



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
City Clerk's Office

TO:	Chair and Members of Audit, Finance & Administration
COMMITTEE DATE:	July 9, 2020
SUBJECT/REPORT NO:	Citizen Advisory Committees and Electronic Participation During the COVID-19 Emergency (FCS20061) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Andrea Holland (905) 546-2424 Ext. 5409
SUBMITTED BY:	Andrea Holland City Clerk, Office of the City Clerk
SIGNATURE:	

RECOMMENDATION(S)

- (a) That the By-Law to Amend By-Law No. 18-270, the Council Procedural By-Law, attached as Appendix 'A' to Report FCS20061, be enacted;
- (b) That Council direct staff to proceed with scheduling Citizen Advisory Committee meetings in accordance with the Hamilton Reopens: The City of Hamilton's COVID-19 Recovery Plan; as per the schedule outlined in the Citizen Advisory Committee Meeting Recovery Plan Phases Appendix 'B';
- (c) That staff be directed to procure the necessary technology for Staff Liaisons to support Electronic Citizen Advisory Committees and that it be funded from Dept. ID 300100; and
- (d) That the City Clerk be delegated the authority to establish and approve procedures and take all steps necessary to facilitate electronic participation by members of Citizen Advisory Committees.

EXECUTIVE SUMMARY

The current declared emergency has resulted in a number of staff supported services and programs to be put on hold or cancelled. Staff supported Citizen Advisory Committee meetings have been cancelled due to the limits within the Procedural By-Law but also

due to staffing redeployment during the current emergency. While staff have been able to support public meetings of standing committee and council, this new process does require additional staff resources to support these meetings. To date, support has been managed using the current staff complement.

As part of the work to develop Hamilton Reopens, detailed Operational Recovery Plans were provided to the EOC and tabled at the May 27, 2020 Council meeting. These plans indicate the phases staff can provide support to Citizen Advisory Committees (see Appendix 'B'). In some divisions, staff have been redeployed to help with the emergency and do not expect to return to their 'home' position until later phases of reopening.

This report contains the proposed amendments to Council's Procedural By-Law 18-270; to allow Citizen Appointees to participate electronically (Appendix A), provides the schedule in the detailed Citizen Advisory Committee Meeting Recovery Plan Phases (Appendix B) and the changes to the Advisory Committee Procedural Handbook (Appendix D) for Electronic Citizen Advisory Committee meetings.

Alternatives for Consideration – See Page 5.

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Staff Liaisons will be provided with technology to hold virtual meetings and will have the ability to stream them live without additional cost to Citizen Appointees.

Staffing: Staff support for virtual Citizen Advisory Committees can be implemented using existing staff complement according to the schedule in Appendix 'B'. Staff currently do not support Citizen Advisory Working Groups and therefore, as was the case before the emergency, members would be expected to book and manage their own virtual working group meetings. If Committee and Council chose to start those identified in phase 3 to start in phase 2, redeployed staff would need to be replaced at an additional cost.

Legal: N/A

HISTORICAL BACKGROUND

On March 20, 2020, Council amended their Procedural By-Law 18-270 to allow Members of Council to participate electronically in committee and council meetings. As a result of the amendments, council meetings and standing committee meetings have been scheduled and held with Members of Council and Staff all participating electronically.

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Since then, Council has approved the use of electronic participation and amended the Procedural By-Law 18-270 to allow a limited number of Citizen Advisory Committees and Task Forces, that have time sensitive items to be addressed in order to help move the business of the city forward during the declared emergency.

At its meeting on June 24, 2020, Council received correspondence (Appendix C) and approved the following recommendation:

4.19 Correspondence requesting that City Council change the established procedural bylaws to give the City's volunteer citizen committees the option to resume their meetings virtually until it is safe for them to meet again in person.

Recommendation: Be received and referred to the City Clerk to prepare a report for consideration at the July 9, 2020 Audit, Finance and Administration Committee meeting.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

On June 19, 2020 the City of Hamilton announced it was entering Phase 2 of Hamilton Reopens, which is focused on safely expanding the municipal services available to residents.

The *Municipal Act, 2001*, outlines the legislated obligations of all meetings to be held open to the public, except where specific Exceptions under the *Municipal Act, 2001* are met:

Meetings open to public

239 (1) Except as provided in this section, all meetings shall be open to the public. 2001, c. 25, s. 239 (1).

On March 19, 2020, Bill 187 received Royal Assent to provide changes to section 238 of The *Municipal Act, 2001* and The *City of Toronto Act, 2006*, provisions included that during declared emergencies pursuant to The *Emergency Management and Civil Protection Act*, should they choose to, Members of Councils, local boards and committees may participate electronically in open and closed meetings and may be counted for purposes of quorum.

At its meeting on March 20th, 2020, Hamilton City Council approved the following:

To Amend Section 9 of the Procedural By-Law 18-270 to Allow for Electronic Participation

WHEREAS, the COVID-19 virus has made it necessary for Council to amend Section 9 of the Procedural By-law, respecting Electronic Participation at Council

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and/or Committee Meetings during an emergency when attending in-person is not possible, to permit the electronic participation of members of Council at Council and/or Committee meetings;

THEREFORE, BE IT RESOLVED:

- (a) That the By-law to Amend By-law No. 18-270, the By-Law to Govern the Proceedings of Council and Committees of Council in the form attached hereto as Appendix A , be enacted;*
- (b) That the City Clerk be delegated the authority to establish procedures and take all steps necessary to facilitate electronic participation by members of Council in Council and/or Committee meetings held in the Council Chamber; and,*
- (c) That staff be directed to install the necessary technology in the Council Chambers in order for members of Council to participate electronically at Council and/or Committee meetings held in the Council Chamber to be funded from Dept. ID 300100.*

Council's Procedural By-Law 18-270 defines "**Committee**" - means a Standing Committee, Sub-Committee, Selection Committee or an Advisory Committee or Task Force established by Council from time to time."

Staff are recommending amending Council's Procedural By-Law 18-270 (Appendix A) to permit members of Citizen Advisory Committees to participate electronically in virtual meetings that will be live streamed. All scheduled electronic meetings, agendas and minutes will be posted on the City's website. In order to meet the obligations under the *Municipal Act, 2001*, all meetings will be streamed live through the City's YouTube channel at the time of the meeting.

RELEVANT CONSULTATION

Staff in the Office of the City Clerk have been working with staff across the Corporation to inform this report and to determine when staff support will be available for each Citizen Advisory Committee. The current emergency has impacted staffing across the organization and as a result continues to impact their ability to support committees, non-essential services and projects. These impacts are reflected in Appendix B – Citizen Advisory Committee Meeting Recovery Plan Phases.

Staff in the Office of the City Clerk have discussed technology solutions with IT and have confirmed that staff who support Citizen Advisory Committees will have the ability to host virtual meetings from any location and stream them live through the City's YouTube channel at the time of the meeting.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

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.

Phase 2 of Hamilton Reopens is focused on safely expanding the municipal services available to residents. As described in Phase 2 of Hamilton Reopens, staff who were redeployed to support COVID-19 emergency response efforts will continue in their temporary positions.

While developing Hamilton Reopens, staff reviewed work plans and staffing guidelines provided by the EOC to determine when they would have the resources to start to support Citizen Advisory Committees. Due to imminent business, staff recommend restarting some of these meetings in Phase 2 and due to staff redeployment and/or lack of imminent business are recommending others to restart in Phase 3.

Currently, some Staff Liaisons do not have the technology to support live streamed meetings. These staff will continue to work with Information Technology to obtain the necessary hardware to hold these meetings. Staff Liaisons will work with Committee Chairs to initiate meetings.

Staff recognize there are specific accommodation issues for some Citizen Committee Members and staff will continue to work with these members to arrive at a suitable accommodation.

The meetings will be live streamed through the City's YouTube channel with Members participating through phone or computer depending on the technology that the Member has access to or wishes to use. Staff have surveyed Members to determine the level of technology they own, and at a minimum, everyone will be able to participate by phone.

Staff will continue to communicate with and work within the guidelines set out by the EOC and Provincial Orders.

ALTERNATIVES FOR CONSIDERATION

An alternative to virtual Citizen Advisory Committees is to use the City of Hamilton's online engagement platform, however, staff are not recommending this currently.

In June, the City of Hamilton launched its online engagement platform Engage Hamilton. This new online tool provides an interactive online space for public engagement; providing the public an opportunity to share their feedback and for staff to engage with the community directly. It will allow staff to provide programs and information to the broader community for comment and feedback; in turn informing recommendations for decision makers. Not to mention the ability to target certain geography, demography, excellent analytics, etc. This precision will help us to zero in more on key issues, evaluate collective feedback and get better at improving outcomes.

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Staff will continue to monitor the use and information gathered from this new tool and report back to Committee and Council on its strong reporting and engagement capabilities.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and 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.

APPENDICES AND SCHEDULES ATTACHED

Appendix A – Amendments to By-Law No. 18-270, the Council Procedural By-Law

Appendix B – Citizen Advisory Committee Meeting Recovery Plan Phases

Appendix C - Item 4.19 of Council Agenda, June 24, 2020

Appendix D - Advisory Committee Procedural Handbook July 17-2020