



City of Hamilton

CITY COUNCIL ADDENDUM

23-007

Wednesday, April 12, 2023, 9:30 A.M.

Council Chambers

Hamilton City Hall

71 Main Street West

6. COMMITTEE REPORTS

*6.8 Selection Committee Report 23-001 - April 11, 2023

8. NOTICES OF MOTIONS

*8.1 Amendment to City of Hamilton By-law 14-212, To Promote the Conservation and Sustainable Use of Woodlands on Private Property within the Urban Boundary of the City of Hamilton

11. PRIVATE AND CONFIDENTIAL

- *11.3 Amendment to Item 3.1 of the March 9, 2023 Council Minutes Respecting Privileged Solicitor-Client Regulatory Update (LS21012(c)) (City Wide)

Pursuant to Section 9.3, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

12. BY-LAWS AND CONFIRMING BY-LAW

- *12.9 063

To Amend By-law No. 21-021, A By-law to Govern the Proceedings of City Council and Committees of Council

Ward: City Wide

- *12.10 064

To Amend By-law No. 21-021, A By-law to Govern the Proceedings of City Council and Committees of Council, To Establish a Long-Term Care Homes Committee of Management for the City of Hamilton

Ward: City Wide



Hamilton

**SELECTION COMMITTEE
REPORT 23-001
9:30 a.m.
Tuesday, April 11, 2023
Council Chambers, 2nd Floor
City Hall**

Present: Councillors C. Cassar (Chair); B. Clark, T. Jackson, C. Kroetsch, N. Nann, M. Tadeson, A. Wilson, and M. Wilson

**Absent with
Regrets:** Councillor M. Francis

**THE SELECTION COMMITTEE FOR AGENCIES, BOARDS AND SUB-COMMITTEES
PRESENTS REPORT 23-001 AND RESPECTFULLY RECOMMENDS:**

- 1. APPOINTMENT OF VICE-CHAIR FOR 2022-2023 (Item 1)**
 - (a) That Councillor C. Cassar be appointed as Chair of the Selection Committee for Agencies, Boards and Sub-Committee for 2023-2024; and
 - (b) That Councillor M. Tadeson be appointed as Vice-Chair of the Selection Committee for Agencies, Boards and Sub-Committee for 2023-2024.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

The agenda for the April 11, 2023 meeting of the Selection Committee be approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) June 2, 2022 (Item 4.1)

The Minutes of June 2, 2022 were approved, as presented.

CARRIED

(d) PRIVATE & CONFIDENTIAL (Item 4)

The Committee deemed that a Closed Session discussion of Item 5.1 was not required, and approved the following in Open Session:

(i) Closed Session Minutes – June 2, 2023 (Item 5.1)

The Closed Session Minutes dated June 2, 2023 were approved, as presented, and remain confidential.

The Committee deemed that a Closed Session Discussion of Item 5.2(a), Selection Process Guide, and 5.2(b), Screening Template Guideline be held in open session.

(ii) Inclusion, Diversity, Equity, Accessibility Training for Members of the Selection Committee (Item 5.2)

The Presentation respecting the Inclusion, Diversity, Equity, Accessibility Training for Members of the Selection Committee, was received.

The Committee moved into Closed Session for Items 5.2(c) the Interview Guide and 5.2(d), IDEA Interview Scoring Rubric included in the Inclusion, Diversity, Equity, Accessibility Training for Members of the Selection Committee, Pursuant to Section 9.3 sub-section (i) of the City's Procedural By-law 21-021, as amended, and Section 239(3.1) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to 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;

(ii) Inclusion, Diversity, Equity, Accessibility Training for Members of the Selection Committee (Item 5.2)

Staff were provided with direction in Closed Session.

(e) ADJOURNMENT (Item 5)

There being no further business, the Selection Committee adjourned at 11:54 a.m.

CARRIED

Respectfully submitted,

Councillor C. Cassar, Chair
Selection Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk

CITY OF HAMILTON

NOTICE OF MOTION

City Council: April 12, 2023

MOVED BY COUNCILLOR M. TADESON.....

Amendment to City of Hamilton By-law 14-212, To Promote the Conservation and Sustainable Use of Woodlands on Private Property within the Urban Boundary of the City of Hamilton

WHEREAS the City of Hamilton has declared a Climate Change Emergency and trees play an important role in the adaptation and mitigation of Climate Change;

WHEREAS the City of Hamilton Urban Official Plan recognizes the importance of trees and woodlands to the health and quality of life in our communities and encourages the protection and restoration of trees and forests;

WHEREAS through the public consultation on the draft Urban Forest Strategy, the residents of Hamilton indicated that better protection for private trees, especially during development, was considered very important and that the City of Hamilton should do more to protect individual trees or groupings of trees that are not regulated by the current Woodlands By-laws; and

WHEREAS it is important to protect trees within future development areas until such time as Secondary Plans, including the identification of Natural Heritage Systems, have been prepared and adopted by Council;

THEREFORE BE IT RESOLVED:

- (a) That staff report back to Planning Committee with recommendations on how existing by-laws could be amended to provide protection to trees in the newly expanded urban boundary areas, and within the lands removed by the Province from the Greenbelt; and
- (b) That additional staffing or resourcing needs required to implement and enforce the amended by-law be included in the report.

Authority: Item 6(a)(v)(3), Audit, Finance and Administration Committee Report 23-005 (Governance Review Sub-Committee Report 23-001)
CM: April 12, 2022
Ward: City Wide

Bill No. 063

CITY OF HAMILTON

BY-LAW NO. 23-

To Amend By-law No. 21-021, A By-law to Govern the Proceedings of Council and Committees of Council

WHEREAS Council enacted a Council Procedural By-law being City of Hamilton By-law No. 21-021;

AND WHEREAS it is necessary to amend By-law 21-021.

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

1. That By-law 21-021, A By-Law To Govern The Proceedings of Council and Committees of Council, as Amended, be **amended** to reflect the Board of Health Standing Committee's name change to the Public Health Committee, as follows:
 - (i) the Board of Health Terms of Reference (Appendix 'B' to By-law 21-021, as amended), be **amended**, as follows:
 - (a) Title: Public Health Committee
 - (b) Composition: The Public Health Committee shall be comprised of all 16 members of Council
 - (c) Specific duties shall include:
 - To consider recommendations of any Sub-Committees and/or Task Forces which report directly to the Public Health Committee
 - To consider Citizen Committee Report recommendations of any Advisory Committee which reports directly to the Public Health Committee

(ii) Section 5.1 "Standing Committees" be **amended**, as follows:

5.1 Standing Committees

The Standing Committees that report directly to Council shall be as follows:

- (b) Public Health Committee

- (iii) Section 5.2 “Appointment of Committee Chairs and Vice Chairs” be **amended**, as follows:

5.2 Appointment of Committee Chairs and Vice Chairs

(2) Despite subsections 5.2(1)(a) and (b):

(a) the Mayor shall stand as Chair for the term of Council for the Public Health Committee; and

(3) The Public Health Committee shall recommend to Council the appointment of a Vice Chair in accordance with 5.2(1). Despite subsection 5.2(1)(a) and (b), the Vice Chair shall stand as Vice Chair for the term of Council for the Public Health Committee.

- (iv) Section 5.3 “Standing Committee Membership” be **amended**, as follows:

5.3 Standing Committee Membership

(1) General Issues Committee and Public Health Committee shall be comprised of all Members of Council.

(6) Each Member of Council shall sit on a minimum of 2 Standing Committees, in addition to the Public Health Committee and General Issues Committee.

- (v) Section 5.6 “Standing Committee Meeting Times” be **amended**, as follows:

5.6 Standing Committee Meeting Times

(1) Unless otherwise decided by Council, scheduled meetings of the Standing Committees will be as follows:

(a) (ii) Public Health Committee shall meet at least once per month commencing at 9:30 a.m.;

2. That By-law 21-021, A By-Law To Govern The Proceedings of Council and Committees of Council, as Amended, be **amended** to confirm applicability of the Procedure By-law when Council operates and functions as the Board of Health for the City of Hamilton, as follows:

- (i) Section 3 “Council Meetings” be **amended** by adding the following new sub-section 3.15 “Board of Health Meetings” and renumbering the remaining sub-sections accordingly:

3.15 Board of Health Meetings

Where Council is exercising the jurisdiction of a Board of Health under the *Health Protection and Promotion Act, 1990*:

- (a) Council shall meet as necessary to complete such business as would normally be completed by a Board of Health and as required pursuant to the *Health Protection and Promotion Act, 1990* and its Regulations, any Public Health Standards published by the Minister, and any other applicable law including municipal by-laws and policies governing a Board or Health; and
 - (b) the Mayor and Clerk are authorized, upon approval by Council operating as a Board of Health, to sign any necessary resolutions.
- 3. The amendments in this By-law include any necessary indexing, grammatical, numbering and lettering changes.
 - 4. This By-law come into force on the day it is passed.

PASSED this 12th day of April, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

Authority: Item 6 (v), Audit, Finance and
Administration Committee
Report 23-005
CM: April 12, 2023
Ward: City Wide
Bill No. 064

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

To Amend By-law No. 21-021, A By-law to Govern the Proceedings of City Council and Committees of Council, To Establish a Long-Term Care Homes Committee of Management for the City of Hamilton

WHEREAS the City of Hamilton currently operates two long-term care homes and Provincial legislation requires that a municipality operating one of more long-term care homes must have a Committee of Management comprised of elected members of City Council;

AND WHEREAS the *Fixing Long-Term Care Act, 2021* and its associated regulation, O. Reg. 246/22 introduced new mandatory screening measures that members of a Long-Term Care Committee of Management must successfully complete to become a member;

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

1. That By-law 21-021 be amended by amending Appendix “E” by repealing and replacing the paragraph under “Composition” with the following:

The Emergency & Community Service Committee shall also be the Committee of Management for Long-Term Care Homes and shall be comprised of a minimum of 7 members of Council, plus the Mayor as ex-officio, who have met the eligibility criteria under the *Fixing Long-Term Care Act, 2021*, S.O. 2021, c. 39, Sched. 1, as amended or replaced.

2. That By-law 21-021 be amended by adding the following at the bottom of Appendix “E” under “*Specific duties shall include*”:
 - the governance and the management of the City’s Long-Term Care Homes as the Committee of Management for Long Term Care Homes
3. That By-law 21-021 be amended by repealing and replacing the fifth bullet under *General*, to read as follows:
 - Long-Term Care Homes: Macassa Lodge and Wentworth Lodge

4. That in all other respects, By-law 21-021 is confirmed; and
5. The provisions of this By-law shall become effective on the date approved by City Council.

PASSED this 12th day of April, 2023.

A. Horwath
Mayor

A. Holland
City Clerk