



City of Hamilton

CITY COUNCIL AGENDA

19-005

Wednesday, March 20, 2019, Immediately following the General Issues Committee meeting
Council Chambers, Hamilton City Hall
71 Main Street West

Call to Order

1. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with *)

2. DECLARATIONS OF INTEREST

3. COMMUNICATIONS

3.1 Correspondence from the Honourable Andrea Horwath, Ontario NDP Leader respecting the safety of the Red Hill Valley Expressway and urging the City of Hamilton to do the right thing and open the review of these circumstances to a judicial review.

Recommendation: Be received.

4. MOTIONS

4.1 Requesting an Apology from the Province of Ontario Respecting the Ministry of Transportation's Friction Testing Results

5. PRIVATE AND CONFIDENTIAL

5.1 City Manager Recruitment - Update (no copy)

Pursuant to Section 8.1, Sub-section (b) and (d) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (b) and (d) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees and labour relations or employee negotiations.

5.2 Road Infrastructure Litigation Review and Assessment Follow up (LS19010(b))
(distributed under separate cover)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270; 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.

6. BY-LAWS AND CONFIRMING BY-LAW

6.1 043

To Confirm the Proceedings of City Council

7. ADJOURNMENT



Official Opposition • l'Opposition officielle

Ontario NDP Caucus • Groupe parlementaire du NPD de l'Ontario

March 7, 2019

Mayor Fred Eisenberger
Hamilton City Councillors
Hamilton City Hall
2nd floor - 71 Main Street West
Hamilton, Ontario L8P 4Y5

To Mayor Fred Eisenberger & Members of Hamilton City Council,

Hamilton families are shocked by the recently uncovered 2013 friction test report, which throws into question the safety of the Red Hill Valley expressway since its opening. Families who lost loved ones on this dangerous roadway deserve answers about these buried safety concerns, and all Hamiltonians need assurances that this will never happen again. A judicial inquiry can shed light into the many years of what Hamiltonians see as questionable claims about the safety of this roadway and finally bring justice, and some closure, for families who lost loved ones.

Last week, we met with the families of Jordyn Hastings and Olivia Smosarski – two young women who tragically lost their lives on expressway in 2015. We were struck by the unity and the strength of these families in the face of tremendous anguish and grief. For the past four years, they worked tirelessly to improve the safety of the Red Hill Valley and the Lincoln Alexander Parkways by pushing for changes like median barriers and lower speed limits. Between 2012 and 2015, there were 668 vehicle accidents on the Red Hill Valley Parkway, with too many people losing their lives or suffering severe injuries because of this dangerous roadway. The Hastings, Smosarskis, and so many others have channeled their grief and pushed for safer conditions along the expressway so that no family has to experience a loss like they have.

We need to do right by all families that have suffered loss or injuries by uncovering the truth about what led to the buried friction test report and years of questionable claims about the safety of the Red Hill Valley Parkway. As elected MPPs for the Hamilton area, we urge that you do the right thing and open the review of these circumstances to a judicial inquiry.

Signed on behalf of all Hamilton area NDP MPPs.

A handwritten signature in blue ink, appearing to read "Andrea Horwath".

Andrea Horwath,
MPP, Hamilton Centre
Ontario NDP Leader

CITY OF HAMILTON

MOTION

Council: March 20, 2019

MOVED BY COUNCILLOR S. MERULLA.....

SECONDED BY COUNCILLOR.....

Requesting an Apology from the Province of Ontario Respecting the Ministry of Transportation's Friction Testing Results

WHEREAS, City Council and by extension the residents of the City of Hamilton have received an apology from City of Hamilton staff for the manner and the timing to which Council was informed of the friction testing results on the Red Hill Valley Expressway; and

WHEREAS, City Council and by extension the residents of the City of Hamilton have not received an apology from the Province of Ontario, respecting the Ministry of Transportation's friction testing results, which concurred with the results within the City of Hamilton report during the same period of time and in doing so, compounded the betrayal to City Council and the residents of City of Hamilton.

THEREFORE BE IT RESOLVED:

That City Council demand an apology from the Province of Ontario respecting the Ministry of Transportation's Friction Testing Results, on behalf of all residents of the City of Hamilton.

CITY OF HAMILTON

BY-LAW NO. 19-043

To Confirm the Proceedings of City Council at its special meeting held on March 20, 2019

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 20th day March, 2019, in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting is hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED this 20th day of March, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk