



City of Hamilton

LGBTQ ADVISORY COMMITTEE REVISED

Date: January 17, 2023

Time: 6:00 p.m.

Location: YouTube Channel Streaming for Virtual Meetings

All electronic meetings can be viewed at:

City's YouTube Channel:

<https://www.youtube.com/user/InsideCityofHamilton>

Chelsea Kirkby, Senior Project Manager, Community Safety & Well-Being (905) 546-2424 x 3539

	Pages
1. CEREMONIAL ACTIVITIES	
1.1 Land Acknowledgement	
1.2 Appointment of Chair and Vice-Chair	
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 November 22, 2022	5
4.2 December 20, 2022 - Notes	9
5. COMMUNICATIONS	
5.1 Audit, Finance and Administration Committee Report 22-016, Item 5 (b), as Amended by Council, September 28, 2022 respecting Confidential Interview Questions for the Hamilton Police Services Board Selection Committee.	11
*5.2 Multi-Purpose Community Hub for Diverse and Marginalized Communities (HSC21045)	15

6. **DELEGATION REQUESTS**
7. **CONSENT ITEMS**
8. **PUBLIC HEARINGS / DELEGATIONS**
9. **STAFF PRESENTATIONS**
10. **DISCUSSION ITEMS**
 - 10.1 Review and Feedback of the Code of Conduct for Local Boards 21
 - 10.2 Update from LGBTQ Working Groups
 - 10.2.a Changing the Name of the LGBTQ Advisory Committee
 - 10.3 Move to Hybrid Meeting Model
 - 10.4 2023 LGBTQ Advisory Committee Meeting Schedule
 - 10.5 Response to the passing of Redeemer University LGBTQIA+ student Bekett Noble
11. **MOTIONS**
12. **NOTICES OF MOTION**
13. **GENERAL INFORMATION / OTHER BUSINESS**
 - 13.1 Multi-Purpose Hub Update
 - 13.2 Rescheduling, Choosing a Location for, and Inviting Facilitators to a Committee Training and Planning Day
 - 13.3 Changing the Food for Committee Meetings
14. **PRIVATE AND CONFIDENTIAL**

14.1 Confidential Interview Questions for Hamilton Police Services Board Selection Committee (no copy)

Pursuant to Section 9.3, Sub-section (i) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-section (i) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the City or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

See Item 5.1 for additional information.

15. ADJOURNMENT



Hamilton

MINUTES

LGBTQ Advisory Committee

Tuesday, November 22, 2022

6:00 PM – 8:04 PM

Livestreamed to the City's YouTube Channel

Present: Rebecca Banky (Chair), Jake Maurice, Violetta Nikolskaya (Vice Chair), Ashley Paton (Recording Secretary), Kyle Weitz, Keston Roberts

Staff: Loren Kolar, Legislative Coordinator, Office of the Clerk
Greg Witt, Healthy and Safe Communities Division

1. WELCOME AND INTRODUCTIONS

(i) Land Acknowledgement

Violetta Nikolskaya gave the Land Acknowledgement.

2. APPROVAL OF AGENDA

The Chair advised the committee of the following changes to the agenda:

13. GENERAL INFORMATION / OTHER BUSINESS

13.2 Update respecting the Procurement Process for Third Party Facilitator to the Hamilton Police Service

(Nikolskaya/ Maurice)

That the Agenda for the November 22, 2022 meeting, be approved as amended.

CARRIED

3. DECLARATIONS OF INTEREST

No declarations of interest.

4. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

(i) July 19, 2022

(Roberts/Weitz)

That the Minutes of the July 19, 2022, be approved, as presented.

CARRIED

5. DISCUSSION ITEMS (Item 10)

(i) 2023 Budget (Item 10.1)

The Committee discussed various aspects of the Budget Submission. They discussed possible events and training sessions that might be funded in the next year.

(Nikolskaya/ Weitz)

- (a) That staff be directed to prepare an honorarium in the amount of \$200.00 for performers at a Trans Day of Remembrance (TDOR) event at Tracie's Place (592 Upper James St, Hamilton, ON L9C 2Y8), on November 20, 2022; and
- (b) That the amount be taken from the 2022 approved funds.

CARRIED

(Nikolskaya/ Weitz)

That the 2023 Budget Submission for the LGBTQ Advisory Committee, be approved.

CARRIED

(ii) Review of the 2023 Procedural Handbook for Citizen Appointees (Item 10.2)

The Committee discussed the 2023 Procedural Handbook for Citizen Appointees. Committee members were advised to send any comments directly to the Clerk's Office.

(iii) Update from LGBTQ Working Groups (Item 10.3)

- (a) Changing the Name of the LGBTQ Advisory Committee

Discussion of the item was deferred to the next meeting of the LGBTQ Advisory Committee.

(iv) Move to Hybrid Meeting Model (Item 10.4)

The Committee discussed the pros and cons of a Move to Hybrid Meets Model. The Committee will continue to meet virtually.

The agenda item will remain on the Agenda for future meetings.

(v) 2023 LGBTQ Advisory Committee Meeting Schedule (Item 10.5)

Discussion of the item was deferred to the next meeting of the LGBTQ Advisory Committee

(vi) Discussion on Committee's Executive Elections for 2023 (Item 10.6)

The Committee discussed various scenarios regarding the Election of the Chair and Vice-Chair of the Committee.

6. GENERAL INFORMATION / OTHER BUSINESS (Item 13)

- (i) Rescheduling, Choosing a Location for, and Inviting Facilitators to a Committee Training and Planning Day (Item 13.1)

Discussion of the item was deferred to the next meeting of the LGBTQ Advisory Committee

- (ii) Changing the Food for Committee Meetings (Item 13.2)

Discussion of the item was deferred to the next meeting of the LGBTQ Advisory Committee

- (iii) Update respecting the Procurement Process for Third Party Facilitator to the Hamilton Police Service (Added Item 13.3)

Violetta Nikolskaya provided advised Committee with an Update respecting the Procurement Process for Third Party Facilitator to the Hamilton Police Service.

7. ADJOURNMENT

(Weitz/Roberts)

That, there being no further business, the meeting be adjourned at 7:05 p.m.



Hamilton

NOTES

LGBTQ Advisory Committee

Tuesday, December 20, 2022

6:00 P.M.

Due to the COVID-19 and the Closure of City Hall

Electronic meeting can be viewed at:

City's YouTube Channel:

<https://www.youtube.com/user/InsideCityofHamilton>

Present: Rebecca Banky, Violetta Nikolskaya, Ashley Paton,
Gregory Cousins, James Diemert, Shaiden Keaney

Absent with
Regrets: Autumn Getty, Kyle Weitz, Jake Maurice, Kieran Thiara,
Lisa-Marie Johnston, Wil Fularczuk, Keston Roberts,
Councillor Maureen Wilson

Also Present: Jocelyn Strutt, Senior Project Manager Public
Engagement, Chelsea Kirkby, Senior Project Manager
Community Safety and Well-Being, Greg Witt, Manager
Human Services Integration

Pursuant to Section 5.4(4) of the City of Hamilton's Procedural By-law 21-021 at 6:30 P.M. the Staff Liaison to the Committee advised those in attendance that quorum had not been achieved within 30 minutes after the time set for the LGBTQ Advisory Committee, therefore, the Staff Liaison to

the Committee noted the names of those in attendance and the meeting stood adjourned.

Respectfully submitted,

Jocelyn Strutt
Senior Project Manager Public
Engagement
City Manager's Office

Audit, Finance and Administration Committee Report 22-016
Item 5 (b), as Amended by Council, September 28, 2022

5. Governance Review Sub-Committee Report 22-004 - September 9, 2022
(Item 10.5)

That Item 5 (b) (i)(1); (ii); and (v), be **amended** to reflect six (6) community representatives and **six (6)** Council representatives, as follows:

(b) Feasibility of Implementing the Recommendations from the Committee Against Racism for Changes to the Hamilton Police Services Board Selection Process (FCS22072) (City Wide) (Outstanding Business list Item) (Item 10.1)

That the Selection Process for the appointment of the one person appointed by resolution of the council to the Hamilton Police Services Board, be approved, as follows:

- (i) That By-Law 21-021, as amended, A By-Law to Govern the Proceedings of Council and Committees of Council (Procedural By-law), be amended as follows:
 - (1) That the definition of “Selection Committee”, be amended as follows:

“Selection Committee” means a Committee established by Council, comprised entirely of Members of Council, to interview and report back to Council on the appointment of citizen representatives to agencies, boards and Committees, and reports directly to Council, with the exception of the Hamilton Police Services Board Selection Committee for the recruitment of the one person appointed by resolution of council to the Hamilton Police Services Board which is comprised of six (6) community representatives and **six (6)** Council representatives with full voting privileges.
- (ii) That the Hamilton Police Services Board Selection Committee for the recruitment of one person appointed by resolution of council to the Hamilton Police Services Board, be comprised of the **six (6)** members of Council and six (6) community representatives;
- (iii) That the Committee Against Racism and the Hamilton Anti-Racism Resource Centre (HARRC) recommend the appointment of the six (6) community representatives on the Hamilton Police Services Board Selection Committee for the recruitment of one person appointed by resolution of council to the Hamilton Police Services Board for the 2022-2026 term of Council for Council’s consideration;

- (iv) That the six (6) community representatives appointed to the Hamilton Police Services Board Selection Committee for the recruitment of one person appointed by resolution of council to the Hamilton Police Services Board, be required to complete and adhere to a confidentiality agreement as well as the Code of Conduct for Local Boards.
- (v) That the Corporate Policy - Hamilton City Council - Appointment of Citizens to the City's Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees, be amended, to add a new sub-section 14 as follows, renumbering the remaining sub-sections accordingly:

Selection Process for the one Citizen Appointment to the Hamilton Police Services Board

- 14. **Six (6)** members of Council and six (6) community representatives are appointed to the Hamilton Police Services Board Selection Committee whose mandate will be to:
 - (i) Review applications for the one citizen appointment to the Hamilton Police Services Board;
 - (ii) Shortlist the applicants with assistance of staff, where appropriate, based on the applicant information provided;
 - (iii) Request that the Hamilton Police Service as well as the following Advisory Committees submit confidential interview questions:
 - (a) Hamilton Women and Gender Equity Advisory Committee
 - (b) Indigenous Advisory Committee
 - (c) LGBTQ Advisory Committee
 - (d) Committee Against Racism Advisory Committee
 - (e) Advisory Committee for Persons with Disabilities
 - (iv) Interview applicants who have met the criteria (below), ensuring that they are not ineligible (below) and who have provided confirmation of compliance with the City's Mandatory COVID-19 Vaccination Verification Policy;

Preference will be given to applicants who meet the following criteria:

- a resident of, or owner of a business in, the City;
- an owner or tenant of land in the City, or the spouse of such a person;
- a Canadian citizen, at least 18 years of age;
- not a member of the Legislative Assembly, the Senate, House of Commons, or an elected official of the City;
- not a Crown employee, nor an employee of a municipality;
- not otherwise disqualified from holding office or voting;
- of good character (applicants will be required to provide authorization to the Police Service to conduct a comprehensive background check);
- a demonstrated history of community service i.e., previous experience on Boards or Committees;
- able to devote up to 20 to 25 hours per month to Police Board matters, including availability during normal business hours;
- skills or leadership in a business or a profession, which demonstrates ability to work effectively as a member of the Board; and,
- specific knowledge, training, education or experience, which may be an asset to the Board.

The following persons are ineligible to be a citizen appointee to the Board:

- a member of City Council;
- an employee of the City of Hamilton;
- a Judge or a Justice of the Peace;
- a police officer; or,
- a person who practices criminal law as a defence counsel.

- (v) Submit two (2) preferred candidate(s) to Council for consideration for the appointment of one person to the Hamilton Police Services Board.



INFORMATION REPORT

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	December 8, 2021
SUBJECT/REPORT NO:	Multi-Purpose Community Hub for Diverse and Marginalized Communities (HSC21045) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Jennifer Hohol (905) 546-2424 Ext. 7857
SUBMITTED BY:	Grace Mater General Manager, Healthy and Safe Communities Department
SIGNATURE:	

COUNCIL DIRECTION

The General Issues Committee at its meeting of November 6, 2019 approved the following:

- (a) That staff be directed to convene with residents, community groups and organizations engaged in serving equity-seeking communities that are interested in collaborating to develop a business case for a multi-purpose community hub;
- (b) That the multi-purpose community hub aims to strengthen community capacity, resilience and responsiveness to address safer space, programming and service needs and gaps for historically marginalized communities; and,
- (c) That the business case for the creation of a “hub” include viable locations, possible sustainable funding sources, and a multi-year operation plan and report back to the General Issues Committee in Q2 2020 for review and consideration.

INFORMATION

Following direction from the General Issues Committee at its meeting of November 6, 2019, staff connected with residents, community groups and organizations engaged in

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SUBJECT: Multi-Purpose Community Hub for Diverse and Marginalized Communities (HSC21045) (City Wide) - Page 2 of 5

serving equity-seeking communities that were interested in collaborating to develop a business case for a multi-purpose community hub. Engagement took place through in person conversations and an online survey.

In early 2020 prior to completing the consultation process, staff working on this portfolio were redeployed to support the City of Hamilton's COVID-19 response efforts placing this work on hold.

Though there has been significant change in the community since the initial engagement took place, it is still believed that a phased approach to implementation must be taken to create a multi-purpose community hub that is one day able to meet the needs of all equity seeking communities. As a first step towards this goal, staff will focus on two specific actions: the creation of a community hub for 2SLGBTQ+ communities and increasing access to meeting space for all equity seeking communities. 2SLGBTQ+ communities must be re-engaged to inform the details of a business case for a future community hub.

Community Engagement

In November 2019, staff began engagement with individuals, community groups and organizations supporting equity-seeking communities. Engagement focused on listening to the space and service needs of communities as well as asking what a safe space looks like for them and their communities.

Staff conducted conversations with:

- all delegates at the General Issues Committee on November 6, 2019 to speak to the motion;
- individuals who expressed interested in the motion;
- community advocates;
- Councillors;
- City of Hamilton and community committees including the LGBTQ Advisory Committee, Advisory Committee for Immigrants and Refugees, Hamilton Immigration Partnership Council, Youth Steering Committee, Sudanese Youth Group;
- community organizations including the John Howard Society, Immigrant Working Centre, Hamilton Centre for Civic Inclusion, Spectrum, Hamilton Legal Clinic, SACHA;
- City staff including Xperience Annex Youth Engagers and Urban Indigenous Strategy Project Managers; and,
- a site visit to The 519 in Toronto.

To seek additional feedback, a survey was also made available online between January 15th, 2020 and March 13th, 2020. During this time, 56 surveys were completed. The survey asked community members to provide insight into what programs and services

SUBJECT: Multi-Purpose Community Hub for Diverse and Marginalized Communities (HSC21045) (City Wide) - Page 3 of 5

should to be part of a community hub, where the hub should be located and what needs to be done to ensure the hub embodies a safe space.

Outcomes of Community Engagement

Initial community engagement efforts provided important insights as to what a multi-purpose community hub might look like in Hamilton. Though there were varying perspectives, the one consistent message heard from all communities is the need for meeting space - a place for people to come together, an opportunity to share ideas and a space for celebration.

Other themes from the community conversations included:

- Differences in needs for meeting space varying in size to accommodate 10 to 200 people;
- Varied amenities needed to support community activities including offices, large and small meeting spaces, kitchens, gymnasiums and large event spaces;
- The main barriers to securing meeting space are difficulty in finding event appropriate space and associated costs;
- Need for online space for some communities to effectively communicate to members about available programs, services or events;
- A range of health and human service needs were identified with a clear absence of space and services for 2SLGBTQ+ communities;
- Some communities expressed coming from an environment where gender choice is regulated by law and will not visit space that has 2SLGBTQ+ supported services, staff recognize there may be a hidden intersectionality;
- Equity seeking communities are not limited to a single location within the city;
- Discomfort from some equity seeking communities in attending programming offered within government operated spaces; and
- Any future community hub should be designed, driven, planned and governed by the community members it serves.

Where the motion infers a shared single location for all equity seeking communities to utilize, initial engagement brought awareness that not all equity seeking communities are comfortable sharing the same space.

It is important to note that it has been almost two years since community engagement took place. It will be critical for staff to reconnect with those who were involved in the initial conversations as well as welcome new voices to see if anything has changed over this time or if new needs have come forward as a result of the pandemic.

Development of a Business Case for a Multi-Purpose Community Hub

Though there has been significant change in the community since the initial engagement took place, it is still believed that a phased approach to implementation

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SUBJECT: Multi-Purpose Community Hub for Diverse and Marginalized Communities (HSC21045) (City Wide) - Page 4 of 5

must be taken to create a multi-purpose community hub that is one day able to meet the needs of all equity seeking communities.

As a first step towards this goal, staff will focus on two specific actions: the creation of a community hub for 2SLGBTQ+ communities and funding for meeting space for all equity seeking communities. By starting with these two actions, the City will be offering support in response to the immediate needs of equity seeking communities while still being able to learn how communities use space across Hamilton. These learnings will be used to make informed decisions on future development and expansion of community hubs in Hamilton.

1) Creation of a Community Hub for 2SLGBTQ+ Communities

Due to the absence of space and services specific to the 2SLGBTQ+ communities in Hamilton, staff will focus on exploring the development of a single community hub to serve 2SLGBTQ+ communities. Understanding the need to first build a sense of community, sites for this hub will be investigated that provide a space to gather focused on supporting conversations within the community in an inviting atmosphere. From community consultation and review of other hub models, it is envisioned that the hub will grow offering programs and services based on the use of the space and needs that are brought forward by the communities. Many space requirements were captured through the initial community engagement to inform the development of a business case as per the motion. It is unknown if these needs are still accurate two years post-engagement or if they have changed as a result of the pandemic. Reconnecting with community members will be essential to understand their current needs.

2) Funding to Support Meeting Space

Unlike the 2SLGBTQ+ community, there are community partners who provide a range of services for other equity seeking communities, such as newcomers to Hamilton, however, there is a lack of ability to find and fund space for meeting, gathering and celebrating. To improve access to community space, a list of rentable spaces across the city and relevant information on each space will be developed. Where financial barriers exist, staff are investigating the feasibility of establishing a funding pot to help eliminate financial pressures. By supporting equity seeking communities in finding, securing and paying for space, the City will be able to continue to engage on their needs. The size, type, frequency and cost of requests for space will be tracked to inform development of future community hub spaces, services and resources. Opportunities for online space will also be investigated to support communities in effectively communicating to members information on available programs, services or events in Hamilton.

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SUBJECT: Multi-Purpose Community Hub for Diverse and Marginalized Communities (HSC21045) (City Wide) - Page 5 of 5

Next Steps

The community engagement that was completed prior to COVID-19 was just a small representation of the voices from equity-seeking communities across Hamilton. Despite this, it was clearly heard through engagement that any future space should be designed, driven, planned and governed by the community members it serves. To address the entirety of the motion, a third-party will be engaged to facilitate the development of a business case by 2SLGBTQ+ communities for the creation of a community hub for 2SLGBTQ+ communities. As per the motion, the business case will include viable locations, sustainable funding sources and multi-year operational plans. City staff will act as a support role to the communities should they require any assistance in the development of the business case. The business case will also identify meeting locations, booking information, funding support and booking criteria available for all equity seeking communities that will be complied by City staff. Updates on this work will continue to be brought forward throughout 2022.

Looking forward, the City will continue to support the development of future community hubs through facilitating the partnerships needed for equity seeking groups to secure space, build leadership capacity and connect to services in Hamilton.

APPENDICES AND SCHEDULES ATTACHED

None

Authority: Item,
Report (FSC21081 (A))
CM:
Ward: City Wide

Bill No.

**CITY OF HAMILTON
BY-LAW NO.**

To ESTABLISH A CODE OF CONDUCT FOR LOCAL BOARDS

WHEREAS sections 8, 9 and 10 of the Municipal Act, 2001 authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes; and

WHEREAS subsection 223.2(1) of the Municipal Act, 2001 requires the City of Hamilton to establish a code of conduct for members of its local boards;

NOW THEREFORE the Council of the City of Hamilton enacts the following Code of Conduct for Local Boards:

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The Code of Conduct for Local Boards shall be as set forth in Schedule 1 to this By-law.
2. This By-law comes into force on the day it is passed.

PASSED this _____, 2022.

F. Eisenberger
Mayor

Andrea Holland
City Clerk

Schedule 1

CITY OF HAMILTON CODE OF CONDUCT FOR LOCAL BOARDS

Part 1

General Introduction, Framework, and Interpretation
Guiding Principles

- 1: Avoidance of Conflicts of Interest
- 2: Gifts, Benefits and Hospitality
- 3: Confidential Information
- 4: Use of City Resources
- 5: Election Campaigns
- 6: Improper Use of Influence
- 7: Business Relations
- 8: Member Conduct
- 9: Media Communications
- 10: Respect for the Town By-laws and Policies
- 11: Respectful Workplace
- 12: Conduct Respecting Staff
- 13: Reprisals and Obstructing
- 14: Acting on Advice of Integrity Commissioner

Part 2

Adjudicative Boards

- 15: Additional Requirements for Members of Adjudicative Boards
- 16: Communications with Parties
- 17: Independent Nature of Adjudicative Tribunals

Part 3

Complaint Protocol

Consequences of Failure to Adhere to Code of Conduct

Part 1

General Introduction, Framework, and Interpretation

This document is a Code of Conduct for members of Local Boards, both adjudicative and non-adjudicative. Local Boards, sometimes referred to as committees or tribunals, are as defined in s.223.1 of the Municipal Act and as identified by the municipality.

This Code of Conduct is to be given broad, liberal interpretation in accordance with applicable legislation and the definitions set out herein. Commentary in this Code is illustrative and not exhaustive.

Members shall seek to serve the public interest by upholding both the letter of the law and the spirit of the laws and policies established by the Federal parliament, Ontario legislature, and by City Council. The provisions of this Code are intended to be applied in concert with existing legislation and go beyond the minimum standards of behaviour set out in current federal and provincial statutes.

Guiding Principles

Members shall act with honesty and integrity, serving in a diligent manner, and performing their duties in a manner which promotes public confidence.

Members are expected to perform their duties as a member of the Local Board and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny.

Members shall serve the public in a conscientious and diligent manner.

Members should be committed to performing their functions with integrity, impartiality and transparency.

Members shall perform their duties in office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny.

There is a benefit to municipalities when Members have a broad range of knowledge and continue to be active in their own communities, whether in business, in the practice of a profession, in community associations, and otherwise.

Definitions:

"Adjudicative Board" means a Local Board that functions as a tribunal

"Council" means the Council of the City of Hamilton

"Family" includes "child", "parent" and "spouse" as those terms are defined in the *Municipal Conflict of Interest Act*, and also includes

- step-child and grand-child;
- siblings and step-siblings;

- aunt/uncle, and niece/nephew
- in-laws, including mother/father, sister/brother, daughter/son
- any person who lives with the Member on a permanent basis.

"Local Board" means a Local Board as defined in s.223.1 of the *Municipal Act*, or s. 1 of the *Municipal Conflict of Interest Act*, and includes citizen advisory committees and other bodies established by Council whose members are appointed by Council;

"Member" means a member of a City of Hamilton Local Board;

"Staff" includes employees, seasonal and contract workers, and volunteers of the City of Hamilton and/or of a City of Hamilton Local Board;

Rule 1: Avoidance of Conflicts of Interest

In this Rule:

1. A disqualifying interest is an interest in a matter regarding which a reasonable person fully informed of the facts and circumstances would conclude that the Member could not participate impartially in the decision-making process related to the matter either because to do so would not be in compliance with the Municipal Conflict of Interest Act, or, because the Member's relationship to persons or bodies involved in the matter or affected by the decision is so close, a reasonable person would conclude that the Member could not effectively carry out their public duty with impartiality.

2. A non-disqualifying interest is an interest in a matter that, by virtue of the relationship between the Member and other persons or bodies associated with the matter, is of such a nature that a reasonable person fully informed of the facts and circumstances would conclude that the Member could still participate impartially in the decision-making processes related to the matter only so long as:

The Member fully discloses the interest so as to provide transparency about the relationship; and

The Member states why the interest does not prevent the Member from making an impartial decision on the matter.

3. Members shall not participate in the decision-making processes associated with their role or position when they have a disqualifying interest in a matter. Participation includes attempting to influence an outcome, whether the decision to be made is to be made by the Local Board or a member of staff with delegated authority or operational responsibility.

4. Members may participate in the decision-making process related to a matter in which they have a non-disqualifying interest provided they file at their earliest opportunity a Transparency Disclosure in a form and manner established by the City Clerk acting in consultation with the Integrity Commissioner.

5. Members shall avoid participating in or influencing a proceeding when the member, or another person with whom the member has a close personal or professional relationship, has a financial or other private interest that may be affected by the proceeding or its outcome.
6. Members shall not appear before their Local Board on their own behalf or as a representative on behalf of any party.
7. Members shall not contract with the Local Board for the sale, rental or purchase of supplies, services, material or equipment, and shall not engage in the management of a business or otherwise profit directly or indirectly from a business that relies on an approval from the Local Board.

Commentary

Members of BIAs will frequently have an interest in common with other members of the BIA in matters that come before the Board, and as such would be exempted from the obligation to declare a disqualifying interest. Care should be taken however to recognize the existence of a disqualifying interest when the Member stands to gain or otherwise benefit in a manner that can be differentiated from others in the BIA. For example, while all members of the BIA would similarly benefit from the holding of a festival, any BIA member who supplies goods or services to the festival at a profit or loss would have a disqualifying interest in the event. The display of merchandise or the promotion of services at an event would not amount to a disqualifying interest.

Where a Member contributes to an event 'at cost', a disqualifying interest would not arise.

Rule 2: Gifts, Benefits and Hospitality

No Member shall accept any fee, gift or benefit that is connected, directly or indirectly, with the performance of the Member's duties, except as permitted by one or more of the exceptions listed below:

- compensation authorized by law;
- such gifts or benefits that can be considered incidental mementos or tokens of appreciation

Rule 3: Confidential Information

Confidential information includes any discussion that takes place between members of the Local Board when it is in a closed meeting; and includes information in the possession of, or received in confidence by, that the board or the City is either prohibited from disclosing, or is required to refuse to disclose, under the *Municipal Freedom of Information and Protection of Privacy Act* ("MFIPPA").

No Member shall disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except when required by law, or authorized to do so by the Local Board or, if applicable, by Council.

No Member shall use confidential information for personal or private gain, or for the gain of relatives or any person or corporation, either directly or indirectly.

Rule 4: Use of City Resources

No Member should use municipal equipment , or permit the use of Local Board or City land, facilities, equipment, supplies, services, staff or other resources (for example, Local Board or City-owned materials, websites, Local Board and City transportation delivery services,) for activities other than the business of the Local Board or the City; nor should any member obtain personal financial gain from the use or sale of Local Board or City-developed information, intellectual property (for example, inventions, creative writings and drawings), computer programs, technical innovations, or other items capable of being patented, since all such property remains exclusively that of the Local Board or City.

Rule 5: Election Campaigns

No member, while identifying themselves as a member of a Local Board, shall undertake any election campaign or election-related activities or work on, fund-raise, endorse or otherwise contribute to the election campaign of any person running in the municipal election for the municipality where the member serves on the Local Board.

Rule 6: Improper Use of Influence

No member shall use the influence of his or her position for any purpose other than the duties as a member of the Local Board.

Rule 7: Business Relations

No member shall allow the prospect of future employment by a person or entity to affect the performance of his/her duties as a member of the Local Board.

Rule 8: Member Conduct

Members shall conduct themselves with decorum at all times.

Members shall maintain proper control over meetings demonstrating respect for everyone who is involved in the meeting.

Members are expected to attend all meetings of the Local Board. If a member misses more than three consecutive (3) meetings during their term, the Chair, after hearing and considering any explanation provided by the member, may ask the member to resign, or request that Council remove the member.

Commentary

Members recognize the importance of cooperation and shall endeavour to create an atmosphere that is conducive to solving the issues before the Board, listening to various points of view and using respectful language and behaviour in relation to all those in attendance.

Rule 9: Media Communications

Members shall accurately communicate recommendations and proceedings of their Local Board.

If a member is contacted directly by the media, the member should refer the media to the Chair, or in the absence of the Chair, to the Vice-Chair.

Commentary

A Member may state that they did not support a decision, or voted against the decision, however a Member must refrain from making disparaging comments about other Members or staff, or about the Board's processes and decisions, in doing so.

When communicating with the media, a Member should at all times refrain from speculating or reflecting upon the motives of other Members in respect of their actions on the Board.

Members who engage in social media should recognize that the rules around decorum and respect apply regardless of the communications medium used. Because social media posts attract participation by others, Members hosting such sites or accounts should consider articulating and posting their own policy of addressing how frequently they will monitor the site for the purpose of identifying and removing disparaging, abusive or hateful comments.

Rule 10: Respect for the Town By-laws and Policies

Members shall adhere to and encourage public respect for the Local Board, the municipality and its by-laws, policies and procedures.

Commentary

A Member must not encourage disobedience of a City by-law in responding to a member of the public, as this undermines confidence in the City and in the Rule of Law.

Rule 11: Respectful Workplace

Members are governed by the workplace harassment and workplace violence policies in place for staff, recognizing that integrity commissioner is responsible for the administration and investigation of complaints.

All Members have a duty to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation and to ensure that their work environment is free from discrimination and harassment.

Rule 12: Conduct Respecting Staff

Members shall be respectful of the role of staff to advise based on political neutrality.

Members shall respect the professionalism of staff, and not exert undue influence on staff.

No Member shall maliciously or falsely impugn or injure the professional or ethical reputation or the prospects or practice of staff, and all Members shall show respect for the professional capacities of the staff of the City.

Commentary

It is inappropriate for a Member to attempt to influence staff to circumvent normal processes in a matter, or overlook deficiencies in a file or application. It is also

inappropriate for Members to involve themselves in matters of administration or departmental management which fall within the jurisdiction of the City Manager.

Rule 13: Reprisals and Obstructing

It is a violation of this Code of Conduct to obstruct the Integrity Commissioner in the carrying out of their responsibilities, or to engage in any activity in retaliation against any person because they made a complaint to or otherwise communicated with the Integrity Commissioner.

Rule 14: Acting on Advice of Integrity Commissioner

Any written advice given by the Integrity Commissioner to a Member binds the Integrity Commissioner in any subsequent consideration of the conduct of the Member in the same matter, as long as all the relevant facts known to the Member were disclosed to the Integrity Commissioner.

Members seeking clarification of any part of this *Code* should consult with the Integrity Commissioner.

Part 2

ADDITIONAL REQUIREMENTS APPLICABLE TO MEMBERS OF ADJUDICATIVE LOCAL BOARDS

Rule 15: In addition to the provisions applicable to Members of Non-adjudicative Local Boards, the following additional requirements are applicable with respect to the referenced rule:

Rule 2: Gifts, Benefits and Hospitality

Members should recuse themselves from any hearing, to avoid any perception of bias or conflict of interest which may arise as a result of a gift, benefit or hospitality which the Member may have received, from any of the parties or participants potentially affected by the decision of the Local Board.

Rule 5: Election Campaigns

Members of Adjudicative Local Boards are prohibited from fundraising for, endorsing, or otherwise contributing to the election campaign of any person running for a seat on Council.

Rule 9: Media Communications

Members of adjudicative boards should generally not comment to the media in relation to any decision made by the board or the rationale behind such decision. On the rare occasion when a comment may be appropriate, only the Chair shall serve as a media contact and all enquiries shall be referred to them.

Rule 16: Communications with Parties

Written communication to an adjudicative board shall take place only through the Secretary of the board or the appropriate municipal staff assigned to such board, and shall be copied to all

parties or their representatives as appropriate. Oral communications with the adjudicative board about current proceedings shall take place only in the presence of or with the consent of all parties.

Where a party is represented by a representative, all communication between the adjudicative board and the party shall be through the representative, with the exception of notices of hearing, which shall be served upon all parties and their representatives known to the adjudicative board as appropriate.

Rule 17: Independent Nature of Adjudicative Boards

The Chairs of adjudicative boards should ensure that the actions of any member, as well as Council members and staff attending adjudicative board meetings, are consistent with the arm's-length, quasi-judicial nature of the adjudicative board. Any actions compromising this position should be immediately dealt with by the Chair or panel chair.

An adjudicative board is required by the applicable laws to operate at arm's-length from and independently of Council. Members should therefore not request members of Council to intervene on applications considered by the adjudicative board. Members should refrain from seeking advice on their roles and responsibilities from Council members. In clarifying their roles and responsibilities, members should seek advice from appropriate staff.

Part 3

COMPLAINT PROTOCOL

The Complaint Protocol contained in the Council Code of Conduct applies with necessary modifications to complaints regarding members of Local Boards.

CONSEQUENCES OF FAILURE TO ADHERE TO CODE OF CONDUCT

Members who are found by the Integrity Commissioner to have failed to comply with the Code of Conduct for Local Boards may be subject to the following sanctions:

- (a) a reprimand; or
- (b) suspension of remuneration paid to the member in respect of his or her services as a member of the Local Board (if any).

Members may also be subject to such other remedial actions recommended by the Integrity Commissioner that directly flow from the action or behaviour of the member of the Local Board.

Members are subject to removal from the Local Board, or removal as Chair of the Local Board, by Council.

