



**PUBLIC WORKS COMMITTEE
REPORT 22-008**

1:30 p.m.

Monday, May 16, 2022

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors N. Nann (Chair), R. Powers (Vice-Chair), J.P. Danko, L. Ferguson, S. Merulla, E. Pauls, M. Pearson and A. VanderBeek

**Absent with
Regrets:** Councillor J. Farr – Personal
Councillor T. Jackson – Personal
Councillor T. Whitehead – Personal

**THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 22-007 AND
RESPECTFULLY RECOMMENDS:**

1. Annual Watermain Break Report – 2021 (PW22031) (City Wide) (Item 7.1)

That Report PW22031, respecting the Annual Watermain Break Report – 2021, be received.

2. Biosolids Management Facility Update (PW11098(i)) (City Wide) (Item 7.2)

That Report PW11098(i), respecting the Biosolids Management Facility Update, be received.

3. 2021 Annual Wastewater Treatment Bypass Report (PW22036) (City Wide) (Item 7.3)

That Report PW22036, respecting the 2021 Annual Wastewater Treatment Bypass Report, be received.

4. Clean & Green Neighbourhood Grant 2022 Funding Recommendations (Keep Hamilton Clean and Green - Citizen Committee Report) (Item 7.4)

That the Keep Hamilton Clean and Green – Citizen Committee Report, respecting Clean & Green Neighbourhood Grant 2022 Funding Recommendations, be received.

5. Housekeeping Update to Parks By-law 01-219 (PW22032/PED22066) (City Wide) (Item 10.1)

- (a) That the amending By-law, being a By-law to amend the City of Hamilton Parks By-law 01-219, attached as Appendix "A" attached to Report PW22032/PED22066, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council be approved.
- (b) That staff report back with best practices respecting the regulation of alcohol consumption in public parks.

6. Funding for the Woodward Wastewater Treatment Plant Primary Digester 3 Emergency Repairs (PW22034) (City Wide) (Item 10.2)

That up to \$5,000,000 from the Wastewater Capital Reserve (108005) be used to fund the emergency works approved under Procurement Policy By-Law No. 21-215, Policy 10 - Emergency Procurements, for the Woodward Wastewater Treatment Plant Primary Digester 3 failure.

7. Appropriation Transfer of Funds for Barton Street East – Parkdale to Talbot – 2022 Construction Project (PW22038) (Ward 4) (Item 10.3)

- (a) That Council approve the award of C15-02-22 (HSW) Barton Street East – Parkdale to Talbot Reconstruction, pursuant to Procurement Policy #5.3 Request for Tenders, to Coco Paving Inc., in the amount of \$8,086,000 (not including Contingency and Non-Refundable HST), and that the General Manager, Public Works Department be authorized to negotiate, enter into and execute any required Contract and any ancillary documents required to give effect thereto with Coco Paving Inc., in a form satisfactory to the City Solicitor;
- (b) That the increase of \$883,000, from \$2,270,000 to \$3,153,000, in the budget for Barton Street East Road Reconstruction – Parkdale to Talbot project (#4031919110), be funded by an appropriation of previously approved Capital Levy funds from the Bridge 163 - Centennial Parkway North, 540m n/o Barton project (#4031118126) as referenced in Appendix "A" attached to Public Works Report 22-008;
- (c) That the budget and financing plan for Barton Street East Watermain – Parkdale to Talbot (#5142171310), totaling \$1,200,000 be amended and approved, resulting in an increase of \$582,000, from \$1,200,000 to \$1,782,000 to be funded from the following sources as referenced in Appendix "A" attached to Public Works Report 22-008:

- (i) A capital budget appropriation of previously approved rates revenues of \$360,000 from Parkdale - Burlington to north end & Steel City Court project (#5141971310);
- (ii) A capital budget appropriation of previously approved rates revenues of \$107,000 from Parkdale - Burlington to north end & Steel City Court project (#5141970010);
- (iii) A capital budget appropriation of previously approved rates revenues of \$115,000 from Charlton 750mm WM Lining project (#5142160073).

8. Budget Increase for Dickenson Road Trunk Sewer (Airport Employment Growth District) (PW22040) (Ward 11) (Item 10.5) (REVISED)

- (a) That Council approve the award of C15-11-22 (HSW) Dickenson Road East Sanitary Sewer and Watermain, pursuant to Procurement Policy #5.3 Request for Tenders, to Technicore Underground Inc. in the amount of \$102,151,957.22 (not including Contingency of \$10,000,000 and Non-Refundable HST of \$1,973,875.48);
- (b) That the General Manager, Public Works Department be authorized to negotiate, enter into and execute any required Contract and any ancillary documents required to give effect thereto with Technicore Underground Inc., in a form satisfactory to the City Solicitor;
- (c) That Council approve the single source procurement, pursuant to Procurement Policy #11 – Non-competitive Procurements, for additional construction administration services;
- (d) That the General Manager, Public Works Department be authorized to negotiate and amend the existing Contract and any ancillary documents required to give effect thereto with IBI Group, in a form satisfactory to the City Solicitor;
- (e) That the amended budget and financing plan for the Dickenson Road Trunk Sewer in the Airport Employment Growth District (#5161696452) be approved, resulting in an increase of \$34,680,000, from \$71,800,000 to \$106,480,000 in total budget approved to date, to be funded by **Rate** Supported Development Charges debt;
- (f) 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 \$106,480,000 Canadian currency in Tax Supported Development Charges municipal debt for the Dickenson Road Trunk Sewer project;

- (g) 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 (c) 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, and other approved funding sources;
- (h) That the General Manager, Finance and Corporate Services, is authorized and directed to enter into and administer, on behalf of the City of Hamilton, all agreements and necessary ancillary documents to implement Recommendation (c) and in order to secure the terms and issuance of the debenture issue(s) described in Recommendation (c), on terms and conditions satisfactory to the General Manager, Finance and Corporate Services and in a form satisfactory to the City Solicitor.

9. Keep Hamilton Clean & Green Committee Terms of Reference (Keep Hamilton Clean and Green - Citizen Committee Report) (Item 10.6)

That the Keep Hamilton Clean & Green Committee Terms of Reference, attached as Appendix "A", be approved.

10. Replacement of the Play Structure at Armstrong Park, 460 Concession Street, Hamilton (Ward 7) (Added Item 11.1)

WHEREAS, the Hamilton-Wentworth District School Board has provided space on their property at 460 Concession Street, Hamilton for an existing play structure that is available for public use;

WHEREAS, in December 2021 Council approved \$125,000 funded from the Ward 7 Special Capital Re-Investment Reserve Fund (#108057) for a new play structure and safety surfacing;

WHEREAS, community engagement for the play structure replacement resulted in remarkable levels of community feedback for the project;

WHEREAS, an enhanced design that offers additional play features and

increased play value, which will allow community members more choices for play components, can be installed; and

WHEREAS, an increased budget is required for the enhanced design.

THEREFORE, BE IT RESOLVED:

- (a) That additional funds for the replacement of the play structure at Armstrong Park located on Hamilton-Wentworth District School Board property at 460 Concession Street, Hamilton, be funded from the Ward 7 Special Capital Re-Investment Reserve Fund (#108057) at an upset limit, including contingency, not to exceed \$50,000 and added to Project ID #4242109704 - 460 Concession Playground.
- (b) That the Mayor and City Clerk be authorized and directed to approve and execute all required agreements and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

11. Budget Increase – Reconstruction of Southcote Road - Garner Road to Highway 403 Bridge (Ward 12) (Added Item 11.2)

WHEREAS, revised estimates indicate a shortfall of approximately \$1,400,000 in the reconstruction of Southcote Road due to higher prices on materials, land acquisition street lighting, traffic signals, excess soils and additional pedestrian facilities (PXOs & Sidewalks); and

WHEREAS, revised estimates indicate a shortfall of approximately \$1,400,000 in the storm sewer project due to scope change, higher prices on materials, excess soils, quality control measures required by the Hamilton Conservation Authority (Jellyfish filters – enhanced oil grid separates).

THEREFORE, BE IT RESOLVED:

- (a) That the estimated increased costs for the reconstruction of Southcote Road: Garner Road to Highway 403 Bridge (Project ID 4032011028) be funded by the following transfers:
 - (i) \$400,000 from current contribution in project ID 4032110006 (Minor Maintenance);
 - (ii) \$160,000 from current contribution project ID 4031711016 (Asset Preservation – 2017);
 - (iii) \$420,000 from Roads Reserve #11306 (Residential Development Charges); and

- (iv) \$420,000 from Roads Reserve #11307 (Non-Residential Development Charges).
- (b) That the estimated increased storm sewer costs for the reconstruction of Southcote Road: Garner Road to Highway 403 (Project ID 5182271328) be funded by a transfer of \$1,400,000 from the Storm Sewer Capital Reserve #108010.

12. Increase in Capital Project Expenses (Added Item 11.3)

That staff be directed to report back on any and all approved Capital Projects that will require additional funding related to the economy and correlated supply and demand issues that have created the current economic crisis.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

12. NOTICES OF MOTION

- 12.1 Replacement of the Play Structure at Armstrong Park, 460 Concession Street, Hamilton (Ward 7)
- 12.2 Budget Increase – Reconstruction of Southcote Road - Garner Road to Highway 403 Bridge (Ward 12)

The agenda for the May 16, 2022 Public Works Committee meeting were approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor J.P. Danko declared a non-disqualifying interest respecting Added Item 11.1 and Item 12.1 - Replacement of the Play Structure at Armstrong Park, 460 Concession Street, Hamilton (Ward 7), as his wife is Chair of the Hamilton-Wentworth District School Board.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) May 2, 2022 (Item 4.1)

The Minutes of the April 22, 2022 meeting of the Public Works Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

- (i) Correspondence respecting the Dewitt Road Capital Project Road Design (Item 5.1)**
 - (i) Lakewood Beach Community Council (Item 5.1(a))**
 - (ii) Cam Galindo, Trustee, Wards 9 & 10, Hamilton-Wentworth District School Board (Item 5.1(b))**

The following correspondence items respecting the Dewitt Road Capital Project Road Design, were received:

- (i) Lakewood Beach Community Council (Item 5.1(a))**
- (ii) Cam Galindo, Trustee, Wards 9 & 10, Hamilton-Wentworth District School Board (Item 5.1(b))**

(e) DISCUSSION ITEMS (Item 10)

- (i) Housekeeping Update to Parks By-law 01-219 (PW22032/PED22066) (City Wide) (Item 10.1)**

That the amending By-law, being a By-law to amend the City of Hamilton Parks By-law 01-219, attached as Appendix “A” attached to Report PW22032/PED22066, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council be approved.

Report PW22032/PED22066, respecting Housekeeping Update to Parks By-law 01-219, was ***amended*** by adding recommendation (b), to read as follows:

- (b) That staff report back with best practices respecting the regulation of alcohol consumption in public parks.***

For disposition of this matter, refer to Item 5.

- (ii) Impact of On-Site and Excess Soils Management Regulation (O. Reg 406/19) and other pressures on Capital Program Costs (PW22039) (City Wide) (Item 10.4)**

That a budget adjustment of \$8,000,000 be approved to increase the Contaminated Soil & Rock Removal project (#4032114405), from \$2,692,000 to \$10,692,000, and that the increase be funded by a transfer

from the Federal Gas Tax Reserve / Canada Community-Building Fund (No. 112213).

Report PW22039 respecting the Impact of On-Site and Excess Soils Management Regulation (O. Reg 406/19) and other pressures on Capital Program Costs was referred to staff for a report back with further information about the recommendation to increase the funds in the Contaminated Soil & Rock Removal project (#4032114405) account, not related to a specific project, to fund the removal of on-site and excess soils and to provide an explanation of why project tenders did not specify that contractors absorb any additional costs related to the removal of on-site and excess soils.

(f) NOTICES OF MOTION (Item 12)

(i) Replacement of the Play Structure at Armstrong Park, 460 Concession Street, Hamilton (Ward 7) (Item 12.1)

The Rules of Order were waived to allow for the introduction of a Motion respecting Replacement of the Play Structure at Armstrong Park, 460 Concession Street, Hamilton (Ward 7).

For disposition of this matter, refer to Item 10.

(ii) Budget Increase – Reconstruction of Southcote Road - Garner Road to Highway 403 Bridge (Ward 12) (Item 12.2)

The Rules of Order were waived to allow for the introduction of a Motion respecting Budget Increase – Reconstruction of Southcote Road - Garner Road to Highway 403 Bridge (Ward 12).

For disposition of this matter, refer to Item 11.

(iii) Increase in Capital Project Expenses (Added Item 12.3)

The Rules of Order were waived to allow for the introduction of a Motion respecting the Increase in Capital Project Expenses.

For disposition of this matter, refer to Item 12.

(g) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(i) Amendments to the Outstanding Business List (Item 13.1)

The following amendments to the Public Works Committee's Outstanding Business List, were approved.

(a) Items Requiring a New Due Date (Item 13.1 (a)):

13.1(a)(a) Improving Truck Route Detouring during Construction Closures
Item on OBL: ABY
Current Due Date: May 16, 2022
Proposed New Due Date: September 19, 2022

13.1(a)(b) Protected Bike Lane Curbs (Hamilton Cycling Committee - Citizen Committee Report)
Item on OBL: ACA
Current Due Date: Q4 2022
Proposed New Due Date: September 19, 2022

13.1(a)(c) Public Information Portal to Track Environmental Issues on City of Hamilton Projects
Item on OBL: ACD
Current Due Date: May 30, 2022
Proposed New Due Date: June 13, 2022

(h) ADJOURNMENT (Item 15)

There being no further business, the meeting adjourned at 3:06 p.m.

Respectfully submitted,

Councillor N. Nann, Chair,
Public Works Committee

Carrie McIntosh
Legislative Coordinator
Office of the City Clerk

APPROPRIATION ADJUSTMENT SCHEDULE - Barton - Parkdale to Talbot

[illegible]

KEEP HAMILTON GREEN AND CLEAN COMMITTEE TERMS OF REFERENCE

1 Introduction

1.1 *Committee Name*

Keep Hamilton Clean and Green (KHCG) Committee (Formerly the Clean City Liaison Committee – Amended October 9, 2013 Item 11 PW Committee Report 13-012)

1.2 *Statement of Purpose*

The KHCG Committee promotes environmental sustainability and stewardship by engaging individuals to take greater responsibility for protecting and revitalizing the natural and built environment and providing education, assistance and promotion.

1.3 *Committee Mandate*

The KHCG Committee will support and provide advice to City staff, elected officials and other stakeholders to implement the Clean & Green Hamilton Strategy and Our Future Hamilton community vision. Reporting through the Public Works Committee, the KHCG Committee will provide input to staff and Council on issues relating to environmental sustainability and stewardship and advice on approaches to engaging citizens to take greater responsibility to protect and revitalize natural and built environments. The KHCG Committee’s primary focus is on effecting behaviours and attitudes conducive to a clean, healthy and safe community through leadership and action.

The Committee will provide input and guidance to City staff, Council and other stakeholders on community and private sector involvement and identification of resources to sustain Clean and Green programs and initiatives that aim to beautify our community, promote environmental stewardship and prevent litter, illegal dumping and graffiti.

1.4 *Accountability*

The KHCG Committee is a Volunteer Advisory Committee that advises Council through the Public Works Committee. The KHCG Committee must comply with the City of Hamilton’s Procedural By-law, the Advisory Committee Procedural Handbook and operational policies and procedures.

2 Roles and Responsibilities

The role of the KHCG Committee is to encourage Hamilton residents, property owners and visitors to engage in neighbourhood/community initiatives that aim to beautify our community, promote environmental stewardship and prevent litter, illegal dumping and graffiti.

This Committee will assist in connecting community volunteers with litter, illegal dumping, graffiti, beautification and environmental stewardship programs as well as promoting desired behaviours in the community that support the Clean & Green Hamilton Strategy and Our Future Hamilton community vision.

The roles and responsibilities of the KHCG Committee include, but are not limited to, the following:

- (a) Provide input and advice to Council, through reports to the Public Works Committee, and City staff on engaging citizens, property owners and visitors in litter, illegal dumping, graffiti, beautification and environmental stewardship programs;
- (b) Demonstrate leadership in action through participation in events and activities;
- (c) Assist with outreach and education opportunities related to litter, illegal dumping, graffiti, beautification and environmental stewardship programs;
- (d) Support City staff with the development of the annual Clean & Green Hamilton Strategy update for City Council;
- (e) Review reports, studies and other documents on litter, illegal dumping, graffiti, beautification and environmental stewardship issues that may be presented to the KHCG Committee by City staff, consultants, community organizations or the public, and to provide input and recommendations regarding these issues;
- (f) Form working groups to deal with specific issues as they arise;
- (g) Assist in identifying and facilitating resolution of community concerns regarding litter, illegal dumping, graffiti, beautification and environmental stewardship; and,
- (h) Attend and actively participate in KHCG Committee meetings, activities and events.

3 Membership

KHCG Committee membership will reflect a broad range of socio-economic and environmental interests in the community, including residents, businesses, education and local organizations.

3.1 General

- (a) Members must declare any conflict of interest issues prior to discussion or decision-making of any matter with which they believe they have a pecuniary interest; and,
- (b) Members are asked to review all documents, agendas and minutes presented to them to make informed decisions.

Some activities of the KHCG Committee may require additional time commitments dependent upon the nature of the project undertaken.

3.2 Composition

The KHCG Committee shall be comprised of up to 15 voting members and up to six key stakeholders/advisors (non-voting) as follows:

Voting Members:

- Citizen members (up to seven) who will be recruited to represent various backgrounds, ethnicities, genders, geographic areas, ages, etc. within the community;
- Council representative(s) (up to two);
- Youth Representative(s) (up to two – one student from each of the Hamilton-Wentworth District School Board and the Hamilton-Wentworth Catholic District School Board);
- BIA representative (one);
- Chamber of Commerce representative (one); and

Key Stakeholders/Advisors (Non-voting Members):

- Environmental sector representative(s) to voice broader concerns from the local environmental sector/organizations, offer technical advice and expertise and connect the KHCG Committee’s work to local initiatives when feasible (up to three representatives who are employees or board members with an environmental organization that is based in or carries out a significant amount of programming in Hamilton).
- Industrial, Commercial, and Institutional (IC&I) sector representatives to voice broader concerns from the relevant sector, provide insight and enhance the KHCG Committee’s understanding of the sector, and provide opportunities to collaborate with IC&I stakeholders (up to three representatives who are employed with an IC&I organization or facilities based in Hamilton).
- Education Representatives (up to two - one from each of the Hamilton-Wentworth District School Board and the Hamilton-Wentworth Catholic District School Board).

Quorum shall be half of the voting membership rounded up to the nearest whole number. Non-voting members are not counted in determining the number required for quorum or in determining whether or not quorum is present.

KHCG Committee and/or working group membership may be expanded to include further community representation as deemed appropriate, upon approval of Council.

City staff liaison(s) from the Environmental Services Division will be made available to the KHCG Committee as a resource. The Committee may request information or support from other City Divisions and Departments or experts in the field to assist in formulating appropriate decisions and recommendations.

3.3 Attendance and Vacancies

Members of Committee who miss more than three meetings during their term without Committee approval, may be subject to replacement on the Committee and may not be eligible for re-appointment.

Citizen members will be appointed in accordance with the City of Hamilton's Policy respecting the Appointment of Citizens to the City's Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees.

Youth Representatives will be recruited by the Education Representative from each respective School Board.

3.4 Term of Membership

The term of membership for KHCG Committee members coincides with the current term of Council or until such time as successors are appointed by Council.

The term of membership for Youth Representatives may be 1-2 years (coinciding with the regular school term) based on their schedule and availability as a student.