



Environment, Infrastructure & Community Services Committee Meeting

Minutes

Date: May 5, 2022
Time: 9:30 am
Location: Hybrid meeting- virtual and Council Chambers, City Hall

Members Present: Kelvin Galbraith (Chair), Lisa Kearns, Rory Nisan, Shawna Stolte, Paul Sharman, Angelo Bentivegna, Mayor Marianne Meed Ward

Staff Present: Tim Commisso, Joan Ford, Chris Glenn, Scott Hamilton, Karen Roche, Enrico Scalera, Nancy Shea-Nicol, David Thompson (Audio/Video Specialist), Suzanne Gillies (Clerk)

1. Declarations of Interest:

None.

2. Delegation(s):

- 2.1 Anne and Dave Marsden spoke in support of community donation report (RCC-05-22)
- 2.2 Bianca Caramento and Richard Koroscil, representing the Bay Area Climate Change Council, spoke in support of Bay Area Climate Change Council (EICS-05-22)
- 2.3 Louis Frapporti and Paul Paletta spoke in support of status update - proposed City of Burlington interest in Hamilton 2030 Commonwealth Games Bid (CM-04-22)
- 2.4 Lorn Newton, representing the LaSalle Park Marina Association, spoke regarding update on marina operations (RCC-09-22)
- 2.5 Scott Lowell, representing Burlington Sailing and Boating Club, spoke regarding update on marina operations (RCC-09-22)

- 2.6 Jim McDonnell, representing Burlington Able Sail, spoke regarding update on marina operations (RCC-09-22)
- 2.7 Jim Thomson spoke regarding update on marina operations (RCC-09-22)

3. Consent Items:

- 3.1 Single source report – forestry chipper equipment (RPF-06-22)

Moved by Councillor Sharman

Approve the single source purchase of one (1) 15 inch drum brush chipper and one (1) 9 inch disc brush chipper to Powertech Ontario, 55 Magnificent Road, Etobicoke Ontario, M8Z 4T4 at a purchase price of \$111,600.77 and \$74,637.22, respectively (including HST); and

Approve the standardization of brush chipper equipment to improve safety of operations as outlined in the roads, parks and forestry department report RPF-06-22.

CARRIED

- 3.2 Tender award report, Plains Road protected bikeway and resurfacing (ES-13-22)

Moved by Councillor Sharman

Award the tender for contract ES-22-03 Plains Road protected bikeway and resurfacing to Associated Paving & Materials Ltd for \$8,067,561.14 including HST; and

Authorize the Manager of Procurement Services to issue a purchase order and/or sign any associated agreements with the bidder named above; and

Authorize the City Clerk to prepare the debenture by-law; and

Authorize the Mayor and City Clerk to sign any required agreements with the bidder named above, subject to the satisfaction of the Executive Director of Legal Services and Corporation Counsel; and

Approve the total cost of \$9,791,000 (Net HST) to be charged to Capital Order RA0246 and funded as outlined in the financial matters section of the report.

CARRIED

- 3.3 Community donation (RCC-05-22)

Moved by Councillor Sharman

Authorize the Director of Recreation, Community and Culture to accept the donation from Patrick J McNally Foundation for various recreation and park infrastructure amenities as outlined in recreation, community and culture department report RCC-05-22; and

Authorize the Director of Recreation, Community and Culture to execute a donation agreement, subject to the satisfaction of the Executive Director of Legal Services and Corporation Counsel, with the Patrick J McNally Foundation for various recreation and park infrastructure amenities as outlined in recreation, community and culture department report RCC-05-22; and

Authorize the Director of Engineering to incorporate the various recreation and park amenities donated by the Patrick J McNally Foundation, into the applicable park improvement projects as outlined in recreation, community and culture department report RCC-05-22.

CARRIED

3.4 Public Tree Removal Report – 2069 Lakeshore Rd (535-013-20) (RPF-12-22)

Moved by Councillor Sharman

Approve the request by the applicant to remove (5) public trees in order to proceed with the proposed site plan application file no. 535-013-20 as outlined in roads, parks & forestry department report RPF-12-22; and

Instruct the applicant, Mark Bales on behalf of Lakeshore (Burlington) Inc., to provide compensation for the public tree removals by providing cash-in-lieu of replacement totaling \$4,500.00 and the planting of six (6) new street trees as part of the overall streetscape design for the site plan application; and

Direct that a tree permit be obtained for the public tree removals and pay the associated tree permit fees as outlined in the City's Rates and Fees By-law; and

Direct that all associated costs with respect to the removal of the public trees (including stump removal) will be the responsibility of the applicant. The contractor hired to remove the trees will require approval by the Manager of Urban Forestry or designate.

CARRIED

4. Regular Items:

- 4.1 Climate Resilient Burlington: A (draft) plan for adapting to our warmer, wetter and wilder weather (EICS-02-22)

Moved by Councillor Nisan

Receive and file environment, infrastructure and community services report EICS-02-22 regarding Climate Resilient Burlington: A plan for adapting to our warmer, wetter and wilder weather (May 2022 draft).

CARRIED

- 4.2 Bay Area Climate Change Council (EICS-05-22)

Moved by Councillor Kearns

Direct the Executive Director of Environment, Infrastructure and Community Services to work with Mohawk College to execute a Memorandum of Understanding to guide the support for and implementation of the Bay Area Climate Change Council for the 2022/23 fiscal year in a form satisfactory to the Executive Director of Legal Services and Corporation Counsel; and

Approve funding in the maximum amount of \$56,000 in 2022 for the Bay Area Climate Change Council as a variance in the City's operating budget.

CARRIED

Amendment:

Moved by Councillor Kearns

Replace the second paragraph to read 'Approve funding in the maximum amount of \$56,000 in 2022 for the Bay Area Climate Change Council as a variance in the City's operating budget.'

CARRIED

- 4.3 Status update – proposed City of Burlington interest in Hamilton 2030 Commonwealth Games Bid (CM-04-22)

Moved by Mayor Meed Ward

Receive and file report city manager's office report CM-04-22 providing an update on City of Burlington's interest in the Hamilton 2030 Commonwealth Games Bid opportunity.

CARRIED

4.4 Update on marina operations (RCC-09-22)(SD-17-22)(SD-18-22)(SD-19-22)

Moved by Councillor Galbraith

Receive and file recreation, community and culture department report RCC-09-22 regarding an update on the LaSalle Park Maria operations; and

Direct the City Manager and Director of Recreation, Community and Culture to undertake the necessary due diligence to identify and fully address the financial, legal, human resource and operating risk exposures to the City in order to operate the LaSalle Park Community Marina on an interim basis for the 2022 season based on a target date for opening of no later than June 15 (SD-17-22) ; and that

In completing the due diligence, City staff do so with regard to the following principles and requirements:

- 1. The interim Marina operation must be a net zero incremental cost to the taxpayers of Burlington inclusive of city reserve funds;**
- 2. The City maintains the ability to seek expressions of interest/proposal and/or investigate other options for the operation of Marina in 2022 and in the future in keeping with our Council approved Framework for Recreation which gives preference to a community partnership based operating model for recreation service delivery in Burlington;**
- 3. Formal written confirmation of insurance coverage for the interim Marina operation be received by the City's insurer;**
- 4. The City can secure fully qualified Marina operations staff (i.e. certified Harbour Master) in keeping with all Federal and other regulatory requirements for the interim operation of a Recreational Marina;**

5. **The LaSalle Park Marina Association must continue to meet all its financial obligations to the City;**
6. **The LaSalle Park Marina Association and the Burlington Sailing and Boating Club must work cooperatively with the City in relation to but not limited to amending agreements, the City securing equipment required to operate and maintain the Marina, lift-in and lift-out of boats and transitioning all administrative and financial aspects of the operation; and**

Direct the Executive Director of Legal Services and Corporation Counsel to preserve all City legal rights contained in its approved license agreement with the LaSalle Park Marina Association (SD-18-22); and

Direct the Director of Recreation, Community and Culture to report back to City Council on May 17, 2022 and the June 9, 2022 Environment, Infrastructure and Community Services Committee meeting to provide updates and current information regarding the LaSalle Park Marina including potential risks. (SD-19-22)

CARRIED

Amendment:

Moved by Councillor Galbraith

Direct the City Manager and Director of Recreation, Community and Culture to undertake the necessary due diligence to identify and fully address the financial, legal, human resource and operating risk exposures to the City in order to operate the LaSalle Park Community Marina on an interim basis for the 2022 season based on a target date for opening of no later than June 15th; and that

In completing the due diligence, City staff do so with regard to the following principles and requirements:

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2. The City maintains the ability to seek expressions of interest/proposal and/or investigate other options for the operation of Marina in 2022 and in the future in keeping with our Council approved Framework for Recreation which gives preference to a community partnership based operating model for recreation service delivery in Burlington;

3. Formal written confirmation of insurance coverage for the interim Marina operation be received by the City's insurer;
4. The City can secure fully qualified Marina operations staff (i.e. certified Harbour Master) in keeping with all Federal and other regulatory requirements for the interim operation of a Recreational Marina;
5. The LaSalle Park Marina Association must continue to meet all its financial obligations to the City;
6. The LaSalle Park Marina Association and the Burlington Sailing and Boating Club must work cooperatively with the City in relation to but not limited to amending agreements, the City securing equipment required to operate and maintain the Marina, lift-in and lift-out of boats and transitioning all administrative and financial aspects of the operation; and

Direct the Executive Director of Legal Services and Corporation Counsel to preserve all City legal rights contained in its approved license agreement with the LaSalle Park Marina Association; and

Direct the Director of Recreation, Community and Culture to report back to City Council on May 17, 2022 and the June 9, 2022 Environment, Infrastructure and Community Services Committee meeting to provide updates and current information regarding the LaSalle Park Marina including potential risks.

CARRIED

5. Confidential Items:

None.

6. Procedural Motions:

None.

7. Information Items:

Moved by Councillor Stolte

Receive and file the following twenty-two items, having been given due consideration by the Environment, Infrastructure and Community Services Committee.

CARRIED

- 7.1 Delegation material from Bianca Caramento and Richard Koroscil, representing the Bay Area Climate Change Council, regarding Bay Area Climate Change Council (EICS-05-22)
- 7.2 Delegation material from Louis Frapporti and Paul Paletta regarding status update - proposed City of Burlington interest in Hamilton 2030 Commonwealth Games Bid (CM-04-22)
- 7.3 Delegation material from Lorn Newton, representing the LaSalle Park Marina Association, regarding update on marina operations (RCC-09-22)
- 7.4 Delegation material from Scott Lowell, representing Burlington Sailing and Boating Club, regarding update on marina operations (RCC-09-22)
- 7.5 Delegation material from Jim McDonnell, representing Burlington Able Sail, regarding update on marina operations (RCC-09-22)
- 7.6 Delegation material from Jim Thomson regarding update on marina operations (RCC-09-22)
- 7.7 Staff presentation regarding Climate Resilient Burlington: A (draft) plan for adapting to our warmer, wetter and wilder weather (EICS-02-22)
- 7.8 Correspondence from Clean Air Hamilton regarding Bay Area Climate Change Council (EICS-05-22)
- 7.9 Correspondence from BurlingtonGreen regarding Bay Area Climate Change Council (EICS-05-22)
- 7.10 Correspondence from Hamilton Chamber of Commerce regarding Bay Area Climate Change Council (EICS-05-22)
- 7.11 Correspondence from Sustainability Leadership regarding Bay Area Climate Change Council (EICS-05-22)
- 7.12 Correspondence from United Way Halton and Hamilton regarding Bay Area Climate Change Council (EICS-05-22)
- 7.13 Correspondence from Christine Greco regarding update on marina operations (RCC-09-22)
- 7.14 Correspondence from Robert DeWitte regarding update on marina operations (RCC-09-22)
- 7.15 Correspondence from Guy Monjo regarding update on marina operations (RCC-09-22)
- 7.16 Correspondence from Catherine Schiller regarding update on marina operations (RCC-09-22)

- 7.17 Correspondence from Dylan Mahoney regarding update on marina operations (RCC-09-22)
- 7.18 Correspondence from Paul Webb regarding update on marina operations (RCC-09-22)
- 7.19 Correspondence from Barbara and Alan Macro regarding update on marina operations (RCC-09-22)
- 7.20 Correspondence from Brian Friend regarding update on marina operations (RCC-09-22)
- 7.21 Correspondence from Mark Quinn regarding update on marina operations (RCC-09-22)
- 7.22 Correspondence from Shannon regarding update on marina operations (RCC-09-22)

8. Staff Remarks:

9. Committee Remarks:

10. Adjournment:

11:05 a.m. (recessed), 11:13 a.m. (reconvened), 12:30 p.m. (recessed), 1:30 p.m. (reconvened)

Councillor Nisan left the meeting at 2:46 p.m.

Chair adjourned the meeting at 2:55 p.m.