motion respecting Extension of Residential Protective Plumbing Subsidy Program.

   On a motion, the agenda was approved, as amended.

   Council – November 14, 2012
(b) DECLARATIONS OF INTEREST

None

(c) STAFF PRESENTATIONS

3.1 2013 Rate Budget (Item 3.1)

Dan McKinnon, Director of Water and Wastewater Operations, and John Savoia, Senior Policy Advisor, Current Budgets, provided a power point presentation which addressed the following:

- 4-year Actual vs. Budget Revenue Variance
- Requested 2013 Rate Operating Budget by Cost Category
- Organizational Structure
- Staffing Complement – Water, Wastewater and Stormwater
- Clean Harbour Project Update
- Biosolids Management Program Update
- Protective Plumbing Program (3P)

Mr. McKinnon advised that staff will be providing a full budget presentation to the General Issues Committee on December 7, 2012.

A copy of the power point presentation is available on the City of Hamilton website.

On a motion:

(a) Staff was directed to report back to the General Issues Committee providing options such as, but not limited to, the RFI, RFP or tendering process to deliver the continuation of the Residential Protective Plumbing Program;

(b) Staff was be directed to report back to the General Issues Committee identifying costs that the City may avoid through the mitigation of flooding risk by the installation of a backwater valve to residential properties that are connected to the City’s sanitary system;

(c) Legal staff was directed to seek options to prevent alleged dubious marketing practices of the program, including incentive programs;

(d) The Internal Auditor was requested to conduct a value-for-money audit of the Residential Protective Plumbing Program since its inception to date.

Council – November 14, 2012
On a motion, the presentation respecting the 2013 Capital Budget was received.

(d) NOTICE OF MOTION

Councillor C. Collins introduced the following Notice of Motion:

**Extension of Residential Protective Plumbing Subsidy Program**

That additional funding (estimated $1.5 million) to sustain the existing Residential Protective Plumbing Subsidy Program (3P) (Project ED5160960900) for the balance of 2012 be approved and funded firstly from the 2012 Rate Budget surplus and secondly, from the Water/Wastewater Reserves.

On a motion, the Rules of Order were suspended in order to allow for the introduction of a Motion respecting Extension of Residential Protective Plumbing Subsidy Program.

See Item 1 for the disposition of this item.

(e) ADJOURNMENT

There being no further business, the Committee adjourned at 11:22 a.m.

Respectfully submitted

Councillor Brian McHattie
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
Office of the City Clerk
THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 12-012 AND RESPECTFULLY RECOMMENDS:

1. **Intersection Control List (PW12001(f)) (Ward 4) (Item 5.3)**

   That the appropriate By-law be presented to Council to provide traffic control as follows:

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Stop Direction</th>
<th>Class</th>
<th>Location / Comments / Petition</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argyle Ave.</td>
<td>Frederick Ave.</td>
<td>N/C</td>
<td>EB</td>
<td>B</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>S. of Barton St., E. of Ottawa St.</td>
<td>4</td>
</tr>
</tbody>
</table>

   Petition: S. of Barton St., E. of Ottawa St.
2. **Permanent Closure and Sale of a Public Unassumed Alleyway Abutting 11 Liberty Street, Hamilton (PW12091) (Ward 2) (Item 6.3)**

(a) That the public unassumed alleyway abutting 11 Liberty Street, Hamilton, as shown on Appendix A, attached to Report PW12091 (the “Subject Lands”), be permanently closed and transferred to the owner of 11 Liberty Street, Hamilton, subject to the following conditions:

(i) That the applicant bring an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, R.S.O. 1990, for an order to permanently close and purchase the Subject Lands;

(ii) That the General Manager, Public Works or his designate sign the appropriate documentation confirming that no public funds have been expended on the Subject Lands;

(iii) That the documentation regarding the application to the Ontario Superior Court of Justice be prepared by the applicant, to the satisfaction of the City Solicitor;

(iv) That the applicant register a reference plan pursuant to the Registry Act and that said plan be prepared by an Ontario Land Surveyor to the satisfaction of the Manager, Surveys and Technical Services Section and that the applicant deposit a reproducible copy of said plan with the Manager, Surveys and Technical Services Section;

(b) That provided the application to the Ontario Superior Court of Justice to permanently close the Subject Lands is granted:

(i) That the City Solicitor be authorized and directed to prepare the By-law to permanently close the Subject Lands;

(ii) That the appropriate By-law be introduced and enacted by Council;

(iii) That the Economic Development and Real Estate Division of the Planning and Economic Development Department be authorized and directed to sell this closed Subject Lands, in accordance with the Procedural By-law for the Sale of Land, By-law No. 04-299 for $1.00;

(iv) That the City Solicitor be authorized and directed to register a certified copy of the By-law permanently closing the Subject Lands in the proper land registry office, upon confirmation from the Public Works Department that all applicable fees and costs associated with the application have been paid by the applicant;

(v) That the By-law permanently closing the Subject Lands does not take effect until a certified copy of the By-law is registered in the proper land registry office;
(vi) That the Public Works Department publish notice of the City's intention to pass the By-law pursuant to City of Hamilton By-law 04-299 being a By-law to Establish Procedures, including the Giving of Notice to the Public, Governing the Sale of Land Owned by the City of Hamilton.

3. Authority to Legally Approve Traffic Designs and Drawings (PW12083) (City Wide) (Item 8.1)

That, as required by the Highway Traffic Act of the Province of Ontario, the Senior Project Manager of Signals and Systems, or designate, be authorized to provide legal approvals of traffic signal drawings and systems design on behalf of the City of Hamilton.

4. Quick Wins - Park-and-Ride Facility and Associated Improvements at the Mountain Transit Centre (PW11079c) (Ward 11) (Item 8.2)

(a) That the General Manager, Public Works, be authorized and directed to issue a Purchase Order to McCormick Rankin Corporation a Member of the MMM Group, for design and engineering consulting services related to the Park-and-Ride Facility and Associated Improvements at the Mountain Transit Centre, to be charged to Project ID 5300855100 and funded from the Metrolinx Quick Wins Reserve #108047 in accordance with Purchasing Policy #11(2) Non-Competitive Procurement;

(b) That the General Manager, Public Works, be authorized to provide a copy of report PW11079(c) to the Metrolinx CEO and Chair of the Metrolinx Board for their information.

5. Amendments to Solid Waste Management By-law 09-067 (PW09021a) (City Wide) (Item 8.3)

**Please Note**

That the By-law amended the solid Waste Management By-law 09-067 be further amended by deleting Section 14 which reads as follows:

Section 14: removes the green cart as an acceptable container for leaf and yard waste. Green carts will still be an acceptable container for organic waste, which includes the topping up of leaf and yard waste as an acceptable practice.

(a) That Report PW09021a, respecting changes to the Solid Waste Management By-law 09-067 be received;
(b) That the by-law amending the Solid Waste Management By-law 09-067 attached as Appendix A to Report PW09021a, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.

6. **Truck Route Sub-Committee Report 12-002 (Item 8.4)**

That the revised terms of reference for the Truck Route Sub-Committee attached as Appendix A to Public Works Report 12-012 be approved.

7. **All-way stop at Tom Street and Breadalbane Street (Item 9.2)**

Whereas a number of young children cross the street in this location to access the park, and;

Whereas greater clarity is required to indicate that parking is not allowed within an intersection, and;

Whereas a lack of parked cars will improve visibility into the park and assist in alleviating ongoing undesirable activity.

Therefore be it resolved,

(a) That all-way stop control be implemented at the intersection of Breadalbane Street and Tom Street;

(b) That an appropriate By-law to amend the City of Hamilton Traffic By-law 01-215 be passed.

8. **All-way Stop Control Woodburn Road and Guyatt Road (Item 9.3)**

(a) That all-way stop control be implemented at the intersection of Woodburn Rd. and Guyatt Rd;

(b) That an appropriate By-law to amend the City of Hamilton Traffic By-law 01-215 be passed and enacted.

9. **Outstanding Business List Items (Item 11.1)**

That the following items be referred to the General Issues Committee for deliberation:

(i) Item A - Installation Policy for Intersection and Mid-Block Pedestrian Signals

(ii) Item K - Clean Air Hamilton 2011 Progress Report
10. **Truck Route Sub-Committee: Garth Street north of Stone Church Road (New Business)**

That the use of trucks on Garth Street North of Stone Church Road be forwarded onto the Truck Route Sub-Committee for deliberation.

**FOR THE INFORMATION OF COUNCIL:**

(a) **CHANGES TO THE AGENDA (Item 1)**

**ADDED PUBLIC HEARINGS/DELEGATIONS**

(i) Delegation Request by Hal Costie, respecting the Permanent Closure and Sale of a Public Unassumed Alleyway Abutting 11 Liberty Street (Added Item 6.3.2)

The October 15, 2012 Public Works Committee Agenda was approved as amended.

(b) **DECLARATIONS OF INTEREST (Item 2)**

None

(c) **MINUTES (Item 3)**

(i) **October 15, 2012 (Item 3.1)**

The Minutes of the October 15, 2012 Public Works Committee were approved as presented.

(d) **CONSENT ITEMS (Item 5)**

(i) **Minutes of Various Sub-Committee (FOR INFORMATION PURPOSES ONLY) (Item 5.1)**

The following Advisory and Sub-committee Minutes were received for information:

(a) Clean City Liaison Committee – September 18, 2012

(ii) **Halton-Hamilton Source Protection Committee Minutes – June 26, 2012 (Item 5.2)**
The minutes from the Halton-Hamilton Source Protection Committee Minutes dated June 26, 2012, were received.

(e) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) Delegation from Bill Warnick respecting the City’s policies and signage for through streets (Referred from Planning Committee August 14, 2012) (Item 6.1)

Bill Warnick spoke to the Committee. A copy of his presentation was retained for the record.

The delegation by Bill Warnick, respecting the City’s policies and signage for through streets was received.

(ii) Delegation by Ken Philips, CAO, and John Vice, Chair, of Conservation Halton, respecting a Watershed update (Item 6.2)

John Vice, Chair of Conservation Halton spoke to the Committee with respect to Conservation Halton’s Public Accountability Report 2012. A copy of the report was retained for the record.

The delegation by Ken Philips CAO, and John Vice, Chair, of Conservation Halton, respecting a Watershed update was received.

(iii) Permanent Closure and Sale of a Public Unassumed Alleyway Abutting 11 Liberty Street, Hamilton (PW12091) (Ward 2) (Item 6.3)

Staff, with the aid of PowerPoint presentation indicated their support for the alleyway closure. A copy of the presentation was retained for the record.

Councillor Farr was in attendance to express his support of the closure of the alleyway.

The staff presentation respecting the Permanent Closure and Sale of a Public Unassumed Alleyway Abutting 11 Liberty Street, Hamilton, was received.

(a) Correspondence from Ismet Handanovic against the Proposed Closure and Sale (Item 6.3.1)

Mr. Handanovic and his daughter indicated their concerns with the closure, as it may affect the ability for service vehicles to access the alleyway.
The presentation by Ismet Handanovic, respecting his objections to the Permanent Closure and Sale of a Public Unassumed Alleyway Abutting 11 Liberty Street, was received.

(b) Delegation Request by Hal Costie, respecting the Permanent Closure and Sale of a Public Unassumed Alleyway Abutting 11 Liberty Street (Added Item 6.3.2)

Mr. Costie indicated that the alleyway is a constant source of problems for him, and his property abuts the alleyway. Mr. Costie indicated his support for the closure of the alleyway.

The presentation by Hal Costie, respecting his support of the Permanent Closure and Sale of a Public Unassumed Alleyway Abutting 11 Liberty Street, was received.

Please refer to item 2 for disposition

(f) DISCUSSION ITEMS (Item 8)

(i) Quick Wins - Park-and-Ride Facility and Associated Improvements at the Mountain Transit Centre (PW11079c) (Ward 11) (Item 8.2)

The Committee members discussed the report, and requested that staff provide an update to Councillors with respect to the transportation master plan.

Please refer to Item 4 for disposition.

(ii) Amendments to Solid Waste Management By-law 09-067 (PW09021a) (City Wide) (Item 8.3)

The Committee questioned staff with respect to the amendments, and had some concerns with respect to some of the language used, and the potential for sending mixed messages to the public.

Please refer to Item 5 for disposition.

(g) MOTIONS (item 9)

(i) King Street West Parking Pilot (Item 9.1)

Councillor Whitehead’s motion was not considered at today’s meeting.
(ii) **Backwater Valve Program Extension (Item 9.4)**

Councillor Collins withdrew his motion, as the matter was handled at the last meeting of the General Issues Committee.

(h) **OTHER BUSINESS (Item 11)**

(i) **Improved identification of Through Streets (New Business)**

Staff were directed to report back on ways that through streets can be better identified throughout the City.

(ii) **King Street West westbound Lane Closure (New Business)**

Staff were directed to report back on when the lane closure between Hess Street and Queen Street will conclude.

(iii) **Development of Lane Closure Policy (New Business)**

(a) Staff were directed to report back with a policy for lane closures, to accommodate safety issues during the construction of structures;

(b) Staff were directed to include timelines for lane closures and consequences if timelines are not met.

(i) **ADJOURNMENT (Item 13)**

There being no further business, the Public Works Committee adjourned at 12:15 p.m.

Respectfully submitted,

Councillor B. McHattie, Chair
Public Works Committee

Christopher Newman
Legislative Coordinator
Office of the City Clerk
**Truck Route Sub-committee Terms of Reference**

**Introduction:**

The Truck Route Sub-committee has been established to consider issues related to the routing of heavy vehicles through the City of Hamilton. Trucks with a registered gross vehicle weight in excess of 4500 kg are considered heavy vehicles. Goods movement by truck is the primary means of transport within Hamilton, and a key element of the City’s economy. The trucking industry desires a system that will allow the most expeditious movement of goods vehicles. However, heavy vehicles are often unwelcome due to noise and vibration issues, as well as conflicts with other road users, especially on neighbourhood streets or local rural roads. Heavy vehicles can damage roads not designed to accommodate them, so roads designated for heavy vehicle traffic must be constructed to a higher standard, at additional cost to the taxpayers. Therefore, a balance must be struck between the competing requirements. The definition of allowable travel routing for trucks is contained in the City’s Traffic By-law and is referred to as the Truck Route System. Managing the Truck Route System is the primary responsibility of the Truck Route Sub-committee.

**Mandate:**

The Truck Route Sub-committee is to provide comments and recommendations on issues relevant to truck movements, truck route enforcement and the designated truck route system, not limited to: concerns with respect to existing truck routes, removal and addition of routes, signage, noise, impacts on existing traffic patterns, issues with respect to truck route enforcement and the justification for the future planning and design of the truck route system.

**Composition:**

The Truck Route Sub-Committee will be comprised of six members of Hamilton City Council.

**Support Staff:**

The following administrative support will be in attendance at Truck Route Sub-Committee meetings:

- Appropriate staff from the Public works, Environment and Sustainable Infrastructure Division
- Appropriate staff from the Hamilton Police Services, with a knowledge of Truck Route enforcement

**Meetings:**

The Truck Route Sub-Committee will meet quarterly, or at the call of the Chair.
Reporting:

The Truck Route Sub-Committee will report to the Public Works Committee.
PLANNING COMMITTEE
REPORT 12-017
9:30 am
Tuesday, November 6, 2012
Council Chambers
Hamilton City Hall
71 Main Street West

Present: Councillors B. Clark (Chair), J. Farr (1st Vice Chair), B. Johnson (2nd Vice Chair), C. Collins, L. Ferguson, J. Partridge, M. Pearson and T. Whitehead

Absent with Regrets: Councillor R. Pasuta

Also Present: Councillor B. McHattie

THE PLANNING COMMITTEE PRESENTS REPORT 12-017 AND RESPECTFULLY RECOMMENDS:

1. Appeals to the Ontario Municipal Board on the City of Hamilton’s Refusal or Neglect to Adopt Amendments to the Town of Dundas Official Plan and Zoning By-law for Lands Located at 231 York Road (Dundas) (PED12198) (Ward 13) (Item 5.1)

That the Information Report PED12198, Appeals to the Ontario Municipal Board on the City of Hamilton's Refusal or Neglect to Adopt Amendments to the Town of Dundas Official Plan and Zoning By-law for Lands Located at 231 York Road (Dundas), be received.

2. Ministry of Natural Resources Bear Wise Program (PED12210) (City Wide) (Item 5.2)

That the Information Report PED12210, Ministry of Natural Resources Bear Wise Program, be received.
3. **Proof of Certificates of Approval as a Condition of New/Renewed Business Licences (PED12211) (City Wide) (Item 5.3)**

(a) That Schedule 22 (Salvage and Second-Hand Goods, Pawnbroker, and Jewellery and Precious Metals Businesses) of the Licensing By-Law 07-170 be amended to require salvage business operators to provide proof that they have all applicable approvals from the Ministry of the Environment (MOE) before a licence is issued or renewed;

(b) That the amending by-law respecting the licensing and regulating of Salvage and Second-Hand Goods, Pawnbroker, and Jewellery and Precious Metals Businesses, attached to Report PED12211, which has been prepared in a form satisfactory to the City Solicitor, be approved.

4. **Application for a Change in Zoning for 2 and 4 Blanshard Street and 0 Poulette Street (Hamilton) (PED12196) (Ward 1) (Item 6.3)**

That approval be given to Amended Zoning Application ZAR-09-043, by Mike Valvasori (in Trust), Owner, for changes in zoning from the “D” (Urban Protected Residential - One and Two Family Dwellings, Etc.) District to the “E-2-‘H’/S-1660” (Multiple Dwellings - Holding) District, Modified, with a Special Exception (Block 2), the “RT-30-‘H’/S-1660” (Street Townhouse - Holding) District, Modified, with a Special Exception (Block 1), and the “G-3 - ‘H’/S-1660” (Public Parking Lots - Holding) District (Block 3), to permit 3 street townhouse units, a 4-storey, 36 unit apartment building, and a commercial parking lot, on lands municipally known as 2 and 4 Blanshard Street and 0 Poulette Street, located within Part of Lot 18, Concession 3, Former Township of Barton, now in the City of Hamilton, as shown on Appendix “A” to Report PED12196, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED12196, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1660, and that the subject lands on Zoning District Maps W-13 and W-14 be notated as S-1660;

(c) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan and the Official Plan for the City of Hamilton;

(d) That upon finalization of the implementing By-law, the Kirkendall North Neighbourhood Plan be amended to change the designation affecting the
subject lands from “Commercial” and “Single and Double” to “Townhouses” (Block 1) and “Low Density Apartments” (Block 2).

5. Application to Amend City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 546-548 Fifty Road and 32-36 Kingspoint Circle (Stoney Creek) (PED12200) (Ward 11) (Item 6.5)

That approval be given to Zoning Amendment Application ZAC-12-019, by Marfive Holdings, c/o Mario and Maria Marchionda, (Owner), for changes in zoning from the Neighbourhood Development “ND” Zone and Rural Residential “RR” Zone to the Single Residential “R3-36” Zone, with a Special Exception, in order to facilitate the creation of 2 single detached residential lots fronting onto Kingspoint Circle, and to retain 2 single detached residential lots fronting onto Fifty Road, as approved by Committee of Adjustment Severance Applications SC/B-12:34 to SC/B-12:36, inclusive, on the lands known municipally as 546-548 Fifty Road and 32-36 Kingspoint Circle (Stoney Creek), as shown on Appendix “A” to Report PED12200, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED12200, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(b) That the amending By-law be added to Map 4 of Schedule “A” of Zoning By-law No. 3692-92;

(c) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan and City of Stoney Creek Official Plan.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes to the Agenda:

PUBLIC HEARING AND DELEGATIONS

6.3 Application for a Change in Zoning for 2 and 4 Blanshard Street and 0 Poulette Street (Hamilton) (PED12196) (Ward 1)

(i) Correspondence from Peter Watson

The Agenda for the November 6, 2012 meeting of the Planning Committee was approved, as amended.
(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) APPROVAL OF MINUTES (Item 3)

(i) October 16, 2012

The Minutes of the October 16, 2012 Planning Committee meeting were approved.

(d) DELEGATION REQUESTS (Item 4)

(i) Delegation Request from Ken Kelly respecting a driveway adjustment (Item 4.1)

The delegation request from Ken Kelly, respecting a driveway adjustment, was approved for a future meeting.

(ii) Delegation Request from Charlie Bois respecting placing the City of Hamilton on the list at the Ministry of Natural Resources to allow Sunday gun hunting in Hamilton (Item 4.2)

The delegation request from Charlie Bois, respecting placing the City of Hamilton on the list at the Ministry of Natural Resources to allow Sunday gun hunting in Hamilton, was approved for a future meeting.

(e) PUBLIC HEARINGS AND DELEGATIONS (Item 6)

(i) Delegation from Lawrence Pearce respecting the by-law against parking large recreational vehicles in front property (Item 6.1)

Mr. Pearce provided an overview of his concerns with the aid of speaking notes. A copy of the speaking notes has been included in the official record.

The presentation from Lawrence Pearce respecting the by-law against parking large recreational vehicles in front property, was received.
Staff were to report back with an amending by-law to the Stoney Creek by-law to limit parking of recreational vehicles on properties in residential areas.

(ii) Applications for Amendments to the Township of Glanbrook Official Plan and Zoning By-law No. 464, and Approval of a Draft Plan of Subdivision, Known as “Binbrook Heights Addition”, on Lands Located at 139 Fall Fair Way (Glanbrook) (PED12182) (Ward 11) (Item 6.2)

In accordance with the provision of the Planning Act, Chair B. Clark advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the amendments to the Official Plan, Zoning By-law and Draft Plan of Subdivision, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Joe Muto, Senior Planner, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting Report PED12182, Applications for Amendments to the Township of Glanbrook Official Plan and Zoning By-law No. 464, and Approval of a Draft Plan of Subdivision, Known as “Binbrook Heights Addition”, on Lands Located at 139 Fall Fair Way (Glanbrook), was received.

Public Speakers:

1. Darlean Patterson – 10-26 Pumpkin Pass, Hamilton, ON L0R 1C0
   Ms. Patterson expressed concerns with over development in the area.

2. Brad McIntosh – 10-26 Pumpkin Pass, Hamilton, ON L0R 1C0
   Mr. McIntosh expressed concerns with over development in the area.
The public presentations respecting Report PED12182, Applications for Amendments to the Township of Glanbrook Official Plan and Zoning By-law No. 464, and Approval of a Draft Plan of Subdivision, Known as “Binbrook Heights Addition”, on Lands Located at 139 Fall Fair Way (Glanbrook), were received.

The public meeting respecting Report PED12182, Applications for Amendments to the Township of Glanbrook Official Plan and Zoning By-law No. 464, and Approval of a Draft Plan of Subdivision, Known as “Binbrook Heights Addition”, on Lands Located at 139 Fall Fair Way (Glanbrook), was closed.

Steve Fraser, agent, provided clarity to concerns respecting over-development.

The agent’s presentation respecting Report PED12182, Applications for Amendments to the Township of Glanbrook Official Plan and Zoning By-law No. 464, and Approval of a Draft Plan of Subdivision, Known as “Binbrook Heights Addition”, on Lands Located at 139 Fall Fair Way (Glanbrook), was received.

The following motion was deferred to the next Planning Committee meeting pending the results of the interim report regarding the flooding in Binbrook Village and pending confirmation and corrective action from the Manager of Growth and Management respecting adequate sewer capacity in the development to handle additional flow:

(a) That approval be given to **Official Plan Amendment Application OPA-11-016, by John Bruce Robinson Construction Limited, Owner**, for Official Plan Amendment No. ___, for a change in designation for a portion of land on Schedule “B” of the Township of Glanbrook Official Plan from “Low Density Residential” and “Corner Retail” to “Medium Density Residential”, for the lands located within proposed Draft Plan of Subdivision “Binbrook Heights Addition”, at 139 Fall Fair Way (Glanbrook), as shown on Appendix “A” to Report PED12182, on the following basis:

(i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED12182, be adopted by City Council;
(ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement, and conforms to the Hamilton-Wentworth Official Plan.

(b) That Urban Hamilton Official Plan Amendment No. [redacted], to amend Map B.5.1-1 - Binbrook Village Secondary Plan Land Use Plan from “Local Commercial” to “Low Density Residential 2h”, attached as Appendix “C” to Report PED12182, be received and held in abeyance until such time as the relevant sections of the Urban Hamilton Official Plan come into force and effect; and following such final decision, Planning and Economic Development Department staff be directed and authorized to hold a Public Meeting pursuant to the provisions of the Planning Act to consider the proposed Urban Hamilton Official Plan Amendment, for lands located within the proposed Draft Plan of Subdivision “Binbrook Heights Addition”, 139 Fall Fair Way (Glanbrook).

(c) That approval be given to Zoning Application ZAC-11-065, by John Bruce Robinson Construction Limited, Owner, for changes in zoning to Glanbrook Zoning By-law No. 464 from the Restricted Agricultural “A2” Zone to the Residential “R4-276” Zone, Modified, with a Special Exception (Block 1); the Residential Multiple “RM2-277” Zone, Modified, with a Special Exception (Block 2); the Residential “R4-222” Zone, Modified, with a Special Exception (Block 3); and the Residential Multiple “RM2-161” Zone, Modified, with a Special Exception (Block 4); and from the Residential “R4-222” Zone, Modified, to the Residential Multiple “RM2-277” Zone, Modified, with a Special Exception (Block 5), to permit 113 lots for single detached dwellings, 32 lots for street townhouse dwellings, and 9 blocks for future residential to be developed in conjunction with adjacent lands, as shown on Schedule “A” to Appendix “D” of Report PED12182, on the following basis:

(i) That the draft By-law, attached as Appendix “D” to Report PED12182, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(ii) That the changes in zoning conform to the Hamilton-Wentworth Official Plan, and will conform to the Glanbrook Official Plan upon finalization of Official Plan Amendment No. [redacted].

(d) That approval be given to Draft Plan of Subdivision Application 25T-201109, by John Bruce Robinson Construction Limited, Owner, to establish a draft plan of subdivision, known as “Binbrook
Heights Addition”, on lands at 139 Fall Fair Way, in the former Township of Glanbrook, as shown on Appendix “E” to Report PED12182, subject to the following conditions:

(i) That this approval apply to “Binbrook Heights Addition”, 25T-201109, prepared by A.J. Clarke & Associates Ltd., and certified by B.J. Clarke, O.L.S., dated April 2, 2012, showing 113 lots for single detached dwellings (Lots 1-113), 32 lots for street townhouse dwellings (Lots 114-145), 9 blocks for future residential (6 single detached dwellings, 15 street townhouse dwellings, and approximately 12 townhouse units on a common elements road) to be developed in conjunction with adjacent lands (Blocks 146-154), 1 block for a public walkway (Block 155) and 2 streets (Festival Way and Fairgrounds Drive), attached as Appendix “E” to Report PED12182, subject to the owner entering into a Standard Form Subdivision Agreement, as approved by City Council, and with the Special Conditions, attached as Appendix “F” to Report PED12182.

(ii) Acknowledgement that there will be no City share for any municipal works associated with this development.

(iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 42 of the Planning Act, prior to the issuance of each building permit. The calculation of the Cash-in-Lieu payment shall be based on the value of the lands on the day prior to the day of issuance of each building permit, with the exception of Lots 114 to 145 and Blocks 146, 147, and 154, for which payment shall be based on the value of the land on the day prior to the issuance of the first building permit for each said block.

With regard to Lots 1-113 and Blocks 148-153 (Single Detached Residential), a parkland dedication at a ratio of 5% shall be required.

With regard to Lots 114-145 and Blocks 146, 147, and 154 (Street Townhouses), a parkland dedication at a ratio of 1 ha per 300 dwellings units shall be required.

All in accordance with the City’s Financial Policies for Development and Parkland Dedication By-law, as approved by Council.
(iii) **Application for a Change in Zoning for 2 and 4 Blanshard Street and 0 Poulette Street (Hamilton) (PED12196) (Ward 1) (Item 6.3)**

In accordance with the provision of the Planning Act, Vice-Chair J. Farr advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the amendments to the Zoning By-law amendment, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Chris Bell, Senior Planner, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting Report PED12196, Application for a Change in Zoning for 2 and 4 Blanshard Street and 0 Poulette Street (Hamilton), was received.

**Public Speakers:**

1. D. and E. Rousseaux – 83 Poulette St., Hamilton, ON L8P 4E3
   
   Mr. and Mrs. Rousseaux expressed concerns with traffic flow.

2. Richard Holmes – 87 Poulette St., Hamilton, ON L8P 4E4
   
   Mr. Holmes expressed concerns with changes to the laneway.

3. Margaret Flood – 81 Poulette St., Hamilton, ON L8P 4E5
   
   Ms. Flood expressed concerns with traffic flow.

The public presentations and communications respecting Report PED12196, Application for a Change in Zoning for 2 and 4 Blanshard Street and 0 Poulette Street (Hamilton), was received.

The public meeting respecting Report PED12196, Application for a Change in Zoning for 2 and 4 Blanshard Street and 0 Poulette Street (Hamilton), was closed.

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Sergio Manchia, planner, provided an overview of the development with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The agent’s presentation respecting Report PED12196, Application for a Change in Zoning for 2 and 4 Blanshard Street and 0 Poulette Street (Hamilton), was received.

For disposition on this Item, refer to item 4.

(iv) Application for Approval of a Draft Plan of Condominium (Vacant Land) (25CDM-201205) for Lands Known as 3-35 Greenleaf Lane (Formerly 306 Woodworth Drive) (Ancaster) (PED12199) (Ward 12) (Item 6.4)

In accordance with the provision of the Planning Act, Vice-Chair J. Farr advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the draft plan of condominium, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

The public meeting respecting, Report PED12199, Application for Approval of a Draft Plan of Condominium (Vacant Land) (25CDM-201205) for Lands Known as 3-35 Greenleaf Lane (Formerly 306 Woodworth Drive) (Ancaster), was closed.

The staff presentation respecting, Report PED12199, Application for Approval of a Draft Plan of Condominium (Vacant Land) (25CDM-201205) for Lands Known as 3-35 Greenleaf Lane (Formerly 306 Woodworth Drive) (Ancaster), was waived.

Report PED12199, Application for Approval of a Draft Plan of Condominium (Vacant Land) (25CDM-201205) for Lands Known as 3-35 Greenleaf Lane (Formerly 306 Woodworth Drive) (Ancaster), was referred back to staff for further consultation with the Ward Councillor.
(v) Application to Amend City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 546-548 Fifty Road and 32-36 Kingspoint Circle (Stoney Creek) (PED12200) (Ward 11) (Item 6.5)

In accordance with the provision of the Planning Act, Vice-Chair J. Farr advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the amendment to the zoning by-law, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

The public meeting respecting, Report PED12200, Application to Amend City of Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 546-548 Fifty Road and 32-36 Kingspoint Circle (Stoney Creek), was closed.

The staff presentation respecting, Report PED12199, Application for Approval of a Draft Plan of Condominium (Vacant Land) (25CDM-201205) for Lands Known as 3-35 Greenleaf Lane (Formerly 306 Woodworth Drive) (Ancaster), was waived.

For disposition on this Item, refer to item 5.

(f) MOTIONS (Item 9)

(i) Enforcing Blocked Swales (Item 9.1)

Staff were directed to investigate and report back on the feasibility of adding swales to the Storm Water provisions of the Property Standards By-law 10-221.

(ii) Pan Am Stadium (Item 9.2)

Staff were directed report back to the December 4, 2012 meeting of the Planning Committee with:

(aa) Confirmation that the stadium complies with the urban design policy;
(bb) Zoning variations that may be required;

(cc) Schematics detailing the look of the stadium.

(g) NOTICES OF MOTION (Item 10)

Councillor Ferguson introduced the following Notice of Motion:

(i) **Enforcing Blocked Swales (Item 10.1)**

That staff investigate and report back on the feasibility of adding swales to the Storm Water provisions of the Property Standards By-law 10-221.

The rules were waived in order to allow for the motion respecting Enforcing Blocked Swales to be heard as a motion at today’s meeting.

For disposition on this Item, refer to item 6.

Councillor Ferguson introduced the following Notice of Motion:

(ii) **Pan Am Stadium (Item 10.2)**

That staff report back at the December 4, 2012 meeting of the Planning Committee with:

(aa) Confirmation that the stadium complies with the urban design policy;

(bb) Zoning variations that may be required;

(cc) Schematics detailing the look of the stadium.

The rules were waived in order to allow for the motion respecting Enforcing Blocked Swales to be heard as a motion at today’s meeting.

For disposition on this Item, refer to item 7.
(h) GENERAL INFORMATION AND OTHER BUSINESS (Item 11)

(i) Outstanding Business List Amendments (Item 11.1)

That the following item was removed from the Outstanding Business List:

(aa) Item P: Bear Wise Program

(ii) News from the General Manager (Item 11.2)

The General Manager provided updates of current events and initiatives within the department.

(i) ADJOURNMENT

There being no further business, the Planning Committee adjourned at 1:45 p.m.

Respectfully submitted,

Councillor B. Clark
Chair, Planning Committee

Vanessa Robicheau
Legislative Coordinator
Office of the City Clerk
GENERAL ISSUES COMMITTEE
REPORT 12-032
(Approved, as amended, by Council on November 14, 2012)
9:30 a.m.
Wednesday, November 7, 2012
Council Chambers
Hamilton City Hall
71 Main Street West

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

Absent with Regrets: Councillor R. Pasuta – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 12-032 AND RESPECTFULLY RECOMMENDS:

1. Hamilton Police Service Monthly Report PSB12-087 (Item 5.1(a))
   That the Hamilton Police Service Monthly Report PSB12-087 be received.

2. Hamilton Police Service Monthly Report PSB12-099 (Item 5.1(b))
   That the Hamilton Police Service Monthly Report PSB12-099 be received.

3. 2013 Discretionary Benefits and Community Start-Up Benefit (Item 8.12(a))
   Whereas Discretionary Benefits and the Community Start-Up Benefit are important elements within the social assistance system within Ontario and have historically been cost-shared with the province;
   And Whereas, effective July 1, 2012, the Province of Ontario implemented a funding cap on discretionary benefits paid to Ontario Works (OW) and Ontario Disability Support Payment (ODSP) recipients;

Council – November 14, 2012
And Whereas, effective January 1, 2013, the Province of Ontario will consolidate five existing housing and homelessness programs into a new Community Homelessness Prevention Initiative;

And Whereas, effective January 1, 2013 the Province of Ontario will eliminate the Community Start-Up and Maintenance Benefit from the Ontario Works and Ontario Disability Support Program;

And Whereas these provincial funding reductions will result in a municipal cost pressure to the City of Hamilton of $7.6 million annually;

And Whereas a reduction or elimination of these benefits would result in serious consequences to the most vulnerable residents in our community.

Therefore Be it Resolved:

(a) That effective January 1, 2013, the fee schedule used for Adult Emergency Dental Services provided to OW adults, ODSP dependant adults and low-income adult residents be harmonized with the fee schedule used by the province for dental services provided to ODSP adults and OW children, which is of 60% of the Ontario Dental Association fee guide;

(b) That effective January 1, 2013, the net levy portion of existing housing program costs in the following amounts be restated to the Community Homelessness Prevention Initiative:

(i) $892,270 from the Emergency Shelter Program;
(ii) $1,363,800 from the Domiciliary Hostel Program;
(iii) $138,250 from the Domiciliary Hostel Reinvestment;
(iv) $96,760 from the Consolidated Homelessness Prevention Program;
(v) $860,000 from the Community Start-Up and Maintenance Benefit;

(c) That one time municipal funding in the amount of up to $3.4 million be provided to maintain the current service levels for Discretionary Benefits and Community Start-Up and Maintenance Benefit for a period of six months beginning January 1, 2013, to be funded from Community Services department surplus, corporate surplus, tax stabilization reserve, Social Services Initiative reserve, OMPF reconciliation, or any combination thereof;

(d) That the funding required for continued operation of Discretionary Benefits and the Community Start-Up and Maintenance Benefit for the balance of the 2013 transition year be referred to the 2013 Budget deliberations, with consideration of 2013 Ontario Works upload savings and/or the Hamilton Future Fund;
(e) That should any tax levy increase result from changes in provincial funding for Discretionary Benefits or the Community Start-Up and Maintenance Benefit, a notice be included in Hamilton municipal tax bills indicating the reason for this increase;

(f) That the General Manager of Community Services, or designate, be authorized to implement spending caps, benefit frequency limits or other controls necessary to ensure costs are contained within the approved budget amounts.

4. Development Charges – City Square Condominiums (former Thistle Club) (FCS12089) (City Wide) (Outstanding Business List Item) (Item 8.2)

(a) That the feasibility analysis of adding the City Square Condominiums parcel to the recently expanded Downtown Community Improvement Project Area (CIPA) be deemed complete and that no inclusion of said parcel be made to the Downtown CIPA and/or the corresponding Downtown development charges exemption area;

(b) That any reduction in apartment/condominium Development Charges rates from the City’s 2014 Development Charges Study and associated By-law be applied retro-actively to the City Square Condominiums Phase 2 development and any other apartment/condominium developments that occur between November 1, 2012 and the implementation of the 2014 DC By-laws.

5. War of 1812 Bicentennial Commemoration Program – 2012 Reallocation of Approved Funds (PED12204) (City Wide) (Item 8.3)

(a) That the Bicentennial closing event, *William Claus Wampum Belt and 200 Years of Peace Project*, be approved as part of the War of 1812 Bicentennial Commemoration Program;

(b) That the $80,000 in funding approved through the City of Hamilton’s War of 1812 Bicentennial Commemoration Program Report CS11075 for the *Movement of Troops from Fort George to Stoney Creek* event be reallocated to support the *Tall Ships® Hamilton 2013* and the Bicentennial closing event *William Claus Wampum Belt and 200 Years of Peace Project*;

(c) That recommendation (b) of Report CS11075 be amended such that the capital funding in the amount of $447,200 be distributed annually over four years as follows: $118,500 in 2012; $251,700 in 2013; $47,000 in 2014; and $30,000 in 2015; and,
(d) That the General Manager, Planning and Economic Development Department, be authorized to initiate, negotiate and execute all agreements and documents (including grant applications, funding, programming and logistical contracts, and sponsorship agreements) relating to the City of Hamilton’s War of 1812 Bicentennial Commemoration Program, in a form satisfactory to the City Solicitor.

6. City of Hamilton Gage Park Concert Series (PED12203) (City Wide) (Outstanding Business List Item) (Item 8.4)

(a) That the 2013 Gage Park Concert Series Program, as outlined in Report PED12203, be approved;

(b) That the transfer of responsibility for the delivery of the Gage Park Concert Series in Gage Park from the Tourism and Culture Division to a third party service provider, beginning with the 2013 Summer concerts, be approved;

(c) That an enhancement in the amount of $25,000 be referred to the 2013 operating budget process in order to fund the Gage Park Concert Series in 2013, with an additional $4,000 to be sourced from the Planning and Economic Development Department’s current budget.

7. Reallocation of 2012 Downtown Block Funding (PED12206) (Wards 1, 2 and 3) (Item 8.5)

(a) That the Gore Pedestrianization Project, including a temporary closure of King Street (south side) from James Street to Hughson Street, be extended until commencement of construction activities associated with implementation of the Gore Master Plan, and that the associated 2013 implementation cost in the amount of $19,100 be funded from the Area Rating Special Capital Re-investment Reserve Account No. 108052;

(b) That the one-time total estimated cost of $120,000 required to procure durable, modular planter boxes and planting material for the Gore Pedestrianization Project be funded from the existing Hamilton Downtown Supermarket Incentive Program Project ID 8201203515, subject to the approval of operating costs set out in Recommendation (c), below;

(c) That funding required to implement the West Harbour Shoreline Rehabilitation and Transient Docks, in the amount of $340,000, be funded from the Hamilton Downtown Supermarket Incentive Program Project ID 8201203515, subject to the approval of operating costs set out in Recommendation (e), below;
(d) That the associated annual operating cost for the West Harbour Shoreline Rehabilitation and Transient Docks, in the amount of $13,600, be referred to the 2013 Operating Budget process for consideration by City Council;

(e) That funding required to implement the continuation of a Social Navigator Pilot Extension Program, in the amount of $90,000, be funded from the Hamilton Downtown Supermarket Incentive Program Project ID#8201203515;

(f) That funding required for the development of a Downtown Alleyway Study and Implementation of Alleyway Improvements, in the amount of $100,000, be funded from the Hamilton Downtown Supermarket Incentive Program Project ID#8201203515;

(g) That subject to the approval of recommendations (a) – (f), the Hamilton Downtown Supermarket Incentive Program Project ID#8201203515 be closed.

8. Report 12-005 of the Advisory Committee for Persons with Disabilities – October 9, 2012 (Item 8.6)

(i) Transportation Sub-Committee Reports of – August 28, 2012 & September 25, 2012 (Items 4.2 & 4.3)

(a) That the Advisory Committee for Persons with Disabilities supports the staff recommendations of Report PED10063(e) as a proposed approach to implementing the AODA Transportation Standard with respect to accessible taxis;

(b)(i) That the target for the number of accessible taxis be a number that provides equitable service between accessible and non-accessible taxis; so that anyone who needs an accessible taxi will get one in the same amount of time as a person requesting a non-accessible or standard taxi, for a similar day, time of day, time of year, and location; and

(b)(ii) That a communication strategy be developed to inform the public of reforms to the accessible taxicab system including fares, and the availability of licensed accessible taxis;

(c) That the consultants involved in the implementation of accessible taxis be directed to conduct a service delivery review as part of their evaluation and consider options to replace the current shared ride specialized transportation model in whole, or in part, to coincide with the expansion of accessibility taxi services.
(ii) Equity Policy By-law Review Update (Added Item 7.1)

That Access and Equity staff be directed to provide ACPD with a Report Annually, or more frequently if desired by staff, that provides a summary of Accessibility issues from the community that they have reported to the Access and Equity Office.

9. Report 12-001 of the School Board Properties Sub-Committee – October 10, 2012 (Item 8.7)

(a) Appointment of Chair and Vice Chair

(i) That Councillor Collins be appointed as the Chair of the School Board Properties Sub-Committee for the 2010-2014 term of Council;

(ii) That Councillor Johnson be appointed as the Vice-Chair of the School Board Properties Sub-Committee for the 2010-2014 term of Council.

(b) Approval of the School Board Properties Sub-Committee Terms of Reference (Item 6.1)

That the Terms of Reference for the School Board Properties Sub-Committee, attached hereto as Appendix “A”, be approved.

10. Report 12-004 of the Pan Am Stadium Precinct Sub-Committee – October 12, 2012 (Item 8.8)

(a) Pan Am Stadium Technical Briefing - Release from Pan Am Stadium Confidentiality Agreement

That the recommendation of the Pan Am Stadium Precinct Sub-Committee respecting release from Pan Am Stadium Confidentiality Agreement, be received.


(a) June 2012 Semi-Annual Report for the John C. Munro Hamilton International Airport

That the June 2012 Semi-Annual Report for the John C. Munro Hamilton International Airport, be received.

Council – November 14, 2012
(b) Municipal Capital Facility Status of John C. Munro Hamilton International Airport (PED12202) (City Wide)

(i) That the Mayor and City Clerk be authorized to execute an Agreement, attached as Appendix “A” to Report 12-002 of the Airport Implementation Task Force, to amend the Airport Lease between the City and TradePort International Corporation to the effect that payments due under Article 5 of the Lease continue as additional fees/rent rather than in respect of taxes;

(ii) That the By-law, attached as Appendix “B” to Report 12-002 of the Airport Implementation Task Force, to extend the Municipal Capital Facility (MCF) designation for the John C. Munro Hamilton International Airport (HIA), be passed.


(a) Public Input – Next Steps (Item 4.1)

(i) That staff be directed to logistically establish two public education forums, one to be located at City Hall and one in Flamborough, related to the casino input process;

(ii) That the questions proposed for polling be drafted and provided to Council for perusal and approval following the consideration of the conditions to be placed on the casino;

(iii) That the cost be charged to the 2012 Non-Departmental Operating Budget.

13. Report 12-001 of the Web Redevelopment Sub-Committee – November 2, 2012 (Item 8.11)

(a) Election of Chair and Vice Chair

(i) That Councillor R. Powers be appointed Chair of the Web Redevelopment Sub-Committee;

(ii) That Councillor C. Collins be appointed Vice Chair of the Web Redevelopment Sub-Committee.
(b) Terms of Reference (Item 4.1)

That the Terms of Reference for the Web Redevelopment Sub-Committee, attached hereto as Appendix “B”, be approved.

14. Establishment of a Specialized By-law Enforcement Unit (Item 9.2)

Whereas a 2008 Consultant report recommended that Municipal Law Enforcement Officers’ hours of operation "for safety reasons should not exceed 1:00 a.m., at which time responding to noise complaints would become the responsibility of the Police”;

And whereas police are not always available to immediately respond to nighttime noise complaints because of demand for higher priority calls for service.

Therefore Be It Resolved:

That City staff investigate the practices of other municipalities and, in consultation with the Hamilton Police Service, be directed to investigate and report to the Planning Committee on the feasibility of establishing a specialized enforcement unit, fully equipped and highly trained in self defense and conflict resolution, in order to provide an appropriate level of service to overnight noise complaints.

15. Parkland Acquisition, 154 and 156 Cannon Street East Adjacent to Beasley Park (PW12084) - (Ward 2) (Item 12.2)

(a) That the Real Estate Section of the Economic Development and Real Estate Division of the Planning and Economic Development Department be authorized and directed to enter into negotiations with Lockwood Motors Limited and Ronald Allan Lockwood; regarding the lands (154 Cannon Street East) Pt. Lots 42 to 47, Plan 255, as in CD338286, and Pt. Closed Alley, Plan 255 described as Part 1 on Plan 62R-12068 and (156 Cannon Street East) Pt. Lots 42 to 47, Plan 255, as in VM233541, comprising a conjoined area of approximately 0.25 ha and 0.22 ha (0.63 acres and 0.55 acres) City of Hamilton as shown on Appendix “A” to Report PW12084;

(b) That staff be directed to report back to the General Issues Committee regarding the final negotiated value of the land acquisitions and impact to the Parkland Dedication Reserve (104090);
(c) That the financial details of the acquisition of 154 and 156 Cannon Street East, remain confidential until the completion of the transaction and that the balance of Report PW12084 not be released as a public document, following approval by City Council;

(d) That the Mayor and City Clerk be authorized and directed to execute all necessary documents in a form satisfactory to the City Solicitor.

16. Update on Legal Issues for Airport Contamination (LS12032) (City Wide) (Outstanding Business List Item) (Item 12.3)

That Report LS12032 respecting Update on Legal Issues for Airport Contamination remain confidential.

FOR THE INFORMATION OF COUNCIL:

CEREMONIAL ACTIVITIES

Recognition of Olympic Athletes

Mayor Bratina recognized Reid Coolsaet (marathoner) and Shona Thorburn (basketball), two star Olympians who competed in the 2012 Summer Olympics and recognized their achievements in their respective sports, both during the Olympics and throughout their careers. On behalf of the City of Hamilton, Mayor Bratina presented Certificates of Achievements and gifts to Reid and to Mrs. Audry Nicholson, who attended on behalf of her daughter, Shona.

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes to the agenda:

DELEGATION REQUESTS

For Today’s Meeting

(i) Laura Cattari, on behalf of the Hamilton Roundtable for Poverty Reduction, respecting Discretionary Benefits and Community Start Up and Maintenance Benefits (Added Item 4.1)

(ii) Sandy Leyland respecting the Ontario Disability Support Program (Added Item 4.2)
(iii) Erika Morton, on behalf of Street Youth Planning Collaborative, respecting street-involved and homeless youth relative to the cuts to the Community Start Up and Maintenance Benefits (Added Item 4.3)

(iv) Renee Wetselaar, on behalf of the Social Planning and Research Council of Hamilton, to outline the impacts of cuts to CSUMB and discretionary benefits within the context of housing and homelessness in Hamilton (Added Item 4.6)

(v) Katherine Kalinowski, on behalf of Women’s Housing Planning Collaborative, respecting discretionary benefits and CSUMB (Added Item 4.7)

(vi) Medora Uppal, on behalf of Woman Abuse Working Group, respecting consideration of a moratorium on Community Start-Up and Maintenance Benefits and Discretionary Benefits (Added Item 4.8)

For Future Meetings

(vii) Ken Hall, Enbridge Pipelines Inc., to provide additional information respecting the Enbridge Line 9B Reversal and Line 9 Capacity Expansion Project (Added Item 4.4)

(viii) Susan McMaster, on behalf of Citizens Opposed to Paving the Escarpment and the Stop Escarpment Highway Coalition, to speak to the Niagara to GTA highway issue (Added Item 4.5)

DELEGATION WITHDRAWN

(ix) Item 6.1 – Nic Schultz, Director of Outreach, Social and Environmentally Responsible Aggregates/Aggregate Forum of Ontario (SERA/AFO)

ADDED DISCUSSION REPORTS

(x) Report 12-002 of the Gaming Facility Proposal Sub-Committee – November 1, 2012 (Added Item 8.10)

(xi) Report 12-001 of the Web Redevelopment Sub-Committee – November 2, 2012 (Added Item 8.11)

(xii) Motion respecting 2013 Pressures related to Discretionary Benefits and Community Start Up and Maintenance Benefit (CSUMB) (Added Item 8.12(a))
(xiii) 2013 Proposed Discretionary Benefits Budget Options (CS12020(b)) (City Wide) (Added Item 8.12(b)) (Referred from Emergency & Community Services on November 1, 2012)

MOTIONS

(ixv) Item 9.1 respecting Enbridge Pipelines Line 9 Flow Reversal Project – WITHDRAWN

(xv) Item 9.2 respecting Establishment of a Specialized By-law Enforcement Unit – REVISED Motion

On a motion, the agenda was approved, as amended.

Tim McCabe, General Manager of Planning and Economic Development, spoke to the publication entitled, “Commercial Property Perspective”, copies of which were distributed to the Committee. Mr. McCabe reported that this publication will be distributed to 45,000 companies in Etobicoke, Oakville, Mississauga, Burlington and Brantford that have 5 to 100 employees. An additional 5,000 copies will be distributed to real estate offices throughout the GTA.

On a motion, Item 8.12(a) respecting 2013 Discretionary Benefits and Community Start-Up Benefits and 8.12(b) respecting 2013 Proposed Discretionary Benefits Budget Options, will be considered by the Committee following the delegations speaking to this matter.

(b) DECLARATIONS OF INTEREST (Item 2)

(i) Item 1 of Advisory Committee for Persons with Disabilities Report 12-005

Councillor L. Ferguson declared an interest as a family member is involved in the taxi industry.

(ii) Item 8.12(a) – Motion respecting 2013 Discretionary Benefits and Community Start-Up Benefit

Councillor R. Powers declared an interest as a family member is employed with a local social services agency which receives funds through these programs.

(c) APPROVAL OF PREVIOUS MINUTES

On a motion, the October 17, 2012 Minutes of the General Issues Committee meetings were approved, as presented.
(d) DELEGATION REQUESTS

On a motion, the following delegation requests were approved and the rules of order were suspended in order to allow these delegations to appear before the Committee at this meeting:

(i) Laura Cattari, on behalf of the Hamilton Roundtable for Poverty Reduction, respecting Discretionary Benefits and Community Start Up and Maintenance Benefits (Added Item 4.1)

(ii) Sandy Leyland respecting the Ontario Disability Support Program (Added Item 4.2)

(iii) Erika Morton, on behalf of Street Youth Planning Collaborative, respecting street-involved and homeless youth relative to the cuts to the Community Start Up and Maintenance Benefits (Added Item 4.3)

(iv) Renee Wetselaar, on behalf of the Social Planning and Research Council of Hamilton, to outline the impacts of cuts to CSUMB and discretionary benefits within the context of housing and homelessness in Hamilton (Added Item 4.6)

(v) Katherine Kalinowski, on behalf of Women’s Housing Planning Collaborative, respecting discretionary benefits and CSUMB (Added Item 4.7)

(vi) Medora Uppal, on behalf of Woman Abuse Working Group, respecting consideration of a moratorium on Community Start-Up and Maintenance Benefits and Discretionary Benefits (Added Item 4.8)

On a motion, the following delegation requests were approved to appear at a future meeting:

(vii) Ken Hall, Enbridge Pipelines Inc., to provide additional information respecting the Enbridge Line 9B Reversal and Line 9 Capacity Expansion Project (Added Item 4.4)

(viii) Susan McMaster, on behalf of Citizens Opposed to Paving the Escarpment and the Stop Escarpment Highway Coalition, to speak to the Niagara to GTA highway issue (Added Item 4.5)

(e) CONSENT ITEMS

(i) Minutes of Various Sub-Committees (for information purposes only):

On a motion, the following Minutes were received:

Council – November 14, 2012
(aa) Advisory Committee for Persons with Disabilities – August 21, 2012 (Item 5.2.1)

(bb) Hamilton Association of Business Improvement Areas – September 11, 2012 (Item 5.2.2)

(f) PUBLIC DELEGATIONS/HEARINGS

(i) John C. Munro/Hamilton International Airport – Annual Report (No Copy) (Item 6.2)

Frank Scremin, Director of Operations, John C. Munro/Hamilton International Airport, provided a power point presentation respecting the 2012 Update, which included the following:

- Financial Performance for 2011 and 2012 (6 months to June)
- 2012 Investment and Initiatives
- Activity Highlights – passenger, cargo, general aviation
- Cargo Activity – Top 5 Canadian Airports
- Key Regional Airport Competitors
- Economic Benefits to the City to Date
- Significant Return to the City of Hamilton
- Environmental Update
- Understanding the Market: Passenger Research
- Why do People Fly from Hamilton
- How to Increase Market Share at Hamilton
- Cargo Development at Hamilton International
- Government-Funding Initiatives
- Future Airport Growth Areas.

A copy of the power point presentation was submitted to the Clerk for the public record and is available on the City of Hamilton website.

Guy Paparella, Director of Growth Planning, was in attendance to respond to questions of the Committee.

On a motion, the presentation from Frank Scremin, Director of Operations, John C. Munro/Hamilton International Airport, respecting the 2012 Annual Report, was received.
(ii) Lou Castellani, Municipal Relations Representative, Municipal Property Assessment Corporation, Hamilton, Brantford, Brant, Haldimand & Norfolk – Overview of MPAC (Item 6.3)

Lou Castellani, Municipal Relations Representative, Municipal Property Assessment Corporation (MPAC), Hamilton, Brantford, Brant, Haldimand & Norfolk, provided an overview of MPAC, which included the following:

- Roles, Responsibilities and Relationships
- Property Assessment in Ontario
- Current Value Assessment (CVA)
- Valuation Process
- Legislative Framework
- Assessment Cycle
- Assessment Phase-in Example
- Property Assessment Notice Mail-out
- Property Assessment Notice, Notice Insert, History of Request for Reconsideration and Assessment Review Board Appeals
- “www.AboutMyProperty.ca” website
- Average Percent Change by Tax Class
- Average Assessed Value by Selected Residential Properties
- 2012 Assessment Update – Important Dates
- How to contact MPAC

A copy of the power point presentation was submitted to the Clerk for the public record and is available on the City of Hamilton website.

Larry Friday, Director of Taxation, was in attendance to respond to questions of the Committee.

On a motion, the presentation from Lou Castellani, Municipal Relations Representative, Municipal Property Assessment Corporation (MPAC), Hamilton, Brantford, Brant, Haldimand & Norfolk, respecting an overview of MPAC, was received.

(iii) Laura Cattari, on behalf of the Hamilton Roundtable for Poverty Reduction, respecting Discretionary Benefits and Community Start Up and Maintenance Benefits (Added Item 4.1)

Laura Cattari appeared before the Committee to speak to the matter of Discretionary Benefits and Community Start-Up and Maintenance Benefits, stating that there is nothing discretionary about these benefits. For people on these programs, there are no choices. She requested that consideration be given to a one-year moratorium on these services while the City seeks to reverse the Provincial decision.

Council – November 14, 2012
A copy of the comments provided by Ms. Cattari is attached hereto as Appendix “C”.

On a motion, the presentation from Laura Cattari, on behalf of the Hamilton Roundtable for Poverty Reduction, respecting Discretionary Benefits and Community Start Up and Maintenance Benefits, was received.

(iv) **Sandy Leyland respecting the Ontario Disability Support Program** *(Added Item 4.2)*

Sandy Leyland and Pat Reid appeared before the Committee to speak to the matter of the Ontario Disability Support Program.

Ms. Reid called on the Committee to become an unrelenting voice for the help of the poor and become an advocate for those in need.

Ms. Leyland, a member of the Hamilton Roundtable for Poverty, spoke of the terrifying thoughts of losing Community Start-up, discretionary and maintenance funding.

A copy of the comments provided by Ms. Reid and Ms. Leyland are attached hereto as Appendix “D” and “E” respectively.

On a motion, the presentation from Pat Reid and Sandy Leyland respecting the Ontario Disability Support Program, was received.

(v) **Erika Morton, on behalf of Street Youth Planning Collaborative, respecting street-involved and homeless youth relative to the cuts to the Community Start Up and Maintenance Benefits** *(Added Item 4.3)*

Erika Morton appeared before the Committee to demonstrate how youth will be impacted by cuts to the Community Start-Up and Maintenance benefits (CSUMB).

A copy of the comments provided by Ms. Morton is attached hereto as Appendix “F”.

On a motion, the presentation from Erika Morton, on behalf of Street Youth Planning Collaborative, respecting street-involved and homeless youth relative to the cuts to the Community Start Up and Maintenance Benefits, was received.
(vi) Renee Wetselaar, on behalf of the Social Planning and Research Council of Hamilton, to outline the impacts of cuts to CSUMB and discretionary benefits within the context of housing and homelessness in Hamilton (Added Item 4.6)

Renee Wetselaar appeared before the Committee on behalf of the Social Planning and Research Council, with the support of their Board of Directors, to speak to this issue.

Ms. Wetselaar’s remarks included that to not have these programs in place will contribute to food and housing insecurity and the cuts will impact people’s ability to find housing. She also spoke to tracking outcomes i.e., monitoring impacts and reporting back from the community.

Ms. Wetselaar expressed support for Council in their decision, and to work with the City to communicate that these cuts should not be made at a provincial level.

A copy of the comments provided by Ms. Wetselaar is attached hereto as Appendix “G”.

On a motion, the presentation from Renee Wetselaar, on behalf of the Social Planning and Research Council of Hamilton, to outline the impacts of cuts to CSUMB and discretionary benefits within the context of housing and homelessness in Hamilton, was received.

(vii) Katherine Kalinowski, on behalf of Women’s Housing Planning Collaborative, respecting discretionary benefits and CSUMB (Added Item 4.7)

Katherine Kalinowski appeared before the Committee on behalf of the Women’s Housing Planning Collaborative, which consists of local agencies engaged in providing emergency shelter and transitional housing services and supports to women who are homeless or at imminent risk of homelessness. She expressed concern that if these vital benefits are no longer available to women, there will be an increased demand for emergency shelter services for women, women already in shelter will find themselves unable to move out of shelter and the actual cost to the community and social services will balloon as more women become homeless.

A copy of the comments provided by Ms. Kalinowski is attached hereto as Appendix “H”.

On a motion, the presentation from Katherine Kalinowski, on behalf of Women’s Housing Planning Collaborative, respecting discretionary benefits and CSUMB, was received.
(viii) Medora Uppal, Co-Chair, on behalf of Woman Abuse Working Group, respecting consideration of a moratorium on Community Start-Up and Maintenance Benefits and Discretionary Benefits (Added Item 4.8)

Medora Uppal, Co-chair, spoke on behalf of the Woman Abuse Working Group (WAWG), a coalition of 20 agencies in the City working toward ending violence against women and children, and expressed their deep disappointment with the Province’s decision to cancel discretionary benefits and CSUMB.

A copy of the comments provided by Ms. Uppal is attached hereto as Appendix “I”.

On a motion, the presentation from Medora Uppal, Co-Chair, on behalf of Woman Abuse Working Group, respecting consideration of a moratorium on Community Start-Up and Maintenance Benefits and Discretionary Benefits, was received.

(g) DISCUSSION AGENDA

(i) 2013 Discretionary Benefits and Community Start-Up Benefit (Item 8.12(a))

On a motion, Sub-section (e) was deleted in its entirety and replaced with the following in lieu thereof:

“(e) That the one-time costs related to the Provincial downloading of Discretionary Benefits and the Community Start-Up and Maintenance Benefit be included in Hamilton’s municipal tax bills indicating the reason for the contribution.

The Amendment CARRIED.

The Main Motion, as amended, CARRIED on the following Standing Recorded Vote:


Total Yeas: 14
Nays: 0
Absent: Pasuta, Powers
Total Absent: 2

The Committee recessed and reconvened at 3:00 p.m.

Council – November 14, 2012
(ii) **Strategic Plan 2012 Update and 2013 Corporate Business Plan (CM12017) (City Wide) (Item 8.1)**

On a motion, Report CM12017 respecting the Strategic Plan 2012 Update and 2013 Corporate Business Plan was deferred to the November 21, 2012 meeting of the General Issues Committee.

(iii) **Reallocation of 2012 Downtown Block Funding (PED12206) (Wards 1, 2 and 3) (Item 8.5)**

On a motion, Report PED12206 respecting Reallocation of 2012 Downtown Block Funding was amended by deleting sub-sections (a) and (c) in their entirety and replacing it with the following in lieu thereof:

“(a) That the Gore Pedestrianization Project, including a temporary closure of King Street (south side) from James Street to Hughson Street, be extended until commencement of construction activities associated with implementation of the Gore Master Plan, and that the associated 2013 implementation cost in the amount of $19,100 be funded from the Area Rating Special Capital Re-investment Reserve Account No. 108052”;

The balance of the sub-sections were renumbered accordingly.

(h) **MOTIONS**

(i) **Establishment of a Specialized By-law Enforcement Unit (Item 9.2)**

Deputy Mayor S. Merulla relinquished the Chair to Mayor R. Bratina in order to introduce his Motion.

See Item 14 for the disposition of this item.

(i) **GENERAL INFORMATION/OTHER BUSINESS (Item 11.1)**

11.1 **Outstanding Business List Items**

(a) On a motion, the revised due dates for the following items on the Outstanding Business List were approved:

**Planning**

Item F:  Hamilton LEEDing the Way  
Due Date:  November 7, 2012  
Revised Due Date:  December 5, 2012
Item I: Financial Incentive Programs – Urban Renewal Section
Due Date: November 7, 2012
Revised Due Date: November 21, 2012

(b) On a motion, the following items were removed from the Outstanding Business List:

Corporate Services

Item I: City Square Condominiums – New Horizon Development Group

Planning

Item E: PFOS – John C. Munro/Hamilton International Airport

Item H: Gage Park Summer Concert Series – EOI

(c) On a motion, the following item was removed from the Outstanding Business List of the Emergency & Community Services Committee:

Item K: Funding options for discretionary benefits for OW and ODSP for 2013 budget

(j) PRIVATE & CONFIDENTIAL

On a motion, the Committee moved into Closed Session at 3:03 p.m. pursuant to sub-sections (c), (d), (e) and (f) of the City’s Procedural By-law and Section 239.1(c), (d), (e) and (f) of the Municipal Act as the subject matters pertain to:

(c) a proposed or pending acquisition or disposition of land by the municipality or local board

(d) labour relations or employee negotiations

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and

(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose

respecting:

12.1 CUPE Local 1041 Collective Agreement Status Update (No Copy)

12.2 Parkland Acquisition, 154 and 156 Cannon Street East Adjacent to Beasley Park (PW12084) - (Ward 2)
12.3 Update on Legal Issues for Airport Contamination (LS12032) (City Wide) (Outstanding Business List Item)

The Committee reconvened in Open Session at 4:04 p.m.

12.1 CUPE Local 1041 Collective Agreement Status Update (No Copy)

Staff direction provided In Camera.

12.2 Parkland Acquisition, 154 and 156 Cannon Street East Adjacent to Beasley Park (PW12084) - (Ward 2)

See Item 15 for the disposition of this item.

12.3 Update on Legal Issues for Airport Contamination (LS12032) (City Wide) (Outstanding Business List Item)

Staff direction provided In Camera.

See Item 16 for the disposition of this item.

(I) ADJOURNMENT

There being no further business, the Committee adjourned at 4:36 p.m.

Respectfully submitted

Councillor S. Merulla
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
Office of the City Clerk
SCHOOL BOARD PROPERTIES SUB-COMMITTEE

TERMS OF REFERENCE

Mandate

That the City of Hamilton will establish a Sub-Committee, with a balance of urban and rural Councillors, to review the list of school board properties scheduled to be declared surplus. And that the Sub-Committee report back to a future General Issues Committee (GIC) meeting with recommendations including a financial strategy for any potential acquisitions.

Sub-Committee Objectives

1. That the Sub-Committee will develop a school board (Public and Catholic) acquisition strategy based on the two fundamental criteria of “need” and “affordability”.

2. That the Community Services “Outdoor Recreation Facilities & Sports Fields Provision Plan” and the Public Works “Parkland Acquisition Strategy” be used as the primary basis for the determination of any green space shortage and the need for associated recreation/community centres in each Ward.

3. That the priority ranked locations will be established based on those Wards that demonstrate the greatest need and/or those neighbourhoods with the most substantial parkland deficits.

4. To give high priority to those school board properties that have joint school/City of Hamilton Recreational facilities and to those properties with high priority on joint facilities or programs in the community, which, if closed, would have the most significant impact on the Ward and its respective neighbourhoods.

5. That a comprehensive Pro Forma Financial Strategy be developed to quantify the estimated net expenditures for this initiative in total and on an annual basis.

General Scope of Committee Work and Deliverables

1. Review the current practices, staffing resources, core functions, and key services, as they relate to acquisition of School Board properties, and identify specific issues and strategies that need enhancement or improvement that would lead to a more efficient and cost effective acquisition process.

2. Review any Memorandums of Understanding and the current process of the acquisition of school board properties and, in doing so, identify any gaps and/or shortcomings that may exist, and recommend any actions or policies for improvements.
3. Examine the feasibility of acquiring School Board properties with the intent of “up-zoning”, demolishing, remediating, putting development concept approvals in place, and disposing of the acquired properties at market value or higher.

4. In the preparation of a multi-year financial strategy for the future acquisition of School Board properties that a business case analysis be undertaken for each one of the properties identified for consideration.

Sub-Committee Staff Support

With the objectives of the Committee being specific to the current processes, a close working relationship between staff and the Sub-Committee will be important. Therefore, the General Managers of Planning and Economic Development, Public Works, Corporate Services and Community Services will assign a Director/Manager level member of their staff to be available to serve as a resource to the Sub-Committee. As well, they will ensure that any other key staff members relevant to the objectives of the Sub-Committee are regularly made available to assist and support the Sub-Committee’s work.

Membership and Reporting Structure

Sub-Committee membership will consist of eight (8) members of Council, with the Chair being appointed by the Sub-Committee at its first meeting. It is recommended that Council membership take into consideration the differing needs of the older developed Wards, the suburban Wards, and the rural area of the City.

The following Senior Staff from the Portfolio Management Committee (PMC) will be required resources to this Sub-Committee:

- Director of Economic Development (PMC Chair), Planning and Economic Development
- Manager of Real Estate, Planning and Economic Development
- Director of Planning, Planning and Economic Development
- Director of Community Facilities, Community Services
- Director of Energy, Fleet and Facilities, Public Works
- Director of Strategic Planning, Public Works
- Director of Financial Planning, Corporate Services
- Manager of Capital Budgets, Corporate Services
- Senior Solicitor (Commercial), Legal Services, City Manager’s Office

The Sub-Committee shall report back to General Issues Committee (GIC) periodically at the discretion of the Committee.

Meetings

As required at the call of the Chair.

Time Frame

Sub-Committee will begin work in September 2012. It is expected to have a report of preliminary findings by January 2013, with a final report to the GIC by no later than the end of March 2013.
WEB REDEVELOPMENT SUB-COMMITTEE

TERMS OF REFERENCE

Mandate

To provide oversight to the City of Hamilton’s Web Redevelopment Strategy with the goal of creating a citizen-focused website.

Sub-Committee Objectives

1. To ensure that the City of Hamilton delivers a website which meets the following objectives:
   • Improve the City’s online image by:
     o creating a new and visually pleasing consistent look-and-feel
     o ensuring online services are working well with relevant and easy-to-find content
     o by implementing industry standards, policies and guidelines that help reinforce the City’s image
   • Improve communication to citizens and opportunities for engagement by:
     o providing and maintaining relevant, timely and simplified online content
     o ensuring compliance with AODA guidelines
     o keeping citizens informed with a regularly published opt-in e-newsletter to begin a more coordinated way of keeping citizens aware of important City initiatives
     o supporting the function of social media
   • Improve online customer service by:
     o making it easier to find information and online service tools
     o improving five important online services which will go a long way to serving a majority of citizens and business
     o aligning the way we organize our website with what citizens need
     o ensuring that our content is accessible on mobile devices, which will certainly become more and more critical to the future of our service delivery
     o providing on-line customer service and exploring the potential role of kiosks
   • Enable the City to provide services at a lower cost by:
     o identifying new ways to cost-effectively provide our services online
     o decommissioning or consolidating City owned or operated websites (where warranted) and their associated spending
     o by moving routine tasks from more expensive channels (such as telephone and in-person) to the website
General Scope of Sub-Committee Work and Deliverables

1. Provide oversight to ensure the successful implementation of the City’s Web Redevelopment Strategy.

2. Review significant project deliverables and provide input, guidance and direction for the phases within the Strategy.

3. Recommend any relevant actions or policies for improvement.

Membership and Reporting Structure

Sub-Committee membership will consist of four (4) members of Council, with the Chair being appointed by the Sub-Committee at its first meeting.

The Sub-Committee shall report back to General Issues Committee (GIC) periodically at the discretion of the Sub-Committee.

Sub-Committee Staff Support

The following Senior Staff from the Web Redevelopment Team (WRT) will be required resources to this Sub-Committee:

- **Mike Zegarac**, Director of Financial Planning (WRT Chair), Corporate Services
- **Ken Roberts**, Special Advisor to the Web Redevelopment Team
- **Jane Lee**, Director of Customer Service, Corporate Services
- **Bill Janssen**, Director of Strategic Services, Planning and Economic Development
- **Cathy Kealey**, Service Delivery Advisor, Financial Planning Division, Corporate Services
- **Jay Adams**, Service Delivery Analyst, Financial Planning Division, Corporate Services
- **TBD**, Corporate Content Producer, Financial Planning Division, Corporate Services
- **Al Little**, Manager of Business Applications, Information Services Division, Corporate Services

Meetings

Twice monthly, with special meetings at the call of the Chair.

Time Frame

Sub-Committee will begin their work in Q3 2012. It is expected to have a report of preliminary findings by Q2 2013, with a final report to General Issues Committee (GIC) at the discretion of the Sub-Committee.
Good morning Mr. Mayor, Deputy Mayor and Councillors,

Thank you for receiving my delegation request this morning.

I am speaking to you this morning as a representative of the Hamilton Roundtable for Poverty Reduction, but to be quite frank, I speak for myself as well.

Due to circumstances beyond your control, you are faced with a very difficult decision. The province has placed in your laps, the fate of social programs, that by rights should not be there. I understand this.

I do not pretend the discussion today will be popular or easy. What I will share with you is a glimpse of what will the result if these programs are not maintained as they are.

I currently receive approved treatment for periodontal disease. It is called scaling. Due to medications I take for my primary illness, this is unavoidable for me.

Those on OW, ODSP adult dependents ie those in school, and low income individuals in Hamilton don’t even have that security. There is no preventative maintenance.

With proposed caps, these recipients may not be able to even get necessary extractions when they need them nor be able to afford denturing to an adequate level if they do lose their teeth.

I don’t know about you but I am 42 years old and the thought of losing my teeth horrifies.

Those impacted by these cuts cannot afford carrying private insurance on their own.

And this is the meaning of social services. It is a method of last resort that is meant to provide basic needs. We need teeth, they are not luxuries. I need my teeth to eat. We need healthy gums not only to keep our teeth but to avoid heart disease. I need my teeth to keep my dignity.

There is nothing discretionary about these benefits for the recipients of them.

Though difficult and seemingly a contentious discussion, it’s not about pitting people against each other, geographically in this city, or based on income, nor classes. It’s not about “Well, I can’t so why should you?”. It’s not about “I have had to make tough choices too”.

For people reliant on these programs there are no choices.

This is about acting as community. Lifting each other up, when we are down, so that we all stand stronger.
The community start up and maintenance benefit got me out of an apartment with steep stairs and into safe housing for me when I got ill. It meant not spending weeks at a time housebound. It will mean the same for those hospitalized for long periods, who worked low income and do not have benefits; who cannot afford to keep an apartment while spending months in hospital.

For the courageous women I have had the honour to have meet through my community work, it has meant quite literally their lives to have the funds for first and last when leaving their abusive partners. Women from all walks of life. And their children.

Programs not only help the homeless to transition to housing but CSUMB keeps entire families from becoming homeless. It keeps people healthy and safe. These programs keep the divide between “us and them” from deepening. It keeps the divide between you and I from deepening. These programs deliver humanity.

Truly, what you are looking to purchase is not a service. It's not just another program. What you have before you are the potential fates of more than 12% of your population. What you will be avoiding, is deepening poverty, or even increasing that number.

I hope today you resolve to fight on the behalf of the most vulnerable of your citizens. Fight the province, work with the province. Leverage what you will.

I most humbly beg, personally, you place a moratorium on these services for one year while you seek to reverse this provincial decision with us, the Roundtable and so many others in the community who understand and witness the dire need that these services fill.

Thank you so much for your kind attention.

Laura Cattari
I am incensed with the cuts proposed, where once again the Ontario Government refuses to live up to its obligation to poverty reduction. As far as I can see they are in fact committed to poverty increases. They have no desire to raise people out of poverty but to inflict further humiliation on the poor.

I call on you, I beg of you, to become an unrelenting voice for the help of the poor. Please do not stay silent. Please become an advocate for those in need. We, the poor, need strong voices and determination to strike at this archaic thinking.

Personally, I am approaching the closing years of my life. I do not want a large funeral and I do expect to be buried in a paupers field, however, I do expect to be treated with dignity and that my religious beliefs are upheld for burial.

The issues here are many and at the very heart of the matter is the greed of the rich that are dictating the policies. Again, I ask you to be a voice on our behalf. Treat us with dignity and nobility as we are all creatures of God.

I thank you and call you to action

Pat Reid
For those of us who live this horrible yet wonderful life of subsistence the thought of losing community start-up, discretionary and maintenance funding is a terrifying thought. That it has been happening for some time is a nasty jolt back to the reality of surviving life on government assistance, both OW and ODSP.

Early this year I was able to get new orthotics and new glasses. I followed all the steps for my orthotics but had a hard time getting the shoes that best suit my feet. It was decided that new balance shoes were not suitable for orthotic footwear. For health reasons, for my body's needs, those are the best shoes that last two years. I must say that caused a lot more stress in my life. Finally I did get the new balance shoes about 5 months or so later.

Then I went to get new glasses that was another ordeal. I had to go to the ODSP office to get the right forms for the glasses. I was in for a shock when I found out that I was no longer eligible to have new frames. My new lenses would go back into my old frames, don't worry she said if your frames break come in and get the form to go and have them repaired. So I went to an eyewear store on Queenston Rd. and was told that lenses are made to order to the frame. It would be near impossible to fit a new frame around existing lenses. I phoned two different stores explained what was going on, I needed new glasses, with new frames but the government didn’t want me to get the frames. Would they send a letter by fax to my worker? Lucky for me they both said yes and I was able to get my new glasses. But before that I had to go without my glasses for a week, which caused all kinds of hardship for me. The main one being that I wasn’t able to drive my seniors to our congregant dining. I was there but someone else had to pick them
up and drop them off. I missed doing that and my ladies missed me picking them up and taking them home. The government decided to save money by not paying for new frames for us, in the end they paid for two new lenses and one frame. Where is the sense in that? Where is the money being saved? Why do we have to go through all of this stress? Why whenever the government needs to cut spending we are the first ones to feel the pinch, to have programs meant to help us get cut? Why are we being punished?

We didn’t cause this huge amount of debt.

I’m having a really hard time finding a good home to move to. Rent is impossibly high; finding something that is inclusive is elusive. Something that isn’t a dump, or dangerous, has mould, bugs, drunks, dopers, and so much more. It takes time to find something and I’m willing to wait it out until I find what I want and can get it at my price that is inclusive. It can’t be a dump, old I don’t care, but taken care of is the key and they are hard to find. I have seen so many terrible apartments it is terrifying thinking about moving from my dump, so I need to be picky. I’m lucky in a way because it is only me. Imagine what families go through, that thought makes me feel very ill.

I need that community start up money to be there so I can make the move when I find the right place. I am not alone in this there are people on the system that are going through the same thing, or they had a bug infestation and need new furniture, beds and so on. This money does not go far, it does help a lot, but it isn’t enough. In fact it should be doubled.
I’m only one person going through this stuff, just think about the 100,000 people in this city having similar problems and needing those funds.  
These benefits need to stay we really cannot lose them. We understand that city council is in a terrible spot, but think of what we go through on a day by day basis.  
If we had a supportive system that the provincial government put in place with all the effort to help us find the work we can do. The case load could drop by 80% think of the tax base growing with all those people working and spending all that money in this city. Then Hamilton would be the best place to raise a child.  
Thank you  
Sandy Leyland  
Community member of the Hamilton Roundtable for Poverty Reduction
Good morning to All. My name is Erika Morton. I am presenting on behalf of the Street Youth Planning Collaborative, which is a collaboration of youth serving community agencies and youth, who strive to meet the needs of Street-Involved and Homeless youth in Hamilton. I would like to take a few minutes to share with you, how youth will be impacted by cuts to the community start up and maintenance benefits-CSUMB.

Youth – Context of SIHY

This community has experienced great efforts and achieved good successes with regards to addressing youth homelessness issues. The responses that have been put in place, have been effective in supporting youth to transition away from being street-involved and homeless. While we have made good progress, there remains a large number of SIHY in this community. The number of youth who accessed the youth shelter in the past year reached to 700 individuals, but there are many more youth also experiencing homelessness.

The pathway that leads to youth becoming homeless ranges from one youth to the next. The reasons often include fleeing from family conflict, experiencing physical, sexual, or other forms of abuse, neglect, living with parents/guardians who have mental health or addictions—or they can’t support their child’s mental health or addictions, intergenerational conflict, parent/guardian homophobia or transphobia and living in situations of poverty. Common to the experiences of many SIHY is that they severely lack resources or belongings, as when they leave home they often take only the clothes on their backs. They struggle to have their basic needs met, such as worrying about how they are going to get food to eat and whether they will find somewhere safe to sleep at night. This is concerning when we are talking about individuals who are 16, 17, 18 years old and who are already facing barriers in having the capacity to lead fulfilling and successful lives.

What Housing Means for Youth

Housing support is a key component for youth to successfully transition away from being street-involved and homeless. But finding or maintaining housing can be a challenge for SIHY, as they have little or no money or resources and are without family or other strong support networks. However, our community can make a difference and ensure that there are resources that aid youth’s housing needs. We need to maintain the CSUMB funds because it is a resource that can provide youth opportunities to secure and keep housing-they often use the benefit to pay a rent deposit, rent or utility arrears, or to obtain basic needs and housing items when they first move into housing.

More so, with housing comes stability and security for young people, which promotes an environment where they can truly thrive. We have heard from community partners that housing is a doorway for youth to begin to address some of the other complex issues they are experiencing. With housing in place, we have seen formerly SIHY move forward with their lives—they become re-engaged with attaining educational goals, and start to think about their futures, such as attending post-secondary school or looking for employment. It has been said that youth are resilient, but that resilience is partly promoted by how their surrounding community responds to their needs.
The Importance of CSUMB

The CSUMB is a critical resource for the prevention and early intervention of youth homelessness. Time is critical to move youth away from the system, but resources, especially CSUMB, are needed to divert youth away from the shelter. It can take as few as 24-48 hours for a youth who is new to the streets or the shelter to become engaged street culture and be engaged in the shelter system, which can lead to longer term homelessness. Often youth homelessness results in additional issues, such as developing physical health problems, exacerbating mental health issues and creating serious addictions. These issues lead to youth accessing additional services and utilizing other various systems, especially health care. If we want to prevent youth from longer term usage of services and systems, we are best to ensure that in the short term, there is access to an adequately resourced programs.

What will be the impacts if the CSUMB is reduced?

What is most concerning is that cuts to the CSUMB means that we are taking away critical resources from youth who have/own nearly nothing. When I asked youth and youth housing workers what they would do as a result of the CSUMB, they stated that there is no other good option for them. Concerned community partners share that SIHY will face increasingly negative situations. They will remain in abusive relationships, have their children in the care of child welfare for longer times, compromise their quality of life, turn to couch surfing, or worse staying in unsafe and inappropriate housing, resort to criminal activity and sex work to survive and have basic needs met and mental health and addictions issues will be exacerbated. It doesn’t make sense to me to reduce the benefits and risk the occurrence of even deeper youth homelessness issues. Overall, reduced benefits for youth will mean confronting greater barriers to their efforts to exit street-involvement and homelessness.

Our community agencies and partners will feel more pressure to fill in the gaps in resources created by these reductions. Youth will stay longer in the care of the programs and services that they access, challenging the efforts of support staff to move youth away from being homeless. It will decrease the resources that not for profit agencies do have, however, these agencies already do so much with so little.

Finally, In the community, there will be more street involved and homeless youth, and youth will get stuck in cycle of poverty. Our community should consider all youth as key investments and resources, yet we are facing a situation where there will be young people without adequate supports and there will be challenges for them in making efforts to find stability and success in their young lives. These potential youth impacts defy this community’s vision as being the best place to raise a child, and there will be a backwards turn on the progress towards addressing poverty and youth homelessness.

Some food for thought - What the youth say:

When they hear about the reductions:
“you are kicking us down when we aren’t able to stand, you are taking away from us and we have so little” and “we want a new life, a sense of security, a new chapter and get off the system and this decision leaves us in a bad situation”
Renée Wetselaar,
Social Planner,
Social Planning and Research Council

Presentation in support of council voting to not make the cuts to discretionary benefits and Community Start Up and Maintenance Benefits

I'm here today as a Social Planner, from the Social Planning and Research Council of Hamilton.

I'm here to congratulate and support you as a city council on your bold move to protect Discretionary benefits and CSUMB.

The Social Planning and Research Council raised the alarm bells on poverty in this community with the release of our report on Incomes and Poverty in 2009. Our Basic Needs Trends report in 2012 showed that the before tax Low Income Cut-Off (LICO) (one of Statistics Canada's most widely available measures of low income, and used extensively as a poverty line) was $22,229 for a single person, $27,674 for a single parent with a child, and $41,307 for a family of four, in large cities like Hamilton. Still today, many Hamiltonians fall below this line – leaving them with the risk of having to choose between food and shelter on a daily basis.

Social assistance rates are far from being a basic standard of living. A single person on Ontario works receives less than $8,000 per year, which is only 35% of the poverty line. Efforts to reduce child poverty in the last fifteen years have included increases in child tax benefits, which have helped lift many families out of poverty. But even with these increases, families on social assistance are still living well below the poverty line. The combined Ontario Works and tax credit incomes of a lone parent with one child and a two-parent family with two children are only 71% and 64% of the poverty line, respectively. All of this contributes to food and housing insecurity – which will now be further exacerbated by these most recent proposed cuts.
The impact on people in Aboriginal communities is harder. These community members face housing and food insecurities at higher rates. For example, studies show that First Nations populations in Hamilton move on average of 17 times over a period of 5 years.

To not have these programs in place will contribute to food and housing insecurity:

We know that most people who are food insecure do not access a food bank. Approximately four in ten Hamiltonians who are food insecure are food bank clients. There were 18,400 food bank clients in March 2011 counted by Hamilton Food Share. There has been a significant rise in the proportion of children accessing food from a food bank in Hamilton in the last few years. Approximately 40% of food bank users were children in 2008, and that has risen to 46% in 2011. In March 2011, 8,500 Hamilton children were part of families using food banks, breaking the previous record set in 2009 during the most recent recession.

The cuts will impact people's ability to find housing:

Large families have an especially hard time finding suitable and affordable rental housing in Hamilton. The rate of overcrowding has been steadily increasing since at least 1991. In 2006, there were 6,550 renter households who didn't meet occupancy standards.

In March 2012, there were over 5,700 Hamilton households with an active application for the affordable housing waitlist. This represents a dramatic 48% increase since 2007, just before the recession. This jump in demand for affordable housing is among the highest in the province – the provincial average was a 25% increase in the number of affordable housing waitlist applications this same period.

Singles are disproportionately represented in the Hamilton population of households waiting for affordable housing. While singles under age 65 represent slightly more than 20% of the
combined total of working age singles and families and senior singles and families in Hamilton, they represent 41% of Hamilton’s affordable housing waitlist applicants.

The high proportion of singles on Hamilton’s affordable housing waitlist is directly connected to the very low social assistance income available for singles, and the enormous challenge single persons on social assistance have in finding affordable, stable and safe housing for themselves. The average rent for a bachelor apartment in Hamilton costs $524/month in October 2011, representing 80% of the income of a single Ontario Works beneficiary (including tax credits).

**Tracking outcomes – monitoring impacts and reporting back from community?**

How will these changes be evaluated and or measured?

The upcoming changes to the provincial Community Start-up and Maintenance Benefit will reduce by half this funding which is designed to help families and individuals on social assistance establish a residence, prevent eviction, and prevent heat and utilities from being cut off.

We are here to support you in your decision and to work with city council to communicate that these cuts shouldn’t be made at a provincial level.

Thank you.
ADEQUATE INCOME

- The before-tax Low Income Cut-Off (LICO) is one of Statistics Canada's most widely available measures of low income, and used extensively as a poverty line. In 2011, the before-tax LICO was $22,229 for a single person, $27,674 for a single parent with a child, and $41,307 for a family of four, in large cities like Hamilton.

- Social assistance rates are far from being a basic standard of living. A single person on Ontario Works receives less than $8,000 per year, which is only 35% of the poverty line.

- Efforts to reduce child poverty in the last fifteen years have included increases in child tax benefits, which have helped lift many families out of poverty. But even with these increases, families on social assistance are still living well below the poverty line. The combined Ontario Works and tax credit incomes of a lone parent with one child and a two-parent family with two children are only 71% and 64% of the poverty line, respectively.

- A person working full time at minimum wage cannot lift themselves out of poverty, either as a single person or as a lone parent (even when taking into account all tax benefits). Only when a family has two full time minimum wage earners would their income be slightly above the poverty line, and only due to child tax credits.

- The minimum wage, at $10.25, represents only 68% of the living wage of $14.95, calculated by Living Wage Hamilton to afford a decent standard of living in Hamilton.

- There was a major increase in poverty during the 1990s recession. Between 1996-2007, the poverty rates in the Hamilton Census Metropolitan Area (includes Burlington and Grimsby) improved significantly. The 2008 recession has led to an increase in poverty rates in our community, and there is no evidence that the poverty rates have recovered yet. In real terms, social assistance rates are significantly lower now than they were in the 1990s and it is more difficult for workers to qualify for programs like Employment Insurance. The weaker social safety net makes climbing out of poverty more challenging today.

HEALTHY FOOD

- Food security is commonly understood to exist in a household when all people, at all times, have access to sufficient, safe and nutritious food for an active and healthy life. Conversely, food insecurity occurs when food quality and/or quantity are compromised, typically associated with limited financial resources (Statistics Canada).

- Over 35,000 Hamiltonians are food insecure, which is over 8% of the population. The rates are even higher in women: 10.9% of Hamilton females over age 12 were food insecure in 2007/8. Teenagers and persons aged 35-64 are the age groups with above average rates of food insecurity.
Lone parent families are most likely to be food insecure: 23% of Canadian lone parent families in 2007/2008 were food insecure (Hamilton-specific data was not available).

Most people who are food insecure do not access a food bank. Approximately four in ten Hamiltonians who are food insecure are food bank clients. There were 18,400 food bank clients in March 2011 counted by Hamilton Food Share.

There has been a significant rise in the proportion of children accessing food from a food bank in Hamilton in the last few years. Approximately 40% of food bank users were children in 2008, and that has risen to 46% in 2011. In March 2011, 8,500 Hamilton children were part of families using food banks, breaking the previous record set in 2009 during the most recent recession.

Vegetable and fruit consumption is also partly associated with income: while less than half of Hamilton households across all income groups eat vegetables or fruits 5 times a day, this percentage goes down with income, reaching just 40% in the lowest income bracket.

AFFORDABLE HOUSING

Large families have an especially hard time finding suitable and affordable rental housing in Hamilton. The rate of overcrowding has been steadily increasing since at least 1991. In 2006, there were 6,550 renter households who didn’t meet occupancy standards.

In 2011, there were over 5,300 Hamilton households with an active application for the affordable housing waitlist. This represents a dramatic 48% increase since 2007, just before the recession. This jump in demand for affordable housing is among the highest in the province – the provincial average was a 25% increase in the number of affordable housing waitlist applications this same period.

Singles are disproportionately represented in the Hamilton population of households waiting for affordable housing. While singles under age 65 represent slightly more than 20% of the combined total of working age singles and families and senior singles and families in Hamilton, they represent 41% of Hamilton’s affordable housing waitlist applicants.

The high proportion of singles on Hamilton’s affordable housing waitlist is directly connected to the very low social assistance income available for singles, and the enormous challenge single persons on social assistance have in finding affordable, stable and safe housing for themselves. The average rent for a bachelor apartment in Hamilton costs $524/month in October 2011, representing 80% of the income of a single Ontario Works beneficiary (including tax credits).

The upcoming changes to the provincial Community Start-up and Maintenance Benefit will reduce by half this funding which is designed to help families and individuals on social assistance establish a residence, prevent eviction, and prevent heat and utilities from being cut off. The Hamilton Community Legal Clinic has said the consequences will be dire for Hamilton’s most vulnerable families and that the cuts will lead to an increase in homelessness.
November 7, 2012

Women’s Housing Planning Collaborative Delegation to Council

Thank you Members of Council for allowing me the opportunity to speak today to this urgent issue.

I am here representing WHPC, the Women’s Housing Planning Collaborative, which consists of local agencies, engaged in providing emergency shelter and transitional housing services and supports to women who are homeless or at imminent risk of homelessness.

The threat of losing Discretionary and Community Start-up benefits is particularly alarming to those of us who represent some of the most marginalized people in our community— that being homeless women. We are faced with a crisis in Hamilton today. Our ability to respond to the most basic needs of homeless women is seriously compromised. The occupancy rates in women’s shelter locally have been at or over capacity for months and months. In fact, our women’s shelters are collectively turning women and their children away from their doors, due to lack of space, hundreds of times each month. More specifically, Good Shepherd Mary’s Place, the only City funded shelter dedicated to single homeless women, is turning away between 70 and 100 unique individuals each month due to lack of space.

The homeless women we serve in our emergency shelters face a myriad of barriers to moving along the housing continuum and establishing safe, meaningful lives in our community. CSUMB is an essential resource that can mean the difference between a woman maintaining her housing or losing it. It is also one of the few tools available to homeless women trying to find a home.

The member agencies of WHPC are currently piloting a program called Project SOS that is funded through the Federal Homelessness Partnering Strategy. Project SOS works with homeless women to find and sustain appropriate housing and to build enhanced quality of life in our community. It is a program that is showing early successes in assisting homeless women with highly complex needs find home. Without the ability to access CSUMB these successes would be deeply compromised.
Hamilton has a well-earned reputation for innovation in responding to homelessness. We are making gains – the development of initiatives like Project SOS or the Hamilton Emergency Shelter Blueprint and the subsequent closure of the Wesley overnight program demonstrate that we can make real headway on this issue. It is beyond distressing to think that such hard won victories could be so short-lived as a result of these cuts.

We anticipate 3 things will happen if these vital benefits are no longer available to women:

- **First, we will see an increase in demand for emergency shelter services for women.** This means that the current occupancy pressures will escalate and the already concerning turnaway rates will continue to grow.

- **Second, women already in shelter will find themselves unable to move out of shelter.** Without 1st and last months rent – there is no place for them to go. Hence an already over-burdened system will be further bottle-necked.

- **Third, the actual cost to community and social services will balloon as more women become homeless.** They will require shelter and other costly services and interventions as they experience the inevitable decline in their physical and mental health.

Did you know that the average Canadian woman is expected to live 81 years? For homeless woman the average life expectancy is only 39 years.

We don’t consider these “nice to have benefits”……these are “need to have benefits”. !!

We could give you mountains of data and reams of stats – but at the end of the day…it’s getting cold out there. We are worried about how we will meet the most basic need for shelter and safety for homeless women in Hamilton this winter. On behalf of a group of women who rarely have a voice in matters that so profoundly impact their lives, we ask you to search for solutions to problems that – while not of your making – will directly impact the entire community you represent.
Woman Abuse Working Group (WAWG)

Presentation to General Information Committee – Hamilton City Council

November 7, 2012

Co-Chair: Medora Uppal

The Woman Abuse Working Group (WAWG) is a coalition of 20 agencies in the city working towards ending violence against women and children. We receive some funding from the province to act as the local Domestic Violence Coordinating Committee.

WAWG is deeply concerned about the Province’s decision to eliminate funding for Community Start-Up and Discretionary Benefits. We believe this is an unfair download onto municipalities and we intend to reach out to members of the Provincial government and the Provincial staff to compel them to reverse this decision. WAWG would like to work with City Council and continue to work with other community stakeholders towards this endeavour.

Community Start-Up has been critical for women and children fleeing domestic violence and the number of women and children relying on this funding is significant. Just one women’s shelter in this city sees over 300 women and children a year. In total there are 5 women’s shelters in Hamilton and about 100 transitional / second stage housing beds in the City. There are just as many women who contact us through our counselling services, crisis lines and other supports looking for help. One of the first questions we hear from women when they are contemplating leaving an abusive partner is, “How will I survive?” Knowing that when women leave they lose half their income and if they aren’t already living in poverty many of them will be and they wonder how can they start-up all over again with so much less. For years the response we have been able to provide and to offer a real solution is the Community Start-Up funding, helping women to pay last month’s rent on their new home and acquire some basic necessities they need for their children to begin again.

Each year the Province’s Domestic Violence Death Review Committee issues a report through the Coroner’s Office making recommendations after having reviewed the many homicides and suicides that take place in Ontario as a result of domestic violence. Consistently, the recommendations speak to the importance of an economic social safety net and that without a net there will be more deaths related to domestic violence in our province.

We understand the burden put on Council today but believe that it is necessary for Council to protect women and children and put a moratorium on Community Start-Up Maintenance Benefits and the Discretionary Benefits, to provide us time to work with you and reach out to the provincial representatives to get back the funding from the Province.
THE AUDIT, FINANCE & ADMINISTRATION COMMITTEE PRESENTS REPORT 12-009
AND RESPECTFULLY RECOMMENDS:

1. Monthly Status Report of Tenders and Requests for Proposals for September 1, 2012 to October 12, 2012 (FCS12018(g)) (City Wide) (Item 5.1)

That Report FCS12018(g), respecting the Monthly Status Report of Tenders and Requests for Proposals for September 1, 2012 to October 12, 2012, be received.

2. 2012 Third Quarter Non-compliance with the Procurement Policy Report (FCS12038(b)) (City Wide) (Item 5.2)

That Report FCS12038(b), respecting the 2012 Third Quarter Non-compliance with the Procurement Policy Report, be received.

3. Tax Appeals under Section 357 and 358 of the Municipal Act (2001) (FCS12007(g)) (City Wide) (Item 5.3)

(a) That Appendix “A” attached to Report 12-009, respecting the “Tax Write-Offs processed under Section 357 of the Municipal Act, 2001”, in the amount of $82,282 be approved; and,
(b) That Appendix “B” attached to Report 12-009, respecting the “Tax Appeals due to a Gross or Manifest Clerical Error, Pursuant to Section 358 of the Municipal Act, 2001”, in the amount of $25,234 be approved.

4. Treasurer’s Apportionment of Land Taxes for Properties in Hamilton and Stoney Creek (FCS12005(f)) (Wards 2, 9 and 11) (Item 5.4)

(a) That the 2012 land taxes in the amount of $1,853 for 105 Ferrie St. E., Hamilton (Roll #2518 020 162 05620 0000) be apportioned and split amongst the two newly created parcels as set out in Appendix “C” to Report 12-009;

(b) That the 2012 land taxes in the amount of $2,067 for 31 Warwick Rd., Stoney Creek (Roll #2518 003 290 08400 0000) be apportioned and split amongst the two newly created parcels as set out in Appendix “C” to Report 12-009;

(c) That the 2011 land taxes in the amount of $2,991 for 93 Bankfield Cres., Stoney Creek (Roll #2518 003 850 00180 0000) be apportioned and split amongst the six newly created parcels as set out in Appendix “C” to Report 12-009;

(d) That the 2011 land taxes in the amount of $5,983 for 82 Highgate Dr., Stoney Creek (Roll #2518 003 850 00310 0000) be apportioned and split amongst the eighteen newly created parcels as set out in Appendix “C” to Report 12-009;

(e) That the 2011 land taxes in the amount of $3,036 for 36 Leckie Ave., Stoney Creek (Roll #2518 003 850 19200 0000) be apportioned and split amongst the two newly created parcels as set out in Appendix “C” to Report 12-009; and,

(f) That the 2012 land taxes in the amount of $2,696 for 482 Glover Rd., Stoney Creek (Roll #2518 003 020 17200 0000) be apportioned and split amongst the two newly created parcels as set out in Appendix “C” to Report 12-009.

5. KPMG – Final Report – Evaluation of the City of Hamilton Accounts Payable Program (FCS11051(b)) (City Wide) (Item 5.5)

That Report FCS11051(b), respecting KPMG’s Final Report – Evaluation of the City of Hamilton Accounts Payable Program, be received.
6. **2012 Third Quarter Emergency and Non-competitive Procurements Report (FCS12040(b)) (City Wide) (Item 5.6)**

That Report FCS12040(b), respecting the 2012 Third Quarter Emergency and Non-competitive Procurements Report, be received.

7. **Freedom of Information Quarterly Report (July 1 to September 30, 2012) (CL12004(b)) (City Wide) (Item 5.7)**

That Report CL12004(b), respecting the Freedom of Information Quarterly Report (July 1 to September 30, 2012), be received.

8. **Succession Management and Leadership Development (HUR12017) (City Wide) (Item 7.1)**

   (a) That Report HUR12017, respecting Succession Management and Leadership Development, be referred back to the City Manager to be modified to a succession development program and to seek advice from the provincial civil service;

   (b) That the program be transparent and open to all employees; and,

   (c) That the City Manager report back to the Audit, Finance and Administration Committee.

9. **Procurement Sub-Committee Report 12-001, October 11, 2012 (Item 8.1)**

   (a) **Appointment of Chair and Vice-Chair (Item A)**

      (i) That Councillor Lloyd Ferguson be appointed Chair of the Procurement Sub-committee for the 2010-2014 term of Council.

      (ii) That Councillor Terry Whitehead be appointed Vice-Chair of the Procurement Sub-committee for the 2010-2014 term of Council

   (b) **2012 Procurement Sub-Committee Policy Review and Proposed Amendments (FCS12085) (City Wide) (Item 6.1)**

      (i) That the City of Hamilton Procurement Policy, attached hereto as Appendix “D”, as amended, be approved;

      (ii) That a by-law to adopt and maintain a Procurement Policy for the City of Hamilton, in substantially the form set out in Appendix “D” to Council – November 14, 2012
Report 12-001, as amended, be passed.

10. **HMRF/HWRF Pension Administration Committee Report 12-001, October 22, 2012 (Item 8.2)**

   (a) **Master Trust Pension Investment Performance, December 31, 2011 (FCS11083(a)) (City Wide) (Item 4.1)**

   That Report FCS11083(a), respecting the Master Trust Pension Investment Performance as of December 31, 2011, be received.

   (b) **Master Trust Pension Investment Performance, June 30, 2012 (FCS12070) (City Wide) (Item 4.2)**

   That Report FCS12070, respecting the Master Trust Pension Investment Performance as of June 30, 2012, be received.

   (c) **2012 Master Trust Pension Statement of Investment Policies and Procedures (FCS12084) (City Wide) (Item 5.1)**


   (d) **Hamilton Municipal Retirement Fund (HWRF) – December 31, 2011, Valuation (FCS12081) (City Wide) (Item 6.1)**

   (i) That the Treasurer be authorized to file the December 31, 2011, actuarial valuation for the Hamilton Municipal Retirement Fund (HMRF) attached as Appendix “F” to Report 12-009;

   (ii) That the Hamilton Municipal Retirement Fund adopt the smoothing technique, which allows for 5 year averaging, for solvency funding purposes for both solvency assets and liability purposes.
(e) **Survivor Spouse Change (Item 7.1)**

(i) That correspondence, respecting a Survivor Spouse Change, be received.

(ii) That the correspondence, respecting a Survivor Spouse Change, remain confidential and restricted from public disclosure.

11. **Governance Review Sub-Committee Report 12-004, October 30, 2012 (Item 8.3)**

(a) **One Year Pilot Project period – 2 GIC, 1 AF&A, 1 E&CS (Item 4.1)**

(i) That regular meetings of the General Issues Committee continue to be scheduled twice per month;

(ii) That, in addition to the one regular meeting of the Audit, Finance and Administration Committee each month, a second meeting be scheduled, during the second Council week, if required, to be at the call of the Chair.

(iii) That, in addition to the one regular Emergency and Community Services Committee meeting scheduled each month, a second meeting be scheduled during the second Council week, if required, and at the call of the Chair.

(b) **Approval of 2013 Council/Committee Calendar**

(a) That during the summer months of July and August, all Standing Committees be scheduled to convene during the Committee week;

(b) That the 2013 Council/Committee Calendar, attached as Appendix “G” to Report 12-009, as amended, be approved.

12. **Alternative Voting Solutions for Municipal Elections (FCS12046) (City Wide) (Item 8.4)**

(a) That staff be directed to issue a Request for Proposals for the lease of vote scanners, which is to include all hardware, software and technical support from the vendor, at a cost not to exceed $350,000 for the 2014 Municipal Election;

(b) That $100,000 from the Capitol Project Fund (3521251201) be transferred to the Election Expense Reserve (112206) for 2012;
(c) That a budget increase of $150,000 to the Election Expense Reserve (112206) be referred to the 2013 Budget deliberations for consideration.

13. Records Retention By-law (CL12007) (City Wide) (Item 8.5)

That the by-law, entitled “To Amend By-law No. 11-040 To Establish Retention Periods for Records of the City of Hamilton”, attached as Appendix “A” to Report CL12007, be passed.

14. Municipal Services & Property Taxation on Condominium Properties (FCS12020(a)) (City Wide) (Item 8.7)

(a) That, in adherence to the proposed Work Plan, attached as Appendix “I” to Report 12-009, respecting Municipal Services & Property Taxation on Condominium Properties, staff be directed to report back to their respective Standing Committees on the following:

(i) Potential options and costs involved with maintaining condominium catch basins, fire hydrants, larviciding within common areas of the condominium corporations’ properties and street lighting.

(b) That staff be directed to prepare a final, comprehensive Information Report to the Audit, Finance & Administration Committee, subsequent to reports of all Departments being considered by their respective Standing Committees, to provide an overview of who has done what in each category.

15. Updated Municipal Contribution Agreement – Ontario Lottery & Gaming Corporation (FCS12093) (City Wide) (Item 8.8)

That the Mayor and City Clerk be authorized to execute the updated Municipal Contribution Agreement between the City of Hamilton and the Ontario Lottery and Gaming Corporation (OLG), as outlined in Appendix “A” to Report FCS12093.

16. Legal and Arbitration Fees - Employee and Labour Relations (HUR12016) (City Wide) (Item 8.9)

That the Human Resources Division, Employee and Labour Relations Section budget request for an additional $200,000 for legal fees and an additional $50,000 for mediations/arbitrations, be referred to the 2013 budget process for consideration.
FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes to the agenda:

(i) Added as Item 4.2 – a delegation request from Mr. Joe Beattie, Business Manager for the Hamilton-Brantford Building Trades, respecting Item 8.6 – Report FCS12083/HUR12015, Proposed Fair Wage Policy and Fair Wage Schedule (no copy)

(ii) Added as Item 4.3 – a delegation request from Philip Besseling, Besseling Mechanical Inc., respecting Item 8.6 – Report FCS12083/HUR12015, Proposed Fair Wage Policy and Fair Wage Schedule

(iii) Added as Item 4.4 – a delegation request from John Gray, Municipal Solutions, on behalf of the IBEW and UA and their Private Sector Contractor Partners, respecting Item 8.6 – Report FCS12083/HUR12015, Proposed Fair Wage Policy and Fair Wage Schedule

The agenda for the November 12, 2012 Audit, Finance & Administration Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor B. Morelli declared an interest to Item 8.7 – Report FCS12020(a), respecting Municipal Services & Property Taxation on Condominium Properties, as he is a condominium owner.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) October 4, 2012 (Item 3.1)

The Minutes of the October 4, 2012 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Michele Starr, Deanlee Management Inc., respecting a Request for Development Charge Demolition Credit Extension for the Chedoke Browlands, 849 Scenic Drive, Ancaster (Item 4.1)
The delegation request from Michele Starr, Deanlee Management Inc., respecting a Request for Development Charge Demolition Credit Extension for the Chedoke Browlands, 849 Scenic Drive, Ancaster, was approved to appear in the new year at the same meeting that the staff report is listed on the agenda.

(ii) **Joe Beattie, Business Manager for the Hamilton-Brantford Building Trades, respecting Item 8.6 – Report FCS12083/HUR12015, Proposed Fair Wage Policy and Fair Wage Schedule (no copy) (Item 4.2)**

The delegation request from Joe Beattie, Business Manager for the Hamilton-Brantford Building Trades, respecting Item 8.6 – Report FCS12083/HUR12015, Proposed Fair Wage Policy and Fair Wage Schedule, was approved.

(iii) **Philip Besseling, Besseling Mechanical Inc., respecting Item 8.6 – Report FCS12083/HUR12015, Proposed Fair Wage Policy and Fair Wage Schedule (Item 4.3)**

The delegation request from Philip Besseling, Besseling Mechanical Inc., respecting Item 8.6 – Report FCS12083/HUR12015, Proposed Fair Wage Policy and Fair Wage Schedule, was approved.

(iv) **John Gray, Municipal Solutions, on behalf of the IBEW and UA and their Private Sector Contractor Partners, respecting Item 8.6 – Report FCS12083/HUR12015, Proposed Fair Wage Policy and Fair Wage Schedule (Item 4.4)**

The delegation request from John Gray, Municipal Solutions, on behalf of the IBEW and UA and their Private Sector Contractor Partners, respecting Item 8.6 – Report FCS12083/HUR12015, Proposed Fair Wage Policy and Fair Wage Schedule, was approved.

(e) **Advisory Committee Meeting Minutes (Items 5.8 to 5.10)**

The following Advisory Committee Minutes were received:

(i) Aboriginal Advisory Committee Minutes, June 7, 2012 (Item 5.8)

(ii) Aboriginal Advisory Committee Minutes, July 5, 2012 (Item 5.9)

(iii) Status of Women Committee Minutes, June 28, 2012 (Item 5.10)
(f) **DELEGATIONS (Item 6)**

(i) Joe Beattie, Business Manager for the Hamilton-Brantford Building Trades (HBBT), respecting Item 8.6 – Report FCS12083/HUR12015, Proposed Fair Wage Policy and Fair Wage Schedule (Item 6.1)

Mr. Beattie addressed Committee, respecting Report FCS12083 / HUR12015, Proposed Fair Wage Policy and Fair Wage Schedule. Mr. Beattie’s comments included, but were not limited to, the following:

- Expressed concerns with respect to the Christian Labour Association of Canada (CLAC) bidding for work for the City of Hamilton.
- The HBBT has had a long partnership with the City of Hamilton; performing work under the present Fair Wage Policy.
- The HBBT and non union group bid for City projects using the HBBT base rates and now staff is recommending a labour union who are about 1/8th the size of the HBBT to bid work for the City using their bid rates, which are lower.
- This will undermine the present system that has been in place since the inception of the City’s Fair Wage Policy.
- Proposed change would allow CLAC to have a huge advantage over the building trades as well as the non union group in bidding for City work.
- The HBBT submitted their new wage packages in May/June of 2012, but HBBT was not aware that CLAC was submitting their wage package as well.
- The intent of the City’s Fair Wage Policy was to ensure that taxpayers’ taxes were never meant to drive down the wages of workers performing work on City projects.
- The HBBT would prefer the changes be taken back for more consultation, and if not, the bid trades and our contractors will challenge these recommendations.

The full presentation is available for viewing on the City’s website.

The presentation from Joe Beattie, Business Manager for the Hamilton-Brantford Building Trades, respecting Item 8.6 – Report FCS12083/HUR12015, Proposed Fair Wage Policy and Fair Wage Schedule, was received.
(ii) Philip Besseling, Besseling Mechanical Inc., respecting Item 8.6 – Report FCS12083/HUR12015, Proposed Fair Wage Policy and Fair Wage Schedule (Item 6.2)

Mr. Besseling addressed Committee, respecting Report FCS12083 / HUR12015, Proposed Fair Wage Policy and Fair Wage Schedule. Mr. Besseling’s comments included, but were not limited to, the following:

- We are in support of article 3.
- Company has been in operation in Stony Creek since 1948.
- Our employees wanted to be represented by CLAC.
- Besseling Mechanical does not pay starvation wages, if we did our people would leave us.
- Our employees have chosen to split their wages up differently; they have chosen to put more of their money into their pension. If the pension amount was calculated into the total package, it would be comparable.
- Our rates our negotiated fairly and honourably.
- It is Besseling's position that the Fair Wage Policy should dictate the total compensation to the employee, but not interfere with the structure of wages and benefits the employee and employer have agreed to, especially if that agreement is a result of a negotiated collective agreement.
- Should the City decide to include a Fair Wage Policy in its construction contracts, Besseling believes that the wages and benefits of an employer’s collective agreement should supersede those of the Fair Wage Policy.

The full presentation is available for viewing on the City’s website.

The presentation from Philip Besseling, Besseling Mechanical Inc., respecting Item 8.6 – Report FCS12083/HUR12015, Proposed Fair Wage Policy and Fair Wage Schedule, was received.

(iii) John Gray, Municipal Solutions, on behalf of the IBEW and UA and their Private Sector Contractor Partners, respecting Item 8.6 – Report FCS12083/HUR12015, Proposed Fair Wage Policy and Fair Wage Schedule (Item 6.3)

Mr. Gray addressed Committee, respecting Report FCS12083 / HUR12015, Proposed Fair Wage Policy and Fair Wage Schedule. Mr. Gray’s comments included, but were not limited to, the following:
• Represents the International Brotherhood of International Workers (IBEW) and the United Association (UA) across Ontario and British Columbia.
• Here to draw attention to negatives impacts that could arise by approving certain clauses in the report.
• Find strange that clause is included as it will give precedence to one union negotiation.
• Fair wage policies are designed to level the playing field.
• Keeping track of the fast changing market would be difficult in itself and this would create administrative difficulty to both bidders and staff.
• Policy would create an increased change orders.
• The two tier system also rewards clear bias to out of town contractors and workers.
• The existing fair wage system in Hamilton has worked well for decades.

The full presentation is available for viewing on the City’s website.

The presentation from John Gray, Municipal Solutions, on behalf of the IBEW and UA and their Private Sector Contractor Partners, respecting Item 8.6 – Report FCS12083/HUR12015, Proposed Fair Wage Policy and Fair Wage Schedule, was received.

(g) Succession Management and Leadership Development (HUR12017) (City Wide) (Item 7.1)

Helen Hale Tomasik, Executive Director, Human Resources and Organizational Development, provided an overview of Report HUR12017 with the use of a PowerPoint presentation. The presentation included, but was not limited to, the following:

• A systematic approach to identifying, assessing and retaining employees for key roles within the organization in the future.

• Focus is on developing these employees so the organization has a pool of candidates who have the necessary skills and competencies to compete for key positions when vacancies and opportunities arise.

• Workforce planning involves analysis of current workforce, determining future workforce needs, identifying gaps between present and future, and implementing solutions to close the gaps.

• Succession planning focuses on leadership roles and other critical roles that have the greatest impact on business strategy.
• Improves engagement and retention of top performers.

• Improves organization’s ability to achieve long-term business objectives.

• Gives management a better understanding of competencies, capabilities and career interests of their employees.

• Protects against corporate knowledge loss;

• Prepares City to deal with sudden loss of key people; and,

• Over long term, leads to a more effective and efficient organization.

Succession Planning Progress in 2012:

• A Succession Planning Policy has been developed.

• Tools and templates developed to facilitate collection of data and talent discussions.

• 15 employees in senior management intend to retire within 3 years; only 6 of these positions have an internal candidate ready now or within 1 – 2 years.

• In some areas, two levels of management are eligible to leave within same time frame.

• Need to move succession planning to management and supervisory ranks.

• Concern expressed that high potentials not prepared to move into management.

• Critical need to transfer knowledge & experience.

• Replacement and retention strategies are required now for high risk areas.

• Program needs to have corporate wide scope.

Next Steps to Advance a Corporate Succession Management & Leadership Program:

• Corporate Succession Planning Policy.

• Corporate Leadership Pathway.
• Learning and Development Framework.

• Acting Assignments and Lateral Transfer Policy.

• Departmental leadership programs (e.g. Public Health Services, Public Works).

• Exploratory meetings with local community institutions to partner on corporate-wide leadership development.

• Develop a transparent, criteria-based succession management program to identify high potentials.

• Take succession planning to manager and supervisor level in the organization.

• Create a corporate leadership development plan to:
  o accelerate the development of identified high potentials;
  o develop supervisors across the organization; and,
  o develop those who aspire to supervisory and management roles.

• Perform succession planning annually to ensure high potentials are identified and developed for key positions.

A full copy of the presentation is available online or through the Office of the City Clerk.

The staff presentation, respecting Report HUR12017 – Succession Management and Leadership Development, was received.

(h) Procurement Sub-Committee Report 12-001, October 11, 2012 (Item 8.1)

Pages 18 and 29 of Appendix “A” of the Procurement Sub-Committee Report 12-001, were amended by deleting the dollar amount of $4,999 and replacing it with the dollar amount $10,000; and, on Page 29 by deleting the dollar amount of $5,000 and replacing it with the dollar amount $10,000, to read as follows:

(a) Approval Authorities for various Procurement Policies (Page 18 of 55)
POLICY # 5.4 - Request for Proposals ($10,000 and greater)

(i) Governance Review Sub-Committee Report 12-004, October 30, 2012 (Item 8.3)

(a) Sub-section (b) of Item 1 of the Governance Review Sub-Committee Report 12-004 was deleted in its entirety and replaced to read as follows:

1. **One Year Pilot Project period – 2 GIC, 1 AF&A, 1 E&CS (Item 4.1)**

   (a) That regular meetings of the General Issues Committee continue to be scheduled twice per month;

   (b) That, **in addition to the one regular meeting of the Audit, Finance and administration Committee each month, a second meeting be scheduled, during the second Council week, if required, to be at the call of the Chair.**

   (c) That, in addition to the one regular Emergency and Community Services Committee meeting scheduled each month, a second meeting be scheduled, during the second Council week, if required, to be at the call of the Chair.

(b) Appendix “A” to sub-section (b) to Item 2 of the Governance Sub-Committee Report 12-004 was amended by deleting the calendar pages for January, February and March in their entirety and replacing them with the amended calendar pages for January, February and March 2013, which include the 2013 budget dates.
(j) **Proposed Fair Wage Policy and Fair Wage Schedule (FCS12083/HUR12015) (City Wide) (Item 8.6)**

Report FCS12083/HUR12015, respecting the Proposed Fair Wage Policy and Fair Wage Schedule, was tabled to the December 10, 2012 Audit, Finance & Administration Committee meeting.

(k) **GENERAL INFORMATION/OTHER BUSINESS (Item 11)**

11.1 **Amendments to the Outstanding Business List**

The following items were considered complete and removed from the Audit, Finance & Administration Committee’s Outstanding Business List:

(i) **Item “J” - KPMG - Evaluation of the City of Hamilton Accounts Payable Program (FCS11051(b))**

(ii) **Item “E” – Incorporation of a Portion of the Commercial Advertising and Sponsorship Policy into the Procurement Policy.**

(l) **ADJOURNMENT (Item 13)**

There being no further business, the Audit, Finance and Administration Committee adjourned at 11:32 a.m.

Respectfully submitted,

Councillor B. Johnson, Chair
Audit, Finance and Administration Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk
Appendix "A" to Item 3 of AFA Report 12-009
Page 1 of 1

City of Hamilton
Corporate Services Department
Taxation Division
Section "357" Appeals of the Municipal Act, 2001

Appeal No.

Property Address

Roll Number

Explanation

YEAR

Amount

357-10-322
357-10-323
357-11-059
357-11-088
357-11-153
357-11-161
357-11-176
357-11-202
357-11-221
357-12-004
357-12-011
357-12-016
357-12-026
357-12-040
357-12-044
357-12-066
357-12-067
357-12-068
357-12-069
357-12-071
357-12-075
357-12-076
357-12-079
357-12-086
357-12-087
357-12-090
357-12-093
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357-12-096
357-12-097
357-12-097
357-12-097a
357-12-097a
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357-12-106
357-12-108
357-12-111
357-12-115
357-12-117

510 Centennial Pkwy N
510 Centennial Pkwy N
237 Queen St N
81 Arkell St
3120 Binbrook Rd
545 Main St E
21 Rosedene Ave
293 Dewitt Rd
38 Seabreeze
237 Queen St N
516-526 Concession St
1603 Rymal Rd E
15 Lakeview Dr
53 Miles Rd
45 Harper St
208 Wellington St N
188 Wellington St N
186 Wellington St N
139 Wellington St N
182 Belmont
52 Wise Cres
6 Celac Ct
110 Rosedene Ave
877 Centre Rd
1165 Trinity Rd
262 Cedarvale
57 Hyde Park Ave
450 Sherman Ave N
450 Sherman Ave N
450 Sherman Ave N
450 Sherman Ave N
450 Sherman Ave N
450 Sherman Ave N
450 Sherman Ave N
101 Nash Rd N
6 Queens Ct
368 Beach Blvd
861 Kirkwall Rd
192 Lloyminn Ave
18 Thornwood Dr
6260 Twenty Rd
26 Goldcrest Dr

050481022200000 Demolition - no loss of value due to demolition appeal denied new Wal-Mart
050481022200000 Demolition - no loss of value due to demolition appeal denied new Wal-Mart
010102570000000 Tax Class Conversion owner using building as his residence
010054009400000 Exempt residence for adults with developmental disabilities
901340332000000 Exempt Binbrook Agricultural Society
030231009700000 Exempt - Place of Worship - Mosque
080904038500000 Exempt - woman's shelter
003250332000000 Exempt - Place of Worship - Temple
003020264050000 Gross or Manifest Error - unbuildable lot
010105570000000 Tax Class Conversion owner using building as his residence
070672022500000 Exempt - now live theatre
060581041500000 Exempt city purchase
003030364000000 Major Renovations value of structure has already been removed - denied
060761086500000 Demolition of storage building
303350677440000 Gross or Manifest Error charged for in ground pool in error
030215510300000 Demolition of all structures
030215513300000 Fire damage from property next door
030215513600000 Demolition of all structures
030218068000000 Demolition of garage
040284042900000 Major Renovations making house unlivable
060566003100000 Demolition of in ground pool
060731036900000 Fire in March - house gutted
080904046000000 Demolition of original garage which has been replaced
303510698000000 Demolition of original house new house completed
901230640000000 Demolition of barn garage and shed
003280388000000 Major Renovations house now occupied
010081074800000 Tax Class Conversion - homeowner no longer runs business from house
030272024300000 Tax Class Conversion lease expired Port Authority property
030272024300000 Tax Class Conversion lease expired Port Authority property
031243000330000 Tax Class Conversion lease expired Port Authority property
030272024300000 Tax Class Conversion lease expired Port Authority property
031243000340000 Tax Class Conversion lease expired Port Authority property
030272024300000 Tax Class Conversion lease expired Port Authority property
031243000350000 Tax Class Conversion lease expired Port Authority property
050451080200000 Demolition dealt with on Section 40 appeal
050.452.027800000Demolition of original house new house under construction
050511026800000 Major Renovations house not livable
301410632000000 Gross or manifest error -oil spill all building demolished
140230060000000 Demolition of house and garage
140240162000000 Demolition of structures November 2011
902120350000000 Demolition of old house in July
003310771100000 property incorrectly assessed as having a finished basement

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-250.81
-242.31
-104.53
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-128.28
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-713.34
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-101.02
882.95
-882.95
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-470.36
-1,044.13
-3,674.94
-2,072.04
-1,011.98
-206.70

357-12-123
357-12-124
357-12-124
357-12-125
357-12-127
357-12-127
357-12-130
357-12-135
357-12-136

35 Bermuda Ct
601 Burlington St E
601 Burlington St E
560 Ferguson Ave n
1625 Burlington St E
1625 Burlington St E
1462 Upper Sherman Ave
510 Centennial Pkwy N
0 Regional Rd 97

080983090400000
030272024900000
031249000300000
020171000100000
040323083400000
041834000610000
070751065100000
050481022200000
301810072000000

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-285.89
-1,653.38
0.00
-210.04
-82,281.68

Gross or Manifest Error incorrectly assessed as having a home based business
Tax Class Conversion lease expired Port Authority property
Tax Class Conversion lease expired Port Authority property
Tax Class Conversion lease expired Port Authority property
Tax Class Conversion lease expired Port Authority property
Tax Class Conversion lease expired Port Authority property
Exempt group home
Gross or Manifest Error-no loss of value due to demolition appeal denied new W
Gross or Manifest Conservation property
TOTAL


### Appendix "B" to Item 3 of AFA Report 12-009

**City of Hamilton**  
**Corporate Services Department**  
**Taxation Division**  
**Section "358" Appeals of the Municipal Act, 2001**  
**Realty Tax Applications for overcharges**

**B- overcharge (Assessment Roll)**  
**B1 - overcharged-application denied**  
**E - Exempt**

<table>
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<tr>
<th>Appeal No.</th>
<th>Property Address</th>
<th>Roll Number</th>
<th>Reason</th>
<th>Explanation</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>358-11-124</td>
<td>38 Seabreeze Cres</td>
<td>003020264050000</td>
<td>B</td>
<td>Unbuildable lot value re-addressed</td>
<td>2010</td>
<td>-1,811.23</td>
</tr>
<tr>
<td>358-11-125</td>
<td>38 Seabreeze Cres</td>
<td>003020264050000</td>
<td>B</td>
<td>Unbuildable lot value re-addressed</td>
<td>2009</td>
<td>-1,606.90</td>
</tr>
<tr>
<td>358-12-133</td>
<td>293 Dewitt Rd</td>
<td>003250332000000</td>
<td>E</td>
<td>Place of worship - Buddhist temple</td>
<td>2010</td>
<td>-1,247.71</td>
</tr>
<tr>
<td>358-12-052</td>
<td>26 Goldcrest Dr</td>
<td>003310771000000</td>
<td>B</td>
<td>Incorrectly assessed as having a finished basement</td>
<td>2010</td>
<td>-108.54</td>
</tr>
<tr>
<td>358-12-053</td>
<td>26 Goldcrest Dr</td>
<td>003310771000000</td>
<td>B</td>
<td>Incorrectly assessed as having a finished basement</td>
<td>2011</td>
<td>-158.74</td>
</tr>
<tr>
<td>358-11-063</td>
<td>81 Arkell St</td>
<td>010054009000000</td>
<td>B</td>
<td>Group home for adults with developmental disabilities</td>
<td>2009</td>
<td>-4,437.36</td>
</tr>
<tr>
<td>358-11-063</td>
<td>81 Arkell St</td>
<td>010054009000000</td>
<td>B</td>
<td>Group home for adults with developmental disabilities</td>
<td>2010</td>
<td>-4,491.39</td>
</tr>
<tr>
<td>358-12-041</td>
<td>57 Hyde Park Ave</td>
<td>010081074000000</td>
<td>B</td>
<td>Home office removed in 2006</td>
<td>2009</td>
<td>-709.41</td>
</tr>
<tr>
<td>358-12-042</td>
<td>57 Hyde Park Ave</td>
<td>010081074000000</td>
<td>B</td>
<td>Home office removed in 2006</td>
<td>2010</td>
<td>-676.46</td>
</tr>
<tr>
<td>358-12-035</td>
<td>386 Upper Gage Ave</td>
<td>060626075000000</td>
<td>B</td>
<td>Old structures removed in 2009</td>
<td>2009</td>
<td>-911.15</td>
</tr>
<tr>
<td>358-12-035</td>
<td>386 Upper Gage Ave</td>
<td>060626075000000</td>
<td>B</td>
<td>Old structures removed in 2009</td>
<td>2010</td>
<td>-2,721.36</td>
</tr>
<tr>
<td>358-12-036</td>
<td>110 Rosedene</td>
<td>080904046000000</td>
<td>B</td>
<td>Old garage removed in 2009</td>
<td>2011</td>
<td>-2,738.28</td>
</tr>
<tr>
<td>358-12-013</td>
<td>24 Sistine Ct</td>
<td>081101117480000</td>
<td>B</td>
<td>Change tax class from CT to RT builder using as sales office</td>
<td>2011</td>
<td>-126.84</td>
</tr>
<tr>
<td>358-12-017</td>
<td>45 Harper St</td>
<td>303350677440000</td>
<td>B</td>
<td>Owner incorrectly assessed as having an in ground pool</td>
<td>2011</td>
<td>-1,027.01</td>
</tr>
<tr>
<td>358-12-016</td>
<td>45 Harper St</td>
<td>303350677440000</td>
<td>B</td>
<td>Owner incorrectly assessed as having an in ground pool</td>
<td>2010</td>
<td>-60.11</td>
</tr>
<tr>
<td>358-11-093</td>
<td>312 Binbrook Rd</td>
<td>901340332000000</td>
<td>E</td>
<td>Binbrook Agriculture Society is exempt to taxes</td>
<td>2011</td>
<td>-87.63</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-25,233.95</td>
</tr>
</tbody>
</table>

---

**Section 358 Appeals of the Municipal Act, 2001**  
**Realty Tax Applications for overcharges**
APPORPTIONMENT OF TAXES

That the original land taxes recorded against;

(a) Roll #2518 020 162 05620 0000 – (105 Ferrie St. E., Hamilton) in the amount of $1,852.93 be split amongst the two newly created lots listed below:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>ADDRESS</th>
<th>ROLL NUMBER</th>
<th>APPORTIONED ASSESSMENT</th>
<th>TAX AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>105 Ferrie St. E.</td>
<td>2518 020 162 05620 0000</td>
<td>65,000</td>
<td>$926.46</td>
</tr>
<tr>
<td>2012</td>
<td>103 Ferrie St. E.</td>
<td>2518 020 162 05623 0000</td>
<td>65,000</td>
<td>926.47</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td><strong>130,000</strong></td>
<td><strong>$1,852.93</strong></td>
</tr>
</tbody>
</table>

(b) Roll #2518 003 290 08400 0000 – (31 Warwick Rd., Stoney Creek) in the amount of $2,067.12 be split amongst the two newly created lots listed below:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>ADDRESS</th>
<th>ROLL NUMBER</th>
<th>APPORTIONED ASSESSMENT</th>
<th>TAX AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>31 Warwick Rd.</td>
<td>2518 003 290 08400 0000</td>
<td>80,000</td>
<td>$1,033.56</td>
</tr>
<tr>
<td>2012</td>
<td>31 ½ Warwick Rd.</td>
<td>2518 003 290 08410 0000</td>
<td>80,000</td>
<td>1,033.56</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td><strong>160,000</strong></td>
<td><strong>$2,067.12</strong></td>
</tr>
</tbody>
</table>

(c) Roll #2518 003 850 00180 0000 – (93 Bankfield Cres., Stoney Creek) in the amount of $2,991.33 be split amongst the six newly created lots listed below:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>ADDRESS</th>
<th>ROLL NUMBER</th>
<th>APPORTIONED ASSESSMENT</th>
<th>TAX AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>93 Bankfield Cres.</td>
<td>2518 003 850 00180 0000</td>
<td>39,784</td>
<td>$526.28</td>
</tr>
<tr>
<td>2012</td>
<td>91 Bankfield Cres.</td>
<td>2518 003 850 00182 0000</td>
<td>36,292</td>
<td>480.08</td>
</tr>
<tr>
<td>2012</td>
<td>89 Bankfield Cres.</td>
<td>2518 003 850 00183 0000</td>
<td>36,292</td>
<td>480.08</td>
</tr>
<tr>
<td>2012</td>
<td>87 Bankfield Cres.</td>
<td>2518 003 850 00184 0000</td>
<td>36,292</td>
<td>480.08</td>
</tr>
<tr>
<td>2012</td>
<td>85 Bankfield Cres.</td>
<td>2518 003 850 00508 0000</td>
<td>36,292</td>
<td>480.08</td>
</tr>
<tr>
<td>2012</td>
<td>83 Bankfield Cres.</td>
<td>2518 003 850 00509 0000</td>
<td>41,178</td>
<td>544.73</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td><strong>226,130</strong></td>
<td><strong>$2,991.33</strong></td>
</tr>
</tbody>
</table>
(d) Roll #2518 003 850 00310 0000 – (82 Highgate Dr., Stoney Creek) in the amount of $5,982.65 be split amongst the eighteen newly created lots listed below:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>ADDRESS</th>
<th>ROLL NUMBER</th>
<th>APPORTIONED ASSESSMENT</th>
<th>TAX AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>82 Highgate Dr.</td>
<td>2518 003 850 00310 0000</td>
<td>28,217</td>
<td>$373.25</td>
</tr>
<tr>
<td>2012</td>
<td>84 Highgate Dr.</td>
<td>2518 003 850 00311 0000</td>
<td>24,085</td>
<td>318.61</td>
</tr>
<tr>
<td>2012</td>
<td>86 Highgate Dr.</td>
<td>2518 003 850 00312 0000</td>
<td>24,085</td>
<td>318.61</td>
</tr>
<tr>
<td>2012</td>
<td>88 Highgate Dr.</td>
<td>2518 003 850 00313 0000</td>
<td>24,085</td>
<td>318.61</td>
</tr>
<tr>
<td>2012</td>
<td>90 Highgate Dr.</td>
<td>2518 003 850 00314 0000</td>
<td>24,085</td>
<td>318.61</td>
</tr>
<tr>
<td>2012</td>
<td>92 Highgate Dr.</td>
<td>2518 003 850 00315 0000</td>
<td>26,274</td>
<td>347.56</td>
</tr>
<tr>
<td>2012</td>
<td>96 Highgate Dr.</td>
<td>2518 003 850 00316 0000</td>
<td>26,274</td>
<td>347.56</td>
</tr>
<tr>
<td>2012</td>
<td>98 Highgate Dr.</td>
<td>2518 003 850 00317 0000</td>
<td>24,085</td>
<td>318.61</td>
</tr>
<tr>
<td>2012</td>
<td>100 Highgate Dr.</td>
<td>2518 003 850 00318 0000</td>
<td>24,085</td>
<td>318.61</td>
</tr>
<tr>
<td>2012</td>
<td>102 Highgate Dr.</td>
<td>2518 003 850 00319 0000</td>
<td>24,085</td>
<td>318.61</td>
</tr>
<tr>
<td>2012</td>
<td>104 Highgate Dr.</td>
<td>2518 003 850 00320 0000</td>
<td>26,761</td>
<td>354.00</td>
</tr>
<tr>
<td>2012</td>
<td>108 Highgate Dr.</td>
<td>2518 003 850 00321 0000</td>
<td>26,761</td>
<td>354.00</td>
</tr>
<tr>
<td>2012</td>
<td>110 Highgate Dr.</td>
<td>2518 003 850 00322 0000</td>
<td>23,842</td>
<td>315.39</td>
</tr>
<tr>
<td>2012</td>
<td>112 Highgate Dr.</td>
<td>2518 003 850 00323 0000</td>
<td>23,842</td>
<td>315.39</td>
</tr>
<tr>
<td>2012</td>
<td>114 Highgate Dr.</td>
<td>2518 003 850 00324 0000</td>
<td>23,842</td>
<td>315.39</td>
</tr>
<tr>
<td>2012</td>
<td>116 Highgate Dr.</td>
<td>2518 003 850 00325 0000</td>
<td>23,842</td>
<td>315.39</td>
</tr>
<tr>
<td>2012</td>
<td>118 Highgate Dr.</td>
<td>2518 003 850 00326 0000</td>
<td>23,842</td>
<td>315.39</td>
</tr>
<tr>
<td>2012</td>
<td>120 Highgate Dr.</td>
<td>2518 003 850 00327 0000</td>
<td>30,167</td>
<td>399.06</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td><strong>452,259</strong></td>
<td><strong>$5,982.65</strong></td>
</tr>
</tbody>
</table>

(e) Roll #2518 003 850 19200 0000 – (36 Leckie Ave., Stoney Creek) in the amount of $3,035.91 be split amongst the two newly created lots listed below:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>ADDRESS</th>
<th>ROLL NUMBER</th>
<th>APPORTIONED ASSESSMENT</th>
<th>TAX AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>36 Leckie Ave.</td>
<td>2518 003 850 19200 0000</td>
<td>167,473</td>
<td>$2,215.40</td>
</tr>
<tr>
<td>2012</td>
<td>34 Leckie Ave.</td>
<td>2518 003 850 19100 0000</td>
<td>62,027</td>
<td>820.51</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td><strong>229,500</strong></td>
<td><strong>$3,035.91</strong></td>
</tr>
</tbody>
</table>
(f) Roll #2518 003 020 17200 0000 – (482 Glover Rd., Stoney Creek) in the amount of $2,695.98 be split amongst the two newly created lots listed below:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>ADDRESS</th>
<th>ROLL NUMBER</th>
<th>APPORTIONED ASSESSMENT</th>
<th>TAX AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>35 Springbreeze Hts.</td>
<td>2518 003 020 17200 0000</td>
<td>72,000</td>
<td>$ 907.07</td>
</tr>
<tr>
<td>2012</td>
<td>482 Glover Rd.</td>
<td>2518 003 020 17210 0000</td>
<td>142,000</td>
<td>1,788.91</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
<td>214,000</td>
<td>$ 2,695.98</td>
</tr>
</tbody>
</table>
CITY OF HAMILTON

BY-LAW NO. 12-XXX

A By-law to Adopt and Maintain a Procurement Policy for the City of Hamilton

WHEREAS paragraph 270(1)3 of the Municipal Act, 2001, S.O. 2001, c. 25 provides that a municipality shall adopt and maintain a procurement policy with respect to its procurement of goods and services;

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

1. Schedule “A”, which is attached to and forms part of this By-law, is the City of Hamilton procurement policy adopted and maintained in accordance with paragraph 270(1)3 of the Municipal Act, 2001.

2. The short title of this by-law shall be the “Procurement Policy By-law”.

3. By-law No. 11-297 is repealed.

4. This by-law comes into force on the day it is passed.

PASSED this _______ day of _________________, 2012.

_________________________  ________________________
R. Bratina                  R. Caterini
Mayor                      City Clerk
Appendix “D” to Item 9 of AF&A Report 12-009

City of Hamilton

By-Law No. 12-XXX

Procurement Policy

Procurement Section • Financial Services

Corporate Services
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</tr>
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<td>29</td>
</tr>
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<tr>
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<td>33</td>
</tr>
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<td>34</td>
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<td>35</td>
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<td>36</td>
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<td>40</td>
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</tr>
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<td>53</td>
</tr>
</tbody>
</table>
CORPORATE SERVICES
PROCUREMENT SECTION

MISSION, VISION AND VALUES

Mission
- To ensure that the procurement function meets the current and future needs of the corporation, provides an economical and efficient service and is considered a value-added partner in the securing of Goods and/or Services for the corporation.

Vision
- A team of resourceful skilled professionals, working in partnership with their customers to procure the best Goods and/or Services in the most efficient manner.

Corporate Vision, Mission Statement and Values

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

Mission Statement:
At the City of Hamilton, our mission is to provide high quality services in a fiscally and socially responsible, environmentally sustainable and compassionate manner in order to ensure a healthy, safe and prosperous community (environment).
- We engage our citizens and promote a fair, diverse and accepting community.
- We are a skilled, knowledgeable, collaborative and respectful organization that thrives on innovation and quality customer service.
- We are lead by a forward thinking Council.
- The team shows leadership in carrying out their responsibilities and is valued and appreciated for their contributions and accomplishments.

Values:
Honesty, Respect, Accountability, Leadership, Teamwork, Innovation, Excellence and Equity.

City Council also established 7 key priorities for the City of Hamilton:
1. To always act as a team.
2. To be dedicated to excellence in everything that we do.
3. To provide high quality services.
4. To act in a fiscally responsible manner.
5. To ensure a prosperous environment.
6. To be an organization that thrives on innovation.
7. To be a team that is valued and appreciated for their contribution and accomplishments.
PROCUREMENT GOALS & OBJECTIVES

SECTION 1

(1) Procure the necessary quality and quantity of Goods and/or Services in an efficient, timely and cost effective manner, while maintaining the controls necessary for a public agency, in accordance with the Procurement Policy as approved by Council.

(2) Encourage an open and competitive bidding process for the acquisition and disposal of Goods and/or Services, and the objective and equitable treatment of all vendors.

(3) Ensure the best value of an acquisition is obtained. This may include, but not be limited to, the determination of the total cost of performing the intended function over the lifetime of the task, acquisition cost, installation, disposal value, disposal cost, training cost, maintenance cost, quality of performance and environmental impact.

(4) Procure Goods and/or Services with due regard to the preservation of the natural environment and to encourage the use of “environmentally friendly” products and services, as supported by Vision 2020 goals and strategies.
CORPORATE SERVICES
PROCUREMENT SECTION

RESPONSIBILITIES & PROHIBITIONS OF PROCURING GOODS AND/OR SERVICES

SECTION 2

(1) General Responsibilities

(a) All City of Hamilton elected officials and staff delegated with the authority to procure shall comply with the Procurement Policy for the City of Hamilton. Without limiting the foregoing, such elected officials and staff shall follow the Statement of Ethics for Public Procurement attached as Schedule A to the Procurement Policy, the City’s Code of Conduct for Employees Policy and Policy # 17 – Conflicts of Interest.

(b) Procurement activities shall be subject to all applicable City of Hamilton policies and by-laws, any specific provisions of the Municipal Act, 2001 and all other relevant Federal and Provincial legislation, as may be in effect from time to time.

(2) Procurement Section Responsibilities

The City’s General Manager of Finance and Corporate Services shall operate a Centralized Procurement unit on behalf of the City of Hamilton in accordance with the requirements of the Procurement Policy. In carrying out this responsibility the General Manager of Finance and Corporate Services may appoint certain City staff to act on behalf of the City in entering into Contracts with third parties. The General Manager of Finance and Corporate Services may limit the authority to procure of that City staff, as deemed appropriate. The Procurement Section will therefore have the following specific responsibilities:

(a) Be responsible for the administration of the Procurement Policy and will continually review the procurement of Goods and/or Services to ensure the City is receiving the best value.

(b) Ensure that procurement transactions are conducted ethically and professionally in accordance with Schedule A – Statement of Ethics for Public Procurement.

(c) Advise on the practicability of Specifications to ensure a maximum number of competitive Bids.

(d) Notify vendors who have expressed an interest in doing business with the City of the availability of the procurement documents.

(e) Prepare necessary procurement documents and process Purchase Orders.

(f) Advise and assist in the preparation of Contracts when requested.

(g) Provide training and documentation on how to use the procurement module to users of the City’s financial software application. Make available copies of the Procurement Policy and Procurement Procedures and Guidelines to all relevant City staff.

(h) Maintain records of procurement transactions as required.

Procurement Policy for the City of Hamilton

Approved By City Council On:
(3) General Manager Responsibilities

(a) Ensure all purchases are performed in accordance with the Procurement Policy and make required reports to the Council or any other interested party explaining why purchases are not in compliance with the Procurement Policy. The Procurement Section will offer advice and assistance in assuring that the Procurement Policy is adhered to upon request.

(b) Delegate Approval Authority to the appropriate levels and maintain the responsibility for such actions including answering questions raised by such delegation.

(c) Ensure appropriate action is taken on internal Audit Services recommendations.

(4) Internal Audit Responsibilities

(a) Internal Audit Services shall conduct selected audits to ascertain adherence to the Procurement Policy. The Procurement Section and Council shall receive a copy of the audit results.

(5) Prohibitions

The following activities are prohibited, unless specifically approved by Council:

(a) Any attempt to evade or circumvent the requirements of the Procurement Policy including, but not limited to, the division of purchases to avoid the requirements of the Procurement Policy by any method, which includes purchases made using procurement cards.

(b) Purchase by the City of any Goods and/or Services for personal use by or on behalf of any member of Council, employees of the City and their immediate families.

(c) The acceptance of gifts, benefits, money, discounts, favours or other assistance by any member of Council, employees of the City, and their families contrary to the City of Hamilton Code of Conduct for Members of Council (Appendix H to the City’s Procedural By-law No. 10-053, as amended, repealed or replaced from time to time), the City’s Code of Conduct for Employees Policy or such other similar policy currently in force. The image and integrity of the employee and the City of Hamilton must be preserved at all times.

(d) Purchase by the City from any member of Council or employee of the City, their family members or from any other source, that would result in a conflict of interest, unless that interest has been declared pursuant to the Municipal Conflict of Interest Act or pursuant to the City’s Code of Conduct for Employees Policy or such other similar policy currently in force.

(6) Exemptions

Those items listed in Schedule B - Exemptions, are exempt from the requirements of the Procurement Policy, save and except for Policy # 2 - Approval Authority.
DEFINITIONS AND INTERPRETATION

SECTION 3

Words and phrases used in the Procurement Policy for the City of Hamilton have the following meanings, unless expressly stated otherwise:

“Acquisition Method” means the process by which Goods or Services are procured.

“Approval Authority” means the authority to approve and award procurements, as well as any assignment or corporate change requests related to such procurements, up to the procurement values for the respective body or person(s) set out in Policy # 2 - Approval Authority.

“Approved Products Listing” means the listing of approved Goods for use with road, watermain, sewer, lighting and traffic signal work as maintained by the City’s Standard and Approved Products Committee.

“Authorized Delegate” means the person who has been delegated by Council an Approval Authority and includes any other person further sub-delegated such Approval Authority in accordance with the Procurement Policy.

“Bid” means an offer or submission from a vendor in response to a Request for Quotations, Request for Tenders, Request for Proposals, Request for Rostered Candidates or Request for Pre-Qualification issued by the City.

“Centralized Procurement” refers to the activities conducted by the Procurement Section of the City’s Corporate Services Department, which facilitates the purchase of all Goods and/or Services in accordance with the requirements of the Procurement Policy.

“Child” means any person under the age of 15, unless local minimum age law stipulates a higher age for work or mandatory schooling, or under the age of 14 if minimum age law is set at that age in accordance with exceptions set out for developing countries under International Labour Organization (“ILO”) Convention 138.

“City” means the City of Hamilton.

“City Event” means an event organized and hosted by the City.

“City Manager” means the City Manager of the City of Hamilton.

“Client Department” means the City department initiating the acquisition of the Goods and/or Services.

“Consulting and Professional Services” means services rendered by members of a recognized profession or possessing a special skill. Such services are generally acquired to obtain information, advice, training or direct assistance.

Procurement Policy for the City of Hamilton

Approved By City Council On:
“Contract” means a legal agreement between two or more parties, usually written, or a Purchase Order.

“Cooperative Procurement” means coordination of City purchases with purchases of other government bodies, public authorities, conservation authorities, municipalities, academia, schools and hospitals (MASH) sector.

“Council” means the Council of the City of Hamilton.

“Designate” means a person authorized to act on the behalf of an Authorized Delegate on a temporary basis.

“Emergency” means a situation, or the threat of an impending situation, which may affect the environment, life, safety, health and/or welfare of the general public, or the property of the residents of the City, or to prevent serious damage, disruption of work, or to restore or to maintain essential service to a minimum level.

“Energy Commodities” means electricity, Green Power, natural gas, methane and all other petroleum based fuel products such as: diesel, bio-diesel, unleaded, fuel oil, propane and any other bulk commodity primarily used by the City for the purpose of heating and cooling of buildings and other structures, electricity generation, cogeneration and the fuelling of City fleets, as determined by the City's Manager of Energy Initiatives.

“General Manager” means the head of a City department and includes the Medical Officer of Health and the City Manager.

“Goods” includes supplies, equipment, materials, products, structures and fixtures to be delivered, installed or constructed.

“Green Power” means electricity generated from renewable energy sources, such as certified water power, solar, biogas, biomass and wind. Other terms for Green Power include: Green Power certificates, tradable renewable certificates or "Green Tags". These attributes, embodied in a certificate, may be bought and sold either bundled or unbundled with commodity electricity.

“Low Dollar Value Procurements” means the process of procuring Goods and/or Services with an estimated annual procurement cost of up to but not including $10,000.

“Lowest Compliant Bid” means a Bid with the lowest price meeting all requirements of a RFQ, RFP or RFT, subject to any rights or privileges reserved by the City contained in the respective procurement document, or unless otherwise approved by Council.

“Mixed Revenue Contracts” has the same meaning as set out in the definition of Revenue Generating Contracts.

“Procurement Manager” means the Procurement Manager for the City of Hamilton.

“Procurement Policy” means the procurement policies approved by Council, as amended from time to time.
“Procurement Procedures and Guidelines” means the procurement procedures and guidelines approved by the City’s Director of Financial Services, as amended from time to time.

“Purchase Order” means a written offer to procure Goods and/or Services or a written acceptance of an offer, in a form acceptable to the City Solicitor.

“Purchase Requisition” means an internal online request by a Client Department to the Procurement Section for procurement of Goods and/or Services.

“Request for Quotations” or “RFQ” means an informal request for prices on Goods and/or Services with an estimated procurement cost between $10,000 and up to but not including $50,000, and where comprehensive technical Specifications can be developed. Request for Quotations may be processed by the Client Department.

“Request for Information” or “RFI” means a process where information is requested from vendors regarding the feasibility and availability of specific Goods and/or Services in the marketplace and to determine if there are enough suppliers to justify a Request for Proposals or Request for Tenders.

“Request for Proposals” or “RFP” means a formal request for prices and details on Goods and/or Services from vendors, where the Goods and/or Services may not be able to be fully defined or specified or when alternate methods are being sought to perform a certain function or service, at the time of the request.

“Request for Roster Candidates” or “RFRC” means a procurement document issued by the City requesting pricing and details with respect to category specific consulting services from vendors, with the intent of creating an approved list of vendors known as rostered candidates, and whereby work assignments under a specific cost limit will be offered by the City to said rostered candidates on an as-needed basis over a two-year period.

“Request for Tenders” or “RFT” means a formal request for prices on Goods and/or Services from vendors, where the Goods and/or Services are able to be fully defined or specified at the time of the request.

“Revenue Generating Contracts” means a legal agreement between the City and a third party that yields a financial return for the City. Revenue Generating Contracts include, but are not limited to:

(a) the sale of Goods and Services by the City to a third party (“Service Revenue Contracts”); and

(b) Contracts whereby the City receives a portion of revenues, sales or profits earned by a third party under contract with the City (“Profit Sharing Contracts”); and

(c) a combination of various types of Revenue Generating Contracts (“Mixed Revenue Contracts”); and
(d) advertising Contracts.

“Services” means all professional, consulting, construction or maintenance services, as well as any other services described in a Contract or in a RFQ, RFT or RFP.

“Service Revenue Contracts” has the same meaning as set out in the definition of Revenue Generating Contracts.

“Specifications” means the detailed description of, and written requirements and standards for, Goods and/or Services contained in a RFQ, RFP or RFT to the extent known or available to the Client Department, and also includes any drawings, designs and models.

“Sponsorship” means a financial contribution or in-kind contribution of goods or services provided to the City in return for recognition, and includes advertising sold in support of a City Event.

“Standardization” is a management decision-making process that examines a specific common need or requirement and then selects a Good and/or Service that best fills that need to become the standard.

“Sweatshop” means a facility where individuals manufacture, assemble or produce consumer goods in working conditions that constitute Sweatshop Conditions.

"Sweatshop Conditions" means working conditions that include any of the following:

(a) employees are not provided with working conditions that: meet or exceed the International Labour Organization (“ILO”) Conventions' standards governing forced labour (ILO Convention 29 – Forced Labour Convention, 1930) and (ILO Convention 105 - Abolition of Forced Labour Convention, 1957), child labour (ILO Convention 138 – Convention concerning Minimum Age for Admission to Employment – the “Minimum Age Convention, 1973” and United Nations Convention On The Rights Of The Child – November 20, 1989, Article 32), payment of wages (ILO Convention 95 - Protection of Wages Convention, 1949), hours of work, occupational health, occupational safety, and non-discrimination (ILO Convention 111 – Discrimination {Employment and Occupation, 1958}); and are in compliance with all applicable federal, state, provincial and local laws of the locality of manufacture; and

(b) employees are compensated by their employer at an hourly rate below the poverty threshold; and

(c) employees are subject to forced labour practices, whether in the form of involuntary prison labour, indentured labour, bonded labour or otherwise; and

(d) employees are under the age of 18 are exposed to situations, in or outside the workplace, that are hazardous, unsafe or unhealthy; and

(e) employees are not provided with a minimum of one day off for every seven-day period;

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and

(f) employees are subject to physical, sexual, psychological abuse or harassment, verbal abuse, or any other form of abuse, including corporal punishment; and

(g) employees are not provided with a safe and hygienic workplace, including access to clean toilet facilities and safe drinking water.

"Time-Sensitive" means a situation for which the timing to complete the procurement is paramount, but the time available to follow normal procedures is insufficient.
POLICY # 1 - Vendor Eligibility

SECTION 4.1

(1) The City will make reasonable efforts to maintain an electronic vendor database of those vendors who have expressed an interest in doing business with the City and who have completed an online registration form.

(2) Without limiting or restricting any other right or privilege of the City and regardless of whether or not a Bid otherwise satisfies the requirements of a RFP or RFT, the City may reject any Bid from a vendor where,

(a) in the opinion of the City, the commercial relationship between the City and the vendor has been impaired by the act(s) or omission(s) of such vendor including but not limited to any one or more of the following having occurred within the five year period immediately preceding the date on which the RFP or RFT is awarded:

(i) the vendor being involved in litigation with the City;
(ii) act(s) or omission(s) resulting in a claim by the City under any security submitted by the vendor on a RFP or RFT, including but not limited to a bid bond, a performance bond, or warranty bond;
(iii) the failure of the vendor to pay, in full, all outstanding payments (and, where applicable, interest and costs) owing to the City by such vendor, after the City has made demand for payment of same;
(iv) the vendor’s refusal to follow reasonable directions of the City or to cure a default under any Contract with the City as and when required by the City;
(v) the vendor’s refusal to enter into a Contract with the City after the vendor’s Bid has been accepted by the City;
(vi) documented poor performance of a vendor as per Policy # 8 – Vendor Performance Evaluation, including the vendor’s refusal to perform or to complete performance of a Contract with the City;
(vii) the vendor having unlawfully or unreasonably threatened, intimidated, harassed, or otherwise interfered with an attempt by any other prospective vendor to bid for a City Contract or to perform any Contract awarded by the City to that vendor;
(viii) the vendor having discussed or communicated, directly or indirectly, with any other vendor or their agent or representative about the preparation of the vendor’s Bid including, but not limited to, any connection, comparison of figures or arrangements with, or knowledge of any other vendor making a Bid for the same work;
(ix) the vendor having unlawfully or unreasonably threatened, intimidated, harassed, assaulted or committed battery against, or otherwise interfered with an official,
employee, representative, agent or independent consultant or contractor of the City in the performance of his or her duties or in any way attempted to influence such persons;

(x) the vendor has on one or more occasions, in the performance of a Contract with the City, deliberately, with wilful blindness or negligently, save and except an inadvertent error corrected to the satisfaction of the City within a reasonable time, as determined by the City,

1. over-billed, double-billed and/or retained a known over-payment, or has failed to notify the City of an over-payment or duplicate payment;
2. billed for items not supplied;
3. billed for items of one grade, while supplying items of an inferior grade;
4. made a misrepresentation as to the quality or origin of Goods, their functionality or suitability for a purpose, or their performance characteristics;
5. submitted false or misleading information to the City;
6. acted in conflict with the City’s interests;
7. misappropriated any property or right of the City, in any form; or
8. committed any other form of sharp or deceptive practice;

(xi) any other act or omission by the vendor that the City deems to impair the commercial relationship between the City and the vendor.

(b) in the opinion of City and Council there are reasonable grounds to believe that it would not be in the best interests of the City to enter into a Contract with the vendor, including but not limited to:

(i) the conviction of that vendor or any person with whom that vendor is not at arm’s length within the meaning of the Income Tax Act (Canada) of an offence under any taxation statute in Canada;

(ii) the conviction or finding of liability of that vendor under the Criminal Code or other legislation or law, whether in Canada or elsewhere and whether of a civil, quasi-criminal or criminal nature, of moral turpitude including but not limited to fraud, theft, extortion, threatening, influence peddling and fraudulent misrepresentation;

(iii) the conviction or finding of liability of that vendor under any environmental legislation, whether of Canada or elsewhere, where the circumstances of that conviction evidence a gross disregard on the part of that vendor for the environmental well-being of the communities in which it carries on business;

(iv) the conviction or finding of liability of that vendor relating to product liability or occupational health or safety, whether of Canada or elsewhere, where the circumstances of that conviction evidence a gross disregard on the part of that vendor for the health and safety of its workers or customers;

(v) the conviction or finding of liability of that vendor under the financial securities legislation whether of Canada or elsewhere, where the circumstances of that

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conviction evidence a gross disregard on the part of that vendor for its stakeholders.

(3) For the purposes of subsections (2), (4),(5), (6)(d), (7) and (8) of this Policy # 1, a reference to a vendor shall also include: an officer, a director, a majority or controlling shareholder, or a member of the vendor, if a corporation; a partner of the vendor, if a partnership; any corporation to which the vendor is an affiliate of or successor to, or an officer, a director or a majority or controlling shareholder of such corporation; and any person with whom that the vendor is not at arm’s length within the meaning of the Income Tax Act (Canada).

(4) In the circumstances described in subsections (2) and (8), the City may, in addition or in the alternative to rejecting a Bid from a vendor, ban a vendor from competing for or being awarded any City Contract for a period of up to ten years.

(5) Without limiting or restricting any other right or privilege of the City, the City may refuse to enter into a Contract with a vendor where any of the circumstances described in (2)(a), (2)(b) or (8) of this Policy # 1 have occurred within the five year period preceding the date on which the refusal to enter into the Contract is approved by Council. In addition or in the alternative to refusing to enter into the Contract, the City may ban a vendor from competing for or being awarded any City Contract for a period of up to ten years.

(6) Where the Contract is awarded to a vendor who has made an unauthorized amendment to the City’s pre-printed forms (e.g. Form of Proposal or Form of Tender) or other documents submitted as part of the vendor’s Bid, then within a reasonable time of the City discovering that unauthorized amendment, the City may,

(a) permit the vendor to withdraw an unauthorized amendment to the City’s Form of Proposal or Form of Tender, at no cost to the City; or

(b) cancel or terminate the Contract without any compensation whatsoever to the vendor by giving written notice to that effect to the vendor; or

(c) recover from such vendor any amounts the City paid to the vendor and all costs, expenses, damages and losses incurred or accrued by the City as a result of the unauthorized amendment; or

(d) ban such vendor from competing for or being awarded any City Contract for a period of up to ten years where, in the opinion of Council, the change was made by the vendor as part of a deliberate attempt to deceive and such deception has resulted in an impairment of the commercial relationship between the City and such vendor, or any combination of the foregoing.

(7) Where a vendor has the Lowest Compliant Bid to a RFT or RFP or has the successful Bid in accordance with the evaluation methodology set out in a RFP, which Bid has been rejected due to the vendor’s failure to initial a legible change such as an erasure, strike out, white out, cross out or overwriting, within one business day of the City’s request, the vendor shall also be banned from competing for or being awarded any City Contract for a period of one year. Only the ban, and not the rejection of the Bid, may be challenged by the vendor in accordance with Policy # 18 – Vendor Complaint Resolution.

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Approved By City Council On:
(8) No Lobbying and Single Point of Contact

(a) A vendor and its representatives shall not,

(i) make any public comment, respond to questions in a public forum, or carry out any activities to publicly promote or advertise their qualifications, their service or product, or their interest in a RFQ/RFP/RFT/RFRC.

(ii) communicate with the City regarding a RFQ/RFP/RFT/RFRC except through the Procurement Manager or designate identified in the RFQ/RFP/RFT/RFRC, who shall be the single point of contact for that procurement document.

Having a single point of contact for the RFQ/RFP/RFT/RFRC is intended to allow all other persons involved with the RFQ/RFP/RFT/RFRC on behalf of the City to avoid any perception of a conflict of interest and to conduct the procurement set out in the RFQ/RFP/RFT/RFRC in as fair and objective a manner as possible.

(iii) make any attempt to contact, directly or indirectly, any of the following persons, with respect to a RFQ/RFP/RFT/RFRC,
1. any member of an evaluation team;
2. any member of a costing team;
3. any expert, independent consultant or other advisor assisting the City;
4. any elected City official;
5. any staff of the City of Hamilton or its advisors; or
6. any other persons connected in any way with the procurement document.

(b) The only exception to the above for a vendor or its representatives as set out at Policy # 18 – Vendor Complaint Resolution if the vendor has a complaint related to the evaluation of its Bid and/or recommendation of award with respect the procurement document.

(c) A vendor who has been awarded a Contract shall not engage in any contact or activities in an attempt to influence any elected City official or City staff with respect to the purchase of additional enhancements, requirements, options, or modules. A vendor may communicate with the City and City staff for the purposes of administration of the Contract during the term of the Contract.

The determination of what constitutes an attempt to influence shall be at the sole discretion of the City, acting reasonably, and is not subject to challenge under Policy # 18 - Vendor Complaint Resolution.
POLICY # 2 - Approval Authority

SECTION 4.2

(1) Any person delegated Approval Authority pursuant to this Policy # 2 shall ensure that an approved budget exists for the proposed procurement and that such procurement does not violate any City policies or any applicable law. Any such procurement shall also satisfy any applicable audit requirements of the City.

(2) The following body and persons shall have the respective Approval Authority as set out below:

(a) **Council** must approve budgetary funding for any procurement of a value of $250,000 or greater.

(b) **City Manager** must approve any procurement of a value of $100,000 up to but not including $250,000. The City Manager may sub-delegate such Approval Authority to his/her staff, who are referred to as an Authorized Delegate in the table below, at the procurement values he/she deems appropriate. Staff who have been further delegated Approval Authority from the City Manager to approve procurements **shall have no authority to** delegate this Approval Authority to any other person. The City Manager may also exercise the Approval Authority of a General Manager.

(c) **General Managers** are authorized to approve procurements of a value up to but not including $100,000, save and except in an Emergency wherein Policy # 10 shall apply. **Only** General Managers may sub-delegate such Approval Authority to their staff, who are referred to as an Authorized Delegate in the table below, at the procurement values they deem appropriate. Staff who have been further delegated Approval Authority from their General Manager to approve procurements **shall have no authority to** delegate this Approval Authority to any other person.
(d) Approval Authorities for various Procurement Policies.

<table>
<thead>
<tr>
<th>ESTIMATED PROCUREMENT VALUE ($, Canadian Funds, exclusive of applicable taxes)</th>
<th>APPROVAL AUTHORITY POLICY # 2</th>
<th>PROCUREMENT POLICY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to $10,000</td>
<td>General Manager or Authorized Delegate</td>
<td>Policy # 5.1 – Low Dollar Value Procurements</td>
</tr>
<tr>
<td>$10,000 or greater</td>
<td>General Manager or Designate</td>
<td>Policy # 10 – Emergency Procurements</td>
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<td>Policy # 7 – Construction Contracts</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Policy # 11 – Non-competitive Procurements (single source procurements up to but not including $250,000)</td>
</tr>
<tr>
<td>$10,000 – $49,999</td>
<td>General Manager or Authorized Delegate</td>
<td>Policy # 5.2 – Request for Quotations</td>
</tr>
<tr>
<td>$10,000 – $49,999</td>
<td>General Manager or Authorized Delegate unless any of the conditions in subsection (3) of this Policy #2 apply, then Council approval is required.</td>
<td>Policy # 5.4 – Request for Proposals</td>
</tr>
<tr>
<td>$50,000 – $99,999</td>
<td>General Manager or Authorized Delegate unless any of the conditions in subsection (3) of this Policy # 2 apply, then Council approval is required.</td>
<td>Policy # 5.3 – Request for Tenders</td>
</tr>
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<td></td>
<td></td>
<td>Policy # 5.4 – Request for Proposals</td>
</tr>
</tbody>
</table>
## PROCUREMENT POLICY

<table>
<thead>
<tr>
<th>ESTIMATED PROCUREMENT VALUE ($, Canadian Funds, exclusive of applicable taxes)</th>
<th>APPROVAL AUTHORITY</th>
<th>PROCUREMENT POLICY</th>
</tr>
</thead>
<tbody>
<tr>
<td>$100,000 – $249,999</td>
<td>City Manager or Authorized Delegate unless any of the conditions in subsection (3) of this Policy # 2 apply, then Council approval is required. For linear construction Contracts issued in conjunction with the Public Works Department, the General Manager of Public Works or Authorized Delegate unless any of the conditions in subsection (3) of this Policy # 2 apply, then Council approval is required.</td>
<td>Policy # 5.3 – Request for Tenders Policy # 5.4 – Request for Proposals</td>
</tr>
<tr>
<td>$250,000 or greater</td>
<td>Council For linear construction Contracts issued in conjunction with the Public Works Department, the General Manager of Public Works or Authorized Delegate unless any of the conditions in subsection (3) of this Policy # 2 apply, then Council approval is required. For all other Contracts, the City Manager or Authorized Delegates unless any of the conditions in subsections (3) and (4) of this Policy # 2 apply, then Council approval is required.</td>
<td>Policy # 5.3 – Request for Tenders Policy # 5.4 – Request for Proposals Policy # 11 – Non-competitive Procurements (single source)</td>
</tr>
</tbody>
</table>
(3) The Client Department in conjunction with the Procurement Section shall submit a report to Council and the appropriate standing committee recommending award of a RFT or RFP if **ANY** of the following conditions apply:

(a) the value of the Bid being recommended for award and any contingency allowance are in excess of the Council approved budget including any contingency allowance, or

(b) for capital projects, when the final cost of the proposed project exceeds the amount provided in the Council approved capital budget for that project by more than 10 percent or $250,000, whichever is less, or

(c) for RFTs, the award is not being made for the Lowest Compliant Bid, or

(d) for RFPs, the award is not being made in accordance with evaluation methodology set out in the RFP, or

(e) where in the opinion of the City Manager, the Client Department’s award recommendation is not in the best interest of the City, or

(f) there are Provincial or Federal government requirements for Council approval.

(4) The Client Department shall submit a report to Council and the appropriate standing committee recommending a single source procurement of $250,000 or greater in accordance with Policy #11 – Non-competitive Procurements.

(5) Council may delegate further Approval Authority as it considers necessary from time to time, including but not limited to, any extended time periods during which Council does not meet.

(6) The City’s Director of Financial Services shall prepare a monthly status report to Council on Request for Tenders and Request for Proposals of a value in excess of $100,000, which shall identify those procurements:

(a) which have been issued, but not yet closed,

(b) which have closed and are under review, and

(c) which have been awarded or cancelled,

since the previous monthly status report.

(7) The issuance and approval of award of a Revenue Generating Contract of any value requires the approval of the General Manager of the Client Department or Designate. It will be at the discretion of the General Manager of the Client Department or Designate whether to also seek Council approval on the issuance and/or approval of award of a Revenue Generating Contract.

(8) Acceptance of a Sponsorship of any value requires the approval of the General Manager of the Client Department or Designate. It will be at the discretion of the General Manager of the Client Department or Designate whether to also seek Council approval on the City’s acceptance of a Sponsorship.

Procurement Policy for the City of Hamilton

Approved By City Council On:
POLICY # 3 - Specifications

SECTION 4.3

(1) The following requirements shall be followed in the preparation of the Specifications:

(a) Specifications are to be detailed but not brand specific, unless standardized in accordance with Policy # 14 – Standardization to maintain a competitive procurement process.

(b) Where the Specification requirements of the Client Department will result in a single source purchase, the Client Department shall follow Policy # 11 – Non-competitive Procurements.

(c) Where the Specifications relate to matters that are addressed under the Corporate Energy Policy, they shall be approved by the City’s Manager of Energy Initiatives to ensure that they meet the requirements of said policy.

(d) Client Departments shall advise the Information Services Division of procurements that relate to new software purchases and shall comply with the Corporate Computer and Technology Acceptable Use Policy and Security Policies. Specifications shall be approved by Director of Information Services or Authorized Delegate to ensure that they meet the requirements of said policies.

(e) Vendors or potential vendors shall not be requested to expend time, money or effort on design or in developing Specifications or otherwise to help define a requirement beyond the normal level of service expected from vendors. Where such services are required,

(i) the Procurement Manager must be advised;

(ii) the contracted vendor will be considered a consultant and will not be allowed to make an offer of the supply of the Goods and/or Services;

(iii) a fee shall be paid, the amount of which shall be determined and agreed upon by the vendor before the services commence; and

(iv) the detailed Specifications shall become the property of the City, and can be used in obtaining Bids.

(f) Notwithstanding any assistance in the preparation of the Specifications by a consultant, the Specifications shall be and remain the property of the City.

(g) Where it is not possible to prepare precise Specifications to issue a Request for Tenders, a Request for Proposals shall be issued. The Client Department, in cooperation with the Procurement Section, shall prepare evaluation criteria and weightings for the criteria. The RFP shall clearly distinguish those requirements that are deemed mandatory and non-mandatory and shall clearly outline how these items will be evaluated.

(h) When preparing the Specifications, the Client Department shall be knowledgeable of the Ontarians with Disabilities Act, 2001, the Accessibility for Ontarians with Disabilities Act, 2005 and their regulations thereunder, as amended, re-enacted or replaced from time to time, and the City’s Barrier Free Design Guidelines 2006 or the most recent version and apply those requirements with respect to procuring Goods and/or Services and in the

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development of the Specifications.

(i) When preparing the Specifications, the Client Department shall consider the amount of packaging that would be associated with the procurement of a Good. If the required level of packaging is felt to be too excessive, then the Specifications for those Goods will require the vendor to be responsible for and bear the cost for the removal and disposal of the packaging materials.

(2) The preparation of the Specifications for Request for Quotations, Request for Proposals or Request for Tenders shall be the responsibility of the Client Department. Specifications shall be approved by the Client Department Authorized Delegate and shall be forwarded directly to the Procurement Section with approval attached.

(3) The Procurement Section shall have the authority to review and recommend improvements to the Specifications when deemed necessary. The Client Department shall cooperate with the Procurement Section in the finalization of the Specifications. Should the Procurement Section and the Client Department not be able to reach agreement on Specifications within the allotted timeline, the General Managers of the Client Department and of Finance and Corporate Services Department will attempt to resolve the matter.

(4) The City may issue a Request for Information or RFI through Centralized Procurement. A RFI can be used to determine if there is sufficient vendor interest to justify proceeding with a competitive procurement process and/or to gain additional information on the Good and/or Service from the vendor community. The RFI would request detailed information such as, but not limited to, the background of the vendor and its key personnel, relevant experience, and what the vendor can offer the City. Any resulting competitive procurement process will be issued in accordance with Policy # 5 – Determining the Procurement Process.

Procurement Policy for the City of Hamilton
Approved By City Council On:
POLICY # 4 - Pre-Qualification of Vendors

SECTION 4.4

(1) The purpose for pre-qualification of vendors is to ensure that each vendor intending to perform work on a City Contract can demonstrate its ability to provide the necessary expertise and resources to satisfactorily complete the work required.

(2) Pre-qualification of vendors shall be issued through Centralized Procurement and will only be considered in the following circumstances:
   (a) the work will require substantial project management by the City if the vendor is not appropriately experienced and could result in a substantial cost to the City;
   (b) the Goods and/or Services to be purchased must meet national safety standards;
   (c) the work involves complex, multi-disciplinary activities, specialized expertise, equipment, materials, or financial requirements;
   (d) there could be a substantial impact on City operations if the work is not satisfactorily performed the first time;
   (e) where time requirements necessitate efficient use of time and expertise;
   (f) any other circumstances deemed appropriate by the Procurement Manager.

(3) Pre-qualification requires vendors to provide such information as, but not limited to:
   (a) experience on similar work (firm and staff assigned);
   (b) references provided from other customers for similar work;
   (c) verification of applicable licences and certificates; and
   (d) financial capability.

(4) Vendor submissions will be evaluated, ranked, and a list of pre-qualified vendors will be established.
POLICY # 5 - Determining the Procurement Process

SECTION 4.5

(1) Sales taxes, excise taxes, value added taxes, duties and shipping shall be excluded in determining the procurement limit of Authorized Delegates and the type of procurement process to be followed.

(2) The dollar values identified in this Procurement Policy represent the annual estimated procurement value for a Good and/or Service to be procured. The annual estimated procurement value is the cumulative value of a particular Good and/or Service in one calendar year. For multi-year Contracts, the estimated total procurement value over the term of the Contract shall be used as the basis for determining which procurement process applies.

(3) It should be the intent of the Client Department to procure Goods and/or Services of like nature as a combined effort.

(4) Where Provincial and/or Federal Governments impose unique requirements in order to qualify for funding, the City’s procurement documents will be amended to include those provisions.

(5) Where there is an incumbent vendor on a corporate City Contract which is of a highly sensitive nature due to the risk associated with financial loss, confidentiality or the handling of sensitive information, a report shall be forwarded to the applicable standing committee of Council and Council to seek direction on the type of procurement process to be followed for the acquisition of the Good and/or Service.

(6) Where the estimated gross revenue for a Revenue Generating Contract is $10,000 or greater, the Revenue Generating Contract shall follow the RFP or RFT process through Centralized Procurement.

Service Revenue Contracts of any value shall be exempt from the public procurement processes outlined in the Procurement Policy, save and except Policy # 2 – Approval Authority and Policy # 13 – Authority to Execute Contracts. Mixed Revenue Contracts are not exempt.

In the event that a Revenue Generating Contract falls under more than one City Policy, both Policies must be adhered to unless that Contract and/or the other City Policy is specifically exempted from the Procurement Policy.
POLICY # 5.1 - Low Dollar Value Procurements
(up to but not including $10,000)

SECTION 4.5.1

(1) All Low Dollar Value Procurements shall utilize all applicable City Contracts and shall otherwise be in accordance with the Procurement Policy.

(2) The General Managers may delegate Approval Authority to their staff for Low Dollar Value Procurements. This procurement function has been de-centralized and therefore, it is the responsibility of the respective General Manager to ensure that the Procurement Policy is adhered to.

(3) Neither a RFQ, RFP nor RFT is required for Low Dollar Value Procurements.
POLICY # 5.2 - Request for Quotations
($10,000 – up to but not including $50,000)

SECTION 4.5.2

(1) All Request for Quotations shall utilize all applicable City Contracts and shall otherwise be in accordance with the Procurement Policy.

(2) For procurements where there are no applicable City Contracts, a Request for Quotations process is used by the Client Department in the following manner:

(a) a minimum of three compliant Bids shall be obtained by any method of written communication unless otherwise approved by the Procurement Section;

(b) in seeking the vendors for Request for Quotations, staff shall also use the electronic vendor database;

(c) Bids must be received from a minimum of three separate vendors;

(d) a “No Bid” response shall not be considered a valid Bid;

(e) all vendors shall receive the same Request for Quotations written information;

(f) the Request for Quotations shall be awarded to the Lowest Compliant Bid; and

(g) all written Bids shall be retained in the Client Department files in accordance with City By-law No. 11-040 (To Establish Retention Periods for Records of the City of Hamilton), as amended, re-enacted or replaced from time to time.

The Procurement Manager may waive the requirement for three Bids, but will only do so where the Client Department has demonstrated to the satisfaction of the Procurement Manager that a minimum of three Bids cannot be obtained.

(3) Staff are encouraged to seek more than the minimum three written Bids to ensure a more competitive process and to utilize any Request for Quotations template provided by the Procurement Section.

(4) In the event that two or more identical Bids are received and are the Lowest Compliant Bids, best and final offers will be solicited from each of these vendors in order to break the tie. If this effort is unsuccessful, then a draw will be held to determine the successful vendor.

(5) The Procurement Section shall assist when requested by the Client Department, or when deemed necessary, with the Request for Quotations process.

(6) An authorized online Purchase Requisition shall be utilized to initiate a Purchase Order and/or formal Contract process.

(7) When a Client Department would like to issue a RFP in lieu of a Request for Quotations, the RFP shall be issued by Centralized Procurement in the same manner as for Requests for Proposals in Policy # 5.4 of the Procurement Policy.
POLICY # 5.3 - Request for Tenders ($50,000 and greater)

SECTION 4.5.3

(1) Client Departments shall utilize all applicable City Contracts and shall otherwise be in accordance with the Procurement Policy.

(2) For procurements where there are no applicable City Contracts,
   (a) the Request for Tenders process is to be used for Goods and/or Services with an estimated procurement value of $50,000 or greater and where comprehensive technical Specifications can be developed;
   (b) the Request for Tenders process shall be carried out by Centralized Procurement;
   (c) all Requests for Tenders shall be issued and awarded in accordance with the tendering procedures as determined by the City’s Director of Financial Services;
   (d) the Request for Tenders shall be awarded based on the Lowest Compliant Bid. In the event that two or more identical Bids are received and are the Lowest Compliant Bids, best and final offers will be solicited from each of these vendors in order to break the tie. If this effort is unsuccessful, then a draw will be held to determine the successful vendor.

(3) When no compliant Bids are received in response to a Request for Tenders, and
   (a) where time permits in the opinion of the General Manager of the Client Department, the Request for Tenders shall be re-issued with the appropriate revisions; or
   (b) where only one Bid has been received, the Procurement Manager in conjunction with the Client Department may proceed to negotiate the changes required to achieve an acceptable Bid, provided that such changes will not alter the general nature of the procurement described in the Request for Tenders; or
   (c) where time does not permit the re-issuance of the Request for Tenders in the opinion of the General Manager of the Client Department, and the Request for Tenders is not otherwise being revised, all vendors who submitted a Bid or secured the original Request for Tenders shall be given the opportunity to submit a new Bid. The Procurement Section will communicate to each vendor who previously submitted a Bid, any deficiencies that resulted in its Bid being deemed non-compliant. This process may utilize a post-closing addendum; or
   (d) where time does not permit the re-issuance of the Request for Tenders, and the Request for Tenders is being revised, all vendors who submitted a Bid or secured the Request for Tenders, shall be given the opportunity to submit a new Bid. The Procurement Section will communicate to each vendor who previously submitted a Bid, any deficiencies that resulted in its Bid being deemed non-compliant. This process may utilize a post-closing addendum. The General Manager of the Client Department shall approve this process prior to implementation.

(4) Where one or more Bids have been received and are in excess of budgeted funds, the

Procurement Policy for the City of Hamilton

Approved By City Council On:
CORPORATE SERVICES
PROCUREMENT SECTION

General Manager of the Client Department in consultation with the Procurement Manager may enter into negotiations with the vendor submitting the Lowest Compliant Bid, where it is agreed that the changes required to achieve an acceptable Bid will not change the general nature of the requirement described in the RFT.

(5) The Goods and/or Services shall be procured through a Purchase Order, Contract process and/or any other process as approved by the Director of Financial Services. Where a formal Contract is necessary, such Contract shall be in a form satisfactory to the City Solicitor.

(6) Where a Time-Sensitive situation occurs, the Procurement Manager may authorize the Client Department to utilize the Policy # 5.2 - Request for Quotations in lieu of the Request for Tenders process.
POLICY # 5.4 - Request for Proposals ($10,000 and greater)

SECTION 4.5.4

(1) The Client Departments shall utilize all applicable City Contracts and shall otherwise be in accordance with the Procurement Policy.

(2) For procurements where there are no applicable City Contracts,

(a) the Request for Proposals process is to be used for Goods and/or Services with an estimated procurement value of $10,000 or greater and where comprehensive technical Specifications cannot be fully defined or specified, or when alternate methods are being sought to perform a certain function or service, at the time of the request;

(b) the Request for Proposals process must be implemented through Centralized Procurement;

(c) the Request for Proposals shall be issued and awarded in accordance with the RFP procedures as determined by the City’s Director of Financial Services;

(d) the Request for Proposals shall clearly set out the evaluation criteria and weightings upon which an award of the Request for Proposals may be made. The evaluation methodologies that may be employed, unless specific Council approval is obtained for a particular procurement, are:

(i) **FIXED PRICE.** The City establishes a fixed dollar value for the award, and the Bids consist of only a technical Bid for that fixed dollar value. The City evaluates the technical Bids received against the evaluation criteria and weightings set out in the RFP. The award shall be made to the highest scoring vendor; or

(ii) **PRICE PER POINT.** The evaluation of the RFP will utilize a two step evaluation process. The City evaluates the technical Bids received against the evaluation criteria and weightings set out in the RFP. For those technical Bids that successfully meet the benchmark score stipulated in RFP, the City will open the price Bid received. The City will then calculate the price per point for each Bid meeting the technical benchmark score and the award will be made to the vendor with the lowest price per point; or

(iii) **COMBINATION OF TECHNICAL AND PRICE SCORES.** The RFP will utilize a two step evaluation process. The City evaluates the technical Bids received against the evaluation criteria and weightings set out in the RFP. For those technical Bids that successfully meet the benchmark score stipulated in RFP, the City will open the price Bid received and score the price based on a predetermined calculation set out in the RFP. The price weighting must be a minimum of 25 percent of the technical weighting. Only the General Manager of the Client Department may approve a price weighting of less than 25 percent of the technical weighting. A total evaluation score will be determined by adding the technical score and the price score. The award shall be made to the highest scoring vendor; or
(iv) **LOWEST PRICED BID MEETING TECHNICAL BENCHMARK SCORE.** The RFP will utilize a two step evaluation process. The City evaluates the technical Bids received against the evaluation criteria and weightings set out in the RFP. For those technical Bids that successfully meet the benchmark score stipulated in the RFP, the City will open the price Bid received. The award shall be made to the vendor who has successfully met the technical benchmark score and has the lowest priced Bid.

(3) the Procurement Section will facilitate the RFP evaluation process. An evaluation committee will be formed with a minimum of three evaluators and be comprised of at least one representative from the Client Department. The evaluators shall review all compliant Bids against the established criteria, reach consensus on the final rating results, and ensure that the final rating results with supporting documents are kept in the procurement file. The Procurement Section representative shall not participate in the scoring of the Bid;

(4) all Bids that meet the required terms, conditions and Specifications outlined in the Request for Proposals document shall be evaluated based on the evaluation criteria and weightings, subject to any rights or privileges reserved by the City;

(5) any award shall be made in accordance with the evaluation criteria and weightings contained in the Request for Proposals document, subject to any rights or privileges reserved by the City or as otherwise approved by Council; and

(6) the Goods and/or Services shall be procured through a Purchase Order and/or Contract process. Where a formal Contract is necessary, such Contract shall be in a form satisfactory to the City Solicitor.

(7) When no compliant Bids are received in response to a Request for Proposals, and

(a) where time permits in the opinion of the General Manager of the Client Department, the Request for Proposals shall be re-issued with the appropriate revisions; or

(b) only one Bid has been received or has successfully passed the technical proposal requirements, the Procurement Manager in conjunction with the Client Department may proceed to negotiate the changes required to achieve an acceptable Bid, provided that such changes will not alter the general nature of the requirement described in the Request for Proposals; or

(c) where time does not permit the re-issuance of the Request for Proposals in the opinion of the General Manager of the Client Department, the Request for Proposals is not otherwise being revised, and the non-compliance is associated with the pricing portion of the two step evaluation process, all vendors who have successfully passed the technical proposal requirements of the Request for Proposals shall be given the opportunity to submit a new price Bid only. The Procurement Section will communicate to each of these vendors, any Bid deficiencies that resulted in its Bid being deemed non-compliant. This process may utilize a post-closing addendum.

(8) Where one or more Bids have been received and are in excess of budgeted funds, the

**Procurement Policy for the City of Hamilton**

Approved By City Council On:
CORPORATE SERVICES
PROCUREMENT SECTION

General Manager of the Client Department in consultation with the Procurement Manager may enter into negotiations with the vendor submitting being recommended for award, where it is agreed that the changes required to achieve an acceptable Bid will not change the general nature of the requirement described in the RFP.

(9) The Goods and/or Services shall be procured through a Purchase Order, Contract process and/or any other process as approved by the Director of Financial Services. Where a formal Contract is necessary, such Contract shall be in a form satisfactory to the City Solicitor.
POLICY # 6 - Unsolicited Proposals

SECTION 4.6

(1) If it is determined that there is a legitimate need for the Goods and/or Services offered by way of an unsolicited proposal, then an acquisition process shall be conducted in accordance with the Procurement Policy.
POLICY # 7 - Construction Contracts

SECTION 4.7

(1) Where the procurement of Goods and/or Services involves construction, such construction Contracts must also meet the requirements of the Procurement Policy. However, construction Contracts of $100,000 or greater also require both a Purchase Order and a written legal agreement, in a form satisfactory to the City Solicitor.

(2) Construction Contracts are subject to the City’s Fair Wage Policy and Fair Wage Schedule. The Fair Wage Policy and Fair Wage Schedule can be accessed on the City of Hamilton website under the Procurement Section.

(3) Request for Tenders for linear construction Contracts and related works may be issued in conjunction with the City’s Public Works Department.

(4) For an approved construction project in which an unexpected problem arises during construction, the General Manager of the Client Department or Designate shall authorize the payment for such work and approve any required purchase acquisition document. The additional work required to address the unexpected problem shall not expand the scope of the project but is necessary in order to deliver the original approved work.
POLICY # 8 - Vendor Performance Evaluation

SECTION 4.8

(1) At the completion of every Contract for Goods and/or Services of $50,000 or greater, the Client Department shall complete a Vendor Performance Evaluation Form. The General Manager of the Client Department shall ensure this performance evaluation is completed for these Contracts. Such evaluation shall be completed and a copy will be forwarded to the Procurement Section.

(2) In the event of poor performance or non-performance of a vendor at any time during the term of any City Contract, the General Manager or Designate of the Client Department shall complete and forward a copy of the Vendor Performance – Incident Reporting Form as soon as reasonably possible after the occurrence.

(3) Documented poor performance or non-performance on any City Contract will be used to determine the eligibility of a vendor to continue to provide Goods and/or Services to the City on a current Contract and to determine their ability to participate on future City Contracts. Any vendor may be excluded from a bidding process due to documented poor or non-performance, where in the opinion of the City, the commercial relationship between the City and such vendor has been detrimentally affected.

(4) The City’s Public Works Department shall be responsible for the vendor performance evaluation process with respect to linear construction Contracts issued by that department under Policy # 7 – Construction Contracts in a format which includes feedback from area residents and elected officials.

(5) In the event of a vendor’s breach of a multi-year City Contract, the Procurement Manager in consultation with the Client Department shall have the discretion to either:

(a) re-issue the RFT or RFP; or

(b) negotiate and enter into a new Contract for the remaining years of the Contract with the second lowest bidder of the original RFT or RFP, whichever is in the best interests of the City.
POLICY # 9 - Consulting and Professional Services

SECTION 4.9

(1) Unless otherwise provided, Consulting and Professional Services shall be acquired in accordance with the Procurement Policy.

(2) A Consulting and Professional Services roster will be established every two years through a formal Request for Rostered Candidates process. Work assignments presented to vendors on an approved list (rostered candidates) will be distributed on a rotational basis as well as a “best fit” basis and having an estimated procurement cost of less than $100,000. The General Manager or Designate of the Client Department shall award such works by direct appointment through the applicable roster captain. The applicable roster captain shall ensure that there is a reasonably equitable distribution of the works, based on the total dollar value of the work. This method allows the City to employ a number of different consultants while matching the particular talents of a consultant to the project needs.

(a) The General Manager of the Client Departments and the Procurement Manager, or their Designates, shall approve the appointment of rostered candidates and any acceptable subsequent change in any rostered candidate for their respective roster categories in accordance with the Request for Rostered Candidate document.

(b) The General Managers of the Client Departments shall be responsible to prepare a joint annual information report to Council on all assignments awarded including consultants used and a breakdown of the total cost utilized by each roster category.
POLICY # 10 – Emergency Procurements

SECTION 4.10

(1) Where in the opinion of the General Manager of the Client Department or Designate, an Emergency exists, Goods and/or Services shall be acquired by the most expedient and economical means. The Procurement Section will provide cooperative assistance when requested to expedite any procurement documents necessary to deal with the Emergency. The General Manager of the Client Department shall provide the reasons for his or her opinion that an Emergency exists and shall approve any purchase acquisition document issued under such conditions. For amounts exceeding $250,000, the General Manager shall issue an information update to the City Manager and to Council.

(2) Subsequent to the resolution of the Emergency, all transactions require a Purchase Requisition to be entered to complete the procurement process. The Client Department shall complete the Emergency Procurement Form and forward it to the Procurement Manager for informational purposes.
POLICY # 11 - Non-competitive Procurements

SECTION 4.11

(1) Subject to Policy # 2 - Approval Authority, the General Manager of the Client Department or Designate will approve the Non-competitive Procurement Form, justifying the need to use this Policy # 11 prior to City staff entering into any discussions with any vendor regarding the purchase of the Goods and/or Services. This process may be adopted when any of the following conditions apply:

(a) when Goods and/or Services are judged to be in short supply due to market conditions (short supply);

(b) when a single source for the supply of a particular Good and/or Service is being recommended because it is more cost effective or beneficial for the City (single source);

(c) where a City Contract has expired or will very shortly expire and unforeseeable circumstances have caused a delay in issuing a new RFP or RFT so that a Contract extension is required (contract extension).

(2) Council must approve any requests for negotiations with a single source as set out in subsection (1)(b) of this Policy # 11, where the value of the proposed procurement is $250,000 or greater.

(3) All approved forms shall be forwarded to the Procurement Manager. The Procurement Manager will be responsible for reporting the use to Council on a quarterly basis.

<table>
<thead>
<tr>
<th>ESTIMATED PROCUREMENT VALUE ($, Canadian)</th>
<th>APPROVAL TO INITIATE POLICY # 11 PROCESS</th>
<th>APPROVAL TO ENTER INTO CONTRACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>$10,000 or greater</td>
<td>General Manager or Designate</td>
<td>Policy # 2 – Approval Authority</td>
</tr>
<tr>
<td>$250,000 or greater for single source type purchases</td>
<td>Council</td>
<td>Council as per Policy # 2 – Approval Authority</td>
</tr>
</tbody>
</table>
POLICY # 12 - Cooperative Procurements

SECTION 4.12

(1) The City may participate with other government bodies, public authorities, conservation authorities, municipalities, academia, schools and hospitals (MASH sector) in cooperative acquisition ventures for Goods and/or Services when it is in the best interests of the City to do so. Such cooperative procurements shall require the prior written approval of the Procurement Manager.

(2) The procurement procedures and policies of the entity initiating the procurement process will be followed.

(3) The City will issue its own purchase order or contract for their respective Goods and/or Services to the successful vendor for all of cooperative procurements.

(4) In the absence of an applicable City Contract and with the approval of the Procurement Manager, the Client Department may purchase Goods and/or Services using established contracts issued by other government bodies, public authorities, conservation authorities, municipalities, academia, schools and hospitals (MASH sector). For these contracts, the selection of the vendor must have been made through a competitive procurement process and the resulting contract must permit the City to purchase from that vendor under the same terms and conditions.

(5) Where the Province of Ontario requires the City to meet a provincial standard for any Goods and/or Services, and has established a prequalified vendor of record list for such Goods and/or Services, the City may invite only those prequalified vendors to participate in the RFQ, RFT or RFP.
POLICY # 13 - Authority to Execute Contracts

SECTION 4.13

(1) The General Manager of the Client Department and the City Manager, or their respective Designates, shall execute acquisition Contracts and all necessary associated documents on behalf of the City for all RFT and RFP awards approved in accordance with Policy # 2 – Approval Authority.

(2) Where a Contract is required for a procurement which was not initiated by a RFT or RFP, but was otherwise authorized and approved in accordance with Policy # 2 – Approval Authority, the person having the applicable Approval Authority for the procurement, or Designate shall also have the authority to execute the Contract and all necessary associated documents on behalf of the City.

(3) For all other Contracts that received Council approval, the City officials named in the Council resolution shall execute such Contracts on behalf of the City. Where City officials have not been named in the Council resolution, the Mayor and Clerk shall execute such Contract.

(4) The person(s) who have executed a Contract on behalf of the City in accordance this Policy # 13 shall also have the authority to execute any documents for an assignment or corporate change request related to such Contract.

(5) All Contracts shall be in a form satisfactory to the City Solicitor and shall contain content which is acceptable to the Client Department.

(6) All Authorized Delegates will complete the Notification of Signing Authority Form, which shall not be effective until approved and executed by the General Manager or City Manager, as the case may be, and forwarded to the City’s Treasury Services Division for reference.
SECTION 4.14

(1) The Procurement Manager shall have the authority to negotiate with the original equipment manufacturers and licensed distributors of approved standardized products.

(2) The Standards and Approved Products Committee shall be responsible to prepare an annual information report to Council outlining the rationale for any Standardization of Goods added to the City’s Approved Products Listing, the number of Goods standardized and any standardized Good resulting in a single source purchase.

(3) Standardization Approval Summary Table

<table>
<thead>
<tr>
<th>Standardization Type</th>
<th>Value ($)</th>
<th>Duration of the Standard</th>
<th>Approval Required</th>
<th>Expiry</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standardization does not result in a single source purchase.</td>
<td>Less than $50,000</td>
<td>Up to one year</td>
<td>Procurement Manager or The Standards and Approved Products Committee*</td>
<td>December 31 of the applicable calendar year.</td>
</tr>
<tr>
<td>Standardization does not result in a single source purchase.</td>
<td>Less than $50,000</td>
<td>Multi-year</td>
<td>Procurement Manager or The Standards and Approved Products Committee*</td>
<td>At the conclusion of the contract term.</td>
</tr>
<tr>
<td>Standardization does not result in a single source purchase.</td>
<td>$50,000 or greater</td>
<td>Any</td>
<td>Council or The Standards and Approved Products Committee*</td>
<td>As approved by Council or The Standards and Approved Products Committee.</td>
</tr>
<tr>
<td>Standard results in a single source purchase.</td>
<td>$10,000 or greater</td>
<td>Any</td>
<td>Council or The Standards and Approved Products Committee*</td>
<td>As approved by Council or The Standards and Approved Products Committee.</td>
</tr>
</tbody>
</table>

*Approvals made by The Standards and Approved Products Committee shall only be within the committee’s mandate as approved by Council.
POLICY # 15 - Procurement Cards

SECTION 4.15

(1) City staff shall not use a procurement card to purchase Goods and/or Services unless appointed and authorized by the General Manager or the City Manager to do so. Any use of a procurement card shall be in accordance with the Procurement Policy and all other applicable City by-laws and policies.

(2) The procurement card will be issued once the employee has read, signed and submitted the Procurement Card Agreement Form, to the City’s procurement card administrator, which sets out in writing the employee’s responsibilities and restrictions regarding the use of the procurement card.

(3) All procurement cards issued will have a predetermined “single transaction limit”, a “monthly credit limit” and “blocked commodities” as determined and authorized by the General Manager. The foregoing limits for procurement cards for General Managers will be determined and authorized by the City Manager. All procurement cards will be blocked from obtaining cash advances.

(4) The program will be administered by the City’s Director of Financial Services or designate, who will maintain a master file of all procurement cards and card limits.

(5) The procurement card shall not be used:
   (a) when a City Contract is in effect for the Good and/or Service, unless pre-authorized in writing by the Procurement Manager;
   (b) for personal purchases of any nature;
   (c) for computer hardware/software, unless pre-authorized in writing by the Procurement Manager and the City’s Director of Information Services;
   (d) for any long-term lease, license or rental agreement which is deemed material as defined by the City’s Lease Financing Policy, being Appendix I to FCS04014 on Corporate Administration Committee Report # 04-005, approved by Council on February 25, 2004, as amended or replaced from time to time;
SECTION 4.16

(1) A Director of the Client Department shall declare a good as surplus to the needs of the City before the good may be disposed of in accordance with this Policy # 16.

(2) The Procurement Manager, in conjunction with the City’s Director of Financial Services, shall have the authority to sell, exchange, or otherwise dispose of goods declared as surplus to the needs of the City, and where it is cost effective and in the best interest of the City to do so, items or groups of items may:

(a) be offered for sale to other City departments, other government agencies or public authorities; or

(b) be sold by external advertisement, formal request, auction or public sale (where it is deemed appropriate, a reserve price may be established); or

(c) be sold or traded to the original supplier or others in that line of business where it is determined that a higher net return will be obtained than following other procedures; or

(d) be donated to a non-profit agency; or

(e) be recycled; or

(f) in the event that all efforts to dispose of the goods by sale are unsuccessful, be scrapped or destroyed if recycling is unavailable.

(3) No disposition of such good(s) shall be made to employees of the City, members of Council, or their family members unless such good(s) are sold through external advertisement, formal request, auction or public sale and no conflict of interest exists. Prior to any such disposition, the employee shall declare their interest in writing to their General Manager, who will confirm whether any conflict of interest exists. In the case of an elected official, the elected official shall declare their interest in writing to the City Manager. Family members include those defined by the City’s Code of Conduct for Employees Policy, Code of Conduct for Members of Council or such other similar policy currently in force.

(4) The Procurement Manager shall submit an annual report to the General Manager of Finance and Corporate Services summarizing the disposal of all surplus goods pursuant to this Policy # 16.

(5) The value of any declared surplus good cannot be used to offset the value of a procurement when determining the procurement process. For example, any trade-in value or salvage value recoverable from a project cannot be used to offset, reduce or change the value of the procurement for purposes of determining the appropriate procurement process to be followed under the Procurement Policy.
(6) The disposal of artifacts is exempt from the requirements of the Procurement Policy.
POLICY # 17 - Conflicts of Interest

SECTION 4.17

(1) Employees of the City shall not have a pecuniary interest, either directly or indirectly, in any City Contract or with any person acting for the City in any Contract for the supply of Goods and/or Services for which the City pays or is liable, directly or indirectly to pay unless such interest has been declared pursuant to the Code of Conduct for Employees Policy, as amended or replaced from time to time, and the employee otherwise complies with such policy.

(2) In addition to complying with the Code of Conduct for Employees Policy as set out under subsection 4.17(1), employees of the City are required to declare any pecuniary interest, either direct or indirect, in writing to their General Manager with a copy to the Procurement Manager indicating the specific nature of the conflict.

(3) Members of Council are required to declare any pecuniary interest direct or indirect, and its general nature, which may result in a conflict of interest pursuant to the Municipal Conflict of Interest Act and the member of Council shall otherwise comply with that Act.

(4) Any Contract with the City may be voided in which a member of Council or any employee of the City has an undeclared direct or indirect pecuniary interest.

(5) All City employees and others participating in the development of the Specifications and/or evaluation of any Bid will be required to complete and sign a Conflict of Interest Form.
POLICY # 18 - Vendor Complaint Resolution

SECTION 4.18

(1) The City of Hamilton encourages the most open, competitive procurement processes and the objective and equitable treatment of all vendors.

(2) The City, however, recognizes that mistakes and misunderstandings may occur; vendors may feel aggrieved and may seek to dispute the recommendation of an award of a Contract. To maintain the integrity of the process, vendors who believe they have been treated unfairly may take the following steps, prior to the award of the Contract:

(a) Request a meeting with the Procurement Manager within five business days after the earlier of the following dates set out below has occurred:
   (i) the date the vendor is notified that its Bid is non-compliant; and
   (ii) the date the vendor is notified of the status of all Bids received.

   The vendor’s request shall be in writing and shall provide a detailed statement of the grounds of the complaint, including copies of relevant documents, and identify the form of relief requested; and

(b) If no resolution satisfactory to both parties has been achieved, the vendor will have three business days from the date of the meeting with the Procurement Manager to make a formal written request to meet with the General Managers of the Client Department and of Finance and Corporate Services regarding the vendor’s complaint. The General Managers will make the final decision regarding the vendor’s complaint, which decision may be made orally or in writing. If the General Managers’ decision means that the City can proceed with the award of the Contract, then the award may occur at any time after such decision is made.

(3) Where a vendor has been banned from competing for or being awarded any City Contract for a period of one year in accordance with subsection 4.1(7) of Policy # 1 - Policy for Vendor Eligibility:

(a) the vendor may challenge the one year ban to the appropriate standing committee of Council where there are extenuating circumstances respecting why the initialling was not done within one business day of the City’s request; and

(b) the appropriate standing committee will provide to Council a recommendation with respect to the vendor’s complaint.

Procurement Policy for the City of Hamilton

Approved By City Council On:
POLICY # 19 – Non-compliance with the Procurement Policy

SECTION 4.19

(1) Subject to Policy # 2 - Approval Authority, the General Manager of the Client Department in consultation with the Procurement Manager will authorize the use of a Non-Compliance with the Procurement Policy Form which outlines the circumstances behind the non-compliance issue. This process is to be used when there is a violation of the Procurement Policy consisting of one or more of the following:

a) the contracting of a vendor to provide Goods and/or Services, not in accordance with the requirements of the Procurement Policy;

b) the receipt of an invoice by the City from a vendor, for Goods and/or Services previously acquired outside the procurement process required under the Procurement Policy;

c) where it can be proven that the actions of an employee, or employee group results in the requirement to initiate a procurement process pursuant to Policy # 10 – Emergency Procurements or Policy # 11 – Non-competitive Procurements;

d) any and all other violations of the Procurement Policy

(2) Notwithstanding subsection (1) of this Policy # 19, an employee who fails to act in accordance with the provisions of the Procurement Policy, will be subject to appropriate disciplinary action up to and including termination of employment.

The General Manager of the Client Department will review such violations (through the Non-Compliance with the Procurement Policy Form) and shall consult with Human Resources for consideration of any disciplinary action to be taken as appropriate.

(3) The Procurement Manager will be responsible for reporting the use of all Procurement Policy Non-Compliance Forms to Council on a quarterly basis.
POLICY # 20 – Review of the Procurement Policy

SECTION 4.20

(1) The Procurement Manager shall submit to the appropriate standing committee of Council an annual report recommending any changes to the Procurement Policy to meet the needs and requirements of the City to operate in an efficient and cost effective manner and in accordance with all applicable laws.

(2) All changes to the Procurement Policy require the approval of Council.

(3) Changes to Procurement Procedures and Guidelines require the approval of the City’s Director of Financial Services.

(4) On a periodic basis the City’s Internal Auditor will review the Procurement Policy to assess its effectiveness.
POLICY # 21 – Anti-Sweatshop Procurement

SECTION 4.21

(1) The City of Hamilton does not encourage the use of consumer goods or products manufactured, assembled or produced in factories where persons and, in particular, children are used as slave or forced labour or in other exploitive manners which restricts the person’s freedom or impedes the child’s development. The City will consider the supply of consumer goods or products manufactured under such exploitive manners as a negative practice of the vendor.

(2) The City will not knowingly accept consumer goods or products manufactured, assembled or produced in a Sweatshop or under Sweatshop Conditions.

(3) The determination of compliance with this Policy # 21 shall be in the absolute discretion of the Procurement Manager. The Procurement Manager may, but is not obligated to, request further information and documentation from the vendor to confirm compliance; and may base his or her determination on information provided by Canadian or international certification or compliance agencies or groups, workers or labour unions or organizations, manufacturers, consumer groups, international organizations, ILO or United Nations sources and other parties.

(4) If any consumer goods or products supplied under a RFQ/RFP/RFT are determined by the Procurement Manager to be manufactured, assembled or produced in contravention to this Policy # 21 and/or the certificate required hereunder, the City reserves the right, at its absolute discretion, to:

(a) return all the goods to the vendor and require the vendor to replace, within 30 days from the date of notification by the City, the non-compliant goods or products with goods or products, of at least equal value, complying with this Policy # 21 and all other requirements and specifications of the RFQ/RFP/RFT, all at no cost to the City; or

(b) require the vendor, within 30 days from the date of notification by the City, to provide the City with conclusive evidence that the consumer goods or products have not been manufactured, assembled or produced in contravention of this Policy # 21, failing which the City may terminate the Contract without any compensation and without notice to the vendor.

(5) If the City terminates a Contract with a vendor as a result of a breach of this Policy # 21, the City shall cease to be liable to the vendor or to any other person for any unpaid amounts that would otherwise have been payable under the terms of the Contract and shall not be under any obligation to return to the vendor any product supplied by the vendor under the Contract.

(6) Child Labour Produced Goods Unacceptable

Procurement Policy for the City of Hamilton

Approved By City Council On:
The City fully subscribes to the United Nations Convention on the Rights of the Child and, in particular, Article 32 of the Convention that requires that a Child shall be protected from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the Child's health or physical, mental, spiritual, moral or social development. The City reserves the right to terminate any Contract unconditionally and without liability or compensation whatsoever to the City in the event that consumer goods received from a vendor are discovered to have been manufactured, produced or assembled in a Sweatshop or in non-compliance with the national labour laws and regulations with respect to child employment and/or non-compliance with the United Nations Convention on the Rights of the Child.

(7) A vendor shall certify the following on the Form of Quotation/Form of Proposal/Form of Tender to be included in an RFQ/RFP/RFT, as the case may be:

“We hereby represent and certify the foregoing:

(a) all goods or products supplied under this RFQ/RFT/RFP have not been manufactured, assembled or produced, either wholly or in part, in a Sweatshop, as defined in the City of Hamilton’s Procurement Policy or by child labour;

(b) that any goods or products found to be supplied in contravention of the City’s Anti-Sweatshop Policy will be returned to us, at our cost and at no cost whatsoever to the City, and that the City has the option to have the goods or products replaced by us with product of at least equal value, meeting specifications of the RFQ/RFT/RFP, or the City may terminate the Contract without any compensation whatsoever to us.

We hereby acknowledge that the City has been induced to consider this RFQ/RFT/RFP on the basis of this representation and certification.

We further acknowledge that the City shall have the right to reject our Quotation, Bid, or Proposal, terminate any Contract made, and collect any of its losses or damages arising out of our breach of the City of Hamilton’s Procurement Policy.”
POLICY # 22 – In-House Bid Submissions

SECTION 4.22

(1) In-house Bid submissions will be considered when contemplating a transfer of services from internal services to external services or vice versa.

(2) The General Manager of the Client Department submitting an in-house Bid shall obtain Council approval prior to submitting such a Bid. The Client Department’s report to Council seeking such approval shall include as a minimum:
   (a) the members of the in-house Bid submission team;
   (b) which costs will be included in the Bid and how costs will be determined; and
   (c) the rationale for submitting an in-house Bid.

(3) The RFP or RFT documents to be utilized, as applicable, shall clearly indicate:
   (a) an in-house Bid is being considered for the RFP/RFT; and
   (b) any advantages that the in-house Bid will have over other bidders by virtue of it being an in-house Bid.

(4) The integrity of the evaluation process will be maintained when evaluating an in-house Bid as follows:
   (a) no member of the in-house Bid submission team nor any employee whose employment is affected by the transfer of services shall have any communications with a member of the evaluation team or an elected official concerning the subject RFP or RFT, as the case may be, except in accordance with the communication and any interview provisions contained in the applicable RFP/RFT;
   (b) no member of the evaluation team or an elected official shall have any communications with a member of the in-house Bid submission team nor any employee whose employment is affected by the transfer of services, except in accordance with the communication and any interview provisions contained in the applicable RFP/RFT;
   (c) no member of the in-house Bid submission team nor any employee whose employment is affected by the transfer of services shall participate in the development of the subject RFP/RFT nor shall such persons have any communications with any person participating in the development of the subject RFP/RFT;
   (d) the same rules shall govern the submission of the in-house Bid as will apply to any other bidder, unless expressly provided otherwise in the RFP/RFT document; and
   (e) the evaluation of Bids shall be objective and the process shall avoid any unfair bias towards either the in-house or external Bids.
POLICY # 23 – Participation of Elected City Officials in the Procurement Process

SECTION 4.23

(1) Elected City officials may participate in the procurement process in the narrowly defined circumstances described in this Policy # 23 for those specific procurement projects identified by Council.

(2) Elected City officials may participate as members of a steering committee for significant procurement projects identified by Council.

When Council identifies a significant procurement project for which elected City officials are to participate as members of a steering committee, Council will also address the following issues:

(a) the extent of the elected City officials' involvement in the procurement process to ensure that they are able to provide input prior to the issuance of the procurement documents and to oversee the procurement process, but not function in a decision-making capacity;

(b) the selection of elected City officials who are able to comply with Policy # 17 - Conflicts of Interest and who do not otherwise have a perceived or actual conflict of interest that would impair their ability to be impartial; and

(c) the number of elected City officials to participate.

(3) Elected City officials may not participate in the procurement process where they are required to be in an evaluation capacity. Their involvement in the approval capacity of the procurement process is limited to what is stipulated in Policy # 2 - Approval Authority.
SCHEDULE A – Statement of Ethics for Public Procurement

The following ethical principles should govern the conduct of every City employee delegated with the authority to procure.

○ Believes in the dignity and worth of the service rendered by the organization, and the societal responsibilities assumed as a trusted public servant.

○ Is governed by the highest ideals on honour and integrity in all public and personal relationships in order to merit the respect and inspire the confidence of the organization and the public being served.

○ Believes that personal aggrandizement or personal profit obtained through misuse of public or personal relationships is dishonest and not tolerable.

○ Keeps the governmental organization informed, through appropriate channels, on problems and progress of applicable operations by emphasizing the importance of the facts.

Responsibility to the City:
○ Follow the lawful instructions or laws of the employer.
○ Understand the authority granted by the employer.
○ Avoid activities which would compromise or give the perception of compromising the best interest of the employer.
○ Reduce the potential for any chances of preferential treatment by actively promoting the concept of competition.
○ Obtain the maximum benefit for funds spent as agents for the City.

Relationship with vendors:
○ Maintain and practice, to the highest degree possible, business ethics, professional courtesy and competence in all transactions.
○ Purchase without prejudice, striving to obtain the maximum value for each dollar of expenditure.
○ Preclude from showing favouritism or be influenced by vendors through the acceptance of gifts, gratuities, loans or favours.
○ Adhere to and protect the suppliers business and legal rights to confidentiality for trade secrets, and other proprietary information.

Relationship with the City:
○ Remain free of any and all interests and activities, which are or could be detrimental or in conflict with the best interests of the employer.
○ Refrain from engaging in activities where a City employee has a significant personal or indirect financial interest.
○ Exercise discretionary authority on behalf of the employer.
○ Avoid acquiring interest or incurring obligations that could conflict with the interests of the City.

Procurement Policy for the City of Hamilton
Approved By City Council On:
SCHEDULE B – Exemptions

Items listed below are exempt from the requirements of the Procurement Policy, save and except for Policy # 2 - Approval Authority.

(1) Employer's General Expenses
(a) Insurance premiums.
(b) Debt payments.
(c) Purchase of investments. This exemption does not include any ancillary services.
(d) Grants, loans and levies.
(e) Licenses (for example, vehicle, elevators, radios).
(f) Real property payments including land, buildings, leasehold interests, easements, encroachments and licenses, or the like.
(g) Insurance claims, legal settlements and grievance settlements. This exemption does not apply to the procurement for Goods to be replaced.
(h) Adjusting services for the investigation of liability and property claims.
(i) Binding orders, judgments or decisions of an arbitrator, tribunal or court. Given that these payments are mandatory, approval from the General Manager of the department which is funding the payment is required instead of the approvals set out in Policy # 2 – Approval Authority.
(j) Refundable travel expenses.
(k) Temporary staffing agencies and services.
(l) Assessments and tools where positions and/or individuals are assessed for recruitment and selection purposes, including tools and assessments which would assist in the accommodation of individuals.
(m) Payments required by Council approved compassionate programs.
(n) Other City and employee related expenses, such as: memberships in professional organizations (professional dues), staff attendance at seminars, testing or examination fees, workshops, courses, trade shows or conferences. This shall not include any training specifically designed for the City.

(2) Professional Services
(a) Medical Professional Services.
(b) Experts retained for the purposes of litigation.
(c) Confidential Items (for example Forensic Audits).
(d) Outside Legal Counsel on an individual file basis; however where the City Solicitor or the Director of Employee & Labour Relations proposes to provide multiple files in an area of law to select outside legal counsel for a defined period of time, a competitive procurement process is to be followed in accordance with the provisions of the Procurement Policy. An annual report shall be issued to Council by the City Solicitor and the Director of Employee & Labour Relations detailing outside legal counsel pursuant to (2)(d).
(e) Mediators and Arbitrators.
CORPORATE SERVICES
PROCUREMENT SECTION

(3) Special Services
   (a) Providers of community services (including counselling, individual assessments, training, community support services, licensed child care centres, early years centres, transportation of children identified with special needs or having a therapeutic need to attend a licensed child care centre, Domiciliary Hostels Program, Long Term Care Facilities nursing, homemakers, funeral services, planned parenthood and prenatal care and education, as part of City-approved programs and projects).
   (b) Accommodations provided as part of City-approved programs and projects for the homeless and others living in poverty.
   (c) Vouchers provided by Community Services and Public Health Services as part of City-approved programs and projects.
   (d) Financial reviews conducted on a contingency basis for the purposes of recovering amounts paid and/or owed, such as tax recovery services.
   (e) Public/guest speakers, individuals or ensembles that offer creative content for presentation to others.

(4) Utility Billing
   (a) Electricity.
   (b) Postal services.
   (c) Water and Wastewater.
   (d) Natural gas.
   (e) Communications, for example: voice and data network communications.
   (f) The removal, relocation, identification or engineering related to utility infrastructure that exists on road allowances, right of ways and other City properties. This includes subsurface and above-surface infrastructure.
   (g) Railway companies related to removal, relocation, construction supervision (flagging) and maintenance.
   (h) The purchase, sale, delivery and storage of Energy Commodities and the consideration of price hedging for Energy Commodities shall be in accordance with the City’s Energy Commodity Policy as amended, repealed or replaced from time to time.

(5) Government Agencies, regulatory bodies, licensing agencies and other public authorities to which the City is required to remit to or pay a fee.

(6) Other Procurements
   (a) Antiques and artifacts (shops, sales, repairs, but not including restoration).
   (b) Acquisition of art.
   (c) Publications (including newspapers, periodicals, magazines or books), CDs, DVDs and all copyrighted material.
   (d) Maintenance fees for software and computer hardware for information systems previously acquired. This exemption does not apply to new or additional licenses.
   (e) Goods for the purpose of retail sales (re-sale) by the City (not including items that bear the City of Hamilton logo or insignia). This exemption does not include food and

Procurement Policy for the City of Hamilton

Approved By City Council On:
beverage items.

(f) Media advertising, including trade shows.

(g) Commodity purchases using a commodity price hedging agreement in accordance with the City’s Commodity Price Hedging Policy.

(h) Venues (including food and beverage where off site catering is not permitted) for banquets, meetings, events, receptions and training.

(i) Hosting, sponsorship and/or rights fees for conventions or sports events incurred by Tourism Hamilton Inc.

(j) Admission to tourism attractions and destinations for recreational day camps for children and youth.

(7) Sponsorships solicited by the City shall be in accordance with the City’s Policy for Commercial Advertising and Sponsorship as amended, repealed or replaced from time to time.
Statement of Investment Policies and Procedures

City of Hamilton Defined Benefit Pension Plans Master Trust

October 2012

APPROVED on this day of , 2012
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Section 1—Overview

1.01 Purpose of Statement
This Statement of Investment Policies and Procedures (the “Policy”) provides the framework for the investment of the assets of the City of Hamilton Defined Benefit Pension Plans Master Trust (the “Master Trust”).

This Policy is based on the “prudent person portfolio approach” to ensure the prudent investment and administration of the assets of the Master Trust are within the parameters set out in the Pension Benefits Act, (Ontario) and the Regulations thereunder.

1.02 Background of the Master Trust
The inception date of the Master Trust is November 1, 1999, when three defined benefit pension plans (the Hamilton Municipal Retirement Fund (Registration number 0027512), the Hamilton Street Railway Pension Plan (Registration number 0253344), and the Hamilton Wentworth Retirement Fund (Registration number 1073352)) commingled their assets in the Master Trust for investment purposes. These Plans hold units of the Master Trust and share, on a pro-rata basis, in all income, expenses and capital gains and losses of the Master Trust.

For reference purposes, the details of the Statement of Investment Policies and Procedures for each of the above mentioned pension plans participating in the Master Trust have been attached to Appendix A of this policy.

1.03 Objective of The Plans
The objective of the Plans is to provide members of the Plans with retirement benefits prescribed under the terms thereof.

1.04 Investment and Risk Philosophy
The primary investment objective is to provide an economic return on assets sufficient to fund plan liabilities over the long-term, while adhering to prudent investment practices.

The investment philosophies and strategies must take into account both return and risk objectives of the Plans and the City of Hamilton.

In recognition of the risk and return objectives of the Plans and the City of Hamilton, an initial Asset Allocation Policy was developed based on the Plans’ current funded status and the characteristics of the Plans and City of Hamilton. It is recognized, however, that the Plans return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plans’ funded statuses improve.
1.05 **Administration**
The General Manager, Finance and Corporate Services for the City of Hamilton (the General Manager) is the designated contact person at the City for administrative purposes.
Section 2—Asset Mix and Diversification Policy

2.01 Master Trust Return Expectations
Each of the Investment Managers appointed to invest the assets of the Master Trust (the “Investment Managers”) is directed to achieve a satisfactory long-term real rate of return through a diversified portfolio, consistent with acceptable risks, performance objectives and prudent management.

The overall goal of this Policy is to maximize the return of the Fund while bearing a reasonable level of risk relative to the liabilities in order to ensure the solvency of the Fund over time. The weights applied to each of the asset classes are based on the targets in the Initial Asset Allocation outlined in Section 2.03 and adjusted based on the target allocation in the Dynamic Investment Policy Schedule in Section 2.03.

2.02 Expected Volatility
The volatility of the Master Trust is directly related to its asset mix, specifically, the balance between Canadian bonds, Canadian equities and foreign equities. Since the Investment Managers do not have the authority to make any type of leveraged investment on behalf of the Master Trust, the volatility of the Master Trust should be similar to the volatility of the Benchmark Portfolio set out in Section 4.02 (Performance Measurement).

2.03 Asset Mix
(a) In order to achieve the long term objective within the risk/return considerations described in Section 1.04, the following asset mix policy (Benchmark Portfolio) and ranges were selected for the Initial Asset Allocation:

<table>
<thead>
<tr>
<th>Assets</th>
<th>Minimum %</th>
<th>Initial Target Weight %</th>
<th>Maximum %</th>
<th>Asset Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canadian Equity</td>
<td>25</td>
<td>30</td>
<td>35</td>
<td>Return-Seeking</td>
</tr>
<tr>
<td>Global Equity</td>
<td>25</td>
<td>30</td>
<td>35</td>
<td>Return-Seeking</td>
</tr>
<tr>
<td>Total Equities</td>
<td>50</td>
<td>60</td>
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<tr>
<td>Fixed Income</td>
<td>30</td>
<td>40</td>
<td>50</td>
<td>Liability-Hedging</td>
</tr>
</tbody>
</table>

For purpose of the total asset mix described above, the Investment Managers’ asset class pooled funds are deemed to be 100% invested, even though these funds may contain a portion held in cash and cash equivalent instruments.
(b) **Return-Seeking Assets:** These assets generally will consist of all non-fixed income investments, such as equities and alternatives, with a main focus on price appreciation with generally higher expected long-term returns.

(c) **Liability-Hedging Assets:** These assets generally will be fixed-income investments, such as bonds, with similar duration characteristics as the pension liabilities (i.e., these assets generally behave like pension liabilities). Since these assets focus mainly on current income, their expected long-term returns will generally be lower than return-seeking assets.

(d) **Sub-Allocations and Rebalancing Ranges:** The sub-allocations and rebalancing ranges within the return-seeking portfolio will be reviewed from time to time as the total return-seeking allocation changes due to the Dynamic Investment Policy Schedule below. The rebalancing ranges for the total return-seeking assets and liability-hedging assets (fixed income) are also determined by the Dynamic Investment Policy Schedule below.

(e) In recognition of the risk and return objectives of the Plans and the City of Hamilton, an initial Asset Allocation Policy was developed based on the Plans’ current funded statuses and the characteristics of the Plans and City of Hamilton. It is recognized, however, that the Plans’ return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio dynamically as the Plans’ funded statuses improve.

Based on an assessment of the Plans’ long-term goals and desired risk levels, the Investment Committee has developed an investment policy that dynamically adjusts the allocation to return-seeking assets and liability-hedging assets as the Plans’ funded statuses improve. Funded status may change due to any combination of investment returns, contributions, benefit payments, fund expenses, and changes to liabilities (including discount rate changes). This policy is based on the results of the 2010 Dynamic Investment Policy Study and is as follows:

<table>
<thead>
<tr>
<th>Funded Ratio</th>
<th>Return-Seeking Allocation</th>
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<tbody>
<tr>
<td></td>
<td>Minimum</td>
</tr>
<tr>
<td>&lt;65%</td>
<td>50%</td>
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<td>65%</td>
<td>50%</td>
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<td>66%</td>
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<td>67%</td>
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<td>44%</td>
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<td>75%</td>
<td>43%</td>
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<tr>
<td>76%</td>
<td>41%</td>
</tr>
<tr>
<td>77%</td>
<td>40%</td>
</tr>
<tr>
<td>78%</td>
<td>38%</td>
</tr>
<tr>
<td>79%</td>
<td>37%</td>
</tr>
<tr>
<td>80%</td>
<td>35%</td>
</tr>
<tr>
<td>81%</td>
<td>34%</td>
</tr>
<tr>
<td>82%</td>
<td>32%</td>
</tr>
<tr>
<td>83%</td>
<td>31%</td>
</tr>
</tbody>
</table>
1 Funded ratio defined on a Wind-up basis.

2 Funded ratio will change based on any combination of investment returns, contributions, benefits payments, expenses and changes in liabilities.

Sub-Allocations: The sub-allocations within the liability hedging and return seeking categories will be drawn down approximately based on the table below. However, allocations to illiquid assets may be adjusted at a slower rate. Sub-allocations should be within 5% of their targets. The sub-allocations would be adjusted proportionately when the return-seeking allocation is between levels listed in the table below.

<table>
<thead>
<tr>
<th>Return -Seeking Allocation</th>
<th>Funded Ratio&lt;sup&gt;2&lt;/sup&gt;</th>
<th>Minimum</th>
<th>Target</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>84%</td>
<td>29%</td>
<td>39%</td>
<td>49%</td>
<td></td>
</tr>
<tr>
<td>85%</td>
<td>28%</td>
<td>38%</td>
<td>48%</td>
<td></td>
</tr>
<tr>
<td>86%</td>
<td>26%</td>
<td>36%</td>
<td>46%</td>
<td></td>
</tr>
<tr>
<td>87%</td>
<td>25%</td>
<td>35%</td>
<td>45%</td>
<td></td>
</tr>
<tr>
<td>88%</td>
<td>23%</td>
<td>33%</td>
<td>43%</td>
<td></td>
</tr>
<tr>
<td>89%</td>
<td>22%</td>
<td>32%</td>
<td>42%</td>
<td></td>
</tr>
<tr>
<td>90%</td>
<td>20%</td>
<td>30%</td>
<td>40%</td>
<td></td>
</tr>
<tr>
<td>91%</td>
<td>19%</td>
<td>29%</td>
<td>39%</td>
<td></td>
</tr>
<tr>
<td>92%</td>
<td>17%</td>
<td>27%</td>
<td>37%</td>
<td></td>
</tr>
<tr>
<td>93%</td>
<td>16%</td>
<td>26%</td>
<td>36%</td>
<td></td>
</tr>
<tr>
<td>94%</td>
<td>14%</td>
<td>24%</td>
<td>34%</td>
<td></td>
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<tr>
<td>95%</td>
<td>13%</td>
<td>23%</td>
<td>33%</td>
<td></td>
</tr>
<tr>
<td>96%</td>
<td>11%</td>
<td>21%</td>
<td>31%</td>
<td></td>
</tr>
<tr>
<td>97%</td>
<td>10%</td>
<td>20%</td>
<td>30%</td>
<td></td>
</tr>
<tr>
<td>98%</td>
<td>8%</td>
<td>18%</td>
<td>28%</td>
<td></td>
</tr>
<tr>
<td>99%</td>
<td>7%</td>
<td>17%</td>
<td>27%</td>
<td></td>
</tr>
<tr>
<td>100%</td>
<td>5%</td>
<td>15%</td>
<td>25%</td>
<td></td>
</tr>
<tr>
<td>&gt;100%</td>
<td>5%</td>
<td>15%</td>
<td>25%</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Return Seeking</th>
<th>Liability Hedging</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canadian Equity</td>
<td>Global Equity</td>
</tr>
<tr>
<td>15% return seeking</td>
<td>8%</td>
</tr>
<tr>
<td>20% return seeking</td>
<td>10%</td>
</tr>
<tr>
<td>25% return seeking</td>
<td>13%</td>
</tr>
<tr>
<td>30% return seeking</td>
<td>15%</td>
</tr>
<tr>
<td>35% return seeking</td>
<td>18%</td>
</tr>
<tr>
<td>40% return seeking</td>
<td>20%</td>
</tr>
<tr>
<td>45% return seeking</td>
<td>23%</td>
</tr>
<tr>
<td>50% return seeking</td>
<td>25%</td>
</tr>
<tr>
<td>55% return seeking</td>
<td>28%</td>
</tr>
<tr>
<td>60% return seeking</td>
<td>30%</td>
</tr>
</tbody>
</table>

Duration Strategy: Based on the Dynamic Investment Policy Study completed in 2010, the portfolio interest rate dollar duration will increase as the funded status improves and the allocation to liability hedging assets increases. Interest rate derivatives may be used on either a strategic or opportunistic basis to mitigate risk by increasing the hedge ratio up to 100%. This will be at the discretion of the Investment Committee and based on the duration of the plan liabilities.

Rebalancing and Monitoring: A systematic rebalancing procedure will be utilized to ensure that the asset allocation of the Fund stays within the ranges defined above. As
the return-seeking asset allocation changes, the sub-category allocations will be kept approximately proportional to the initial allocation specified above. However, the allocations to illiquid investments may be adjusted more slowly. The funded ratio and asset allocation will be reviewed regularly or when significant cash flows occur, but no less than on a monthly basis. The Fund will be rebalanced as necessary, making use of benefit payments and contributions to the extent possible and considering the transaction costs involved in the rebalancing.

2.04 Management Structure
The Master Trust may employ a mix of active and passive management styles. Active management provides the opportunity to outperform specific investment benchmarks and it can provide lower absolute volatility of returns. Passive, or index, management minimizes the risk of underperformance relative to a benchmark index and is generally less expensive than active management. This approach also diversifies the manager risk, making the Master Trust less reliant on the skills of a single Investment Manager.

Because holding large amounts of foreign assets can expose the Master Trust to fluctuations in the level of the Canadian dollar, a portion of the foreign assets may be hedged back into Canadian dollars.
Section 3—Permitted and Prohibited Investments

3.01 General Guidelines
The investments of the Master Trust must comply with the requirements and restrictions set out in the Income Tax Act (Canada) and the Pension Benefits Act (Ontario), and their respective Regulations.

3.02 Permitted Investments
In general, and subject to the restrictions in this Section 3, the Investment Managers may invest in any of the following asset classes and in any of the investment instruments listed below:

(a) Canadian and Foreign Equities
   (i) Common and convertible preferred stock the shares of which are (a) listed on a prescribed stock exchange in Canada; or (b) listed on a prescribed stock exchange outside Canada;

   (ii) Debentures convertible into common or convertible preferred stock, provided such instruments are traded on a recognized public exchange or through established investment dealers;

   (iii) Rights, warrants and special warrants for common or convertible preferred stock the shares of which are (a) listed on a prescribed stock exchange in Canada; or (b) listed on a prescribed stock exchange outside Canada;

   (iv) Private placement equities, where the security will be eligible for trading on a recognized public exchange within a reasonable and defined time frame;

   (v) Instalment receipts, American Depository Receipts, Global Depository Receipts and similar exchange traded instruments;

   (vi) Units of real estate investment trusts (REITs);

   (vii) Exchange traded index-participation units (e.g., iUnits; SPDRs);

   (viii) Income trusts registered as reporting issuers under the Securities Act, domiciled in a Canadian jurisdiction that provides limited liability protection to unit holders; and

   (ix) Units of limited partnerships which are listed on the TSX exchange.
(b) **Canadian and Foreign Fixed Income**
   (i) Bonds, debentures, notes, non-convertible preferred stock and other evidence of indebtedness of Canadian or developed market foreign issuers whether denominated and payable in Canadian dollars or a foreign currency, provided such instruments are traded on a recognized public exchange or through established investment dealers, subject to Section 3.04 below;
   
   (ii) Real return bonds;
   
   (iii) Mortgages secured against Canadian real estate subject to Section 3.05 below;
   
   (iv) Mortgage-backed securities, guaranteed under the *National Housing Act*;
   
   (v) Term deposits and guaranteed investment certificates;
   
   (vi) Private placements of bonds subject to Section 3.03 below; and,
   
   (vii) Investment in bond and debenture issues of the City of Hamilton and affiliated bodies is neither encouraged nor discouraged. The decision by the Investment Manager(s) to invest in such issues is entirely their responsibility and they should be governed by the same degree of due diligence and prudence that they would apply when assessing any other investment.

(c) **Cash and Short Term Investments**
   (i) Cash on hand and demand deposits;
   
   (ii) Canadian and U.S. Treasury bills and bonds (with remaining maturities not exceeding 365 days) issued by the federal and provincial governments and their agencies;
   
   (iii) Sovereign short-term debt instruments of developed countries, with maturities not exceeding 365 days;
   
   (iv) Obligations of trust companies and Canadian and foreign banks chartered to operate in Canada, including bankers’ acceptances;
   
   (v) Commercial paper and term deposits; and
   
   (vi) Other money market instruments (maturity not exceeding 365 days).

(d) **Derivatives**
The following uses of non-leveraged derivative instruments are permitted:
   
   (i) Covered put and/or call options with respect to publicly traded securities that are held in the portfolio
(ii) The Manager of an index portfolio may utilize fully backed, i.e. non-leveraged, derivative strategies designed to replicate the performance of specific market indices, i.e.- exchange-traded equity index futures contracts;

(iii) Investment Managers may use currency futures contracts and forward contracts to hedge foreign currency exposure; and

(iv) Interest rate derivatives can be used to hedge the interest rate risk in the liabilities.

(c) Other Investments
   (i) Investments in open-ended or closed-ended pooled funds provided that the assets of such funds are permissible investments under this Policy, and

   (ii) Deposit accounts of the Custodian can be used to invest surplus cash holdings.

(f) Index Mandates
   (i) For managers of index mandates, permitted investment vehicles may include all instruments that may form part of the respective index.

3.03 Minimum Quality Requirements

(a) Quality Standards
   Within the investment restrictions for individual portfolios, all portfolios should hold a prudently diversified exposure to the intended market.

   (i) The minimum quality standard for individual bonds and debentures is ‘BBB’ or equivalent as rated by a Recognized Bond Rating Agency, at the time of purchase.

   (ii) The minimum quality standard for individual short term investments is ‘R-1’ low or equivalent as rated by a Recognized Bond Rating Agency, at the time of purchase.

   (iii) The minimum quality standard for individual preferred shares is ‘P-1’ or equivalent as rated by a Recognized Bond Rating Agency, at the time of purchase.

   (iv) All investments shall be reasonably liquid (i.e. in normal circumstances they should be capable of liquidation within 1 month).

(b) Split Ratings
   In cases where the Recognized Bond Rating Agencies do not agree on the credit rating, the bond will be classified according to the methodology used by DEX, which states:

   (i) If two agencies rate a security, use the lower of the two ratings;

   (ii) If three agencies rate a security, use the most common; and
(iii) If all three agencies disagree, use the middle rating

(c) **Downgrades in Credit Quality**
A Manager will take the following steps in the event of a downgrade in the credit rating of a portfolio asset by a Recognized Rating Agency to below the purchase standards set out in Section 3.03 (a) Quality Standards:

(i) The client will be notified of the downgrade by telephone at the earliest possible opportunity;

(ii) Within ten business days of the downgrade, the Manager will advise the Client in writing of the course of action taken or to be taken by the Manager, and its rationale; and

(iii) Immediately upon downgrade, the Manager will place the asset on a Watch List subject to monthly review by the Manager with the Client until such time as the security matures, is sold or until it is upgraded to a level consistent with the purchase quality standards as expressed in the above guidelines.

(d) **Rating Agencies**
For the purposes of this Policy, the following rating agencies shall be considered to be ‘Recognized Bond Rating Agencies’:

(i) Dominion Bond Rating Service;

(ii) Standard and Poor’s;

(iii) Moody’s Investors Services; and

(iv) Fitch Ratings

(e) **Private Placement Bonds**
Private placement bonds are permitted subject to all of the following conditions:

(i) The issues acquired must be ‘A’ or equivalent rated;

(ii) The total investment in such issues must not exceed 10% of the market value of the Investment Manager(s) bond portfolio;

(iii) The Investment Manager’s portfolio may not hold more than 5% of the market value of any one private placement;

(iv) The Investment Manager(s) must be satisfied that there is sufficient liquidity to ensure sale at a reasonable price; and

(v) The minimum issue size for any single security must be at least $150 million.
3.04 Maximum Quantity Restrictions

(a) Total Fund Level
No one equity holding shall represent more than 10% of the total book value of the Master Trust’s assets.

(b) Individual Investment Manager Level
The Investment Manager(s) shall adhere to the following restrictions:

(i) Equities
(A) No one equity holding shall represent more than the greater of 10% of the market value of any one Manager’s equity portfolio.

(B) No one equity holding shall represent more than 10% of the voting shares of a corporation.

(C) No one equity holding shall represent more than 10% of the available public float of such equity security.

(D) Income Trusts shall not comprise more than 15% of any Investment Manager’s Canadian equity portfolio.

(ii) Bonds and Short Term
(A) Except for federal and provincial bonds (including government guaranteed bonds), no more than 10% of a manager’s bond portfolio may be invested in the bonds of a single issuer and its related companies.

(B) Except for federal and provincial bonds, no one bond holding shall represent more than 10% of the market value of the total outstanding for that bond issue.

(C) No more than 8% of the market value of a manager’s bond portfolio shall be invested in bonds rated ‘BBB’ or equivalent.

(D) This Policy will permit the continued holding of instruments whose ratings are downgraded below BBB after purchase, provided that such instruments are disposed of in an orderly fashion.

(E) No more than 10% of the market value of a manager’s bond portfolio shall be invested in bonds denominated in a currency other than Canadian dollars.

(F) Except for the dedicated real return bond mandate, no more than 10% of the market value of the bond portfolio may be held in real return bonds.

(iii) Other
The use of derivative securities shall be supported at all times by the explicit allocation of sufficient assets to back the intended derivative strategy. For greater certainty, Investment Managers are not permitted to
leverage the assets of the Master Trust. The use of derivative securities is only permitted for the uses described in this Policy. Purchase or sale of any of these instruments for speculative purposes is prohibited.

Notwithstanding the limits described in this Section, the single security limits do not apply to an Investment Manager’s index mandate.

3.05 Prior Permission Required
The following investments are permitted provided that prior permission for such investments has been obtained from the General Manager:

(a) Investments in private placement equities (except for the foreign equity managers investing in pooled funds where the pooled fund policy permits private placement equities).

(b) Direct investments in mortgages.

(c) Direct investments in any one parcel of real property that has a book value less than or equal to 5% of the book value of the Master Trust’s assets. The aggregate book value of all investments in real property and Canadian resource properties shall not exceed 25% of the book value of the Master Trust’s assets.

(d) Direct investments in venture capital financing or private equity partnerships; and

(e) Derivatives other than those described in 3.02(d).

3.06 Prohibited Investments
The Investment managers shall not:

(a) Invest in companies for the purpose of managing them;

(b) Invest in securities that would result in the imposition of a tax on the Fund under the Income Tax Act (Canada) unless they provide a prior written acknowledgement that such investments will result in a tax and receive prior written permission for such investments from the Committee; or;

(c) Make any investments not specifically permitted by this Policy.

3.07 Securities Lending
The investments of the Master Trust may be loaned, for the purpose of generating revenue for the Fund, subject to the provisions of the Pension Benefits Act (Ontario) and the Income Tax Act (Canada), and applicable regulations.

For securities held in segregated accounts, such loans must be secured by cash and/or readily marketable government bonds, treasury bills and/or letters of credit, discount notes and bankers’ acceptances of chartered banks. For bonds, the security held must have a market value of at least 105% of the market value of the loaned securities. For equities, the security held must have a market value of at least 105% of the market value of the loaned securities for Canadian and Non-North American equities, and 102% for U.S. equities. This market value relationship must be calculated at least daily.
The terms and conditions of any securities lending program will be set out in a contract with the custodian. The custodian shall, at all times, ensure that the Chief Investments Officer has a current list of those institutions that are approved to borrow the Fund’s investments.

Lending of the portion of the Master Trust’s assets held in a pooled fund is governed by the terms of the conditions set out in the pooled fund Statement of Investment Policies and Goals or similar document.

3.08 Borrowing
The Master Trust shall not borrow money, except to cover short-term contingency and the borrowing is for a period that does not exceed ninety days, subject to the Pension Benefits Act (Ontario), the Income Tax Act (Canada) and the written permission of the General Manager.

3.09 Conflicts Between the Policy and Pooled Fund Investment Policies
While the guidelines in this Policy are intended to guide the management of the Master Trust, it is recognized that, due to the use of pooled funds, there may be instances where there is a conflict between the Policy and the investment policy of a pooled fund. In that case, the Investment Manager is expected to notify General Manager upon the initial review of the Policy and whenever a change in the pooled fund policy creates a conflict. However, it is understood that the pooled fund policy shall dominate.
Section 4—Monitoring and Control

4.01 Delegation of Responsibilities

The General Manager, Finance and Corporate Services, for the City of Hamilton is the designated contact person for administrative matters. Overall responsibility for the Master Trust ultimately rests with City Council. However, City Council has delegated certain administrative duties and responsibilities to internal and external agents.

(a) Chief Investments Officer

The Chief Investments Officer is responsible for:

(i) monitoring the Master Trust asset mix and rebalancing as required, including executing asset mix changes required per the Dynamic Policy schedules outlined in section 2.03;

(ii) day-to-day liaison including contract management with external Investment Managers and the Investment Consultant;

(iii) monitoring and budgeting for cash flow within the pension fund;

(iv) researching, recommending and implementing improvements to asset management of the Master Trust, and

(v) directing and implementing strategy for self managed portfolios, if any.

(b) Investment Managers

The Investment Managers will:

(i) invest the assets of the Master Trust in accordance with this Policy;

(ii) meet with the Chief Investments Officer as required and provide written reports regarding the Investment Manager’s past performance, their future strategies and other issues as requested;

(iii) notify the Master Trust, in writing of any significant changes in the Investment Manager’s philosophies and policies, personnel or organization and procedures;

(iv) will provide periodically, but no less than quarterly, lists of assets and such other information as may be requested by the Chief Investments Officer; and,

(v) file quarterly compliance reports (see section 4.03).
(c) **Custodian/Trustee**
The custodian/trustee will:

(i) Fulfil the regular duties of a Custodian/Trustee as required by law;

(ii) maintain safe custody over the assets of the Master Trust Plans;

(iii) execute the instructions of the Chief Investments Officer and the Investment Managers; and,

(iv) record income and provide financial statements to the Chief Investments Officer monthly, or as required.

(d) **Investment Consultant**
The investment consultant will:

(i) assist the Chief Investments Officer in developing a prudent long-term asset mix, and specific investment objectives and policies;

(ii) monitor, analyse and report on the Master Trust’s investment performance and to support the Chief Investments Officer on any investment related matters;

(iii) monitor and report the funded status of the Plans on a monthly basis to the Chief Investments Officer;

(iv) assist with the selection of Investment Managers, custodians and other suppliers; and

(v) meet with the Chief Investments Officer as required.

(e) **Actuary**
The actuary will:

(i) perform actuarial valuations of the Plan as required; and,

(ii) advise the Chief Investment Officer on any matters relating to Plan design, membership and contributions.

4.02 **Performance Measurement**
For purposes of evaluating the performance of the Master Trust and the Investment Managers, all rates of returns are measured over moving four-year periods. Return objectives are net of fees and include realized and unrealized capital gains or losses plus income from all sources. Returns will be measured quarterly and will be calculated as time-weighted rates of return.
(a) **Active and Index Canadian Equity Managers**
Investment results of the active and index Canadian Equity Managers are to be tested regularly against a Benchmark Portfolio comprising:

<table>
<thead>
<tr>
<th>Benchmark</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>S&amp;P/TSX Composite Index</td>
<td>100</td>
</tr>
</tbody>
</table>

(b) **Active and Index Global Equity Managers**
Investment results of the active and index Global Equity Managers are to be tested regularly against a long-term Benchmark Portfolio comprising:

<table>
<thead>
<tr>
<th>Benchmark</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>MSCI World Index (C$)</td>
<td>100</td>
</tr>
</tbody>
</table>

(c) **Active and Index Canadian Bond Managers – Long Bonds**
Investment results of the active and index Canadian Bond Managers for Long Bonds are to be tested regularly against a Benchmark Portfolio comprising:

<table>
<thead>
<tr>
<th>Benchmark</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEX Long Bond Index</td>
<td>100</td>
</tr>
</tbody>
</table>

(d) **Active and Index Canadian Bond Managers – Real Return Bonds**
Investment results of the active and index Canadian Bond Managers for Real Return Bonds are to be tested regularly against a Benchmark Portfolio comprising:

<table>
<thead>
<tr>
<th>Benchmark</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEX Real Return Bond Index</td>
<td>100</td>
</tr>
</tbody>
</table>
4.03 Compliance Reporting by Investment Manager
The Investment Managers are required to complete and deliver a compliance report to the Chief Investments Officer and the Investment Consultant each quarter. The compliance report will indicate whether or not the Investment Manager was in compliance with this Policy during the quarter.

In the event that an Investment Manager is not in compliance with this Policy, the Investment Manager is required to advise the Chief Investments Officer immediately, detail the nature of the non-compliance and recommend an appropriate course of action to remedy the situation.

The Master Trust invests in pooled funds with separate investment policies. In that case, the Investment Manager must confirm compliance to the pooled fund policy. In addition, should a conflict arise between a pooled fund policy and this Policy, the Investment Manager is required to advise the Chief Investments Officer immediately and detail the nature of the conflict.

4.04 Standard of Professional Conduct
The Investment Managers are expected to comply, at all times and in all respects, with the Code of Ethics and Standards of Professional Conduct as promulgated by the CFA Institute.

The Investment Managers will manage the assets with the care, diligence and skill that an investment manager of ordinary prudence would use in dealing with pension plan assets. The Investment Managers will also use all relevant knowledge and skill that they possess or ought to possess as prudent investment managers.
Section 5—Administration

5.01 Conflicts of Interest

(a) Responsibilities
This standard applies to the City’s staff, as well as to all agents employed by the City, in the execution of their responsibilities under the Pension Benefits Act (Ontario) (the “Affected Persons”).

An “agent” is defined to mean a company, organization, association or individual, as well as its employees who are retained by the Administrator to provide specific services with respect to the investment, administration and management of the assets of the Master Trust.

(b) Disclosure
In the execution of their duties, the Affected Persons shall disclose any material conflict of interest relating to them, or any material ownership of securities, which could impair their ability to render unbiased advice, or to make unbiased decisions, affecting the administration of the Master Trust assets.

Further, it is expected that no Affected Person shall make any personal financial gain (direct or indirect) because of his or her fiduciary position. However, normal and reasonable fees and expenses incurred in the discharge of their responsibilities are permitted if documented and approved by the Administrator.

No Affected Person shall accept a gift or gratuity or other personal favour, other than one of nominal value, from a person with whom the employee deals in the course of performance of his or her duties and responsibilities for the Master Trust.

It is incumbent on any Affected Person who believes that he or she may have a conflict of interest, or who is aware of any conflict of interest, to disclose full details of the situation to the attention of the General Manager immediately. The General Manager, in turn, will decide what action is appropriate under the circumstances.

No Affected Person who has or is required to make a disclosure as contemplated in this Policy shall participate in any discussion, decision or vote relating to any proposed investment or transaction in respect of which he or she has made or is required to make disclosure, unless otherwise determined permissible by decision of the General Manager.
5.02 Related Party Transactions
The Chief Investments Officer, on behalf of the Master Trust, may not enter into a transaction with a related party unless:

(a) the transaction is both required for operation and or administration of the Master Trust and the terms and conditions of the transaction are not less favourable than market terms and conditions;

(b) securities of the related party are acquired at a public exchange; or,

(c) the combined value of all transactions with the same related party is nominal or the transaction(s) is immaterial to the Master Trust.

For the purposes of this Section 5.02, only the market value of the combined assets of the Fund shall be used as the criteria to determine whether a transaction is nominal or immaterial to the Master Trust. Transactions less than (0.5%) of the combined market value of the assets of the plan are considered nominal.

A “related party” is defined to mean the administrator of the plan, including any officer, director or employee of the administrator. It also includes, the Investment Managers and their employees, a union representing employees of the employer, a member of the Master Trust, a spouse or child of the persons named previously, or a corporation that is directly or indirectly controlled by the persons named previously, among others. Related party does not include government or a government agency, or a bank, trust company or other financial institution that holds the assets of the Master Trust.

5.03 Selecting Investment Managers
In the event that a new Investment Manager must be selected or additional Investment Manager(s) added to the existing Investment Manager, the Chief Investments Officer will undertake an Investment Manager search with or without the assistance of a third-party investment consultant depending on the expertise required. The criteria used for selecting an Investment Manager will be consistent with the investment and risk philosophy set out in Section 1.05 (Investment and Risk Philosophy).

5.04 Directed Brokerage Commissions
Investment Managers may use directed brokerage to pay for research and other investment related services provided they comply with, and provide the disclosure required by, the Soft Dollar Standards promulgated by the CFA Institute.
5.05 **Monitoring of Asset Mix**
In order to ensure that the Master Trust operates within the minimum and maximum guidelines stated in this Policy as outlined in Section 2, the Chief Investments Officer shall monitor the asset mix on a calendar quarterly basis. Rebalancing between the investment mandates can take place over a reasonably short period of time after an imbalance has been identified. Rebalancing may be effected by redirecting the net cash flows to and from the Master Trust, or by transferring cash or securities between portfolios/managers.

5.06 **Monitoring of Investment Managers**
An important element in the success of this policy is the link between the Investment Managers and the Chief Investments Officer. It is expected that the Investment Managers will communicate with the Chief Investments Officer whenever necessary between regularly scheduled meetings.

Regular meetings between the active Canadian Equity, Canadian Bond, and Global Equity Managers and the Chief Investments Officer will be scheduled annually. Meetings will be scheduled with the Index managers as required. At each meeting, it is expected that the managers will prepare a general economic and capital markets overview, which will be distributed prior to the meeting. They should also address the following issues in their presentations:

- review the previous period’s strategy and investment results,
- discuss how the condition of the capital markets affects the investment strategy of their respective portfolios,
- economic and market expectations,
- anticipated changes in the asset mix within the limits provided in this Policy, and,
- discuss compliance and any exceptions.

5.07 **Dismissal of an Investment Manager**
Reasons for considering the termination of the services of an Investment Manager include, but are not limited to, the following factors:

(a) performance results which are below the stated performance benchmarks;

(b) changes in the overall structure of the Master Trusts’ assets such that the Investment Manager’s services are no longer required;

(c) change in personnel, firm structure or investment philosophy which might adversely affect the potential return and/or risk level of the portfolio; and/or

(d) failure to adhere to this Policy.

5.08 **Voting Rights**
The Administrator has delegated voting rights acquired through the investments held by the Master Trust to the custodian of the securities to be exercised in accordance with the Investment Manager’s instructions. Investment Managers are expected to exercise all voting rights related to investments held by the Master Trust in the interests of the
members of the underlying pension plans. At least annually, the Investment Managers shall report their voting activities to the Chief Investments Officer.

5.09 Valuation of Investments Not Regularly Traded
The following principles will apply for the valuation of investments that are not traded regularly:

(a) **Equities**
Average of bid-and-ask prices from two major investment dealers, at least once every calendar quarter.

(b) **Bonds**
Same as for equities.

(c) **Mortgages**
Unless in arrears, the outstanding principal plus/minus the premium/discount resulting from the differential between face rate and the currently available rate for a mortgage of similar quality and term, determined at least once every month.

(d) **Real Estate**
A certified written appraisal from a qualified independent appraiser at least every two years.

5.10 Policy Review
This Policy may be reviewed and revised at any time, but at least once every calendar year it must be formally reviewed. Should the Investment Manager(s) wish to review this policy at any time, it is his/her responsibility to contact the Chief Investments Officer with specific recommendations.

The appropriateness of the Dynamic Investment Policy asset allocation parameters should be reviewed on an ongoing basis. An new Dynamic Investment Policy Study (Dynamic Asset-Liability Modeling Study) may be undertaken if any of the following events occur:

(a) The plan gets significantly closer to the end-state of the flight path, including if the flight path funded ratio measurement changes significantly (over 15%) from the starting point of the 2010 study, which was 69%;

(b) There are significant changes to the regulations that affect the key metrics used in making decisions in the 2010 Dynamic Investment Policy Study or should affect the asset allocation in the future;

(c) Capital market conditions change significantly such that the assumptions embedded in the 2010 Dynamic Investment Policy Study are no longer reasonable; or

(d) The sponsor’s risk posture changes significantly.
Overview

1.01 Purpose of Statement

This Statement of Investment Policies and Procedures (the “Policy”) provides the framework for the investment of the assets of the Hamilton Municipal Retirement Fund, registration number 0027512 (the “Plan”);

The objective of this Policy is to ensure that the assets of the Plan, together with expected contributions made by both the City of Hamilton and the Plan members, shall be invested in a continued prudent and effective manner.

This Policy is based on the “prudent person portfolio approach” to ensure the prudent investment and administration of the assets of the Plan (the “Fund”) are within the parameters set out in the Pension Benefits Act, (Ontario) and the Regulations thereunder.

1.02 Background of the Plan

The Hamilton Municipal Retirement Fund is a contributory defined benefit plan. The plan has been closed to new entrants since 1965. Municipal employees hired after June 30, 1965 participate in the OMERS Pension Plan. Therefore, this is a closed fund and will terminate upon retirement of the last retiree or successor.

1.03 Plan Profile

a) Contributions

Under the terms of the Plan text:

For normal retirement age 60 class: 7% of contributory earnings up to YMPE plus 8.5% of contributory earnings in excess of the YMPE.

For normal retirement age 65 class: 6% of contributory earnings up to the YMPE plus 7.5% of contributory earnings in excess of the YMPE.

Effective August 1, 1998, employee contributions to the Plan ceased.

b) Benefits

2% of average annual earnings in best 5 years before retirement for each year of credited service up to 35 years reduced by 0.675% of the 5-year average earnings up to the final year’s YMPE for each year of contributory service after January 1, 1966. Reduction suspended from date of retirement to age 65 for CPP benefit. On an ad hoc basis, annual increases will not be less than the increase provided by OMERS, up to 100% of the increase in the Consumer Price Index.

c) Liabilities

As of the most recent actuarial valuation of the Plan as at December 31, 2008, there was no active member, 3 deferred members and 283 retirees and beneficiaries.
As of December 31, 2008, the going-concern liability of the plan was $92,043,500 compared to the actuarial value of assets of $103,121,000. On a solvency basis, the liability was $83,959,000, while the assets (at market) were $83,963,900.

1.04 **Objective of the Plan**
The objective of the Plans is to provide members of the Plans with retirement benefits prescribed under the terms thereof.

1.05 **Investment and Risk Philosophy**
The primary investment objective is to provide an economic return on assets sufficient to fund plan liabilities over the long-term, while adhering to prudent investment practices.

The investment philosophies and strategies must take into account both return and risk objectives of the Plan and the City of Hamilton.

In recognition of the risk and return objectives of the Plan and the City of Hamilton, an initial Asset Allocation Policy was developed based on the Plan’s current funded status and the characteristics of the Plan and City of Hamilton. It is recognized, however, that the Plan return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plan’s funded statuses improve.

1.06 **Administration**
The General Manager, Finance and Corporate Services for the City of Hamilton is the designated contact at the City for administrative purposes.

1.07 **Pooling of Assets**
For investment purposes, the assets of the Plan are combined with the assets of the Hamilton-Wentworth Retirement Fund and the Hamilton Street Railway Company. The combined assets are included in the City of Hamilton Defined Benefit Plans Master Trust.

1.08 **Master Trust SIP&P**
The Master Trust SIP&P is the policy that should be followed while investing the assets, both commingled and uncommingled, of the Hamilton Municipal Retirement Fund.
Overview

1.01 Purpose of Statement
This Statement of Investment Policies and Procedures (the “Policy”) provides the framework for the investment of the assets of the Hamilton Street Railway Company Pension Plan, registration number 0253344 (the “Plan”);

The objective of this Policy is to ensure that the assets of the Plan, together with expected contributions made by both the Hamilton Street Railway Company (the “Company”) and the Plan members, shall be invested in a continued prudent and effective manner.

This Policy is based on the “prudent person portfolio approach” to ensure the prudent investment and administration of the assets of the Plan (the “Fund”) are within the parameters set out in the Pension Benefits Act, (Ontario) and the Regulations thereunder.

1.02 Background of the Plan
The effective date of the Plan is January 1, 1994, when two predecessor plans, the Canada Coach Lines and the Hamilton Street Railway plans, were merged. The Plan is a contributory defined benefit Plan. Effective January 1, 2009, the Plan is closed to all new members. Furthermore, active members no longer accrue credited service under this Plan with respect to service after December 31, 2008.

1.03 Plan Profile
a) Contributions

Under the terms of the Plan text, members’ contributions should be 7.5% of earnings less contributions which are made to the Canada Pension Plan.

b) Benefits

Members receive a pension equal to 1.5% of average pensionable earnings up to the average Year’s Maximum Pensionable Earnings (YMPE) as established under the Canada Pension Plan, plus 2% of the excess, multiplied by years of credited service. The “average pensionable earnings” are defined as the average of best five years’ earnings as a contributory member. The average YMPE is the average of the YMPE for the last thirty-six months of the plan membership.

In the event that pensions accrued under the prior plan exceed the pension accrued under this plan for service prior to July 1, 1980, then the pension is increased accordingly.

Benefits are subject to annual indexing at the rate of 100% of the change in the Consumer Price Index for the prior calendar year less 1.5%. The maximum adjustment is 6% per annum and the minimum 0%.
c) **Liabilities**

As of the most recent actuarial valuation of the Plan as at January 1, 2011, there were 520 active members, 27 deferred members and 533 retirees and beneficiaries. The average age of the active members was approximately 49.7 years with average pensionable earnings of $59,337.

As of January 1, 2011, the going-concern liability of the plan was $185,625,500 compared to the actuarial value of assets of $173,610,000. Approximately 46.4% of the accrued liability was related to active members, approximately 53.2% was related to retirees, approximately 0.4% was related to deferred members. On a solvency basis, the liability was $179,637,500, while the assets (at market) were $178,868,700. The going-concern deficit is being eliminated through a series of special payments.

**1.04 Objective of the Plan**

The objective of the Plans is to provide members of the Plans with retirement benefits prescribed under the terms thereof.

**1.05 Investment and Risk Philosophy**

The primary investment objective is to provide an economic return on assets sufficient to fund plan liabilities over the long-term, while adhering to prudent investment practices.

The investment philosophies and strategies must take into account both return and risk objectives of the Plan and the City of Hamilton.

In recognition of the risk and return objectives of the Plan and the City of Hamilton, an initial Asset Allocation Policy was developed based on the Plan’s current funded status and the characteristics of the Plan and City of Hamilton. It is recognized, however, that the Plan return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plan’s funded statuses improve.

**1.06 Administration**

The General Manager, Finance and Corporate Services for the City of Hamilton is the designated contact at the City for administrative purposes.

**1.07 Pooling of Assets**

For investment purposes, the assets of the Plan are combined with the assets of the Hamilton-Wentworth Retirement Fund and the Hamilton Municipal Retirement Fund. The combined assets are included in the City of Hamilton Defined Benefit Plans Master Trust.

**1.08 Master Trust SIP&P**

The Master Trust SIP&P is the policy that should be followed while investing the assets, both commingled and uncommingled, of the Hamilton Street Railway Pension Plan.
Overview

1.01 Purpose of Statement
This Statement of Investment Policies and Procedures (the “Policy”) provides the framework for the investment of the assets of the Hamilton-Wentworth Retirement Fund, registration number 1073352 (the “Plan”);

The objective of this Policy is to ensure that the assets of the Plan, together with expected contributions made by both the Regional Municipality of Hamilton-Wentworth and the Plan members, shall be invested in a continued prudent and effective manner.

This Policy is based on the “prudent person portfolio approach” to ensure the prudent investment and administration of the assets of the Plan (the “Fund”) are within the parameters set out in the Pension Benefits Act, (Ontario) and the Regulations thereunder.

1.02 Background of the Plan
The Plan is a contributory, defined benefit Plan. Effective January 1, 1985 all active Region Other Participants, excluding Police Civilians, were transferred to OMERS. The liability to transfer such members to OMERS was met by monthly payments of $115,187 until December 31, 2000 and monthly payments of $361, concluding September 30, 2003. The outstanding balance of such payments is taken as adjustment to the assets of the Plan. There are no active members remaining in the Plan.

1.03 Plan Profile
a) Contributions
Under the terms of the Plan text:

For normal retirement age 60 class:

1) Senior Police Officers: contributions should be 7% of earnings up to the YMPE plus 8.5% of contributory earnings in excess of YMPE.

2) Other Police Officers: contributions should be 6.5% of earnings up to YMPE plus 8% of contributory earnings up to YMPE plus 8% of contributory earnings in excess of YMPE.

For a normal retirement age of 65 contributions should be 5.75% of earnings.

b) Benefits
2% of average annual earnings in best 5 years before retirement for each year of credited service up to 35 years reduced by 0.7% of the 5-year average earnings up to
the final year’s YMPE for each year of contributory service after January 1, 1966. Reduction suspended from date of retirement to age 65 for CPP benefit. On an ad hoc basis, annual increases will not be less than the increase provided by OMERS, up to 100% of the increase in the Consumer Price Index.

c) **Liabilities**
As of the most recent actuarial valuation of the Plan as at December 31, 2010, there were no active members, no deferred members and 236 retirees and beneficiaries.

As of December 31, 2010, the going-concern liability of the plan was $69,247,000 compared to the actuarial value of assets of $68,446,000. On a solvency basis, the liability was $74,897,000, while the assets were $69,662,000. Both deficits are being eliminated through a series of special payments.

1.04 **Objective of the Plan**
The objective of the Plans is to provide members of the Plans with retirement benefits prescribed under the terms thereof.

1.05 **Investment and Risk Philosophy**
The primary investment objective is to provide an economic return on assets sufficient to fund plan liabilities over the long-term, while adhering to prudent investment practices.

The investment philosophies and strategies must take into account both return and risk objectives of the Plan and the City of Hamilton.

In recognition of the risk and return objectives of the Plan and the City of Hamilton, an initial Asset Allocation Policy was developed based on the Plan’s current funded status and the characteristics of the Plan and City of Hamilton. It is recognized, however, that the Plan return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plan’s funded statuses improve.

1.06 **Administration**
The General Manager, Finance and Corporate Services for the City of Hamilton is the designated contact at the City for administrative purposes.

1.07 **Pooling of Assets**
For investment purposes, the assets of the Plan are combined with the assets of the Hamilton Street Railway Company and the Hamilton Municipal Retirement Fund. The combined assets are included in the City of Hamilton Defined Benefit Plans Master Trust.

1.08 **Master Trust SIP&P**
The Master Trust SIP&P is the policy that should be followed while investing the assets, both commingled and uncommingled, of the Hamilton-Wentworth Retirement Fund Pension Plan.
Appendix B – Compliance Reports
The City of Hamilton Master Trust  
Index Bond Manager  

Compliance Report for the Quarter Ended ______________  
(date)  

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* If policy not complied with, comment on specifics

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Compliance Report for the Quarter Ended ______________

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The City of Hamilton Master Trust
Active Bond Manager

Compliance Report for the Quarter Ended ______________ (date)

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COMPLETED BY: ___________________________ SIGNED BY: ___________________________
### The City of Hamilton Master Trust
**Active Equity Manager**

**Compliance Report for the Quarter Ended** [date]

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**COMPLETED BY:** __________________________  **SIGNED BY:** __________________________
THE CORPORATION OF THE CITY OF HAMILTON
HAMILTON MUNICIPAL RETIREMENT FUND

Actuarial Valuation as at December 31, 2011

October 9, 2012

Registration Number 0275123
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Introduction

Purpose

This report with respect to the Hamilton Municipal Retirement Fund (the "Plan") has been prepared for
The Corporation of The City of Hamilton (the “Employer” or “City”) and presents the results of the
actuarial valuation of the plan as at December 31, 2011.

The principal purposes of the report are:

- to present information on the financial position of the plan on both going concern and solvency
  bases;

- to review the hypothetical windup status of the plan;

- to provide the basis for employer contributions; and

- to provide certain additional information required to assist in the administration of the plan.

This report outlines the changes in the plan’s financial situation since the previous actuarial valuation
at December 31, 2008, provides the information and the actuarial opinion required by the Pension
Benefits Act (Ontario) and Regulation thereto and provides the information required to maintain plan
registration under the Income Tax Act (Canada) and Regulations thereto.

This report summarizes the results of the actuarial valuation and contains an actuarial opinion as an
integral part of the report. Supporting detailed information on the significant terms of engagement,
assets, actuarial basis, membership data and plan provisions is contained in the Appendices.

The information contained in this report was prepared for the Employer, for its internal use and for
filing with the Financial Services Commission of Ontario and the Canada Revenue Agency, in
connection with the actuarial valuation of the Plan prepared by Towers Watson Canada Inc. (“Towers
Watson”). This report is not intended, nor necessarily suitable, for other parties or for other purposes.
Further distribution of all or part of this report to other parties (except where such distribution is
required by applicable legislation) or other use of this report is expressly prohibited without Towers
Watson’s prior written consent. Towers Watson is available to provide additional information with
respect to this report to the above-mentioned intended users upon request.
Significant Events Since Previous Actuarial Valuation

Actuarial Basis

Since the previous actuarial valuation, the assumptions used in the solvency and hypothetical windup valuations have been updated to reflect market conditions at the valuation date. In addition, there have been changes to the going concern and solvency actuarial basis, as follows:

- For the going concern valuation:
  - the discount rate assumption was changed from 5.75% per annum net of all expenses to 5.00% per annum net of all expenses;
  - the assumed rate of inflation was changed from 2.25% per annum to 2.00% per annum;
  - the assumed post-retirement indexation was changed from 2.25% per annum to 2.00% per annum; and
  - the assumed rates of mortality were updated from UP94 projected to 2008 using mortality projection scale AA (sex distinct) to UP94 projected to 2011 using mortality projection scale AA (sex distinct).

- For the solvency statutory position:
  - the solvency asset valuation method was changed from the market value of asset to an actuarial value of assets (smoothed value of assets) and smoothed discount rates were used to calculate the adjusted solvency liability.

Plan Provisions

This actuarial valuation reflects the plan provisions as at December 31, 2011 and does not make any provision for the possibility that a change or action (retroactive or otherwise) may be imposed by order of a regulatory body or a court as we were not aware of any definitive events that would require such change or action at the time this valuation was completed.

There have been no changes to the plan provisions since the previous actuarial valuation that affect the valuation's results.
Legislative and Actuarial Standards Updates

Since the previous actuarial valuation, the Canadian Institute of Actuaries published new Standards of Practice for Pension Commuted Values effective April 1, 2009. The new standards have been reflected for purposes of the solvency and hypothetical windup valuations.

The Standards of Practice for Pension Commuted Values published by the Canadian Institute of Actuaries effective April 1, 2009 provide for, effective February 1, 2011, an update to the mortality assumption. Such update has been reflected for purposes of the solvency and hypothetical windup valuations.

Since the previous actuarial valuation, the Canadian Institute of Actuaries' Practice-Specific Standards for Pension Plans were revised effective December 31, 2010 to enhance disclosures regarding the security of member benefits and to redefine the practice for going concern valuations. The revised standards have been reflected for purposes of the going concern, solvency and hypothetical windup valuations.

On May 18, 2010, the Pension Benefits Amendment Act (Ontario), 2010 ("Amendment Act") received Royal Assent. The Amendment Act provides that, effective July 1, 2012, certain members employed in the province of Ontario whose employment is terminated involuntarily will be eligible to grow-in to the plan's early retirement subsidies. Also, the Amendment Act provides that, effective at a date to be proclaimed, members employed in the province of Ontario will vest immediately in their accrued pension. The Amendment Act has no impact on this report since the Plan is closed to new entrants and there are no active members in the Plan at December 31, 2011.

On December 8, 2010, Ontario Bill 120, Securing Pension Benefits Now and for the Future Act, 2010, received Royal Assent. The amendments under Bill 120 provide a framework for changes in funding rules for plans registered in the province of Ontario and will be effective at a date to be proclaimed. The effect of the future changes to funding rules resulting from Bill 120 has not been reflected in this report. Future changes to contribution requirements resulting from Bill 120 will be reflected in the first actuarial opinion prepared and filed on or after the effective date of Bill 120.

Subsequent Events

We completed this actuarial valuation on October 9, 2012.

Other than the legislative and actuarial standards updates mentioned above, to the best of our knowledge and on the basis of our discussions with The Corporation of The City of Hamilton, no events which would have a material financial effect on the actuarial valuation occurred between the actuarial valuation date and the date this actuarial valuation was completed.
Section 1: Going Concern Financial Position

1.1 Statement of Financial Position

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire</td>
<td>$72,146,100</td>
<td>$103,121,000</td>
</tr>
<tr>
<td>Others</td>
<td>$11,366,000</td>
<td>$103,121,000</td>
</tr>
<tr>
<td>Total</td>
<td>$83,512,100</td>
<td>$103,121,000</td>
</tr>
</tbody>
</table>

Actuarial Liability

<table>
<thead>
<tr>
<th>Category</th>
<th>December 31, 2011</th>
<th>December 31, 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Active members</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Retired members</td>
<td>53,248,700</td>
<td>63,153,400</td>
</tr>
<tr>
<td>Beneficiaries</td>
<td>11,967,700</td>
<td>14,590,500</td>
</tr>
<tr>
<td>Terminated vested members</td>
<td>0</td>
<td>110,800</td>
</tr>
<tr>
<td>Provision for future pension increases</td>
<td>10,326,900</td>
<td>14,188,800</td>
</tr>
<tr>
<td>Total actuarial liability</td>
<td>75,543,300</td>
<td>92,043,500</td>
</tr>
</tbody>
</table>

Actuarial Surplus (Unfunded Actuarial Liability)

<table>
<thead>
<tr>
<th>December 31, 2011</th>
<th>December 31, 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>$3,397,200</td>
<td>$11,077,500</td>
</tr>
</tbody>
</table>

Comments:

- The financial position of the plan on a going concern basis is determined by comparing the going concern value of assets to the actuarial liability and is a reflection of the assets available for the benefits accrued in respect of credited service prior to the valuation date assuming the plan continues indefinitely.

- The split of assets between "Fire" and "Other" groups is provided by the City, based on the pension payroll in effect at the valuation date.

- The increase in the actuarial liability as at December 31, 2011, which would result from a 1% decrease in the assumed liability discount rate, is $8,805,800. For purposes of this calculation, no changes were made to any of the other actuarial assumptions or actuarial methods.
### 1.2 Reconciliation of Financial Position

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Actuarial surplus (unfunded actuarial liability) as at December 31, 2008</td>
<td>$ 11,077,500</td>
</tr>
<tr>
<td>Expected interest on actuarial surplus (unfunded actuarial liability)</td>
<td>2,022,800</td>
</tr>
<tr>
<td>Plan experience:</td>
<td></td>
</tr>
<tr>
<td>• Investment gains (losses)</td>
<td>$(12,697,300)</td>
</tr>
<tr>
<td>• Mortality gains (losses)</td>
<td>2,474,700</td>
</tr>
<tr>
<td>• Pension increases less than 2.25% per annum assumed*</td>
<td>1,784,100</td>
</tr>
<tr>
<td>• Data update gains (losses)</td>
<td>(716,200)</td>
</tr>
<tr>
<td>• Gains (losses) from miscellaneous sources</td>
<td>14,400</td>
</tr>
<tr>
<td>Change in actuarial basis</td>
<td></td>
</tr>
<tr>
<td>• Demographic assumption</td>
<td>(531,500)</td>
</tr>
<tr>
<td>• Economic assumptions</td>
<td>(3,105,900)</td>
</tr>
<tr>
<td>Actuarial surplus (unfunded actuarial liability) as at December 31, 2011</td>
<td>$ 302,600</td>
</tr>
</tbody>
</table>

**Comment:**

- The actual pension increases were 0.37%, 1.61% and 2.84% effective January 1, 2010, January 1, 2011 and January 1, 2012 respectively.
### 2.1 Statement of Solvency Financial Position

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Market value of assets</td>
<td>$ 67,460,000</td>
<td>$ 10,627,700</td>
<td>$ 78,087,700</td>
<td>$ 67,373,600</td>
<td>$ 10,614,100</td>
</tr>
<tr>
<td>Provision for plan windup expenses</td>
<td>(86,400)</td>
<td>(13,600)</td>
<td>(100,000)</td>
<td>(86,000)</td>
<td>(100,000)</td>
</tr>
<tr>
<td>Total</td>
<td>$ 67,373,600</td>
<td>$ 10,614,100</td>
<td>$ 77,987,700</td>
<td>$ 83,987,700</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Solvency Liability</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Active members</td>
<td>$ 0</td>
<td>$ 0</td>
<td>$ 0</td>
<td>$ 0</td>
<td>$ 0</td>
</tr>
<tr>
<td>Retired members</td>
<td>61,784,500</td>
<td>4,115,300</td>
<td>65,899,800</td>
<td>68,238,600</td>
<td></td>
</tr>
<tr>
<td>Beneficiaries</td>
<td>13,684,800</td>
<td>3,438,200</td>
<td>17,123,000</td>
<td>15,609,600</td>
<td></td>
</tr>
<tr>
<td>Terminated vested members</td>
<td>0</td>
<td>116,800</td>
<td>116,800</td>
<td>110,800</td>
<td></td>
</tr>
<tr>
<td>Total actuarial liability</td>
<td>$ 75,469,300</td>
<td>$ 7,670,300</td>
<td>$ 83,139,600</td>
<td>$ 83,959,000</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Solvency Surplus (Unfunded Solvency Liability)</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>$ (8,095,700)</td>
<td>$ 2,943,800</td>
<td>$ (5,151,900)</td>
<td>$ 4,900</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Comments:**

- The financial position of the plan on a solvency basis is determined by comparing the solvency value of assets to the solvency liability (the actuarial present value of benefits accrued in respect of credited service prior to the valuation date, calculated as if the plan were wound up on that date). No allowance was made for subsequent benefit changes which will become effective after January 1st of the ensuing year.

- The split of assets between "Fire" and "Others" groups is provided by the City, based on the pension payroll in effect at the valuation date.
The solvency actuarial valuation results presented in this report are determined under a scenario where, following a plan windup, the employer continues its operations.

Under an amendment to the Regulation to the Pension Benefits Act (Ontario), the employer had the option prior to November 26, 1992 to make an election to exclude from the solvency liability any benefits relating to plant closure and permanent layoff. This plan does not have any such benefits.

In addition, the Regulation permits certain benefits to be excluded from the solvency liability, without requiring the employer to make an election. Pursuant to the directions from the Employer, the cost-of-living adjustments have been excluded from the solvency valuation. The full solvency liability, taking into account all of the benefits excluded under the Regulation, is $105,465,200 as at December 31, 2011.

The increase in the solvency liability as at December 31, 2011, which would result from a 1% decrease in the assumed liability discount rate, is $6,952,800. For purposes of this calculation, no changes were made to any of the other actuarial assumptions or actuarial methods.

2.2 Hypothetical Windup Financial Position

The hypothetical windup valuation results presented in this report are determined under a scenario where, following a plan windup, the employer continues its operations.

If the plan were to be wound up on the valuation date, the hypothetical windup value of assets would be equal to the solvency value of assets. As permitted by the Regulation to the Pension Benefits Act (Ontario), the employer has elected to exclude certain benefits from the solvency liability. The full hypothetical windup liability, taking into account the post-retirement indexing as at December 31, 2011, is $105,465,200 as at December 31, 2011. Consequently, the hypothetical windup surplus (unfunded hypothetical windup liability) as at the valuation date is $(27,477,500).
2.3 Solvency Incremental Cost

The solvency incremental cost for a given year represents the present value, at the valuation date, of the expected aggregate change in the solvency liability during the year, increased for expected benefit payments during the year. The solvency incremental costs in respect of each year between December 31, 2011 and December 31, 2014, the next valuation date, are derived from the projection of the solvency liability, as follows:

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Projected solvency liability as at beginning of year</td>
<td>$83,139,600</td>
<td>$79,136,500</td>
<td>$75,090,100</td>
</tr>
<tr>
<td>Solvency incremental cost for the year¹</td>
<td>977,500</td>
<td>927,100</td>
<td>876,100</td>
</tr>
<tr>
<td>Interest on projected solvency liability, solvency incremental cost and expected benefit payments</td>
<td>2,651,000</td>
<td>2,519,500</td>
<td>2,386,800</td>
</tr>
<tr>
<td>Expected benefit payments during year</td>
<td>(7,631,600)</td>
<td>(7,493,000)</td>
<td>(7,338,900)</td>
</tr>
<tr>
<td>Projected solvency liability as at end of year</td>
<td>$79,136,500</td>
<td>$75,090,100</td>
<td>$71,014,100</td>
</tr>
</tbody>
</table>

Note:

¹ These amounts are as at the beginning of the year. The solvency incremental cost, adjusted with interest as at December 31, 2011, is $897,500 for 2013 and $821,000 for 2014.
2.4 **Determination of the Statutory Solvency Excess (Statutory Solvency Deficiency)**

The minimum funding requirements under the Regulation to the *Pension Benefits Act (Ontario)* are based on the statutory solvency excess (statutory solvency deficiency) as at the valuation date. In calculating the statutory solvency excess (statutory solvency deficiency), various adjustments can be made to the solvency financial position including:

- recognition of the present value of existing amortization payments, including any going concern amortization payments established at the valuation date, due to be paid within the periods prescribed by the Regulation (however, amortization payments for future benefit increases excluded in the calculation of the solvency liability have not been included in the present value of existing amortization payments);

- smoothing of the asset value by use of an averaging technique;

- adjustment to the solvency liability by use of an averaging technique in determining the discount rate used to value the liabilities; and

- removal of any prior year credit balance from the asset value.

To the extent that there exists a statutory solvency deficiency, after taking account of these adjustments, additional amortization payments must be made. If there is no statutory solvency deficiency, the statutory solvency excess may be used to reduce the period of existing solvency amortization payments, if any.
### Statutory Solvency Excess (Statutory Solvency Deficiency)

<table>
<thead>
<tr>
<th></th>
<th>December 31, 2011</th>
<th>December 31, 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solvency surplus (unfunded solvency liability)</td>
<td>$(5,151,900)</td>
<td>$4,900</td>
</tr>
<tr>
<td>Adjustments to solvency position:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Present value of existing amortization payments</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>- Smoothing of asset value</td>
<td>5,424,400</td>
<td>0</td>
</tr>
<tr>
<td>- Averaging of liability discount rate</td>
<td>6,620,800</td>
<td>0</td>
</tr>
<tr>
<td>- Prior year credit balance</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>- Total</td>
<td>$12,045,200</td>
<td>$0</td>
</tr>
<tr>
<td>Statutory solvency excess (statutory solvency deficiency)</td>
<td>$6,893,300</td>
<td>$4,900</td>
</tr>
</tbody>
</table>
Section 3: Contribution Requirements

3.1 Contributions for Current Service (Ensuing Year)

There are no active members in the plan and therefore no contributions required for current service.

3.2 Contributions for Past Service

The Plan has a net actuarial surplus on the going concern basis and a statutory solvency excess as at December 31, 2011. There are no special payments required to be made with respect to past service.

3.3 Estimated Minimum Employer Contribution (Ensuing Year)

<table>
<thead>
<tr>
<th></th>
<th>December 31, 2011</th>
<th>December 31, 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employer Normal Actuarial Cost</td>
<td>$ 0</td>
<td>$ 0</td>
</tr>
<tr>
<td>Amortization Payments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Going concern</td>
<td>$ 0</td>
<td>$ 0</td>
</tr>
<tr>
<td>Solvency</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>$ 0</td>
<td>$ 0</td>
</tr>
<tr>
<td>Application of Surplus</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Estimated Minimum Employer Contribution</td>
<td>$ 0</td>
<td>$ 0</td>
</tr>
</tbody>
</table>
### 3.4 Estimated Maximum Employer Contribution (Ensuing Year)

<table>
<thead>
<tr>
<th></th>
<th>December 31, 2011</th>
<th>December 31, 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employer Normal Actuarial Cost</td>
<td>$ 0</td>
<td>$ 0</td>
</tr>
<tr>
<td>Greater of the Unfunded Actuarial Liability and the Unfunded Hypothetical Windup Liability</td>
<td>27,477,500</td>
<td>21,751,200</td>
</tr>
<tr>
<td>Required Application of Excess Surplus</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Estimated Maximum Employer Contribution</td>
<td>$ 27,477,500</td>
<td>$ 21,751,200</td>
</tr>
</tbody>
</table>

**Comment:**

- The *Income Tax Act (Canada)* permits the employer to make contributions up to the above amount less the amortization payments made in respect of periods since December 31, 2011, provided that all assumptions made for the purposes of the hypothetical windup valuation remain reasonable at the time each contribution is made. In addition, the maximum employer contribution is to be adjusted with interest for the period between the actuarial valuation date and the date each contribution is made.
3.5 Timing of Contributions

To satisfy the requirements of Ontario pension legislation, the employer normal actuarial cost must be paid monthly and within 30 days of the month to which it pertains while the amortization payments must also be paid monthly but within the period to which they are applicable.

In addition, within 60 days after this report is filed with the Financial Services Commission of Ontario, the employer must make a special contribution equal to the excess, if any, of:

- the amount of employer contributions (employer normal actuarial cost and amortization payments) that should have been paid after December 31, 2011 according to the minimum contribution requirements revealed by this report (determined with regard to any reported prior year credit balance available to meet these minimum contribution requirements), over
- the actual amount of employer contributions made in respect of periods after December 31, 2011.

Interest must be added to this excess, with such interest determined by reference to the going concern discount rate for payments in respect of employer normal actuarial cost or going concern amortization payments and the solvency discount rate for payments in respect of solvency amortization payments.

To satisfy the requirements of the Income Tax Act (Canada), employer contributions that are remitted to the plan in the taxation year or within 120 days after the end of such taxation year are deductible in such taxation year provided they were made to fund benefits in respect of periods preceding the end of the taxation year.

3.6 Other Statutory Contributions

Additional contributions may be required in respect of the transfer values for terminating members. Where applicable, such additional contributions must be remitted before the related transfer value may be paid in full to the terminated member. Details are provided in Appendix G.

3.7 Future Contribution Levels

Future contribution levels may change as a result of future changes in the actuarial methods and assumptions, the membership data, the plan provisions and the legislative rules, or as a result of future experience gains or losses, none of which has been anticipated at this time. Emerging experience, differing from the assumptions, will result in gains or losses that will be revealed in future actuarial valuations.
Section 4: Actuarial Certification and Opinion

4.1 Actuarial Certification

Based on the results of these valuations, we hereby certify that, in our opinion, as at December 31, 2011:

- The plan does not have a prior year credit balance.

- The actuarial surplus (unfunded actuarial liability), determined by comparing the actuarial liability, the measure of obligations of the plan on a going concern basis, to the going concern value of assets, is $302,600.

- The solvency surplus (unfunded solvency liability), determined by comparing the solvency liability, as defined in the Regulation to the Pension Benefits Act (Ontario), to the solvency value of assets, is $(5,151,900).

- The statutory solvency excess (statutory solvency deficiency) revealed at this actuarial valuation is $6,893,300. Since there is no statutory solvency deficiency, no solvency amortization payments are required in order to comply with the Regulation to the Pension Benefits Act (Ontario).

- The hypothetical windup surplus (unfunded hypothetical windup liability), determined by comparing the hypothetical windup liability, the measure of the obligations of the plan on a hypothetical windup basis including the value of any potential obligations that may have been excluded for purposes of the solvency valuation, to the hypothetical windup value of assets, is $(27,477,500).

- The excess actuarial surplus, pursuant to section 147.2(2) of the Income Tax Act (Canada), is $0.

- There are no active members in the Plan and therefore no contributions required for current service.

- The maximum employer contributions permissible under the Income Tax Act (Canada) are described in Section 3.

- The transfer ratio, as defined in the Regulation to the Pension Benefits Act (Ontario), is 0.74. The solvency ratio, defined as the ratio of the solvency value of assets prior to deduction of the provision for plan windup expenses to the solvency liabilities, is 0.94.
- As a result of Ontario Regulation 73/95, coverage under the Pension Benefit Guarantee Fund is exempted and Fund Assessment is not required.

- In accordance with the Regulation to the Pension Benefits Act (Ontario), the next actuarial valuation should be performed with an effective date not later than December 31, 2014. The basis for employer contributions presented in this report is effective until the next actuarial opinion is filed.
4.2 Actuarial Opinion

In our opinion:

- the membership data on which the actuarial valuations are based are sufficient and reliable for the purposes of the going concern, solvency and hypothetical windup valuations,
- the assumptions are appropriate for the purposes of the going concern, solvency and hypothetical windup valuations, and
- the methods employed in the valuations are appropriate for the purposes of the going concern, solvency and hypothetical windup valuations.

This report has been prepared, and our opinions given, in accordance with accepted actuarial practice in Canada. The valuations have been conducted in accordance with our understanding of the funding and solvency standards prescribed by the Pension Benefits Act (Ontario) and Regulation thereto, and in accordance with our understanding of the requirements of the Income Tax Act (Canada) and Regulations thereto. This actuarial opinion forms an integral part of the report.

The results presented in this report have been developed using a particular set of actuarial assumptions. Other results could have been developed by selecting different actuarial assumptions. The results presented in this report are reasonable actuarial results based on actuarial assumptions reflecting our expectation of future events.

Towers Watson Canada Inc.

Bill Liu, FSA
Fellow of the Canadian Institute of Actuaries

Martine Schier, FSA
Fellow of the Canadian Institute of Actuaries

Toronto, Ontario
October 9, 2012
Appendix A: Significant Terms of Engagement

For purposes of preparing this valuation report, the Employer has directed that:

• The actuarial valuation is to be prepared as at December 31, 2011.

• For purposes of the going concern valuation, the terms of engagement require the use of the margins for adverse deviations mentioned in Appendix C.

• For purposes of determining the going concern liability discount rate, the target asset class distribution is to be established in accordance with the investment policy dated March 2011, which is the most up to date version.

• For purposes of determining the going concern financial position of the plan, the going concern value of assets is to be determined using the averaging technique described in the Going Concern Asset Valuation Method section in Appendix C.

• For purposes of determining the solvency liabilities of the plan, certain benefits are to be excluded, as permitted by the Regulation to the Pension Benefits Act (Ontario), without requiring an election from the employer.

• For purposes of determining the statutory solvency financial position of the plan, the asset value and liability discount rates are to be determined using the averaging techniques described in the Solvency and Hypothetical Windup Asset Valuation Method and Solvency and Hypothetical Windup Rationale for Actuarial Assumptions sections in Appendix D.

• Since to the best of the knowledge of the plan administrator, there is no partial plan windup with an effective date prior to the date of this valuation, involving members employed in Ontario, not yet completed where the partial windup portion of the plan is in a surplus position on the date of this valuation, this report is to be prepared on the basis that there will be no retroactive changes to previously filed partial windup reports, if any, and neither the applicable pension regulator nor the plan sponsor will order/declare any partial plan windup with an effective date prior to the valuation date.

• The hypothetical windup valuation results presented in this report are to be determined under a scenario where all expenses are paid from the pension fund.
## Appendix B: Assets

### Statement of Market Value

<table>
<thead>
<tr>
<th></th>
<th>December 31, 2011</th>
<th>December 31, 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Invested assets:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Canadian equities</td>
<td>$29,291,600</td>
<td>$26,497,400</td>
</tr>
<tr>
<td>Foreign equities</td>
<td>13,472,600</td>
<td>11,898,400</td>
</tr>
<tr>
<td>Fixed income</td>
<td>34,027,000</td>
<td>42,917,200</td>
</tr>
<tr>
<td>Cash and short-term investments</td>
<td>1,120,000</td>
<td>2,521,000</td>
</tr>
<tr>
<td><strong>Total invested assets</strong></td>
<td>$77,911,200</td>
<td>$83,834,000</td>
</tr>
<tr>
<td><strong>Net outstanding amounts:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contributions receivable</td>
<td>$ 0</td>
<td>$ 0</td>
</tr>
<tr>
<td>Investment income receivable</td>
<td>235,300</td>
<td>287,500</td>
</tr>
<tr>
<td>Benefits payable</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Expenses and other payables</td>
<td>(58,800)</td>
<td>(72,600)</td>
</tr>
<tr>
<td><strong>Total net outstanding amounts</strong></td>
<td>$176,500</td>
<td>$214,900</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$78,087,700</td>
<td>$84,048,900</td>
</tr>
</tbody>
</table>

**Comments:**

- The invested assets are held by Royal Trust.

- The data relating to the invested assets are based on the audited financial statements provided by the City. All such data has been relied upon by Towers Watson following tests of reasonableness with respect to contributions, benefit payments and investment income. However, Towers Watson has not independently audited or verified this data.
## Asset Class Distribution

The following table shows the target asset allocation stipulated by the plan's investment policy in respect of various major asset classes and the actual asset allocation as at December 31, 2011.

<table>
<thead>
<tr>
<th>Asset Class</th>
<th>Target asset allocation</th>
<th>Asset allocation as at December 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canadian equities</td>
<td>30%</td>
<td>38%</td>
</tr>
<tr>
<td>Foreign equities</td>
<td>30%</td>
<td>17%</td>
</tr>
<tr>
<td>Fixed income</td>
<td>40%</td>
<td>44%</td>
</tr>
<tr>
<td>Cash and short-term investments</td>
<td>0%</td>
<td>1%</td>
</tr>
<tr>
<td>Total</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

### Notes:

1. This information was obtained from the investment policy in effect for the plan as at December 31, 2011. This is the initial target allocation and is subject to adjustment based on the transfer ratio of the plan.

2. This information was obtained from The Corporation of The City of Hamilton. All such data has been relied upon by Towers Watson and compared against the target asset allocation to assess reasonableness. However, Towers Watson has not independently audited or verified this data.
Reconciliation of Total Assets (Market Value)

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Assets as at January 1</strong></td>
<td>$85,667,000</td>
<td>$85,608,800</td>
<td>$84,048,900</td>
</tr>
<tr>
<td><strong>Receipts:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contributions</td>
<td>$0</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>Investment income</td>
<td>466,800</td>
<td>8,242,300</td>
<td>10,053,100</td>
</tr>
<tr>
<td>Total receipts</td>
<td>466,800</td>
<td>8,242,300</td>
<td>10,053,100</td>
</tr>
<tr>
<td><strong>Disbursements:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pension payments</td>
<td>7,701,900</td>
<td>7,806,600</td>
<td>8,115,300</td>
</tr>
<tr>
<td>Fees</td>
<td>344,200</td>
<td>375,500</td>
<td>379,900</td>
</tr>
<tr>
<td>Total disbursements</td>
<td>8,046,100</td>
<td>8,182,100</td>
<td>8,495,200</td>
</tr>
<tr>
<td><strong>Assets as at December 31</strong></td>
<td>$78,087,700</td>
<td>$85,667,000</td>
<td>$85,606,800</td>
</tr>
</tbody>
</table>

**Comments:**

- This reconciliation is based on the financial statements provided by the City. All such data has been relied upon by Towers Watson following tests of reasonableness with respect to contributions, benefit payments and investment income. However, Towers Watson has not independently audited or verified this data.

- The rate of return earned on the market value of assets, net of all expenses, from December 31, 2008 to December 31, 2011 is approximately 7.2% per annum.
# Development of the Actuarial Value of Assets

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjusted market value as at December 31, 2007</td>
<td>$110,637,413</td>
<td>(8,273,848)</td>
<td>7,193,343</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net cash flow for 2008</td>
<td>109,663,565</td>
<td>$84,048,865</td>
<td>(8,115,342)</td>
<td>4,602,754</td>
<td></td>
</tr>
<tr>
<td>Assumed investment return (5.75%)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adjusted market value as at December 31, 2008</td>
<td>107,611,033</td>
<td>80,536,277</td>
<td>79,608,814</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net cash flow for 2009</td>
<td>(7,006,576)</td>
<td>(7,006,576)</td>
<td>(7,006,576)</td>
<td>4,701,090</td>
<td></td>
</tr>
<tr>
<td>Assumed investment return (5.75%)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adjusted market value as at December 31, 2009</td>
<td>105,660,406</td>
<td>77,139,235</td>
<td>82,501,328</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net cash flow for 2010</td>
<td>(7,006,576)</td>
<td>(7,006,576)</td>
<td>(7,006,576)</td>
<td>4,525,492</td>
<td></td>
</tr>
<tr>
<td>Assumed investment return (5.75%)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adjusted market value as at December 31, 2010</td>
<td>103,820,580</td>
<td>73,854,542</td>
<td>79,324,865</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net cash flow for 2011</td>
<td>(7,006,576)</td>
<td>(7,006,576)</td>
<td>(7,006,576)</td>
<td>4,707,518</td>
<td></td>
</tr>
<tr>
<td>Assumed investment return (5.75%)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adjusted market value as at December 31, 2011</td>
<td>$103,820,580</td>
<td>$73,854,542</td>
<td>$79,324,865</td>
<td>$82,672,639</td>
<td></td>
</tr>
</tbody>
</table>

### Actuarial Value of Assets

- Average of the five adjusted market values as at December 31, 2011:
  - $83,512,090
- Actuarial value of assets as at December 31, 2011 (rounded)
  - $83,512,100

### Comments:

- The asset valuation method is described in Appendix C.
- The starting value of each column is the actual market value of total assets at the indicated date.
- Net cash flow was calculated as contributions less benefit payments on an accrued basis during the year.
- The rate of return earned on the going concern value of assets, net of all expenses, from December 31, 2008 to December 31, 2011 is approximately 1.3% per annum.
Appendix C: Actuarial Basis – Going Concern

Methods

Asset Valuation Method

The actuarial value of assets was calculated as the average of the market value of total assets at the valuation date and the four previous years’ adjusted market values. To obtain these adjusted market values, the market values at December 31 of each of the four preceding years were accumulated to the valuation date with net cash flow (contributions less benefit payments) and assumed investment return. Net cash flow was assumed to occur uniformly throughout each year. Assumed investment return for a year was calculated as the applicable going concern interest rate for those periods.

The objective of the asset valuation method is to produce a smoother pattern of going-concern surplus (deficit) and hence a smoother pattern of contributions, consistent with the long-term nature of a going concern valuation.

The going concern liability discount rate has been selected to equal the expected return on the assets over long periods of time, having regard to the investment policy of the pension fund. As such, no bias is expected in the asset valuation method.

Actuarial Cost Method

The actuarial liability was calculated using the projected unit credit cost method.

The actuarial liability for retired members and beneficiaries and terminated vested members was calculated as the actuarial present value of their respective benefits.

Since there are no more active members remaining in the plan, there is no normal actuarial cost for this plan.
### Actuarial Assumptions

<table>
<thead>
<tr>
<th>Economic Assumptions (per annum)</th>
<th>December 31, 2011</th>
<th>December 31, 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liability discount rate</td>
<td>5.00%</td>
<td>5.75%</td>
</tr>
<tr>
<td>Rate of inflation</td>
<td>2.00%</td>
<td>2.25%</td>
</tr>
<tr>
<td>Post-retirement pension increases</td>
<td>2.00%</td>
<td>2.25%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Demographic Assumptions</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mortality</td>
<td>1994 Uninsured Pension Mortality Table, projected to 2011 using Scale AA (refer to Table 1)</td>
<td>1994 Uninsured Pension Mortality Table, projected to 2008 using Scale AA (refer to Table 1)</td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Years male spouse older than female spouse</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Provision for non-investment expenses</td>
<td>None; return on plan assets is net of all expenses</td>
<td>None; return on plan assets is net of all expenses</td>
</tr>
</tbody>
</table>
### Table 1 — Sample Mortality Rates

<table>
<thead>
<tr>
<th>Age</th>
<th>Male</th>
<th>Female</th>
<th>1994 Uninsured Pensioner Mortality Table ¹</th>
<th>Scale AA Mortality Improvement Table ²</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>0.000545</td>
<td>0.000305</td>
<td></td>
<td>20</td>
</tr>
<tr>
<td>25</td>
<td>0.000711</td>
<td>0.000313</td>
<td></td>
<td>25</td>
</tr>
<tr>
<td>30</td>
<td>0.000962</td>
<td>0.000377</td>
<td></td>
<td>30</td>
</tr>
<tr>
<td>35</td>
<td>0.000915</td>
<td>0.000514</td>
<td></td>
<td>35</td>
</tr>
<tr>
<td>40</td>
<td>0.001153</td>
<td>0.000753</td>
<td></td>
<td>40</td>
</tr>
<tr>
<td>45</td>
<td>0.001697</td>
<td>0.001046</td>
<td></td>
<td>45</td>
</tr>
<tr>
<td>50</td>
<td>0.002773</td>
<td>0.001539</td>
<td></td>
<td>50</td>
</tr>
<tr>
<td>55</td>
<td>0.004758</td>
<td>0.002466</td>
<td></td>
<td>55</td>
</tr>
<tr>
<td>60</td>
<td>0.008576</td>
<td>0.004773</td>
<td></td>
<td>60</td>
</tr>
<tr>
<td>65</td>
<td>0.016629</td>
<td>0.009286</td>
<td></td>
<td>65</td>
</tr>
<tr>
<td>70</td>
<td>0.025516</td>
<td>0.014763</td>
<td></td>
<td>70</td>
</tr>
<tr>
<td>75</td>
<td>0.040012</td>
<td>0.024393</td>
<td></td>
<td>75</td>
</tr>
<tr>
<td>80</td>
<td>0.066966</td>
<td>0.042361</td>
<td></td>
<td>80</td>
</tr>
<tr>
<td>85</td>
<td>0.104559</td>
<td>0.072838</td>
<td></td>
<td>85</td>
</tr>
<tr>
<td>90</td>
<td>0.164442</td>
<td>0.125016</td>
<td></td>
<td>90</td>
</tr>
<tr>
<td>95</td>
<td>0.251180</td>
<td>0.200229</td>
<td></td>
<td>95</td>
</tr>
<tr>
<td>100</td>
<td>0.341116</td>
<td>0.297233</td>
<td></td>
<td>100</td>
</tr>
<tr>
<td>105</td>
<td>0.440630</td>
<td>0.415180</td>
<td></td>
<td>105</td>
</tr>
</tbody>
</table>

**Notes:**

¹ For the year 1994 with no improvement. The mortality rates for years after 1994 are computed using the mortality rates for the year 1994 (qₓמז4 rates) and mortality improvement rates (xAA rates).

² Using the qₓמז4 rates and the xxAA rates defined above, the resulting mortality rate for age x in calendar year y is:

\[ q_y^x = q_{y-1994}^x \cdot (1 - A\AA_x)^y \]
Rationale for Actuarial Assumptions

The rationale for the material actuarial assumptions used in the going concern valuation is summarized below.

The going concern assumptions do not include margins for adverse deviations, except as noted below.

 Liability Discount Rate

Valuation economic assumptions used for establishing the liability discount rate have been developed based on Towers Watson's capital market model. The capital market model simulates economic variables (e.g. inflation and yields) and asset class returns, with the assumptions being developed through both the analysis of historical rates and returns, and the application of econometric theory. In modeling inflation and bond yields, current conditions and long term expectations are used and the serial correlation inherent in these parameters is recognized.

Our long term nominal rate of return assumption was determined using the expected long term asset mix for the plan, which is consistent with the target mix found in the investment policy in effect for the plan as at the valuation date.

Based on Towers Watson's capital market model, a best estimate long term gross nominal rate of return as at December 31, 2011 of 5.74% is appropriate. The following adjustments were subsequently made before selecting the long term nominal rate of return assumption:

- Best estimate long term nominal rate of return before adjustments 5.74%
- Adjustment for non-investment expenses paid by the plan (0.47)
- Adjustment for passive investment management expenses paid by the plan (excluding active management fees) (0.08)
- Best estimate long term nominal rate of return after adjustments 5.19%

In the selection of the discount rate, we have assumed that additional returns associated with employing an active investment management strategy would equal the additional expenses associated with employing such strategy. Consequently, we have disregarded any potential additional returns.

We established 5.00% as the nominal rate of return assumption for the plan allowing for a 0.19% margin for adverse deviations.

In carrying out the plan's investment policy, the plan administrator has opted to invest the plan's assets in a diversified portfolio, which includes certain asset classes subject to risk that provide potential for higher return. The investment return assumption used in this actuarial valuation to discount future expected benefit payments includes an estimated risk premium for investment of fund assets in
instruments subject to risk. Based on historical experience, assets invested in instruments subject to risk are normally expected to yield higher returns in the long-run than assets invested in low-risk investments, but these returns may fluctuate significantly from year to year and not necessarily in line with changes in the plan's liabilities over long periods of time. As a result, investing in riskier asset classes will generally increase the potential for future asset-liability mismatch, which could lead to greater volatility in the plan's financial position and minimum contribution requirements.

Rate of inflation

The assumption reflects an estimate of future rates of inflation considering economic and financial market conditions at the valuation date.

Post-retirement Pension Increases

The assumption has been determined by applying the post-retirement increase provision specified in the plan to the inflation assumption.

Mortality

The 1994 Uninsured Pensioner Mortality Table reflects the mortality experience projected to 1994 for a large sample of North American pension plans. Applying Projection Scale AA to 2011 provides allowance for improvements in mortality after 1994 and is considered reasonable for projecting mortality experience into the future for the plan.

Years Male Spouse Older Than Female Spouse

When provided, the actual data on the spouse were used for retired members. For other members, the assumption is based on surveys of the age difference in the general population and an assessment of future expectations for members of the plan.

Provision for Non-Investment Expenses.

The liability discount rate is net of all expenses (with the exception of any fees associated with employing an active investment management strategy). The assumed level of expenses reflected in the liability discount rate is based on recent experience of the plan and an assessment of future expectations.
Appendix D: Actuarial Basis – Solvency and Hypothetical Windup

Methods

Asset Valuation Method

Assets deemed to be available for purposes of the hypothetical wind-up valuation are equal to the market value of assets, reduced by a provision for plan windup expenses.

Assets deemed to be available for purposes of the solvency valuation are equal to the sum of:

i. the market value of assets, reduced by a provision for plan windup expenses; and

ii. the amount by which the actuarial value of assets (smoothed value of assets) exceeds (or is exceeded by) the market value.

The asset valuation method for purposes of the solvency valuation has changed since the last valuation. The objective of the change is to smooth out short term market fluctuations and produce a smoother pattern of solvency surplus (deficit) and hence a smoother pattern of contributions.

The adjustment in respect of the smoothing of solvency assets for purposes of determining the statutory solvency position was calculated as the difference between the 5-year average of adjusted market values and the market value of total assets. Details on this technique are discussed in Appendix C.

Liability Calculation Method

The solvency and hypothetical windup liabilities for retired members and beneficiaries and terminated vested members were calculated as the actuarial present value of their respective benefits. Smoothed discount rates were used to calculate the adjusted solvency liability.

Other Considerations

The solvency and hypothetical windup actuarial valuations have been prepared on a hypothetical basis. In the event of an actual plan windup, the plan assets may have to be allocated between various classes of plan members or beneficiaries as required by applicable pension legislation. Such potential allocation has not been performed as part of these solvency and hypothetical windup valuations.
Solvency Incremental Cost Actuarial Method

The solvency incremental cost for a given year represents the present value, at the valuation date, of the expected aggregate change in the solvency liability during the year, increased for expected benefit payments during the year.

The solvency incremental cost reflects expected decrements and related changes in membership status, any expected changes in benefits, entitlements, and pension formula or increases in the maximum pension limits during the year.

The solvency incremental cost has been calculated for each year until the next valuation date as the projected solvency liability at the end of the year, minus the solvency liability at the beginning of the year, increased for expected benefit payments during the year. Each of these amounts is discounted to the valuation date using the projected solvency liability discount rate.

The method used to calculate the projected solvency liabilities at each projection date is the same as used in the solvency valuation.
## Actuarial Assumptions

### Economic Assumptions (per annum)

<table>
<thead>
<tr>
<th></th>
<th>December 31, 2011</th>
<th>December 31, 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liability discount rate (non-smoothed)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Annuity purchase (solvency)</td>
<td>3.30%</td>
<td>4.30%</td>
</tr>
<tr>
<td>Annuity purchase (windup)</td>
<td>0.50%</td>
<td>2.10%</td>
</tr>
<tr>
<td>Liability discount rate (smoothed)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Annuity purchase (solvency)</td>
<td>4.40%</td>
<td>N/A</td>
</tr>
<tr>
<td>Consumer Price Index (CPI)</td>
<td>1.31% for 10 years and 2.44% thereafter</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### Demographic Assumptions

<table>
<thead>
<tr>
<th>Mortality</th>
<th>1994 Uninsured Pensioner Mortality Table, projected generationally using Scale AA</th>
</tr>
</thead>
</table>

### Other

| Years male spouse older than female spouse | 3 | 3 |
| Provision for expenses                    |  |
| Solvency                                 | $100,000 | $85,000 |
| Hypothetical windup                      | $100,000 | $85,000 |

### Notes:

1. For solvency incremental cost purposes only.

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Rationale for Actuarial Assumptions

The rationale for the material actuarial assumptions used in the solvency and hypothetical windup valuations is summarized below.

The actuarial assumptions used in the solvency and hypothetical windup valuations do not include margins for adverse deviations.

Liability Discount Rate

Discount Rates for Solvency (before averaging) and Hypothetical Windup

In the event of a plan windup, it is expected that all liabilities will be settled by a group annuity purchase.

For the calculation of the solvency and hypothetical windup liability, the liability discount rate corresponds to an approximation of the annuity purchase rates as at the valuation date following application of the relevant guidance on assumptions for solvency and hypothetical windup valuations issued by the Canadian Institute of Actuaries' Committee on Pension Plan Financial Reporting.

Discount Rates for Solvency (after averaging)

The average discount rates for calculation of the statutory solvency deficiency are based on the following, rounded to the nearest 10 basis point:

- Benefits that are expected to be settled by a group annuity purchase:

  The average of the annualized approximate annuity purchase rates at December 31, 2011 and the four previous year-ends
  
<table>
<thead>
<tr>
<th>Date</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 31, 2007</td>
<td>4.62%</td>
</tr>
<tr>
<td>December 31, 2008</td>
<td>4.97%</td>
</tr>
<tr>
<td>December 31, 2009</td>
<td>4.46%</td>
</tr>
<tr>
<td>December 31, 2010</td>
<td>4.45%</td>
</tr>
<tr>
<td>December 31, 2011</td>
<td>3.31%</td>
</tr>
<tr>
<td>Average</td>
<td>4.36%</td>
</tr>
</tbody>
</table>
Note:

1 The approximate annuity purchase interest rates prior to February 1, 2011 have been adjusted to reflect the change in the mortality table assumption applicable to the determination of liabilities settled by group annuity purchase.

**Mortality**

The assumption has been set following application of the relevant guidance on assumptions for solvency and hypothetical windup valuations issued by the Canadian Institute of Actuaries’ Committee on Pension Plan Financial Reporting.

**Years Male Spouse Older Than Female Spouse**

See rationale for going concern assumptions in Appendix C.

**Provision for Expenses**

Allowance was made for normal administrative, actuarial, legal and other costs which would be incurred if the plan were to be wound up (excluding costs relating to the resolution of surplus or deficit issues). The valuation is premised on a scenario in which all costs incurred as a result of plan windup were assumed to be paid from the pension fund.
Solvency Incremental Cost Actuarial Assumptions

Demographic Actuarial Assumptions

Except as noted below, the projected population and benefits valued in the solvency liability projection are based on the demographic assumptions used for the going concern valuation described in Appendix C.

*New Entrants*

No allowance has been made for new entrants between the current valuation date and next valuation date in the demographic projections on the basis that the plan is closed to new entrants.

Solvency Liability Projection Actuarial Assumptions

Except as noted below, the assumptions for the solvency liability projections for purposes of calculating the solvency incremental cost are the same assumptions as those used in the solvency valuation described previously.

*Liability Discount Rate*

At the projection date, the unsmoothed solvency discount rates (before averaging for purposes of the statutory solvency deficiency calculation) are assumed to remain at the same levels applicable at the valuation date. The discount rates used for calculation of the solvency incremental cost are the unsmoothed solvency discount rates.

*Post-retirement Pension Increases*

The assumed pension increase is 1.31% as at December 31, 2012, December 31, 2013 and December 31, 2014.
Appendix E: Membership Data

Summary of Membership Data

Active and Disabled Members

There are no remaining active members.

Retired Members

<table>
<thead>
<tr>
<th></th>
<th>Fire December 31, 2011</th>
<th>Others December 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>Number</td>
<td>142</td>
<td>0</td>
</tr>
<tr>
<td>Average age</td>
<td>75.9</td>
<td>0</td>
</tr>
<tr>
<td>Average annual lifetime pension</td>
<td>$37,475</td>
<td>0</td>
</tr>
</tbody>
</table>

Comment:

- The lifetime pension as at December 31, 2011 includes the January 1, 2012 pension increase of 2.84%.
- All members have reached the bridge benefit expiry date as of December 31, 2011.

<table>
<thead>
<tr>
<th>Age</th>
<th>Fire December 31, 2011</th>
<th>Others December 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Monthly Pension</td>
</tr>
<tr>
<td>65 - 69</td>
<td>18</td>
<td>$61,957</td>
</tr>
<tr>
<td>70 - 74</td>
<td>46</td>
<td>$137,592</td>
</tr>
<tr>
<td>75 - 79</td>
<td>49</td>
<td>$150,283</td>
</tr>
<tr>
<td>80 +</td>
<td>29</td>
<td>$93,617</td>
</tr>
<tr>
<td>Total</td>
<td>142</td>
<td>$443,449</td>
</tr>
</tbody>
</table>
### Beneficiaries

<table>
<thead>
<tr>
<th></th>
<th>Fire</th>
<th>Others</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>December 31, 2011</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Number</strong></td>
<td>Male 0 Female 58 Total 58</td>
<td>Male 1 Female 31 Total 32</td>
</tr>
<tr>
<td><strong>Average age</strong></td>
<td>0 77.0 77.0</td>
<td>96.0 83.7 84.1</td>
</tr>
<tr>
<td><strong>Average annual lifetime pension</strong></td>
<td>$ 0 $23,891 $23,891</td>
<td>$7,406 $14,860 $14,627</td>
</tr>
</tbody>
</table>

**Comment:**
- The lifetime pension as at December 31, 2011 includes the January 1, 2012 pension increase of 2.84%.

<table>
<thead>
<tr>
<th>Age</th>
<th>Fire</th>
<th>Others</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Monthly</td>
<td>Monthly</td>
</tr>
<tr>
<td>Age</td>
<td>Number</td>
<td>Pension</td>
</tr>
<tr>
<td>55 - 59</td>
<td>1</td>
<td>$1,967</td>
</tr>
<tr>
<td>60 - 64</td>
<td>1</td>
<td>1,885</td>
</tr>
<tr>
<td>65 - 69</td>
<td>4</td>
<td>8,477</td>
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<tr>
<td>70 - 74</td>
<td>20</td>
<td>39,670</td>
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<tr>
<td>75 - 79</td>
<td>13</td>
<td>29,278</td>
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<tr>
<td>80 +</td>
<td>19</td>
<td>34,396</td>
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<tr>
<td>Total</td>
<td>58</td>
<td>$115,473</td>
</tr>
</tbody>
</table>
Terminated Vested Members

<table>
<thead>
<tr>
<th>Terminated vested members:</th>
<th>December 31, 2011</th>
<th>December 31, 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Average age</td>
<td>90.2</td>
<td>87.2</td>
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<tr>
<td>Average annual pension*</td>
<td>$1,137</td>
<td>$1,085</td>
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<tr>
<td>Average accumulated employee contributions</td>
<td>$38,937</td>
<td>$36,940</td>
</tr>
</tbody>
</table>

Comment:

- The annual pension as at December 31, 2011 includes the January 1, 2012 pension increase of 2.84%.
- The annual pension as at December 31, 2008 includes the January 1, 2009 pension increase of 2.51%. 
Review of Membership Data

The membership data were supplied by The Corporation of The City of Hamilton as at December 31, 2011.

The membership data have been relied upon by Towers Watson following tests for reasonableness and found to be sufficient and reliable for the purposes of the valuations. Elements of the data review included the following:

- ensuring that the data were intelligible (i.e., that an appropriate number of records was obtained, that the appropriate data fields were provided and that the data fields contained valid information);

- preparation and review of membership reconciliations to ascertain that the complete membership of the pension plan was accounted for;

- review of consistency of individual data items and statistical summaries between the current valuation and the previous valuation;

- review of reasonableness of individual data items, statistical summaries and changes in such information since the previous valuation date; and

- comparison of the membership data and the plan’s financial statements for consistency.

However, the tests conducted as part of the membership data review may not have captured certain deficiencies in the data.
## Membership Reconciliation

<table>
<thead>
<tr>
<th></th>
<th>Actives</th>
<th>Deferred</th>
<th>Pensioners</th>
<th>Beneficiaries</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>As at December 31, 2008</td>
<td>0</td>
<td>3</td>
<td>188</td>
<td>95</td>
<td>286</td>
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<tr>
<td>New entrants</td>
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<tr>
<td>Non-vested</td>
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<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Vested termination</td>
<td></td>
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<td>Disability</td>
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<td>Retirement</td>
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<tr>
<td>Deceased</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(without beneficiary)</td>
<td></td>
<td></td>
<td>(11)</td>
<td>(23)</td>
<td>(34)</td>
</tr>
<tr>
<td>Deceased (with beneficiary)</td>
<td></td>
<td></td>
<td>(18)</td>
<td>18</td>
<td></td>
</tr>
<tr>
<td>Data corrections</td>
<td></td>
<td></td>
<td>(29)</td>
<td>(5)</td>
<td>(34)</td>
</tr>
<tr>
<td>Net change</td>
<td></td>
<td></td>
<td>(29)</td>
<td>(5)</td>
<td>(34)</td>
</tr>
<tr>
<td>As at December 31, 2011</td>
<td>0</td>
<td>3</td>
<td>159</td>
<td>90</td>
<td>252</td>
</tr>
</tbody>
</table>
Appendix F: Summary of Plan Provisions

The following is an outline of the principal features of the plan which are of financial significance to valuing the plan benefits. This summary is based on the plan provisions as at December 31, 2011 including the 2007 amendment with an effective date of January 1, 2006, as provided by The Corporation of The City of Hamilton, and does not make any provisions for the possibility that a change or action (retroactive or otherwise) could be imposed by order of a regulatory body or a court. As the plan consists entirely of pensioners and deferred vested members, plan provisions relating to active members have not been included. It is not a complete description of the plan terms and should not be relied upon for administration or interpretation of benefits. For a detailed description of the benefits, please refer to the plan document.

Normal Retirement Age

Age 60 for Fire employees other than Fire Chief, age 65 for all others.

Amounts of Annual Pension

Normal and Disability Retirement: 2% of average annual earnings in best 5 years before retirement for each year of credited service up to 35 years reduced by 0.675% of the 5 year average earnings up to the average YMPE over the last five years for each year of contributory service after January 1, 1966. Reduction suspended from date of retirement to age 65 for CPP benefit.

Death Benefit

After retirement: Based on election made within range of allowable options.

Withdrawal Benefit

Deferred pensions commence at the normal retirement age.

Inflation Protection

Pension benefits, pensions and deferred pensions shall be indexed beginning on January 1, 2006, by an inflation related adjustment formula equal to the inflation related adjustment formula used to increase pension benefits, pensions and deferred pensions under the Ontario Municipal Employees Retirement Systems Act, 2006, as amended from time to time, subject to the Income Tax Act.
Appendix G: PBGF Assessment, Transfer Ratio and Solvency Ratio

Pension Benefit Guarantee Fund Assessment

As a result of Ontario Regulation 73/95, coverage under the Pension Benefit Guarantee Fund (PBGF) is exempted and PBGF assessment is not required.

Transfer Ratio and Solvency Ratio

<table>
<thead>
<tr>
<th></th>
<th>December 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Transfer Ratio</strong></td>
<td></td>
</tr>
<tr>
<td>Solvency value of assets</td>
<td>$ 78,087,700</td>
</tr>
<tr>
<td>Lesser of estimated employer contributions for the period until the next valuation and the prior year credit balance</td>
<td>$ 0</td>
</tr>
<tr>
<td>Hypothetical windup liability</td>
<td>$ 105,465,200</td>
</tr>
<tr>
<td>Transfer ratio</td>
<td>0.74</td>
</tr>
<tr>
<td><strong>Solvency Ratio</strong></td>
<td></td>
</tr>
<tr>
<td>Solvency value of assets</td>
<td>$ 78,087,700</td>
</tr>
<tr>
<td>Solvency liability</td>
<td>$ 83,139,600</td>
</tr>
<tr>
<td>Solvency ratio</td>
<td>0.94</td>
</tr>
</tbody>
</table>

Comments:

- The solvency value of assets reflects net outstanding amounts. The solvency value of assets is prior to deduction of a provision for plan windup expenses.
- As the transfer ratio is less than 1.00, transfer deficiencies must be paid over a maximum period of five years unless the cumulative transfer deficiencies are within the limits prescribed by the
Regulation to the *Pension Benefits Act (Ontario)* or the employer remits additional contributions in respect of the transfer deficiencies. Pursuant to Regulations 19(4) or 19(5) to the *Pension Benefits Act (Ontario)*, approval of the Superintendent will be required to make commuted value transfers if there has been a significant decline in the transfer ratio after the valuation date.

- Based on the solvency ratio defined as the ratio of solvency value of assets to solvency liabilities, the next valuation of the plan is due with an effective date not later than December 31, 2014.
Appendix H: Certificate of the Plan Administrator

I hereby certify that to the best of my knowledge and belief:

• the significant terms of engagement contained in Appendix A of this report are accurate and reflect the Plan administrator's judgement of the plan provisions and/or an appropriate basis for the actuarial valuation of the plan;

• the information on plan assets forwarded to Towers Watson Canada Inc and summarized in Appendix B of this report is complete and accurate;

• the data forwarded to Towers Watson Canada Inc. and summarized in Appendix E of this report are a complete and accurate description of all persons who are members of the plan, including beneficiaries who are in receipt of a retirement income, in respect of service up to the date of the actuarial valuation;

• the summary of plan provisions contained in Appendix F of this report is accurate; and

• there have been no events which occurred between the actuarial valuation date and the date this actuarial valuation was completed that may have a material financial effect on the actuarial valuation.

[Signature]

10/12/2012

[Name]

[CITY TREASURER]

[Title]
Appendix I: Actuarial Information Summary
### January 2013

<table>
<thead>
<tr>
<th>Sunday</th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td><strong>NEW YEAR’S DAY</strong></td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>6</td>
<td>7</td>
<td>8</td>
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<td>14</td>
<td>15</td>
<td>16</td>
<td>17</td>
<td>18</td>
<td>19</td>
</tr>
<tr>
<td>14</td>
<td>9:30 a.m. – GIC</td>
<td>15</td>
<td>9:30 a.m. – PLANNING</td>
<td>16</td>
<td>9:30 a.m. – PW</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1:30 p.m. – BoH</td>
<td>1:30 p.m. – E&amp;CS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>21</td>
<td>22</td>
<td>23 <strong>5:00 p.m. – Council</strong></td>
<td>24</td>
<td>9:30 a.m. – GIC (Boards &amp; Agencies – Legislated)</td>
<td>25</td>
</tr>
<tr>
<td>27</td>
<td>28</td>
<td>29</td>
<td>30</td>
<td>31</td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>9:30 a.m. – GIC</td>
<td>29</td>
<td>9:30 a.m. – GIC Department Presentations</td>
<td>30</td>
<td>9:30 a.m. – GIC Department Presentations</td>
<td></td>
</tr>
</tbody>
</table>

GIC = General Issues Committee (formerly Committee of the Whole)
PW = Public Works Committee
PLANNING = Planning Committee (formerly Economic Development & Planning Committee)
AF&A = Audit, Finance & Administration Committee
E&CS = Emergency & Community Services Committee
BOH = Board of Health
All meetings will be in the Council Chambers, Hamilton City Hall

* Pilot Project from 2012
** Denotes meeting is subject to change
<table>
<thead>
<tr>
<th>Sunday</th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>4</td>
<td>5</td>
<td>6</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td></td>
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<td><strong>9:30 a.m. – PW</strong></td>
<td><strong>9:30 a.m. – PLANNING</strong></td>
<td><strong>9:30 a.m. – GIC</strong></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>3</td>
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<td>7</td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>9:30 a.m. – PW</td>
<td>9:30 a.m. – PLANNING</td>
<td><strong>9:30 a.m. – GIC</strong></td>
<td></td>
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<tr>
<td>1:30 p.m. – BoH</td>
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<tr>
<td>9:30 a.m. – PLANNING</td>
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<tr>
<td>10</td>
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<td>13</td>
<td>14</td>
<td>15</td>
<td>16</td>
</tr>
<tr>
<td>9:30 a.m. – AF&amp;A</td>
<td>9:30 a.m. – GIC</td>
<td><strong>5:00 p.m. – Council</strong></td>
<td></td>
<td><strong>9:30 a.m. – GIC Department Presentations (if required)</strong></td>
<td><strong>9:30 a.m. – GIC Department Presentations (if required)</strong></td>
<td><strong>5:00 p.m. – Council</strong></td>
</tr>
<tr>
<td>1:30 p.m. – E&amp;CS</td>
<td></td>
<td></td>
<td><strong>9:30 a.m. – GIC Department Presentations (if required)</strong></td>
<td><strong>9:30 a.m. – GIC Department Presentations (if required)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>18</td>
<td>19</td>
<td>20</td>
<td>21</td>
<td>22</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td><strong>FAMILY DAY</strong></td>
<td><strong>9:30 a.m. – PLANNING</strong></td>
<td><strong>9:30 a.m. – GIC</strong></td>
<td>3:00 p.m. – GIC Public Delegations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>25</td>
<td>26</td>
<td>27</td>
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</tr>
<tr>
<td>9:30 a.m. – AF&amp;A (if required)</td>
<td>9:30 a.m. – GIC</td>
<td><strong>5:00 p.m. – Council</strong></td>
<td></td>
<td>9:30 a.m. – GIC Budget Deliberations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1:30 p.m. – E&amp;CS (if required)</td>
<td><strong>9:30 a.m. – GIC Department Presentations (if required)</strong></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

GIC = General Issues Committee (formerly Committee of the Whole)
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* Pilot Project from 2012
** Denotes meeting is subject to change
### March 2013

<table>
<thead>
<tr>
<th>Sunday</th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>4</td>
<td>5</td>
<td>6</td>
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</tr>
<tr>
<td></td>
<td>9:30 a.m. – GIC Budget Deliberations</td>
<td></td>
<td></td>
<td>9:30 a.m. – GIC Budget Deliberations</td>
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<tr>
<td></td>
<td><strong>MARCH BREAK</strong></td>
<td><strong>MARCH BREAK</strong></td>
<td><strong>MARCH BREAK</strong></td>
<td><strong>MARCH BREAK</strong></td>
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</tr>
<tr>
<td></td>
<td>9:30 a.m. – PW</td>
<td>9:30 a.m. – PLANNING</td>
<td>9:30 a.m. – GIC</td>
<td>9:30 a.m. – GIC Budget Deliberations</td>
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<tr>
<td></td>
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<td>9:30 a.m. – AF&amp;A</td>
<td></td>
<td><strong>5:00 p.m. – Council 2013 BUDGET APPROVAL</strong></td>
<td></td>
<td>GOOD FRIDAY</td>
</tr>
<tr>
<td>31</td>
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</tbody>
</table>

GIC = General Issues Committee (formerly Committee of the Whole)
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* Pilot Project from 2012
** Denotes meeting is subject to change
### April 2013

<table>
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<th>Sunday</th>
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<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>1 EASTER MONDAY</td>
<td>9:30 a.m. – PLANNING</td>
<td>9:30 a.m. – GIC</td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td>7</td>
<td>9</td>
<td>10</td>
<td>11</td>
<td>12</td>
<td>13</td>
</tr>
<tr>
<td>8</td>
<td>9:30 a.m. – PW</td>
<td>9:30 a.m. – GIC</td>
<td><strong>5:00 p.m. – Council</strong></td>
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</tr>
<tr>
<td>15</td>
<td>9:30 a.m. – AF&amp;A</td>
<td>9:30 a.m. – PLANNING</td>
<td>9:30 a.m. – GIC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>9:30 a.m. – E&amp;CS</td>
<td></td>
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### May 2013

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### Appendix “G” Item 11 of AF&A Report 12-009

#### Page 7 of 12

**July 2013**

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Municipal Services & Property Taxation on Condominium Properties – Proposed Work Plan

(a) That Report FCS12020/PW12011 “Municipal Services and Property Taxation on Condominium Properties” be received for information;

- Complete

(b) That, in an effort to mitigate the cost of services undertaken by Condominium Corporations, City staff provide the Condominium Corporations with a list of the City’s current contractors and their respective pricing;

- Complete
- Purchasing staff have compiled the information.
- The requested information was provided to the Canadian Condominium Institute (CCI) in September, 2012.

(c) That staff be directed to work with the Chairs of the Board of Health and the Standing Committees, to develop a report outlining the costs involved with maintaining condominium catch basins, fire hydrants, larviciding within common areas of the condominium corporations’ properties and street lighting and report back to the Audit, Finance & Administration Committee; [staff recommend to revise to: “their respective Standing Committee”]

- Prior to determining the costs of providing these services to condominium properties, staff first need to have an inventory, as well as, information with respect to their current condition.
- Staff for each respective service (Public Works: responsible for catch basins, fire hydrant testing and street lighting; Public Health: responsible for larviciding) will determine potential cost of getting the required information (inventory, state of repair, etc) for each individual service and, if applicable, identify alternative ways of proceeding.
- As identified in the recommendation, staff will then provide this information (costs of conducting inventory) to the Chairs of the Board of Health and the Standing Committees for information and input.
- Staff are recommending that, as information is available for a specific service, that staff report to their respective Standing Committee (and not to the Audit, Finance & Administration Committee). This would potentially accelerate the process.
- It is estimated that by Q1 2013, the respective Standing Committee would be provided with the projected costs to complete the required inventory for each service. If approved by Council, staff would then proceed with the inventory.
• Once the required information (inventory, state of repair, etc) for each individual service is available (if approved by Council to proceed), staff can then determine the cost of providing these services to condominiums.

• With respect to catch basin maintenance, staff is reviewing requests for maintenance activities for private roadways. Further information will be provided to Council in a future report.

(d) That staff be directed to evaluate the feasibility of reviewing the Guidelines for Site Plan Reviews with the Condominium Corporation Institute and report to the Planning Committee;

• This item has been added to the Planning Committee Outstanding Business List (due date of December 4, 2012).

(e) That the Solid Waste Management Committee, with the appropriate staff, be directed to further review the condominium properties where the City currently does not provide waste collection services to determine if waste collection services can be provided to these sites on a go forward basis and report back to the Public Works Committee.

• This item will be part of Public Works’ larger report on “Multi-Residential Waste Diversion Program” which is already on the Public Works Committee Outstanding Business List (due date of Q1 2013).
Present: Councillor J. Partridge, Chair
Councillor T. Whitehead, Vice-Chair
Councillors S. Duvall, J. Farr, T. Jackson, B. McHattie, S. Merulla and B. Morelli

THE EMERGENCY AND COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 12-010 AND RESPECTFULLY RECOMMENDS:

1. Hamilton Veterans Committee 2013 Volunteer Budget Submission (PED12205) (City Wide) (Item 5.2)
   (a) That the Hamilton Veterans Committee 2013 base budget submission in the amount of $11,590 be approved and forwarded to the 2013 budget process through the General Issues Committee (GIC);
   (b) That in addition to the base funding, that a budget allocation of $8,410, funded by an increase to the tax levy, be approved and forwarded to the 2013 budget process through the General Issues Committee (GIC).

2. 2013 Budget Request - Seniors Advisory Committee (FCS12091) (City Wide) (Item 5.3)
That the Seniors Advisory Committee’s 2013 base budget submission in the amount of $1,500 be approved and forwarded to the 2013 budget process (GIC).
3. Mohawk 4Ice Centre Annual Reports 2010 & 2011 (CS12036) (Ward 6) (Item 5.4)

That Report CS12036 respecting Mohawk 4Ice Centre Annual Reports 2010 & 2011 be received.

4. EMS Monthly Response Time Performance Report – January 1, 2012 to August 31, 2012 (HES12019) (City Wide) (Item 5.5)


5. Recreation Needs Assessment for Persons With Disabilities (CS12013)(City Wide) (Outstanding Business List Item) (Item 8.1)

(a) That the Recreation Needs Assessment Study prepared by Monteith Brown Planning Consultants (attached as Appendix A to Report CS12013), be received;

(b) That staff be directed to bring all Recreation Needs Assessment for Persons With Disabilities recommendations requiring funding, back to Committee for approval as part of the annual operating and capital budget submissions of priority projects starting in 2014;

(c) That Recreation staff be directed to implement the recommendations hereto attached as Appendix “A” – Action Plans and to report on the progress to the Committee annually.

Subsection (a)(i) of the following Item 6 was amended by deleting the words “50% of full rate” as follows:

6. Ice Rates for Junior Hockey Clubs (CS12033) (City Wide) (Outstanding Business List Item) (Item 8.2)

(a) That the recommended criteria to determine ice rental rates to be charged to Ontario Hockey Association junior teams utilizing City of Hamilton municipal arenas for the 2012-2013 season, be approved as follows:

<table>
<thead>
<tr>
<th>Eligibility Criteria</th>
<th>Ice Rate to be Paid (excluding HST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) 80% or more of the team players being Hamilton residents</td>
<td>$125.29 (Affiliated rate - 50% of full-rate)</td>
</tr>
<tr>
<td>(ii) 25% to 79% of the team</td>
<td>$173.84 (75% of full rate)</td>
</tr>
<tr>
<td>players being Hamilton residents</td>
<td>$231.79 (Full rate)</td>
</tr>
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<td>----------------------------------</td>
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<tr>
<td>(iii) Less than 25% of the team players being Hamilton residents</td>
<td></td>
</tr>
</tbody>
</table>

(b) That the new criteria for determining ice rental rates for Ontario Hockey Association junior teams be included as an addendum to the City’s existing Sport Organization Affiliation Policy.

7. Hamilton Farmers’ Market Sub-Committee Report 12-003 (Item 8.3.)

(a) Outdoor Market - Market Cart Program (CS12035) (Ward 2)

(i) That the Hamilton Farmers’ Market 2013 Outdoor Market Program Vendor Criteria and Application Process, hereto attached as Appendix “B”, be approved;

(ii) That the Hamilton Farmers’ Market 2013 Outdoor Market Program Vendor Application, hereto attached as Appendix “C”, be approved;

(iii) That the Hamilton Farmers’ Market 2013 Outdoor Market Program fee schedule of $35 for each truck stall for each Saturday, be approved;

(iv) That the Hamilton Farmers’ Market 2013 Outdoor Market Program fee of $35 for each truck stall each Saturday be added to the 2013 User Fees and Charges By-law and that the Seasonal Outdoor Stall fees ($30.66 for each 5’ x 10’ stall for each Saturday; $51.10 for each 10’ x 10’ stall for each Saturday) which currently appear in the User Fees and Charges By-law be deleted;

(v) That the Hamilton Farmers’ Market 2012 Market Cart Program Vendor Criteria and Application Process, hereto attached Appendix “D”, be approved;

(vi) That the Hamilton Farmers’ Market 2012 Market Cart Program Vendor Application, hereto attached as Appendix “E”, approved;

(vii) That the Hamilton Farmers’ Market 2012 Market Cart Program fee schedule of $10 for each cart, for each Tuesday, Thursday, Friday and $15 for each cart, for each Saturday, be approved;

(viii) That the Hamilton Farmers’ Market 2013 Market Cart Program fees, of $10 for each cart, for each Tuesday, Thursday, Friday and $15 for each cart, for each Saturday be added to the 2013 User Fees and Charges By-law;
(ix) That a by-law be passed to amend the Hamilton Farmers’ Market By-law 10-209 to allow stallholders of the indoor Market to be eligible for a truck stall and/or a cart as part of the Outdoor Market Program and/or the Market Cart Program, in a form satisfactory to the City Solicitor.

FOR THE INFORMATION OF COUNCIL:

(a) **CHANGES TO THE AGENDA (Item 1)**

The Clerk advised of the following change:

(i) Item 5.2 respecting the Hamilton Veterans Committee budget will be considered after the Hamilton Veterans Committee presentation which is Item 7.1 on the agenda.

The agenda was approved as amended.

(b) **DECLARATIONS OF INTEREST (Item 2)**

There were none declared.

(c) **APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

The Minutes of the October 4, 2012 meeting and the November 1, 2012 Special meeting were approved as presented.

(d) **DELEGATION REQUESTS (Item 4)**

The following delegation requests were approved:

(i) Jim Enos, Hamilton-Wentworth Family Action Council respecting Public Washrooms in City Facilities and a recent decision from the Toronto District School Board to allow boys to use girls washrooms. (Item 4.1)

(ii) Craig Foye, from the Hamilton Community Legal Clinic requesting to address Committee on December 10, 2012 regarding the staff report on the Consolidated Homelessness prevention Initiative (CHPI). (Item 4.2)

(e) **VARIOUS ADVISORY COMMITTEE MEETING MINUTES (Item 5.1):**

The following Advisory Committee Meeting Minutes were received:

(a) Hamilton Veterans Committee, March 13, 2012 Meeting
(b) Hamilton Veterans Committee, April 10, 2012 Meeting
(c) Hamilton Veterans Committee, May 8, 2012 Meeting
(d) Hamilton Veterans Committee, June 12, 2012 Meeting
(e) Hamilton Veterans Committee, July 10, 2012 Meeting
(f) Hamilton Veterans Committee, August 14, 2012 Meeting
(g) Hamilton Veterans Committee, September 11, 2012 Meeting
(h) Food & Shelter Advisory Committee, April 12, 2012 Meeting
(i) Seniors Advisory Committee, September 7, 2012
(j) Tenant Advisory Committee, September 21, 2012

(f) PRESENTATIONS

(i) Hamilton Veterans Committee Presentation respecting achievements to-date Item 7.1)

Bob Fyfe, Chair of the Hamilton Veterans Committee addressed Committee with the aid of a PowerPoint presentation. A copy of the hand-out was printed in the agenda.

The topics covered by Bob Fyfe included but were not limited to the following:

- 2011-2014 Committee Membership;
- Mandate;
- Remembrance Day and Memorial Services;
- Assistance to other Veterans Events;
- Previous and ongoing projects;
- 2012 Initiatives;
- Future goals;
- How to succeed.

Committee thanked the presenter and the Hamilton Veterans Committee members for their work and also recognized the work undertaken by staff in organizing the Remembrance Day Ceremonies.

On a motion, Committee received the presentation.

(g) GENERAL INFORMATION (Item 11)

(i) Outstanding Business List

The following New Due Dates were approved:

(i) Item “B” – Investigation of Lands Suitable for the Development of Recreation Facilities and Seniors Centres.
   Due date: November 12, 2012
   Proposed New Due Date: March, 2013

(ii) Item “D” – Needs Assessment – Ice Rinks in the Stoney Creek Area

Council – November 14, 2012
Due date: November 12, 2012
Proposed New Due Date: January, 2013

(iii) Item “I” – Neighbourhood Down Payment Assistance Program
     Due date: November 12, 2012
     Proposed New Due Date: January, 2013

The following Items were identified as being completed and removed from the Outstanding Business List:

(i) Item “A” – Recreation Access Policy (Needs Assessment)

(ii) Item “M” – Letter from OHA re: Ice Costs Based on Player Residency

(h) ADJOURNMENT

There being no further business, the Emergency & Community Services Committee meeting adjourned at 2:18 p.m.

Respectfully submitted,

Councillor J. Partridge, Chair
Emergency & Community Services Committee

Ida Bediou
Legislative Co-ordinator
Office of the City Clerk