




CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Corporate Facilities & Energy Management Division

TO:	Mayor and Members Public Works Committee
COMMITTEE DATE:	July 12, 2023
SUBJECT/REPORT NO:	Update On 2-Year Pilot Parks Patrol Program (PW20046(a)) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Martin Dambeau (905) 546-2424 Ext. 2855 Delfina Duarte (905) 546-2424 Ext. 6627
SUBMITTED BY:	Indra Maharjan Director, Corporate Facilities & Energy Management Public Works Department
SIGNATURE:	

RECOMMENDATIONS

- (a) That Corporate Security be directed to continue the Parks Security Patrol program using a new delivery model of permanent Mobile Security Patrol team dedicated to all City owned properties and that the estimated 2023 cost of \$180,000, if not mitigated through other savings, be reported through the budget variance process and that the estimated 2024 budget costs of \$360,000 be referred to the 2024 Budget process;
- (b) That item ABG, on the Public Works Committee Outstanding Business List respecting “That Corporate Security report back to the Public Works Committee, prior to the completion of the two-year pilot, presenting the results of the program including the metrics used to measure the value, impacts and improvements as a result of the pilot program”, be identified as completed and be removed; and
- (c) That item ADC, on the Public Works Committee Outstanding Business List respecting “Staff were directed to report back respecting the results of the two-year Pilot Program re Security Report on theft and vandalism prevention in City-owned spaces.” be identified as completed and be removed.

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EXECUTIVE SUMMARY

In July 2020, Corporate Security provided a recommendation report “Security Report on Theft and Vandalism Prevention in City-Owned Spaces” (PW20046) to the Public Works Committee to address some Outstanding Business Items regarding theft and vandalism in City-owned open spaces. One of the action items from this recommendation report was for Corporate Security to deploy a two-year Parks Patrol pilot program beginning in the Spring 2021 to cover after-hours when City staff are typically not in the workplace.

Throughout the 2-year pilot, the City experienced a significant increase in the demand for security guard services to support open park spaces and other City operational assets. This increase in demand and its impact on the two-year Parks Patrol pilot resource were notable due to increases in criminal and disruptive behaviours towards civic assets and City staff that resulted in exhausting human resources and budgets. Additional challenges included addressing potential staff work refusals related to the Ontario Health & Safety Act (an employer to take every precaution reasonable in the circumstances for the protection of a worker), in addition to refusals that were already received from contractors.

The original scope of the two-year Parks Patrol Pilot Project to reduce and mitigate theft and vandalism in City open spaces is not reflective to the environment and culture that the City is experiencing today. The use by the community of these spaces, and the City’s operational changes through its response to the COVID-19 pandemic and the current housing crisis impacts, including parallel pilots such as the Parks Winterization program have significantly changed the environment, impacts and the experiences of social and private interactions between members in our community.

The operational use of these spaces is significantly different today from the onset of the Parks Patrol pilot in April 2021, and the resource demand of security guard services City wide to support safety and security challenges in the workplace, is placing a higher demand on Corporate Security in a demand-based response program delivery rather than the proactive intent of the Parks Patrol pilot initiative. The continuation of major elements of the Parks Patrol pilot are believed to have a value in supporting staff safety.

Staff’s recommendation in this report supports the continuation of the service while being re-tooled into a more holistic City-Wide Mobile Security Team that will support the City’s current needs of providing a reasonable and effective safety response measure, based on our obligations as an employer, and to support the safe use and preservation of the City’s assets. For greater clarity, the mandate of the proposed City-Wide Mobile Security Team, is not intended to include matters directly related encampment response, which fall within the mandate of the Coordinated Response Team led by the Housing Focused Street Outreach.

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The purpose of this report is to:

- Provide an update regarding the use of the Parks Security Patrol program resource through the City’s contracted Security Guard Services vendor and the impact of the COVID-19 pandemic on the original program; and
- Provide rationale for the continuation of the Parks Security Patrol program under a new more holistic umbrella of a City-wide Mobile Security Team to support a continuous and robust service model to the regular day to day operational needs of the City and its staff, as well as the obligations the City has as an employer to ensure that reasonable measures are applied regarding security in the workplace.

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FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The estimated 2024 annual operating impacts of \$360,000 to fund the permanent City-wide Mobile Security Patrol team will be referred to the 2024 operating budget process with a recommended enhancement to the Corporate Security Dept ID #790017, including annual increases as required related to contract pricing increases associated with the procurement process.

The estimated remaining 2023-year operating impacts of \$180,000 required to fund the City-wide Mobile Security Patrol team will be reported as a variance in the 2023 Public Works Corporate Security Dept ID #790017 year-end report.

There are no recommendations pertaining to the financial implications discussed in this section because the estimated 2023 operating impacts may be mitigated through savings in other areas or otherwise will be addressed through the budget variance process.

Staffing: Additional staff duties associated with procuring the mobile patrol services vendor, developing procedures, oversight of the Mobile Parks Patrol program, and staff time required for responses to incidents is estimated at one full-time equivalent employee annually. This impact will be assessed and addressed through the 2024 operating budget process.

Legal: N/A

HISTORICAL BACKGROUND

Council Motions

On March 29, 2023, Council passed a motion (Item 7.7) removing the requirements under Item 19 from a previous Council motion of August 12, 2022 respecting Enhanced Safety and Security Measures at John Rebecca Park (76 John Street North), including the removal of the use of CCTV cameras within the park.

On July 17, 2022, Council passed a motion from the Public Works Committee (Item 4, Theft and Vandalism Prevention in City-Owned Public Spaces) directing staff to deploy a parks Security Patrol program under a two-year pilot, and to report back to the Public Works Committee prior to the completion of the two-year pilot.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Section 25(1)(h) of Ontario's *Occupational Health and Safety Act* obliges an employer to "take every precaution reasonable in the circumstances for the protection of a worker".

Section 3(1) of Ontario's *Occupiers Liability Act* obliges that the City has a duty of care as the occupier and operator of City assets that "An occupier of a premises owes a duty to take such care in all the circumstances of the case is reasonable to see that persons entering on the premises, and the property brought on the premises by those persons are reasonably safe while on the premises."

RELEVANT CONSULTATION

The recommendations in this report are supported by the following consultations:

- Director of Environmental Services and the Manager of Parks and Cemeteries, Public Works Department
- Business Administrator, Corporate Finance & Administration Department

In January 2023, the City's Corporate Security team participated in an industry best practice review with Canadian municipal security teams regarding Public Washrooms and Open Spaces.

In February 2022, the City's Corporate Security team attended a benchmarking session with other Canadian Municipal Security teams to network and share ideas and experiences related to challenges being experienced as it relates to asset protection, staff safety and the impacts of the COVID-19 pandemic on the City's delivery of services.

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In a 2019 benchmarking report commissioned by the City of Ottawa's Corporate Security of which the City of Hamilton's Corporate Security contributed to, one of the information streams was related to proactive park patrol services.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

In April 2021, Corporate Security started the Parks Patrol two-year pilot program through the contracted services of the City's Security Guard vendor. The pilot project included one marked security vehicle, with one uniformed security guard that operated seven days a week, from 6:00 p.m. through to 6:00 a.m. The service's primary focus was to provide proactive patrols based on prioritized parks throughout the City. Priority locations were determined with input from the Parks Superintendents and identified on daily run sheet for guards to inspect and patrol.

Through the original recommendation report (PW20046) in July 2020, the anticipated metrics on the number of high priority and regular inspections was calculated at 8 high priority and 18 regular locations. High priority locations were estimated to include a 30-minute inspection and onsite presence, while regular locations were estimated to have a 15-minute inspection and onsite presence after hours. Based on the completed run sheets from the vendor, these goals were achieved at a minimum. In addition, the Security Guard was tasked as a responder to various other City assets in aiding other security guard staff with active incidents, and demand-based alarm responses.

During the Pilot Project the Security Guard was also tasked with supporting various City staff and contractors during challenging experiences such as threatening behaviour towards students during the summer parks washroom lockup routine and during the Winter Washroom pilot project.

At the time of the original recommendation report of July 2020, the COVID-19 pandemic was at early onset and the global effects of the pandemic response on public spaces was not fully understood, including for example, the impacts to social interactions, mental-health and response behaviours towards institutions. This changing dynamic culminated in a new and elevated baseline for security operations in municipal work environments.

The impact to the City of Hamilton's Corporate security operations team included a notable increase in demand for services across all City Departments and Divisions. In 2019, Corporate Security operated a uniform security guard service that included a total of 55,341 service hours. In 2020, this number increased 114% to 118,375 service hours, with a 39% of this total being related to COVID-19 services. In 2021, a total of 133,924 service hours were performed by Security Guards, with a new increase to requests involving supporting risk mitigation measures, as well as the City's continued response to the pandemic.

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In 2022 the total number of services hours performed by the security guard vendor was 183,788 hours. In 2022, the Parks Pilot program equated to only 2% of this total number at 4,380 service hours. This illustrates that the Security Guard was diverted into other, incident-based responses.

Throughout the pandemic and during the two-year pilot program, there were varying COVID-19 related rules and restrictions implemented by the federal and provincial governments that compelled the City to restrict access to community amenities and services within open public spaces. Subsequently, the impacts of the pandemic rules on the intended use and illegal activities in open public spaces caused a shift to the original intent of the pilot program and resulted in challenges in assessing the value metrics required to determine the impact on the specific parameters of theft and vandalism prevention.

For example, the housing crisis and the use of various open public spaces for shelters and encampments has impacted the assessment. Throughout the pilot project, there was an increase in the requests (by City staff and contractors) to have the Parks Patrol team provide escort and incident response services at various parks spaces and washroom facilities. While there is significant value in this service, in balancing the service hours required, it also took away from the proactive presence and inspections intended under the program.

This service level continues, where the use of a dedicated security team to support access and securing of the park's washrooms for both contractors and City staff because of an earlier work refusal impact. Since January 16, 2023 through to June 6, 2023, 528 individual escort and assist calls were responded to at 4 park locations related to safety concerns and the previous work refusal.

The shift that has been experienced in the Canadian municipal sector with other Corporate Security providers has included the increase of demand on incident based scenarios where criminal and disruptive behaviours towards civic assets and its staff are exhausting the resources that were originally in place to ensure a response mechanism to incidents were in place, that the staff responding to the incidents were also safe in conducting their duties and business, and the value and benefit of proactive presence and inspection to help preserve a safe workplace and asset preservation.

In benchmarking with our Canadian municipal security partners, the current increase in resources are to ensure that a reasonable and resilient response approach can be achieved, and where possible, a proactive presence is not applied with the same quantity of investment hours as pre-pandemic times. One notable increase within the Ontario municipal market, is the direct correlation to increased services as a risk mitigation measure based on the obligation of an employer under Ontario's

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Occupational Health and Safety Act to “take every precaution reasonable in the circumstances for the protection of a worker”.

For example, where the response to an intrusion alarm in a building, or a disturbance incident at a City facility, did not also increase the risk factor for the responding staff (City or contracted service team) to reasonably experience violence and or the implied or displayed use of items used as weapons. Because of this shift in doing business, a minimum 2-person response has been employed in the security industry as a standard.

The original intent of the pilot program, the deployment was during after-hours, when City staff who were creating the pride and ownership aspects of presence, and that the unwanted, disruptive and criminal behaviours were noted as occurring outside of the regular duty hours of staff. The shift times as noted earlier were from 6:00 p.m. until 6:00 a.m. 7 days a week. Since the pandemic, the unwanted, disruptive and criminal behaviours that were impacting the intended and good use of open public spaces was now taking place at all times of the day, and there was a notable increase in the defiance by those engaging in this behaviour to the authority of staff in their attempt to asset preservation, and of security guards, By-law staff and Hamilton Police in the enforcement of the various laws intended to preserve public safety and civic asset preservation.

This increased demonstration of defiance has included threats and implied violence towards other members of the community, City staff, contractors, and law enforcement. The defiance that is being experienced also includes a new dynamic of high-risk tolerance that could lead towards bodily injury to themselves, and others. The City has experienced an increase in the degree of physical tampering and destruction of security technology (i.e. CCTV camera, intrusion detection / burglary systems), Life Safety systems (i.e. fire alarm communications and detection devices) and critical infrastructure utilities and the services such as electrical distribution.

The new risk tolerance in some cases are also being used as tools for showcasing and encouraging copy-cat activities through others by open broadcasting of the actions and behaviours in various forms of media. This new trend appears to diminish the previous risk factor consideration by the person involved and being held accountable for their actions and behaviours that has previously provided a form or deterrence to criminal behaviour such as their images being captured by CCTV camera. A recent example includes the unsafe and criminal discharge of an incendiary / firework within a GTHA municipal transit bus, and social media trends encouraging the destruction of washroom fixtures in school and public facilities.

Through the pilot program, theft and vandalism continued to occur within open City spaces and assets and is believed to have increased based on some of the factors listed above, in addition to the increased use of the City parks facilities during the 2021

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and 2022 Parks Winterization pilot. One significant event of both graffiti and physical destruction of washroom amenities occurred in November 2022 at the Dundas Driving Park location.

This incident may be correlated with the social media encouragement during the same time of destruction of these types of environments. The City also continues to experience continued tampering and destruction in varying degrees that at times impact the safe use of the facility until repairs are completed, even during times when staff are onsite to the property during business hours. This includes the removal of metal piping and electrical wiring, destruction of locking mechanisms, destruction of stalls and fixtures and the use of these spaces during times that they are open to engage in unsafe and criminal behaviour that deters the legitimate and intended use of the washroom by all members of the community.

This behaviour also appears to carry some territorial aspects of behaviour where only some members of the community are able to use the facility, and City staff and contractors are being intimidated when conducting their duties of maintenance and repairs to the property. In a recent incident at JC Beemer in May 2023, an assault and robbery took place on one member of the community by multiple parties when they attempted to use the washroom.

Summarized Result:

Corporate Security does not believe that the original two-year pilot program results based on the design and the environment at the time of the proposal, the resource assigned, and the change in the community regarding human dynamics of healthy and respectful behaviours towards others and civic property, demonstrate that this is a service of value that should be maintained in its current capacity. Corporate Security also does not believe that the concept of “prevention” to theft and vandalism to City properties is an achievable concept based on resources, costs, and the impact that such an intrusive measure is likely to introduce.

The City can apply tactics and elements that may delay or deter to some degree the impact or scale of theft and vandalism, however the practices applied by a physical security solution while balancing the open and accessible access to core amenities such as washrooms year-round are competing natures.

Recommendation:

Corporate Security does however feel that the elements of the Parks Security Patrol program can be re-tooled into a more holistic and effective solution to address the increase of safety and security issues being experienced by City staff, contractors, to

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provide them with a responsive program of support in the delivery of their programs to the community.

The new proposed holistic program, called the Mobile Security Team should be applied under a permanent model that includes an effective and consistent City-wide coverage and response to address security matters that are raised by staff, contractors, and residents at City facilities. This new holistic approach will also support the City's obligations of its contracted security guard service provider to ensure that their workplace is safe through a dual and safer response to incidents.

The Mobile Security Team approach would see two mobile security vehicles each with one uniformed security guard, that would operate on a 24/7/365 basis. This approach will ensure a more consistent and faster response to for all City owned workplace environments (Parks, City Hall, Ontario Works, Housing Services, Cemeteries). During times when incident-based calls are not taking place, the two independent mobile vehicles will be tasked with providing proactive inspection and presence to an estimated 100 or more locations daily, versus the 26 sites that were achieved during the pilot program.

The Mobile Security Team operating as a 24/7/375 service would be equivalent to 6 full-time equivalent employees and six part-time equivalent employees that would be sourced through the contracted security guard vendor. The creation of this program would include the absorption of an existing 24-hour mobile resource that is provided through our contracted service provider and would only see an increase of 12 additional service hours per day including the pilot program resource to bring it to a full compliment. The estimated annual cost impact of this re-tooled service level under the estimated 2024 value is an increase of \$360,000 inclusive of all staffing requirements as well as vehicle, repairs, fuel, licencing impacts.

The estimated costs associated with bringing this type of service level into an internal City FTE role, as well as the additional costs associated with vehicles and peripherals, is significantly more and may not be seen as the same measure of value to the City.

ALTERNATIVES FOR CONSIDERATION

If the proposed recommendation to create the Mobile Security Team is not approved, the continuation of the status quo service levels will continue. However, the increase in demand for adaptive mobile response at all City workplaces (specifically open spaces) is a critical service that is required to ensure staff and contractor safety. Currently, the status quo is not effectively addressing the increase in safety and security issues being experienced by staff and our contractors and will lead to potential the exhaustion of resources based on incident driven scenarios, and the gradual increase and culmination

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of work refusals under the Ontario Health and Safety Act. This alternative is not recommended.

Financial: No additional dedicated funding would be required, if the status quo is maintained, however it is expected that the increase in demand of ad hoc services will have an impact to various existing operating budgets where business units rely on additional security guard services to support their programs and the risk of work refusals.

Staffing: No additional dedicated staffing would be required if the status quo is maintained.

Legal: N/A

The alternative of converting the City's current security guard services from a contracted service to an internal City role was considered as an option but discarded. Currently, the level of demand for service, the direct cost impacts, the employer's licencing requirements by the Ministry of Attorney General, the additional insurance risk impacts to the City were all factors considered less favourable than contracting out the Mobile Patrol Program. This alternative is not recommended.

Financial: A significant operational funding model would be required to compliment an internal City role fulfilling security guard services. An initial estimate of approximate of \$4.5 Million to provide base level security guard services, plus additional costs related to vehicles, fuel, insurance, and other particulars would be required. Additional funding to support demand ad hoc services City-wide would need to be assigned to various DeptID's to support these services if provided by an internal City role.

Staffing: An estimated 35 full-time equivalent employees would be required plus a compliment of 15 part-time equivalent employees to support service coverage continuation.

Legal: Legal Services would be requested to assist with the development of this type of program including risk management, and the licencing requirements of the Ministry of Attorney General regarding the employment of security guard services.

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.

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Healthy and Safe Communities

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

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic city.

APPENDICES AND SCHEDULES ATTACHED

N/A