

**OVERVIEW DOCUMENT #2:
CITY OF HAMILTON: GOVERNANCE AND STRUCTURE**

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A. Introduction

1. Overview Document #2 pertains to the City of Hamilton. It will address the City's government structure, operational organization, staffing, and relevant policies and procedures, beginning from the time of the City's creation until the present. Overview Document #2 will largely be organized by subject-matter and, within those subject-matter sections, it is generally organized chronologically.

2. Commission Counsel has endeavoured to confirm the names, organization, and position(s) held by the individuals referenced in this Overview Document. This information is provided in the body text where each individual is first referenced. A complete list of the individuals and their respective information can be found at Appendix B of Overview Document #2.¹

3. The facts contained in Overview Document #2 have not been tested for their truth. Commission Counsel and the participants may call evidence from witnesses at the Inquiry that casts doubt on the truthfulness or accuracy of the content of the documents underlying this Overview Document. The participants will also be able to make submissions regarding what, if any, weight should be given to any of these documents.

B. City of Hamilton

4. On January 1, 2001, the City of Hamilton was created from the amalgamation of the municipalities of Hamilton-Wentworth, Hamilton, Dundas, Stoney Creek, Ancaster,

¹ Where more than one position is held by an individual within the time frame covered in this Overview Document, the information in the body text will reflect the position held at the time of first reference. For a complete list of all positions held by all individuals referenced in Overview Document #2, see Appendix B.

Flamborough, and Glanbrook. The City of Hamilton was incorporated under the *City of Hamilton Act, 1999*, S.O. 1999, c. 14, Sched. C.²

5. Hamilton is located in the Golden Horseshoe, at the western tip of Lake Ontario. According to the 2016 census, Hamilton is the 10th largest city in Canada, with a population of 536,917.³

6. The City of Hamilton is governed by an elected council. Its 15 ward Councillors and the Mayor are elected every four years. The *Municipal Act, 2001*, S.O. 2001, c. 25 provides the legislative framework for the municipality and outlines the roles and responsibilities of Hamilton's Council and its employees.

C. Council

7. The following chart lists all the Mayors and Councillors for Hamilton from 2001 to present:

	Elected Term			
	2001-2003⁴	2003-2006⁵		2006-2010⁶
Mayor	Robert Wade	Larry Di Ianni		Fred Eisenberger
Ward 1	Marvin Caplan	Brian McHattie		Brian McHattie
Ward 2	Andrea Horwath	Andrea Horwath (to June 2004) ⁷	Bob Bratina (from October 5, 2004) ⁸	Bob Bratina

² [RHV0000645](#)

³ [RHV0000651](#) at image 4

⁴ [RHV0000646](#) at image 1

⁵ [RHV0000612](#)

⁶ [RHV0000613](#)

⁷ [RHV0000637](#) at image 6

⁸ [RHV0000642](#) at image 1

Ward 3	Bernie Morelli	Bernie Morelli	Bernie Morelli
Ward 4	Sam Merulla	Sam Merulla	Sam Merulla
Ward 5	Chad Collins	Chad Collins	Chad Collins
Ward 6	Tom Jackson	Tom Jackson	Tom Jackson
Ward 7	Bill Kelly	Bill Kelly	Scott Duvall
Ward 8	Frank D'Amico	Terry Whitehead	Terry Whitehead
Ward 9	Anne Bain	Phil Bruckler	Brad Clark
Ward 10	Larry Di Ianni	Maria Pearson	Maria Pearson
Ward 11	David Mitchell	David Mitchell	David Mitchell
Ward 12	Murray Ferguson	Murray Ferguson	Lloyd Ferguson
Ward 13	Russ Powers	Russ Powers (to June 2004) ⁹	Art Samson (from October 5, 2004) ¹⁰
Ward 14	Dave Braden	Dave Braden	Robert Pasuta
Ward 15	Margaret McCarthy	Margaret McCarthy	Margaret McCarthy

	Elected Term			Ward Boundary Redistribution ¹³	2018-2022 ¹⁴
	2010-2014 ¹¹	2014-2018 ¹²			
Mayor	Bob Bratina	Fred Eisenberger			Fred Eisenberger
Ward 1	Brian McHattie	Aidan Johnson			Maureen Wilson
Ward 2	Jason Farr	Jason Farr			Jason Farr
Ward 3	Bernie Morelli	Robert Morrow	Matthew Green		Nrinder Nann

⁹ [RHV0000639](#) at image 3

¹⁰ [RHV0000642](#) at image 1

¹¹ [RHV0000615](#)

¹² [RHV0000617](#)

¹³ [RHV0000652](#)

¹⁴ [RHV0000620](#)

	(until January 15, 2014) ¹⁵	(from February 7, 2014) ¹⁶			
Ward 4	Sam Merulla	Sam Merulla			Sam Merulla
Ward 5	Chad Collins	Chad Collins			Chad Collins ¹⁷
Ward 6	Tom Jackson	Tom Jackson			Tom Jackson
Ward 7	Scott Duvall	Scott Duvall (to October 22, 2015) ¹⁸	Donna Skelly (from March 30 2016- June 27, 2018) ¹⁹	Terry Anderson (from August 17, 2018) ²⁰	Esther Pauls
Ward 8	Terry Whitehead	Terry Whitehead			John-Paul Danko
Ward 9	Brad Clark	Doug Conley			Brad Clark
Ward 10	Maria Pearson	Maria Pearson			Maria Pearson
Ward 11	Brenda Johnson	Brenda Johnson			Brenda Johnson
Ward 12	Lloyd Ferguson	Lloyd Ferguson			Lloyd Ferguson
Ward 13	Russ Powers	Arlene VanderBeek			Arlene VanderBeek
Ward 14	Robert Pasuta	Robert Pasuta			Terry Whitehead
Ward 15	Judi Partridge	Judi Partridge			Judi Partridge

D. Committees of Council

8. The City of Hamilton has six Standing Committees. A Standing Committee is a:

¹⁵ [RHV0000636](#) at image 72

¹⁶ [RHV0000632](#) at image 2

¹⁷ Chad Collins was elected as an MP in the federal election held on September 20, 2021.

¹⁸ [RHV0000643](#) at image 8

¹⁹ [RHV0000640](#) at image 2; [RHV0000638](#) at images 1-2

²⁰ [RHV0000630](#) at image 24

committee established by Council, comprised entirely of Members of Council, to carry out duties on an ongoing basis, as specified by Council, and that reports directly to Council.²¹

9. The Mayor is an ex-officio member of all Standing Committees and has full voting privileges when he/she attends a Standing Committee meeting.²²

10. A chart listing the Council and Standing Committee meetings between January 2013 and February 13, 2019, during which issues related to the safety, management, and oversight of the Red Hill Valley Parkway were discussed is included as Appendix A Overview Document #2. Appendix A also contains the relevant documents uploaded to the City's website for each of the listed Council and Committee meetings.²³

1. Public Works, Infrastructure & Environment Committee/Public Works Committee

11. The Public Works Committee is one of the City of Hamilton's Standing Committees. It makes reports and recommendations to Council on matters relating to the operations and maintenance of roads and major road construction projects, among other things.²⁴

12. The Public Works Committee was originally established in 2004 as the Public Works, Infrastructure & Environment Committee, but was renamed the Public Works Committee before the commencement of the 2006 to 2010 term of Council.²⁵

²¹ [RHV0000627](#), s. 1.1

²² [RHV0000627](#), s. 5.3(8)

²³ Appendix A was compiled by Commission Counsel based on a review of the documents produced to date and City's website. It may not capture all RHVP-related Council or Committee meetings or agenda items. Where related or relevant, Appendix A also includes some discussion items related to the Lincoln M. Alexander Parkway and road safety initiatives/reviews more generally.

²⁴ [RHV0000627](#), Appendix C

²⁵ [RHV0000659](#) at image 9

13. The following chart lists all of the Councillors on the Public Works Committee from 2004 to present:

2004-2006²⁶	2006-2010²⁷	2010-2014²⁸	2014-2018²⁹	2018-2022³⁰
D. Braden				
	B. Bratina			
P. Bruckler				
C. Collins				
			D. Conley	
				J. Danko
		S. Duvall	S. Duvall ³¹	
				J. Farr
	L. Ferguson	L. Ferguson	L. Ferguson	L. Ferguson
M. Ferguson				
T. Jackson				
M. McCarthy	M. McCarthy			
		B. McHattie		
S. Merulla				
D. Mitchell	D. Mitchell			
				N. Nann
		R. Pasuta	R. Pasuta	
				E. Pauls
				M. Pearson
	R. Powers	R. Powers		
			A. VanderBeek	A. VanderBeek
		T. Whitehead	T. Whitehead	T. Whitehead

2. Expressway/Parkway Implementation Committee

14. On April 10, 2002, City Council created the Expressway Implementation Committee to work with staff on the implementation of the detailed design, construction, and monitoring phase of what was then called the Red Hill Creek Expressway.³²

²⁶ [RHV0000658](#) at image 1

²⁷ [RHV0000648](#) at images 1 and 3

²⁸ [RHV0000647](#) at images 1 and 3

²⁹ [RHV0000618](#)

³⁰ [RHV0000631](#) at image 3

³¹ Until October 22, 2015. See [RHV0000643](#) at image 8

³² [HAM0002578_0001](#) at image 3

15. City Council passed Terms of Reference that required the Committee to “advise Committee of the Whole and Council of progress and to receive feedback, advice and direction, as appropriate.” City Council decided that the membership of the committee would include “Councillors whose wards are directly impacted by roadway construction and those that wish to present other perspectives.”³³

16. On June 29, 2005, City Council renamed the committee the Parkway Implementation Committee.³⁴

17. The following chart lists all of the Councillors on the Expressway/Parkway Implementation Committee from 2004 to 2014:

2002-2004 ³⁵	2004-2006 ³⁶	2006-2010 ³⁷	2010-2014 ³⁸
A. Bain			
D. Braden	D. Braden		
	P. Bruckler		
		B. Clark	B. Clark
C. Collins	C. Collins	C. Collins	C. Collins
L. Di Ianni			
T. Jackson	T. Jackson	T. Jackson	T. Jackson
	B. McHattie		
S. Merulla	S. Merulla	S. Merulla	S. Merulla
D. Mitchell	D. Mitchell		
	M. Pearson	M. Pearson	M. Pearson

³³ [HAM0002572_0001](#) at image 11

³⁴ [HAM0020593_0001](#) at image 1

³⁵ [HAM0002578_0001](#) at image 3

³⁶ [RHV0000658](#) at image 2

³⁷ [RHV0000648](#) at images 1 and 5

³⁸ [RHV0000647](#) at images 1 and 5

18. City Council disbanded the Parkway Implementation Committee for the 2014-2018 Council term.³⁹

E. Relevant Departments and Staff

19. The City of Hamilton is organized into five major departments: the City Manager's Office, Healthy & Safe Communities, Corporate Services, Planning and Economic Development, and Public Works.⁴⁰

1. City Manager

20. The General Manager of the Public Works Department reports to the City Manager. The City Manager also oversees the Office of the City Auditor and Human Resources, among other departments.⁴¹

21. The City Manager/Chief Administrative Officer is the senior-most administrator at the City of Hamilton. The City Manager is "responsible to the Mayor and the Council for the general control and management of the administration of the government and affairs of the City."⁴² In a May 4, 2016, Information Report to Council, the City Manager's focus was described as "increasing the value of future strategies and mitigating risks, the effectiveness of the organization as a whole, leveraging collaboration across business units and sectors."⁴³

22. The following chart lists the City Managers from 2001 to present:

³⁹ [RHV0000644](#) at images 16, 86 and 115

⁴⁰ [RHV0000692](#)

⁴¹ [RHV0000621](#) at image 2; [RHV0000692](#) at image 1

⁴² [RHV0000628](#) at image 1

⁴³ [HAM0061796_0001](#) at image 2

Name	Start Date	End Date
Doug Lychak ⁴⁴	January 2001	March 2002
Robert Robertson ⁴⁵	March 2002	February 11, 2004
Glen Peace ⁴⁶	February 11, 2004	June 2008
Joseph Rinaldo (interim) ⁴⁷	July 2008	December 2008
Chris Murray ⁴⁸	January 2, 2009	August 13, 2018
Mike Zegarac (acting) ⁴⁹	August 13, 2018	May 6, 2019
Janette Smith ⁵⁰	May 6, 2019	—

2. Public Works

23. The Public Works Department is responsible for, among other things, the design and maintenance of the City's road system. In the department's 2019 to 2022 Multi-Year business plan, this mandate was described as:

designing roads that are safe for all road users and pedestrians...

[and] planning, designing and providing minor rehabilitation work of the City's road systems, as well as operating and maintaining them in adherence to legislated standards and regulations in a safe, cost effective and efficient manner.

assessing and implementing solutions to provide improved traffic road safety and operations throughout Hamilton.⁵¹

24. The Public Works Department, overseen by the City Manager's office has significant responsibility for the construction and oversight of the Red Hill Valley Parkway.

25. City Council created the Public Works Department in 2003 by combining the Transportation, Operations & Environment Department and part of the former Community

⁴⁴ [RHV0000665](#) at images 1-2

⁴⁵ [RHV0000635](#) at image 2

⁴⁶ [RHV0000622](#); and [RHV0000876](#)

⁴⁷ [RHV0000877](#). Committee of the Whole Report 08-025, which is the first report that makes reference to Mr. Rinaldo serving as Acting City Manager, also indicates that a City Manager Recruitment Sub-Committee met three times, beginning at least as of April 11, 2008.

⁴⁸ [RHV0000624](#)

⁴⁹ [RHV0000626](#)

⁵⁰ [RHV0000628](#)

⁵¹ [HAM0048068_0001](#) at image 1

Services Department.⁵² Peter Crockett who was the General Manager of the Transportation, Operations & Environment Department became the General Manager of the Public Works Department.⁵³

26. The following chart lists the General Managers of the Public Works Department from 2003 to present:

Name	Start Date	End Date
Peter Crockett ⁵⁴	2003	2004
Scott Stewart ⁵⁵	2004	2009
Gerry Davis ⁵⁶	2009	March 2016
John Mater (acting) ⁵⁷	March 2016	August 2016
Dan McKinnon ⁵⁸	August 2016	September 2021

27. Hamilton has restructured the Public Works Department several times since its formation.⁵⁹ Some of these restructuring efforts are detailed below.

28. On March 30, 2015, City Council directed the City Manager to review the size and scope of the Public Works Department. Beginning in the fall of 2015, City staff retained COREinternational Inc. “to help senior management with their review of the organizational

⁵² [HAM0020093_0001](#) at image 8

⁵³ [HAM0019628_0001](#) at image 2; and [RHV0000679](#) at image 2

⁵⁴ [HAM0019628_0001](#) at image 2

⁵⁵ [RHV0000679](#) at images 10 and 18

⁵⁶ [RHV0000679](#) at images 21, 38, 46, 52, 58, 69, 80, 93, 105, 117, 130 and 142

⁵⁷ [RHV0000679](#) at image 153; and [RHV0000686](#)

⁵⁸ [RHV0000679](#) at images 165, 170, 172, 175, 177, 188; [RHV0000686](#); and [RHV0000874](#)

⁵⁹ Organizational charts of the Public Works department, which reflect the various restructurings of Public Works from 2002-2019, can be found in the following document: [RHV0000679](#). Note: This document was compiled by Commission Counsel based on the organizational charts produced by the City of Hamilton in this Inquiry and City documents that were publicly available. As such, the organizational charts included in this document may not be a complete reflection of the Public Works department as it existed from 2002-2019.

structure of Public Works, and help the City Manager answer the question – Is the Public Works Department too large?”⁶⁰

29. On May 4, 2016, the General Issues Committee received a report titled “Public Works Organizational Structure Review” (“Report CM16004”). Report CM16004 was prepared by Helen Hale Tomasik (Executive Director, Human Resources and Organizational Development, Hamilton) and Gerry Davis (General Manager, Public Works, Hamilton) and submitted by Chris Murray (City Manager, City Manager’s Office, Hamilton). The report summarized COREinternational’s findings following its review of two divisions within the Public Works Department,⁶¹ with a focus on reviewing the City Manager’s role, the General Manager of Public Works’ role, and the Public Works Department. The consultant concluded that there was no data to suggest that the General Manager role needed to be split into two roles, but that redesign of the role was required. Staff recommended that “the City Manager implement improvement opportunities that will address any group, work redistribution and layering issues that will allow for one General Manager of Public Works.”⁶²

30. On March 20, 2017, the Public Works Committee received a report titled “Public Works Organizational Structure Review” (“Report PW17025”). Report PW17025, which was prepared by Joel McCormick (Senior Project Manager, General Manager’s Office, Public Works, Hamilton) and submitted by Dan McKinnon (General Manager, Public Works, Hamilton). The report summarized changes to Public Works’ organizational

⁶⁰ [HAM0061796_0001](#) at image 1

⁶¹ The Public Works divisions reviewed at the time of the May 4, 2016 report were Hamilton Water and Corporate Assets and Strategic Planning.

⁶² [HAM0061796_0001](#) at image 4

structure following COREinternational's review. It also noted that the review had revealed structural inefficiencies within Public Works in relation to grouping of work, levelling of work, role clarity, and team work within Public Works and across other City departments. Three "Critical Success Factors" were identified for the success of Public Works' new organizational structure.⁶³

31. A slideshow presentation prepared for the March 20, 2017 Public Works Committee meeting sets out the details of the structural changes described in Report PW17025, including the creation of the Transportation division and the relocation of numerous sections within and between existing divisions of Public Works.⁶⁴

32. On January 16, 2019, the General Issues Committee received a confidential report titled "Public Works Divisional Realignment" ("Report PW19007"). Report PW19007 was prepared by Edward Soldo (Director, Roads & Traffic, Public Works, Hamilton) and Lora Fontana (Executive Director, Human Resources and Organizational Development, Hamilton) and submitted by Mr. McKinnon. The report recommended organizational restructuring to the Roads & Traffic Division of Public Works and redistribution of staff within Roads & Traffic to other Public Works divisions, noting that "the refocusing and realignment of staff resources to improve capital and operational program delivery will create more efficient processes" within Public Works.⁶⁵

⁶³ [HAM0061797_0001](#); [HAM0061798_0001](#); [HAM0061799_0001](#) and [HAM0061800_0001](#). Some of the structural changes described in Report PW17025 are reflected in the organizational charts included in [RHV0000679](#).

⁶⁴ [HAM0061801_0001](#) at images 8-20

⁶⁵ [HAM0061813_0001](#); [HAM0061806_0001](#); and [HAM0061807_0001](#)

33. The following sections and departments of the Public Works Department were involved in the construction, design, maintenance and/or oversight of the Red Hill Valley Parkway.

(a) Roads & Maintenance Section

34. The Roads & Maintenance section “plans and delivers maintenance service programs for City roadways.”⁶⁶

35. In 2002, Roads & Maintenance existed under the Roads & Traffic division of the Transportation, Operations & Environment Department, one of the precursor departments to Public Works. From approximately 2003 to 2018, Roads & Maintenance existed under the Operations division.⁶⁷

(b) Traffic Operations & Engineering Section

36. Traffic Operations & Engineering is:

[r]esponsible for the design, installation, inspection, maintenance, review and capital replacement of traffic signs, traffic signals, roadway pavement markings and roadway safety initiatives.⁶⁸

37. From 2003 to 2008, Traffic Engineering & Operations existed under the Operations & Maintenance division.⁶⁹ From 2009 to 2012, Traffic Operations and Traffic Engineering were housed in separate divisions. Traffic Operations existed under the Energy, Fleet, Facilities & Traffic section in the Transportation, Energy & Facilities division. Traffic

⁶⁶ [RHV0000655](#) at image 40

⁶⁷ The Operations Division had multiple name changes over this period. It was known as Operations division from 2013-2017, Operations and Waste Management division from 2010-2013 and Operations and Maintenance division from 2005-2008. See [RHV0000679](#).

⁶⁸ [RHV0000664](#) at image 5

⁶⁹ [RHV0000679](#) at images 4, 8 and 12. Note: an Operations & Maintenance division organizational chart has not been produced for 2007 but it is assumed this same structure continued.

Engineering was under the Engineering Services section of the Environmental, Sustainable Infrastructure division.⁷⁰

38. In approximately 2013, Traffic Operations and Traffic Engineering were again combined to form Traffic Operations & Engineering. From approximately 2013 to February 2017, Traffic Operations & Engineering existed under the Energy, Fleet & Traffic section of the Corporate Assets & Strategic Planning division.⁷¹

39. From around February 2017 to December 2017, Traffic Operations & Engineering existed under the Transportation division.⁷²

40. In 2018, Traffic Operations & Engineering was under the Roads & Traffic division, which was created on January 1, 2018.⁷³

41. In February 2019, following divisional restructuring, the Traffic Operations & Engineering section was renamed the Transportation Operations section. It remained under the Roads & Traffic division, which was renamed the Transportation Operations & Maintenance division. Some of the Transportation Operations section's functions were transferred to Engineering Services at the time of restructuring.⁷⁴

⁷⁰ [RHV0000679](#) at images 21-23, 31-32, 38-40, 43-44, 46-48, 50, 52-53, 55

⁷¹ [RHV0000679](#) at images 58-60, 69-71, 80-82, 93-95, 105-107, 117-119, 130-132, 142-144, 153-155 and 165-166

⁷² [RHV0000679](#) at images 170 and 172

⁷³ [RHV0000679](#) at image 175, 183 and 190

⁷⁴ [HAM0061813_0001](#) at images 5-7; [HAM0061806_0001](#); [HAM0061807_0001](#); and [RHV0000679](#) at images 192-193

(c) Engineering Services Division

42. The departments overseen by Engineering Services division include the Construction, Design, Asset Management, and Geomatics & Corridor Management sections of the Public Works Department.⁷⁵

43. The Asset Management section:

provides city wide condition assessment, life cycle analysis, risk assessment, prioritization of needs, and long term capital programming for Hamilton's entire right of way infrastructure networks, and assistance of the same processes for Facilities and Parks infrastructure.⁷⁶

44. The Design section:

provides preliminary engineering to final detailed design services for the delivery of the Capital Program projects which include bridges, culverts, road, water and wastewater infrastructure.⁷⁷

45. The Construction section:

provides construction administration, inspection services and contract management for road, park, sewer, water, bridge and capital works construction projects throughout the City of Hamilton

...

[is] responsible for overseeing and documenting the Contractor's performance with respect to the terms and conditions of the contract, including the quality control of materials and workmanship.⁷⁸

46. The Geomatics & Corridor Management section:

manage[s] all utility permits, agreements, costing agreements and strategic direction

provide[s] all engineering survey/legal survey services to support capital program and land acquisition

⁷⁵ [RHV0000679](#). In 2017, the Waterfront Development section was added to Engineering Services division: [HAM0061797_0001](#) at image 3.

⁷⁶ [RHV0000656](#) at image 172

⁷⁷ [RHV0000656](#) at image 173

⁷⁸ [RHV0000656](#) at image 174

...

deliver[s] the Street lighting engineering design and program implementation.⁷⁹

47. In 2002, the Design, Construction, and Asset Management sections existed in separate divisions within the Transportation, Operations and Environment Department. Design and Construction were under the Design and Construction division and Asset Management was under the Infrastructure and Environment Planning division.⁸⁰

48. Since approximately 2004, all three sections have existed in the same division. In 2004, Design, Construction, and Asset Management were in Capital Planning & Implementation. This structure continued until 2007 when Engineering Services was created, at which point, Design, Construction, and Asset Management existed under Engineering Services, which existed within the Capital Planning & Implementation division.⁸¹

49. From at least 2009, the Geomatics & Corridor Management section existed under the name Surveys & Technical Services division. As of at least 2013, the division was re-named Geomatics & Corridor Management.⁸²

50. From approximately 2009 to 2012, Engineering Services was in the Environment & Sustainable Infrastructure division.⁸³ During these time periods the Director of Engineering Services did not have a direct reporting relationship with the General

⁷⁹ [RHV0000656](#) at image 175

⁸⁰ [RHV0000679](#) at image 2

⁸¹ [RHV0000679](#) at images 5, 10-11, 15 and 19. Note: a Capital Planning & Implementation division has not been produced for 2005 but it is assumed this same structure continued.

⁸² [RHV0000679](#) at images 31, 36, 38-40, 46-48, 58, 61 and 65.

⁸³ [RHV0000679](#) at images 21, 38-39, 46-48 and 52-53.

Manager of Public Works. The Director of Engineering Services reported to a Senior Director, who reported to the General Manager of Public Works.⁸⁴

51. In 2013, Engineering Services became its own separate division. Since then the director of Engineering Services has reported directly to the General Manager of the Public Works Department.⁸⁵

52. Gary Moore (Director, Engineering Services, Environment and Sustainable Infrastructure Division, Public Works, Hamilton) was the Director of Engineering Services from September 2007 to May 2018.⁸⁶ Gord McGuire (Director, Engineering Services, Public Works, Hamilton) became the Director of Engineering Services on June 18, 2018.⁸⁷

(d) Red Hill Valley Project

53. Prior to the opening of the Red Hill Valley Parkway, from 2002 until in and around 2007, a Red Hill Valley Project team operated under the Public Works Department (or its predecessor the Transportation, Operations & Environment Department).⁸⁸

54. The Project team's Charter, dated March 25, 2003, set out the team members' roles and responsibilities as follows: Peter Crockett (General Manager, Public Works) as the Executive Sponsor, Chris Murray as the Project Director (Red Hill Valley Project, Public Works, Hamilton), Gary Moore as the Manager of Design (Red Hill Valley Project, Public Works, Hamilton), Michele Braun as the Administrative Assistant (Red Hill Valley

⁸⁴ [RHV0000679](#) at images 21, 38-39, 46-47 and 52-53

⁸⁵ [RHV0000679](#) at images 58, 69, 80, 93, 105, 117, 130, 142, 153, 165, 170, 172, 175, 177 and 188

⁸⁶ [GOL0000248](#); and [RHV0000679](#) at images 21, 38, 48, 58, 69, 80, 93, 105, 116, 130, 142, 153, 165, 170, 172 and 175.

⁸⁷ [HAM0058798_0001](#)

⁸⁸ [RHV0000679](#) at images 2, 6, 10, 13 and 16

Project, Public Works, Hamilton), Marco Oddi as the Senior Project Manager (Red Hill Valley Project, Public Works, Hamilton), and Jennifer DiDomenico as the Program Support Analyst (Red Hill Valley Project, Public Works, Hamilton).⁸⁹

55. As the Project Director, Mr. Murray was responsible for reporting the team's progress to the General Manager of Public Works, other senior management levels and Committees. He also held "all the decision-making authority for the operation of the Project on a day-to-day basis."⁹⁰

56. Mr. Moore, as Manager of Design was responsible for managing the "consultant team developing the preliminary engineering and design blueprint of the Project", as well as overseeing the award of construction tenders and monitoring the progress of these contracts.⁹¹

57. Ms. Braun, the Administrative Assistant on the team, was to "provide confidential administrative support to the Director", filter correspondence to the appropriate persons, and respond to Freedom of Information inquiries regarding the Project.⁹²

58. Mr. Oddi, the Senior Project Manager, reported to Mr. Moore. Mr. Oddi's primary duties were to assist Mr. Moore in carrying out his role.⁹³

⁸⁹ [HAM0010101_0001](#) at images 9-11

⁹⁰ [HAM0010101_0001](#) at images 9-10

⁹¹ [HAM0010101_0001](#) at image 10

⁹² [HAM0010101_0001](#) at image 11

⁹³ [HAM0010101_0001](#) at image 11

59. Ms. DiDomenico, the Program Support Analyst, acted as an Executive Assistant to the Director. Ms. DiDomenico's role involved keeping Mr. Murray informed of issues and assisting in the development of capital and annual budgets.⁹⁴

60. The Red Hill Valley Project provided updates to the Mayor and Council directly, through the Project's Director Mr. Murray, as well as reports to the Committee of the Whole submitted by the General Manager of Public Works.⁹⁵

F. Jurisdiction over Roadways

61. A municipality's powers and obligations concerning the establishment and maintenance of highways are outlined in Part III of the *Municipal Act*.

62. Subsection 31(2) of the *Municipal Act* empowers a municipality to establish a highway by virtue of a by-law. Subsection 28(1) states that a municipality has jurisdiction over:

1. All highways over which it had jurisdiction or joint jurisdiction on December 31, 2002.
2. All highways established by by-law of the municipality on or after January 1, 2003.

63. Subsection 44(1) of the *Municipal Act* stipulates that:

The municipality that has jurisdiction over a highway or bridge shall keep it in a state of repair that is reasonable in the circumstances, including the character and location of the highway or bridge.

⁹⁴ [HAM0010101_0001](#) at image 11

⁹⁵ See for example: [HAM0032473_0001](#); [HAM0032141_0001](#); [HAM0032149_0001](#); [HAM0020437_0001](#); [HAM0032155_0001](#); [HAM0020562_0001](#); [HAM0020593_0001](#); [HAM0032160_0001](#); [HAM0032177_0001](#); [HAM0037559_0001](#); and [HAM0032194_0001](#). Some of these updates are also discussed in Overview Document #3, which deals with construction of the Red Hill Valley Parkway.

64. The Red Hill Valley Parkway was established via by-laws.⁹⁶ The City of Hamilton correspondingly has jurisdiction over the Red Hill Valley Parkway. By virtue of section 44 of the *Municipal Act*, the City is required to “keep it in a state of repair that is reasonable in the circumstances.”

G. City by-laws, policies, and practices

1. Consultant Report Disclosure Requirement

65. At its meeting held on February 13 and 14, 2019, Council passed the following motion:

(a) That City Staff, be directed to prepare a policy or protocol that directs City Staff to share any consultants’ reports, documents, memorandums or correspondence that raises any questions, concerns about any current or future risk to human health and safety;

(b) That the Council approved policy be appended to the City Staff Code of Conduct and to all employment contracts for the City Manager, Directors, and General Managers; and

(c) That the City Manager shall make all consultant reports, documents, memorandums, correspondence or background studies available for review upon request in writing by the Mayor or City Councillors⁹⁷

66. On January 30, 2020, Ms. Fontana presented a draft policy titled “Sharing of Consultant Reports with Identified Imminent Risks to Human Health or Safety” to the General Issues Committee, which approved it.⁹⁸

67. The policy “applies to all City of Hamilton employees and consultants contracted by the City of Hamilton.”⁹⁹ The policy outlines the following principles:

⁹⁶ Regional By-Law R97-077, passed in 1997, established public lands as the Lincoln M. Alexander Parkway: [RHV0000657](#). Regional By-Law 07-308, passed in 2007, established public lands as the Red Hill Valley Parkway: [RHV0000623](#)

⁹⁷ [RHV0000634](#) at image 34

⁹⁸ [RHV0000650](#) at images 8-14; [RHV0000663](#); [RHV0000690](#) at images 111-113

⁹⁹ [RHV0000650](#) at images 8-14; [RHV0000663](#)

Consultants must communicate any imminent risks to human health or safety that they become aware of as a part of the work they are conducting for the City with City staff immediately.

City staff in receipt of a report from a consultant that has identified an imminent risk to human health or safety must disclose this information to leadership.

The City Manager shall ensure that immediate risks to human health or safety are communicated to Council promptly.¹⁰⁰

68. The draft procedures stipulate that “General Managers and the City Manager are responsible for ensuring that imminent risks to human health or safety are shared with Council.” The Internal Auditor is to “monitor compliance to this procedure during planned audit functions of division responsibilities and business practices.”¹⁰¹ The procedures state:

1. City staff who are advised of an imminent risk to human health or safety in the community by a consultant will follow up with the consultant to understand the risk and seek appropriate recommendations.
2. City staff will ensure that all identified imminent risks to human health or safety in the community are communicated immediately to their direct supervisor or designate and the Director of their division.
3. Directors will inform the General Manager of the Department of the identified imminent risk to human health or safety in the community and provide details on recommendations from consultants and mitigation plans as available.
4. The General Manager or their designate will share information on imminent risks to human health or safety in the community identified by consultants in addition to any mitigation plans developed with the City Solicitor and the City Manager.
5. The City Manager and General Manager will ensure that imminent risks to human health or safety are communicated appropriately and promptly with Council.
6. Risks will be communicated to Council in a manner appropriate to the situation. This may include but is not limited to emails, press releases, or information updates.
7. Staff will provide consultant reports and documentation to Council upon written request to the General Manager or the City Manager.

¹⁰⁰ [RHV0000650](#) at images 8-14; [RHV0000663](#)

¹⁰¹ [RHV0000650](#) at images 8-14; [RHV0000663](#)

69. City Council approved this policy on February 12, 2020.¹⁰²

2. Policies on lobbying, gifts and hospitality

(a) *Gifts and Hospitality*

70. As of June 6, 1995, City employees were governed by the Code of Conduct Policy (Policy 7.3). The Code of Conduct Policy was part of the Terms and Conditions of Employment section of the City's Policy & Procedure Manual. Employees were required to avoid "actual conflicts of interest and breaches of trust but also the appearance of a conflict or breach of trust." Employees had to disclose any circumstances where a conflict may arise or had the potential to arise. The 1995 Code of Conduct listed the following as "more obvious examples" of conflicts of interest and breaches of trust:

Employees shall not accept any gift, benefit, money, discount, favours or other assistance, from any business which has a contract with the Region to supply goods or services, unless the gift, benefit, money, discount, favor or assistance is one which, due to the nature of the business, is available to all members of the public.

Employees shall not, accept any gift, benefit, money, discount, favours or other assistance, from any business which requires from the Region any license, permit, contract, agreement or other approval in the conduct of its business, unless the gift, benefit, money, discount, favour or assistance is one which, due to the nature of the business, is available to all members of the public.

In accordance with existing Regional Policies, this does not prohibit employees from receiving promotional "gifts" or "benefits" of nominal value. It is recognized that in the ordinary course of business a company may distribute gifts of nominal value for promotional purposes (for example coffee mugs with the company logo, or letter openers with the product name on them). It is also recognized that in the ordinary course of business dealing with suppliers or contractors it may be appropriate for them to pay for an employee's lunch. Receipt of such a "gift" or "benefit" in the course of business will not be considered a breach of these rules.¹⁰³

71. The 2009 Employee Code of Conduct was in place from 2009 to 2014. It contained a section entitled "Gifts & Hospitality." City employees were prohibited from

¹⁰² [RHV0000633](#) at images 7-8; [RHV0000690](#) at images 111-113. GIC Report 20-003 is included in the February 12, 2020 City Council agenda package. Appendix A to Item 2 of the GIC Report is a one page document with Policy No. HR-01-09.

¹⁰³ [HAM0058896_0001](#) at image 2

soliciting gifts and favours from any supplier or potential supplier to the City. Restrictions were also placed on the acceptance of “gifts, hospitality and invitations to special events.” Employees could freely accept gifts, hospitality, and invitations with a value less than \$25, but had to disclose those with a value between \$25 and \$100 to the General Manager of their department. The 2009 policy prohibited employees from accepting gifts, hospitality, and invitations with a value greater than \$100. The General Manager was also required to document and disclose to the City Manager “receipt of gifts, hospitality and invitations to special events with a value ranging from \$25 to \$100 inclusive”. Hospitality events which served “a legitimate business purpose” could exceed the value restriction.¹⁰⁴

72. On September 24, 2014, City Council passed a new “Fees, Gifts and Hospitality” policy. The 2014 policy was substantially the same as the 2009 policy, with the addition that in limited circumstances employees may accept a gift or hospitality valued over \$100, provided the General Manager of their department approved and filled out the requisite form. This policy was still current as of October 2021.¹⁰⁵

(b) Lobbying

73. In 2012, City Council amended the Vendor Eligibility section of the City’s Procurement Policy to prohibit lobbying by vendors and their representatives and to establish a single point of contact at the City for vendors and their representatives regarding communications about a request for quote, request for proposal, request for tender and request for roster candidates. The provision provided as follows:

¹⁰⁴ [RHV0000614](#) at image 13

¹⁰⁵ [RHV0000662](#) at images 1-2

(8) No Lobbying and Single Point of Contact

(a) A vendor and its representatives shall not,

(i) make any public comment, respond to questions in a public forum, or carry out any activities to publicly promote or advertise their qualifications, their service or product, or their interest in a RFQ/RFP/RFT/RFRC.

(ii) communicate with the City regarding a RFQ/RFP/RFT/RFRC except through the Procurement Manager or designate identified in the RFQ/RFP/RFT/RFRC, who shall be the single point of contact for that procurement document.

Having a single point of contact for the RFQ/RFP/RFT/RFRC is intended to allow all other persons involved with the RFQ/RFP/RFT/RFRC on behalf of the City to avoid any perception of a conflict of interest and to conduct the procurement set out in the RFQ/RFP/RFT/RFRC in as fair and objective a manner as possible.

(iii) make any attempt to contact, directly or indirectly, any of the following persons, with respect to a RFQ/RFP/RFT/RFRC,

1. any member of an evaluation team;
2. any member of a costing team;
3. any expert, independent consultant or other advisor assisting the City;
4. any elected City official;
5. any staff of the City of Hamilton or its advisors; or
6. any other persons connected in any way with the procurement document.

(b) The only exception to the above for a vendor or its representatives as set out at Policy # 18 – Vendor Complaint Resolution if the vendor has a complaint related to the evaluation of its Bid and/or recommendation of award with respect the procurement document.

(c) A vendor who has been awarded a Contract shall not engage in any contact or activities in an attempt to influence any elected City official or City staff with respect to the purchase of additional enhancements, requirements, options, or modules. A vendor may communicate with the City and City staff for the purposes of administration of the Contract during the term of the Contract.¹⁰⁶

74. In addition, on September 10, 2014, Council enacted the Hamilton Lobbyist Registry By-law, which came into effect on August 1, 2015. This by-law was still in effect as of October 2021.¹⁰⁷

¹⁰⁶ [RHV0000566](#), s. 4.1(8)

¹⁰⁷ [RHV0000629](#)

75. City Council enacted the lobbyist registry to “provide transparency about persons who lobby the City of Hamilton’s public office holders.” Public office holders are defined to include “a member of Council and any person on his or her staff, and an employee of the City who is a member of the City’s Senior Management Team.”¹⁰⁸

76. The Hamilton Lobbyist Registry By-law defines the verb “lobby” as follows:

"lobby", used as a verb, means to communicate with a public officer holder on:

(a) any of the following subject matters with the goal of advancing a business or financial interest:

(i) the development, introduction, passage, defeat, amendment or repeal of a City by-law, bill or resolution on any matter;

(ii) the development, approval, amendment or termination of a City policy, program, directive, guideline, including but not limited to a service delivery model;

(iii) the purchase of goods, services or construction and the award of a contract by the City;

(iv) the approval, approval with conditions, or refusal of an application for a service, grant, planning approval, permit or other licence or permission by the City;

(v) the award of any financial contribution, grant or other financial benefit by the City;

(vi) the transfer to or from the City of any interest in or asset of any business, enterprise or institution;

(vii) to arrange a meeting between a public office holder and any other person on any of the subject matters listed in paragraphs (i) to (vi) inclusive; and

(b) the hiring, promoting, demoting, disciplining or terminating of an employee of the City who is a member of the City’s Senior Management Team.¹⁰⁹

¹⁰⁸ [RHV0000629](#), s. 1

¹⁰⁹ [RHV0000629](#), s. 1

77. A person who engages in the conduct defined above must file registrations and returns detailing the subject matter and date of the lobbying, the public office holder being lobbied, and the person standing to benefit from the lobbying activity.¹¹⁰

78. A public office holder must respond to requests from the Lobbyist Registrar to gather and provide information, and must end and report any lobbying activities by a prohibited lobbyist. A public office holder is not required to gather or provide information concerning lobbying, except in response to a request of the Lobbyist Registrar.¹¹¹

3. Purchasing/Procurement Policy

79. The City of Hamilton's Procurement Policy provides procedures for "procur[ing] the necessary quality and quantity of goods and or services in an efficient, timely and cost effective manner."¹¹² The Procurement Policy consists of a number of policies. In 2011, the Procurement Policy contained 23 separate policies.¹¹³

(a) Solicitation of Vendors Policy

80. On May 16, 2007, Council amended the Purchasing Policy to prohibit the solicitation of sponsorship from vendors.¹¹⁴ The amendment was made on the recommendation of the Audit and Administration Committee, following a report from Joseph Rinaldo (General Manager, Finance and Corporate Services, Hamilton) that:

The Purchasing Section is frequently approached for access to the City's vendor database with a desire to solicit vendor sponsorship for City and/or staff initiatives. There is no existing policy that governs this situation and the individual requests have been dealt with

¹¹⁰ [RHV0000629](#), s. 7(1)

¹¹¹ [RHV0000629](#), s. 4(1)

¹¹² [RHV0000616](#), s. 1

¹¹³ [RHV0000616](#)

¹¹⁴ [RHV0000641](#) at image 11; [RHV0000702](#) at image 4

on a one-off basis. Corporate Management Team directed Purchasing to draft a policy to be reviewed and approved by City Council.¹¹⁵

81. Policy 24 (Solicitation of Vendors) was added to the Purchasing Policy. Policy 24 mandated that:

There shall be no solicitation for sponsorships or donations from current or potential vendors for City or staff initiatives.¹¹⁶

82. In 2009, the wording read:

There shall be no solicitation for sponsorships or donations from current or potential vendors for City or staff initiatives. Without limiting the foregoing, there shall be no use of any type of vendor list generated from any City database.¹¹⁷

83. In 2011, City Council removed Policy 24 from the Procurement Policy after the Procurement Advisory Committee discovered that Policy 24 conflicted with the Policy for Commercial Advertising and Sponsorship. Citing “overwhelming support to maintain the Policy for Commercial Advertising and Sponsorship by City Staff”, the Procurement Advisory Committee recommended the removal of Policy 24.¹¹⁸ The Commercial Advertising and Sponsorship Policy was subsequently incorporated into the Procurement Policy.¹¹⁹

(b) Approval Authority Policy

84. The Approval Authority policy outlines the level of authority required to approve procurements of a specified value. In 2012, procurements with a value of up to \$100,000 could be approved by the General Managers of City Departments or their Authorized Delegates. Procurements with a value of \$100,000 up to but not including \$250,000,

¹¹⁵ [RHV0000660](#)

¹¹⁶ [RHV0000660](#), s. 4.24

¹¹⁷ [RHV0000625](#), s. 4.24

¹¹⁸ [RHV0000661](#) at image 11

¹¹⁹ [RHV0000566](#), Schedule B-Exemptions, (7)

required approval from the City Manager or their Authorized Delegate. Procurements with a value of \$250,000 or greater required Council approval:

(a) **Council** must approve budgetary funding for any procurement of a value of \$250,000 or greater.

(b) **City Manager** must approve any procurement of a value of \$100,000 up to but not including \$250,000. The City Manager may sub-delegate such Approval Authority to his/her staff, who are referred to as an Authorized Delegate in the table below, at the procurement values he/she deems appropriate. Staff who have been further delegated Approval Authority from the City Manager to approve procurements **shall have no authority** to delegate this Approval Authority to any other person. The City Manager may also exercise the Approval Authority of a General Manager.

(c) **General Managers** are authorized to approve procurements of a value up to but not including \$100,000, save and except in an Emergency wherein Policy #10 shall apply. **Only** General Managers may sub-delegate such Approval Authority to their staff, who are referred to as an Authorized Delegate in the table below, at the procurement values they deem appropriate. Staff who have been further delegated Approval Authority from their General Manager to approve procurements **shall have no authority** to delegate this Approval Authority to any other person.¹²⁰

85. This provision of the Approval Authority policy has not substantially changed from 2003 to the present.¹²¹

(c) Consulting and Professional Services Policy

86. The Consulting and Professional Services policy establishes the procedure for procuring consulting and professional services. Consulting and Professional Services are defined as:

services rendered by members of a recognized profession or possessing a special skill. Such services are generally acquired to obtain information, advice, training or direct assistance.¹²²

87. The policy permits the General Manager to award contracts by direct appointment to rostered candidates (vendors on an approved list) through the applicable roster

¹²⁰ [RHV0000566](#), s. 4.2

¹²¹ [RHV0000688](#), s. 4.2

¹²² [RHV0000566](#), s. 3

captain. In 2012, the policy permitted the General Manager or Designate to award contracts directly to rostered candidates through the rostered captain for contracts less than \$100,000:

SECTION 4.9

(1) Unless otherwise provided, Consulting and Professional Services shall be acquired in accordance with the Procurement Policy.

(2) A Consulting and Professional Services Roster will be established every two years through a formal Request for Rostered Candidates process. Work assignments presented to vendors on an approved list (rostered candidates) will be distributed on a rotational basis as well as a "best fit" basis and having an estimated procurement cost of less than \$100,000. The General Manager or Designate of the Client Department shall award such works by direct appointment through the applicable roster captain. The applicable roster captain shall ensure that there is a reasonably equitable distribution of the works, based on the total dollar value of the work. This method allows the City to employ a number of different consultants while matching the particular talents of a consultant to the project needs.

(a) The General Manager of the Client Departments and the Procurement Manager, or their Designates, shall approve the appointment of rostered candidates and any acceptable subsequent change in any rostered candidate in accordance with the RFRC document.

(b) The General Managers of the Client Departments shall be responsible to prepare a joint annual information report to Council on all assignments awarded including consultants used and a breakdown of the total cost utilized by each roster category.¹²³

88. In 2013, City Council amended the policy such that only the General Manager could award works by direct appointment through the applicable roster captain, thereby eliminating the authority of Designates.¹²⁴ In 2016, the procurement value limit of the policy was increased to \$150,000.¹²⁵ On a trial basis, Council also approved a Request for Roster Quotations for Roster Assignments valued at between \$150,000 and \$249,999 for the 2017-2018 Roster term.¹²⁶ The trial was further approved by Council on May 23,

¹²³ [RHV0000566](#), s. 4.9

¹²⁴ [RHV0000691](#), s. 4.9

¹²⁵ [RHV0000619](#), s. 4.9(2)

¹²⁶ [GOL0006457](#) at image 5; and [HAM0035215_0001](#) at image 17

2018 in Report PW18037/PED18122/FCS18057 for the duration of the 2019-2020 roster period.¹²⁷

89. The City has set out further policies and procedures for its consulting and professional services roster (“Roster”) in its Professional and Consultant Services Roster Procedures (“Roster Procedures”), which has been amended from time to time. The November 2013 version of the Roster Procedures identified the following objectives of the Roster process:

The objectives of the Roster process is to effectively and efficiently select and acquire professional and consultant services through a formal RFRC process that is revised and issued every two years. The Roster process is to be implemented strictly in accordance with these Procedures in order to ensure that the integrity of that process is maintained.¹²⁸

90. The Roster Procedures address the creation of the Request for Roster Candidates (“RFRC”) document, duties of the roster captain, the submission and review of assignment proposals, scoped candidates and the general administration of the Roster.¹²⁹

91. Section 7 of the Roster Procedures outlines the creation of the RFRC document:

The RFRC document is issued every two years in even numbered years. Prior to the document being issued, a review is conducted by the Roster Committee to determine:

- (a) whether a need exists for additional Roster Category(s) based on future needs of the City and identifying the scope of work to be used for any proposed new Roster Category(s);
- (b) verify and confirm that all current Roster Categories and their requirements are needed for the next Roster term and provide the number of Candidates required for each Roster Category;

¹²⁷ [HAM0009566_0001](#) at image 2; [RHV0000689](#) at image 109; [RHV0000687](#) at image 8

¹²⁸ [HAM0052072_0001](#) at image 5

¹²⁹ [HAM0052072_0001](#)

(c) the deletion of any Roster Category that is no longer required or no longer has the volume of Work to sustain its continued inclusion on the Roster;

In all cases, the Roster Committee collectively reviews and agrees in consensus to any changes made to a Roster Category in the new RFRC document to be issued.

Each Roster Category shall have a Category Specific Terms of Reference which will include the scope of services and work for the Roster Category as well as any specific information required to be submitted or mandatory requirements to be met in response to the RFRC, which shall be evaluated.¹³⁰

92. Roster Terms and Conditions are included as part of the RFRC documents.¹³¹

93. The Roster Procedures includes the following regarding Roster Assignments:

8.1 Developing the written Scope of Work

Roster Captains may prepare a scope of work written for a particular Roster Assignment and forward it to a Rostered Candidate whose experience and expertise match the needs of the Roster Assignment. The following should be considered by the Roster Captain when developing the scope of work:

- (a) assignment issues;
- (b) project obstacles;
- (c) project objectives;
- (d) political issues(if any);
- (e) assignment tasks; and
- (f) time constraints.¹³²

94. Section 8 further outlines the requirements for Roster Assignment proposals, as well as regarding the internal review of such proposals.¹³³

95. Section 13 addresses reporting requirements regarding the Roster program:

13. REPORTING

¹³⁰ [HAM0052072_0001](#)

¹³¹ [GOL0006457](#)

¹³² [HAM0052072_0001](#)

¹³³ [HAM0052072_0001](#)

As per Policy#9 — Consulting and Professional Services, Section 4.9(2)(b), the Roster Chair(s), on behalf of the Departmental General Managers shall be responsible to prepare an annual information report to Council and it shall be submitted by the applicable Departmental General Managers:

- (a) all Roster Assignments awarded;
- (b) all Rostered Candidates used; and
- (c) a breakdown of the total cost utilized by each Roster Category.¹³⁴

(d) Construction Contracts Policy

96. The Construction Contracts policy governs the procurement of goods and/or services that involve construction. In 2005, that policy stated:

Construction contracts must meet the requirements of the Purchasing Policy. Construction contracts of \$100,000 or greater shall require both a Purchase Order and a Contract, in a form satisfactory to the City Solicitor.¹³⁵

97. This requirement remains substantially the same under the current policy.¹³⁶

98. In 2011, City Council added the following subsection:

(3) Request for Tenders for linear construction Contracts and related works may be issued in conjunction with the City's Public Works Department.¹³⁷

99. This subsection was subsequently removed in 2013.¹³⁸

100. Also in 2011, City Council approved the addition of a section that provided General Managers or designates with the authority to approve Expanded Works on approved construction contracts:

(4) Where in the opinion of the General Manager of the Client Department or Designate, Expanded Works are required for an approved construction Contract, the General Manager

¹³⁴ [HAM0052072_0001](#)

¹³⁵ [DUF0002504.001](#), s. 4.7(1)

¹³⁶ [RHV0000688](#), s. 4.7(1)

¹³⁷ [RHV0000616](#), s. 4.7

¹³⁸ [RHV0000691](#), s. 4.7

of the Client Department or Designate shall authorize the payment for such work and approve any required purchase acquisition document.¹³⁹

101. “Expanded Works” were defined as:

approved construction projects in which an unexpected problem arises during construction, the additional work that is required to address the unexpected problem which work does not expand the scope of the project but is necessary in order to deliver the original approved work.¹⁴⁰

102. The subsection authorizing the General Manager’s authority to approve Expanded Works was subsequently removed in 2013. The 2013 policy authorized the General Manager to authorize payment for additional work arising from unexpected circumstances that arose during construction that was necessary to deliver the original work.¹⁴¹

103. A similar provision existed under the 2016 policy. The General Manager was given the authority to authorize payment for additional construction work arising from unexpected circumstances for an approved construction contract. The General Manager was also given the authority to procure additional consultancy work in connection with additional construction work arising from unexpected circumstances for an approved construction contract:

(3) For an approved construction Contract in which an unexpected circumstance arises during construction resulting in additional construction work, the General Manager of the Client Department may authorize the payment for such work and approve any required purchase acquisition documents, including a completed Construction Contracts Form.

(4) Where additional consultancy work is required to oversee or administer the additional construction work referred to in subsection (3), and the consultancy services were not issued as a Policy #9 Consulting and Professional Services roster assignment, Policy #10 Emergency - Procurements or Policy #11-Non-competitive Procurement, the General Manager of the Client Department may authorize the payment for such consultancy work and approve any required purchase acquisition documents, including a completed *Construction Contracts Form*.

¹³⁹ [RHV0000616](#), s. 4.7

¹⁴⁰ [RHV0000616](#), s. 3

¹⁴¹ [RHV0000691](#), s. 4.7(3)

(5) The *Construction Contracts Form* shall detail what additional construction or consultancy work was required to address the unexpected circumstances. Such additional work shall not expand the scope of the work but shall have been determined to be necessary in order to deliver the original approved work.¹⁴²

104. These provisions continue to exist under the current policy.¹⁴³

¹⁴² [RHV0000619](#), s. 4.7

¹⁴³ [RHV0000688](#), s. 4.7

H. Appendix A: Council & Committee Meetings Related to the RHVP, January 2013 – February 13, 2019

Council & Committee Meetings Related to the RHVP January 2013 - February 13, 2019			
Date of Meeting	Type of Meeting	Relevant Documents on City's Website	RHVP or Road Safety-Related Agenda Items
January 16, 2013	Public Works Committee [13-001]	Agenda: RHV0000759 Agenda Items: ➤ Item 9.1: RHV0000705 Minutes: RHV0000714 Report: RHV0000787 Note: Recording of meeting is not accessible on the City's website	Item 9.1 [Motion] - Red Hill Parkway Improvements
January 23, 2013	City Council [13-001]	Agenda: RHV0000780 Agenda Items: ➤ Item 6.4: RHV0000839 Minutes: RHV0000806 Note: Recording of meeting is not accessible on the City's website	Item 6.4 [Committee Report] – Public Works Committee Report 13-001 – January 16, 2013
November 18, 2013	Public Works Committee [13-014]	Agenda: RHV0000735 Agenda Items: ➤ Item 8.7: RHV0000838 Minutes: RHV0000715 Report: RHV0000793 Note: Recording of meeting is not accessible on the City's website	Item 8.7 [Discussion Item] - Red Hill Valley Parkway Improvements (PW13081) (Wards 5 and 9) (OBL Item)
November 27, 2013	City Council [13-021]	Agenda: RHV0000740 Agenda Items: ➤ Item 6.1: RHV0000834	Item 6.1 [Committee Report] - Public Works Committee Report 13-014 - November 18, 2013

		<p>Minutes: RHV0000797</p> <p>Note: Recording of meeting is not accessible on the City's website</p>	
May 21, 2015	Public Works Committee [15-007]	<p>Agenda: RHV0000776 Agenda Items:</p> <ul style="list-style-type: none"> ➤ Item 5.3: RHV0000837 ➤ Item 10.1: RHV0000752 <p>Minutes: RHV0000790 Report: RHV0000804</p> <p>Recording of meeting accessible here – see in particular, 1:46 to 11:28 [Item 5.3], 1:57:15 to 2:06:02 [Item 10.1]</p>	<p>Item 5.3 [Consent Item] - Red Hill Valley Parkway Improvements (PW13081(a)) (Wards 5, 6 and 9) (Outstanding Business List)</p> <p>Item 10.1 [Motion] - Additional Safety Measures for the Red Hill Valley Parkway and the Lincoln M. Alexander Parkway</p>
May 27, 2015	City Council [15-013]	<p>Agenda: RHV0000754 Agenda Items:</p> <ul style="list-style-type: none"> ➤ Item 6.3: RHV0000781 <p>Minutes: RHV0000751</p> <p>Recording of meeting accessible here</p>	Item 6.3 [Committee Report] - Public Works Committee Report 15-007 - May 21, 2015
November 2, 2015	Public Works Committee [15-014]	<p>Agenda: RHV0000750 Agenda Items:</p> <ul style="list-style-type: none"> ➤ Item 10.1: RHV0000734 <p>Minutes: RHV0000727 Report: RHV0000728</p> <p>Recording of meeting accessible here – see in particular, 1:58:06 to 2:39:25 [Item 10.1]</p>	Item 10.1 [Motion] - Expansion of the Red Hill Valley Parkway and the Lincoln M. Alexander Parkway
November 11, 2015	City Council [15-025]	<p>Agenda: RHV0000862 Agenda Items:</p>	Item 6.1 [Committee Report] – Public Works Committee Report 15-014 – November 2, 2015

		<ul style="list-style-type: none"> ➤ Item 6.1: RHV0000868, RHV0000866, RHV0000869 Minutes: RHV0000854 Recording of meeting accessible here	
December 7, 2015	Public Works Committee [15-016]	Agenda: RHV0000763 Agenda Items: <ul style="list-style-type: none"> ➤ Item 8.2: RHV0000836, RHV0000842, RHV0000844, RHV0000832, RHV0000831 Minutes: RHV0000733 Report: RHV0000815 Recording of meeting accessible here – see in particular, 1:17:44 to 2:50:38 [Item 8.2]	Item 8.2 [Discussion Item] - The Lincoln M. Alexander Parkway (LINC) & Red Hill Valley Parkway (RHVP) Safety Review (PW15091) (City Wide) (Outstanding Business List Item)
December 9, 2015	City Council [15-027]	Agenda: RHV0000778 Agenda Items: <ul style="list-style-type: none"> ➤ Item 5.10: RHV0000708 ➤ Item 6.6: RHV0000782, RHV0000813 Minutes: RHV0000775 Recording of meeting accessible here – see in particular, 35:47 to 36:09 [Item 5.10], 3:22:53 to 3:33:38 [Item 6.6]	Item 5.10 [Communications] - Correspondence from Lakewood Beach Community Council respecting the Red Hill Valley Parkway Safety Review Item 6.6 [Committee Report] - Public Works Committee Report 15-016 - December 7, 2015
February 1, 2016	Public Works Committee [16-002]	Agenda: RHV0000755 Agenda Items: <ul style="list-style-type: none"> ➤ Item 5.2: RHV0000709 Minutes: RHV0000845 Report: RHV0000784 Recording of meeting accessible here	Item 5.2 [Consent Items] - Correspondence from the Lakewood Beach Community Council respecting the Red Hill Valley Parkway Safety Review (referred from the December 9, 2015 Council meeting)

July 8, 2016	City Council [16-015]	<p>Agenda: RHV0000773</p> <p>Agenda Items:</p> <ul style="list-style-type: none"> ➤ Item 5.3: RHV0000718 <p>Minutes: RHV0000792</p> <p>Recording of meeting accessible here</p>	<p>Item 5.3 [Correspondence] - Correspondence from Minister Steven Del Duca, Ministry of Transportation in response to the Mayor's letter regarding the reintroduction of photo radar as a tool to improve road safety on the Lincoln M. Alexander Parkway (LINC) and on the Red Hill Valley Parkway (RHVP)</p>
September 19, 2016	Public Works Committee [16-015]	<p>Agenda: RHV0000757</p> <p>Agenda Items:</p> <ul style="list-style-type: none"> ➤ Item 8.2: RHV0000761 <p>Minutes: RHV0000771</p> <p>Report: RHV0000789</p> <p>Recording of meeting accessible here – see in particular, 12:51 to 33:57 [Item 8.2]</p>	<p>Item 8.2 [Discussion Item] - Lincoln M. Alexander Parkway and Red Hill Valley Parkway Lighting (PW16077) (City Wide) (Outstanding Business List Item)</p> <p>Item 11.1(a) [General Information/Other Business] - Items considered complete and to be removed from the OBL: a) Lincoln M. Alexander and Red Hill Valley Parkway Lighting</p>
September 28, 2016	City Council [16-018]	<p>Agenda: RHV0000765</p> <p>Agenda Items:</p> <ul style="list-style-type: none"> ➤ Item 6.1: RHV0000801 <p>Minutes: RHV0000758</p> <p>Recording of meeting accessible here</p>	<p>Item 6.1 [Committee Report] - Public Works Committee Report 16-015 - September 19, 2016</p>
October 3, 2016	Public Works Committee [16-016]	<p>Agenda: RHV0000850</p> <p>Agenda Items:</p> <ul style="list-style-type: none"> ➤ Item 8.1: RHV0000848 <p>Minutes: RHV0000851</p> <p>Report: RHV0000849</p> <p>Recording of meeting accessible here</p>	<p>Item 8.1 [Discussion Item] - Expansion of Redhill Valley Parkway (RHVP) and Lincoln Alexander Parkway (LINC) (PW16084) (City Wide) (Outstanding Business List)</p> <p>Item 11.1(a) [General Information/Other Business] – Item considered complete and to be removed: a) Expansion of Redhill Valley Parkway (RHVP) and Lincoln Alexander Parkway</p>
October 12, 2016	City Council [16-019]	<p>Agenda: RHV0000864</p> <p>Agenda Items:</p> <ul style="list-style-type: none"> ➤ Item 6.2: RHV0000870 <p>Minutes: RHV0000861</p>	<p>Item 6.2 [Committee Report] – Public Works Committee Report 16-016 – October 3, 2016</p>

		Recording of meeting accessible here	
November 14, 2016	Public Works Committee [16-019]	<p>Agenda: RHV0000756 Agenda Items: ➤ Item 10.1: RHV0000720 Minutes: RHV0000768 Report: RHV0000767</p> <p>Recording of meeting accessible here</p>	Item 10.1 [Motion] - Photo Radar on the Lincoln M. Alexander Parkway and the Red Hill Valley Parkway
November 23, 2016	City Council [16-024]	<p>Agenda: RHV0000857 Agenda Items: ➤ Item 6.1: RHV0000865, RHV0000871 Minutes: RHV0000853</p> <p>Recording of meeting accessible here</p>	Item 6.1 [Committee Report] – Public Works Committee Report 16-019 – November 14, 2016
February 27, 2017	Public Works Committee [17-003]	<p>Agenda: RHV0000867 Minutes: RHV0000860 Report: RHV0000856</p> <p>Recording of meeting accessible here</p>	<p>Added Item 10.3 [Notice of Motion] – Traffic Incidents on the LINC and Red Hill Valley Parkway</p> <p>Added Item 10.4 [Notice of Motion] – Status Report about Issues Relating to the LINC and Red Hill Valley Parkway</p>
March 8, 2017	City Council [17-004]	<p>Agenda: RHV0000863 Agenda Items: ➤ Item 6.1: RHV0000872 Minutes: RHV0000858</p> <p>Recording of meeting accessible here</p>	Item 6.1 [Committee Report] – Public Works Committee Report 17-003 – February 27, 2017
April 12, 2017	City Council [17-006]	<p>Agenda: RHV0000772 Agenda Items: ➤ Item 5.6: RHV0000743 Minutes: RHV0000769</p> <p>Recording of meeting accessible here</p>	Item 5.6 [Communications] - Correspondence from the Honourable Steven Del Duca, Minister of Transportation in response to the Mayor's letter respecting the widening of Highway 403 from the Lincoln M. Alexander Parkway to Main Street in Hamilton and the request to examine traffic congestion at the Red Hill Valley Parkway and the Queen Elizabeth Way (QEW)

August 17, 2017	Public Works Committee [17-010]	<p>Agenda: RHV0000770 Agenda Items:</p> <ul style="list-style-type: none"> ➤ Item 4.1: RHV0000706 ➤ Item 4.2: RHV0000713 ➤ Item 9.3: RHV0000847 <p>Minutes: RHV0000732 Report: RHV0000730</p> <p>Recording of meeting accessible here – see in particular, 2:33 to 3:16 [Items 4.1 & 4.2], 1:25:24 to 1:30:18 [Item 9.3]</p>	<p>Item 4.1 [Delegation Request] – Kim Lackie respecting Barriers for the LINC and Red Hill Valley Parkway (for a future meeting)</p> <p>Item 4.2 [Delegation Request] - Treena Williams respecting Barriers for the Red Hill Valley Parkway and the LINC (for a future meeting)</p> <p>Item 9.3 [Motion] - Speed Limit Reduction Feasibility Study on the Lincoln Alexander Expressway (LINC) and the Red Hill Valley Parkway (RHVP)</p>
August 18, 2017	City Council [17-015]	<p>Agenda: RHV0000783 Agenda Items:</p> <ul style="list-style-type: none"> ➤ Item 6.6: RHV0000809 <p>Minutes: RHV0000777</p> <p>Recording of meeting accessible here</p>	<p>Item 6.6 [Committee Reports] - Public Works Committee Report 17-010 – August 17, 2017 (to be distributed)</p>
September 18, 2017	Public Works Committee [17-011]	<p>Agenda: RHV0000762 Agenda Items:</p> <ul style="list-style-type: none"> ➤ Item 4.2: RHV0000707 ➤ Item 4.3: RHV0000704 ➤ Item 4.4: RHV0000712 ➤ Item 4.5: RHV0000710 <p>Minutes: RHV0000726 Report: RHV0000736</p> <p>Recording of meeting accessible here</p>	<p>Item 4.2 [Delegation Request] - Samantha White respecting the LINC and Red Hill Valley Parkway (for a future meeting)</p> <p>Item 4.3 [Delegation Request] - Lauren Calarco respecting the LINC and Red Hill Valley Parkway (for a future meeting)</p> <p>Item 4.4 [Delegation Request] - Jacob Lundrigan respecting the Red Hill Valley Parkway and the LINC (for a future meeting)</p> <p>Item 4.5 [Delegation Request] - Leony and Corey Hastings respecting the barriers for the Red Hill Valley Parkway and the LINC (for a future meeting)</p>
October 16, 2017	Public Works Committee [17-012]	<p>Agenda: RHV0000764 Agenda Items:</p> <ul style="list-style-type: none"> ➤ Item 4.1: RHV0000711 ➤ Item 6.2(b): RHV0000737 	<p>Item 4.1 [Delegation Requests] - Sarah Warry-Poljanski (respecting Item 6.2 on today's agenda)</p>

		<p>Minutes: RHV0000724 Report: RHV0000723</p> <p>Recording of meeting accessible here – see in particular, 1:03 to 1:15 [Item 4.1], 11:19 to 1:13:40 [Item 6.2(a)-(f)]</p>	<p>Item 6.2(a)-(f) [Delegations] - Delegations respecting the Safety Concerns and the Installation of Barriers on the LINC and Red Hill Valley Parkway (Samantha White; Kim Lackie; Leony and Corey Hastings; Jacob Lundrigan; Susan Sholer; Lauren Calarco)</p> <p>Item 11.1 [General Information/Other Business] - Changes to the OBL - items requiring a revised due date - b) Traffic Incidents on the Linc and the Red Hill, c) Status Report about Issues Relating to the Linc and the Red Hill</p>
December 4, 2017	Public Works Committee [17-014]	<p>Agenda: RHV0000766 Minutes: RHV0000739 Report: RHV0000731</p> <p>Recording of meeting accessible here</p>	<p>Item 11.1 [General Information/Other Business] - Changes to the Outstanding Business List - a) items requiring a revised due date - Expansion of the RHVP and LINC; Traffic Incidents on the Linc and Red Hill; Status Report about Issues Relating to the Linc and Red Hill</p>
January 15, 2018	Public Works Committee [18-001]	<p>Agenda: RHV0000811 Agenda Addendum Package: RHV0000716 Merged Agenda Package: RV0000812 Agenda Cover Page: RHV0000745 Agenda Items:</p> <ul style="list-style-type: none"> ➤ Item 9.3: RHV0000835, RHV0000843, RHV0000833 <p>Minutes: RHV0000717 Report: RHV0000721</p> <p>Note: Recording of meeting is not accessible on the City's website</p>	<p>Item 9.3 [Discussion Item] - Lincoln Alexander Parkway and Red Hill Valley Parkway Transportation and Safety Upgrade (PW18008) (Outstanding Business List Items)</p> <p>Item 12.1.b [General Information/Other Business] - Items considered complete and to be removed - Lincoln Alexander Parkway and Red Hill Valley Parkway Transportation and Safety Update</p>
March 19, 2018	Public Works Committee [18-004]	<p>Agenda: RHV0000820 Agenda Addendum Package: RHV0000794 Merged Agenda Package: RHV0000821 Agenda Cover Page: RHV0000753 Minutes: RHV0000747 Report: RHV0000748</p>	<p>Item 11.2.b.d [General Information/Other Business] - OBL - Items requiring a revised due date - Speed Limit Reduction Feasibility Study on the Linc and RHVP</p>

		Recording of meeting accessible here	
August 16, 2018	Public Works Committee [18-011]	<p>Agenda: RV0000819 Amended Agenda: RHV0000818 Agenda Addendum: RHV0000774 Agenda Cover Page: RHV0000742 Minutes: RHV0000725 Report: RHV0000719</p> <p>Recording of meeting accessible here</p>	Item 11.1.b.a [General Information/Other Business] - Changes to the OBL - Proposed New Due Dates - Photo Radar on the LINC and Red Hill Expressway
January 14, 2019	Public Works Committee [19-001]	<p>Agenda: RHV0000817 Merged Agenda Package: RHV0000816 Agenda Cover Page: RHV0000749 Agenda Addendum Package: RHV0000722 Agenda Items:</p> <ul style="list-style-type: none"> ➤ Item 10.1: RHV0000779 <p>Minutes: RHV0000738 Report: RHV0000729</p> <p>Recording of meeting accessible here</p>	<p>Item 10.1 [Discussion Item] - Bill 65 - Automated Speed Enforcement (PW19002) (City Wide) (OBL Item)</p> <p>Item 13.1.a.a [General Information/Other Business] - Changes to the OBL - Items considered completed and needing to be removed - Photo Radar on the Lincoln M. Alexander Parkway and the Red Hill Valley Parkway</p>
January 23, 2019	City Council [19-002]	<p>Agenda: RHV0000826 Revised Agenda: RHV0000828 Agenda Addendum: RHV0000803 Agenda Cover Page: RHV0000846 Agenda Items:</p> <ul style="list-style-type: none"> ➤ Item 6.1: RHV0000810 <p>Minutes: RHV0000796</p> <p>Recording of meeting accessible here</p>	<p>Item 6.1 [Committee Reports]- Public Works Committee Report 19-001 - January 14, 2019</p> <p>Item 10.2 [Private & Confidential] – Potential Litigation Update (LS19007)</p>
February 4, 2019	Public Works Committee	<p>Agenda: RHV0000825 Agenda Addendum Package: RHV0000798 Merged Agenda Package: RHV0000822</p>	Item 10.3 [Discussion Item] - Hamilton Strategic Road Safety Program and Vision Zero Action Plan 2019-2025 (PW19015) (City Wide) (Outstanding Business List)

	[19-002]	<p>Agenda Cover Page: RHV0000741</p> <p>Agenda Items:</p> <ul style="list-style-type: none"> ➤ Item 10.3: RHV0000786, RHV0000808, RHV0000791, RHV0000760 <p>Minutes: RHV0000744</p> <p>Report: RHV0000805</p> <p>Recording of meeting accessible here</p>	
February 6, 2019	General Issues Committee [19-003]	<p>Agenda: RHV0000807</p> <p>Agenda Addendum Package: RHV0000814</p> <p>Merged Agenda Package: RHV0000827</p> <p>Agenda Cover Page: RHV0000746</p> <p>Agenda Items:</p> <ul style="list-style-type: none"> ➤ Item 10.4: RHV0000788, RHV0000829 ➤ Item 10.5: RHV0000785, RHV0000841 ➤ Item 10.6: RHV0000840, RHV0000830 <p>Minutes: RHV0000795</p> <p>Report: RHV0000802¹⁴⁴</p> <p>Recording of meeting accessible here – see in particular, 4:25:19 to 4:29:01 [Deferral of Discussion of Items 10.4, 10.5 & 10.6], 12:49:29 to 12:15:11 [Items 14.3 & 14.4], 12:51:12 to 12:54:24 [Item 10.4], 12:54:24 to 12:58:38 [Item 10.5], 12:58:38 to 13:02:55 [Item 10.6], 13:03:00 to 13:07:05 [Statement by City Manager], 13:07:07 to 13:08:56 [Motions brought by Mayor & Council]</p>	<p>Item 10.4 [Discussion Item] - City of Hamilton Annual Collision Report - 2017 (PW19012) (City Wide)</p> <p>Item 10.5 [Discussion Item] - Lincoln M. Alexander Parkway (LINC) and Red Hill Valley Parkway (RHVP) Transportation and Safety Update (PW18008(a) (City Wide)</p> <p>Item 10.6 [Discussion Item] - Speed Limit Reduction Feasibility Study on the Lincoln M. Alexander and the Red Hill Valley Parkways (PW19014) (City Wide)</p> <p>Item 14.3 [Private & Confidential] - Roads Audit Update (AUD19002)</p> <p>Item 14.4 [Private & Confidential] - Roads Infrastructure Litigation and Review Assessment (LS19010)</p>

¹⁴⁴ [RHV0000802](#) is GIC Report 19-004, which is the Report from the February 20, 2019 GIC meeting, as amended by Council on February 27, 2019. This document appears to have been uploaded in error on the City's website as the February 6, 2019 GIC Report (GIC Report 19-003). Given the nature of this compilation chart, Commission Counsel has included this document for completeness. However, GIC Report 19-003 can be found at [RHV0000885](#) at images 217-235 and GIC Report 19-003, as amended by Council on February 13 and 14, 2019 can be found at [HAM0001655_0001](#). The amended GIC Report 19-003 was not accessible on the City's website.

February 13, 2019	Council [19-003]	<p>Agenda: RHV0000884 Agenda Addendum: RHV0000880 Revised Agenda Package: RHV0000885 Agenda Cover Page: RHV0000881 Agenda Items:</p> <ul style="list-style-type: none"> ➤ Item 5.14: RHV0000882 ➤ Item 6.4: RHV0000878 ➤ Item 6.6: RHV0000883 ➤ Item 8.1: RHV0000879 <p>Minutes: RHV0000886</p> <p>Recording of meeting accessible here – see in particular, 10:00:33 to 10:10:35 [Item 10.5]</p>	<p>Item 5.14 [Communications] – Correspondence from David Smosarski expressing his concerns regarding the recent release of information regarding the state of friction of the Red Hill Valley Parkway that was described in a report that was completed in 2013 by Tradewind Scientific</p> <p>Item 6.4 [Committee Reports] – Public Works Committee Report 19-002 – February 4, 2019</p> <p>Item 6.6 [Committee Reports] – General Issues Committee Report 19-003 – February 6, 2019</p> <p>Item 8.1 [Notice of Motion] – Red Hill Valley Parkway Safety</p> <p>Item 10.5 [Private & Confidential] - Roads Infrastructure Litigation and Review Assessment Follow Up (LS19010(a)) (City Wide)</p>
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I. Appendix B: Individuals Referenced in Overview Document #2

Last Name	First Name	Organization	Position(s)¹⁴⁵
Anderson	Terry	City of Hamilton	Councillor, Ward 7
Bain	Anne	City of Hamilton	Councillor, Ward 9
Braden	David	City of Hamilton	Councillor, Ward 14
Bratina	Bob	City of Hamilton	Councillor, Ward 2 (October 2007 -2010) Mayor of Hamilton (2010-2014)
Braun	Michele	City of Hamilton	Administrative Assistant , Red Hill Valley Project, Public Works
Bruckler	Phil	City of Hamilton	Councillor, Ward 9
Caplan	Marvin	City of Hamilton	Councillor, Ward 1
Clark	Brad	City of Hamilton	Councillor, Ward 9
Collins	Chad	City of Hamilton	Councillor, Ward 5
Conley	Doug	City of Hamilton	Councillor, Ward 9
Crockett	Peter	City of Hamilton	General Manager , Transportation, Operations & Environment (pre-2003) General Manager , Public Works (2003 onwards)
D'Amico	Frank	City of Hamilton	Councillor, Ward 8
Danko	John-Paul	City of Hamilton	Councillor, Ward 8
Davis	Gerry	City of Hamilton	General Manager , Public Works
Di Ianni	Larry	City of Hamilton	Councillor, Ward 10 (2001-2003) Mayor of Hamilton (2003-2006)
DiDomenico	Jennifer	City of Hamilton	Program Support Analyst , Red Hill Valley Project, Public Works
Duvall	Scott	City of Hamilton	Councillor, Ward 7
Eisenberger	Fred	City of Hamilton	Mayor of Hamilton
Farr	Jason	City of Hamilton	Councillor, Ward 2

¹⁴⁵ Only positions held during the time covered by Overview Document #2 are included in Appendix B. Commission Counsel has created a separate chart that includes the complete list of all positions held by all individuals referenced in Overview Documents #2 - #10, which is included in Overview Document #1 at Appendix A.

Last Name	First Name	Organization	Position(s) ¹⁴⁵
Ferguson	Murray	City of Hamilton	Councillor, Ward 12
Ferguson	Lloyd	City of Hamilton	Councillor, Ward 12
Fontana	Lora	City of Hamilton	Executive Director , Human Resources and Organizational Development
Green	Matthew	City of Hamilton	Councillor, Ward 3
Hale Tomasik	Helen	City of Hamilton	Executive Director , Human Resources and Organizational Development
Horwath	Andrea	City of Hamilton	Councillor, Ward 2
Jackson	Tom	City of Hamilton	Councillor, Ward 6
Johnson	Aidan	City of Hamilton	Councillor, Ward 1
Johnson	Brenda	City of Hamilton	Councillor, Ward 11
Kelly	Bill	City of Hamilton	Councillor, Ward 7
Lychak	Doug	City of Hamilton	City Manager , City Manager's Office
Mater	John	City of Hamilton	Acting General Manager , Public Works
McCarthy	Margaret	City of Hamilton	Councillor, Ward 15
McCormick	Joel	City of Hamilton	Senior Project Manager , General Manager's Office, Public Works
McGuire	Gord	City of Hamilton	Director , Engineering Services, Public Works
McHattie	Brian	City of Hamilton	Councillor, Ward 1
McKinnon	Dan	City of Hamilton	General Manager , Public Works
Merulla	Sam	City of Hamilton	Councillor, Ward 4
Mitchell	David	City of Hamilton	Councillor, Ward 11
Moore	Gary	City of Hamilton	Manager , Design, Red Hill Valley Project, Public Works (2002-2007) Director , Engineering Services, Environment & Sustainable Infrastructure Division, Public Works (2009-2012) Director , Engineering Services, Public Works (2012-2018)
Morelli	Bernie	City of Hamilton	Councillor, Ward 3

Last Name	First Name	Organization	Position(s)¹⁴⁵
Morrow	Robert	City of Hamilton	Councillor, Ward 3
Murray	Chris	City of Hamilton	Director , Red Hill Valley Project, Public Works (until June 2007) City Manager , City Manager's Office (2009 onwards)
Nann	Nrinder	City of Hamilton	Councillor, Ward 3
Oddi	Marco	City of Hamilton	Senior Project Manager , Red Hill Valley Project, Public Works
Partridge	Judi	City of Hamilton	Councillor, Ward 15
Pasuta	Robert	City of Hamilton	Councillor, Ward 14
Pauls	Esther	City of Hamilton	Councillor, Ward 7
Peace	Glen	City of Hamilton	City Manager , City Manager's Office
Pearson	Maria	City of Hamilton	Councillor, Ward 10
Powers	Russ	City of Hamilton	Councillor, Ward 13
Rinaldo	Joseph	City of Hamilton	General Manager , Finance and Corporate Services (until December 2008) Interim City Manager , City Manager's Office (as of March 2008)
Robertson	Robert	City of Hamilton	City Manager , City Manager's Office
Samson	Art	City of Hamilton	Councillor, Ward 13
Skelly	Donna	City of Hamilton	Councillor, Ward 7
Smith	Janette	City of Hamilton	City Manager , City Manager's Office
Soldo	Edward	City of Hamilton	Director , Roads & Traffic, Public Works (until February 2019) Director , Transportation, Operations & Maintenance, Public Works (beginning in February 2019)
Stewart	Scott	City of Hamilton	General Manager , Public Works
VanderBeek	Arlene	City of Hamilton	Councillor, Ward 13
Wade	Robert	City of Hamilton	Mayor of Hamilton
Whitehead	Terry	City of Hamilton	Councillor, Ward 8 (2013-2018) Councillor, Ward 14 (2018-2022)

Last Name	First Name	Organization	Position(s)¹⁴⁵
Wilson	Maureen	City of Hamilton	Councillor, Ward 1
Zegarac	Mike	City of Hamilton	Interim City Manager , City Manager's Office