



City of Hamilton

GOVERNANCE REVIEW SUB-COMMITTEE REVISED

Meeting #: 23-002

Date: May 25, 2023

Time: 11:00 a.m.

Location: Room 264, 2nd Floor, City Hall (hybrid) (RM)
71 Main Street West

Tamara Bates, Legislative Coordinator (905) 546-2424 ext. 4102

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 March 27, 2023

5. COMMUNICATIONS

6. DELEGATION REQUESTS

7. DELEGATIONS

8. STAFF PRESENTATIONS

9. CONSENT ITEMS

9.1 Feedback from the Advisory Committees on the Code of Code of Conduct for Local Boards (FCS23032(a))

10. DISCUSSION ITEMS

- 10.1 Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards (FCS23034(a))

11. MOTIONS

- 11.1 Use of Electronic Devices During Closed Meetings

12. NOTICES OF MOTION

- *12.1 Major Efficiency Improvements to the Council Calendar for 2024

13. GENERAL INFORMATION / OTHER BUSINESS

- 13.1 Amendments to the Outstanding Business List

13.1.a Items Considered Completed and to be Removed

- 13.1.a.a Code of Conduct and Conflict of Interest Education and Communications (HUR22011(a)/CM22018(a)) (City Wide)

Item on OBL 22-E

Addressed as Item 10.5 on the March 27, 2023 agenda.

- 13.1.a.b Integrity Commissioner and Lobbyist Registrar Contract (FCS22074) (City Wide)

Item on OBL: 22-D

Addressed as Item 10.6 on the March 27, 2023 agenda

- 13.1.a.c Mandatory COVID-19 Vaccination Verification Policy for Members of Council and Members of Council Appointed Committees (FCS22016 / HR22010) (City Wide)

Item on OBL: 22-C

Addressed as Item 4 on the September 9, 2022 agenda.

- 13.1.a.d Feedback from the Advisory Committees on the Code of Conduct for Local Boards (FCS23032)

Item on OBL: 23-A

Addressed as Item 9.1 on today's meeting

- 13.1.a.e Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards (FCS23034)

Item on OBL: 23-B

Addressed as Item 10.1 on today's agenda

Members of the public can contact the Clerk's Office to acquire the documents considered at this meeting, in an alternative format.

14. PRIVATE AND CONFIDENTIAL

15. ADJOURNMENT



Hamilton

**GOVERNANCE REVIEW SUB-COMMITTEE
MINUTES 23-001
Monday, March 27, 2023
1:30 p.m.
Council Chambers
Hamilton City Hall**

Present: Councillors T. Hwang (Chair), B. Clark, J.P. Danko, C. Kroetsch, N. Nann, and M. Wilson

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

1. Appointment of Chair and Vice-Chair

(Kroetsch/M. Wilson)

- (a) That Councillor Tammy Hwang be appointed Chair of the Governance Review Committee for 2022-2026.

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

YES - Councillor Brad Clark
YES - Councillor J.P. Danko
YES - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch
YES - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

For further disposition of this matter, refer to Item (a)(i).

(Danko/Clark)

- (b) That Councillor Cameron Kroetsch be appointed Vice-Chair of the Governance Review Committee for 2022-2026.

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

YES - Councillor Brad Clark
YES - Councillor J.P. Danko
YES - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch

YES - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

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

2. Feedback from the Advisory Committees on the Code of Conduct for Local Boards (FCS23032) (Item 9.1)

(a) (Kroetsch/Danko)

That Report FCS23032, respecting Feedback from the Advisory Committees on the Code of Code of Conduct for Local Boards, be received.

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

YES - Councillor Brad Clark
YES - Councillor J.P. Danko
YES - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch
YES - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

(b) (Kroetsch/Nann)

(a) That the Integrity Commissioner for the City of Hamilton be invited to appear before the General Issues Committee, preferably before May 1, 2023, to address concerns raised by the Advisory Committees respecting the Code of Conduct for Local Boards and to discuss:

(i) a process for receiving and integrating feedback from Advisory Committees to Code of Conduct for Local Boards; and

(ii) how training may be conducted in a more cost effective manner; and

(b) That staff be directed to obtain feedback and recommendations from the Advisory Committees who are noted as "received without comment" and "have not met to review" in Appendix B to Report FCS23032, and report back to Governance by the end of May 2023.

3. Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards (FCS23034) (Item 10.1)

(Kroetsch/M. Wilson)

(a) That consideration of the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards be deferred until such time as there has been a report back from City staff to the April 6, 2023 meeting of the Audit, Finance and Administration Committee about how feedback has been incorporated;

- (b) That staff be directed to obtain feedback and recommendations from the Advisory Committees who are noted as “received without comment” and “have not met to review” in Appendix C to Report FCS23034, and report back to Governance by the end of May 2023.
- (c) That the Corporate Policy, Hamilton City Council – Appointment of Citizens to the City’s Local Boards attached as Appendix ‘B’ to Appendix ‘A’ (the handbook) to this report, be approved.

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

YES - Councillor Brad Clark
YES - Councillor J.P. Danko
YES - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch
YES - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

4. 2024 and 2025 Committee / Council Meeting Calendars (FCS23048) (Item 10.2)

(Danko/Clark)

- (a) That the 2024 Committee / Council Meeting Calendar, attached hereto as Appendix ‘A’, be approved; and
- (b) That the 2025 Committee / Council Meeting Calendar, attached hereto as Appendix ‘B’, be approved.

Result: Motion CARRIED by a vote of 4 to 2, as follows:

YES - Councillor Brad Clark
YES - Councillor J.P. Danko
YES - Councillor Tammy Hwang
NO - Councillor Cameron Kroetsch
NO - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

5. Amendments to the Procedural By-law 21-021 respecting the Board of Health Standing Committee (FCS23031) (City Wide) (Item 10.3)

(Danko/Wilson)

- (a) 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.;

(b) 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.

(c) That the draft By-law attached as Appendix ‘A’ to Report FCS23031, respecting amendments to By-law 21-021, A By-Law To Govern The Proceedings of Council and Committees of Council, be enacted by Council.

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

YES - Councillor Brad Clark
YES - Councillor J.P. Danko
YES - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch
YES - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

6. Fixing Long-Term Care Act – Governance Requirements (FCS23033 / HSC23025) (Item 10.4)

(Clark/Nann)

- (a) That in accordance with the requirements of the *Fixing Long-Term Care Act, 2021* and Ontario Regulation 246/22 (as amended) which requires the municipality to establish a committee of management, and the corresponding qualifications for same, from among members of council for its Long Term Care Homes, that the Emergency and Community Services Committee comprised of members of Council who have completed the required screening measures as mandated in the legislation shall be the Committee of Management for the City of Hamilton's Long Term Care Homes; and
- (b) That the draft By-law attached as Appendix "A" to Report (FCS23033 / HSC23025) respecting amendments to By-law 21-021, A By-law to Govern the Proceedings of Council and Committees of Council, to establish a Long-Term Care Homes Committee of Management for the City of Hamilton be enacted by Council.

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

YES - Councillor Brad Clark
YES - Councillor J.P. Danko
YES - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch
NO - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

7. Code of Conduct and Conflict of Interest Education and Communications (HUR22011(a)/CM22018(a)) (City Wide) (Outstanding Business List Item) (Item 10.5)

(Clark/Kroetsch)

- (a) That City of Hamilton employees not be permitted to sell goods and services to the City, or to bid on City contracts unless there are specific circumstances where it can be demonstrated that employee bids are in the best interest of the organization. Circumstances that would give rise to an exemption may include, but are not limited to, contracts tendered during a

declared state of emergency or contracts tendered to purchase products whereby the employee is the sole source (no other vendor provides the same or equivalent product).

- (b) That a review of a potential exemption, as outlined above, would be initiated through the following process:
 - (i) Employees will be required to submit a Code of Conduct Disclosure Form that outlines all perceived and real conflicts of interest.
 - (ii) Disclosure Forms will be reviewed to determine if any conflicts of interest should disqualify the employee from selling goods and services or from participating in the bid process, despite the extenuating circumstances.
 - (iii) Staff involved in reviewing Disclosure Forms and confirming that the extenuating circumstances exist will include Legal, Procurement and Human Resources.
 - (iv) Any employee bids that are approved by Legal, Procurement and Human Resources due to extenuating circumstances, require City Manager approval when the value of the contract exceeds \$25,000.
- (c) It is further recommended, that notwithstanding any extenuating circumstances, employees would be precluded from consideration for an exemption for the following reasons:
 - (i) Access to confidential or proprietary information that could give them an unfair advantage in the bidding or sale process,
 - (ii) Direct or indirect involvement in the procurement process or the decision-making process by virtue of their position with the City.
- (d) That the Code of Conduct, Schedule D Outside Activity (Appendix "B" to Report HUR22011(a)/CM22028(a)) be approved, as amended with the recommendations noted above.
- (e) That this item be removed from the Governance Review Sub-Committee Outstanding Business List.

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

YES - Councillor Brad Clark
YES - Councillor J.P. Danko
YES - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch
YES - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

**8. Integrity Commissioner Contract Extension (FCS22074 (a)) (City Wide)
(Outstanding Business List Item) (Item 10.6)**

(Wilson/Kroetsch)

- (a) That Council approve the extension to Contract C2-06-19, Provision of Services of an Integrity Commissioner and Lobbyist Registrar for the City of Hamilton from June 1, 2023 until **September 30, 2023** and that the City Clerk be authorized to negotiate, enter into and execute the extension and any ancillary documents required to give effect thereto with Principles Integrity, in a form satisfactory to the City Solicitor;
- (b) That staff be directed to take the alternative action set out in Report FCS22074 (a), to conduct a competitive procurement process to secure the services of an Integrity Commissioner and Lobbyist Registrar in accordance with the City's Procurement Policy By-Law 20-205, as amended, with the addition of the Auditor General as a member of the Selection Committee; and**
- (c) That Appendix A to Report FCS22074 (a), be approved.**

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

YES - Councillor Brad Clark
YES - Councillor J.P. Danko
YES - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch
YES - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

9. Restructuring the Board of Health Standing Committee (Item 11.1)

(Kroetsch/Nann)

WHEREAS, Council, believes that the current composition of the City's Board of Health Standing Committee (recommendation to change name to "Public Health Committee" as per FCS23031) should be adjusted;

THEREFORE, BE IT RESOLVED:

- (a) That the composition of the Public Health Committee be approved as follows:
 - (i) 6 members of Council;
 - (ii) 6 community health professionals (can be from either a regulated profession (i.e. doctor, nurse, social worker) or an unregulated profession (i.e. harm reduction worker, outreach worker, disability justice advocate); and
 - (iii) 1 education representative

(b) That By-law No. 21-021, as amended, A By-Law to Govern the Proceedings of Council and Committees of Council (Procedural By-law), be **amended** as follows with the renumbering of the remaining sub-sections accordingly:

(i) 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 **and with the exception of the Public Health Committee Selection Committee for the recruitment of the 6 community health professionals and the 1 education representative which is comprised of six (6) members of Council and six (6) community representatives with full voting privileges.**

(ii) the Public Health Committee Terms of Reference (Appendix 'B' to By-law 21-021, as amended), be **amended**, as follows:

(a) The Public Health Committee shall be comprised of: ~~all 16 members of Council:~~

(i) 6 members of Council;

(ii) 6 community health professionals (can be from either a regulated profession (i.e. doctor, nurse, social worker) or an unregulated profession (i.e. harm reduction worker, outreach worker, disability justice advocate); and

(iii) 1 education representative

(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~~

(a) the Mayor may stand as the Chair of the General Issues Committee for the term of Council or the Chair of the General Issues Committee may be rotated amongst the Deputy Mayors.

~~(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.
 - (2) **Public Health Committee shall be comprised of 6 Members of Council, 6 community health professionals (can be from either a regulated profession (i.e. doctor, nurse, social worker) or an unregulated profession (i.e. harm reduction worker, outreach worker, disability justice advocate); and 1 education representative;**
 - (7) Each Member of Council shall sit on a minimum of **3** Standing Committees, in addition to the ~~**Public Health Committee and**~~ General Issues Committee.
- (c) That the Selection Process for the appointment of the 6 community health professionals and the 1 education representative to the Public Health Committee, be approved, as follows:
- (i) That the Public Health Committee Selection Committee for the recruitment of the 6 community health professionals (can be from either a regulated profession (i.e. doctor, nurse, social worker) or an unregulated profession (i.e. harm reduction worker, outreach worker, disability justice advocate); and the 1 education representative to the Public Health Committee, be comprised of the six (6) members of Council and six (6) community representatives;
 - (ii) That the Greater Hamilton Health Network (GHHN), GHHN Health Equity Council, Hamilton Trans Health Coalition, Woman Abuse Working Group (WAWG), Refugee Newcomer Health, and the Hamilton Anti-Racism Resource Centre (HARRC) recommend the appointment of the six (6) community representatives on the Public Health Committee Selection Committee for the recruitment 6 community health professionals and the 1 education representative to the Public Health Committee for the 2022-2026 term of Council for Council’s consideration;

- (iii) That the six (6) community representatives appointed to the Public Health Committee Selection Committee for the recruitment of 6 community health professionals and the 1 education representative to the Public Health Committee, be required to complete and adhere to a confidentiality agreement as well as the Code of Conduct for Local Boards.
- (iv) 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**, by adding the following new sub-section 16 and renumbering the remaining sub-sections accordingly:

Selection Process for the Appointment of the 6 community health professionals and the 1 education representative to the Public Health Committee

- 16. Six (6) members of Council and six (6) community representatives are appointed to the Public Health Committee Selection Committee whose mandate will be to:
 - (i) Review applications for the appointment of the 6 community health professionals (can be from either a regulated profession (i.e. doctor, nurse, social worker) or an unregulated profession (i.e. harm reduction worker, outreach worker, disability justice advocate); to the Public Health Committee;
 - (ii) Shortlist the applicants with assistance of staff, where appropriate, based on the applicant information provided;
 - (iii) Request that 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) Request that the Hamilton District School Board and the Hamilton Catholic District School Board nominate a candidate(s) as the 1 education representative to be appointed to the Public Health Committee for the Public Health Committee Selection Committee consideration;

- (v) Interview applicants and nominated candidates, if necessary, who have met the criteria (below), ensuring that they are not ineligible (below);

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

- a resident of, or owner of a business in, the City at least 18 years of age;
- an owner or tenant of land in the City, or the spouse of such a person;
- not employed by the City of Hamilton;
- interest or background in issues affecting municipal public health programs and services
- interest or skills in planning and policy development leading to a comprehensive municipal public health agenda that meets local community needs
- experience in organizational activities, such as committees, non-profit groups, voluntary societies, occupational associations skills in leadership and management
- experience in administration and budget development
- demonstrated skills in conflict management, negotiation and mediation
- ability to make a commitment to monthly involvement in Public Health Committee meetings and related committees or other activities
- a youthful perspective, defined as an individual in the 18-30 age range, a desired qualification for at least one public member
- a frontline worker perspective

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

YES - Councillor Brad Clark
YES - Councillor J.P. Danko
YES - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch
YES - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

5. COMMUNICATIONS

5.2 Anne-Marie King, respecting Restructuring the Board of Health

Recommendation: Be received and referred to Item 11.1,
Restructuring the Board of Health

6. DELEGATION REQUESTS

6.1 Restructuring the Board of Health

6.1 (c) Aznive Mallett, Advisory Committee for Persons with Disabilities
(ACPD) (For today's meeting)

6.1 (d) Ruth Rodney (For today's meeting)

(Nann/Kroetsch)

That the March 27, 2023 Agenda of the Governance Review Sub-Committee be approved, as amended.

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

YES - Councillor Brad Clark
YES - Councillor J.P. Danko
YES - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch
YES - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 4)

(i) September 9, 2022 (Item 4.1)

(M. Wilson/Clark)

That the Minutes of the September 9, 2022 meeting of the Governance Review Sub-Committee be approved, as presented.

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

YES - Councillor Brad Clark
YES - Councillor J.P. Danko
YES - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch

YES - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

(d) COMMUNICATIONS (Item 5)

(Kroetsch/Nann)

That the following Communications be received and referred to the consideration of Item 11.1, Restructuring the Board of Health:

- (i) Sim Sahota, respecting Restructuring the Board of Health (Item 5.1)
- (ii) Anne-Marie King, respecting Restructuring the Board of Health (Added Item 5.2)

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

YES - Councillor Brad Clark
YES - Councillor J.P. Danko
YES - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch
YES - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

For further disposition of this matter, refer to Item 9.

(e) DELEGATION REQUESTS (Item 6)

(Clark/M. Wilson)

That the following Delegation Requests respecting the Restructuring of the Board of Health, be approved for today's meeting:

- (i) Kojo Dampthey, McMaster University (Item 6.1(a))
- (ii) Mark A. McNeil, Accessibility Hamilton Alliance (Item 6.1(b))
- (iii) Aznive Mallett, Advisory Committee for Persons with Disabilities (ACPD) (Added Item 6.1(c))
- (iv) Ruth Rodney (Added Item 6.1(d))

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

YES - Councillor Brad Clark
YES - Councillor J.P. Danko
YES - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch
YES - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

For further disposition of this matter, refer to Items 9 and (f)(i).

(f) DELEGATIONS (Item 7)

(i) Delegations respecting Item 11.1, Restructuring the Board of Health

The following delegations addressed the Committee respecting Item 11.1 - Restructuring the Board of Health:

- (a) Kojo Damphey, McMaster University (Added Item 7.1)
- (b) Mark A. McNeil, Accessibility Hamilton Alliance (Added Item 7.2)
- (c) Aznive Mallett, Advisory Committee for Persons with Disabilities (ACPD) (Added Item 7.3)
- (d) Ruth Rodney (Added Item 7.4)

(Kroetsch/Nann)

That the following delegations, be received and referred to the consideration of Item 11.1 - Restructuring the Board of Health:

- (a) Kojo Damphey, McMaster University (Added Item 7.1)
- (b) Mark A. McNeil, Accessibility Hamilton Alliance (Added Item 7.2)
- (c) Aznive Mallett, Advisory Committee for Persons with Disabilities (ACPD) (Added Item 7.3)
- (d) Ruth Rodney (Added Item 7.4)

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

- YES - Councillor Brad Clark
- YES - Councillor J.P. Danko
- YES - Councillor Tammy Hwang
- YES - Councillor Cameron Kroetsch
- YES - Councillor Nrinder Nann
- YES - Councillor Maureen Wilson

For further disposition of this matter, refer to Item 9.

(g) DISCUSSION ITEMS (Item 10)

(i) Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards (FCS23034) – REVISED (Item 10.1)

(Kroetsch/Nann)

That the consideration of Report FCS23034, respecting the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards, be deferred until after the Committee has considered the Code of Conduct for Local Boards matter.

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

YES - Councillor Brad Clark
YES - Councillor J.P. Danko
YES - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch
YES - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

For further disposition of this matter, refer to Items 3 and (g)(iii).

**(ii) 2024 and 2025 Committee and Council Meeting Calendars (FCS23048)
(Item 10.2)**

(M. Wilson/Kroetsch)

That consideration of Report FCS23048, respecting 2024 and 2025 Committee and Council Meeting Calendars, be deferred until after Council has completed its Strategic Planning process.

Result: Motion DEFEATED by a vote of 3 to 3, as follows:

NO - Councillor Brad Clark
NO - Councillor J.P. Danko
NO - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch
YES - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

For further disposition of this matter, refer to Item 4.

(iii) Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards (FCS23034) - REVISED (Item 10.1)

(Kroetsch/M. Wilson)

That the recommendations in Report FCS23034, respecting Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards, be *amended*, as follows:

~~(a) — That the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards, attached hereto as Appendix 'A', be approved; and~~

(a) That consideration of the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards is deferred until such time as there has been a report back from City staff to the April 6, 2023 meeting of the Audit, Finance and Administration Committee about how feedback has been incorporated;

(b) That City staff continue to reach out to the Advisory Committees who are marked as “received without comment” and “have not met to review” in Appendix C to Report FCS23034, and report back to Governance by the end of May 2023.

(b)(c) That the Corporate Policy, Hamilton City Council – Appointment of Citizens to the City’s Local Boards attached as Appendix ‘B’ to Appendix ‘A’ to this report, be approved.

At the request of Committee, the amendments to Subsections (a) and (b) were voted on separately.

(a) That consideration of the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards is deferred until such time as there has been a report back from City staff to the April 6, 2023 meeting of the Audit, Finance and Administration Committee about how feedback has been incorporated;

Result: Motion on sub-section (a), as Amended, CARRIED by a vote of 6 to 0, as follows:

YES - Councillor Brad Clark
YES - Councillor J.P. Danko
YES - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch
YES - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

(b) That City staff continue to reach out to the Advisory Committees who are marked as “received without comment” and “have not met to review” in Appendix C to Report FCS23034, and report back to Governance by the end of May 2023.

Result: Motion on sub-section (b), as Amended, CARRIED by a vote of 4 to 2, as follows:

NO - Councillor Brad Clark
NO - Councillor J.P. Danko
YES - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch
YES - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

For further disposition of this matter, refer to Items 3 and (g)(i).

(h) MOTIONS (Item 11)

(i) Budget Process Review (Item 10.1)

(M. Wilson/Danko)

WHEREAS, Ontario municipalities must prepare and adopt an annual budget that includes estimates of all of your municipality's financial needs during the year (Sections 289 and 290 of the *Municipal Act, 2001*);

WHEREAS, budgets are powerful management tools. They help define levels of municipal services and identify how revenues will fund expenses. Budgeting involves prioritizing projects, programs and service levels in light of the available and potential financial resources;

WHEREAS, municipalities have flexibility regarding the format and level of detail of its budgets;

WHEREAS, while the operating and capital components of budgets are inter-related, some municipalities prepare them separately;

WHEREAS, Hamilton City Council approves 3 budgets annually (Water, Wastewater and Stormwater Rate Supported Budget, Tax Supported Capital Budget, and the Tax Supported Operating Budget);

WHEREAS, the City of Hamilton first embarked on multi-year budgeting in 2018 to help plan further out on day-to-day services and to provide justification for revenue and expenditure predications;

WHEREAS, City of Hamilton is dedicated to advancing and articulating City decision-making efforts by ensuring the process by which participants are provided information and are engaged is meaningful, clear, convenient, and accessible to all residents;

WHEREAS, City of Hamilton had two public delegation opportunities for residents to delegate either in-person or virtually during the 2023 budget process;

WHEREAS, City of Hamilton is currently creating a robust public engagement policy and administrative framework; and

WHEREAS, enhancing engagement throughout the budget process can inherently support high-level Term of Council Priorities including (1) Equity, Diversity and Inclusion; and (2) Trust and Confidence in City Government;

THEREFORE, BE IT RESOLVED:

- (a) That staff be requested to report back on best practices as it relates to the timing of approval of the municipal budget(s);
- (b) That staff be requested to report back on best practices that prioritize resident engagement including access to, understanding of and participation in budget setting;
- (c) That staff be requested to report back on what an equity-responsive climate budget might look like in terms of principles and framework;
- (d) That staff be requested to report back on the inter-relatedness of the operating and capital budget and the potential to transition to 2 annual budgets (Water, Wastewater and Stormwater Rate Supported Budget, and a Tax Supported Budget);
- (e) That Staff within Financial Planning, Administration and Policy Division and Government Relations & Community Engagement Division work together to provide clear descriptions for the roles and responsibilities of Council, City staff, and the public in the City's public budget engagement processes through their report back;
- (f) That staff report back on ways to make the annual budget accessible, using clearing writing principles, and relevant throughout the year to provide updates on current budget status and updated council decisions to highlight budget impacts and decisions made by Council;
- (g) That staff be requested to report back on a process that will accelerate and consolidate the time allocated for budget presentations and Council's budget deliberations, with an emphasis on achieving long-term financial planning, transparency, strategic planning and continuous budget improvement; and
- (h) That staff report back on the above direction with a goal to transition to a new budget process for the 2025 budget year.

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

YES - Councillor Brad Clark
YES - Councillor J.P. Danko
YES - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch
YES - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

(j) ADJOURNMENT (Item 15)

(Nann/Clark)

That, there being no further business, the Governance Review Sub-Committee meeting be adjourned at 6:06 p.m.

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

YES - Councillor Brad Clark
YES - Councillor J.P. Danko
YES - Councillor Tammy Hwang
YES - Councillor Cameron Kroetsch
YES - Councillor Nrinder Nann
YES - Councillor Maureen Wilson

Respectfully submitted,

Councillor T, Hwang, Chair
Governance Review Sub-Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk



INFORMATION REPORT

TO:	Chair and Members Governance Review Sub-Committee
COMMITTEE DATE:	5/25/2023
SUBJECT/REPORT NO:	Feedback from the Advisory Committees on the Code of Code of Conduct for Local Boards (FCS23032(a))
WARD(S) AFFECTED:	<input checked="" type="checkbox"/> City Wide
PREPARED BY:	Janet Pilon (905) 546-2424 Ext. 4304
SUBMITTED BY:	Andrea Holland City Clerk Office of the City Clerk
SIGNATURE:	

COUNCIL DIRECTION

Council on April 12, 2023 directed staff as follows:

- (a) That the Integrity Commissioner for the City of Hamilton be invited to appear before the General Issues Committee, preferably before May 1, 2023, to address concerns raised by the Advisory Committees respecting the Code of Conduct for Local Boards and to discuss:
 - (i) a process for receiving and integrating feedback from Advisory Committees to Code of Conduct for Local Boards; and
 - (ii) how training may be conducted in a more cost effective manner; and
- (b) That staff be directed to obtain feedback and recommendations from the Advisory Committees who are noted as "received without comment" and "have not met to review" in Appendix B to Report FCS23032, and report back to Governance by the end of May 2023.

INFORMATION

OUR Vision: To be the best place to raise a child and age successfully.

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: Feedback from the Advisory Committees on the Code of Code of Conduct for Local Boards (FCS23032(a)) (City Wide) - Page 2 of 3

As per the direction above respecting feedback and recommendations from the Advisory Committees who are noted as “received without comment” and “have not met to review”, the Staff Liaisons for the following Advisory Committees who initially noted that the document was “received without comment” or “have not met to review” were directed on March 31, 2023 to include the review of the Code of Conduct for Local Boards once again on their next meeting agenda. The Staff Liaisons were also instructed to walk the advisory committee through the documentation with a deadline for the Staff Liaison to report back to Clerk’s by May 12, 2023.

- Committee Against Racism
- Hamilton Veterans Committee
- Housing and Homelessness Advisory Committee
- Advisory Committee for Immigrants and Refugees
- Indigenous Advisory Committee
- Keep Hamilton Clean and Green Committee
- Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee
- Mundialization Committee
- Advisory Committee for Persons with Disabilities
- Arts Advisory Commission
- Food Advisory Committee

The Staff Liaisons were instructed to forward the comments from their respective Advisory Committees to Clerk’s as the Advisory Committee’s meeting minutes would not be available until after they were approved at their next meeting, which would be well beyond the May 12th deadline.

HISTORICAL BACKGROUND

The Code of Conduct for Local Boards (By-Law 22-019), which was approved on January 19, 2022 and was effective as of May 1, 2023 is now in place.

Staff completed the December 7, 2022 direction and provided the Governance Review Sub-Committee with feedback on the Code of Conduct for Local Boards (By-Law 22-019) on March 27, 2023.

The feedback and recommendations received during the first review, with the feedback and recommendations from the second review for those Advisory Committee who reported ‘Have not met to review’ and ‘Received without comment’ identified in red can be found in Appendix ‘A’ attached to this report.

APPENDICES AND SCHEDULES ATTACHED

OUR Vision: To be the best place to raise a child and age successfully.
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**SUBJECT: Feedback from the Advisory Committees on the Code of Code of
Conduct for Local Boards (FCS23032(a)) (City Wide) - Page 3 of 3**

Appendix A – Comments received from the Advisory Committees respecting the Code of Conduct for Local Boards (1st and 2nd review)

OUR Vision: To be the best place to raise a child and age successfully.
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Feedback received during the second review ('Have not met to review' and 'Received without comment') is identified in red

Feedback from Advisory Committee Respecting the Code of Conduct

Committee	Meeting Date	Comments
Committee Against Racism	<p>N/A</p> <p>Asked Amy Majani for the excerpts from their minutes on May 1, 2023, was informed that the meeting on April 25th had technical difficulties, therefore, the Committee was unable to discuss this matter.</p>	<p>Have not met to review</p> <p>The Staff Liaison was asked to forward an email to all members and have them send their comments to Clerk@</p> <p>The Staff Liaison forwarded the request to the members of the committee and Clerk's did not receive any comments.</p>
Hamilton Cycling Committee	February 1, 2023	<p>Received with the following comments:</p> <ul style="list-style-type: none"> • It was not clear what changes have been made from the previous version • Overall, it is vague and unclear for people to understand and comprehend • Additional details on what restrictions there are in terms of what committee members can and cannot say should be provided • Committee members are treated and held to the same standard as city staff, but don't have the same level of influence • Should be less strict; if so rigid, then it needs to be more clearly written • Committee members are limited in their ability to have the influence that this code of conduct suggests

Appendix A to Report FCS23032(a)

Feedback received during the second review ('Have not met to review' and 'Received without comment') is identified in red

Committee	Meeting Date	Comments
		<ul style="list-style-type: none"> • These are complicated procedural rules and resources are not being put to the advisory committees in order to meet the high level of expectations set out in the code of conduct • More support needed from clerks on how to properly do things. Clearly identify how do we accomplish the goals via motions, committee reports • Integrity commissioner does not provide clear advice when members ask questions related to the code of conduct • The chair is being held to a different standard, including potential fines if things go wrong • Handbook is not specific enough. Is not written for lay people and therefore difficult to understand. Examples of what can and can't be said along with clarity on specific penalties, would be a suggested addition • Should give information/guidance on how to accomplish goals through motions or citizen committee reports. <p>At their May 3rd meeting the following comments and questions were raised:</p> <p>Rule 9: Media Communications (p.45) Clarify whether this rule is for naming specific staff. Are we able to be critical of the city generally? The member noted that we should be able to critical of the city, but should not be able to specify names. If a member was to break Rule 9, what kind of penalties can be imposed? These should be noted in the document.</p>
Hamilton Veterans Committee	Staff Liaison May 1, 2023	Received without comment. Comments forwarded to Clerks by the Staff Liaison re: their meeting on May 1, 2023: Committee reviewed the Code of Conduct for Advisory Committees. Committee commented that the code of conduct was straightforward, and that it was beneficial to go through it in its entirety. Sections 10, 11 and 12 were specifically

Appendix A to Report FCS23032(a)

Feedback received during the second review ('Have not met to review' and 'Received without comment') is identified in red

Committee	Meeting Date	Comments
		<p>pertinent for this committee and important reminders for all members while serving an active role. Comment was made the code seemed designed to be more applicable to Council or larger, more responsible bodies than for smaller volunteer advisory committees like Hamilton Veterans Committee.</p>
<p>Housing and Homelessness Advisory Committee</p>	<p>February 7, 2023</p> <p>May 2, 2023</p>	<p>Received without comment</p> <p>Comments forwarded to Clerks by the Staff Liaison re: their meeting on May 2, 2023:</p> <p>We went through the code of conduct last night section by section. There was no significant feedback. The committee understood the requirements and we had a brief discussion around the role of the Chair/Vice Chair with regards to the media and communications.</p> <p>One question was if the committee members are required to do an annual sign off similar to staff with the code of conduct? Clerks advised the Staff Liaison, that they did not, as they sign the Acknowledgement Form after they are appointed (excerpt of the section in regards to the code below) and it's in place for the term of their appointment.</p> <p>7. I hereby confirm that I have read and understand the Code of Conduct for Local Boards and agree to abide by it.</p>
<p>Advisory Committee for Immigrants and Refugees</p>	<p>Staff Liaison</p> <p>The Committee is meeting after the deadline</p>	<p>Received without comment.</p> <p>The Staff Liaison was asked to forward an email to all members and have them send their comments to Clerk@</p> <p>From a member on April 24, 2023:</p>

Appendix A to Report FCS23032(a)

Feedback received during the second review ('Have not met to review' and 'Received without comment') is identified in red

Committee	Meeting Date	Comments
		<p>The fact that the committee did not send a comment, does not mean it did not review both the handbook and the code of conduct...</p> <p>My only comment is that there need to be a higher threshold for vice chair person as far as absenteeism and participation. In my experience, previous vice chairman (not the current one) have used that position to pad their resume and have been tardy and absent from many meetings.</p> <p>There should be an additional requirement that will not allow the chair and vice chair to be absent/tardy for more than 3 times a year regardless of notification.</p>
Indigenous Advisory Committee	<p>Staff Liaison</p> <p>The Committee hasn't met since February 2023</p>	<p>Received without comment.</p> <p>The Staff Liaison was asked to forward an email to all members and have them send their comments to Clerk@</p> <p>The Staff Liaison forwarded the request to the members of the committee and Clerk's did not receive any comments.</p>
Keep Hamilton Clean and Green Committee	<p>January 17, 2023</p> <p>May 9, 2023 – Meeting cancelled</p>	<p>Received without comment.</p> <p>The Staff Liaison was asked to forward an email to all members and have them send their comments to Clerk@, Clerk's received the following comment from one member:</p> <p>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.</p>

Appendix A to Report FCS23032(a)

Feedback received during the second review ('Have not met to review' and 'Received without comment') is identified in red

Committee	Meeting Date	Comments
		<p><i>Comment: Councillors endorse candidates of their political party, especially the NDP associated ones. They attend their fundraisers and events and post on social media. This can show the public's perceptions of the abilities of that candidate</i></p> <p>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.</p> <p><i>Comment: A School Board Trustee openly led a protest at City Hall harassing delegates and Hamilton Police Services. These actions by an elected official can influence the children and their caregivers to assume this is acceptable behaviour.</i></p>
<p>Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee</p>	<p>January 17, 2023</p> <p>April 18, 2023</p>	<p>Received without comment.</p> <p>That the following comments be submitted to City of Hamilton Legislative Clerks as feedback after review of the Code of Conduct for Local Boards.</p> <p>(a) With respect to Rule 9 (Media Communications):</p> <p>(i) Recommended that the Code of Conduct be reviewed in how it applies to a range of people with varying levels of responsibility, including folks elected to local boards, and that this advisory committee is comprised of volunteer citizens who may have limited capacity to manage such things as the suggestion for members to “post their own policy of addressing how frequently they will monitor the site for the purpose of identifying and removing disparaging, abusive or hateful comments”.</p>

Appendix A to Report FCS23032(a)

Feedback received during the second review ('Have not met to review' and 'Received without comment') is identified in red

Committee	Meeting Date	Comments
		<p>(b) With respect to Rule 10 (Respect for the Town By-laws and Policies):</p> <ul style="list-style-type: none"> (i) It is distressing to apply this rule as it: (ii) Emphasizes applying the rule of law which goes against activism and the purpose of the committee to advise and provide constructive criticism. (iii) Rule of law is not something marginalized communities can have faith in. Rule 10 makes it difficult to ensure that the rule of law isn't further marginalizing communities. (Excerpt from their April 18, 2023 minutes) <ul style="list-style-type: none"> (c) When looking at other municipality's codes of conduct, this draft Code of Conduct is excessive (e.g. large document, many rules, etc.) (d) Regarding decorum – there is no definition provided for what decorum entails. It is recommended the document is revised to ensure plain and more accessible language and include a common understanding of decorum.
Mundialization Committee	<p>December 21, 2022</p> <p>April 19, 2023</p>	<p>Received without comment</p> <p>That the code of conduct for Advisory Committees be accepted with the following comments:</p> <ul style="list-style-type: none"> • The Code of Conduct should touch on media relations and clearly provide direction to volunteers on what we should do. Individuals should not make comments to the media on Council proceedings on behalf of the committee. Engagement with the media must be approved by members and should be the function of the chair. • Correct for irregularities in commas throughout the document • <i>Rule 10: Respect for the Town By-laws and Policies.</i> Can we change Town-By Laws to City By-Laws? • It feels like the document was lifted from an older document. (excerpt from their April 19, 2023 minutes)

Appendix A to Report FCS23032(a)

Feedback received during the second review ('Have not met to review' and 'Received without comment') is identified in red

Committee	Meeting Date	Comments
Women and Gender Equity	January 26, 2023	<p>Received with the following comments (Citizen Committee Report presented to AF&A):</p> <p>Page 41: regarding the statement, “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.”, the committee feels that the Code of Conduct should be explained more thoroughly and in plain language to prevent interpretation which extends beyond the understanding of the public and volunteer advisory committee members.</p> <p>Page 43: regarding confidential information, more information is needed to establish exactly what is considered to be confidential, how members can be aware of what the board of city is prevented from disclosing, and how the rule differentiates between items discussed in a closed meeting and information that is already publicly available. There should be a clear system to label and identify confidential information to local boards. Information related to confidentiality for members of council is much clearer in their code of conduct compared to this proposed code for volunteers.</p> <p>Page 44: regarding member conduct, more clarity is needed to provide committee members with information on how the City of Hamilton can require decorum “at all times”. For instance, if political protest is a charter protected right, but is not considered conducting oneself with decorum, more clarity is needed to confirm if a volunteer advisory committee member may face consequences or penalties.</p> <p>Page 44-45: regarding media communications, the committee was previously told that the chair could not speak to media without approval from the committee they report to, which does not appear to be the case in the code of conduct. There is no information on the ability of the Chair to speak to media and what, if any, approval is required, or what limitations, if any, exist as part of such media communication. The commentary also identified that the rules of decorum apply to social media, and recommend that members “should consider articulating and</p>

Appendix A to Report FCS23032(a)

Feedback received during the second review ('Have not met to review' and 'Received without comment') is identified in red

Committee	Meeting Date	Comments
		<p>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." It is in the opinion of the advisory committee that the City of Hamilton should not be applying rules of decorum to volunteer committee members on their personal social media accounts, or outside of their duties as committee members, as it may infringe on their rights to expression and political protest. Further, it is unreasonable to apply responsibility for filtering hateful and abusive comments on the posts of volunteer advisory committee members. The City of Hamilton should not expect anyone to read through abusive and hateful comments on personal social media as part of code of conduct, and especially should not do so without providing support and resources for the additional harm such exposure to hate and abuse can cause.</p> <p>Page 45: regarding the expectation that members "adhere to and encourage public respect for the Local Board, the municipality and its by-laws, policies and procedures", the committee feels the Code of Conduct must provide clearer definitions or respect and what is considered disrespectful. Further to this, more clarity is needed to ensure members understand whether their rights to expression and political protest will be restricted or prohibited when agreeing to volunteer on a citizen advisory committee.</p> <p>Page 45: regarding the workplace harassment and violence policies in place for staff, members of this advisory committee have not received copies of such policies, and these policies, in addition to the code of conduct, must be easily and readily available to members so they can comply.</p> <p>Page 46: regarding the advice to consult the integrity commissioner if members seek clarification, there should be direction or information on who or how to contact the integrity commissioner included in the code of conduct.</p>

Appendix A to Report FCS23032(a)

Feedback received during the second review ('Have not met to review' and 'Received without comment') is identified in red

Committee	Meeting Date	Comments
		<p>Page 46: the formatting of “Part 2” to include additional context for previously mentioned rules and the addition or new rules makes this part of the document particularly difficult to read and follow, and revision may be needed.</p> <p>Page 47: regarding the consequences of failure to adhere to code of conduct, and in addition to the aforementioned feedback on this item, “reprimand” must be clearly defined, and this section must clearly identify what reprimand and remedial actions will look like for volunteer citizen committee members.</p> <p>Page 49: the numbering of the items on this page include two separate items numbered as 4, rather than a continued sequential order. More clarify is needed on the operating procedure regarding any requirements for approval that are needed before a chair can speak to media on behalf of the committee, and what restrictions might be in place for such engagement.</p> <p>Page 53: regarding the note at the bottom of the page, the Chair or Vice-Chair and the Secretary have never signed the meeting minutes in practice on this committee, and more clarification is needed on if digital signatures would be acceptable if this is now going to be required, considering the hybrid operation of most committees</p>
Seniors Advisory Committee	January 6, 2023	<p>Received with the following comments:</p> <ul style="list-style-type: none"> • this code of conduct is written for members of boards and in other documentation advisory’s and boards are stated as different bodies. • is standard to other codes of conducts and nothing is unusual or different
Advisory Committee for Persons with Disabilities	<p>January 10, 2023</p> <p>April 11, 2023</p> <p>They deferred</p>	<p>Received without comment</p> <p>They felt that the Code of Conduct for Local Boards, holds Advisory Committee members to the standard of elected official, which is asking a lot of City volunteers, therefore, are asking that the Code of Conduct for Local Boards be</p>

Appendix A to Report FCS23032(a)

Feedback received during the second review ('Have not met to review' and 'Received without comment') is identified in red

Committee	Meeting Date	Comments
	<p>further discussion on this matter to their May 9, 2023 meeting</p> <p>May 9, 2023</p>	<p>revised to hold Advisory Committee members to a volunteer standard rather than the standard of an elected official.</p> <p>They also requested that the language within the Code of Conduct for Local Boards be simplified.</p> <p>Received without any further comment</p>
Arts Advisory Commission	<p>N/A</p> <p>Due to quorum challenges the committee is unable to meet to review the code of conduct (Staff Liaison – March 31, 2023)</p>	<p>Have not met to review</p> <p>The Staff Liaison was asked to forward an email to all members and have them send their comments to Clerk@</p> <p>The Staff Liaison forwarded the request to the members of the committee and Clerk's did not receive any comments.</p>
Climate Change Advisory Committee - NEW	N/A	Have not met to review – as there are no members of this Committee, as they were just recently established.
Food Advisory Committee	<p>N/A</p> <p>The Committee</p>	<p>Have not met to review</p> <p>The Staff Liaison was asked to forward an email to all members and have them send their comments to Clerk@</p>

Appendix A to Report FCS23032(a)

Feedback received during the second review ('Have not met to review' and 'Received without comment') is identified in red

Committee	Meeting Date	Comments
	has not met since September 2022	The Staff Liaison forwarded the request to the members of the committee and received 4 emails back from members who reviewed the Code of Conduct and they had no comments.

10.1**CITY OF HAMILTON**

Corporate Services
Office of the City Clerk

TO:	Chair and Members of the Governance Review Sub-Committee
COMMITTEE DATE:	May 25, 2023
SUBJECT/REPORT NO:	Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards (FCS23034(a))
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Janet Pilon Manager, Legislative Services/Deputy Clerk Ext. 4304
SUBMITTED BY:	Andrea Holland City Clerk Office of the City Clerk
SIGNATURE:	

RECOMMENDATION

That the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards, attached hereto as Appendix 'A', be approved.

EXECUTIVE SUMMARY

This report recommends the approval of the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards (the 'Handbook').

FINANCIAL – STAFFING – LEGAL IMPLICATIONS (for recommendation(s) only)

Financial: None.

Staffing: Clerk's Legislative Staff will during the onboarding of citizen appointees to the City's Local Board, currently being selected, will provide training to the citizen appointees and the respective staff, once all appointments have been approved by Council.

Legal: None.

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SUBJECT: Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards (FCS23034(a)) (City Wide)

Page 2 of 4

HISTORICAL BACKGROUND (Chronology of events)

Council on April 12, 2023 approved the following:

- (a) That consideration of the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards be deferred until such time as there has been a report back from City staff to the April 6, 2023 meeting of the Audit, Finance and Administration Committee about how feedback has been incorporated;
- (b) That staff be directed to obtain feedback and recommendations from the Advisory Committees who are noted as "received without comment" and "have not met to review" in Appendix C to Report FCS23034, and report back to Governance by the end of May 2023.
- (c) That the Corporate Policy, Hamilton City Council – Appointment of Citizens to the City's Local Boards attached as Appendix 'B' to Appendix 'A' (the handbook) to this report, be approved.

Staff provided the Audit, Finance and Administration Committee on April 6, 2023 with a revised Appendix 'C' to the Governance Review Sub-Committee Report 23-001, which contained staff response on how the feedback was incorporated into the Handbook completing clause (a) above.

As per the direction above, the Staff Liaisons for the following Advisory Committees who initially noted that the document was "received without comment" or "have not met to review" were directed on March 31, 2023 to include the review of the Handbook once again on their next meeting agenda and to forward the feedback and recommendations to Clerk's by May 10, 2023.

- Keep Hamilton Clean and Green Committee:
- Arts Advisory Commission
- Committee Against Racism
- Hamilton Cycling Committee
- Food Advisory Committee
- Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee (LGBTQ):
- Senior Advisory Committee
- Hamilton Indigenous Advisory Committee
- Advisory Committee for Immigrants and Refugees
- Mundialization Committee

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SUBJECT: Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards (FCS23034(a)) (City Wide)

Page 3 of 4

The Staff Liaisons were instructed to forward the comments from their respective Advisory Committees to Clerk's as the Advisory Committee's meeting minutes would not be available until after they were approved at their next meeting, which would be well beyond the May 10th deadline.

The Handbook welcomes and congratulates them on their appointment to one of the city's local boards and advising them that through their appointment they play an important role in shaping city policies and by-laws and contribute to improving the quality of life within the City of Hamilton.

The Handbook also provides citizen appointees with information on:

- the City's organizational and Council's structure;
- an overview of the City's Strategic Plan;
- information on the various types of Local Boards within the City's Governance Structure, and their relationship with Council and city staff;
- the purpose of a Local Boards Terms of Reference;
- what role each type of Local Board has at the City;
- the applicable municipal by-law and policies the Local Boards are required to adhere to;
- the training members will receive;
- their responsibilities as a member of a Local Board;
- Meeting procedures and processes (i.e. frequency; quorum; agendas; minutes; Citizen Committee Reports; motions)
- external contacts;
- annual reporting and work plans;
- budget information;
- declaring conflicts of interest (disqualifying and non-disqualifying);
- records retention information;
- the Code of Conduct for Local Boards;
- Clerk's contact information and various forms and templates.

Clerk's recirculated the Handbook to the respective Advisory Committee's Staff Liaison for inclusion on an upcoming agenda on March 31, 2023 with a deadline for feedback and recommendations by May 10, 2023.

The feedback and recommendations received during the first review, with the feedback and recommendations from the second review for those Advisory Committee who reported 'Have not met to review' and 'Received without comment' identified in red can be found in Appendix 'B' attached to this report.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

None.

OUR Vision: To be the best place to raise a child and age successfully.

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: Procedural Handbook for Citizen Appointees to City of Hamilton Local
Boards (FCS23034(a)) (City Wide)**

Page 4 of 4

RELEVANT CONSULTATION

Clerk's Legislative staff
Advisory Committees

ANALYSIS AND RATIONALE FOR RECOMMENDATION (Include Performance Measurement/Benchmarking Data if applicable)

Staff are recommending the approval of the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards, attached as Appendix 'A' to this report, to provide greater clarity to new and returning members for the 2022-2026 Term.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & 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.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

APPENDICES AND SCHEDULES ATTACHED

- Appendix A - Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards
- Appendix B - Comments received from the Advisory Committees respecting the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards (1st and 2nd review)

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CITY OF HAMILTON

**PROCEDURAL HANDBOOK
FOR CITIZEN APPOINTEES
TO CITY OF HAMILTON
LOCAL BOARDS**

PROCEDURAL HANDBOOK FOR CITIZEN APPOINTEES TO CITY OF HAMILTON LOCAL BOARDS

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Welcome

On behalf of the City of Hamilton, I would like to congratulate you on your appointment to one of the City's local boards. As a member, you play an important role in shaping City policies, by-laws, and contribute to improving the quality of life within the City of Hamilton. You'll also participate as part of a local board and as a team, working to ensure the local board's mandate and goals are advanced.

In accepting your appointment, you are committing to serving your local board to the best of your abilities. For meetings, we ask that you read and review your meeting agenda materials to ensure the discussion is informed and considers all perspectives. When your local board is working on events or special projects, a willingness to pitch in is encouraged to ensure the work is distributed equitably, and the task is set up for success.

The purpose of this guide is to provide you with an introduction to the City of Hamilton and a foundation on how local boards work. Upon that foundation, and through your experience at meetings and interactions with your fellow local board members, you will build an understanding of the City of Hamilton's governance system. In addition to the fundamentals, we'll also include links or copies of pertinent legislation or City policies/by-laws which establishes the framework in which these local boards exist.

The Office of the City Clerk is your primary contact at the City of Hamilton, and we are here to assist you throughout your experience as a resource. Please reach out if you have any questions, or concerns.

Welcome to the team! We hope you have a rewarding experience as a City of Hamilton local board member.

Thank you,

Andrea Holland
City Clerk for the City of Hamilton

City of Hamilton Land Acknowledgement

The City of Hamilton is situated upon the traditional territories of the Erie, Neutral, Huron-Wendat, Haudenosaunee and Mississaugas. This land is covered by the Dish With One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabek to share and care for the resources around the Great Lakes. We further acknowledge that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation.

Today, the City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and we recognize that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners and caretakers.

Why is a Land Acknowledgment important?

Land acknowledgments are essential in moving forward on a path to reconciliation. Land acknowledgments are influenced by the Truth and Reconciliation Commission's 94 Calls to Action in acknowledging the first occupants of this land. Land acknowledgments are also important in educating the broader public on the significance of the relationship between Indigenous Peoples and their territories.

When do we use a Land Acknowledgment?

Land Acknowledgment's are normally used at the beginning of events, meetings, lectures and other public events. We must acknowledge the land we live, work and play on as it's essential in the path to reconciliation as well as developing respectful and meaningful relationships with the local First Nations surrounding Hamilton.

The City of Hamilton at a Glance

Through your work as a member of a local board, you are also supporting the work of the City of Hamilton. This section provides you with a snapshot of the City of Hamilton and its operations. If you wish to learn more about the City, resources are available by way of <https://www.hamilton.ca/>.

The City of Hamilton is a diverse city, providing municipal services to more than 500,000 residents.

The City of Hamilton is committed to achieving excellence in public service through ongoing efforts to continuously improve and evolve corporate strategies and processes. By focusing on Strategy and Performance Excellence, we commit to:

- understand what's happening externally in the city, internally at the City and elsewhere that may impact the delivery of City services.
- use information and evidence to drive strategy, inform decisions and influence the day-to-day delivery of City services.
- understand and communicate City service performance to the community.
- ensure value for money in service delivery and to always consider ways to improve the delivery of City services.

City of Hamilton Organizational Structure



City Council is composed of the Mayor and 15 Councillors representing the 15 Wards within the City of Hamilton and is the final decision-making body for the City. City Council meetings are held at 9:30 a.m., in accordance with the schedule approved by Council following the standing committee meetings and considers all recommendations for approval and action.

Link to the Council/Committee calendar: <https://www.hamilton.ca/city-council/council-committee/council-committee-meetings/meetings-agendas-video#meeting-calendarlisting>

City of Hamilton Strategic Plan 2016 - 2025

The City of Hamilton's 2016 - 2025 Strategic Plan is a 10-year plan <https://www.hamilton.ca/city-council/plans-strategies/strategies>, approved by Council in June 2016.

The 2016-2025 Strategic Plan for the City of Hamilton guides everything we do as an organization and illustrates to the community and to our stakeholders how we will contribute to moving our city forward over the next 10-years. It includes the following components:

- Vision represents what we aspire to be
- Mission identifies why we exist as an organization
- Culture outlines how we conduct ourselves (our values)
- Priorities provide guidance on where we are focusing our efforts to meet desired outcomes

Our Vision

The City's vision "To be the best place to raise a child and age successfully" reflects the kind of city Hamiltonians want to aspire to become.

It means having an inclusive community, actively engaged in making Hamilton a better place for everyone. It is creating an accessible environment, supporting residents through all of life's stages, and one that encourages positive development of children as they grow towards becoming healthy adults and seniors.

Our Mission and Our Culture

The City's mission, "To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner", provides the context for the delivery of City services across all our priorities. Our culture guides the conduct, behaviours and actions to which we hold each other accountable.

The culture of an organization has a major impact on the performance and reputation of an organization. It reflects the City's values, drives high performance and engenders the trust and confidence of our citizens. Our culture was developed by a cross-section of employees with diverse backgrounds and experiences, from front-line to senior management and was endorsed by City Council through its adoption into the Strategic Plan. The culture revolves around five pillars:

Collective Ownership

We cooperate and collaborate; we support teamwork and breaking down silos. We build relationships across departments and divisions to achieve our objectives and bring the ideas of others forward. Each and all of us understand that what we do affects the work of others and the results we achieve. We are one City with one vision and one mission, serving our citizens and stakeholders.

Steadfast Integrity

We build trust and demonstrate integrity in our work. We are direct and truthful individuals, accountable for doing what is right. We can be trusted to perform in an accountable and respectful manner.

Courageous Change

We embrace innovation, creativity and risk taking. We support, discuss and proceed with innovative ideas and actions to continuously improve our service delivery. We make evidence-based recommendations.

Sensational Service

We are passionate about customer service and service delivery excellence. We take a citizen-centered approach to providing exceptional service in a timely and responsive manner. We communicate in an open and transparent manner, especially when mistakes occur. We take pride in our work as public servants, serving our community. Performance measurement is a cornerstone to our service delivery.

Engaged and Empowered Employees

We invest in our employees, support and empower them to improve performance and be accountable for results. We communicate clear purpose and direction, build relationships through ongoing communication, regularly invite input and feedback, and treat employees equitably. We create a work environment where there is continual development, respect and recognition. Our employees are trusted, inspired to do their best work, and would not hesitate to recommend the City of Hamilton as a great place to work.

Our Strategic Plan Priorities

Council is considering their Strategic Plan Priorities on March 24, 2023 at a Special General Issues Committee meeting; therefore, this section will be updated accordingly after that date.

Local Boards within the City's Governance Structure

Standing Committees

A standing committee is a Committee established by City Council, comprised entirely of members of City Council, to carry out duties on an ongoing basis, as specified by City Council, and that reports directly to Council.

There are six Standing Committees, which all meet bi-monthly except the Public Health Committee which meets monthly:

- General Issues Committee
- Planning Committee
- Public Works Committee
- Public Health Committee
- Audit Finance and Administration Committee
- Emergency and Community Services Committee

Sub-Committees

A sub-committee is a committee established by City Council, comprised of some members of City Council and in certain circumstances also members of organizations and/or citizen members (YOU). Sub committees report up to an assigned standing committee with members of sub-committees being appointed by City Council.

Advisory Committees

An advisory committee is established by City Council for the purpose of providing advice on matters that are related to the specific mandate of the committee, comprised of a group of appointed citizens (YOU). An advisory committee is accountable to City Council for its actions through the appropriate Standing Committee to which they report.

An advisory committee member is recruited based on their understanding of and expertise around the advisory committee's mandate and willingness to volunteer their time.

Task Forces

A task force is established by City Council for the purpose of providing advice on matters related to a specific mandate of the task force, comprised of a group of appointed citizens (YOU). A task force is accountable to Council for its actions through the appropriate Standing Committee to which they report.

A task force member is recruited based on their understanding of and expertise around the task forces' mandate and willingness to volunteer their time.

Working Groups

Advisory committees/task forces are encouraged to create working groups, if required, to enhance the efficiency of meetings or to work on a specific project/event identified in the committee's workplan. The nature of working groups are unique, given their mandate, projects and scope.

Working groups are normally comprised of advisory committee/task force members, however, when required, volunteers may be called upon for their expertise to assist a working group in completing their mandate.

Board and Shareholders

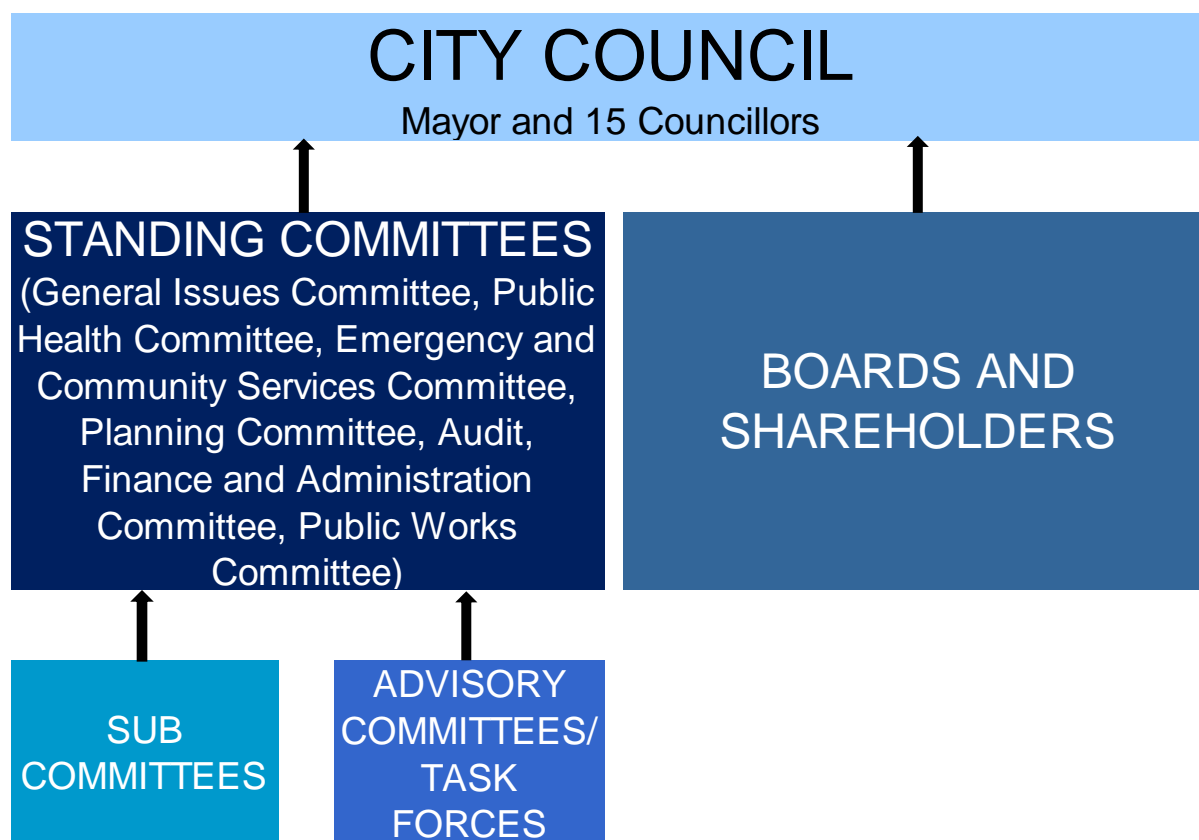
Where City Council acts as the Shareholder or the Board of Directors, or both, of a corporation, Council meets as the Shareholder or the Board of Directors as necessary to complete such business as would normally be completed by the Shareholder or Board of Directors and as required by the corporation's by-laws and resolutions and any laws that govern the corporation.

Tribunals

The City's tribunals comply with *Statutory Powers Procedure Act* and do not report to City Council, they are autonomous bodies, whereby they govern themselves.

Relationship: Council and Local Boards

The following chart illustrates the reporting relationship between City Council, Standing Committees, Boards, Shareholders, Sub-Committees, Advisory Committees/Task Forces, Working Groups:



Terms of Reference

Each local board operates within a City Council approved terms of reference document that provides a framework for the function of the local board. The most vital piece of a terms of reference is your local board's mandate. The local board's mandate sets forth the topics and areas of jurisdiction that your local board may discuss and provide advice to City Council on. Review your local board's mandate and if you have questions you may connect with your Staff Liaison, Clerk or the Chair of the local board for further clarification.

In addition to setting forth the mandate, the terms of reference provides guidance on the following areas:

- meeting frequency
- local board composition

Link to Local Board Listing page <https://www.hamilton.ca/city-council/council-committee/council-committee-meetings/committee-listing>

The Terms of Reference template is attached to this handbook as Appendix 'A'.

Professional Working Relationship

All local board members work with City Council and City staff in a professional working relationship. All partners in the relationship must demonstrate a commitment to communication and consultation among themselves and the general public and respond based upon areas of expertise.

What Advisory Committees/Task Forces Do

Advisory Committees/Task Forces

Advisory committees and task forces play an important role in providing resident input on proposed policy and City initiatives and is often used as another way to connect directly with the broader community. Advisory committees and task forces have a clearly defined terms of reference document which provides the committee's mandate and outlines parameters for committee activity.

Advisory committees/task forces review or provide advice to City Council and staff on mandated matters; assist in public consultation processes and committee work; and liaise with other advisory committees/task forces. Some advisory committees/task forces also organize and participate in community events. Being a member of an advisory committee/task force offers residents a unique chance to volunteer their highly valued skills, diversity and knowledge to strengthen our shared sense of community.

Working Groups

Advisory committees/task forces are encouraged to create working groups, if required, to enhance the efficiency of meetings or to work on a specific project/event identified in the committee's workplan.

Working group meetings are held separately as needed and operate by consensus rather than by formal motions. The advisory committee's/task forces' Staff Liaison shall not attend these meetings. A working group member present must take notes and provide them to the Chair and Staff Liaison before the next regular meeting. The working group notes are circulated to the advisory committee/task force and filed accordingly. Working groups report to the advisory committee/task force and do not make independent decisions or take action that is not agreed upon by the advisory committee/task force at a regular meeting. The chair of a working group is chosen by the majority of the working group members.

Working group membership shall be maintained at less than a quorum number of the advisory committee/task force membership (i.e. if the advisory committee's/task forces' membership is 10, their quorum is 5, therefore, all of the advisory committee's/task forces' working groups are to maintain a maximum membership of 4 members).

What Sub-Committees Do

City Council may establish a sub-committee to focus on a particular task or area, thereby, delegating City Council's many responsibilities to smaller groups, who report to their respective Standing Committee.

Applicable Municipal By-Laws and Policies

Appointment and Recruitment Process

The public appointment policy sets forth the way in which members of the public are appointed to local boards of City Council and outlines the general recruitment process.

Each local board is encouraged to complete a Roles, Responsibilities and Expectations document for review and information for all new applicants. This will help all new applicants to understand the workload and expectations when participating on the local board.

All existing members will be notified, by the Staff Liaison or Clerk, of the recruitment posting for the new term of Council.

All applicants, including those who are reapplying to serve, must submit an application and if applicable, attend an interview with the respective Standing Committee's Interview Sub-Committee.

A report from the respective Standing Committee's Interview Sub-Committee is generated by the Office of the City Clerk and provided to Council in closed session (in private) where they will make their final decision and you will be notified by the Office of the City Clerk of the outcome of your application.

Any applicant wishing to withdraw their name from the recruitment process, shall notify the Office of the City Clerk at clerk@hamilton.ca.

The City of Hamilton's Policy respecting the Appointment of Citizens to the City's Local Boards is attached to this handbook as Appendix 'B'.

Code of Conduct for Local Boards

The Code of Conduct for Local Boards applies to all appointed members of a City of Hamilton Local Board. The Code of Conduct for Local Boards is in response to Bill 68 which came into effect in 2017, which sought to enhance local government accountability and integrity across the Province by requiring municipalities to have a Code of Conduct for members of municipal Councils and Local Boards and Committees.

The Code of Conduct for Local Boards outlines how members of Local Boards are to adhere to the highest standards of personal and professional competence, integrity and impartiality and provides guidance to members, by way of establishing a set of principles to support them in conducting their day-to-day committee business in a manner which promotes public confidence. A copy of the Code of Conduct for Local Boards is attached to this handbook as Appendix 'C'.

The Code of Conduct for Local Boards includes several key areas:

- Member conduct;
- Use of City resources;
- Media communications; and
- Improper use of influence.

The Integrity Commissioner will provide all training on the Code of Conduct and Municipal Conflict of Interest Act. It will be scheduled with each new term of Council for all members of Local Boards.

Any appointees after the initial recruitment will be provided access to online training modules to complete this training.

Council Procedural By-Law

Section 238 of the *Municipal Act, 2001* requires that Council of the City of Hamilton adopt, by By-law, procedures governing the calling, place, and proceedings of meetings.

The Council Procedural By-law provides the rules of procedure that are observed in all in-person / virtual / hybrid proceedings of Council and shall be the rules for the order and dispatch of business in Council and unless specifically provided, with necessary modifications, apply to all Committees.

The rules of procedure 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; and
3. Only one topic will be considered at a time.

Link to the Procedural By-law: <https://www.hamilton.ca/sites/default/files/2022-12/21-021-consolidated-12.07.2022.pdf>

Multi Year Accessibility Plan

The City of Hamilton is committed to ensuring that Council, all levels of corporate management and staff, plan, implement and evaluate strategies and opportunities that sustain and maintain the rights of persons with disabilities and their families to barrier-free programs, services and opportunities. In so doing, the City implements the *Accessibility for Ontarians with Disabilities Act, 2005* according to the legislation's standards for:

- Information and Communications;
- Employment;
- Transportation;
- Design of Public Spaces (Built Environment); and
- Customer Service

All employees, volunteers and all other persons or organizations who provide goods, services or facilities on behalf of the City of Hamilton perform the work to achieve the goals outlined by the Multi Year Accessibility Plan.

Link to the Multi Year Accessibility Plan - <https://www.hamilton.ca/people-programs/equity-diversity-inclusion/accessibility-services/multi-year-accessibility-plan>

Accessible Standards for Customer Service AODA

The City of Hamilton is committed to providing customer service to persons with disabilities in a manner that:

- respects their dignity and independence;
- is integrated as fully as practicable into the method of service delivery;
- ensures reasonable efforts are made to provide equitable opportunities to accessing goods and services;
- allows persons with disabilities to benefit from the same services, programs and opportunities in ways that are based on their own needs and self-determination.

Member Training

The Office of the City Clerk is committed to ensuring all citizen appointees to the City's local boards are trained, providing the following training information and reference documents to all citizen appointees to the City's local boards:

- orientation for citizen appointees to the City's local boards provided by the Staff Liaison
- current Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards
- relevant City policies (Appointment, etc.)
- Code of Conduct for Local Boards
- *Municipal Conflict of Interest Act*
- Local boards Terms of Reference
- Accessibility Standards for Customer Service AODA e-learning Program

Any appointees after the initial recruitment will be provided access to online training modules to complete this training.

Communicate Changes to the Office of the City Clerk

Please note your appointment is conditional upon you continuing to meet the following criteria for the duration of your term:

- resident of the City of Hamilton or operating a business in the City of Hamilton

If there is any change in your personal circumstances as described above, you must notify the Office of the City Clerk immediately.

Attendance

Local board members are expected to attend every committee meeting. When a member is unable to attend a meeting, they are to notify the Staff Liaison as soon as possible so it can be determined if quorum will be attained.

When a member misses more than three (3) consecutive 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.

Resignations

Local Board members wishing to resign their appointment mid-term shall submit their resignation in writing, by either email or by completing the Local Board Member Resignation Form, attached to this handbook as Appendix 'D', to the respective Staff Liaison, who will forward the form or the email to the respective Legislative Coordinator, in the City Clerk's office, stating which local board the member is resigning from and general reasons why (the inclusion of private/personal information is not required).

The local board member's resignation will be placed on an upcoming Standing Committee or Council Agenda (depending on its time sensitivity) to be formally received by Committee/Council,

followed by the Office of the City Clerk initiating the filling of the vacancy, as per City of Hamilton Policy respecting the Appointment of Citizens to the City's Local Boards (Appendix 'B')

Local Board Members and Running for Office

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.

Please refer to Rule 5: Election Campaigns, within the Code of Conduct for Local Boards (Appendix 'C')

Any member of a Local Board wishing to run for political office, should consider connecting with the Integrity Commissioner to seek advice to avoid any conflicts.

Confidentiality

Local Board members' personal contact information is considered confidential. Membership lists containing personal contact information are only accessible by local board members and City staff. If a member of the public wishes to speak to a local board member, the Staff Liaison will provide the inquirer's contact information to the local board member for a direct response.

Federal and Provincial Laws

Citizen Appointees to City of Hamilton Local Boards shall abide by all applicable Federal and Provincial laws during the performance of their duties.

Advisory Committee/Task Force Roles and Responsibilities

Advisory Committee/Task Force Positions

Advisory committees/task forces can be made up of a combination of the following:

Position	Role
Chair	runs the advisory committee/task force meetings and enforces rules of procedure under the Procedural By-Law (21-021) – a voting member
Vice-Chair	fulfills the role of the Chair in the Chair's absence – a voting member
Secretary	records without note or comment all resolutions, decisions and other proceedings at the meeting – a voting member
Advisory committee/task force member	participates in all meetings and votes on all motions
Council Representative(s)	provides advice to the advisory committee/task force from a council perspective when attending a meeting, shall be counted for the purposes of quorum – a non-voting member
Staff Liaison	provides a single point of contact with City staff and provides procedural advice and administrative support to the advisory committee/task force
Legislative Coordinator to the Standing Committee	provides assistance to the Staff Liaison and coordinates the inclusion of the advisory committee/task force minutes and Citizen Committee Reports (CCRs) in the standing committee agendas
Working Group member	advisory committee/task force member who participates in a working group with voting privileges
Working Group Chair	leads the working group formed by the advisory committee/task force – a voting member

Election of Chair and Vice Chair

The Staff Liaison conducts the Election of Chair and Vice Chair at the first regular meeting of the year. A Chair or Vice-Chair may serve as Chair or Vice-Chair for more than one year in a Council term. All voting Committee members are eligible for election as Chair and Vice-Chair.

A Chair or Vice-Chair serves their role until a new Chair or Vice-Chair is elected.

Role of the Chair

The Committee Chair:

- provides leadership to the committee and mentors the Vice-Chair

- works with the Secretary to prepare agendas
- works with the Staff Liaison to prepare budgets and work plans
- presides over meetings to ensure that proceedings are conducted in an appropriate and orderly manner
- monitors the committee's adherence to corporate policies and assists members to follow corporate policies and procedures
- is the official spokespersons on behalf of the committee, as per Appendix 'E' - Standard Operating Procedure #08-001 – Communicating with any outside agencies, including other levels of Government and the media
- Note: The Vice-Chair fulfills the role of the Chair in their absence.

Responsibilities of the Chair before meetings

The Chair must perform the following duties before each meeting:

- confirm the accuracy of the minutes to be presented to the committee for confirmation
- work with the Secretary to prepare the agenda a week to ten days before the meeting to:
 - ensure items of interest are included on the agenda;
 - understand what action should be taken on each agenda item (e.g. for information only or requires a motion);
 - understand the time allotted for each item to ensure completion of the full agenda; and
 - understand background documents, correspondence, reports, and any other material to be discussed.

Responsibilities of the Chair during meetings

The Chair must perform the following duties during each meeting:

At the start of the meeting

- ensure there is a quorum so the meeting can begin
- declare formally the meeting “open”
- welcome guest speakers, other visitors, and new members.

Throughout the meeting

- preserve order and decorum
- manage the discussion to ensure the agenda is completed in a timely manner
- rule on points of order and not waiver on a decision, unless a member appeals it to the committee as a whole
- never interrupt a speaker except to rule on a point of order
- prevent members from deviating from the order of business on the agenda
- conduct the meeting impartially
- ensure all tasks are distributed equally.

During meeting discussions

- allow one speaker to speak at a time
- state the order in which members may speak when more than one person wants to address the topic
- ensure all members have been heard who wish to address an issue
- reserve comments on an issue until all other members have been heard
- ask questions and call for specific ideas when discussion lacks direction
- summarize the discussion

- guide members towards making a decision
- turn the Chair over to the Vice-Chair or designate if you feel strongly about an issue and want to speak on it.

Meeting voting and motions

- read the motion to the members before voting
- address amendments to a motion prior to voting on the full motion
- ask for a vote and declare the results of all votes
- announce all decisions reached.

Adjournment

Adjourn the meeting when:

- all business on the agenda has been concluded, or
- it is scheduled to be adjourned, or
- the meeting is excessively disorderly, or
- quorum is lost.

Responsibilities of the Chair between meetings

- represent the advisory committee at Standing Committee meetings and events when required
- sign correspondence on behalf of the committee
- monitor the progress of all committee tasks
- act as a resource for all committee members and support their involvement

Role of the Secretary

The Secretary is a committee member who participates fully at every meeting and is assigned the responsibility of recording without note or comment all resolutions, decisions and other proceedings at the meeting (as per the *Municipal Act*, 2001) within the minutes of the meeting.

Together with the Chair, prepare the agenda for all meetings and send to Staff Liaison for publishing within required timelines.

Role of the Local Board Member

Members are expected to participate and to help fulfill the Committee's mandate in the Terms of Reference. This includes doing work outside of Committee meetings to advance the business of the work plan for the Committee.

Members should be familiar with the committee's Terms of Reference, the Roles, Responsibilities and Expectations of New Members and the mandated activities of the committee.

Members should read the agenda before the meeting and come prepared to discuss each item and participate fully.

Each Member will work with the Committee to develop and monitor an achievable annual work plan, based on corporate priorities identified within the City of Hamilton's current Strategic Plan and Terms of Reference and ensure the plan identifies necessary detailed actions and resources required.

It is the responsibility of the member to advise the Staff Liaison of their attendance at an upcoming meeting so quorum can be determined in advance of the meeting. Members who miss more than

three (3) consecutive meetings during their term, may be asked to resign by the Chair, or Council may be requested to remove the member.

A Council Representative(s) when attending an advisory committee/task force meeting, does not have voting rights, however, they shall be counted for the purposes of quorum.

Members are to comply with the Code of Conduct for Local Boards, attached to this handbook as Appendix 'C' and are bound by the *Municipal Conflict of Interest Act*, found at the following link: <https://www.ontario.ca/laws/statute/90m50> and explained further under section 'Conflicts of Interest'.

Members are required to, upon appointment and prior to attending their first meeting, sign the Acknowledgement Form (page 30 of the handbook) and forward it to their committee's Staff Liaison.

Role of the Council Representative(s)

A Council representative(s) is assigned to advisory committees to act as a liaison that provides guidance from the perspective of a City Council member and empowers effective volunteer performance. Each Council representative is required to attend at least one (1) meeting per year and when attending a meeting, shall be counted for the purposes of quorum without voting privileges.

Role of the Staff Liaison

The Staff Liaison provides each advisory committee with a single point of ongoing contact with City staff; and:

- assists committees in their dealings with Council, staff, other levels of government, and community agencies including communication to and presentations/delegation requests at standing committee meetings;
- must be present at all regular committee meetings, acts as a facilitator and provides procedural advice;
- publishes the agenda to eSCRIBE;
- distributes approved minutes of meetings to the respective Standing Committee's Legislative Coordinator;
- assists with membership interviews;
- maintains membership records/committee files;
- assists with budget preparation and monitoring and annual report formulation;
- handles all financial transactions;
- invites guest speakers, visitors, staff;
- provides the meeting schedule and books the meeting room;
- ensures that the committee's meeting dates are included in the Council/Committee meeting calendar on the City's website;
- contacts members who are absent from three or more consecutive meetings to determine the reason for their absences;
- manages public relations activities and creative services assistance;
- provides advice on corporate policy and procedure;
- assists the Committee to prepare an annual operating and capital budgets for submission by timeline and based on priorities and budget instructions;
- ensures consistent and appropriate volunteer recruitment and recognition are maintained and volunteers are oriented to their responsibilities and understand the resources available to them;
- ensures timely and accurate distribution of material;
- assists the Committee with the development and implementation of an achievable annual

- communication plan, including up to date information for publication on the City's website;
- provides professional information based on the staff person's area of expertise;
- supports committee members awareness of the City's activities in their area of expertise;
- advises and consults with committees on reports being presented to standing committees;
- ensures that the committee is adhering to its mandate;

Staff Liaisons are not to be assigned tasks that should be performed by committee members.

Local Board Meetings

All local board meetings are considered public meetings, consistent with the City of Hamilton's Procedural By-law and the *Municipal Act*.

Meeting Frequency and Schedule

Regular meetings are held based on an established frequency and are identified in the terms of reference. On occasion it may be necessary to hold a special meeting to deal with a specific issue or meet a deadline. Should this arise your Staff Liaison will guide the local board through the process.

Meetings should start at the scheduled time and will be held at Hamilton City Hall unless an alternate location within the City of Hamilton has been agreed to by a majority of committee members. Meetings last approximately two hours.

Meetings cannot start before the time listed on the meeting agenda.

Working group meetings are held separately as needed and are not considered official meetings.

Staff Liaisons are not required to attend working group meetings.

Quorum

Quorum must be met for a scheduled meeting to proceed. Quorum is the minimum number of local board members required to be present for a committee meeting to conduct business at a meeting. Quorum for each committee is half of the membership rounded up to the nearest whole number (i.e. an advisory committee with a membership of nine, requires five members to be in attendance to achieve quorum). If quorum is not met, the meeting may be rescheduled, cancelled or continue with information sharing only, as no decisions of committee can be made without a quorum present.

The Secretary will produce a record of the meeting listing those who were in attendance and stating that quorum was not achieved; members are not required to stay if the meeting proceeds with information sharing.

Cancellation of Meetings

When a meeting must be cancelled in advance due to a lack of quorum, a lack of items and/or

other special circumstances, the Staff Liaison will get the consent of the Chair, and send a Cancellation of Meeting email to the members. All local boards are required to provide at least two days' notice prior to the time appointed for the meeting, when cancelling a meeting, if that notice is not provided, the meeting must be held and adjourned within the timelines in the Procedural By-Law.

Agendas

(a sample template for an agenda is attached to this handbook as Appendix 'F', for your reference)

Distribution

The Secretary prepares the agenda in consultation with the Chair and distributes the website link to the agenda to members in a timely manner via email. The agenda outlines the order of business for the meeting and ensures that notice of the proposed topics is provided to the members and to the general public.

Accommodation will be provided under AODA for anyone who requires agendas in an alternate format.

Additional Items for Agenda

Following the distribution of the agenda, any additional items may be added to the Addendum or brought forward at the meeting under "Other Business" which takes place at the end of the agenda.

Matters that are not considered time sensitive shall be listed on the agenda for the next meeting.

Working Groups

The working group member who is appointed as Secretary participates fully at the meetings and is responsible for producing and distributing agendas for working group meetings.

Minutes

(a sample template for minutes is attached to this handbook as Appendix 'G', for your reference)

Meeting minutes represent a succinct and accurate account of the business dealt with at the meeting and are not a verbatim report of dialogue during the meeting. The minutes provide a permanent and official record of all proceedings, policy and budgetary decisions made. Members are encouraged to maintain a personal set of notes identifying actions they are required to follow up with.

The Staff Liaison will distribute the minutes as the minutes of the previous meeting in the upcoming meeting's agenda. Minutes are posted on the City's website and circulated to the members. Meeting minutes are approved by motion at the next regular meeting.

Amendments to the minutes may be proposed by members, however, amendments are limited to corrections of factual errors or incomplete information only.

Citizen Committee Reports

(a sample template for a Citizen Committee Report is attached to this handbook as Appendix 'H', for your reference)

When an advisory committee requires approval for any action, other than the actions listed below,

from their respective Standing Committee, the advisory committee is required to prepare a Citizen Committee Report (CCR) with recommendations. Recommendations: are proposals/requests from an advisory committee to their respective Standing Committee to approve, amend, cancel, consider, implement, direct staff respecting a matter, issue, project, service or program.

Actions that don't require the preparation of a CCR by an advisory committee or the consideration of their respective Standing Committee are:

- approving a member's delegation to their respective Standing Committee (a request in writing to the Clerk is required, please refer to the 'Registering as a delegation' section below);
- establishing a working group;
- requesting a presentation by an organization on matters within an advisory committee's mandate, at a future meeting;
- approving the use of budgeted funds on approved expenditures; and
- approving the removal of a member who has not been attending meetings as required, this must be presented to the Standing Committee in writing.

Delegations at Local Board Meetings

A delegation is a presentation to a local board made by a member of the public on their own behalf or on the behalf of a company or organization.

Persons wishing to delegate on a matter that is not listed on a Committee agenda, shall make a request in writing to the Clerk (refer to the Registering as a delegation section below) and the Staff Liaison shall list the delegation request on an upcoming agenda. The requester will be notified of the date of the meeting where their delegation will be heard following Council's ratification of the Committee's Report.

Persons wishing to delegate on a matter that is listed on the Committee agenda, shall make a request in writing (refer to the Registering as a delegation section below) to be listed as a delegation to the Clerk no later than 12:00 p.m. the business day before the meeting. If the Committee is meeting on a Monday, the deadline will be 12:00 p.m. on the Friday before.

Delegations are generally heard at the beginning of a meeting and have a maximum of five minutes to speak. Following their delegation, members may ask questions of clarification only and are not to enter into debate with the delegate.

Registering as a delegation

All delegates (appearing VIRTUALLY or IN-PERSON) shall complete the "Request to Speak to a Committee of Council" form (available on the City's website at <https://www.hamilton.ca/city-council/council-committee/council-committee-meetings/request-speak-committee-council>)

Meeting Decorum

All members must fully participate with open discussion and honest feedback.

For courtesy and efficiency, members must follow these ground rules:

- respect the authority of the Chair
- follow the procedural "rules of order" as guided by the Chair and the Staff Liaison
- raise your hand to speak and wait to be acknowledged by the Chair

- refrain from talking while another member has the floor
- work with Members and the Chair to complete the business on the agenda on time.

All members are to uphold the principles of the Code of Conduct.

Speaking and Debate

The meeting Chair is responsible for the decorum of the meeting and for supporting all members to participate in the discussion. All members should share speaking time appropriately and make sure decisions are reflective of the Committee's voting.

Meetings Open to Public

All meetings (except working group meetings) are open to the public unless it is required that a closed (in camera) meeting be held in compliance with the *Municipal Act, 2001* and the City's Procedural By-law. Your Staff Liaison can advise on the rules pertaining to closed meetings. As per Section 9.2 of the Procedural By-law, a Committee of which at least 50% of the members are also members of Council can hold a closed (in camera) meeting, therefore, a local board with a majority of citizen members (i.e. an Advisory Committee) cannot hold a closed session meeting.

A member of the public is there as an observer only and cannot participate in the discussion or ask questions.

Additional Information

The City's Procedure By-law provides excellent information on how to conduct and participate effectively in meetings. Your Staff Liaison may also provide advice and guidance on meeting procedures. Training for Chairs, Vice Chairs and Secretaries will be provided by City Staff.

Consultation on Staff Reports

City staff will attend meetings to seek feedback on reports they are preparing for standing committees. At the meeting, staff will provide background on the report, answer questions of members and request the member's feedback. The feedback received will be included in the 'Relevant Consultation' section of the staff report.

Committees may submit formal correspondence and/or a Committee member may attend the standing committee meeting to provide the committee's feedback on a staff report. A motion is required to be passed at a meeting approving the committee's submission of correspondence and/or the attendance of the committee's Chair or designate as a delegate at a standing committee meeting. The content of the correspondence and/or the speaking notes of the Chair also require the committee's approval.

Members may choose to submit their own correspondence or register to speak at a meeting separate from the committee. It must be clear that the individual's views are their own and not that of the committee.

Committee Correspondence

All correspondence for the committee's consideration that is received by the Clerk, will be forwarded

to the committee's Staff Liaison for inclusion in the committee's agenda.

External Contacts

Members are not to correspond or speak to any Ministries, any outside agencies, or the media on behalf of committee.

The Chair is the official spokesperson on behalf of the committee with the Ministries, any outside agencies, or the media, as per Appendix 'E' - Standard Operating Procedure #08-001 – Communicating with any outside agencies, including other levels of Government and the media.

Use of Secondary Logos for Advisory Committees

The development of secondary logos for promotional/educational purposes by a Committee should take place in consultation with the Communications division.

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 developed with the assistance of Communications, is 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 secondary logo, as per the *Visual Identity and Branding Guidelines*, must be of appropriate size relative to the intended purpose and should always sit side by side with the City of Hamilton logo (City of Hamilton always to the left)
- (iii) Design costs are to be funded by the Committee.

Annual Reporting

All advisory committees are required to submit an annual progress report highlighting the committee's activities for the past year and work plan for the current year to their respective standing committee for review by November of each calendar year, in support of their budget request.

Work Plan

The work plan should include the committee's objectives/priorities for the year, descriptions for each objective, resources required to complete the objectives and expected outcomes.

Motions

A motion is a formal proposal made by a member during a meeting to express a position or authorize an action. Possible motions may include:

- approve the minutes of a previous meeting or adjourn the meeting
- defer an item until a specified date
- refer an item to a working group
- amend an item
- recess

Managing Motions

Motions should be within the scope of the committee’s terms of reference and be within their mandate.

The following describes the process for managing motions during a meeting:

1. A voting member moves a motion that is stated in the positive (not the negative), which is clear, succinct and actionable, to approve, authorize, support, direct, etc. A “seconded” (or another member voicing support of the motion) is necessary.
2. The member must clearly state the motion.
3. The committee discusses the motion and can make amendments* to the wording of the motion.
4. The Chair must clearly restate the motion and call the vote once the discussion has ended with “all those in favour raise your hands” and then “all those opposed raise your hands”.
5. The Chair announces the result of the vote as Carried or Defeated.
6. The secretary records any motions that are Carried or Defeated in the minutes.

Here are two examples of wording for a motion:

- That the February 9, 2022 minutes of the Advisory Committee, be approved.
- That Jane Doe be authorized to make a presentation on behalf of the Advisory Committee at the Standing Committee meeting when the climate change initiatives are to be considered.

** An amendment is considered a minor change or addition designed to improve the wording and must be 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”.*

Guidelines for Voting

Motions must always be voted on following these guidelines:

- Only committee members are permitted to vote.
- All members in attendance (including the Chair) are required to vote, unless a member(s) has declared a 'disqualifying interest'.
- Failure to vote will be deemed to be a negative vote.
- When there is a tie vote, the motion is defeated.

Advisory Committee Budgets

Advisory committees are required to prepare and submit an annual budget with the assistance of the Staff Liaison which is based on the annual work plan for the upcoming year and supports the committee's mandate as outlined in the terms of reference. All advisory committee workplans that will include budget requests will go to Council for approval in the first quarter of the calendar year. Once approved by Council the Staff Liaison will advise of the final budget that has been approved.

Volunteer (Advisory) Committee Expenditures

As per the approved Financial Policies/Guidelines (Report FCS02074, Funding Process for Volunteer Committees), only the following administrative expenditures would be covered:

- Copying/printing
- Refreshments (water, juice, coffee, snacks, no meals)
- Postage/Mailing
- Advertising
- Equipment rental
- Associated seminar/workshop costs
- Supplies

These types of expenditures do not include any special event or project initiative costs that are approved as part of the Business Planning/Budget Submissions by the volunteer committees. In total, the actual expenditures should not exceed that budgeted allocation for the committee.

As per the recommended funding strategy for 2006, the volunteer committee costs and budget will remain centralized in the Legislative Department. However, with increased opportunity for accountability (through Year-in-Review (YIR) and in-year expenditure summaries and liaison with the volunteer committee), the applicable Department is ultimately responsible for the expenditures incurred by the volunteer committee. As such, any financial policies or guidelines should reflect those of the Department. For example, if a particular group desires to accept donations to assist with their mandate, existing departmental policies and procedures must be adhered to. If a policy does not exist then one should be developed (with assistance from applicable areas such as Legal).

As previously mentioned, the previous year's allocation will be the base budget for the current year. If the department realizes the need for additional funding for a particular volunteer committee, a base budget transfer could occur (permanent), a one-time funding source could be recognized (one-

time) or Council could adjust the allocation during the budget process. Fundraising opportunities should always be investigated by volunteer committees. The establishment of a volunteer committee reserve may also assist future financial pressures.

Requests for Unbudgeted Expenditures

If the Advisory Committee wishes to establish a reserve account for their surplus of operating funds, they should seek advice from their Staff Liaison and Finance staff.

- Upon request by a volunteer committee, staff will transfer unused funds, for a specific year, to a volunteer committee reserve
- The reserve will be tracked for each volunteer committee
- The volunteer committee must specify a reason to transfer the unused funds to the reserve minimum of 10% of the budget must be available for transfer to the reserve
- The funds will be used by the volunteer committee to fund future events/projects or by Finance to offset unfavourable variances incurred by the volunteer committee
- Reserve transfers will be subject to an overall corporate surplus
- The maximum reserve balance per volunteer committee is double their budget allocation
- If a volunteer committee is discontinued, any reserve balance will be transferred to the operating budget
- When the volunteer committee submission is brought forward to the Standing Committee in the fall, the volunteer committee will indicate if and why they will be seeking funding from their reserve; This will eliminate the need for a separate report as the use of reserves must be approved by Council; A similar recommendation to the following should be used:
 - That for 20XX, the _____ Committee be authorized to use up to \$XXX from the Volunteer Committee Reserve for _____.
- Funds raised through fundraising activities will be treated separately and not be subject to these guidelines

Conflicts of Interest

The *Municipal Conflict of Interest Act* applies to elected officials and appointed members of advisory committees and boards. The legislation requires a member who has a 'disqualifying interest' or a 'non-disqualifying interest' with regards to any matter under consideration, to declare their interest.

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.

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.

Members who believe they have a 'disqualifying interest' and 'non-disqualifying interest' in a matter on a committee agenda shall:

- Declare the 'disqualifying interest' and 'non-disqualifying interest' at the start of the meeting.
- Refrain from discussion and voting on the matter if your declaration is a 'disqualifying interest'
- If your declaration is a 'non-disqualifying interest' you may discuss and vote on the matter.
- Complete a statement of 'disqualifying interest' and 'non-disqualifying interest' and submit it to their Clerk.
- Any member seeking advice on conflicts of interest, should seek advice from the city's Integrity Commissioner.

All declarations of ‘disqualifying interest’ and ‘non-disqualifying interest’ are recorded in the meeting minutes. The City is required to maintain a registry of all declarations of ‘disqualifying interest’ and ‘non-disqualifying interest’ made by members. As an advisory committee member, you are subject to the Municipal Conflict of Interest legislation and must follow the legislation and the City’s process:

1. Declare the ‘disqualifying interest’ and ‘non-disqualifying interest’ at the meeting for the minutes.
2. When filing a ‘disqualifying interest’ and ‘non-disqualifying interest’ declaration, use the appropriate form, as attached to this handbook as Appendix ‘I’ – Disqualifying Interest or Appendix ‘J’ – Non-Disqualifying Interest.
3. Forward the completed form to the Office of the City Clerk clerk@hamilton.ca and the committee’s Staff Liaison
4. The ‘disqualifying interest’ and ‘non-disqualifying interest’ will be posted to the <https://www.hamilton.ca/city-council/council-committee/council-committee-meetings/conflict-interest-registry>.

Records Retention

Records Held by Committee Members

During the course of conducting municipal business, a great deal of records and information is created. The City is required to manage and retain corporate records in accordance with provincial legislation (the *Municipal Act*, and the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) and municipal by-laws).

A record is defined in MFIPPA as “any record of information however recorded, whether in printed form, on film, by electronic means or otherwise.” This definition is deliberately broad to encompass new and emerging technologies. Records include, for example:

- emails including any text messaging or other forms of electronic communication
- reports, correspondence, notes, etc.
- data in databases
- office and working files
- written and post-it notes
- notebooks, day-timers, journals, etc.
- invoices, expense claims, accounting records, etc.; and
- maps, drawings, photos, audio files or video tapes, etc.

As a citizen appointed member to a Local Board, you will receive and create information on behalf of the City. Any records you create or have in your possession that relate to the business of the board or committee are considered corporate records.

They are not your personal records even if the records were sent from your personal email address. The content of the records and the fact that it relates to your participation and activities on the board or committee makes it a corporate record.

Citizen appointed members of a Local Board should keep records organized and accessible to ensure prompt availability if they are requested to disclose them.

Access to Records

The *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) applies to all municipalities in Ontario, as well as school boards and police services. MFIPPA has two fundamental purposes:

- Every person has a right of access to a record or part of a record in the custody or under the control of the City
- Provides individuals with right to access their own personal information and requires that municipalities protect personal information in their care
- MFIPPA supports the belief that every record held by a municipal body, is subject to release. There are limited exemptions from release which are designed to:
 - protect against the unreasonable invasion of personal privacy
 - prevent unfair advantages occurring in commercial or government transactions
 - protect law enforcement activities, and
 - safeguard the business conducted by government

Personal information is defined in MFIPPA as “recorded information about an identifiable individual...” and includes anything that can identify the individual. This may include photographs, videos, audio recordings, identifying numbers like drivers’ license numbers and dates of birth, physical attributes/ biometric information, health information, financial information, their opinions or beliefs.

Citizen appointed members of the City’s Local Boards have no greater right to City records than a member of the public. The City has made significant efforts to make information available on the City’s website:

- The City of Hamilton makes all legislative information excluding and confidential information available through the City Clerk’s webpage: <https://www.hamilton.ca/city-council/council-committee/council-committee-meetings>
- City By-laws: <https://www.hamilton.ca/city-council/by-laws-enforcement/search-by-laws>
- Open data Program: <https://www.hamilton.ca/city-council/data-maps/open-data>
- Routine Disclosure and Active Dissemination (lists of information made available by City departments): <https://www.hamilton.ca/city-council/accountability-transparency/routine-disclosure-active-dissemination>

Protection of Privacy

As a committee member, representing Council and the City, you are subject to MFIPPA.

Members, who during the performance of their duties, receive access to personal information have a responsibility to protect that information, to only use it for the purpose for which it was intended and must take appropriate measures to ensure the personal information is protected and not inappropriately disclosed.

Please refrain from:

- leaving records containing personal information in your car, in your home or in areas where

others may have access to it

- discussing personal information of others in open areas
- disclosing an individual's personal information during a public meeting without their written consent

When you are creating records as a committee member, you should not consider them private, keep access in mind and ensure that personal information is protected. Any questions regarding MFIPPA should be referred to the Clerks Office.

Clerk's Contact Information

Depending upon which Standing Committee, the Committee reports through (*please refer to the Relationship: Council and Committees section to determine which Standing Committee your advisory committee reports through*), please contact the one of following Clerk's Division staff:

Planning Committee

Lisa Kelsey

Legislative Coordinator

Phone: (905) 546-2424 ext. 4605

Fax : (905) 546-2095

E-mail: Lisa.kelsey@hamilton.ca

Audit, Finance & Administration Committee

Tamara Bates

Legislative Coordinator

Phone: (905) 546-2424 ext. 4102

Fax : (905) 546-2095

E-mail: tamara.bates@hamilton.ca

Emergency and Community Services Committee

Loren Kolar

Legislative Coordinator

Phone : (905) 546 2424 ext. 2604

Fax : (905) 546-2095

E-mail: loren.kolar@hamilton.ca

General Issues Committee

Angela McRae

Legislative Coordinator

Phone: (905) 546-2424 ext. 5987

Fax : (905) 546-2095

E-mail: angela.mcrae@hamilton.ca

Public Works Committee**Carrie McIntosh**

Legislative Coordinator

Phone : (905) 546 2424 ext. 2729

Fax : (905) 546-2095

E-mail: carrie.mcintosh@hamilton.ca**Public Health Committee****Matt Gauthier**

Legislative Coordinator

Phone: (905) 546-2424 ext. 6437

Fax : (905) 546-2095

E-mail: matt.gauthier@hamilton.ca

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 miss more than three consecutive (3) meetings during my term, the Chair, after hearing and considering my explanation, may ask me to resign.
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 local board members and City staff.
4. I shall not disclose to any member of the public any confidential or personal information, acquired by virtue of my position.
5. As a volunteer Committee member, I have received and read of the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards.

- 6. I acknowledge that the meetings are public, livestreamed, recorded and archived on the City’s website for future viewing.
- 7. I hereby confirm that I have read and understand the Code of Conduct for Local Boards and agree to abide by it.

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)

Please scan and email this page to your Staff Liaison. Thank you!

Appendix ‘A’

Terms of Reference Template

Local Board Name
Terms of Reference
Established by Council on (date)

Purpose

Describe the purpose of the local board (what the local board will do, why it was created)

Scope

Clearly describe what is in and out of scope for the local board

Authority

Forwards recommendations for approval through *(Advisory Committee - Citizen Committee Reports or Sub-Committee Reports – Sub-Committee)* to the *(Standing Committee the local board reports to)* and when directed by Council provides input and advice on *(matters within the local board's scope)*

Membership

Type (members of Council, citizens, representatives from an organization, etc.) and number of members (by type) and how the meeting will be chaired (Chair/Vice-Chair or Co-Chairs)

Staff Resources:

(list by title only)

Meeting arrangements

Meets (frequency (monthly, quarterly, at the call of the Chair)) at (location).

When the (local board's name) holds a 'meeting' as that term is defined in the *Municipal Act, 2001*/the City's Procedure By-law, the local board must comply with the open meeting provisions of the *Municipal Act, 2001* and/or the City's Procedure By-law as applicable.

Reporting


Reporting to Council, through the *(Standing Committee the local board reports to)*.

Review

The Terms of Reference are to be reviewed annually, any revisions for approval are to be presented to the *(Standing Committee the local board reports to)*, through a *(Citizen Committee Report for Advisory Committees or through a Sub-Committee Report)*.

Revisions approved by Council (date(s)):

Appendix 'B'

<p>Corporate Policy Hamilton City Council – Appointment of Citizens to the City’s Local Boards</p>	 Hamilton	<p>Policy Alignment: <i>Municipal Act 2001, as amended</i></p> <p>Council Approved: March 2017 Revisions: September 18, 2018, December 15, 2021, July 8, 2022, August 12, 2022, September 28, 2022 and March 29, 2023</p>
<p>Policy No: #</p>		<p>Page 1 of 8</p>

Purpose

The City of Hamilton recognizes the importance and value of involving residents to help shape City projects, policies and initiatives. Engaging residents on issues that affect their lives and their City is a vital component of a well-functioning democratic society and is a key priority of the City’s 25-year Community Vision. Hamilton is committed to creating and nurturing a City that is welcoming and inclusive where citizens of all ages, backgrounds, and abilities have the chance to participate in meaningful engagement opportunities.

The purpose of this policy is to outline the process to appoint citizens to the City’s Agencies, Boards, Commissions, Advisory Committees and Sub-Committees, including:

- The eligibility criteria
- Public Notice
- Recruitment
- Public information sessions
- Description of the selection process for:
 - o Local Boards (excluding Advisory Committees)
 - o Advisory Committees (excluding the Hamilton Indigenous Advisory Committee)
 - o the one Citizen Appointment to the Hamilton Police Services Board
 - o the Hamilton Indigenous Advisory Committee
 - o Local Boards Established during the Term of Council
- Selection Committee & Interview Sub-Committee Guiding Principles
- Description of the Interview Process
- The Roles and Responsibilities Appointed Citizens
- Appointment at Pleasure of Council
- The Filling of Vacancies during the Term of Council

Eligibility

1. The Selection Process is open to all residents and business owners of the City of Hamilton who are at least 18 years of age, unless otherwise stated (Note: Additional requirements may be requested by the individual Local Board, if they are governed by separate legislation, policies or mandates);
2. City Council wishes to ensure that its Local Boards reflect the diverse nature of the City of Hamilton’s population and encourages all residents to apply for appointment opportunities.
3. The Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees should reflect the diversity of the City of Hamilton’s population, and are committed to being inclusive and equitable for all involved. All residents are encouraged to apply for appointment opportunities.

<p>Corporate Policy Hamilton City Council – Appointment of Citizens to the City’s Local Boards</p>	 Hamilton	<p>Policy Alignment: <i>Municipal Act 2001, as amended</i></p> <p>Council Approved: March 2017 Revisions: September 18, 2018, December 15, 2021, July 8, 2022, August 12, 2022, September 28, 2022 and March 29, 2023</p>
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Public Notice

4. The City Clerk’s Office advertises for citizen member vacancies on the City’s Local Boards in the Hamilton Spectator and/or relevant Community Newspapers, on the City’s website and through other appropriate methods.

Recruitment

5. Citizen membership on all of the City’s Local Boards, with the exception of those terms of office defined by Provincial or Federal legislation, will be to serve for a period of up to four years, which coincides with the Term of Council.
6. Citizens are permitted to apply for membership on no more than two (2) of the City’s Local Boards.
7. Applications and information regarding the City’s Local Boards (i.e. Roles, Responsibilities and Expectations of New Members, Terms of Reference, Mandate, approximate number of meetings per year, etc.) are made available at the City Clerk’s Office, at all Municipal Service Centre locations and on the City’s website (www.hamilton.ca). The City will provide accommodation for applicants in all aspects of the selection process, up to the point of undue hardship. If you have an accommodation need, please contact clerk@hamilton.ca as soon as possible to make appropriate arrangements;
8. Completed application forms are to be returned to the City Clerk’s Office or any of the Municipal Service Centres by the application deadline as set out in the advertised Public Notice. Applications received after the deadline will not be considered for appointment.
9. Completed applications may be submitted to the City Clerk’s Office by one of the following methods:
 - (a) Online Application Process on the City’s website;
 - (b) Hand delivered or mailed to the Office of the City Clerk, 1st Floor, 71 Main Street West, Hamilton, Ontario, L8P 4Y5;
 - (c) Delivered to any Municipal Service Centre;
 - (d) Scanned and forwarded via e-mail to the contact person listed in the Advertisement; or,
 - (e) By Facsimile Transmission at (905) 546-2095

<p>Corporate Policy Hamilton City Council – Appointment of Citizens to the City’s Local Boards</p>	 Hamilton	<p>Policy Alignment: <i>Municipal Act 2001, as amended</i></p> <p>Council Approved: March 2017 Revisions: September 18, 2018, December 15, 2021, July 8, 2022, August 12, 2022, September 28, 2022 and March 29, 2023</p>
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10. Applications shall be kept on file by the City Clerk’s Office for the Term of Council. In the event of a vacancy, the Selection Committee or Interview Sub-Committee may consider interviewing applicants whose applications are on file for the current term, and the appointment would be for the balance of the current Council term.
11. Incumbents who are eligible and willing to seek reappointment to a Local Board must reapply in the same manner as other applicants.

Public Information Session(s)


12. A Public Information Session(s) is scheduled during the beginning of the initial recruitment process (end of the previous Term of Council) and although attendance is not mandatory, attendance is strongly encouraged for new applicants.

At the Information Session(s), citizens are provided with information regarding the City’s Local Boards and are afforded the opportunity to ask questions of the Staff Liaisons.

Interested citizens may also fill out and submit an application during the Information Session(s).

Selection Process for Local Boards (excluding Advisory Committees)

13. A minimum of five (5) members of Council are appointed to the Selection Committee whose mandate will be to:
- (i) Review citizen member applications for the City’s local boards (excluding Advisory Committees);
 - (ii) Applicants are shortlisted with assistance of staff, where appropriate, based on information provided in the application;
 - (iii) Interview candidates as deemed appropriate by the Selection Committee;
 - (iv) Make recommendations to City Council for the appointment of citizens to the various local boards (excluding Advisory Committees).

<p>Corporate Policy Hamilton City Council – Appointment of Citizens to the City’s Local Boards</p>	 <p>Hamilton</p>	<p>Policy Alignment: <i>Municipal Act 2001, as amended</i></p> <p>Council Approved: March 2017 Revisions: September 18, 2018, December 15, 2021, July 8, 2022, August 12, 2022, September 28, 2022 and March 29, 2023</p>
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Selection Process for Advisory Committees (excluding the Hamilton Indigenous Advisory Committee)

14. A minimum of two (2) members of each Standing Committee (plus alternates, where applicable) are appointed to the respective Standing Committee Interview Sub-Committee whose mandate will be to:

- (i) Review citizen member applications for the City’s Advisory Committees (excluding the Hamilton Indigenous Advisory Committee);
- (ii) Applicants are shortlisted with assistance of staff, where appropriate, based on information provided in the application;
- (iii) Interview candidates as deemed appropriate by the respective Standing Committee Interview Sub-Committee;
- (iv) Make recommendations to the respective Standing Committee for the appointment of citizen members to the various Advisory Committees (excluding the Hamilton Indigenous Advisory Committee). These recommendations are ratified by Council.

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

15. 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

<p>Corporate Policy Hamilton City Council – Appointment of Citizens to the City’s Local Boards</p>	 Hamilton	<p>Policy Alignment: <i>Municipal Act 2001, as amended</i></p> <p>Council Approved: March 2017 Revisions: September 18, 2018, December 15, 2021, July 8, 2022, August 12, 2022, September 28, 2022 and March 29, 2023</p>
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- (iv) Interview applicants who have met the criteria (below), ensuring that they are not ineligible (below);

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

Selection Process for the Hamilton Indigenous Advisory Committee

16. The local Hamilton Indigenous Community leadership, will recommend to Council the appointment of residents from the Hamilton Indigenous community, to sit on the Hamilton Indigenous Advisory Committee.

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Selection Process for Local Boards Established during the Term of Council


17. When a local board is established during the Term of Council, the respective process outlined in Section 12 and 13 will be followed.

Selection Committee & Interview Sub-Committee Guiding Principles

18. The Selection Committee and Interview Sub-Committees are committed to fulfilling the recruitment and selection of its citizens to the City’s Local Boards in an open, transparent and equitable manner.
19. The Selection Committee and Interview Sub-Committees are committed to a public recruitment process which is communicated well in advance and which encourages a broad range and diverse participation of citizens, free of barriers.
20. The Selection Committee and Interview Sub-Committees are committed to a competitive recruitment process which seeks suitable candidates evaluated on interest, merit and related competencies.
21. The Selection Committee and Interview Sub-Committees are committed to unbiased decision making essential to a fair and impartial selection process.

Interview Process

22. The Selection Committee or Interview Sub-Committee may, at its discretion, with the assistance of staff, shortlist candidates using the following criteria:
 - (i) Related skills, abilities and knowledge competencies;
 - (ii) Lived experience as described by the applicant; and,
 - (iii) Number of citizens who applied for vacancy(ies).
23. Interviews will be conducted, where required, with those applicants who are most suited to serve on a City’s Local Board, being notified verbally or by e-mail by the City Clerk’s office of the interview date and time, which will be approximately ten (10) minutes in length.
24. Interview questions will be developed by staff in relation to the mandated role of the Local Board in consultation with the City Clerk’s Office.
25. Successful applicants will be notified in writing by the City Clerk’s Office once their appointment has been approved by Council.

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26. In some circumstances, applicants may be required to have background checks.
27. One Legislative Coordinator and the Staff Liaison to the Local Board, shall attend the interviews and serve as a resource person.

Roles and Responsibilities of Appointed Citizen Members of the City's Local Boards

28. Citizen members of the City's Local Boards are encouraged to make themselves familiar with the Terms of Reference, the Roles, Responsibilities and Expectations of New Members and mandated activities of the Local Board to which they are making application to.
29. Citizen members of the City's Local Boards:
- (i) are required to attend and participate fully in the meetings;
 - (ii) who miss 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;
 - (iii) upon appointment and prior to attending the first meeting, are required to sign an Acknowledgement Form (page 30 of the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards). Such declaration will remain on file in the Office of the City Clerk for the duration of the citizen's appointment;
 - (iv) are bound by the *Municipal Conflict of Interest Act* found at the following link: <https://www.ontario.ca/laws/statute/90m50> and explained further under section 'Conflicts of Interest' in the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards; and
 - (v) are to comply with the Code of Conduct for Local Boards (attached as Appendix "C" to the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards).

Appointment at Pleasure of Council

30. Despite the set term of appointment of up to 4 years or until a successor is appointed, all citizen members are appointed at the pleasure of City Council and City Council retains the right to remove any citizen appointed member at any time and for any reason, unless legislation provides otherwise.

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Filling of Vacancies

31. Vacancies on the City's Local Boards can occur throughout the Term of Council, due to a member's resignation, should a vacancy occur during the Term of Council, the following process will be followed:

- (i) The Committee member who is resigning shall do so formally in writing by providing a completed and signed copy of the Local Board Member Resignation Form (attached as Appendix “C” to the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards) or an email to the committee’s Staff Liaison, who will forward the form or the email to the appropriate Legislative Coordinator, in the City Clerk’s office, stating which Local Board the Committee member is resigning from and general reasons why (the inclusion of private/personal information is not required).
- (ii) The Local Board Member’s Resignation Form or email will be:
 - (a) placed on the respective Standing Committee’s agenda to be formally received by the Committee; or
 - (b) placed on the Council Agenda, (due to time sensitivity) to be formally received by Council; and forwarded to the Selection Committee or Interview Sub-Committee for review.
- (iii) Requests for the removal of a member by the Chair due to the member’s absences from more than three consecutive (3) meetings during their term, will be approved by the local board and presented to Council and forwarded to the Selection Committee or Interview Sub-Committee for review.
- (iv) The Selection Committee or respective Interview Sub-Committee will consider whether to fill the vacancy from those applicants who applied in the initial call for applications, or to re-advertise.
- (v) If the vacancy occurs within 12 months of the end of the Term of Council, and there are insufficient applicants on file to fill the vacancy, the vacancy will not be filled, and the quorum of the Local Board will be adjusted accordingly.

Appendix ‘C’

CITY OF HAMILTON

CODE OF CONDUCT FOR LOCAL BOARDS

*Schedule 1 of By-law 22-019 in force as of May 1, 2023
(enacted by Council on February 9, 2022)*

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 City 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.

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.

Commentary

This Code does not limit a person's right to participate fully in an electoral process so long as they do so without using their status as a Member of the local board for such purposes. For example, it would not be contrary to the Code for a person to:

- *Stand for Election;*

- *Contribute to an election campaign;*
- *In their own name, exhibit an intention to support one party or platform over another;*
- *While standing for election, indicate on their election material (without in any way suggesting endorsement) that they have served on a City of Hamilton local board amongst their other credentials and experiences.*

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.

Appendix 'D'



Hamilton

LOCAL BOARD 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 no longer have the time to effectively participate on the local board.
- Personal reasons.
- Other (please explain briefly):

Additional Comments (optional)

Signature

Date

Please scan and email this page to your Staff Liaison. Thank you!

Appendix 'E'

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 local boards 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 (in the case of an Advisory Committee, 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 local board.
 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 local board, 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 local board.
 5. Appointees may refer the media or others making inquiries to the Chair as the official spokesperson on behalf of the local board, or, in the absence of the Chair, to the Vice-Chair.

Appendix 'F'



Hamilton

A G E N D A

ABC ADVISORY COMMITTEE
Monday, January 1, 2000
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)
- 1. CHANGES TO THE AGENDA**
- 2. DECLARATIONS OF INTEREST**
- 3. APPROVAL OF MINUTES OF PREVIOUS MEETING**
 - 3.1 ABC Advisory Committee Meeting Minutes, dated December 1, 1999 *(for approval)*
- 4. CONSENT ITEMS**
 - 4.1 Research Report *(for receipt)*
 - *4.2 Working Group Minutes *(for receipt)*
- 5. PRESENTATIONS**
 - 5.1 ABC Advisory Committee Terms of Reference Review *(for approval)*
 - 5.2 ABC Advisory Committee Strategic Plan *(for approval)*
- 6. DISCUSSION ITEMS**
 - 6.1 Roles, Responsibilities and Expectations of New Members *(for approval)*
- 7. NOTICES OF MOTION**
 - *7.1 ABC Advisory Committee Meeting Schedule *(for approval)*
- 8. MOTIONS**
 - 8.1 ABC Advisory Committee Change to the Location of Meetings *(for approval)*
- 9. OTHER BUSINESS**
- 10. 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: Chair: (insert name)
(Committee members only) Vice-Chair: (insert name)
Secretary: (insert name)
Members: (insert names)

Absent with

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

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

1. CHANGES TO THE AGENDA

The Clerk advised of the following changes to the agenda:

4. CONSENT ITEMS

4.2 Working Group Minutes

7. NOTICES OF MOTION

7.1 ABC Advisory Committee Meeting Schedule

(Mover/Second)

That the agenda for the January 1, 2000 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

2. DECLARATIONS OF INTEREST

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

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

3.1 January 1, 2000

(Mover/Second)

That the Minutes of the January 1, 2000 meeting of ABC Committee be approved, as presented.

CARRIED

6. CONSENT ITEMS

(i) Research Report (Item 4.1)

(Mover/Second)

That the Research Report, be received.

CARRIED

(ii) Working Group Minutes – December 1, 1999 (Item 4.2)

(Mover/Second)

That the Working Group Minutes – December 1, 1999, be received.

CARRIED

5. PRESENTATIONS

(i) ABC Advisory Committee Terms of Reference Review (Item 5.1)

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

(Mover/Second)

That the presentation respecting the ABC Advisory Committee Terms of Reference Review, be received; and

That the ABC Advisory Committee Terms of Reference Review, be amended to *(insert recommendation approved by the Committee)*

CARRIED

(ii) ABC Advisory Committee Strategic Plan (Item 5.2)

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

(Mover/Second)

That the presentation respecting the ABC Advisory Committee Strategic Plan, be received; and

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

CARRIED

6. DISCUSSION ITEMS**(i) Roles, Responsibilities and Expectations of New Members (Item 6.1)****(Mover/Second)**

That the Roles, Responsibilities and Expectations of New Members, be approved. *(or insert recommendation approved by the Committee)*

CARRIED**7. NOTICES OF MOTION****(i) ABC Advisory Committee Meeting Schedule (Item 7.1)**

(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, 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**(Mover/Second)**

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

CARRIED**8. MOTIONS****(i) ABC Advisory Committee Change to the Location of Meetings (Item 8.1)****(Mover/Second)**

That the ABC Advisory Committee Meeting Location be changed to _____. *(or insert recommendation approved by the Committee)*

CARRIED**9. OTHER BUSINESS****(i) Title**

Brief overview of the item

10. 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 Secretary.



Hamilton

To:	Chair and Members General Issues Committee
From:	_____ (Co-Chair) _____ and _____ (Co-Chair) _____ Arts Advisory Commission (to be signed by the Chair)
Date:	March 22, 2017
Re:	Transfer from reserve for Big Picture 2017 Arts Community Outreach Event (AAC-17-01) (City Wide)

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.



Declaration of Interest Form

Disqualifying Interest

Meeting Date & Type:

Meeting Type: _____
(Committee/Council)

Date of Meeting: _____

Subject Matter:

Item Number: _____

Item Title: _____

Declaration:

I, member _____ declare a disqualifying interest with respect to:

on the Council / Committee agenda dated

For the following reason(s) I am prevented from making an impartial decision on the matter:

Original sign by (your name)

Member Signature

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.

Appendix 'J'



Hamilton

Declaration of Interest Form

Non-Disqualifying Interest

Meeting Date & Type:

Meeting Type: _____
(Committee/Council)

Date of Meeting: _____

Subject Matter:

Item Number: _____

Item Title: _____

Declaration:

I, member _____ declare a non-disqualifying interest with respect to:

on the Council / Committee agenda dated _____

For the following reason(s) I am not prevented from making an impartial decision on the matter:

Original sign by (your name)

Member Signature

*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.*

PROCEDURAL HANDBOOK FOR CITIZEN APPOINTEES TO CITY OF HAMILTON LOCAL BOARDS

For comments or questions, please contact:

905-546-2424 Ext. 4304

Appendix 'B' to Report FCS23034(a)
Feedback received during the second review ('Have not met to review'
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Advisory Committee for Persons with Disabilities:

Reviewed at their meeting on December 14, 2022:

Staff was asked to consider adding a section to the Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards (2023) clarifying, specifically, the role of and processes followed by the Advisory Committee for Persons with Disabilities as a Sub-Committee of Council within the context of the procedures that must be followed by Advisory Committees.

Response:

Under the Accessibility for Ontarians with Disabilities Act, Council is legislated to form a an Advisory Committee The Procedural Handbook for Citizen Appointees has been updated to encompass all Local Boards:

Excerpt from the Accessibility for Ontarians with Disabilities Act:

Accessibility advisory committees

29. (1) The council of every municipality having a population of not less than 10,000 shall establish an accessibility advisory committee or continue any such committee that was established before the day this section comes into force.

Women and Gender Equity Committee:

Reviewed at their meeting on January 26, 2023 and submitted their comments through a Citizen Committee Report to Audit, Finance and Administration Committee on February 2, 2023:

The Hamilton Women and Gender Equity Committee recommends that Council, with the support of staff, consider the following items of feedback respecting the Procedural Handbook, and ensure that commitments listed by the city and staff are upheld.

The document's table of contents and references to by-laws and other pieces of legislation should include hyperlinks for ease of access in electronic format. Additionally, the document should be available in a plain language format, recognizing that the format and legalese creates a barrier to engagement and ensuring all committee members understand their roles and commitments.

Response:

Staff have been advised to refrain from adding links to any documents, as they are not reliable and have a tendency to break. However, given the size of some of the referenced documents, staff have used a few links in the document.. Staff will monitor

Appendix 'B' to Report FCS23034(a)
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the online document and readjust links when required. Using the online version provides users the ability to search for topics or key words.

Staff worked with Communications staff to review the document for readability and accepted changes.

The following items of feedback were identified by members of the Hamilton Women and Gender Equity Committee through working group sessions:

- Page 10: regarding the appointment and recruitment process, there should be a commitment by the City of Hamilton to provide recruitment information to community partners and organizations, with particular focus on encouraging members of marginalized communities to apply, in line with a focus on equity, diversity, and inclusion in the recruitment process.

Response:

Clerks included the changes to the Appointment of Citizens to the City's Local Boards Policy which were contained within Report HUR18017(a)/FCS23046, Attracting Diversity During the Recruitment Process considered by General Issues Committee on March 22, 2023, which focuses on equity, diversity, and inclusion in the recruitment process. Appendix B of that report identified the groups that were provided with notification of the recruitment for citizen appointees.

- Page 12: regarding member training, it is imperative that the City Clerk ensure existing and new members of the committee receive training, as new members to this committee beginning early 2022 did not receive most of the listed training, or materials related to it. In the sharing of training information and reference documents, it should be readily available and easily accessible for both committee members and the general public to access, including having such information available on the City of Hamilton website along with up-to-date committee information. The City Clerk should have a commitment and procedure to monitor their fulfilment of training and reference documents provided. Committee members feel that training and orientation has been minimal and insufficient, causing confusion and limiting engagement and the development of action items in formal meetings. Providing additional training in procedure, meeting format, and how to prepare documents such as Citizen Committee Reports or Meeting Minutes would be helpful to effective operation and success.

Response:

Clerks have included member training (excerpt from the Handbook below) within the Handbook, which is significantly improved from our current practice.

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 Feedback received during the second review ('Have not met to review'
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Member Training

The Office of the City Clerk is committed to ensuring all citizen appointees to the City's local boards are trained, providing the following training information and reference documents to all citizen appointees to the City's local boards:

- *orientation for citizen appointees to the City's local boards provided by the Staff Liaison*
- *current Procedural Handbook for Citizen Appointees to City of Hamilton Local Boards*
- *relevant City policies (Appointment, etc.)*
- *Code of Conduct for Local Boards*
- *Municipal Conflict of Interest Act*
- *Local boards Terms of Reference*
- *Accessibility Standards for Customer Service AODA e-learning Program*

Any appointees after the initial recruitment will be provided access to online training modules to complete this training.

- Page 14: regarding council representatives on advisory committees, there should be a commitment of attendance, or otherwise a process to allow committees to request another council representative if attendance becomes a challenge. The Women and Gender Equity Advisory Committee has only had a council representative attend one meeting since the beginning of its current term.

Response:

Two (2) members of City Council are appointed as representatives to each of the Advisory Committees, with a requirement for each member to attend at least one (1) meeting per year, as approved by Council, July 10, 2015. Council representatives are non voting members and do not count towards quorum. It is within Council's preview to change the commitment of their representation on advisory committees .

- Page 21: regarding consultation on staff reports, this is a practice that has not taken place during this term of the committee. Staff should be committed to utilizing advisory committees for feedback on reports on a frequent and consistent basis, and members of council should be encouraged to directly request staff consult with advisory committees to ensure this takes place. In the absence of this practice, citizen advisory committees often lack notice and necessary time to review documents and generate reports and feedback before items are reviewed by members of council. Again, there should be a commitment by staff to regularly and consistently consult with advisory committees, and a procedure to ensure the commitment is maintained.

Appendix 'B' to Report FCS23034(a)
 Feedback received during the second review ('Have not met to review'
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Response:

This practice is in place and has been emphasized by including a section in the handbook respecting Consultation on Staff Reports (excerpt from the Handbook below).

Consultation with Staff

City staff will attend meetings to seek feedback on program areas. At the meeting, staff will provide background on the program area, answer questions of members and request the member's feedback on potential program changes. The feedback received will be included in the 'Relevant Consultation' section of the staff report or appendix. Staff will inform the committee of the reporting date.

Committees may submit formal correspondence and/or a Committee member may delegate at the standing committee meeting to provide the committee's feedback on a staff report. A motion is required to be passed at a meeting approving the committee's submission of correspondence and/or the attendance of the committee's Chair or designate as a delegate at a standing committee meeting. The content of the correspondence and/or the speaking notes of the Chair also require the committee's approval.

Members may choose to submit their own correspondence or register to speak at a meeting as a citizen. It must be clear that the individual's views are their own and not that of the committee.

- Page 23: regarding calls to vote, there is no mention of an option to abstain from votes and how they would be recorded. If there is no abstention option for members, it should be clearly stated along with reasoning in this handbook.

Response:

There is no mention of abstaining from a vote, as abstaining is not permitted at the City of Hamilton, if you are in attendance at a meeting at the time of a vote, you are required to vote and if you do not or refuse to vote, your vote is recorded in the negative.

- Page 33, regarding public notice of citizen member vacancies, these again should be shared with community organizations with a focus on equity, diversity, and inclusion.

Response:

Clerks included the changes to the Appointment of Citizens to the City's Local Boards Policy which were contained within Report HUR18017(a)/FCS23046, Attracting Diversity During the Recruitment Process considered by General Issues Committee on

Appendix 'B' to Report FCS23034(a)
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March 22, 2023, which focuses on equity, diversity, and inclusion in the recruitment process. Appendix B of that report identified the groups that were provided with notification of the recruitment for citizen appointees.

Clerks works with Communications to ensure that we are advertising widely throughout the City of Hamilton and reaching out the various community organizations.

Keep Hamilton Clean and Green Committee:

Reviewed at their meeting on January 17, 2023:

Received without comment

Was to be reviewed at their meeting on May 2, 2023, which was cancelled and then was to be reviewed at their meeting on May 9, 2023, which was also cancelled.

The Staff Liaison was asked to forward an email to all members and have them send their comments to Clerk@

The Staff Liaison forwarded the request to the members of the committee and Clerk's did not receive any comments.

Arts Advisory Commission:

Have not met to review

Due to quorum challenges the committee is unable to meet to review the code of conduct (Staff Liaison – March 31, 2023)

The Staff Liaison was asked to forward an email to all members and have them send their comments to Clerk@

The Staff Liaison forwarded the request to the members of the committee and Clerk's did not receive any comments.

Committee Against Racism:

Have not met to review

Asked Amy Majani for the excerpts from their minutes on May 1, 2023, was informed that the meeting on April 25th had technical difficulties, therefore, the Committee was unable to discuss this matter.

The Staff Liaison was asked to forward an email to all members and have them send their comments to Clerk@

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Feedback received during the second review ('Have not met to review'
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The Staff Liaison forwarded the request to the members of the committee and Clerk's did not receive any comments.

Food Advisory Committee:

Have not met to review

The Food Advisory Committee has not met since September 2022 and have no scheduled meetings in place.

The Staff Liaison was asked to forward an email to all members and have them send their comments to Clerk@

The Staff Liaison forwarded the request to the members of the committee and Clerk's did not receive any comments.

Hamilton Cycling Committee:

Reviewed at their meeting on February 2, 2023:

Received without comment

Reviewed at their meeting on May 3, 2023, Members brought forth the following questions/comments regarding:

Citizen Committee Reports (p.33)

It is not clear what the procedure is when making recommendations to the Public Works Committee. What happens when we have recommendations and can we conduct a formal presentation to Council or the Public Works Committee. Some clarifying language around the procedure for recommendations. Should explain how a recommendation functions. It is not clear how to create recommendations and how they are accomplished. Need more detail. Describe the process and what it accomplishes. Possibly an addendum with the process laid out.

Response:

*Wording to address the committee's concerns has been **added** to the following section of the handbook:*

Citizen Committee Reports

(a sample template for a Citizen Committee Report is attached to this handbook as Appendix 'H', for your reference)

When an advisory committee requires approval for any action, other than the actions listed below, from their respective Standing Committee, the advisory committee is

Appendix 'B' to Report FCS23034(a)
 Feedback received during the second review ('Have not met to review'
 and 'Received without comment') is identified in red

required to prepare a Citizen Committee Report (CCR) **with recommendations.**
**Recommendations: are proposals/requests from an advisory committee to their
 respective Standing Committee to approve, amend, cancel, consider,
 implement, direct staff respecting a matter, issue, project, service or program.**

The following section within the handbook, sets out the process:

Managing Motions

Motions should be within the scope of the committee's terms of reference and be within their mandate.

The following describes the process for managing motions during a meeting:

1. A voting member moves a motion that is stated in the positive (not the negative), which is clear, succinct and actionable, to approve, authorize, support, direct, etc. A "seconder" (or another member voicing support of the motion) is necessary.
2. The member must clearly state the motion.
3. The committee discusses the motion and can make amendments* to the wording of the motion.
4. The Chair must clearly restate the motion and call the vote once the discussion has ended with "all those in favour raise your hands" and then "all those opposed raise your hands".
5. The Chair announces the result of the vote as Carried or Defeated.
6. The secretary records any motions that are Carried or Defeated in the minutes.

Here are two examples of wording for a motion:

- That the February 9, 2022 minutes of the Advisory Committee, be approved.
- That Jane Doe be authorized to make a presentation on behalf of the Advisory Committee at the Standing Committee meeting when the climate change initiatives are to be considered.

** An amendment is considered a minor change or addition designed to improve the wording and must be 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".*

Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee (LGBTQ):

Reviewed at their meeting on November 22, 2022:

Appendix 'B' to Report FCS23034(a)
 Feedback received during the second review ('Have not met to review'
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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.

The Clerk's Office did not receive any comments.

Reviewed at their meeting on April 18, 2023:

- (a) Note that the LGBTQ Advisory Committee is considered a local board.
- (b) It is suggested that the Procedural Handbook remains a large document with many rules and processes. It is recommended that Council support sufficient training outside of the monthly advisory committee meetings.
- (c) The handbook should include information about accommodation for attendance or a leave of absence for illness.
- (d) Throughout, some of the rules and/or processes are rigorous, and others are more vague (e.g. unclear process regarding sending citizen committee reports through the Clerk's department for review)
 (excerpt from their April 18, 2023 minutes)

Response:

- (a) *the Handbook includes information that designates Advisory Committees as Local Boards, each Advisory Committee, Sub-Committee, etc. has not been identified by name in the handbook;*
- (b) *training for the members who are initially appointed to the Local Boards will be facilitated, with training for members who are appointed throughout the term;*
- (c) *the Corporate Policy, Hamilton City Council – Appointment of Citizens to the City's Local Boards under Roles and Responsibilities of Appointed Citizen Members of the City's Local Boards, notes that members who miss 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 – this provides the member the opportunity to advise the Chair of their circumstances and if necessary the Chair may ask the Committee move a motion to allow the member to be absent for a prolonged period of time.*
- (d) *the role of Clerks is that of the Legislative Coordinator to the Standing Committee who provides assistance to the Staff Liaison and coordinates the inclusion of the advisory committee/task force minutes and Citizen Committee Reports (CCRs) in the standing committee agendas.*

Senior Advisory Committee:

Reviewed at their meeting on December 2, 2022:

Appendix 'B' to Report FCS23034(a)
 Feedback received during the second review ('Have not met to review'
 and 'Received without comment') is identified in red

The members of the Senior Advisory Committee were asked to review the 2023 Procedural Handbook and send any feedback to L. Maychak by January 31, 2023, who will forward any comments received to Clerks.

L. Maychak confirmed that no comments were received.

Reviewed at their meeting on April 14, 2023:

L. Maychak reviewed the Procedural Handbook with members of SAC. There were no concerns or feedback. Question from P. Petrie if SAC can have a logo. L. Maychak indicated they can but will be required to obtain approval from City Council (excerpt from their April 14, 2023 minutes)

Hamilton Indigenous Advisory Committee

Received without comment

The Hamilton Indigenous Advisory Committee has not met since February 2023 and have no scheduled meetings in place.

The Staff Liaison was asked to forward an email to all members and have them send their comments to Clerk@

The Staff Liaison forwarded the request to the members of the committee and Clerk's did not receive any comments.

Hamilton Veterans Committee

The Chair was tasked with submitting comments on behalf of the Committee, the following comments were submitted to Clerks:

1) Appointment and Recruitment Process (Page 10)

When is this going to happen? This is confusing – so we all must re-apply? When? Another application to be submitted? Another interview?

Response:

Recruitment is set to begin after Council sets their priorities..

Existing members are required to re-apply in order to provide all applicants the same opportunity, interviews can be requested by the selection committee, however, interviews are not a requirement.

2) Election of Chair and Vice-Chair (Page 14)

Appendix 'B' to Report FCS23034(a)
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This section should set a total term limit for the Chair and Vice-Chair. It does say that you can serve for more than one year within a Council (4 yr) term so how many years consecutive? Non-consecutive?

Response:

Council considered term limits in 2014 and decided not to implement them.

Housing and Homelessness Advisory Committee

Reviewed at their meeting on December 5, 2022:

Overall discussion about ways to engage the broader public about housing conversations

Challenge in doing this with the formalized structure of advisory committees

Working groups to be utilized in the future to help with this.

Response:

Clerk's has engaged Communications in order to ensure that the advertisements for the recruitment of citizens is broadly advertisement and communicated throughout the City of Hamilton.

Advisory Committee for Immigrants and Refugees

Reviewed at their meeting on February 9, 2023:

Received without comment

The Committee is meeting after the deadline, therefore, the members were asked to forward their comments to Clerks individually.

From a member on April 24, 2023:

The fact that the committee did not send a comment, does not mean it did not review both the handbook and the code of conduct...

My only comment is that there need to be a higher threshold for vice chair person as far as absenteeism and participation. In my experience, previous vice chairman (not the current one) have used that position to pad their resume and have been tardy and absent from many meetings.

Appendix 'B' to Report FCS23034(a)
Feedback received during the second review ('Have not met to review'
and 'Received without comment') is identified in red

There should be an additional requirement that will not allow the chair and vice chair to be absent/tardy for more than 3 times a year regardless of notification.

Response:

All members of the City's Local Boards are treated in the same manner, Chairs and Vice Chairs are considered members of the Local Board and if necessary, the Local Board may ask the Chair or Vice Chair to step down if they are not fulfilling their responsibilities.

Mundialization Committee

Have not met to review

Reviewed at their meeting on April 19, 2023:

That the Procedural Handbook for Advisory Committees be accepted with the following comments:

- The Procedural Handbook should be explicitly clear on media relations. Individuals should not make comments to the media on Council proceedings on behalf of the committee. Engagement with the media must be approved by members and should be the function of the chair.
- Correct for irregularities in commas throughout the document
- Like the code of conduct, it seems as though the Procedural Handbook was lifted from an older document. (excerpt from their April 19, 2023 minutes)

Response:

- *The Procedural Handbook, notes under the 'Role of the Chair', that the Chair is the official spokesperson and Appendix 'E' is the Standard Operating Procedure #08-001 – Communicating with any outside agencies, including other levels of Government and the media;*
- *Clerks utilized the 'Spelling and Grammar' function within Word and corrected a few of the errors, which have been made to Appendix 'A' to Report FCS23034(a); and*
- *The previous handbook did not go into the detail the new handbook goes into, some aspects of the previous handbook were maintained and included in the new handbook.*

Climate Change Advisory Committee

Have not met to review – *this is a new Advisory Committee, who at the current time don't have any members appointed.*

CITY OF HAMILTON MOTION

Governance Review Sub-Committee: May 25, 2023

MOVED BY COUNCILLOR C. KROETSCH.....

SECONDED BY COUNCILLOR

Use of Electronic Devices During Closed Meetings

WHEREAS, the City’s Procedural By-law 21-021, as amended, at this time strictly prohibits the use of all electronic devices during closed session meetings;

WHEREAS, members of Committee and Council are required to use their computers/laptops during closed meetings, to review reports and add their names to the speaker list; and

WHEREAS, members of Committee and Council from time to time are required to respond to email and text inquiries during a closed meeting;

THEREFORE, BE IT RESOLVED:

That staff be directed to prepare a by-law to amend the City’s Procedural By-law 21-021, as amended, to amend Section 8.7 (b) to allow the use of computers/laptops during Closed Meetings, and that notice of the proposed amendment be given pursuant to the City’s Public Notice Policy By-law 07-351:

8.7 Electronic devices at IN-PERSON / VIRTUAL / HYBRID meetings:

- (b) The use of electronic devices at IN-PERSON / VIRTUAL / HYBRID Closed Meetings ***be limited to text communications.***
- (c) The use of electronic devices at IN-PERSON / VIRTUAL / HYBRID Closed Meetings ***are not to be used as a telephone, recording device or camera.***
- (d) Staff from the Office of the City Clerk are exempted from subsection 8.7(b) when using electronic devices for record-keeping purposes.

CITY OF HAMILTON NOTICE OF MOTION

Governance Review Sub-Committee: May 25, 2023

MOVED BY COUNCILLOR C. KROETSCH.....

Major Efficiency Improvements to the Council Calendar for 2024

WHEREAS, a comprehensive review of the City’s meeting schedule, timelines, procedural by-law, budget schedule and process and Committee structure would solve a number of problems, and would address one of the key governance concerns raised by Council during its priority setting session; and

WHEREAS, the detailed presentation received at the September 9, 2022, Governance Review Sub-Committee meeting, along with a further list of revisions would achieve major efficiency improvements to the Council Calendar for 2024.

THEREFORE, BE IT RESOLVED:

That staff report back to the Governance Review Sub-Committee respecting major efficiency improvements to the Council calendar for 2024, including:

- (i) Strict reporting timelines for staff so that Council and the public have more time to review reports and presentations (i.e. 2 weeks prior to the meeting date);
- (ii) The elimination of the General Issues Committee and the shift of tasks from that Committee to the Administration portion of Audit, Finance and Administration Committee;
- (iii) All members of Council sitting as members of all Standing Committees;
- (iv) A different dispersal of Standing Committees and Council so there are fewer “Council” and “Committee” weeks and more consistency in scheduling with 2 Standing Committees reporting to a single Council meeting (i.e. Planning Committee and Public Works Committee would report to Council (first meeting of the month) and Emergency and Community Services Committee and Audit, Finance and Administration Committee reporting to Council (second meeting of the month));
- (v) Revising City’s Procedural By-law 21-021, as amended, so it reads more clearly, is less repetitive; and
- (vi) A complete review of the Budget Schedule and Process.