Committee of the Whole
MINUTES
9:30 a.m.
December 10, 2007
Albion Room, Hamilton Convention Centre

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

Absent with regrets:
Councillor B. Morelli – Sick Leave

Also Present:
G. Peace, City Manager
J. Rinaldo, General Manager, Finance and Corporate
Services
T. McCabe, General Manager, Planning and
Economic Development
J. Kay, General Manager HES/Fire Chief
J. Priel, General Manager, Community Services
Dr. E. Richardson, Medical Officer of Health
M. Gallagher, Co-ordinator

THE FOLLOWING WAS REPORT TO CITY COUNCIL FOR CONSIDERATION:

1. CHANGES TO THE AGENDA

4th delegation added to today’s agenda wishing to speak to the Water
budget - Mr. Joe Pleavin. He will be considered as Item 6.2(d)

(Collins/Pearson)
That the agenda be adopted as amended. CARRIED.
2. DECLARATIONS OF INTEREST

7.2 2008 Tax Supported User Fees (FCS07105) (City Wide)
Councillor Ferguson – Declared an interest in the taxi renewal as he is an investor in the taxi industry

3. ADOPTION OF MINUTES

3.1 November 26, 2007

(Whitehead/McHattie)
That the Minutes of November 26, 2007 be adopted as presented. CARRIED

4. ANNOUNCEMENT

The Mayor introduced the Mayors for the Day for the month of December
Andrew Habros who attends Monseigneur-de-Laval Catholic School and is in Grade 7 and Ethan Michael Smeaton who attends Bell-times Millgrove School and is in Grade 5.

5. DELEGATION REQUESTS

None

6. DELEGATIONS/PRESENTATIONS

6.1 Presentation respecting 2008 Recommended Water/Wastewater and Storm Water Budget

Jim Harnum and Mike Zegarac presented the Budget highlighting the following:
- Principle Objectives
- Divisional Facts
- 2007 Year in Review
- Environmental Scan
- Operating and Capital Overview
- Water and Wastewater Master Plan Overview
- Recommended 2008 Rates
- Rate Comparison
- Consumption Overview
- Financial Sustainability Strategy
6.2 Public Delegations

(a) Jim Hudson, BARC (written presentation)
Mr. Hudson addressed council and asked that they support the proposed increase for the following reasons:
- investment in the economy
- investment in our people
- investment in the environment

(b) Mike Radkin
Mr. Radkin was not in attendance.

(c) John Hall, Remedial Action Plan
Mr. Hall spoke in favour of the increase. He addressed the wastewater master plan, support by the technical team and the provincial and federal cost sharing for remedial action plans.

(d) Joe Pleavin
Mr. Pleavin addressed concerns with respect to fluoride and chlorine in the water and his concern that any increases to a seniors pension gets swallowed up by increases in water rates.

(McCarthy/Whitehead)
That the presentations be received. CARRIED.

7. DISCUSSION ITEMS

7.1 2008 Recommended Water/Wastewater and Storm Water Budget (FCS07098/PW07145)

(McCarthy/Pearson)
(a) That the metered water rate effective January 1, 2008 be increased by 8.9% from $0.913 to $0.994 per cubic meter;
(b) That the monthly and bi-monthly water basic charge effective January 1, 2008 be increased by 8.9%;
(c) That the metered sanitary sewer rates effective January 1, 2008, remain 100% of the water charge;
(d) That the combined “non-metered” water and wastewater services charge effective January 1, 2008 be increased by 8.9% from the fixed rate of $666.27 to $725.57 per annum;

(e) That the 2008 Water and Wastewater Proposed User Fees and Charges be approved as per Appendix “E” to FCS07098/PW07145;

(f) That the 2008 Water, Wastewater and Stormwater Management Rate Supported Operating Budget in the amount of $157,251,480 be approved as per Appendix “A” to FCS07098/PW07145;

(g) That the long-term financing plan for the Water, Wastewater and Stormwater programs and related rate increases required to meet sustainable financing, as identified in the 2008-2017 Water, Wastewater and Stormwater Management Rate Supported Operating Budget forecast (Appendix “C”) to FCS07098/PW07145 be approved;

(h) That the 2008 Water, Wastewater and Stormwater Management Rate Supported Capital Budget and Financing Plan in the amount of $191,050,000 be approved as per Appendix “F” to FCS07098/PW07145;

(i) That the 2008-2017 Water, Wastewater and Stormwater Management Rate Supported Capital Budget forecast and financing plan (Appendix “G”) to FCS07098/PW07145 be approved;

(j) That the General Manager of Finance and Corporate Services be directed to adjust and/or close the capital projects, as listed in Attachment “A” to Report FCS07098/PW07145, and that the net funding be allocated to reduce outstanding debt requirements on pre-2008 approved rate projects;

(k) That staff not proceed towards completion of the Wastewater Investment Needs projects, which support the Hamilton Harbour Remedial Action Plan, until such time as the Federal and Provincial government(s) have committed to support these projects for a minimum of $174,000,000;

(l) That staff undertake a stormwater utility rate review in an effort to try to capture associated user fees from all beneficiaries;

(m) That staff be directed to return to Council in 2008 for authority to proceed with the development of a new Development Charges By-law, so as to incorporate the impact of updated infrastructure master plans;
(n) That the City Solicitor and Corporate Counsel be authorized and directed to prepare all necessary by-laws, for Council approval, respecting the 2008 water and wastewater user fees and charges set out in the recommendations (a) through (e) of Report FCS07098/PW07145.

(Merulla/McHattie)

That the following be added as subsection (o)
o) That staff be directed to report back on improvements to the Utility arrears program to ensure its availability to all and to ensure that it’s a proactive program to all those eligible (i.e. improvements in communications, enhanced public awareness of the program and ease of application procedures
Amendment Carried.

The Main Motion was Carried on a recorded vote:

Yea: Mayor F. Eisenberger

Total: 14

Nay: S. Merulla

Total: 1

Absent: B. Morelli

Total: 1

7.2 2008 Tax Supported User Fees (FCS07105) (City Wide) (Whitehead/Jackson)

(a) That the 2008 User Fees contained in Attachment One to FCS07105, be approved and implemented;

(b) That Outstanding Business Item (l) of the Audit & Administration Committee be identified as completed and removed from the Outstanding List; and

(c) That the City Solicitor & Corporate Counsel be authorized and directed to prepare all necessary by-laws, for Council approval, for the purposes of establishing the user fees contained within this report. CARRIED.
That staff be directed to review and report back on the additional fees that the City of Toronto has been allowed to apply through Provincial legislative changes; and highlight possible opportunities for Hamilton, enabling council to consider a similar request to the province.

CARRIED.

7.3 2008 Hamilton Civic Golf Course Rates and Fee Schedule (ECS07099) (Wards 1 & 5)
(Whitehead/Jackson)
That the proposed 2008 Rates and Fee Schedule for the Hamilton Civic Golf Courses, attached as Appendix A hereto, be approved.
CARRIED.

7.4 Ice Rates 2008-2009 (ECS07100) (City Wide)
(Collins/Whitehead)
That Report ECS07100 respecting Ice Rates be received.
CARRIED.

Staff to provide information on the following:
Increase for ice costs – what was the actual cost then and now?
User Fee rates for municipal Service Centres

7.5 1:00 p.m.
Economic Development: MOVING FORWARD
Governance Review, Organizational Change, Engagement with Community and Enhanced Investment Funding (City Wide)
(PED07306)

REVISED RESOLUTION

(a) That the Final Report by The Randolph Group, entitled Economic Development: Business Development Profile and Governance Review for the City of Hamilton dated January 15, 2007, attached as Appendix A to Report PED07306, be received.

(b) That the Municipal Comparative Analysis Report prepared by The Randolph Group dated August 17, 2006, attached as Appendix B to Report PED07306, be received.

(c) That the City continue to have Economic Development services provided through a municipal Economic Development Division reporting through, and integrated with, the Planning and Economic Development Department.
(d) That a Mayor’s Jobs/Prosperity Collaborative Group be established to provide advice and strategic direction to Council, subject to:

(i) a report being submitted to Committee of the whole no later than March 26, 2008, setting out the refined purpose/mandate, reporting relationship, structure and membership of the Collaborative.

(aa) That the membership include the Mayor as an ex-officio member and Councillor Jackson as the city council representative

(ii) The Mayor’s Collaborative Group model vs. other governance options be reassessed by Committee of the Whole for effectiveness in relation to past performance and value, and the relevance to the City’s Strategic Plan and the business and economic environment at that time, by March 26, 2009.

(e) That the following recommendation related to the 2008 Budget enhancement for Economic Development be approved supported with final approval being to the January 7, 2008 COW meeting:

That an additional $1.5M be added annually to the City’s Operating Budget/levy representing Council’s recognition, commitment and priority for the importance of growing the City’s economy and that these funds be allocated as follows:

(i) That $1,013,000.00 be annualized into the Planning and Economic Development Department’s Operating Budget for the cost of eight (8) additional FTEs; $25,000.00 for the City’s contribution to the Industry Education Council and an additional $150,000.00 directed to enhanced and aggressive marketing; with the details for this outlined in Appendix E to Report PED07306.

(ii) That the Senior Advisor to Economic Development be initially hired on the basis of a three (3) year contract with an assessment of the past effectiveness of this position then undertaken coincidental with the new term of Council and any alternative governance models considered at that time.

(iii) That $380,000.00 of the $487,000.00 balance of the new $1.5M Economic Development Fund be allocated in 2008 as one-time monies for Intergovernmental Affairs ($150,000.00), the City’s contribution to the Jobs / Prosperity Collaborative in partnership with Mohawk College ($100,000.00), consultant retention to develop a new Economic Development Marketing Strategy
($100,000.00) and $30,000.00 per year (for five (5) years) contribution for a new partnership with the McMaster Institute for Transport and Logistics.

(iv) That a new reserve be established, being the Economic Development Investment Fund, and that the $107,000.00 balance from the 2008 Budget of the new $1.5M annual fund, and all balances not allocated from each future year, be contributed to this reserve for implementation of future strategic Council priorities related to economic development ($457,000.00 in 2009) ($487,000.00 in 2013).

(f) That Council support the initiative of the City being co-sponsors / co-convenors with Mohawk College regarding the Jobs / Prosperity Collaborative, being a working partnership with the business and education community supporting a new economic development strategy for the City.

(g) That the Economic Development and Real Estate Division’s Annual Work Plan include benchmarks and performance measures with identified targets of what is intended to be achieved each year and how activities have demonstrated support of Council’s strategic priorities.

(h) That the Economic Development and Real Estate Division prepare quarterly Progress Reports on achievement of targets and identified performance measures.

(i) That, in addition to comments on social and environmental issues, (delete the words…where relevant), future staff reports include a section identifying economic development benefits to supporting recommendations, such as potential assessment and employment growth and additional direct revenues to the City.

McHattie/Merulla Ferguson opposed

8. MOTIONS

9. NOTICES OF MOTION

10. PRIVATE AND CONFIDENTIAL

TURN OFF CCN
Committee of the Whole 9 December 10, 2007

Minutes

That Committee move Into closed session subject to Section 8.1(e) of the procedural by-law as the matter pertains to litigation affecting the Police Services Board. CARRIED.

That Committee reconvene in Open Session. CARRIED.

Whitehead/powers

10.1 Legal Services File No. 100-28/00.13 (LS07024) (Ferguson/Collins)

(a) That the City of Hamilton settle the action in Legal Services File No.100-28/00.13 by way of payment to the plaintiffs of:

(i) the sum of $350,000.00 inclusive of all claims for damages, advance payments, interest, and fees; and

(ii) the sum of approximately $58,000.00 representing assessable disbursements;

(b) That payment be charged to the Insurance Reserve Account Number 23007 000100,

(c) That the plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and

(d) That the action be dismissed on consent, without costs.

(e) That Report LS07024 respecting Legal Services File No. 100-28/00.13 remain a confidential document and not for public release. CARRIED.

The meeting adjourned at 3L40 p.m.

Respectfully submitted,

Mayor F. Eisenberger

M. Gallagher, Co-ordinator
December 10, 2007