



City of Hamilton

HAMILTON POLICE SERVICES BOARD SELECTION COMMITTEE AGENDA

Meeting #: 23-003
Date: June 20, 2023
Time: 1:30 p.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 June 16, 2023	3
4. BACKGROUND INFORMATION FOR MEMBERS OF THE HAMILTON POLICE SERVICES BOARD SELECTION COMMITTEE	
4.1 FOR INFORMATION ONLY: Corporate Policy, Hamilton City Council – Appointment of Citizens to the City’s Local Boards	6
4.2 FOR INFORMATION ONLY: Integrity Commissioner General Information	15
5. PRIVATE AND CONFIDENTIAL	

5.1 Closed Session Minutes - June 16, 2023

Pursuant to Section 9.3 sub-section (i) of the City's Procedural By-law 21-021, as amended, and Section 239(2) sub-section (i) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains 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

5.2 Deliberation of Applications to the Single Citizen Position on the Hamilton Police Services Board

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. ADJOURNMENT



Hamilton

HAMILTON POLICE SERVICES BOARD SELECTION COMMITTEE

MINUTES 23-002

4:00 p.m.

Friday, June 16, 2023

Room 264, 2nd Floor

City Hall

Present: Councillor N. Nann (Chair), R. Greenspan, Mayor A. Horwath, Councillor C. Kroetsch, F. Kuczma, O. Mbaya, J. Mulkewich, Councillor E. Pauls, A. Purnell, S.Tora, Councillor M. Wilson

Absent with Regrets: Councillor M. Spadafora – City Business

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. Proposed Screening Tool for the Police Services Board Selection Committee (Item 5.2)

(M. Wilson/Purnell)

That the Proposed Screening Tool for the Police Services Board Selection Committee, be approved for use during the selection process.

CARRIED

2. Interview Questions for Consideration and Approval by the Hamilton Police Services Board Selection Committee (Item 5.3)

(Mulkewich/Kuczma)

That the selected Interview Questions be approved, and remain confidential.

CARRIED

FOR INFORMATION:**(a) CHANGES TO THE AGENDA (Item 1)**

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

(Tora/Kroetsch)

That the agenda for the June 16, 2023 meeting of the Hamilton Police Services Board Selection Committee be approved, as presented.

CARRIED**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF THE PREVIOUS MEETING (Item 3)**(i) May 8, 2023****(Purnell/Greenspan)**

That the Minutes of May 8, 2023 meeting of the Hamilton Police Services Board Selection Committee, be approved as presented.

CARRIED**(d) PRIVATE & CONFIDENTIAL (Item 5)**

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

(i) Closed Session Minutes of May 8, 2023 (Item 5.1)**(Kroetsch/Kuczma)**

That the Closed Session Minutes of May 8, 2023 meeting of the Hamilton Police Services Board Selection Committee, be approved, as presented.

CARRIED**(Greenspan/Kroetsch)**

That the Committee move into Closed Session for Items 5.2, Proposed Screening Tool for the Police Services Board Selection Committee, and 5.3, Interview Questions for Consideration and Approval by the Hamilton Police Services Board Selection Committee pursuant to Section 9.3 sub-section (i) of the City's Procedural By-law 21-021, as amended, and Section 239(2) sub-section (i) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains 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.

CARRIED

(ii) Proposed Screening Tool for the Police Services Board Selection Committee (Item 5.2)

For further disposition, refer to Item 1.

Chair Nann relinquished the Chair to Councillor Kroetsch at 8:00 p.m. for the remainder of the meeting.

(iii) Interview Questions for Consideration and Approval by the Hamilton Police Services Board Selection Committee (Item 5.3)

For further disposition, refer to Item 2.

(e) ADJOURNMENT (Item 5)

(Mulkewich/Purnell)

There being no further business, the Hamilton Police Services Board Selection Committee adjourned at 8:10 p.m.

CARRIED

Respectfully submitted,

Councillor N. Nann, Chair
Hamilton Police Services Board
Selection Committee

Respectfully submitted,

Councillor C. Kroetsch,
Hamilton Police Services Board
Selection Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk

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

Hamilton Police Services Board Selection Committee
June 16, 2023
Integrity Commissioner Contact Information

The Integrity Commissioner performs their duties on a part-time, as needed basis, and does not have a permanent office in the City of Hamilton.

If you have any questions about the function and duties of the Integrity Commissioner please contact:

Principles Integrity
30 Haddon Street, Toronto ON M5M 3M9
Email: postoffice@principlesintegrity.org
Phone 647-259-8697

The Integrity Commissioner helps ensure members of Council, members of Local Boards and Citizen Committee members:

- conform to a high ethical standard
- adhere to the City of Hamilton's **By-law 16-290: Code of Conduct for Members of Council(PDF, 159.52 KB)** and; **Code of Conduct for Members of Local Boards(PDF, 147.15 KB)** and any other applicable City procedures, rules or policies

The Integrity Commissioner reports directly to Council and performs four basic roles:

1. Advisory

- Provides advice to Council, members of Local Boards and Citizen Committee members to prevent potential violations of the Code of Conduct.
- Provides advice to members of Council and local boards respecting their obligations under the *Municipal Conflict of Interest Act*.
- Reviews the Codes of Conduct to ensure it meets the needs of Council
- Provides advice to the public on matters relating to the conduct of Council, members of Local Boards and Citizen Committee members.

2. Education

- Educates members of Council, members of Local Boards and Citizen Committee members on the Codes of Conduct and integrity
- Educates the public on the expected conduct of the members of Council, members of Local Boards and Citizen Committee members through the development of a website

Hamilton Police Services Board Selection Committee
June 16, 2023
Integrity Commissioner Contact Information

3. Complaint investigation

- Assesses complaints from the public to determine their validity
- Investigates valid complaints
- Reports the results of the investigations to Council and the public

4. Complaint adjudication

- Determines whether a member of Council; Local Board or a Citizen Committee member has violated a City protocol, by-law or policy governing ethical behaviour
- Administers appropriate discipline as outlined in the By-Laws for members found in violation of their Code of Conduct
- Reports the results of an investigation through Council

The Integrity Commissioner does not have authority over the conduct of City employees. Read more about the role of the [Integrity Commissioner By-Law No. 16-288\(PDF, 93.15 KB\)](#).

The Integrity Commissioner has authority over members of Council, members of Local Boards and Citizen Committee members and enforces the Codes of Conduct. The Integrity Commissioner does not have jurisdiction over the rules of procedure; that falls to the Ontario Ombudsman. The Integrity Commissioner also does not have jurisdiction over the conduct of City employees.

There are other types of complaints where the Integrity Commissioner does not have authority because they are covered by existing legislation or regulatory mechanisms such as an allegation that may involve a contravention of the Criminal Code of Canada. This is a police matter.