Mayor R. Bratina called the meeting to order, and called upon Pastor Dwayne Cline, from Hughson Street Baptist Church, to lead Council in prayer.

**APPROVAL OF THE AGENDA**

The Clerk advised of the following changes to the agenda:

1. **ADDED CORRESPONDENCE**

   5.16 Correspondence from Roberta Prince, requesting the designation of Saturday April 9, 2013 as Equal Pay Day – Ontario’s Equal Pay Coalition

   Recommendation: Be received

   5.17 Correspondence from Joe Minor respecting PFCs/PFOS/PFOA at Hamilton International/John C. Munro Airport.

   Recommendation: Be referred to the General Manager of Planning and Economic Development for appropriate action
2. REPORTS (to be distributed)

6.5 Audit, Finance & Administration Committee Report 13-003 – March 25, 2013

6.6 Emergency & Community Services Committee Report 13-003 – March 25, 2013

3. ADDED NOTICE OF MOTION

8.1 Comment to CRTC Consultations respecting the designation of a frequency for CBC radio service in the City of Hamilton

4. PRIVATE AND CONFIDENTIAL

10.1 Personal matters about an identifiable individual, including municipal or local board employees (No Copy)

(Pearson/Johnson)
That the agenda for the March 27, 2013 meeting of Council be approved, as amended.  CARRIED

DECclarations of interest

Councillor Ferguson declared a conflict of interest with Communication item 5.8, Correspondence from Monique Taylor, MPP Hamilton Mountain, and Paul Miller, MPP Hamilton East – Stoney Creek to The Honourable Charles Sousa, Minister of Finance respecting the issue of taxi-cab insurance premiums, February 27, 2013 Council Meeting, as he has family employed in the taxi industry.

Councillor Pearson declared a conflict of interest respecting Planning Committee Item 2, Water and Wastewater Infrastructure Support Community Improvement Plan, as she is involved in the rental housing industry.

Councillor Farr declared a conflict of interest with item 3 of Emergency & Community Services report, respecting renewal Funding from Citizenship and Immigration Canada for the Immigration Strategy, as his wife is an employee of Citizenship and Immigration Canada.

CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

None
APPROVAL OF MINUTES

4.1 February 27, 2013

(Partridge/Ferguson)
That the Minutes of the February 27, 2013, meeting of Council be approved, as presented.

CARRIED

COMMUNICATIONS

(Johnson/Ferguson)
That Council Communications 5.1 through 5.17 be approved, as amended, as follows:

5.1 Correspondence from Alexandra Limousin, Canadian Association of Nurses in Oncology, requesting the designation of Tuesday April 2, 2013 as Canadian Oncology Nurse Day.

Recommendation: Be received.

5.2 Correspondence from Sharon MacKenzie, Executive Director, i2i Intergenerational Society of Canada, requesting the designation of Saturday June 1, 2013 as Intergenerational Day Canada.

Recommendation: Be received.

5.3 Correspondence from Christine Joseph-Davies, President Autism Ontario - Hamilton Chapter, requesting the designation of Tuesday April 2, 2013 as World Autism Awareness Day.

Recommendation: Be received.

5.4 Correspondence from Clinton Shane Ekdal, requesting the designation of Wednesday May 29, 2013 as Day of the Honey Bee.

Recommendation: Be received

5.5 Response from the Honourable Gary Goodyear, Minister of State to Council correspondence of January 31, 2013, respecting the Ancaster Senior Achievement Centre Community Infrastructure Improvement Fund.

Recommendation: Be received
5.6 Correspondence from Brock Carlton, Chief Executive Officer, FCM, respecting payment to the City of Hamilton in the amount of $44,683.64 which constitutes the second and final contribution toward the Building A Strong Foundation Project under the Green Municipal Fund Study Grant Agreement.

Recommendation: Be received.

5.7 Correspondence from Keith Murch, Assistant CAO/Secretary-Treasurer Grand River Conservation Authority, respecting GRCA General Levy

Recommendation: Be received.

5.8 Correspondence from Monique Taylor, MPP Hamilton Mountain, and Paul Miller, MPP Hamilton East – Stoney Creek to The Honourable Charles Sousa, Minister of Finance respecting Council correspondence on the issue of taxi-cab insurance premiums, February 27, 2013 Council Meeting.

Recommendation: (a) That the correspondence be referred to Planning and Economic Development Staff for a report back to the Planning Committee;

(b) That staff provide information to the Planning Committee respecting the following:

(i) What other Ontario municipalities are doing to address the issue of increasing insurance premiums;

(ii) An overview of the legislation.

5.9 Correspondence from the Ontario Municipal Board, Environment and Land Tribunals Ontario, respecting St. Marys Cement Inc's withdrawal of their request for the revocation of Ministerial Zoning Order 138/10.

Recommendation: Be received.


Recommendation: Be received.
5.11 Resolution from Ontario Small Urban Municipalities (OSUM) requesting consultation and an independent Economic Impact Study on the federal governments announced deregulations in the area of food manufacturing.

Recommendation: Be endorsed.

5.12 Resolution from the Township of Melancthon, requesting that the Province of Ontario conduct a review of the Aggregate Resources Act 1990.

Recommendation: Be endorsed

5.13 Resolution from the Township of Adjala–Tosorontio, requesting changes to the Development Charges Act 1997 to allow for the collection of development charges for the purposes of hospital improvements and expansions.

Recommendation: That the Correspondence be referred to finance staff for a report back to the Audit, Finance & Administration Committee.

5.14 Correspondence from Janet Mason, Assistant Deputy Minister, Ministry of Municipal Affairs and Housing and respecting a joint partnership with the City of Hamilton and the Ontario Municipal Benchmarking Initiative (OMBI)

Recommendation: (a) That Item 5.14 - Correspondence from Janet Mason, Assistant Deputy Minister, Ministry of Municipal Affairs and Housing respecting a joint partnership with the City of Hamilton and the Ontario Municipal Benchmarking Initiative (OMBI) be received;

(b) That the City Manager or designate be authorized to execute an Agreement (attached hereto as Appendix “A”) on behalf of the Ontario Municipal CAO Benchmarking Initiative (OMBI), with the Ministry of Municipal Affairs and Housing to receive full funding to carry-out a joint performance measurement project


Recommendation: Be received

5.16 Correspondence from Roberta Prince, requesting the designation of Saturday April 9, 2013 as Equal Pay Day – Ontario’s Equal Pay Coalition

Recommendation: Be received
5.17 Correspondence from Joe Minor respecting PFCs/PFOS/PFOA at Hamilton International/John C. Munro Airport.

Recommendation: (a) That representatives from Transport Canada and the Ministry of the Environment, be invited to attend a future meeting of the General Issues Committee, to update Council on the results of the risk management assessment regarding the contamination at the airport;

(b) That staff arrange a public meeting to present the results of the risk management report;

(c) That the Mayor send a request to the Federal Government of Canada, to earmark funds to assist with the cleanup at the airport.

(Pasuta/Merulla)
That Council move into Committee of the Whole for consideration of the Committee Reports.

CARRIED

PUBLIC WORKS COMMITTEE REPORT 13-003

8. Development of Lane Closure Policy (PW13021)

(Farr/Ferguson)
That Item 8 of Public Works Committee Report 13-003 respecting Development of Lane Closure Policy be referred back to the Public Works Committee to allow for:

(a) Consultation with Planning and Economic Development staff

(b) Further review of the fee during the prescribed period

(c) Consideration of a more broader definition of when penalties will be implemented

CARRIED

9. Hamilton Utilities Corporation Joint Advisory Committee Report 13-001
(Attached hereto as Appendix “B” to Report 13-003)(Item 8.6)

(i) Court House District Energy Proposal

(a) That the City of Hamilton enter into a Memorandum of Understanding (MOU) for the Court House District Energy Proposal
with Hamilton Community Energy (HCE), subject to the satisfaction of the City Solicitor;

(b) That staff be directed to proceed with the district energy proposal engineering/design for the Court House, for the replacement of the existing steam boilers and cooling systems with new hot water boiler, new chiller and cooling tower and all related HVAC systems and to review the geothermal supplement option at an estimated cost of $5,830,000 for the aforementioned upgrades;

(c) That staff be directed to begin formal negotiations on a lease and final agreement between the City of Hamilton and Hamilton Community Energy (HCE) with respect to the Court house, to be presented for approval through the Hamilton Utilities Corporation Joint Advisory Committee and then Council for final approval.

The motion CARRIED on the following vote:


Total Yeas: 15
Nays: B. Clark
Total Nays: 1
Absent: None
Total Absent: 0

(Whitehead/Duvall)
That the THIRD Report of the Public Works Committee meeting be adopted, as amended, and the information section received. (attached hereto) CARRIED

BOARD OF HEALTH REPORT 13-002

(Bratina/Partridge)
That sub-section (a) to Item 8 of Board of Health report 13-002, be amended by deleting the words “one other Councillor” and replace with “Councillor Brian McHattie”, to read as follows:

8. Public Health Accreditation 2013 Application (BOH13006) (City Wide) (Item 8.1)

(a) That members of the Board of Health agree to participate in the accreditation process and appoint the Chair and Councillor Brian McHattie who will meet with the Ontario Council on Community Health Accreditation representatives during the on-site visit occurring on June 17 – 19, 2013;
(Bratina/Pasuta)
That the SECOND Report of the Board of Health be adopted, as amended, and the information section received. (attached hereto)

CARRIED

PLANNING COMMITTEE REPORT 13-004

(Farr/Ferguson)
That the FOURTH Report of the Planning Committee be adopted and the information section received. (attached hereto)

CARRIED

GENERAL ISSUES COMMITTEE REPORT 13-007

(Jackson/Duvall)
That Sub-section (e) of Item 15 of General Issues Committee Report 13-007 respecting Public Bike Share Transit System Implementation be amended by deleting the word, “update” and replacing it with the word, “uptake” in lieu thereof, to read as follows:

15. Public Bike Share Transit System Implementation (City Wide) (PW13015)
   (Item 8.4(b))
   (e) That staff be requested to provide a report back to the Public Works Committee at the end of each full year period to provide a progress/status report on the program which would include uptake, accident claims, etc.

AMENDMENT CARRIED

The MOTION AS AMENDED CARRIED on the following standing recorded vote:

Total Yeas: 16
Nays: None
Total Nays: 0
Absent: None
Total Absent: 0

(McHattie/Partridge)
That sub-section (b)(ii) of Item 19 of General Issues Committee Report 13-007 respecting Enbridge Pipelines Inc. Line 9B Reversal and Line 9 Capacity Expansion Project be
amended by deleting the word, “sensitive” and replacing it with the word, “significant” in lieu thereof, to read as follows:


(b)(ii) The need for pipeline isolation valves to be installed where the pipeline crosses the Sheffield-Rockton Complex and other provincially-significant wetlands and environmentally-significant areas;

AMENDMENT CARRIED
MOTION AS AMENDED CARRIED

(Bratina/Powers)
That the SEVENTH Report of the General Committee be adopted, as amended, and the information section received. (attached hereto)

CARRIED

AUDIT, FINANCE & ADMINISTRATION COMMITTEE REPORT 13-003

(Pearson/Powers)
That the THIRD Report of the Audit, Finance & Administration Committee be adopted, and the information section received. (attached hereto)

CARRIED

EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 13-003

(Partridge/Pasuta)
That Item 9 of Emergency & Community Services Report 13-003 be amended by deleting the words “at a General Issues Committee Meeting” to read as follows:

9. Request to CityHousing Hamilton

That CityHousing Hamilton be requested to make a formal presentation and annual report to the Shareholders before the end of June 2013.

AMENDMENT CARRIED
MOTION AS AMENDED CARRIED

(Whitehead/Duvall)
That the THIRD Report of the Emergency & Community Services Committee be adopted, as amended, and the information section received. (attached hereto)

CARRIED

(Pasuta/Jackson)
That the Committee of the Whole Rise and Report.
7.1 Objection to Liquor License Application Konoba, 34 Hess Street South, Hamilton, Ontario, L8P 3N1 – for Outdoor Area

(Farr/McHattie)
Whereas, the City of Hamilton is pleased that both the provincial government and the opposition have kept the issue of interest arbitration reform at the forefront of major policy discussions;

And Whereas, the City of Hamilton supports the overall intention of interest arbitration renewal;

And Whereas, a preliminary review indicates that there needs to be improvement in both pieces of draft legislation to be considered by the legislature;

And Whereas, the City of Hamilton trusts that through further consultation, these issues can be resolved;

And Whereas, the City of Hamilton is aware that AMO and the Emergency Services Steering Committee are reviewing these issues and are requesting further discussion and input;

Therefore be it resolved that:

(a) That the City of Hamilton requests that the Legislature work collectively in the best interest of Ontario municipalities and Ontario taxpayers on this important issue of interest arbitration reform and support AMO's recent request for revised legislation that is efficient, accountable and transparent;

(b) That this resolution be forwarded to the Premier, the Leader of the Opposition, the leader of the New Democratic Party, the Association of Municipalities of Ontario (AMO) and Hamilton-area MPP's, conveying Council's approval of this motion.

CARRIED

7.2 Amendments to Subsection (a) and (b) of Item 5 of the Public Works report 12-011 respecting Transit Fare Parity, AODA Integrated Standard (PW3128(e))

(Merulla/Collins)
That sub-sections (a) and (b) of item 5 of Public Works Committee Report 12-011, approved by Council on October 30, 2012 be further amended by deleting the words “April” and replacing them with the words “June”, to read as follows:

5. **Transit Fare Parity, AODA Integrated Standard (PW03128(e)) (City Wide) (Item 7.1)**

(a) That the General Manager of Public Works be directed to implement a Fare Parity policy respecting the Conventional Transit (HSR) and Specialized Transit (ATS/DARTS) programs effective *June* 1, 2013, in accordance with the Transportation Standards regulations made under the *Accessibility for Ontarians with Disabilities Act, 2005*;

(b) That the Voluntary Pay Policy for persons using Personal Mobility Devices (PMD), including 4-point canes, walkers, scooters and wheelchairs, on the HSR and free fare for CNIB cardholders be eliminated until *June* 1, 2013.  

**CARRIED**

7.3 **Additional Full-Time Equivalents – Building Services Division, Planning and Economic Development**

*(Ferguson/Johnson)*

That the hiring of four (4) Full-Time Equivalents (FTE’s) for the Building Services Division to address increase in building permit activity, be approved and funded entirely from the Building Enterprise Reserve (2013 Requested Budget Enhancements).

**CARRIED**

7.3 **Comment to CRTC Consultations respecting the designation of a frequency for CBC radio service in the City of Hamilton**

*(McHattie/Farr)*

Whereas, Hamilton City Council has been working on obtaining a live CBC Radio station frequency since November 2005, and;

Whereas, Hamilton did receive a CBC digital station in 2010, and;

Whereas, the City of Kitchener recently received a live CBC Radio station, and;

Whereas, CBC Radio executives committed to moving the Hamilton digital service to live radio service as soon as was technically possible (i.e., when a frequency on the dial was available), and;

Whereas, BCE recently asked the CRTC to approve the acquisition of Astral Media, and;
Whereas, the CRTC rejected the takeover as it did not provide significant benefits to Canadians, and would serve to concentrate ownership of television and radio stations, and;

Whereas, Astral has now delivered a revised application to the CRTC which would include divestiture of several stations nationally, including two radio stations in Toronto, to be considered shortly by the CRTC.

Therefore be it Resolved:

That the Mayor be authorized and directed to forward the Comments, attached as Appendix “A”, prepared by the Centre for Community Study on behalf of the City of Hamilton, to the Broadcasting Notice of Consultations CRTC 2013-106, requesting that the CRTC direct Astral/BCE to make available one frequency from within the Toronto and Hamilton regions to CBC in order to facilitate full radio service for the Hamilton region

CARRIED

NOTICES OF MOTION

Councillor McHattie introduced the following notice of motion:

8.1 Comment to CRTC Consultations respecting the designation of a frequency for CBC radio service in the City of Hamilton

Whereas, Hamilton City Council has been working on obtaining a live CBC Radio station frequency since November 2005, and;

Whereas, Hamilton did receive a CBC digital station in 2010, and;

Whereas, the City of Kitchener recently received a live CBC Radio station, and;

Whereas, CBC Radio executives committed to moving the Hamilton digital service to live radio service as soon as was technically possible (i.e., when a frequency on the dial was available), and;

Whereas, BCE recently asked the CRTC to approve the acquisition of Astral Media, and;

Whereas, the CRTC rejected the takeover as it did not provide significant benefits to Canadians, and would serve to concentrate ownership of television and radio stations, and;

Whereas, Astral has now delivered a revised application to the CRTC which would include divestiture of several stations nationally, including two radio stations in Toronto, to be considered shortly by the CRTC.

Therefore be it Resolved:
That the Mayor be authorized and directed to forward the Comments, attached as Appendix “A”, prepared by the Centre for Community Study on behalf of the City of Hamilton, to the Broadcasting Notice of Consultations CRTC 2013-106, requesting that the CTRC direct Astral/BCE to make available one frequency from within the Toronto and Hamilton regions to CBC in order to facilitate full radio service for the Hamilton region

(McHattie/Farr)
That the rules of order be waived to allow for the introduction of a Motion respecting City of Hamilton submit a comment to the Broadcasting Notice of Consultations CRTC 2013-106.

CARRIED

Please refer to item 7.3 for disposition.

STATEMENT BY MEMBERS

Members of Council used this opportunity to discuss matters of general interest.

PRIVATE AND CONFIDENTIAL

10.1 Personal matters about an identifiable individual, including municipal or local board employees

(Jackson/Collins)
That Council move into Closed Session to consider a matter regarding Personal matters about an identifiable individual, including municipal or local board employees pursuant to section 239 (b) of the Municipal Act 2001 and Section 8.1(b) of the Procedural By-law

CARRIED

Council reconvened in Open Session, with no public action to report.

BY-LAWS

(Johnson/Pearson)
That Bills No. 13-064 to 13-082 be passed, and that the Corporate Seal be affixed thereto, and that the By-laws be numbered and signed by the Mayor and the City Clerk to read as follows:

Bill No.
13-064 Respecting Delegation of Authority to the Treasurer and Deputy
Treasurers for Assessment Appeals

13-065  To Rescind By-law 13-032 and To Incorporate City Land designated as Part 1 on Plan 62R-19490 and Part 36 on Plan 62R-222 into Barton Street East

13-067  To Incorporate City Land designated as Block 8 on Plan 62M-787 into Fellowes Creek

13-068  To Incorporate City Land designated as Parts 7, 8 and 9 on Plan 62R-19508 into Beechwood Avenue

13-069  To Incorporate City Land designated as Parts 3, 4, 5 and 6 on Plan 62R-19508 into Cannon Street East

13-070  To Incorporate City Land designated as Reserved Block 103 on Plan 62M-1172 into Penny Lane


13-078  To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands Located at 14 Kenilworth Avenue South

13-079  To Adopt the Water and Wastewater Infrastructure Support Community Improvement Project Area

13-080  To Adopt the Water and Wastewater Infrastructure Support Community Improvement Plan

13-081  To Amend By-law No. 07-170, A By-law to License and Regulate Various Businesses Schedule 28 – Tow Truck Businesses
To Confirm the Proceedings of City Council  

(Pearson/Johnson)  
That, there being no further business, the City Council meeting be adjourned at 10:05 p.m.  

CARRIED

Respectfully submitted,  

Mayor B. Bratina

R. Caterini, B. Comm., AMCT  
Director/City Clerk  
Office of the City Clerk
THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 13-003 AND RESPECTFULLY RECOMMENDS:

1. 2013 Special Events Requiring Temporary Road Closures (PW13019) (City Wide)(Item 5.2)

That each of the following applications:

(a) Hamilton Cycling Club for the temporary closure of Trinity Road between Wilson Street and Book Road on Friday March 29, 2013 from 6:00 a.m. to 6:00 p.m. for the annual Good Friday Road Race;

(b) Supercrawl Productions and the Westdale BIA for the temporary closure of King Street West between Sterling Street and North Oval from 10:00 a.m. on Friday May 31, 2013 to 4:00 a.m. on Sunday June 2, 2013 for a Blues Festival;

(c) The Princess Margaret Hospital Foundation for the temporary closure of Fennell Avenue between Garth Street and West 5th Street from 6:00 a.m. to 9:00 a.m. on Sunday June 16, 2013 for the annual Ride to Conquer Cancer;
(d) Knights of Columbus for the temporary closure of Longwood Road between Franklin Avenue and Macklin Street from 10:00 a.m. on Saturday June 29, 2013 to 10:00 p.m. on Sunday June 30, 2013 for a Soapbox Derby;

(e) St. Luke’s Anglican Church for the temporary closure of Macauley Street between John Street and Catharine Street on Saturday July 13, 2013 from 10:00 a.m. to 11:00 p.m. for a Latin Festival;

(f) International Village BIA for the temporary closure of Ferguson Avenue from King Street to King William from 7:00 a.m. Friday August 30, 2013 to 12:00 p.m. Sunday September 1, 2013 for Oktoberfest - A Taste of International Village.

be approved, subject to the following conditions:

(i) That the City may revoke the temporary road closure at any time to gain access for emergency services;

(ii) That no property owner or resident within the barricaded area be denied access to their property upon request;

(iii) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the General Manager of Public Works or designate at the expense of the event organizer;

(iv) That all barricading and traffic control be supplied by the applicant, and conform to “Ministry of Transportation Book 7 - Temporary Conditions”;

(v) That all barricading and traffic control be subject to the direction and satisfaction of the General Manager of Public Works or designate with all costs the responsibility of the applicant;

(vi) That all warning boards and detour signs manufactured and installed by the City of Hamilton in advance of the closure be at the expense of the applicant;

(vii) That the applicant notify all property owners and tenants along the closed portion of the route of the event in writing a minimum of 2 weeks in advance of the closure. The notice must be completed prior to the event in a form acceptable to the General Manager of Public Works or designate, providing, but not limited to a 24-hour contact name and telephone number;
(viii) That the applicant provide proof of $2,000,000 public liability insurance naming the City of Hamilton as an added insured party with a provision for cross liability, or $5,000,000 for events involving alcohol as part of the event, and holding the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;

(ix) That the applicant pay the required full road closure fee of $597.61 made payable to “The City of Hamilton” prior to road closure.

2. **2012 Annual Drinking Water Report (PW13017) (City Wide)(Item 7.1)**

That Report PW13017 respecting the 2012 Annual Drinking Water Report, be received.

3. **Transit Fare Parity, AODA Integrated Standard (No Copy) (Item 7.2) & Recommendations of the Advisory Committee for Persons with Disabilities referred from the General Issues Committee meeting on February 6, 2013 (Item 7.2(i))**

That the staff presentation, Advisory Committee for Persons with Disabilities Recommendations and deliberations on the issue of Fare Parity be referred to the April 3, 2013 General Issues Committee meeting.

4. **Transit Bus Shelter Expansion Plan (PW13005) (City Wide)(Item 8.1)**

(a) That staff be authorized and directed to undertake a transit bus shelter expansion for 2013 of up to 56 shelters at a budgeted cost of $10,000 per shelter to an upset limit of $560,000, to be fully funded from the Transit Provincial Gas Tax Reserve #112204;

(b) That staff be directed to undertake a City Wide Accessibility Audit on all City bus stops.

5. **Multi-Residential and Corporate Waste Diversion Program Update (PW11096(c)) (City Wide)(Item 8.2)**

That Report PW11096(c) respecting Multi-Residential and Corporate Waste Diversion Program Update, be received.
6. Winter Control Program Service Level Review (Class 3 Residential Plowing Activation and Target Condition) (PW13022) (City Wide) (Item 8.3)

(a) That the Winter Control Service Level Activation trigger for Class 3 Residential Streets be revised to 8 cm for plowing operation;

(b) That the Winter Control Service Level for Class 3 Residential Streets be revised to bare pavement from snow packed;

(c) That any budget variance due to the enhanced level of service for 2013 be mitigated with funds from the Winter Control Reserve and the on-going impacts be managed through the use of the continuous average expenditures for the delivery of the Winter Control Program each year, in the development of the operating budget estimates;

(d) That staff be directed to use a continuous rolling budget for Winter Control.

7. PV Labs - Collection of Traffic Data (PW13018) (City Wide) (Item 8.4)

(a) That the General Manager of Public Works be authorized to negotiate and enter into a contract with PV Labs for the provision of intelligent imaging technology using aerial gathered photo-digital based traffic data for the City of Hamilton for a period not to exceed five years;

(b) That the value is not to exceed $200,000 per year and that the expenditures are charged to the Traffic Counts Program.

8. Development of Lane Closure Policy (PW13021) (City Wide) (Item 8.5)

That the Lane & Sidewalk Closure Policy, attached as Appendix “A” to Report 13-003, be approved for implementation on roadways when construction related temporary lane closures exceed the current two week Road Occupancy Permit period.

That Item 8 of Public Works Committee Report 13-003 respecting Development of Lane Closure Policy be referred back to the Public Works Committee to allow for:

(a) Consultation with Planning and Economic Development staff and the Development Community

(b) Further review of the fee during the prescribed period

(c) Consideration of a more broader definition of when penalties will be implemented
9. Hamilton Utilities Corporation Joint Advisory Committee Report 13-001  
(Attached hereto as Appendix “B” to Report 13-003)(Item 8.6)

(i) Court House District Energy Proposal

(a) That the City of Hamilton enter into a Memorandum of Understanding (MOU) for the Court House District Energy Proposal with Hamilton Community Energy (HCE), subject to the satisfaction of the City Solicitor;

(b) That staff be directed to proceed with the district energy proposal engineering/design for the Court House, for the replacement of the existing steam boilers and cooling systems with new hot water boiler, new chiller and cooling tower and all related HVAC systems and to review the geothermal supplement option at an estimated cost of $5,830,000 for the aforementioned upgrades;

(c) That staff be directed to begin formal negotiations on a lease and final agreement between the City of Hamilton and Hamilton Community Energy (HCE) with respect to the Court house, to be presented for approval through the Hamilton Utilities Corporation Joint Advisory Committee and then Council for final approval.

10. Ancaster Village Green Park Project (Spray Pad) Funding Increase (Added Item 10.1 & 9.1)

Whereas the grant application by the Ancaster Rotary Club (Ontario Trillium Foundation Funding Program) for the Village Green Park Project (Spray Pad) was unsuccessful;

Therefore be it resolved;

That the proposed increased City share of costs in the amount of $73,159 be funded $58,451 (15% growth-related from total project budget of $389,675) from the Outdoor Recreation DC reserve # 110316 and $14,708 from the Ancaster Capital Reserve #108030 with the provision that any future Capital contribution by the Ancaster Rotary Club for this project be returned to the Ancaster Capital Reserve #10803.

11. Snow Plow Tracking Program (Added Item 10.2 & 9.2)

That staff be directed to provide progress updates to the Web Redevelopment Sub-committee respecting their investigation into the feasibility of a ‘plow tracking program’.
12. Fessenden Neighbourhood Stormwater Project Municipal Class EA (PW11080(a))(Ward 8)(Item 12.1)

(a) That the Manager of Real Estate be authorized and directed to enter into negotiations with the Hamilton-Wentworth District School Board to acquire 4.2 acres of land at the south west corner of Lynwood Road and Wendover Drive to secure a site for a storm water management facility, at a higher upset dollar amount than original indicated in Report PW11080 as indicated in Appendix "A" to Report PW11080(a) due to the larger site area now required and land value increases that have occurred since 2011;

(b) That the financial details of the land acquisition outlined in Appendix “A” to Report 11080(a) remain confidential until completion of the transaction and that the balance of Report PW11080(a) not be released as a public document;

(c) That the General Manager of Public Works be authorized to fund the potential shortfall in the pond construction budget as a 2013 pre-approval from the 2014 Rate Budget at a maximum upset limit of $1.2 million.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes to the agenda:

(i) Delegation Request by Lawrence Shapiro respecting the issue of Fare Parity (Added Item 4.4)

(ii) Delegation Request by Peter Hutton, Hamilton Roundtable on Poverty Reduction, respecting the issue of Fare Parity (Added Item 4.5)

(iii) Delegation Request by Dave Cherkowski, Hamilton Organization for Poverty Elimination, respecting the issue of Fare Parity (Added Item 4.6)

(iv) Notice of Motion respecting Ancaster Village Green Funding Increase (Added Item 10.1)

The March 18, 2013 Public Works Committee Agenda was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.
(c) MINUTES (Item 3)

(i) February 4, 2013 (Item 3.1)

The Minutes of the February 4, 2013 Public Works Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Delegation Request from Ken Bellavance respecting the issue of Fare Parity (Item 4.1)

The Delegation Request from Ken Bellavance respecting the issue of Fare Parity was approved to be heard at today’s meeting.

(ii) Delegation Request from Stephen Reavley and Cathie Mason of the Canadian National Institute for the Blind, respecting the issue of Fare Parity (Item 4.2)

The Delegation Request from Stephen Reavley and Cathie Mason of the Canadian National Institute for the Blind respecting the issue of Fare Parity was approved to be heard at today’s meeting.

(iii) Delegation Request from Dave Barnett of the Abuse Prevention and Awareness Campaign respecting the prevention of assaults on bus drivers (Item 4.3)

The Delegation Request from Dave Barnett of the Abuse Prevention and Awareness Campaign respecting the prevention of assaults on bus drivers, was approved.

(iv) Delegation Request from Lawrence Shapiro respecting the issue of Fare Parity (Added Item 4.4)

The Delegation Request from Lawrence Shapiro respecting the issue of Fare Parity was approved to be heard at today’s meeting.

(v) Delegation Request from Peter Hutton, Hamilton Roundtable on Poverty Reduction, respecting the issue of Fare Parity (Added Item 4.5)
The Delegation Request from Peter Hutton, Hamilton Roundtable on Poverty Reduction, respecting the issue of Fare Parity was approved to be heard at today’s meeting.

(vi) Delegation Request from Dave Cherkewski, Hamilton Organization for Poverty Elimination, respecting the issue of Fare Parity (Added Item 4.6)

The Delegation Request from Dave Cherkewski, Hamilton Organization for Poverty Elimination, respecting the issue of Fare Parity was approved to be heard at today’s meeting.

(e) CONSENT ITEMS (Item 5)

(i) Minutes of Various Sub-Committee (FOR INFORMATION PURPOSES ONLY) (Item 5.1)

The following Advisory and Sub-committee Minutes were received for information:

(a) Clean City Liaison Committee - January 15, 2013

(f) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) Delegation by Annamarie Gagno respecting the issue of Fare Parity and current abuses to the Voluntary Pay Policy (Item 6.1)

Annamaire Gagno was not in attendance.

(ii) Delegation by Ken Bellavance respecting the issue of Fare Parity (Item 4.1 & 6.2)

Ken Bellavance addressed the Committee respecting the issue of Fare Parity. He spoke against the Voluntary Pay Policy.

(iii) Delegation by Stephen Reavley and Cathie Mason of the Canadian National Institute for the Blind, respecting the issue of Fare Parity (Item 4.2 & 6.3)

Stephen Reavley and Cathie Mason of the Canadian National Institute for the Blind addressed the Committee respecting the issue of Fare Parity. They spoke in favour of the Voluntary Pay Policy and suggested placing
handicapped stickers on identification cards based upon medical diagnosis.

(iv) Delegation by Lawrence Shapiro respecting the issue of Fare Parity (Added Item 4.4 & 6.4)

Lawrence Shapiro addressed the Committee respecting the issue of Fare Parity. He spoke in favour of the Voluntary Pay Policy.

(v) Delegation Request from Peter Hutton, Hamilton Roundtable on Poverty Reduction, respecting the issue of Fare Parity (Added Item 4.5 & 6.5)

Peter Hutton, Hamilton Roundtable on Poverty Reduction, addressed the Committee respecting the issue of Fare Parity. He spoke in favour of the Voluntary Pay Policy and provided a handout to Committee members. A copy of the handout has been included in the official record.

(vi) Delegation Request by Dave Cherkewski, Hamilton Organization for Poverty Elimination, respecting the issue of Fare Parity (Added Item 4.6 & 6.6)

Dave Cherkewski, Hamilton Organization for Poverty Elimination, addressed the Committee respecting the issue of Fare Parity. He spoke in favour of the Voluntary Pay Policy.

The delegations respecting the issue of Fare Parity were received.

On a Motion item 7.2 respecting issue of Transit Fare Parity, AODA Integrated Standard, was moved up in the agenda to be heard at this time.

(vii) Transit Fare Parity, AODA Integrated Standard (No Copy) (Item 7.2)

(a) Recommendations of the Advisory Committee for Persons with Disabilities referred from the General Issues Committee meeting on February 6, 2013 (Item 7.2(i))

For disposition on this matter refer to Item 3.

(g) PRESENTATIONS (Item 7)

(i) 2012 Annual Drinking Water Report (PW13017) (City Wide)(Item 7.1)
Charlene McKay, Senior Regulator Coordinator addressed the Committee with the aid of a Powerpoint presentation. A copy of the presentation has been included in the official record.

The presentation respecting Report PW13017, 2012 Annual Drinking Water Report, was received.

(ii) Terri Wallis on behalf of the Advisory Committee for Persons with Disabilities respecting the Committees Accessibility Audit of Bus Stop Shelters and Report PW13005, Transit Bus Shelter Expansion Plan (No Copy) (Item 7.3)

Terri Wallis presented on behalf of the Advisory Committee for Persons with Disabilities respecting their Audit of Accessibility at Bus Stop Shelters. A copy of the Presentation has been included in the official record.

The presentation by Terri Wallis, Advisory Committee for Persons with Disabilities, respecting the Audit of Bus Stop Shelters, was received.

(h) DISCUSSION ITEMS (Item 8)

(i) Transit Bus Shelter Expansion Plan (PW13005) (City Wide)(Item 8.1)

Report PW13005 was amended by adding a sub-section (b) to read as follows:

(b) That staff be directed to undertake a City Wide Accessibility Audit on all City bus stops.

Staff were directed to provide a supplemental report to the Public Works Committee respecting the coordination of street furniture with transit shelter works.

(i) MOTIONS (ITEM 9)

(i) Ancaster Village Green Park Project (Spray Pad) Funding Increase (Added Item 10.1 & 9.1)

For disposition on this matter refer to Item 10.

(ii) Snow Plow Tracking Program (Added Item 10.2 & 9.2)
On a Motion staff were directed to provide a report to the Public Works Committee respecting the feasibility of creating a ‘plow tracking program’ to allow citizens to monitor the City’s public and private snow removal services during a storm event.

For disposition on this matter refer to Item 11.

(i) NOTICES OF MOTION (Item 10)

Councillor Collins introduced the following Notice of Motion

(i) Ancaster Village Green Park Project (Spray Pad) Funding Increase (Added Item 10.1)

Whereas the grant application by the Ancaster Rotary club (Ontario Trillium Foundation Funding Program) for the Village Green Park Project (Spray Pad) was unsuccessful;

Therefore be it resolved;

That the proposed increased City share of costs in the amount of $73,159 be funded $58,451 (15% growth-related from total project budget of $389,675) from the Outdoor Recreation DC reserve # 110316 and $14,708 from the Ancaster Capital Reserve #108030 with the provision that any future Capital contribution by the Ancaster Rotary Club for this project be returned to the Ancaster Capital Reserve #10803

The rules of order were waived to allow for the introduction of a Motion respecting Ancaster Village Green Park Project (Spray Pad) Funding Increase.

For disposition on this matter refer to Item 10.

Councillor Collins introduced the following Notice of Motion

(ii) Snow Plow Tracking Program (Added Item 10.2)

(a) That staff be directed to provide progress updates to the Web Redevelopment Sub-committee respecting their investigation into the feasibility of a ‘plow tracking program’.

(b) That staff be directed to provide a report to the Public Works Committee respecting the feasibility of creating a ‘plow tracking
program’ to allow citizens to monitor the City’s public and private snow removal services during a storm event;

The rules of order were waived to allow for the introduction of a Motion respecting a Snow Plow Tracking Program.

For disposition on this matter refer to Item 11 and Information Item (i)(ii)

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

(i) Outstanding Business List (Item 11.1)

(a) Items Requiring Approval for Removal:

The following items were considered complete and removed from the Outstanding Business List:

Item C - Multi-Residential Waste Diversion Program

Item H - Winter Control Program Service Levels

Item I - Winter Control Activation Levels

Item L - Development of Lane Closure Policy

(b) Items Requiring Revised Due Dates:

The following revised due dates were approved:

Item A - Installation Policy for Intersection and Mid-Block Pedestrian Signals
Due Date: March 18, 2013
Revised Due Date: April 8, 2013

Item B - Left-hand Prohibition Sign at Queen Street South and Stanley Avenue Separated Organics
Due Date: March 18, 2013
Revised Due Date: April 22, 2013

Item D - Wentworth Street and Sanford Avenue 2-way Traffic Study Due Date: June 3, 2013
Revised Due Date: September 16, 2013

Item G - Petition from Residents of Sanford Avenue South regarding Traffic Calming Measures
Due Date: March 18, 2013
Revised Due Date: September 16, 2013
(ii) **2013 Waste Calendar (Added Item 11.2)**

Councillor Jackson introduced his concerns around only 12 garbage tags being attached to the 2013 Waste Calendar. He indicated that it was Committees belief that all 26 tags would be sent out with the 2013 calendar and he asked staff to provide an update on this matter.

(k) **PRIVATE & CONFIDENTIAL**

(i) **Fessenden Neighbourhood Stormwater Project Municipal Class EA (PW11080(a)) (Ward 8) (Item 12.1)**

For disposition on this matter refer to item 12.

(l) **ADJOURNMENT (Item 13)**

There being no further business, the Public Works Committee was adjourned at 1:29 p.m.

CARRIED

Respectfully submitted,

Councillor T. Whitehead, Vice-Chair
Public Works Committee

Andy Grozelle
Legislative Coordinator
Office of the City Clerk
THE CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
ENGINEERING SERVICES DIVISION
POLICY and PROCEDURES

POLICY NO:
SUBJECT:  Temporary Lane & Sidewalk Closure Policy
ELIGIBILITY:

PROCEDURE:

1) Purpose
The purpose of this policy is to regulate temporary lane closures for development and private construction activities, while maintaining a balance of safety and efficiency of public road users while minimizing the risks of damage to the right-of-way.

2) Guideline
The Corridor Management Section in the Public Works Department maintains primary responsibility for ensuring the public can safely and effectively use City of Hamilton roadways. Therefore, Corridor Management must approve any change to the normal operation of all roadways and will coordinate the use of the public right-of-way on the basis of maintaining proper traffic control and operation throughout the City.

(a) A “Temporary Road Occupancy Permit Application” must be submitted a minimum of five working days in advance.

(b) Permit fees are required prior to approval, and may be requested as a letter of credit when occupancy is for an extended period of time. Fees are as approved in the existing User Fee Bylaw.

(c) The applicant will be liable for, and shall indemnify and save harmless the City for, any damages or injuries which may arise through the execution of the work for which the permit is issued. The applicant when requested shall provide proof of public liability insurance naming the City of Hamilton as an added insured.

3) General Conditions
i. Permits will be issued with a signature from the Public Works Department, Corridor Management Section. Permit is not valid until signed by and returned by fax by applicant.

ii. Cash, Cheques, or Visa and Master Card are accepted. Cheques should be made payable to the City of Hamilton.

iii. It is the Applicant’s responsibility to ensure that the permit is on-site at all times and available for review by City of Hamilton Enforcement Staff.
iv. In addition to the processing fee above, the Applicant will be responsible for reimbursing the City for any lost revenue from occupying a parking meter space, and the applicant is responsible for the validation, meter bags, and payment at the Hamilton Municipal Parking System office.

v. Applicants are subject to a late fee of $500 per day should occupancy of the lane extend past the approved time period.

vi. The right-of-way must be left in the same condition or better as existed at time of permit issue. All damage to city property shall be made good or paid for.

vii. The applicant will be liable for, and shall indemnify and save harmless the City for, any damages or injuries which may arise through the execution of the work for which this permit is issued.

viii. All signing/delineation must conform with the Ministry of Transportations’ Book 7 Signing Requirements for Temporary Conditions at the applicant’s cost, and a plan must be submitted prior to occupancy.

ix. The applicant when requested shall provide proof of $2,000,000 public liability insurance naming the City of Hamilton as an added insured.

x. Occupancy is only permitted on the condition that the requirements of the City By-laws are complied with.

xi. All works must be in accordance with and subject to the approval and satisfaction of the General Manager of Public Works.

DIRECTOR APPROVAL: 

APPROVED DATE: 

REVISED DATE: 
HAMILTON UTILITIES CORPORATION JOINT ADVISORY COMMITTEE
REPORT 13-001
Tuesday, February 19, 2013
1:00 p.m.
Room 192
City Hall
71 Main Street West

Present: Mayor B. Bratina and A. Adam, Co-Chairs
Councillors J. Farr, and R. Powers
P. Benson and J. Weppler

Absent with Regrets: S. Merulla, illness
J. Rinaldo, personal

THE HAMILTON UTILITIES CORPORATION JOINT ADVISORY SUB-COMMITTEE PRESENTS REPORT 13-001 TO THE PUBLIC WORKS COMMITTEE AND RESPECTFULLY RECOMMENDS:

1. Court House District Energy Proposal

   (a) That the City of Hamilton enter into a Memorandum of Understanding (MOU) for the Court House District Energy Proposal with Hamilton Community Energy (HCE), subject to the satisfaction of the City Solicitor;

   (b) That staff be directed to proceed with the district energy proposal engineering/design for the Court House, for the replacement of the existing steam boilers and cooling systems with new hot water boiler, new chiller and cooling tower and all related HVAC systems and to review the geothermal supplement option at an estimated cost of $5,830,000 for the aforementioned upgrades;

   (c) That staff be directed to begin formal negotiations on a lease and final agreement between the City of Hamilton and Hamilton
Community Energy (HCE) with respect to the Court house, to be presented for approval through the Hamilton Utilities Corporation Joint Advisory Committee and then Council for final approval.

FOR INFORMATION

(a) Welcome - Introductions
Co-Chair Adam called the meeting to order and staff were introduced.

(b) Changes to the agenda
The Clerk advised there were no changes to the agenda.

The agenda was approved as presented.

(c) Declarations of Interest
There were none declared.

(d) Approval of Previous Minutes – October 1, 2012 Meeting
The Minutes of the October 1, 2012 meeting were approved as presented.

(e) Staff Presentation/ Update on Joint Business Opportunities (item 5)

Geoff Lupton, Director of Energy, Fleet and Traffic and Alex Bystrin, CEO of HUC and HHSI addressed Committee with the aid of a PowerPoint presentation and copies of the hand-out were distributed.

Their comments included but were not limited to the following:

- Update respecting the joint business opportunity for the City’s District Cooling System/Central Utilities Plant;
- Court House district energy proposal and recommendations;
- Previous direction to staff;
- District Cooling update;
- Growth/Timing/Opportunity;
- Court House District Energy Proposal;
- Court House District Energy Options;
- Court House Options compared;
- Option 2 – Overall Benefits;
- Moving forward;

Public Works Committee – March 18, 2013
• Recommendations.

On a motion, the HUC Joint Advisory Committee approved the recommendations in the presentation as outlined in Item 1 of this Report.

(f) Adjournment

The meeting was adjourned at 1:54 p.m.

Respectfully submitted

A. Adam, Co Chair
Hamilton Utilities Corporation
Joint Advisory Committee

Ida Bedioui
Legislative Co-ordinator
Office of the City Clerk
THE BOARD OF HEALTH PRESENTS REPORT 13-002 AND RESPECTFULLY RECOMMENDS THE FOLLOWING:

1. **Infectious Disease and Health Hazard Semi-Annual Report – Q3 and Q4 (July 1, 2012 to December 31, 2012) (BOH13007) (City Wide) (Item 5.1)**

   That Report BOH13007, respecting Infectious Disease and Health Hazard Semi Annual Report – Q3 and Q4 (July 1, 2012 to December 31, 2012), be received.

2. **Chief Nursing Officer Initiative (BOH13012) (City Wide) (Item 5.2)**

   That Report BOH13012, respecting Chief Nursing Officer Initiative, be received.

3. **Healthy Babies Healthy Children Protocol (BOH13010) (City Wide) (Item 5.3)**

   That Report BOH13010, respecting Healthy Babies Healthy Children Protocol, be received.
4. **Healthy Babies Healthy Children Budget (BOH13009) (City Wide) (Item 5.4)**

That Report BOH13009, respecting Healthy Babies Healthy Children Budget, be received.

5. **Community Food Security Stakeholders Sub-Committee Minutes - November 7, 2012 (Item 5.5)**

That the minutes of the Community Food Security Stakeholder Sub-Committee Minutes of November 7, 2012, be received.

6. **Community Food Security Stakeholders Sub-Committee Minutes – December 5, 2012 (Item 5.6)**

That the minutes of the Community Food Security Stakeholder Sub-Committee Minutes of December 5, 2012, be received.

7. **Food Safety Disclosure Three Card System (BOH13011) (City Wide) (Item 7.1)**

(a) That Report, BOH13011 Food Safety Disclosure Three Colour Food Safety Inspection Sign plan and implementation plan outlined in Appendix "A" and "B" of Board of Health Report 13-002, be approved;

(b) That the Three Colour Food Safety Inspection Signage outlined in Appendix "C", "D" and "E" of Board of Health Report 13-002, be approved;

(c) That one time start-up funding in the amount of $35,000 in 2013 to be funded firstly from any Public Health Services and/or Corporate surplus and secondly from Public Health Services Reserve #112219, for the implementation of the Three Colour Food Safety Inspection Sign System in February 2014, be approved;

(d) That the Board of Health refer the approval of the one-time funding in the amount of $20,000 for evaluation, to the 2014 Capital Budget process.

8. **Public Health Accreditation 2013 Application (BOH13006) (City Wide) (Item 8.1)**

That sub-section (a) to Item 8 of Board of Health report 13-002, be amended by deleting the words “one other Councillor” and replace with “Councillor Brian
McHattie", to read as follows:

(a) That members of the Board of Health agree to participate in the accreditation process and appoint the chair and Councillor Brian McHattie who will meet with the Ontario Council on Community Health Accreditation representatives during the on-site visit occurring on June 17 – 19, 2013

(b) That all members of the Board of Health agree to complete a brief questionnaire and submit to the Ontario Council on Community Health Accreditation.

9. Correspondence

(a) Correspondence from the Ministry of Health and Long-Term Care respecting 2012 Physician Services Agreement

Recommendation: Be received

FOR THE INFORMATION OF THE COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The agenda was approved as presented

(b) DECLARATIONS OF INTEREST (Item 2)

None

(c) MINUTES (Item 3)

(i) February 4, 2013 (Item 3.1)

The minutes from the February 4, 2013 Board of Health meeting, were approved.

(d) DELEGATION REQUEST (Item 4)

(i) Delegation request by Anne Marsden respecting Hamilton Public Health Safety and Audit of an Unaddressed Gastroenteritis Outbreak with Diagnosed Case of C-Difficile April 2006 (Item 4.1)

That the delegation request by Anne Marsden respecting Hamilton Public Health Safety and Audit of an Unaddressed Gastroenteritis Outbreak with
Diagnosed Case of C-Difficile April 2006, was denied.

(e) PRESENTATION (Item 7)

(i) Food Safety Disclosure Three Card System (BOH13011) (City Wide) (Item 7.1)

Richard MacDonald Program Manager with Public Health Services gave a presentation to the Board, respecting Food Safety Disclosure Three Card System. A copy of Mr. MacDonald presentation was retained by the Clerk.

The presentation respecting the Food Safety Disclosure Three Card System, was received.

(f) DISCUSSION ITEMS (Item 8)

(i) Public Health Accreditation 2013 Application (BOH13006) (City Wide) (Item 8.1)

Staff were directed to report back to the Board of Health in Fall 2013 with the results of the Accreditation Survey conducted by Ontario Council on Community Health Accreditation in June 2013.

(g) GENERAL INFORMATION (Item 11)

(i) Removal of Outstanding Business List Items

Outstanding Business List Item B, respecting the Food Safety Disclosure Three Card System, was removed, as the item is complete.

(h) ADJOURNMENT (Item 13)

The Board of Health adjourned at 2:45 p.m.

Respectfully submitted,

Mayor R. Bratina
Chair, Board of Health

Council – March 27, 2013
Christopher Newman
Legislative Coordinator
<table>
<thead>
<tr>
<th>Action Item</th>
<th>March</th>
<th>April</th>
<th>May</th>
<th>June</th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>October</th>
<th>November</th>
<th>December</th>
<th>January</th>
<th>February</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sign Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comm. Strategy Development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Website Redevelopment/Testing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hedgehog Upgrade &amp; Test</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Q.A. Development/Implementation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operator Comm. Rollout</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Media Comm. Rollout</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PHI Training</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PHI Piloting</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Three Card Disclosure Launch</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>LAUNCH 1</td>
</tr>
</tbody>
</table>
Public Health Services
Food Safety
Disclosure Program

Communication Strategy
Background

At the September 17, 2012 Board of Health meeting the decision was made to revise the single “Green Card” disclosure system into three colour (red, yellow, green) food safety inspection signs at the entrance to food premises.

This document outlines activities that will be undertaken by Public Health Services to raise awareness about the new program among stakeholders, including the food operators, City staff and the general public.

Challenges to be taken into consideration

Operators

In previous consultations, operators identified their preferences for what a disclosure system should entail. These included:

- Preference of a pass/fail or two-coloured sign system (red and green) as opposed to a three-sign rating
- Information on the sign should be simple and easy to understand
- The rating system should be thoroughly explained
- Infraction criteria used to issue a yellow sign should reflect the risk of food-borne illness
- Explanation is needed of the requirements to obtain a good grade
- The Web site should be updated in a timely manner
- Enough notice should be provided to the operators before the Program is launched

They also voiced their concerns regarding the use of a yellow sign, as this was thought to be open to misinterpretation by the public. The Toronto experience also confirmed this perception that the yellow sign (conditional pass) is not understood by the public. Operators insist that the yellow sign is ambiguous and that the public will not eat at a restaurant if it displays a yellow sign. Thus, a future disclosure system that includes a yellow sign must ensure that the meaning of the yellow sign is well explained.

Target Audiences for Communication

External:

- Food premises operators
- General public in Hamilton
- Local media (print, TV and radio)
- Bordering Health Units (Halton, Niagara, Brantford, Haldimand-Norfolk, Wellington, Dufferin, Guelph)
- Industry associations:
  - Ontario Restaurant, Hotel and Motel Association
• Canadian Council of Grocery Distributors

Internal:
• City Council and Strategic Management Team (SMT)
• Public Health Services Management Team (PHSMT)
• Customer Contact Center, Environmental Health Duty Line & Public Health Inspectors
• Other City of Hamilton staff

**Objectives**

**General public, City staff, City Council, SMT, PHSMT**

• To raise awareness about the availability of Hamilton’s Food Safety Disclosure Program
• To educate the general public how to use the new disclosure signage system

**Operators and industry associations**

• To educate operators and industry associations about the new Food Safety Disclosure Program and how the program will impact them

**Media**

• To generate positive local media coverage about the program
• To provide accurate key messages to the media in order to increase public awareness and knowledge about the new system

**Timelines**

The strategy will be implemented in two phases.

**Phase I**  
August – October 2013

Program roll-out for key public health staff (Customer Contact Center, Environmental Health Duty Line & Public Health Inspectors), followed by food operators and industry associations.

**Phase II**  
November 2013 – January 2013 and ongoing

Communication to City Council, SMT, PHSMT and other City staff.  
Official launch for general public and ongoing promotional and educational activities.

**Key Messages**

• The City of Hamilton is introducing the new Food Safety Disclosure Program (Green, Yellow, Red)
The Program aims to:
- Provide more information on site to consumers
- Increase compliance of operators with food safety regulations
- Improve food safety standards in food premises
- Reduce the risk of food-borne illness
- Increase public awareness about food safety

The Program will have a three-coloured sign approach to food safety with:
- **Green** sign indicating substantial compliance with Food Premises regulation
- **Yellow** sign indicating a significant non-compliance with Food Premises regulation which may affect food safety
- **Red** sign indicating conditions in the food premises which have an immediate health hazard to the general public

Food premises inspection summaries will be posted on site and available on the Food Safety Zone Web site (www.foodsafetyzone.ca)

Anyone will be able to obtain information about food safety program by calling the Customer Contact Centre.

**Communication Strategy**

**Strategy for the Media and General Public**

1. Revise the Food Safety Program’s Web site and Food Safety Zone in order to provide updated information on the new disclosure system.

2. Develop communication and promotional materials including:
   - Media releases
   - Media kit (news release, operator package, fact sheet, sample signs)
   - Brochure or flyer with information about the Program – for distribution with other PHS program information and as an insert with resident’s water bills
   - Display panel to be part of the generic Environmental Health display. The display will be used at community events and City facilities.
   - Advertising posters to be available in public places – libraries, community centres, doctor’s offices, Councillors’ offices, City facilities, local malls, movie theatres, bus shelters, and other public places in Hamilton.
   - Other promotional materials for the public (e.g. fridge magnets, pens, etc).

3. Develop and conduct a media relations campaign which will include:
   - Sending out a media release
   - Media briefing during the Program launch
   - Providing media kits to local media (news release, operator package, fact sheet, sample signs)
• Conducting media interviews

After the Program launch, media relations should continue through regular news releases, media interviews and participation in the local media, as opportunities arise.

4. Officially launch the Program to the target groups other than the operators. The launch activities will include:
   • An event at one of the food establishments where a green sign will be given to it by the Associate Medical Officer of Health (AMOH). Local media, Chair of Human Services, Public Health Inspectors and program staff will be invited to attend and participate in the photo opportunity. This event will also be an opportunity for the media to interview the AMOH about the Program.
   • Setting up a food safety disclosure display with promotional materials at City Service Centres.

MOH, AMOHs, Director of Environmental Health

1. Develop a Q&A fact sheet for the MOH, AMOHs and Director of Environmental Health for handling media inquiries.

Environmental Duty Line, Public Health Inspectors, Customer Contact Centre

1. Ensure that the Customer Contact Centre and the Environmental Health Duty Line have information available to handle calls. Develop a FAQ fact sheet for Public Health Inspectors and the Duty Desk, if needed.

Operator-specific strategy

1. Produce a communication letter with Program updates to be distributed to all operators via mail/email.

2. Produce an Owner/Operator Guide with information about the program, explanation of the three card system, tips on how to pass, food handler training and certification information. The Guide will be distributed to all operators by Public Health Inspectors prior to the official launch of the Program. The Guide can be in the form of a book or a kit.

3. Produce a flyer for employees at food premises to be posted by the operators

4. Organize presentations to educate and update the operators about the program and its benefits to them and their customers
City Council, PHSMT, DMT

1. Write an information Report to Council with Program updates.
2. Update council on the evaluation of the new disclosure system in 2014/2015.

**Evaluation**

Evaluation activities will include the following:

- Tracking calls to the Customer Contact Centre and Environmental Health Duty Line and monitoring types of questions asked
- Recording and reviewing feedback from the public
- Recording and reviewing feedback from the operators
- Recording and reviewing feedback from the industry associations
- Tracking the number of presentations to BOH and community

The Food Safety Program will also continue to track the number of inspections completed, and the number of premises with infractions resulting in the posting of yellow cards and red cards. This data will be compared to our previous food inspection results to determine whether greater compliance by food operators is being achieved with the new disclosure system.
PASS

Substantial compliance with the Ontario Food Premises Regulation

MEDICAL OFFICER OF HEALTH

For more information, please call City of Hamilton Public Health Services at 905-546-3570

Check inspection reports online: WWW.FOODSAFETYZONE.CA

The results of this inspection reflect the conditions of the premises at the time of the inspection. This certificate of inspection is the property of the City of Hamilton and must be returned upon request.
**HAMILTON FOOD SAFETY INSPECTION**

**CONDITIONAL PASS**

---

**DATE OF INSPECTION**

**PREMISES NAME**

**ADDRESS**

**INSPECTION SUMMARY DEFINITION**

**CONDITIONAL PASS**

Significant non-compliance with the Ontario Food Premises Regulation.

**INFRACTIONS FOUND AT THE TIME OF INSPECTION**

- Failed to ensure safe food cooking/holding/storage temperature(s)
- Failed to protect food from contamination
- Failed to practice adequate food handler hygiene
- Failed to provide adequate pest control
- Failed to maintain the sanitation of the premises
- Failed to provide, maintain and/or clean equipment and utensils

---

**MEDICAL OFFICER OF HEALTH**

For more information, please call City of Hamilton Public Health Services at **905-546-3570**

Check inspection reports online: **WWW.FOODSAFETYZONE.CA**

---

The results of this inspection reflect the conditions of the premises at the time of the inspection. This certificate of inspection is the property of the City of Hamilton and must be returned upon request.
Premises closed by order under the authority of the Medical Officer of Health.

UNDER AUTHORITY OF THE HEALTH PROTECTION AND PROMOTION ACT, R.S.O., 1990 AS AMENDED, PURSUANT TO SECTION 13

DATE: TIME

PREMISES NAME

ADDRESS

INSPECTOR: MEDICAL OFFICER OF HEALTH

BADGE# INITIALS

INSPECTION SUMMARY DEFINITION

CLOSED

Conditions in the food premises are an immediate health hazard.

For more information, please call City of Hamilton Public Health Services at 905-546-3570

Check inspection reports online: WWW.FOODSAFETYZONE.CA

The results of this inspection reflect the conditions of the premises at the time of the inspection. This certificate of inspection is the property of the City of Hamilton and must be returned upon request.
Present: Councillors J. Farr (Chair), B. Johnson (1st Vice Chair), J. Partridge (2nd Vice Chair), B. Clark, C. Collins, R. Pasuta, M. Pearson and T. Whitehead

Absent with Regrets: Councillor L. Ferguson – Vacation

Also Present: Councillor B. McHattie
Councillor T. Jackson

THE PLANNING COMMITTEE PRESENTS REPORT 13-004 AND RESPECTFULLY RECOMMENDS:

1. Adoption of Pay Assurance Provisions for the City’s Standard Form Subdivision and External Works Agreements on a Permanent Basis (PED10095(a)) (City Wide) (Item 5.1)

That the pay assurance process and provisions for the City’s Standard Form Subdivision and External Works Agreements, approved by Council in adopting Item 5 of the Economic Development and Planning Committee Report 10-010 for a two year trial period commencing September 6, 2010, be approved for permanent use by the City.
2. **Water and Wastewater Infrastructure Support Community Improvement Plan (PED13041/PW11056(d)) (Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 15) (Item 6.2)**

(a) That the By-law to designate the Community Improvement Project Area for the Water and Wastewater Infrastructure Support Community Improvement Plan, substantially in the form attached as Appendix “A” to Report PED13041/PW11056(d), which has been prepared in a form satisfactory to the City Solicitor, be enacted;

(b) That the By-law to adopt the Water and Wastewater Infrastructure Support Community Improvement Plan, substantially in the form attached as Appendix “B” to Report PED13041/PW11056(d), which has been prepared in a form satisfactory to the City Solicitor, be enacted;

(c) That the Community Improvement Plan titled, “Water and Wastewater Infrastructure Support Community Improvement Plan”, attached as Schedule “A” to Appendix “B” to Report PED13041/PW11056(d), and which includes the revised Program Guidelines for the Residential Protective Plumbing Program (3P), attached as Appendix “1” to the “Water and Wastewater Infrastructure Support Community Improvement Plan”, be adopted.

3. **Amendment to By-law 07-170 - Schedule 28 - Tow Trucks (PED09019(e)) (City Wide) (Item 6.3)**

(a) That the minor housekeeping amendments respecting matters related to practical implementation of Schedule 28 Tow Trucks of the City’s Licensing By-Law, as outlined in Report PED09019(e) be approved;

(b) That the draft by-law attached as Appendix “A” to Report PED09019(e), which has been prepared in a form satisfactory to the City Solicitor, be enacted.

4. **Establishment of the Tow Truck Licensing Sub Committee**

(a) That a Sub Committee of 3 Councillors (Councillors Clark, Pearson and Jackson) be established to meet with City staff, towing industry stakeholders and Hamilton Police Service representatives to review the licensing of tow trucks;

(b) That the Sub Committee report back to the Planning Committee by the 3rd Quarter of 2013.
5. **Application for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 14 Kenilworth Avenue South (Hamilton) (PED13039) (Ward 4) (Item 6.5)**

That approval be given to **Zoning Application ZAR-12-039, by 2056122 Ontario Ltd., Owner**, for a change in zoning to Hamilton Zoning By-law No. 6593 from the “C” (Urban Protected Residential, Etc.) District to the “C/S-1622” (Urban Protected Residential, Etc.) District, with a Special Exception, in order to permit a parking lot, for the lands located at 14 Kenilworth Avenue South (Hamilton), as shown on Appendix “A” to Report PED13039, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED13039, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(b) That the change in zoning conforms to the Hamilton-Wentworth Official Plan, the City of Hamilton Official Plan, and the Ministry Approved Urban Hamilton Official Plan.

6. **Hamilton Municipal Heritage Committee Report 13-002 (Item 8.2)**

(1) **Hamilton Heritage Conservation Districts – Study and Summary’s**

That a letter of gratitude be sent to the Architectural Conservancy of Ontario (ACO) for their research and work respecting Hamilton’s Heritage Conservation District Study.


(a) That the following proposed amendments to the Urban Hamilton Official Plan, currently before the Ontario Municipal Board, as set out in Appendices A and B attached to Report LS13007, be supported:

(i) Settling the appeal to the Urban Hamilton Official Plan filed by Mondelez Canada Inc. (formerly Kraft Canada Inc.);

(ii) Opposing the appeals by Auburn Development Inc. arising from their applications for an Official Plan Amendment (OPA – 07-016) and Zoning By-law Amendment (ZAC – 07 – 962) for lands municipally known as 17 Ewen Road, Hamilton.

Council – March 27, 2013
(b) That Legal staff be authorized to finalize the details of the proposed amendments together with such drafting, editorial or technical modifications as may be necessary and consented to by the Director of Planning or his delegate provided these are consistent with the intent of the proposed amendments, as described in Appendices A and B attached to Report LS13007;

(c) That Report LS13007, respecting the Urban Hamilton Official Plan Proposed Settlements and Legal Direction, remain confidential, but that Appendices A and B be made public in the event that Council supports recommendation (a).

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes to the Agenda:

1. PUBLIC HEARING AND DELEGATIONS

6.3 Amendment to By-law 07-170 - Schedule 28 - Tow Trucks (PED09019(e)) (City Wide)

Appendix “A” to Report PED09091(e), is to be deleted and replaced with the revised by-law.

6.4 By-law to Regulate Parking on Boulevards and Front and Side Yard (PED13042) (City Wide)

Appendix “A” to Report PED13042 is to be deleted and replaced with the revised by-law.

Correspondence:

(i) Correspondence from Barbara Baker

6.5 Application for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 14 Kenilworth Avenue South (Hamilton) (PED13039) (Ward 4)

Correspondence:
(i) Correspondence from Midevco Group (agent)

6.6 Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, and 267 Parkside Drive (Flamborough) (Ward 15) (PED13043)

Correspondence:

(i) Correspondence from Mark and Nadia Mongelluzzo
(ii) Correspondence from Jeanette and Nino Giordano

The Agenda for the March 19, 2013 meeting of the Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Pearson declared a conflict of interest respecting Item 6.2, Water and Wastewater Infrastructure Support Community Improvement Plan (PED13041/PW11056(d)) (Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 15) as she is involved in the rental housing industry.

(c) APPROVAL OF MINUTES (Item 3)

(i) February 19, 2013

The Minutes of the February 19, 2013 Planning Committee meeting were approved.

(d) DELEGATION REQUESTS (Item 4)

(i) Delegation request from Barbara Beaver, respecting licensing fee increases for Body Rub Parlours (Item 4.1)

The delegation request from Barbara Beaver, respecting licensing fee increases for Body Rub Parlours, was approved for a future meeting.
(e)  PUBLIC HEARINGS AND DELEGATIONS (Item 6)

(i)  Delegation from Sid Catalano and Steve McGregor respecting the sign by-law and a digital sign proposal (Item 6.1)

Sid Catalano and Steve McGregor addressed the Committee with the aid of a PowerPoint presentation. A copy of the presentation has been added to the public record.

The delegation request from Sid Catalano and Steve McGregor respecting the sign by-law and a digital sign proposal, was received.

(ii)  Water and Wastewater Infrastructure Support Community Improvement Plan (PED13041/PW11056(d)) (Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 15) (Item 6.2)

In accordance with the provision of the Planning Act, Chair J. Farr advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the community improvement plan, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No speakers came forward.

The public meeting respecting PED13041/PW11056(d), Water and Wastewater Infrastructure Support Community Improvement Plan, was closed.

The staff presentation respecting PED13041/PW11056(d), Water and Wastewater Infrastructure Support Community Improvement Plan, was waived.

For disposition on this Item, refer to item 2.

(iii)  Amendment to By-law 07-170 - Schedule 28 - Tow Trucks (PED09019(e)) (City Wide) (Item 6.3)

Al Fletcher, Manager, Licensing and Permits, provided a brief overview of the report and the amendments made to By-law 07-170 – Schedule 28 – Tow Trucks and changes to Appendix A.
The staff presentation respecting PED09019(e), Amendment to By-law 07-170 - Schedule 28 - Tow Trucks, was received.

Registered Speakers:

1. Brad Park – Park Towing
   
   Mr. Park expressed that he is opposed to By-law 07-170 – Schedule 28.

2. Ray Weninger – Ray’s Towing and Recovery
   
   Mr. Weniger expressed that he is opposed to By-law 07-170 – Schedule 28.

3. Fred Dath – Lockwood Motors
   
   Mr. Dath expressed that he is opposed to By-law 07-170 – Schedule 28.

4. Greg Ryan – Bennet’s Towing
   
   Mr. Ryan expressed that he is opposed to By-law 07-170 – Schedule 28.

5. Paul Slote – Express Towing
   
   Mr. Slote expressed that he is opposed to By-law 07-170 – Schedule 28.

The public presentations respecting report PED09019(e), Amendment to By-law 07-170 - Schedule 28 - Tow Trucks, was received.

The public meeting respecting report PED09019(e), Amendment to By-law 07-170 - Schedule 28 - Tow Trucks, was closed.

Appendix A to report PED09019(e), Amendment to By-law 07-170 - Schedule 28 - Tow Trucks, was deleted and replaced with the revised by-law.

For disposition on this Item, refer to item 3.
(iv) By-law to Regulate Parking on Boulevards and Front and Side Yard (PED13042) (City Wide) (Item 6.4)

Correspondence:

(i) Correspondence from Barbara Baker

Marty Hazell, Senior Director, Parking and By-law Services, provided a brief overview of the report of parking on boulevards and front/side yards and changes to Appendix A.

The staff presentation respecting report PED13042, By-law to Regulate Parking on Boulevards and Front and Side Yard, was received.

Registered Speakers:

1. Victor Veri – 971 Hwy 6 N, Hamilton, ON L8N 2Z7

   Mr. Veri expressed his concerns with the by-law and the advertisement.

The public presentation and correspondence respecting report PED13042, By-law to Regulate Parking on Boulevards and Front and Side Yard, was received.

The public meeting respecting report PED13042, By-law to Regulate Parking on Boulevards and Front and Side Yard, was closed.

That Report PED13042, By-law to Regulate Parking on Boulevards and Front and Side Yard, was referred back to staff and Ward Councillors for further consideration and consultation.

(v) Application for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 14 Kenilworth Avenue South (Hamilton) (PED13039) (Ward 4) (Item 6.5)

Correspondence:

(i) Correspondence from Midevco Group (agent)

In accordance with the provision of the Planning Act, Chair J. Farr advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the

Council – March 27, 2013
Council of the City of Hamilton before Council approves the zoning by-law amendment, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No speakers came forward.

The public meeting respecting PED13039, Application for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 14 Kenilworth Avenue South (Hamilton), was closed.

The correspondence respecting PED13039, Application for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 14 Kenilworth Avenue South (Hamilton), was received.

The staff presentation respecting PED13039, Application for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 14 Kenilworth Avenue South (Hamilton), was waived.

For disposition on this Item, refer to item 5.

The rules were waived so that Don Baglole may be permitted to speak.

1. Don Baglole – 15 Tuxedo Avenue S, Hamilton, ON L8K 2R7

Mr. Baglole came forward, after approval of Report PED13039, Application for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 14 Kenilworth Avenue South (Hamilton), and expressed concerns respecting a 24-hour gas station and that they do not have a dumpster on their property and believes this property will result in business taking over his neighbourhood.

The public presentation respecting PED13039, Application for an Amendment to Hamilton Zoning By-law No. 6593 for the Property Located at 14 Kenilworth Avenue South (Hamilton), was received.

(vi) Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, and 267 Parkside Drive (Flamborough) (Ward 15) (PED13043) (Item 6.6)

Correspondence:

(i) Correspondence from Mark and Nadia Mongelluzzo
(ii) Correspondence from Jeanette and Nino Giordano

In accordance with the provision of the Planning Act, Chair J. Farr advised those in attendance that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council approves the zoning by-law amendment, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Cam Thomas, Planner, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

The staff presentation respecting PED13043, Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, and 267 Parkside Drive (Flamborough) (Ward 15), was received.

Speakers:

1. Karl Gonnsen – 2290 Queensway Drive, Burlington, ON L7R 3T3

   Mr. Gonnsen, President, Metropolitan Consulting Inc., addressed the Committee on behalf of his client, Parkside Hills Inc., that the plan be compatible with Parkside Hills Inc. developments, concerns to grading and water flow management, and concerns with cost sharing.

The public presentation and correspondence respecting PED13043, Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, and 267 Parkside Drive (Flamborough) (Ward 15), was received.

James Webb, planner on behalf of Branthaven Rosart Development Corporation, and Arden Semper, President of Branthaven Development Corporation, provided an overview of the report with the aid of a PowerPoint presentation. A copy of the presentation has been included in the public record.

Matthew Brouwer, Transportation Engineer on behalf of the owner, provided an overview of the expected traffic patterns.
The presentation respecting PED13043, Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, and 267 Parkside Drive (Flamborough) (Ward 15), was received.

The public meeting respecting PED13043, Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, and 267 Parkside Drive (Flamborough) (Ward 15), was closed.

Report PED13043, Proposed Official Plan Amendment and Zoning By-law Amendment for Property at 257, 261, 263, and 267 Parkside Drive (Flamborough) (Ward 15), was referred back to staff, the Ward Councillor and Branthaven Developments for further consideration/consultation as well as a community meeting, and that the report come back to the April 30, 2013 meeting of the Planning Committee.

(f) DISCUSSION ITEMS (Item 8)

(i) Municipal Law Enforcement (MLE) Contractor Services Administration Staff Resource Report (PED13056) (City Wide) (Item 8.1)

Report PED13056, Municipal Law Enforcement (MLE) Contractor Services Administration Staff Resource Report, was tabled to the April 2, 2013 meeting of the Planning Committee.

(g) PRIVATE AND CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – February 19, 2013 (Delivered Under Separate Cover) (Item 12.1)

(a) The closed session minutes from February 19, 2013, were approved;

(b) The closed session minutes from February 19, 2013, are to remain confidential

At 1:34 p.m., Committee moved into Closed Session to consider item 12.2 which is subject to Section 239.2 (e) and (f) of the Municipal Act and Section 8.1(e) and (f) of the Procedural Bylaw as the subject matter of this item pertains to:
• litigation or potential litigation, including matters before administrative tribunals affecting the City, and
• the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
The Planning Committee reconvened in Open Session at 2:08 p.m.

(ii) Urban Hamilton Official Plan Proposed Settlements and Legal Direction (LS13007) (Delivered Under Separate Cover) (Item 12.2)

For disposition on this Item, refer to item 7.

(h) ADJOURNMENT

There being no further business, the Planning Committee adjourn at 5:26 p.m.  

CARRIED

Respectfully submitted,

Councillor J. Farr  
Chair, Planning Committee

Vanessa Robicheau  
Legislative Coordinator  
Office of the City Clerk
The General Issues Committee Presents Report 13-007 and Respectfully Recommends:

1. Hamilton Police Service Monthly Reports PSB13-013 (item 5.2)

   That Report PSB13-022 respecting the Hamilton Police Service Monthly Report be received.

2. Hamilton Downtown Multi-Residential Property Investment Program (HDMRPIP) – 150 Main Street West (PED13047) (ward 2) (item 5.3)

   (a) That a conditional loan commitment totaling $5,000,000 for 150 Main West Holdings Inc. (Darko Vranich), the registered owner of the property at 150 Main Street West, be authorized and approved with the proviso that no more than $18,000,000 is outstanding at one-time for all of the loans approved for Darko Vranich under the Hamilton Downtown Multi-Residential Property Investment Program (HDMRPIP) in accordance with the Program's terms and conditions;

   (b) That the Mayor and City Clerk be authorized and directed to execute a loan agreement together with any ancillary documentation required, to effect recommendation (a), above, in a form satisfactory to the City Solicitor;

Council – March 27, 2013
(c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any loan amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Hamilton Downtown Multi-Residential Property Investment Program (HDMRPIP), as approved by City Council, are maintained.

3. Hamilton Downtown Property Improvement Grant Program – 150 Main Street West – HDPIGP 13/02 (PED13048) (Ward 2) (Item 5.4)

(a) That a Hamilton Downtown Property Improvement Grant Program (HDPIGP) application submitted by 150 Main West Holdings Inc. (Darko Vranich), owner of the property at 150 Main Street West, for a HDPIGP grant estimated at $1,531,338.07 over a maximum of a five (5) year period and based upon the incremental tax increase attributable to the redevelopment of 150 Main Street West, be authorized and approved in accordance with the terms and conditions of the Program;

(b) That the Mayor and City Clerk be authorized and directed to execute the Grant Agreement, attached as Appendix “A” to Report PED13048, in a form satisfactory to the City Solicitor.

4. Hamilton Downtown Property Improvement Grant Program – 205 Hunter Street West – HDPIGP 12/06 (PED13051) (Ward 2) (Item 5.5)

(a) That a Hamilton Downtown Property Improvement Grant Program (HDPIGP) application submitted by Timbercreek Asset Management Inc. (R. Blair Tamblyn, Connie C. Ashton, David Poggemiller, Ted R. Welter, Greg S. Zahorski, Ugo Bizzari, Jeff Hutchison, Andrew Jones, David Melo, Blair Tamblyn), owner of the property at 205 Hunter Street West, for a HDPIGP grant estimated at $18,787.65 over a maximum of a five (5) year period and based upon the incremental tax increase attributable to the redevelopment of 205 Hunter Street West, be authorized and approved in accordance with the terms and conditions of the Program;

(b) That the Mayor and City Clerk be authorized and directed to execute the Grant Agreement, attached as Appendix “A” to Report PED13051, in a form satisfactory to the City Solicitor.
5. Hamilton Community Heritage Fund Loan Program – 237 St. Clair Boulevard (PED13054) (Ward 3) (Item 5.6)

(a) That a conditional loan commitment totaling $50,000 for Trang Duong, the registered owner of the property at 237 St. Clair Boulevard (Hamilton) be authorized and approved in accordance with the terms and conditions of the Hamilton Community Heritage Fund Loan Program;

(b) That the property owner and the City of Hamilton enter into a Heritage Conservation Easement Agreement;

(c) That the Mayor and City Clerk be authorized and directed to execute a loan agreement together with any ancillary documentation required, to effect Recommendation (a), above, in a form satisfactory to the City Solicitor;

(d) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any loan amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Hamilton Community Heritage Fund Loan Program are maintained;

(e) That Report PED13054 be forwarded to the Hamilton Municipal Heritage Committee for information.

6. Conveyance of Easement (Temporary) to Public Mobile Retail Inc. – Part of 00 Suter Crescent, Dundas (PED13046) (Ward 13) (Item 5.7)

(a) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to convey a temporary easement at nominal consideration of $2 over Part of Lot 46, Concession 1, Ancaster Township, described as Parts 1 to 3 on a Draft Plan prepared by Sexton McKay Limited dated November 16, 2012, forming part of 00 Suter Crescent in Dundas (Dundas Water Tower), comprising an area of approximately 69.2 square metres (745 square feet) as shown on Appendix “A” attached to Report PED13046;

(b) That the sale price of $2 does not include the Harmonized Sales Tax (HST); should HST be applicable and collected by the City, that the HST amount be credited to Account No. 22828 000900 (HST Payable);

(c) That the sale proceeds be credited to the Dundas Reserve Fund Account 108031;
(d) That the term of the temporary easement run concurrently with the term
of a License Agreement between the City and Public Mobile Retail Inc.,
approved by Council on December 14, 2011, (Report PED11212), for use
of the Dundas Water Tower as a cell tower location;

(e) That the Mayor, General Manager of Finance and Corporate Services,
and City Clerk be authorized and directed to execute the Offer to
Purchase (Temporary Easement) Agreement in a form satisfactory to the
City Solicitor.

7. Canadian Ballet Youth Ensemble – Tivoli Theatre (PED13055) (Ward 2)
   (Item 5.8)

   That Report PED13055 respecting Canadian Ballet Youth Ensemble, be received.

8. Consultation for the Draft Cultural Plan (PED13045) (City Wide) (Item 5.9)

   That Report PED13045 respecting Consultation for the Draft Cultural Plan, be
   received.

9. Minutes of the Hamilton Chamber of Commerce Light Rail Transit Task
   Force Meetings of November 28 and December 19, 2012 and January 23,
   2013 (Item 5.10)

   That the November 28 and December 19, 2012 and January 23, 2013 of the
   Hamilton Chamber of Commerce Light Rail Transit Task Force, be received.

10. Presentation of the Neighbourhood Action Plan for the South Sherman
    Neighbourhood developed as part of the Neighbourhood Development
    Strategy (CM12013(b)) (City Wide)

    (a) That the Neighbourhood Action Plan attached as Appendix “A” to Report
        CM12013(b) be endorsed;

    (b) That Planning staff be directed to consult with the relevant
        Neighbourhood Planning Team on potential land use changes that could
        assist in the implementation of the Neighbourhood Action Plan where
        appropriate;
(c) That the completed Neighbourhood Action Plans attached as Appendix “A” to report CM12013(b) be distributed to and reviewed by City of Hamilton staff and Neighbourhood Development Strategy Partners to determine suitable actions to assist in the implementation of the Neighbourhood Action Plan;

(d) That staff be directed to report back to the appropriate standing committee on suitable implementation measures (including cost and resource implications) that will be undertaken by the City of Hamilton to support the implementation of the Neighbourhood Action Plan attached as Appendix A to report CM12013(b).

11. **Correspondence from Steve Calverley, Chair, South Sherman Community Planning Team**

That the correspondence from Steve Calverley, Chair, South Sherman Community Planning Team, supporting proposed joint initiative between the City of Hamilton and the Hamilton Wentworth District School Board for the construction of a new public secondary school in the neighbourhood, be received.

12. **Niagara to Greater Toronto Area (NGTA) Transportation Corridor (PW13020/PED13044) (Item 7.1)**

(a) That staff be directed to participate in future studies that have been identified through the Niagara to Greater Toronto Area (NGTA) Corridor Planning and Environmental Assessment Study Phase 1 for the West and Central Areas;

(b) That staff be directed to update the 2005 Hamilton Goods Movement Study;

(c) That this project be considered as part of the 2014 Capital Budget deliberations;

(d) That staff be directed to participate in the Inter-Regional Strategic Economic Logistics Corridors and Gateway Connections Municipal Caucus to explore areas of mutual interest and support in order to develop a collective position on strategic transportation corridors to be presented for consideration to Provincial and Federal Governments;

(e) That staff be directed to meet and work with local City Managers regarding the need for an alternative corridor from Welland to Hamilton;
(f) That staff co-ordinate a meeting with City representatives from Niagara and area municipalities and the New York State Transport Commissioner to discuss the multi-regional transportation needs;

(g) That the City Manager ensure that the major transportation stakeholders i.e., Hamilton Port Authority, John C. Munro/Hamilton International Airport, McMaster Institute of Transportation, rail authorities, trucking associations, etc. be directly involved in the next phase of the Niagara to Greater Toronto Area Transportation Study.

13. Cut-through Traffic (New Business)

(a) That staff be directed to meet with the Ministry of Transportation of Ontario to assess cut-through traffic currently and projected, and the impacts of expanding lanes on the Queen Elizabeth Way (QEW) and on Highway 403 and report back to the General Issues Committee;

(b) That the Ministry of Transportation of Ontario be requested to provide statistics relating to the number of times the Skyway Bridge is required to be closed to traffic annually;

(c) That staff determine and pro rate the operational and capital costs as a result of the impacts of cut-through traffic and provide the information back to the General Issues Committee.

14. Public Bike Share Transit System Implementation (City Wide) (PW13015(a)) (Item 8.4(a))

That Report PW13015(a) respecting Public Bike Share Transit System Implementation, be received.

15. Public Bike Share Transit System Implementation (City Wide) (PW13015) (Item 8.4(b))

(a) That the implementation of a public bike share transit system be approved, as outlined in Appendix “A” to Report PW13015, subject to finalization of an agreement to secure a system supplier and operator through a Request for Proposals (RFP) process;

(b) That staff report back to the Public Works Committee with the results of the RFP process;
(c) That the General Manager of Public Works be given delegated authority to negotiate with potential system sponsors and enter into agreements for the purpose of fully offsetting the operating costs of the system for a minimum period of three years;

(d) That the capital and start-up costs of the Public Bike Transit System, as outlined in Appendix “A” to Report PW13015, be funded from the Rapid Transit Capital Reserve (108047) to an upset limit of $1,600,000, subject to available funding and approval from Metrolinx.

(e) That staff be requested to provide a report back to the Public Works Committee at the end of each full year period to provide a progress/status report on the program which would include uptake, accident claims, etc.

16. Bike Share Program – Letters of Support (Items 8.4.1 and 8.4.2)

That the correspondence received from Martin Eckart and Ed Sernie expressing their support for the Public Bike Share Program (attached hereto as Appendices “A” and “B” respectively), be received.

17. Memorandum of Agreement between the City of Hamilton and the Hamilton Wentworth District School Board (HWDSB) for New Secondary School in Pan Am Stadium Precinct (Ward 3) (CM13006) (Item 8.3)

(a) That the City of Hamilton agree to work with the Hamilton-Wentworth District School Board to jointly develop a new secondary school, community centre (including a pool, youth centre, fitness room and multi-use space) and green space on the lands bounded by Cannon Street East, King Street East, Balsam Avenue North and Melrose Avenue North by August, 2016;

(b) That the $1.2M approved to date for a Central City Seniors Facility (FCS10040) be redirected to the proposed Community Centre Project per recommendation (a);

(c) That staff report back to the General Issues Committee by July 31, 2013 with funding options for the balance of the funding required for this project (approximately $15.8M) per recommendation (e);

(d) That financial support for this project (approximately $15.8M) be referred to the Hamilton Future Fund for their consideration and report back to the General Issues Committee; and,
(e) That the City Manager be authorized to enter into a memorandum of agreement, in a form suitable to the City Solicitor, that addresses the requirements of both the City and the Hamilton-Wentworth District School Board in undertaking this joint venture subject to Council approval of the funding plan.

18. Enbridge Pipelines Inc. Line 9B Reversal and Line 9 Capacity Expansion Project Application (PED12160(a)/LS12022(a)) (City Wide) (Item 7.2)

That Report PED12160(a)/LS12022(a) respecting Enbridge Pipelines Inc. Line 9B Reversal and Line 9 Capacity Expansion Project Application, be received.


Whereas Enbridge Pipelines Inc. (“Enbridge”) has applied to the National Energy Board (“NEB”) for the Line 9B Reversal and Line 9 Capacity Expansion Project (the “Project”);

And Whereas the City of Hamilton General Issues Committee has received Report PED12160(a)/LS12022(a) from City Staff on the Line 9 Project Application.

Therefore be it resolved:

(a) That City staff be authorized and directed as follows:

(i) Submit comment to the NEB and Enbridge on the List of Issues attached as Appendix I to the NEB Hearing Order OH-002-2013 for the Project;

(ii) Continue to review the Enbridge application and any further supporting materials related to the Project and attempt to resolve any concerns by requesting additional information from Enbridge;

(iii) Continue to liaise with other municipalities and Conservation Authorities to discuss co-operation in the presentation of common issues of concern before the NEB;

(iv) On behalf of the City of Hamilton, apply to participate in the NEB Hearing for the Project through a written Letter of Comment and only seek Intervenor status if there are unresolved issues of municipal concern which no other Intervenor has put forward for consideration by the NEB;

Council – March 27, 2013
(v) Provide assistance as required by the City Solicitor and the General Manager of Planning and Economic Development in the review of the Project application and presentation of any City issues to the NEB; and

(vi) Report back to the General Issues Committee with the status of the City’s issues and how those issues have or have not been addressed at the NEB Hearing;

(b) That the City of Hamilton request the National Energy Board to include the following concerns in the NEB’s List of Issues or the Project:

(i) Consultation with local Source Water Protection staff including the Hamilton Conservation Authority, Conservation Halton, and City of Hamilton staff regarding the identification of potential threats to drinking water quality and how Enbridge plans to address any malfunctions of the pipeline or spills that threaten drinking water safety;

(ii) The need for pipeline isolation valves to be installed where the pipeline crosses the Sheffield-Rockton Complex and other provincially-significant wetlands and environmentally-significant areas;

(c) That Enbridge Pipelines Inc. be advised that the City of Hamilton has requested that the National Energy Board include the additional concerns noted in sub-section (b) within the List of Issues as noted in Appendix I of Hearing Order OH-002-2013.

20. **Enbridge Pipelines Line 9**

That the correspondence from Emily Ferguson with respect to Enbridge Pipelines Line 9, be received.

21. **Workplace Mental Health Summit (HUR13005) (City Wide) (Item 8.1)**

That Report HUR13005 respecting Workplace Mental Health Summit, be received.

22. **Interest Arbitration/Ability to Pay Update (HUR13004) (City Wide) (Item 8.2)**

That Report HUR13004 respecting Interest Arbitration/Ability to Pay Update, be received.
23. **Report 13-001 of the Web Redevelopment Sub-Committee – March 1, 2013 (Item 8.5)**

   **Web Redevelopment Sub-Committee – Amendments to Title and Terms of Reference (FCS13031) (City Wide)**
   
   (a) That the Web Redevelopment Sub-Committee’s name be amended to the Web Redevelopment and Service Channel Sub-Committee;
   
   (b) That the revised Terms of Reference for the Web Redevelopment and Service Channel Sub-Committee, as amended, (attached hereto as Appendix “C”) be approved.

24. **2013 Mountable Curb Program in Ward 6 (Item 9.1)**

   (a) That thirty-six (36) mountable curbs within Ward 6 be reconstructed;
   
   (b) That the reconstruction cost for the 36 mountable curbs in the amount of $90,000 be funded from the Ward 6 Area Rating Special Capital Re-Investment Reserve Account No. 108056;
   
   (c) That the General Manager of Public Works be authorized to prepare, advertise and award tenders as required for the above-noted works.

25. **2013 Mountable Curb Program in Ward 7 (Item 9.2)**

   (a) That forty-two (42) mountable curbs within Ward 7 be reconstructed;
   
   (b) That the reconstruction cost for the 42 mountable curbs in the amount of $100,000 be funded from the Ward 7 Area Rating Special Capital Re-Investment Reserve Account No. 108057;
   
   (c) That the General Manager of Public Works be authorized to prepare, advertise and award tenders as required for the above-noted works.

26. **ArcelorMittal Dofasco – Update on Hamilton Operations (Item 9.3)**

   That representatives from ArcelorMittal Dofasco be invited to attend a future meeting of the General Issues Committee to provide an update on their Hamilton operations.
27. **Start-up Grant for the Waterdown B.I.A. Farmers’ Market (Item 9.4)**

Whereas start-up grants have been provided to the Ancaster, Concession Street, Locke Street, Dundas and Ottawa Street Farmers’ Markets;

And Whereas the Waterdown Farmers’ Market requires similar start-up assistance.

Therefore Be It Resolved:

(a) That a one-time grant in the amount of $15,000, as a contribution to start-up costs for the Waterdown Farmers’ Market, be approved and forwarded to the Waterdown B.I.A.;

(b) That the $15,000 grant to the Waterdown B.I.A. for the Waterdown Farmers’ Market be funded from the Economic Development Investment Fund Account No. 3620908900.

28. **Interest Arbitration Reform and Renewal (Item 9.5)**

Whereas, the City of Hamilton is pleased that both the Provincial government and the Opposition have kept the issue of interest arbitration reform at the forefront of major policy discussions;

And Whereas, the City of Hamilton supports the overall intention of interest arbitration renewal;

And Whereas, a preliminary review indicates that there needs to be improvement in both pieces of draft legislation to be considered by the Legislature;

And Whereas, the City of Hamilton trusts that through further consultation, these issues can be resolved;

And Whereas, the City of Hamilton is aware that the Association of Municipalities of Ontario (AMO) and the Emergency Services Steering Committee are reviewing these issues and are requesting further discussion and input;

Therefore be it resolved:
(a) That the Council of the City of Hamilton requests that the legislature work collectively in the best interest of Ontario municipalities and Ontario taxpayers on this important issue of interest arbitration reform and supports the Association of Municipalities of Ontario’s (AMO) recent request for revised legislation that is efficient, accountable and transparent;

(b) That this resolution be forwarded to the Premier, the Leader of the Opposition, the Leader of the New Democratic Party, the Association of Municipalities of Ontario (AMO) and Hamilton-area M.P.P.’s, conveying Council's position on this matter.

29. **Canadian-European Trade Agreement (CETA) – Canada-EU Trade Negotiations (Item 10.1)**

WHEREAS at its meeting of December 12, 2011, the General Issues Committee passed a motion to “request that the Province of Ontario consider a clear, permanent exemption for the City of Hamilton from the Canada-European Union Comprehensive Economic and Trade Agreement (CETA), and that it otherwise protect the powers of municipalities to use public procurement, services and investment as tools to create local jobs, protect the environment, and support local development;”;

AND WHEREAS this motion further requested, “That the Province of Ontario disclose its initial procurement, services and investment offers to the European Union (EU), explain the impacts the Canada-European Trade Agreement (CETA) would have on municipal governance, and give the Municipal, University, School and Hospital (MUSH) sector entities the freedom to decide whether or not they will be bound by the procurement, investment and regulatory rules in the agreement;”;

AND WHEREAS the Province has so far failed to disclose this information, or to communicate with the City of Hamilton or other Ontario municipalities about the ongoing CETA negotiations and the Provincial procurement offers in particular;

AND WHEREAS Canada-EU trade negotiations are reported to be nearing completion, with leaked documents from European Commission in November 2012 stating, “The outcome regarding the inclusion of regional and local government entities, including agencies, crown corporations, and the MASH sector (municipalities, academia, schools and hospitals) is highly satisfactory,” but that the EU continues to push for full coverage of transit, energy and regional development spending;
AND WHEREAS the Federation of Canadian Municipalities has insisted that trade deals “must recognize strategic and public interest considerations before barring all preferential treatment based on country of origin,” and “There may be industries of strategic significance to a particular region, such as transit, or projects where considerations of quality, public benefit, environmental protection or business ethics means that a local government may wish to implement minimum Canadian-content levels.”

Therefore be it resolved:

(a) That Council request an immediate briefing from the Provincial and Federal Governments on the status of the Canada-EU trade negotiations and how municipal governments will be affected, with special attention on the provincial procurement offer to the EU;

(b) That Council re-state its preference to be excluded from the CETA, and that the Province otherwise protect the powers of municipal governments to use public procurement, services and investment as tools to create local jobs, protect the environment and support local development.

30. One-Time Savings/Budget Variance – Ivor Wynne Stadium 2013 Operating Budget (New Business – No Copy)

That the estimated one time savings/budget variance yet to be determined associated with the Ivor Wynne Stadium annual operating budget for 2013 be deposited into a Reserve and earmarked for stadium precinct legacy projects and/or the South Sherman Neighbourhood Action Plan.

FOR THE INFORMATION OF COUNCIL:

CEREMONIAL ACTIVITIES

Presentation of Economic Developers Council Ontario Awards

Mayor R. Bratina called upon Anna Bradford, Director of Tourism and Culture, Susan Monarch, Manager of Tourism and Visitor Services, Andy Zimmerman, E-Marketing Co-ordinator, and Adam Stewart, Marketing and Communications Co-ordinator, to join him at the podium to acknowledge awards recently received from the Economic Developers Council of Ontario.

Hamilton’s Tourism and Culture Division received the honour from Canada’s largest provincial economic development organization and was awarded for the following:
• Two Publication Awards for the “Experience Hamilton Visitor Guide” and “Talking Tourism Industry” e-Newsletter
• Best website www.tourismhamilton.com
• Best interactive database for the Visit Hamilton App
• Best use of social media.

In addition, the City of Hamilton’s Economic Development Department received three honourable mentions, including Stand Alone/Cooperative Advertising, Advertising Campaign and Social Media, which follows the Department’s four EDCO Awards in 2011.

Susan Monarch also recognized and acknowledged the partners that supported the Division’s projects:

• Tyler Cowie and Adrian Dyzer, Factor-E (Visit Hamilton App)
• Mark Wu, 2Gen.net (Tourismhamilton.com website)
• Phil King, OKD (Experience Hamilton Guide)

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes to the agenda:

ADDED DELEGATION REQUEST

For Today’s Meeting

(i) Request from Al-Amin Mithani to speak in favour of the Bike Sharing Program (Item 8.4(a) and (b)) (Added Item 4.2)

(ii) Request from Jonathan Therien, Strathcona Community Council, to speak in support for a plan to create an operating bike share in Hamilton (Items 8.4(a) and (b)) (Added Item 4.4)

(iii) Request from 1739061 Ontario Inc., (Jamil Kara) and Peter Cass, Cass and Bishop Barristers and Solicitors, respecting land located at 1055 King Street East, Hamilton (Scott Park School) (Reference: Item 8.3) (Added Item 4.3)

ADDED CORRESPONDENCE

(iv) Correspondence from Emily Ferguson respecting Enbridge Line 9 (Reference: Item 7.2) (Added Item 7.2.1)

(v) Correspondence in support of Hamilton Bike Share from:
(aa) Martin Eckart (Added Item 8.4.1)
(bb) Ed Sernie (Added Item 8.4.2)

(Reference: Items 8.4(a) and (b))

The agenda was approved as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None.

(c) APPROVAL OF PREVIOUS MINUTES (Item 3.1))

The Minutes of the General Issues Committee Meetings held on February 14, 20 and 25, 2013, were approved as presented.

(d) DELEGATION REQUESTS

The delegation request from Dave Barnett on behalf of Abuse Prevention and Awareness Campaign (APAC) respecting bullying and child abuse, was approved.

That the delegation requests from the following were approved, and the rules of order were waived to allow their presentations to be heard at today’s General Issues Committee meeting:

(i) Al-Amin Mithani to speak in favour of the Bike Sharing Program
(ii) Jonathan Therien, Strathcona Community Council, to speak in support for a plan to create an operating bike share in Hamilton
(iii) Jamil Kara, 1739061 Ontario Inc., and Peter Cass, Cass and Bishop, Barristers and Solicitors, respecting lands located at 1055 King Street East (Scott Park School)

(e) CONSENT ITEMS

(i) Minutes of Various Sub-Committees (for information purposes only) (Item 5.1(a))

The following Sub-Committee Minutes were received:

(aa) Hamilton Association of Business Improvement Areas – January 8, 2013

(bb) Web Redevelopment Sub-Committee – January 23, 2013
(f) PUBLIC HEARINGS/DELEGATIONS

(i) Presentation of the Neighbourhood Action Plan for the South Sherman Neighbourhood, developed as part of the Neighbourhood Development Strategy (CM12013(b)) (City Wide) (Item 6.1)

Paul Johnson, Director, Neighbourhood Development Strategies, provided introductory remarks with respect to the citizen participation toward the development of the South Sherman Neighbourhood Action Plan.

Mr. Johnson recognized several residents who worked on the Plan and were in attendance at the meeting to support the Plan. Mr. Johnson also acknowledged a number of City staff that have undertaken key leadership roles in the implementation of the action plans and thanked them for their efforts in this endeavour.

Steve Calverley, Chair of the South Sherman Community Planning Team, appeared before the Committee to speak to the Neighbourhood Action Plan and requested that it would be most helpful and strategic to receive the Committee’s support at this early stage of implementation. Mr. Calverley thanked the Committee for being provided with the opportunity to present the overview.

A copy of Mr. Calverley’s comments (attached to hereto as Appendix “D”) were submitted to the Clerk for the official record.

The presentation of the South Sherman Neighbourhood Action Plan and the comments of Steve Calverley, Chair of the South Sherman Community Planning Team, was received.

(ii) John Slobodzian, Ministry of Transportation, to provide an update on the Niagara to GTA Corridor Planning and Environmental Assessment Study – Phase 1 (Item 6.2)

John Slobodzian, Project Co-ordinator, Ministry of Transportation of Ontario, and Patrick Puccini, Senior Project Manager/Manager, Sustainable Transportation, with URS Canada Inc., appeared before the Committee to provide an update on one aspect of the project, specifically the highway expansion. The Committee was provided with a power point presentation which addressed the following:

- The Study
- Overview of Environmental Assessment Study Process
- Study Area and Policy Context
- Developing Solutions

Council – March 27, 2013
• Three Sub-Areas
• West Area – Two Highway Expansion Scenarios
• West Area Recommendation – Scenario 1
• Central Area Recommendation
• East Area Recommendation
• Recommendation: West, Central and East
• Schedule to Study Completion
• Appendices of Highway Expansion Alternatives – Summary of Assessment and Evaluation

The presentation from the Ministry of Transportation representatives with respect to the Niagara to GTA Corridor Planning and Environmental Assessment Study – Phase 1, was received.

The presentation related to Item 7.1 – Niagara to Greater Toronto Area (NGTA) Transportation Corridor, was moved forward on the agenda.

(g) PRESENTATIONS

(i) Niagara to Greater Toronto Area (NGTA) Transportation Corridor (PW13020/PED13044) (Item 7.1)

Chris Murray, City Manager, provided a power point presentation with respect to the Niagara to Greater Toronto Area (NGTA) Transportation Corridor and spoke to the following issues:

• Provincial Projects to 2041
• Economic Prosperity of the Region
• Transportation System Planning
• Report Highlights (PW13020/PED13044) and Recommendations

A copy of the presentation was submitted to the Clerk for the official record and is available for viewing on the City of Hamilton website.

The presentation respecting the Niagara to Greater Toronto Area (NGTA) Transportation Corridor, was received.

The following was added as sub-section (d):

(d) That staff be directed to meet and work with local City Managers regarding the need for an alternative corridor from Welland to Hamilton.

The Amendment CARRIED on the following vote:
The following was added as sub-section (f):

(f) That staff co-ordinate a meeting with City representatives from Niagara and area municipalities and the New York State Transport Commissioner to discuss the multi-regional transportation needs;

The Amendment CARRIED and the Motion, as amended, CARRIED.

That the Motion be further amended by adding the following as sub-section (g):

(g) That the City Manager ensure that the major transportation stakeholders i.e., Hamilton Port Authority, John C. Munro/Hamilton International Airport, McMaster Institute of Transportation, rail authorities, trucking associations, etc. be directly involved in the next phase of the Niagara to Greater Toronto Area Transportation Study.

The Amendment CARRIED and the Motion, as further amended, CARRIED.

(f) PUBLIC HEARINGS/DELEGATIONS (cont’d)

(iii) Al-Amin Mithani respecting Bike Sharing Program (Added 4.2/6.3)

Al Mithani, creator of the website, “hamiltonbikeshare.org”, appeared before the Committee to speak to the economic impacts of cycling.

A copy of Mr. Mithani’s comments (attached hereto as Appendix “E”) were submitted to the Clerk for the official record.

The presentation from Al-Amin Mithani respecting a Bike Share Program in Hamilton, was received.
(iv) Jonathan Therien, Strathcona Community Council, to speak in support for a plan to create an operating bike share in Hamilton (Added Item 4.4/6.4)

Jonathan Therien, on behalf of the Strathcona Community Council, appeared before the Committee to speak to the bike share program in Hamilton, and noted that many of the answers for the benefitting and accommodating the needs of the City are laid out in the plan.

Mr. Therien also spoke about the bike share program from a people’s perspective, the end goal being that the bike would become of equal value in the same way as pedestrian traffic.

A copy of Mr. Therien’s comments (attached hereto as Appendix “F”) was submitted to the Clerk for the official record.

The presentation from Jonathan Therien, on behalf of the Strathcona Community Council, respecting the creation of an operating bike share in Hamilton, was received.

Items 8.4(a) and (b) respecting Public Bike Share Transit System Implementation Plan were moved forward on the agenda.

**Public Bike Share Transit System Implementation Plan (PW13015) (City Wide) (Item 8.4(b))**

The following was added as sub-section (e):

(e) That staff be requested to report back to the Public Works Committee at the end of each full year period to provide a progress/status report on the program which would include update, accident claims, etc.

The Amendment CARRIED.

The Motion, as amended, CARRIED, on the following Standing Recorded Vote:

Yeas: Clark, Pearson, Powers, Pasuta, Partridge, Bratina, Johnson, Whitehead, Jackson, Collins, Merulla, Morelli, McHattie, Farr  
Total Yeas: 14  
Total Nays: 0  
Absent: Duvall, Ferguson  
Total Absent: 2
(v) Jamil Kara, 1739061 Ontario Inc., and Peter Cass, Cass and Bishop, Barristers and Solicitors (Added Item 4.3/6.5)

Peter Cass, representing 1739061 Ontario Inc. and Jamil Kara, appeared before the Committee with respect to the property owned by Mr. Kara located at 1055 King Street East, Hamilton (Scott Park School).

A copy of Mr. Cass’ comments (attached hereto as Appendix “G”) was submitted to the Clerk for the official record.

The Committee was also distributed with a file of information/documentation provided by Mr. Cass related to the noted property, a copy of which has been retained for the official record.

The presentation from Peter Cass, representing 1739061 Ontario Inc. and Jamil Kara, with respect to the property owned by Mr. Kara located at 1055 King Street East, Hamilton (Scott Park School), was received.

(h) DISCUSSION ITEMS

(i) Memorandum of Agreement – City of Hamilton and Hamilton-Wentworth District School Board (HWDSB) for a New Secondary School and Community Centre in the Pan Am Stadium Precinct (CM13006) (Wad 3) (Item 8.3)

Paul Johnson, Director, Neighbourhood Development Strategies, provided a power point presentation and spoke to the following:

- Background/Context of Presentation
- Stadium Precinct Plan
- The Stadium Precinct
- “Phased” Approach to Planning
- Stadium Precinct Plan
- Recreation Needs a High Priority
- HWDSB North Accommodation Review Committee (ARC)
- A Joint Initiative
- Three Renderings
- Project Cost
- Recommendations
- Issues for Consideration
- Alternatives

The presentation from Paul Johnson respecting Hamilton-Wentworth District School Board/City of Hamilton Memorandum of Agreement in the Stadium Precinct, was received.
The Motion CARRIED on the following recorded vote:

Yeas: Pearson, Partridge, Johnson, Whitehead, Duvall, Jackson, Collins, Merulla, Farr, McHattie
Total Yeas: 10
Nays: Bratina
Total Nays: 1
Absent: Clark, Ferguson, Powers, Pasuta, Morellil
Total Absent: 5

(g) PRESENTATIONS (Cont’d)

(ii) Enbridge Pipelines Inc. Line 9B Reversal and Line 9 Capacity Expansion Project Application (PED12160(a)/LS12022(a)) (City Wide) (Item 7.2)

Guy Paparella, Director of Growth Planning, appeared before the Committee to present information in response to a motion directed to staff on November 28, 2012 to obtain further information with respect to Enbridge Pipelines proposed capacity expansion project.

The Committee was distributed with a copy of a map showing the proposed expansion of the pipeline, the list of issues which will be considered by the National Energy Board (NEB) and a summary of the NEB Timetable of Events – Enbridge Pipelines Inc Line 9B Reversal and Line 9 Capacity Expansion Project.

Dave Cunliffe, Deputy Fire Chief, appeared before the Committee to speak to the section of the staff report that address Council’s request how the Department would respond to an emergency in the event of a spill.

The presentation from Guy Paparella, Director of Growth Planning, respecting Enbridge Pipelines Inc Line 9B Reversal and Line 9 Capacity Expansion Project, was received.

The following were added as sub-sections (b) and (c):

(b) That the City of Hamilton request the National Energy Board to include the following concerns in the NEB’s List of Issues or the Project:
(i) Consultation with local Source Water Protection staff including the Hamilton Conservation Authority, Conservation Halton, and City of Hamilton staff regarding the identification of potential threats to drinking water quality and how Enbridge plans to address any malfunctions of the pipeline or spills that threaten drinking water safety;

(ii) The need for pipeline isolation valves to be installed where the pipeline crosses the Sheffield-Rockton Complex and other provincially-significant wetlands and environmentally-sensitive areas;

(c) That Enbridge Pipelines Inc. be advised that the City of Hamilton has requested that the National Energy Board to include the additional concerns noted in sub-section (b) within the List of Issues as noted in Appendix I of Hearing Order OH-002-2013.

The Motion, as amended, CARRIED.

(h) DISCUSSION ITEMS (Cont’d)

(ii) Workplace Mental Health Summit (HUR13005) (City Wide) (Item 8.1)

Chris Murray, City Manager, encouraged all members of the Committee to attend the Workplace Mental Health Summit scheduled on April 19, 2013 and indicated that the keynote speaker and facilitator will be Linda Duxbury, a noted expert in the field of organizational health.

(i) NOTICES OF MOTION

Councillor B. McHattie introduced the following Notice of Motion:

(i) Canadian-European Trade Agreement (CETA) – Canada-EU Trade Negotiations (Item 10.1)

WHEREAS at its meeting of December 12, 2011, the General Issues Committee passed a motion to “request that the Province of Ontario consider a clear, permanent exemption for the City of Hamilton from the Canada-European Union Comprehensive Economic and Trade Agreement (CETA), and that it otherwise protect the powers of municipalities to use public procurement, services and investment as tools to create local jobs, protect the environment, and support local development;”;

Council – March 27, 2013
AND WHEREAS this motion further requested, “That the Province of Ontario disclose its initial procurement, services and investment offers to the European Union (EU), explain the impacts the Canada-European Trade Agreement (CETA) would have on municipal governance, and give the Municipal, University, School and Hospital (MUSH) sector entities the freedom to decide whether or not they will be bound by the procurement, investment and regulatory rules in the agreement;”;

AND WHEREAS the Province has so far failed to disclose this information, or to communicate with the City of Hamilton or other Ontario municipalities about the ongoing CETA negotiations and the Provincial procurement offers in particular;

AND WHEREAS Canada-EU trade negotiations are reported to be nearing completion, with leaked documents from European Commission in November 2012 stating, “The outcome regarding the inclusion of regional and local government entities, including agencies, crown corporations, and the MASH sector (municipalities, academia, schools and hospitals) is highly satisfactory,” but that the EU continues to push for full coverage of transit, energy and regional development spending;

AND WHEREAS the Federation of Canadian Municipalities has insisted that trade deals “must recognize strategic and public interest considerations before barring all preferential treatment based on country of origin,” and “There may be industries of strategic significance to a particular region, such as transit, or projects where considerations of quality, public benefit, environmental protection or business ethics means that a local government may wish to implement minimum Canadian-content levels.”

Therefore be it resolved:

(a) That Council request an immediate briefing from the Provincial Government on the status of the Canada-EU trade negotiations and how municipal governments will be affected, with special attention on the provincial procurement offer to the EU;

(b) That Council re-state its preference to be excluded from the CETA, and that the Province otherwise protect the powers of municipal governments to use public procurement, services and investment as tools to create local jobs, protect the environment and support local development.

The rules of order were suspended in order to allow for the introduction of a motion respecting Canadian-European Trade Agreement (CETA) – Canada-EU Trade Negotiations.

Council – March 27, 2013
See Item 29 for the disposition of this item.

Councillor B. Morelli introduced the following Notice of Motion:

(ii) **One-Time Savings/Budget Variance – Ivor Wynne Stadium 2013 Operating Budget (New Business – No Copy)**

That the estimated one time savings/budget variance yet to be determined associated with the Ivor Wynne Stadium annual operating budget for 2013 be deposited into a reserve and earmarked for stadium precinct legacy projects and/or the South Sherman Neighbourhood Action Plan.

The rules of order were suspended in order to allow for the introduction of a motion respecting One-Time Savings/Budget Variance – Ivor Wynne Stadium 2013 Operating Budget.

See Item 30 for the disposition of this item.

(j) **GENERAL INFORMATION/OTHER BUSINESS (Item 11.1)**

(i) **Outstanding Business Items List**

(aa) The revised due dates for the following items on the Outstanding Business List were approved:

Item H: Metrolinx Investment Strategy Consultation and Regional Transportation Funding Options (City Wide)
Due Date: March 20, 2013
Revised Due Date: May 1, 2013

(bb) The following items were removed from the Outstanding Business List:

Item C Canadian Ballet Youth Ensemble (Item 8.1)

Item B: Elimination of Current Technology (2012 Budget Deliberations OBL)

(cc) The following items were transferred to the Planning Committee:

Item T: Stoney Creek Urban Boundary Expansion (SCUBE) – Sub-Watershed Plan

Item V: Residential Protective Plumbing Subsidy Program

CARRIED
(k) PRIVATE & CONFIDENTIAL

(i) Closed Session Minutes – February 6 and March 7, 2013 (Items 12.1 and 12.2)

The Minutes of the Closed Session Meetings of the General Issues Committee held on February 6 and March 7, 2013, were approved. 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.

(l) ADJOURNMENT

There being no further business, the Committee adjourned at 5:24 p.m.

Respectfully submitted

Councillor B. Johnson
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
Office of the City Clerk
-----Original Message-----
From: Martin Eckart
Sent: Tuesday, March 12, 2013 2:07 PM
To: McHattie, Brian
Subject: Hamilton Bike Share

Dear Brian,

I just wanted to send a quick note voicing my support for the proposed bike sharing system in Hamilton. I'm a resident and homeowner in Hamilton's North End and commute by bike daily to my work on Locke St.

Even though the bike share wouldn't be targeted to established bicycle commuters like me, I would definitely use the service for trips around the downtown or as part of a transit strategy for travel to Toronto on GO or to get to the LRT line quickly. It's a real benefit to have an on-demand bicycle nearby for which I don't need to bring a lock. The system is an effective fit with the proposed all-day GO and LRT projects.

I watched the presentation to council and to me it seemed that city staff were strongly in support of the proposal both as a low-risk enhancement to the city and an easy-win capital infrastructure investment from Metrolinx. It is a new source of revenue for the city and keeps us in-line with modernizing trends of major urban centres across North America. It's another step toward beautifying our city and attracting more creative professionals, investing their time, business, money and families into the city's future. That's just my personal perspective as a software developer doing exactly that.

I urge you to advocate and vote in favour for the proposed bike share plan.

Thank you,

Martin Eckart
Mr. McHattie,
I support Hamilton Bike Share. Although I own a bike, I would prefer to use Bike Share to commute to work (a short ride from Breadalbane Street to McMaster University).

With Bike Share, I could simply leave the bike at a drop off spot at McMaster and take the bus home (I also have a Presto monthly pass) if the weather should change during the day (e.g., it is pouring rain when I am leaving work). I could also easily walk to a pick up spot, such as at Dundurn Castle, or the Dundurn Fortino's Plaza.

It would also be good for shopping trips downtown.

I was recently in Mexico City, and they have Ecobici. I noticed many people using this bike share -- and as you can imagine, the traffic in Mexico City is much more congested than in Hamilton!

Please vote in support of the Hamilton Bike Share.

thank you,
Ed Sernie.

Ed Sernie, Library Assistant
Library Services, Mills Library (x22077)
Lyons New Media Centre, Mills Library (x26106)
ARTstor Administrator and Local User Contact
McMaster University, Hamilton, ON L8S 4L6
WEB REDEVELOPMENT and SERVICE CHANNEL SUB-COMMITTEE

TERMS OF REFERENCE

Mandate

To provide oversight to the City of Hamilton’s Web Redevelopment Strategy and Customer Service Delivery with the goal of creating a citizen-focused website and services

Sub-Committee Objectives

1. To ensure that the City of Hamilton delivers a website which meets the following objectives:
   - Improve the City’s online image by:
     o creating a new and visually pleasing consistent look-and-feel
     o ensuring online services are working well with relevant and easy-to-find content
     o by implementing industry standards, policies and guidelines that help reinforce the City’s image
   - Improve communication to citizens and opportunities for engagement by:
     o providing and maintaining relevant, timely and simplified online content
     o ensuring compliance with AODA guidelines
     o keeping citizens informed with a regularly published opt-in e-newsletter to begin a more coordinated way of keeping citizens aware of important City initiatives
     o supporting the function of social media
   - Improve online customer service by:
     o making it easier to find information and online service tools
     o improving five important online services which will go a long way to serving a majority of citizens and business
     o aligning the way we organize our website with what citizens need
     o ensuring that our content is accessible on mobile devices, which will certainly become more and more critical to the future of our service delivery
     o providing on-line customer service and exploring the potential role of kiosks
   - Enable the City to provide services at a lower cost by:
     o identifying new ways to cost-effectively provide our services
     o decommissioning or consolidating City owned or operated websites (where warranted) and their associated spending
     o by moving routine tasks from more expensive channels (such as telephone and in-person) to the website
2. To ensure that the City of Hamilton delivers Customer Service which meets the following objectives:

- Improve service delivery and communication to citizens:
  - developing efficient, coordinated customer service delivery channels
  - exploring and implementing effective industry standards, best practices, policies and guidelines that help reinforce the City’s image
  - eliminating duplication in call handling
  - providing quality services for citizens and businesses
  - providing and maintaining relevant, timely and simplified content through all channels
  - ensuring compliance with AODA guidelines

- Enable the City to provide services at a lower cost by:
  - identifying efficiencies for call handling services
  - identifying new ways to cost-effectively provide our services
  - by moving routine tasks from more expensive channels (such as telephone and in-person) to the website

**General Scope of Sub-Committee Work and Deliverables**

1. Provide oversight to ensure the successful implementation of the City’s Web Redevelopment Strategy.

2. Provide oversight to ensure the successful implementation of the City’s Call Handling Review and resulting service channel coordination.

3. Review significant project deliverables and provide input, guidance and direction for the phases within the Strategy.

4. Recommend any relevant actions or policies for improvement.

**Membership and Reporting Structure**

Sub-Committee membership will consist of four (4) members of Council, with the Chair being appointed by the Sub-Committee at its first meeting.

The Sub-Committee shall report back to General Issues Committee (GIC) periodically at the discretion of the Sub-Committee.

**Sub-Committee Staff Support**

The following Senior Staff from the Web Redevelopment Team (WRT) will be required resources to this Sub-Committee:
• General Manager of Finance & Corporate Services (Sponsor), Corporate Services
• Special Advisor to the Web Redevelopment Team
• Director of Customer Service, Corporate Services
• Director of Strategic Services, Planning and Economic Development
• Service Delivery Analyst, Financial Planning Division, Corporate Services
• Service Delivery Analyst and Corporate Content Producer
• Manager of Business Applications, Information Services Division, Corporate Services
• Call Handling Project Team Members, as required

Meetings

*Twice monthly, with special meetings at the call of the Chair.*

Time Frame

Sub-Committee will begin their work in Q3 2012. It is expected to have a report of preliminary findings by Q2 2013, with a final report to General Issues Committee (GIC) by the end of Q4 2013 (or at the discretion of the Sub-Committee).
Good morning, Your Worship, City Councillors, City Staff, neighbours and friends.

On behalf of the South Sherman Community Planning Team, thank you very much for this opportunity to present our Neighbourhood Action Plan for your consideration. We welcome this opportunity with sincere appreciation. My name is Steve Calverley and I am a member of the Planning Team and a five-year resident of the area served by the team – that area is between Wentworth and Gage; the escarpment to the bay.

The Planning Team began nearly five years ago with the invaluable support of the Hamilton Community Foundation who made it possible for our Community Developer, David Derbyshire, to come alongside a small group of hopeful visionaries including Dan Peace, Rebecca Doll and other early neighbourhood members. These wonderful early members are our guiding light of optimism and perseverance.

As the team journeyed together, many more have supported formally and informally. In that regard, we wish to acknowledge and thank the offices of Councillor Morelli and Director of Neighbourhood Strategies, Paul Johnson, for their genuine interest and assistance.

Finally, but certainly not lastly, we thank our planning team members who are neighbourhood residents, representatives from local service providers, places of worship, businesses and educational institutions, for collectively creating a constructive and respectful approach to building a healthy mixed neighbourhood through our adopted model of Asset Based Community Development.

Our Neighbourhood Action Plan contains fifty-four Action Items that relate to six goals. Our goals address Neighbourhood Safety, Health, our Environment, Housing, Wages, and Strong Community. These goals support the achievement of the Planning Team’s vision which is “The South Sherman Neighbourhood is a great place to live, work and raise a family.” We wish to highlight that our vision is fully contained by your vision for this city, which is, “To be the best place in Canada to raise a child,
promote innovation, engage citizens and provide diverse economic opportunities."

Last month, we held a Neighbourhood Action Plan mobilization day. About forty planning team members dedicated their Saturday to reviewing the priority Action Items and creating teams. Nine teams are formed. These teams are addressing twelve Action Items from our Plan. The outcomes are related to Youth engagement, Recreation Programs, Traffic Speeds and School Zones, Engagement of Residents, Neighbourhood Communication, Community Events, Neighbourhood Clean-ups, Education about pest control, Home maintenance, and Architectural Assets.

…

We believe there is a convergence of some wonderful opportunities in our neighbourhood that together, can contribute to a critical mass of optimism and perseverance in our neighbourhood. In that regard, we note the opportunities being discussed at the Stadium Precinct Public Meetings, conversations regarding other related City recreation and community facilities, and the public school board’s desire to place a new public secondary school in this area.

In conclusion, we respectfully submit that it would be most helpful and strategic to receive your support for our Neighbourhood Action Plan at this early stage of implementation, and we again thank you very much for this opportunity to present this overview.

Thank you.
My name is Al Mithani, and I'm the creator of the website hamiltonbikeshare.org. The website launched about 10 days ago, and in that time has garnered hundreds of signatures in support of a bike share program in our city. During that time I have personally spoken to dozens of people: students, doctors, lawyers, store clerks, home makers, creatives, small business owners, neighbourhood associations - pretty much every swath of citizen that you can find in Hamilton. The support for this project is pretty much universal. But I'm not here today to talk to you about community support for this project.

The benefits of biking are often touted by pro-cycling advocates. They say that it is good for the environment; they say that it is good for your health; they say that these reasons alone are enough to justify the costs of adding cycling infrastructure to your city. These reasons are admirable, but I'm not here today to talk to you about the benefits of cycling.

No, I'm here to discuss the one thing that actually convinced me that our city should invest in bike sharing: the ECONOMIC IMPACT OF CYCLING. I'm going tell you why adding another public transit option would be good for Hamilton's bottom line.

Let me start by posing a question: why do governments invest in public transit? It's expensive, and usually has to be subsidized by taxpayers, yet all over North America, we are seeing unprecedented investment in public transit. The provincial government has committed to spending $11.5 billion towards transit by 2020 and 80% of Toronto residents would be willing to take a property tax increase if the money went directly towards better transit.

Why? Why are governments and citizens so willing to spend money on public transit? Simply put, it's in their own economic interest.

According to an American Public Transportation Association study, every $1 billion spent on public transit yields about $3.5 billion dollars in GDP, over time. Adding transit to a neighbourhood increases property values and rents substantially. Public transit saves money for citizens, too. If you were to replace one of your family's cars with public transit, your family would have more than $8000 in additional disposable income per year. That's enough money to pay for university, or to buy a home, or to start up a new business.

If I were to tell you that you could have a new public transit system in place, quickly, and at no cost, would you be in favour of it? Well, that's EXACTLY the proposal you will vote on today. Make no mistake, bike sharing IS public
transit. Not only that, but it is a system that has a high uptake potential. According to a study done at McGill, simply having a bike share system available increased cycling activity.

That's actually a very important point when you couple it with the fact that the City of Hamilton has committed to building over 75km of new bicycling infrastructure by 2016. Cycling infrastructure is a good investment; it's been shown to have a positive effect on land values and sales activity on streets where it exists. Of course, with more cyclists, the positive effect increases even further. By investing in bike sharing, you're not only adding a new public transit option, but also multiplying the effectiveness of your existing investment.

There are dozens of bike share systems already in place and planned all over North America. These bike share systems work in tandem with existing transit systems by increasing access; they work in unity with cycling infrastructure by creating more casual cyclists; they work in harmony with our existing roadways by giving people who don't want to drive another option to get around, leaving more room for people who do need their cars.

I'm going to say that word once more, because I think it's important: harmony. We're so used to discord in this city...this is our chance to work together. Bike sharing will help everyone here, and I urge you to vote to move it forward. Thank you for your time.
Strathcona Community Council (SCC) Support for the creation of a Bike share: laid out in the Plan PW13015a by Peter Topalovic

1. All of us on the executive of the SCC support the official plan (PW13015a) written up by Peter Topalovic. It provides all the answers needed to make a bikeshare a secure, accommodating, and beneficial service for the City of Hamilton.

2. The personal perspective of the SCC. That we are residents of a densely populated neighbourhood with a diverse demographic group of citizens, much like the rest of Hamilton, who embrace cycling and public transit. We use these modes of transportation to connect to our neighbouring communities, in Westdale, Kirkendall, the North End, Jamesville, and, ultimately the whole of the city. It is our hopes that the future of Hamilton transit will no longer place the automotive vehicle above other forms of transit, but plan for neighbourhoods to be bound together through an equal abundance of human powered transportation. We want our roads to be equally filled with bicycles the way they are filled with cars.

3. Installing a bikeshare will be embraced by residents of the SCC because a large number of them live many blocks north of the main thoroughfares of King and Main. We encourage the creation of the bikeshare in order to encourage greater access and therefore greater use of the HSR on our city's thoroughfares.

4. As a Child and Youth Worker employed at a child care company and the Eva Rothwell Resource Centre I am regularly interacting with the children and families of this city. One thing that I recognize in my occupation is that all people enjoy bikes and desire the freedom to use bikes as a mode of transportation. A bikeshare will help to resolve the obstacles keeping people from regular bike use and continue to alleviate others in the future.

By
Jonathan Therien

Treasurer of the SCC
Here is the basic outline of our presentation:

- My client has applied for rezoning to seniors residence use, and is awaiting a response from the City.
- The City may be about to spend taxpayer dollars on what we are already doing with private sector resources to benefit the community.
- This can lead to inefficiencies, waste, and bad planning.

We are in the process of coordinating planning of our property in consultation with the City and the HWDSB, but:

- We were surprised by the City Manager’s report, which came online yesterday at noon and doesn’t make mention of the process we have initiated. The report is, respectfully, premature and incomplete.
- The former school is integral to the development of the block.
- We note from the report that there are a number of potential synergies, and economies that go along with those synergies, including potential use of our gym, auditorium, and other areas for community and fitness, including dedicated spaces for a youth centre, meetings, and library facilities. We have much to offer; why build anew if that is not necessary? The planning report should recognize what is being done.

For the same reason, development of the Jimmy Thompson pool site that dovetails with development of Scott Park School, could mean that our site can offer more, by not duplicating what is going to be done by the City next door.

- While the report recommends that the City partner with the Board, the City has not explored the comparative value of partnering with us.
- Adopting the report at this time puts us in potential conflict with any seniors’ accommodations on the Jimmy Thompson pool site, to the possible detriment of both projects and delay, so
- We think cooperation is the best for the precinct and the landowners.

What we are asking for is that Council delay adopting the Report for a reasonable time, for us to engage in constructive discussions between our professional planners, the City, and the HWDSB, to explore the best ways to move forward at the least cost.

Therefore, we respectfully submit our request as a viable option in lieu of choosing between partnering or not partnering with HWDSB.
AUDIT, FINANCE & ADMINISTRATION COMMITTEE
REPORT 13-003
9:30 a.m.
Monday, March 25, 2013
Council Chambers
Hamilton City Hall
71 Main Street West

Present:  Councillors M. Pearson (Chair), R. Powers (Vice Chair), B. Johnson

Absent with Regrets:  Councillors B. Clark and B. Morelli – Personal

Also Present:  Councillors C. Collins, S. Duvall, L. Ferguson, S. Merulla and T. Whitehead

THE AUDIT, FINANCE & ADMINISTRATION COMMITTEE PRESENTS REPORT 13-003 AND RESPECTFULLY RECOMMENDS:

1. Reserve/Revenue Fund Investment Performance Report - December 31, 2012 (FCS12067(a)) (City Wide) (Item 5.1)

That Report FCS12067(a), respecting the Reserve/Revenue Fund Investment Performance Report - December 31, 2012, be received.

2. Hamilton Future Fund Investment Performance Report - December 31, 2012 (FCS12068(a)) (City Wide) (Item 5.2)


Council – March 27, 2013
3. Cemetery Accounts Investment Performance Report - December 31, 2012 (FCS12069(a)) (City Wide) (Item 5.3)

That Report FCS12069(a), respecting the Cemetery Accounts Investment Performance Report - December 31, 2012, be received.

4. Restructured Master Asset Vehicle Notes and Asset Backed Commercial Paper Update (FCS11006(b)) (City Wide) (Item 5.4)

That Report FCS11006(b), respecting Restructured Master Asset Vehicle Notes and Asset Backed Commercial Paper Update, be received.

5. Tax Appeals under Sections 357 and 358 of the Municipal Act (2001) (FCS13027) (City Wide) (Item 5.5)

(a) That Appendix “A” to Report 13-003, respecting the Tax Write-Offs processed under Section 357 of the Municipal Act, 2001, in the amount of $196,014, be approved;

(b) That Appendix “B” to Report 13-003, 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 $43,032, be approved.

6. Update – Needs Assessment of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Community of Hamilton (FCS11104(d)) (City Wide) (Item 5.6)

That Report FCS11104(d), respecting the Update – Needs Assessment of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Community of Hamilton, be received.

7. Monthly Status Report of Tenders and Requests for Proposals for January 1, 2013 to February 15, 2013 (FCS13016) (City Wide) (Item 5.7)


8. 2012 Fourth Quarter Non-compliance with the Procurement Policy Report (FCS12038(c)) (City Wide) (Item 5.8)

That Report FCS12038(c), respecting the 2012 Fourth Quarter Non-compliance with the Procurement Policy Report, be received.

Council – March 27, 2013
9. Employee Attendance Performance Measures (HUR13003) (City Wide) (Item 5.9)

That Report HUR13003, respecting Employee Attendance Performance Measures, be received.

10. Report of the 2012 Remuneration and Expenses as Required under Section 284 of the Municipal Act (FCS13032) (City Wide) (Item 5.10)

That Report FCS13032, respecting the Report of the 2012 Remuneration and Expenses as Required under Section 284 of the Municipal Act, be received.

11. 2012 Fourth Quarter Emergency and Non-competitive Procurements Report (FCS12040(c)) (City Wide) (Item 5.11)

That Report FCS12040(c), respecting the 2012 Fourth Quarter Emergency and Non-competitive Procurements, be received.

12. Development Charges Demolition Credit Extensions (Chedoke Browlands - 849 Scenic Drive) and Industrial Development Charges Demolition Credit Transfers (FCS13012) (City Wide) (Item 8.1)

   (a) That the request, attached as Appendix "C" to Report 13-003, to extend the expired Development Charges Demolition Credit for 849 Scenic Drive until December 31, 2016, be granted;

   (b) That the General Manager of Finance & Corporate Services be granted authority to extend Development Charges Demolition Credits for the following development types:

      (i) For rural developments, which are located outside the City of Hamilton Urban Boundary; and,

      (ii) For developments for which it has been determined by the General Manager of Planning & Economic Development that significant development delays were not the responsibility of the developer;

   (c) That a Transfer Policy for Industrial Development Charges Demolition Credits, based on the following conditions, be approved:

      (i) One-time transfer per development up to a maximum 50% of the Industrial Development Charges demolition credit;
(ii) The original site (from where the 100% Industrial Development Charges credit originates) must be a bona-fide employment land Brownfield property, as determined by the City’s Planning and Economic Development Department;

(iii) The transferred credits can only be used for industrial/employment land development, as determined by the Director of Planning;

(iv) From the date of the transfer, transferred credits have a 5-year life and are subject to existing City policies on Development Charges credit extensions;

(v) The original Brownfield property must have the demolition and remediation completed, and a draft plan of subdivision/site plan application approved before the transfer of credits occurs; and,

(vi) An agreement detailing the applicable credits is required to be registered on title of the receiving lands.

13. Delegated Authority By-Law for Assessment Act Appeals (FCS13030) (City Wide) (Item 8.2)

That Appendix “A” attached to Report FCS13030, a By-Law delegating authority to the Treasurer and Deputy Treasurers for: Section 40, Assessment Act Appeals and Dispute Advisory Panel Assessment Appeals, under Section 11.1 of the Payment in Lieu of Taxes Act (Canada), be passed.

14. Reserve/Revenue Funds and Trust Accounts Statement of Investment Policies and Procedures Review (FCS13017) (City Wide) (Item 8.3)


15. Follow Up of Audit Report 2011-11 – PRESTO – Financial Controls (AUD13010) (City Wide) (Item 8.4)

That Report AUD13010, respecting the follow up of Audit Report 2011-11, PRESTO – Financial Controls, be received.
16. **Follow Up of Audit Report 2011-01 – Culture Facilities – Cash Handling (AUD13011) (City Wide) (Item 8.5)**

That Report AUD13011, respecting the follow up of Audit Report 2011-01, Culture Facilities – Cash Handling, be received.

17. **Procurement Policy #19 Review (AUD13012) (City Wide) (Item 8.6)**

That Report AUD13012, respecting the Procurement Policy #19 review, be received.

18. **Follow Up of Audit Report 2011-12 – Parking Infractions & Enforcement (AUD13013) (City Wide) (Item 8.7)**

That Report AUD13013, respecting the follow up of Audit Report 2011-12, Parking Infractions & Enforcement, be received.

19. **Follow Up of Audit Report 2010-13 - Domiciliary Hostels (AUD13008) (City Wide) (Item 8.8)**

That Report AUD13008, respecting the follow up of Audit Report 2010-13, Domiciliary Hostels, be received.

20. **Follow Up of Audit Report 2011-06 – Infectious Diseases Programs (AUD13009) (City Wide) (Item 8.9)**

That Report AUD13009, respecting the follow up of Audit Report 2011-06, Infectious Diseases Programs, be received.

21. **2014 Development Charges Background Study (FCS13028) (City Wide) (Item 8.10)**

(a) That a new Development Charges (DC) Background Study for all City services be initiated to support a new DC By-law, in accordance with the Development Charges Act, 1997; and,

(b) That Watson & Associates Economists Ltd. be approved as a single source through Purchasing Policy #11 as the consultant to complete the City’s 2014 Development Charge (DC) Background Study and support the enactment of a new DC By-law, to be funded from the approved 2013 Capital Budget (FCS12096), project 3381355301 (2014 DC Study – DC Funding $540,000, Levy Funding $60,000).

Council – March 27, 2013
22. Accounts Receivable Write-offs for March 2013 (FCS13034) (City Wide) (Item 8.11)

(a) That the General Manager of Finance and Corporate Services be authorized to write-off uncollectible accounts receivables in the amount of $202,477.27, attached as Appendix "E" to Report 13-003;

(b) That the Schedule of Accounts Receivable Write-Offs (under $1,000), attached as Appendix "B" to report FCS13034, be received for information.

23. Provincial Contribution Agreements for Ancaster Senior Achievement Centre Expansion and J. L. Grightmire Arena Renovations (FCS13038) (Wards 12 and 13) (Item 8.12)

(a) That the Mayor and City Clerk be authorized and directed to execute, on behalf of the City of Hamilton, Contribution Agreements with the Province of Ontario for funding to be used towards the Ancaster Senior Achievement Centre Expansion and J. L. Grightmire Arena Renovations, with content acceptable to the General Manager of Finance and Corporate Services, and in a form satisfactory to the City Solicitor;

(b) That the budget for the Ancaster Senior Achievement Centre Expansion (project 7101354104) be increased by $250,000, to be funded from the Provincial contribution;

(c) That the budget for Program – Arena Retrofits (project 7101354536) be increased by $250,000, to be funded from the Provincial contribution.

24. Correspondence from B&F Investments (Nova Scotia Company), respecting ERASE Development Charge Credits for 201 Robert Street, Hamilton, ON (Item 11.1)

That the Correspondence from B&F Investments (Nova Scotia Company), respecting ERASE Development Charge Credits for 201 Robert Street, Hamilton, ON, be received and referred to Financial & Planning staff for the appropriate action.

25. 2013 Internal Auditor’s Work Plan – GPS Audits (Item 9.1)

That the Internal Auditor’s 2013 Work Plan be revised to include “Global Positioning System (GPS) Audits” of randomly selected Divisions where City vehicles have been retrofitted with a GPS system.
FOR THE INFORMATION OF COUNCIL:

(a)  CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following changes to the agenda:

(i)  Added as Item 4.1 – Delegation Request from Manny Bastos, of LIUNA Local 837, respecting Item 7.1 – Report FCS12083(a)/HUR12015(a), Proposed Fair Wage Policy and Fair Wage Schedule

(ii) Added as Item 4.2 – Delegation Request from David McDonald, respecting Item 7.1 – Report FCS12083(a)/HUR12015(a), Proposed Fair Wage Policy and Fair Wage Schedule

(iii) Item 6.1 has been withdrawn – Delegation from Michele Starr, Deanlee Management Inc., respecting a Request for Development Charge Demolition Credit Extension for the Chedoke Browlands, 849 Scenic Drive, Ancaster

(iv) Added as Item 6.7 – Correspondence from the Hamilton & District Heavy Construction Association, respecting Report FCS12083(a)/HUR12015(a), Proposed Fair Wage Policy and Fair Wage Schedule

(v)  Added as Item 8.12 – Report FCS13038, respecting Provincial Contribution Agreements for Ancaster Senior Achievement Centre Expansion and J. L. Grightmire Arena Renovations

The agenda for the March 25, 2013 Audit, Finance & Administration Committee meeting was approved, as amended.

(b)  DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c)  APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i)  February 11, 2013 (Item 3.1)

The Minutes of the February 11, 2013 meeting of the Audit, Finance and Administration Committee were approved, as presented.
(d) DELEGATION REQUESTS (Item 4.1)

(i) Manny Bastos, of LIUNA Local 837, respecting Item 7.1 – Report FCS12083(a)/HUR12015(a), Proposed Fair Wage Policy and Fair Wage Schedule (Item 4.1)

The delegation request from Manny Bastos, of LIUNA Local 837, respecting Item 7.1 – Report FCS12083(a)/HUR12015(a), Proposed Fair Wage Policy and Fair Wage Schedule, was approved.

(ii) David McDonald, respecting Item 7.1 – Report FCS12083(a)/HUR12015(a), Proposed Fair Wage Policy and Fair Wage Schedule (Item 4.2)

The delegation request from David McDonald, respecting Item 7.1 – Report FCS12083(a)/HUR12015(a), Proposed Fair Wage Policy and Fair Wage Schedule, was approved.

(e) DELEGATIONS (Item 6)

(i) Michele Starr, Deanlee Management Inc., respecting a Request for Development Charge Demolition Credit Extension for the Chedoke Browlands, 849 Scenic Drive, Ancaster (Item 6.1)

This item was withdrawn.

(ii) Gord O'Coin, of the Christian Labour Association of Canada (CLAC), respecting Report (FCS12083(a)/HUR120159(a), Proposed Fair Wage Policy and Fair Wage Schedule (Item 6.2)

Mr. O'Coin addressed Committee respecting Report (FCS12083(a)/HUR120159(a), Proposed Fair Wage Policy and Fair Wage Schedule. Mr. O'Coin's comments included, but were not limited to, the following:

- CLAC represents 50,000 employees across Canada in multiple sectors such as health care, retail, service, transportation, manufacturing, mining, volunteer firefighters including the volunteers in the City of Hamilton, and Construction.

- We represent members in all trades of the construction industry; labourers, carpenters, painters, dry-wallers, plumbers, electricians, sheet metal mechanics, and operators to name a few.
CLAC supports a policy that ensures workers receive a fair wage. These policies guarantee all contractors and sub-contractors compete for available work on a level playing field and more specifically, that all workers receive a fair wage performing this work.

Every collective agreement is deemed as an equitable and fair wage.

Every collective agreement with CLAC is negotiated and freely accepted by the members. It is a process of proposals, negotiations and ratification. Therefore, the compensation package in each collective agreement should be considered a fair and equitable wage.

Alternatively, if a collective agreement is not considered being a fair wage for the purpose of this policy, then we would suggest the fair wage standard reflect the cost of the total compensation package including wage rates, vacation pay, pensions, benefits, and negotiated bonuses.

Combining all of these categories, rather than separating them, will provide a better reflection of a fair and equitable compensation package.

A fair wage standard that reflects the total compensation allows flexibility between the employee and employer to structure their compensation, but ensuring workers performing the work receive equitable and fair compensation.

In conclusion, we submit the City of Hamilton deem a union's collective bargaining agreement as fulfilling the requirement of a fair and equitable compensation package; and,

Alternatively, we suggest the fair wage policy take into consideration the cost of the total compensation package when ensuring employers are in compliance of the policy.

The presentation from Gord O'Coin, of the Christian Labour Association of Canada, respecting Report (FCS12083(a)/HUR120159(a), Proposed Fair Wage Policy and Fair Wage Schedule, was received.
(iii) Joe Beattie, of the Hamilton-Brantford, Ontario Building and Construction Trades Council, respecting Report (FCS12083/HUR12015), Proposed Fair Wage Policy and Fair Wage Schedule (Item 6.3)

Mr. Beattie addressed Committee, respecting Report (FCS12083(a) / HUR120159(a), Proposed Fair Wage Policy and Fair Wage Schedule. Mr. Beattie’s comments included, but were not limited to, the following:

- Fair wage policies are a necessary counter balance to the tendency of the construction industry, have important and direct effects on the Health & Safety Skills Training, and on deterring underground practices.

- These policies encourage the use of more skilled and better qualified labour; thereby, support worker investments in skilled training and apprenticeships.

- Local level fair wage policies protect local employment and increase the benefits of the local economy from construction that is financed by local funds.

- Never been the intent to use tax payers’ money to drive down the wages of workers performing construction work for the City.

- The building trades did not support the recommendations brought forward by staff in previous reports. Since that time, the Building Trades and City staff have met and attempted to address concerns on both sides.

- Building Trades proposed maintaining the current Fair Wage Policy with rates up to 2012, using the Building Trades base rates, we attempted to improve the fair wage administration by:

  (i) Freezing the 2012 rates for 3 years;
  
  (ii) Raising the exemption threshold to $300,000 up from current $100,000 dollars.
  
  (iii) Setting the complaint fee at $5,000 to discourage frivolous complaints and to defray the cost of fair wage administration.
  
  (iv) Establishment of an ad hoc committee to meet at least once yearly or more regularly, if required, to address any concerns and to foster better communications with City staff.
o We strongly believe these enhancements should be accepted as an entire package.

o Research conducted by respected independent researchers supports the public policy benefits of fair wage policies; and, have concluded that there is no evidence that Fair Wage policies have a significant impact on construction costs. Therefore, we strongly object to the alternative shown in the staff report respecting the elimination of the Fair Wage Policy.

o One standard should be maintained for a number of compelling reasons including: ease of administration, the number of alternative agreements and increased potential for abuse.

o In discussions with affiliates of the Hamilton-Brantford, Ontario Building and Construction Trades Council, in light of the report before you, and in the spirit of cooperation, we would like to offer a compromise to the recommendations we have made. We would be willing to modify our proposal by basing the fair wage schedule on the 2009 Building Trades base rates, raising the threshold to $500,000, setting the complaint fee at $5,000 and establishing an ad hoc committee.

o We urge you to support the Fair Wage Policy and the workable recommendations that the affiliates of the Hamilton Building Trades Council have put before you.

The presentation from Joe Beattie, of the Hamilton-Brantford, Ontario Building and Construction Trades Council, respecting Report (FCS12083(a)/HUR120159(a), Proposed Fair Wage Policy and Fair Wage Schedule, was received.

A copy of Mr. Beattie’s handout is available on-line at www.hamilton.ca or through the Office of the City Clerk.

(iv) John Gray, Municipal Solutions, respecting Report (FCS12083/HUR12015), Proposed Fair Wage Policy and Fair Wage Schedule (Item 6.4)

Mr. Gray addressed Committee, respecting Report (FCS12083(a) / HUR120159(a), Proposed Fair Wage Policy and Fair Wage Schedule. Mr. Gray’s comments included, but were not limited to, the following:
o On November 12, 2012, concerns of the IBEW 105 and UA 67, regarding major changes to the City of Hamilton’s Fair Wage policies were raised.

o I am here to raise the single biggest issue; that any collective agreement be recognized as a substitute to the Fair Wage schedule.

o Federal Government has repealed its Fair Wage Policy for a second time.

o An area of concern is the potential penalty to an employee that tries to make a fair wage complaint. Fair wage is about being fair to all employees, particularly to a non-union individual who feels that he or she did not receive the correct level of compensation.

o The City of Hamilton should maintain a secular approach to its policies, be inclusive and not let religious differences be exploited to the benefit to someone of another faith. Religion should not play a part in a Fair Wage Policy. The workplace should always be open to all; men and women of any faith, based on skill set – not personal faith. That is the Hamilton tradition and it must be maintained.

The presentation from John Gray, Municipal Solutions, respecting Report (FCS12083(a)/HUR120159(a), Proposed Fair Wage Policy and Fair Wage Schedule, was received.

A copy of Mr. Gray’s handout is available on-line at www.hamilton.ca or through the Office of the City Clerk.

(v) Manny Bastos, of LIUNA Local 837, respecting Item 7.1 – Report FCS12083(a)/HUR120159(a), Proposed Fair Wage Policy and Fair Wage Schedule (Item 6.5)

Mr. Bastos addressed Committee, respecting Report (FCS12083(a) / HUR120159(a), Proposed Fair Wage Policy and Fair Wage Schedule. Mr. Bastos’ comments included, but were not limited to, the following:

o Our 4,000 members represent 10 to 12,000 families in the Hamilton / Niagara area. All tax paying community minded citizens.

o Our members our highly skilled and produce value for their work and they produce a good product at a fair cost.
o LIUNA has concern with the proposed policy. LIUNA does not object to a policy, but in having a policy that does not identify the potential Union competition, their origin or their intent.

o The present contractors that perform the work within the city of Hamilton employ workers that pay the taxes to this City. Therefore, this is the optimum situation – win-win by all.

o Our recommendation is that the policy be left the way that it is. Do not add, delete or change any of the content, except raising the ceiling to $300,000 and the cost of the audit to $5,000. Delete any reference to other collective agreements.

The presentation from Manny Bastos, of LIUNA Local 837, respecting Item 7.1 – Report FCS12083(a)/HUR12015(a), Proposed Fair Wage Policy and Fair Wage Schedule, was received.

A copy of Mr. Bastos’ handout is available on-line at www.hamilton.ca or through the Office of the City Clerk.

(vi) David McDonald, respecting Item 7.1 – Report FCS12083(a) / HUR12015(a), Proposed Fair Wage Policy and Fair Wage Schedule (Item 6.6)

Mr. McDonald addressed Committee, respecting Report (FCS12083(a) / HUR120159(a), Proposed Fair Wage Policy and Fair Wage Schedule. Mr. McDonald’s comments included, but were not limited to, the following:

o Retired Chair of the Merit Open Shop Ontario and an expert on the Toronto Fair Wage policy and have 30 years of experience working under it in my previous employment. I am appearing before you with Phil Besseling of Besseling Mechanical, another past Chair of Merit.

o We are in attendance to support the recommendations of staff, in general, with some recommendations to improve the Policy.

o We recommend the incorporation of a version of the Toronto Fair Wage Policy Intend clause to make it clear that going forward the Building Trades rates are not the foundation of Hamilton’s policy. We would recommend changing section D to say “To protect public finances.”

o The intent of the Fair Wage Policy can be summarized as follows:
(i) To produce stable labour relations with minimal disruption;

(ii) To compromise between the wage differentials of organized and unorganized labour;

(iii) To create a level playing field in competitions for City work;

(iv) To protect the public; and,

(v) To enhance the reputation of the City for ethical and fair business dealings

- For better clarity, incorporate into the Schedules the usage of the construction sector definitions used in the Toronto Fair Wage Policy, as each sector has different unions, contractors and agreements as in ICI, Sewer and Water Main, etc.

- We are pleased that the recommendations of staff, including freezing the present schedules and accepting CLAC rates, recognizes that the Building Trades Schedules are not industry standards or “prevailing rates” in the region, but simply the highest rates of a minority of contractors and trades who seek a financial subsidy from the taxpayers of Hamilton for their private sector enterprise.

- We reject the claims of private sector lobbyists that not using Building Trade rates in any way compromises quality or safety or value for money on City projects.

- The facts are that the official schedules and rates of the Building Trades are not even their own “prevailing rates” and that for years the Building Trades have used a two tiered pricing system where they charge one rate when there is open shop competition, and a higher monopoly rate when there is no competition, as is the case with the Carpenters Union’s rates charged to the City of Hamilton by their affiliated Contractors.

- The City of Hamilton, as the employer in a contractual relationship with the Carpenters Union, demand from the union an accounting of where public funds are being spent and that the City renew its demand to the Province for an amendment to the Labour Relations Act to escape from its “Captive Employer” status, as per the attached LUMCO resolution in support of Hamilton Council.
The presentation from Mr. McDonald, respecting Item 7.1 – Report FCS12083(a) / HUR12015(a), Proposed Fair Wage Policy and Fair Wage Schedule, was received.

A copy of Mr. McDonald’s handout is available on-line at www.hamilton.ca or through the Office of the City Clerk.

(f) PRESENTATIONS (Item 7)

(a) Proposed Fair Wage Policy and Fair Wage Schedule (FCS12083(a))/HUR12015(a) (City Wide) (Item 7.1)

Rick Male, Director of Financial Services and Corporate Controller; and, Lora Fontana, Director of Employee and Labour Relations, provided a PowerPoint presentation and overview of Report FCS12083(a) / HUR12015. The presentation included, but was not limited to, the following:

- **Historical Background:**
  - 1967 – Board of Control Report
    - Resolution to add rates for various trades to the Fair Wage Clause in City contracts.
  - 1993 - Finance & Administration Committee
    - Resolution to adopt a Fair Wage Policy for all construction contracts.
  - 1998 – Fair Wage Policy updated
  - 2005 – Wages were revised
  - 2008/09 – Wages were updated to reflect Provincial ICI and HAND contracts.
  - 8 out of more than 440 Ontario municipalities have a Fair Wage Policy.
  - Federal Government passed Bill C-38, repealing the *Fair Wages and Hours of Labour Act* (aka Fair Wages Act) in Spring 2012.

Council – March 27, 2013
Fair Wage Policies in Ontario:

<table>
<thead>
<tr>
<th>Municipality</th>
<th>$ Threshold</th>
<th>Date Wage Schedule Updated</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clarington</td>
<td>$1,000,000</td>
<td>2013</td>
<td>84,598</td>
</tr>
<tr>
<td>Hamilton</td>
<td>$100,000</td>
<td>2009/2010</td>
<td>519,949</td>
</tr>
<tr>
<td>Toronto</td>
<td>$100,000</td>
<td>2003/2004</td>
<td>2.48 million</td>
</tr>
<tr>
<td>Oshawa</td>
<td>$500,000</td>
<td>2003/2004</td>
<td>149,607</td>
</tr>
<tr>
<td>Pickering</td>
<td>$1,000,000</td>
<td>2003/2004</td>
<td>88,721</td>
</tr>
<tr>
<td>Thunder Bay</td>
<td>$100,000</td>
<td>2002</td>
<td>108,359</td>
</tr>
<tr>
<td>London</td>
<td>$100,000</td>
<td>1995</td>
<td>366,151</td>
</tr>
<tr>
<td>Greater Sudbury</td>
<td>$160,000</td>
<td>1995</td>
<td>160,274</td>
</tr>
</tbody>
</table>

Current Policy and Schedule Overview:

- Construction contract of $100,000 or greater.
- Applies to the Contractor and all its subcontractors.
- Complaint process in place allowing the City to audit those contracts in question.
- Various measures in place when the (sub)contractor is found to be non-compliant with the Policy & Schedule, up to and including being banned from bidding.

Proposed Amendments:

- Policy has been amended to recognize collective agreements that are duly bargained and registered with the Ontario Ministry of Labour
- Public Accountants Report is required by non-compliant (sub)contractors on future contracts
- Contractors will be charged a minimum fee of $5,000 for contracts that the Policy and/or Schedule were not followed.

Council – March 27, 2013
• Wages rates in the Schedule have been frozen to existing rates

  o Financial Impact:

  • 2012: 123 construction contracts were awarded at a value of
    $95 million.
  • Labour is typically 2/3rds of the contract value.
  • Labour would be approximately $63.7 million.
  • Increase of 7 – 9% of Schedule to 2013/14 rates would increase
    annual cost.
  • HHBCTC recommended freezing rate to 2012 wages, which
    represents a 5-7% increase over existing City Fair Wage
    Schedule.

  o Elimination of the Fair Wage Policy:

  • Allow for procurement process relying entirely on competitive
    wages with Construction Industry.
  • Repeal of Fair Wage & Hours Labour Act (Bill C-38)
  • Less than 2% of municipalities have a Fair Wage Policy.
  • Quality of Work unrelated to Fair Wage Policy.
  • Ensures level playing field for competent and respectable
    contractors.
  • Wages within construction industry already competitive.

  o Recognition of Collectives Agreements

  • It's a matter of law.
  • Encouraging or inducing violation of collective agreements.
  • Perceived “windfall” by unionized members.
• City is potentially interfering with rights and privileges of unionized members.

• Allows for negotiated benefits specific to unionized group.

The presentation, respecting Report FCS12083(a))/HUR12015 – Proposed Fair Wage Policy and Fair Wage Schedule, was received.

Report FCS12083(a)/HUR12015(a), respecting the Fair Wage Policy and the Fair Wage Schedule, was referred back to staff with the following direction:

(i) That staff be directed to meet with all representatives to discuss their new proposals; and,

(ii) That staff be directed to review and detail all options put forward by the delegates present at the March 25, 2013 Audit, Finance & Administration Committee and the subsequent meeting(s);

and report back to the Audit, Finance and Administration Committee by June 24, 2013.

A full copy of the presentation is available on-line at www.hamilton.ca or through the Office of the City Clerk.

(g) Follow Up of Audit Report 2011-01 – Culture Facilities – Cash Handling (AUD13011) (City Wide) (Item 8.5)

Staff was directed to report back to the Audit, Finance & Administration Committee with a supplementary report, respecting the status of the incomplete recommendations outlined in Report AUD13011 - Follow up of Audit Report 2011-01 – Culture Facilities – Cash Handling, at the September 9, 2013 meeting.

(h) Follow Up of Audit Report 2010-13 - Domiciliary Hostels (AUD13008) (City Wide) (Item 8.8)

Staff was directed to report back to the Audit, Finance & Administration Committee with a supplementary report, respecting the status of the incomplete recommendations outlined in Report AUD13008 - Follow up of Audit Report 2010-13 – Domiciliary Hostels, at the September 9, 2013 meeting.
(i) GENERAL INFORMATION/OTHER BUSINESS (Item 11)

(i) Various Advisory Committee Minutes (Item 11.2):

The following Advisory Committee minutes were received:

1. Hamilton Mundialization Committee, November 21, 2012 (Item 11.2(a))
2. Hamilton Mundialization Committee, December 19, 2012 (Item 11.2(b))
3. Committee Against Racism, November 27, 2012 (Item 11.2(c))
4. Aboriginal Advisory Committee, January 3, 2013 (Item 11.2(d))
5. Aboriginal Advisory Committee, February 7, 2013 (Item 11.2(e))
6. Status of Women Committee, September 27, 2012 (Item 11.2(f))
7. Status of Women Committee, January 31, 2013 (Item 11.2(g))

(ii) Amendments to the Outstanding Business List (Item 11.4)

The following proposed new due dates, were approved:

(a) Item “F” – Hybrid Auditor General’s Annual Work Plan
   Current Due Date: March 25, 2013
   Proposed New Due Date: May 13, 2013

(b) Item “M” – Value for Money Audit Program
   Current Due Date: March 25, 2013
   Proposed New Due Date: May 13, 2013

(c) Item “N” – Benefit Payouts
   Current Due Date: March 25, 2013
   Proposed New Due Date: June 10, 2013

(d) Item “Q” – Open Data
   Current Due Date: March 25, 2013
   Proposed New Due Date: June 10, 2013

(e) Item “S” – WiFi Capabilities for Municipal Buildings & Parks
   Current Due Date: March 25, 2013
   Proposed New Due Date: April 15, 2013

Council – March 27, 2013
(j) ADJOURNMENT (Item 13)

There being no further business, the Audit, Finance & Administration Committee, was adjourned at 12:17 p.m.

Respectfully submitted,

Councillor M. Pearson, Chair
Audit, Finance & Administration Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk
Appendix "A" to Item 5 of AFA Report 13-003
Page 1 of 1

City of Hamilton
Corporate Services Department
Taxation Division
Section "357" Appeals of the Municipal Act, 2001

<table>
<thead>
<tr>
<th>Appeal No.</th>
<th>Property Address</th>
<th>Roll Number</th>
<th>Explanation</th>
<th>YEAR</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>357-1-1113</td>
<td>11 Third Private Rd</td>
<td>0030401440000000</td>
<td>Exempt - City owned</td>
<td>2011</td>
<td>-2,066.07</td>
</tr>
<tr>
<td>357-12-188</td>
<td>1266 Highway S</td>
<td>0030101280000000</td>
<td>Demolition of garage</td>
<td>2012</td>
<td>-57.41</td>
</tr>
<tr>
<td>357-12-189</td>
<td>175 Lewis Rd</td>
<td>0032250000000000</td>
<td>Demolition of garage</td>
<td>2012</td>
<td>-916.61</td>
</tr>
<tr>
<td>357-12-183</td>
<td>260 Margaret Ave</td>
<td>0032502740000000</td>
<td>Demolition of original dwelling not carried forward into 2012</td>
<td>2012</td>
<td>-930.20</td>
</tr>
<tr>
<td>357-12-184</td>
<td>32 New Mountain Rd</td>
<td>0034601020000000</td>
<td>Major Renovations - Water Line Damage House Unlivable</td>
<td>2012</td>
<td>-320.64</td>
</tr>
<tr>
<td>357-12-185</td>
<td>406 Fifth Rd E</td>
<td>0035100330000000</td>
<td>Demolition of original structure new house under construction</td>
<td>2012</td>
<td>-471.22</td>
</tr>
<tr>
<td>357-12-140</td>
<td>0 Highland Rd W</td>
<td>0035509430000000</td>
<td>Exempt - City owned</td>
<td>2012</td>
<td>-241.50</td>
</tr>
<tr>
<td>357-12-142</td>
<td>0 Highland Rd W</td>
<td>0038509120000000</td>
<td>Exempt - City owned no longer farmed</td>
<td>2012</td>
<td>-762.23</td>
</tr>
<tr>
<td>357-12-186</td>
<td>270 Longwood Rd S</td>
<td>0100901050000000</td>
<td>Demolition of part of the building</td>
<td>2012</td>
<td>-5,195.55</td>
</tr>
<tr>
<td>357-12-006</td>
<td>112 Hughson St S</td>
<td>0201400004000000</td>
<td>Exempt - Tax Class Conversion building demolished property now a parking</td>
<td>2012</td>
<td>-3,857.10</td>
</tr>
<tr>
<td>357-11-245</td>
<td>30 King St E</td>
<td>0201501000000000</td>
<td>Demolition of building</td>
<td>2011</td>
<td>-2,166.96</td>
</tr>
<tr>
<td>357-09-371</td>
<td>160 King St E</td>
<td>0201502000000000</td>
<td>Major Renovations preventing use</td>
<td>2009</td>
<td>-2,968.50</td>
</tr>
<tr>
<td>357-11-246</td>
<td>142 James St n</td>
<td>0201503000000000</td>
<td>Major Renovations preventing use</td>
<td>2011</td>
<td>-2,968.50</td>
</tr>
<tr>
<td>357-12-126</td>
<td>201 Burlington St E</td>
<td>0201700003000000</td>
<td>Tax Class Conversion - Labatt's lease expired property convert back to PILT</td>
<td>2012</td>
<td>-23,508.72</td>
</tr>
<tr>
<td>357-11-166</td>
<td>35 Brant St</td>
<td>0302204092000000</td>
<td>Gross or Manifest Error denied</td>
<td>2011</td>
<td>0.00</td>
</tr>
<tr>
<td>357-12-030</td>
<td>755 Barton St E</td>
<td>0302551760000000</td>
<td>Tax Class Conversion denied handled through a PRAN</td>
<td>2012</td>
<td>0.00</td>
</tr>
<tr>
<td>357-12-191</td>
<td>150 Hilliard St</td>
<td>0302702247000000</td>
<td>Gross or Manifest Error correction of omit date</td>
<td>2012</td>
<td>-55.60</td>
</tr>
<tr>
<td>357-11-148</td>
<td>70 Beach Rd</td>
<td>0303700170000000</td>
<td>Tax Class Conversion new tenant now all CTN</td>
<td>2012</td>
<td>-9,641.99</td>
</tr>
<tr>
<td>357-12-073</td>
<td>557 Queenston Rd</td>
<td>0504501500000000</td>
<td>Tax Class Conversion - now 100% residential</td>
<td>2012</td>
<td>-706.39</td>
</tr>
<tr>
<td>357-12-120</td>
<td>475 Kenora Ave</td>
<td>0504810419000000</td>
<td>Tax Class Conversion from ITN to CTN no longer any manufacturing</td>
<td>2012</td>
<td>-76,154.06</td>
</tr>
<tr>
<td>357-12-193</td>
<td>306 Lake Ave n</td>
<td>0504810708000000</td>
<td>Demolition denied upon inspection building have not been demolished</td>
<td>2012</td>
<td>0.00</td>
</tr>
<tr>
<td>357-12-017</td>
<td>1631 Rymal Rd E</td>
<td>0605801418000000</td>
<td>Exempt - City owned</td>
<td>2012</td>
<td>-3,277.82</td>
</tr>
<tr>
<td>357-12-196</td>
<td>928 Concession St</td>
<td>0606203940000000</td>
<td>Fire house demolished only the garage left standing</td>
<td>2012</td>
<td>-2,741.56</td>
</tr>
<tr>
<td>357-11-101</td>
<td>725 Upper Gage Ave</td>
<td>0705320782000000</td>
<td>Tax Class Conversion property now being used as a residence</td>
<td>2012</td>
<td>-12,742.59</td>
</tr>
<tr>
<td>357-11-254</td>
<td>1081 Garner Rd E</td>
<td>1102800162000000</td>
<td>Exempt - denied</td>
<td>2011</td>
<td>0.00</td>
</tr>
<tr>
<td>357-12-176</td>
<td>376 Filman Rd</td>
<td>1402802787000000</td>
<td>Demolition of old house</td>
<td>2012</td>
<td>-258.18</td>
</tr>
<tr>
<td>357-09-036</td>
<td>522 Book Rd E</td>
<td>1404204020000000</td>
<td>Exempt - Place of Worship except the area used by Montessori Day Care</td>
<td>2009</td>
<td>-12,028.36</td>
</tr>
<tr>
<td>357-12-201</td>
<td>522 Book Rd E</td>
<td>1404204020000000</td>
<td>Exempt - Place of Worship</td>
<td>2012</td>
<td>-15,052.69</td>
</tr>
<tr>
<td>357-08-318</td>
<td>522 Book Rd E</td>
<td>1404204200000000</td>
<td>Place of Worship change to RT until first Service Oct 19th day at CT</td>
<td>2008</td>
<td>-904.42</td>
</tr>
<tr>
<td>357-08-318</td>
<td>522 Book Rd E</td>
<td>1404204200000000</td>
<td>Exempt - Place of Worship Oct 19th except the area used by Montessori Day Care</td>
<td>2008</td>
<td>-3,143.40</td>
</tr>
<tr>
<td>357-12-202</td>
<td>2555 Creekside Dr</td>
<td>2601203306000000</td>
<td>Exempt - City owned</td>
<td>2012</td>
<td>-150.00</td>
</tr>
<tr>
<td>357-12-150</td>
<td>22 Alma</td>
<td>2602001750000000</td>
<td>Demolition denied already reflected in the value</td>
<td>2012</td>
<td>0.00</td>
</tr>
<tr>
<td>357-12-181</td>
<td>183 Lynden Rd</td>
<td>3011030000000000</td>
<td>Tax Class Conversion denied</td>
<td>2012</td>
<td>0.00</td>
</tr>
<tr>
<td>357-12-218</td>
<td>777 Lynden Rd</td>
<td>3014033000000000</td>
<td>Tax Class Conversion granted farm status</td>
<td>2012</td>
<td>-1,434.21</td>
</tr>
<tr>
<td>357-12-183</td>
<td>69 Marshboro Ave</td>
<td>3021106110000000</td>
<td>Exempt - City owned storm management pond</td>
<td>2012</td>
<td>-2,703.87</td>
</tr>
<tr>
<td>357-12-221</td>
<td>Freelton Rd</td>
<td>3029001008000000</td>
<td>Gross or Manifest Error roll created in error this is part of roadway</td>
<td>2012</td>
<td>-1,429.83</td>
</tr>
<tr>
<td>357-12-164</td>
<td>0 Atttridge Cres</td>
<td>3033100371000000</td>
<td>Exempt - City owned storm management pond</td>
<td>2012</td>
<td>-1,858.65</td>
</tr>
<tr>
<td>357-12-220</td>
<td>Roadway</td>
<td>3034001030000000</td>
<td>Gross or Manifest Error roll created in error this is part of roadway</td>
<td>2012</td>
<td>-1,973.53</td>
</tr>
<tr>
<td>357-12-166</td>
<td>151 Birhaven Blvd</td>
<td>3041016181000000</td>
<td>Exempt - City owned Summerlea West Park</td>
<td>2012</td>
<td>-2,165.52</td>
</tr>
</tbody>
</table>

**Total**: -198,014.21
## Appendix "B" to Item 5 of AFA Report 13-003

City of Hamilton  
Corporate Services Department  
Taxation Division  
Section "358" Appeals of the Municipal Act, 2001  
Realty Tax Applications for overcharges

<table>
<thead>
<tr>
<th>Appeal No.</th>
<th>Property Address</th>
<th>Roll Number</th>
<th>Reason</th>
<th>Explanation</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>358-12-058</td>
<td>Highland Rd W</td>
<td>003850912050000</td>
<td>B</td>
<td>Exempt City property</td>
<td>2011</td>
<td>-143.73</td>
</tr>
<tr>
<td>358-12-078</td>
<td>23 Burlington St E</td>
<td>021824000160000</td>
<td>B</td>
<td>Correct date of omitted assessment</td>
<td>2011</td>
<td>-188.89</td>
</tr>
<tr>
<td>358-12-008</td>
<td>1 Emerald St S</td>
<td>0302110568900000</td>
<td>B</td>
<td>Carry forward tax class change processed in 2009 property should be assessed as residential land</td>
<td>2011</td>
<td>-1377.45</td>
</tr>
<tr>
<td>358-11-105</td>
<td>10 Hillyard St</td>
<td>0302240556000000</td>
<td>B1</td>
<td>Gross or Manifest Error denied does not meet criteria</td>
<td>2009</td>
<td>0.00</td>
</tr>
<tr>
<td>358-12-079</td>
<td>749A Barton St E</td>
<td>0302655182000000</td>
<td>B</td>
<td>Gross or Manifest Error property should have been CT/RT split</td>
<td>2011</td>
<td>-4458.42</td>
</tr>
<tr>
<td>358-12-080</td>
<td>749A Barton St E</td>
<td>0302655182000000</td>
<td>B</td>
<td></td>
<td>2010</td>
<td>-4148.55</td>
</tr>
<tr>
<td>358-12-072</td>
<td>306 Lake Ave N</td>
<td>0504910760000000</td>
<td>B1</td>
<td>Gross or Manifest Error denied buildings not demolished</td>
<td>2011</td>
<td>0.00</td>
</tr>
<tr>
<td>358-12-038</td>
<td>91 Moore Cres</td>
<td>1403207121000000</td>
<td>B</td>
<td>Gross or Manifest Error incorrect square footage when house was originally assessed</td>
<td>2011</td>
<td>-50.35</td>
</tr>
<tr>
<td>358-12-036</td>
<td>91 Moore Cres</td>
<td>1403207121000000</td>
<td>B</td>
<td></td>
<td>2010</td>
<td>-34.79</td>
</tr>
<tr>
<td>358-12-074</td>
<td>522 Bock Rd E</td>
<td>1404204200000000</td>
<td>B</td>
<td>Exempt Place of Worship now 100 % exempt day care's lease expired June 30th</td>
<td>2011</td>
<td>-12059.28</td>
</tr>
<tr>
<td>358-12-074</td>
<td>522 Bock Rd E</td>
<td>1404204200000000</td>
<td>B</td>
<td>Exempt Place of Worship except the space leased to daycare</td>
<td>2011</td>
<td>-1545.62</td>
</tr>
<tr>
<td>358-12-075</td>
<td>522 Bock Rd E</td>
<td>1404204200000000</td>
<td>B</td>
<td>Exempt Place of Worship except the space leased to daycare</td>
<td>2010</td>
<td>-12116.39</td>
</tr>
<tr>
<td>358-12-061</td>
<td>22 Alma St</td>
<td>2502001780000000</td>
<td>B</td>
<td>Gross or Manifest Error house demolished in 2010 not reflected on roll</td>
<td>2011</td>
<td>-1417.38</td>
</tr>
<tr>
<td>358-12-048</td>
<td>Highway 403</td>
<td>2002701190700000</td>
<td>B1</td>
<td>Exemption denied does not meet criteria</td>
<td>2010</td>
<td>0.00</td>
</tr>
<tr>
<td>358-12-049</td>
<td>Highway 403</td>
<td>2002701190700000</td>
<td>B1</td>
<td>Exemption denied does not meet criteria</td>
<td>2009</td>
<td>0.00</td>
</tr>
<tr>
<td>358-12-086</td>
<td>Freeilton Rd</td>
<td>3029100085000000</td>
<td>B</td>
<td>Roll created in error - actually part of a roadway - roll number now deleted</td>
<td>2011</td>
<td>-1406.39</td>
</tr>
<tr>
<td>358-12-087</td>
<td>Freeilton Rd</td>
<td>3029100085000000</td>
<td>B</td>
<td>Roll created in error - actually part of a roadway - roll number now deleted</td>
<td>2010</td>
<td>-351.21</td>
</tr>
<tr>
<td>358-12-084</td>
<td>Roadway</td>
<td>3034200130000000</td>
<td>B</td>
<td>Roll created in error - actually part of a roadway - roll number now deleted</td>
<td>2011</td>
<td>-1846.10</td>
</tr>
<tr>
<td>358-12-085</td>
<td>Roadway</td>
<td>3034200130000000</td>
<td>B</td>
<td>Roll created in error - actually part of a roadway - roll number now deleted</td>
<td>2010</td>
<td>-393.35</td>
</tr>
</tbody>
</table>

Total: -43,031.87
October 22, 2012

Ms. Rose Caterini
City Clerk
City of Hamilton
71 Main Street West
Hamilton, ON
L8P 4Y5

Re: Request Development Charge Demolition Credit Extension
Chedoke Browlands
849 Scenic Drive
Ancaster Con 2 PT Lot 57, Plan 699 PCL A RP 62R17555

Dear Ms. Caterini:

Please accept this letter, as owners of the above noted property, as our formal request to Audit, Finance and Administration Committee and Council for an extension on the development charge demolition credit for West Pavilion building. It has only recently come to our attention, as part of our due diligence in follow up with the City on implementation of the Ontario Municipal decisions, did we realize that a DC Demolition credit is available for a period of 5-years only from the date of demolition permit issuance. We have since been in contact with your corporate services department to confirm the details of the demolition permit for the West Pavilion building issued December 2000 under permit number 00-152509. This department further assisted us with the requirements on providing a request letter to you for a extension of the DC Demolition Credits applying to this particular building.

The property, formerly owned by The Chedoke Hospital was declared surplus and offered for sale in 2006 to Deanlee Management Inc. As this time the DC demolition credit was identified and understood that once a master plan was approved for the development of the lands and building permits issued, a credit would be netted against the Development Credits payable.

The Chedoke Browlands property is historically and physically unique and was originally developed as a sanatorium for the treatment of tuberculosis patients. Deanlee in 2007 purchased the property and submitted an application for development for medium density residential uses. During the application process we undertook a series of public meetings and consultants and had may meetings with City planning staff on the proposed development. Consultation with the public indicated that the public wanted very little to no development at the site. Ultimately on June 10, 2010 City planning staff recommended approval of the development applications to the Economic Development and Planning Committee. Unfortunately Council neglected to make a decision regarding the applications.
Re: Request Development Charge Demolition Credit Extension
Chedoke Browlands
849 Scenic Drive
Ancaster Con 2 PT Lot 57, Plan 699 PCL A RP 62R17555

and on June 30, 2010 Deanlee filed the appeal to the Ontario Municipal Board. During the appeal period, Deanlee attempted to settle with the city to avoid a hearing but unfortunately was unsuccessful and proceeded to an OMB hearing December 2011. A decision by the board was rendered on June 23, 2012 in favour of development on these lands. The City and the order has determined that the entirety of these lands be developed under a master plan. Prior to development, a master site plan and precinct plans will be required to ensure compatibility with the OP and the surrounding neighbourhood and to the satisfaction of the NEC. In addition and pursuant to the board orders no further demolition can occur nor can any building permits and construction occur on the property subject to the fulfillment of the draft conditions.

Now that the city has implemented the board’s decision into the official planning documents of the City of Hamilton, Deanlee can move forward with the development of the master site plan, precinct plan and satisfying the draft conditions in an effort to develop the lands. Once approvals have been granted through the city process and building permits applied for then Deanlee would request that the demolition credit for the West Pavilion building be applied as a credit against the Development Charges for the construction of all the new building.

Deanlee is requesting that the Development Charges Demolition Credit for the West Pavilion building be extended until December 2016.

We thank you in advance for your consideration of our request. We have copied the following persons at the request of the Audit, Finance and Administration department.

Yours truly,

[Signature]

Michele Starr, BA, BES, PLE

c:o Councillor Terry Whitehead
GM Finance & Corporate Services Robert Rossini
GM Planning & Economic Development Tim McCabe
Manager Capital Budgets & Development Joseph Spiller

300 – 1140 Burnhamthorpe Road West, Mississauga, ON L5C 4E9
t: (905) 272-3780 f: (905) 272-3781 e:info@deanlee.ca www.deanlee.ca
Statement of Investment Policies and Procedures

City of Hamilton – Reserves/Revenue Funds and Trust Accounts

January 2013

APPROVED on this day of , 2013
# Appendix "D" to Item 14 of AF&A Report 13-003

## Contents

<table>
<thead>
<tr>
<th>Section 1 – Overview and Administration</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.01 Purpose of Statement</td>
<td>5</td>
</tr>
<tr>
<td>1.02 Background</td>
<td>5</td>
</tr>
<tr>
<td>1.03 Delegation of Responsibilities</td>
<td>5</td>
</tr>
<tr>
<td>1.04 Performance Reporting</td>
<td>6</td>
</tr>
<tr>
<td>1.05 Downgrades in Credit Quality</td>
<td>6</td>
</tr>
<tr>
<td>1.06 Standard of Professional Conduct</td>
<td>6</td>
</tr>
<tr>
<td>1.07 Conflicts of Interest</td>
<td>7</td>
</tr>
<tr>
<td>1.08 Related Party Transactions</td>
<td>8</td>
</tr>
<tr>
<td>1.09 Monitoring of Asset Mix</td>
<td>8</td>
</tr>
<tr>
<td>1.10 Policy Review</td>
<td>8</td>
</tr>
<tr>
<td>1.11 City Treasurer’s Report</td>
<td>8</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section 2 – Asset Mix and Diversification Policy</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.01 Portfolio Return Expectations</td>
<td>9</td>
</tr>
<tr>
<td>2.02 Management Structure</td>
<td>9</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section 3 – Reserve/Revenue Funds</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.01 Fund Profile</td>
<td>10</td>
</tr>
<tr>
<td>3.02 Objectives</td>
<td>10</td>
</tr>
<tr>
<td>3.03 Investment and Risk Philosophy</td>
<td>11</td>
</tr>
<tr>
<td>3.04 Accounting Issues</td>
<td>11</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section 4 – Reserve/Revenue Funds: Permitted Investment and Performance Measurement</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.01 General Guidelines</td>
<td>12</td>
</tr>
<tr>
<td>4.02 Permitted Investments</td>
<td>12</td>
</tr>
<tr>
<td>4.03 Grandfathered Investments-Non Bank ABCP</td>
<td>12</td>
</tr>
<tr>
<td>4.04 Minimum Quality Requirements</td>
<td>12</td>
</tr>
<tr>
<td>4.05 Investments in School Board Issued Securities</td>
<td>12</td>
</tr>
<tr>
<td>4.06 Maximum Quantity Restrictions</td>
<td>13</td>
</tr>
<tr>
<td>4.07 Currency</td>
<td>14</td>
</tr>
<tr>
<td>4.08 Securities Lending</td>
<td>14</td>
</tr>
<tr>
<td>4.09 Forward Rate Agreements</td>
<td>14</td>
</tr>
<tr>
<td>4.10 Performance Measurement</td>
<td>16</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section 5 – Trust Accounts</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.01 Profile</td>
<td>18</td>
</tr>
<tr>
<td>5.02 Objectives</td>
<td>18</td>
</tr>
<tr>
<td>5.03 Investment and Risk Philosophy</td>
<td>19</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section 6 – Trust Accounts: Permitted Investments</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.01 General Guidelines</td>
<td>20</td>
</tr>
<tr>
<td>6.02 Permitted Investments</td>
<td>20</td>
</tr>
<tr>
<td>6.03 Minimum Quality Requirements</td>
<td>21</td>
</tr>
<tr>
<td>6.04 Maximum Quantity Restrictions</td>
<td>21</td>
</tr>
<tr>
<td>6.05 General Restriction</td>
<td>22</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Appendix A – Sector and Issuer Limitations</th>
<th>Page</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Appendix B – Municipal Act, 2001 (Eligible Investments and Related Financial Agreements Ontario Regulation 438/97)</th>
<th>Page</th>
</tr>
</thead>
</table>

|------------------------------------------------------------|------|

<table>
<thead>
<tr>
<th>Appendix D – CFA Institute Code of Ethics and Standards of Professional Conduct</th>
<th>Page</th>
</tr>
</thead>
</table>
Executive Summary

Section 1: Overview and Administration
- Policy provides investment framework for the City's Reserve/Revenue funds and Trust Accounts.
- Overall objective is to ensure Funds and Trust Accounts are invested in accordance with existing legislation.
- Overall responsibility for Funds and Trust Accounts rests with the City Treasurer and Council, but many administrative duties and responsibilities have been delegated.
- The Chief Investment Officer (CIO) will complete and deliver a performance report to City Treasurer semi-annually and inform the City Treasurer of any security which experiences a credit downgrade in a timely manner.
- City's Investment staff will comply with the Code of Ethics and Standards of Professional Conduct as promulgated by the CFA Institute and the City's Code of Conduct.
- Council members, the City's senior management team, and all external advisors are subject to the City's guidelines pertaining to actual and perceived conflicts of interest.
- CIO will monitor the Funds' and Trust Accounts' asset mixes on a quarterly basis and will rebalance when necessary.
- City Treasurer must formally review the Policy at least annually.
- City Treasurer shall prepare and provide a comprehensive annual investment report to Council.

Section 2: Asset Mix and Diversification
- CIO will arrange for the investment of the Funds and Trust Accounts to achieve a satisfactory return using diversified portfolios that conform with all legislative constraints.
- Asset mix policies have been established for the Funds and Trusts Accounts at acceptable risk levels.
- Funds and Trust Accounts will be managed by the City's investment personnel.

Section 3: Reserve/Revenue Funds
- A short description of the City's Reserve/Revenue Funds and important cash flow considerations.
- The primary goals of the Funds include: 1) conforming to legislative constraints; 2) preserving capital; 3) maintaining adequate liquidity; and 4) maximizing returns.
- The performance objective is to outperform its benchmark composed of sixty-two decimal five percent (62.5%) DEX All-Gov't Short Term Bond Index, twenty-seven decimal five percent (27.5%) DEX All-Gov't Bond Index and ten percent (10.0%) DEX 91-Day T-Bill Index.
- Accounting issues will be taken into account when managing the City's fixed income assets.
- Duration is to be maintained between one (1) year and six (6) years.
Section 4: Reserve/Revenue Funds – Permitted Investments

- The investments of the Funds must comply with the requirements and restrictions set out in the Municipal Act, 2001, specifically Eligible investments and Related Financial Agreements, Ontario Regulation 438/97 and any revisions thereof.
- Minimum quality standard for eligible individual bonds is "BBB" and for short term securities is "R-1 low" as rated by a recognized bond rating agency.
- Please refer to chart in Section 4.06 for maximum quantity restrictions.
- The City shall not invest in a security that is payable in any currency other than Canadian dollars.
- Securities lending is acceptable but must be properly securitized.

Section 5: Trust Accounts

- A very brief description of the City's Trust Accounts is included.
- The primary goals of the Trust Accounts include: 1) conforming to legislative constraints; 2) preserving capital; 3) maintaining adequate liquidity and 4) maximizing returns.
- Individual performance objectives will be set for each Trust Account. A customized sub-policy will also be drafted and appended to this Policy because the composition of investment assets and asset mix may vary broadly for each Trust Account.

Section 6: Trust Accounts – Permitted Investments

- The investments of the Trust Accounts must comply with the requirements and restrictions set out in the Trustee Act.
- Permitted investments are set out in detail in Section 6.02.
- Minimum quality standard for eligible individual bonds is "A (low)" and short term securities is "R-1 low" at purchase, as rated by a recognized bond rating agency. However issues rated "BBB" are permitted subject to the individual Trust Account maximums.
- All investment must be reasonably liquid (capable of liquidation with six (6) months).
- Please refer to Section 6.04 for maximum quantity restrictions.
- If it is not obvious that an investment qualifies under this Policy, the CIO must consult with the City Treasurer prior to purchasing the investment.

Appendix A – Sector and Issuer Limitations
Appendix B – Municipal Act, 2001 (Eligible Investments and Related Financial Agreements, Ontario Regulation 438/97
Appendix C – Trustee Act (Investment Provisions)
Appendix D – CFA institute Code of Ethics and Standards of Professional Conduct
Section 1 – Overview and Administration

1.01 Purpose of Statement
This Statement of Investment Policies and Procedures (the “Policy”) provides the framework for the investment of the assets of the City of Hamilton’s Reserve/Revenue Funds (the “Funds”) and the City of Hamilton’s Trust Accounts (the “Trust Accounts”).

The overall objective of the Policy is to ensure that the Funds and Trust Accounts are invested in accordance with existing legislation in such a way as to maximize investment returns while minimizing investment risk.

1.02 Background
The City Treasurer of the City of Hamilton (the “City”) establishes the Policy for approval by the Council of the Municipality for the City of Hamilton (“Council”) and ensures that the designated assets are managed in accordance with the guidelines set out in the Policy. Council has determined that the Funds and Trust Accounts shall be managed internally by the Chief Investments Officer (the “CIO”). The Custodian, as appointed by council, is to hold an account for the assets to be managed in accordance to this policy.

1.03 Delegation of Responsibilities
Overall responsibility for the Funds and Trust Accounts ultimately rests with the City Treasurer and Council. It is permitted however to delegate administrative duties and responsibilities to internal and external agents.

a) Chief Investment Officer
The CIO is responsible for:
(i) monitoring asset mix and rebalancing as required;
(ii) day-to-day liaison with the Custodian and the Investment Consultant;
(iii) monitoring and budgeting for cash flow within the Funds and Trust Accounts.
(iv) researching, recommending and implementing improvements to asset management of the City’s investment assets; and
(v) directing and implementing investment strategies for City managed portfolios.

b) Custodian/Trustee
The custodian/trustee will:
(i) fulfill the regular duties of a Custodian/Trustee as required by law;
(ii) maintain safe custody over the assets of the Funds and Trust accounts;
(iii) execute the instructions of the City Treasurer and the CIO; and
(iv) record income and provide financial statements to the City Treasurer monthly, or as required.

c) Investment Consultant
The investment consultant will:
(i) assist the CIO and the City Treasurer in developing a prudent long-term asset mix, and specific investment objectives and policies;
(ii) monitor, analyze and report on the Fund’s investment performance and to support the City Treasurer on any investment related matters;
(iii) assist with the selections of investment managers, custodians and other suppliers; and,
(iv) meet with the City Treasurer and/or CIO as required.

d) **The City Treasurer**
The City Treasurer will provide annual audited financial statements of the Funds and Trust Accounts.

e) **City Solicitor**
The City’s Solicitor will:
(i) provide legal advice to the City Treasurer regarding compliance with relevant legislation; and
(ii) provide legal counsel on a range of issues, including the review of contracts with suppliers.

The City Treasurer has the authority to retain other consultants/suppliers, as the City Treasurer deems necessary from time to time.

1.04 **Performance Reporting**
The CIO is required to complete and deliver a performance report to the City Treasurer and to Council semi-annually.

1.05 **Downgrades in Credit Quality**
In order to keep the City Treasurer informed, the CIO will take the following steps in the event of a downgrade in the credit rating of a portfolio asset by a recognized bond rating agency to below the purchase standards set out in Sections 4.04 and 6.03:

- within ten (10) business days, the CIO will advise the City Treasurer in writing of the course of action taken, or intended to be taken by the CIO, and his rationale;
- immediately upon downgrade, the asset will be placed on a Watch List subject to monthly review by the CIO with the City Treasurer until such time as the security is sold or is upgraded to a level consistent with the Policy’s purchase quality standards; and
- if an investment falls below the standard required, the municipality shall sell the investment within one hundred and eighty (180) days after the day the investment falls below the standard.

1.06 **Standard of Professional Conduct**
The City’s investment personnel are expected to comply, at all times and in all respects, with the Code of Ethics and Standards of Professional Conduct as promulgated by the CFA Institute and the City’s Code of Conduct Policy.

The CIO will manage the assets with the care, diligence and skill that an investment manager of ordinary prudence would use in dealing with assets of this nature. The CIO will also use all relevant knowledge and skill that he or she possesses, as a prudent investment manager.
1.07 Conflicts of Interest

The standard applies to individual members of Council, the City’s senior management team, the Custodian, the Investment Consultant and any other external Advisor(s). All are subject to the following guidelines pertaining to both actual and perceived conflicts of interest.

Disclosure of Council Members and the Senior Management Team

Council Members and City employees shall subscribe to the City’s Conflict of Interest guidelines. In addition:

a) A member of Council and the City’s senior management team shall fully disclose the particulars of any actual or perceived conflict of interest immediately upon becoming aware of the actual or perceived conflict, and in writing to the City Treasurer; and

b) The person or persons in conflict as identified above shall not directly or indirectly participate in any discussion on the subject of the conflict nor participate in any vote on the matter. All such disclosures shall be recorded in the minutes of council or the senior management team meeting during which the apparent conflict was discussed.

The Custodian, the Investment Consultant and any other Advisor(s) (the “Parties”)

While it is impossible to determine every circumstance or case which can give rise to possible conflicts of interest, the following indicates some of the types of activities that could result in an actual or perceived conflict of interest and must be disclosed:

a) Disclosure of Conflict

A representative of the Parties shall disclose to the City Treasurer any material conflict of interest relating to him, and any material beneficial ownership of investments involved, which could reasonably be expected to impair his ability to render unbiased and objective advice. These disclosures shall be made whenever one of the Parties wishes to make recommendations concerning an investment in which he has a material beneficial interest or perceived conflict.

b) Disclosure of additional compensation arrangements

The Parties shall disclose to the City Treasurer in writing any compensation including payments in cash or in kind, he receives from an issuer of securities or any person other than his employer for services he renders to his customers or clients which could reasonably be expected to impair his ability to render unbiased and objective advice with respect to the assets. An employee of the Parties shall also disclose, with the approval of his employer, special compensation arrangements with the employer that might conflict with the City’s interests, such as bonuses based on short term performance criteria. Such written notice shall be presented within thirty (30) days.

c) Disclosure of referral fees

The Parties shall disclose any consideration paid to others for making a particular recommendation relating to asset matters. This disclosure statement shall be provided before the recommendation is implemented.
1.08 Related Party Transactions
The City Treasurer, on behalf of the Funds and Trust Accounts, may not enter into a transaction with a related party unless:

a) the transaction is both required for operation and or administration of the Funds and Trust Accounts and the terms and conditions of the transaction are not less favourable than market terms and conditions;
b) securities of the related party are acquired at a public exchange; or
c) the combined value of all transactions with the same related party is nominal or the transaction(s) is immaterial.

For the purposes of this Section 1.08, transactions involving less than TEN THOUSAND DOLLARS ($10,000.00) are considered nominal. A “related party” is defined to include any officer, director or employee of the City. It also includes a spouse or child of the persons named previously, or a corporation that is directly or indirectly controlled by the persons named previously, among others. Related party does not include government or a government agency, or a bank, trust company or other financial institution that holds the assets of the Funds and/or Trust accounts.

1.09 Monitoring of Asset Mix
In order to ensure that the Funds and Trust Accounts operate within the minimum and maximum guidelines stated in the Policy, the CIO shall monitor the asset mix on a calendar quarterly basis. Rebalancing can take place over a reasonably short period of time after an imbalance has been identified. Rebalancing may be effected by redirecting the net cash flows to and from the Funds and/or Trust Accounts, or by transferring cash or securities.

1.10 Policy Review
This Policy may be reviewed and revised at any time, but the City Treasurer and Council must formally review it at least once in every calendar year.

1.11 City Treasurer’s Report
The City Treasurer shall provide an investment report annually to Council by May 31 of the calendar year for the prior fiscal year that:
a) contains a statement about the performance of the portfolio of investments of the City during the period covered by the report;
b) contains a listing of the types of securities in which the portfolio invested during the period covered by the report;
c) contains a listing of the securities and their credit ratings held by the portfolio at the date of the report;
d) contains a description of the estimated proportion of the total investments of a municipality that are invested in its own long-term and short-term securities to the total investment of the municipality and a description of the change, if any, in that estimated proportion since the previous year’s report;
e) contains a record of the date of each transaction in or disposal of its own securities, including a statement of the purchase and sale of each security.
f) contains a statement by the CIO as to whether or not, in his or her opinion all investments were made in compliance with this investment policy; and
g) contains such other information that the council may require or that, in the opinion of the City Treasurer, should be included.
Section 2 – Asset Mix and Diversification Policy

2.01 Portfolio Return Expectations
The City Treasurer has appointed the CIO to arrange for the investment of part or all of the assets of the Funds and Trust Accounts to achieve a satisfactory long-term rate of return through a diversified portfolio, consistent with acceptable risks and prudent management and that conforms with all legislative constraints.

An appropriate asset mix policy has been established for the Funds and Trust Accounts to provide a reference for long-term return requirements at risk levels acceptable to the City Treasurer. Risk is controlled by investing in well diversified and high quality portfolios.

2.02 Management Structure
The Funds and Trust Accounts will be managed by the City’s investment personnel.
Section 3 – Reserve/Revenue Funds

3.01 Fund Policy
The City's Reserve/Revenue Funds were amalgamated in 2001. Little historical data is available to accurately project the pattern of cash flows for the Fund. But based on the pattern of cash flows experienced in the past, once can assume that cash flow will be added to the Funds between February and October and the Funds will be drawn down between November and February.

These assets of the Reserve/Revenue Fund will be managed on a total return basis and measured against performance benchmarks. Another important cash flow consideration relates to the Fund's intra-month cash flow activity. According to City sources, there is a great deal of short-term cash activity every month and the Funds require a comprehensive cash management operation.

3.02 Objectives
The primary goals of the Funds are to ensure compliance with the Municipal Act, 2001 and Eligible Investments and Related Financial Agreements, Ontario Regulation 438/97, to minimize investment risk, and to maximize investment returns.

The four basic objectives of the Policy are:

1. Conform to Legislative Constraints
   The City's investment portfolios must conform with the Municipal Act, which is the guiding legislation for investment of municipal funds. In particular, the investments must conform to Eligible Investments and Related Financial Agreements, Ontario Regulation 438/97. Eligible investments are discussed in greater detail in Section 4.02.

2. Preserve Capital
   Ensuring the safety of principal is of paramount importance for the City. Proper diversification will help to ensure that this objective is met. The establishment of limitations relating to credit rating, sector exposure and term structure will ensure safety of principal by limiting the investment exposure to any one issuer, sector or term.

   The limitations described in Section 4 reflect the requirements of the current legislation and the City's own guidelines on prudent investment standards. All eligible investments must adhere to these limits.

3. Maintain Adequate Liquidity
   Maintaining adequate liquidity ensures that the Funds can be fully invested until required by the City. Liquid investments also afford more opportunities for investment management (i.e. lengthening or shortening the term of securities to take advantage of movements in interest rates or shifts in the yield curve).

   The predictability of the City's cash flows will be an important consideration in determining the degree of liquidity required in the portfolio.
4. Maximize Returns while Conforming to Other Objectives

Investment returns should be maximized through opportunistic investment management without compromising the objectives of preservation of capital and maintenance of liquidity.

The CIO is responsible for managing the Fund's investment assets. For the purposes of evaluating the Fund's performance, all rates of returns will be measured over moving one-year and four-year periods. Return objectives will be on a total return basis and will include realized and unrealized capital gains or losses plus income from all sources. Returns will be calculated on a time-weighted basis and compared to the objectives described below.

Performance Objectives:
The Fund's performance objective, as outlined in Section 4.10, is to outperform a benchmark portfolio constructed from a blend of returns composed of sixty-two decimal five percent (62.5%) of the DEX All-Government Short Term Bond Index, twenty-seven decimal five percent (27.5%) of the DEX All-Government Bond Index and ten percent (10.0%) of the DEX 91-Day Treasury Bill Index, measured over four-year cycles.

The City's cash management objectives include the maintenance of positive cash flow, the development of prudent temporary borrowing strategies and the investment of the City's idle funds to earn a competitive rate of return.

3.03 Investment and Risk Philosophy

a) Investment Philosophy

The Funds will be managed on a total return basis, as per the objectives, guidelines and constraints imposed by the Policy. Efforts will be made to maximize returns and avoid capital losses, while incorporating the Funds' unique cash flow demands.

b) Risk Philosophy

The Funds shall be managed in a conservative manner with special care and attention being taken to minimize risk and preserve capital.

3.04 Accounting Issues

With the likelihood that the City's fixed income portfolio may incur unrealized losses, it is extremely important to address the accounting treatment of such unrealized losses with the City's auditors. Discussions with the City's auditors reveal that they will adopt a very conservative approach in valuing the portfolio, but will distinguish between temporary and permanent impairments in value. Should the loss in value of a portfolio be deemed permanent, the investment will be written down to recognize the loss. A write down of a portfolio investment to reflect a loss in value will not be reversed if there is a subsequent increase in value.

Section PS 3040 – Portfolio investments, Paragraph .10 of The Canadian Institute of Chartered Accountants Official Pronouncements Collection states: “that a decline in quoted market value below carrying value of an investment with a fixed maturity amount may be considered temporary unless it is anticipated that the investment will be disposed of before it matures or that the carrying value may not be realizable”.

This information has important implications for the manner in which the City's fixed income investments should be managed and its resulting term structure.
Section 4 - Reserve/Revenue Funds: Permitted Investments and Performance Measurement

4.01 General Guidelines
The investments of the Funds must comply with the requirements and restrictions set out in the Municipal Act, 2001 S.O. 2001, c.25 (the "Municipal Act"), specifically Eligible Investments and Related Financial Agreements, Ontario Regulation 438/97 and any revisions thereof. Any changes or revisions to the Municipal Act, specifically Eligible Investments and Related Financial Agreements, Ontario Regulation 438/97, subsequent to the formal adoption of this Policy, will be effective immediately. This Policy will be updated to reflect the change(s) at the time of its annual review.

4.02 Permitted Investments
The City will invest only in securities permitted under the Municipal Act and its related regulations, as amended from time to time.

A list of Sector and Issuer Limitations (the List) will be established by the General Manager and the Chief Investments Officer (see Appendix A). The List will state explicitly the approved sectors and issuer limitations of securities that may be held in the portfolio. In addition, while all investments on the List must meet legislative requirements, specific minimum credit rating requirements, dollar limits and/or percentage limits (of the total portfolio) will be established for each issuer. The List will be amended from time to time by the Chief Investments Officer.

4.03 Grandfathered Investments—Non-Bank ABCP
Investments which were allowed under the Municipal Act will be grandfathered and considered acceptable investments provided that:

a) the City invested in the security before January 12, 2009; and

b) the terms of the City's continued investment in the security have been changed pursuant to the Plan Implementation Order of the Ontario Superior Court of Justice dated January 12, 2009 (Court file number 08-CL-7440) and titled "In the matter of the Companies' Creditors Arrangement Act, R.S.C. 1985, c. C-36 as amended and in the matter of a plan of compromise and arrangement involving Metcalfe & Mansfield Alternative Investments II Corp. et al". O. Reg. 438/97 s.2.1

4.04 Minimum Quality Requirements
The City shall not invest in a security that does not meet the credit rating requirements established under the Municipal Act and Regulations.

4.05 Investments in School Board Issued Securities
A municipality shall not invest in a security issued or guaranteed by a school board or similar entity unless the money raised by issuing the security is to be used for school purposes.
4.06 Maximum Quantity Restrictions
The City shall not invest more than twenty-five percent (25%) of the portfolio in short-term debt issued or guaranteed by the City. Short-term debt means any debt instrument that shall be fully repaid no later than three hundred and sixty-four (364) days after the debt is incurred. The total investment in ‘A’ or equivalent rated debt on purchase must not exceed thirty-five percent (35%) of the market value of the City’s bond portfolio.

Subject to the quality limits imposed above, the following quantity restrictions at the total fund level are to be respected. Please see the Sector and Issuer Limitations List in Appendix A for more details:

<table>
<thead>
<tr>
<th>Minimum %</th>
<th>Maximum %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal issues in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>Federal Guarantee</td>
<td>0</td>
</tr>
<tr>
<td>Provincial holdings in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>Single province exposure</td>
<td>0</td>
</tr>
<tr>
<td>Individual non-federal/non-provincial holding (*)</td>
<td>0</td>
</tr>
<tr>
<td>Non-federal/non-provincial holdings in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>Municipal issues (*)</td>
<td>0</td>
</tr>
<tr>
<td>-individual muni issue rated “AAA”</td>
<td>0</td>
</tr>
<tr>
<td>-individual muni issue rated “AA”</td>
<td>0</td>
</tr>
<tr>
<td>-individual muni issue rated “A”</td>
<td>0</td>
</tr>
<tr>
<td>Municipal holdings in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>Banks in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>Asset-Backed in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>Foreign Country Debt in Cdn dollars</td>
<td>0</td>
</tr>
<tr>
<td>Commercial paper in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>ONE Funds in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>Corporate Debt rated A or better &lt; 5 years in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>OSIFA/&quot;AA&quot; Broader Public Sector</td>
<td>0</td>
</tr>
<tr>
<td>Supranational</td>
<td>0</td>
</tr>
<tr>
<td>Short term securities in aggregate</td>
<td>0</td>
</tr>
<tr>
<td>Non charitable gift of bonds, debentures, promissory notes or other securities of a corporation, must be sold within 90 days</td>
<td>0</td>
</tr>
<tr>
<td>Shares of a corporation received through a court order in lieu of debt that is payable to the municipality</td>
<td>0</td>
</tr>
<tr>
<td>Forward Rate Agreement</td>
<td>0</td>
</tr>
<tr>
<td>Portfolio benchmark duration (Macauley)</td>
<td>1 year</td>
</tr>
</tbody>
</table>

(*) Except for City of Hamilton issues which have a limit of twenty-five percent (25%).
4.07 Currency
The City shall not invest in a security that is expressed or payable in any currency other than Canadian Dollars.

4.08 Securities Lending
The investments of the Funds may be loaned, for the purpose of generating revenue for the Funds on a fully indemnified basis.

For securities held in segregated accounts, such loans must be secured by cash and/or readily marketable government bonds, treasury bills and/or letters of credit, discount notes and bankers’ acceptances of chartered banks. For bonds, the security held must have a market value of at least one hundred and two percent (102%) of the market value of the loaned securities. This market value relationship must be calculated at least daily. The terms and conditions of any securities lending program will be set out in a contract with the Custodian. The Custodian shall, at all times, ensure that the City Treasurer has a current list of those institutions that are approved to borrow the Fund’s investments.

4.09 Forward Rate Agreements
The City is authorized to enter into agreements to make prescribed investments as outlined in O. Reg. 438/97, on a future date and to that effect may enter into a one or more forward rate agreements.

a) Description of a Forward Rate Agreement
A Forward Rate Agreement ("FRA") is a legally binding agreement between two parties to exchange cash flows based on interest rates (usually one party pays a fixed interest rate and the other party pays a floating interest rate) applied to a notional principal amount at a given future date.

b) Purpose
The FRA should be used to minimize the cost or risk associated with investments because of fluctuations in interest rates.

Overall, the FRA should provide the City with the possibility to protect the future returns in anticipation of fluctuating interest rates (i.e. fixes today the interest rate that will accrue on an investment occurring in the future). It will also allow the City’s to plan for cash flows more effectively as future interest rates are no longer uncertain.

The FRA must be entered into with the intent of accomplishing the above purposes. For example, the fund may enter into a FRA to fix the rate of return for an investment that would meet the obligations of a sinking fund debenture.

c) Standard FRA Contract
The standard FRA contract shall include the following:

- A forward amount, which is the principal amount of the investment or that portion of the principal amount to which the agreement relates;
- A settlement day, which is a specified future date;
- A forward rate of interest, which is a notional rate of interest applicable on the settlement day;
Appendix “D” to Item 14 of AF&A Report 13-003
Page 15 of 44

- A reference rate of interest, which is the market rate of interest payable on a specified future date on an acceptance issued by a bank listed in Schedule I, II and III to the Bank Act, S.C. 1991, c. 46 (the “Bank Act”); and
- A settlement payment to be payable on the settlement day if the forward rate and the reference rate of interest are different.

d) Type of investments
The City is allowed to enter into a FRA in any of the fixed income securities prescribed in the Sector and Issuer Limitations list (Appendix A). Dealing in FRA’s is permitted in Canadian dollars only.

e) Counterparty
The City shall not enter a FRA except with a bank listed in Schedule I, II and III to the Bank Act and only if the bank’s long term debt obligations on the day the agreement is entered are rated A (high) or higher by DBRS, A+ or higher by Fitch, A1 or higher by Moody’s or A+ or higher by S&P.

f) Reference Rate
The reference rate is the market rate of interest (floating interest rate) payable on a specified future date.

The parties are free to use any market rate of interest as a reference rate for entering into a FRA, provided the methodology of computing the rate is objective, transparent and mutually acceptable to counterparties.

g) Size Limit
The City should not enter a FRA if the forward notional amount, when added to all forward notional amounts under other forward agreements, if any, relating to the same investment, would exceed the total amount of the principal of the investment.

h) Term
The City shall not enter a FRA unless the settlement day under the agreement is within twelve (12) months of the day on which the agreement is executed.

i) Valuation
The FRA portfolio must be marked to market as determined by the custodian. The City shall apply the Generally Accepted Accounting Principles (GAAP) in reporting the impact of the FRA on the financial statements.

j) Netting Settlement
The agreement should be set up so that on the settlement date, all FRA payments to be exchanged will be net settled (i.e. only the differential between the fixed and floating is paid).

In case of insolvency, the claim of the counterparty provides for the netting of the transaction between the insolvent and the creditor. In such case, the amount payable by one party is set off against the amount payable by the other party and only the net balance is paid or received.
k) Risk Management Authorization

All agreements will be negotiated by the CIO and authorized by the City Treasurer or Council of the City. The City Treasurer or Council will be presented with:

1. Estimated cost to the municipality resulting from the use of a FRA
2. Detailed estimate of the expected results of the use of a FRA
3. An analysis of financial and other risk to the municipality that would exist with and without the use of a FRA

Contract

A FRA contract should be developed and used as standard in all transactions. The standard shall clearly define the rights and obligations of each party.

Credit exposure limits

FRA with Schedule III banks should be limited to twenty-five percent (25%) of the entire FRA portfolio.

Monitoring

The CIO shall ensure that the appropriate infrastructure and monitoring systems such as ability to price the FRA, marked to market the positions, monitor limit exposures on an ongoing basis are put in place.

Monitoring Report

If the City has any subsisting FRA in a fiscal year, the City Treasurer of the City shall prepare and present to the City council once in that fiscal year, or more frequently if the council or desires, a detailed report on all those agreements.

The report must contain the following information and documents:

- A statement about the status of the forward rate agreements during the period of the report, including a comparison of the expected and actual results of using the agreements;
- A statement by the City Treasurer indicating whether, in his or her opinion, all the forward rate agreements entered during the period of the report are consistent with the City’s statement of policies and goals relating to the use of forward rate agreements;
- Such information as the council may require; and
- Such other information as the City Treasurer considers appropriate to include in the report.

4.10 Performance Measurement

For purposes of evaluating the performance of the Funds, all rates of returns are measured over moving one-year and four-year periods. Return objectives include realized and unrealized capital gains or losses plus income from all sources.

The Funds' performance objective is to outperform a benchmark portfolio constructed from a blend of returns composed of sixty-two decimal five percent (62.5%) of the DEX All-Government Short Term Bond Index, twenty-seven decimal five percent (27.5%) of the DEX All-Government Bond Index and ten percent (10.0%) of DEX 91-Day Treasury Bill Index.
Total Fund
Investment weightings and investment results are to be measured regularly against a long-term Benchmark Portfolio comprising:

<table>
<thead>
<tr>
<th>Benchmark</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEX All-Government Short Term Bond Index</td>
<td>62.5</td>
</tr>
<tr>
<td>DEX All-Government Bond Index</td>
<td>27.5</td>
</tr>
<tr>
<td>DEX 91-Day Treasury Bill Index</td>
<td>10.0</td>
</tr>
<tr>
<td></td>
<td>100.0</td>
</tr>
</tbody>
</table>
Section 5 - Trust Accounts

5.01 Profile
The City's Trust Accounts consist of multiple accounts, each with distinct and unique objectives. The individual Trust Accounts therefore, although small, may not be co-mingled.

Notwithstanding the following, a subpolicy will be developed for each individual Trust Account and appended to this Policy. Each subpolicy will contain a statement of objectives, and constraints and guidelines customized to the unique requirements of the individual Trust Accounts.

5.02 Objectives
The primary goals of the Trust Accounts are to ensure compliance with the investment provisions of the Trustee Act, R.S.O. 1990, c. T.23 (the "Trustee Act"). Effective July 1, 1999, the investment provisions of the Trustee Act were amended to a "prudent investor" standard. The new legal standard of "prudent investor" allows for greater portfolio diversification and a less restrictive means of selecting appropriate investments.

The basic objectives of the Trust Accounts include:

1. Conform to Legislative Constraints
The City's Trust Accounts must conform with the Trustee Act of Ontario, which is the guiding legislation for investment of trust monies. In particular, the investments must conform to the requirements and restrictions imposed by Section 27 of the Trustee Act.

Among other criteria, Section 27 of the Trustee Act stipulates that a trustee:
- must exercise the care, skill, diligence and judgment that a prudent investor would exercise in making investments;
- may invest trust property in any form of property in which a prudent investor might invest; and
- must diversify the investments of trust property to the extent that is appropriate.

2. Preserve Capital
Ensuring the safety of principal is of paramount importance for the City. Proper diversification will help to ensure that this objective is met.

The limitations described in Section 6 reflect the requirements of the current legislation and the City's own guidelines on prudent investment standards. All eligible investments must adhere to these limits.

3. Maintain Adequate Liquidity
Maintaining adequate liquidity ensures that the Trust Accounts can be fully invested until required by the City. Liquid investments also afford more opportunities for investment management (i.e. moving in to or out of equity investments as dictated by prevailing market conditions or lengthening or shortening the term of fixed income securities to take advantage of movements in interest rates).
4. Maximize Returns while Conforming to Other Objectives
Investment returns should be maximized through opportunistic investment management without compromising the objectives of preservation of capital and maintenance of liquidity.

The CIO is responsible for managing the Trust Accounts' investment assets. For the purposes of evaluating the Trust Accounts performance, all rates of returns will be measured over moving one-year and four-year periods. Return objectives will be on a total return basis and will include realized and unrealized capital gains or losses plus income from all sources. Returns will be calculated on a time-weighted basis.

Performance Objectives:
The performance objectives of the individual Trust Accounts must be treated on an account-by-account basis. The Trust Accounts are too diverse in nature to set specific performance objectives as individual objectives and constraints vary and the composition of investment assets and asset mix vary broadly.

5.03 Investment and Risk Philosophy

a) Investment Philosophy
The Trust Accounts will be managed on a total return basis, as per the objectives, guidelines and constraints imposed by the Policy and individual Trust Accounts. Efforts will be made to maximize returns and avoid capital losses.

b) Risk Philosophy
The Funds shall be managed in a conservative manner with special care and attention being taken to minimize risk and preserve capital.
Section 6 - Trust Accounts: Permitted Investments

6.01 General Guidelines
The investments of the Trust Accounts must comply with the requirements and restrictions set out in the Trustee Act, R.S.O. 1990, c. T.23 (the "Trustee Act"), specifically the requirements and restrictions imposed by Section 27 of the Trustee Act. Any changes or revisions to the Trustee Act, specifically Section 27, subsequent to the formal adoption of this Policy will be effective immediately. This Policy will be updated to reflect the change(s) at the time of the Policy's annual review.

6.02 Permitted Investments
The following are prescribed, for the purposes of this investment policy, as securities that the City may invest in:

1. Canadian and Foreign Equities
Permitted instruments are:
- common and convertible preferred equity listed on recognized stock exchanges;
- debentures convertible into common equity;
- rights, warrants and special warrants for common or convertible preferred stock;
- instalment receipts;
- American Depository Receipts and Global Depository Receipts; and
- exchange traded index participation units.

2. Bonds
Permitted instruments are:
- bonds, debentures, notes and other evidences of indebtedness of Canadian issuers denominated in Canadian dollars;
- mortgage-backed securities, guaranteed by the federal government as to the timely payment of all payments under the National Housing Act, R.S.C. 1985, c. N-11;
- term deposits and guaranteed investment certificates; and
- Supra-National bonds issued by the International Bank for Reconstruction and Development denominated in Canadian dollars.

3. Cash and Short Term Investments
Permitted instruments (defined to be securities with less than one (1) year to maturity) are:
- cash on hand and demand deposits including deposit accounts of the custodian,
- treasury bills issued by the federal and provincial governments and their agencies, obligations of trust companies and Canadian and foreign banks chartered to operate in Canada, including bankers' acceptances, and
- commercial paper and term deposits.

4. Other Investments
Permitted instruments are:
- deposit accounts of the custodian which can be used to invest surplus cash holdings; and
- investments may be made in mutual funds.
6.03 Minimum Quality Requirements
Within the investment restrictions for individual portfolios, including mutual funds, all portfolios should hold a prudently diversified exposure to the intended market.

The following minimum quality restrictions apply to all investments held in the portfolio:
• generally speaking, the minimum quality standard for individual bond issues is ‘A (Low)’ or equivalent, as rated by a recognized bond rating agency at the time of purchase, however, issues rated ‘BBB’ are permitted subject to the individual Trust Account maximums;
• the minimum quality standard for individual short term securities is ‘R-1 (Low)’ or equivalent, as rated by a recognized bond rating agency at the time of purchase; and
• all investments shall be reasonably liquid (i.e. in normal circumstances they should be capable of liquidation within six (6) months).

6.04 Maximum Quantity Restrictions
The following restrictions are to be respected:

Equities
• The equity holdings will be well diversified and contain at least fifteen (15) securities. The maximum holding for any individual stock will be ten percent (10%) of the equity portfolio based on market value;
• Equity holdings representing more than ten percent (10%) of the voting shares of a corporation or more than ten percent (10%) of the available public float shall be disclosed on a quarterly basis; and
• Equity holdings representing more than twenty percent (20%) of the voting shares of a corporation or more than twenty percent (20%) of the available public float are not permitted. In addition, the combined share of all holdings in excess of ten percent (10%) of the voting shares or public float may not exceed three percent (3%) of the total equity portfolio. All calculations are based on market value.

Bonds and Short Term
• Except for federal and provincial bonds (including government guaranteed bonds), no more than ten percent (10%) of the bond portfolio may be invested in the bonds of a single issuer and its related companies;
• No one bond holding shall represent more than ten percent (10% of the market value of the total outstanding for that bond issue;
• No more than ten percent (10%) of the market value of the bond portfolio may be held in ‘BBB’ issues; and
• No more than ten percent (10%) of the market value of the bond portfolio may be held in real return bonds.

Mutual Fund Investments
The CIO may invest in mutual funds, provided that every effort is made to minimize investment management fees.

Pooled Fund Investments
Investments in pooled funds are not permitted, unless such funds can be deemed to be mutual funds.
Prior Permission Required
The following investments may be permitted provided that prior approval has been obtained from the City Council:

- investments in private placements;
- direct investments in real estate;
- direct investments in venture capital financing or private equity limited partnerships;
- investments in bonds of foreign issuers;
- investments in units of investment trusts (e.g. REITs or resource trust units); and
- direct investments in mortgages.

No other investment is permitted.

6.05 General Restriction
At all times, the CIO must meet the requirements for eligible investments as outlined in the Trustee Act.

If it is not obvious that an investment qualifies under this Policy, the CIO should consult with the City Treasurer of his concern about the investment before the investment is acquired.
Appendix A – Sector and Issuer Limitations

<table>
<thead>
<tr>
<th>Category</th>
<th>Minimum Credit Rating</th>
<th>Money Market Rating</th>
<th>Sector/Credit Exposure Limitations (maximum) (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Portfolio Limit</td>
</tr>
<tr>
<td>Federal Canada Government</td>
<td>N/A</td>
<td>R1 high</td>
<td>100%</td>
</tr>
<tr>
<td>Federal Guarantees</td>
<td>N/A</td>
<td>R1 high</td>
<td>100%</td>
</tr>
<tr>
<td>Provincial(2)</td>
<td>AA</td>
<td>R1 mid</td>
<td>100%</td>
</tr>
<tr>
<td></td>
<td>A</td>
<td>R1 mid</td>
<td>20%</td>
</tr>
<tr>
<td></td>
<td>BBB</td>
<td>R1 mid</td>
<td>10%</td>
</tr>
<tr>
<td>Municipal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Hamilton</td>
<td>N/A</td>
<td></td>
<td>25%</td>
</tr>
<tr>
<td>Other Municipalities and School Boards</td>
<td>AAA &amp; AA</td>
<td></td>
<td>25%</td>
</tr>
<tr>
<td></td>
<td>A</td>
<td></td>
<td>15%</td>
</tr>
<tr>
<td>Municipal Totals</td>
<td></td>
<td></td>
<td>30%</td>
</tr>
<tr>
<td>Asset-Backed</td>
<td>AAA</td>
<td>R1 high or mid</td>
<td>25%</td>
</tr>
<tr>
<td>Banks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Schedule I Banks</td>
<td>AA(L)</td>
<td>R1 mid</td>
<td>50%</td>
</tr>
<tr>
<td></td>
<td>A</td>
<td>R1 low</td>
<td>20%</td>
</tr>
<tr>
<td>Schedule II Banks</td>
<td>AA(L)</td>
<td>R1 high</td>
<td>15%</td>
</tr>
<tr>
<td></td>
<td>A</td>
<td>R1 mid</td>
<td>10%</td>
</tr>
<tr>
<td>Schedule III Banks</td>
<td>AA(L)</td>
<td>R1 high</td>
<td>15%</td>
</tr>
<tr>
<td></td>
<td>A</td>
<td>R1 mid</td>
<td>10%</td>
</tr>
<tr>
<td>Bank Total</td>
<td></td>
<td></td>
<td>50%</td>
</tr>
<tr>
<td>Commercial Paper</td>
<td></td>
<td>R1 high</td>
<td>15%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R1 mid</td>
<td>10%</td>
</tr>
<tr>
<td>Commercial Total</td>
<td></td>
<td></td>
<td>20%</td>
</tr>
<tr>
<td>Foreign Country Debt (Cdn Issued)</td>
<td>AA</td>
<td></td>
<td>25%</td>
</tr>
<tr>
<td>One Funds</td>
<td></td>
<td></td>
<td>10%</td>
</tr>
<tr>
<td>Corporate Debt &lt; 5Yrs.</td>
<td>A</td>
<td></td>
<td>15%</td>
</tr>
<tr>
<td>OSIF/A “AA” Broader Public Sector</td>
<td></td>
<td></td>
<td>15%</td>
</tr>
<tr>
<td>Supranationals</td>
<td>AAA</td>
<td></td>
<td>30%</td>
</tr>
<tr>
<td>Securities of a Corporation(3)</td>
<td>n/a</td>
<td></td>
<td>n/a</td>
</tr>
<tr>
<td>Shares of a Corporation(4)</td>
<td>n/a</td>
<td></td>
<td>n/a</td>
</tr>
<tr>
<td>Forward Rate Agreements</td>
<td>n/a</td>
<td></td>
<td>25% (5)</td>
</tr>
</tbody>
</table>

(1) – Exposure % limitations to be applied to the par value of the total portfolio.
(2) – Includes Provincial Guarantees.
(3) – Securities of a corporation received as a non-charitable gift. Must sell within ninety (90) days.
(4) – Shares of a corporation received if the corporation has a debt payable to municipality, under court order the corporation has received creditor protection, and in lieu of debt is authorized by the court order and in the opinion of the Treasurer of the municipality the debt would be uncollectible by the City.
(5) – FRA with Schedule III Bank limited to 25% of entire FRA portfolio.
Appendix B - *Municipal Act, 2001*, Ontario Regulation 438/97
(Eligible Investments and Related Financial Agreements)

ONTARIO REGULATION 438/97 (formerly under Municipal Act)

ELIGIBLE INVESTMENTS AND RELATED FINANCIAL AGREEMENTS

Last amendment: O. Reg. 373/11

1. A municipality does not have the power to invest under section 418 of the Act in a security other than a security prescribed under this Regulation. O. Reg. 438/97, s. 1; O. Reg. 399/02, s. 1.

2. The following are prescribed, for the purposes of subsection 418 (1) of the Act, as securities that a municipality may invest in:

1. Bonds, debentures, promissory notes or other evidence of indebtedness issued or guaranteed by,
   i. Canada or a province or territory of Canada,
   ii. an agency of Canada or a province or territory of Canada,
   iii. a country other than Canada,
   iv. a municipality in Canada including the municipality making the investment,
   iv.1 the Ontario Strategic Infrastructure Financing Authority,
   v. a school board or similar entity in Canada,
   v.1 a university in Ontario that is authorized to engage in an activity described in section 3 of the *Post-secondary Education Choice and Excellence Act*, 2000,
   v.2 the board of governors of a college established under the *Ontario Colleges of Applied Arts and Technology Act*, 2002,
   vi. a local board as defined in the *Municipal Affairs Act* (but not including a school board or a municipality) or a conservation authority established under the *Conservation Authorities Act*,
   vi.1 a board of a public hospital within the meaning of the *Public Hospitals Act*,
   vi.2 a non-profit housing corporation incorporated under section 13 of the *Housing Development Act*,
   vi.3 a local housing corporation as defined in section 24 of the *Housing Services Act, 2011*, or
   vii. the Municipal Finance Authority of British Columbia.

2. Bonds, debentures, promissory notes or other evidence of indebtedness of a corporation if,
i. the bond, debenture or other evidence of indebtedness is secured by the assignment, to a trustee, as defined in the Trustee Act, of payments that Canada or a province or territory of Canada has agreed to make or is required to make under a federal, provincial or territorial statute, and

ii. the payments referred to in subparagraph i are sufficient to meet the amounts payable under the bond, debenture or other evidence of indebtedness, including the amounts payable at maturity.

3. Deposit receipts, deposit notes, certificates of deposit or investment, acceptances or similar instruments the terms of which provide that the principal and interest shall be fully repaid no later than two years after the day the investment was made, if the receipt, note, certificate or instrument was issued, guaranteed or endorsed by,

i. a bank listed in Schedule I, II or III to the Bank Act (Canada),

ii. a loan corporation or trust corporation registered under the Loan and Trust Corporations Act, or

iii. a credit union or league to which the Credit Unions and Caisses Populaires Act, 1994 applies.

3.1 Deposit receipts, deposit notes, certificates of deposit or investment, acceptances or similar instruments the terms of which provide that the principal and interest shall be fully repaid more than two years after the day the investment was made, if the receipt, note, certificate or instrument was issued, guaranteed or endorsed by,

i. a bank listed in Schedule I, II or III to the Bank Act (Canada),

ii. a loan corporation or trust corporation registered under the Loan and Trust Corporations Act,

iii. a credit union or league to which the Credit Unions and Caisses Populaires Act, 1994 applies.

4. Bonds, debentures, promissory notes or other evidence of indebtedness issued or guaranteed by an institution listed in paragraph 3.

5. Short term securities, the terms of which provide that the principal and interest shall be fully repaid no later than three days after the day the investment was made, that are issued by,

i. a university in Ontario that is authorized to engage in an activity described in section 3 of the Post-secondary Education Choice and Excellence Act, 2000,

ii. the board of governors of a college established under the Ontario Colleges of Applied Arts and Technology Act, 2002, or

iii. a board of a public hospital within the meaning of the Public Hospitals Act.

6. Bonds, debentures, promissory notes, other evidence of indebtedness or other securities issued or guaranteed by the International Bank for Reconstruction and Development.
6.1. Bonds, debentures, promissory notes or other evidence of indebtedness issued or guaranteed by a supranational financial institution or a supranational governmental organization, other than the International Bank for Reconstruction and Development.

7. Asset-backed securities, as defined in subsection 50 (1) of Regulation 733 of the Revised Regulations of Ontario, 1990 made under the Loan and Trust Corporations Act.

7.1 Bonds, debentures, promissory notes or other evidence of indebtedness issued by a corporation that is incorporated under the laws of Canada or a province of Canada, the terms of which provide that the principal and interest shall be fully repaid more than five years after the date on which the municipality makes the investment.

7.2 Bonds, debentures, promissory notes or other evidence of indebtedness issued by a corporation that is incorporated under the laws of Canada or a province of Canada, the terms of which provide that the principal and interest shall be fully repaid more than one year and no later than five years after the date on which the municipality makes the investment.

8. Negotiable promissory notes or commercial paper, other than asset-backed securities, maturing one year or less from the date of issue, if that note or commercial paper has been issued by a corporation that is incorporated under the laws of Canada or a province of Canada.

8.1 Shares issued by a corporation that is incorporated under the laws of Canada or a province of Canada.


10. Bonds, debentures, promissory notes or other evidence of indebtedness of a corporation if the municipality first acquires the bond, debenture, promissory note or other evidence of indebtedness as a gift in a will and the gift is not made for a charitable purpose.

11. Securities of a corporation, other than those described in paragraph 10, if the municipality first acquires the securities as a gift in a will and the gift is not made for a charitable purpose.

12. Shares of a corporation if,
   i. the corporation has a debt payable to the municipality,
   ii. under a court order, the corporation has received protection from its creditors,
   iii. the acquisition of the shares in lieu of the debt is authorized by the court order, and
   iv. the treasurer of the municipality is of the opinion that the debt will be uncollectable by the municipality unless the debt is converted to shares under the court order. O. Reg. 438/97, s. 2; O. Reg. 265/02, s. 1; O. Reg. 399/02, s. 2; O. Reg. 655/05, s. 2; O. Reg. 607/06, s. 1; O. Reg. 39/07, s. 1; O. Reg. 373/11, s. 1.
2.1 A security is prescribed for the purposes of subsection 418 (1) of the Act as a security that a municipality may invest in if,

(a) the municipality invested in the security before January 12, 2009; and

(b) the terms of the municipality’s continued investment in the security have been changed pursuant to the Plan Implementation Order of the Ontario Superior Court of Justice dated January 12, 2009 (Court file number 08-CL-7440) and titled “In the matter of the Companies’ Creditors Arrangement Act, R.S.C. 1985, c. C-36 as amended and in the matter of a plan of compromise and arrangement involving Metcalfe & Mansfield Alternative Investments II Corp. et al”. O. Reg. 292/09, s. 1.

3. (1) A municipality shall not invest in a security under subparagraph 1 iii, v.1, v.2, vi.1, vii.2 or vii.3 or paragraph 3.1 or 4 of section 2 unless the bond, debenture, promissory note or evidence of indebtedness is rated,

(a) Revoked: O. Reg. 265/02, s. 2 (1).

(b) by Dominion Bond Rating Service Limited as “AA(low)” or higher;

(b.1) by Fitch Ratings as “AA-” or higher;

(c) by Moody’s Investors Services Inc. as “Aa3” or higher; or

(d) by Standard and Poor’s as “AA-” or higher. O. Reg. 438/97, s. 3 (1); O. Reg. 265/02, s. 2 (1); O. Reg. 399/02, s. 3 (1); O. Reg. 655/05, s. 3 (1, 2); O. Reg. 607/06, s. 2; O. Reg. 39/07, s. 2.

(2) Revoked: O. Reg. 655/05, s. 3 (3).

(2.1) A municipality shall not invest in a security under paragraph 6.1 of section 2 unless the security is rated,

(a) by Dominion Bond Rating Service Limited as “AAA”;

(b) by Fitch Ratings as “AAA”;

(c) by Moody’s Investors Services Inc. as “Aaa”; or

(d) by Standard and Poor’s as “AAA”. O. Reg. 655/05, s. 3 (4).

(3) A municipality shall not invest in an asset-backed security under paragraph 7 of section 2 that matures more than one year from the date of issue unless the security is rated,

(a) by Dominion Bond Rating Service Limited as “AAA”;

(a.1) by Fitch Ratings as “AAA”;

(b) by Moody’s Investors Services Inc. as “Aaa”; or

(c) by Standard and Poor’s as “AAA”. O. Reg. 265/02, s. 2 (2); O. Reg. 399/02, s. 3 (2); O. Reg. 655/05, s. 3 (5).

(4) A municipality shall not invest in an asset-backed security under paragraph 7 of section 2 that matures one year or less from the date of issue unless the security is rated,

(a) by Dominion Bond Rating Service Limited as “R-1(high)”;

(a.1) by Fitch Ratings as “F1+”; or

(b) by Moody’s Investors Services Inc. as “Prime-1”; or
Appendix “D” to Item 14 of AF&A Report 13-003
Page 28 of 44

(c) by Standard and Poor’s as “A-1+". O. Reg. 265/02, s. 2 (2); O. Reg. 399/02, s. 3 (3); O. Reg. 655/05, s. 3 (6).

(4.1) A municipality shall not invest in a security under paragraph 7.1 of section 2 unless the security is rated,

(a) by Dominion Bond Rating Service Limited as “AA(low)” or higher;
(b) by Fitch Ratings as “AA-” or higher;
(c) by Moody’s Investors Services Inc. as “Aa3” or higher; or
(d) by Standard and Poor’s as “AA-” or higher. O. Reg. 292/09, s. 2 (1).

(4.2) A municipality shall not invest in a security under paragraph 7.2 of section 2 unless the security is rated,

(a) by Dominion Bond Rating Service Limited as “A” or higher;
(b) by Fitch Ratings as “A” or higher;
(c) by Moody’s Investors Services Inc. as “A2”; or
(d) by Standard and Poor’s as “A”. O. Reg. 292/09, s. 2 (1).

(5) A municipality shall not invest in a security under paragraph 8 of section 2 unless the promissory note or commercial paper is rated,

(a) by Dominion Bond Rating Service Limited as "R-1(mid)" or higher;
(a.1) by Fitch Ratings as “F1+”;
(b) by Moody’s Investors Services Inc. as "Prime-1"; or
(c) by Standard and Poor’s as “A-1+”. O. Reg. 265/02, s. 2 (2); O. Reg. 399/02, s. 3 (4); O. Reg. 655/05, s. 3 (8).

(6) If an investment made under subparagraph 1 iii, v.1, v.2, vi.1, vi.2 or vi.3 of section 2 or paragraph 3.1, 4, 6.1, 7, 7.1, 7.2 or 8 of section 2 falls below the standard required by this section, the municipality shall sell the investment within 180 days after the day the investment falls below the standard. O. Reg. 292/09, s. 2 (2).

(6.1) Subsection (6) does not apply with respect to an investment made by a municipality under paragraph 7 of section 2 on a day before the day this subsection comes into force. O. Reg. 292/09, s. 2 (3).

(7) A municipality shall not invest in a security under paragraph 9 of section 2 unless, at the time the investment is made and as long as it continues, the investment ranks, at a minimum, concurrently and equally in respect of payment of principal and interest with all unsecured debt of the corporation. O. Reg. 265/02, s. 2 (2).

(8) A municipality shall not invest in a security under paragraph 9 of section 2 unless, at the time the investment is made, the total amount of the municipality’s investment in debt of any corporation incorporated under section 142 of the Electricity Act, 1998 that would result after the proposed investment is made does not exceed the total amount of investment in debt, including any interest accrued on such debt, of the municipality in such a corporation that existed on the day before the day the proposed investment is to be made. O. Reg. 265/02, s. 2 (2).
(9) Any investment made under paragraph 9 of section 2, including any refinancing, renewal or replacement thereof, may not be held for longer than a total of 10 years from the date such investment is made. O. Reg. 265/02, s. 2 (2).

(10) Subsections (7), (8) and (9) do not prevent a municipality from holding or disposing of a security described in paragraph 9 of section 2 issued by a corporation incorporated under section 142 of the \textit{Electricity Act, 1998}, if the municipality acquired the security through a transfer by-law or otherwise under that Act. O. Reg. 655/05, s. 3 (9).

(11) A municipality shall sell an investment described in paragraph 10 or 11 of section 2 within 90 days after ownership of the investment vests in the municipality. O. Reg. 655/05, s. 3 (9).

(12) Revoked: O. Reg. 292/09, s. 2 (4).

4. (1) A municipality shall not invest more than 25 per cent of the total amount in all sinking and retirement funds in respect of debentures of the municipality, as estimated by its treasurer on the date of the investment, in short-term debt issued or guaranteed by the municipality. O. Reg. 438/97, s. 4 (1).

(2) In this section, "short-term debt" means any debt, the terms of which provide that the principal and interest of the debt shall be fully repaid no later than 364 days after the debt is incurred. O. Reg. 438/97, s. 4 (2).

4.1 (1) A municipality shall not invest in a security under paragraph 7 of section 2 or in a promissory note or commercial paper under paragraph 8 of section 2 unless, on the date that the investment is made,

(a) the municipality itself is rated, or all of the municipality's long-term debt obligations are rated,

(i) by Dominion Bond Rating Service Limited as "AA(low)" or higher,

(ii) by Fitch Ratings as "AA-" or higher,

(ii) by Moody's Investors Services Inc. as "Aa3" or higher, or

(iii) by Standard and Poor's as "AA-" or higher; or

(b) the municipality has entered into an agreement with the Local Authority Services Limited and the CHUMS Financing Corporation to act together as the municipality's agent for the investment in that security, promissory note or commercial paper. O. Reg. 285/02, s. 3; O. Reg. 399/02, s. 4; O. Reg. 655/05, s. 4 (1, 2).

(1.1) A municipality shall not invest in a security under paragraph 7.1 or 8.1 of section 2 unless, on the date the investment is made, the municipality has entered into an agreement with the Local Authority Services Limited and the CHUMS Financing corporation to act together as the municipality's agent for the investment in the security. O. Reg. 655/05, s. 4 (3).

(1.2) Subsection (1.1) does not apply to investments in securities by the City of Ottawa if all of the following requirements are satisfied:

1. Only the proceeds of the sale by the City of its securities in a corporation incorporated under section 142 of the \textit{Electricity Act, 1998} are used to make the investments.
2. The investments are made in a professionally-managed fund.

3. The terms of the investments provide that,
   
   i. where the investment is in debt instruments, the principal must be repaid
      no earlier than seven years after the date on which the City makes the
      investment, and
   
   ii. where the investment is in shares, an amount equal to the principal
       amount of the investment cannot be withdrawn from the fund for at least
       seven years after the date on which the City makes the investment.

4. The City establishes and uses a separate reserve fund for the investments.

5. Subject to paragraph 6, the money in the reserve fund, including any returns on
   the investments or proceeds from their disposition, are used to pay capital
   costs of the City and for no other purpose.

6. The City may borrow money from the reserve fund but must repay it plus
   interest. O. Reg. 655/05, s. 4 (3).

   (2) The investment made under clause (1) (b) or described in subsection (1.1), as
   the case may be, must be made in the One Investment Program of the Local Authority
   Services Limited and the CHUMS Financing Corporation with

   (a) another municipality;

   (b) a public hospital;

   (c) a university in Ontario that is authorized to engage in an activity described in
       section 3 of the Post-secondary Education Choice and Excellence Act, 2000;

   (d) the board of governors of a college established under the Ontario Colleges
       of Applied Arts and Technology Act, 2002;

   (d.1) a foundation established by a college mentioned in clause (d) whose
       purposes include receiving and maintaining a fund or funds for the benefit of
       the college;

   (e) a school board; or

   (f) any agent of an institution listed in clauses (a) to (d.1). O. Reg. 265/02, s. 3;
       O. Reg. 655/05, s. 4 (4); O. Reg. 607/06, s. 3; O. Reg. 292/09, s. 3; O. Reg.
       52/11, s. 1.

5. A municipality shall not invest in a security issued or guaranteed by a school
   board or similar entity unless,

   (a) the money raised by issuing the security is to be used for school purposes; and

   (b) Revoked: O. Reg. 248/01, s. 1.

O. Reg. 438/97, s. 5; O. Reg. 248/01, s. 1.

6. (1) A municipality shall not invest in a security that is expressed or payable in
   any currency other than Canadian dollars. O. Reg. 438/97, s. 6 (1).

   (2) Subsection (1) does not prevent a municipality from continuing an investment,
   made before this Regulation comes into force, that is expressed and payable in the
   currency of the United States of America or the United Kingdom. O. Reg. 438/97, s. 6 (2).
7. (1) Before a municipality invests in a security prescribed under this Regulation, the council of the municipality shall, if it has not already done so, adopt a statement of the municipality's investment policies and goals. O. Reg. 438/97, s. 7.

(2) In preparing the statement of the municipality's investment policies and goals under subsection (1), the council of the municipality shall consider,

(a) the municipality's risk tolerance and the preservation of its capital;

(b) the municipality's need for a diversified portfolio of investments; and

(c) obtaining legal advice and financial advice with respect to the proposed investments. O. Reg. 265/02, s. 4.

(3) Revoked: O. Reg. 655/05, s. 5.

(4) In preparing the statement of the municipality's investment policies and goals under subsection (1) for investments made under paragraph 9 of section 2, the council of the municipality shall consider its plans for the investment and how the proposed investment would affect the interest of municipal taxpayers. O. Reg. 265/02, s. 4.

8. (1) If a municipality has an investment in a security prescribed under this Regulation, the council of the municipality shall require the treasurer of the municipality to prepare and provide to the council, each year or more frequently as specified by the council, an investment report. O. Reg. 438/97, s. 8 (1).

(2) The investment report referred to in subsection (1) shall contain,

(a) a statement about the performance of the portfolio of investments of the municipality during the period covered by the report;

(b) a description of the estimated proportion of the total investments of a municipality that are invested in its own long-term and short-term securities to the total investment of the municipality and a description of the change, if any, in that estimated proportion since the previous year's report;

(c) a statement by the treasurer as to whether or not, in his or her opinion, all investments are consistent with the investment policies and goals adopted by the municipality;

(d) a record of the date of each transaction in or disposal of its own securities, including a statement of the purchase and sale price of each security; and

(e) such other information that the council may require or that, in the opinion of the treasurer, should be included. O. Reg. 438/97, s. 8 (2); O. Reg. 655/05, s. 6.

(2.1) The investment report referred to in subsection (1) shall contain a statement by the treasurer as to whether any of the following investments fall below the standard required for that investment during the period covered by the report:

1. An investment described in subparagraph 1 iii, v.1, v.2, vi.1, vi.2 or vi.3 of section 2.

2. An investment described in paragraph 3.1, 4, 6.1, 7, 7.1, 7.2 or 8 of section 2.

3. An investment described in subsection 9 (1). O. Reg. 292/09, s. 4.

(3) Upon disposition of any investment made under paragraph 9 of section 2, the council of the municipality shall require the treasurer of the municipality to prepare and
provide to the council a report detailing the proposed use of funds realized in the disposition. O. Reg. 265/02, s. 5.

8.1 If an investment made by the municipality is, in the treasurer’s opinion, not consistent with the investment policies and goals adopted by the municipality, the treasurer shall report the inconsistency to the council of the municipality within 30 days after becoming aware of it. O. Reg. 655/05, s. 7.

9. (1) Despite this Regulation, an investment by a municipality in bonds, debentures or other indebtedness of a corporation made before March 6, 1997 may be continued if the bond, debenture or other indebtedness is rated,

(a) Revoked: O. Reg. 265/02, s. 6.

(b) by Dominion Bond Rating Service Limited as “AA(low)” or higher;

(b.1) by Fitch Ratings as “AA-” or higher;

(c) by Moody’s Investors Services Inc. as “Aa3” or higher; or

(d) by Standard and Poor’s as “AA-” or higher. O. Reg. 438/97, s. 9 (1); O. Reg. 265/02, s. 6; O. Reg. 399/02, s. 5; O. Reg. 655/05, s. 8.

(1.1) Despite subsection 3 (4.1), an investment in a security under paragraph 7.1 of section 2 made on a day before the day this subsection comes into force may be continued if the security is rated,

(a) by Dominion Bond Rating Service Limited as “A” or higher;

(b) by Fitch Ratings as “A” or higher;

(c) by Moody’s Investors Services Inc. as “A2”; or

(d) by Standard and Poor’s as “A”. O. Reg. 292/09, s. 5 (1).

(2) If the rating of an investment continued under subsection (1) or (1.1) falls below the standard required by that subsection, the municipality shall sell the investment within 180 days after the day the investment falls below the standard. O. Reg. 438/97, s. 9 (2); O. Reg. 292/09, s. 5 (2).

FORWARD RATE AGREEMENTS

10. (1) A municipality that enters into an agreement to make an investment on a future date in a security prescribed by section 2 may enter one or more forward rate agreements with a bank listed in Schedule I, II or III to the Bank Act (Canada) in order to minimize the cost or risk associated with the investment because of fluctuations in interest rates. O. Reg. 655/05, s. 9.

(2) A forward rate agreement shall provide for the following matters:

1. Specifying a forward amount, which is the principal amount of the investment or that portion of the principal amount to which the agreement relates.

2. Specifying a settlement day, which is a specified future date.

3. Specifying a forward rate of interest, which is a notional rate of interest applicable on the settlement day.

4. Specifying a reference rate of interest, which is the market rate of interest payable on a specified future date on an acceptance issued by a bank listed in Schedule I, II or III to the Bank Act (Canada).
5. Requiring a settlement payment to be payable on the settlement day if the forward rate and the reference rate of interest are different. O. Reg. 655/05, s. 9.

(3) A municipality shall not enter a forward rate agreement if the forward amount described in paragraph 1 of subsection (2) for the investment whose cost or risk the agreement is intended to minimize, when added to all forward amounts under other forward rate agreements, if any, relating to the same investment, would exceed the total amount of the principal of the investment. O. Reg. 655/05, s. 9.

(4) A municipality shall not enter a forward rate agreement unless the settlement day under the agreement is within 12 months of the day on which the agreement is executed. O. Reg. 655/05, s. 9.

(5) A municipality shall not enter a forward rate agreement if the settlement payment described in paragraph 5 of subsection (2) exceeds the difference between the amount of interest that would be payable on the forward amount calculated at the forward rate of interest for the period for which the investment was made and the amount that would be payable calculated at the reference rate of interest. O. Reg. 655/05, s. 9.

(6) A municipality shall not enter a forward rate agreement except with a bank listed in Schedule I, II or III to the Bank Act (Canada) and only if the bank’s long-term debt obligations on the day the agreement is entered are rated,

(a) by Dominion Bond Rating Service Limited as “A(high)” or higher;

(b) by Fitch Ratings as “A+” or higher;

(c) by Moody’s Investors Service Inc. as “A1” or higher; or

(d) by Standard and Poor’s as “A+” or higher. O. Reg. 655/05, s. 9.

11. (1) Before a municipality passes a by-law authorizing a forward rate agreement, the council of the municipality shall adopt a statement of policies and goals relating to the use of forward rate agreements. O. Reg. 655/05, s. 9.

(2) The council of the municipality shall consider the following matters when preparing the statement of policies and goals:

1. The types of investments for which forward rate agreements are appropriate.

2. The fixed costs and estimated costs to the municipality resulting from the use of such agreements.

3. A detailed estimate of the expected results of using such agreements.

4. The financial and other risks to the municipality that would exist with, and without, the use of such agreements.

5. Risk control measures relating to such agreements, such as,

   i. credit exposure limits based on credit ratings and on the degree of regulatory oversight and the regulatory capital of the other party to the agreement,

   ii. standard agreements, and

   iii. ongoing monitoring with respect to the agreements. O. Reg. 655/05, s. 9.
12. (1) If a municipality has any subsisting forward rate agreements in a fiscal year, the treasurer of the municipality shall prepare and present to the municipal council once in that fiscal year, or more frequently if the council so desires, a detailed report on all of those agreements. O. Reg. 655/05, s. 9.

(2) The report must contain the following information and documents:

1. A statement about the status of the forward rate agreements during the period of the report, including a comparison of the expected and actual results of using the agreements.

2. A statement by the treasurer indicating whether, in his or her opinion, all of the forward rate agreements entered during the period of the report are consistent with the municipality's statement of policies and goals relating to the use of forward rate agreements.

3. Such other information as the council may require.

4. Such other information as the treasurer considers appropriate to include in the report. O. Reg. 655/05, s. 9.
Appendix C - Trustee Act (Investment Provisions)

R.S.O. 1990, c. T.23

Definitions

1. In this Act,

"assign" means the execution and performance by a person of every necessary or suitable deed or act for assigning, surrendering, or otherwise transferring land of which such person is possessed, either for the whole estate of the person so possessed or for any less estate, and "assignment" has a corresponding meaning; ("céder", "cession")

"contingent right" as applied to land includes a contingent and executory interest, and a possibility coupled with an interest, whether the object of the gift or limitation of such interest or possibility is or is not ascertained, and also a right of entry whether immediate or future, vested or contingent; ("droit éventuel")

"convey" applied to a person means the execution and delivery by such person of every necessary or suitable assurance for conveying or disposing to another land whereof such person is seized, or wherein the person is entitled to a contingent right, either for the whole estate or for any less estate, together with the performance of all formalities required by law to the validity of such conveyance, and "conveyance" has a corresponding meaning; ("transporter", "transport"

"devisee" includes the heir of a devisee, and the devisee of an heir, and any person who may claim right by devolution of title of a similar description; ("léguataire immobilier")

"instrument" includes a deed, a will and a written document and an Act of the Legislature, but not a judgment or order of a court; ("acte")

"land" includes messuages, and all other hereditaments, whether corporeal or incorporeal, chattels and other personal property transmissible to heirs, money to be laid out in the purchase of land, and any share of the same hereditaments and properties, or any of them, and any estate of inheritance, or estate for any life or lives, or other estate transmissible to heirs, and any possibility, right or title of entry or action, and any other interest capable of being inherited, whether the same estates, possibilities, rights, titles and interests, or any of them, are in possession, reversion, remainder or contingency; ("bien-fonds")

"mortgage" is applicable to every estate, interest or property, in land or personal estate, that is merely a security for money, and "mortgagor" has a corresponding meaning and includes every person deriving title under the original mortgagee; ("hypothèque", "créancier hypothécaire")
"personal estate" includes leasehold estates and other chattels real, and also money, shares of government and other funds, securities for money (not being real estate), debts, choses in action, rights, credits, goods, and all other property, except real estate, which by law devolves upon the executor or administrator, and any share or interest therein; ("biens meubles")

"personal representative" means an executor, an administrator, and an administrator with the will annexed; ("représentant successoral")

"possessed" is applicable to any vested estate less than a life estate, legal or equitable, in possession or in expectancy, in any land; ("possession")

"securities" includes stocks, funds and shares; ("valeurs mobilières")

"seized" is applicable to any vested interest for life, or of a greater description, and extends to estates, legal and equitable, in possession, or in futurity, in any land; ("saisi")

"stock" includes fully paid-up shares, and any fund, annuity, or security transferable in books kept by any incorporated bank, company or society, or by instrument of transfer, either alone or accompanied by other formalities, and any share or interest therein; ("action")

"transfer", in relation to stock, includes the performance and execution of every deed, power of attorney, act or thing, on the part of the transferor to effect and complete the title in the transferee; ("transfert")

"trust" does not mean the duties incident to an estate conveyed by way of mortgage but, with this exception, includes implied and constructive trusts and cases where the trustee has some beneficial estate or interest in the subject of the trust, and extends to and includes the duties incident to the office of personal representative of a deceased person, and "trustee" has a corresponding meaning and includes a trustee however appointed and several joint trustees; ("fiducie", "fiduciaire")

"will" includes,
(a) a testament,
(b) a codicil,
(c) an appointment by will or by writing in the nature of a will in exercise of a power, and
(d) any other testamentary disposition. ("testament") R.S.O. 1990, c. T.23, s. 1; 2006, c. 19, Sched. B, s. 23.

INVESTMENTS
Investments authorized by other Acts or regulations

26. If a provision of another Act or the regulations under another Act authorizes money or other property to be invested in property in which a trustee is authorized to invest and the provision came into force before section 16 of Schedule B of the Red Tape Reduction Act, 1998, the provision shall be deemed to authorize investment in the property which a trustee could invest immediately before the coming into force of section 16 of Schedule B of the Red Tape Reduction Act, 1998. 1998, c. 18, Sched. B, s. 16 (1).
Investment standards

(27) In investing trust property, a trustee must exercise the care, skill, diligence and judgment that a prudent investor would exercise in making investments. 1998, c. 18, Sched. B, s.16 (1).

Authorized investments

(2) A trustee may invest trust property in any form of property in which a prudent investor might invest. 1998, c. 18, Sched. B, s. 16 (1).

Mutual, pooled and segregated funds

(3) Any rule of law that prohibits a trustee from delegating powers or duties does not prevent the trustee from investing in mutual funds, pooled funds or segregated funds under variable insurance contracts, and sections 27.1 and 27.2 do not apply to the purchase of such funds. 2001, c. 9, Sched. B, s. 13 (2).

Common trust funds

(4) If trust property is held by co-trustees and one of the co-trustees is a trust corporation as defined in the Loan and Trust Corporations Act, any rule of law that prohibits a trustee from delegating powers or duties does not prevent the co-trustees from investing in a common trust fund, as defined in that Act, that is maintained by the trust corporation and sections 27.1 and 27.2 do not apply. 1998, c. 18, Sched. B, s. 16 (1); 2001, c. 9, Sched. B, s. 13 (3).

Criteria

(5) A trustee must consider the following criteria in planning the investment of trust property, in addition to any others that are relevant to the circumstances:

1. General economic conditions.
2. The possible effect of inflation or deflation.
3. The expected tax consequences of investment decisions or strategies.
4. The role that each investment or course of action plays within the overall trust portfolio.
5. The expected total return from income and the appreciation of capital.
6. Needs for liquidity, regularity of income and preservation or appreciation of capital.
7. An asset's special relationship or special value, if any, to the purposes of the trust or to one or more of the beneficiaries. 1998, c. 18, Sched. B, s. 16 (1).

Diversification

(6) A trustee must diversify the investment of trust property to an extent that is appropriate to,

(a) the requirements of the trust; and
(b) general economic and investment market conditions. 1998, c. 18, Sched. B, s. 16 (1).

Investment advice

(7) A trustee may obtain advice in relation to the investment of trust property. 1998, c. 18, Sched. B, s. 16 (1).
Reliance on advice

(8) It is not a breach of trust for a trustee to rely on advice obtained under subsection (7) if a prudent investor would rely on the advice under comparable circumstances. 1998, c. 18, Sched. B, s. 16 (1).

Terms of trust

(9) This section and section 27.1 do not authorize or require a trustee to act in a manner that is inconsistent with the terms of the trust. 2001, c. 9, Sched. B, s. 13 (4).

Same

(10) For the purposes of subsection (9), the constating documents of a corporation that is deemed to be a trustee under subsection 1 (2) of the Charities Accounting Act form part of the terms of the trust. 2001, c. 9, Sched. B, s. 13 (4).

Trustee may delegate functions to agent

27.1 (1) Subject to subsections (2) to (5), a trustee may authorize an agent to exercise any of the trustee’s functions relating to investment of trust property to the same extent that a prudent investor, acting in accordance with ordinary investment practice, would authorize an agent to exercise any investment function. 2001, c. 9, Sched. B, s. 13 (5).

Investment plan or strategy

(2) A trustee may not authorize an agent to exercise functions on the trustee’s behalf unless the trustee has prepared a written plan or strategy that,

(a) complies with section 28; and

(b) is intended to ensure that the functions will be exercised in the best interests of the beneficiaries of the trust. 2001, c. 9, Sched. B, s. 13 (5).

Agreement

(3) A trustee may not authorize an agent to exercise functions on the trustee’s behalf unless a written agreement between the trustee and the agent is in effect and includes,

(a) a requirement that the agent comply with the plan or strategy in place from time to time; and

(b) a requirement that the agent report to the trustee at regular stated intervals. 2001, c. 9, Sched. B, s. 13 (5).

Trustee’s duty

(4) A trustee is required to exercise prudence in selecting an agent, in establishing the terms of the agent’s authority and in monitoring the agent’s performance to ensure compliance with those terms. 2001, c. 9, Sched. B, s. 13 (5).

Same

(5) For the purpose of subsection (4),

(a) prudence in selecting an agent includes compliance with any regulation made under section 30; and

(b) prudence in monitoring an agent’s performance includes,

(i) reviewing the agent’s reports.
(ii) regularly reviewing the agreement between the trustee and the agent and how it is being put into effect, including considering whether the plan or strategy of investment should be revised or replaced, replacing the plan or strategy if the trustee considers it appropriate to do so, and assessing whether the plan or strategy is being complied with,

(iii) considering whether directions should be provided to the agent or whether the agent's appointment should be revoked, and

(iv) providing directions to the agent or revoking the appointment if the trustee considers it appropriate to do so. 2001, c. 9, Sched. B, s. 13 (5).

Duty of agent

27.2 (1) An agent who is authorized to exercise a trustee's functions relating to investment of trust property has a duty to do so,

(a) with the standard of care expected of a person carrying on the business of investing the money of others;
(b) in accordance with the agreement between the trustee and the agent; and
(c) in accordance with the plan or strategy of investment. 2001, c. 9, Sched. B, s. 13 (5).

No further delegation

(2) An agent who is authorized to exercise a trustee's functions relating to investment of trust property shall not delegate that authority to another person. 2001, c. 9, Sched. B, s. 13 (5).

Proceeding against agent

(3) If an agent is authorized to exercise a trustee's functions relating to investment of trust property and the trust suffers a loss because of the agent's breach of the duty owed under subsection (1) or (2), a proceeding against the agent may be commenced by,
(a) the trustee; or
(b) a beneficiary, if the trustee does not commence a proceeding within a reasonable time after acquiring knowledge of the breach. 2001, c. 9, Sched. B, s. 13 (5).

Protection from liability

28. A trustee is not liable for a loss to the trust arising from the investment of trust property if the conduct of the trustee that led to the loss conformed to a plan or strategy for the investment of the trust property, comprising reasonable assessments of risk and return, that a prudent investor could adopt under comparable circumstances. 1998, c. 18, Sched. B, s. 16 (1).

Assessment of damages

29. If a trustee is liable for a loss to the trust arising from the investment of trust property, a court assessing the damages payable by the trustee may take into account the overall performance of the investments. 1998, c. 18, Sched. B, s. 16 (1).
Regulations, agents

30. The Attorney General may make regulations governing or restricting the classes of persons or the qualifications of persons who are eligible to be agents under section 27.1 and establishing conditions for eligibility. 2001, c. 9, Sched. B, s. 13 (6).

Application, ss. 27-30

31. Sections 27 to 30 apply to a trust whether it is created before or after the date section 13 of Schedule B to the Government Efficiency Act, 2001 comes into force. 2001, c. 9, Sched. B, s. 13 (6).

32. Repealed: 1998, c. 18, Sched. B, s. 16 (1).


34. Repealed: 1998, c. 18, Sched. B, s. 16 (1).
Appendix D - CFA Institute Code of Ethics and Standards of Professional Conduct

PREAMBLE
The CFA Institute Code of Ethics and Standards of Professional Conduct (Code and Standards) are fundamental to the values of CFA Institute and essential to achieving its mission to lead the investment profession globally by setting high standards of education, integrity, and professional excellence. High ethical standards are critical to maintaining the public's trust in financial markets and in the investment profession. Since their creation in the 1960s, the Code and Standards have promoted the integrity of CFA Institute members and served as a model for measuring the ethics of investment professionals globally, regardless of job function, cultural differences, or local laws and regulations. All CFA Institute members (including holders of the Chartered Financial Analyst® (CFA®) designation) and CFA candidates must abide by the Code and Standards and are encouraged to notify their employer of this responsibility. Violations may result in disciplinary sanctions by CFA Institute. Sanctions can include revocation of membership, candidacy in the CFA Program, and the right to use the CFA designation.

THE CODE OF ETHICS
Members of CFA Institute (including Chartered Financial Analyst® [CFA®] charterholders) and candidates for the CFA designation ("Members and Candidates") must:

STANDARDS OF PROFESSIONAL CONDUCT
• Act with integrity, competence, diligence, respect, and in an ethical manner with the public, clients, prospective clients, employers, employees, colleagues in the investment profession, and other participants in the global capital markets.
• Place the integrity of the investment profession and the interests of clients above their own personal interests.
• Use reasonable care and exercise independent professional judgment when conducting investment analysis, making investment recommendations, taking investment actions, and engaging in other professional activities.
• Practice and encourage others to practice in a professional and ethical manner that will reflect credit on themselves and the profession.
• Promote the integrity of, and uphold the rules governing, capital markets.
• Maintain and improve their professional competence and strive to maintain and improve the competence of other investment professionals.

I. PROFESSIONALISM
A. Knowledge of the Law. Members and Candidates must understand and comply with all applicable laws, rules, and regulations (including the CFA Institute Code of Ethics and Standards of Professional Conduct) of any government, regulatory organization, licensing agency, or professional association governing their professional activities. In the event of conflict, Members and Candidates must comply with the more strict law, rule, or regulation. Members and Candidates must not knowingly participate or assist in and must dissociate from any violation of such laws, rules, or regulations.

B. Independence and Objectivity. Members and Candidates must use reasonable care and judgment to achieve and maintain independence and objectivity in their professional activities. Members and Candidates must not offer, solicit, or accept any gift,
benefit, compensation, or consideration that reasonably could be expected to compromise their own or another’s independence and objectivity.

C. Misrepresentation. Members and Candidates must not knowingly make any misrepresentations relating to investment analysis, recommendations, actions, or other professional activities.

D. Misconduct. Members and Candidates must not engage in any professional conduct involving dishonesty, fraud, or deceit or commit any act that reflects adversely on their professional reputation, integrity, or competence.

II. INTEGRITY OF CAPITAL MARKETS
A. Material Nonpublic Information. Members and Candidates who possess material nonpublic information that could affect the value of an investment must not act or cause others to act on the information.

B. Market Manipulation. Members and Candidates must not engage in practices that distort prices or artificially inflate trading volume with the intent to mislead market participants.

III. DUTIES TO CLIENTS
A. Loyalty, Prudence, and Care. Members and Candidates have a duty of loyalty to their clients and must act with reasonable care and exercise prudent judgment. Members and Candidates must act for the benefit of their clients and place their clients’ interests before their employer’s or their own interests. In relationships with clients, Members and Candidates must determine applicable fiduciary duty and must comply with such duty to persons and interests to whom it is owed.

B. Fair Dealing. Members and Candidates must deal fairly and objectively with all clients when providing investment analysis, making investment recommendations, taking investment action, or engaging in other professional activities.

C. Suitability.
1. When Members and Candidates are in an advisory relationship with a client, they must:
   a. Make a reasonable inquiry into a client’s or prospective clients’ investment experience, risk and return objectives, and financial constraints prior to making any investment recommendation or taking investment action and must reassess and update this information regularly.
   b. Determine that an investment is suitable to the client’s financial situation and consistent with the client’s written objectives, mandates, and constraints before making an investment recommendation or taking investment action.
   c. Judge the suitability of investments in the context of the client’s total portfolio.
2. When Members and Candidates are responsible for managing a portfolio to a specific mandate, strategy, or style, they must only make investment recommendations or take investment actions that are consistent with the stated objectives and constraints of the portfolio.

D. Performance Presentation. When communicating investment performance information, Members or Candidates must make reasonable efforts to ensure that it is fair, accurate, and complete.
Appendix “D” to Item 14 of AF&A Report 13-003
Page 43 of 44

E. Preservation of Confidentiality. Members and Candidates must keep information about current, former, and prospective clients confidential unless:
1. The information concerns illegal activities on the part of the client or prospective client.
2. Disclosure is required by law.
3. The client or prospective client permits disclosure of the information.

IV. DUTIES TO EMPLOYERS
A. Loyalty. In matters related to their employment, Members and Candidates must act for the benefit of their employer and not deprive their employer of the advantage of their skills and abilities, divulge confidential information, or otherwise cause harm to their employer.

B. Additional Compensation Arrangements. Members and Candidates must not accept gifts, benefits, compensation, or consideration that competes with, or might reasonably be expected to create a conflict of interest with, their employer's interest unless they obtain written consent from all parties involved.

C. Responsibilities of Supervisors. Members and Candidates must make reasonable efforts to detect and prevent violations of applicable laws, rules, regulations, and the Code and Standards by anyone subject to their supervision or authority.

V. INVESTMENT ANALYSIS, RECOMMENDATIONS, AND ACTION
A. Diligence and Reasonable Basis. Members and Candidates must:
1. Exercise diligence, independence, and thoroughness in analyzing investments, making investment recommendations, and taking investment actions.
2. Have a reasonable and adequate basis, supported by appropriate research and investigation, for any investment analysis, recommendation, or action.

B. Communication with Clients and Prospective Clients.
Members and Candidates must:
1. Disclose to clients and prospective clients the basic format and general principles of the investment processes used to analyze investments, select securities, and construct portfolios and must promptly disclose any changes that might materially affect those processes.
2. Use reasonable judgment in identifying which factors are important to their investment analysis, recommendations, or actions and include those factors in communications with clients and prospective clients.
3. Distinguish between fact and opinion in the presentation of investment analysis and recommendations.

C. Record Retention. Members and Candidates must develop and maintain appropriate records to support their investment analysis, recommendations, actions, and other investment-related communications with clients and prospective clients.

VI. CONFLICTS OF INTEREST
A. Disclosure of Conflicts. Members and Candidates must make full and fair disclosure of all matters that could reasonably be expected to impair their independence and objectivity or interfere with respective duties to their clients, prospective clients, and employer. Members and Candidates must ensure that such disclosures are prominent, are delivered in plain language, and communicate the relevant information effectively.
B. Priority of Transactions. Investment transactions for clients and employers must have priority over investment transactions in which a Member or Candidate is the beneficial owner.

C. Referral Fees. Members and Candidates must disclose to their employer, clients, and prospective clients, as appropriate, any compensation, consideration, or benefit received from, or paid to, others for the recommendation of products or services.

VII. RESPONSIBILITIES AS A CFA INSTITUTE MEMBER OR CFA CANDIDATE

A. Conduct as Members and Candidates in the CFA Program.
Members and Candidates must not engage in any conduct that compromises the reputation or integrity of CFA Institute or the CFA designation or the integrity, validity, or security of the CFA examinations.

B. Reference to CFA Institute, the CFA designation, and the CFA Program.
When referring to CFA Institute, CFA Institute membership, the CFA designation, or candidacy in the CFA Program, Members and Candidates must not misrepresent or exaggerate the meaning or implications of membership in CFA Institute, holding the CFA designation, or candidacy in the CFA Program.
## A/R Write-Offs over $1,000 February 2013

<table>
<thead>
<tr>
<th>Total</th>
<th>CUSTOMER NAME</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exhausted Collection Efforts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8,797.68</td>
<td>Angel Excavating</td>
<td>Road cuts - Business closed</td>
</tr>
<tr>
<td>1,557.09</td>
<td>Hamilton Mardi Gras</td>
<td>Warning boards - No further grant requests</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Principal contact unreachable</td>
</tr>
<tr>
<td>26,721.74</td>
<td>Greely Construction</td>
<td>Damaged sewer lateral - Dispute</td>
</tr>
<tr>
<td>3,531.83</td>
<td>Garcia's</td>
<td>Paid duty charges - Business closed</td>
</tr>
<tr>
<td>10,164.01</td>
<td>Concrete USL Inc</td>
<td>Warning boards - Bankrupt</td>
</tr>
<tr>
<td>32,172.97</td>
<td>Homes for Special Care</td>
<td>HSR Passes - MOH outstanding/misapplied invoices 2002-2005</td>
</tr>
<tr>
<td>102,037.50</td>
<td>VIZ Investments</td>
<td>HSR Tickets - Business closed</td>
</tr>
<tr>
<td>2,541.08</td>
<td>1043219 Ontario Inc</td>
<td>HSR Tickets - Sent to collection in 2009</td>
</tr>
</tbody>
</table>

| Deceased/No Estate/No Funds |                         |                                                                            |
| 1,849.82  | ****                  | Wentworth Lodge Resident                                                   |
| 2,707.74  | ****                  | Wentworth Lodge Resident                                                   |
| 4,091.80  | ****                  | Macassa Lodge Resident                                                     |
| 6,304.01  | ****                  | Macassa Lodge Resident                                                     |
| $202,477.27 | ****               | Identifiable Individual. Name left off at request of Council              |
| Note:     |                       | Amounts listed have been allowed for in the December 2012 year end        |
|           |                        | Write-offs will not affect the 2013 budget.                               |
THE EMERGENCY AND COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 13-003 AND RESPECTFULLY RECOMMENDS:

1. Update on CPR Training and Bystander CPR in Hamilton (CS13013) (City Wide) (Outstanding Business Item) (Item 5.2)

That Report CS13013 respecting Update on CPR Training and Bystander CPR in Hamilton be received.

2. Dedicated Offload Nurses to Receive Ambulance Patients in Hospital Emergency Departments (CS13014) (City Wide) (Item 5.3)

(a) That the General Manager or designate be authorized and directed to enter into an agreement in a form satisfactory to the City Solicitor, with the Ministry of Health and Long-Term Care, to receive a grant which will fund the staffing of nurses that will be dedicated to receiving and managing the care of ambulance patients in the local hospital emergency departments to reduce the ambulance wait times, for the period of April 1, 2013 to March 31, 2014 or such longer or shorter period as agreed to by the Ministry of Health and Long-Term Care;

(b) That the General Manager or designate be authorized and directed to negotiate and enter into the necessary agreements between the City of Hamilton and Hamilton Health Sciences and St. Joseph’s Hospital, in a form satisfactory to the City Solicitor, to reimburse those organizations for
the payment of staffing the nursing hours dedicated to receiving and managing the care of ambulance patients in the emergency departments;

(c) That the Hamilton Paramedic Service Division be directed to utilize the Ministry of Health and Long-Term Care grant to pay for all direct and supporting costs for staffing of nurses that will be dedicated to receiving and managing the care of ambulance patients in the local hospital emergency departments to reduce the ambulance wait times, for the period of April 1, 2013 to March 31, 2014 or such longer or shorter period agreed to by the Ministry of Health and Long-Term Care in accordance with the terms set out in the agreement with the Ministry of Health and Long-Term Care.

3. Renewal of Funding from Citizenship and Immigration Canada for the Immigration Strategy (CS10043(c)) (City Wide) (Item 5.4)

(a) That the City of Hamilton accept $261,266 from Citizenship and Immigration Canada for the purpose of supporting the Hamilton Immigration Partnership Council and the continued implementation of the Immigration Strategy;

(b) That the General Manager of Community Services be authorized to execute the renewed Contribution Agreement attached as Appendix A to Report CS10043(c), between the City of Hamilton and Citizenship and Immigration Canada, subject to any amendments approved by the General Manager of Community Services and in a form satisfactory to the City Solicitor.

4. Community Homelessness Prevention Initiative (CHPI) Review (CS13017) (City Wide) (Item 8.1)

That Report CS13017 respecting Community Homelessness Prevention Initiative (CHPI) Review be received.

5. Update on the Emergency Food System - Strategic Directions (CS13015) (City Wide) (Item 8.2)

That Report CS13015 respecting Update on the Emergency Food System - Strategic Directions be received.
6. **Procurement Policy 11 Approval of the Extension of the Contract with Del Management Solutions Inc. (CS13020) (City Wide) (Item 8.3)**

   That a one year extension of the Procurement Policy 11 for a single source contract with Del Management Solutions Inc. (DMS) for the administration of the centralized wait list for social housing applicants in the annual amount of $304,538 plus HST, to be charged to Account 57010-625010, be approved.

7. **Expenditures from Social Housing Reserve Fund (Account #112248) (CS13004) (Wards 2, 3 & 7) (Item 8.4)**

   (a) That the General Manager, Community Services Department be authorized and directed to enter into a funding agreement with Halam Park Co-operative Homes Inc. for a total of $500,000 to create eight accessible, single semi-detached units at 85 Halam Avenue, Hamilton from the Social Housing Reserve Fund (#112248);

   (b) That the General Manager, Community Services Department be authorized and directed to enter into a funding agreement with McGivney Community Homes Inc. for a total of $300,000, for repairs and renovations to four units in Hamilton at 59 Arthur Avenue North; 200 Grosvenor Avenue North; 204 Wentworth Street North; and 460 Charlton Avenue from the Social Housing Reserve Fund (#112248).

8. **Social Housing Reserve Fund (Account #112248)**

   WHEREAS $500,000 in the 2013 Capital Funding is insufficient when considering the needs of all social housing providers; and

   WHEREAS the need for renovations and rehabilitations exceeds the approved Capital Funding;

   THEREFORE be it resolved:

   (a) That an additional $400,000 be allocated from the Social Housing Capital Reserve Fund (Account #112248) for a total of $900,000;

   (b) That staff be directed to issue a communiqué to all Social Housing providers to submit business cases for the funding.
The following Item was amended by deleting the words “at a General Issues Committee meeting” to read as follows:

9. **Request to CityHousing Hamilton**

    That CityHousing Hamilton be requested to make a formal presentation and annual report to the Shareholders at a General Issues Committee meeting before the end of June 2013.

10. **Ministry of Education Early Years and Child Care Policy and Funding Announcements (CS13016) (City Wide) (Item 8.5)**

    (a) That the City of Hamilton accept the additional 2013 Child Care base funding in the amount of $3,343,306 from the Ministry of Education;

    (b) That the General Manager of Community Services be authorized to execute the 2013 Child Care Service Agreement with the Ministry of Education, in a form satisfactory to the City Solicitor.

11. **Seniors Advisory Committee – Fire Compliance at Long Term Care Facilities and Accessible Washroom Listing for Special Events (Report #SAC13003) (Item 8.6)**

    (a) **Fire Compliance at Long Term Care Facilities**

        That the City of Hamilton advocate to the Ministry of Health and Long Term Care and Local Health Integration Networks (LHINs) regarding staffing requirements for all Long Term Care facilities and Retirement Homes to include adequate staffing for compliance with fire regulations.

    (b) **Accessible Washroom Listing for Special Events**

        That future City of Hamilton publications, such as Experience Hamilton, Discover Hamilton and special event brochures, highlight a listing of accessible washrooms, specifically noting those with the ability to accommodate people with personal mobility devices.

12. **Wentworth Lodge Heritage Trust Fund Sub-Committee Report 13-001 (Item 8.7)**

    (a) **Projects - Update 2012 (CS13006) (Ward 13)**

        That Report CS13006, respecting the 2012 Wentworth Lodge Projects update, be received.
(b) Investment Strategy for the Wentworth Lodge Heritage Trust Fund (CS13005) (Ward 13)

That an investment strategy for the Heritage Trust Fund in the amount of $250,000 in Guaranteed Investment Certificates (GIC’s) that is consistent with the Statement of Investment Policy for the Heritage Trust Investment Fund for Wentworth Lodge, be approved.

(c) 2013 Health and Home (Pet) Program

That $6,000, to be funded from the Wentworth Lodge Heritage Trust Fund, for the 2013 Heart and Home (Pet) Program at Wentworth Lodge, be approved.

13. The East Mountain Baseball Association (EMBA) – Field Rental Rates (Item 9.1)

WHEREAS the East Mountain Baseball Association (EMBA) has a long history of providing organized instruction baseball at the Mohawk Sports Park on diamonds numbered two and three;

WHEREAS diamonds two and three at the Mohawk Sports Park were originally constructed to be the permanent home for the EMBA;

WHEREAS the EMBA has contributed a total of approximately $40,000.00 for capital upgrades to diamonds two and three at the Mohawk Sports Complex;

WHEREAS the reclassification of those diamonds from Class C fields to Class B fields has created an economic hardship for the EMBA;

WHEREAS the long term viability of the EMBA is dependant upon the ability of the association to afford field rental rates;

THEREFORE be it resolved:

(a) That the East Mountain Baseball Association EMBA be charged the Council approved Class C field rental for diamonds two and three at the Mohawk Sports Park;

(b) That the rental rate charged to the EMBA as outlined in subsection (a) may be changed in the future subject to Council’s discretion;

(c) That staff be directed to provide options for updating the City of Hamilton’s existing fee waiver policy to further clarify fee waiver policies and related authorities;

(d) That staff provide a report back to the Emergency and Community Services Committee by the fall of 2013 with respect to subsection (c).
FOR THE INFORMATION OF COUNCIL:

(a) CEREMONIAL ACTIVITY

Chair Terry Whitehead, Joe-Anne Priel, General Manager of Community Services, and Dave Donais, Operations Supervisor of the West District assisted Brent Browett, Paramedic Chief in presenting the following awards:

(i) The Governor’s General Award:

The following three medics received the Governor’s General Award and also bars/pins for their 30 years of service:

Scott F. Bird  
Blake C. Mills  
Mark W. Nelles  
Mike North

Brent Browett, Paramedic Chief also presented Mike North with a Governor General Commendation for risking his life on December 26th, 2006 to rescue a woman from a badly damaged car that was on fire.

Chair Terry Whitehead was joined by Ward Councillor Jason Farr, Joe-Anne Priel, General Manager of Community Services, Brent Browett, Paramedic Chief, and Jack Brown, Director of Recreation in presenting the following awards:

(ii) Certificate of Recognition Awards for saving the life of swimmer Ronald Tebbutt at the Bennetto Community Centre on December 28, 2012 were presented to:

Instructor Guards - Lorraine Green and Adam Freeman  
Recreation Co-ordinator - Carrie Stonehouse  
City of Hamilton Firefighter - Mark Fingland (who was off duty)

The Hamilton Paramedics who attended the call:

Bob Orchard - ACP  
Dave Goveia - PCP  
Patrick O’Neil – PCP

Ronald Tebbutt was presented with a Certificate of Re-birth award and briefly addressed the Committee.
(b) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised that copies of Item 5.4, the staff report respecting Renewal of Funding from Citizenship and Immigration Canada for the Immigration Strategy were distributed.

The agenda was approved as presented.

(c) DECLARATIONS OF INTEREST (Item 2)

Councillor Farr declared an interest with respect to Item 5.4 respecting renewal Funding from Citizenship and Immigration Canada for the Immigration Strategy as his wife is an employee of Citizenship and Immigration Canada.

(d) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

The Minutes of the February 11, 2013 meeting were approved as presented.

(e) DELEGATION REQUESTS (Item 4)

(i) The following delegation request was approved:

Louise Rogers, from the former Voice of Women organization respecting the effects of Federal Military spending on municipalities. (Item 4.1)

(ii) The following delegation request was approved and the rules of order waived in order to hear the delegation at today’s meeting:

Carmen Salciccioli & Denise Arkell, Emergency Food Strategic Planning Committee, respecting the stakeholders’ commentary regarding the Emergency Food System – Strategic Directions update. (Item 4.2)

(f) CONSENT (Item 5)

(i) VARIOUS ADVISORY COMMITTEE MEETING MINUTES (Item 5.1):

The following Advisory Committee Meeting Minutes were received:

(i) Seniors Advisory Committee meeting of January 4, 2013
(ii) Seniors Advisory Committee meeting of February 1, 2013
(iii) Hamilton Veterans Committee meeting of January 8, 2013
(iv) Hamilton Youth Advisory Committee meeting of November 20, 2012
(v) Hamilton Youth Advisory Committee meeting of December 18, 2012
(vi) Hamilton Youth Advisory Committee meeting of January 22, 2013
(g) PUBLIC HEARINGS DELEGATIONS

(i) Carmen Salciccioli & Denise Arkell, Emergency Food Strategic Planning Committee, respecting the stakeholders’ commentary regarding the Emergency Food System – Strategic Directions update. (Item 4.2)

Carmen Salciccioli & Denise Arkell addressed Committee with the aid of a PowerPoint presentation and copies of the hand-out were distributed and a copy has been uploaded onto the City’s website and is included in the Clerk’s file for the official record.

Their comments included but were not limited to the following:

- Who we are (Members of the Emergency Food Strategic Planning Committee);
- Some challenges:
  - Food bank usage (March 2007 to March 2012);
  - Food bank usage vs OW & ODSP caseloads (March 2007 to March 2012);
- Some successes;
- What the successes mean to vulnerable citizens; and
- Conclusion

On a motion, Committee received the delegation.

(h) DISCUSSION ITEMS (Item 8)

(i) Expenditures from Social Housing Reserve Fund (Account #112248) (CS13004) (Wards 2, 3 & 7) (Item 8.4)

During discussion of this Item, Committee introduced two new motions as outlined in Items 8 and 9 of this Report.

(i) MOTIONS (Item 9)

(i) Coronation Minor Hockey Association Ice Allocation for 2013/2014 (Item 9.2)

On a motion Committee TABLED this motion to a future meeting.

(j) NOTICES OF MOTIONS (Item 9)

Councillor McHattie presented the following Notice of Motion:

Council – March 27, 2013
Re: Funding for the YWCA Transitional Housing Program

Whereas, the YWCA of Hamilton provides transitional housing and supports for women experiencing homelessness in Hamilton;

And whereas, the YWCA Transitional Housing Program is operating at a financial deficit for the provision of this service;

And whereas, the Housing Services Division is conducting a review and recommendations for future funding of homelessness programs in Hamilton for implementation starting 2014;

Therefore Be It Resolved:

(a) That the General Manager of the Community Service Department be authorized and directed to provide one-time funding to the YWCA Transitional Housing Program in 2013 up to $250,000 from the 2013 Community Services departmental surplus, the 2013 Corporate surplus and/or the Tax Stabilization Reserve;

(b) That the funding outlined in subsection (a) be provisional on staff approval of a business case to support the funding.

On a motion, Committee waived the rules to introduce a motion respecting Funding for the YWCA Transitional Housing Program.

On a motion Committee revised subsections (a) and (b) by deleting them in their entirety and inserting the following subsection (a) therein:

(a) That staff be directed to report back on the feasibility of providing one-time funding to the YWCA Transitional Housing Program in 2013 of up to $250,000 from the 2013 Community Services departmental surplus, the 2013 Corporate surplus and/or the Tax Stabilization Reserve subject to staff approval of a business case to support the funding.

The motion to read as follows:

Whereas, the YWCA of Hamilton provides transitional housing and supports for women experiencing homelessness in Hamilton;

And whereas, the YWCA Transitional Housing Program is operating at a financial deficit for the provision of this service;

And whereas, the Housing Services Division is conducting a review and recommendations for future funding of homelessness programs in Hamilton for implementation starting 2014;
Therefore Be It Resolved:

(a) That staff be directed to report back on the feasibility of providing one-time funding to the YWCA Transitional Housing Program in 2013 of up to $250,000 from the 2013 Community Services departmental surplus, the 2013 Corporate surplus and/or the Tax Stabilization Reserve subject to staff approval of a business case to support the funding.

(k) GENERAL INFORMATION (Item 11)

Outstanding Business List

(i) The following New Due Date was approved:

Item “A” – Investigation of Lands Suitable for the Development of Recreation Facilities and Seniors Centres
Due Date: March 25, 2013
Proposed New Due Date: April 15, 2013

(ii) The following Item was identified as completed and removed from the Outstanding Business List:

Item “D” – Report back re: CPR training for members of the community and the frequency of CPR performance.
(See Item 1 of this Report.)

(l) ADJOURNMENT

There being no further business the Emergency & Community Services Committee meeting adjourned at 3:15 p.m.

Respectfully submitted,

Councillor T. Whitehead, Chair
Emergency & Community Services Committee

Ida Bediou
Legislative Co-ordinator
Office of the City Clerk

Council – March 27, 2013