




**CITY OF HAMILTON**  
**PUBLIC WORKS DEPARTMENT**  
**Energy, Fleet and Facilities Management Division**

<b>TO:</b>	Chair and Members Public Works Committee
<b>COMMITTEE DATE:</b>	October 5, 2020
<b>SUBJECT/REPORT NO:</b>	Proposed City Hall Forecourt Security Enhancements (PW20064) (City Wide)
<b>WARD(S) AFFECTED:</b>	Ward 2
<b>PREPARED BY:</b>	Martin Dambeau (905) 546-2424 Ext. 2855 Sam Gargarello (905) 546-2424 Ext. 6658 Delfina Duarte (905) 546-2424 Ext. 6627
<b>SUBMITTED BY:</b>  <b>SIGNATURE:</b>	Rom D'Angelo Director, Energy, Fleet & Facilities Management Public Works Department  

**RECOMMENDATION(S)**

- (a) That the "City Hall Forecourt Security Study – September 2020" authored by OMC Landscape Architecture attached to Report PW20064 as Appendix "A", be received;
- (b) That Option #1 presented in the "City Hall Forecourt Security Report - September 2020" attached to Report PW20064 as Appendix "A" be referred to the 2021 Capital Budget process for consideration with an upset limit of \$800,000 and that the Operating Impact of Capital estimated at \$10,000 per year be referred to the 2021 Operating Budget Year.

**EXECUTIVE SUMMARY**

Through the City's Vision and Mission, city owned open spaces such as the City Hall Forecourt are intended to provide a safe and inclusive space for all residents. The Forecourt's prominence and proximity to the building provides unique elements of risk associated with large gatherings such as protests, rallies and staged events. As the local seat of municipal government, City Hall is open to the public to access numerous

services and it also serves as the administrative head office with over 450 employees working in the building. Collectively, these factors make the property symbolic and distinctive from other municipal, provincial and federal office buildings in the downtown core. The symbolism of the facility and forecourt space and its proximity to a major roadway artery (Main Street) means that it is an attractive location to hold demonstrations and rallies related to local, provincial, federal and global matters. Through these events, community members from Hamilton and the surrounding areas tend to congregate and share their messaging. This same symbolism and the congregation of individuals means that the area is at a higher risk of being targeted for serious threats related to intended vehicle attacks, by those who oppose the messaging and take on a criminal approach to their response. The City of Hamilton has a responsibility to ensure that appropriate measures are applied to the physical environment to help mitigate foreseeable threats.

The purpose of this report is to:

1. Provide an update to the Public Works Committee on Item 14 (e)(v) in Report LS19031/PW19068 – Hate Related Activities on City of Hamilton Properties, approved by Council on July 12, 2019,  
“That Corporate Security Office to research, identify and report on physical environment enhancements to the City Hall exterior open space to promote the safety and security of all persons who are attending the property for peaceful use and enjoyment of the space”;
2. Present Public Works Committee with Report “City Hall Forecourt Security Study” - September 2020 prepared by OMC Landscape Architecture and attached to Report PW20064 as Appendix “A” which identifies current vulnerabilities related to potential unauthorized vehicle penetration and provides various options to mitigate risk;
3. Present Public Works Committee with a recommendation to implement Option #1, as presented by OMC Landscape Architecture and represents the best option that meets various requirements including security risk (vehicular penetration), maintenance and repair considerations, public accessibility, as well as, historical and aesthetic considerations.

### **Alternatives for Consideration – See Page 6**

### **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: Option #1 (recommended) totals \$800K and is comprised of the following elements:

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a)	Class "D" Construction Estimate -September 2020	\$450,500
b)	30% (Allowance for Class D)	\$135,150
c)	Sub-Total A	<u>\$585,650</u>
d)	Consulting Fees 15%	\$87,850
e)	Permits/ Heritage/ Locates/Site Plan Costs	\$60,000
f)	Escalation 5%	<u>\$35,943</u>
g)	Sub-Total B	<u>\$183,793</u>
h)	Contingency 15% on Sub-Total B	\$25,372
	Total:	<u>\$794,815</u>
		Rounded to: \$800,000

The funding source(s) for the City Hall Forecourt Security Enhancements project will be presented in the 2021 Capital Budget submission for Council's approval. In view of the current divestiture of the downtown Entertainment Facilities, staff will be requesting the use of the 2021 Entertainment Block Funding of \$800,000 be redirected to the recommendation/project mentioned in Report PW20064.

The Operating Impact of Capital (OIC) for this project is estimated at \$10,000 a year and will be referred to the 2021 Operating Budget process.

Staffing: No change to staffing implications.

Legal: No change to legal implications.

## **HISTORICAL BACKGROUND**

On December 11, 2013, Council passed a motion reinforcing the use of the City Hall Forecourt as a space for public demonstrations and protests.

On March 28, 2018, Council passed a motion directing staff to investigate and report on ways to mitigate the use of City park and public spaces by "hate groups" in consultation with various groups.

On July 12, 2019, Council passed a motion directing staff to research, identify and report on physical environment enhancements to the City Hall exterior open space to promote the safety and security of all persons who are attending the property for peaceful use and enjoyment of the space.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

All policies with respect to landscape design and historical preservation have been considered and adhered.

## **RELEVANT CONSULTATION**

The following City of Hamilton Departments / Divisions have been consulted in the development of this report:

- City Manager's Office, Health, Safety & Wellness;
- Planning & Economic Development, Public Arts and Projects;
- Corporate Services, Clerks Office, Finance & Administration;
- Public Works, Horticulture, Parks, Landscape and Architectural Services, Facility Management and Corporate Security.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)**

The safety and security of those who are attending the City Hall Forecourt for various activities is a priority to the City of Hamilton. Equally important in its priorities is the need to balance safety and security with the intended openness and accessibility of this public realm environment respecting the heritage, aesthetics, culture and symbolism of this space. The Forecourt has seen an increase in demonstrations and rallies in the last few years that draw large numbers of engaged community members. The engagement by members of the Hamilton community in a democratic and peaceful manner, at times are unaware of the risks they take associated with public facing demonstrations and their physical position where messaging may draw grievance by other groups or individuals including a response. The risks associated with these grievance-based threat responses to the City Hall facility, Forecourt and the residents located in the open space can range from general disruption or impedance of activities to violence from opposition movements, hate groups, and disgruntled residents. Grievance based risks may also be unrelated to activities in the Forecourt itself but are targeted because of the symbolism alone and are based on local, Canadian and international issues related to government legislations, policies and sometimes perceived decisions.

The importance of safety and the reasonable enjoyment of the Forecourt space remains a priority of the City of Hamilton. In a continuous and collaborative response to this importance, the City has through various specialities in several business divisions, applied numerous enhancements over the past few years. Some of the examples of safety enhancements and these changes include:

- New safe use of space guidelines for assemblies and demonstrations, that clearly identify activities and behaviours that are prohibited from taking place during public gatherings in public space. (Report LS19031/PW19068 – July 12, 2019);
- Supporting the safe use and enjoyment of the space, the City has also posted Zero Tolerance signage throughout the forecourt identifying the expected

respectful behaviour by all individuals on City of Hamilton property. This signage also includes notification of the use of security surveillance cameras, and the contact information for Hamilton Police should criminal behaviour be observed. (Report LS19031/PW19068 – July 12, 2019);

- New Trespass By-Law (19-259) to support the rights conveyed under the Canadian Charter of Rights and Freedoms on City property in areas that are also under the public realm. (Report LS19031/PW19068(a) – October 23, 2019);
- Public engagement with equity-seeking groups, community partners, members of marginalized communities and other stakeholders to obtain lived experienced input to the development of City hate mitigation policies and procedures. Engagement to further understand root causes, apply best practices and offer key recommendation on how to address hate and discrimination with the Hamilton community. (LS19031/PW19068(b)/CM19006(b) – February 26, 2020);
- New enhanced security surveillance technology at City Hall to support the investigation of hate and other criminal behaviour that is reported and being investigated by law enforcement. (Report PW20053 – August 21, 2020).

In continuing with the collaborative response to the reasonable safety of the Forecourt space, Staff has engaged an external consultant agency, OMC Landscape Architecture (OMC). The purpose of engage OMC was to report on and provide safety mitigation recommendations to vehicle penetration risks associated with the Forecourt space. With OMC as the primary, two additional subject matter expert sub-consultants were engaged by OMC to support the work. ATA Architects (ATA) were engaged into the project as a subject matter expert related to heritage aspects, and Zerobit Security Planning (Zerobit) were engaged as subject matter experts related to physical security and safety aspects. The attached “City Hall Forecourt Security Study – September 2020” (Appendix “A” to Report PW20064) is their final report to the City, including their collaborative site-based findings, research, recommended mitigation options for consideration and a Class “D” estimate for the various recommendations.

As noted in the OMC report, the collection of data driven knowledge during the review remained a priority to ensure the balance between security, operational impact, and overall accessibility to the residents remained the foundation to the recommended options that that are provided.

OMC / ATA / Zerobit in coordination with Energy, Fleet & Facilities Management’s Strategic Planning & Capital Compliance section, completed in-depth consultations and constructive stakeholder input reviews with City sections that have an operational impact to the Forecourt. Meetings with subject matter experts from the following sections within the organization took place; Health & Safety, Public Arts and Projects,

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Horticulture, Parks, Landscape and Architectural Services, Facility Management, Facility Planning & Business Solutions and Corporate Security.

Staff considered two Options presented in the OMC report. Both Options were priced very close in costs and due to the Class D nature of estimating (i.e. 20% to 30% variance) are both considered to be estimated at \$800,000. Both options offer the same stainless-steel removable bollards that would be installed in various locations of the Forecourt. However, the difference from Option #1 to #2 is the proximity of the bollards to the building. Option #2 involves placing some of the bollards closer to the building in two locations and was rejected because it would allow vehicles to come up on the sidewalk and onto Forecourt. Therefore, Option #1 is recommended because it offers greater security. Option #1 provides additional safety measures for our residents, while balancing the priority of maintaining a public realm that is open and accessible to its community respecting the heritage, aesthetics, culture and symbolism of this space.

Option #1 will require a bigger crane to locate the annual Christmas tree in its traditional location and the removal bollards also require routine maintenance. These costs are estimated at an additional \$10,000 and will be included in the 2021 Operating Budget process.

## **ALTERNATIVES FOR CONSIDERATION**

Option #2 the City Hall Forecourt Security Study -September 2020 was considered and rejected because it consisted of placing the removable bollards in a configuration closer to the building and thereby left room for hostile vehicles to come up on the curb. Option #2 was considered because it facilitated maintenance needs for horticulture staff to park vehicles as well as for the crane to install the Christmas tree. However, this option defeats the original requirement to prevent vehicles from coming close to the public in the forecourt.

The estimated cost for Option #2 is also in the range of \$800,000 and therefore it was rejected.

## **ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

### **Community Engagement and Participation**

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

### **Healthy and Safe Communities**

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

**Culture and Diversity**

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PW20064 – OMC Landscape Architecture Report – “City Hall Forecourt Security Study – September 2020”