



## **General Issues Committee**

### **REPORT 11-027**

**(as approved by Council on September 14, 2011)**

**9:30 a.m.**

**Monday, September 12, 2011**

**Council Chambers**

**Hamilton City Hall**

**71 Main Street West**

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

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

#### **THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 11-027 AND RESPECTFULLY RECOMMENDS:**

- 1. Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application (ERG-11-03) – 1478500 Ontario Ltd., 51 Cootes Drive, Dundas (PED11156) (Ward 13) (Item 5.1)**
  - (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application ERG-11-03, submitted by 1478500 Ontario Ltd., owner of the property at 51 Cootes Drive, Dundas for an ERASE Redevelopment Grant not to exceed \$87,170, payable to 1478500 Ontario Ltd. over a maximum of ten years, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Grant Agreement;

**Council – September 14, 2011**

(b) That the Mayor and City Clerk be authorized and directed to execute, on behalf of the City, the ERASE Redevelopment Grant Agreement with 1478500 Ontario Ltd., referred to in subsection (a) with respect to the redevelopment of 51 Cootes Drive, Dundas, and all necessary associated documents, all in a form satisfactory to the City Solicitor.

**2. Don Jaffray and Sara Mayo, Social Planning and Research Council, respecting major findings from the new SPRC and United Way Report, "Hamilton's Social Landscape" and the social trends investigated (Item 6.2)**

That the presentation by Don Jaffray and Sara Mayo from the Social Planning and Research Council respecting the findings from the SPRC and United Way Report, "Hamilton's Social Landscape", be received.

**3. Julia Kollek, on behalf of the Hamilton Climate Change Working Group, respecting the Hamilton Climate Change Action Charter (Item 6.3)**

That the presentation by Julia Kollek, on behalf of the Hamilton Climate Change Working Group, respecting the Hamilton Climate Change Action Charter, be received.

**4. Hamilton Climate Change Action Charter (City Wide) (PED11150) (Item 6.3.1)**

That Report PED11150 respecting the Hamilton Climate Change Charter, be received.

**5. Trevor Harris, U.S. Steel Canada to respond to issues requested by Council (Item 6.6)**

That the presentation from Trevor Harris, U. S. Steel Canada, respecting water treatment plant compliance, be received.

**6. Rolf Gerstenberger, President, Steelworkers' Union Local 1005**

That the deputation from Rolf Gerstenberger, President, Steelworkers' Union Local 1005, be received.

**7. 2012 Tax Budget Guidelines and Preliminary Outlook (FCS11074) (City Wide) (Item 7.1)**

- (a) That 2012 user fees (excluding golf, transit and ice fees) be increased by an inflation rate of 2.2%, and that any user fee adjustments, other than inflationary, be forwarded for consideration with appropriate explanation during the 2012 budget process;
- (b) That Boards & Agencies be requested to submit a 2012 budget based on a guideline of 0% increase, and that any increase be forwarded for consideration with appropriate explanation;
- (c) That, in an effort to achieve the goal of an overall tax impact of zero percent for City Services, all City departments target a 2012 budget guideline of 0% increase, and that any increase be forwarded for consideration with appropriate explanation.

**8. Capital Projects Status and Closing Report as of June 30, 2011 (FCS11073) (City Wide) (Item 8.1)**

- (a) That the June 30th, 2011, Capital Projects' Status and Projects' Closing Report and the attached Appendices A, B, C, D, and E to report FCS11073 for the tax levy and the rate supported capital projects be received for information;
- (b) That the General Manager of Finance & Corporate Services be directed to close the completed capital projects listed in Appendix B to report FCS11073 in accordance with the Capital Closing Policy and that the net transfers be applied As listed below and as detailed by project in Appendix B to report FCS11073:

**Summary of Net Transfers**

	\$ To\From)
<b><u>Dedicated Reserves/Projects</u></b>	
Development Charge Reserves	(166,470)
Rate Reserves	(139,735)
	<u>(306,205)</u>
Unallocated Capital Levy Reserve	(10,004)
<b>Net Transfers</b>	<u><b>(316,208)</b></u>
	<b>CARRIED</b>

**9. Provincial Offences and Municipal Law Enforcement Workload Challenges (PED11122(a)/LS11007(a)/FCS11049(a)) (City Wide) (Item 8.2)**

- (a) That an additional 2.0 FTEs (2.0 Municipal Prosecution Assistants) be approved within the Legal Services Division of the City Manager's Office for immediate hire, and a further 1.0 FTE (1.0 Municipal Prosecutor) be approved for a start date at the beginning of January 2012;
- (b) That an additional 1.0 FTE (1.0 administrative support) be approved for Provincial Offences Administration within the City Clerk's Division of the Corporate Services Department, for immediate hire;
- (c) That an additional 1.0 FTE be approved for back-end/administrative support to by-law enforcement in the Parking and By-Law Services Division of the Planning and Economic Development Department for immediate hire, subject to the approval of recommendations (a) and (b);
- (d) That an additional 1.0 FTE be approved for back-end/administrative support to by-law enforcement in the Parking and By-Law Services Division of the Planning and Economic Development Department for a start date at the beginning of January 2012, subject to the approval of recommendations (a) and (b);
- (e) That the required Parking and By-law Services Division positions noted in recommendations (c) and (d) above be temporarily funded, firstly from Provincial Offences Administration Program Revenues in excess of 2011 budget, and any additional costs be temporarily funded from the Tax Stabilization Reserve, and future costs to be funded through fine revenues for the Division with no impact to the net levy, subject to approval of the 2012 budget;
- (f) That the Legal Services and City Clerk's Divisions' positions in recommendations (a) and (b) be temporarily funded, firstly from Provincial Offences Administration Program Revenues in excess of 2011 budget, and any additional costs be temporarily funded from the Tax Stabilization Reserve, and future costs to be funded through Provincial Offences Administration Program Revenues with no impact to the net levy;
- (g) That consideration of an additional 2.0 FTEs (1.0 Court Reporter in City Clerk's and 1.0 Municipal Prosecutor in Legal Services) respectively within the Corporate Services Department and City Manager's Office, be referred to the 2012 budget process.
- (h) That staff be directed to present an interim report to the General Issues Committee by no later than June, 2012 detailing POA revenues, possible net levy impacts, if any, cases vs convictions, etc. in relation to the additional FTEs referenced in sub-sections (a), (b), (c) and (d).

**10. Outstanding Business Item: Residential Matters Affecting Condominium Corporations (Item 11.1(a))**

That the matter respecting “Residential Matters Affecting Condominium Corporations” be removed from the General Issues Committee Outstanding Business List and transferred to the Audit, Finance and Administration Committee.

**11. City of Hamilton and Johnson ats Penady, Ontario Superior Court Action No. 1234/11 (LS11011)**

- (a) That Council for the City of Hamilton consent to the Statement of Settlement Principles between Penady (Stoney Creek) Ltd. and the City of Hamilton (attached as Appendix “C” to Report LS11011);
- (b) That the Mayor and the City Clerk be authorized and directed to execute all legal documents as may be necessary to implement the Statement of Settlement Principles, including Minutes of Settlement, once such documents have been finalized to the satisfaction of the City Manager;
- (c) That the Report of the City Solicitor respecting Legal Proceedings by Penady (Stoney Creek) Ltd. And the City of Hamilton and Brenda Johnson, 1310 South Service Road, 400 Winona Road, 395 Fifty Road (Ward 11) not be released as a public document as the information relates to litigation and solicitor-client advice and communication.

**12. Amalgamated Transit Union Local 107 (ATU) – Collective Agreement – Update**

That the verbal update from Gord Muise respecting the Amalgamated Transit Union Local 107 (ATU) – Collective Agreement, be received.

**13. Airport Financing Consent Requests (LS11008/PED11156) (City Wide) (Item 12.3)**

- (a) That the Mayor and City Clerk be authorized and directed to execute a consent and any related or ancillary agreements and documents in respect of TradePort International Corporation refinancing with CIBC, and in respect of TradePort’s guarantee of YVR Airport Services Ltd. Refinancing in (b), so as to allow the replacement of their financing with the Bank of Nova Scotia, all in a form satisfactory to the City Solicitor;

- (b) That the Mayor and Clerk be authorized and directed to execute a consent and any related or ancillary documents, in respect of YVR Airport Services Ltd. Refinancing with CIBC and in respect of YVR Airport Services Ltd. Guarantee of TradePort International Corporation's refinancing in (a), all in a form satisfactory to the City Solicitor;
- (c) That the consents provided by recommendations (a) and (b) be conditional upon the agreements providing protection for the City for payments or disbursements in the event of default of the borrowers, as provided in Report LS11008/PED11157 and in a form satisfactory to the City Solicitor;
- (d) That Report LS11008/PED11157 remain confidential.

#### **FOR THE INFORMATION OF COUNCIL:**

##### **(a) CHANGES TO THE AGENDA (Item 1)**

The Clerk advised of the following changes:

##### **WITHDRAWN DELEGATIONS**

- (a) Alicia Ali, McMaster Students' Union, to present results of the "Your City Survey" (Item 6.1)
- (b) Joey Coleman respecting Open Data (Item 6.4)
- (c) Richard Koroscil, President and CEO, John C. Munro/Hamilton international Airport respecting 2010 Annual Report (Item 6.5)

##### **ADDED PRIVATE AND CONFIDENTIAL**

- (d) City of Hamilton and Johnson ats Penady, Ontario Superior Court of Action No. 1234/11 (LS11011) (City Wide) (Added as Item 12.4) (Referred from September 7, 2011 Planning Committee Meeting)

On a motion, the agenda was approved, as amended.

##### **(b) DECLARATIONS OF INTEREST (Item 2)**

Councillor B. Johnson declared an interest in Added Private and Confidential Item 12.4 respecting City of Hamilton and Johnson ats Penady, Ontario Superior Court of Action No. 1234/11 as she is named in the pending litigation.

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

On a motion, the August 9/11 Minutes of the General Issues Committee, were approved as presented.

**(d) DELEGATION REQUESTS**

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

- (i) Delegation Request from Kathy Drewitt on behalf of the Downtown Hamilton BIA respecting Light Rail Transit (to coincide with staff presentation) (Item 4.1)
- (ii) Delegation Request from Stuart Trew, Trade Campaigner, Council of Canadians, respecting the Canada-European Union Free Trade Negotiations as they will affect municipal government (Item 4.2)

**(e) DELEGATIONS**

- (i) Don Jaffray and Sara Mayo, Social Planning and Research Council, respecting major findings from the new SPRC and United Way Report, "Hamilton's Social Landscape" and the social trends investigated (Item 6.2)

Don Jaffray, Executive Director of the Social Planning and Research Council, and Sara Mayo, Social Planner, appeared before the Committee. Their presentation included the findings in their report entitled, "Hamilton's Social Landscape", dated May 2011.

Mr. Jaffray thanked the Committee for the opportunity to present and provided introductory comments. He indicated that the report, commissioned by the United Way of Burlington and Greater Hamilton, was a collaborative effort with others to develop strategies, actions and responses to address social trends in the community, and especially to the most disadvantaged and marginalized people.

With the assistance of power point, Ms. Mayo provided statistical information on population growth, young children, seniors, recent immigrants, persons with Aboriginal ancestry, persons who identify with a visible minority group, families led by female lone parents, persons under age 65 with self-declared activity limitations, persons who have contacted a health professional about mental health, persons working full-time, yet still living in poverty, persons living in poverty and poverty rates by selected groups, City of Hamilton and Ontario, 2006 Census.

All of the information presented is published in the May 2011 special report from the SPRC and the United Way of Burlington and Greater Hamilton, a copy of which was distributed to the Committee and retained in the Office of the City Clerk for the public record.

The Committee was also distributed with “Hamilton’s Social Landscape”, a copy of which was submitted to the City Clerk for the public record and is available for viewing on the City of Hamilton website.

- (ii) Julia Kollek, on behalf of the Hamilton Climate Change Working Group, respecting the Hamilton Climate Change Action Charter (Item 6.3)

Mr. Kollek indicated that she is here as part of the Working Group for Clean Air Hamilton, working on a Charter on Climate Change in Hamilton. With the assistance of power point, Ms. Kollek presented the following information:

- Purpose of presentation is to request the City to sign a Climate Change Action Charter
- Historical Climate Data for Hamilton – Average Mean Temperature, Total Precipitation
- What is a Climate Change Action Charter
- Who has a Charter; more Charters
- Who helped draft our Charter
- Hamilton’s Charter: Agreement, Commitment
- Who can sign
- Who is already supporting the Charter
- More Charter supporters
- Personal commitments
- Why does the City need to sign a Climate Change Charter
- In Hamilton – Congratulations for hybrid buses, GHG inventory, \$3m investment in public transit
- Moving Forward: No cost to sign, not a legal document; Charter is a tool – advantage of voluntary over mandatory
- Support to meeting commitments; signees will be offered available measurement tools
- Next steps: post on Climate Change Champions webpage; public launch for October’s Climate Change Action Month

Chair McHattie thanked Mr. Jaffrey and Ms. Mayo for their presentation.

- (iii) Trevor Harris, U.S. Steel Canada,

Trevor Harris, U.S. Steel Canada, appeared before the Committee to respond to issues requested by the Committee in a letter to U.S. Steel dated August 16, 2011.



With the assistance of a power point presentation, Mr. Harris presented the following information:

What has transpired since August 9

- Contractors barred entry to Hamilton works by Local 1005
- Judge grants Injunction against Local 1005 illegal tactics
- Local 1005 asks all Unions not to cross picket line
- U.S. Steel Canada outlines its contract concerns
- U. S. Steel Canada calls for mediated meeting

What have we done to date to comply

- Direction from Council
- Water treatment project is well advanced
- Upon completion, no agreement will be required

U. S. Steel Canada Waste Water Treatment: Process  
Waste Water Treatment Plant:

- Overview of the U.S. Steel Canada waste water treatment plant located at Hamilton Works
- Biological, cyanide and fluoride treatment
- Reagent Storage and Filtration

What alternatives have been explored

- Best practices at coke battery and by-products
- Alternative technologies

Is portable water treatment an option?

- Unproven technology for operations
- Significant lag time
- Not a practical alternative

Can we move construction forward?

- Discussion with contractors
- Discussion with USW Local 1005

Under what terms will they continue?

- Equipment and direct employees
- Subcontractors and suppliers
- What would be required

Contractor timelines to complete project

- Remobilization
- Construction
- Commissioning

Can an agreement be reached?

- Recent actions suggest otherwise
- Request denied by Local 1005

Commitment to Completion

- Short term: Will comply with the by-law
- Long term: No agreement will be required

Path to Compliance

- Commitment remains unchanged
- Proposed approach

The power point presentation given by Mr. Harris is available for viewing on the City's website.

On a motion, the Rules of Order were waived to allow the opportunity for representatives from Local 1005 to appear before the Committee at this meeting to respond to questions and clarify/confirm information that was presented by the previous presenters.

Rolf Gerstenberger, and Gary Howe, President and Vice President, Steelworkers' Union Local 1005 respectively, and Jake Lombardo, Political Action Committee Chairperson, appeared before the Committee to respond to questions of the Committee.

Mr. Gerstenberger's comments included, but were not limited to, the following:

- First concern that came up last month is that U.S. Steel locked out the employees on November 7, 2010; there was no strike vote; employees worked for three months past the expiry of their contract and were not interested in going on strike or getting locked out
- U.S. Steel decided to lock out its employees
- Presented that Local 1005 is the obstacle to not having water treatment plant completed; Local 1005 is presented as villains
- Local has long history about being concerned about environment damage caused by the steel industry
- Have been locked out for over 10 months, no arrests, no accusations of violence, some people who enter and exit have to wait a bit, but usual give and take on picket lines
- Have had 2 injunctions against Local at the Gate and 1 at Lift Bridge; trying to encourage unionized workers not to cross picket line and want everyone to respect it

- Quoted the following from Local 1005 Information Update #32 – September 12, 2011: “In the matter of the renovations required to the water treatment plant, the lawyer for U. S. Steel asked us if we would permit AECON to cross the picket line to start the work and we said NO. U. S. Steel should settle the phony lock-out with Local 1005 and stop its cynical attempts to blame Local 1005 for its irresponsibility toward the state of affairs at its Hamilton Works. Today, USS is supposed to report to City Council on what efforts it is making to settle its phony lockout. Let us hope City Council does not grant U.S. Steel another extension, which is does not warrant.”

Discussion of the matter respecting U. S. Steel Sewer Compliance was deferred to the Private and Confidential portion of the meeting in order to receive legal advice. This matter will be added as Item 12.5.

**(f) PRESENTATIONS**

**(i) 2012 Tax Budget Guidelines and Preliminary Outlook (FCS11074) (City Wide) (Item 7.1)**

Rob Rossini, General Manager of Finance and Corporate Services, provided a power point presentation on the 2012 Tax Budget Guideline and Preliminary Outlook, highlighting the following:

Budget Context

- 2011 gross tax operating budget by Service
- 2011 gross tax revenue by Type
- 2011 gross tax expenditures by Type
- Annual City-wide residential tax impacts
- Annual City-wide residential tax impacts adjusted for inflation
- Municipal Comparison – 2011 average tax impacts
- 2011 Average residential tax bill - \$3,409 per household
- % breakdown of total government revenues
- 2011 residential vs non-residential assessment split

2012 Budget Process – will utilize GIC throughout (not Standing Committees)

2012 approved budget schedule (Projected timeline – July 2011 to February, 2012)

2012 Tax Budget Preliminary Outlook

- Preliminary Pressures/risks
- City Departments: Compensation; Pre-approvals; Provincial; Corporate; Other
- Boards and Agencies
- Capital

2012 Tax Budget Guidelines

- 2012 budget guidelines

A copy of the presentation was distributed and is available for viewing on the City's website.

Councillor Partridge requested that estimated figures be used rather than "TBD" when showing costs.

Councillor Duvall requested a breakdown of union and non-union salaries with respect to merit increases.

**(g) DISCUSSION AGENDA**

**(i) Provincial Offences and Municipal Law Enforcement Workload Challenges (PED11122(a)/LS11007(a)/FCS11049(a)) (City Wide) (Item 8.2)**

On a motion, the following was added as sub-section (h):

- (h) That staff be directed to present an interim report to the General Issues Committee by no later than June, 2012 detailing POA revenues, possible net levy impacts, if any, cases vs convictions, etc. in relation to sub-sections (a), (b), (c) and (d).

The amendment **CARRIED**.

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

Yeas:	Bratina, McHattie, Farr, Morelli, Merulla, Colins, Jackson, Duvall, Whitehead, Pearson, Pasuta, Powers, Johnson, Pearson, Clark
Total Yeas:	15
Nays:	Ferguson
Total Nays:	1

**(h) MOTIONS**

**(i) Open Data (Item 9.1)**

Chair McHattie relinquished the Chair to speak to his motion.

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

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

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

THEREFORE BE IT RESOLVED that in pursuit of an open data policy, the City of Hamilton directs the City Manager to report back to Council on open data, including a clear definition of the term, "Open Data", open standards and open source, including validating and quantifying the benefits listed above, and the implications, resources, risks and benefits of endorsing the following principles:

- **Open and Accessible Data** - the City of Hamilton will freely share with citizens, businesses and other jurisdictions the greatest amount of data possible while respecting privacy and security concerns;
- **Open Standards** - the City of Hamilton will move as quickly as possible to adopt prevailing open standards for data, documents, maps and other formats of media;
- **Open Source Software** - the City of Hamilton, when replacing existing software or considering new applications, will place open source software on an equal footing with commercial systems during procurement cycles.

**(ii) Light Rail Transit (LRT) and GO Transit (Item 9.2)**

Councillor Farr indicated that this motion will be discussed at the October 11 General Issues Committee meeting in conjunction with the staff report coming forward to that meeting.

**(i) NOTICES OF MOTION**

Chair McHattie relinquished the Chair to introduce the following Notice of Motion:

**(i) Canada – European Community Free Trade Agreement – Impact on City of Hamilton**

WHEREAS the government of Canada and the European Union have been negotiating a trade agreement known as the Comprehensive Economic and Trade Agreement (the “CETA”); and

WHEREAS the European Union and European corporations are insisting on unobstructed access to procurement by sub-national governments, including municipalities, school boards, universities, hospitals and other provincial agencies, which could significantly reduce or eliminate the right to specify local priorities when public money is invested in goods, services or capital projects; and

WHEREAS Canadian municipalities have expressed growing concerns with trade agreements and their potential impacts on municipal programs and services and local autonomy; and

WHEREAS unobstructed access to Canadian municipal procurement by European corporations, combined with investment protections in CETA on government concessions related to transit, water, electricity and other social services delivered locally, may encourage privatization and reduce economic development options for local communities; and

WHEREAS the provincial and territorial governments have been actively involved in negotiating CETA with the European Union:

THEREFORE BE IT RESOLVED:

(a) That the City of Hamilton request:

- (i) a briefing from the Ontario Government on the scope and content of trade negotiations with the European Union, including the details of its procurement offer to the EU;

- (ii) the Federation of Canadian Municipalities to provide a sector-by-sector analysis of the potential impacts on municipal functions and powers of the procurement regime that the European Union is seeking;
  - (iii) the Federation of Canadian Municipalities to urge the Government of Canada not to provide the European Union with access to sub-national government procurement;
  - (iv) that the Government of Ontario negotiate a clear, permanent exemption for local governments from CETA;
  - (v) City staff to review the available information on the impact CETA will have on the City of Hamilton, with special emphasis on procurement and the delivery of social services, and;
- (b) That this resolution be sent to the Association of Municipalities of Ontario for consideration and circulation to Ontario municipalities.
- (ii) Councillor C. Collins introduced the following Notice of Motion:

### **Hamilton Waterfront Priorities**

Whereas Hamilton's waterfront and shoreline precincts are valuable geographic and environmental public assets that add to the quality of life for the City's residents;

And Whereas over the past several years, City Council has passed and endorsed several key policy initiatives to enhance and revitalize the waterfront precinct including; the West Harbour Recreation Master Plan, the "Setting Sail" secondary plan, Hamilton's Neighbourhood Development Strategy, the City of Hamilton Economic Development Strategy, as well as the pursuit of all-day GO train service to James St. North;

And Whereas the 2011 Senior Management Team Workplan clearly identified the goal of accelerating existing actions that revitalize the economic potential and assessment growth of the waterfront.

Therefore be it resolved:

- (a) That staff be directed and authorized to begin discussions with the Hamilton Port Authority, with the objective of a formal agreement transferring the lands consisting of Piers 7 and 8, to the City of Hamilton immediately;

- (b) That staff report back to Council in the 4<sup>th</sup> quarter of 2011 with a recommended “framework” for these discussions;
  - (c) That staff be directed and authorized to commence key studies that will accelerate the public and private sector development of Piers 7 and 8, including but not limited to issues of site servicing, geo-technical, soils, remediation, as well as development phasing, marketability, and valuation;
  - (d) That staff be authorized to fund these studies from the “Waterfront Development Corporation” capital budget;
  - (e) That staff Report back by the 4<sup>th</sup> quarter of 2011 with a comprehensive 2012 workplan for the development of the waterfront precinct.
- (iii) Councillor B. Clark introduced the following Notice of Motion:

**Request for Confirmation of LRT Commitment from the Province**

Whereas on June 15, 2007, the Liberal Government announced “Move Ontario 2020” would develop \$17.5 billion in 52 rapid transit projects;

And Whereas the Province promised that GTA municipalities would not contribute to Capital;

And Whereas Hamilton was included in “Move Ontario 2020” with two LRT projects;

And Whereas on September 12, 2007, Premier McGuinty and local Liberal candidates promised Hamilton two LRT lines and said that the Conservatives would cancel the projects;

And Whereas on April 1, 2010, the MTO announced \$3 million in grant to establish two LRT lines, EA, plans, etc.;

And Whereas on May 17, 2010, Metrolinx presented to the Metro Board of Trade that the Sheppard LRT, Eglinton LRT, York VIVA, Scarborough LRT and Finch LRT worth \$9.5 billion would proceed at no cost to the TTC or Toronto;

And Whereas Hamilton, like Toronto, does not have the capacity to contribute to LRT.

Therefore Be It Resolved:



That the City of Hamilton request confirmation on LRT commitment from the Province to fully fund Capital for two LRT lines and use of Gas Tax for operating costs.

- (iv) Councillor T. Whitehead introduced the following Notice of Motion:

**Review of Road Widening Policies**

That staff be directed to conduct a review of the City's current road widening policies and report back to the Planning Committee.

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

**11.1 Outstanding Business List**

- (a) Item M: Audible Pedestrian Signals  
Due Date: September 12, 2011  
Revised Due Date: November 14, 2011

On a motion, the Outstanding Business List was amended accordingly.

**11.2 Moratorium on Wind Turbines**

Councillor Johnson inquired as to the status of the recommendation from the Agricultural and Rural Affairs Advisory Committee regarding the issue of wind turbines, which was forwarded to them from the General Issues Committee. The City Manager responded that he would look into this matter and respond back to Councillor Johnson.

**11.3 Lawsuit respecting Chedoke Arena**

Councillor Whitehead requested the status of a report from the City Manager on the lawsuit respecting Chedoke Arena.

**(k) PRIVATE & CONFIDENTIAL**

**(i) Minutes of Closed Session Meetings (Item 12.1)**

On a motion, the Minutes of the Closed Session Meetings of the General Issues Committee held on August 9 and 11, 2011 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.

On a motion, the Committee moved In Camera at 2:20 p.m. pursuant to Sections 8.1(d), (e) and (f) of the City's Procedural By-law and Section 239 of The Municipal Act as the subject matters pertain to the following:

8.1(d) labour relations or employee negotiations

8.1(e) litigation or potential litigation, including matters before administrative tribunals, affecting the City

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

respecting:

12.2 Amalgamated Transit Union Local 107 Collective Bargaining – Verbal Update

12.3 Airport Financing Consent Requests (LS11008/PED11157) (City Wide)

12.4 City of Hamilton and Johnson ats Penady, Ontario Superior Court Action No. 1234/11 (LS11011)

6.6 U.S. Steel – Sewer Use By-law 04-150 – Parameters and Compliance Agreement

Councillor B. Clark indicated that he wished to be recorded as opposed to moving In Camera on Items 12.2 and 12.3.

On a motion, the Committee reconvene in Open Session at 4:50 p.m.

**12.4 City of Hamilton and Johnson ats Penady, Ontario Superior Court Action No. 1234/11 (LS11011)**

See Item 11 for the disposition of this item.

**12.2 Amalgamated Transit Union Local 107 (ATU) – Collective Agreement – Update**

See Item 12 for the disposition of this item.

**12.3 Airport Financing Consent Requests (LS11008/PED11156) (City Wide)**

See Item 13 for the disposition of this item.

**12.5 U.S. Steel – Sewer Use By-law 04-150 – Parameters and Compliance Agreement**

On a motion, the issue of the U.S. Steel Compliance Agreement was tabled to the October 11, 2011 meeting of the General Issues Committee for further discussion.

There being no further business, the Committee adjourned at 4:55 p.m.

Respectfully submitted

Councillor B. McHattie  
Deputy Mayor

Carolyn Biggs, Co-ordinator  
Committee Services/Council/Budgets  
September 12, 2011