GENERAL ISSUES COMMITTEE
REPORT 13-011
9:30 a.m.
Wednesday, May 15, 2013
Council Chambers
Hamilton City Hall
71 Main Street West

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

Absent with Regrets: Councillor T. Jackson – Vacation
Councillor B. Morelli – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 13-011 AND
RESPECTFULLY RECOMMENDS:

1. Hamilton Police Service Monthly Report (PSB 13-050) (Item 5.1)
   That Hamilton Police Service Monthly Report PSB13-050 be received.

2. Agreement of Purchase and Sale between the City of Hamilton and Her
   Majesty the Queen in Right of Ontario as represented by the Minister of
   Infrastructure, being Part of Lots 14 and 15, Concession 1, Hamilton
   (Formerly Township of Glanford) for the Dartnall Road Extension (PED13089)
   (Ward 11) (Item 5.3)
   (a) That an Agreement of Purchase and Sale between the City of Hamilton
       and Her Majesty the Queen in Right of Ontario as represented by the
       Minister of Infrastructure, to purchase Part of Lots 14 and 15, Concession
       1, City of Hamilton (formerly Township of Glanford), described as Parts 1,
       2, 3, 14, 15, 16, 17, 18 and 19, Plan 62R-17987, to facilitate the
       extension of Dartnall Road South to intersect with Twenty Road, as
       shown on Appendix “A” attached to Report PED13089, be approved and
       completed at the purchase price of $576,250;

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(b) That the purchase price of $576,250 be charged to Capital Project No. 59259-3620707003 (Dartnall Road Extension);

(c) That the City of Hamilton compensate Hydro One Networks Inc. (HONI) an administration fee of $1,250 for the preparation of documents in connection with this transaction and that said fee be charged to Capital Project No. 59259-3620707003 (Dartnall Road Extension);

(d) That the costs incurred for Real Estate (inclusive of an appraisal) and legal expenses in the amount of $27,084 be funded from Capital Project No. 3620707003 (Dartnall Road Extension) and credited to Account No. 45408-3560150200 (Property Purchases and Sales);

(e) That should HST be applicable it be collected by the City, and credited to Account No. 22835-009000 (HST Payable);

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

3. McMaster Institute for Transportation & Logistics (MITL) Advisory Board Membership (PED13093) (City Wide) (Item 5.4)

(a) That the City of Hamilton renew its membership status on the McMaster Institute for Transportation & Logistics (MITL) Advisory Board for a three year period at a cost of $25,000 per year to be funded from account “Transfer to Partnership” 55992-811010;

(b) That the McMaster Institute for Transportation & Logistics (MITL) undertake projects mutually agreed upon between the City of Hamilton and MITL in return for the City of Hamilton's annual contribution to the Institute;

(c) That the Director of Economic Development retain his seat on the McMaster Institute for Transportation & Logistics (MITL) Advisory Board as the City of Hamilton’s representative.

4. City of Hamilton Corporate Annual Report 2012 (PED13074) (City Wide) (Item 7.1)

That Report PED13074 respecting the “City of Hamilton Corporate Annual Report 2012” be received.
5. **Labour Relations Grievance Activity Reporting and Analysis (2007-2012) (HUR13006) (City Wide) (Item 8.1)**


Whereas the City of Hamilton is participating in the provincial music industry working group;

And Whereas the City of Toronto is in the final stages of establishing a music office, branded on “Toronto connects you to a world of music” and “music as the currency of cool”;

And Whereas Hamilton has a unique and vibrant music scene with clear advantages such as scale and affordability;

And Whereas it is important that Hamilton establish itself as a key music destination for musicians, music industry players, and music tourists.

Therefore Be It Resolved:

(a) That the Economic Development Department establish a Hamilton Music Working Group and report back on a Hamilton music strategy and the possibility of establishing a Hamilton Music Office;

(b) That the appropriate staff be requested to connect with the Canadian Academy of Recording Arts and Sciences (CARAS), Global Spectrum Hamilton and CTV in an effort to host the next available Juno Awards at Copps Coliseum.

7. **Request for Balance of Start-up Grant for Locke Street Farmers’ Market (Item 10.2)**

Whereas the Locke Street Farmers’ Market had requested a $10,000 start-up grant in May 2011;

And Whereas on May 25, 2011, City Council approved a grant of $5,000 (Item 5 of General Issues Committee Report 11-013(a)) with a recommendation included that the group come back to City Council for the second $5,000 once the Market had advanced further;
And Whereas the Locke Street Farmers’ Market has now been in place for two years and is expanding, growing from five vendors in 2012 to eight vendors in 2013.

Therefore Be It Resolved:

That the outstanding balance of the start-up costs in the amount of $5,000 be approved for the Locke Street Farmers’ Market, to be funded from the Economic Development Investment Fund Account No. 3620908900.

8. Thomson Court/Helga Court/Imelda Court Reconstruction (Ward 7)

(a) That Thomson Court, Helga Court and Imelda Court be reconstructed at a total estimated cost of $810,000;

(b) That the estimated reconstruction cost of the road, in the amount of $350,000, be funded from the Ward 7 Area Rating Special Capital Re-Investment Reserve No. 108057;

(c) That the estimated cost of the watermain replacement and sewer investigation, in the amount of $460,000, be funded from Project ID 5141371301 – Replace Program – Roads 2013;

(d) That the General Manager of Public Works be authorized to prepare, advertise and award tenders as required for the above-noted works.

FOR THE INFORMATION OF COUNCIL:

A. CEREMONIAL PRESENTATIONS

(i) Redeemer University College – Presentation of Winning Proposal from the “Gifted Outreach Conference”

Mayor Bratina presented Certificates of Appreciation to the following students:

Daniella Benincasa  
Genna Holmes  
Matthew Joseph  
Armaan Krishnar  
Gabriel Lazarte  
Tim Laouinger  
Jamie Li
These students were part of the approximately 100 Grades 7 and 8 students who participated in the 2nd Annual Gifted Outreach Conference which took place at Redeemer University College on April 29, 2013. The theme of this year’s Conference was, “Democracy in Action”. The entry submitted by the students noted above dealt with the issue of Urban Chickens and was selected as the winning entry. The students provided their presentation to the Committee.

(ii) Business Appreciation Awards – Wards 4, 8, 9, 10, 12 and 14/City Wide

The Annual Business Appreciation Awards Program officially acknowledges the commitment and contribution of both a small and large business in each of the City’s fifteen Wards. Businesses in eight of the City’s Wards were recognized in October, 2012, and today, businesses in six Wards will be recognized, as well as a small and large business selected by the Mayor on a City-wide basis.

Each business received a Certificate of Appreciation from the City of Hamilton, signed by Mayor Bratina and the respective Ward Councillor. In addition, the company profiles will be posted on the City’s “Invest in Hamilton” website and the recipients’ photos will be published in the Spectator.

The following businesses were recognized:

Ward 4
- Large Business – Columbian Chemicals Canada
- Small Business – East Hamilton Radio

Ward 8
- Large Business – Johnston Chrysler Dodge Jeep Fiat
  - Small Business – Sweet Paradise

Ward 9
- Large Business – The Home Depot Canada
- Small Business – The Village Restaurant

Ward 10
- Large Business – Taylor Steel
- Small Business – Colonial Pillars

Ward 12
- Large Business – Stackpole International
- Small Business – Westbrooke of Ancaster

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Mayor Bratina and Councillor Whitehead also recognized Pongetti Musical Instruments, a family-owned business which has operated in the City of Hamilton for more than 55 years.

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes:

ADDED DELEGATION REQUEST

(i) Delegation request from Gregg Taylor, Theatre Aquarius, to attend General Issues Committee meeting at which Arts Funding Task Force will be presenting recommendations (Added Item 4.3)

ADDED NOTICES OF MOTION

(ii) Resolution respecting “Thomson Court/Helga Court/Imelda Court Reconstruction (Ward 7)” (Added Item 10.3)

(iii) Resolution respecting “Implementation of Rapid Ready – Local Transit Service Improvements and Financial Strategy”

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 Meeting held on May 1, 2013 were approved as presented.
(d) **DELEGATION REQUESTS**

The following delegation requests were approved:

(i) Joey Coleman respecting the City’s Accountability and Transparency Policy;

(ii) Wayne Lewchuk, McMaster University, to provide a briefing on the “It’s More than Poverty” Report by the Precarious Employment and Poverty in Southern Ontario Research Group – Mr. Lewchuk will be invited to attend the meeting when a report on this issue is presented to the Committee;

(iii) Gregg Taylor, on behalf of Theatre Aquarius, respecting recommendations of the Arts Funding Task Force – Mr. Taylor will be invited to attend the meeting when a report on this issue is presented to the Committee.

(e) **CONSENT AGENDA**

(i) **Centre Mall Crime Prevention Centre Relocation (PSB 13-048) (Item 5.2)**

PSB Report 13-048 respecting “Centre Mall Crime Prevention Centre Relocation” was referred back to the Hamilton Police Services Board for further discussion with respect to sub-section (e) of Hamilton Police Services Board Report 13-048 dated April 15, 2013 from Chief Glenn De Caire, which reads as follows:

“(e) That the Hamilton Police Services Board not renew the lease for the Concession Street Community Policing Centre on Concession Street when it expires on October 31, 2014, and reallocate the funds toward 460 Barton Street East, Hamilton.”

(f) **PUBLIC HEARINGS/DELEGATIONS**

(i) **Canadian Ballet Youth Ensemble (Item 6.1)**

Gina Gentili, volunteer Board member with the Canadian Ballet Youth Ensemble, appeared on behalf of CBYE to speak to the following issues:

- Reconsideration of one-time grant request
- Nature of indebtedness
- CBYE’s contribution to the community.
Belma Diamante, Director of CBYE, was also in attendance to respond to questions of the Committee.

A copy of Ms. Gentili’s comments were submitted to the Clerk for the public record and is attached hereto as Appendix “A”.

The presentation from the Canadian Ballet Youth Ensemble was received.

The financial issues brought forward by the Canadian Ballet Youth Ensemble were referred to the City Solicitor with the direction that dialogue take place with all appropriate parties, including staff and stakeholders, to potentially resolve the issues, and provide a report back to the General Issues Committee.

(g) PRESENTATIONS

(i) Corporate Culture Initiatives – Update (No Copy) (Item 7.2)

Chris Murray provided a PowerPoint presentation with respect to Corporate Culture Initiatives and acknowledged the attendance of many of the staff and representatives from the Union who are participating in this initiative. Mr. Murray spoke to the following:

- Council is shaping culture
- Strategic Plan 2012-2015
- What is organizational culture?
- Why are we looking at this?
- Getting started
- Culture journey
- Culture pillars
- Return on Investment
- Culture in Action: Forestry Case Study/Results
- Actions matter most
- Culture journey next steps

A copy of the PowerPoint presentation was submitted to the Clerk for the public record and can be viewed on the City of Hamilton website.

The presentation respecting “Corporate Culture Initiatives” was received.
(ii) City of Hamilton Corporate Annual Report 2012 (PED13074) (City Wide)

Chris Murray provided a PowerPoint presentation with respect to the City of Hamilton Corporate Annual Report 2012 and spoke to the following:

- 2012 Corporate Annual Review combines and replaces Economic Development Annual Review
- Highlights the City’s successes and initiatives in 2012 and beyond
- Purpose: Information and marketing piece for internal (Council and staff) and external (businesses, investment, residents) groups
- 3 sections that mirror the City’s strategic priority areas
- will also be available online at www.hamilton.ca and www.investinhamilton.ca

A copy of the PowerPoint presentation was submitted to the Clerk for the public record and can be viewed on the City of Hamilton website.

Committee members requested that copies of the Annual Report be distributed to all sectors of the City, including Community Councils, all media, etc.

The presentation respecting “City of Hamilton Corporate Annual Report 2012” was received.

(h) NOTICES OF MOTION

Councillor B. McHattie introduced the following Notice of Motion:

(i) Establishment of a Music Working Group (Item 10.1)

Whereas, the City of Hamilton is participating in the provincial music industry working group;

And Whereas, the City of Toronto is in the final stages of establishing a music office, branded on “Toronto connects you to a world of music” and “music as the currency of cool”;

And Whereas, Hamilton has a unique and vibrant music scene with clear advantages such as scale and affordability;

And Whereas, it is important that Hamilton establish itself as a key music destination for musicians, music industry players, and music tourists.
Therefore be it resolved:

That the Economic Development Department establish a Hamilton Music Working Group and report back on a Hamilton music strategy and the possibility of establishing a Hamilton Music Office.

The rules of order were suspended in order to allow for the introduction of a motion respecting “Establishment of a Hamilton Music Working Group”.

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

(b) That the appropriate staff be requested to connect with the Canadian Academy of Recording Arts and Sciences (CARAS), Global Spectrum Hamilton and CTV in an effort to host the next available Juno Awards at Copps Coliseum.

See Item 6 for the disposition of this item.

Councillor B. McHattie introduced the following Notice of Motion:

(ii) **Request for Balance of Start-up Grant for Locke Street Farmers’ Market (Added Item 10.2)**

Whereas, the Locke Street Farmers’ Market had requested a $10,000 start-up grant in May 2011;

And Whereas on May 25, 2011, City Council approved a grant of $5,000 (Item 5 of General Issues Committee Report 11-013(a)) with a recommendation included that the group come back to City Council for the second $5,000 once the Market had advanced further;

And Whereas, the Locke Street Farmers’ Market has now been in place for two years and is expanding, growing from five vendors in 2012 to eight vendors in 2013.

Therefore Be It Resolved:

That the outstanding balance of the start-up costs in the amount of $5,000 be approved for the Locke Street Farmers’ Market, to be funded from the Economic Development Investment Fund Account No. 3620908900.

The rules of order were suspended in order to allow for the introduction of a motion respecting “Request for Balance of Start-up Grant for Locke Street Farmers’ Market”.

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See Item 7 for the disposition of this item.

Councillor S. Duvall introduced the following Notice of Motion:

(iii) **Thomson Court/Helga Court/Imelda Court Reconstruction (Ward 7)**

(a) That Thomson Court, Helga Court and Imelda Court be reconstructed at a total estimated cost of $810,000;

(b) That the estimated reconstruction cost of the road, in the amount of $350,000, be funded from the Ward 7 Area Rating Special Capital Re-Investment Reserve No. 108057;

(c) That the estimated cost of the watermain replacement and sewer investigation, in the amount of $460,000, be funded from Project ID 5141371301 – Replace Program – Roads 2013;

(d) That the General Manager of Public Works be authorized to prepare, advertise and award tenders as required for the above-noted works.

The rules of order were suspended in order to allow for the introduction of a motion respecting “Thomson Court/Helga Court/Imelda Court Reconstruction”.

See Item 8 for the disposition of this item.

Councillor B. McHattie introduced the following Notice of Motion:

(iv) **Implementation of Rapid Ready – Local Transit Service Improvements and Financial Strategy**

Whereas, the Rapid Ready report addresses the need for a $45M investment in local public transit in order to serve the needs of Hamiltonians, and to serve the rapid transit routes;

And Whereas the Rapid Ready report, building on earlier recommendations in Council’s Transportation Master Plan (TMP) (2007), calls for transit ridership in Hamilton to increase to 80-100 rides per capita from its current level of 45 rides per capita;

And Whereas the TMP also calls for a doubling of public transit use over the next 15 years from a daily modal split of 6% today to 12% in the 2021 to 2031 long term time frame;
And Whereas the 2010 Operational Review of transit identifies specific priority service level improvements, emphasizing the need for more buses on Hamilton Mountain, and in the former area municipalities;

And Whereas, notwithstanding local transit service improvements made with Provincial Gas Tax funding, there has been no City investment in transit service improvements over the past decade;

And Whereas it is important to consider all sources of funding to improve local transit service levels including but not limited to parking revenues, fare increases, resolution of the transit area rating plan, City operating budget, and funding from the Provincial and Federal governments;

And Whereas the economic, environmental, health and social benefits of public transit are well-known.

Therefore Be It Resolved:

(a) That staff come forward with recommendations for consideration during the 2014 operating and capital budget process with the first priorities for local transit service improvements to begin implementing Rapid Ready;

(b) That staff report back in time for the 2015 budget process with a 2015-2017 local transit service level strategy, including specific route recommendations and a financial strategy, to continue the implementation of Rapid Ready;

(c) That following the completion of the Transportation Master Plan Five-Year Review, staff report back with a local transit service level strategy, including specific route recommendations and a financial strategy for the 2018 – 2022 period.

(i) GENERAL INFORMATION/OTHER BUSINESS (Item 11.1)

(i) Outstanding Business Items List

(a) The following items were deemed complete and removed from the Outstanding Business List:

Item B: Implications of AODA (2013 Budgets OBL) (GIC – March 21)

Item G: Metrolinx Investment Strategy Consultation and Regional Transportation Funding Option (Item 7.1)

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Item FF: Tourism Gateway Centre (Item 8.1)

(b) The proposed new due dates for the following Outstanding Business List Items were approved:

Item F: HWCDSB Surplus Land at 161 Meadowlands Blvd.
Due Date: March 20, 2013
Revised Due Date: June 19, 2013

Item J: 2012 Ontario Municipal Partnership Fund Allocations
Due Date: June 19, 2013
Revised Due Date: September 18, 2013

Item R: Residential Water/Wastewater Warranty Protection Plan
Due Date: Q1, 2013
Revised Due Date: September 18, 2013

Item W: Economic Development Advisory Committee
Due Date: Q1 2014
Revised Due Date: Q1 2015

Item BB: Expansion of Community Improvement Initiatives
Due Date: May 15, 2013
Revised Due Date: July 8, 2013

(j) PRIVATE & CONFIDENTIAL

(i) Closed Session Minutes – May 1, 2013 (Item 12.1)

The Minutes of the Closed Session Meeting of the General Issues Committee held on May 1, 2013 were approved and will remain confidential and restricted from public disclosure.

(ii) Performance Review – Senior Management Team (Item 12.3)

As this matter has been deferred a number of times from previous Committee agendas, the Legislative Co-ordinator was directed to schedule this item for discussion at the beginning of the June 5, 2013 General Issues Committee meeting.
(k) ADJOURNMENT

There being no further business, the Committee adjourned at 3:20 p.m.

Respectfully submitted

Councillor T. Whitehead
Deputy Mayor

Carolyn Biggs
Legislative Co-ordinator
My name is Gina Gentili and I am a volunteer Board member with the Canadian Ballet Youth Ensemble (the "CBYE"). I am here this morning to request a reconsideration of our one time grant request by the Canadian Ballet Youth Ensemble for the 2011 Nutcracker Performance to hire Hamilton Philharmonic Orchestra musicians, which was denied by Council, as well the re-instatement of our Community Partnership Program Grants requests for the years 2011 and 2012.

By way of letter to the Mayor, and City Council October 7, 2011, the CBYE presented its concern to Council about the Burlington Performance Hall and the booked competing production of Nutcracker in Burlington; we had very deep concerns that the Burlington production would have a negative impact on our Nutcracker ticket sales. We knew that including a live orchestra in our various Nutcracker performances would increase our ticket sales and enhance our critically acclaimed performances, therefore retaining our core audience and expanding to a new audience. As our financial situation precluded us from hiring a live orchestra for the previous two years, we were very hesitant about moving forward with a live orchestra. We requested that City Council approve a one-time grant of $35,000 to permit the CBYE to hire the HPO musicians for the 2011 performances.

Working with then, Chief Administrative Officer and Interim CEO of HECFI, John Hertel, who assisted the CBYE with the necessary documentation for the one-time grant, we worked closely with HECFI to maximize our ticket sales and marketing of the Nutcracker performances. We were assured by John Hertel that we met the necessary requirements and that the funding would be approved. CBYE had no intention of incurring this additional liability without grant approval. As a result, HECFI retained the orchestra directly. CBYE was not a party to that agreement. It was our understanding that once the grant was approved, the funds would be directed to HECFI, not to CBYE.

HECFI signed the contract with the Hamilton Philharmonic Orchestra musicians and the agreement stipulated that HECFI would pay the Hamilton Philharmonic Orchestra musicians and the one-time grant would replace the funds, when it arrived. The CBYE was assured that the one-time grant request met all requirements and would be approved, without incident. From November to February, the CBYE followed up regularly about the status of the one-time grant, with no indication of any issues or any requests for clarification. To our shock, in February 2012 we discovered that the one-time grant request was denied due to the property tax issue and the HECFI indebtedness that was incorrectly assigned to CBYE. John Hertel signed the contract with the musicians and when the grant was denied he removed the funds from our Box Office Revenue to pay them, resulting in CBYE incurring a deficit.
Briefly, the confusion that follows is the reason that I am here before you today requesting a reconsideration of our one time grant request:

As a charitable organization, that rents its space, the CBYE was assessed with property taxes! The property tax owing was, in actuality, a liability of the landlord and not the CBYE, a charity. The ramification of this assessment meant that as debtors to the CITY the CBYE was ineligible for the otherwise approved grant. We were perplexed by this assessment as the CBYE did not own the property and therefore could not be liable in any way for property taxes. Given the dire implications for the CBYE, we worked diligently with the City Tax Department to clarify the confusion, yet still CBYE, a renter, is being held accountable for a property tax liability that simply does not apply to the organization. Since then the matter has be cleared by the landlord.

The CBYE is a volunteer organization that has often been funded by the volunteer board members, people that are community members that have family financial responsibilities but have exhausted their personal family income to ensure that our youth programs continue. Our programs engage over forty schools and children across the region; we continue to deliver the high quality production of Nutcracker in collaboration with the Cuban Ballet, a privilege that no other organization in the world has access to--- a family tradition for thousands of families.

We have tracked revenue of approximately $1.2 million dollars for HECFI from 2006 -2011. The major line items during that period: Rent $102,400.00; $ Front of House $34,000.00; and IATSE Stage Hands $250,000.00.

Using HECFI's own calculations on Economic Impact, CBYE productions of The Nutcracker and our other productions and activities have, in the last 15 years, created $18,000,000.00 of benefit to the City of Hamilton.

In addition, we are cultivating a relationship with Cuba whereby we brought 60 Hamiltonians to Cuba for a cultural tourist experience, a program that we are working on that has great potential for Hamilton's future economic development.

Our request is not unusual as we know that on January 14, 2013 that the Geritol Folies received approval of a grant for $48,000. to pay their indebtedness to HECFI, an amount that was funded from Reserve #104005, the Special Events Subsidy Fund and the remaining amount (approximately $3000) be funded from Reserve #100025 Capital Projects – HECFI. Opera Hamilton is carrying a significant debt to HECFI and has not been adversely affected in the receipt of its grant.
Additionally, in 2010 HECFI subsidized the following events from the Special Events Subsidies City Budget line of $100,000:

- Food & Drink Festival -- $19,910
- Sports Distributers of Canada -- $7,587
- SX Marketing Inc. Sexapalooza -- $8,000
- Lulu lemon Athetica Inc., -- $8,400
- Prestige Bridal Show Inc., -- $13,910
- Scotctoberfest -- $10,000
- Rocktoberfest -- $10,000

While we were not included in the seven arts groups approved for $1.9 million for arts groups in Hamilton, we did meet the requirements for the 2011 one-time grant and would request reconsideration. I hope that I have clarified the confusion, that we have met the one-time grant requirements and Community Partnership Program Grants requests, for the years 2011 and 2012 and appeal to you to accordingly release the funds.

On a number of occasions City Council has articulated that the approach that Council needs to take is to make an “apples to apples” comparison and to “look at the return on investment”. We are in agreement with this approach “it is about fairness and equity”.

Thank you