Hamilton

MINUTES 18-002

GOVERNANCE REVIEW SUB-COMMITTEE
Thursday, April 5, 2018
2:00 p.m., Room 264
Hamilton City Hall

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

Absent: Councillor J. Partridge

Also in Attendance: Councillor T. Whitehead

THE FOLLOWING ITEMS WERE REFERRED TO THE AUDIT, FINANCE & ADMINISTRATION COMMITTEE:

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

(Ferguson/VanderBeek)

(a) That the City of Hamilton appoint a maximum of two members to the board of directors of the Royal Botanical Gardens, to be comprised of elected officials and/or citizens.

(b) That the Mayor and City Clerk be authorized to execute a Memorandum of Understanding between the City of Hamilton and the Royal Botanical Gardens on terms satisfactory to the City Solicitor to provide for the appointment of a maximum of two members to the board of directors of the Royal Botanical Gardens by the City, subject to The Regional Municipality of Halton entering into a similar agreement with the Royal Botanical Gardens to reduce the number of representatives Halton appoints to the board of directors to a maximum of two members.

CARRIED

2. Correspondence from George Rust-D'Eye, Integrity Commissioner and Lobbyist Registrar to the City of Hamilton, respecting the Code of Conduct for Members of Council - Proposed Amendment (Item 8.2)

(Green/Ferguson)

(a) That the Council amend its By-law No. 16-290, to delete sections 8(2), 8(3)(a), (b), and (c) and 8(4), there from;

(b) That the appropriate form of draft By-law Amendment be introduced in Council to give effect thereto;

(c) That the City Solicitor examine the background information on the current Accountability and Transparency Policy;

(d) That the Integrity Commissioner and the City Solicitor work together to bring a written report back to GIC; and

(e) That staff provide Councillors two weeks advanced notice of the presentation of the report, to allow Councillors to prepare questions related to the Accountability and Transparency Policy addressed by the report.

Main Motion as *Amended* CARRIED

3. 2019 Committee / Council Calendar (Item 8.3)

(Ferguson/VanderBeek)
That the 2019 Council / Committee Calendar, be approved ***as amended***, as follows:

(a) That the December 11, 2019 Council meeting be held at 9:30 a.m.; and

(b) That staff refrain from booking Committee Meetings during the week of March 4, 2019.

Main Motion as *Amended* CARRIED

4. Electronic Participation at Council and/or Committee Meetings (CL18002) (City Wide) (Item 8.4)

(VanderBeek/Green)
That staff be directed to prepare the necessary provision in the Procedural By-law to prohibit electronic participation at Council and/or Committee Meetings at this time.

CARRIED

FOR THE INFORMATION OF COMMITTEE:

(a) CHANGES TO THE AGENDA (Item 1)

The Committee Clerk advised that there were no changes to the agenda.

(Ferguson/Green)
That the April 5, 2018 Agenda of the Governance Review Sub-Committee be approved, as presented.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 3)

January 31, 2018 (Item 3.1)

(Ferguson/Green)
That the Minutes of the January 31, 2018 meeting of the Governance Review Sub-Committee, be approved.

CARRIED

(d) DELEGATION REQUESTS (Item 4)

(i) Mark Runciman, Chief Executive Officer, and Ruth Lee, Chair, Royal Botanical Gardens, respecting proposed changes to RBG Governance Model, follow up to RBG's presentation to GIC (for today's meeting) (Item 4.1)

(Green/VanderBeek)
That the delegation request from Mark Runciman, Chief Executive Officer, and Ruth Lee, Chair, Royal Botanical Gardens, respecting proposed changes to RBG Governance Model, follow up to RBG's presentation to GIC, be approved for today’s meeting.

CARRIED

(e) PUBLIC HEARINGS/DELEGATIONS (Item 6)

(i) Mark Runciman, Chief Executive Officer, and Ruth Lee, Chair, Royal Botanical Gardens, respecting proposed changes to RBG Governance Model, follow up to RBG's presentation to GIC (for today's meeting) (Added Item 6.1)

(Ferguson/VanderBeek)
That the delegation from Mark Runciman, Chief Executive Officer, and Ruth Lee, Chair, Royal Botanical Gardens, respecting proposed changes to RBG Governance Model, follow up to RBG's presentation to GIC, be received.

CARRIED

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

(f) DISCUSSION ITEMS (Item 8)

(i) Memorandum of Understanding - City of Hamilton and Royal Botanical Gardens (LS18002b) (City Wide) (Item 8.1)

(Ferguson/VanderBeek)
That Report LS18002b, respecting Memorandum of Understanding - City of Hamilton and Royal Botanical Gardens, be received.

CARRIED

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

(Ferguson/VanderBeek)
That Report LS18002 respecting a Memorandum of Understanding - City of Hamilton and Royal Botanical Gardens, be lifted from the table for consideration.

CARRIED

For disposition of this matter please refer to Item 1.

Councillor Green wished to be recorded as OPPOSED.

(iii) Correspondence from George Rust-D'Eye, Integrity Commissioner and Lobbyist Registrar to the City of Hamilton, respecting the Code of Conduct for Members of Council - Proposed Amendment (Item 8.2)

(Green/Ferguson)

(c) That the City Solicitor examine the background information on the current Accountability and Transparency Policy;

(d) That the Integrity Commissioner and the City Solicitor work together to bring a written report back to GIC; and

(e) That staff will provide Councillors two weeks advanced notice of the presentation of the report, to allow Councillors to prepare questions related to the Accountability and Transparency Policy addressed by the report.

***Amendment* CARRIED**

(iii) 2019 Council / Committee Calendar (Item 8.3)

(Ferguson/VanderBeek)

(a) ***The December 11, 2019 Council meeting be held at 9:30 a.m.; and***

(b) That s*taff refrain from booking Committee Meetings for the week of March 4, 2019.*

***Amendment* CARRIED**

Councillor Green wished to be recorded as OPPOSED to sub-section (b).

For disposition of this matter please refer to Item 3.

(g) MOTIONS (Item 9)

(i) Parental Leave for Elected Officials (Item 9.1)

Councillor Green TABLED the following motion:

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 (Item 9.2)

Councillor Green introduced his motion respecting the City of Hamilton's Indemnification Policy, and it was not seconded.

(h) PRIVATE AND CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – January 31, 2018 (Item 12.1)

(Ferguson/VanderBeek)

(a) That the Closed Session Minutes of the January 31, 2018 Governance Review Sub-Committee meeting, be approved as presented; and

(b) That the Closed Session Minutes of the January 31, 2018 Governance Review Sub-Committee meeting, remain confidential.

CARRIED

(i) ADJOURNMENT (Item 13)

(Green/Ferguson)
That, there being no further business, the Governance Review Sub-Committee meeting be adjourned at 3:43 p.m.

CARRIED

Respectfully submitted,

Councillor M. Pearson, Chair
Governance Review Sub-Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk