



**City of Hamilton
SELECTION COMMITTEE**

Meeting #: 23-003
Date: June 5, 2023
Time: 9:30 a.m.
Location: Room 264, 2nd Floor, City Hall (hybrid)
 (RM)
 71 Main Street West

Loren Kolar, Legislative Coordinator (905) 546-2424 ext. 2604

	Pages
1. APPROVAL OF AGENDA	
(Added Items, if applicable, will be noted with *)	
2. DECLARATIONS OF INTEREST	
3. APPROVAL OF MINUTES OF PREVIOUS MEETING	
3.1 May 9, 2023	4
4. COMMUNICATIONS	
*4.1 Correspondence from the Integrity Commissioner respecting Conflicts of Interest and Personal Relations.	9
Recommendation: Be received.	
5. SCREENING TOOLS FOR THE SELECTION COMMITTEE FOR AGENCIES, BOARDS AND SUB-COMMITTEES TO USE DURING DELIBERATIONS OF THE APPLICATIONS TO THE CITY OF HAMILTON'S AGENCIES, BOARDS AND SUB-COMMITTEES	
5.1 FOR INFORMATION ONLY:	
5.1.a Selection Process Guide (from the April 11, 2023 meeting)	13

5.1.b Corporate Policy Hamilton City Council – Appointment
of Citizens to the City’s Local Boards

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6. PRIVATE AND CONFIDENTIAL

6.1 Closed Session Minutes - May 9, 2023

Pursuant to Section 9.3 sub-section (b) of the City's Procedural By-law 21-021, as amended, and Section 239(2) Sub-section (b) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City or local board employees

6.2 Deliberation of Applications to the City of Hamilton's Agencies, Boards and Sub-Committees

Pursuant to Section 9.3 sub-section (b) of the City's Procedural By-law 21-021, as amended, and Section 239(2) Sub-section (b) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City or local board employees

6.2.a FOR INFORMATION ONLY:

6.2.a.a Confidential Screening Tools for the Selection Committee for Agencies, Boards and Sub-Committees to use during deliberations of the Applications to the City of Hamilton's Agencies, Boards and Sub-Committees

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

7. ADJOURNMENT



Hamilton

**SELECTION COMMITTEE
FOR
AGENCIES, BOARDS AND SUB-COMMITTEES
MINUTES 23-002
9:30 a.m.
Tuesday, May 9, 2023
Council Chambers, 2nd Floor
City Hall**

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

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Additional Recruitment for Citizen Members to Serve on the City's Agencies, Boards and Sub-Committees (Item 4.2)

(Nann/Kroetsch)

- (a) That staff be directed to initiate an additional 30-day recruitment for citizen members to serve on the following City of Hamilton agencies, boards or sub-committees:
- Agricultural and Rural Affairs Sub-Committee
 - Cross-Melville District Heritage Committee (Dundas)
 - Glanbrook Landfill Co-ordinating Committee
 - Heritage Permit Review Sub-Committee
 - Hess Village Pedestrian Authority
 - Knowles Bequest Trust
 - Property Standards Committee
- (b) That a communication be forwarded to the current applicants to the above City of Hamilton agencies, boards or sub-committees advising them of the additional 30-day recruitment and to advise them that their applications are still being considered.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES	- Cassar, Craig	Ward 12
YES	- Clark, Brad	Ward 9
YES	- Francis, Matt	Ward 5
YES	- Jackson, Tom	Ward 6
YES	- Kroetsch, Cameron	Ward 2
YES	- Nann, Nrinder	Ward 3
YES	- Tadeson, Mark	Ward 1
YES	Wilson, Alex	Ward 13
YES	Wilson, Maureen	Ward 1

2. Requesting a Written Response from the Integrity Commissioner (Item 4.2)

(Nann/Kroetsch)

That a written document be presented to the Selection Committee from the Integrity Commissioner regarding Conflicts of Interest and Personal Relations that need to be considered in fulfilling the role of members of the Selection Committee.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES	- Cassar, Craig	Ward 12
YES	- Clark, Brad	Ward 9
YES	- Francis, Matt	Ward 5
YES	- Jackson, Tom	Ward 6
YES	- Kroetsch, Cameron	Ward 2
YES	- Nann, Nrinder	Ward 3
YES	- Tadeson, Mark	Ward 1
YES	Wilson, Alex	Ward 13
YES	Wilson, Maureen	Ward 1

3. Additional Information and Staff Attendance at Selection Committee Meetings (Item 4.2)

(Tadeson/Kroetsch)

- (a) That the staff who are supporting the City of Hamilton's agencies, boards or sub-committees be directed to provide the Selection Committee with the specific qualifications and experience required by applicants, and to attend meetings to assist members of the Selection Committee in screening applicants of each agency, board and sub-committee; and
- (b) That Human Resources staff be directed to attend all upcoming meetings of the Selection Committee to provide guidance on the selection process and assist in the screening of applications.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES	-	Cassar, Craig	Ward 12
YES	-	Clark, Brad	Ward 9
YES	-	Francis, Matt	Ward 5
YES	-	Jackson, Tom	Ward 6
YES	-	Kroetsch, Cameron	Ward 2
YES	-	Nann, Nrinder	Ward 3
YES	-	Tadeson, Mark	Ward 1
YES		Wilson, Alex	Ward 13
YES		Wilson, Maureen	Ward 1

4. Applicant Screening Tool

(M. Wilson/Kroetsch)

That the Applicant Screening Tool to be used by the Selection Committee for Agencies, Boards and Sub-Committees, be approved.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES	-	Cassar, Craig	Ward 12
YES	-	Clark, Brad	Ward 9
YES	-	Francis, Matt	Ward 5
YES	-	Jackson, Tom	Ward 6
YES	-	Kroetsch, Cameron	Ward 2
YES	-	Nann, Nrinder	Ward 3
YES	-	Tadeson, Mark	Ward 1
YES		Wilson, Alex	Ward 13
YES		Wilson, Maureen	Ward 1

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

(Frances/Tadeson)

That the agenda for the May 9, 2023 meeting of the Selection Committee be approved, as presented.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES	-	Cassar, Craig	Ward 12
YES	-	Clark, Brad	Ward 9
YES	-	Francis, Matt	Ward 5
YES	-	Jackson, Tom	Ward 6
YES	-	Kroetsch, Cameron	Ward 2
YES	-	Nann, Nrinder	Ward 3

**Selection Committee for Agencies, Boards and Sub-Committees
Minutes 23-002**

**May 9, 2023
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YES	- Tadeson, Mark	Ward 1
YES	Wilson, Alex	Ward 13
YES	Wilson, Maureen	Ward 1

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) April 11, 2023 (Item 4.1)

(Francis/Clark)

That the Minutes of April 11, 2023 be approved, as presented.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES	- Cassar, Craig	Ward 12
YES	- Clark, Brad	Ward 9
YES	- Francis, Matt	Ward 5
YES	- Jackson, Tom	Ward 6
YES	- Kroetsch, Cameron	Ward 2
YES	- Nann, Nrinder	Ward 3
YES	- Tadeson, Mark	Ward 1
YES	Wilson, Alex	Ward 13
YES	Wilson, Maureen	Ward 1

(d) PRIVATE & CONFIDENTIAL (Item 4)

The Committee determined that a Closed Session discussion of Item 4.1 was not required, and approved the following in Open Session:

(i) Closed Session Minutes - April 11, 2023 (Item 4.1)

(Tadeson/Jackson)

That the Closed Session Minutes dated April 11, 2023 be approved, as presented, and remain confidential.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES	- Cassar, Craig	Ward 12
YES	- Clark, Brad	Ward 9
YES	- Francis, Matt	Ward 5
YES	- Jackson, Tom	Ward 6
YES	- Kroetsch, Cameron	Ward 2
YES	- Nann, Nrinder	Ward 3
YES	- Tadeson, Mark	Ward 1
YES	Wilson, Alex	Ward 13
YES	Wilson, Maureen	Ward 1

(Tadeson/A. Wilson)

That the Committee move into Closed Session for Items 4.2 respecting the Deliberation of Applications to the City of Hamilton's Agencies, Boards and Sub-Committees, Pursuant to Section 9.3 sub-section (b) of the City's Procedural By-law 21-021, as amended, and Section 239(3) Sub-section (b) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City or local board employees.

Result: Motion CARRIED by a vote of 9 to 0, as follows:

YES	-	Cassar, Craig	Ward 12
YES	-	Clark, Brad	Ward 9
YES	-	Francis, Matt	Ward 5
YES	-	Jackson, Tom	Ward 6
YES	-	Kroetsch, Cameron	Ward 2
YES	-	Nann, Nrinder	Ward 3
YES	-	Tadeson, Mark	Ward 1
YES		Wilson, Alex	Ward 13
YES		Wilson, Maureen	Ward 1

(ii) Deliberation of Applications to the City of Hamilton's Agencies, Boards and Sub-Committees (Item 4.2)

For further disposition, refer to Items 1 - 4

(e) ADJOURNMENT (Item 5)

(Tadeson/Francis)

There being no further business, the Selection Committee adjourned at 11:56 a.m.

CARRIED

Respectfully submitted,

Councillor C. Cassar, Chair
 Selection Committee

Loren Kolar
 Legislative Coordinator
 Office of the City Clerk

June 1, 2023

To: City of Hamilton
Members of the Selection Committee
For Agencies, Boards and Sub-Committees

Re: Conflicts of Interest and Personal Relations

We are providing this memorandum in response to a motion approved by Council on May 24, 2023:

2. Requesting a Written Response from the Integrity Commissioner (Item 4.2)

That a written document be presented to the Selection Committee from the Integrity Commissioner regarding Conflicts of Interest and Personal Relations that need to be considered in fulfilling the role of members of the Selection Committee.

We understand that members of the Selection Committee are seeking guidance on avoiding conflicts of interest which might arise in consideration of the relationships that may exist between themselves and candidates being considered for appointment.

Our guidance is provided with reference to both the *Municipal Conflict of Interest Act* (MCIA) and the Code of Conduct, which taken together address your responsibility to avoid statutory and non-statutory conflicts of interests. In other words Committee members have the responsibility to avoid conflicts that would be established under the MCIA, and those established at common law.

The Starting Point - *Municipal Conflict of Interest Act* (MCIA)

As members of Council you are subject to subsections 5(1) and 5(2) of the *Municipal Conflict of Interest Act* (MCIA). These sections are triggered by the presence of a pecuniary interest that you may have directly or indirectly in a matter.

Where applicable, those sections require that you declare an interest and recuse yourself, meaning that you cannot take part in discussions or voting on the matter, or attempt in any way before, during or after a meeting, to influence the vote on the matter. Those sections also require you to disclose the general nature of the interest, and where the matter under consideration takes place in a forum not open to the public, to not be present.

Section 3 of the MCIA provides that “For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member.”

This 'deeming' provision in the MCI A does not include 'siblings' within the defined list of family members to whom it applies. As noted below the prevailing view, underscored in recent municipal inquiries, is that the pecuniary interests of siblings must also be considered as giving rise to a conflict of interest.

Code of Conduct or 'Common Law' Conflict of Interest
(Apparent and Perceived Conflicts of Interest)

In addition to the question of pecuniary interests under the MCI A, and the narrow list of persons from whom direct and indirect interests are attributed to you, there is the issue of when a relationship can give rise to an apparent or perceived conflict of interest even though the MCI A may not be triggered.

Such conflicts of interest (sometimes referred to as non-pecuniary interests) fall within a category of conflicts of interest established by the common law. These conflicts of interest are variously known as 'apparent' or 'perceived' conflicts of interest and they are typically incorporated into municipal codes of conduct. In the case of the City of Hamilton's code, the relevant provisions state as follows:

2(2) every Member shall be committed to performing his or her functions with integrity and to avoiding the improper use of the influence of his or her office, and conflicts of interest, both apparent and real;

and

10(2)(a) No Member shall use her or his status as a Member of Council to influence, or try to influence, improperly, any action or decision of another person or entity to the private advantage of:

- (i) the Member;
 - (ii) any member of the Member's family;
 - (iii) any City employee;
 - (iv) any friend, or business or other associate;
- or attempt to secure preferential treatment beyond activities in which Members normally engage on behalf of constituents as part of their official duties.

Members are required by the common law - and expected by their constituents - to avoid apparent or perceived conflicts of interest both by arranging their business affairs so as to preclude such conflicts from arising, and by disclosing and potentially stepping away from participation in matters where there may be an apparent or perceived conflict.

The test for perceiving if there is an apparent conflict of interest is an objective test:

Principles *Integrity*

“Would a reasonable elector, being apprised of all the circumstances, be more likely than not to regard the interest of the councillor as likely to influence that councillor’s action and decision on the question...”

(Re Mel Lastman and The Queen in Right of Ontario.)

An apparent conflict of interest “...exists when there is a reasonable apprehension, which reasonably well-informed persons could properly have, that a conflict of interest exists.”

(Stevens v. Canada (Attorney General) 2004 FC 1746, reversed on other grounds)

As such, where a relationship exists between the member and a candidate, the nature of that relationship is an important consideration. Examples we reference in orientation training as raising red flags that a disqualifying interest might exist (resulting in a conflict of interest, should the member participate) include:

A very close personal friendship, such as a close family friend, business associate or confidante;

The close personal friend or business associate of a Member’s parent, child, spouse (significant other), or sibling;

The Member’s landlord, tenant, employer, employee, or someone with a similar relationship with a Member’s family member.

The MCIA acknowledges that “[t]here is a benefit to municipalities and local boards 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.

It will not be the case, then, that casual relationships, perhaps those gleaned through professional connections or more broadly in the community, will necessarily trigger your disqualification from considering the merits of an application for appointment to a City of Hamilton Committee (unless the MCIA specifically identifies the relationship as noted above). As members of Council it is expected that you would have extensive connections in the community, and it is not unreasonable to think that some of those ‘connections’ would be in competition with each other as candidates for appointment.

When however is a connection too close?

It may be helpful to understand the line at which you should recuse from a candidacy discussion in terms of your obligation from time to time to provide procedural fairness and conduct yourself with impartiality. Where the rights, privileges or interest of an individual are to be determined by a Council decision (as might be the case when considering an Integrity Commissioner’s report about a local board member), you are obliged to avoid a reasonable apprehension of bias, the test for which is similar to the ‘reasonable person test’ used to determine conflicts of interest:

a reasonable apprehension of bias exists when a reasonable person, viewing the matter realistically and practically, and having thought the matter through – would conclude that it is more likely than not that the Member, whether consciously or unconsciously, would not be able to render a fair decision on the matter.

Determining whether you have a disqualifying interest, or could be perceived to be biased, can be a difficult task. This is why Integrity Commissioner’s advice-giving is the most important function of the office. Where a member is unable to determine on their own whether they would be in breach of the MCI, or whether their continued engagement would trigger an apparent conflict of interest, they may seek definitive, confidential advice from the Integrity Commissioner who will make the assessment realistically and practically, whether the interest is sufficient to make the rendering of a fair decision impossible.

Where the circumstances arise, members are encouraged to reach out to us for their individual advice should there be facts which warrant closer consideration.

Trusting this is responsive to your request,

Principles *Integrity*,
Integrity Commissioner for the City of Hamilton



Hamilton



Selection Process Guide

Before the selection process commences, the selection committee should review this Selection Process Guide.

Screening Applicants:

- When resumes are received, use the Resume Screening Template to track which candidates are moving forward to the interview stage.
- Resumes should be screened against the experience and qualifications that have been established by the selection committee.
- Prior to interviews, ask candidates if they may require any accommodations necessary for participation.

Interview Guide Quick Tips:

- For consistency, the same interview panel should be used to conduct all interviews
- The interview panel should be diverse in its composition
- Ensure to complete all required fields on the cover page

During Interview

- Before the interview starts, introduce everyone on the panel and make candidates feel at ease. Follow the script on the first page of the interview guide.
- Allow the candidate to take notes but do not allow them to remove the notes from the room.
- Be diligent in writing what the candidate says, without including your own subjective thoughts or assumptions.
- Be mindful of asking direct questions prohibited by the Human Rights Act. For example, questions related to citizenship, race, place of origin, ethnic origin, colour, ancestry, disability, age, creed, sex/pregnancy, family status, marital status, sexual orientation, gender identity, gender expression, receipt of public assistance (in housing) and record of offences (in employment). However, there may be issues that come up in terms of barriers that preclude participants from fully participating in the process, for example, childcare, that can be discussed and understood.

Scoring and Selection Process

- Selection Committee should complete the interview guide and IDEA rubric scoring individually for each candidate.
- There will be a standard scoring set for all interview guides – no half marks.

- A group review/discussion will occur once all Selection Committee members have completed the interview guide and IDEA rubric scoring to reach consensus on who will be selected.
- It is not necessary to reach consensus on every question, but large discrepancies should be addressed and discussed.
- To determine the candidates final score, take a combined average of all Selection Committee members' scoring.
- All interview guide and IDEA rubric scores should be noted on the Interview Scoring Summary Sheet and included with the interview package and returned to Clerks

<p>Corporate Policy Hamilton City Council – Appointment of Citizens to the City’s Local Boards</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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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.

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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

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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).

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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

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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.