

Memorandum

Date: January 22, 2020

To: Mayor Eisenberger and Members of Council

From: Janette Smith, City Manager

Subject: **Hamilton Transportation Task Force**

Please find attached some additional information that was received yesterday that relates to the Province's Hamilton Transportation Task Force, and which is therefore relevant to Council's consideration of Item 14 (PED20033) of GIC report 20-001.

The first item is a letter from the Minister of Transportation appointing me, subject to certain conditions being met, to sit as a member of the Hamilton Transportation Task Force. Provincial staff have confirmed that I will not need to sign a Non Disclosure Agreement but the specifics around the confidentiality provisions will not be confirmed until after a discussion at the first Task Force meeting. Ministry staff have acknowledged that the conflict of interest statement on page 2 "you cannot promote solutions or strategies that would directly or indirectly benefit your employer and/or business interests" cannot apply to me and will send a follow up letter confirming that.

The second item is referred to by the Minister as the draft Terms of Reference that will govern the work of the Task Force. The draft Terms of Reference will be discussed at the first Task Force and then will be finalized.

Council will note that the draft Terms of Reference anticipate the Task Force preparing a preliminary list of transportation projects. City staff have begun to inventory the major, existing council-approved plans and strategies that address potential transportation-related capital projects. The following is a preliminary list of previously Council-approved plans and strategies, and staff will be continuing to refine this list in anticipation of this information being requested by the Province:

- 2018 Transportation Master Plan (includes planned cycling network, road network improvements, strategic goods movement network, two-way conversions, support for provincial highway network and GO network improvements)
- 10-Year Transit Strategy
- 2019 Development Charges Background Study
- 2016 Recreational Trails Master Plan (and 2018 Mountain Brow Multi-Use Trail Master Plan)
- B-Line LRT Transit Project Assessment Process (TPAP) report

January 22, 2020

- Staff report on LINC / Red Hill Functional Review
- Staff report on gaps in the city-wide sidewalk network
- Council motion with respect to Highway 403 Environmental Assessment
- 2013 Rapid Ready

**Ministry of
Transportation**

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107-2020-213

January 20, 2020

Ms. Janette Smith
City Manager
City of Hamilton
71 Main Street West
Hamilton ON L8P 4Y5

Dear Ms. Smith:

I am writing to appoint you as a member of the Hamilton Transportation Task Force.

On December 16, 2019, the Province of Ontario announced that the procurement for the Hamilton Light Rail Transit project would not be moving forward, in keeping with our thoughtful and prudent approach to fiscal management.

This government remains committed to improving the transportation network across the province to reduce congestion and get people moving and will honour the \$1 billion-dollar capital commitment to transportation infrastructure investments in the City of Hamilton.

To ensure the full \$1 billion is dedicated to meaningful transportation projects, the Province of Ontario has created the Hamilton Transportation Task Force. The purpose of this Task Force will be to provide the Ministry of Transportation with analytical support and advice, through an evaluation of potential transportation projects that meet the goals and objectives of municipal and provincial plans and policies.

I am pleased to appoint you as a member of the Hamilton Transportation Task Force. I believe that as someone who represents the interests of the City of Hamilton, you can provide the perspective and advice needed on potential transportation projects that can best meet the needs of the City's residents.

Your appointment to serve will begin as of the date of this letter and will expire no later than January 15, 2021. Remuneration for participation will not be provided, however, reimbursement of reasonable expenses will be granted in accordance with the Management Board of Cabinet's Travel, Meal and Hospitality Expenses Directive.

In addition, please note that this appointment is conditional based upon clearance of the required Personal Disclosure, Conflict of Interest and criminal background checks (related forms for your completion are also attached). A Confidentiality Agreement will also be required to be executed as a condition of your appointment.

.../2

The draft Terms of Reference (ToR), which will govern your work is also attached. As you will notice from the ToR, the Task Force will be tasked with:

- Assessing alternative transportation projects in accordance with guiding principles to be established by the Ministry of Transportation.
- Maintaining regular contact with Ministry representatives and providing status updates to the Minister, as requested.
- Providing advice to the Minister of Transportation before the end of February 2020 on preliminary alternative transportation project(s).

Furthermore, as a provincial government appointee, you are required to avoid any real or perceived conflict of interest. Accordingly, you cannot use or disclose any information obtained as a result of your appointment for any purpose unrelated to your work as a Member of the Hamilton Transportation Task Force. In addition, you cannot promote solutions or strategies that would directly or indirectly benefit your employer and/or business interests. In the event of any situation in which your personal or professional interests, relationships or obligations could conflict with your duties as member of the Task Force, you must declare it to Deputy Minister Shelley Tapp at your earliest opportunity.

In addition, Part 2 of the Management Board of Cabinet's Agencies & Appointments Directive specifies that appointees to short-term advisory bodies shall, for a period of 12 months following the end of the appointment, notify any ministry or agency of their previous appointment before they apply for, accept employment, seek or enter into a contract with a ministry or agency they provided advice to, or if the employment or contract may relate to the advice or services they provided.

The Government of Ontario is committed to openness, transparency and collaboration to promote an efficient, effective and modern public service. Should you have any questions, please reach out to myself or Ryan Amato, Director of Stakeholders Relations (416-327-9200).

Thank you for accepting this appointment. I look forward to your contribution as part of the Hamilton Transportation Task Force.

Sincerely,



Caroline Mulroney
Minister of Transportation

**Ministry of
Transportation**

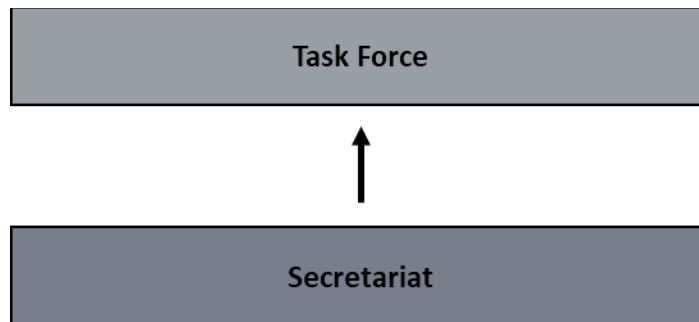
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Task Force – Proposed Governance Structure:



Mandate

The Hamilton Transportation Task Force (also referred to as the 'Task Force' or 'HTTF') will prepare a preliminary list of transportation projects that will allow the Government of Ontario to maintain its commitment of \$1 billion in capital funding for transportation and transit projects in Hamilton.

Deliverables

The Task Force will report to the Minister of Transportation (also referred to as 'MTO' or the 'Ministry') before the end of February 2020 with advice on preliminary alternative transportation project(s).

- Projects can be either fully funded or supported through the \$1 billion in funding committed by the Province.
- Projects should reflect the interests and needs of the residents and businesses of Hamilton.
- Projects may include public transit projects (including LRT) or highway projects.
- Projects must be of substantial benefit to the residents or economy of Hamilton.

Resourcing

The Task Force will be supported by a Secretariat which will provide advice, planning, coordination and other administrative support, as required.

The Task Force will also be supported by provincial agency bodies, as required, to address technical needs.

Membership

Hamilton Transportation Task Force

The HTTF will include up to seven (7) members appointed by the Minister of Transportation to achieve its stated purpose.

A Chair will be selected from amongst the members of the HTTF and appointed by the Minister of Transportation through a Minister's letter.

Members of the HTTF will bring a breadth and depth of expertise to the project that is not available in MTO, including experience in transportation policy, programs, and/or needs in the City of Hamilton and users' perspective in the City of Hamilton.

Representatives will not be elected officials.

Secretariat

The Secretariat will be led by the Executive Director of the Transit Policy & Programs Group in the Policy and Planning Division of MTO.

The Secretariat will be resourced through relevant areas of the Ministry of Transportation. Other relevant support from within the organization or from relevant Ontario agencies such as Metrolinx may be sought.

Roles and Responsibilities

Hamilton Transportation Task Force

- The Task Force will be responsible for:
 - Assessing alternative transportation projects in accordance with guiding principles to be established by the Ministry of Transportation.
 - Maintaining regular contact with Ministry representatives and providing status updates to the Minister, as requested.
 - Providing advice to the Minister of Transportation before the end of February 2020 on preliminary alternative transportation project(s).

- The Chair of the Task Force will be responsible for:
 - Managing the activities of the members of the Task Force for the purpose of achieving its mandate.
 - Liaising with the Secretariat on behalf of the Task Force.

Secretariat

- The secretariat will be responsible for:
 - Developing work plans and maintaining record of ongoing activities.
 - Providing advice and analysis on behalf of MTO.
 - Liaising with other relevant areas of MTO, other ministries and/or provincial agencies on behalf of the Task Force.
 - Integrating advice and analysis from Metrolinx and Infrastructure Ontario (as relevant).
 - Developing and coordinating meeting materials and providing logistical support.
 - Ensuring compliance with all applicable government directives and policies.

Duration

The term of HTTF would be for a period not exceeding one year.

Appointments and Accountability

The Task Force shall be appointed by, and report to, the Minister of Transportation.

Meetings

The Task Force will conduct an initial meeting in January 2020 to discuss the purpose and roles of the group, in advance of subsequent meetings which may focus on specific project areas.

After the initial meeting, Task Force members are expected to participate in weekly meetings, for a total of two to three business days per month. However, Task Force members shall discuss and agree upon the number of meetings required to meet the deliverables.

Meetings are anticipated to be no more than one-half day in length.

Remuneration

Task Force members will not be paid for the advice provided to the Government of Ontario.

Reasonable work-related expenses may be reimbursed in accordance with the Travel, Meal and Hospitality Expenses Directive.

Ethical Framework and Conflict of Interest

Task Force members must complete a Public Appointment Secretariat (PAS) candidate profile and submit all necessary documentation including the Personal Disclosure and Conflict of Interest Form for Public Appointment Candidates.

Task Force members will also be required to complete a criminal record check.

Communications

All press releases, statements and communications by the Task Force shall be made through the Ministry of Transportation.

Material Produced

All material produced by the Task Force, including records, documents, reports, advice, and recommendations, shall become the property of the Government of Ontario.

Dispute Resolution

The Secretariat will work with the Chair to establish a dispute resolution process.

Confidentiality

The Task Force shall keep all records, documents, reports, advice, recommendations and research (the "Review Information") confidential, except as approved by the Minister of Transportation.

Information Retention

The Review Information shall be retained in accordance with the *Common Records Series for Ministers' Public Records* approved under the *Archives and Recordkeeping Act, 2006*.