

F-28-16 File no. 945-10

CM-13-16 File no.
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Delegation to Burlington Community and Corporate Services Committee

Monday, September 12 2016

Re: Agenda Items #F-28-16 and #CM-13-16

By Liz Benneian

On behalf of the Trumpeter Swan Coalition

Good evening Mayor and Councillors. My name is Liz Benneian and I'd like to thank you for allowing me to make a delegation on behalf of the Trumpeter Swan Coalition.

I would also like to thank the City's Finance Staff and the City's CAO for their thorough, professional and enlightening reports on the Lasalle Park Marina's business case and the risks that the project, as proposed, entails. Together, their reports illuminate a project that has continued to be pushed forward although the public was left in the dark and financing plans were murky.

We have frankly been baffled from the beginning about why a project that would cost so much, with so many inherent environmental and financial risks, and that would benefit so few, was being so widely supported by Council. With the exception of Councillor Meed-Ward, who asked the LPMA some tough questions, and when she couldn't get solid answers, voted against providing the LPMA with a letter of support to seek money through taxpayer-funded government grants and loans, this Council continued to support the LPMA's bid to build a permanent 400-m breakwall and expanded permanent 340 slip marina at Lasalle Park despite the risks, and despite the stated objections of so many citizens.

One of the most interesting items to come out of the CAO's report is that the LPMA doesn't qualify as a Joint Venture Partner, yet just a couple of months ago, this Council voted to make them a loan of \$250,000 based on their joint venture status. To be a Joint Venture Partner, 80% of a group's members must be citizens of Burlington. Only 44% of the LPMA's members reside in this city. According to our calculations, this is just over 80 people.

What went wrong here? Was the LPMA unaware of the requirements of being a joint venture partner? More importantly, why was the City unaware the LPMA did not meet the requirements that the City imposes? How will this be fixed so it doesn't happen again? Citizens deserve answers.

I won't go through, in detail, all the problems in the LPMA's Business Plan identified by the CAO and Financial staff's report — things like overestimating revenue and underestimating ongoing maintenance costs, things like the extreme risk of underwater projects, something this Council should be well aware given the pier fiasco — but we agree with the CAO's conclusions that the project entails multiple layers of risk and we think that Council owes the public and explanation for why this has gone on so long, at such great expense to the city in terms of actual financial resources and staff time, and despite strong opposition from the public, without appropriate due diligence being applied.

As it currently exists, for much of the year, Lasalle Park is a natural, public lakeside park that is also a critically important habitat for Trumpeter Swans and so many other types of wildlife. A spot that lures tourists, photographers and nature lovers from all over. A quiet, scenic site that brings out grandparents and grandchildren, that calls to new residents looking for a quiet place to connect with nature in our ever-shrinking natural spaces. A place that draws city residents eager to enjoy views of the lake in a lake-side city where unfortunately few such public opportunities exist. The LPMA's proposed permanent break wall and commercial marina plan, as proposed, would have turned this scenic space into a crowded commercial marina operation that would have altered, forever, the delicate ecosystem there that currently exists, with the dumping of 10,000 tonnes of rock into Hamilton harbor, and 340 boat slips permanently covering a large near-shore area.

As we have said many times, we are not against boating or marinas. In fact, a seasonal marina operation with a floating wavebreak can, and has, operated in harmony with the Trumpeter Swans and other species that use the harbor as an overwintering site because it does not compete with their needs. As the CAO's report points out, in the design phase of this project, floating wavebreaks were included, at lesser cost, and at lesser risk, but were they were dismissed in favour of a Cadillac solution that is clearly unworkable. Those early designs need to be dusted off and given another look, just as the CAO says.

In conclusion, we are in favour of the CAO's first three recommendations. We are not in favour of the 4th. The LPMA should have been well aware that they were not financially or organizationally capable of the marina expansion and breakwall project that they have been lobbying so incessantly for. They should also have been aware that they no longer qualified as Joint Venture Partners. This incompetence or bad faith, whichever was the case, should not be rewarded by refunding any money spent by the LPMA in pursuing this project and the club members should hold their board members accountable for the loss.

We agree with the CAO's 5th recommendation to review the Joint Venture Policy because clearly something has gone badly wrong here.

Finally, we would like to remind Council of what we have been saying all along: for reasons we cannot fathom, this entire process has put the cart before the horse. There has never been proper due diligence. There has never been appropriate public consultation. There has never been any real cost/benefit analysis that takes a comprehensive look at the social, financial and environmental issues involved. There has never, as the CAO has pointed out, been a review of the project in terms of its strategic alignment with the City's priorities or financial means. Now's the time to stop. Do the due diligence that has been lacking. Consider the overall benefits and risks to the community. Be fiscally responsible. Take into consideration the varied concerns of your citizens and the responsibility you have to safeguard a critical winter habitat for so many species, including the iconic Trumpeter Swan. It's time for a reset. Press the button.