



Hamilton

GOVERNANCE REVIEW SUB-COMMITTEE REPORT 20-001

AMENDED AT COUNCIL ON FEBRUARY 26 & 27, 2020

Wednesday, February 12, 2020

1:00 pm

Council Chambers

Hamilton City Hall

Present: Councillors M. Wilson (Vice-Chair), M. Pearson, B. Clark, and L. Ferguson

Absent: Councillor T. Whitehead (Chair) – Personal, A. VanderBeek – City Business

THE GOVERNANCE REVIEW SUB-COMMITTEE PRESENTS REPORT 20-001 AND RESPECTFULLY RECOMMENDS:

1. Civil Marriage Solemnization (CL19012(a)) (City Wide) (Item 10.1)

- (a) That the City of Hamilton provide Civil Marriage Solemnization services as of April 6, 2020, using current resources;
- (b) That the Proposed 2020 User Fees and Charges respecting Civil Marriage Ceremony services attached as Appendix 'A' to Governance Review Sub-Committee Report 20-001, be approved, and included in Schedule 'A' of the By-law to Establish Certain 2020 User Fees and Charges for Services, Activities or the Use of Property;
- (c) That a By-law to Authorize Civil Marriage Solemnization Services and To Delegate the Authority to Solemnize Marriages in the City of Hamilton attached as Appendix 'B' to Governance Review Sub-Committee Report 20-001, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council; and
- (d) That staff report back to the Governance Review Sub-Committee within a one year period to provide an update on Civil Marriage Solemnization services.

2. Appointment of the City of Hamilton Integrity Commissioner and Lobbyist Registrar (FCS20016) (City Wide) (Item 10.2)

- (a) That Principles Integrity be appointed as the Integrity Commissioner and Lobbyist Registrar for the City of Hamilton for the remainder of the current council term with an option to renew for an additional term of council and

that the Mayor and City Clerk be authorized and directed to enter into an agreement to the satisfaction of the City Solicitor; and

- (b) That the City Clerk be directed to prepare the necessary by-laws for Council approval for the appointment of Principles Integrity as the City of Hamilton Integrity Commissioner and Lobbyist Registrar; and
- (c) That the costs associated with the Integrity Commissioner and Lobbyist Registrar be funded through IC-Lobbyist Registrar (Account Number 300400).

3. Recording of In Camera Sessions (Referred from the January 22, 2020 Meeting of Council) (Item 11.2)

(Clark/Ferguson)

That item (iii) of Governance Review Sub-Committee Report 20-001 be **amended** by adding sub-section (b) as follows:

- (b) That the City Solicitor report back to the Governance Review Sub-Committee on qualified privileges of Members of Parliament, Members of Provincial Parliament and Councillors, and the risk of court subpoenas to access records.

WHEREAS the Ontario Ombudsman recommends that all municipalities make audio recordings or video recordings of all meetings – both open and closed – to ensure a thorough record;

WHEREAS there are now 23 Ontario municipalities that have implemented either audio or audiovisual recordings of their closed meetings;

WHEREAS an audio or audiovisual recording of in-camera meetings provides a clear and accessible record for closed meeting investigators to review;

WHEREAS such recordings of closed meetings will assist the municipality in quickly demonstrating that Council and staff did not stray from the legislated requirements during closed meetings; and,

WHEREAS such recordings of closed meetings will provide a complete record to be used by the municipality and/or Councillors for future references as needed;

THEREFORE, BE IT RESOLVED:

- (a) That the City Manager be directed to report back to the Governance Review Sub-Committee within 90 days on the costs and policies to implement an audio recording system to be utilized for the recording of in-camera meetings; and the ways and means for the City Clerk to archive and protect such records.

- (b) That the City Solicitor report back to the Governance Review Sub-Committee on qualified privileges of Members of Parliament, Members of Provincial Parliament and Councillors, and the risk of court subpoenas to access records.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

That the February 12, 2020 Agenda of the Governance Review Sub-Committee be approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 4)

(i) November 26, 2019 (Item 4.1)

The Minutes of the November 26, 2019 meeting of the Governance Review Sub-Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Tim Simmons, Heritage Weddings & Coordinators, respecting Report CL19012(a) - Civil Marriage Solemnization (For today's meeting) (Item 6.1)

The delegation request from Tim Simmons, Heritage Weddings & Coordinators, respecting Report CL19012(a) - Civil Marriage Solemnization, was approved for today's meeting.

(e) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) Tim Simmons, Heritage Weddings & Coordinators, respecting Report CL19012(a) - Civil Marriage Solemnization (Added Item 8.1)

Tim Simmons, Heritage Weddings & Coordinators, addressed the Committee respecting Report CL19012(a) - Civil Marriage Solemnization.

The delegation from Tim Simmons, respecting Report CL19012(a) - Civil Marriage Solemnization, was received.

(f) MOTIONS (Item 11)

(i) Verbal Updates at Council and Committee Meetings (Referred from the November 27 & 28, 2019 Meeting of Council) (Item 11.1)

Councillor Wilson relinquished the Chair to introduce the following motion:

WHEREAS Council has no record of the content of a verbal update;

THEREFORE BE IT RESOLVED:

That staff be directed to discontinue the practice of providing verbal updates without an accompanying summary document which outlines the points covered.

Following discussion on the above motion, the following referral motion was approved:

That Item 11.1, being a Motion respecting Verbal Updates at Council and Committee Meetings, be referred to the City Clerk for further review with Senior Leadership Team to provide a report back to the Governance Review Sub-Committee on the potential options on providing a summary for time sensitive In-Camera items prior to the meeting.

Councillor Wilson assumed the Chair.

(g) ADJOURNMENT (Item 15)

There being no further business, the Governance Review Sub-Committee meeting adjourned at 3:35 p.m.

Respectfully submitted,

Councillor M. Wilson, Vice-Chair
Governance Review Sub-Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk