

Coming up at 6 pm, it's this month's regular council meeting. This is what's coming on the agenda:



Mayor Guthrie has called the meeting to order.

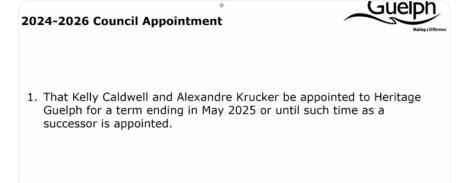
Two items were discussed in closed session:

- -May 2024 Public Appointments to Advisory Committees of Council
- -Service Rationalization Review Centralization of Back-Office Support Functions.

There was a disclosure of pecuniary interest from Cllr Klassen (more on that in the minute).

Klassen's interest is in the appointment to Heritage Guelph because her husband was one of the people considered. She wasn't in the room.

Appointments to Heritage Guelph approved.



Appointments to the Waste Resource Innovation Centre approved.

### 2024-2026 Council Appointment



That Samantha Halloran and Robert Forrest Smith be appointed to the Waste Resource Innovation Centre Public Liaison Committee for a term ending in May 2025 or until such time as a successor is appointed.

Lastly, a motion to spend \$150k to fund the centralisation of the back office support project.

# Service Rationalization Review - Centralization of Back-Office Support Functions



 That up to \$150,000 from the Tax Rate Contingency Reserve be allocated to fund the centralization of back-office support functions project as outlined in the Service Rationalization Review – Centralization of Back-Office Support Functions closed report, dated May 28, 2024. Savings achieved through the implementation of a centralized back-office service model would be applied to the Tax Rate Contingency Reserve first to repay initial investments. Following repayment, savings would be applied prospectively to the Operating Budget

That last one is approved 12-0 too.

Approval of the minutes of the open Council Meetings held April 9 and 16, 2024 approved.

Consent agenda:

### 6.1 Ontario Health – Multi-Sector Service Accountability Agreement, Declaration of Compliance, 2024-214



### Recommendation:

- That the Mayor be authorized to sign the Declaration of Compliance for the Ontario Health Multi-Sector Service Accountability Agreement for the period of April 1, 2023 to March 31, 2024.
- 6.2 Court Services: Transfer of Part III and Part IX Prosecutions under the Provincial Offences Act to the City of Guelph and implementation of Administrative Penalty System for Parking 2024-100

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### Recommendation:

- That the Staff Report entitled "Court Services: Transfer of Part III and Part IX Prosecutions under the Provincial Offences Act to the City of Guelph and implementation of Administrative Penalty System for Parking Infractions", dated May 15, 2024, be received.
- That Council authorize the Mayor and City Clerk, or their respective delegates, to execute the Interim Transfer Agreement with His Majesty The King In Right Of Ontario As Represented By The Attorney General, a side agreement with the Crown Attorney for Wellington County regarding prosecutorial intervention, and any other documents as may be necessary or desirable from time to time related to the transfer of prosecutions commenced under Parts III and IX of the Provincial Offences Act from the Ministry of the Attorney General to the City of Guelph, each in a form satisfactory to the City Solicitor.
  That City staff be directed to proceed with the implementation of an
- That City staff be directed to proceed with the implementation of an Administrative Penalty System for parking infractions and directed to bring forward the necessary by-laws and policies required to implement and administer the Administrative Penalty System for Council's consideration.
- 4. That Council authorize the Deputy Chief Administrative Officer of Public Services and Deputy Chief Administrative Officer of Corporate Services, or their respective delegates, to execute agreements with His Majesty the King in Right of Ontario As Represented by the Minister of Transport as may be necessary to implement the APS, each in a form satisfactory to the City Solicitor.

### 6.3 2023 Year-end Capital Budget Monitoring Report - 2024-216

### Recommendation:

- That the adjustments detailed on Attachment-3 of the 2023 Year-end Capital Budget Monitoring Report dated May 14, 2023, be approved.
- That Council approve the early ordering of seven replacement ambulances, three budgeted in 2025 and four budgeted in 2026 in PM0010 in the 2024-2027 multi-year budget that was adopted on November 29, 2023, for a total commitment of \$1,768,600 over the two years.

### 6.4 2023 Long-term Financial Statement: Reserves and Debt, 2024-

### Recommendation:

- That a Tree Compensation reserve fund (365) be opened to fund tree planting activities from fees collected under the Tree By-law (2010)-19058 or successor by-laws.
- That a Property Assessed Clean Energy Funding reserve fund (305) be established to record and track grant funding received from the Federation of Canadian Municipalities and the disbursement of funds.
- That the Property Assessed Clean Energy reserve fund (362) be renamed PACE Loan Loss Provision reserve fund and that the purpose and terms are updated as outlined in this report.
- That \$500 thousand be transferred from the Stormwater Contingency reserve (359) to the Stormwater Capital reserve fund (165) in 2024.

## 6.5 Mayoral Direction B4 – Temporary Structured Encampment, 2024-232

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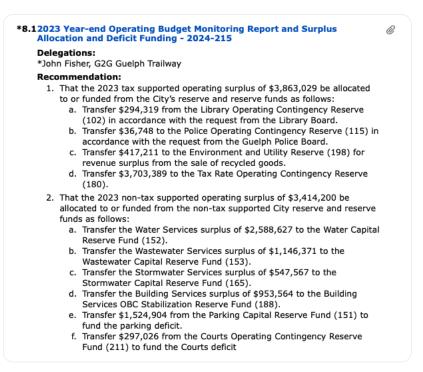
### Correspondence:

\*JJ Salmon

#### Recommendation:

- That the report titled Mayoral Direction B4 -Temporary Structured Encampment dated May 15, 2024, be received.
- That staff be directed to forward a copy of this report to the Joint Social Services and Land Ambulance Committee for information.
- That City staff identify any potential suitable municipally owned sites including site servicing requirements, zoning requirements and other necessary approval processes, as well as identify potential cost implications to the City for site preparation;
- 4. That City Council request that County of Wellington's Housing Services staff work with City staff to evaluate and determine the viability and suitability of the of the Guelph Tiny Homes Coalition's proposal and gauge the County's potential involvement in the project; and that staff report back to City Council no later than July 2024, or sooner.
- 5. That Guelph City Council respectfully requests that if the County of Wellington Housing Services staff determines that the Tiny Homes Coalition proposal is not viable, that the County provide an alternative accessible solution be presented to address people living in encampments in Guelph, including a winter plan to support people experiencing homelessness, and that County staff report back to the Joint Social Services and Land Ambulance Committee in appropriate timing to accommodate people for winter 2024-25.

The delegate for this item has withdrawn so it can be consent. The slate is moved.



O'Rourke commends staff b/c when a capital budget goes over they here about but most of the projects here are coming in on budget and the City is in good position.

The consent agenda is approved!

Next, Guthrie jumps to 2024-2026 Council Appointment to the Downtown Guelph Business Association Board of Directors. Goller is stepping down, so they need a new rep. Default falls to Klassen who accepts the duty.

Allt moves that Klassen by appointed to the DGBA Board, seconded by Goller and approved. Klassen says she's excited to represent downtown.

That just leaves 2026 Municipal Election Alternative Voting Methods and Accessible Voting Service Enhancements. About 20 delegates for this including...



First up is James Brunet. He's has several years of experience in software development, incl. cyber security. He's done research into online voting in Ontario, and says he's found multiple security vulnerabilities. He's working on the provincial standards.

He will be co-hosting a session called "When online elections go wrong and how to fix it." He supplied a paper about whether vendors do what it necessary for safe, transparent and fair elections. He says province was mostly non-compliant by international standards.

Klassen asks if anyone in ON is doing it well, who in Europe is doing it well? Brunet says that's subjective, there were 6 vendors last election, and that's changing, but none of the venders met international standards. Switzerland in Europe is a good model.

Busuttil asks if a lack of documentation constitutes high risk. Brunet notes that there is a lack of standards, but that's not directly a risk. There are other risks though.

O'Rourke asks when will we know that there's an e-voting solution that rises to standards. He says there are a number of ways to evaluate, standards a good step, and a certification audit is another one.

Allt says Elections Canada can be a method, so long as there's independent standalone machinery, right? Brunet says independent verification is more important. That's tricky with e-voting, but it can be done with cryptographic proofs, we're not there yet.

Allt asks if block chain might work. Brunet says its a way of having a database you can't change, you can have a voting system that has some interaction with block chains, but it's not really relevant to e-voting.

Caron asks about comparing risks of other alternative votes. Brunet says in-person paper ballot is gold standard. There are some concerns about mail-in, but they're not susceptible to most attacks, and fraud is harder to see online.

Caton asks if a combination of back end security and processes is what's needed for security. Brunet says there's a number of factors: firm procedural controls, trained individuals and special transparency needs.

Caton asks about Halifax method where a judge can go through logs. Brunet says he can't comment on that system, but its good that they have procedural control. At issue in Ontario is that admin left in the hands of the vendors.

Caton asks if any company has a vested interest in having secure software, it's their livelihood. Brunet says yes, reputation matters a lot, they have a vested interest. But incidents happen often despite this like outages, which can be malicious or an accident.

Caton asks if that can be mitigated like advanced online voting only. Brunet says that could be a mitigation, but there are numerous other risks.

Cameron Shelley is next. He's a lecturer at the Society of Technology and Values at the U of Waterloo. He says he's a no. If accessibility were the only consideration, fine, but it doesn't increase turnout, a system test was hackable in 2019, non-tech weaknesses too.

Caton says U of Waterloo has a good computer science dept, and they use Simply Voting. Why? Shelley says he doesn't know, he uses it but it's okay because their standards are very low.

Allt says the fundamental issue is accessibility, what's safe and secure? He says the appropriate system meets an appropriate set of standards like Brunet outlined.

Busuttil asks about "at this time" but is it never? He says it's a time when an appropriate process is concluded, Brunet's example of Switzerland. Need engagement with cyber security experts.

O'Rourke asks about why not now after 2014, has context changed? Shelley says 2014 was change election there was a ballot issue so people came to throw the bums out. Risks? Cyber attacks increasing, Toronto Library, London Drugs et al.

Anne Gajerski-Cauley is next. She's concerned about democracy, especially when a candidate in U.S. talks about punishing political foes. Believe voting verification will be put at risk, especially in tight races.

She says there has never been any barrier to her son with special needs being able to access the vote, and he has been treated with upmost respect from staff at the polling place.

Next, Mike O'dah ziibing Ashkewe, a member of the AAC. He says that he wasn't as mobile as he is now in a wheelchair, and online voting would be accessible for him. Sometimes he can't get outside due to wheelchair malfunction, so online voting would work for him & family members.

Ashkewe is confidence that his vote will be safe and secure and that his voice in the process matters. He wants to make sure that he does his democratic duty as a good citizen, and hopes council keeps online voting as an option, even if it's just advanced vote.

Next is Susan Watson. She supports the recommendations of the staff report, but there is an omission. There have been instances where online voting systems have been hacked. Notes U of G election, UCP election and DC online vote test.

Jennifer Cameron is next. She says she has multiple disabling conditions, and 80% of us may end up experiencing a disability in out lifetime. She and her family have encountered numerous issues, and local elections have been the most difficult to access.

She says mail in ballots are a good idea, but her kids couldn't vote due to the latex seal. Cameron went in-person, but construction had closed the sidewalk outside and staff had no idea, plus a 30 minute wait.

Cameron says she nearly filed a complaint with the human rights commission. She won't hesitate next time. She's encouraged that council passed an online option, and notes that all her family were able to vote independently in 2014.

Allt asks Cameron why municipal is harder. She says Ongov and feds have processed in place that can accommodate people with different needs, never had that with the City.

Goller asks about security concerns. Cameron says she's not qualified, but online voting is the most accessible option, and it would allow people with disabilities to use their own tech to assist.

Meg Harding is now up. She's a digital accessibility specialist, and advocates for disability rights. She applauded when the City voted to bring back online voting and hopes they proceed. She notes that some people can't leave their homes, or rely on strangers for help.

Harding says that if Guelph was the first place to try this that would be one thing but we're not, but the disabled community is tired fighting for access to their voting rights.

Pia Muchal is next. She works in threat monitoring with federal public health, and while fraud can occur with all forms of voting, the factors are unique and there's lower risk with online forms of crime (compared to breaking and entering into a bricks and mortar location).

Allt asks if there are threats to internet voting if someone has a virus or Trojan on their device. Muchal says she's probably not qualified to answer that, but probably.

Next is Ron East. "Is the tail wagging the dog?" he asks. The clerk presented an "excellent" report, while the AAC chair's presentation was "riddled with inaccuracies." Felt the discussion afterward at CoW dismissed the recommendations.

He says he knows the difficulties this would cause for disabled individuals to go back on internet voting though he is proud that so many members of our disabled community want to take part.

Lin Grist is next. She has no expert in cyber security, but the experts she's heard from have presented concerns. We will eventually be able to cast our ballots at all levels, but only when systems can protect the safety and security of ballot box.

Next is Dr. James Beare. He wants to address some things said in the anti-delegations. Thinks the "satisfaction of city clerks" is an important part of the motion, notes that we should do tests, and if we stop here so do the tests.

Beare says that he's not in favour of taking a change of disenfranchising a community in Guelph, even if it's a small chance. This motion allows the clerks office to find an option that meets their standards, and we can set our own standards too.

Richardson asks about our own standards, what does he suggest. Beare says he doesn't, but notes Brunet offered some idea in his delegation, and maybe we don't need legislation to tell us how to do something if it has a chance at succeeding.

Next is Richard Anstett. He's 78 and his wife is 82, and notes seniors might need some special consideration too. 34k+ seniors in Guelph, each with their own situation, and they need a variety of options... but not internet voting.

Stan Kozak is now up. He's not in favour, and doesn't think the technology is up to snuff. Current methods let us determine if there's fraud, internet voting does not. Quotes Stanford experts that "internet voting is a complete disaster."

Kozak asks the City to negotiate with the school board who have said that they're not in favour of internet voting.

Next is Colin Perkins. He says he's been following the issue for several years, and was excited to hear about internet voting option for friends of his who are disabled. He urges council to ratify this motion, and wants to breath a sigh of relief.

He notes that expanding the franchise is always fraught with challenges, and if other municipalities are doing it wrong, then it's incumbent on us to show them how to do it better. Sometimes the system as it is now fails for people with disabilities.

Goller asks about tampering and fraud. Perkins says faith in the process means believe that the process is secure, and believing that everyone who wants to vote has the opportunity to vote.

Scott Frederick is next, but there seems to be (oddly enough) a tech issue. Matt Saunders will go instead.

Saunders says accessibility experts have invaluable expertise, and it's clear that they're feeling left out. We need to listen to them. Buuuuuuut.... online voting is not the answer. He quotes the constraints recognised by the experts.

Trying Frederick again. Nope. On to Morgan Dandie. She says it's an appropriate time to talk about this given its Accessibility Week. She notes that her own functionality is surprise everyday, and people like her can complete a task one day and can't the next.

She understands the concerns about internet voting, and even shares them, but understanding how disabilities impact every day life, but the human right to independently mark a ballot takes precedent.

Next is Ian Flett. He's a municipal lawyer in Toronto representing a group of Guelph citizens that want to have all the best possible info. Notes that Guelph staff reached the same determination as Toronto staff about internet voting.

Flett says the final recommendation did not have e-voting, mail and vote from home correct way to proceed. Points to concerns about secrecy of the ballot, inability to determine if voter info accessed, and integrity of process.

Allt asks about "justified valid ballots" what about scrutiny. Flett says that the Municipal Act specifies that only a set number of people can be at the vote and that its observed and is observable.

Allt asks about the definition of the duty to accommodate. Flett says his sense means the Act requires accessibility for all electors, though it doesn't determine a level. A claim could be made under human rights code if a disabled voted can't find a way to vote.

O'Rourke asks if its reasonable to expect that clerks can meet the threshold for testing. Flett says that while staff can punch above their weight, they've said that they're not sure they can meet the challenge.

Guthrie asks about the clients, is he paying paid to be here? Flett says he's paid to appear at places. Guthrie asks if he's the same lawyer that appeared to fight Dublin, same group? Flett says that it's not same group, some of the same individuals.

Guthrie: Who are your clients?

Flett: Grist, East, Watson, Shelley and an other I missed.

Just did my delegation and 🤚 🤚 🤚

We finally got Frederick on the phone. He notes that it's rare for council to reject a recommendation by staff, people need to be able to see how the process works otherwise there will be an erosion of trust.

David Suffling is second to last. He's worked in code security and anti-malware, and he lives with a serious disability. He says he knows the limitation of craft, and his feeling about evoting is worse than last time. Ransomeware attacks are on the rise.

He says there's a consensus among experts that e-voting companies are not as smart as they think they are. He says that the people building these systems don't seem to be doing in competently, and no one's looking over their shoulder because these are trade secrets.

Last delegate, AAC Chair Lorelei Root. She acknowledges that it's been a long meeting, and she has many of the same cyber security qualifications. Wants to speak as a citizen that can't vote independently.

She says that some of the delegates have sent her "colourful messages" and hopes that doesn't dissuade council from proceeding and standing by their decision. She says Guelph clerks have some of the most thorough security standards she's seen.

Root says this advocacy is hard. They face systemic barriers and conversations about their rights and dignity. Secrecy of the ballot is important, but there are some ppl that don't have that, people who are "heir to the privilege of not seeing the world" thru  $\mathfrak{D}$  of disabled ppl.

Root says there have been positive things on the journey, casting her vote on her own for the first time in 2014, and all the people that are trying to help her do it again.

Caron asks Root about any security info to answer concerns. She notes that she doesn't work in academia, but the reference to using ChatGPT to get info about hacking is false, it won't do that. Any time she's voted with someone, they were not scrutinised despite claims.

Root says that the staff report didn't miss anything (reference to the Watson delegation), she calls the clerks "exemplary" and notes the penetration test process is a normal thing that happens with coding any software.

Root adds that she has many colleagues who agree with her appraisal. You can find experts on both sides. She also adds that the AAC did not dismiss clerks concerns, or that they're wagging the dog (reference to the East delegation).

Caron says she's struggling with the decision for many of the same reasons she's voted against e-voting in the past. Asks Root about block chain, who says that's not the only advancement in penetration prevention, but block chain is the gold standard.

She notes that companies are hesitant to talk about their security protocols because then they're telling people how to beat them. She says that she thinks there's no risk in the current protocols though notes that nothing is impossible to hack.

She also says that phishing isn't used in e-voting fraud. There are different types of cyber crime, and it's continually changing.

Busuttil asks about digital accessibility specialist. Root says she works for a local company called Eagles Flight and she makes sure that they're content is accessible and secure. She's previously worked for gaming companies, where her security work has been put to the test.

Busuttil asks if there's a standard in Ontario for online voting software development? Root says she's not aware of one, though we have talked about standards. Busuttil asks if there's a

certification body? Root says she's not sure, but it's not her field. Guthrie thanks Root and that's a wrap for delegations.

The mayor calls for a 13 minute break.

Guthrie asks to put the motion not the floor but notes that they might have to change the order. Goller/Caton move it.

#### Recommendation:

- That Council approve free Guelph Transit service and free parking at Market Parkade on Election Day to support access and remove barriers to voting for the 2026 municipal and school board election.
- That Council approve the use of vote tabulators in the 2026 municipal and school board election.
- That Council approve the use of Vote by Mail and Vote from Home as the alternative voting method for the 2026 municipal and school board elections.
- 4. That Guelph City Council directs the City Clerk's Office to offer internet voting as an alternative voting method for the 2026 municipal and school board election subject to all security requirements and testing meeting the satisfaction of the City Clerk

Guthrie says the motions will be split by request, but 4 will go before 3.

Guthrie wants to say one thing: A couple of delegates maybe said some things, and some correspondences too, but the process is working. Things are voted on at CoW and then ratified at council or voted differently with new information. This process allows for give and take.

Goller suggests voting for 1 and 2 first. Get them out of the way. Guthrie says he's probably right.

- #1 passes unanimously
- #2 passes unanimously

### Recommendation:

- That Council approve free Guelph Transit service and free parking at Market Parkade on Election Day to support access and remove barriers to voting for the 2026 municipal and school board election.
- That Council approve the use of vote tabulators in the 2026 municipal and school board election.

That bring us to the new #3: That City Council directs the City Clerk's Office to offer internet voting as an alternative voting method for the 2026 municipal and school board election subject to all security requirements and testing meeting the satisfaction of the City Clerk.

Busuttil thanks the clerks for the follow-up memo, and asks if council directs clerks to proceed with online they're accepting the risk. What is that? Clerk O'Brien says they're talking about verification and reliability, that's the risk and it remains.

Busuttill asks if clerks' recommendation is about an unacceptable level of risk. O'Brien says it's lack of vendors, inability to recount and reliability of the systems and the services they depend on.

Busuttil asks if there's standards, then online voting could come back. O'Brien says yes, if there are standards then they can go out to the market with those set standards. Or if senior election authorities institute something similar.

Busuttil asks about accommodation. O'Brien says they have the same cause for pause when they hear that members of the community can't access the polls. They've tried to offer access

to the system with the most amount of autonomy and independence. May be a fault of training too.

O'Brien says that they do an admirable job of training staff and they do their best at locations. Any faults is not for an effort to work diligently to answer all needs.

Downer asks about standards in the works. O'Brien says that as they continue to engage the market place, they will be looking at the requirements as outlined. & if the market can't, or they get no answer, they will have to ask council to repeal. Have to walk down the road to see.

Busuttil says that she's really passionate about this, and believes that we need the standards and certification to ensure the democratic process. She trusts the clerks, and the original motion met her threshold about the risk. Can't support it b/c of lay of the land.

O'Rourke asks about a line in the memo about 2 vendors offering service similar to 2014 and how no updates are planned for 2026. Staff say that they had 2 step verification, requires integration of platform and electors database, plus live voter strike off.

O'Rourke says her expert/neighbour says you can't do penetration one time, so will there be ongoing testing. O'Brien says that they probably won't do testing live. Notes that there's no internet connect with tabulators, they just plug into a wall. Once tested, they're locked away

O'Rourke says she wants to support online voting, and many delegates want them to not discount lived experience, everyone wants that level of accessibility but it's not the only consideration. The trade off with security is not where it needs to be.

Caron says what she learned tonight, trying to balance security and access. There's no such thing as a 100% risk free election. The motion does have an out "to the satisfaction of the clerk." Wants to see that work done before closing the door.

Caton says she appreciates the passion, but notes the ablism in online debates with people demanding to know accessibility needs. No voting method is without risk, and 217 use online in ONT and the sky has not falling.

Caton says equity matters, and appreciates everyone trying to balance all this, but human rights shouldn't just exist of those that hire lawyers.

Allt says the responsibility lies here and now, and it's a decision where it's 50/50 for some people. He can't support it, and matters of equity can be weighed in by the court, which can take possibility and potentials into account.

Allt: Cyber crime will increase and its imperative that people have faith in the system.

Guthrie says his colleagues that will not vote for this still care about the disabled community. Wants that to be clear. It's unfair to be put into camps, a reasonable person sees the different elements. There is risk, he's comfortable with the tolerance and the motion.

#3 passes 9-4 (Busuttil, Allt, O'Rourke and Richardson votes against) That's the internet voting option.

That Guelph City Council directs the City Clerk's Office to offer internet voting as an alternative voting method for the 2026 municipal and school board election subject to all security requirements and testing meeting the satisfaction of the City Clerk

Now #4: That Council approve the use of Vote by Mail and Vote from Home as the alternative voting method for the 2026 municipal and school board elections.

O'Brien notes that if this were defeated, and internet voting is not an option, perhaps there could be wording about making that default. Downer recommends wording to say make these alt-voting options if e-voting falls through.

Allt says that council needs to leave that open for people who don't want or can't access a computer and get to the polls. In other words, pass #4 as it is.

Guthrie says he agrees with Allt's position. Downer wonders if we should prepare for both. O'Brien says if they let #4 stand then they will probably ask council for a budget increase for 2026 elxn prep, but this would give staff and council extra security.

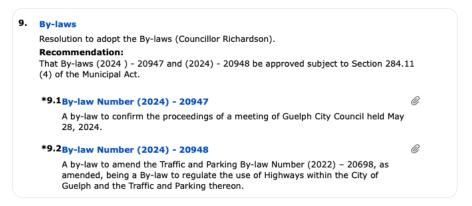
Downer asks about assurance that all ballots will come back on time. O'Brien says that they're having an issue because Ongov has moved nomination day, which makes the time tight for getting mail-in ballots printed and distrupted on time. They will have dropbox at city hall.

Goller asks about envelopes, can we get latex free options? O'Brien says that they would look at getting accessible envelopes, very concern about the severity of some people's allergy so they'll look into it.

O'Rourke asks if vote by mail is least expensive. O'Brien says that's true though there is a "tedious manual process". O'Rourke says that it's an important alternative and wants to keep it.

#4 passes unanimously.

Bylaws of the week approved.



Downer announces a Ward 5 next Wednesday. Cameron Walsh from solid waste will be the guest, plus staff from traffic about the closure of Edinburgh and College. There will also be a Ward 6 town hall at city hall on June 17.

That's a wrap for tonight!



@threadreaderapp unroll please!

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