General Issues Committee
REPORT 11-025
9:30 a.m.
Tuesday, August 9, 2011
9:40 a.m.
Thursday, August 11, 2011
Council Chambers
Hamilton City Hall
71 Main Street West

August 9, 2011

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

Absent with Regrets: Councillor B. McHattie – Vacation

Also Present: C. Murray, City Manager
M. Zegarac, A/General Manager, Finance and Corporate
Services
G. Davis, General Manager, Public Works
T. McCabe, General Manager, Planning & Economic
Development
J. A. Priel, General Manager, Community Services
Dr. E. Richardson, Medical Officer of Health
N. Everson, Director, Economic Development & Real Estate
R. Sabo, A/City Solicitor
C. Biggs, Co-ordinator, Committee Services/Council/Budgets

August 11, 2011

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THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 11-025 AND RESPECTFULLY RECOMMENDS:

1. Municipal Tax Competitiveness Study – 2010 (FCS11064) (City Wide) (Item 5.4)

That Report FCS11064 respecting Municipal Tax Competitiveness Study – 2010 be received.

2. FOI Quarterly Report (April 1 to June 30, 2011) (CL11002(a)) (City Wide) (Item 5.5)

That Report CL11002(a) respecting FOI Quarterly Report (April 1 to June 30, 2011) be received.

3. Treasurer’s Apportionment of Land Taxes for Properties in Hamilton and Glanbrook (FCS11001(e)) (Wards 6 and 11) (Item 5.6)

(a) That the 2010 and 2011 property taxes in the amount of $11,581 for 655 Pritchard Rd., Hamilton, (Roll #2518 060 581 05420 0000) be apportioned and split amongst the two newly created parcels as set out in Appendix “A” attached hereto;

(b) That the 2011 property taxes in the amount of $1,808 for 858-862 Templemead Dr., Hamilton, (Roll #2518 060 731 09800 0000) be apportioned and split amongst the two newly created parcels as set out in Appendix “A” attached hereto;

(c) That the 2010 and 2011 property taxes in the amount of $5,317 for 40-100 Fall Fair Way, Glanbrook, (Roll #2518 901 340 04070 0000) be apportioned and split amongst the twenty-nine newly created parcels as set out in Appendix “A” attached hereto.

Council – August 11, 2011
4. **Tax Appeals under Section 357 and 358 of the Municipal Act (2001) (FCS11003(d)) (City Wide) (Item 5.7)**

   (a) That Appendix “A” attached hereto respecting the “Tax Write-Offs processed under Section 357 of the Municipal Act, 2001”, in the amount of $217,219 be approved;

   (b) That Appendix “B” attached hereto 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 $60,825 be approved.

5. **2010 Standard & Poor’s Credit Rating (FCS11061) (City Wide) (Item 5.8)**

   That Report FCS11061 respecting 2010 Standard & Poor’s Credit Rating be received.

6. **Hamilton-Wentworth District School Board (HWDSB) Surplus Land – Located at 300 Albright Road, described as Part of Lot 32, Concession 4, former Township of Saltfleet, now City of Hamilton (PED11042) (Ward 5) (Item 5.9)**

   (a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring the land located at 300 Albright Road, legally described as Part of Lots 32, Concession 4, former Township of Saltfleet, now City of Hamilton, as shown on Appendix “A” attached to Report PED11142;

   (b) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to advise the HWDSB of the City’s requirements for development of the site as contained in the “Relevant Consultation” Section of Report PED11142; and,

   (c) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to advise the HWDSB of the need to provide all potential purchasers of the subject lands with the development commentary of the City.
7. **Lease Agreement for Transit (HSR) – 36 Hunter Street, Ground Floor Ticket Office and Third Floor Office Space; Lessor – Metrolinx (PED11144) (Ward 2) (Item 5.10)**

(a) That City Council approve a new lease with Metrolinx subject to the following terms and conditions:

(i) **Term:** Five (5) years commencing November 1, 2011 and terminating on October 30, 2016;

(ii) **Property:** 36 Hunter Street East - Ground Floor, comprising a gross rentable area of 1,055 square feet (existing ticket office); Third Floor, with a gross rentable area of 2,575 square feet (office space);

(iii) **Rental Rate:** From the date of commencement, being November 1, 2011, the City shall pay fixed rent at $12.00 per square foot gross, plus H.S.T., throughout the five (5) year term;

(iv) **Parking:** Four (4) existing parking spaces will be leased at a rent of $2,880.00 per year ($60.00 per month per space) plus H.S.T. or other applicable taxes;

(v) **Operating Costs:** Operating costs are included in the gross rent; however, the City will pay any escalation costs over the 2011 base year. The landlord recognizes that the premises will become exempt from property taxes once they are declared as a municipal capital facility. The rental rate of $12.00 plus H.S.T. reflects that taxes will not be included;

(vi) **Other:** The landlord, Metrolinx, agrees to provide up to $50,000 towards tenant improvement costs to adapt the third floor washrooms to AODA standards;

(b) That the existing ground floor ticket office lease at $13.55 per square foot gross plus H.S.T., which is due to mature on August 18, 2014, be terminated upon commencement of the new lease;

(c) That the rent and operating costs plus H.S.T. be funded from Account No. 54220-530280;

(d) That additional tenant improvements (furniture and moving costs related to the third floor premises) be funded from the client’s Capital Project Account No. 5310641001, as previously identified in Report PW09029, the Public Works Yards Master Plan;
(e) That Legal Services be authorized to prepare a by-law under Section 110 of the **Municipal Act** to designate the leased space as a Municipal Capital Facility, thereby exempting the City from payment of realty taxes; and,

(f) That the Mayor, General Manager of Finance and Corporate Services, and City Clerk be authorized and directed to execute the Lease in a form satisfactory to the City Solicitor.


9. **Labour Relations Grievance Activity Reporting and Analysis (HUR11009)**

That Report HUR11009 respecting Labour Relations Grievance Activity Reporting and Analysis be received.

10. **Housekeeping and Technical Amendments to the Sewer Use By-law (PW11055)**

(a) That the technical and housekeeping changes to Sewer Use By-law No. 04-150, detailed in the proposed amending by-law attached as Appendix “A” to Report PW11055 be approved;

(b) That the amending by-law attached as Appendix “A” to Report PW11055, which has been prepared in a form satisfactory to the City Solicitor, be enacted.

11. **Trevor Harris and Frank Harrison, U.S. Steel Canada**

That the presentation from Trevor Harris and Frank Harrison, U.S. Steel Canada, respecting an update on the construction of water treatment facility and the need for an extension to their Compliance Agreement, be received.

12. **Bill Thompson, Blue Green Canada**

That the presentation from Bill Thompson of Blue Green Canada, be received.
13. Report 11-002 of the Hamilton Future Fund Board of Governors (Item 7.2(a))

(a) Appointment of a Chair and Vice Chair

(i) That Tom Weisz be appointed Chair of the Hamilton Future Fund Board of Governors for the 2010-2014 term;

(ii) That Chris McLaughlin be appointed Vice-Chair of the Hamilton Future Fund Board of Governors for the 2010-2014 term.

(b) Resignation of Kieran Dickson from Hamilton Future Fund Board of Governors (Item 5.2)

(i) That the resignation of Kieran Dickson be received;

(ii) That the membership of the Hamilton Future Fund Board of Governors be reduced from 17 to 16 members for the remainder of the 2010-2014 term.

(c) McMaster Health Campus Proposal McMaster University (CM11008(a)/PED11034/FCS11063/BOH11026) (Council referral of Sub-section (c) (Item 8.1)

(i) That the $10 million contribution to McMaster University be funded as a loan from the Hamilton Future Fund A (Account 112246);

(ii) That the Future Fund Board of Governors is in support of the McMaster Health Campus Proposal as it coincides with the Board’s Guiding Principles and will create a meaningful legacy for the City of Hamilton;

(iii) That all monies from the sale or lease of West Harbour lands be returned to the Future Fund.

14. McMaster Health Campus Proposal – McMaster University (CM11008(b)/PED11034(a)/FCS11063(a)/BOH11026(a)) (Item 7.2(b)

(a) That Report CM11008(b)/PED11134(a)/FCS11063(a)/BOH11026(a) be received;

(b) That the $20 million funding contribution to McMaster University for the Family Medical Campus approved by Council on July 7, 2011 in approving Item 13, as amended, of the General Issues Committee Report 11-023, be based on the following financing sources and conditions:
(i) Economic Development Initiatives Fund (Accounts 3620755700 and 3620908900) for $5 million;
(ii) 2012 Budget Allocation re Economic Development Initiatives Fund for $2 million;
(iii) Interest earned on Capital Funds for $2 million;
(iv) Work In Progress Capital Project Review for $1 million;
(v) Hamilton Future Fund for $10 million on a loan basis;
(vi) That there is an agreement between the City of Hamilton and McMaster University, that an amount equal to $1 million, will be heldback as a condition of generating new municipal tax revenue of $600,000 being fulfilled by July 1, 2020;
(vii) That the Hamilton Municipal Parking System (HMPS) be authorized to sign an undertaking to provide McMaster University the use of parking spaces in the Convention Centre parking garage, within 300 metres of the McMaster Health Campus to account for the deficiency of on-site parking associated with the development in partial satisfaction of the Zoning By-law requirement; and,
(viii) That the General Manager of Finance and Corporate Services be delegated the authority to draft and execute a contribution agreement on behalf of the City of Hamilton, in a form satisfactory to the City Solicitor, with McMaster University by December 31, 2011.

(c) That staff be authorized and directed to negotiate standard commercial leases for dedicated and shared space as per Option 1 (shared clinic space up to 11,000 square feet at McMaster Health Campus (excluding dental), up to 19,000 square feet Public Health Services (PHS) dedicated space at McMaster Health Campus, up to 52,300 square feet PHS consolidation into new leased downtown core location including dental clinic, and retain two downtown existing leased space. New leased central mountain location required to relocate existing sexual health clinic located at the Upper Ottawa site) in the McMaster Health Campus (MHC) for a term of 30 years, with the option of three five-year renewals, as well as, for new downtown and mountain leased location sites by April 30, 2012.

15. Sewer Use By-law No. 04-150 – Parameters and Compliance Agreements (LS11-005(a)/PW11034(a))

That the City enter into a compliance agreement with U.S. Steel and that they be advised that all necessary steps be taken to come into compliance with the City’s Sewer Use By-law by December 31, 2011, with no further extensions.
16. **Request to Waive Deposit for Usage of the Fire Hydrant – Winona Peach Festival (Item 10.2)**

(a) That the standard deposit of $5,000 required from the organizers of the 2011 Winona Peach Festival for usage of the fire hydrant during the 2011 Festival, be waived;

(b) That the quantity of water used over the duration of the 2011 Festival be charged to the organizers at the end of the event.

17. **2012 Budget Process and Draft Timelines (FCS11050) (City Wide) (Item 8.1)**

That the following process for the draft 2012 budget process, be approved:

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<tr>
<th>Item</th>
<th>Projected Timeline</th>
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<tr>
<td>2012 Tax Budget Guidelines &amp; Outlook</td>
<td>September</td>
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<td>2012 Tax Capital Workshops</td>
<td>September</td>
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<td>2012 Tax Operating Workshop</td>
<td>October</td>
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<td>2012 Tax User Fees &amp; Transit Day</td>
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<td>2012 Rate Budget</td>
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<td>2012 Tax Capital Budget</td>
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<td>Overview Presentation</td>
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<td>Distribution of Draft Document(s)</td>
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<td>Department workshops</td>
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<td>Budget Submission</td>
<td>January (2012)</td>
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<td>Boards &amp; Agencies presentations</td>
<td>January</td>
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<td>Public Delegations</td>
<td>January</td>
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<td>GIC Deliberations</td>
<td>January / February</td>
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<td>Council Approval</td>
<td>February</td>
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18. **Reduced Flamboro Slot Revenue due to Ontario Lottery and Gaming Corporation (OLGC) Accounting Change (FCS11065) (City Wide) (Item 8.2)**

(a) That the Ontario Lottery and Gaming Corporation (OLG) be requested to amend the Racetrack Municipal Contribution Agreement to ensure that municipal revenue will not be adversely impacted by the accounting change implemented to adhere to International Financial Reporting Standards.
(b) That a copy of this report, FCS11065 “Reduced Flamboro Slot Revenue Due to OLG Accounting Change”, be forwarded to the OLG, Minister of Finance, Local Area MPP’s and municipal hosts of Slots and Casino facilities.

19. **ACPDP Request for Policy on Usage of Video Surveillance in relation to Public Transit (PW11058) (City Wide) (Outstanding Business List Item) (Item 8.3)**

That the policy entitled, “DARTS Vehicle Surveillance System Management”, attached as Appendix “A” hereto, be approved.

20. **Fire/EMS Stations Mould Repairs (HES11011/PW11059) (City Wide) (Item 8.4)**

That the mould related remediation and repairs at the following Hamilton Emergency Services (HES) Fire/EMS Stations estimated at $1,800,000 be approved and funded from the Unallocated Capital Levy Reserve Account No. 108020:

| Fire Station 11 | $950,000 |
| Fire/EMS Station 7 | $185,000 |
| EMS Station 5 | $110,000 |
| Fire Station 27 | $155,000 |
| Various Fire/EMS Stations | $400,000 |
| **TOTAL** | **$1,800,000** |


(a) That the request from the Ancaster Tennis Club to partner with the City of Hamilton for the purpose of redesigning three existing tennis courts and constructing two new tennis courts in Ancaster Village Green Park, be approved;

*Council – August 11, 2011*
(b) That the City of Hamilton’s funding contribution toward the redesign and construction of the new tennis courts to an upset limit of $200,000, be approved, to be funded as follows:

(i) $150,000 from Capital Project No. 7101141706;
(ii) $50,000 from Ancaster Reserve Account No. 108030;

(c) That the Mayor and City Clerk be authorized and directed to execute an Agreement with Ancaster Tennis Club for the redesign and construction of new tennis courts, in accordance with the Key Terms and Conditions, attached as Appendix A to Report CS11067, and any further agreement or documents as may be required to give effect to the foregoing, in a form satisfactory to the City Solicitor.

22. **Social Housing Capital Funding (CS11068) (City Wide) (Item 8.6)**

That the Mayor be authorized and directed to correspond with the Honourable Diane Finley, Minister responsible for Canada Mortgage & Housing Corporation, and the Honourable Rick Bartolucci, Ontario Minister of Municipal Affairs & Housing, requesting additional funding to meet the social housing capital repair needs in Hamilton.

23. **Report 11-001 of the Fairness to Hamilton Campaign Sub-Committee – July 13, 2011 (Item 8.7)**

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

(i) That Councillor Sam Merulla be appointed Chair of the Fairness to Hamilton Campaign Sub-committee for the 2010-2014 term.

(ii) That Councillor Brian McHattie be appointed Vice-Chair of the Fairness to Hamilton Campaign Sub-committee for the 2010-2014 term.

(b) **Accessibility for Ontarians with Disabilities Act Integrated Standard (Item 14, General Issues Committee Report 11-009)**

That Item 14 of General Issues Committee Report 11-009 respecting the Accessibility for Ontarians with Disabilities Act Integrated Standard, be received.
(c) **2011 Additional Items referred by Council during Budget Process – Emergency Shelter and Intensive Case Management System (Item 20, General Issues Committee Budget Report 11-005c)**

That Item 20, General Issues Committee Budget Report 11-005(c) respecting 2011 Additional Items referred by Council during Budget Process – Emergency Shelter and Intensive Case Management System, be received.

(d) **Correspondence from the Honourable Dwight Duncan, Minister of Finance respecting Special Assistance to the City of Hamilton (referred by Council April 27, 2011)**

That the Correspondence from the Honourable Dwight Duncan, Minister of Finance respecting Special Assistance to the City of Hamilton, be received.

(e) **Fairness to Hamilton – Update (FCS11062) (City Wide)**

(i) That the City of Hamilton request the Province re-instate one-time funding to ensure that Hamilton is not impacted negatively by the shortfall caused by clawbacks of OMPF and special funding ($4.0 million in 2011);

(ii) That the City of Hamilton request the Province revise the OMPF formula to encompass a broader measure of ability to pay and the burden of additional cost for programs such as Social Services, Social Housing, Emergency Medical Services (land ambulance) and Public Health;

(iii) That the issue of the lack of uniformity in the Business Education Tax rates across the Province be referred to the Hamilton Chamber of Commerce for additional work to report back to the Fairness to Hamilton Campaign Sub-Committee with details on the impacts to local Businesses.

(iv) That Report FCS11062 respecting, Fairness to Hamilton-Update, be received.


(a) **Appointment of Chair and Vice Chair**

(i) That Councillor Lloyd Ferguson be appointed Chair of the Airport Implementation Task Force for the 2010-2014 term of Council;
(ii) That Councillor Maria Pearson be appointed Vice Chair of the Airport Implementation Task Force for the 2010-2014 term of Council.

(b) 2011-2012 Hamilton International Airport – Hamilton Economic Development Joint Marketing Initiatives (PED11123) (City Wide)

(i) That $37,050 be allocated as the City’s portion for the 2011-2012 Hamilton International Airport – Hamilton Economic Development joint marketing initiatives;

(ii) That the $37,050 be funded from the Airport Joint Marketing Reserve Fund.

(c) Independent Auditors Report on the Annual Schedule of Percentage Rent Computation – Grant Thornton

(i) That the Grant Thornton, Independent Auditors Report on the Annual Schedule of Percentage Rent Computation, be received.

(ii) That staff be directed to report back to the Airport Implementation Task Force with further details on the Annual Schedule of Percentage Rent Computation.

(d) HI Business Survey Report (Wards 11 and 12) (PED11055)

(Collins/Johnson)
That report PED11055 respecting the HI Business Survey, be received.

(e) Reporting Requirements for Hamilton International Airport (December 2010)
That the reporting requirements for Hamilton International Airport submitted for the six-month period ending December 2010, be received.

(f) Hamilton International Airport 2010 Master Plan Update

(i) That update respecting the Hamilton International Airport 2010 Master Plan, be received.

(ii) That the Mayor be directed to write to the Honorable Denis Lebel, Minister of Transportation, Infrastructure and Communities, requesting the Ministry be more proactive in taking advantage of already existing airport locations, such as Hamilton International Airport, prior to development and construction of a Pickering airport.
(g) City Acquisition of 9879 Airport Road, Hamilton from 1059481 Ontario Limited (George Chuvalo), Described as Part 1, Plan 62R-18409, (PED11121) (Ward 9) (Confidential Report Distributed under Separate Cover, Appendix A of Report 11-001)

(i) That an Option to Purchase, executed by 1059481 Ontario Limited (George Chuvalo), scheduled to close on or before August 15, 2011 to purchase the land described as Part of Lot 1, Concession 5, in the former Township of Glanford, now in the City of Hamilton, more particularly described as all of PIN No. 17400-0005(LT), known municipally as 9879 Airport Road, Hamilton, shown on Appendix “A” attached to Report PED11121 be approved and completed at fair market value and charged to Account No. 59259-3620504502;

(ii) That the financial details of the acquisition outlined in Appendix “B” attached to Report PED11121, remain confidential until final disposition by Council and the completion of the transaction, and the balance of Report PED11121 remain confidential and not be released as a public document;

(iii) That upon approval of the purchase of 9879 Airport Road, the Director of Fleet and Facilities be authorized and directed to take all necessary steps for the demolition of the subject buildings, and that the cost for the demolition and any additional ancillary expenses be charged to Account No. 3620504502;

(iv) That Legal Services be authorized to pay the Land Transfer Tax in advance of registering the transfer deed;

(v) That the property remains in the ownership of the City and not vested with the Hamilton International Airport at this time;

(vi) That as consideration, the amount of $2.00 paid to the owner pursuant to the agreement, be deducted from the purchase price;

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

25. Report 11-002 of the Non-Union Compensation Sub-Committee – August 3, 2011 (Item 8.9)

(a) Non-Union Salary Administration Policy (HUR11007) (City Wide) (Item 5.1)

(i) That the revised Non-Union Salary Administration Policy attached as Appendix “A” to Report 11-002 be approved.
(ii) That Report HUR11007 respecting Non-Union Salary Administration be received.

(b) Non-Union Compensation Update HUR11006 (City Wide) (Item 6.2)

(i) That report HUR11006 respecting the Non-Union Management and Professional Exempt Employee Group compensation, be received for information purposes;

(ii) That the contents of report HUR11006 remain confidential as it contains information related to labour relations and employee negotiations.

26. Development of the Green Economy

(a) That the City of Hamilton hereby declares its continuing support for the development of the Green Economy as a set of effective economic development strategies that achieve complimentary environmental and energy benefits while promoting and creating jobs and health communities;

(b) That this recommendation be referred to the Corporate Strategic Initiatives.

27. Summer Music Events in Gage Park – August/September, 2011 (no copy)

That this matter be transferred to the Outstanding Business List of the Emergency & Community Services Committee with a due date of November 23, 2011.

28. Parkland Acquisition – Sanatorium Road (Item 12.5)

(a) That the Real Estate Section of the Economic Development Division of the Planning and Economic Development be authorized and directed to negotiate the acquisition for a parcel of land approximately 1 acre in size located at the northeast corner of Sanatorium Road ad Scenic Drive for the purpose of a park;

(b) That the parkland purchase be funded from the Parkland Dedication Reserve 104090 with loan repayments amortized over 15 years at an interest rate of 4.36% and area-rated to Wards 1 to 8;

(c) That the financial details of the acquisition remain confidential until the completion of the transaction.

Council – August 11, 2011
FOR THE INFORMATION OF COUNCIL:

(a1) **CHANGES TO THE AGENDA (Item 1) – August 9**

The Clerk advised of the following changes:

**ADDED DELEGATION REQUESTS**

For Today’s Meeting

(a) Delegation Request from Bill Thompson, Blue Green Canada, respecting Green Economy resolution (Cross Reference to Item 9.1) (Added as Item 4.5)

For Future Meeting

(b) Delegation Request from Brian Lewis and Garry McKay, Hamilton Sports Hall of Fame, respecting the possibility of including the Hamilton Sports Hall of Fame in the planning of the new Stadium as part of the Pan Am Games initiative (Added as Item 4.6)

**ADDED CONSENT ITEM**

(c) Housekeeping and Technical amendments to Sewer Use By-law (PW11055) (City Wide) (Added as Item 5.13)

**Note:** This report was deferred by the Committee on July 4, 2011.

**ITEMS TO BE DISTRIBUTED**

(d) Item 8.9 – Report 11-002 of the Non Union Compensation Sub-Committee

**CORRESPONDENCE**

(e) Correspondence from Lynda Lukasik, on behalf of Environment Hamilton, respecting Blue Green Motion regarding Support for the Green Economy in Ontario (Cross Reference to Item 9.1) (Added as Item 9.1.1)

Recommendation: Be received.

(f) Correspondence from Patrick J. Dillon, Building Manager, Building & Construction Trades Council of Ontario, supporting Blue Green Canada Resolution (Added as Item 9.1.2)

Recommendation: Be received.

That the agenda be approved, as amended. CARRIED

Council – August 11, 2011
(a2) CHANGES TO THE AGENDA (Item 1) – August 11

ADDED DISCUSSION REPORT

(a) Signing Authorization – Confidentiality Agreement – 2015 Pan Am Projects (CM11015) (City Wide)

That the agenda be approved, as amended. CARRIED

(b1) DECLARATIONS OF INTEREST (Item 2) – August 9

None

(b2) DECLARATIONS OF INTEREST (Item 2) – August 11

None

(c) APPROVAL OF PREVIOUS MINUTES (Item 3)

On a motion, the following Minutes of the General Issues Committee, were approved as presented:

(i) June 27, 2011
(ii) July 4, 2011
(iii) July 6 and 7, 2011

(d) DELEGATION REQUEST

On a motion, the following delegation requests were approved to attend an appropriate future meeting of the General Issues Committee:

(i) Request from Julia Kollek to appear before the Committee respecting Hamilton Climate Change Charter (Item 4.1)

(ii) Request from Ian Dunlop, Rapid Transit Citizens Advisory Committee, to appear before the Committee to provide an update of the TRCAC 2010 work (Item 4.2)

(iii) Request from Joey Coleman, Open Hamilton, to appear before the Committee respecting “Open Data” (Item 4.3)

(iv) Brian Lewis and Gerry McKay, Hamilton Sports Hall of Fame, respecting the possibility of including the Hamilton Sports Hall of Fame in the planning of the new Stadium as part of the Pan Am Games initiative (Added Item 4.6)
On a motion, the following delegation requests were approved, and the rules of order were waived to allow these delegations to address the Committee today:

(v) Request from Trevor Harris and Frank Harrison, U.S. Steel Canada, to provide an update on the construction of water treatment facility and the need for an extension to their Compliance Agreement (Item 4.4)

(vi) Bill Thompson of Blue Green Canada respecting the Green Economy Resolution (Added Item 4.5)

(e) CONSENT ITEMS

(i) Minutes of the April 4, 2011 meeting of the Joint City of Hamilton and Hamilton-Wentworth District School Board Liaison Committee (Item 5.1)

Councillor Ferguson requested that the issue of 5% parkland dedication be placed on the next agenda of the Joint City of Hamilton and Hamilton-Wentworth District School Board Liaison Committee to obtain their position.

On a motion, the Minutes of the April 4, 2011 meeting of the Joint City of Hamilton and Hamilton-Wentworth District School Board Liaison Committee be were received.

(ii) Report 11-003 of the Advisory Committee for Persons with Disabilities – July 12, 2011 (Item 5.2)

On a motion, Report 11-003 of the Advisory Committee for Persons with Disabilities was received.

(iii) Hamilton Police Services Board Monthly Reports (PSB 11-048 and PSB 11-067) (Item 5.3)

On a motion, Hamilton Police Services Board Monthly Reports PSB 11-048 and PSB 11-067 were received.

(f) DELEGATIONS

(i) Trevor Harris and Frank Harrison, U.S. Steel Canada, respecting an update on the construction of water treatment facility and the need for an extension to their Compliance Agreement (Item 6.1)

Trevor Harris, Government and Public Relations, provided a power point presentation which included the following:

- Supporting Environmental Stewardship: Goal remains unchanged; new Municipal By-law; meeting all by-law requirements
• What has transpired since March, 2009: Agreement reached to allow construction; economic downtown/industry collapse; project on track for completion
• Lock-out of USW Local 1005: Failure to reach an agreement; continued coke-making; delay in water treatment project
• Commitment to Completion: Project is well advanced; short term: will comply with the By-law;
• Path to Compliance: Commitment remains unchanged; four-months post-settlement; proposed approach.

An electronic copy of the power point presentation was submitted to the Clerk for the public record and is available for viewing on the City’s website.

Councillor Clark requested that staff from Legal and Labour Relations be present to respond to questions of the Committee when this issue is discussed in Closed Session (Item 12.2).

(ii) Bill Thompson, Blue Green Canada, respecting Green Economy resolution (Item 6.2)

Mr. Thompson prefaced his presentation by commenting that Blue Green Canada has developed a sound relationship with the Energy and Environment Committee of the Chamber of Commerce, the Hamilton and District Labour Council, Environment Hamilton and continues to develop relationships with as many people and organizations of goodwill as possible. 1900 leaflets were distributed at the recent Festival of Friends, as well as a petition being generated during the Festival. Hamilton has been a strong leader in developing green economy and green practices.

Mr. Thompson provided a copy of his written comments to the Clerk for the public record and is available for viewing on the City’s website.

(iii) Correspondence from respecting the Green Economy

On a motion, the following correspondence was received:

(aa) Correspondence from Lynda Lukasik, Environment Hamilton, respecting the Blue Green motion regarding support for the Green Economy in Ontario (Item 9.1.1)

(bb) Correspondence from Patrick J. Dillon, Building Manager, Building & Construction Trades council of Ontario, supporting the Development of the Green Economy Resolution (Item 9.1.2)
(g) PRESENTATIONS

(i) Hamilton Future Fund Board of Governors Report 11-002 – August 2, 2011 (Item 7.2(a))/McMaster Health Campus Proposal – McMaster University(CM11008(b)/PED11134(a)/FCS11063(a)/BOH11026(a)) (City Wide) (Item 7.2(b))

On a motion, the above-noted items were considered by the Committee prior to the Committee dealing with Item 7.1 (verbal update on the velodrome.)

Chris Murray provided an outline of what would be presented, including Introduction, Public Health Integration and Financial Analysis.

Introduction included:

- Objectives and critical issues
- McMaster Health Campus critical timelines
- Rationale for a $20 million City contribution
- Impact of a $20 million City contribution

Public Health Integration – Dr. E. Richardson

- Outline of discussions at the July 4 General Issues Committee, including accommodation issues (client services, accessibility, regulatory); full PHS/McMaster integration at an incremental cost of $1.3 million; committed to explore options that improve collaboration with primary care and within PHS and maximize efficiencies/minimize costs
- Recommended solution
- What the evidence shows: benefits of primary care – Public Health collaboration
- What makes collaboration work
- Better Service for Citizens
- Benefits – Financial; Better Care

Mike Zegarac – Financial Analysis

- City grant funding options:
  - $10 million from Hamilton Future Fund – Grant option/loan option
  - Additional $10 million recommended financing
- City funding contribution
- Risk sharing
- PHS current accommodations, current costs
- PHS accommodations options
- Options annual financial impacts
- Residential tax impact

Council – August 11, 2011
• Total project summary
• Review of Recommendations with respect to the contribution agreement and lease options

Dr. Patrick Deane, President of McMaster University, and Dr. David Price, Chair and Professor, Department of Family Medicine, Faculty of Health Sciences, were in attendance to respond to questions of the Committee.

On a motion, the staff presentation with respect to the McMaster Health Campus Proposal was received.

On a motion, sub-section (b)(v) of Report CM11008b/PED11034a/FCS11063a/BOH11026a was amended by deleting the words, “grant or”.

The Amendment CARRIED on the following recorded vote:

Yeas: Bratina, Collins, Duvall, Farr, Ferguson, Jackson, Merulla, Partridge, Pasuta, Pearson, Powers, Whitehead
Total Yeas: 12
Nays: Clark, Johnson
Total Nays: 2
Absent: McHattie, Morelli
Total Absent: 2

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

(c) That staff be authorized and directed to negotiate standard commercial leases for dedicated and shared space as per Option 1 (shared clinic space up to 11,000 square feet at McMaster Health Campus (excluding dental) up to 19,000 square feet Public Health Services (PHS) dedicated space at McMaster Health Campus for a term of 30 years, with the option of three five-year renewals, for a new lease for a central mountain location required to re-locate the existing sexual health clinic located at the Upper Ottawa site), and up to 52,300 square feet for PHS consolidation into a new leased downtown core location including dental clinic by April 30, 2012.

The Amendment CARRIED on the following recorded vote:

Yeas: Bratina, Collins, Duvall, Farr, Ferguson, Jackson, Merulla, Partridge, Pasuta, Pearson, Powers, Whitehead
Total Yeas: 12
Nays: Clark, Johnson
Total Nays: 2
Absent: McHattie, Morelli
Total Absent: 2
The Main Motion, as amended, **CARRIED** on the following standing recorded vote:

**Yeas:** Bratina, Collins, Duvall, Farr, Ferguson, Jackson, Merulla, Partridge, Pasuta, Pearson, Powers, Whitehead  
Total Yeas: 12  
Nays: Clark, Johnson  
Total Nays: 2  
Absent: McHattie, Morelli  
Total Absent: 2

(ii) **Velodrome – Verbal Update**

Gerry Davis provided the following update with respect to the Velodrome:

- Staff are currently working with representatives of Mohawk College on a proposal for two facilities – the velodrome and increasing recreational facilities, and on a Memorandum of Understanding respecting the operation of the facility, which will be brought to the Committee prior to the issuance of the RFP  
- Want to bring forward pro forma for the operation of the velodrome  
- Because there are no final specifications, there will be an addendum to the velodrome project, which will include three gymnasiums  
- Mohawk is developing facility for high performance training  
- Must be a long-term agreement between the City and Mohawk  
- Land belongs to Mohawk, but facility will belong to the City  
- Timelines: meetings are taking place to work out the details of the MOU  
- Meeting scheduled for August 17 with TO2015, Infrastructure Ontario, Mohawk College and the City to determine where programs are at with respect to MOU and critical path  
- Further update will be provided to identify overall budget, cost sharing of the capital site improvements, annual incremental operating budget e.g., forecast revenue to operate facility, net impact to the City, net cost of running recreational facility  
- City has retained consultant to assist with business plan.

On a motion, the update respecting the Velodrome was received.

On a motion, the Committee recessed at 3:45 p.m. to allow for the holding of a special meeting of City Council at 4:00 p.m.

On a motion, the Committee reconvene at 9:35 a.m. on Thursday, August 11, 2011 to complete the business of the August 9, 2011 General Issues Committee agenda.
(h) DISCUSSION AGENDA

(i) ACPD Request for Policy on Usage of Video Surveillance in relation to Public Transit (PW11058) (City Wide) (Outstanding Business List Item) (Item 8.3)

On a motion, the item “ACPD Request for Policy on Usage of Video Surveillance in relation to Public Transit” was identified as completed and removed from the General Issues Committee's Outstanding Business List.

(ii) Ancaster Tennis Club Redesign and Construction of New Tennis Courts in Ancaster Village Green Park (CS11067) (Ward 12) (Item 8.5)

On a motion, sub-section (b) was amended as follows:

(aa) by deleting $150,000 and replacing it with $200,000
(bb) by adding that the additional $50,000 be funded from Ancaster Reserve Account No. 108030.

(iii) Report 11-001 of the Fairness to Hamilton Campaign Sub-Committee – July 13, 2011 (Item 8.7)

Mayor Bratina requested that Page 4 of the Minutes be amended to reflect his comments that “Mayor Bratina indicated that Councillor Whitehead may be involved in the campaign” and was assured by Councillor Whitehead that he is not actively involved in a campaign.

Councillor Whitehead requested that Page 4 of the Minutes be amended to reflect that “Councillor Whitehead has no financial benefit or gain from working on a Provincial campaign, so there is no conflict of interest.”

(iv) Social Housing Capital Funding (CS11068) (City Wide) (Item 8.6)

Correction: On Page 4 of the Report, under Analysis/Rationale for Recommendation, second paragraph should read: “There has been no social housing built since the mid-1990’s.”

This document on the City’s website and in the official records will be amended accordingly.

(v) Non-Union Compensation Update HUR11006(a) (City Wide) (8.8)

Item 3 of Non-Union Compensation Committee Report 11-002 respecting Non-Union Compensation Update was referred back to the Non-Union Compensation Committee for further discussion.
Councillors L. Ferguson, M. Pearson and R. Powers indicated that they wished to be recorded opposed to the referral.

(vi) **Signing Authority – Pan Am Confidentiality Agreements**

Report CM11015 respecting Signing Authority – Pan Am Confidentiality Agreement, was tabled to the next appropriate meeting of the General Issues Committee to allow Councillors the opportunity to review the contents of the Confidentiality Agreement.

(i) **MOTIONS**

(i) **Development of the Green Economy (Item 9.1)**

The following is the preamble to the recommendation respecting Development of the Green Economy:

WHEREAS the recent recession has taken a significant toll on local manufacturing jobs in the City of Hamilton,

AND WHEREAS the United Nations Environment Program has recently issued a set of significant documents defining the Green Economy and outlining policy concepts to build the Green Economy

AND WHEREAS the City of Hamilton has endorsed sustainable development, clean technology, and poverty reduction as preferable patterns of development much in line with the UNEP statements.

On a motion, sub-section (a) was amended by adding the words, “and promoting” following the word “creating”, and the words, “and healthy communities” following the word “jobs”.

On a motion, sub-section (b) was deleted in its entirety.

On a motion, the following sub-section was added:

(b) That this recommendation be referred to the Corporate Strategic Initiatives.

The Main Motion, as amended, **CARRIED** on the following recorded vote:

Yeas: Collins, Duvall, Farr, Johnson, Merulla, Morelli, Partridge, Powers
Total Yeas: 8

Nays: Bratina, Clark, Ferguson, Jackson, Pasuta, Pearson
Total Nays: 6

Absent: McHattie, Morelli
Total Absent: 2

**Council – August 11, 2011**
(ii) **Requests for Complimentary Shuttle Service (Item 9.2)**

On a motion, the issue of complimentary shuttle service by HSR or through other suppliers was referred to the “Community Partnership Program” Committee for their review and comment.

(j) **NOTICES OF MOTION**

The following Notices of Motion were put forward:

(i) **Open Data Policy**

WHEREAS the City of Hamilton’s expressed values are: accountability, excellence, honesty, innovation, leadership, respect and teamwork; and that the City wishes to involve its citizens in living these values;

AND WHEREAS the adoption of an Open Data policy is intended to advance these values for the following reasons:

- municipalities across Canada have an opportunity to lower their costs by collectively sharing and supporting software they use and create;
- the total value of public data is maximized when provided for free or where necessary only a minimal cost of distribution;
- when data is shared freely, citizens are enabled to use and re-purpose it to help create a more economically vibrant and environmentally sustainable city; and Hamilton needs to look for opportunities for creating economic activity and partnership with the creative sectors;
- the adoption of open standards improves transparency, access to city information by citizens and businesses and improved coordination and efficiencies across municipal boundaries and with federal and provincial partners;
- digital innovation can enhance citizen communications, support the brand of the city as creative and innovative, improve service delivery, support citizens to self-organize and solve their own problems and create a stronger sense of civic engagement, community and pride;

THEREFORE BE IT RESOLVED that in pursuit of an open data policy, the City of Hamilton directs the City Manager to report back to Council on open data, open standards and open source, including validating and quantifying the benefits listed above, and the implications, resources, risks and benefits of endorsing the following principles:
• **Open and Accessible Data** - the City of Hamilton will freely share with citizens, businesses and other jurisdictions the greatest amount of data possible while respecting privacy and security concerns;

• **Open Standards** - the City of Hamilton will move as quickly as possible to adopt prevailing open standards for data, documents, maps and other formats of media;

• **Open Source Software** - the City of Hamilton, when replacing existing software or considering new applications, will place open source software on an equal footing with commercial systems during procurement cycles.

(ii) **Request to Waive Deposit for Usage of the Fire Hydrant – Winona Peach Festival (Item 10.2 – August 9)**

(a) That the standard deposit of $5,000 required from the organizers of the 2011 Winona Peach Festival for usage of the fire hydrant during the 2011 Festival, be waived;

(b) That the quantity of water used over the duration of the 2011 Festival be charged to the organizers at the end of the event.

On a motion, the rules of order were waived to add a motion with respect to Request to Waive Deposit for Usage of the Fire Hydrant – Winona Peach Festival.

See Item 16 for the disposition of this matter.

(iii) **Light Rail Transit (LRT) and GO Transit (Item 10.3)**

Whereas in approving Item 6 of Public Works Committee Report 11-016 on October 19, 2008, City Council’s official position is in support of a full investigation of Light Rail Transit (LRT); (see Council motion of record attached hereto)

And Whereas Metrolinx, at both the senior staff and Board levels, have been clear that they are supportive of LRT in Hamilton and have strongly encouraged further investigation;

And Whereas it is critical that Hamilton maintain its position ahead of other GTA municipalities when it comes to being considered for LRT;

And Whereas Hamilton must prepare a strong economic benefits case, including but not limited to: tax assessment growth along the B-Line corridor, jobs during construction and those retained or brought to Hamilton because of LRT, and the costs of not doing LRT;

*Council – August 11, 2011*
And Whereas achieving LRT for Hamilton is a long-term project, expected to evolve a period of 5-15 years with opportunities for incremental rapid transit improvements along the way, toward the ultimate LRT goal;

And Whereas achieving GO Transit is of the utmost importance to Hamilton in the short term, and appears to be supported by Metrolinx and the Province of Ontario, yet need not preclude the ongoing preparation of the case for LRT over the longer term.

Therefore Be It Resolved:

(a) That Council re-affirm its position in support of pursuing a full investigation of LRT over time;

(b) That a second phase of funding from Metrolinx be requested, ensuring that Hamilton can continue to prepare its case for LRT.

(c) That Council provide affirmation that pursuit of all-day GO Transit service, including stations at James Street North and Centennial Parkway, be of the highest priority in the short term.

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

11.1 Outstanding Business List

(a) Item B – Infrastructure Funding Opportunities – Hamilton Conservation Authority – Verbal Update (no copy)

Staff reported that information was shared with the Hamilton Conservation Authority through the Ministry of Agriculture and Rural Affairs; the HCA was successful in securing funding through a not-for-profit program.

On a motion, as a result of the update provided by staff, this item was removed from the Outstanding Business List of the General Issues Committee.

(b) Item Y – Waterdown-Aldershot East-West Transportation Master Plan

Due Date: September 12, 2011
Revised Due Date: October 11, 2011

On a motion, the Outstanding Business List was amended accordingly.
On a motion, the Minutes of the Closed Session Meetings of the General Issues Committee held on June 23, 27 and July 4, 2011, were approved as presented. These Minutes will remain confidential and restricted from public disclosure in accordance with the exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act.

On a motion, the Committee moved In Camera at 4:10 p.m. pursuant to subsections 8.1(b), (c), (e) and (f) of the City’s Procedural By-law and the Municipal Act as the subject matters pertain to the following:

(b) – personal matters about an identifiable individual, including City employees;

(c) – a proposed or pending acquisition or disposition of land for city purposes;

(e) – litigation or potential litigation, including matters before administrative tribunals, affecting the City; and

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

respecting the following:

12.2 Sewer Use By-law No. 04-150 – Parameters and Compliance Agreements (LS11005(a))/PW11034(a)) (City Wide)

12.3 Organizational Design – Verbal (City Manager) (no copy)

12.4 Update – Acquisition of Property – 301 Lewis Road, Stoney Creek – Verbal (no copy)

On a motion, the Committee reconvened in Open Session at 8:05 p.m.

See Item 15 for the disposition of this item.

Item 15 CARRIED on the following recorded vote:
12.3 Organizational Design – Verbal (City Manager) (no copy)

No action to report.

12.4 Update – Acquisition of Property – 301 Lewis Road, Stoney Creek – Verbal (no copy)

Direction provided to staff in camera.

On a motion, the Committee recessed at 8:15 p.m. until Thursday, August 11, 2011 to deal with the balance of the items in the General Issues committee agenda.

August 11, 2011

On a motion, the Committee moved In Camera at 11:35 a.m. pursuant to pursuant to sub-sections 8.1(b), (c), (d), (e) and (f) of the City’s Procedural By-law and the Municipal Act as the subject matters pertain to the following:

(b) – personal matters about an identifiable individual, including City employees;

(c) – a proposed or pending acquisition or disposition of land for city purposes;

(d) – labour relations or employee negotiations;

(e) – litigation or potential litigation, including matters before administrative tribunals, affecting the City; and

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

respecting the following:

8.8(7) City Acquisition of 9879 Airport Road, Hamilton from 1059481 Ontario Limited (George Chuvalo), Described as Part 1, Plan 62R-18409, (PED11121) (Ward 9) (Confidential Report Distributed under Separate Cover, Appendix A of Report 11-001)

8.9(2) Non-Union Compensation Update HUR11006 (City Wide)
8.9(3) Non-Union Compensation Update HUR11006(a) (City Wide)

12.5 Parkland Acquisition – Sanatorium Road (Item 12.5)

On a motion, the Committee reconvened in Open Session at 1:55 p.m.

8.8(7) City Acquisition of 9879 Airport Road, Hamilton from 1059481 Ontario Limited (George Chuvalo), Described as Part 1, Plan 62R-18409, (PED11121) (Ward 9) (Confidential Report Distributed under Separate Cover, Appendix A of Report 11-001)

See Item 24(g) for the disposition of this item.

Councillors C. Collins, S. Merulla and B. Johnson indicated that they wished to be recorded as opposed to the Motion.

Councillors B. Clark and M. Pearson indicated they wished to be recorded opposed to the fact that the City will be paying for the cost of demolition.

8.9(2) Non-Union Compensation Update (HUR11006) (City Wide)

See Item 25(b) for the disposition of this item.

8.9(3) Non-Union Compensation Update (HUR11006(a)) (City Wide)

See Information Item (h)(v) for the disposition of this item.

12.5 Parkland Acquisition – Sanatorium Road

See Item 28 for the disposition of this item.

Councillor B. Clark indicated that he wished to be recorded as opposed to this item in its entirety.

There being no further business, the Committee adjourned at 2:05 p.m.

Respectfully submitted

Councillor S. Merulla
Deputy Mayor

Carolyn Biggs, Co-ordinator
Committee Services/Council/Budgets
August 9 and 11, 2011

Council – August 11, 2011