



GENERAL ISSUES COMMITTEE REPORT 20-011

9:30 a.m.

Monday, August 10, 2020

Due to COVID 19 this meeting was Livestreamed only.

Present: Mayor F. Eisenberger, Deputy Mayor M. Pearson (Chair)
Councillors M. Wilson, J. Farr, N. Nann, S. Merulla, C. Collins,
T. Jackson, E. Pauls, J. P. Danko, B. Clark, B. Johnson,
L. Ferguson, A. VanderBeek, T. Whitehead, J. Partridge

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 20-011, AND RESPECTFULLY RECOMMENDS:

1. **Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03
(PED20125) (Ward 11) (Item 6.1)**
 - (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application - ERG18-03, submitted by 1804482 Ontario Ltd. (Sonoma Homes), owner of the property at 3311 Homestead Drive, Mount Hope, for an ERASE Redevelopment Grant not to exceed \$91,681, the actual cost of the remediation over a maximum of one year, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement;
 - (b) That the Mayor and City Clerk be authorized and directed to execute the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Agreement together with any ancillary documentation required, to effect Recommendation (a) of Report PED20125, in a form satisfactory to the City Solicitor; and,
 - (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any grant amending agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant, as approved by City Council, are maintained.

**2. Tim Hortons Field – End Guard Anchor Repair/Replacement (PW20039(a))
(City Wide) (Item 9.1(a))**

That Report PW20039(a), respecting the Tim Hortons Field – End Guard Anchor Repair/Replacement, be received.

**3. Police Station 40 (Waterdown) Financing Strategy (FCS20061) (City Wide)
(Item 9.2)**

- (a) That Appendix “A” attached to Report 20-011 respecting the financing strategy for Police Station 40, in partnership with the Hamilton Fire Department, be approved and funded by Tax Supported Development Charges debt;
- (b) That the General Manager, Finance and Corporate Services, be authorized to negotiate and confirm the terms, placement and issuance of all debenture issue(s), and / or private placement debenture issue(s), in either a public or private market and / or bank loan agreements and debenture issue(s) and / or variable interest rate bank loan agreements and debenture issue(s), in an amount not to exceed \$8,000,000 Canadian currency in Tax Supported Development Charges municipal debt for the Hamilton Police Station 40 project;
- (c) That the General Manager, Finance and Corporate Services, be authorized to engage the services of all required professionals to secure the terms and issuance of the debenture issue(s) described in Recommendation (b) including, but not limited to, external legal counsel, fiscal agents and Infrastructure Ontario’s Loan Program and the cost of such services be funded from one of the following sources as deemed appropriate by the General Manager of the Finance and Corporate Services: Development Charge Reserves, Non-Obligatory Reserves or Corporate Services Approved Budgets;
- (d) That the General Manager, Finance and Corporate Services, Mayor and City Clerk are individually authorized and directed, on behalf of the City of Hamilton, to enter into and execute all agreements and necessary ancillary documents to implement Recommendation (b) to Report FCS20061 and in order to secure the terms and issuance of the debenture issue(s) described in Recommendation (b) to Report FCS20061, on terms and conditions satisfactory to the General Manager, Finance and Corporate Services and in a form satisfactory to the City Solicitor;
- (e) That the Mayor and City Clerk are authorized and directed to enter into and / or execute, on behalf of the City of Hamilton, all agreements and necessary ancillary documents not requiring any specific signing authority, to secure the terms and issuance of the debenture issue(s) described in

Recommendation (b) to Report FCS20061, in a form satisfactory to the City Solicitor and with content acceptable to the General Manager, Finance and Corporate Services;

- (f) That the General Manager, Finance and Corporate Services be authorized and directed to administer all agreements and necessary ancillary documents described in recommendations (d) and (e) to Report FCS20061; and,
- (g) That staff be authorized and directed to prepare all necessary by-laws, for Council's consideration, for the purpose of authorizing the debenture issue(s) negotiated, placed and secured in accordance with Recommendations (b), (c), (d), (e) and (f) to Report FCS20061.

4. Bill 197—The *COVID-19 Economic Recovery Act, 2020* (LS20020) (City Wide) (Item 9.3)

That Report LS20020, respecting Bill 197—The *COVID-19 Economic Recovery Act, 2020*, be received.

5. COVID-19 Emergency Delegated Authority By-Law Update (CM20004(b)) (City Wide) (Item 9.4)

That Report CM20004(b), respecting the COVID-19 Emergency Delegated Authority By-Law Update, be received.

6. Residential Municipal Relief Assistance Program for Basement Flooding for the Heavy Rain Event of August 3, 2020 (Ward 1) (Item 10.2)

- (a) That for the purpose of invoking the Residential Relief Assistance Program for Basement Flooding, City Council declare the heavy rain event of August 3, 2020, as a "Disaster" for all affected properties within Ward 1 in the City of Hamilton;
- (b) That payment of claims be based on compassionate grounds only and not 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 necessary, to retain an independent adjusting service 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.

7. Potential for Major Events in 2022 and 2023 (PED20071) (City Wide) (Item 13.2)

- (a) That the direction provided to staff in Closed Session, respecting Report PED20071, Potential for Major Events in 2022 and 2023, be approved; and,
- (b) That Report PED20071, respecting the Potential for Major Events in 2022 and 2023, remain confidential.

8. Chedoke Creek Ministry Charges (PW19008(i)/LS19004(i)) (City Wide) (Item 13.3)

- (a) That the direction provided to staff in Closed Session, respecting Report PW19008(i)/LS19004(i), respecting the Chedoke Creek Ministry Charges, be approved; and,
- (b) That Report PW19008(i)/LS19004(i), respecting the Chedoke Creek Ministry Charges, remain confidential.

9. Encampment Litigation Update (LS20023) (City Wide) (Item 13.4)

- (a) That the direction provided to staff in Closed Session respecting Report LS20023, respecting the Encampment Litigation Update, be approved; and,
- (b) That Report LS20023, respecting the Encampment Litigation Update, remain confidential

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

4. ADDED DELEGATION REQUESTS

- (i) Added Requests regarding the Commonwealth Games (for the August 10, 2020 GIC) (Items 4.3(a) to 4.3(h)):
 - (a) Sue Prestedge
 - (b) Lincoln Cole
 - (c) Anthony Macaluso
 - (d) Amanda Wolters
 - (e) Cindy Gangaram, Board Chair - Environment Hamilton
 - (f) Simon Farbrother, Former City Manager for Edmonton and Member of the Board of Directors for Commonwealth Sport Canada
 - (g) Reverend Donald F. MacVicar, Founder of the Inner-City Outreach Ministry and the Eva Rothwell Centre
 - (h) Chance Cordon
- (ii) Added Requests regarding the Defunding of Hamilton Police Services (for the September 9, 2020 GIC) (Items 4.4(a) to 4.4(af)):
 - (a) James Cairns
 - (b) Maddie Brockbank
 - (c) Jacqueline Cantar
 - (d) Abedar Kamgari
 - (e) Adrian Underhill
 - (f) Alex Kerner
 - (g) Ashley Letts
 - (h) Atlas Ditomasso
 - (i) Brett Klassen
 - (j) Elisabetta Paiano
 - (k) Emily Meilleur
 - (l) Emma Barrette
 - (m) Eshan Merali
 - (n) Hannah McDonald
 - (o) Hiva Nematollahi
 - (p) Hollie Pocsai, White Elephant

- (q) Jessica Clegg and Connor Bennett
- (r) Kalya Whitney
- (s) Kinsey Robinson
- (t) Laura Howden
- (u) Lauren Ecker
- (v) Lisa Wang
- (w) Mariel Rutherford
- (x) Marissa Gilmore
- (y) Matt Steski
- (z) Meir Gorodskoy
- (aa) Rick Roberts
- (ab) Suzanne Nyage
- (ac) Amani Williams
- (ad) Guiliana Frontini
- (ae) Rachel Cuthill
- (af) Shanice Bowrin

5. ADDED COMMUNICATIONS

- 5.4 Correspondence from Laurie Neilson respecting the Commonwealth Games

Recommendation: Be received.

- 5.5 Bill 197 Guidance Materials for Electronic Meetings and Council Proxies

Recommendation: Be received and referred to consideration of Item 9.3.

- 5.6 Added Communications respecting the Commonwealth Games (5.6(a) to 5.6(m))

- (a) Victoria Riddell
- (b) Shannon Graszat
- (c) Angela Dinello
- (d) Bonnie Gould

- (e) Dan Jelly
- (f) Deann McGlinchey
- (g) Frances Murray
- (h) Ian Borsuk

Note: Copy of the petition has not been received by the Clerk's Office.

- (i) Janis Topp
- (j) Joy Johnson
- (k) Naomi Frederick
- (l) Ryan McGreal
- (m) Scott Fairly

Recommendation: Be received.

7. PUBLIC HEARINGS / DELEGATIONS

7.1 Hamilton2026 respecting the Commonwealth Games

Item 7.1, respecting the Commonwealth Games, will be moved up on the agenda to be heard, prior to the Consent Items, to accommodate for the time change for the speakers from the United Kingdom.

9. DISCUSSION ITEMS

9.1 Tim Hortons Field - End Guard Anchor Repair/Replacement (PW20039(a)) (City Wide)

Staff have requested that consideration of this report be DEFERRED to the September 9, 2020 GIC, in order to allow for additional time to speak with the outside parties to obtain the appropriate information to respond to Committees questions and concerns.

9.1(a) Tim Hortons Field - End Guard Anchor Repair/Replacement (PW20039(b)) (City Wide)

11. NOTICES OF MOTION

- 11.1 Residential Municipal Relief Assistance Program for Basement Flooding for the Heavy Rain Event of August 3, 2020 (Ward 1)

13. PRIVATE AND CONFIDENTIAL

- 13.1 Closed Session Minutes – July 6, 2020

Councillor Jackson will be added to the attendance for the July 6, 2020 Closed Session minutes, as he was present for that meeting.

- 13.4 Encampment Litigation Update (LS20023) (City Wide)

Pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18- 270, as amended; 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 municipality or local board; and, advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

The agenda for the August 10, 2020 General Issues Committee meeting, was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor E. Pauls declared in interest to Items 4.4(a) through 4.4(af), being Delegation Requests to speak to the matter of defunding the Hamilton Police Service, as her son is employed by the Hamilton Police Service.

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

(i) July 6, 2020 (Item 3.1)

The minutes of the July 6, 2020 General Issues Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

The following Delegation Requests, respecting the Commonwealth Games, were approved to appear before the General Issues Committee on August 10, 2020:

- (i) Craig Burley respecting the Commonwealth Games (Item 4.1)
- (ii) Anthony Frisina respecting the Commonwealth Games (Item 4.2)
- (iii) Added Requests regarding the Commonwealth Games (for the August 10, 2020 GIC) (Items 4.3(a) to 4.3(g)):
 - (a) Sue Prestedge
 - (b) Lincoln Cole
 - (c) Anthony Macaluso
 - (d) Amanda Wolters
 - (e) Cindy Gangaram, Board Chair - Environment Hamilton
 - (f) Simon Farbrother, Former City Manager for Edmonton and Member of the Board of Directors for Commonwealth Sport Canada
 - (g) Reverend Donald F. MacVicar, Founder of the Inner-City Outreach Ministry and the Eva Rothwell Centre
 - (h) Chance Cordon
- (iv) The following Delegation Requests, respecting Defunding of the Hamilton Police Service, were approved to appear before the General Issues Committee on September 9, 2020 (Item 4.4):
 - (a) James Cairns
 - (b) Maddie Brockbank
 - (c) Jacqueline Cantar
 - (d) Abedar Kamgari
 - (e) Adrian Underhill
 - (f) Alex Kerner
 - (g) Ashley Letts
 - (h) Atlas Ditomasso
 - (i) Brett Klassen
 - (j) Elisabetta Paiano

- (k) Emily Meilleur
- (l) Emma Barrette
- (m) Eshan Merali
- (n) Hannah McDonald
- (o) Hiva Nematollahi
- (p) Hollie Pocsai, White Elephant
- (q) Jessica Clegg and Connor Bennett
- (r) Kalya Whitney
- (s) Kinsey Robinson
- (t) Laura Howden
- (u) Lauren Ecker
- (v) Lisa Wang
- (w) Mariel Rutherford
- (x) Marissa Gilmore
- (y) Matt Steski
- (z) Meir Gorodskoy
- (aa) Rick Roberts
- (ab) Suzanne Nyage
- (ac) Amani Williams
- (ad) Guiliana Frontini
- (ae) Rachel Cuthill
- (af) Shanice Bowrin

- (b) The Committee Clerk was directed to correspond with all of the delegates who will be attending the September 9, 2020 General Issues Committee, respecting defunding of the Hamilton Police Services, to suggest that they may also wish to request to appear before the Hamilton Police Services Board; and, to provide the delegates with the roles of the City of Hamilton and the Hamilton Police Services Board with respect to the Hamilton Police Service budget.

(e) COMMUNICATIONS (Item 5)

Communication Items 5.1 to 5.6(a) to (m) were approved, as follows:

- (i) Correspondence from Ashley Daniels respecting the Commonwealth Games (Item 5.1)

Recommendation: Be received.

- (ii) Correspondence from Laura Howden respecting the Commonwealth Games (Item 5.2)

Recommendation: Be received.

- (iii) Correspondence from Paul Osland, CEO of Athletics Ontario respecting a Hamilton Multi-Sport Facility (Item 5.3)

Recommendation: Be received.

- (iv) Correspondence from Laurie Neilson respecting the Commonwealth Games (Item 5.4)

Recommendation: Be received.

- (v) Bill 197 Guidance Materials for Electronic Meetings and Council Proxies (Item 5.5)

Recommendation: Be received and referred to consideration of Item 9.3.

- (vi) Added Communications respecting the Commonwealth Games (5.6(a) to 5.6(m))

- (a) Victoria Riddell
- (b) Shannon Graszat
- (c) Angela Dinello
- (d) Bonnie Gould
- (e) Dan Jelly
- (f) Deann McGlinchey
- (g) Frances Murray
- (h) Ian Borsuk
- (i) Janis Topp
- (j) Joy Johnson
- (k) Naomi Frederick
- (l) Ryan McGreal
- (m) Scott Fairly

Recommendation: Be received.

(f) PUBLIC HEARINGS / DELEGATIONS (Item 7)

(i) Hamilton2026 respecting the Commonwealth Games (Item 7.1)

PJ Mercanti, President of Hamilton2026; Brian MacPherson, Chief Executive Officer of Commonwealth Sport Canada; David Grevenberg, Chief Executive Officer of the Commonwealth Games Federation; and, Graham Cubitt, Director of Projects and Improvement for Indwell, provided a presentation respecting the 2026 Commonwealth Games.

The parties presenting, respecting the 2026 Commonwealth Games, were permitted additional time, beyond the permitted 5 minutes, to continue with their presentation.

The presentation from Hamilton2026, respecting the Commonwealth Games, was received.

With the exception of Item 7.3, the following parties addressed Committee respecting the 2026 Commonwealth Games:

(ii) Craig Burley respecting the Commonwealth Games (Item 7.2)

(iii) Anthony Frisina respecting the Commonwealth Games (Item 7.3)

Anthony Frisina was unable to remain at the meeting to speak respecting the Commonwealth Games.

(iv) Sue Prestedge (Item 7.4)

(v) Lincoln Cole (Item 7.5)

(vi) Anthony Macaluso (Item 7.6)

(vii) Amanda Wolters (Item 7.7)

(viii) Cindy Gangaram, Board Chair - Environment Hamilton (Item 7.8)

(ix) Simon Farbrother, Former City Manager for Edmonton and Member of the Board of Directors for Commonwealth Sport Canada (Item 7.9)

- (x) Reverend Donald F. MacVicar, Founder of the Inner-City Outreach Ministry and the Eva Rothwell Centre (Item 7.10)
- (xi) Chance Cordon (Item 7.11)

The delegations, respecting the 2026 Commonwealth Games, were received.

(g) DISCUSSION ITEMS (Item 9)

(i) COVID-19 Update (Verbal) (Item 9.5)

Dr. Ninh Tran, Associate Medical Officer of Health; and, Paul Johnson, General Manager of the Healthy and Safe Communities Department, provided the verbal update respecting COVID-19.

The verbal update, respecting COVID-19, was received.

(ii) Physical Distancing By-Law (PED20148/LS20022) (City Wide) (Item 9.6)

- (a) That the Physical Distancing By-law attached as Appendix “A” to Report PED20148/LS20022 which has been prepared in a form satisfactory to the City Solicitor, be enacted effective immediately; and,
- (b) That subject to the approval of Recommendation (a) the City’s Administrative Penalties By-law 17-225 be amended accordingly.

Committee requested that the Mayor consult with the City Clerk and City Manager, to schedule a Special Council Meeting in order to expedite the enactment of the By-law to promote and regulate physical distancing in the City of Hamilton and to amend City of Hamilton By-law 17-225, being a By-law to Establish a System of Administrative Penalties.

(h) MOTIONS (Item 10)

(i) City of Hamilton's Contribution Towards Business Improvement Area (BIA) Operating Budgets via the Commercial Districts and Small Business Section Operating Budget (Item 10.1)

- (a) That the Motion, respecting the City of Hamilton's Contribution Towards Business Improvement Area (BIA) Operating Budgets via the Commercial Districts and Small Business Section Operating Budget, be DEFERRED to the September 23, 2020 General Issues Committee; and,
- (b) That staff be directed to correspond with each of the BIA members to determine if the members would prefer to receive a rebate of their levy payment or are in agreement with the unused funds being transferred to a BIA reserve and report back to the General Issues Committee on September 23, 2020.

(i) NOTICES OF MOTION (Item 11)

(i) Residential Municipal Relief Assistance Program for Basement Flooding for the Heavy Rain Event of August 3, 2020 (Ward 1) (Item 11.1)

Councillor M. Wilson introduced a Notice of Motion respecting Residential Municipal Relief Assistance Program for Basement Flooding for the Heavy Rain Event of August 3, 2020.

The Rules of Order were waived to allow for the introduction of a Motion respecting Residential Municipal Relief Assistance Program for Basement Flooding for the Heavy Rain Event of August 3, 2020.

For disposition of this matter, please refer to Item 6.

(j) PRIVATE & CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – July 6, 2020 (Item 13.1)

- (a) The Closed Session Minutes of the July 6, 2020 General Issues Committee meetings were approved, as amended; and,
- (b) The Closed Session Minutes of the of the July 6, 2020 General Issues Committee meetings shall remain confidential.

Committee moved into Closed Session respecting Items 13.2 to 13.4, pursuant to Section 8.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 18-270, as amended; and, Section 239(2), Sub-sections (e), (f), and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; 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.

(k) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee adjourned at 11:30 p.m.

Respectfully submitted,

Deputy Mayor Maria Pearson
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk

Police Station 40 Proposed Financing Strategy

2019 DC Background Study Standalone Station in 2025	
Gross Capital	\$ 25,500,000
DC Res Share (Debt*)	\$ 15,810,000
DC Non-Res Share (Debt*)	\$ 9,690,000
Net Capital Cost***	\$ 3,519,000
Post Period Benefit****	\$ 21,981,000

Proposed Change: Combined Station in 2021	
Gross Capital	\$ 8,000,000
DC Res Share (Debt*)	\$ 4,960,000
DC Non-Res Share (Debt*)	\$ 3,040,000
Net Capital Cost***	\$ 3,519,000
Post Period Benefit****	\$ 4,481,000

Impact**	
Gross Capital	\$ (17,500,000)
DC Res Share (Debt*)	\$ (10,850,000)
DC Non-Res Share (Debt*)	\$ (6,650,000)
Net Capital Cost***	\$ -
Post Period Benefit****	\$ (17,500,000)

* Development Charge (DC) Debt used to finance this cost, to be repaid by DC Reserves

** Does not include additional interest-related savings on debt

*** Net Capital Cost reflects the portion of the total project cost included in the 2019 to 2031 DC Background Study Period

**** Post Period Benefit reflects the portion of the total project cost will be included in subsequent DC study updates to reflect the portion of capital that benefits growth in the post period DC forecasts

Proposed DC Debt Schedule	
Year	Amount
2022	(385,369)
2023	(770,738)
2024	(770,738)
2025	(770,738)
2026	(770,738)
2027	(770,738)
2028	(770,738)
2029	(770,738)
2030	(770,738)
2031	(770,738)
2032	(770,738)
2033	(770,738)
2034	(770,738)
2035	(770,738)
2036	(770,738)
2037	(385,369)

Proposed DC Debt Details	
Debt Principal	8,000,000
Interest Rate	5%
Term (Years)	15
Payment Source	DC Reserves