



Hamilton

GOVERNANCE REVIEW SUB-COMMITTEE

REPORT 18-001

Wednesday, January 31, 2018

3:00 p.m., Room 192

Hamilton City Hall

Present: Councillors M. Pearson (Chair), L. Ferguson, J. Partridge and A. VanderBeek, M. Green

Also in Attendance: Mayor F. Eisenberger

THE GOVERNANCE REVIEW SUB-COMMITTEE PRESENTS REPORT 18-001 AND RESPECTFULLY RECOMMENDS:

1. **Hamilton Waterfront Trust Board Reorganization Proposal LS18005 (City Wide)(Item 12.1)**
 - (a) That the City Manager or his delegate be authorized and directed to advise the Hamilton Waterfront Trust (HWT) and the Hamilton Port Authority (HPA) that the City of Hamilton consents to the removal of the HPA board member as outlined in the HWT's January 10, 2017 resolution, with the exception of the HPA Board member remaining as a member of the HWT Board until the review of the HWT's governance model is completed by Council.
 - (b) That Report LS18005 remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised of the following change to the agenda:

1. NOTICES OF MOTION

10.1 Parental Leave for Elected Officials

Item 12.1 was moved up on the agenda to follow the approval of the previous minutes.

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The January 31, 2018 Agenda of the Governance Review Sub-Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 3)

November 21, 2017 (Item 3.1)

The Minutes of the November 21, 2017 meeting of the Governance Review Sub-Committee, were approved.

(d) DELEGATIONS (Item 6)

There were no delegations.

(e) DISCUSSION ITEMS (Item 8)

Memorandum of Understanding - City of Hamilton and Royal Botanical Gardens (LS18002)(City Wide)(Item 8.1)

Item 8.1 respecting the Memorandum of Understanding - City of Hamilton and Royal Botanical Gardens Committee was TABLED in order for staff to report back with further clarification on current Royal Botanical Gardens membership versus proposed membership, and to provide further details on federal and provincial funding.

(f) MOTIONS (Item 9)

Election of a Speaker and Deputy Speaker to preside over Hamilton City Council and all General Interest Committees (Item 9.1)

Councillor Green introduced his motion respecting the Election of a Speaker and Deputy Speak to preside over Hamilton City Council and all General Interest Committees, and it was not seconded.

(g) NOTICES OF MOTION (Item 10)

(i) Parental Leave for Elected Officials (Added Item 10.1)

Councillor Green introduced the following Notice of Motion regarding Parental Leave for Elected Officials.

WHEREAS, the Hamilton Municipal Election is scheduled for October 22, 2018;

WHEREAS, systemic and structural barriers and current Council bylaws deter a diverse range of Council candidates to seek elected office;

WHEREAS, the Council chambers have been used three times in the past 12 months to build civic leadership and discuss participation of under-represented people including first nation, racialized people, women, non-binary individuals and youth in policy development, implementation and Council decision making;

WHEREAS, the absence of a full paid leave for pregnancy, childbirth and adoption for elected officials being in place poses a specific barrier for women, non-binary individuals, and young people from pursuing elected office;

WHEREAS, Bill 68 has been given Royal Assent by the Government of Ontario and has amended the *Municipal Act* to ~~mandate municipalities~~ provide up to 20 weeks leave for municipal Councillors for pregnancy, child birth, and adoption;

WHEREAS, Bill 68 also stipulates that municipalities are required to adopt and maintain a policy with respect to Pregnancy Leave and Parental Leave for Members of Council by March 1, 2019;

WHEREAS, a paid parental leave bylaw for Councillors will help ensure a diverse range of Council candidates participate in our democratic process.

THEREFORE BE IT RESOLVED:

That City staff report back to City Council before the 2018 Municipal Election with a draft parental leave bylaw which establishes the following: 20 weeks leave for pregnancy, child birth and adoption for elected officials with full salary, benefits, and compensation and a procedure for representation during leave wherein the Councillor on leave will determine the best approach for providing interim coverage.

(ii) City of Hamilton's Indemnification Policy (Added Item 10.2)

Councillor Green introduced the following Notice of Motion regarding the City of Hamilton's Indemnification Policy.

That staff be directed to report back to Governance Review Sub-Committee with the City of Hamilton's Indemnification Policy complete with all instances it has been used and by whom, along with the associated total legal fees for the past 10 years inclusive of all associated boards and agencies.

(h) PRIVATE AND CONFIDENTIAL (Item 12)

Committee moved into Closed Session respecting Item 12.1, pursuant to Section 8.1, Sub-section (f) of the City's Procedural By-law 14-300, and Section 239(2), Sub-section (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to the receiving of advice that is subject to solicitor/client privileges, including communications necessary for that purpose, affecting the City.

Hamilton Waterfront Trust Board Reorganization Proposal LS18005 (City Wide)(Item 12.1)

For disposition of this matter, please refer to Item 1.

(i) ADJOURNMENT (Item 13)

Being no further business, the Governance Review Sub-Committee meeting was adjourned at 4:12 p.m.

Respectfully submitted,

Councillor M. Pearson, Chair
Governance Review Sub-Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk