



City of Hamilton

CITY COUNCIL ADDENDUM

02-014

Wednesday, June 24, 2020, 9:30 A.M.

Due to the COVID-19 and the Closure of City Hall

All electronic meetings can be viewed at:

City's Website: <https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel: <https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

4. COMMUNICATIONS

- 4.9 Correspondence respecting the suspension of the Police Liaison Program in the Hamilton District School Board (HWDSB) and demanding that the HWDSB end their relationship with the Hamilton Police.

*4.9.c Emily Upper

*4.9.d Leah Avery

Recommendation: Be received and referred to the Hamilton Police Services Board.

- 4.10 Correspondence respecting the divesting and defunding of the Hamilton Police Service:

*4.10.ea Grace Evans and Scott Dobbin

*4.10.eb Elizabeth Seidl

- *4.10.ec Lisa Nussey
- *4.10.ed Joshua Weresch
- *4.10.ee Craig Burley
- *4.10.ef McMaster Student Union
- *4.10.eg Whitney Bolam

Recommendation: Be received.

- *4.18 Correspondence respecting the Wastewater Treatment Plant Bypass and Combined Sewer Overflow Reporting (PW19091(a)):

- *4.18.a Hamilton Harbour Remedial Action Plan
- *4.18.b Bay Area Restoration Council
- *4.18.c Hamilton Conservation Authority
- *4.18.d Royal Botanical Gardens

Recommendation: Be received and referred to the Item 8 of Public Works Committee Report 20-004.

- *4.19 Correspondence requesting that City Council change the established procedural bylaws to give the City's volunteer citizen committees the option to resume their meetings virtually until it is safe for them to meet again in person.

Recommendation: Be received and referred to the City Clerk to prepare a report for consideration at the July 9, 2020 Audit, Finance and Administration Committee meeting.

- *4.20 Correspondence from Joshua Weresch respecting the motion for Hamilton Police Services to muffle loud vehicles.

Recommendation: Be received and referred to the consideration of Item 6.2, Enforcement Request of Excessive Exhaust Vehicular Noise Levels.

- *4.21 Correspondence from Alissa Denham-Robinson, Chair, Hamilton Municipal Heritage Committee (HMHC) requesting approval for staff's recommendation to allow HMHC volunteers to continue working during this unprecedented time and within the HMHC mandate.

Recommendation: Be received and referred to the consideration of Item 5 of Planning Committee Report 20-004.

- *4.22 An Information Update respecting the Central Composting Facility Request for Proposal Options (ES20008) (City Wide)

Recommendation: Be received and referred to the consideration of Item 6.3, Central Composting Facility Request for Proposal Options.

- *4.23 Correspondence from Uber respecting the Fee Review of Personal Transportation Providers.

Recommendation: Be received and referred to the consideration of Item 3 of Planning Committee Report 20-004.

7. NOTICES OF MOTIONS

- *7.1 Reconsideration of Item 6.4 (a) of the April 15, 2020 Council Minutes (20-007) respecting Report PED20057, Demolition Permit - 393 Rymal Road West

- *7.2 City Ambassadors on the Waterfront Trail

10. BY-LAWS AND CONFIRMING BY-LAW

- *10.10 134

To Amend Zoning By-law No. 87-57 (Ancaster), respecting lands located at 295 Hamilton Drive, in the former Town of Ancaster
Ward 12
ZAH-19-051

4.9 (c)

Pilon, Janet

Subject: Police Presence in Hamilton Schools

From: Emily Upper

Sent: Friday, June 19, 2020 5:40 PM

To: hwdsbkidsneedhelp@gmail.com

Subject: Police Presence in Hamilton Schools

To the board of trustees,

My name is Emily Upper. I am a librarian and I live in Ward 2. I am concerned about the presence of police in schools. The board of trustees' decision to not terminate the Police liaison program and further, the decision to not suspend the police liaison program while it is under review despite school closures due to COVID 19, is deeply concerning.

The conversation around needing more data is ignoring the data that racialized and Black students have been collecting for years. It is actively ignoring the voices of some of our most vulnerable students. In the Toronto District School Board (TDSB), following the termination of the SRO (School Resource Officer) program, [suspensions for the 2018/2019 school year dropped by 24% with 1,771 fewer suspensions as the previous year and expulsions dropped by 53% with 34 fewer expulsions.](#) Police officers in schools intimidate and harass Black, racialized, poor, immigrant, queer, trans, disabled, poor and immigrant students.

In Hamilton, Black youth in the city are being carded in their schools. Black students are being wrongfully arrested and are unsafe due to police presence. A police force with a history of carding and violence against vulnerable communities should not be allowed to make decisions about student safety. The Ontario Human Rights Commission has previously described Hamilton Police as engaging in a ["textbook description of racial profiling."](#) It is deeply concerning to me that students are exposed to these practices in their schools and in Hamilton.

I want to be clear: I am not asking for a review as a review will only prolong the presence of police in schools. The data is clear. I am asking for the termination of this program and the termination of HWDSB's relationship with the Hamilton Police Service.

On June 16th, the human rights and equity advisory committee to the Trustee Board voted unanimously to support the call for the termination of the police liaison program. A motion for the termination of the police program will be put forward and I am asking that on June 22nd you vote to terminate the police liaison program.

Thank you,
Emily Upper

Pilon, Janet

Subject: Use Your Power for a Better Canada for All

From: Leah Avery

Sent: Friday, June 19, 2020 7:43 PM

To: cprosic8502@hwdsb.on.ca

Subject: Use Your Power for a Better Canada for All

Hello,

I am emailing you regarding police presence in Hamilton schools. I await your response.

As evidenced by the TDSB studies and their decision to remove police from schools, police directly contribute to the devastating school-to-prison pipeline and traumatize BIPOC every day. When TDSB removed police from schools, suspensions decreased 24% and expulsions decreased 53%.

You have power which was given to you by this community. It is time to use this power to take direction from Black and Indigenous community leaders who call for the immediate defunding and removal of police from their communities, including schools.

As an educated, middle class, able bodied white woman, I want to also ask you to please realize that everyone in this society has been raised to think that white people know the best solution to every problem. The time is now to override this programming and to finally listen to Black and Indigenous community leaders. Take your lead from people with lived experience and use your power to create a safer Hamilton for everyone, not just for white, middle to upper class, able bodied, heterosexual people.

On June 22nd, will you vote to terminate the police liaison program?

Please advise,
Leah

Pilon, Janet

Subject: Please divest from Hamilton Police

From: Scott and Grace

Sent: Friday, June 19, 2020 10:48 AM

To: clerk@hamilton.ca; Office of the Mayor; Wilson, Maureen; Farr, Jason; Nann, Nrinder; Merulla, Sam; Collins, Chad; Jackson, Tom; Pauls, Esther; Danko, John-Paul; Clark, Brad; Pearson, Maria; Johnson, Brenda; Ferguson, Lloyd; VanderBeek, Arlene; Whitehead, Terry; Partridge, Judi; smehdi2796@hwdsb.on.ca; cprosic8502@hwdsb.on.ca; director@hwdsb.on.ca; gmacdona@hwdsb.on.ca; lsheppar@hwdsb.on.ca; cravero@hwdsb.on.ca; mbaines@hwdsb.on.ca; ajjohnst@hwdsb.on.ca; cbingham@hwdsb.on.ca; mfmiller@hwdsb.on.ca; remulhol@hwdsb.on.ca; cpamill@hwdsb.on.ca; Kkaarcher@hwdsb.on.ca; ddanko@hwdsb.on.ca; bbuck@hwdsb.on.ca; cgalind@hwdsb.on.ca; ptut@hwdsb.on.ca; pdeathe@hwdsb.on.ca; Matthew.Green@parl.gc.ca; ahorwath-qp@ndp.on.ca; FILOMENA.TASSI@parl.gc.ca; SShaw-QP@ndp.on.ca; donna.skelly@pc.ola.org; Bob.Bratina@parl.gc.ca

Cc: hwdsbkidsneedhelp@gmail.com

Subject: Please divest from Hamilton Police

Hi there,

Our names are Grace Evans and Scott Dobbin and we live in Hamilton Ontario in Ward 2. Last week, black organizers released the following demands in light of police brutality happening in Canada and in the United States:

A 2018 carding consultation in Hamilton highlighted that Black youth in Hamilton are being carded at their schools, in the streets, and being kicked out of Hamilton libraries without just cause by Hamilton police and security services.

Even during the ongoing COVID-19 pandemic, police have continued to unjustly target people for existing in the streets. Police have issued expensive fines (upwards of \$800) to houseless people, many of whom cannot afford to pay them off. These tickets have been issued under the guise of enforcing social distancing, but have only served to further entrench people in poverty and target those who cannot access housing.

The violent act of state and municipal oppression must end. It is time for the institutions that have oversight of the police and residents to ask why we spend \$171 million on policing but only \$158 million on social services. The breakdown of the social services budget is \$81 million on Transit, \$25 million on Healthy and Safe communities, and \$52 million on boards and agencies.

The Hamilton Police (on a city approved budget) will spend \$78,806 on ammunition, \$95,000 on surveillance and \$61,409 on tasers in 2020 but only \$28,000 on food for prisoners.

We are spending \$171 million on a police service that terrorizes and murders Black and Indigenous people in our streets, schools, places of education, and homes. This is

unacceptable.

Demands:

- We call on the city of Hamilton to defund the Hamilton police.
- We call on the city of Hamilton to invest the tax dollars that would have otherwise gone to the police towards initiatives fighting against food insecurity, racism and towards more affordable housing.
- We call on the City of Hamilton to ensure that HPS are not ticketing houseless people for existing in public.
- We demand that the Hamilton Police Services halt all purchases with tax dollars of weapons (guns, rifles, etc).
- We demand that the Hamilton Police Services cease the ticketing and surveilling of homeless and disabled people in Hamilton, and that there be a moratorium on the hiring of police constables in Hamilton given the documented over-surveilling of homeless people during the pandemic.
- We demand that the Hamilton Police Services stop surveilling communities, and that they halt the expenditure of tax dollars on high tech surveillance equipment.
- We demand that the Hamilton Police Services stop targeting and criminalizing activists and communities pushing back against Yellow Vesters and other forms of white supremacy.
- We call on McMaster University (President & Board of Governors) to immediately terminate Glenn De Caire's contract. De Caire was forced to resign from Hamilton police after he was caught saying incredibly racist things to other police officers. De Caire also has a history of violent policing that targets houseless people as well as Black people.
- In line with the demands of the Hamilton Wentworth District School Board Kids Need Help Coalition, we demand that the HWDSB immediately remove School Resource Officers (SROs) out of all schools and fully fund a public review of police violence that occurred in their schools.
- We demand that the school board refrain from calling the cops on kids.
- We demand that the school board collect and release data that documents the disciplinary action against students by race and gender.
- We demand that the school board implement a community run alternative to disciplinary action based on the principles of restorative justice.
- We demand that the provincial police act be rewritten to give municipalities full control over police boards. Currently, in Hamilton, the Hamilton Police Services operates as an autonomous body, giving municipalities little to no oversight in terms of what they invest in and the ways that they militarize themselves.
- We demand that the province of Ontario work with grassroots groups to divest taxpayer money across the Province (Hamilton - \$171M, Ottawa - \$319M, Waterloo - \$182M, Halton Region - \$162M, London \$123M, Niagara - \$154M, Sudbury - \$63M) from policing and invest it towards community initiatives with the goal of moving completely toward transformative justice practices.
- We demand that the Special Investigations Unit, which has a provincial mandate, needs to be 100% composed of people living in the city with which the investigation is being conducted.
- We demand that the Special Investigations Unit needs to be composed completely of Black, racialized and Indigenous peoples with no current or former ties to the policing sector.
- The SIU must begin collecting and publicly releasing race-based statistics on all fatalistic encounters between police officers and civilians. No more inquiries-- direct action needs to be taken as a result of the investigation into anti-Black racism that occurred in the 90's and

again in 2014 with the establishment and subsequent defunding of the Anti-Racism Directorate.

- In light of COVID-19, We demand that all prisoners being held and who are awaiting trial at the Barton Jail facility be released immediately, and that the outrageous costs of ankle monitors and other means of surveilling those who are released be waived.

Thank you,

Grace Evans and Scott Dobbin
North end neighbourhood
Ward 2, Hamilton

Pilon, Janet

Subject: Defund the Police and Reallocation of Taxes

From: Elizabeth Seidl

Sent: June 22, 2020 7:21 AM

To: Office of the Mayor <mayor@hamilton.ca>; Merulla, Sam <Sam.Merulla@hamilton.ca>; Paparella, Stephanie <Stephanie.Paparella@hamilton.ca>; Ariyo, John <john.ariyo@hamilton.ca>

Subject: Defund the Police and Reallocation of Taxes

Dear Mayor Fred Eisenberger, Councillor Sam Merulla, General Issues Committee, and Committee Against Racism,

I am a Hamilton resident living in Ward 4 and I'm very concerned about anti-Black racism and violence, especially at the hands of police. No doubt, you will thank me for sharing my thoughts and place this letter in the pile with the others. To my continued disappointment, it has become increasingly clear that several with a leadership role in this city are not taking calls for a reduction in the police budget seriously.

Greater transparency and communication is necessary after the losses of Regis Korchinski-Paquet in Toronto and D'Andre Campbell in Brampton, who were both experiencing severe emotional distress and died instead of receiving medical help. These are only the most recent examples of Black people dying in encounters with police, something that has been happening in the GTHA for decades. The police have a long history of race-based violence. For example, data reveals that Toronto's Black residents are 20x times more likely to be killed by police officers than white residents, and that 70% of individuals who die in encounters with police struggle with mental health issues, substance abuse or both.

In Hamilton, we regularly have members of violent and explicitly racist white supremacist groups congregating outside of city hall. Racism in ALL Canadian cities is prevalent and real and I am concerned and disheartened that my tax dollars are being used to fund a service that continues to victimize members of Black and other marginalized communities. It is upsetting to see that the police budget continues to be rubber-stamped, without examination and debate, year after year, unlike for example, libraries and housing. I'm frustrated that leadership fails to see how hypocritical this is to citizens and taxpayers.

I believe the police force of Hamilton is overfunded and contrary to their mission, causing more fear, violence and harm to our communities. We urgently need to implement strategies that lead to better outcomes before any more Black, Indigenous, and people of colour are harmed in a police encounter. I would like to see the Hamilton Police Services legitimately held accountable in tangible ways, with the police budget significantly reduced and those tax dollars **reallocated** into social services, health care, mental health programs, jobs and affordable housing. Strengthening municipal social supports will reduce crime by addressing issues that lead to it at their source. Also, there may be lessons to be found by looking at Camden, New Jersey who in 2013 dissolved their local police department and pivoted to a model of community policing which has been followed by a steep drop in crime.

<https://www.bloomberg.com/news/articles/2020-06-04/how-camden-new-jersey-reformed-its-police-department>. For further education on this topic that includes both historical analysis of the harms of policing on marginalized and oppressed communities and an exploration of harm-reduction strategies used elsewhere in the world, please read *The End of Policing*, by Alex S. Vitale.

I would like to see the all Police Services immediately implement a harm reduction strategy, with a transparent and public training plan for all police officers and personnel. Though I am not convinced that body cameras are the solution to the systemic problems in policing, I do support their use in the interim to improve accountability, until greater change is made. Specifically, I would like to see HPS's adoption of the 84 recommendations in the 2014 report by Frank Iacobucci, aimed at reducing fatal encounters with people in emotional distress.

Thank you for your consideration, Elizabeth Seidl

Pilon, Janet

Subject: Defund police, invest in community

From: Lisa Nussey

Sent: Saturday, June 20, 2020 7:31 PM

To: Office of the Mayor; Wilson, Maureen; Farr, Jason; Nann, Nrinder; Merulla, Sam; Collins, Chad; Jackson, Tom; Pauls, Esther; Danko, John-Paul; Ward 8 Office; Clark, Brad; Pearson, Maria; Johnson, Brenda; Ferguson, Lloyd; VanderBeek, Arlene; Whitehead, Terry; Partridge, Judi; jcravero@hwdsb.on.ca; director@hwdsb.on.ca; gmacdona@hwdsb.on.ca; lsheppar@hwdsb.on.ca; ajjohnst@hwdsb.on.ca; cbingham@hwdsb.on.ca; mfmiller@hwdsb.on.ca; remulhol@hwdsb.on.ca; cpamill@hwdsb.on.ca; kaarcher@hwdsb.on.ca; ddanko@hwdsb.on.ca; bbuck@hwdsb.on.ca; cgalind@hwdsb.on.ca; ptut@hwdsb.on.ca; pdeathe@hwdsb.on.ca; matthew.green@parl.gc.ca; ahorwath-gp@ndp.on.ca; FILOMENA.TASSI@parl.gc.ca; SShaw-QP@ndp.on.ca; donna.skelly@pc.ola.org; Bob.Bratina@parl.gc.ca
Cc: clerk@hamilton.ca; hwdsbkidsneedhelp@gmail.com

Subject: Defund police, invest in community

Hello,

My name is Lisa Nussey and I live in Hamilton Ontario in ward 2. Recently, black organizers released a list of demands in light of police brutality happening in Canada and in the United States. I am writing in support of those demands.

The violent acts of state and municipal oppression that Black and Indigenous people continue to experience and describe must end. It is time for the institutions that have oversight of the police and residents to ask why we spend \$171 million on policing but only \$158 million on social services. The breakdown of the social services budget is \$81 million on Transit, \$25 million on Healthy and Safe communities, and \$52 million on boards and agencies.

We are spending \$171 million on a police service that terrorizes and murders Black and Indigenous people in our streets, schools, places of education, and homes. This is unacceptable.

The demands called for by the Black Lives Matter organizers I am writing in support of:

- We call on the city of Hamilton to defund the Hamilton police.
- We call on the city of Hamilton to invest the tax dollars that would have otherwise gone to the police towards initiatives fighting against food insecurity, racism and towards more affordable housing.
- We call on the City of Hamilton to ensure that HPS are not ticketing houseless people for existing in public.
- We demand that the Hamilton Police Services halt all purchases with tax dollars of weapons (guns, rifles, etc).

- We demand that the Hamilton Police Services cease the ticketing and surveilling of homeless and disabled people in Hamilton, and that there be a moratorium on the hiring of police constables in Hamilton given the documented over-surveilling of homeless people during the pandemic.
- We demand that the Hamilton Police Services stop surveilling communities, and that they halt the expenditure of tax dollars on high tech surveillance equipment.
- We demand that the Hamilton Police Services stop targeting and criminalizing activists and communities pushing back against Yellow Vesters and other forms of white supremacy.
- We call on McMaster University (President & Board of Governors) to immediately terminate Glenn De Caire's contract. De Caire was forced to resign from Hamilton police after he was caught saying incredibly racist things to other police officers. De Caire also has a history of violent policing that targets houseless people as well as Black people.
- In line with the demands of the Hamilton Wentworth District School Board Kids Need Help Coalition, we demand that the HWDSB immediately remove School Resource Officers (SROs) out of all schools and fully fund a public review of police violence that occurred in their schools.
- We demand that the school board refrain from calling the cops on kids.
- We demand that the school board collect and release data that documents the disciplinary action against students by race and gender.
- We demand that the school board implement a community run alternative to disciplinary action based on the principles of restorative justice.
- We demand that the provincial police act be rewritten to give municipalities full control over police boards. Currently, in Hamilton, the Hamilton Police Services operates as an autonomous body, giving municipalities little to no oversight in terms of what they invest in and the ways that they militarize themselves.
- We demand that the province of Ontario work with grassroots groups to divest taxpayer money across the Province (Hamilton - \$171M, Ottawa - \$319M, Waterloo - \$182M, Halton Region - \$162M, London \$123M, Niagara - \$154M, Sudbury - \$63M) from policing and invest it towards community initiatives with the goal of moving completely toward transformative justice practices.
- We demand that the Special Investigations Unit, which has a provincial mandate, needs to be 100% composed of people living in the city with which the investigation is being conducted.
- We demand that the Special Investigations Unit needs to be composed completely of Black, racialized and Indigenous peoples with no current or former ties to the policing sector.
- The SIU must begin collecting and publicly releasing race-based statistics on all fatalistic encounters between police officers and civilians. No more inquiries-- direct action needs to be taken as a result of the investigation into anti-Black racism that occurred in the 90's and again in 2014 with the establishment and subsequent defunding of the Anti-Racism Directorate.
- In light of COVID-19, We demand that all prisoners being held and who are awaiting trial at the Barton Jail facility be released immediately, and that the outrageous costs of ankle monitors and other means of surveilling those who are released be waived.

As a taxpayer and as a mother and as a community organizer and as a person who longs to live in a just and life affirming city, I urge you to take up these demands with the utmost of care and diligence. The leadership that has been shown by the releasers of these demands is inspiring and, if taken seriously, will breathe new life into this city. Please listen and learn and act.

Sincerely,

Lisa Nussey,
Ward 2

Pilon, Janet

Subject: The Future of Policing in Hamilton: A Response from Councillor Nrinder Nann

From: Joshua Weresch

Sent: Saturday, June 20, 2020 8:22 AM

To: Nann, Nrinder

Cc: clerk@hamilton.ca

Subject: Re: The Future of Policing in Hamilton: A Response from Councillor Nrinder Nann

Dear Nrinder:

Thank you for your reply. To date, you're the only councillor who's replied to my letter to all councillors. I've carbon-copied the city clerk so my reply can be included in public correspondence in the 24 June 2020 city council meeting.

I was encouraged to read of your and Councillor Wilson's support for police de-funding in this CBC article: <https://www.cbc.ca/news/canada/hamilton/defund-1.5613169>. I would certainly ask other councillors to join them in de-funding the police and would ask both them and all councillors to go further than de-funding police and join other Black Lives Matter activists and those in solidarity with them to abolish the policing services completely.

Regarding your list of questions you will be asking, I would respond to them by asking whether policing has any future in Hamilton at all and not to presume that there is any future to policing. It seems clear that wellness checks are not to be the province of the policing services and a re-design of community-based services, led by and responsive to the people by whom they are needed, is necessary, funded by the \$171 -million policing budget, in large measure. We can better support residents with mental-health needs by supporting the communities in which they and we live, and not policing them through 'community policing', with addiction needs by completely de-criminalizing all drugs, treating their possession as a public-health and not as a criminal issue, and creating safe-injection sites for safe and sustainable use, and with housing issues by expropriating condominiums that are built and sit empty as well as hotels and other available multi-residential units for public, and not affordable, housing.

The most strategic and sustainable investment that can be made to deliver the outcomes -- life and freedom in love and joy -- that people in Hamilton deserve is the complete abolition of the Hamilton Police Services. I would re-iterate my request of you and of city council as a whole to submit an application to the Ontario Civilian Police Commission to abolish the Hamilton Police Services.

Thank you for your time and your attention in these regards. I look forward to your and council's actions on behalf of all people living in Hamilton.

Kindly,

Joshua Weresch,
Resident, Ward 8

Jun 15, 2020, 15:30 by Nrinder.Nann@hamilton.ca:

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> Dear Joshua Weresch,
>
> Thank you for writing to the Ward 3 office on this important and serious issue.
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> Questions about the future of policing are echoing across cities and the world. We all have an obligation to examine publicly funded services, the outcomes they achieve, and changes needed.
>
> I am aware of the demands laid out on June 2> nd> and appreciate the demonstration of leadership by the community organizers here in Hamilton. These are not bandwagon demands, rather carefully crafted after a deep assessment of the pattern of experiences and realities in Hamilton.
>
> As we evaluate the best ways to keep our communities safe, I will be asking the following questions:
>
> ·> > What does the future of policing look like?
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>
> ·> > Are police services the appropriate public services for wellness checks?
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>
> ·> > How can we redesign and resource community-based services for crisis intervention?
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>
> ·> > How do we better support residents with mental health, addiction and housing needs?
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> ·> > What is the most strategic and sustainable investment to deliver the outcomes that Hamiltonians need and deserve?
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>
> I will be taking the demands under advisement as we consider actions to make communities-especially those communities made marginalized, safer. I also remain committed to ensuring our communities are able to give voice to priorities and solutions.
>
> Please let us know if you have any further questions.
>
> A final note: if you would like your correspondence to be received by Council, and to become part of the official public record, please forward your email to > clerk@hamilton.ca>
>
> Yours in community,
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>
> Councillor Nrinder Nann
> > She/Her>
> Ward 3 – City of Hamilton> City Hall – 71 Main Street West, Second Floor – Hamilton, ON L8P 4Y5
> Phone: (905) 546-4550
> Email: > Nrinder.Nann@hamilton.ca>
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Craig Burley, Barrister and Solicitor

PO Box 57012, Jackson Square PO, Hamilton ON L8P 4W9

(905) 296-3378

craig@craigburley.com

**Mayor and Members of Council
City of Hamilton
clerk@hamilton.ca**

June 22, 2020

4.10 (ee)

Dear Mayor and Councillors,

Re: Hamilton Police Service Budget

There has been much discussion of the budget of the Hamilton Police Service and there is a strong chorus in the community in favour of defunding this line item and redistributing the funds to strengthen and improve services and transfers, while also transferring functions of government back into the hands of civil servants rather than an occupying paramilitary force.

I concur strongly with this sentiment. The Hamilton Police Service should be defunded.

HPS has just received a lengthy critique of an important operational failure, the Pride In Hamilton Report received on June 8. The critique was damning, but rather than accept responsibility, the Chief released a statement claiming to be responsible, but failing to deal in the accepted way of accounting for such basic failures, by resigning. He stays on as head of this occupying force.

HPS has just been informed that the City's shortfall of operating funds due to COVID-19 is north of \$60 million. In response, it has elected to blow its 2019-20 budget surplus on guns and cars.

The HPS treats you with unsurpassing contempt. It is time to look at the enormously bloated budget used to support this service, that performs at consistently poor levels and with a great deal of collateral damage through this city. I would urge you to read once again (if you have read it) the Pride In Hamilton report commissioned by the PSB for a lengthy examination of that poor service.

You have all warned of the need to tighten belts. The entire COVID savings can be obtained here.

With thanks and regards,

Craig Burley
Barrister & Solicitor



4.10 (ef)

Dear Mayor Eisenberg and Members of Council,

The students of McMaster University have called for change to the security structure on our campus, and they are calling for change in the greater Hamilton community as well. A commitment to defunding the police, and re-allocating resources to the community is an investment in a re-imagined safety plan for the city.

We need one that prioritizes community care, as opposed to criminalization and incarceration. As the McMaster Students Union, we stand with those calling for police defunding. Defunding the police means that we can invest in community care, mental health supports and community institutions. Policing and use-of-force tactics are a reactive, often violent response to an overarching societal need – investments in people and not investment in their criminalization.

We ask the council, with a Hamilton Police Services (HPS) budget of \$171 million, who is being protected by HPS?

Across Canada, Black and Indigenous peoples are disproportionately more likely to experience police violence, racial profiling and discrimination. Between 2013 and 2017, Black communities made up 4% of the Canadian population, however accounted for 70% of police shootings resulting in death or injury, and 61% of 'use-of-force' cases resulting in death. As of 2019, over one third of all RCMP lethal uses of force have killed Indigenous peoples, while Indigenous peoples in Canada account for 4.9% of the nation's population.

Across the city, we see these statistics reflected in a multitude of ways. Within Hamilton, Black, Indigenous and racialized communities are disproportionately targeted, policed and murdered by members of their own police service.

As of the 2018 Statistics Canada analysis on hate crime in Canada, Hamilton continues to have the highest hate crime statistics (per 100,000 people) in all of Canada. This comes as no surprise when we look at the violence that took place at Hamilton Pride just this past year. In the face of direct violence against the LGBTQ+ community, the service failed to protect. In the face of direct violence against the LGBTQ+ community, the response was slow, inadequate and ineffective.

So we ask again, who is being protected by the Hamilton Police Services?

If the response does not include Black, Indigenous and racialized communities, the LGBTQ+ community, persons living with mental health concerns, those who are without homes or those struggling financially – then it is failing the Hamilton population.



A commitment to defunding Hamilton Police Services is a commitment to protecting systemically marginalized populations within this city. Anything else will be complicit in the violence that vulnerable communities have and continue to face.

Regards,

The McMaster Students Union

Fawziyah Isah,
Vice-President (Education)

Giancarlo Da-Ré,
President

Ryan Tse,
Associate Vice-President
(Municipal Affairs)

Pilon, Janet

Subject: Emergency & Community Services Committee

From: Whitney Bolam
Sent: June 23, 2020 11:44 AM
To: Office of the Mayor <mayor@hamilton.ca>
Subject: Police Harassment in Hamilton

Dear Mayor Eisenberger,

My name is Whitney Bolam and I am a resident of London Ontario. I would like to bring your attention to the following incident that happened in your city. Please read the following Facebook post from Les Carr, dated June 22, 2020:

"Ok so I can't believe this happened. Taylor's boyfriend, Myles Washington-Purser, was handing out freezies (yes freezies) outside the shelter he's been working at with 2 white co-workers. As they were doing this 3 Hamilton Police officers approached the group and asked what are "you" doing. The 2 girls started to explain and police officers said not you but focused on Myles. They asked if he worked at the shelter, how long had he worked there, where did he get the freezies, did he have a receipt. The 2 coworkers tried to keep helping but were ignored.

Myles has been working at the shelter at his own risk during the whole outbreak. They should be applauding him not harassing him.

Honestly as a white male. I just wanted to throw up. How stupid can our police be to even act like this with everything going on.

I wished I could have been there to simply tell them off. I would have happily gone to jail to make the point.

Black live do matter.

Anyone that reads this thru please share."

While I do not know Myles personally, he and his family are members of The Salvation Army in Hamilton ON, and our families have many friends in common, as my family and I are also members of The Salvation Army here in London ON.

To say I am concerned about this situation is a gross understatement. As a white woman with two teenage boys, I don't have to worry that a situation like this (or worse) will happen to my sons because of the colour of their skin. But Myles' mother DOES have to worry and that is not okay with me. One thing that encourages me as I write this email to you, is that I am able to do so with Myles having only been targeted and harassed by the police. We have become far too familiar that situations like this can escalate and get out of control very quickly, and I am thankful that nothing more happened to Myles. But that is not enough. There is NO reason that Myles should have needed to endure this harassment and I feel it is paramount to speak up when racism is at this entry level of targeting and harassment, because we must do everything we can to stop racism at every level, before another Black, Indigenous or Person of Colour is assaulted or loses their life simply because of the colour of their skin.

Though I am not a resident of your city, I put these questions before you; What will you do to investigate this act of racism against Myles Washington-Purser?

What will you say to Myles Washington-Purser and his family? to the young ladies he was working with when this incident of racism happened? to the shelter where he has been working during the pandemic?

What are you and your City Council doing to ensure this, and other escalated situations, will stop happening to Black, Indigenous and People of Colour in Hamilton ON?

I have shared this story, along with your email address, on my personal Facebook page, and it is my hope that your inbox will be flooded with emails from other concerned parents and citizens who will no longer stand by while our BIPOC brothers and sisters are targeted, harassed and worse because of the racism within the police departments in our cities across our country.

Thank you for your time. I pray that you and all of the leaders within Canada will do everything you can to end racism, especially within our police departments.

Sincerely,
Whitney Bolam

4.18 (a)

Hamilton Harbour Remedial Action Plan
867 Lakeshore Road, Burlington, ON, L7S 1A1
905-336-6278
koconnor@hrca.on.ca



HAMILTON
HARBOUR
REMEDIAL ACTION PLAN

June 5, 2020

Julia Wagner
Sr. Project Manager
Public Works, Hamilton Water
City of Hamilton

Dear Julia,

Thank you very much for the preview of the CSO Outfall Live Map for the www.hamilton.ca/wastewatermonitoring site. I enjoyed the opportunity to see the product and have a discussion with you on my thoughts.

I am excited for this product to go live in the next few weeks after receiving appropriate approvals. This is a positive step forward in closing the gap between those that have information and those that want to learn information.

In particular, I like the plans to keep information archived here as the tables populate. I can envision Hamilton Harbour researchers using this site as a tool to look back to see if a data point they have in their own work lines up with any CSO events. This value-added data will improve our understanding of the response of the Harbour to events. I also appreciated the variety of information pieces available on the website to serve as a deeper, yet accessible, background resource to those entering this combined sewer discussion for the first time.

Congratulations to the whole team associated with the development and launch of this product. The City of Hamilton has shown their ability to not just meet the intent of being open with information sharing, but their ability to exceed intent in design, content, and function.

Sincerely,



Kristin O'Connor
Coordinator
Hamilton Harbour Remedial Action Plan

Pilon, Janet

Subject: BARC - Email of Support

From: Chris McLaughlin <cmclaughlin@hamiltonharbour.ca>

Date: 2020-06-19 10:49 a.m. (GMT-05:00)

To: "Wagner, Julia" <Julia.Wagner@hamilton.ca>

Subject: Re: CSO Live Map - Letter

Hi Julia,

As you'll know from our conversations, BARC has been advocating for a system like this for a few years now in discussions with Public Works and Public Health. Although not all outfalls are set up yet with the equipment required for a full monitoring of the system, this is a terrific first step at collecting and providing the information necessary for better decisions within the RAP and more informed public health advisories on water quality and public recreation. This kind of information system will also help with educating the community about the function, benefits and limitations of the wastewater system, and the growing need for a comprehensive investment in integrated stormwater management. Thanks again for engaging us and I look forward to seeing the project come online.

Chris McLaughlin
Executive Director
Bay Area Restoration Council



A Healthy Watershed for Everyone

June 19, 2020

Attention: Julia Wagner, Sr. Project Manager
Hamilton Water, City of Hamilton – Public Works
77 James Street North, Suite 400
Hamilton, Ontario
L8R 2K3

Dear Ms. Wagner:

Re: Hamilton Conservation Authority Support for the Hamilton Water Combined Sewer Overflow Live Reporting Mapping

Hamilton Conservation Authority (HCA) supports the Hamilton Water initiative regarding the development of Combined Sewer Overflow Live Reporting Mapping.

This real-time information regarding untreated wastewater releases to area watercourses and water bodies from the City's combined sewer overflow storage tanks and combined sewer outfalls, as well as waste water treatment plant bypasses, will provide HCA and the public with another important tool for monitoring water quality within the watershed.

Should you have any questions, please contact the undersigned.

Sincerely,

T. Scott Peck, B.A., DPA, MCIP, RPP, CMMIII
Deputy Chief Administrative Officer/ Director, Watershed Planning & Engineering
JB/TSP



June 22, 2020

Attention: Hamilton City Council

Re: Wastewater Treatment Plant Bypass and Combined Sewer Overflow Reporting
(PW19091(a))

Royal Botanical Gardens fully supports and appreciates the ongoing Combined Sewer System public communication improvements the City of Hamilton is undertaking through the website. We also thank the City of Hamilton staff for their consultation with Royal Botanical Gardens staff as well as other stakeholders as these ongoing improvements are made.

Capturing and treating sewage is critical to the ecological sustainability and conservation function of Cootes Paradise Marsh, which itself is critical to the ecology of western Lake Ontario. In addition, Cootes Paradise is a much beloved space for visitors both locally and internationally. This is also critical for the trust and confidence that the water is safe for the recreational users.

We look forward to the next steps of adding further monitoring to the unmonitored/remediated CSO sites, as well as the assessing of the CSO overflow performance vs the policy objectives for the waters flowing to Cootes Paradise Marsh. We fully anticipate Hamilton Harbour Remedial Action Plan partner support for the remediation of the remaining unmanaged and unmonitored CSOs to Cootes Paradise as delisting the Hamilton Harbour Area of Concern requires the recovery of the aquatic ecosystem of Cootes Paradise Marsh.

We look forward to working with City of Hamilton to remediate these long-standing issues.

Sincerely,

Tys Theijsmeijer
Head of Natural Lands

Mark Runciman
Chief Executive Officer

680 Plains Rd. W
Burlington, ON
L7T 4H4

Mailing Address
P.O. Box 399
Hamilton, ON
L8N 3H8

June 19, 2020

To the Mayor and City Council of the City of Hamilton:

We have come together to sign this joint letter to ask that you immediately allow City of Hamilton citizen committees the option to resume their meetings virtually.

The City of Hamilton is continuing to make decisions during the COVID-19 pandemic that affect the public without consulting these formal committees. While barriers to privacy and technology are serious impediments for some members of these committees, we have seen that the City has the resources to overcome these barriers and to make sure that meetings are accessible to all members and the public.

We ask that City Council pass a motion, as soon as possible, to change the established procedural bylaws to give the City's volunteer citizen committees the option to resume their meetings virtually until it is safe for them to meet again in person.

Respectfully signed,

Kate Berry	Jake Maurice
Stephanie Bertolo	Ann McKay
Janice Brown	Jessica Merolli
Karen Burke	Cora Muis
Roman Caruk	Chris Ritsma
Alissa Denham-Robinson	Rammy Saini
Diane Dent	John Scime
James Diemert	Stefan Spolnik
Sophie Geffros	Cathy Sutherland
Sharon Gibbons	Kyle Weitz
Freja Gray	Alex Wilson
Cameron Kroetsch	Christine Yachouh

*NOTE: Though we are all members of citizen committees we are speaking as residents and citizens of the City of Hamilton only. We recognize that, because these committees are not currently meeting, we cannot speak or give advice in any official capacity.

Pilon, Janet

Subject: Correspondence re: motion for Hamilton Police Services to muffle loud vehicles

From: Joshua Weresch

Sent: Saturday, June 20, 2020 9:37 AM

To: clerk@hamilton.ca

Subject: Correspondence re: motion for Hamilton Police Services to muffle loud vehicles

To the clerk at Hamilton's City Hall:

Please include the attached letter as public correspondence in the next city council's meeting, regarding Councillors Jackson and Collins' motion about Hamilton Police Services' muffling of loud vehicles, as reported in this Mountain News article, available online at <https://www.hamiltonnews.com/news-story/10035762-hamilton-mountain-coun-tom-jackson-wants-police-to-muffle-loud-vehicles/>. <<https://www.hamiltonnews.com/news-story/10035762-hamilton-mountain-coun-tom-jackson-wants-police-to-muffle-loud-vehicles/>> Thank you very much.

Kindly,

Joshua Weresch

Anishinaabeg land (Hamilton ON)

To the mayor and councillors of Hamilton, Ontario's city council:

Good evening. I hope this finds you well. My name is Joshua Weresch, a non-Native born, raised, and living here with my wife and children on Anishinaabeg land in Hamilton, Ontario. I write in regards to the proposed motion by Councillors Jackson and Collins for the Hamilton Police Services to muffle loud vehicles, as reported in the Mountain News on 18 June 2020 by Kevin Werner, and I would ask, for several reasons, that council refuse to entertain such a motion.

First, both councillors serve on the Hamilton Police Services Board and have gone on the record in favour of more police visibility and against the abolition of policing. Councillor Collins, in particular, stated that the demands to de-fund or to abolish policing were 'nonsensical'. To have these two councillors now propose a motion that would increase the presence of police, especially within their roles of traffic enforcement and traffic stops, is somewhat problematic and raises the question whether these councillors are fit to serve on the police-services board in any capacity. It would seem that such a motion is only creating more work for the policing services to do. Second, the enacting of such a motion would, as noted, increase the presence of police within their role in traffic enforcement and would lead to more traffic stops. It is demonstrably the case that traffic stops have led to violent encounters between policing services and, predominantly, racialized people; those encounters must stop. For these reasons, the motion must be voted down.

A possible solution to loud mufflers is what was done in August 2018 in Edmonton, Alberta, as reported by Natasha Riebe in this C.B.C. article, Noise-control technology now on Edmonton streets, listening and watching (accessed 20 June 2020). Eight high-incidence locations had photo-radar style noise technology installed, with microphones and decibel meters, and Edmontonians have spoken publicly in favour of photo-radar installations instead of police constables. Automated enforcement reduces the amount of traffic stops and police interactions with people and would automatically ticket the owner of the vehicle to which the licence plate is registered. In November 2019, Kate Porter reported, in the C.B.C. article, Photo radar coming to roads near 12 Ottawa schools (accessed 20 June 2020), that municipalities had been given the green light to install technology to curb speeding. City councils have also voted to devote all of the revenue gained from automatic enforcement's tickets to road-safety measures and this could be done in Hamilton, also, and pay for many neighbourhoods' calls for speed bumps' installations, as speed bumps were recently installed on Rendell Boulevard, as reported by Mark Newman in the Hamilton Mountain News (4 Jun 2020; accessed 20 June 2020). It is worth noting that a policy should be written that any residential streets within 2 miles of a school, place of worship, or community centre should have speed bumps installed on them.

Thank you for your time and attention in these regards. I believe there are solutions to be found to muffle loud vehicles and they are not by way of using policing or their traffic enforcement. Please vote this motion down.

Joshua Weresch
Resident, Ward 8

20 June 2020

Written Delegation by Alissa Denham-Robinson (Chair, Hamilton Municipal Heritage Committee)
Re: Statutory Meetings During the COVID-19 Pandemic Emergency (PED20108(a)) (City Wide)
Date: June 19, 2020

June 19, 2020

Attn: Fred Eisenberger, Mayor of the City of Hamilton and
Members of Hamilton City Council

**Re: Statutory Meetings During the COVID-19 Pandemic Emergency (PED20108(a))
(City Wide)**

I wish to express my personal thanks to the members of Hamilton City Council for their review, discussion and support of municipal heritage matters during this time of COVID-19; including four (4) recent heritage related items:

1. A motion (dated April 22, 2020) for the designation of Evergreen Farm located at 1389 Progreston Road, Carlisle, a Property of Cultural Heritage Value or Interest;
2. A motion (dated April 29th, 2020) aimed at protecting Hamilton's built heritage by adding 40 properties within Ancaster's historic core, to the City of Hamilton Register of Property of Cultural Heritage Value or Interest (non-designated properties);
3. A motion (dated May 20, 2020) enacting an interim Control By-law to restrict lands in the Waterdown Community Node area; pending the completion of planning studies including the Waterdown Village Built Heritage Inventory; and
4. A motion (dated May 20, 2020) directing staff to prepare a report detailing the necessary revisions to any City of Hamilton By-laws to allow virtual Committee Meetings during the COVID-19 Pandemic Emergency. Amongst the committees included under this motion, were the Hamilton Municipal Heritage Committee (HMHC) including Working Groups, Cross-Melville Heritage Conservation District Advisory Committee and Heritage Permit Review Sub-Committee meetings.

Since the closure of city run facilities due to Covid-19 and the declaration of a Provincial State of Emergency, the Hamilton Municipal Heritage Committee has not met since February 20, 2020.

Due to the City's established procedural by-laws, Volunteer Citizen Advisor Committees are unable to meet in a virtual format. However, the Ontario Heritage Act requires Municipal Councils to consult with their Heritage Committee.

In response to Council's direction of May 20, 2020, staff have prepared the required report outlining the necessary revisions to the procedural by-laws to accommodate virtual meetings.

With this information, Council now has the opportunity to change the established procedural bylaws during the current COVID-19 Pandemic Emergency, to enable the Hamilton Municipal Heritage Committee and its related heritage Subcommittees and Working Groups to resume a meeting schedule (in a virtual format) until such time that committee members may meet again safely and in person.

I would ask Council members to please consider approval of staff's recommendations (June 16, 2020) which will allow our volunteers to continue working during this unprecedented time and within the HMHC mandate; to advise Council on matters under the Ontario Heritage Act.

Why is it important to resume a meeting schedule as soon as possible?

Having the ability to meet, offers Council access to the advice of HMHC on all matters relating to the designation of property, the review of heritage permit applications and other cultural heritage conservation measures under Parts IV and V of the Ontario Heritage Act.

One more specific reason relates to Ancaster's historic core. Despite Council's motion of April 29th, 2020, the 40 heritage properties recommended for addition to the Municipal Register and therefore afforded 60 days protection from demolition remain unprotected at this time. They will remain vulnerable until HMHC can formally meet in consultation and as required under the Ontario Heritage Act.

Should an application to demolish be received by staff before HMHC can meet, then staff will be forced to act quickly to assess the subject property(s) and Council will need to make a rapid decision to either approve demolition or pass a motion for emergency designation. Reactive decisions like this, often result in divisiveness within the community and between all parties involved. Not only does this become a drain on staff resources, but also typically leads to a negative outcome for the heritage property. This is never the desired outcome.

Again, I would ask you to consider staff's recommendation to allow the necessary revisions to municipal procedural by-laws to accommodate virtual meetings for the Hamilton Municipal Heritage Committee and its related heritage Subcommittees and Working Groups.

Our committee members are eager to resume their role as volunteer advisors; in service to Council and the City of Hamilton.

Thank you for your time and consideration.


Sincerest regards,



Alissa Denham-Robinson, Chair
Hamilton Municipal Heritage Committee



INFORMATION UPDATE

TO:	Mayor and Members City Council
DATE:	June 22, 2020
SUBJECT:	Central Composting Facility Request for Proposal Options (ES20008) (City Wide)
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Craig Murdoch Director, Environmental Services Public Works Department
SIGNATURE:	

This information update is to provide the Mayor and Members of Council additional information pertaining to Notice of Motion, Item 10.1, Central Composting Facility Request for Proposal Options, from the June 17, 2020 Public Works Committee meeting which was subsequently referred to the June 24th Council meeting.

Background

The current operations and maintenance contract for the Central Composting Facility (CCF) commenced in June 2006 and is set to expire December 31, 2020.

At the April 3rd, 2019 Public Works Committee (PWC) meeting, staff were directed to do the following:

- Issue a Request for Proposal (RFP) for the operation and maintenance of the CCF;
- Establish an in-house bid team to prepare and submit a bid to the RFP with the potential to transfer the service from a contracted provider to an in-house service;
- Conduct a risk assessment of contracted operations and maintenance vs. in-house operations and maintenance; and,
- Report back to PWC with recommendations based on the risk assessment results and both in-house and external bids received.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Central Composting Facility Request for Proposal Options
(ES20008) (City Wide) - Page 2 of 4**

In preparation for the expiry of the current contract, staff released RFP C11-09-20 on May 25, 2020 for the operation and maintenance of the CCF. RFP C11-09-20 is set to close on July 20, 2020.

A Notice of Motion was brought forward to the June 17, 2020 PWC meeting seeking direction to cancel RFP C11-09-20 with the intent to modify and reissue the RFP with an additional processing option. During the current procurement process, staff received an inquiry from a proponent asking the City to consider allowing alternative bids to process City Source Separated Organics (SSO) at a third-party off-site processing facility while using the CCF as a transfer facility instead of a processing facility. The current RFP contains a single option which is to operate and maintain the City owned CCF in order to process SSO collected through the City's Green Bin program. The reissued RFP would contain the following two options:

- 1) Accepting SSO at the City's CCF and processing SSO into compost that meets the provincial compost quality standards. This option would continue to see the CCF being used for its intended purpose as a processing facility; and,
- 2) Accepting SSO at the City's CCF, consolidate and transfer the SSO to a third-party processing facility that will process it into compost that meets provincial compost quality standards. This option would see the CCF being converted to a transfer facility.

Cancelling the RFP and reissuing with a second option for third-party off-site processing may provide additional proposals and may provide staff and Council additional options to consider when awarding the next contract for the processing of City SSO. A modified RFP would also allow proponents to submit a proposal for either of the options listed above or both.

Public Works Committee Inquires

During the June 17, 2020 PWC meeting, Committee had various questions regarding Item 10.1 (Central Composting Facility Request for Proposal Options), Notice of Motion. These questions are listed and answered below:

1. What is the name and location of the Third-Party and their processing facility that requested this modification to the RFP?

It is not common practice for staff outside of Procurement to be notified of the source of inquires during the procurement process. This information is not shared in order to maintain objectivity during the procurement process. It is recommended by Legal Services, Procurement and the City's contracted fairness monitor that the source of the inquiries provided through this procurement process not be disclosed.

**SUBJECT: Central Composting Facility Request for Proposal Options
(ES20008) (City Wide) - Page 3 of 4**

Note that if the RFP includes the option for third-party processing, any proponent, not just the one that made the request, may submit a bid from within or outside the municipality and that staff will not know possible processing locations until the RFP is closed and the evaluation process begins.

2. What can be included in the RFP that would ensure a reputable third-party processor submit proposals?

In order to ensure that only proponents who are reputable and permitted to accept and process SSO are able to progress through the procurement process, staff incorporate language within the RFP and the evaluation criteria ensuring that processing facilities have all appropriate permits and approvals. Staff also include language in the RFP and evaluation criteria focusing on the proponent's ability to operate processing facilities in compliance with all approvals and permits.

In order to accept and process SSO, all processing facilities must obtain appropriate operating permits such as Environmental Compliance Approvals issued from the Ministry of the Environment, Conservation and Parks (MECP). The process to receive approvals is extensive and includes public consultation and environmental reviews for appropriate facility siting. Without the appropriate permits and approvals, the processing facility is not legally allowed to accept and process SSO and, therefore, the City would not award an operating contract to that proponent.

In the case of third-party off-site processing, this does not prevent the host municipality from objecting to the source of SSO, it just means that the MECP permits it.

3. What happens to the CCF if Third-Party processing is selected?

If off-site third-party processing of the City's SSO is selected as the preferred option through the RFP process, the CCF would then be converted from a compost processing facility to a transfer facility at the responsibility of the successful proponent. With this, the CCF would not be used for its originally intended purpose and a portion of the CCF will not be operational for the duration of the contract and would require decommissioning. For example, the aerobic composting tunnels and compost screening portion of the facility are not required in a transfer facility scenario. An alternative use of those portions of the facility would need to be determined or kept intact in case the decision to restart using the CCF for its intended purpose is made at a later date.

4. Will residents see changes to the Green Bin program?

The RFP states what green bin materials must be accepted by any bidder. This means that there would be no change in what residents receive as a service from current operations in either scenario. There is the possibility, depending on the type of technology used to process SSO, that a third-party processing facility may have the ability to process additional materials that are currently deemed unacceptable in the City's Green Bin program. If this is the case, the acceptable items list for the Green Bin program may expand to include materials that are currently deemed unacceptable. If the Motion is approved, Staff will include language in the RFP requesting proponents who are proposing third-party processing to identify any materials that the City could add to the Green Bin program that are currently unacceptable and this information would be included when staff report back on the results of the RFP.

Staff were directed by Council to report back to the PWC following the completion of the RFP process with recommendations based on the risk assessment and results from both the in-house and external proposals received. If the option of third-party processing is added to the RFP, it is staff's intention to expand the scope of the risk assessment to include not only contracted operations and maintenance vs. in-house operations and maintenance, but to also include the option of third-party processing. Staff will also report back to PWC with recommendations and all relevant information related to the processing options and in-house proposal, including processing facility locations for Councils consideration in the award process.

If approved, the original Motion brought forward to the June 17, 2020 PWC meeting will be amended to reflect the third-party option in the risk assessment and to report back to PWC with recommendations as mentioned above.

APPENDICES AND SCHEDULES ATTACHED

Not applicable

MEMORANDUM

TO: Mayor and Members of Council, City of Hamilton

SUBJECT: Fee Review of Personal Transportation Providers

DATE: June 24, 2020

Introduction

Since 2015, Uber has worked closely with the City of Hamilton to deliver a safe, affordable and reliable ridesharing platform.

Hamilton's regulatory framework for personal transportation providers (PTPs) has been among the most successful in Canada at enabling innovation while maintaining a safe marketplace. It has ensured that PTPs are held accountable to the City through the rigorous annual licensing process. We view Hamilton's bylaw as a paragon of smart regulation.

On June 16, 2020, the Planning Committee passed along to Council recommendations outlined in the Fee Review of Personal Transportation Providers (Schedule 24 of the Business Licensing By-law 07-170). These recommendations would see the City impose a new PTP Licensing Fee in the amount of \$5,000 annually and increase the PTP Licensing Per Trip Fee to \$0.30 from the current amount of \$0.06.

While Uber is supportive of the overall direction of the Report, we believe that two changes would help support the City's transportation system as it recovers from COVID-19 and works to become more accessible for all Hamiltonians. Those changes are as follows:

- Amend the recommendation such that the new fee structure comes into effect when a PTP applies for a new license or renews its existing license;
- Amend the recommendation related to Accessible Transportation such that:
 - If PTPs decide to launch a wheelchair accessible service in Hamilton, they could be eligible for funding through the Accessible Taxi Incentive Program, and
 - The PTP would then be exempt from paying the accessible transportation portion of the fee.

Implementation Timeline

The first recommendation relates to the implementation timeline of the new fee structure. The fee change that is being recommended to Council is substantial and will have a significant impact on the operations of PTPs in Hamilton.



In February 2020, Uber successfully applied for a license renewal and paid the \$52,530 Licensing Fee and the \$20,000 Voluntary Accessibility Payment, and acknowledged the per-trip fee of \$0.06. The term of Uber's licence is one year, and the licence is valid until March 1, 2021.

As Hamilton continues reopening its economy from the devastating effects of COVID-19, this proposed change in fee structure will cause increased costs for passengers at a time when Hamiltonians can ill afford an increase. Hamiltonians who may be, for example, seeking a safe and reliable trip to get to work, to childcare, or to attend a physician's office.

As Uber and Hamilton City Council are both keenly aware, Hamiltonians are increasingly price sensitive with the economic uncertainty we are all facing. Any jump in proposed per trip pricing, especially at this time, will have an impact on Hamiltonians; it will hurt the affordability of rides in Hamilton, reduce demand for rides, and undermine the earning opportunities available to Hamiltonians.

For these reasons, we request that the new fee structure should come into effect when a PTP applies for a new license or renews their existing license. This would be fair to all players in the PTP space and ensure that PTPs can take the necessary steps to prepare for the increase.

Accessible Transportation

Our second request relates to accessible transportation. While Uber currently pays the Voluntary Accessibility Payment, we are always looking for ways to expand our offerings in the accessible transportation space.

Hamilton could be a leader in Canada in the accessible transportation space by expressly creating a pathway for PTPs to launch a wheelchair accessible option in Hamilton. Specifically, if a PTP launches an accessible option, it should be eligible for funding from the Accessible Taxi Incentive Program be exempted from paying the accessible transportation portion of the per-trip fee. Uber shares the City's goal of reliable accessible transportation for all, regardless of ability, and Hamilton here has an opportunity to stay at the vanguard of smart PTP regulation in Canada.

This regulatory certainty would help support the potential arrival of our WAV (Wheelchair Accessible Vehicle) service in Hamilton in the future, which would help bring on-demand accessible transportation to more Hamiltonians.

Conclusion

Uber looks forward to continuing a productive relationship with the City of Hamilton and appreciates the consideration of these two changes. Please let us know if you have any further questions or require additional clarification on any point.

CITY OF HAMILTON

NOTICE OF MOTION

Council: June 24, 2020

MOVED BY COUNCILLOR J.P. DANKO.....

Reconsideration of Item 6.4 (a) of the April 15, 2020 Council Minutes (20-007) respecting Report PED20057, Demolition Permit - 393 Rymal Road West

That Item 6.4 (a) of the April 15, 2020 Council Minutes (20-007), respecting Report PED20057, Demolition Permit - 393 Rymal Road West, which was approved by Council on April 15, 2020 and reads as follows, be reconsidered:

6.4 (a) Demolition Permit - 393 Rymal Road West (PED20057) (Ward 8)

- (a) That the Chief Building Official be authorized to issue a demolition permit for 393 Rymal Road West in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of The Planning Act, subject to the following conditions:
 - (i) That the applicant has applied for and received a building permit for a replacement building on this property;
 - (ii) That the said building permit specifies that if the replacement building is not erected within two years of the demolition of the existing building on the property, the City be paid the sum of \$20,000 which sum:
 - (a) the City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes; and
 - (b) is a lien or charge on the property until paid; and
 - (iii) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions in a form satisfactory to the Chief Building Official and the City Solicitor.

CITY OF HAMILTON NOTICE OF MOTION

Council: June 24, 2020

MOVED BY COUNCILLOR C. COLLINS.....

City Ambassadors on the Waterfront Trail

WHEREAS the use of the Waterfront Trail has become popular with out of town cyclists many of whom are speeding and racing down the trail, creating daily safety concerns for those in the area; and,

WHEREAS Licensing and By-law Services has previously hired summer students to act as City Ambassadors to educate the public and enforce City By-laws.

THEREFORE BE IT RESOLVED:

That Licensing and By-law Services be directed to hire two summer students to act as City Ambassadors on the Waterfront Trail for the months of July and August at a cost of approximately \$12,000 which will be covered through the Hamilton Beach Reserve Account 108037.

Authority: Item 31, Economic Development and
Planning Committee
Report 06-005
CM: April 12, 2006
Ward: 12

Bill No. 134

**CITY OF HAMILTON
BY-LAW NO. 20 -**

**To Amend Zoning By-law No. 87-57 (Ancaster), respecting
lands located at 295 Hamilton Drive, in the former Town of
Ancaster**

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as the “The Corporation of the Town of Ancaster” and is the successor to the former Regional Municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

WHEREAS the *City of Hamilton Act, 1999*, provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

WHEREAS the Council of the City of Hamilton, in adopting Section 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April, 2006, recommended that the Director of Development and Real Estate be authorized to give notice and prepare by-laws for presentation to Council, to remove the “H” Holding provision from By-laws where the conditions have been met; and

WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map No. 1-B to Schedule B, appended to and forming part of By-law No. 87-57 (Ancaster), is amended as follows: by changing the zoning from Holding Residential “H- R4-446” Zone, Modified, to Residential “R4-446” Zone, Modified, on the lands the

extent and boundaries of which are shown on a plan hereto annexed as Schedule
“A”.

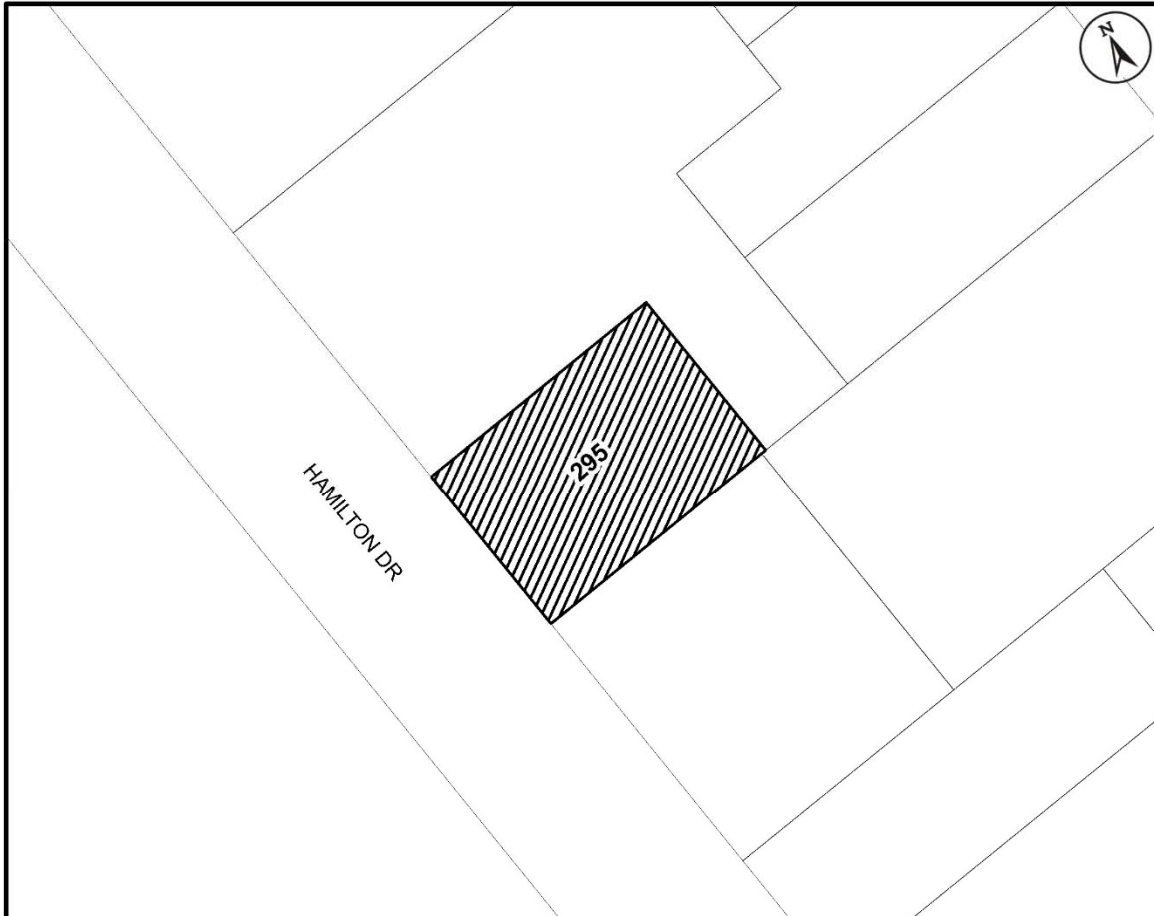
2. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential “R4-446” Zone, Modified provisions applicable to the lands shown on the hereto annexed Schedule “A”.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law, in accordance with the Planning Act.

PASSED this 24th day of June, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAH-19-051



This is Schedule "A" to By-law No. 20- Passed the day of, 2020	----- <p style="text-align: center;">Mayor</p> ----- <p style="text-align: center;">Clerk</p>
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<h2>Schedule "A"</h2> <p>Map forming Part of By-law No. 20-_____</p> <p>to Amend By-law No. 87-57</p>	<p>Subject Property</p> <p> 295 Hamilton Drive, Ancaster</p> <p>Change in Zoning from the Holding -Residential "H-R4-446" Zone, Modified to the Residential "R4-446" Zone, Modified</p>
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Scale: N.T.S	File Name/Number: ZAH-19-051		Hamilton
Date: June 15, 2020	Planner/Technician: MF/VS		
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT			