Present:
Mayor F. Eisenberger
Chair B. Bratina
Councillors L. Ferguson, T. Jackson, M. McCarthy,
D. Mitchell, S. Merulla, R. Powers

Absent:
Councillor C. Collins – Illness

Also Present:
G. Davis – A/General Manager, Public Works
J. Stephen – Temp. Director, Capital Planning and Implementation
B. Shynal – Director, Operations and Maintenance
D. Hull – Director, Transit
J. Mater – Director, Energy, Fleet and Facilities
B. Goodger – Director, Waste Management
J. Harnum – Sr. Director, Water/Wastewater
C. Biggs – Legislative Assistant, City Clerk’s

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 09-004 AND RESPECTFULLY RECOMMENDS:

1. Supply of Furniture (PW09014) (City Wide) (Item 5.3)
   
   (a) That staff be authorized to extend the house agreements with Lordly Jones Ltd., and Teknion, for the provision and service of Teknion furniture, on a month to month basis, until such time that the City’s Furniture Supply Tender is issued and new supplier(s) of furniture are approved (target date September 30, 2009);
   
   (b) That staff be authorized to negotiate, with Teknion, for an approved dealer of choice to continue to supply new components, as well as, service and maintain all existing Teknion furniture currently held in the City’s stock;

Council – March 11, 2009
(c) That, in order to facilitate Recommendation (b) above, Purchasing staff, be authorized and directed to negotiate a Service Agreement with Teknion’s approved dealer, in consultation with Facilities Management, in a form acceptable to the City Solicitor.

2. **2008 Summary Report for Municipalities – Safe Drinking Water Act (PW09018) (City Wide) (Item 5.4)**


3. **Class EA for Upgrading the Ferguson Avenue Water Pumping Station, HD002 (PW09017) (Ward 2) (Item 5.3)**

   (a) That the General Manager, Public Works be authorized and directed to file the Notice of Completion and issue the Project File Report for the Class Environmental Assessment for Upgrading the Ferguson Avenue Water Pumping Station HD002, in Hamilton for the mandatory 30-day public review period;

   (b) That upon completion of the 30-day public review period, the General Manager, Public Works be authorized and directed to proceed with detailed design and implementation of the preferred solution of the Class Environmental Assessment for Upgrading the Ferguson Avenue Water Pumping Station HD002, provided that no Part 2 Orders by the Minister of the Environment are received;

   (c) That the Detailed Design component, at a cost of approximately $2.0M, be funded from Account No. 5140967950 (Ferguson Pump Station Replacement and Upgrades) as previously approved in the 2009 Capital Budget.

4. **U. S. Steel Canada-Hamilton Works Wastewater Treatment Project – Request for Compliance Agreement Extension (PW09016) (City Wide) (Item 8.1)**

   (a) That the General Manager of Public Works be authorized and directed to negotiate an extension to U.S. Steel’s existing Compliance Agreement which currently ends on March 15, 2009 until no later than December 31, 2010;

   (b) That the City of Hamilton, Compliance and Regulations staff monitor effluent and enforce Sewer Use By-law 04-150 if the conditions of the Compliance Agreement and Project proposal are not met by U.S. Steel Canada-Hamilton Works;
(c) That the City Solicitor and the General Manager of Public Works be authorized and directed to draft the Agreement for execution by the Mayor and City Clerk.

5. Tree Removal Request – Traffic Roundabout on Stone Church Road West at Omni Boulevard (PW09015) (Ward 8) (Item 8.2)

(a) That the necessary existing trees be approved for removal, as identified on Appendix “A” attached hereto, to facilitate the implementation of a capital project which includes the construction of a traffic roundabout and associated works on Stone Church Road West at Omni Boulevard;

(b) That the cost of the tree removal in the amount of $27,360 be funded from Capital Account No. 57692-4030516514 (Omni and Stone Church Roundabout).

6. Hannon Creek Subwatershed – North Glanbrook Industrial Business Park Master Drainage Plan (PW08031) (Wards 6, 7, 9 and 11) (Item 8.3(a))

That no action be taken with respect to Report PW08031 respecting “Hannon Creek Subwatershed – North Glanbrook Industrial Business Park Master Drainage Plan”.

7. Hannon Creek/North Glanbrook Industrial Business Park Subwatershed Study (PW08031(b)) (Wards 6, 7, 9 and 11) (Item 8.3(b))

(a) That the Acting General Manager, Public Works Department and the General Manager, Planning and Economic Development Department, be authorized and directed to use the Hannon Creek/North Glanbrook Industrial Business Park Subwatershed Study as the guiding document for stormwater management and drainage, and environmental management for the lands within the study area;

(b) That the General Manager, Planning and Economic Development Department be authorized and directed to include the recommendations of the Hannon Creek/North Glanbrook Industrial Business Park Subwatershed Study in Planning processes for the area covered by the Subwatershed Study, as appropriate;

(c) That, not withstanding Recommendations (a) and (b) above, the Acting General Manager, Public Works and the General Manager, Planning and Economic Development be authorized and directed to allow for amendments to the Subwatershed Study, or to require more detailed studies for part or all of the study area, to reflect future development and intensification patterns;
(d) That the item relating to the Hannon Creek Sub-watershed be removed from the Public Works Committee Outstanding Business List.

8. **ATS Fleet Replacement (PW07144(b)) (City Wide) (Item 8.4)**

(a) That, in accordance with Purchasing Policy - Single Source, Section 4:11 (e), the General Manager of Public Works and the Manager of Purchasing or their designates be authorized and directed to negotiate for the purchase of up to twenty (20) accessible low floor specialized transit buses from Creative Carriage Inc. (Arboc Mobility Bus) with the understanding that this purchase will be fully funded through the previously approved 2007 and 2008 Capital budgets as follows, $2,059,000 Project ID: 5310782100 (2007) and $1,436,000 Project ID: 5310882100 (2008);

(b) That the item relating to Specialized Transit Fleet Tender be removed from the Public Works Committee Outstanding Business List.

9. **ArcelorMittal Wastewater Treatment Project – Request for Compliance Agreement Extension (New Business)**

(a) That the General Manager of Public Works be authorized and directed to negotiate an extension to ArcelorMittal’s existing Compliance Agreement which currently ends on March 31, 2009 until no later than December 31, 2009;

(b) That the City of Hamilton, Compliance and Regulations staff monitor effluent and enforce Sewer Use By-law 04-150 if the conditions of the Compliance Agreement and Project proposal are not met by ArcelorMittal;

(c) That the City Solicitor and the General Manager of Public Works be authorized and directed to draft the Agreement for execution by the Mayor and City Clerk.

10. **Public Works Outstanding Business Items – Referral to Standing Committees (Item 11.1)**

That the following items from the Public Works Outstanding Business List be transferred to the Standing Committees as indicated:

(a) Pricing of Water Irrigation
   Be referred to the Audit and Administration Committee

Council- March 11, 2009
(b) Nationwide Survey on Greenhouse Gas Emissions (Referred to Public Works Committee by City Council on February 11, 2009) 
Be referred to the Economic Development and Planning Committee.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following change:

Item 12.1 – Vendor Default, removed from In Camera section, to be added as Item 8.5 under the Discussion agenda as the matter does not fall within the criteria of issues to be discussed In Camera.

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

(b) DECLARATIONS OF INTEREST (Item 2)

None declared.

(c) APPROVAL OF MINUTES (Item 3)

On a motion, the Minutes of the February 2, 2009 meeting of the Public Works Committee were approved, as presented.

On a motion, the Minutes of the February 5, 2009 meeting of the Public Works Committee respecting the 2009 Public Works budget were approved, as presented.

(d) MINUTES OF VARIOUS SUB-COMMITTEES (Item 5.1)

On a motion, the following Minutes were received:

(i) Solid Waste Management Master Plan Steering Committee – January 21, 2009

(ii) Clean City Liaison Committee – January 22, 2009
(e) **LAKE ERIE REGION SOURCE PROTECTION COMMITTEE MINUTES – NOVEMBER 6, 2008 (Item 5.2)**

On a motion, the November 6, 2008 Minutes of the Lake Erie Region Source Protection Committee, be received.

(f) **PUBLIC HEARINGS/DELEGATIONS**

**Mr. Trevor Harris, Manager, Government and Public Relations, U. S. Steel Canada**

Mr. Trevor Harris, Manager of Government and Public Relations, U. S. Steel Canada, provided a power point presentation to the Committee with respect to the request for an extension to the Compliance Agreement with the City of Hamilton. The presentation included:

- Core Values: Safety; Environmental Stewardship; Diversity and Inclusion; Focus on Cost; Quality and Consumer; Results and Accountability
- Environmental Stewardship
- Background
- Current Situation
- Path Forward
- Benefits: Cleaner Environment; Protect Jobs; Economic Development; Strategic Alignment; Business Benefits; Community Commitment

Dr. Frank Harrison, Regional Manager, Engineering, and Andrew Sebestyen, Manager, Corporate Environment, U. S. Steel Canada, were also in attendance to respond to questions of the Committee.

A copy of Mr. Harris’ presentation has been retained in the Office of the City Clerk for the public record.

On a motion, the presentation by U. S. Steel Canada, was received.

(g) **TREE REMOVAL REQUEST – TRAFFIC ROUNDABOUT ON STONE CHURCH ROAD WEST AT OMNI BOULEVARD (PW09015) (Ward 8) (Item 8.2)**

On a motion, the following was added as sub-section (b):

“(b) That the cost of the tree removal in the amount of $27,360 be funded from Capital Account No. 57692-4030516514 (Omni and Stone Church Roundabout).”
Susan Jacob, Manager of Design, was in attendance to respond to questions of the Committee. Councillor Ferguson requested information with respect to the caliper of the trees to be removed and specifically, if the diameter any of the trees was greater than 18 inches. Staff will respond to Councillor Ferguson's inquiry by e-mail prior to the March 11, 2009 meeting of Council.

(h) HANNON CREEK/NORTH GLANBROOK INDUSTRIAL BUSINESS PARK SUBWATERSHED STUDY (PW08031(b)) (Wards 6, 7, 9 and 11) (Item 8.3(b))

Councillor Jackson thanked staff for their efforts to resolve concerns raised at the Public Works Committee meeting in March, 2008 to the satisfaction of all parties concerned.

(i) ATS FLEET REPLACEMENT (PW07144(b)) (City Wide) (Item 8.4)

Councillor Jackson commended Don Hull and the HSR staff for their thorough consultation with the user groups in the community and giving consideration to their input in bringing forward the recommendations in Report PW07144(b).

(j) VENDOR DEFAULT (Item 8.5 – renumbered from Item 12.1)

Don Hull provided an update to the Committee with respect to the bankruptcy of Infoplace Ticket Centre, which was a major vendor of bus tickets and passes, and advised that Purchasing staff, with the support of Transit staff, will be reporting back within two months’ time on the financial implications of the bankruptcy. Mr. Hull also indicated that the report will contain recommendations on retiring all current bad debt as there are other accounts receivable that Purchasing has deemed unrecoverable.

The Committee was also advised that over a period of time, sales of bus tickets/passes has been in the order of $100 million, of which 99.7% of all accounts receivable has been collected, and that staff will be seeking direction from Council on the disposition of a current surplus in the “ticket float” fund excess of what is required after retiring all bad debt.

On a motion, the verbal report respecting “Vendor Default”, was received.

(k) GENERAL INFORMATION/OTHER BUSINESS

(i) Outstanding Business List:

(a) Truck Route Master Plan – Upper Mount Albion
   Due Date: March 23, 2009
   Revised Due Date: October 19, 2009

   Council- March 11, 2009
(bb) Truck Traffic on Fruitland Road Residential Road
Due Date: March 23, 2009
Revised Due Date: October 19, 2009

(cc) Biosolids Management Plan
Due Date: March 2, 2009
Revised Due Date: October 5, 2009

(dd) Endorsement of a Sports Field Management Strategy
Due Date: March 23, 2009
Revised Due Date: June 15, 2009

(ee) Recommendations from the Chamber of Commerce re: Public Transit Policy
Due Date: March 2, 2009
Revised Due Date: October 19, 2009

(ff) Opportunities for Reduction – Public Works Program
Due Date: March 2, 2009
Revised Due Date: April 6, 2009

(gg) Control Measures to Stop Dust Fall Outs resulting from Unpaved Parking Lots and Roads on Industrial Properties
Due Date: March 23, 2009
Revised Due Date: April 20, 2009

On a motion, the Outstanding Business List was amended accordingly to reflect the revised due dates for the above-noted matters.

(ii) **ArcelorMittal Wastewater Treatment Project – Request for Compliance Agreement Extension (New Business)**

Staff advised that similar to the situation of U. S. Steel Canada with respect to their Compliance Agreement with the City, ArcelorMittal is also experiencing a delay in meeting their target date of March 31, 2009 for compliance. Staff requested if the Committee would consider approving an extension of the Compliance Agreement between ArcelorMittal and the City of Hamilton to extend the agreement from March 31, 2009 to December 31, 2009.

Jim Stirling, General Manager, Environment, ArcelorMittal, was in attendance to respond to questions of the Committee.

Councillor Ferguson commended both U. S. Steel Canada and ArcelorMittal for their commitment to the City of Hamilton, both financial and environmental, during the current difficult business climate.
See Item 9 for the Committee’s recommendation on this issue.

(iii) Resolution from the Town of Newmarket respecting Earth Hour – Participation and Challenge (Referred from City Council on February 25, 2009)

John Mater provided an update confirming that City has registered for the 2009 Earth Hour. Staff is working with staff from the Mayor’s Office and HUC to define the City’s participation. Additional information will be communicated closer to the day. Staff will provide an information update to Council following the event.

There being no further business, the Committee adjourned at 10:30 a.m.

Respectfully submitted

Councillor B. Bratina, Chair
Public Works Committee

Carolyn Biggs
Legislative Assistant
March 2, 2009

Council- March 11, 2009