



City of Hamilton
GOVERNANCE REVIEW SUB-COMMITTEE
AGENDA

Meeting #: 21-004
Date: June 25, 2021
Time: 1:30 p.m.
Location: Due to the COVID-19 and the Closure of City Hall (CC)

All electronic meetings can be viewed at:

City's Website:
<https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel:
<https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

Angela McRae, Legislative Coordinator (905) 546-2424 ext. 5987

1. CEREMONIAL ACTIVITIES
2. APPROVAL OF AGENDA
(Added Items, if applicable, will be noted with *)
3. DECLARATIONS OF INTEREST
4. APPROVAL OF MINUTES OF PREVIOUS MEETING
 - 4.1. April 30, 2021
5. COMMUNICATIONS
6. DELEGATION REQUESTS
7. CONSENT ITEMS
 - 7.1. Poll Results – Recording of Advisory Committee Meetings (FCS21054) (City Wide) (Outstanding Business List Item)

8. STAFF PRESENTATIONS

9. PUBLIC HEARINGS / DELEGATIONS

10. DISCUSSION ITEMS

- 10.1. Virtual Participation of a Member of Council at Council, Standing Committee, Sub-Committee, Local Board, and Advisory Committee Meetings Outside of an Emergency (FCS21058) (City Wide) (Outstanding Business List Item)

11. MOTIONS

12. NOTICES OF MOTION

13. GENERAL INFORMATION / OTHER BUSINESS

- 13.1. Amendments to the Outstanding Business List:

- 13.1.a. Items to be Removed:

Archiving of City Council Videos (FCS21053 / CM21007) (City Wide)

That Clerk's staff be directed to contact the City's Advisory Committee's to survey their membership as to whether they would be comfortable having their meetings recorded and retained, and report back to the Governance Review Sub-Committee.

Added: May 6, 2021 at AF&A - Item 7.4

Completed: June 25, 2021 at Governance - Item 7.1

OBL Item: 21-C

2020 Review of the City's Procedural By-law – Amendments to Allow for Virtual Participation at Council and/or Committee Meetings (FCS21004(a) / LS21001(a))

That staff be directed to investigate and report back to the Governance Review Sub-Committee on various items respecting Virtual Participation.

Added: February 23, 2021 at Governance - Item 9.2

Completed: June 25, 2021 at Governance - Item 10.1

14. PRIVATE AND CONFIDENTIAL

15. ADJOURNMENT



Hamilton

GOVERNANCE REVIEW SUB-COMMITTEE

MINUTES 21-003

Friday, April 30, 2021

9:30 am

Council Chambers

Hamilton City Hall

Present: Councillors M. Wilson (Vice-Chair), B. Clark, L. Ferguson, M. Pearson, and A. VanderBeek
Mayor F. Eisenberger

Absent: Councillor T. Whitehead – Leave of Absence

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

1. **Council/Staff Relationship Policy (FCS21045 / CM21005) (City Wide) (Outstanding Business List Item) (Item 8.1)**

(Ferguson/Pearson)

That the Council/Staff Relationship Policy attached as Appendix "B" as *amended* to Report FCS21045 / CM21005 *to include 'or unreasonable' after 'undue' to Item 5 under Principles*, be approved.

Result: Main Motion, As Amended CARRIED by a vote of 6 to 0, as follows:

YES - Councillor Maureen Wilson
NOT PRESENT - Chair Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
YES – Mayor Fred Eisenberger

2. **Advisory Committee for Persons with Disabilities Logo (Item 10.1)**

(Eisenberger/Pearson)

That the secondary logo for the Advisory Committee for Persons with Disabilities (ACPD), be approved.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Councillor Maureen Wilson
NOT PRESENT - Chair Terry Whitehead

YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
YES – Mayor Fred Eisenberger

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

(Clark/Ferguson)

That the April 30, 2021 Agenda of the Governance Review Sub-Committee be approved, as presented.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

YES - Councillor Maureen Wilson
NOT PRESENT - Chair Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT – Mayor Fred Eisenberger

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 4)

(i) February 23, 2020 (Item 4.1)

(Pearson/VanderBeek)

That the Minutes of the February 23, 2021 meeting of the Governance Review Sub-Committee be approved, as presented.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

YES - Councillor Maureen Wilson
NOT PRESENT - Chair Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT – Mayor Fred Eisenberger

(d) COMMUNICATIONS (Item 5)

- (i) Correspondence from Doug Earl, Charter City Toronto, respecting Item 10.2, Evaluation of Hamilton Becoming a Charter City (Item 5.1)**

(Ferguson/Clark)

That Correspondence from Doug Earl, Charter City Toronto, respecting Item 10.2, Evaluation of Hamilton Becoming a Charter City, be received and referred to consideration of Item 10.2 – Evaluation of Hamilton Becoming a Charter City.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

YES - Councillor Maureen Wilson
NOT PRESENT - Chair Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
NOT PRESENT – Mayor Fred Eisenberger

(e) STAFF PRESENTATIONS (Item 8)

- (i) Council/Staff Relationship Policy (FCS21045 / CM21005) (City Wide) (Outstanding Business List Item) (Item 8.1)**

Janette Smith, City Manager, addressed the Committee with a staff presentation respecting Report FCS21045 / CM21005, the Council/Staff Relationship Policy.

(Clark/Pearson)

That the Staff Presentation respecting Report FCS21045 / CM21005, the Council/Staff Relationship Policy, be received.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Councillor Maureen Wilson
NOT PRESENT - Chair Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
YES – Mayor Fred Eisenberger

(Ferguson/Clark)

That the Council/Staff Relationship Policy attached as Appendix “B”, **be amended** by adding '**or unreasonable**' after the word undue to Item 5 under Principles, to read as follows:

5. Council and City Staff interact with mutual respect, honesty and professionalism.

Commentary: Staff carry out their duties based on political neutrality and objectivity, free from undue **or unreasonable** political influence. Council will respect the professional opinion of staff when receiving staff reports and recommendations that include advice that may be politically sensitive.

Result: Amendment CARRIED by a vote of 6 to 0, as follows:

YES - Councillor Maureen Wilson
NOT PRESENT - Chair Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
YES – Mayor Fred Eisenberger

For disposition of this Item, refer to Item 1.

(f) DISCUSSION ITEMS (Item 9)

(i) Advisory Committee for Persons with Disabilities Logo (Item 10.1)

(Eisenberger/Clark)

That Communications staff be directed to review the branding standards used throughout the City of Hamilton and report back to the Governance Review Sub-Committee.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Councillor Maureen Wilson
NOT PRESENT - Chair Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
YES – Mayor Fred Eisenberger

For disposition of this Item, refer to Item 2.

**(ii) Evaluation of Hamilton Becoming a Charter City (Item 10.2)
(Item 10.2)**

(Clark/Eisenberger)

That staff be directed to look further into the City of Hamilton becoming a Charter City and review the *City of Hamilton Act* for further opportunity for

revenues and authorities and report back to the Governance Review Sub-Committee.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Councillor Maureen Wilson
NOT PRESENT - Chair Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
YES – Mayor Fred Eisenberger

(g) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(i) Amendment to the Outstanding Business List (Item 13.1)

(Pearson/VanderBeek)

That the following amendments to the Governance Review Sub-Committee's Outstanding Business List, be approved:

(a) Items Considered Complete and Needing to be Removed:

Integrity Commissioner Work Plan (FCS20016(a)) (City Wide)

That Report FCS20016(a) be referred back to Clerk's staff and Principles Integrity to determine an upset limit for development of various policies and report back.

Added: December 2, 2020 at Governance Review Sub-Committee - Item 9.1

Removed: February 23, 2021 at Governance Review Sub-Committee - Item 9.1

OBL Item: 20-E

Integrity Commissioner Work Plan (FCS20016(a)) (City Wide)

That staff be directed to gather and review Council/Staff Relations policies from other municipalities and bring recommendations on a new policy to the governance committee by April 30, 2021.

Added: December 2, 2020 at Governance Review Sub-Committee - Item 9.1

Removed: April 30, 2021 at Governance Review Sub-Committee - Item 8.1

OBL Item: 20-F

Review of the City's Procedural By-law Amendments
(CL18007(a)/LS18039(a)) (City Wide)

That staff be directed to perform a review of the By-law to Govern the Proceedings of Council and Committees of Council on an annual basis.

Added: August 29, 2019 at Governance Review Sub-Committee -
Item 8.1

Removed: April 30, 2021 at Governance Review Sub-Committee -
This item has been added to the Deputy Clerk's Annual Work Plan.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Councillor Maureen Wilson
NOT PRESENT - Chair Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
YES – Mayor Fred Eisenberger

(h) PRIVATE AND CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – February 23, 2021 (Item 14.1)

(Ferguson/Pearson)

- (a) That the Closed Session Minutes of the February 23, 2021 Governance Review Sub-Committee meeting, be approved as presented; and,
- (b) That the Closed Session Minutes of the February 23, 2021 Governance Review Sub-Committee meeting, remain confidential.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Councillor Maureen Wilson
NOT PRESENT - Chair Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson
YES - Councillor Maria Pearson
YES - Councillor Brad Clark
YES – Mayor Fred Eisenberger

(i) ADJOURNMENT (Item 15)

(Ferguson/Pearson)

That, there being no further business, the Governance Review Sub-Committee meeting be adjourned at 10:29 a.m.

Result: Motion CARRIED by a vote of 6 to 0, as follows:

YES - Councillor Maureen Wilson
NOT PRESENT - Chair Terry Whitehead
YES - Councillor Arlene VanderBeek
YES - Councillor Lloyd Ferguson

YES - Councillor Maria Pearson
YES - Councillor Brad Clark
YES – Mayor Fred Eisenberger

Respectfully submitted,

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

Angela McRae
Legislative Coordinator
Office of the City Clerk



INFORMATION REPORT

TO:	Chair and Members Governance Review Sub-Committee
COMMITTEE DATE:	June 25, 2021
SUBJECT/REPORT NO:	Poll Results – Recording of Advisory Committee Meetings (FCS21054) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Janet Pilon Manager, Legislative Services / Deputy Clerk (905) 546-2424 Ext. 4340
SUBMITTED BY:	Andrea Holland City Clerk (905) 546-2424 Ext. 5409
SIGNATURE:	

COUNCIL DIRECTION

As per the direction to staff at the May 6, 2021 Audit, Finance and Administration Committee meeting:

That Clerk's staff be directed to contact the City's Advisory Committee's to survey their membership as to whether they would be comfortable having their meetings recorded and retained, and report back to the Governance Review Sub-Committee.

Clerk's staff through the Staff Liaisons to the Advisory Committees emailed the members of all of the Advisory Committees (172 members), requesting their answer to the following question:

Are you in favour of recording your Advisory Committee meetings for future viewing by the public? YES or NO

The members were instructed to send their answer to the above question to Clerk's.

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OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Poll Results – Recording of Advisory Committee Meetings (FCS21054)
(City Wide) - Page 2 of 2**

Clerks received responses from 109 of the 172 Advisory Committee members and their responses were recorded as follows:

In Favour (voting 'YES'): 64

Opposed (voting 'NO'): 35

INFORMATION

On April 28, 2021, Council approved the recommendation from the April 22, 2021 Audit, Finance and Administration Committee respecting Report FCS21034, Records Retention By-law Amendment, which addressed 'Meeting Recordings' as follows:

Records associated with audio and visual recordings of Council Meeting, and Standing Committee Meetings, and Subcommittee Meetings - maintained as a resource tool only - not considered the official records of Council/Committee proceedings.

Excludes recordings of Citizen Advisory Committees, which are livestreamed to meet the open meeting requirements under the *Municipal Act* but are otherwise considered transitory records.

On July 9, 2020, Staff recommended amendments to Council's Procedural By-Law to permit members of Citizen Advisory Committees to participate electronically in virtual meetings that will be live streamed, in order to meet the obligations under the *Municipal Act, 2001*, all meetings are streamed live through the City's YouTube channel at the time of the meeting.

Staff intended to review this process for the next term of council and seek direction from Committee if they wish to begin recording Citizen Advisory Committee meetings for this Term of Council. If that is the direction of Committee, staff would prepare copies of the direction and forward them to each Advisory Committee for receipt with a start date.

APPENDICES AND SCHEDULES ATTACHED

None



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
City Clerk's Office

TO:	Chair and Members Governance Review Sub-Committee
COMMITTEE DATE:	June 25, 2021
SUBJECT/REPORT NO:	Virtual Participation of a Member of Council at Council, Standing Committee, Sub-Committee, Local Board, and Advisory Committee Meetings Outside of an Emergency (FCS21058) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Janet Pilon Manager, Legislative Services / Deputy Clerk (905) 546-2424 Ext. 4304
SUBMITTED BY:	Andrea Holland City Clerk Office of the City Clerk
SIGNATURE:	

RECOMMENDATION

- (a) That Council approve the request for two (2) additional FTEs to support the provision of ongoing virtual participation of Members of Council and virtual delegations at Standing Committee and Sub-Committee meetings supported by the Office of the City Clerk, be referred to the 2022 budget deliberations for consideration;
- (b) That staff be directed to acquire the technology (equipment and the programming of software) to reconfigure the Council Chamber in order to conduct Hybrid meetings on an ongoing basis, to be funded from the Tax Stabilization Reserve at a cost not exceed \$30,000;
- (c) That staff be directed to acquire the technology (equipment and the programming of software) to reconfigure Room 264 in order to conduct Hybrid meetings on an ongoing basis, to be funded from the Tax Stabilization Reserve at a cost not exceed \$30,000; and,
- (d) That Council approve the amendments to the Procedural By-Law 21-021 outlined in Appendix "A" to permanently allow Virtual Participation for Members of

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SUBJECT: Virtual Participation of a Member of Council at Council, Standing Committee, Sub-Committee, Local Board, and Advisory Committee Meetings Outside of an Emergency (FCS21058) (City Wide) - Page 2 of 7

Council, Standing Committees, Sub-Committees, Citizen Advisory Committees, and delegations.

EXECUTIVE SUMMARY

Staff were directed at the February 23, 2021 Governance Review Sub-Committee meeting, to investigate and report back to the Governance Review Sub-Committee on the following respecting Virtual Participation and staff have responded to each direction either within the report or within the Appendix noted below:

- (a) Proposed Amendments to the Council Procedural By-law to permit the virtual participation of a member of Council at Council, Standing Committee, Sub-Committee, Local Board, and Advisory Committee meetings outside of an Emergency where the Council member cannot attend in person;
Response: Appendix "A" - Item 1
- (b) Proposed Amendments to the Council Procedural By-law to permit the virtual participation of Advisory Committee and Sub-Committee members (public) at Advisory Committee and Sub-Committee meetings outside of an Emergency where the Advisory Committee or Sub-Committee member cannot attend in person;
Response: Appendix "A" – Item 2
- (c) Proposed Amendments to the Council Procedural By-law to continue to permit delegations to appear virtually;
Response: Appendix "A" – Item 3
- (d) Financial implications of the proposed amendments to the Council Procedural By-law to facilitate (a); (b) and (c), including any costs associated with the technology required to facilitate Hybrid meetings; and,
Response: Financial – Staffing – Legal Implications (below)
- (e) Protocols and procedures for conducting and participating in Hybrid meetings.
Response: Appendix "B", "C" and "D"

The Procedural By-Law currently allows for virtual participation in meetings for Members of Council, Standing Committees, Sub-Committees, Citizen Advisory Committees and delegations during an emergency. The Office of the City Clerk is responsible for supporting 63 Standing Committees and Sub-Committees of Council. The intention of this report is to recommend removing participation barriers for members of the public by

SUBJECT: Virtual Participation of a Member of Council at Council, Standing Committee, Sub-Committee, Local Board, and Advisory Committee Meetings Outside of an Emergency (FCS21058) (City Wide) - Page 3 of 7

increasing the level of service provided to the public for delegating, providing ongoing meeting support for Legislative Coordinators and amending the Procedural By-Law 21-021 to allow for virtual participation of Members of Council and Citizen Committee Members.

Alternatives for Consideration – See Page X or Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Two (2) additional FTE at a Legislative Assistant level, are requested in the Legislative Services section of the Office of the City Clerk in order to continue to support and assist with the added workload associated with virtual delegations, video submissions and follow-up both before and after meetings. The total cost for both additional FTE is \$124,174.96 (2 x \$62,087.48 – Grade 3 – Non-Union 2021 Salary Range)

Hybrid meetings held in the Council Chamber would be conducted in a similar manner to the virtual meetings held during the emergency with some slight adjustments. Members would be required to vote and request to speak through eSCRIBE, therefore, staff are recommending the replacement of the screens currently at each members desk to a Windows Tablet, at a cost of approximately \$30,000 for the equipment and the programming of the software.

Hybrid meetings held in Room 264 would require a total reconfiguration of the system currently in the room at cost of approximately \$30,000, members who attend meetings in Room 264 will be required to bring their own laptops to the meetings in order to participate at the meetings.

Staffing: There are currently six (6) Legislative Coordinators supporting 63 Committees of Council. While these committees are not all operating within the regular two-week cycle, they do operate throughout the year and during committee and council weeks. This past year has brought a notable increase in the number of residents that have been able to participate virtually and through videos. Each additional FTE would support three (3) Legislative Coordinators and would also assist with the clerking of Sub-Committee meetings and Office of the City Clerk supported Advisory Committee meetings.

In conjunction with the approval of the amendments to the Procedural By-Law 21-021 outlined in Appendix “A” to permanently allow Virtual Participation for Members of

SUBJECT: Virtual Participation of a Member of Council at Council, Standing Committee, Sub-Committee, Local Board, and Advisory Committee Meetings Outside of an Emergency (FCS21058) (City Wide) - Page 4 of 7

Council, Standing Committees, Sub-Committees, Citizen Advisory Committees and delegations, 2 FTEs will be recruited on a temporary basis, pending the consideration of Recommendation (a) during the 2022 budget process.

Legal: Legal staff were consulted regarding the amendments to the Procedural By-Law.

HISTORICAL BACKGROUND

On March 20, 2020, Council amended their Procedural By-Law 18-270 to allow Members of Council to participate electronically in Committee and Council meetings during an emergency, as follows:

9.2 Electronic Participation During an Emergency

- (1) Electronic participation, in accordance with the *Municipal Act, 2001* and/or any other applicable legislation, is permitted by members of Council at Council and/or Committee meetings during an emergency when attending in-person is not possible.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Sections 238 (3.1) and (3.3) of the *Municipal Act, 2001*, provide that the Procedure By-law of a Municipality may provide that a member of Council, of a local board or of a committee of either of them, can participate electronically in an open or closed meeting to the extent and in the matter set out in the by-law and may be counted in determining whether or not quorum of members is present.

At this time, the Procedural By-law prohibits virtual participation except during an Emergency.

RELEVANT CONSULTATION

Legal Services staff were consulted in relation to the amendments to the Procedural By-law 21-021.

Clerks will continue to consult with Facilities respecting the amount of support the meetings will require going forward should hybrid meetings be approved outside of an emergency.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

OUR Vision: To be the best place to raise a child and age successfully.
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SUBJECT: Virtual Participation of a Member of Council at Council, Standing Committee, Sub-Committee, Local Board, and Advisory Committee Meetings Outside of an Emergency (FCS21058) (City Wide) - Page 5 of 7

Staff are recommending virtual participation for delegations and ongoing video submissions, with additional support for Legislative Coordinators to provide assistance for the expected increase in registration and participation for this service before and during committee meetings.

TERM OF COUNCIL PRIORITIES

Through maintaining the ability to participate virtually for Members of Council, Committees and citizens is aligned with two of the Term of Council Priorities:

Equity, Diversity & Inclusion

The City is committed to creating and nurturing a city that is welcoming and inclusive.

Goal: Equity-seeking communities will feel safe, supported and have an enhanced sense of belonging through strengthening community capacity, City responsiveness and creating inclusive engagement opportunities.

Trust & Confidence in City Government

The City of Hamilton is committed to promoting an open approach to government. Ensuring public information is readily available and accessible, by promoting partnerships and by strengthening and improving its ability to consistently undertake coordinated, transparent and inclusive, evidence-based engagement practices, the City is committed to enabling residents, business owners and community stakeholders to become more involved in decision-making processes and find value in partnering and investing in City programs.

Goal: Provide the public with greater access to City government information and opportunities to become more engaged in decision making processes that impact their community.

Staff believe removing the barrier of in person only delegations will increase opportunities for citizen engagement and promote a more equitable participation for citizens. Staff have received positive feedback from residents who have been able to take advantage of virtual delegation and the video submission process.

The Office of the City Clerk supports the continuation of virtual delegations and video submissions to support greater accessibility to public meetings for residents and those who wish to provide their input but are unable to delegate in person. In order to increase the level of delegation services in Standing and Sub-Committees of Council, additional staff resources would be required.

Staffing levels have not been increased to support the current provision of virtual meetings and delegations during the COVID Pandemic. All six Legislative Coordinators

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SUBJECT: Virtual Participation of a Member of Council at Council, Standing Committee, Sub-Committee, Local Board, and Advisory Committee Meetings Outside of an Emergency (FCS21058) (City Wide) - Page 6 of 7

are currently assisting each other to support virtual technology and voting technology in the Council Chambers, therefore doubling the support in meetings. This current structure is not sustainable in the long term. The current closure of City Hall and decrease in training, counter services and marriage ceremonies has allowed staff to provide additional support albeit with additional accumulated hours of overtime and time owed.

Currently, the Office of the City Clerk's six (6) Legislative Coordinators support 63 committees of council with only one Legislative Coordinator clerking and preparing meeting agendas, minutes, coordinating notifications and administrative work for their own assigned Committees of Council. While the number of staff that support these committees has remained unchanged, there has been an increase in the number of committees, reports, use of technology, communication to Council, staff and residents to the support for Committees.

The role of the clerk in meetings is to support the chair and members on procedural matters, ensure the decisions or recommendation made in the meeting are properly recorded, provide effective administrative support to the governing body, take on the role of the chair when called upon, observe quorum, and monitor compliance with Council Procedural By-Law and *Municipal Act 2001*, as amended.

The onset of the COVID Pandemic required a change to the delivery of meetings and a need to have an additional staff in these meetings to support the virtual technology, speakers list, sound checks and delegates. The role of the Legislative Assistant would be to provide support during and administrative matters prior to and after meetings:

- Attending meetings with the Legislative Coordinator assigned to the Standing Committee and Sub-Committee;
- Clerking of Sub-Committees and Office of the City Clerk supported Advisory Committees;
- Assisting the existing Legislative Coordinators with the large volume of follow up from their committee meetings, when required;
- Maintaining the lists of Outstanding Business Items on eSCRIBE, committee listings, website information and agenda management;
- Assisting with the training of new staff on eSCRIBE, report writing and advisory committees;
- Assisting with marriage ceremonies;
- Committee follow-up and maintaining the Conflict of Interest Registry on the City's website
- Assisting with Planning Committee/Department follow up, when required.

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SUBJECT: Virtual Participation of a Member of Council at Council, Standing Committee, Sub-Committee, Local Board, and Advisory Committee Meetings Outside of an Emergency (FCS21058) (City Wide) - Page 7 of 7

This structure would allow Legislative Services to review and improve the current training provided to members of committees and staff liaisons and the added FTE would provide the time required to develop and deliver the training program. This program would be delivered on an ongoing basis as new members continually join throughout the Council term.

ALTERNATIVES FOR CONSIDERATION

As an alternative, Committee and Council could return to the pre-COVID structure of in person attendance for all members of Council, Committees and Citizen Advisory Committees and delegations.

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

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

- Appendix “A” - Proposed Amendments to the Procedural By-law 21-021
- Appendix “B” - Hybrid (*Virtual & In-Person*) Participation by Members of Council at Council, Standing Committee, Sub-Committee, Local Board, and Advisory Committee Meetings Outside of an Emergency - Protocols and Procedures
- Appendix “C” - Hybrid (*Virtual & In-Person*) Participation by Citizen Committee Members at Sub-Committee and Advisory Committee Meetings Outside of an Emergency - Protocols and Procedures
- Appendix “D” - Advisory Committee Procedural Handbook - **Revised**

PROPOSED AMENDMENTS TO THE PROCEDURAL BY-LAW 21-021

1. The proposed **amendments** to the Council Procedural By-law 21-021; that would be required to permit the virtual participation of a member of Council at Council, Standing Committee, Sub-Committee, Local Board, and Advisory Committee meetings outside of an emergency where the Council member cannot attend in person:

SECTION 1 - DEFINITIONS

- 1.1 In this By-law,

"**ELE**" means Electronic meeting procedures and applies to Virtual and Hybrid meetings **during an emergency** and used only when the procedures for Electronic meetings differ from In-Person (INP) procedures.

"**Hybrid**" means a proceeding where some members participate virtually and some members participate in-person at Council and Committee meetings **during an emergency**.

"**Virtual**" means a proceeding where members participate online or on a computer screen, rather than In-Person during Council and Committee meetings **during an emergency**.

SECTION 3 – COUNCIL MEETINGS

3.7 Quorum

- (2) A majority of Members of Council is necessary to constitute a quorum of Council.

(2.1) A Member of Council participating in-person or virtually shall be counted in determining whether or not a quorum of Members is present at any point in time.

3.11 Order of Business

- (1) The Order of Business for scheduled IN-PERSON / VIRTUAL / HYBRID meetings of Council, unless amended by Council in the course of the meeting, shall be as follows:
 - (a) Approval of Agenda
 - (b) Declarations of Interest
 - (c) Ceremonial Activities ***(ELE - During a VIRTUAL/HYBRID meeting ceremonial activities shall only be permitted to take place Virtually)***

Appendix "A" to Report FCS21058

- (d) Approval of Minutes of Previous Meeting
- (e) Communications
- (f) Committee Reports
- (g) Motions
- (h) Notice of Motions
- (i) Statement by Members (non-debatable)
- (j) Council Communication Updates
- (k) Private and Confidential
- (l) By-laws and Confirming By-law
- (m) Adjournment

- (2) ***All Ceremonial Activities at Council meetings will take place virtually, during an Emergency.***

SECTION 5 – COMMITTEE MEETINGS

5.4 Quorum

- (1) The quorum for all Committees shall be a half of the membership rounded up to the nearest whole number.

(1.1) A Member of a Committee participating in-person or virtually shall be counted in determining whether or not a quorum of members is present at any point in time.

5.11 Order of Business

- (1) The general Order of Business for the IN-PERSON / VIRTUAL / HYBRID scheduled meetings of Committees, unless amended by the Committee in the course of the meeting, shall be as follows:
- (a) Ceremonial Activities ~~***(ELE – During a VIRTUAL/HYBRID meeting ceremonial activities shall only be permitted to take place Virtually)***~~
 - (b) Approval of Agenda
 - (c) Declarations of Interest
 - (d) Approval of Minutes of Previous Meeting
 - (e) Communications
 - (f) Delegation Requests

Appendix "A" to Report FCS21058

- (g) Consent Items
- (h) Staff Presentations
- (i) Public Hearings/ Delegations
- (j) Discussion Items
- (k) Motions
- (l) Notice of Motions
- (m) General Information/Other Business
- (n) Private and Confidential
- (o) Adjournment

- (3) *All Ceremonial Activities at Committee meetings will take place virtually, during an Emergency.***

SECTION 8 – ORDER AND DECORUM

- 8.5** No person except members of Council or a Committee, the Clerk, and officials authorized by the Clerk, shall:
- (a) be allowed on the floor while an IN-PERSON / ***HYBRID*** meeting is being held, namely where members of Council or Committee, the Clerk, and officials authorized by the Clerk are seated and from which they speak;
 - (b) before or during an IN-PERSON / ***HYBRID*** meeting of the Council or a Committee, place on the desks of members or otherwise distribute any material whatsoever unless such person is so acting with the approval of the Clerk.

SECTION 9 – MEETINGS CLOSED TO THE PUBLIC

For the purposes of this section, "Committee" means any advisory or other committee, subcommittee or similar entity of which at least 50% of the members are also members of Council.

- 9.5** ***A member of Council, of a Local Board or of a Committee of either of them can participate virtually in a meeting that is closed to the public.***

**SECTION 10 – VIRTUAL PARTICIPATION AT COUNCIL
AND/OR COMMITTEE MEETINGS**

- ~~10.1 Virtual participation is prohibited at Council and/or Committee meetings, except where permitted during an Emergency as set out in subsection 10.2.~~
- 10.1** Virtual participation, in accordance with the *Municipal Act, 2001* and/or any other applicable legislation, is permitted by members of Council at Council and/or Committee meetings ~~during an emergency~~ when attending in-person is not possible.
- 10.2** Virtual participation, in accordance with the *Municipal Act, 2001* and/or any other applicable legislation, is permitted by Citizen Committee members at Committee meetings ~~during an emergency~~ when attending in-person is not possible.
- 10.3** Virtual participation, that is consistent with the obligation to hold public meetings in accordance with the *Municipal Act, 2001* and/or any other applicable legislation, or at a Standing Committee of Council is permitted by members of the public at Committee meetings.
- 10.4** *Members of Council and Citizen Committee members who intend on participating at a meeting virtually should advise the Clerk at least 2 days prior to the meeting.*
- 10.5** *The Mayor, Deputy Mayor, Chair or Vice Chair presiding at a Council or Committee meeting shall attend in-person at a HYBRID meeting.*

**SECTION 11 – IN-PERSON / VIRTUAL / HYBRID MEETINGS DURING
AN EMERGENCY**

- 11.1** All VIRTUAL ~~/HYBRID~~ Council and Committee meetings shall be streamed live.
- 11.2** *All IN-PERSON / HYBRID Council and Committee meetings may be streamed live.*
- 11.3** *Upon being apprised that an IN-PERSON / HYBRID meeting is interrupted and cannot proceed with its live feed, due to loss of connection, sound or video, the meeting will continue as long as quorum is maintained and the connection will be resumed as soon as possible.*

Appendix "A" to Report FCS21058

- 11.4** Upon being apprised that a VIRTUAL meeting is interrupted and cannot proceed with its live feed, due to loss of connection, sound or video, the meeting will be recessed for up to 15 minutes.
- 11.5** If the live feed of a VIRTUAL meeting cannot be resumed within 15 minutes, the meeting will be considered adjourned with the names of the Council/Committee members present and any decisions of Council/Committee up to the point in time of the interruption shall be recorded in the minutes of the meeting. The Council/Committee meeting will be rescheduled to another day or the next regularly scheduled meeting date.

- 2.** The proposed **amendments** to the Council Procedural By-law 21-021, that would be required to permit the virtual participation of Advisory Committee and Sub-Committee members (public) at Advisory Committee and Sub-Committee meetings outside of an emergency where the Advisory Committee or Sub-Committee member cannot attend in person:

**SECTION 10 – VIRTUAL PARTICIPATION AT COUNCIL
AND/OR COMMITTEE MEETINGS**

- 10.2** Virtual participation, in accordance with the *Municipal Act, 2001* and/or any other applicable legislation, is permitted by Citizen Committee members at Committee meetings ***during an emergency*** when attending in-person is not possible.
- 10.4** ***Members of Council and Citizen Committee members who intend on participating at a meeting virtually should advise the Clerk at least 2 days prior to the meeting.***
- 10.5** ***The Mayor, Deputy Mayor, Chair or Vice Chair presiding at a Council or Committee meeting shall attend in-person at a HYBRID meeting.***

- 3.** The proposed **amendments** to the Council Procedural By-law 21-021, that would be required to continue to permit delegations to appear virtually:

Sections 5.12 and 5.13 of the Council Procedural By-law 21-021, currently permits delegations to appear virtually without any references to 'during an emergency', therefore, only one proposed **amendment** to Section 5.12 (1) INP would be required to permit virtual delegations at an IN-PERSON meeting whether during or outside of an emergency.

5.12 Delegations

- (1) **INP** Persons who wish to appear as a delegation at an IN-PERSON meeting will appear in-person ***or virtually*** to address a Committee

**HYBRID (A COMBINATION OF VIRTUAL & IN-PERSON ATTENDEES) PARTICIPATION
BY CITIZEN COMMITTEE MEMBERS
AT
SUB-COMMITTEE AND ADVISORY COMMITTEE MEETINGS
PROTOCOLS AND PROCEDURES**

Meetings of Sub-Committee and Advisory Committees by Hybrid Means

Invitations to meetings will be sent to all Citizen Committee members of Sub-Committees and Advisory Committees in the form of an Outlook/WebEx invitation.

All Sub-Committee and Advisory Committee meetings will be livestreamed, with each Citizen Committee member whether attending in-person or virtually, joining the meeting via WebEx.

Delivery of Agendas and Addendum Items

The delivery of agendas and addendum items to Citizen Committee members of the Sub-Committees and Advisory Committees, the media and the general public will be distributed simultaneously as per Section 12.2 of the By-law 21-021 (Procedural By-law) in electronic format only, available on the City's website.

Accessing Agendas, Addendum Items and the Merged Agendas (Original Agenda + Addendum Items)

The Senior Leadership Team and City staff will access the agendas, addendums and the merged agendas on eSCRIBE or on the City's website.

The Citizen Committee members of the Sub-Committees and Advisory Committees, the media and the general public will access the agendas, the addendum items and the merged agendas on the City's website.

Participants

It is expected that at times, any Citizen Committee member of the Sub-Committees and Advisory Committees or staff may participate in the meeting either in-person or virtually.

Citizen Committee members of Sub-Committees and Advisory Committees who intend on participating at a meeting virtually will be required to advise the Clerk at least 2 days prior to the meeting.

Attending Hybrid Meetings

The Chair will be required to attend the meetings in-person.

Citizen Committee members of Sub-Committees and Advisory Committees and staff attending the meetings virtually or in-person will be required to sign into the WebEx meeting, via the link in the invitation in the member's calendar, at least 30 minutes prior to the start of the meeting for testing purposes.

Votes will be conducted by a show of hands whether members are attending in-person or virtually.

Citizen Committee members of Sub-Committees and Advisory Committees and staff attending in-person or virtually will signify their request to speak in the WebEx chat.

Citizen Committee members of Sub-Committees, Advisory Committees and staff will continue to unmute their own microphones when they are recognized by the Chair, with staff having the ability to mute members and staff, if necessary.

Citizen Committee members of Sub-Committees, Advisory Committees and staff participating virtually are to ensure there is no background noise at their location that would interfere with the meeting.

Staff participating virtually during a closed portion of a meeting are to ensure they are in a private room and to ensure that they are in the Closed portal of eSCRIBE.

Upon being apprised that a hybrid meeting is interrupted and cannot proceed with its live feed, due to loss of connection, sound or video, the meeting will continue as long as quorum is maintained with the connection being resumed as soon as possible.

**HYBRID (A COMBINATION OF VIRTUAL & IN-PERSON ATTENDEES) PARTICIPATION
BY MEMBERS OF COUNCIL**

AT

**COUNCIL, STANDING COMMITTEE, SUB-COMMITTEE,
LOCAL BOARD, AND ADVISORY COMMITTEE MEETINGS**

PROTOCOLS AND PROCEDURES

***Meetings of Council, Standing Committee, Sub-Committee, Local Board and
Advisory Committee Meetings by Hybrid Means***

Invitations to meetings will be sent to all members of Council and respective Standing Committee, Sub-Committee, Local Board, and Advisory Committee in the form of an Outlook/WebEx invitation.

All Council, Standing Committee, Sub-Committee, Local Board and Advisory Committee Meetings will be livestreamed, with each member of Council whether attending in-person or virtually, joining the meeting via WebEx.

Delivery of Agendas and Addendum Items

The delivery of agendas and addendum items to members of Council, Senior Leadership Team, the media and the general public will be distributed simultaneously as per Section 12.2 of the By-law 21-021 (Procedural By-law) in electronic format only, available on the City's website.

Accessing Agendas, Addendum Items and the Merged Agendas (Original Agenda + Addendum Items)

Members of Council, Senior Leadership Team and City staff will access the agendas, addendums and the merged agendas through eSCRIBE or on the City's website.

The media and the general public will access the agendas, the addendum items and the merged agendas on the City's website.

Participants

It is expected that at times, any member of Council or staff may participate in the meeting either in-person or virtually.

Members of Council who intend to participate at a meeting virtually will be required to advise the Clerk at least 2 days prior to the meeting.

Attending Hybrid Meetings

The Mayor, Deputy Mayor or Chair will be required to attend the meetings in-person.

Members of Council, members of the Senior Leadership Team and staff attending the meetings virtually or in-person will be required to sign into the WebEx meeting, via the link in the invitation in the member's calendar and eSCRIBE, at least 30 minutes prior to the start of the meeting for testing purposes.

Votes will be conducted through eSCRIBE for Members of Council attending in-person or virtually.

When a Member of Council at a hybrid meeting of Council or Committee does not disclose a pecuniary interest, and does not vote electronically on a Motion, the Mayor/Chair will call on the member to vote 3 (three) times, if the member doesn't respond the member will be noted as being 'Not Present' during the vote (Section 6.2 (9), By-law 21-021)

Members of Council attending in-person or virtually will use eSCRIBE to initiate their requests to speak.

Members of Council and staff will continue to unmute their own microphones when they are recognized by the Mayor or Chair, with Clerks staff having the ability to mute members and staff, if necessary.

Members of Council, members of the Senior Leadership Team and staff participating virtually are to ensure there is no background noise at their location that would interfere with the meeting.

Members of Council, members of the Senior Leadership Team and staff participating virtually during a closed portion of a meeting are to ensure they are in a private room and to ensure that they are in the Closed portal of eSCRIBE.

Upon being apprised that a hybrid meeting is interrupted and cannot proceed with its live feed, due to loss of connection, sound or video, the meeting will as long as quorum is maintained continue with the connection being resumed as soon as possible.



Hamilton

ADVISORY COMMITTEE PROCEDURAL HANDBOOK REVISED

An advisory body Council established to advise on specific areas of interest, with members of the public making up more than fifty (50) percent of the membership and Council members making up the rest.

**Prepared By:
Office of the City Clerk, Legislative Section
Updated: (Insert Date)**

Table of Contents

Definitions.....	4
Meeting Procedures.....	4
Rules of Procedures at a Glance	5
Agenda Preparation.....	5
Minute Preparation.....	6
Report Preparation.....	7
Common Procedural Questions	7
The Consensus Method of Decision Making in Groups.....	9
Roles and Responsibilities of Committee Members	10
Role of the Chair.....	10
Role of the Committee Secretary	10
Role of the Staff Liaison	11
Use of Working Groups or Task Forces	11
Members Communicating with Any Outside Agencies, Including Other Levels of Government and the Media.....	12
Use of Secondary Logos for Advisory Committees	12
Committee Member Resignation.....	12
What to do if further consultation on procedural advice is required?	13
Appendix “A”	14
Appendix “B”	16
Appendix “C”	20
Appendix “D”	21
Appendix “E”	22
Appendix “F”	23
Appendix “G”	24

Definitions:

“**ELE**” means Electronic meeting procedures and applies to Virtual and Hybrid meetings and used only when the procedures for Electronic meetings differ from In-Person (INP) procedures.

“**Hybrid**” means a proceeding where some members participate virtually and some members participate in-person at Council and Committee meetings.

“**INP**” means In-Person meeting procedures and applies only when the procedures for In-Person meetings differs from Electronic (ELE) meeting procedures.

“**In-Person**” means a proceeding where members participate In-Person at Council and Committee meetings.

“**Quorum**” means the number of members required to be present at a meeting to validate the transactions of its business.

“**Recess**” means a short intermission in a meeting’s proceedings, which does not close the meeting, and after which business will immediately be resumed at exactly the point where it was stopped.

“**Virtual**” means a proceeding where members participate online or on a computer screen, rather than In-Person during Council and Committee meetings.

Meeting Procedures

All VIRTUAL Committee meetings shall be streamed live.

All IN-PERSON / HYBRID Committee meetings may be streamed live.

The rules of procedure as set out in By-law 21-021, A By-Law to Govern the Proceedings of Council and Committees of Council, shall be observed in all proceedings and apply to all Committees. Rules of procedure are intended to help the group conduct its business fairly and efficiently.

Rules for a meeting are designed to achieve the following basic meeting principles:

1. Every member has rights equal to every other member.
2. The will of the majority must be carried out.
3. Only one topic will be considered at a time.

The Role of the Committee and its members is to provide “advice” to Council through the appropriate Standing Committee on matters that are related to the specific mandate of the Committee (not for purposes of lobbying for special causes on behalf of the City or themselves).

Rules of Procedures at a Glance

1. Sequence of steps in having a motion voted on:

- Moved – a proposal from the floor.
- Seconded – another member feels the proposal is worth discussing.
- Stated – by the Chair or Committee Secretary. Wording is recorded properly and everyone understands the intent of the proposal.
- Discussed – every member who wishes to speak addresses the chair and must speak only to the motion/amendment on the floor.
- Amended – if required, changing the wording of the motion by: adding or deleting words, replacing with different words.
- Called – after sufficient discussion, either a motion to end debate or a vote (if amended, the amendment first and then the main motion as amended) is called at the discretion of the Chair.
- Restated (if necessary) – ensures everyone understands what is being voted on.
- Voted – Chair calls each option: “All in favour”, “opposed”?
- Declared – results of the vote are announced by the Chair “carried” or “defeated”.

2. Amending a motion

- An amendment cannot convert a motion to its direct negative (cannot change the intent of the original motion).
- An amendment must be pertinent or relevant to the topic in the main motion i.e. a motion to “commend the President for his work with the Chapter” may not be amended by striking the word “commend” with “condemn”.

Agenda Preparation

An agenda is a step-by-step outline of the issues to be covered at a meeting.

The following agenda outline is often used:

- (a) Ceremonial Activities*
- (b) Approval of Agenda
- (c) Declarations of Interest
- (d) Approval of Minutes of Previous Meeting
- (e) Communications
- (f) Delegation Requests
- (g) Consent Items
- (h) Staff Presentations
- (i) Delegations
- (j) Discussion Items

- (k) Motions
- (l) Notice of Motions
- (m) General Information/Other Business
- (n) Private and Confidential
- (o) Adjournment

*All Ceremonial Activities will take place virtually, during an emergency.

The agenda may be prepared with slight adjustments to the agenda outlined above when deemed necessary, however, keeping the following points in mind:

- The early part of the meeting is usually the most lively and creative – items requiring mental energy, bright ideas and clear heads should appear early on the agenda.
- Put time limits on agenda items to help focus discussion and encourage decision making.

A sample template for an agenda is attached as Appendix “A”, for your reference.

Minute Preparation

The purpose of the minutes is to:

- Provide a permanent record of the proceedings of a meeting.
- Keep track of progress.
- Inform absent members.
- Provide a useful guide for evaluating a committee’s work.
- Minutes should be as brief as possible, yet maintain their accuracy.

Basic set of minutes should include:

1. Name of the Committee.
2. When (date and time) and where the committee met.
3. Who was present/absent.
4. Adoption of last meeting’s minutes.
5. Matters discussed and any decisions made:
 - Record motions, the mover (who) made the motion, who seconded it, and whether it was carried or defeated, and any members who wished to be recorded as opposed to the motion.
 - General discussion (briefly).

After the Committee minutes are approved by the Committee, the minutes are submitted to the appropriate Standing Committee for receipt. The approved minutes are to be submitted to the respective Legislative Coordinator to the Standing Committee that the Committee reports to, as soon as possible.

A sample template for the minutes is attached as Appendix “B”, for your reference.

Report Preparation

If the Committee puts forward a recommendation that requires the approval of the Standing Committee, then a Citizen Committee Report is prepared for the Standing Committee's consideration, at the same time the approved minutes where the recommendation resides, are being considered by the respective Standing Committee. The respective Legislative Coordinator and the Staff Liaison to the Committee can assist in the preparation of the Report.

A sample template for the Committee report is attached as Appendix "C", for your reference.

Common Procedural Questions

1. How can a meeting start without a quorum?

A quorum is the minimum number of eligible voters that must be present at a meeting to conduct business. This number is half of the membership rounded up to the nearest whole number.

If no quorum is present, after 30 minutes from the commencement time of the meeting, the Committee Secretary shall record the names of the Committee members present in the minutes of the meeting, and:

- The Chair may dismiss the group, or
- The Committee may agree to proceed informally with the agenda, awaiting ratification of any decisions at a future meeting, or
- The Committee may discuss any items of interest, but make no decisions.

2. What is the procedure if quorum is lost during a meeting?

If quorum is lost during an IN-PERSON / VIRTUAL / HYBRID Committee meeting, then:

- the Committee Secretary shall advise the Chair that quorum is lost;
- the meeting will be recessed for up to 15 minutes to allow members to return;
- Following the 15 minute recess, if quorum is not regained, the decision to continue the meeting will rest with the Chair.
- During the absence of quorum, no decisions may be approved.

3. What is the procedure if the live stream of a VIRTUAL meeting is interrupted?

If anyone, attending a VIRTUAL meeting, is alerted of an interruption of the meetings live stream, then:

- Upon being apprised that a meeting's live stream is interrupted and cannot proceed with its live feed, due to loss of connection, sound or video, the meeting will be recessed for up to 15 minutes.
- If the live stream of the meeting cannot be resumed within 15 minutes, the meeting will be considered adjourned with the names of the Committee members present and any decisions of Committee up to the point in time of the interruption being recorded in the minutes of the meeting. The Committee meeting will be rescheduled to another day or the next regularly scheduled meeting date.

4. What is the procedure if the live stream of a IN-PERSON / HYBRID meeting is interrupted?

If anyone, attending an IN-PERSON / HYBRID meeting, is alerted of an interruption of the meetings live stream, then:

- Upon being apprised that an IN-PERSON / HYBRID meeting's live stream is interrupted and cannot proceed with its live feed, due to loss of connection, sound or video, the meeting will continue as long as quorum is maintained with the connection being resumed as soon as possible.

5. After considerable debate, we still are not ready to vote on the motion. What can we do?

- A Motion to defer the matter until the next meeting may be in order, so that more information can be gathered.
- A Motion to defer temporarily allows a motion to be set aside until later in the meeting, allowing more urgent business to be dealt with, permitting amendments to be drafted, or allowing time for implications of the motion to be checked.
- The Motion may be withdrawn at the request of its mover, at any time before decision or amendment.

6. Closing debate on a Motion.

Someone "calling the question" from the floor indicates that they want the motion put to a vote, which needs to be seconded and cannot interrupt the list of first time speakers. Only if the Chair feels that the motion has had reasonable debate and most members are ready to vote, can they call the question (i.e. "All those in favour?", "Opposed?", etc.)

7. Encouraging an alternative motion.

Sometimes while one motion is being considered, an alternative motion might be the better one. How can it be presented?

- (a) The movers of the original motion are asked if they will withdraw their motion, with the consent of a majority of the members.
- (b) If the original motion is withdrawn, then the alternative motion can be put forward.
- (c) If the original motion is not withdrawn, then the movers of the alternative motion inform the Committee that their motion will be moved if the original is defeated. They thus urge the members to vote against the original motion.

The Consensus Method of Decision Making in Groups

The following process can be used throughout the meeting for every issue the group needs to discuss.

Step 1

Describe the issue before the Committee:

- State the issue clearly and concisely. If it is complex, then write it out.

Step 2

Gather all information relevant to the issue:

- All pertinent facts and ideas about the issue need to be heard in order to make an informed decision.
- Distinguish between facts and opinions.

A decision can often be made right away. However, action may need to be deferred so that additional information can be gathered.

Step 3

List all possible solutions or actions:

- Explore alternatives.
- Be creative. Use brainstorming techniques to generate new ideas, from every member.

Step 4

Choose the best possible solution:

Use a process of elimination; refine and combine parts of your list in Step 3.

Step 5

Make a decision:

- Formulate a statement of general agreement or consensus, or
- Develop a motion and vote on it.
- Then, record the results in the minutes.

Roles and Responsibilities of Committee Members

Members of the Committee are encouraged to make themselves familiar with the Terms of Reference, the Roles, Responsibilities and Expectations of New Members and mandated activities of the Committee(s) to which they are making application to.

Members of the Committee:

- (i) are required to attend and participate fully in the meetings;
- (ii) Citizen Committee members who intend on participating at a meeting virtually will be required to advise the Staff Liaison at least 2 days prior to the meeting.
- (iii) who miss more than three meetings during their term without Committee approval, may be subject to replacement on the Committee and may not be eligible for re-appointment; and
- (iv) upon appointment, are required to sign a Committee Member Acknowledgement Form (attached hereto as Appendix “E”), provided by the City Clerk’s Office, prior to attending the first meeting of the Committee to which they are appointed. Such declaration will remain on file in the Office of the City Clerk for the duration of the citizen’s appointment.

Members of the Committee are bound by the *Municipal Conflict of Interest Act* found at the following link: <https://www.ontario.ca/laws/statute/90m50>.

Members of the Committee are to comply with the Hamilton Advisory Committee/Task Force Code of Conduct (attached hereto as Appendix “G”).

Role of the Chair

As the Chair of a meeting, you have several important roles: knowing the group, helping members get started, planning ahead, preparing for meetings, and presiding at meetings.

Helpful tips:

Know your group – find out what your members’ skills are and what they can do. Make sure all members understand their roles and responsibilities;

Help Members get started – involve and motivate your group members. Be sure your members understand their purpose, responsibilities, timelines and budgetary constraints;

Prepare for meetings – plan your agenda. Check on all pre-meeting arrangements; and,

Preside at meetings – establish your guidelines or rules of order. Follow your agenda; involve the members; manage the discussion.

Role of the Committee Secretary

- Providing relevant information, ideas and opinions as a participant in the meeting;
- Record without note or comment all resolutions, decisions and other proceedings at the meeting (as per the *Municipal Act*, 2001).
- Keeping an accurate set of minutes of each meeting;

- Keeping an up-to-date membership/contact list;
- Distributing minutes to members and notifying them of upcoming meetings;
- Keeping a list of all advisory committees and members;
- Helping the Chair with preparing the agenda, advice on meeting procedure, reference materials and information retrieved from the records; and,
- Making meeting and physical set-up arrangements (*Note: room bookings with City Facilities will be co-ordinated through the Committee's Staff Liaison.*)

Role of the Staff Liaison

- Coordinate; develop and deliver the Orientation Session for the Committee;
- Liaise with the Committee providing technical advice from the host department for the preparation of reports; correspondence, etc.;
- Submission of the Committee's reports, correspondence, etc. to the Director of the host department prior to finalization for review;
- Liaise with all City staff for advice and information required by the Committee, including procedural advice from Legislative Coordinator in the Office of the City Clerk;
- Arrange for printing of agendas, minutes, reference material and distribution required by the Committee;
- Host all IN-PERSON / VIRTUAL / HYBRID Citizen Advisory Committee meetings will be scheduled using the City approved virtual meeting software.
- Arrange for the booking of the meeting room;
- Coordinate the annual review of the Committee's Terms of Reference and Mandate;
- Coordinate the preparation of the Roles, Responsibilities and Expectations of New Members prior to the end of the Committee's term;
- Arrange for parking passes, if required; and,
- Forward completed Committee Member Resignation Forms to the Legislative Coordinator for inclusion in the appropriate Standing Committee agenda.

Use of Working Groups or Task Forces

Committees can create and hold IN-PERSON / VIRTUAL / HYBRID working group or task force meetings to assist in the research or review of a given item and it reports its findings back to the Committee when attending in-person is not possible. A working group is normally comprised of Committee Members, however, when required, volunteers may be called upon for their expertise to assist a working group by providing required information.

Working groups and task forces operate by consensus and formal motions are not required. City staff and/or resources may not be available to working groups/task forces and consequently, the preparation of agendas, minutes and meeting requirements shall be the responsibility of the working group, if required. Support staff shall not be required to attend working group meetings.

The number of Members participating in a working group or task force should be less than a quorum number of the Citizen Advisory Committee membership.

Working Group/Task Force meetings will not be live streamed. Working Group Members will determine their meeting method.

Members Communicating with Any Outside Agencies, Including Other Levels of Government and the Media

Please note that members of a Committee cannot correspond or speak to any Ministries, any outside agencies, or the media without Council's prior approval, as per Standard Operating Procedure #08-001 – Communicating with any outside agencies, including other Levels of Government and the media attached as Appendix "D" and the Code of Conduct attached as Appendix "G".

Use of Secondary Logos for Advisory Committees

The use of secondary logos for promotional/educational purposes by a Committee requires approval, subject to the following guidelines:

- (i) Requests for approval of a secondary logo are required to be presented to the Governance Review Sub-committee for consideration and approval by the Committee's respective Standing Committee and Council, prior to any use.
- (ii) The approved City Logo (triple H symbol, with the word mark Hamilton, with an underscoring line), as per the *Identity Standards Guide*, must be of appropriate size relative to the intended purpose and included in a sufficiently prominent location on the promotional/ educational materials.
- (iii) Design costs are to be funded by the Committee.

Committee Member Resignation

While the City of Hamilton hopes that, upon applying for and being appointed as a member of a Committee, you are able to fulfil your commitment, we do realize that on occasion a person's circumstances may change.

Therefore, if for any reason you are unable to continue to participate as an active member of the Committee(s) you have been appointed to, it is very important that you resign formally in writing by providing a completed and signed copy of the Committee Member Resignation Form (attached as Appendix "F") to the appropriate Legislative Coordinator, in the City Clerk's office, stating which Committee(s) you are resigning from and general reasons why (the inclusion of private/personal information is not required). This will allow the Committee to adjust its membership accordingly in order to remain effective in achieving the goals of its mandate. Your completed Committee Member Resignation Form will be included in the appropriate Standing Committee agenda to be received by Council.

What to do if further consultation on procedural advice is required?

Depending upon which Standing Committee, the Committee reports through, please contact the one of following Clerk's Division staff:

Lisa Kelsey

Legislative Coordinator
 Planning Committee
 Phone: (905) 546-2424 ext. 4605
 Fax : (905) 546-2095
 E-mail: Lisa.kelsey@hamilton.ca

Angela McRae

Legislative Coordinator
 Audit, Finance & Administration
 Committee
 Phone: (905) 546-2424 ext. 5987
 Fax : (905) 546-2095
 E-mail: angela.mcrae@hamilton.ca

Loren Kolar

Legislative Coordinator
 Board of Health
 905 546 2424 ext. 2604
 905 546-2095 (fax)
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Hamilton

A G E N D A
ABC ADVISORY COMMITTEE
Monday, January 1, 2021
2:00 p.m.
Room 123, 1st Floor
City Hall
71 Main Street West, Hamilton

**Added Items*

- A. APPOINTMENT OF CHAIR AND VICE CHAIR** *(This should be done at the first meeting of each year. After the first meeting – this heading is to be removed. The Chair or Vice Chair of an Advisory Committee may serve for more than one year in a Council term.)*
- 1. Ceremonial Activities**
- 1.1 Award for Outstanding Service to the Community
- 2. Approval of Agenda**
- 3. Declarations of Interest**
- 4. Approval of Minutes of Previous Meeting**
- 4.1 ABC Advisory Committee Meeting Minutes, dated December 25, 2020
- 5. Communications**
- 5.1 Correspondence from DEF Company respecting the ABC Advisory Committee.
- Recommendation: Be received.
- 6. Delegation Requests**
- 6.1 Jane Doe, *(organization, if applicable)* respecting *(insert subject matter)*, *(insert whether it is for this meeting or a future meeting here, i.e. for today's meeting or for a future meeting or (date) meeting)*

7. Consent Items

7.1 Research Report

*7.2 Working Group Minutes

8. Presentations

8.1 ABC Advisory Committee Terms of Reference Review

9. Delegations

10. Discussion Items

10.1 ABC Advisory Committee Strategic Plan

11. Motions

11.1 ABC Advisory Committee Change to the Location of Meetings

12. Notice of Motions

*12.1 ABC Advisory Committee Meeting Schedule

13. General Information/Other Business

14. Private and Confidential

15. Adjournment



Hamilton

**MINUTES
ABC COMMITTEE
Monday, January 1, 2000
2:00 p.m.
Room 123, 1st Floor
City Hall
71 Main Street West, Hamilton**

Present: (insert name), Chair; (insert name), Vice-Chair; (insert name),
(Committee members only) Committee Secretary; (insert names of the remaining members)

**Absent with
Regrets:** *(insert names of absent Committee members only)*

Also Present: *(insert staff names with titles)*

1. CEREMONIAL ACTIVITIES

(i) Award for Outstanding Service to the Community (Item 1.1)

The Mayor presented the Committee Member with an award for outstanding service to the community.

2. CHANGES TO THE AGENDA

The Committee Secretary advised of the following changes to the agenda:

7. CONSENT ITEMS

7.2 Working Group Minutes

12. NOTICES OF MOTION

12.1 ABC Advisory Committee Meeting Schedule

(Mover/Second)

That the agenda for the January 1, 2021 meeting of ABC Advisory Committee be approved, as amended. *(if there are no changes to the agenda, then the approval would be "as presented")*

CARRIED

3. DECLARATIONS OF INTEREST

List any declarations that were made or note that there were none.

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

(i) December 25, 2020 (Item 4.1)

(Mover/Second)

That the Minutes of the December 25, 2020 meeting of ABC Committee be approved, as presented.

CARRIED

5. COMMUNICATIONS

(Mover/Second)

That Communications 5.1 be approved, as follows:

- 5.1 Correspondence from DEF Company respecting the ABC Advisory Committee.

Recommendation: Be received.

CARRIED

6. DELEGATION REQUESTS

(i) Jane Doe respecting the Committee's Terms of Reference (for a future meeting) (Item 6.1)

(Mover/Second)

That the delegation request from Jane Doe respecting the Committee's Terms of Reference, be approved for a future meeting.

CARRIED

7. CONSENT ITEMS

(i) Research Report (Item 7.1)

(Mover/Second)

That the Research Report, be received.

CARRIED

(ii) Working Group Minutes (Item 7.2)

(Mover/Second)

That the Working Group Minutes, be received.

CARRIED

8. PRESENTATIONS**(i) ABC Advisory Committee Terms of Reference Review (Item 8.1)**

(Insert Name) provided the Committee with a presentation respecting a review of the ABC Advisory Committee Terms of Reference.

(Mover/Seconder)

- (a) That the presentation respecting ABC Advisory Committee Terms of Reference Review, be received; and
- (b) That the ABC Advisory Committee Terms of Reference Review, be amended to *(insert recommendation approved by the Committee)*

CARRIED**9. DELEGATIONS**

There were no delegations.

10. DISCUSSION ITEMS**(i) ABC Advisory Committee Strategic Plan (Item 10.1)****(Mover/Seconder)**

That the ABC Advisory Committee Strategic Plan, be approved. *(or insert recommendation approved by the Committee)*

CARRIED**11. MOTIONS****(i) ABC Advisory Committee Change to the Location of Meetings (Item 11.1)****(Mover/Seconder)**

That the ABC Advisory Committee Change to the Location of Meetings, be approved. *(or insert recommendation approved by the Committee)*

CARRIED**(ii) ABC Advisory Committee Meeting Schedule (Item 11.2)****(Mover/Seconder)**

That the ABC Advisory Committee Meeting Schedule, be approved. *(or insert recommendation approved by the Committee)*

CARRIED**12. NOTICE OF MOTIONS****(i) ABC Advisory Committee Meeting Schedule (Added Item 12.1)**

(Committee Member's Name) introduced a Notice of Motion respecting the ABC Advisory Committee Meeting Schedule.

(A Notice of Motion can be left as a Notice of Motion and then placed on the next Committee agenda or the Rules of Order can be waived to allow the introduction of the Notice of Motion as a Motion at this meeting, if so, a motion to waive the rules with a 2/3's majority vote, is required)

(Mover/Second)

That the Rules of Order to be waived to allow for the introduction of a motion respecting the ABC Advisory Committee Meeting Schedule.

CARRIED by a 2/3's Majority

For further disposition of this matter, refer to Item 11(ii).

13. GENERAL INFORMATION/OTHER BUSINESS

There were no general information/other business items discussed at the meeting.

14. PRIVATE AND CONFIDENTIAL

There were no private and confidential matters discussed at the meeting.

15. ADJOURNMENT

(Mover/Second)

That, there being no further business, the meeting be adjourned at ___ a.m./p.m. *(insert time that the meeting adjourned)*

CARRIED

The minutes are signed by the Chair or Vice Chair (whoever presided over the meeting) and the Committee Secretary.

(name), Chair
ABC Advisory Committee

(name), Committee Secretary



Hamilton

CITIZEN COMMITTEE REPORT

To:	Audit, Finance and Administration Committee
From:	ABC Committee <hr/> Marlene Dei-Amoah, Chair
Date:	May 27, 2021
Re:	Subject Matter

Recommendation:

That an amount of up to \$13,000 be transferred from the Arts Advisory Commission Reserve (112212) to Arts Advisory Commission operating (300322) to fund the Commission's 2017 outreach event and programs.

Background: *(Describe here what the money will be used for and why the Committee is asking for more)*

The Arts Advisory Commission (AAC) has the following mandate:

To recommend activities for the stabilization and strengthening of the arts community; to inform Council of issues and achievements in the Hamilton arts community; to liaise with and act as a point of contact for members of the arts community regarding issues affecting the arts community; to monitor and assist with the implementation of the Public Art Program; to monitor and assist with the implementation of the Arts Awards Program.

The primary focus of the Arts Advisory Commission over the last five years has been the development of a strategic arts funding model through its Arts Funding Task Force.

A new AAC was appointed in 2016. The new members of the AAC are looking to undertake a community outreach and consultation program to determine the issues important to the arts community moving forward.

Analysis/Rationale: *(In the Analysis/Rationale section, the Committee should explain why the recommendation is being put forward, benefits for the recommendation, and any another information, which Committee wishes to share with the Grants Sub-Committee to support the recommendation)*

In 2017, the Arts Advisory Commission will focus its efforts on outreach and consultation with the arts community to identify issues important to the community. It is assumed that issues such as; artists living and work space costs, sustaining and growing the arts community and promoting the arts community will be identified among others. Consultation plans include a symposium type event to bring the community together along with interviews and online surveys. The results of this work will be used to develop the AAC work plan for 2017-2018.

Appendix “D”

STANDARD OPERATING PROCEDURE	08-001
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Subject:	Communicating with any outside agencies, including other Levels of Government and the media
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- a) City of Hamilton Committees wishing to correspond with any outside agency including the media, Ministers of the Provincial/Federal Governments or with MP's and MPP's will follow the subjoined procedures:
1. Recommendation(s) to correspond with any outside agency submitted by a Committee are forwarded to the appropriate Standing Committee for approval with the draft correspondence being attached as an appendix to a Citizen Committee Report prepared by the respective Committee Staff Liaison.
 2. Once the recommendation is approved by the Standing Committee and Council, the correspondence is submitted for signature and will be signed jointly by the Mayor and the Chair of the Committee.
 3. Any follow up correspondence received by the City of Hamilton in response to the letter will be forwarded to both City Council and to the Committee, which initiated the recommendation and correspondence.
 4. Appointees should accurately communicate a recommendation or direction.
 4. Appointees may provide their own personal opinion on a matter, provided that it is made clear to the party they are speaking to that the comments are their own and are not being made on behalf of the Committee.
 5. Appointees may refer the media or others making inquiries to the Chair, or, in the absence of the Chair, to the Vice-Chair.



Hamilton

COMMITTEE MEMBER ACKNOWLEDGEMENT FORM

I _____ in consideration of the City of Hamilton appointing me to the _____, for the _____ term, acknowledge, undertake and agree as follows:

- 1. I will make all reasonable efforts to attend all meetings of this body to which I have been appointed and to participate in an impartial manner with the understanding that:
 - (a) If I am absent from more than three meetings, I may be subject to replacement on the Committee and not be eligible for re-appointment.
- 2. I will exercise all of the roles and responsibilities of a member of the body to which I have been appointed.
- 3. I shall respect and co-operate with the other Committee members and City staff.
- 4. I shall not disclose to any member of the public any confidential information, acquired by virtue of my position.
- 5. As a volunteer Committee member, I have received, read and have a general understanding of the City of Hamilton Advisory Committee Procedural Handbook

Dated at City of Hamilton, in the Province of Ontario this _____ day of _____, 20____.

Applicant:

Witness:

(Must be at least 18 years if age.)

(Please Print Your Name)

(Please Print Your Name)

(Please Sign)

(Please Sign)



Hamilton

COMMITTEE MEMBER RESIGNATION FORM

I, _____, would like to submit my resignation, effective _____, 20____, from the _____, for the following reason(s):

- My circumstances have changed and I know longer have the time to effectively participate on the Committee.
- Personal reasons.
- Other (please explain briefly):

Additional Comments (optional)

Signature

Date

HAMILTON ADVISORY COMMITTEE/TASK FORCE CODE OF CONDUCT

Council has adopted this Code of Conduct for the guidance of Appointees to Advisory Committees and Task Forces providing recommendations to Standing Committees and to assist Appointees in performing their duties in a manner which will promote the public’s confidence in these Advisory Committees and Task Forces operating with integrity, transparency and courtesy.

It is recognized that the Code of Conduct cannot anticipate all possible fact situations in which Appointees may be called upon to exercise judgement as to the appropriate standard of conduct. When this occurs, Appointees are to ensure that their decisions maintain the Advisory Committee or Task Force’s integrity, transparency and courtesy.

This Code of Conduct does not apply to Members of Council who are subject to the Council Code of Conduct.

Failure to comply with this Code of Conduct may result in the Advisory Committee or Task Force:

- (1) requesting an apology from the Appointee; and/or
- (2) removing the Appointee from the Advisory Committee or Task Force for a portion or all of their term.

1. GOOD CONDUCT

Appointees shall act with honesty and integrity including:

- acting in a manner that contributes to the public’s confidence in the Advisory Committee or Task Force; and
- not engaging in conduct that may, or may appear to, constitute an abuse of their position as an Appointees.

2. MEETINGS

Appointees shall maintain proper control over meetings demonstrating respect for everyone who is involved in a proceeding.

Appointees are expected to attend all meetings of the Advisory Committee or Task Force. If an Appointee misses more than three meetings during their term, the Chair, after hearing and considering any explanation provided by the Appointee, may remove the Appointee from the Advisory Committee or Task Force for the remainder of their term.

3. COLLEGIALITY

Appointees shall respect and co-operate with other Appointees and the Advisory Committee or Task Force staff.

4. GIFTS OR BENEFITS

Appointees shall not accept a gift or benefit that may appear as being offered because they are a Appointees.

5. CONFIDENTIAL INFORMATION

Appointees shall not disclose to any member of the public any confidential information acquired by virtue of their position.

6. COMMUNICATION

Appointees should accurately communicate a recommendation or direction.

Appointees may provide their own personal opinion on a matter, provided that it is made clear to the party they are speaking to that the comments are their own and are not being made on behalf of the Committee.

Appointees may refer the media or others making inquiries to the Chair, or, in the absence of the Chair, to the Vice-Chair.