Deputy Mayor Ferguson assumed the Chair.

THE FOLLOWING WAS REPORTED TO CITY COUNCIL FOR CONSIDERATION:

1. CHANGES TO THE AGENDA

The Clerk noted the following changes to the agenda:
Item 8.5 Accountability and Transparency Report 09-003, Item 8.6 Multi-Agency Training Complex - Construction Procurement Procedures and an Added Delegation Request received by Mr. Tony Battaglia respecting the Connaught Hotel added as Item 5.2.

(Pearson/Morelli)
That the agenda be adopted as amended. CARRIED.

2. DECLARATIONS OF INTEREST

Councillors B. Morelli and S. Merulla declared their interest in the Private and Confidential Item11.2.

3. ADOPTION OF MINUTES

3.1 July 30, 2009 (special meeting)

(Pearson/Mitchell)
Be received and adopted as presented. CARRIED.

3.2 August 4, 2009 (special meeting)

(Mitchell/Powers)
Be received and adopted as presented. CARRIED.

3.3 August 11, 2009

(Mitchell/Powers)
Be received and adopted as presented. CARRIED.

4. CONSENT ITEMS

(Pearson/Morelli)
That consent Item 4.1 be received. CARRIED.

4.1 FOR INFORMATION ONLY:

(a) Minutes of the July 14, 2009 meeting of the Advisory Committee for Persons with Disabilities

5. DELEGATION REQUESTS

5.1 Request to address Committee by Gabriella Kalapos, Clean Air Partnership, to present the work, achievements and targets of the GTA and Hamilton Clean Air Council
That the delegation request be approved. CARRIED.

5.2 Request to address Committee by Tony Battaglia respecting Connaught Hotel

That the request to address Committee by Tony Battaglia be approved. CARRIED.

6. PUBLIC DELEGATIONS

6.1 Environment Hamilton - Ten recommendations to the City to address climate change

Mark Sproule-Jones, Jim Quinn and Don McLean addressed Committee. The delegation presented highlights of the 10 point plan which includes recommendations for addressing the following:
- reducing climate-forcing greenhouse gas emissions;
- poverty reduction
- local economic development
- enhancement of community resilience and self-reliance in response to the threat of escalating energy costs.

The 10 point plan:

1. Permanently protect Hamilton’s foodlands by freezing the urban boundary and locating 100% of growth within this boundary.

2. Commit to no net increase in surface parking lots and total road space (kilometre lanes) for motor vehicles.

3. Commit now to paying the municipal portion of a light rail system for Hamilton.

4. Use traffic calming to achieve 30 km/hr speed limits in residential areas where there is a demand.

5. Mail 10 free bus tickets to each household for use on HSR or DARTS.
6. Establish 100 new community garden plots each year for the next five years on underused city lands, and support them with equipment, materials and staffing.

7. Begin purchasing EcoLogo-certified green electricity to achieve the goal of powering all city facilities (owned and leased) with renewable energy by 2020.

8. Adopt a municipal buy local purchasing policy, establishing targets and requiring an annual staff report on implementation.

9. Conduct energy audits of all city-owned housing and develop a capital program to implement the recommendations.

10. Lobby the provincial government for legislative authority to allow the city to:
    - toll roads,
    - tax parking,
    - impose vehicle taxes, and
    - require green building standards.

(Merulla/McHattie)

(a) That the presentation be received;

(b) That the Environment Hamilton presentation be referred to staff and SERG Committee for an appropriate response. CARRIED.

7. PRESENTATIONS

7.1 Fire on Osprey Drive, Ancaster - Emergency Air Monitoring

Matthew Lawson, Public Health addressed committee.

Highlights of the presentation included:

- Background of event
- Purpose Today
- What is needed to assess environmental emergencies
- Issues/Challenges to consider
- Principles going forward
- Options including advantages and disadvantages: (review current process; contract 3rd party service provider; partnership for emergency air monitoring unit)
Councillor Ferguson expressed his appreciation to Chief Kay and the Fire Department, Chief Mullan and the Police Services, Tradeport and Public Health Services for their response to the fire.

Councillor Ferguson further expressed concern at the delay in response of the Ministry of the Environment and failure of the equipment as well as the concern in not knowing what contaminants may be in the black plume.

(Ferguson/Merulla)
(a) That staff be directed to further explore and report back to Committee of the Whole in 60 days on the following:

(i) options presented and the means for providing an effective, quick response, cost effective method of addressing this issue.

(ii) how to have the MOE as a designated emergency responder for air monitoring

(iii) City of Toronto By-law which addresses such emergencies

(b) That the Ministry of the Environment be invited to attend the meeting when Committee of the Whole addresses the staff report. CARRIED.

(Powers/Pearson)
That the presentation be received. CARRIED.

(Mitchell/Pasuta)
That staff be directed to report back on occupational health issues, with regards to insurance coverages through the province for our volunteer fire fighters. WITHDRAWN

Councillor Mitchell requested that this issue be flagged as an outstanding business issue.

Added Item 5.2 – Delegation- Tony Battaglia

Mr. Battaglia provided a historical update on the Connaught project. He advised that during the last five years he has been using all resources to develop a financing plan to restore the hotel.

One and half years ago there was a financial meltdown, lenders pulled out of financing major projects in general limiting their options. Unfortunately,
there is no possibility of receiving mortgage/long term financing to sustain the hotel project.

The vision of property was to restore hotel use and to build a residential component as well. The rear of property is designated for the residential component. Currently the reality in the market place is there is no demand for hotel space in the City of Hamilton. Therefore, the housing component will be built first to get the project rolling, create jobs, activity in downtown core and momentum for the project.

(Powers/Pearson)
That the presentation be received. CARRIED.

7.2 Hamilton-Wentworth District School Board – Capital Plan

John Malloy, Jessica Brennan and Darryl Sage of the Hamilton-Wentworth District School Board presented highlights of the Board’s Capital Plan

Highlights of the presentation included:

- collaboration and partnership between the Board and the City of Hamilton
- look forward to hearing from council and staff working collaboratively
- Enrolment Trends – 2001 to 2019 for elementary and secondary schools and the challenges faced by the board
- Capital funding – no funding stream to build new schools or acquire new lands, new school funding is on a case by case basis determined by the ministry of education, the board must fund land acquisition, funding source for land acquisitions is through proceeds
- accomplishments – funding allocated and projects started in Winona, Binbrook and Waterdown; new Dr. Davey School; Prince of Wales and Queen Victoria
- Ministry Approved Current Projects
- Future Projects pending Ministry funding
- Pupil Accommodation Review Committees
- Funding of projects built from 1998 to 2007 (Ministry funding covered 34 million and the Board covered remaining 53 million
- City/Board Facility Partnerships both current and future

(Pearson/Mitchell)
That the presentation be received. CARRIED.
7.3 Creation of a Waterfront Development Corporation (PED09200/CM09011)

Chris Philips provided a power point presentation to committee.

Highlights of the presentation included;
- Review of Council direction
- Relevant Timeline Actions to Date
- Legal Legislative Compliance
- Research Development Corporations
- Research Findings
- Alternatives for Consideration
- Consultation

Members of Council requested staff to consider and include the following issues in their report back to committee:
- geography to possibly included the downtown.
- when addressing the options - Include with respect to creation of corporation: capitalization component of corporation and ability or the impact of debt loading on municipality
- governance structure – including members of council
- other partnerships to be considered as part of the corporation

(Morelli/Pearson)
That the presentation be received.

(Jackson/Whitehead)

a) That Report PED09200/CM09011 respecting the Feasibility of Establishing a Waterfront Development Corporation be received for information.

b) That staff be directed to develop and bring back a report to Committee of the Whole on the following:

i) Recommendations regarding a specific mandate, governance structure, staffing, and financial funding model for a Hamilton Waterfront Development Corporation; and,

ii) Parameters of a legal agreement that would be required to establish a municipal Hamilton Waterfront Development Corporation. CARRIED.
8. DISCUSSION ITEMS

8.1 Capital Projects Status Report as of June 30, 2009 (FCS09083)

(Pearson/Powers)

a) That the June 30th, 2009, Capital Projects’ Status and Projects’ Closing Report and the attached Appendices A, B, C, D, E, and F to report FCS09083 for the tax levy and the rate supported capital projects be received for information; and

b) That the General Manager of Finance & Corporate Services be directed to close the completed capital projects listed in Appendix B to report FCS09083 in accordance with the Capital Closing Policy and that the net transfers are dealt with as listed in Appendix A to report FCS09083 and summarized below:

<table>
<thead>
<tr>
<th>Reserve/Project #</th>
<th>Description</th>
<th>Net Transfers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dedicated Reserves</td>
<td>Various Development Charges</td>
<td>(43,309)</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Sub-Total</strong> (43,309)</td>
</tr>
<tr>
<td>Return to Capital Levy Reserve -108020</td>
<td>28,353</td>
<td></td>
</tr>
</tbody>
</table>

Total Net Transfers (14,956)

CARRIED.

8.2 Municipal Disaster Relief Assistance Program - July 26, 2009 Flooding Event - Supplemental Relief and August 29, 2009 Flooding Event (City Wide) (FCS06007(d))

Rob Rossini provided an update on the figures:

The number of expected claims to date is now 6,824 applications for July 26th flooding event. 1300 applications have been returned, 514 grant claims paid out and 781 remain open.
August 28th flooding event – as of 5:00 p.m. September 14th - 276 application requests of those only 4 have been returned.

(Merulla/Morelli)
(a) That the amendment to the Municipal Disaster Relief Assistance Program, to provide an additional compassionate grant of up to $5,000 bringing the total grant to $6,000 to assist flooding victims who were denied the ability to purchase and add “Sewer Back-up” coverage to their policy by their insurer, as outlined in Appendix “A” of Report FCS06007(d), be approved;

(b) That up to an additional $5,000,000 required for this program be funded from Waterworks, Sanitary Sewer and Storm Reserves;

(c) That the flooding occurrence of August 29, 2009, be declared a disaster for the purpose of the Municipal Disaster Relief Assistance Program;

(d) That the Province be petitioned to recognize any funds paid to owners / tenants who sustained damage as a result of the Flooding of July 26, 2009, by the City, as part of the local community fundraising, as defined by the ODRAP program.

CARRIED ON A RECORDED VOTE:
Yeas: Ferguson, Duvall, Jackson, McCarthy, McHattie, Merulla, Morelli

Total: 7
Nays: Mitchell, Pearson, Powers
Total: 3

8.3 Assessment of Greenhill Subdivision Flooding Liability Claims From December 1, 2006 (Ward 5) (FCS08105)(a)

That Report FCS08105(a) respecting Assessment of Greenhill Subdivision Flooding Liability Claims from December 1, 2006 be received.

(Merulla/McHattie)
That this report be referred to the Audit and Administration Committee. CARRIED.
8.4 Report 09-007 of the Advisory Committee for Persons with Disabilities, meeting of August 11, 2009

(McHattie/Merulla)
That the following recommendations be referred to staff for a report back to Emergency and Community Services committee:

(a) Rent Supplement Program

That the Rent Supplement Program currently being administered by CityHousing Hamilton include persons with disabilities in the program who may be living in or can access privately owned accessible housing while they wait for affordable or social housing to become available.

(b) Accessible Social Housing

That all newly built or retro-fit affordable and social housing have a minimum of 5% of the total number of units being built be fully accessible.

(c) Accessibility and Funding for Social Affordable Housing

That a letter be sent to the appropriate Provincial Ministry and Federal Department recommending that where any funding for social affordable housing is being transferred to Municipalities, a stipulation be included that 5% of any new or retrofit housing be fully accessible. CARRIED.

8.5 Accountability and Transparency Report 09-003

(Pearson/Jackson)
That the item be DEFERRED to the next meeting. CARRIED.

That the revised Code of Conduct for Members of Council (Schedule H to the City of Hamilton Procedural By-law), attached hereto as Appendix “A”, be approved.

8.6 Multi-Agency Training Complex - Construction Procurement Procedures
(Powers/Jackson)

(a) That staff be authorized and directed to issue a Request for Proposal for Construction Management services to deliver the Multi-Agency Training Complex / Emergency Operations Centre project, approved through the Infrastructure Stimulus Funding program.
Committee of the Whole 11 September 15, 2009

Minutes

(Powers/Jackson)
That the following be added as subsection (b):

(b) That the General Manager of Public Works be delegated the Approval Authority for the funding required for the construction tender awards between the Construction Manager and the successful bidder of each tender package.

Amendment CARRIED.
Motion as Amended CARRIED.

9. MOTIONS

None

10. NOTICES OF MOTION

None

11. PRIVATE AND CONFIDENTIAL

(Pearson/Powers)
That Committee move into closed session further to section 8.1(e) respecting Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and subsection (f) The receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED.

(Powers/Pearson)
Committee moved into Open Session at 4:10 p.m. CARRIED.

11.1 Closed Session Minutes of August 11, 2009

(Powers/Pearson)
That the Closed Session Minutes of August 11, 2009 be approved. CARRIED.

11.2 Presentation from Gary Graham (Gowlings) re: Licensing and Standards matter

Direction provided in closed session.

There being no further business, the meeting adjourned at 4:15 p.m.

Respectfully submitted,
Councillor L. Ferguson,
Deputy Mayor

M. Gallagher, Co-ordinator
September 15, 2009