



Hamilton

GOVERNANCE REVIEW SUB-COMMITTEE

REPORT 21-001

Monday, January 25, 2021

9:30 am

Council Chambers

Hamilton City Hall

Present: Councillors T. Whitehead (Chair), M. Wilson (Vice-Chair), B. Clark, L. Ferguson, M. Pearson, and A. VanderBeek

THE GOVERNANCE REVIEW SUB-COMMITTEE PRESENTS REPORT 21-001 AND RESPECTFULLY RECOMMENDS:

- 1. 2020 Review of the City's Procedural By-law Amendments (FCS21004 / LS21001) (Item 9.1)**
 - (a) That the revised Summary of the Proposed Revisions, as detailed in Appendix 'B' attached to Governance Review Sub-Committee Report 21-001, be approved;
 - (b) That By-law 18-270, the Council Procedural By-law, and it's amending By-laws 19-090, 19-212, 19-308, 20-042, 20-055, 20-103, 20-129, 20-145, 20-146, 20-151, 20-184, be repealed; and,
 - (c) That the Council Procedural By-law attached as Appendix 'A' to Governance Review Sub-Committee Report 21-001, as amended, be enacted by Council.
- 2. Civil Marriage Solemnization Update (CL19012(b)) (City Wide) (Item 9.2)**

That Report CL19012(b) respecting Civil Marriage Solemnization Update, be received.
- 3. Legal Advice on Contract Terms (Item 13.1)**

That the direction provided to staff in Closed Session respecting Legal Advice on Contract Terms, be approved and remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

CHANGE TO THE ORDER OF ITEMS:

Item 13.1, respecting Legal Advice on Contract Terms, to be considered immediately following Item 9.2.

The January 25, 2021 Agenda of the Governance Review Sub-Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 3)

(i) December 2, 2020 (Item 3.1)

The Minutes of the December 2, 2020 meeting of the Governance Review Sub-Committee were approved, as presented.

(d) COMMUNICATIONS (Item 4)

(i) Correspondence from Cameron Kroetsch, respecting suggested changes to consolidated Procedural By-law 18-270 (Item 4.1)

The correspondence from Cameron Kroetsch, respecting suggested changes to consolidated Procedural By-law 18-270 was received and referred to consideration of Item 9.1 - Review of the City's Procedural By-law Amendments (FCS21004 / LS21001).

(e) DELEGATION REQUESTS (Item 5)

(i) Cameron Kroetsch, respecting changes to the Procedural By-law (For today's meeting) (Item 5.1)

The delegation request from Cameron Kroetsch, respecting changes to the Procedural By-law, was approved for today's meeting.

(f) DELEGATIONS (Item 7)

(i) Cameron Kroetsch, respecting changes to the Procedural By-law (Added Item 7.1)

Cameron Kroetsch addressed the Committee respecting changes to the Procedural By-law, with the aid of a PowerPoint presentation.

The delegation from Cameron Kroetsch, respecting changes to the Procedural By-law, was received.

(g) DISCUSSION ITEMS (Item 9)

(i) 2020 Review of the City's Procedural By-law Amendments (FCS21004 / LS21001) (Item 9.1)

- (a) That the Summary of the Proposed Revisions, as detailed in Appendix 'B' attached to Report FSC21004 / LS21001, be approved;
- (b) That By-law 18-270, the Council Procedural By-law, and it's amending By-laws 19-090, 19-212, 19-308, 20-042, 20-055, 20-103, 20-129, 20-145, 20-146, 20-151, 20-184, be repealed; and,
- (c) That the Council Procedural By-law attached as Appendix 'A' to Report FSC21004 / LS21001, be enacted by Council.

The Committee made the following amendments to the recommendations in Report FCS21004 / LS21001 and directed staff as follows:

- (i) That staff be directed to report back to the next Governance Review Sub-Committee meeting, on a further amendment to the Council Procedural By-law, to permit electronic participation by members of Council at Council and Standing Committee meetings beyond the Emergency Order currently in place.
- (ii) That Sections 3.3 (2) and 5.5 (2) – Location of Meetings to Appendix "A" of Report FCS21004 / LS21001, be deleted in their entirety as follows:

SECTION 3 – COUNCIL MEETINGS

3.3 Location of Meetings

~~(2) When necessary, Meetings of Council may be held in an adjacent municipality (Halton Region; Niagara Region or Haldimand County), with the details posted on the City's website.~~

SECTION 5 – COMMITTEE MEETINGS

5.5 Location of Meetings

~~(2) When necessary, Standing Committee Meetings may be held in an adjacent municipality (Halton Region; Niagara Region or Haldimand County), with the details posted on the City's website.~~

- (iii) That staff be directed to review and provide the Audit, Finance and Administration Committee with clarification on the wording of Sections 3.10 (10) and 5.14 (10) – Communications Items to Appendix "A" of Report FCS21004 / LS21001 on February 4, 2021.

- (iv) (a) That Section 8.4 – Order and Decorum of Appendix “A” to Report FCS21004 / LS21001, **be amended** by deleting the words ***“without challenge”***; and,
- (b) That staff be directed to provide the Audit, Finance and Administration Committee with alternative language on February 4, 2021.

8.4 Should a Member of Council persist in conducting themselves in a manner contrary to the rules set forth in subsection 8.1 after having been called to order by the Mayor or the Chair of the Committee, the Mayor or the Chair may order them ~~***without challenge***~~ to vacate the place the meeting is being held. If the Member of Council apologizes, they may, by vote of a majority of the Council or Committee members, be permitted to remain at the meeting.

- (v) That Section 5.9 (3) – Rules of Procedure, of Appendix “A” to Report FCS21004 / LS21001, **be amended** by deleting the words ***“when a subject matter directly affects their Ward”***; as follows:

- (3) A Member of Council who is not a member of a Standing Committee is entitled to attend such Standing Committee meetings and to participate ~~***when a subject matter directly affects their Ward***~~, provided that the Member of Council shall:

- (a) not be counted for quorum purposes, and;
- (b) not move any motion or vote on any matter.

(h) PRIVATE AND CONFIDENTIAL (Item 13)

That Committee move into Closed Session respecting Item 13.1, pursuant to Section 8.1, Sub-section (f) of the City's Procedural Bylaw 18-270, and Section 239(2), Sub-section (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(i) Legal Advice on Contract Terms (Item 13.1)

Staff were provided direction in Closed Session.

For disposition of this matter refer to Item 3.

(i) DISCUSSION ITEMS (Item 9) (Continued)

(ii) Integrity Commissioner Work Plan (FCS20016(b)) (City Wide) (Item 9.3)

The consideration of Report FCS20016(b), respecting the Integrity Commissioner Work Plan was deferred to the next Governance Review Sub-Committee meeting.

(j) GENERAL INFORMATION/OTHER BUSINESS (Item 12)

(i) Amendments to the Outstanding Business List (Item 12.1):

The following amendments to the Outstanding Business List, were approved:

(a) Items to be Removed (Item 12.1(a)):

Civil Marriage Solemnization (CL19012) (City Wide) (Item 10.2)
That report CL19012 respecting Civil Marriage Solemnization be referred back to staff for public consultation on a 1 year Pilot Project, to a maximum of 150 ceremonies, using current resources.

Added: November 26, 2019 at Governance Review Sub-Committee (Item 10.2)

Completed: February 12, 2020 at Governance Review Sub-Committee (Item 10.1)

OBL Item: D-2019

Civil Marriage Solemnization (CL19012(a)) (City Wide) (Item 10.1)
That staff report back to the Governance Review Sub-Committee within a one year period to provide an update on Civil Marriage Solemnization services.

Added: February 12, 2020 at Governance Review Sub-Committee (Item 10.1)

Completed: January 25, 2021 at Governance Review Sub-Committee (Item 9.2)

OBL Item: 2020-A

(k) ADJOURNMENT (Item 14)

There being no further business, the Governance Review Sub-Committee meeting adjourned at 1:18 p.m.

Respectfully submitted,

Councillor T. Whitehead, Chair
Governance Review Sub-Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk