



GENERAL ISSUES COMMITTEE REPORT 17-013

9:30 a.m.

Wednesday, June 7, 2017
Council Chambers
Hamilton City Hall
71 Main Street West

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

Absent
with Regrets: Councillors R. Pasuta – Sick Leave

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 17-013 AND RESPECTFULLY RECOMMENDS:

1. **New Municipal Flexibility for Vacant Unit Rebates and Vacant / Excess Land Subclasses (FCS17021(a)) (City Wide) (Item 7.1)**
 - (a) That the Vacant Unit Rebate Program be phased out over two years with a 30% rebate in 2017 (status quo), a 15% rebate in 2018 and a 0% rebate in 2019;
 - (b) That the estimated budget savings for 2018 of \$1.25 M be referred to the 2018 Operating Budget Process;
 - (c) That staff continue to review the Vacant / Excess Land Tax Reduction and report back during the 2018 Budget Process; and,
 - (d) That staff be directed to review the feasibility of creating a city-wide affordable housing incentive program utilizing the \$1.25 million property taxes recovered from the vacant unit rebate, and report back to the General Issues Committee during the 2018 Operating Budget process.

2. Lobbyist Registry By-law (CL17006) (City Wide) (Item 8.1)

That Report CL17006, respecting the Lobbyist Registry By-law, be received.

3. Auchmar Estate (PED12193(b)) (Ward 8) (Item 8.2)

That the members of the Royal Hamilton Light Infantry XIIIth Battalion Auchmar Heritage Trust be provided with a nine (9) month extension to prepare a Business Plan for a long term lease for the Operation and Maintenance of the Auchmar Estate, to be presented at the March 21, 2018 General Issues Committee.

4. Business Improvement Area Advisory Committee Report 17-004, May, 9, 2017 (Item 8.3)

(a) Extension of City of Hamilton Encroachment Policy (PED17067) (City Wide) (Item 8.3)

That Report PED17067, attached as Appendix “A” to BIAAC Report 17-004, respecting the Extension of City of Hamilton Encroachment Policy, be received.

(b) Criteria for Nominations for BIA Awards of Excellence (no copy) (Added Item 8.5)

That the Program Description for the BIA Awards of Excellence, attached as Appendix B to BIAAC Report 17-004, be amended by adding the words “No property can be nominated more than once in a three-year period in any category.” to read as follows:

The participating BIAs in the Awards Program nominate two (2) properties within their boundaries. Three categories have been created for the nominations. The BIA would determine which category they will submit nominations for. No property can be nominated more than once in a three-year period in any category.

5. Accommodation at 50 Main Street East, Floors 3 to 5 (PW17044) (City Wide) (Item 8.4)

- (a) That the additional cost of \$2,570,00 for the Tenant Fit-up Renovations for Floors 3 to 5 at 50 Main Street East, Hamilton, as described in Report PW17044, be funded as follows:
 - (i) \$1,000,000 from the McMaster Facility Capital Reserve #108039;
 - (ii) \$1,570,000 to be debt financed over 15-years and the annual debt charge (approximately \$150,000) be funded from the annual budgeted lease cost savings starting in 2018 and 2019 (per 2017 budget - \$317,290); and,
 - (iii) That the residual budgeted lease cost savings identified in #2 above be used first to fund existing Capital funding requirement shortfalls for this portion of the project, second, any increase in budgeted operating costs for this project and third, to the newly renamed 50 Main St East Facility Capital Reserve #108039;
- (b) That the Tenant Fit-up Renovations for Floors 3 to 5 at 50 Main Street East, Hamilton, begin immediately in 2017 with the Construction Manager currently onsite performing renovations, Eastern Construction Company Limited., subject to subsections (e) and (f);
- (c) That Real Estate staff from the Planning and Economic Development Department, in consultation with Facilities Management and Legal Services staff, be authorized and directed to:
 - (i) Terminate the lease agreement for space currently occupied by Legal Services on the 12 floor of 21 King Street West, in accordance with the terms and conditions of the lease agreement, and in a timeframe consistent with the recommended fit up and move; and,
 - (ii) Allow the lease agreement for space currently occupied by Risk Management on the 11th floor of 21 King Street West to expire and not to renew on August 31, 2019;
- (d) That the General Manager, Planning and Economic Development be authorized and directed to execute all necessary documents relating to the termination and/or expiry of City leases at 21 King Street West, in a form satisfactory to the City Solicitor;
- (e) That pursuant to the City's Procurement Policy By-law (Policy #11 - Non-competitive Procurements), a single source procurement for the renovation of floors 3 to 5 of 50 Main Street East, Hamilton, to accommodate Legal

Services, Risk Management and Audit Services, with budget increases as outlined in Appendix A to be awarded to:

- (i) The Construction Manager currently onsite, Eastern Construction Company Limited;
 - (ii) The current Design Architect for the site, INVIZIJ Architects Inc.; and,
- (f) That the General Manager of Public Works be authorized and directed to negotiate, enter into and execute all required documentation to implement the single source procurements described in subsection (e), in a form satisfactory to the City Solicitor.

6. Waterfront Outdoor Rink Management Agreement (FCS17040) (City Wide) (Item 8.5)

- (a) That the Waterfront Outdoor Rink Management Agreement (the “Agreement”) in substantially the same form and content as the version attached as Appendix “A” to Report FCS17040, between Hamilton Waterfront Trust (“HWT”) and the City of Hamilton for the year-round operation, maintenance and management of the Waterfront Outdoor Rink be approved;
- (b) That the General Manager of Finance and Corporate Services be authorized and directed to negotiate all necessary agreements, including this Agreement and any extension agreements, in a form satisfactory to the City Solicitor, including a management agreement providing the HWT with the exclusive authority to operate, maintain and manage the Waterfront Outdoor Rink for an initial five year term beginning January 1, 2017 plus two extension options of five years each exercisable at the City’s discretion; and,
- (c) That the General Manager of Finance and Corporate Services be directed to execute, on behalf of the City of Hamilton, all necessary documentation, including this Agreement and any extension agreements, to implement recommendation (b) of Report FCS17040 and in a form satisfactory to the City Solicitor.

7. Policy respecting a Post Employment (Cooling Off) Period for Retired and Current Elected Officials (9.2)

That staff be directed to review the feasibility of implementing a 2 year Post Employment (cooling off) period for retired and current elected officials between the

time of retirement/leaving the City of Hamilton and being able to attend at the City as a lobbyist, and report back to the General Issues Committee.

8. OPSEU Bargaining Ratification Update (Item 12.3)

That the four year (April 1, 2016 March 31, 2020) Collective Agreement between the City of Hamilton Paramedic Service and the Ontario Public Service Employees Union (OPSEU), Local 256, be ratified retroactive to April 1, 2016.

9. Acquisition of Property – Lister Annex (PW17042/PED17095) (City Wide) (Item 12.4)

That Report PW17042/PED17095, respecting the Acquisition of Property – Lister Annex, be referred to the June 14, 2017 meeting of Council for consideration.

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

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

1. DELEGATION REQUESTS (Item 4)

- 4.1 Rachel Braithwaite, Barton Village BIA, respecting the Vacancy Tax Rebate on Commercial Properties – this delegation request has been withdrawn.
- 4.2 Brian G. Buckle and Richard Moll, Royal Hamilton Light Infantry XIIIth Battalion Auchmar Heritage Trust, respecting Item 8.2 – Report PED12193(b), Auchmar Estate, to provide an update on the progress of the Trust and to request that negotiations continue between the City of Hamilton and the Trust regarding the Auchmar Estate (For June 7, 2017)
- 4.3 Jennifer Douglas (part of the Young family), respecting Item 8.2 – Report PED12193(b), Auchmar Estate, and the importance of saving Auchmar (For June 7, 2017)

2. DISCUSSION ITEMS (Item 8)

Council – June 14, 2017

8.2 Auchmar House (PED12193(b)) (Ward 8)

Councillor Whitehead is requesting that this Item be moved up on the agenda to be considered subsequent to Item 6.3

3. PRIVATE & CONFIDENTIAL (Item 12)

12.5 Update respecting a Personnel Matter

Pursuant to Section 8.1, Sub-section (b) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (b) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees.

The agenda for the June 7, 2017 General Issues Committee (Budget) meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) April 6, 2017 (Budget) (Item 3.1)

The minutes of the April 6, 2017 meeting of the General Issues Committee Budget meeting were approved, as presented.

(ii) May 17, 2017 (Item 3.2)

The minutes of the May 17, 2017 meeting of the General Issues Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Rachel Braithwaite, Barton Village BIA, respecting the Vacancy Tax Rebate on Commercial Properties (For June 7, 2017 GIC) (Item 4.1)

As noted in the Changes to the Agenda, this delegation request was withdrawn.

- (ii) Brian G. Buckle and Richard Moll, Royal Hamilton Light Infantry XIIIth Battalion Auchmar Heritage Trust, respecting Item 8.2 – Report PED12193(b), Auchmar Estate, to provide an Update on the Progress of the Trust and to request that Negotiations continue between the City of Hamilton and the Trust regarding the Auchmar Estate (For June 7, 2017) (Item 4.2)**

The delegation request submitted by Brian G. Buckle and Richard Moll, Royal Hamilton Light Infantry XIIIth Battalion Auchmar Heritage Trust, respecting Item 8.2 – Report PED12193(b), Auchmar Estate, to provide an update on the progress of the Trust and to request that negotiations continue between the City of Hamilton and the Trust regarding the Auchmar Estate, was approved to appear before Committee at the June 7, 2017 General Issues Committee meeting.

- (iii) Jennifer Douglas (part of the Young family), respecting Item 8.2 – Report PED12193(b), Auchmar Estate, and the Importance of Saving Auchmar (For June 7, 2017) (Item 4.3)**

The delegation request submitted by Jennifer Douglas (part of the Young family), respecting Item 8.2 – Report PED12193(b), Auchmar Estate, and the importance of saving Auchmar, was approved to appear before Committee at the June 7, 2017 General Issues Committee meeting.

(e) CONSENT ITEMS (Item 5)

- (i) Hamilton-Wentworth District School Board Liaison Committee Minutes, May 9, 2017 (Item 5.1)**

The Minutes of the Hamilton-Wentworth District School Board Liaison Committee meeting of May 9, 2017 were received.

(f) PUBLIC HEARINGS / DELEGATIONS (Item 6)

- (i) Shelley Falconer, President and CEO of the Art Gallery of Hamilton, respecting the Art Gallery of Hamilton's Strategic Plan Update (Item 6.1)**

Lou Celli, Chairman of the Board for the Art Gallery of Hamilton; and, Shelley Falconer, President and CEO of the Art Gallery of Hamilton, addressed

Council – June 14, 2017

Committee and provided a presentation respecting the Art Gallery of Hamilton's Strategic Plan Update.

The presentation provided by Lou Celli, Chairman of the Board for the Art Gallery of Hamilton; and, Shelley Falconer, President and CEO of the Art Gallery of Hamilton, respecting the Art Gallery of Hamilton's Strategic Plan, was received.

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

- (ii) Brian G. Buckle and Richard Moll, Royal Hamilton Light Infantry XIIIth Battalion Auchmar Heritage Trust, respecting Item 8.2 – Report PED12193(b), Auchmar Estate, to provide an Update on the Progress of the Trust and to request that Negotiations continue between the City of Hamilton and the Trust regarding the Auchmar Estate (For June 7, 2017) (Item 6.2)**

Brian G. Buckle, Royal Hamilton Light Infantry XIIIth Battalion Auchmar Heritage Trust, addressed Committee respecting Item 8.2 – Report PED12193(b), Auchmar Estate, to provide an update on the progress of the Trust and to request that negotiations continue between the City of Hamilton and the Trust regarding the Auchmar Estate.

The presentation provided by Brian G. Buckle, Royal Hamilton Light Infantry XIIIth Battalion Auchmar Heritage Trust, respecting Item 8.2 – Report PED12193(b), Auchmar Estate, to provide an update on the progress of the Trust and to request that negotiations continue between the City of Hamilton and the Trust regarding the Auchmar Estate, was received.

- (iii) Jennifer Douglas (part of the Young family), respecting Item 8.2 – Report PED12193(b), Auchmar Estate, and the Importance of Saving Auchmar (For June 7, 2017) (Item 6.3)**

Ms. Douglas was not in attendance.

(g) PRESENTATIONS (Item 7)

- (i) New Municipal Flexibility for Vacant Unit Rebates and Vacant / Excess Land Subclasses (FCS17021(a)) (City Wide) (Item 7.1)**

Mike Zegarac, General Manager of Finance and Corporate Services, addressed Committee and provided a presentation respecting Report FCS17021(a) – New Municipal Flexibility for Vacant Unit Rebates and Vacant / Excess Land Subclasses.

The presentation, respecting Report FCS17021(a) – New Municipal Flexibility for Vacant Unit Rebates and Vacant / Excess Land Subclasses, was received.

A copy of the presentation is available on the City's website at www.hamilton.ca or through the Office of the City Clerk.

Report FCS17021(a), respecting New Municipal Flexibility for Vacant Unit Rebates and Vacant / Excess Land Subclasses, was amended by adding a new sub-section (d) to read as follows:

- (d) That staff be directed to review the feasibility of creating a city-wide affordable housing incentive program utilizing the \$1.25 million property taxes recovered from the vacant unit rebate, and report back to the General Issues Committee during the 2018 Operating Budget process.

The Amending Motion above CARRIED on the following Standing Recorded Vote:

Yeas:	Jackson, Merulla, Green, Farr, A. Johnson, Partridge, Eisenberger, Collins
Total:	8
Nays:	Conley, Pearson, B. Johnson, Ferguson, Skelly
Total:	5
Absent:	R. Pasuta, A. VanderBeek, T. Whitehead
Total:	3

For disposition of this matter, please refer to Item 1.

(ii) Correspondence respecting Report FCS17021(a) - New Municipal Flexibility for Vacant Unit Rebates and Vacant / Excess Land Subclasses (Item 7.1(a))

- (i) Dave Pitblado, Director of Real Estate Development, Penta Properties Inc.

The correspondence from Dave Pitblado, Director of Real Estate Development, Penta Properties Inc., was received.

(h) MOTIONS (Item 9)

(i) Expression of Interest for a Professional Soccer League at the City's Tim Horton's Stadium (9.1)

The Motion respecting an Expression of Interest for a Professional Soccer League at the City's Tim Horton's Stadium, was TABLED.

(i) NOTICES OF MOTION (Item 10)

Councillor J. Farr introduced the following Notice of Motion:

(i) Review of the Downtown and Community Renewal Improvement Program (Item 10.1)

That staff be directed to review the Downtown and Community Renewal Improvement Program and report back to the General Issues Committee prior to the 2019 Operating Budget process.

Councillor J. Farr introduced the following Notice of Motion:

(ii) Development Incentive Programs Offered by the City of Hamilton (Item 10.2)

That staff be directed to prepare a comprehensive report respecting the development incentive programs offered by the City of Hamilton and report to the General Issues Committee, prior to the 2018 Operating Budget process.

Councillor M. Green introduced the following Notice of Motion:

(iii) Policy respecting a Post Employment (Cooling Off) Period for Retired and Current Elected Officials (10.3)

That staff be directed to review the feasibility of implementing a 2 year Post Employment (cooling off) period for retired and current elected officials between the time of retirement / leaving the City of Hamilton and being able to attend at the City as a lobbyist, and report back to the General Issues Committee.

The Rules of Order were waived to allow for the introduction of a Motion regarding Policy respecting a Post Employment (Cooling Off) Period for Retired and Current Elected Officials.

For disposition of matter above, please refer to Item 7.

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

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

The amendments to the General Issues Committee's Outstanding Business List, be approved, as follows:

(aa) Approval of Proposed New Due Dates:

- (1) Public Works Service Delivery Review
Current Due Date: March 22, 2017
Proposed New Due Date: July 10, 2017
- (2) Updating, Modernizing & Sustaining the City's Live Streaming Infrastructure – Council Chambers Only
Current Due Date: May 17, 2017
Proposed New Due Date: July 10, 2017
- (3) Small Business Enterprise Centre Program Initiatives (PED16035)
Current Due Date: March 22, 2017
Proposed New Due Date: July 10, 2017
- (4) Update on Request for Information – Downtown Parking Structure (PED16105)
Current Due Date: March 22, 2017
Proposed New Due Date: August 14, 2017
- (5) Proposed Permanent Closure and Sale of a Portion of the Road Allowance of Limeridge Rd.
Current Due Date: March 22, 2017
Proposed New Due Date: August 14, 2017
- (6) Cultural Plan
Current Due Date: July 10, 2017
Proposed New Due Date: December 6, 2017
- (7) Office Tenancy Assistance Program

Council – June 14, 2017

Current Due Date: June 21, 2017
Proposed New Due Date: September 20, 2017

- (8) Hamilton Walk of Fame
Current Due Date: June 7, 2017
Proposed New Due Date: December 6, 2017
- (9) West Harbour Real Estate Solicitation Process for Pier 8 Lands – Formal RFP Process
Current Due Date: April 19, 2017
Proposed New Due Date: July 10, 2017
- (10) Feasibility of a Fashion Incubator at the former Eastmount School Site
Current Due Date: May 17, 2017
Proposed New Due Date: August 14, 2017
- (11) Art in Public Places Policy
Current Due Date: November 15, 2017
Proposed New Due Date: Q2 2018
- (12) 2016-2020 Economic Development Action Plan – Annual Update
Current Due Date: December 6, 2017
Proposed New Due Date: February 2018

(bb) Items to be Removed:

- (1) Street Hockey in the City of Hamilton
(Addressed at the March 1, 2017 GIC – Report LS17006)
- (2) Costs of Increasing the Composition of Council by One Member
(Addressed at the February 1, 2017 GIC – Report (FCS17019)
- (3) Cost Implications to Hamilton Taxpayers Should Council Discontinue the Light Rail Transit Project (Addressed as Item 7.8 at the April 26, 2017 Council – Report PED17085)
- (4) Tax Rebates for Vacant Commercial and Industrial Properties
(Addressed as Item 7.1 on today's agenda – Report FCS17021(a))
- (5) Lobbyist Registry (Addressed as Item 8.1 on today's agenda)

(ii) Amendment to the General Issues Committee's Outstanding Business List - Promoting the Royal Botanical Gardens (Item 11.1)

WHEREAS, on October 19, 2016 staff were directed to enter into discussions with the Royal Botanical Gardens (RBG), respecting the feasibility of promoting the RBG, at no cost to the RBG, through the City's Horticulture Median and Boulevard Program and other cross-promotional opportunities including, but not limited to, ongoing winter activities at Cootes Paradise, that may benefit the RBG and the City of Hamilton; and

WHEREAS, after discussions with the Royal Botanical Gardens, it was determined that this action was not required;

THEREFORE BE IT RESOLVED:

The matter respecting the promoting the Royal Botanical Gardens was removed from the General Issues Committee's Outstanding Business List.

(I) PRIVATE & CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – May 17, 2017 (Item 12.1)

The Closed Session Minutes of the May 17, 2017 General Issues Committee meeting were approved as presented.

(ii) Closed Session Minutes – April 6, 2017 (Item 12.2)

The Closed Session Minutes of the April 6, 2017 General Issues Committee meeting, be approved as presented.

Committee moved into Closed Session, respecting Items 12.3, 12.4 and 12.5, pursuant to Section 8.1, Sub-sections (b), (c) and (d) of the City's Procedural By-law 14-300, and Section 239(2), Sub-sections (b), (c) and (d) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to personal matters about an identifiable individual, including City Employees; a proposed or pending acquisition or disposition of land for City purposes; and, labour relations or employee negotiations.

(iii) OPSEU Bargaining Ratification Update (Item 12.3)

For disposition of this matter, please refer to Item 8.

**(iv) Acquisition of Property – Lister Annex (PW17042/PED17095) (City Wide)
(Item 12.4)**

For disposition of this matter, please refer to Item 9.

(v) Update respecting a Personnel Matter (Item 12.5)

The update respecting a personnel matter, be received.

(m) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee adjourned at 2:06 p.m.

Respectfully submitted,

C. Collins, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk