



**City of Hamilton**  
**GENERAL ISSUES COMMITTEE REVISED**

**Meeting #:** 18-010  
**Date:** May 2, 2018  
**Time:** 9:30 a.m.  
**Location:** Council Chambers, Hamilton City Hall  
71 Main Street West

Stephanie Paparella, Legislative Coordinator (905) 546-2424 ext. 3993

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## 9. MOTIONS

## 10. NOTICES OF MOTION

## 11. GENERAL INFORMATION / OTHER BUSINESS

## 12. PRIVATE AND CONFIDENTIAL

- 12.1 Closed Session Minutes - April 18, 2018

Pursuant to Section 8.1, Sub-sections (c), (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (c), (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land for City purposes; 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.

- \*12.2 Canadian Country Music Week 2020 (PED18058(a)) (City Wide)

Pursuant to Section 239(2), Sub-sections (i) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

\*12.3 Six Year Event Partnership with Golf Canada (PED18100) (City Wide)

Pursuant to Section 239(2), Sub-sections (j) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

\*12.4 Partial Acquisition of 1550 Tradewind Drive, Hamilton PED18103) (Ward 12)

Pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (c) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land for City purposes.

\*12.5 Property Acquisition of 769 Trinity Road, Hamilton (PED18104) (Ward 12)

Pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (c) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land for City purposes.

\*12.6 Development Charges Complaint under Section 22(2) of the Development Charges Act - Mattamy Waterdown Limited, 22 Spring Creek Drive, Live / Work Units (LS18001(a)/FCS18010(a)) (City Wide)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter 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.

\*12.7 Potential Acquisition of the Former Hamilton Psychiatric Hospital Lands (PED16254(e)) (Ward 8)

Pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (c) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land for City purposes.

13. ADJOURNMENT



## **GENERAL ISSUES COMMITTEE MINUTES 18-009**

9:30 a.m.

Wednesday, April 18, 2018

Council Chambers

Hamilton City Hall

71 Main Street West

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**Present:** Mayor F. Eisenberger, Deputy Mayor J. Partridge (Chair)  
Councillors T. Whitehead, D. Skelly, T. Jackson, C. Collins,  
S. Merulla, J. Farr, A. Johnson, M. Pearson, B. Johnson

**Absent with  
Regrets:** Councillor M. Green – Personal  
Councillor D. Conley – Illness  
Councillors A. VanderBeek, R. Pasuta, L. Ferguson – Other City Business

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### **THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:**

- 1. 2017 Municipal Tax Competitiveness Study (FCS18021) (City Wide) (Item 5.1)**

**(Jackson/A. Johnson)**

That Report FCS18021, respecting the 2017 Municipal Tax Competitiveness Study, be received.

**CARRIED**

- 2. Canada Day – Operating Model (CM18010) (City Wide) (Item 5.2)**

**(Jackson/A. Johnson)**

That Report CM18010, respecting the Canada Day Operating Model, be received.

**CARRIED**

- 3. Barton Village Business Improvement Area (BIA) Revised Board of Management (PED16081(c)) (Wards 2 and 3) (Item 5.3)**

**(A. Johnson/Whitehead)**

That the following individual be appointed to the Barton Village Business Improvement Area (BIA) Board of Management:

- (i) Kate Penney**

**CARRIED**

**4. Use of City Resources during an Election Period Policy (CL18004) (City Wide) (Item 8.1)**

**(Merulla/Pearson)**

That the use of City Resources during an Election Period Policy, attached as Appendix "A" to Report CL18004, be approved.

**CARRIED**

**5. Public Transit Infrastructure Fund Phase Two (PTIF II) (FCS18048) (City Wide) (Item 8.2)**

**(B. Johnson/Whitehead)**

That Report FCS18048, respecting the Public Transit Infrastructure Fund Phase Two (PTIF II), be received.

**CARRIED**

**6. 2018 Tax Policies and Area Rating (FCS18035) (City Wide) (Item 8.3)**

**(Jackson/Farr)**

(a) That the following optional property classes be continued for the 2018 taxation year:

- (i) Parking Lot and Vacant Land; and,
- (ii) Large Industrial;

(b) That, based on the 2018 final approved Tax Operating Budget, the following final tax ratios be established for the 2018 taxation year:

(i)	Residential	1.0000
(ii)	Multi-Residential	2.6342
(iii)	New Multi-Residential	1.0000
(iv)	Commercial (Residual)	1.9800
(v)	Parking Lot and Vacant Land	1.9800
(vi)	Industrial (Residual)	3.4115
(vii)	Large Industrial	4.0004
(viii)	Pipeline	1.7947
(ix)	Farm	0.1767
(x)	Managed Forest	0.2500
(xi)	Landfills	2.9696

- (c) That the following tax reductions be established for the 2018 taxation year:
- |       |  |     |
|-------|--|-----|
| (i)   | Excess Land Subclass (Residual Commercial)               | 30% |
| (ii)  | Excess Land Subclass (Residual Industrial)               | 30% |
| (iii) | Vacant Land Subclass (Residual Industrial)               | 30% |
| (iv)  | Excess Land Subclass (Large Industrial)                  | 30% |
| (v)   | Farmland Awaiting Development (1 <sup>st</sup> Subclass) | 25% |
| (vi)  | Farmland Awaiting Development (2 <sup>nd</sup> Subclass) | 0%  |
- (d) That the existing Seniors' (65+) Tax Rebate Program be continued, with the following criteria updated for the 2018 taxation year:
- (i) Income threshold (150% of GIS couple): \$35,300 (\$34,800 in 2017);
- (ii) Assessment cap (120% of City-wide average): \$437,000 (\$409,200 in 2017); and,
- (iii) Rebate (increased by the Consumer Price Index - CPI): \$190 (\$186 in 2017);
- (e) That the Deferral of Tax Increases for Seniors and Low Income Persons with Disabilities Program (Deferral of Tax Increases Program) be continued, with the following criteria updated for the 2018 taxation year:
- (i) Income threshold (150% of GIS couple): \$35,300;
- (f) That the criteria for Full Tax Deferral Program for Seniors and Low Income Persons with Disabilities Program (Full Tax Deferral Program) be updated for the 2018 taxation year, as follows:
- (i) Income threshold (150% of GIS couple): \$35,300; and,
- (ii) Interest on deferred amounts: 5% compounded annually;
- (g) That the annual income threshold for the Full Tax Deferral Program be set on January of the taxation year, based on the latest data released by the Government of Canada for Old Age Security payment amounts;
- (h) That the existing 40% Tax Rebate for eligible charities and similar organizations be continued for the 2018 taxation year;
- (i) That the existing 100% Tax Rebate for veterans' clubhouses and legion halls be continued for the 2018 taxation year;

- (j) That the Multi-Residential property class be excluded from capping protection for 2018 and any subsequent years;
- (k) That, for the 2018 taxation year, the tax capping percentage for any assessment-related tax increases in the Commercial and Industrial property classes be set at the maximum allowable of 10% of previous year's Current Value Assessment (CVA) level taxes;
- (l) That, for the 2018 taxation year, any capped property in the Commercial and Industrial property classes that is within \$500 of its Current Value Assessment (CVA) taxes in 2018, be moved directly to its full Current Value Assessment (CVA) taxes;
- (m) That capping protection will be limited only to reassessment related changes, prior to 2017;
- (n) That the four-year capping phase-out program be initiated for the Commercial property class;
- (o) That vacant lands that are currently subject to capping protection be excluded from the phase-out eligibility criteria where all properties must be within 50% of CVA level taxes;
- (p) That, for the 2018 taxation year, the minimum percentage of Current Value Assessment (CVA) taxes for properties eligible for the new construction / new to class treatment be set at 100% of Current Value Assessment (CVA) taxes;
- (q) That, for the 2018 taxation year, any property in the Commercial and Industrial property class, which paid full Current Value Assessment (CVA) taxes in 2017, no longer be eligible for capping protection in 2018 and future years;
- (r) That, for the 2018 taxation year, all properties eligible for a tax reduction under the existing capping program receive the full decrease, funded from the approved capping program operating budget;
- (s) That, for the 2018 taxation year, the Area Rated Levies, be approved as identified in Appendix "A" to Report FCS18035 "2018 Tax Policies and Area Rating"; and,
- (t) That the City Solicitor and Corporate Counsel be authorized and directed to prepare all necessary by-laws, for Council approval, for the purposes of establishing the tax policies and tax rates for the 2018 taxation year.

**CARRIED**



**7. Open for Business Sub-Committee Report 18-001 (Item 8.4)****(Pearson/Eisenberger)****(a) Outdoor Boulevard Café Process Improvement (PED18075) (City Wide)  
(Item 7.2)**

- (i) That the Encroachment on City Property Policy, approved by City Council at its meeting of April 29, 2009, through Report PED09127 on the Hess Village Review, which required a patio layout plan to be approved to the satisfaction of the Manager of Development Planning prior to approval of an Encroachment Agreement, be amended to only require a patio layout plan, if the patio construction also requires a Building Permit, as defined in the *Building Code Act*;
- (ii) That the General Manager of Public Works be authorized and directed to make any and all necessary changes to the existing Encroachment on City Property Policy, previously approved via Report PW11024, to remove the requirement for a minor site plan approval for patios that do not trigger a Building Permit requirement under the Ontario Building Code and to streamline the circulation process for applications for Encroachment Agreements for patios; and,
- (iii) That Legal Services be authorized to modify existing precedent agreements used in granting encroachments, including Outdoor Boulevard Cafés, where required, in accordance with the recommendations made in Recommendation (a) and (b) of Report PED18075.

**CARRIED****8. Commercial Retail Outlets (Item 9.1)****(Eisenberger/Skelly)**

WHEREAS, the City of Hamilton has approved new Commercial Mixed Use Zoning, pending the outcome of appeals, that contemplates residential and mixed use intensification within commercial uses, such as malls and plazas;

WHEREAS, new Secondary Plans, including the Centennial Neighbourhoods Secondary Plan, contemplate residential uses within Mixed Use Medium and Mixed Use High Density designations;

WHEREAS, the current review of the Growth Related Integrated Development Strategy (GRIDS) process will be identifying mixed use and higher residential intensification targets in certain corridors (e.g. major transit station areas);

WHEREAS, the City of Hamilton, through its Urban Official Plan and Zoning By-law 05-200, generally supports mixed use intensification of many commercial sites within existing urban areas;

WHEREAS, complete communities and sustainable growth recognize the importance in commercial mixed use areas; and,

WHEREAS, commercial models are changing and many precedents now exist wherein new residential, commercial and office uses have been sensitively integrated onto commercial sites;

THEREFORE BE IT RESOLVED:

That Economic Development staff be directed to consult with operators and owners of commercial properties, with respect to the new, expanded potential for residential and mixed use intensification within many existing commercial areas, such as shopping malls; to explore their interest in mixed use development; and, to identify if any further barriers remain to supporting this form of development.

**CARRIED**

**9. Funding to Backfill an Administrative Staff Position in Ward 6 (Item 9.2)**

**(Jackson/Merulla)**

WHEREAS, the 2018 Ward budgets do not reflect funding required to backfill for administrative staff collecting Short Term Disability benefits; and,

WHEREAS, Ward 6 is being faced with the requirement to backfill an administrative staff position for a temporary, but extended length of time during 2018.

THEREFORE BE IT RESOLVED:

That funding from the General Legislative Budget (300100), to an upset limit of \$13,000, be approved to backfill the administrative staff position in Ward 6 during a temporary, short-term Disability absence in 2018.

**CARRIED**

**10. Funding to Backfill an Administrative Staff Position in Ward 8 (Item 9.3)**

**(Whitehead/Skelly)**

WHEREAS, the 2018 Ward budgets do not reflect funding required to backfill for administrative staff collecting Short Term or Long Term Disability benefits; and,

WHEREAS, Ward 8 is being faced with the requirement to backfill an administrative staff position for an extended length of time during 2018;

THEREFORE BE IT RESOLVED:

That funding, first from the General Legislative Budget (300100) to an upset limit of \$12,000 and then from the Tax Stabilization Reserve (110046) to an upset limit of \$22,000, be approved to fund the backfilling costs incurred by Ward 8, as a result of an absence during 2018.

**CARRIED**

**11. Residential Municipal Relief Assistance Program for Basement Flooding for the Weather Event of April 14 and 15, 2018 (City Wide) (Item 9.4)**

**(Pearson/B. Johnson)**

- (a) That for the purpose of invoking the Residential Municipal Relief Assistance Program for Basement Flooding, City Council declare the rainstorm event of April 14 and 15, 2018, as a "Disaster" for all affected properties within the City of Hamilton;
- (b) That payment of claims be based on compassionate grounds only and not to be construed as an admission of liability on the part of the City of Hamilton;
- (c) That the Eligibility Criteria for the Residential Municipal Disaster Relief Assistance Program, as previously approved in Report FCS06007, be applied;
- (d) That the costs associated with these claims be funded from the Storm Sewer Reserve (108010); and,
- (e) That staff be authorized, if required, to retain an independent adjuster for the administration of claims under the Residential Municipal Disaster Relief Assistance Program and that these administrative costs be funded from the Storm Sewer Reserve (108010).

**CARRIED**

**12. Additional Funding Requirement for the Mount Hope Park Project (Item 9.5)**

**(B. Johnson/Collins)**

WHEREAS, the following motion was passed at the October 25, 2017 City Council meeting:

**Mount Hope Park Project (Item 9.2)**

WHEREAS, staff were directed to negotiate with the contractor, Caird-Hall Construction Inc., to expedite the spray pad development at the Mount Hope Park in order to prevent the Ministry of Labour deeming the City of Hamilton the Constructor; and,

WHEREAS, the negotiations did not result in the anticipated economies of scale and the costs proposed by the contractor were not to the satisfaction of the General Manager of Public Works; and,

WHEREAS, the demolition of the existing ancillary building at the Mount Hope Park is already included in the scope of work for the Mount Hope Hall Renovations project; and,

WHEREAS, the quote from Caird-Hall Construction Inc. for the demolition of the existing ancillary building at the Mount Hope Park meets the satisfaction of the General Manager of Public Works,

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to proceed with the tender of the spray pad and play area projects at the Mount Hope Park under the normal procurement processes through a public tender; and,
- (b) That staff be directed to proceed with the demolition of the ancillary building at the Mount Hope Park, with the work to be completed by Caird-Hall Construction Inc., as approved through Item 18 of Report 17-007 of the Public Works Committee and attached as Appendix "A" to PW Report 17-012.

WHEREAS, the Mount Hope Park project was tendered and the lowest compliant bid is \$355,000 over available funds in the Mount Hope Project id; and,

WHEREAS, the Mount Hope Park development will provide needed community-level park amenities to the Mount Hope Community;

THEREFORE BE IT RESOLVED:

- (a) That a \$355,000 Capital budget increase, for the additional funding required for the Mount Hope Park project, to be funded as follows: \$140,000 from Capital Project #4401656605 Upper Stoney Splash Pad (appropriation – levy funded), and \$215,000 Development Charges (Parkland Development DC Reserves), be approved;
- (b) That the parkland development Capital Block amount be reduced by \$135,000 for 2019 (as the Mount Hope Park development project was included as a 2019 Capital Project and will now be deleted); and,
- (c) That staff be directed to include the Mount Hope Community Park in the 2019 Development Charge study.

**CARRIED**

**13. Provincial Investments for Affordable Housing Initiatives under the Province's Affordable Housing Lands Program (PAHLP) (Item 9.6)****(Collins/Farr)**

WHEREAS, in early 2017, Infrastructure Ontario began working with the Ministry of Finance, the Ministry of Housing and the Ministry of Infrastructure on the design of the Provinces Affordable Housing Lands Program; otherwise known as the PAHLP;

WHEREAS, the PAHLP was one of the measures included in the governments fair housing planning announcement, as a program to leverage the value of surplus provincial land assets across the Province to develop a mix of market housing with new, permanent, affordable and sustainable housing; and,

WHEREAS, the PAHLP program is being rolled out in a phased approach across Ontario, with the first three projects being identified in the city of Toronto;

THEREFORE BE IT RESOLVED:

That the City of Hamilton request that Infrastructure Ontario and the Provincial government investigate properties that they own, within the city of Hamilton, to ensure that Hamilton receives provincial investments for affordable housing initiatives under the PAHLP program.

**CARRIED**

**14. Stadium Litigation Update (CM18011/LS18015) (City Wide) (Item 12.2)****(Collins/Jackson)**

That Report CM18011/LS18015, including the recommendations contained therein and the appendix, respecting the Stadium Litigation remain confidential and not be released as a public document.

**CARRIED**

**15. Potential Acquisition of Former Hamilton Psychiatric Hospital Lands (Ward 8) (PED16254(c)) (Item 12.3)****(Farr/Pearson)**

That Report PED16254(c), respecting the Potential Acquisition of Former Hamilton Psychiatric Hospital Lands, remain confidential.

**CARRIED**

**FOR INFORMATION:****(a) CHANGES TO THE AGENDA (Item 1)**

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

**1. PUBLIC HEARINGS/DELEGATIONS (Item 6)**

- 6.1 Brian G. Buckle, 13<sup>th</sup> Battalion Auchmar Heritage Trust, to present and read an open letter to the City, on behalf of the Auchmar Trust, regarding Auchmar House and Clairmont Park (no copy)

The delegate has withdrawn his request.

**2. DISCUSSION ITEMS (Item 8)**

- 8.1 Use of City Resources during an Election Period Policy (CL18004) (City Wide)

Appendix "A" to Report CL18004 has been revised to reflect the City's Boards.

- 8.3 2018 Tax Policies and Area Rating (FCS18035) (City Wide)

Table 1 on page 4 of 14 has been revised to reflect the correct numbers.

- 8.4 Open for Business Sub-Committee Report 18-001, March 27, 2018

**3. NOTICES OF MOTION (Item 10)**

- 10.1 Funding to Backfill and Administrative Position in Ward 6

- 10.2 Funding to Backfill and Administrative Position in Ward 8

- 10.3 Residential Municipal Relief Assistance Program for Basement Flooding for the Weather Event of April 14 and 15, 2018 (City Wide)

- 10.4 Additional Funding Requirement for the Mount Hope Park Project

**4. PRIVATE & CONFIDENTIAL (Item 12)**

- 12.1 Closed Session Minutes – April 4, 2018

This item has been withdrawn from the agenda, as Committee did not move into Closed Session on that date.

**(A. Johnson/Farr)**

That the agenda for the April 18, 2018 General Issues Committee meeting be approved, as amended.

**CARRIED**

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

There were no declarations of interest.

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

**(i) April 4, 2018 (Item 3.1)**

**(Pearson/Merulla)**

That the Minutes of the April 4, 2018 meeting of the General Issues Committee be approved, as presented.

**CARRIED**

**(d) DELEGATION REQUESTS (Item 4)**

**(i) Viv Saunders respecting the Use of Municipal Resources during a Municipal Election (Item 4.1)**

The delegation has withdrawn her request.

**(e) PUBLIC HEARINGS / DELEGATIONS (Item 6)**

**(i) G. Buckle, 13<sup>th</sup> Battalion Auchmar Heritage Trust, to present and read an open letter to the City on behalf of the Auchmar Trust regarding Auchmar House and Clairmont Park (For April 18, 2018) (Item 6.1)**

This delegation was withdrawn.

**(f) NOTICES OF MOTION (Item 10)**

**(i) Funding to Backfill an Administrative Staff Position in Ward 6 (Item 10.1)**

Councillor T. Jackson introduced a Notice of Motion respecting funding to backfill an administration staff position in Ward 6.

**(Jackson/Merulla)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting funding to backfill an administration staff position in Ward 6.

**CARRIED**

For disposition of this matter, please see Item 9.

**(ii) Funding to Backfill an Administrative Staff Position in Ward 8 (Item 10.2)**

Councillor T. Whitehead introduced a Notice of Motion respecting funding to backfill an administration staff position in Ward 8.

**(Whitehead/Skelly)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting funding to backfill an administration staff position in Ward 8.

**CARRIED**

For disposition of this matter, please see Item 10.

**(iii) Residential Municipal Relief Assistance Program for Basement Flooding for the Weather Event of April 14 and 15, 2018 (Item 10.3)**

Councillor M. Pearson introduced a Notice of Motion respecting the Residential Municipal Relief Assistance Program for Basement Flooding for the Weather Event of April 14 and 15, 2018.

**(Pearson/B. Johnson)**

That the Rules of Order be waived to allow for the introduction of a motion respecting Residential Municipal Relief Assistance Program for Basement Flooding for the Weather Event of April 14 and 15, 2018 (City Wide).

**CARRIED**

For disposition of this matter, please see Item 11.

**(iv) Additional Funding Requirement for the Mount Hope Park Project (Item 10.4)**

Councillor B. Johnson introduced a Notice of Motion respecting the Additional Funding Requirement for the Mount Hope Park Project.

**(B. Johnson/Pearson)**

That the Rules of Order be waived to introduce a Motion respecting Additional Funding Requirement for the Mount Hope Park Project.

**CARRIED**



For disposition of the matter above, please see Item 12.

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

**(i) Amendments to the Outstanding Business List (Item 11.1)**

**(Whitehead/A. Johnson)**

That the following amendment to the General Issues Committee's Outstanding Business List, be approved:

**(a) Proposed New Due Date:**

- (i) Open Government: Access to Information for City of Hamilton Funded Boards and Agencies**  
Current Due Date: April 18, 2018  
Proposed New Due Date: June 6, 2018

**CARRIED**

**(ii) Damage from the April 14 and 15, 2018 Weather Event**

Councillor Skelly asked staff about the damage to the Pier (break walls and docks) and the warranty coverage that may be available for repairs or replacement.

Councillor J. Farr noted that the storm also damaged the Royal Hamilton Yacht Club and is asking staff how it may be possible to repair the area before their event in May.

Staff are to report back with respect to both Councillors Skelly and Farr's questions and concerns respecting the damage from the April 14 and 15, 2018 weather event.

Councillor Collins also spoke to the trail damage along the lake and outstanding West Harbour area repairs; noting that he will be bringing forward a Motion respecting those matters to a future meeting.

**(h) PRIVATE & CONFIDENTIAL (Item 12)**

**(A. Johnson/Farr)**

That Committee move into Closed Session respecting Items 12.2 and 12.3, pursuant to Section 8.1, Sub-sections (c), (e) and (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (c), (e) and (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land for City purposes; 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.

**(i) Stadium Litigation Update (CM18011/LS18015) (Item 12.2)**

Staff was provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 14.

**(ii) Potential Acquisition of Former Hamilton Psychiatric Hospital Lands (PED16254(c)) (Ward 8) (Item 12.3)**

Staff was provided with direction in Closed Session.

For further disposition of this matter, please refer to Item 15.

**(i) ADJOURNMENT (Item 13)**

**(Pearson/B. Johnson)**

That, there being no further business, the General Issues Committee be adjourned at 11:55 a.m.

**CARRIED**

Respectfully submitted,

J. Partridge, Deputy Mayor  
Chair, General Issues Committee

Stephanie Paparella  
Legislative Coordinator  
Office of the City Clerk



Hamilton

**MINUTES  
ARTS ADVISORY COMMISSION**

January 23<sup>rd</sup>, 2018

4:00 p.m. – 6:00 p.m.

**Visitor Information Centre**

Lister Block, 28 James Street N.

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Chair: Monika Ciolek Recorder: Alanna Dankiw and Ken Coit

Present: Peter Malysewich, Sara Dickinson, Tricia LeClair, Christine Braun

Absent with

Regrets: Elena Balaska, Ray Rivers, Kyle Skinner, Councillor Donna Skelly

Also Present: Tobi Bruce, Anne Maureen McKeating, Annette Paiement, Edward John

**1. CHANGES TO THE AGENDA**

- 1.1 Correction to 5.1 - Anne Maureen McKeating is from Hamilton Arts Council not AGH.
- 1.2 Cancelled 5.2 City Enrichment Fund by Andrea Carvalho
- 1.3 Add Arts Awards 2018 update as 5.5 Presentation by Ken Coit

MOVED: Christine Braun

SECOND: Sara Dickinson

**THAT** the changes to the agenda be approved

**CARRIED**

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest

**3. APPROVAL OF MINUTES OF PREVIOUS MEETING**

MOVED: Tricia LeClair

SECOND: Sara Dickenson

**THAT** the Arts Advisory Commission Meeting Minutes, dated November 28<sup>th</sup>, 2017 be approved.

**CARRIED**

#### 4. CONSENT ITEMS

There were no consent items

#### 5. PRESENTATIONS

- 5.1 Hamilton Building Cultural Legacies Project by Tobi Bruce, Anne Maureen McKeating and Annette Paiement

The AAC provided seed funding to this project in the amount of \$7000 in 2016. A group of community representatives led by the Hamilton Arts Council utilized this funding to outline the project and prepare grant applications. They have been successful and will be receiving \$250,000.00 in funding contributions from the Trillium Foundation in early 2018 that allows this project to move forward. They thanked the AAC for the seed funding and provided an update on the project as follows;

In 2014 members of the arts community identified that the rapid change in Hamilton's cultural fabric is creating a disconnect between past, present and future. This disconnect puts the contributions and stories of the arts community's predecessors at risk. The Building Cultural Legacies project is working towards creating a website that will use a collective memory approach for telling Hamilton's cultural story. Since the idea blossomed the group has overcome many barriers including granting rejection and staffing changes. The Hamilton Public Library is a major partner in this project and is providing meaningful guidance and insight on record archiving. The Building Cultural Legacies group has three working groups 1. Art History Working Group, 2. Community Outreach Working Group and 3. Archives Holders Working Group. The project would welcome members of the AAC to be part of these groups.

MOVED: Tricia

SECOND: Peter

**THAT** the Building Cultural Legacies presentation be received and that staff be directed to provide Anne Maureen's information to any AAC member that may be interested in joining a working group.

**CARRIED**

- 5.2 City Enrichment Fund by Andrea Carvalho – *Cancelled*

- 5.3 Culture and Creative Industries Zoning by Edward John

It was identified that certain provisions in the City of Hamilton zoning Bi-Laws were placing unnecessary barriers on local artists and cultural workers attempting to grow a creative/cultural business within the city. The first phase of this project has been completed and several amendments have been made to the zoning bi-law such as defining key terms for better clarity on interpreting the bi-law, adding production studio and permit into industrial



**THAT** Tourism and Culture staff request the advice of Refuge and Immigration Committee how to move forward on diversity training or workshop and to broaden/ diversify the AAC membership.

**CARRIED**

**6 NOTICES OF MOTION**

None

**7 MOTIONS**

None

**8 OTHER BUSINESS**

None

**9 ADJOURNMENT**

MOVED: Christine Braun      SECOND: Peter Malysewich

**THAT** the meeting be adjourned

**CARRIED**

Meeting Adjourned 6:05 p.m.



# Hamilton

## **BUSINESS IMPROVEMENT AREA ADVISORY COMMITTEE MINUTES 18-002**

**8:00 a.m.**

**Tuesday, February 13, 2018**

**Room 264**

**Hamilton City Hall**

**71 Main Street West**

**Present:** Rachel Braithwaite – Barton Village BIA (Acting Vice-Chair)  
Jennifer Mattern – Ancaster BIA  
Kerry Jarvi – Downtown Hamilton BIA  
Tracy MacKinnon – Westdale Village BIA and Stoney Creek BIA  
Maggie Burns – Ottawa Street BIA  
Lisa Anderson – Dundas BIA  
Susan Pennie – Waterdown BIA  
Peter Loukas for Bender Chug – Main West Esplanade BIA

**Absent:** Tony Greco – Locke Street BIA, Lia Hess – King West BIA  
Susie Braithwaite – International Village BIA, Cristina Geissler –  
Concession Street BIA, Councillor Matthew Green (Chair) –  
Personal

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### **FOR INFORMATION:**

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

The Committee Clerk advised of the following change to the agenda.

#### **1. DELEGATION REQUEST**

4.1 Wilf Arndt and Bill Slowka, Hamilton Farmers' Market Board, respecting a tourist designation for the area. (For today's meeting)

#### **2. DISCUSSION ITEM**

8.1 Non-Business Improvement Area Events in a Business Improvement Area (no copy)

#### **(Jarvi/Anderson)**

That the agenda for the February 13, 2018 Business Improvement Area Advisory Committee meeting be approved, as amended.

**CARRIED**

**(b) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

**(i) January 16, 2018 (Item 3.1)**

**(MacKinnon/Jarvi)**

That the January 16, 2018 Minutes of the Business Improvement Area Advisory Committee be approved, as presented.

**CARRIED**

**(c) DELEGATION REQUESTS (Item 4)**

**(i) Wilf Arndt and Bill Slowka, Hamilton Farmers' Market Board, respecting a tourist designation for the area (For today's meeting) (Added Item 4.1)**

**(Mattern/Anderson)**

That the delegation request from Wilf Arndt and Bill Slowka, Hamilton Farmers' Market Board, respecting a tourist designation for the area, be approved for today's meeting.

**CARRIED**

**(d) PUBLIC HEARINGS/DELEGATIONS (Item 6)**

**(i) Wilf Arndt and Bill Slowka, Hamilton Farmers' Market Board, respecting a tourist designation for the area (For today's meeting) (Added Item 6.1)**

Wilf Arndt, the Chair of the Hamilton Farmers' Market Board, and Bill Slowka, Manager of the Hamilton Farmers' Market Board, addressed the Committee respecting a tourist designation for the area.

Mr. Arndt and Mr. Slowka discussed the important role that the Hamilton Farmers' Market plays in the City of Hamilton and shared information on why having a tourist designation would be beneficial. They were enquiring if Hamilton BIA's would also be interested in this designation as well. The Committee requested that Mr. Arndt and Mr. Slowka provide further information to Carlo Gorni, to distribute to the Committee.

**(Mattern/MacKinnon)**

That the delegation from Wilf Arndt and Bill Slowka, Hamilton Farmers' Market Board, respecting a tourist designation for the area, be received.

**CARRIED**



**(e) DISCUSSION ITEMS (Item 8)**

**(i) Non-Business Improvement Area Events in a Business Improvement Area (no copy) (Added Item 8.1)**

**(Anderson/Jarvi)**

That staff be directed to request that a representative from the Special Events Advisory Team (S.E.A.T.) attend an upcoming Business Improvement Area Advisory Committee meeting to speak to providing advanced notice of events that are located within Business Improvement Areas.

**(Mattern/Jarvi)**

That discussion on non-Business Improvement Area Events in a Business Improvement Area, be received.

**CARRIED**

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

**(i) City of Hamilton Film Office Update (PED16247(a)) (City Wide) (Item 11.1)**

**(Mattern/Jarvi)**

That information report City of Hamilton Film Office Update (PED16247(a)) (City Wide), be received.

**CARRIED**

**(ii) Update from Carlo Gorni, BIA Coordinator (Item 11.2)**

(a) BIA Awards of Excellence in Property Awards is March 20<sup>th</sup> and Carlo requested a BIA member to speak at the Chamber's Outstanding Business Achievement Awards event to introduce the winners. Rachel Braithwaite from Barton Village BIA offered to present at the awards ceremony.

(b) Staff report respecting "Information Sharing with BIAs" was received by City of Hamilton Council at its January 24, 2018 meeting. Just a reminder that BIA members will continue receiving agendas for upcoming Licensing Tribunal, and Committee of Adjustment meetings. BIAs will also continue to receive monthly building permit activity information.

**(Mattern/Pennie)**

That the update from Carlo Gorni, BIA Coordinator be received.

**CARRIED**

**(iii) Statements by Members (Item 11.2)**

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

**(Mattern/Anderson)**

That the updates from Committee Member's, be received.

**CARRIED**

**(f) ADJOURNMENT (Item 13)**

**(Mattern/Anderson)**

That there being no further business, the Business Improvement Area Advisory Committee be adjourned at 8:46 a.m.

**CARRIED**

Respectfully submitted,

Rachel Braithwaite, Acting Vice-Chair  
Business Improvement Area  
Advisory Committee

Angela McRae  
Legislative Coordinator  
Office of the City Clerk



## Hamilton

### **Cleanliness and Security in the Downtown Core Task Force**

**Minutes 18-001**

**1:00 p.m.**

**Thursday, February 8, 2018**

**Room 830, City Hall**

**Present:** Councillor J. Farr (Chair)  
S. Braithwaite (Vice Chair)  
K. Jarvi, J. Maurice, T. Potocic and S. Sutherland

**Absent with  
Regrets:** Councillor C. Collins – City Business  
S. Mirza – Maternity Leave  
C. Topp, Personal

#### **FOR THE INFORMATION OF THE TASK FORCE:**

##### **(a) VERBAL UPDATE FROM HAMILTON POLICE SERVICE (Item A)**

A representative from the Hamilton Police Service was not in attendance.

Susie Braithwaite indicated that there isn't enough police presence in the downtown core and the Police Service should be advised that more Street Beat Officers are required in the area.

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

The Chair advised that Cameron Topp is unable to participate by telephone in today's meeting.

The Committee Clerk advised of the following added Item to the agenda:

11.1 Update from Tim Potocic respecting Safe Injection Sites

##### **(Braithwaite/Sutherland)**

That the agenda for the February 8, 2018 meeting of the Cleanliness and Security in the Downtown Core Task Force be approved, as presented.

**CARRIED**

**(c) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(d) APPROVAL OF MINUTES (Item 3)**

**(i) November 9, 2017 (Item 3.1)**

**(Braithwaite/Maurice)**

That the Minutes of the November 9, 2017 meeting of the Cleanliness and Security in the Downtown Core Task Force be approved, as presented.

**CARRIED**

Chair Farr relinquished the Chair to Vice Chair Braithwaite and left the meeting

**(e) DISCUSSION ITEMS (Item 8)**

**(i) Report from the International Village BIA respecting the Downtown Alleyway Improvement Project (Item 8.1)**

Susie Braithwaite addressed the Sub-Committee and copies of “Up Your Alley 2 Project Report” were distributed. Emily Walsh who prepared the report provided a verbal overview and highlighted what has worked and the limitations which were encountered.

It was noted that with the LRT project coming to a close at the end of next month, the alleyway issues need to be addressed.

**(ii) Verbal Update from Peter Wobschall, Supervisor of Program Development respecting the Graffiti Management Strategy (Item 8.2)**

Peter Wobschall, Supervisor, Program Development, Public Works Department, outlined the coordinated efforts of Public Works staff and Municipal Law Enforcement (MLE) staff. The MLE Division has hired two co-op students to help deal with the graffiti. Staff will present a spring update report to Council.

The Sub-Committee noted that it is hard on the property owners and the main challenge is graffiti prevention. More beat officers are needed in the evening hours.

Chair Farr returned to the meeting and assumed the Chair. He provided a brief update on his efforts to identify a funding source for a one time clean up of graffiti across the entire City and for an awareness campaign.

**(iii) Verbal Update from Peter Wobschall, Supervisor of Program Development respecting the Information Kiosk and Poster Sleeve Expansion Pilot (Item 8.3)**

Peter Wobschall, Supervisor of Program Development advised that he has continued to work on the information kiosk and poster sleeve expansion. Locations have been established. Staff are engaging a consultant and installer for the pilot. There will be a request for proposals (RFP) to repair the rusted kiosks. He offered to circulate a map indicating the locations of the aluminum kiosks.

**(iv) Littering of Cigarette Butts (no copy) (8.4)**

Peter Wobschall indicated that the plan is to purchase new litter containers with butt receptacles which will be strategically placed. The first step would be the branding for the public education posters. He estimates the branding would cost \$10,000 and \$40,000 would be needed for the program.

**(f) GENERAL INFORMATION/OTHER BUSINESS**

**(i) Update respecting Safe Injection Sites (Added 11.1)**

Tim Potocic advised that he has been approached by Jill Wiwcharuk from the Shelter Health Network and Ron Dick of Police Services to put a pop up safe injection site in one of his parking lots in March for six months until a permanent site is in place. The proposal is for a tent to be located on James and Vine and he has agreed to do it.

The Chair indicated that the City's Medical Officer of Health has a plan but it does not include the BIA members or the Shelter Health Network.

**(g) ADJOURNMENT (Item 12)**

**(Braithwaite/Maurice)**

That there being no further business, the Cleanliness and Security in the Downtown Core Task Force be adjourned at 1:50 p.m.

**CARRIED**

Respectfully submitted,

Councillor J. Farr, Chair  
Cleanliness and Security in the  
Downtown Core Task Force

Ida Bedioui, Legislative Coordinator  
Office of the City Clerk



# INFORMATION REPORT

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	May 2, 2018
<b>SUBJECT/REPORT NO:</b>	Our People and Performance Plan Process Update (CM18009) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Lora Fontana 905-546-2424 Ext. 4091 Mike Zegarac 905-546-2424 Ext. 6150 John Hertel 905-546-2424 Ext. 2739
<b>SUBMITTED BY:</b>	Chris Murray City Manager
<b>SIGNATURE:</b>	

## Council Direction:

Not Applicable

## Information:

In October 2016, Council endorsed the “Our People and Performance Plan” (the “Plan”) which has served as an overall guide to support and engage City employees in their day to day performance. Recognizing that employees are the City’s greatest asset, delivering 72 services to its citizens, businesses and institutions, with a total annual expenditure of approximately \$2.0 billion, the Plan has helped set out the strategies and initiatives for the City’s employees. The ultimate desired outcome of the Plan which addresses priority 7 of our Strategic Plan, has been to help drive a high level of trust and confidence of Hamiltonians in their City government. Anchored by our Culture Pillars, the Plan consolidates our current people and performance practices and guides our strategies going forward. The Plan is organized around five areas of focus:

1. Effective Leadership
2. Healthy, Respectful and Supportive Workplace
3. Continuous Learning
4. Performance Excellence and Accountability
5. Enabling Communications

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**SUBJECT: Our People and Performance Plan Progress Update  
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Notwithstanding changing priorities as well as ongoing resource challenges, significant progress has been made with respect to a number of the initiatives within the five areas of focus. This progress is summarized below:

**1. EFFECTIVE LEADERSHIP****Leadership Profile**

The objective of the Leadership Profile (LP) tool is to describe what our organization expects leaders to know, understand, achieve and be, in order to develop confident and competent leaders who engage employees to deliver sensational service. To date, the LP has been developed for the City Manager, General Manager and Director level positions; it has focussed on leadership and career coaching skills as well as building future capacity and capabilities. The LP has been incorporated into the revised Performance Appraisal Development (PAD) process for these levels. In 2018, Human Resources will further develop the LP for Manager and Supervisory positions.

**Workforce Planning**

With the establishment of the newly created Human Resources Business Partner role in late 2017, Human Resources will be embarking on more in-depth data analysis of age and service demographics to better forecast attrition throughout the organization. Particular emphasis will be placed on difficult to fill positions and the development of knowledge capture and transfer to ensure institutional continuity and sustainability. This proactive approach to workforce planning will also highlight opportunities for employee development with a view to improving the organization's overall readiness for succession planning and career path enhancements.

**Establish and Improve Performance Accountability Development (PAD) System**

The revised Performance Accountability Development (PAD) training program was introduced in 2017 and included the conversion of five (5) half day modules into two (2) full day modules. New training sessions launched in 2018 include introductory PAD training as well as Coaching for High Performance.

**Establish & Improve Talent Review & Succession Planning System**

In 2018, Human Resources will be introducing new talent management strategies that are reflective of our diverse community and workforce composition. It will include recruitment and attraction strategies within underrepresented community groups. The plan also includes the implementation of voluntary applicant candidate demographic information collection that will allow for better identification of our data trends and analysis. Human Resources staff will continue with the identification of our future

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leadership talent pool, including high potential, high performers with targeted retention strategies.

## **2. HEALTHY, RESPECTFUL & SUPPORTIVE WORKPLACE**

### **Workplace Mental Health and Wellbeing Strategy**

Council endorsed the Workplace Mental Health & Wellbeing Strategy in 2017 that includes mental health-related data; the establishment of a workplace mental health advisory committee; the launching of the “The Working Mind” training program to all management and front line employees that addresses and promotes mental health and reduces the stigma of mental illness; the introduction of Mental Health@Work Certificate Training for Leaders arranged through Queens University and Mourneau Shepell that aligns with the National Standard for Psychological Health and Safety in the Workplace; and the introduction of the first-responders Post Traumatic Stress Disorder (PTSD) prevention and response related policies and programs. The “Mental Health Indicators” as provided through the Psychological Health & Safety in the Workplace National Standard were included in the “Our People Survey” that was also launched in 2017.

### **Workplace Diversity and Inclusion Strategy**

Council endorsed the Human Rights, Diversity and Inclusion Strategy in 2017 that is based on the principle to create, foster, support and ultimately sustain a City culture whereby all people feel a strong sense of inclusion, empowerment and opportunity for development and growth.

The Transgender Protocol Agreement was also developed and executed in 2017. As part of our commitment to the Protocol Agreement, the Transgender training program to all People Leaders has been launched in 2018 and will include a Train-the-Trainer program.

The newly formed Anti-Racism Resource Centre was officially launched on April 4, 2018. This initiative represents a three party arrangement between the City, McMaster University and the Hamilton Centre for Civic Inclusion. The Centre is designed to collect data on all types of discrimination and racism issues that occur in the City of Hamilton and that are currently unrecorded. The Centre will allow for much needed insight into the needs, lived experiences and resulting policy implications within our community. Human Resources has played an active role on the Oversight Committee and related activities to support the successful launch and implementation of the Centre.

Human Resources has been working in cooperation with the Neighbourhood and Community initiatives team to assist in the development of related policies to support the Urban Indigenous Strategy such as the Use of Indigenous Medicines Policy.

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Human Resources continues to assist in the development and communication of staff learning opportunities to enhance relevant knowledge and understanding.

Finally, representatives from Human Resources serve as Staff Liaisons to eight Volunteer Advisory Groups and support work plans, which include efforts on Truth and Reconciliation Calls to Action and recommendations to Council.

### **Work Life Harmony**

Primarily in response to *Bill 148, Fair Workplaces, Better Jobs Act, 2017*, Human Resources staff have revised and communicated the work life balance related policies such as Personal Emergency Leave, Pregnancy/Parental Leave, Family Medical Leave, Flexible Work Arrangements, etc. These components were also incorporated into workforce census and diversity questions of the Our People Survey with a view to ensuring relevant and supportive work life harmony within the workplace as well as demonstrating ongoing commitment to related policies and programs.

### **Rewards and Recognition**

A comprehensive review of the City's corporate wide policies respecting Employee Recognition began in 2017. In Q2 of 2017, Human Resources launched a new Corporate Recognition program that included 2 new awards - the Lifetime Achievement Award and the Continuous Improvement Award. The first recipients of these awards were recognized in January, 2018. In 2018, our focus will shift to review and analyze local/department recognition practices with the objectives of optimizing resources and ensuring a fair and consistent approach to Employee Recognition across the organization.

## **3. CONTINUOUS LEARNING**

### **Performance & Learning Strategy**

In the Fall of 2017, Human Resources developed a strategy to articulate and develop a roadmap for the City's learning & development offerings. This initiative will be presented to Senior Leadership Team (SLT) for endorsement in April, 2018. Implementation is intended to occur in phases between 2018 through to 2021. The strategy aims to support and empower all employees in their journey of continuous improvement and career mobility. Specifically, the objectives are three-fold:

- Attract and retain a high-performance workforce
- Achieve and maintain our desired culture
- Provide high-quality, cost conscious public services to the satisfaction, trust and confidence of our citizens

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Some initiatives related to the Performance & Learning Strategy are:

### **Orientation & Onboarding**

As part of the Performance & Learning Strategy, a new employee orientation program will be introduced that will ensure proper on-boarding for all levels of staff with the appropriate delivery model (online, in-person, etc.). This new program will begin in 2018 and be fully implemented by 2020.

### **Enabling Learning Technology**

Training Administration technology was scoped and assessed against existing HR software in 2017. In 2018, the implementation of a Corporate Training Administration system will begin, with full implementation of all divisions targeted for Q2 - Q3 of 2019. This new system will enable a corporate view of job specific training requirements, organizational competency based training requirements, regulatory certification requirements, vendor details and training costs for all internally facilitated and job specific learning, as well as self-service features for employees and managers, including an automated notification system to alert of expiring certifications to ensure compliance.

### **Corporate Learning Management System**

Flowing from the Performance & Learning Strategy, Human Resources will review all training offerings in order to ensure alignment with the City's competencies so that an appropriate determination can be made with respect to appropriate learning methods and required systems. Human Resources will investigate the appropriateness and value-add of a Corporate Learning Management System to support internal, online learning. Implementation of this initiative is targeted for 2019/2020.

## **4. PERFORMANCE EXCELLENCE AND ACCOUNTABILITY**

### **Strategic Plan**

The Strategic Plan has been communicated broadly across the Corporation. This was evident in the results of the Our People Survey that asked specific questions related to our employees awareness of the Strategic Plan and how their work contributes to it every day.

The results from the Our People Survey noted the following:

- 87.5% of respondents were aware of Our Vision
- 82.6% of respondents were aware of the Mission
- 87.8% of respondents were aware of Our Culture

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As well, the results from the Our People Survey noted that 79.7% of respondents understand how their work contributes to the Strategic Plan Vision and Mission. The Strategic Plan Priorities have also been integrated into General Manager PADs, Multi-year Business Planning & Budget Processes and to all 72 Services that are reflected in the Trust & Confidence Report. As these processes continue to evolve, the strength of the linkages to the Strategic Plan will increase.

In 2018, the focus will be on finalizing the Strategic Plan Priority Goals, high level action plans and measures for monitoring progress.

**Performance Measurement**

Much progress has been made in the area of performance measurement. The City has adopted the Results-Based Accountability framework as the corporate standard for performance measurement.

The organization's first ever performance report was launched in January, 2018. This report is known as the "Trust and Confidence Report" and is available to the public at [www.hamilton.ca/trustandconfidence](http://www.hamilton.ca/trustandconfidence). This performance measurement work included assessing and updating the City's service profiles, providing workshops so that management and staff can learn how to integrate performance measurement in their work, and the launch of Citizen Dashboard. Specifically,

- The Citizen Dashboard provides an opportunity for residents to access information about the performance of City services easily, including how these services contribute to quality of life in Hamilton. The dashboard includes straightforward indicators that will continuously improve over time. Ultimately, the City will focus on using this data to drive decisions.
- As of March 2018, there are 10 services published on the Citizen Dashboard. The Citizen Dashboard can be accessed at [www.hamilton.ca/citizendashboard](http://www.hamilton.ca/citizendashboard).

In 2018, more services will be added along with regular quarterly updates to the Dashboard.

**Continuous Improvement**

The City is committed to Continuous Improvement. To date, there have been three (3) cohorts of staff that have completed Lean Six Sigma Green Belt Training. Human Resources and the City Manager's Office collaborate to ensure that a high quality training experience that follows best practices in adult education is delivered. These staff members are then expected to complete a minimum of 1-2 continuous improvement projects per year.

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In order to develop organizational capacity in continuous improvement, a Continuous Improvement Community of Practice has been created. In 2017, this Community of Practice held three sessions which provided training in continuous improvement concepts so that staff continued to develop their skills, share project findings so that they can learn from each other and network with like-minded colleagues so that future collaboration is possible.

To further support the analysis required in continuous improvement work, analytics software was purchased in March, 2018 so that further continuous improvement opportunities can be identified and action taken to achieve business benefits for the City.

**Multi-year Business Plans & Budgets**

As part of the 2018 Tax Supported Operating Budget process, the City of Hamilton took the first step towards integrating multi-year business planning within the budgeting process. An integrated business planning and budget process improves decision making by providing Council and tax and rate payers with more information about where the City funds are used, linking service costs to service levels and outcomes, and reinforce the connection between long-term goals and short-term spending decisions.

Multi-year business plans serve as a roadmap for the City to ensure Council's priorities, as outlined in the City's Strategic Plan, are converted into action. The initial four year (2018 - 2021) business plans were developed by each City department, and two of its boards and agencies (Hamilton Public Library and Hamilton Farmers' Market) as a way to communicate their contributions to the City's vision "to be the best place to raise a child and age successfully".

Based on the multi-year business plans, a Preliminary Tax Supported Operating Budget Multi-Year Outlook for the years 2019 - 2021 was presented to the General Issues Committee on January 19, 2018. The multi-year outlook allowed Councillors and interested stakeholders the opportunity to understand the upcoming significant Operating Budget drivers for the City before departmental presentations to Council began on January 30, 2018.

Multi-year business planning and budgeting will better position the City to assess current and future needs and make informed strategic recommendations on investments. The City does not have the financial resources or the organizational capacity to do everything at once. By establishing our priorities, creating achievable initiatives, and tracking progress with meaningful performance measurement, the City will realize its mission of providing high quality cost conscious public service that contributes to a healthy, safe and prosperous community.

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## **IT Governance**

As part of the Information Technology (IT) Governance initiative, the IT division launched the development of their Strategy in the Fall of 2017. This included a data gathering process that allowed for input from all City stakeholders. The Strategy is aligned with the City's broader strategic priorities, and the outcome will be a three to five year roadmap of the initiatives that will help meet the departmental business goals. The IT Strategy will be finalized by the end of April, 2018 and governance protocols will be developed subsequently to complement the implementation of the Strategy.

## **HR Employee Self-Service Enhancements**

Significant work has begun into the design and implementation of an HR Portal. The objective of the Portal is to provide an enhanced employee experience for all HR related needs, as well as to "mobilize" all HR services. The solution will promote HR as an accessible and client focussed department. In order to do this, the solution will be delivered in a way that is accessible to all staff, including those without easy access to a computer or network account. The solution will also scale to desktops, tablets and handheld devices. It will be delivered in the format of a downloadable application for handheld devices and tablets and a webpage interface for home personal computers or City of Hamilton desktops. The marketing, communication and implementation of the HR Portal are anticipated to be launched in the Fall 2018.

## **5. ENABLING COMMUNICATION**

### **Internal Communication**

Internal communications efforts increased in 2017 and have continued into 2018, with the goal of improving transparency and accountability across all levels of the organization through increased information sharing and access to information. These improved methods of communication include:

- Bi-monthly publication of @CityofHamilton employee newsletter.
- Office of the City Manager monthly videos and corresponding emails informing staff of corporate updates.
- Access to the Office of the City Manager anonymous feedback form, which gives staff direct access to ask questions or make suggestions.
- Increased usability of content on eNet.
- The use of teleconferences to hold town halls for staff with the City Manager during periods that require more intensive messaging and communications with staff.

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Staff will continue to foster an environment of open and transparent communication between all levels of management and staff. As well, the City Manager will continue with his monthly “A Day in Your Life” visits with staff to learn about their day-to-day work and share information directly through face-to-face interaction.

**Digital Strategy**

The City is in the process of developing both a Smart City Strategy as well as a Digital Strategy, both of which will be completed in 2018. The Smart City Plan will focus on enabling the City to use technology and information to be more responsive, improve sustainability, increase quality of life and improve operating efficiency.

The Digital Strategy focuses on digital transformation at the City. This includes enabling more services to be available on-line, as well as increasing openness and transparency through data sharing and enabling a two way dialogue with residents. It also includes continuing to enable staff to use technology to assist them in the work they do every day.

**Employer Branding Strategy**

Human Resources will be developing the employer brand and value proposition strategy in 2018 in order to help elevate and differentiate the City in the talent marketplace as well as secure it as an “employer of choice”. This value proposition will be articulated and leveraged both internally and externally to the organization. Specifically, the creation of a distinctive employer brand will allow the City to better attract and retain diverse individuals who are representative of the community demographics.

**Our People Survey**

Phase 1 (Design, Development and Data Collection) of the “Our People Survey” was launched in the Fall, 2017 – and was intended to create an organizational baseline measuring the City’s 5 focus areas: engagement; culture; workplace ethics & integrity; health, safety and wellness; and workforce census & demographics.

With a response rate of 65%, the City’s overall results were very good and highlights include:

- Overall, City employees are very clear on the purpose of their job and feel a high sense of commitment to client/citizen service.
- Our employees indicated they are very proud to be City employees.
- 35 out 51 Divisions had scores indicating high levels of agreement/engagement overall.

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Having said this, the City's results also identified areas for improvement on an organizational, departmental and sectional level. These areas include:

- While Workplace Behaviours scores between co-workers and Supervisors were better than the vendor's database average, the external workplace behaviours (i.e. harassment) from City clients was worse than the vendor's database average.
- General areas for improvement include – top-down communication, the need for more staff, increased training opportunities, better work processes/policy & procedure practices, improved management and better recognition for work performed.
- Some sectional areas within the organization scored low levels of employee morale.

Staff will continue to share the survey results and engage employees in building action plans. The implementation of action plans, monitoring of process and celebrations to take place September, 2018 – September, 2020. This survey will be repeated in the Fall of 2020 to measure our progress to date, particularly as it relates to the baselines measurements within the 5 focus areas.

As initiatives in the Plan are implemented, priorities will change and others will take their place with changing organizational needs. The Plan will be modified and refined based on learnings from Our People Survey in 2017 and subsequent employee surveys. In addition, directions from Council, continuous improvement initiatives and the ongoing review of performance measures will shape the Plan in years to come.

Critical to the success of the Plan will be acquiring the enabling technology systems to support performance measurement, performance accountability, workforce management and continuous learning. Going forward, we need to communicate this Plan to all of our people, engage them in the decisions that impact them on a daily basis, and provide them with the supports required to be successful in their current jobs as well as their future careers at the City.

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# Hamilton

## **Cleanliness and Security in the Downtown Core Task Force**

### **Report 18-002**

**1:00 p.m.**

**Thursday, April 5, 2018**

**Room 830, City Hall**

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**Present:** Councillor J. Farr (Chair)  
S. Braithwaite (Vice Chair)  
Councillor C. Collins, C. Topp, K. Jarvi

**Absent with  
Regrets:** J. Maurice, S. Mirza (maternity leave), T. Potocic and  
S. Sutherland

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### **THE CLEANLINESS AND SECURITY IN THE DOWNTOWN CORE TASK FORCE PRESENTS REPORT 18-002 AND RESPECTFULLY RECOMMENDS:**

#### **1. Cigarette Butt Litter Campaign (Item 8.2)**

WHEREAS, the littering of cigarette butts is an increasing concern across the City of Hamilton but especially in the Downtown Core; and,

WHEREAS, the littering of cigarette butts is in violation of the City's existing by-laws; and,

WHEREAS, Business Improvement Areas as well as committees such as Keep Hamilton Clean and Green and the BIA Advisory Committee have been making attempts to address the discarding of cigarette butts for several years; and,

WHEREAS, the Public Works Department has already begun to develop plans for an educational program to combat the issue of cigarette butt littering,

**THEREFORE BE IT RESOLVED:**

- (a) That staff be directed to investigate and identify potential funding sources, in the approximate amount of \$35,000, to develop an education campaign to address the littering of cigarette butts; and,

**General Issues Committee – May 2, 2018**



- (b) That, if the education campaign is undertaken and upon its completion, that staff be directed to investigate the feasibility and costs of targeted enforcement measures to address cigarette butt litter and report back to the Planning Committee; and,
- (c) That Task Force member, Cameron Topp, be designated as the spokesperson for this Item when it comes forward at the General Issues Committee.

**FOR INFORMATION:****(a) APPROVAL OF AGENDA (Item 1)**

The agenda for the April 5, 2018 meeting of the Cleanliness and Security in the Downtown Core Task Force was approved, as presented.

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

There were no declarations of interest.

**(c) APPROVAL OF MINUTES (Item 3)****(i) February 8, 2018 (Item 3.1)**

The Minutes of the February 8, 2018 meeting of the Cleanliness and Security in the Downtown Core Task Force were approved, as presented.

**(d) DISCUSSION ITEMS (Item 8)****(i) Update from the Hamilton Police Service respecting Matters of Interest in the Downtown Core (Item 8.1)**

Sgt. Jon Murphy, Division 1 Crime Manager, with the Hamilton Police Service, was in attendance to answer questions from the Task Force. He introduced himself as the new Crime Manager for Division 1 and said that he looks forward to working with the Task Force.

Issues raised included, but were not limited to, the following: aggressive panhandling that is extending onto the street/into traffic, graffiti and crime reporting.

- (ii) **Verbal Update from Peter Wobschall, Supervisor of Program Development, Public Works Department, respecting the City's application to the Keep America Beautiful organization for funding for the Cigarette Butt Litter Campaign (Item 8.2)**

Peter Wobschall, Supervisor, Program Development, Public Works Department, provided the Task Force with an update about the City's recent grant submission to the Keep American Beautiful organization. The submission was in the amount of \$20,000 to assist with the purchase of litter containers as well as develop an education program to address cigarette butt litter. Regrettably, the application was not successful. The organization tended to award grants to smaller-sized cities and those places with less staff and resources.

For disposition of this matter, refer to Item 1.

- (iii) **Verbal Update from Staff on Capital Works Projects on James Street South (Item 8.3)**

Chair Farr advised the Task Force that work on the James Street South area is underway. The road on the west side of James Street at the bridge is being repaired and a new mural is being developed.

There have been challenges with the road because of grading but plans are well underway and on-site meetings have been held to address the various concerns.

- (iv) **Verbal Update from Alissa Mahood and Christine Newbold, Community Planning and Design, respecting the Downtown Secondary Plan (Item 8.4)**

Ms. Mahood and Ms. Newbold were unable to attend the meeting. The Legislative Coordinator will contact them about coming to a future meeting.

Chair Farr provided a brief overview of the Downtown Secondary Plan. He said that the plan is very progressive, that it has welcoming street designs, inclusivity elements and affordable housing options are included.

**(e) ADJOURNMENT (Item 12)**

There being no further business, the Cleanliness and Security in the Downtown Core Task Force adjourned at 1:49 p.m.

Respectfully submitted,

Councillor J. Farr, Chair  
Cleanliness and Security in the  
Downtown Core Task Force

Lauri Leduc, Legislative Coordinator  
Office of the City Clerk



**CITY OF HAMILTON**  
**CORPORATE SERVICES DEPARTMENT**  
*Financial Planning, Administration and Policy Division*

<b>TO:</b>	Mayor and Members General Issues Committee
<b>COMMITTEE DATE:</b>	May 2, 2018
<b>SUBJECT/REPORT NO:</b>	Ontario's Main Street Revitalization Initiative (FCS18045) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	John Savoia (905) 546-2424 Ext. 7298
<b>SUBMITTED BY:</b>	Brian McMullen Director, Financial Planning, Administration and Policy Corporate Services Department
<b>SIGNATURE:</b>	

### RECOMMENDATIONS

- (a) That the Mayor and City Clerk be authorized and directed to sign a Municipal Funding Agreement substantially in the form and content attached as Appendix "A" to Report FCS18045 between the City of Hamilton and the Association of Municipalities of Ontario for the transfer of Main Street Revitalization funds, together with all necessary associated documents, in a form satisfactory to the City Solicitor and with content acceptable to the General Manager of Finance and Corporate Services;
- (b) That the By-law to Authorize the Signing of the Municipal Funding Agreement for the Transfer of Main Street Revitalization funds between the Association of Municipalities of Ontario and the City of Hamilton, attached as Appendix "B" to Report FCS18045, be passed;
- (c) That a certified copy of the approved by-law authorizing the signing of the Municipal Funding Agreement be forwarded to the Association of Municipalities of Ontario upon Council approval;
- (d) That the 2018 Main Street Revitalization funds be allocated to a new dedicated reserve - Main Street Revitalization Reserve (104051);

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**SUBJECT: Ontario's Main Street Revitalization Initiative (FCS18045) (City Wide) –  
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- (e) That staff of the departments of Planning and Economic Development and Public Works report back to the General Issues Committee with recommendations for the utilization of Main Street Revitalization funds.

## **EXECUTIVE SUMMARY**

On January 23, 2018, the Ontario Government announced an investment of \$26M for the Main Street Revitalization Initiative (MSRI) that has been designed to support capital improvements for energy efficiency, accessibility, aesthetics, and marketability of small businesses within main street areas, and encourage strategic public investments in businesses. This initiative is part of a \$40M outlay over three years in the Main Street Enhancement Fund to help strengthen small businesses in downtown and main street municipal infrastructure within main street areas that will support small areas. Funding has been allocated to municipalities based on population size, using the most recent data from the 2016 Statistics Canada Census of Population. Hamilton has been advised that its initial MSRI allocation will be \$504,574.02.

The Association of Municipalities of Ontario (AMO) has agreed to administer the funding on behalf of the Ministry of Agriculture, Food and Rural Affairs (OMAFRA). Funding will follow a model similar to the Federal Gas Tax Fund (GTF) and as such, there is no application process. Municipal governments will need a by-law authorizing it to sign a Municipal Funding Agreement (MFA) with AMO.

As of April 1, 2018, the funding can be used to support revitalization efforts related to energy efficiency, accessibility, aesthetics and marketability. As identified in the MFA attached as Appendix “A” to Report FCS18045, there will be two program categories:

1. Implementing priority financial incentives under existing Community Improvement Plans (CIP) (includes grants for renovations, retrofits and structural improvements); and / or,
2. Funding for strategic municipal infrastructure improvements that will support main street businesses in CIP or in land use planning policy documents, such as signage, streetscape improvement and marketing plan implementation.

Municipalities can fund projects in one or both categories and have until March 31, 2020 to spend the funds on an eligible project. During this time, municipalities may earn interest on MSRI funds.

### ***Alternatives for Consideration – Not Applicable***

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**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** Execution of the MFA results in the City becoming eligible to receive \$504,574.02 in MSRI funding. Staff will report back to the General Issues Committee with recommendations for the utilization of the MSRI funding.

**Staffing:** N/A

**Legal:** The By-law attached as Appendix “B” to Report FCS18045 authorizing the signing of the MFA, along with a signed copy of the MFA, is required to be submitted to AMO to receive MSRI funds under the MFA.

**HISTORICAL BACKGROUND**

On January 23, 2018, the Minister of OMAFRA and Small Business announced the Main Street Revitalization Initiative (MSRI) and the government’s approach to the distribution of the \$26M support for Ontario’s main streets and their business communities. All single and lower tier municipal governments (except Toronto) are to receive funding that will enhance and revitalize downtowns and main street areas.

As of April 1, 2018, municipal governments can invest in revitalization activities that will support small businesses through activities undertaken to revitalize main streets. The work can be identified as priority through an existing Community Improvement Plan (CIP) or municipal physical infrastructure priorities identified through other municipal land use planning documents for the municipality’s main street that involves the construction, renewal, renovation or redevelopment, or material enhancement in each of the following categories:

Implementation of priority financial incentives in existing Community Improvement Plans such as:

- a) Commercial building façade improvements;
- b) Preservation and adaptive reuse of heritage and industrial buildings;
- c) Provision of affordable housing;
- d) Space conversion for residential and commercial uses;
- e) Structural improvements to buildings (e.g. Building Code upgrades);
- f) Improvement of community energy efficiency; and
- g) Accessibility enhancements.

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Funding of strategic municipal physical infrastructure in CIP or other land use planning documents such as:

- a) Signage – wayfinding / directional and gateway;
- b) Streetscaping and landscape improvements – lighting, banners, murals, street furniture, interpretive elements, public art, urban forestation, accessibility, telecommunications / broadband equipment, parking, active transportation infrastructure (e.g. bike racks / storage, cycling lanes and paths) and pedestrian walkways / trails; and
- c) Marketing plan implementation – business attraction and promotion activities, special events.

Municipalities can identify projects in one or both categories and have until March 31, 2020 to spend the funds on an eligible project. During this time, municipalities may earn interest on MSRI funds.

To receive funding, the City must enter into a Municipal Funding Agreement (MFA) with AMO and enact a municipal bylaw authorizing the execution of such an agreement.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

N/A

**RELEVANT CONSULTATION**

Corporate Services – Legal Services Division has reviewed the MFA attached as Appendix “A” to Report FCS18045 and the related authorizing by-law attached as Appendix “B” to Report FCS18045.

Outlined below are issues and concerns identified by Legal staff in respect of the MFA.

Section 2.3 of the Agreement states: “Any of the Parties may terminate this Agreement on written notice.” The effect of this section is that AMO can terminate the Agreement without notice and without cause or reason (i.e. no need for an event of default to occur). This could have an impact on approved projects or grants or commenced and approved projects which would be financed through the funds provided under the Agreement and which may not have not been spent or advanced to grantees. It would be desirable for this termination provision to be linked to certain circumstances, e.g. default and subject to a notice period and conditions. It is difficult to determine what the intention of this section is and in what circumstances AMO would exercise its power to terminate. Staff of Legal Services advises that if AMO is unwilling to amend the Agreement to address City concerns, any City grant agreements transferring Main Street Revitalization funds would need a similar provision wherein the City could terminate the grant agreement without notice and require the refund of grant payments.

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Section 11.4 provides for a repayment of funds in case of default and reserves the right to declare all the funds advanced to the City are debt to Ontario and payable to AMO. This clause provides broad discretion to AMO to declare all funds advanced as repayable, even if the event of default may relate to an inappropriate expenditure of funds of a small amount in respect of one particular project or projects. Legal staff advises that any City grant agreements transferring Main Street Revitalization funds would need a similar provision requiring grantees to repay to the City a payment if the City is required to repay AMO under any circumstances.

Staff is in the process of attempting to communicate its concerns regarding this section of the MFA to AMO but as of the time of the writing of this Report, have not had a response from AMO. The MFA is a standard agreement that is supposed to apply to all municipalities that will receive funding. It is unlikely that AMO will make changes to the MFA to address a particular municipality's concerns.

The City has had a long-standing relationship with AMO in respect of the administration of GTF. The relationship between the City and AMO in respect of GTF has been positive. Council may wish to consider its past relationship with AMO when considering the matters identified above by staff of Legal Services and the recommendations made in this report.

Corporate Services – Risk Management Division has reviewed the MFA attached as Appendix “A” to Report FCS18045.

Planning and Economic Development – Urban Renewal Division has been consulted and supports this report's recommendations.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATIONS**

The MFA, attached as Appendix “A” to Report FCS18045, outlines the terms and conditions the City must adhere to utilize the MSRI funding:

### **Eligible Costs**

- Costs directly and reasonably incurred on or after April 1, 2018 up to and including March 31, 2020 for construction, renewal, or material enhancement activities funded under existing Community Improvement Plan financial incentive programs; and / or,
- Costs directly and reasonably incurred on or after April 1, 2018 up to and including March 31, 2020 for construction, renewal or material enhancement activities funded under the Municipal Physical Infrastructure category, including projects in downtown or main street areas, as defined through an existing Community Improvement Plan or other municipal land use planning policy that will support the success of small businesses in main street areas.

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**Ineligible Costs**

- Costs incurred prior to April 1, 2018 or after March 31, 2020;
- Any costs associated with providing any reports to AMO;
- Any costs associated with lobbying Ontario, including other Ministries, agencies and organizations of the Government of Ontario;
- Costs for infrastructure works in the following categories: highways, short-sea shipping, short-line rail, regional or local airports and brownfield redevelopment;
- Costs of infrastructure works that does not improve energy efficiency, accessibility, aesthetics of marketability of small business within a main street area;
- Costs of infrastructure works outside of main street areas, as defined through an existing Community Improvement Plan or other municipal land use planning policy;
- The cost of leasing of equipment, any overhead costs, including salaries and other employment benefits of any employees, its direct or indirect operating or administrative costs and more specifically, its costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by its staff, except in accordance with eligible costs above;
- Taxes, to which the municipality is eligible for a tax rebate;
- Purchase of land or any interest therein and related costs;
- Routine repair and maintenance costs; and,
- The costs to develop a Community Improvement Plan.

The program is focused on implementation of existing priorities of CIPs or priorities through other existing municipal land use planning policies. Municipalities that do not have a Community Improvement Plan can implement eligible priority projects through the official plan, economic development strategy, downtown revitalization plan or another related plan in support of the municipal main street.

Building on the success of the risk management framework established under the Federal Gas Tax Agreement, municipalities need to report initial upfront anticipated projects for 2018 and then annually on projects until all the funds are spent.

Municipalities will not have to complete audits. Instead the program will use a risk-based approach that recognizes municipalities as a mature and accountable order of government. In this approach, the municipal contact for the Main Street Municipal Funding Agreement will be the Treasurer, no exceptions. In addition, AMO will audit approximately 10% of municipalities annually to provide assurance to Ontario on municipal compliance.

**ALTERNATIVES FOR CONSIDERATION**

Not Applicable.

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**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN****Economic Prosperity and Growth**

*Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.*

**Healthy and Safe Communities**

*Hamilton is a safe and supportive city where people are active, healthy and have a high quality of life.*

**Clean and Green**

*Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.*

**Built Environment and Infrastructure**

*Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic city.*

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” – Municipal Funding Agreement between The Association of Municipalities of Ontario and the City of Hamilton

Appendix “B” – A By-law to Authorize the Signing of a Municipal Funding Agreement for the Transfer of Main Street Initiative Funds between the Association of Municipalities of Ontario and the City of Hamilton

JS/dt



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**MUNICIPAL FUNDING AGREEMENT**

**ONTARIO'S MAIN STREET REVITALIZATION INITIATIVE**

This Agreement made as of 1st day of April, 2018.

**BETWEEN:**

**THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO**

(referred to herein as "AMO")

**AND:**

**THE [INSERT MUNICIPAL NAME]**

(a municipal corporation pursuant to the Municipal Act, 2001, referred to herein as the "Recipient")

**WHEREAS** the Province of Ontario is making \$26 million available for allocation for the purposes of supporting municipal Main Street Revitalization Initiatives in Ontario;

**WHEREAS** the Province of Ontario, Ontario municipalities as represented by AMO are signatories to Ontario's Main Street Revitalization Initiative Transfer Payment Agreement on March 12, 2018 (the "OMAFRA-AMO Agreement"), whereby AMO agreed to administer Main Street Revitalization funds made available to all Ontario municipalities, excluding Toronto;

**WHEREAS** the OMAFRA-AMO Transfer Payment Agreement contains a framework for the transfer of provincial funds to Ontario lower-tier and single-tier municipalities represented by AMO;

**WHEREAS** the Recipient wishes to enter into this Agreement in order to participate in Ontario's Main Street Revitalization Initiative;

**WHEREAS** AMO is carrying out the fund administration in accordance with its obligations set out in the OMAFRA-AMO Agreement and it will accordingly undertake certain activities and require Recipients to undertake activities as set out in this Agreement.

**THEREFORE** the Parties agree as follows:

**1. DEFINITIONS AND INTERPRETATION**

1.1 **Definitions.** When used in this Agreement (including the cover and execution pages and all of the schedules), the following terms shall have the meanings

ascribed to them below unless the subject matter or context is inconsistent therewith:

**"Agreement"** means this Agreement, including the cover and execution pages and all of the schedules hereto, and all amendments made hereto in accordance with the provisions hereof.

**"Annual Report"** means the duly completed report to be prepared and delivered to AMO as described in Section 7.2 and Section 2 of Schedule D.

**"Association of Municipalities of Ontario (AMO)"** means a legally incorporated entity under the Corporations Act, 1990 R.S.O. 1990, Chapter c.38.

**"Communication Report"** means the duly completed report to be prepared and delivered to AMO as described in Section 7.1 and Section 1 of Schedule D.

**"Community Improvement Plan"** has the meaning as defined under section 28(1) of the Planning Act, R.S.O. 1990, c. P.13.

**"Contract"** means an agreement between the Recipient and a Third Party whereby the latter agrees to supply a product or service to an Eligible Project in return for financial consideration.

**"Effective Date"** is April 1, 2018.

**"Eligible Costs"** means those expenditures described as eligible in Schedule C.

**"Eligible Projects"** means projects as described in Schedule B.

**"Eligible Recipient"** means a

- a. Municipality or its agent (including its wholly owned corporation); and
- b. Non-municipal entity, including for profit, non-governmental and not-for profit organizations, on the condition that the Municipality(ies) has (have) indicated support for the Eligible Project through a formal grant agreement between the Municipality and the non-municipal entity.

**"Event of Default"** has the meaning given to it in Section 11.1 of this Agreement.

**"Funds"** mean the Funds made available to the Recipient through the Main Street Revitalization Initiative, a program established by the Government of Ontario. Funds are made available pursuant to this Agreement and includes any interest earned on the said Funds. For greater certainty: (i) Funds transferred to another Municipality in accordance with Section 6.2 of this Agreement, other than as set out in Sections 7.1(a), (c) and (f), are to be treated as Funds by the Municipality to which the Funds are transferred and are not to be treated as Funds by the Recipient; and (ii) any Funds transferred to a non-municipal entity

in accordance with Section 6.3 of this Agreement shall remain as Funds under this Agreement for all purposes and the Recipient shall continue to be bound by all provisions of this Agreement with respect to such transferred Funds.

**"Ineligible Costs"** means those expenditures described as ineligible in Schedule C.

**"Lower-tier Municipality"** means a Municipality that forms part of an Upper-tier Municipality for municipal purposes, as defined under the Municipal Act, 2001 S.O. 2001, c.25.

**"Municipal Fiscal Year"** means the period beginning January 1st of a year and ending December 31st of the same year.

**"Municipality" and "Municipalities"** means every municipality as defined under the Municipal Act, 2001 S.O. 2001 c.25.

**"Municipal Physical Infrastructure"** means municipal or regional, publicly or privately owned, tangible capital assets primarily for public use or benefit in Ontario.

**"Ontario"** means Her Majesty in Right of Ontario, as represented by the Minister of Agriculture, Food and Rural Affairs.

**"Parties"** means AMO and the Recipient.

**"Project Completion Date"** means the Recipient must complete its Project under this Agreement by March 31, 2020.

**"Recipient"** has the meaning given to it on the first page of this Agreement.

**"Results Report"** means the report prepared and delivered to AMO by the Recipient by which reports on how Funds are supporting progress towards achieving the program objective, more specifically described in Section 3 of Schedule D.

**"Single-tier Municipality"** means a municipality, other than an upper-tier municipality, that does not form part of an upper-tier municipality for municipal purposes as defined under the Municipal Act, 2001, S.O. 2001 c. 25.

**"Third Party"** means any person or legal entity, other than the Parties to this Agreement who participates in the implementation of an Eligible Project by means of a Contract.

**"Transfer By-law"** means a by-law passed by Council of the Recipient pursuant to Section 6.2 and delivered to AMO in accordance with that section.

**"Unspent Funds"** means the amount reported as unspent by the Recipient as of December 31, as submitted in the Recipient's Annual Report.

## 1.2 Interpretations:

**Herein, etc.** The words "herein", "hereof" and "hereunder" and other words of similar import refer to this Agreement as a whole and not any particular schedule, article, section, paragraph or other subdivision of this Agreement.

**Currency.** Any reference to currency is to Canadian currency and any amount advanced, paid or calculated is to be advanced, paid or calculated in Canadian currency.

**Statutes.** Any reference to a federal or provincial statute is to such statute and to the regulations made pursuant to such statute as such statute and regulations may at any time be amended or modified and in effect and to any statute or regulations that may be passed that have the effect of supplementing or superseding such statute or regulations.

**Gender, singular, etc.** Words importing the masculine gender include the feminine or neuter gender and words in the singular include the plural, and vice versa.

## 2. TERM OF AGREEMENT

- 2.1 **Term.** Subject to any extension or termination of this Agreement or the survival of any of the provisions of this Agreement pursuant to the provisions contained herein, this Agreement shall be in effect from the date set out on the first page of this Agreement, up to and including March 31, 2020.
- 2.2 **Amendment.** This Agreement may be amended at any time in writing as agreed to by AMO and the Recipient.
- 2.3 **Notice.** Any of the Parties may terminate this Agreement on written notice.

## 3. RECIPIENT REQUIREMENTS

- 3.1 **Communications.** The Recipient will comply with all requirements outlined, including providing upfront project information on an annual basis, or until all Funds are expended for communications purposes in the form described in Section 7.1 and Section 1 of Schedule D.
- a) Unless otherwise directed by Ontario, the Recipient will acknowledge the support of Ontario for Eligible Projects in the following manner: "The Project is funded [if it is partly funded the Recipient should use "in part"] by the Ontario Ministry of Agriculture, Food and Rural Affairs."
  - b) The Recipient shall notify Ontario within five (5) business days of planned media events or announcements related to the Project, organized by the Recipient to facilitate the attendance of Ontario. Media events and

announcements include, but are not limited to, news conferences, public announcements, official events or ceremonies, and news releases.

- 3.2 **Contracts.** The Recipient will award and manage all Contracts in accordance with its relevant policies and procedures and, if applicable, in accordance with the Canadian Free Trade Agreement and applicable international trade agreements, and all other applicable laws.
- a) The Recipient will ensure any of its Contracts for the supply of services or materials to implement its responsibilities under this Agreement will be awarded in a way that is transparent, competitive, consistent with value for money principles and pursuant to its adopted procurement policy.

#### 4. ELIGIBLE PROJECTS

- 4.1 **Eligible Projects.** Costs directly and reasonably incurred by the Recipient for construction, renewal, renovation or redevelopment or material enhancement activities funded under existing Community Improvement Plan financial incentive programs or activities funded under the Municipal Physical Infrastructure category, including projects in downtown or main street areas, as defined through an existing Community Improvement Plan or other municipal land use planning policy that will support the role of small businesses in main street areas as more specifically described in Schedule B and Schedule C
- 4.2 **Recipient Fully Responsible.** The Recipient is fully responsible for the completion of each Eligible Project in accordance with Schedule B and Schedule C.

#### 5. ELIGIBLE COSTS

- 5.1 **Eligible Costs.** Schedule C sets out specific requirements for Eligible and Ineligible Costs.
- 5.2 **Discretion of Ontario.** Subject to Section 5.1, the eligibility of any items not listed in Schedule B and/or Schedule C to this Agreement is solely at the discretion of Ontario.
- 5.3 **Unspent Funds.** Any Unspent Funds, and any interest earned thereon, will be subject to the terms and conditions of this Agreement.
- 5.4 **Reasonable Access.** The Recipient shall allow AMO and Ontario reasonable and timely access to all documentation, records and accounts and those of their respective agents or Third Parties related to the receipt, deposit and use of Funds and Unspent Funds, and any interest earned thereon, and all other relevant information and documentation requested by AMO or Ontario or their respective designated representatives for the purposes of audit, evaluation, and ensuring compliance with this Agreement.
- 5.5 **Retention of Receipts.** The Recipient will keep proper and accurate accounts and records of all Eligible Projects including invoices and receipts for Eligible

Expenditures in accordance with the Recipient's municipal records retention by-law and, upon reasonable notice, make them available to AMO and Ontario.

## 6. FUNDS

- 6.1 **Allocation of Funds.** AMO will allocate and transfer Funds on the basis of the formula determined by Ontario.
- 6.2 **Transfer of Funds to a Municipality.** Where a Recipient decides to allocate and transfer Funds to another Municipality (the "Transferee Municipality"):
- a) The allocation and transfer shall be authorized by by-law (a "Transfer By-law"). The Transfer By-law shall be passed by the Recipient's council and submitted to AMO as soon thereafter as practicable. The Transfer By-law shall identify the Transferee Municipality and the amount of Funds the Transferee Municipality is to receive for the Municipal Fiscal Year specified in the Transfer By-law.
  - b) The Recipient is still required to submit an Annual Report in accordance with Sections 7.1 (a), (c) and (f) hereof with respect to the Funds transferred.
  - c) No transfer of Funds pursuant to this Section 6.2 shall be effected unless and until the Transferee Municipality has either (i) entered into an agreement with AMO on substantially the same terms as this Agreement, or (ii) has executed and delivered to AMO a written undertaking to assume all of the Recipient's obligations under this Agreement with respect to the Funds transferred; in a form satisfactory to AMO.
- 6.3 **Transfer of Funds to a non-municipal entity.** Where a Recipient decides to support an Eligible Project undertaken by an Eligible Recipient that is not a Municipality:
- a) The provision of such support shall be authorized by a grant agreement between the Municipality and the Eligible Recipient in support of a Community Improvement Plan. The grant agreement shall identify the Eligible Recipient, and the amount of Funds the Eligible Recipient is to receive for that Eligible Project.
  - b) The Recipient shall continue to be bound by all of the provisions of this Agreement notwithstanding any such transfer including the submission of an Annual Report in accordance with Section 7.2.
  - c) No transfer of Funds pursuant to this Section 6.3 shall be effected unless and until the non-municipal entity receiving the Funds has executed and delivered to the Municipality the grant agreement.
- 6.4 **Use of Funds.** The Recipient acknowledges and agrees the Funds are intended for and shall be used only for Eligible Expenditures in respect of Eligible Projects.



- 6.5 **Payout of Funds.** The Recipient agrees that all Funds will be transferred by AMO to the Recipient upon full execution of this Agreement.
- 6.6 **Use of Funds.** The Recipient will deposit the Funds in a dedicated reserve fund or other separate distinct interest bearing account and shall retain the Funds in such reserve fund, or account until the Funds are expended or transferred in accordance with this Agreement. The Recipient shall ensure that:
- a) any investment of unexpended Funds will be in accordance with Ontario law and the Recipient's investment policy; and,
  - b) any interest earned on Funds will only be applied to Eligible Costs for Eligible Projects, more specifically on the basis set out in Schedule B and Schedule C.
- 6.7 **Funds advanced.** Funds transferred by AMO to the Recipient shall be expended by the Recipient in respect of Eligible Costs. AMO reserves the right to declare that Unspent Funds after March 31, 2020 become a debt to Ontario which the Recipient will reimburse forthwith on demand to AMO for transmission to Ontario.
- 6.8 **Expenditure of Funds.** The Recipient shall expend all Funds by March 31, 2020.
- 6.9 **GST & HST.** The use of Funds is based on the net amount of goods and services tax or harmonized sales tax to be paid by the Recipient net of any applicable tax rebates.
- 6.10 **Limit on Ontario's Financial Commitments.** The Recipient may use Funds to pay up to one hundred percent (100%) of Eligible Expenditures of an Eligible Project.
- 6.11 **Stacking.** If the Recipient is receiving funds under other programs in respect of an Eligible Project to which the Recipient wishes to apply Funds, the maximum contribution limitation set out in any other program agreement made in respect of that Eligible Project shall continue to apply.
- 6.12 **Insufficient funds provided by Ontario.** If Ontario does not provide sufficient funds to AMO for this Agreement, AMO may terminate this Agreement.

## 7. REPORTING REQUIREMENTS

- 7.1 **Communication Report.** Immediately upon execution of this Agreement the Recipient shall report to AMO any Eligible Project being undertaken in the current Municipal Fiscal Year in the form described in Schedule D.
- 7.2 **Annual Report.** The Recipient shall report in the form in Schedule D due by May 15th following the Municipal Fiscal Year on:

- a) the amounts received from AMO under this Agreement;
- b) the amounts received from another Eligible Recipient;
- c) the amounts transferred to another Eligible Recipient;
- d) amounts paid by the Recipient in aggregate for Eligible Projects;
- e) amounts held at year end by the Recipient in aggregate, including interest, to pay for Eligible Projects;
- f) indicate in a narrative the progress that the Recipient has made in meeting its commitments and contributions; and,
- g) a listing of all Eligible Projects that have been funded, indicating the Eligible Project category, project description, amount of Funds, total project cost, start date, end date and completion status.

7.3 **Results Report.** The Recipient shall account in writing for results achieved by the Funds through a Results Report to be submitted to AMO. Specifically the Results Report shall document performance measures achieved through the investments in Eligible Projects in the form described in Section 3 of Schedule D.

## 8. RECORDS AND AUDIT

- 8.1 **Accounting Principles.** All accounting terms not otherwise defined herein have the meanings assigned to them; all calculations will be made and all financial data to be submitted will be prepared in accordance with generally accepted accounting principles (GAAP) in effect in Ontario. GAAP will include, without limitation, those principles approved or recommended for local governments from time to time by the Public Sector Accounting Board or the Canadian Institute of Chartered Accountants or any successor institute, applied on a consistent basis.
- 8.2 **Separate Records.** The Recipient shall maintain separate records and documentation for the Funds and keep all records including invoices, statements, receipts and vouchers in respect of Funds expended on Eligible Projects in accordance with the Recipient's municipal records retention by-law. Upon reasonable notice, the Recipient shall submit all records and documentation relating to the Funds to AMO and Ontario for inspection or audit.
- 8.3 **External Auditor.** AMO and/or Ontario may request, upon written notification, an audit of Eligible Project or an Annual Report. AMO shall retain an external auditor to carry out an audit of the material referred to in Sections 5.4 and 5.5 of this Agreement. AMO shall ensure that any auditor who conducts an audit pursuant to this Section of this Agreement or otherwise, provides a copy of the

audit report to the Recipient and Ontario at the same time that the audit report is given to AMO.

## 9. INSURANCE AND INDEMNITY

- 9.1 **Insurance.** The Recipient shall put in effect and maintain in full force and effect or cause to be put into effect and maintained for the term of this Agreement all the necessary insurance with respect to each Eligible Project, including any Eligible Projects with respect to which the Recipient has transferred Funds pursuant to Section 6 of this Agreement, that would be considered appropriate for a prudent Municipality undertaking Eligible Projects, including, where appropriate and without limitation, property, construction and liability insurance, which insurance coverage shall identify Ontario and AMO as additional insureds for the purposes of the Eligible Projects.
- 9.2 **Certificates of Insurance.** Throughout the term of this Agreement, the Recipient shall provide AMO with a valid certificate of insurance that confirms compliance with the requirements of Section 9.1. No Funds shall be expended or transferred pursuant to this Agreement until such certificate has been delivered to AMO.
- 9.3 **AMO not liable.** In no event shall Ontario or AMO be liable for:
- (a) any bodily injury, death or property damages to the Recipient, its employees, agents or consultants or for any claim, demand or action by any Third Party against the Recipient, its employees, agents or consultants, arising out of or in any way related to this Agreement; or
  - (b) any incidental, indirect, special or consequential damages, or any loss of use, revenue or profit to the Recipient, its employees, agents or consultants arising out of any or in any way related to this Agreement.
- 9.4 **Recipient to Compensate Ontario.** The Recipient will ensure that it will not, at any time, hold Ontario, its officers, servants, employees or agents responsible for any claims or losses of any kind that the Recipient, Third Parties or any other person or entity may suffer in relation to any matter related to the Funds or an Eligible Project and that the Recipient will, at all times, compensate Ontario, its officers, servants, employees and agents for any claims or losses of any kind that any of them may suffer in relation to any matter related to the Funds or an Eligible Project. The Recipient's obligation to compensate as set out in this section does not apply to the extent to which such claims or losses relate to the negligence of an officer, servant, employee, or agent of Ontario in the performance of his or her duties.
- 9.5 **Recipient to Indemnify AMO.** The Recipient hereby agrees to indemnify and hold harmless AMO, its officers, servants, employees or agents (each of which is called an "Indemnatee"), from and against all claims, losses, damages, liabilities and related expenses including the fees, charges and disbursements of any counsel for any Indemnatee incurred by any Indemnatee or asserted against any Indemnatee by whomsoever brought or prosecuted in any manner based upon,

or occasioned by, any injury to persons, damage to or loss or destruction of property, economic loss or infringement of rights caused by or arising directly or indirectly from:

- (a) the Funds;
- (b) the Recipient's Eligible Projects, including the design, construction, operation, maintenance and repair of any part or all of the Eligible Projects;
- (c) the performance of this Agreement or the breach of any term or condition of this Agreement by the Recipient, its officers, servants, employees and agents, or by a Third Party, its officers, servants, employees, or agents; and
- (d) any omission or other wilful or negligent act of the Recipient or Third Party and their respective officers, servants, employees or agents.

## 10. DISPOSAL

10.1 **Disposal.** The Recipient will not, without Ontario's prior written consent, sell, lease or otherwise dispose of any asset purchased or created with the Funds or for which Funds were provided, the cost of which exceed \$50,000 at the time of sale, lease or disposal prior to March 31, 2021.

## 11. DEFAULT AND TERMINATION

11.1 **Event of Default.** AMO may declare in writing that an event of default has occurred when the Recipient has not complied with any condition, undertaking or term in this Agreement. AMO will not declare in writing that an event of default has occurred unless it has first consulted with the Recipient. Each and every one of the following events is an "Event of Default":

- (a) failure by the Recipient to deliver in a timely manner an Annual Report or Results Report.
- (b) delivery of an Annual Report that discloses non-compliance with any condition, undertaking or material term in this Agreement.
- (c) failure by the Recipient to co-operate in an external audit undertaken by AMO or its agents.
- (d) delivery of an external audit report that discloses non-compliance with any condition, undertaking or term in this Agreement.
- (e) failure by the Recipient to expend Funds in accordance with Sections 4.1 and 6.8.

11.2 **Waiver.** AMO may withdraw its notice of an Event of Default if the Recipient, within thirty (30) calendar days of receipt of the notice, either corrects the

default or demonstrates, to the satisfaction of AMO in its sole discretion that it has taken such steps as are necessary to correct the default.

- 11.3 **Remedies on default.** If AMO declares that an Event of Default has occurred under Section 11.1, after thirty (30) calendar days from the Recipient's receipt of the notice of an Event of Default, it may immediately terminate this Agreement.
- 11.4 **Repayment of Funds.** If AMO declares that an Event of Default has not been cured to its satisfaction, AMO reserves the right to declare that prior payments of Funds become a debt to Ontario which the Recipient will reimburse forthwith on demand to AMO for transmission to Ontario.

## 12. CONFLICT OF INTEREST

- 12.1 **No conflict of interest.** The Recipient will ensure that no current member of the AMO Board of Directors and no current or former public servant or office holder to whom any post-employment, ethics and conflict of interest legislation, guidelines, codes or policies of Ontario applies will derive direct benefit from the Funds, the Unspent Funds, and interest earned thereon, unless the provision of receipt of such benefits is in compliance with such legislation, guidelines, policies or codes.

## 13. NOTICE

- 13.1 **Notice.** Any notice, information or document provided for under this Agreement will be effectively given if in writing and if delivered by hand, or overnight courier, mailed, postage or other charges prepaid, or sent by facsimile or email to the addresses, the facsimile numbers or email addresses set out in Section 13.3. Any notice that is sent by hand or overnight courier service shall be deemed to have been given when received; any notice mailed shall be deemed to have been received on the eighth (8) calendar day following the day on which it was mailed; any notice sent by facsimile shall be deemed to have been given when sent; any notice sent by email shall be deemed to have been received on the sender's receipt of an acknowledgment from the intended recipient (such as by the "return receipt requested" function, as available, return email or other written acknowledgment), provided that in the case of a notice sent by facsimile or email, if it is not given on a business day before 4:30 p.m. Eastern Standard Time, it shall be deemed to have been given at 8:30 a.m. on the next business day for the recipient.
- 13.2 **Representatives.** The individuals identified in Section 13.3 of this Agreement, in the first instance, act as AMO's or the Recipient's, as the case may be, representative for the purpose of implementing this Agreement.
- 13.3 **Addresses for Notice.** Further to Section 13.1 of this Agreement, notice can be given at the following addresses:
  - a) If to AMO:

Executive Director  
Main Streets Agreement  
Association of Municipalities of Ontario 200 University Avenue, Suite 801  
Toronto, ON M5H 3C6

Telephone: 416-971-9856  
Email: [mainstreets@amo.on.ca](mailto:mainstreets@amo.on.ca)

b) If to the Recipient:

Key Municipal Contact  
Name Treasurer  
Municipal Name  
Mailing Address  
Town/City, ON POS COD  
Telephone:  
Email:

#### 14. MISCELLANEOUS

- 14.1 **Counterpart Signature.** This Agreement may be signed in counterpart, and the signed copies will, when attached, constitute an original Agreement.
- 14.2 **Severability.** If for any reason a provision of this Agreement that is not a fundamental term is found to be or becomes invalid or unenforceable, in whole or in part, it will be deemed to be severable and will be deleted from this Agreement, but all the other terms and conditions of this Agreement will continue to be valid and enforceable.
- 14.3 **Waiver.** AMO may waive any right in this Agreement only in writing, and any tolerance or indulgence demonstrated by AMO will not constitute waiver of rights in this Agreement. Unless a waiver is executed in writing, AMO will be entitled to seek any remedy that it may have under this Agreement or under the law.
- 14.4 **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario.
- 14.5 **Survival.** The Recipient agrees that the following sections and provisions of this Agreement shall extend for seven (7) years beyond the expiration or termination of this Agreement: Sections 5, 6.7, 6.8, 7, 9.4, 9.5, 11.4 and 14.8.
- 14.6 **AMO, Ontario and Recipient independent.** The Recipient will ensure its actions do not establish or will not be deemed to establish a partnership, joint venture, principal-agent relationship or employer-employee relationship in any way or for any purpose whatsoever between Ontario and the Recipient,

between AMO and the Recipient, between Ontario and a Third Party or between AMO and a Third Party.

- 14.7 **No Authority to Represent.** The Recipient will ensure that it does not represent itself, including in any agreement with a Third Party, as a partner, employee or agent of Ontario or AMO.
- 14.8 **Debts Due to AMO.** Any amount owed under this Agreement will constitute a debt due to AMO, which the Recipient will reimburse forthwith, on demand, to AMO.
- 14.9 **Priority.** In the event of a conflict, the part of this Agreement that precedes the signature of the Parties will take precedence over the Schedules.

## 15. SCHEDULES

15.1 This Agreement, including:

- Schedule A Municipal Allocation
- Schedule B Eligible Projects
- Schedule C Eligible and Ineligible Costs
- Schedule D Reporting

constitute the entire agreement between the Parties with respect to the subject matter contained in this Agreement and supersedes all prior oral or written representations and agreements.

**16. SIGNATURES**

**IN WITNESS WHEREOF**, AMO and the Recipient have respectively executed, sealed and delivered this Agreement on the date set out on the front page.

**RECIPIENT'S NAME:**

**[INSERT MUNICIPAL NAME]**

\_\_\_\_\_  
Name:  
Title:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name:  
Title:

\_\_\_\_\_  
Date

**THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO**

By: \_\_\_\_\_  
Title:

\_\_\_\_\_  
Date

In the presence of:

\_\_\_\_\_  
Witness:

\_\_\_\_\_  
Date



**SCHEDULE A  
MUNICIPAL ALLOCATION**

**RECIPIENT'S NAME:** [insert municipal name]

**ALLOCATION:** [insert dollar figure]

The Recipient acknowledges this is a one time payment for Eligible Projects with Eligible Costs.

## **SCHEDULE B ELIGIBLE PROJECTS**

Funding is to be directed to Eligible Projects to support revitalization activities within main street areas, as defined through an existing Community Improvement Plan or any other municipal land use planning policy. Funding can be used in one or both of the following categories:

- 1. Community Improvement Plan** – construction, renewal, renovation or redevelopment or material enhancement activities that implement priority financial incentives in existing Community Improvement Plans such as:
  - a. Commercial building façade improvements
  - b. Preservation and adaptive reuse of heritage and industrial buildings
  - c. Provision of affordable housing
  - d. Space conversion for residential and commercial uses
  - e. Structural improvements to buildings (e.g. Building Code upgrades)
  - f. Improvement of community energy efficiency
  - g. Accessibility enhancements
  
- 2. Other Municipal Land Use Planning Policy** – construction, renewal or material enhancement activities to fund strategic Municipal Physical Infrastructure and promotional projects such as:
  - a. Signage – wayfinding/directional, and gateway.
  - b. Streetscaping and landscape improvements – lighting, banners, murals, street furniture, interpretive elements, public art, urban forestation, accessibility, telecommunications/broadband equipment, parking, active transportation infrastructure (e.g. bike racks/storage, cycling lanes and paths) and pedestrian walkways/trails.
  - c. Marketing plan implementation – business attraction and promotion activities, special events.

## **SCHEDULE C ELIGIBLE AND INELIGIBLE COSTS**

### **1. Eligible Costs include:**

- a. Costs directly and reasonably incurred on or after April 1, 2018 up to and including the Project Completion Date by the Recipient for construction, renewal, renovation or redevelopment or material enhancement activities funded under existing Community Improvement Plan financial incentive programs.
- b. Costs directly and reasonably incurred on or after April 1, 2018 up to and including the Project Completion Date by the Recipient for construction, renewal or material enhancement activities funded under the Municipal Physical Infrastructure category including projects in downtown or main street areas, as defined through an existing Community Improvement Plan or other municipal land use planning policy that will support the success of small businesses in main street areas.

### **2. Ineligible Costs include:**

- a. Costs incurred prior to Effective Date or after the Project Completion Date;
- b. Any costs associated with providing the Annual and Results Reports to AMO;
- c. Any costs associated with lobbying Ontario, including other Ministries, agencies and organizations of the Government of Ontario;
- d. Costs associated with construction, renewal, renovation or redevelopment or material enhancement of all things in the following categories: highways, short-sea shipping, short-line rail, regional or local airports, and brownfield redevelopment;
- e. Costs of infrastructure construction, renewal, renovation or redevelopment or material enhancement that do not improve energy efficiency, accessibility, aesthetics or marketability of small businesses within an Recipient's main street areas; or that do not encourage strategic public investments in municipal and other public infrastructure within main street areas that will benefit small businesses; or that otherwise will likely fail to contribute to the success of main street businesses;
- f. Costs of infrastructure construction, renewal, renovation or redevelopment or material enhancement outside of the Recipient's main street areas, as defined through an existing Community Improvement Plan or other municipal land use planning policy;
- g. The cost of leasing of equipment by the Recipient, any overhead costs, including salaries and other employment benefits of any employees of the Recipient, its direct or indirect operating or administrative costs of Recipients, and more specifically its costs related to planning, engineering, architecture, supervision, management and other

activities normally carried out by its staff, except in accordance with Eligible Costs above;

- h. Taxes, to which the Recipient is eligible for a tax rebate;
- i. Purchase of land or any interest therein, and related costs; and,
- j. Routine repair and maintenance Municipal Physical Infrastructure.

**SCHEDULE D  
REPORTING**

**1. Communication Report**

Immediately following the Municipality executing this Agreement the Recipient will provide AMO a Communication Report in an electronic format deemed acceptable to AMO, consisting of the following:

<b>Project Title</b>	<b>Project Description</b>	<b>Eligible Project Category (CIP/ Municipal Physical Infrastructure)</b>	<b>Total Project Cost</b>	<b>Estimate of Funds (Main Street) Spent</b>

**2. Annual Report**

The Recipient will provide to AMO an Annual Report in an electronic format deemed acceptable to AMO, consisting of the following:

- a. Financial Reporting Table: The financial report table will be submitted in accordance with the following template:

Annual Report Financial Table	Annual	Cumulative
	20xx	2018 - 2020
Opening Balance	\$xxx	
Received from AMO	\$xxx	\$xxx
Interest Earned	\$xxx	\$xxx
Received from An Eligible Recipient	\$xxx	\$xxx
Transferred to an Eligible Recipient	(\$xxx)	(\$xxx)
Spent on Eligible Projects (for each Eligible Project category)	(\$xxx)	(\$xxx)
Closing Balance of Unspent Funds	\$xxx	

- b. Project List: The Recipient will provide to AMO a project list submitted in accordance with the following template:

Recipient	Project Title	Project Description	Eligible Project Category	Total Project Cost	Main Street Funds Used	Start & End Date	Completed?
							Yes/No/Ongoing

**3. Project Results.**

The Results Report shall outline, in a manner to be provided by AMO, the degree to which investments in each project are supporting progress towards achieving revitalization within main street areas:

- a. Community Improvement Plan Eligible Projects
- Number of small businesses supported;
  - Total value of physical improvements;
  - Total Main Street Funds provided;
  - Total Municipal investment; and,
  - Total private investment.
- b. Municipal Physical Infrastructure Eligible Projects
- Total value of physical improvements;
  - Total Main Street Funds provided; and
  - Total municipal investment.

**Authority:** Item , General Issues Committee  
Report  
CM: Date

**Bill No.**

**CITY OF HAMILTON**

**BY-LAW NO. 18-**

**To Authorize the Signing of a Municipal Funding Agreement for the Transfer of Main Street Revitalization Funds between the Association of Municipalities of Ontario and the City of Hamilton**

**WHEREAS** the Council of the City of Hamilton wishes to enter into a Municipal Funding Agreement in order to participate in the Main Street Revitalization Initiative;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The Mayor and City Clerk are hereby authorized to execute a Municipal Funding Agreement for the Transfer of Main Street Revitalization Funds between the Association of Municipalities of Ontario and the City of Hamilton, in a form satisfactory to the City Solicitor and with content acceptable to the General Manager of Finance and Corporate Services.
2. This by-law shall come into force on the day it is passed.

**PASSED** this                    day of                    , 2018.

\_\_\_\_\_  
F. Eisenberger  
MAYOR

\_\_\_\_\_  
R. Caterini  
CLERK



Hamilton

## **West Harbour Development Sub-Committee**

### **Report 18-001**

1:30 p.m.

Tuesday, April 10, 2018

Council Chambers, City Hall

71 Main Street West

Hamilton, Ontario

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**Present:** Mayor F. Eisenberger, Councillors A. Johnson (Chair), J. Farr (Vice Chair), and C. Collins

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#### **THE WEST HARBOUR DEVELOPMENT SUB-COMMITTEE PRESENTS REPORT 18-001 AND RESPECTFULLY RECOMMENDS:**

**1. Lease Expiry of MacDonald Marine Status Update (PED18096) (Ward 2) (Item 5.1)**

That Report PED18096, respecting Lease Expiry of MacDonald Marine Status Update, be received.

**2. Status of West Harbour Implementation (PW17075(a)) (City Wide) (Item 7.1)**

(a) That Report PW17075(a), respecting the Status of West Harbour Implementation, be received; and

(b) That the Waterfront Board of Directors, who are currently undertaking a \$15.5 million project management of Pier 5, 6 and 7, be requested to undertake a public process that establishes a gateway feature at the foot of James Street North.

**3. Pier 8 Request for Proposals (RFP) Public Presentation Process (PED14002(g)) (Ward 2) (Item 7.2)**

That Report PED14002(g), respecting the Pier 8 Request for Proposals (RFP) Public Presentation Process, be received.



**FOR INFORMATION:****(a) CHANGES TO THE AGENDA (Item 1)**

The Committee Clerk advised there were no changes to the Agenda.

The Agenda for the April 10, 2018 meeting of the West Harbour Development Sub-Committee was approved, as presented.

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

There were no declarations of interest.

**(c) APPROVAL OF MINUTES (Item 3)****(i) October 2, 2017 (Item 3.1)**

The Minutes for the October 2, 2017 meeting of the West Harbour Development Sub-Committee were approved, as presented.

**(d) PRESENTATIONS (Item 7)****(i) Status of West Harbour Implementation (PW17075(a)) (City Wide) (Item 7.1)**

Gavin Norman, Manager, Waterfront Development Office, and Werner Plessl, Executive Director, Hamilton Waterfront Trust, addressed the Committee respecting the Status of West Harbour Implementation, with the aid of a PowerPoint Presentation. A copy of the presentation has been retained for the official record and is available online at [www.hamilton.ca](http://www.hamilton.ca).

The presentation respecting Report PW17075(a) - Status of West Harbour Implementation, was received.

Staff were directed to prepare a property disposition strategy for the residential and commercial blocks at Piers 5-7 with options and alternatives that outline the process, timelines and anticipated resources associated with their sale.

For disposition of this matter, see Item 2.

**(ii) Pier 8 Request for Proposals (RFP) Public Presentation Process (PED14002(g)) (Ward 2) (Item 7.2)**

Chris Phillips, Senior Advisor, addressed the Committee respecting the Pier 8 Request for Proposals (RFP) Public Presentation Process, with the aid of a PowerPoint Presentation. A copy of the presentation has been retained for the official record and is available online at [www.hamilton.ca](http://www.hamilton.ca).

The presentation respecting Report PED14002(g) - Pier 8 Request for Proposals (RFP) Public Presentation Process, was received.

Waterfront Office staff were directed to present the Pier 8 Promenade Park design to Hamilton Police Services to review with a CPTED (Crime Prevention Through Environmental Design) lens.

Staff were directed to prepare a detailed costing of the winning components associated with the Pier 8 Promenade and report back to the West Harbour Development Sub-committee.

For disposition of this matter, see Item 3.

**(e) ADJOURNMENT (Item 13)**

There being no further business, the West Harbour Development Sub-Committee was adjourned at 3:53 p.m.

Respectfully submitted,

Councillor A. Johnson, Chair  
West Harbour Development  
Sub-Committee

Lisa Chamberlain  
Legislative Coordinator  
Office of the City Clerk