Committee of the Whole
REPORT 08-020

9:30 a.m.
June 9, 2008
Albion Rooms
Hamilton Convention Centre

Present:
Mayor F. Eisenberger
Councillors B. Bratina, B. Clark, C. Collins,
L. Ferguson, M. McCarthy, D. Mitchell, M. Pearson, B.
McHattie, S. Merulla, B. Morelli, R. Pasuta, R.
Powers, T. Whitehead

Absent with regrets: Councillor Duvall – Illness
Councillor Jackson - Vacation

Also Present: G. Peace, City Manager
J. Rinaldo, General Manager, Finance and Corporate
Services
S. Stewart, General Manager, Public Works
T. McCabe, General Manager, Planning and
Economic Development
J. Kay, Fire Chief/General Manager HES
J.A. Priel, General Manager, Community Services
P. Barkwell, City Solicitor
M. Gallagher, Coordinator, COW

COMMITTEE OF THE WHOLE PRESENTS REPORT 08-020 AND
RESPECTFULLY RECOMMENDS:

1. Submission and Presentation by David Speers, Opera Hamilton
   (a) That the presentation and submissions by Opera Hamilton be
       received;
(b) That staff be directed to release and forward the Opera Hamilton 2008 budgeted grant in the amount of $122,000 directly to HECFI to cover the deposit for the Magic Flute Production.

2. City of Hamilton’s Participation in Katimavik Project (ECS08028) (City Wide) (Item 7.4)

(a) That Report ECS08028 respecting Katimavik’s request for participation be received.

(b) That the participation of the City of Hamilton in a Katimavik Project be endorsed.

3. Firefighter Recruitment Process (HES08002) (City Wide) (Item 8.1)

That Report HES08002 respecting Firefighter Recruitment Process be received.

4. Changes to Alcohol Legislation for Driving (BOH08008/PW08037) (Item 8.2)

(a) That the Premier of Ontario and the Minister of Transportation of the Province of Ontario be requested to expedite the implementation of changes in the Administrative Drivers Licence Suspension, under the Safer Roads for a Safer Ontario Act (2007) and be asked to carefully monitor, evaluate and report on the effects of these changes.

(b) That the Prime Minister and the federal Minister of Transportation be requested to initiate a formal Committee review and update of the conclusions of the 1999 House of Commons Standing Committee on Justice and Human Rights regarding drinking and driving and the Criminal Code, with specific emphasis on a reduction in the Blood Alcohol Concentration (BAC) limit and with a goal of meeting the targets of the Canadian Council of Motor Transport Administrators Strategy to Reduce Impaired Driving 2010 (STRID 2010).

5. Terms of Reference for Council’s Economic Development Advisory Committee and the Jobs Prosperity Collaborative of Hamilton Update - Revised (PED08102(a)) (City Wide) (Item 8.3(a))

That the defined purpose / mandate, reporting relationship, structure and membership of Council’s new Economic Development Advisory Committee, as set out in Report PED08102(a), be approved.
6. **Terms of Reference for Council’s Economic Development Advisory Committee and the Jobs Prosperity Collaborative of Hamilton Update (PED08102) (City Wide) (Item 8.3(b))**

That Report PED08102 respecting Terms of Reference for Council’s Economic Development Advisory Committee and the Jobs Prosperity Collaborative of Hamilton Update be received.

7. **Hamilton Renewable Power Inc. Report 08-001 (Item 8.4)**

(a) **Appointment of Board of Directors**

That the following elected representatives be appointed as voting directors of the Hamilton Renewable Power Inc. (HRPI) Corporation Board of Directors to hold office until the next Annual General Meeting or until their respective successors are appointed.

   i)  Councillor Brad Clark
   ii) Councillor Scott Duvall
   iii) Mayor Fred Eisenberger
   iv)  Councillor Lloyd Ferguson
   v)   Councillor David Mitchell

(b) **Appointment of Non-voting Directors**

That Scott Stewart, General Manager of Public Works, be appointed as a non-voting director of the HRPI Corporation Board of Directors until the next Annual General Meeting or until their respective successors are appointed.

(c) **2007 Audited Financial Statements**

That the 2007 Audited Financial Statements of HRPI, be approved.

(d) **Appointment of External Auditor**

That Hamilton Renewable Power Inc. appoints the same external auditor as the City Of Hamilton for 2008, thus being Grant Thornton.
8. Hamilton Future Fund Board of Governors 08-001 (Item 8.6)

Re-allocation of Business Tax Reduction to Rent Supplement Program

That $1 Million of the $2.3 million allocated to the Business Tax Reduction (Hamilton Future Fund) be reallocated to a rent supplement program.

9. Accountability and Transparency Sub-Committee Report 08-003 - By-law respecting the Integrity Commissioner (Item 8.5)

That the By-law respecting the Integrity Commissioner attached hereto as Appendix A, as amended, be forwarded to Council for approval.

10. Capital Priority Session – Projects approval

That the following Capital Projects be approved as follows:

(a) Beasley Neighbourhood - $3 million
   - Community Centre
   - Park Improvements and Clean-up

(b) Housing in the Core – $1 million

(c) Waterfront Redevelopment and Regeneration - $3 million
   - Restaurant
   - Skating Rink
   - Pier 8

(d) Senior Residence/Recreation Centre (Youth) $300,000
   - Feasibility Study
   - Services, program and facilities review

(e) Hammill House - $500,000
   - Capital; agreement house Ancaster Minor Sport Associations

(f) Gateways - QEW & Fifty Road - $200,000
   - Feasibility Study
FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA

The Clerk noted the following changes to the agenda:
Added Report of the Accountability and Transparency Sub-Committee noted as Item 8.5

Added Report of the Hamilton Future Fund Board of Governors noted as 8.6

Added Private and Confidential matter which requires legal advice on the Biedermann Fire noted as 10.2

The agenda was adopted as amended.

(b) DECLARATIONS OF INTEREST

None

(c) ADOPTION OF MINUTES (Item 3.1)

(i) May 12, 2008

The Minutes of May 12, 2008 were adopted as presented.

(d) ANNOUNCEMENTS (Item 4.1)

(i) Allie Robinson and Kevin Lewis, Deputy Mayors for the month of June

The Mayor welcomed the two Deputy Mayors for the Month of June, Allie Robinson of Mount Hope School, Grade 5 and Kevin Lewis, Bellmoore School in Grade 7.

(e) The following Minutes were received:

(i) Minutes of the March 11, 2008 meeting of the Advisory Committee for Persons with Disabilities (Item 5.1)

(ii) Minutes of the April 8, 2008 meeting of the Advisory Committee for Persons with Disabilities (Item 5.2)

(iii) Minutes of the November 8, 2008 Facility Naming Sub-Committee (Item 5.3)
(f) DELEGATIONS/PRESENTATIONS

(i) Presentation by Judith Bishop, Chair of the Hamilton-Wentworth District School Board to present the Board’s Capital Plan (Item 7.1)

A delegation consisting of Judith Bishop, Chair, Dr. Chris Spence, Daryl Sage, Don Grant and Lucy Veerman were in attendance for the presentation.

The presentation included highlights of the following in the Capital Plan:
- Aggressive Accommodation Revitalization
  - Opening of new schools
  - Growth Areas
- City Board Relations
- Pupil Accommodation Review Policy
- Property Disposition Protocol
- Land Transactions
- Community use of schools
- Education centre project
- HWDSB business plan

The presentation was received.

(ii) Presentation by John Spatazzo, CYO respecting Marydale Park (Item 7.2)

The delegation provided an overview of the project including highlights of the following:
- First barrier free outdoor recreation centre
- Access to trails, accessible pools, paved trails, 91,000 Hamiltonians living with disabilities will be able to access the park
- Update on the fund raising campaign
- 2 planning approvals required by the City of Hamilton – site plan approval and approval for minor variance from committee of adjustment, relief from zoning by-law
- require access to Chippewa road
- March 2009 ground breaking

The presentation was received.
Staff were directed to report back on any fees left to be paid for this project and process for possible waiving of fees.
(iii) Submission and Presentation by David Speers, Opera Hamilton (Item 7.3)

David Speers of Opera Hamilton provided a status update on the financial situation of Opera Hamilton including a plan for the deficit elimination and business plan.

(iv) City of Hamilton’s Participation in Katimavik Project (ECS08028) (City Wide) (Item 7.4)

Joe-Anne Priel introduced David Gick who provided an overview of the Katimavik Project. Highlights included:
- A non-profit organization
- A national youth volunteer service program for youth 17-21 from across Canada that lasts nine months
- Katimavik is a leading national youth volunteer-service program which fosters the personal development of our nation’s young people through a challenging program of volunteer community work, training and group interaction
- Examples of projects that could be realized in the community
- Benefits to the community
- 2008-2009 program dates – September 17, 2008 to June 17, 2009 – Hamilton start date; September 24, 2008 to June 24, 2009; October 15, 2008 to July 15, 2009; October 22, 2008 to July 22, 2009

(v) Terms of Reference for Council’s Economic Development Advisory Committee and the Jobs Prosperity Collaborative of Hamilton Update - Revised (PED08102(a)) (City Wide) (Item 8.3(a)

Tim McCabe provided an overview of the revised report.

A motion to allow Tim Dobbie to address committee was approved.

(vi) Accountability and Transparency Sub-Committee Report 08-003 - By-law respecting the Integrity Commissioner (Item 8.5)

A motion to call the question was DEFEATED.

The following amendments were approved to be incorporated in the By-law respecting the Integrity Commissioner:

(a) That a provision for the position of the integrity commissioner be that the individual should be a retired member of the bench.

Council – June 11, 2008
(b) Section 13 – be amended from 180 days to six weeks.

The following areas of the by-law were further addressed by members of Committee:

Councillor Whitehead suggested the reinstituting of section 12. Councillor Clark provided further clarification to this matter, and subsequently Councillor Whitehead did not put an amendment forward.

Councillor Mitchell spoke to Section 24(e) which addresses the rules or policies governing the member’s ethical behaviour and suggested that they all be listed. The Mayor advised that the next issue to be addressed by the sub-committee will be Code of Conduct and it will be further deliberated at that time.

Councillor Clark noted his oppositions to Sections 12.1 (2) and (3) and (4) and Section 32.1 and 32.2

The by-law as amended was approved for referral to council.

(g) PRIVATE AND CONFIDENTIAL

(i) Closed Session Minutes of May 12, 2008 (Item 10.1)

The Closed Session Minutes of May 12, 2008 were adopted as presented and remain confidential and restricted from public disclosure in accordance with the exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

(ii) Receiving of legal advice on the Biedermann Fire (Item 10.2)

There was no public recommendation resulting from the closed session meeting.

(h) PRIORITY SESSION

A motion to add Auchmar to the list of special projects was DEFEATED

There being no further business, the meeting adjourned at 1:35 p.m.
Respectfully submitted,

Mayor F. Eisenberger

M. Gallagher, Co-ordinator
Council, Committee of the Whole
June 9, 2008