



## **GENERAL ISSUES COMMITTEE REPORT 20-014**

9:30 a.m.

Wednesday, September 23, 2020

Council Chambers

Hamilton City Hall

71 Main Street West

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

### **THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 20-014, AND RESPECTFULLY RECOMMENDS:**

**1. 2022 Municipal Election Voters' List (FCS20080) (City Wide) (Item 6.1)**

That Report FCS20080, respecting the 2022 Municipal Election Voters' List, be received.

**2. 2022 Municipal Election Voters' List (FCS20080(a)) (City Wide) (Item 6.1(a))**

That Report FCS20080(a), respecting the 2022 Municipal Election Voters' List, be received.

**3. Gordon Dean Avenue Phases 3 & 4 Draft Environmental Study Report  
(Ward 10) (PED20149) (Item 6.2)**

- (a) That the Gordon Dean Avenue Phases 3 and 4 Municipal Class Environmental Assessment's Draft Environmental Study Report be endorsed; and,
- (b) That the General Manager of Planning and Economic Development Department be authorized and directed to advise the project proponent (Fruitland-Winona Development Group) to file the Environmental Study Report on the public record for a minimum thirty-day public review, subject to satisfactorily addressing staff comments.

**Council – September 30, 2020**

**4. Synapse Life Sciences Consortium Funding Update (PED19057(a)) (City Wide) (Item 6.3)**

- (a) That the renewal option of a \$10 K funding request by the Synapse Life Sciences Consortium of the City of Hamilton's 2020 community partnership contribution be approved;
- (b) That this \$10 K contribution for the Synapse Life Sciences Consortium be conditional on the Council established KPIs (Key Performance Indicators);
- (c) That this \$10 K contribution for the Synapse Life Sciences Consortium be funded from the Economic Development Initiatives/Investment Reserve Account No. 112221; and,
- (d) That City staff, together with the Synapse Life Sciences Consortium report back to the General Issues Committee with a review of the Municipal Funding Program prior to the approval of a renewal option for 2021 and satisfactory Key Performance Indicator results of previous year.

**5. King West Business Improvement Area (BIA) Revised Board of Management (PED20152) (Ward 2) (Item 6.4)**

That the following individuals be appointed to the King West Business Improvement Area (BIA) Board of Management:

- (i) Michal Cybin; and,
- (ii) Mike Balog-Sipos.

**6. Business Improvement Area (BIA) Contribution to Operating Budget Grant Program Update (PED20161) (Wards 1, 2, 3, 4, 5, 7, 12, 13 and 15) (Item 6.5)**

- (a) That the funds allocated to the Business Improvement Areas for the 2020 Contribution to Operating Budget Grant Program that are unused, a maximum of \$89,100 within Account No. 56905-815010, be permitted to be carried over and used in accordance with the Contribution to Operating Budget Grant Program terms prior to December 31, 2021;
- (b) That the General Manager of Finance and Corporate Services be authorized to direct staff to establish an appropriate reserve for the unused Contribution to Operating Budget Grant Program funds that were allocated to the BIAs for 2020; and,

- (c) That staff be directed to close the reserve at the end of 2021 and report back to the General Issues Committee advising where any remaining balance in the reserve should be allocated.

**7. Development Applications in the Pleasant View Neighbourhood (PED20154) (Ward 13) (Item 6.6)**

That Report PED20154, respecting the Development Applications in the Pleasant View Neighbourhood, be received.

**8. Dan Carter, Canadian Hemp Farmers Alliance, respecting Adopting Hemp into the Canadian SDGs (Item 7.1)**

The presentation, provided by Dan Carter, Canadian Hemp Farmers Alliance, respecting Adopting Hemp into the Canadian SDGs, be referred to the Agricultural and Rural Affairs Sub-Committee for review and a report back to the Planning Committee.

**9. Hamilton Police Service Budget Process PSB 20-061 (Item 8.4)**

That the Hamilton Police Services Board Report PSB 20-061, respecting the Hamilton Police Service Budget Process, be received.

**10. Hamilton Police Service Response regarding the Use of Force Inquiries (“8 Can’t Wait”) PSB 20-062 (Item 8.5)**

That the Hamilton Police Services Board Report PSB 20-062, respecting the Hamilton Police Service Response regarding the Use of Force Inquiries (“8 Can’t Wait”), be received.

**11. Hamilton Police Service Year End Report – Use of Force 2019 PSB 20-043 (Item 8.6)**

That the Hamilton Police Services Board Report PSB 20-043, respecting the Hamilton Police Service Year End Report – Use of Force 2019, be received.

**12. Hamilton Police Services Equity, Diversity and Inclusion Plan PSB 20-060 (Item 8.7)**

That the Hamilton Police Services Board Report PSB 20-060, respecting the Hamilton Police Service Equity, Diversity and Inclusion Plan, be received.

**13. Hate Prevention and Mitigation Initiative Update (LS19031 / PW19068(c) / CM19006(c)) (Item 8.8)**

- (a) That City Council write a letter to the federal Minister of Justice, requesting that the threshold of “hate crime” as defined in the Criminal Code be consistently applied across law enforcement agencies in Canada;
- (b) That Community Initiatives staff be directed to prepare a report on hate-related flags and symbols, which would enable Council to consider options and actions that could be taken to address public displays of any racist, hateful, offensive and insensitive emblems in Hamilton, in consultation with Legal Services staff with respect to Section (2), Fundamental Freedoms, Canadian Charter of Rights and Freedoms, and report back to the General Issues Committee;
- (c) That City Council request the Association of Municipalities of Ontario (AMO) to play a key role in engaging and addressing community equity issues that are increasingly common across many municipalities, such as racism, hate and discrimination;
- (d) That City staff be directed to conduct further engagement with key stakeholders and equity-seeking groups, and develop specific recommendations, actions and resource requirements to advance the findings submitted by the project consultant and attached as Appendices A and B to Report LS19031/PW19068(c)/CM19006(c); and,
- (e) That staff be directed to review options as to how to obtain feedback from a larger sample of the broader community, with focus given to those with lived experiences, if possible, as it relates to the Hate Prevention and Mitigation Initiative, and report back to the General Issues Committee.

**14. Tax and Rate Operating Budgets Variance Report as at June 30, 2020 – Budget Control Policy Transfers (FCS20069) (City Wide) (Item 8.9)**

- (a) That the Tax and Rate Operating Budgets Variance Report as at June 30, 2020 attached as Appendices “A” and “B”, respectively, to Report FCS20069, be received;

- (b) That, in accordance with the “Budgeted Complement Control Policy”, the 2020 complement transfer transferring complement from one department / division to another with no impact on the levy, as outlined in Appendix “C” to Report 20-014, be approved;
- (c) That, in accordance with the “Budget Complement Control Policy”, the 2020 extensions of temporary positions with 24-month terms or greater, with no impact on the levy, as outlined in Appendix “B” to Report 20-014, be approved; and,
- (d) That the financing strategy outlined in Appendix “E” to Report FCS20069, which utilizes \$11.2 M of Federal Gas Tax Reserve funding in the place of previously approved Capital Levy funds with the intent to offset COVID-19 financial pressures, be received.

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

- (a) That staff be directed to repair and/or replace the perimeter end guards that surround the upper bowl of the east and west stands, along with the north and south upper-lower end guards of Tim Hortons Field at an upset limit of \$1.1 million; and,
- (b) That Facilities Management staff be directed to use existing Capital Budget WIPs through appropriation to fund this work by reprioritizing existing projects for the current year, itemized in Appendix “C” to Report 20-014.

**16. Financial Impact of Declining Transit Revenues (PW20061) (City Wide) (Item 9.2)**

That Report PW20061, respecting the Financial Impact of Declining Transit Revenues, be received.

**17. Land Exchange – A. DeSantis Developments Ltd. – 1456 and 1460 Upper James Street, Hamilton (PED20117) (Ward 8) (Item 13.2)**

- (a) That the direction provided to staff in Closed Session, respecting Report PED20117 - Land Exchange – A. DeSantis Developments Ltd. – 1456 and 1460 Upper James Street, Hamilton, be approved; and,

- (b) That Report PED20117, respecting Land Exchange – A. DeSantis Developments Ltd. – 1456 and 1460 Upper James Street, Hamilton, remain confidential until completion of the real estate transactions.

**18. Lease Renewal and Amending Agreement – Suite 220, 100 Main Street East, Hamilton (PED20150) (Ward 2) (Item 13.3)**

- (a) That a Lease Renewal and Amending Agreement between the City of Hamilton (Tenant) and Homestead Land Holdings Limited (Landlord) for the continued occupancy and possible future expansion of leased premises located in the building municipally located at 100 Main Street East, Hamilton, as depicted in Appendix “A” attached to Report PED20150, based substantially on the terms and conditions outlined in Appendix “B” attached to Report PED20150, and on such other terms and conditions deemed appropriate by the General Manager of Planning and Economic Development Department or designate, be approved;
- (b) That the General Manager, Planning and Economic Development Department or designate, acting on behalf of the City as Tenant, be authorized to provide any consents, approvals, and renewal notices related to the Lease Renewal and Amending Agreement at 100 Main Street East, Hamilton;
- (c) That the City Solicitor be authorized to amend and waive such terms and conditions to the Lease Renewal and Amending Agreement as she considers reasonable;
- (d) That the Gross Rent outlined in Appendix “B” attached to Report PED20150, continue to be funded from Account Number 55358-674021 (RMRCH);
- (e) That the Real Estate and Legal fees of \$36,676 be funded from Account No. 55778-674021 (RMRCH) and credited to Account No. 45408-812036 (Real Estate – Admin Recovery);
- (f) That the Mayor and Clerk be authorized and directed to execute the Lease Renewal and Amending Agreement at 100 Main Street East, Hamilton, or such other form and all other necessary associated documents, and all such documents to be in a form satisfactory to the City Solicitor; and,
- (g) That Report PED20150, respecting Lease Renewal and Amending Agreement – Suite 220, 100 Main Street East, Hamilton, and its appendices, remain confidential and not be released as a public document.

**19. Options for Support for Commercial Tenants and Licensees Within City-Owned Properties Due to COVID-19 (PED20162) (City Wide) (Item 13.5)**

- (a) That the COVID-19 Occupant Support Framework, attached as confidential Appendix “A” to Report PED20162, be approved;
- (b) That Corporate Real Estate staff, in consultation with staff in Finance and Corporate Services, and other departments responsible for administering agreements, be authorized and directed to provide support to occupants in City-owned properties in accordance with the COVID-19 Occupant Support Framework, and on such terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department;
- (c) That the City Solicitor, or designate, be authorized and directed to complete any agreements on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as she considers reasonable, as it relates to options for support for commercial tenants and licensees within city-owned properties due to COVID-19;
- (d) That the General Manager of the Planning and Economic Development Department be authorized and directed to execute any necessary documents, in a form satisfactory to the City Solicitor, or designate, as it relates to options for support for commercial tenants and licensees within city-owned properties due to COVID-19; and,
- (e) That Report PED20162, respecting Options for Support for Commercial Tenants and Licensees Within City-Owned Properties Due to COVID-19, and its appendix remain confidential.

**20. Stadium Update – Legal Issues (LS20015(a)) (City Wide) (Item 13.6)**

That Report LS20015, respecting the Stadium Update – Legal Issues, remain confidential.

**21. Encampment Litigation Update (Item 13.7)**

- (a) That the direction provided to staff in Closed Session, respecting the Encampment Litigation, be approved; and,
- (b) That the presentation provided in Closed Session, respecting the Encampment Litigation, be received.

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 1)**

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

**3. APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

3.2 September 14, 2022 - Special GIC

**4. COMMUNICATION ITEMS**

4.1 Correspondence respecting COVID-19 Related Matters

4.1(a) Tobi Bos

4.1(b) David

4.1(c) Todd Ouellette

Recommendation: Be received.

4.2 Correspondence from Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Systemic Racism in Policing

Recommendation: Be received.

**5. DELEGATION REQUESTS**

5.1 Danny Cerino respecting COVID-19 Measures (for a future GIC)

**6. CONSENT ITEMS**

6.1(a) 2022 Municipal Election Voters' List (FCS20080(a)) (City Wide)

**9. DISCUSSION ITEMS**

9.3 Tax and Rate Operating Budgets Variance Report as at June 30, 2020 – Budget Control Policy Transfers (FCS20069) now has a presentation to accompany the report; therefore, has been moved to Item 8.9.



**10. MOTIONS**

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

As this item is now being addressed through a staff report, which is listed as Item 6.5 on today's agenda, this Motion is being withdrawn from the agenda.

**13. PRIVATE & CONFIDENTIAL**

- 13.1 Disposition Strategy - Wentworth Lodge Lands (PED19138) - This item will remain DEFERRED at this time.
- 13.6 Report LS20015(a) respecting the Stadium Litigation Update
- 13.7 A verbal update respecting the Encampment Litigation Matter

The agenda for the September 23, 2020 General Issues Committee meeting was approved, as amended.

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

- (i) Councillor Pauls declared an interest to Item 4.2, respecting correspondence from Kojo Dampsey, Centre for Civic Inclusion, respecting Systemic Racism in Policing, as her son is employed with the Hamilton Police Service.
- (ii) Councillor Pauls declared an interest to Item 8.2, respecting the Hamilton Police Service Crisis Unit Response, as her son is employed with the Hamilton Police Service.
- (iii) Councillor Pauls declared an interest to Item 8.3, respecting Hamilton Police Service Defund Report, as her son is employed with the Hamilton Police Service.
- (iv) Councillor Pauls declared an interest to Item 8.4, respecting Hamilton Police Service Budget Process Report PSB 20-061, as her son is employed with the Hamilton Police Service.
- (v) Councillor Pauls declared an interest to Item 8.5, respecting Hamilton Police Service Response regarding the Use of Force Inquiries ("8 Can't

Wait”) Report PSB 20-062, as her son is employed with the Hamilton Police Service.

- (vi) Councillor Pauls declared an interest to Item 8.6, respecting Hamilton Police Service Year End Report – Use of Force 2019 Report PSB 20-043, as her son is employed with the Hamilton Police Service.
- (vii) Councillor Pauls declared an interest to Item 8.7, respecting Hamilton Police Service Equity, Diversity and Inclusion Plan Report PSB 20-060, as her son is employed with the Hamilton Police Service.
- (viii) Councillor Pauls declared an interest to Item 8.8, respecting Report LS19031/PW19068(c)/CM19006(c), regarding the Hate Prevention and Mitigation Initiative Update, as her son is employed with the Hamilton Police Service.

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

The Minutes of the September 9, 2020 and September 14, 2020 General Issues Committee meetings were approved, as presented.

- (i) September 9, 2020 (Item 3.1)
- (ii) September 14, 2020 (Special GIC) (Item 3.2)

**(d) COMMUNICATIONS (Item 4)**

**(i) Correspondence respecting COVID-19 Related Matters (Item 4.1)**

Communication Items 4.1(a) to 4.1(c), respecting COVID-19 Related Matters, were received:

- (1) Tobi Bos (Item 4.1(a))
- (2) David (Item 4.1(b))
- (3) Tom Ouellette (Item 4.1(c))

**(ii) Correspondence from Kojo Damphey, Hamilton Centre for Civic Inclusion, respecting Systemic Racism in Policing (Item 4.2)**

The correspondence from Kojo Damphey, Hamilton Centre for Civic Inclusion, respecting Systemic Racism in Policing, was received.

(e) **DELEGATION REQUESTS (Item 5)**

(i) **Danny Cerino, respecting COVID-19 related Matters (Item 5.1)**

The delegation request, submitted by Danny Cerino, respecting COVID-19 related matters, was approved for a future General Issues Committee meeting.

(f) **CONSENT ITEMS (Item 6)**

(i) **Synapse Life Sciences Consortium Funding Update (PED19057(a)) (City Wide) (Item 6.3)**

Sub-section (a) to Report PED19057(a), respecting the Synapse Life Sciences Consortium Funding Update, was deleted in its entirety, and the balance re-lettered accordingly.

~~(a) Per Report PED19057, that City staff, together with the Synapse Life Sciences Consortium report back to General Issues Committee with a review of the Municipal Funding Program prior to the approval of a renewal option for 2020 and satisfactory Key Performance Indicator results of previous year;~~

(a) That the renewal option of a \$10 K funding request by the Synapse Life Sciences Consortium of the City of Hamilton's 2020 community partnership contribution be approved;

(b) That this \$10 K contribution for the Synapse Life Sciences Consortium be conditional on the Council established KPIs (Key Performance Indicators);

(c) That this \$10 K contribution for the Synapse Life Sciences Consortium be funded from the Economic Development Initiatives/Investment Reserve Account No. 112221; and,

(d) That City staff, together with the Synapse Life Sciences Consortium report back to the General Issues Committee with a review of the Municipal Funding Program prior to the approval of a renewal option for 2021 and satisfactory Key Performance Indicator results of previous year.

For further disposition of this matter, please refer to Item 4.

**(g) PUBLIC HEARINGS / DELEGATIONS (Item 7)**

**(i) Dan Carter, Canadian Hemp Farmers Alliance, respecting Adopting Hemp into the Canadian SDGs (Item 7.1)**

Dan Carter, Canadian Hemp Farmers Alliance, addressed Committee and provided a presentation respecting Adopting Hemp into the Canadian SDGs.

The presentation, provided by Dan Carter, Canadian Hemp Farmers Alliance, respecting Adopting Hemp into the Canadian SDGs, was received.

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

Items 8.2 to 8.7 were moved up on the agenda to be heard before Item 8.1.

**(h) STAFF PRESENTATIONS (Item 8)**

**(i) COVID-19 Verbal Update (Item 8.1)**

Paul Johnson, General Manager of Healthy and Safe Communities; Dr. Ninh Tran, Associate Medical Officer of Health; and, Richard MacDonald, Manager of Food and Water Safety, addressed Committee and provided a verbal update respecting COVID-19.

The verbal update respecting COVID-19 was received.

**(ii) Hamilton Police Service Crisis Unit Response (Item 8.2)**

Chief Eric Girt, along with other Members of the Hamilton Police Service and a Mental Health Worker from St. Joseph's Hospital, addressed Committee and provided a presentation respecting the Hamilton Police Service Crisis Unit Response.

The presentation, respecting the Hamilton Police Service Crisis Unit Response, was received.

**(iii) Hamilton Police Service Defund Report (Item 8.3)**

Chief Eric Girt, along with other Members of the Hamilton Police Service, addressed Committee and provided a presentation respecting the Hamilton Police Service Defund Report.

The presentation, respecting the Hamilton Police Service Defund Report, was received.

**(iv) Hate Prevention and Mitigation Initiative Update (LS19031 / PW19068(c) / CM19006(c)) (City Wide) (Item 8.8)**

John Ariyo, Manager of Community Initiatives, introduced the presentation and Dr. Rebecca Sutherns, CEO of Sage Solutions; and, Sonia Preisler, Assistant Facilitator, with Sage Solutions, continued with the presentation respecting Report LS19031 /PW19068(c) / CM19006(c), regarding the Hate Prevention and Mitigation Initiative Update.

The presentation, respecting Report LS19031 /PW19068(c) / CM19006(c), regarding the Hate Prevention and Mitigation Initiative Update, was received.

The following friendly amendment was made:

That sub-section (b) to Report LS19031 /PW19068(c) / CM19006(c), regarding the Hate Prevention and Mitigation Initiative Update, be deleted in its entirety and replaced with the following in lieu thereof, to read as follows:

~~(b) — That City staff prepare a report on hate-related flags and symbols, which would enable City Council to consider options and actions that could be taken to address public display of any racist, hateful, offensive and insensitive emblems in Hamilton.~~

**(b) *That Community Initiatives staff be directed to prepare a report on hate-related flags and symbols, which would enable Council to consider options and actions that could be taken to address public displays of any racist, hateful, offensive and insensitive emblems in Hamilton, in consultation with Legal Services staff with respect to Section (2), Fundamental Freedoms, Canadian Charter of Rights and Freedoms, and report back to the General Issues Committee.***

A new sub-section (e) was added to Report LS19031 /PW19068(c) / CM19006(c), regarding the Hate Prevention and Mitigation Initiative Update, to read as follows:

- (e) *That staff be directed to review options as to how to obtain feedback from a larger sample of the broader community, with focus given to those with lived experiences, if possible, as it relates to the Hate Prevention and Mitigation Initiative, and report back to the General Issues Committee.***

For further disposition of this matter, please refer to Item 13.

- (v) Tax and Rate Operating Budgets Variance Report as at June 30, 2020 – Budget Control Policy Transfers (FCS20069) (City Wide) (Item 8.9)**

Mike Zegarac, General Manager of Finance & Corporate Services, addressed Committee and provided the presentation respecting Report FCS20069, regarding the Tax and Rate Operating Budgets Variance Report as at June 30, 2020 – Budget Control Policy Transfers.

The presentation, respecting Report FCS20069, regarding the Tax and Rate Operating Budgets Variance Report as at June 30, 2020 – Budget Control Policy Transfers, was received.

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

- (i) PRIVATE & CONFIDENTIAL (Item 13)**

Committee moved into Closed Session respecting Items 13.2 to 13.7, pursuant to Section 8.1, Sub-sections (c) (e), (f) and (k) of the City's Procedural By-law 18-270, as amended; and, Section 239(2), Sub-sections (c), (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land by the municipality or local board; 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.

**(i) LaSalle Park Disposition Review (PED20156) (City Wide) (Item 13.4)**

Report PED20156, respecting the LaSalle Park Disposition Review, was DEFERRED to the October 7, 2020 General Issues Committee.

**(j) ADJOURNMENT (Item 15)**

There being no further business, the General Issues Committee adjourned at 9:32 p.m.

Respectfully submitted,

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Deputy Mayor Brenda Johnson  
Chair, General Issues Committee

Stephanie Paparella  
Legislative Coordinator,  
Office of the City Clerk