



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 21-003

9:30 a.m.

February 18, 2021
Council Chambers
Hamilton City Hall

Present: Councillors M. Wilson (Chair), C. Collins, L. Ferguson, J. Partridge, M. Pearson, and A. VanderBeek

Absent: Councillors B. Johnson, and B. Clark – City Business

Also Present: Councillor N. Nann

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 21-003 AND RESPECTFULLY RECOMMENDS:

1. Appointment of Committee Chair and Vice-Chair for 2021 (Item 1)

- (a) That Councillor L. Ferguson be appointed as Chair of the Audit, Finance & Administration Committee for the remainder of 2021.
- (b) That Councillor M. Pearson be appointed as Vice-Chair of the Audit, Finance & Administration Committee for the remainder of 2021.

2. Robert Ridley, on behalf of Olympia Gerl, respecting a Water Billing Charge Anomaly (Deferred from the February 4, 2021 Meeting) (Item 8.1)

That a compassionate relief credit in the amount of \$271.20 be applied to Olympia Gerl's water billing account.

3. Hamilton Anti-Racism Resource Centre Update (CM20007(b)) (City Wide) (Item 9.1)

- (a) That the consultant's report detailing HARRC Board recruitment activities and the Community Advisory Panel which supported the process attached as Appendix "A" to Audit, Finance and Administration Report 21-003 be received;
- (b) That the HARRC proposed Governance Structure and Terms of Reference, attached as Appendix "B" to Audit, Finance and Administration Report 21-003 be approved;

- (c) That the HARRC project next steps attached as Appendix “C” to Audit, Finance and Administration Report 21-003, which include retaining a consultant to support the new HARRC Board and developing a full budgetary, operational and sustainability requirement report for the centre by July 2021, be approved;
- (d) That the \$50,000 cost estimate for the HARRC project next steps (as outlined in Appendix “C” Audit, Finance and Administration Report 21-003), be funded through the Tax Stabilization Reserve; and,
- (e) That the recommendations for Appointments to the HARRC Board be approved and released publicly following approval by Council.

4. Fraud, Waste, and Whistleblower Semi-Annual Update (AUD21001) (City Wide) (Item 10.2)

That Report AUD21001, respecting the Fraud, Waste, and Whistleblower Semi-Annual Update, be received.

5. Annual Employee Attendance Report 2020 (HUR21002) (City Wide) (Item 10.3)

- (a) That Report HUR21002, respecting the Annual Employee Attendance Report 2020, be received.
- (b) That staff be directed to change the frequency of the Annual Employee reports to annual reports only.

6. Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - Focus and Committee Involvement in Selection Processes (Added Item 10.5)

That the Citizen Committee Report from the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee respecting Focus and Committee Involvement in Selection Processes, be received.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

7. CONSENT ITEMS

7.1 Various Volunteer Advisory Committee Minutes:

7.1(g) Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee - January 19, 2021

10. DISCUSSION ITEMS

- 10.5 Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - Focus and Committee Involvement in Selection Processes

9. PRESENTATIONS

- 9.1 Hamilton Anti-Racism Resource Centre Update (CM20007(b)) (City Wide) (Outstanding Business List Item)

This item was originally listed on the agenda as Item 10.4 but was moved to 9.1 as it includes a presentation.

The agenda for the February 18, 2021 Audit, Finance and Administration Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) February 4, 2021 (Item 4.1)

The Minutes of the February 4, 2021 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) CONSENT ITEMS (Item 7)

The following Volunteer Advisory Committee Minutes (Item 7.1), were received:

- (i) Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Advisory Committee – November 17, 2020 (Item 7.1(a))
- (ii) Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Advisory Committee – December 15, 2020 (Item 7.1(b))
- (iii) Immigrant and Refugee Advisory Committee – March 12, 2020 (Item 7.1(c))
- (iv) Immigrant and Refugee Advisory Committee - December 10, 2020 (Item 7.1(d))
- (v) Hamilton Aboriginal Advisory Committee – October 1, 2020 (Item 7.1(e))
- (vi) Hamilton Mundialization Committee – November 18, 2020 (Item 7.1(f))
- (vii) Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Advisory Committee – January 19, 2021 (Added Item 7.1(g))

(e) PUBLIC HEARINGS / VIRTUAL DELEGATIONS (Item 8)

(i) Robert Ridley, on behalf of Olympia Gerl, respecting a Water Billing Charge Anomaly (Deferred from the February 4, 2021 Meeting) (Item 8.1)

Robert Ridley addressed the Committee on behalf of Olympia Gerl, respecting a water billing charge anomaly.

The delegation from Robert Ridley, on behalf of Olympia Gerl, respecting a water billing charge anomaly, was received.

(ii) Staff Supporting Documentation – Robert Ridley (Item 8.1(a))

That the staff supporting documentation respecting Robert Ridley's delegation, was received.

For further disposition of this matter, refer to Item 2.

(f) PRESENTATIONS (Item 9)

(i) Hamilton Anti-Racism Resource Centre Update (CM20007(b)) (City Wide) (Item 9.1)

Hamilton Anti-Racism Resource Centre project consultant leads Evelyn Myrie and Audrey Wubbenhorst, from EMpower Strategy Group, presented to Committee the Hamilton Anti-Racism Resource Centre Update.

The presentation respecting the Hamilton Anti-Racism Resource Centre Update, was received.

For disposition of this matter, refer to Item 3.

(g) DISCUSSION ITEMS (Item 10)

(i) Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - Accessible Captioning for Meetings of the LGBTQ Advisory Committee (Item 10.1)

The Citizen Committee Report from the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee respecting Accessible Captioning for Meetings of the LGBTQ Advisory Committee, was referred to staff to report back to the Audit, Finance and Administration Committee with additional information, the financial implications, and other considerations.

(ii) Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - Focus and Committee Involvement in Selection Processes (Added Item 10.5)

Cameron Kroetsch, Chair of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee was permitted to address the Committee respecting the LGBTQ Advisory Committee Citizen Committee Report regarding Focus and Committee Involvement in Selection Processes.

Cameron Kroetsch, Chair of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee addressed the Committee respecting the LGBTQ Advisory Committee Citizen Committee Report regarding Focus and Committee Involvement in Selection Processes.

The information provided by Cameron Kroetsch, Chair of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee respecting the LGBTQ Advisory Committee Citizen Committee Report regarding Focus and Committee Involvement in Selection Processes, was received.

For further disposition of this matter, refer to Item 6.

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 13)

(i) Amendments to the Outstanding Business List (Item 13.1)

That the following amendment to the Audit, Finance & Administration Committee's Outstanding Business List, was approved:

(a) Item Considered Complete and Needing to be Removed:

Hamilton Anti-Racism Resource Centre Update (HUR18010(c))
Added: December 5, 2019 at AF&A Item 9.2
Completed: February 18, 2021 AF&A Item 9.1
OBL Item: 19-R

(i) PRIVATE AND CONFIDENTIAL (Item 14)

(i) February 4, 2021 – Closed Minutes (Item 14.1)

(a) The Closed Session Minutes of the February 4, 2021 Audit, Finance and Administration Committee meeting, were approved as presented; and,

(b) The Closed Session Minutes of the February 4, 2021 Audit, Finance and Administration Committee meeting, remain confidential.

(j) ADJOURNMENT (Item 15)

There being no further business, the Audit, Finance and Administration Committee adjourned at 12:17 p.m.

Respectfully submitted,

Councillor Ferguson, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk



HARRC BOARD RECRUITMENT PROCESS

AND

THE COMMUNITY ADVISORY PANEL (CAP)

City of Hamilton

Project Lead: Evelyn Myrie, Founder & Principal
EMpower Strategy Group

January 25, 2021

Background

Launched in April 2018, the Hamilton Anti-Racism Resource Centre (HARRC) was a collaborative pilot project with the City of Hamilton, McMaster University and Hamilton Centre for Civic Inclusion (HCCI).

In February 2019, the project was paused to allow time for broader engagement across the community. Hamilton City Council approved the re-establishment of HARRC with an independent board of directors. Clear in this directive was the need to anchor that re-establishment in lived experiences of residents grounded in an equity, diversity and inclusion lens.

Between 2019 and June 2020, the City of Hamilton engaged in extensive consultation with the public regarding the HARRC's future. City Council transferred responsibility for HARRC from Talent and Diversity Division within Human Resources, to Community Initiatives within Strategic Partnerships & Communications Division.

Following an RFP process, EMpower Strategy Group, a local Equity, Diversity and Inclusion consulting firm was selected to support the process, with the end goal of establishing HARRC's first Independent Board of Directors.

In October 2020, a HARRC Community Advisory Panel (CAP) was established with membership from a diverse group of Hamilton's diverse and racialized communities, to recruit and recommend HARRC's inaugural board of directors to City Council.

HARRC Board Skills Assessment

The Community Advisory Panel had many important discussions around the skills that would be required for the inaugural board of directors. Themes included:

- Lived experience and a solid understanding, strong commitment and analysis of anti-racism and anti-oppression principles and practices.
- Connections to diverse communities through volunteer work and/or professional associations
- Governance experience with emphasis on candidates who had set up new boards
- Strong skills in key areas such as finance, human resources, and fundraising

HARRC Board Recruitment Process

Given the mandate of HARRC, it was important to ensure that the Community Advisory Panel received a wide number of applicants that reflected the diversity of Hamilton. The team made a concerted effort to ensure that the posting was widely circulated online and in the media. The posting appeared in the *Hamilton Spectator* and *Share* newspaper, other ethnic media. It was also available on the City of Hamilton's website and disseminated to cultural and racialized community organizations and community leaders, through email outreach, telephone and social media channels. Please see Appendix B for the Board posting.

Applications were accepted over a three-week period. All candidates were mapped against an agreed upon skills, experience, and EDI matrix. From an applicant pool of 39 candidates, a shortlist of 26 candidates was created. CAP then interviewed the shortlist of 26 candidates over six days. These virtual

interviews occurred over six days between December 15, 2020 and January 3, 2021. The interview invitation asked candidates to identify accommodation needs as required. Each candidate had a minimum of 30 minutes and was asked the same set of questions to ensure as much consistency as possible.

Panelists then scored answers to each question. The interview team used an inclusive approach to consider lived experience expertise and diverse representation. Upon completion of the interviews, the interview team met three times more to ensure a fair and equitable selection process.

Community Advisory Panel

Formation

EMpower Strategy Group recruited a Community Advisory Panel via targeted outreach to racialized and diverse leadership groups in Hamilton including Faith based bodies. Nine individuals volunteered their time on this important project. This group reflected the diversity of Hamilton and brought a wide range of skills and expertise to the selection process.

Membership

Panelists included:

- Mouna Bile, Black Justice Coordinator, Hamilton Community Legal Clinic
- Lisa Marie Johnston, Member, LGBTQ Advisory Committee, City of Hamilton
- Dr. Ameil Joseph, Associate Professor, School of Social Work, McMaster University
- Yasmeen Mirza, Assistant Secretary, Muslim Association of Hamilton
- Taimur Qasim, Member, Committee Against Racism
- Gustavo Rymberg, CEO, Hamilton Jewish Federation
- Jean-Jacques Somwe, President, Congolese Community of Hamilton
- Dr. Gary Warner, Order of Canada recipient and Professor Emeritus, McMaster University
- Joanna Webb, Board President, Hamilton Regional Indian Centre

Dr. Ameil Joseph and Mouna Bile agreed to Co-Chair the Community Advisory Panel. The panel met virtually on the following days in 2020-2021: October 15, 29, November 11 and January 4.

Terms of Reference – HARRC Community Advisory Panel

Overview

Launched in April 2018, the Hamilton Anti-Racism Resource Centre (HARRC) was a collaborative pilot project. In February 2019, the project was paused to allow time for broader engagement across the community. Hamilton City Council approved the re-establishment of HARRC with an independent board of directors. Clear in this directive was the need to anchor that re-establishment in lived experiences of residents grounded in an equity, diversity and inclusion lens.

The HARRC Community Advisory Panel is a short-term commitment from the end of September 2020 to January 15, 2021. The panel’s first meeting took place in October. Following are the draft terms of reference for the HARRC Community Advisory Panel.

Purpose/Mandate/Mission

- To oversee the development of the recommended governance structure and mandate for the HARRC board of directors.
- Recruit and select potential HARRC’s inaugural Board of Directors, with support from the City of Hamilton.

Responsibilities

- Inform and facilitate the review of HARRC mission, vision, and objectives
- Review and approve draft recruitment and selection framework
- Support outreach and communications to recruit potential applicants, with support from the City of Hamilton
- Shortlist and interview potential applicants
- Selection of potential candidates for Hamilton City Council’s approval
- Review and approve final report for Hamilton City Council’s approval

Members/Composition

The Advisory Panel will:

- Be comprised of nine to thirteen community representatives including youth
- Reflect the diversity of Hamilton

Inclusion Policy

To support equitable and accessible participation, members may request resources that may be required to participate and contribute effectively. Every effort will be made to fulfill these requests as budget and resources permit. Our work will be guided by the City of Hamilton’s Equity and Inclusion policies.

Conflict of Interest

Members of the advisory panel will be ineligible to serve on the inaugural HARRC board.

Members will be expected to recuse themselves from interviewing candidates who are family members and/or who have a current business relationship with the member. Potential conflicts should be raised with the Chair.

Remuneration

HARRC Community Advisory Panel members shall serve without remuneration in money or time. Participation on this committee is without remuneration and is completely voluntary.

Term of Membership

Each volunteer member is committed to serving for the duration of the expressed timeframe (October 2020 to January 15, 2021).

Co-Chair Roles

The Co-Chairs of the Advisory Panel are responsible for:

- Providing leadership to the panel by guiding, directing and supporting the members
- Leading Advisory Panel meetings
- Delegating responsibilities for Advisory Panel action items, as required
- Ensuring action items are addressed as needed
- Liaising with the consultant team on a regular basis
- Attending and chairing all meetings

Meetings

Based on the short timeframe of the focus of the HARRC Community Advisory Panel, the Panel will have between three and four meetings.

Decision-Making Process

To support an equitable and accessible decision-making process, decisions in this group will be made via the consensus decision-making approach.

Consensus decision-making is based on the premise that everyone’s voice is worth hearing and that all concerns come from a place of integrity and are valid. If a proposal is deeply troubling to one member, that concern is respected.

Approval of Terms of Reference

The HARRC Community Advisory Panel will review and make recommendations on the Terms of Reference and the final copy will reflect the date in the footer and will also receive a sign off below.



HARRC BOARD OF DIRECTORS

PROPOSED

GOVERNANCE STRUCTURE AND

TERMS OF REFERENCE

City of Hamilton

Project Lead: Evelyn Myrie, Founder & Principal
EMpower Strategy Group

January 25, 2021

Recommended Governance Structure

EMpower Strategy Group completed an analysis of the governance structure of similar organizations with a clear mandate for anti-racism. These organizations included: Black Legal Action Centre (Toronto), Brooklyn Movement Centre (New York), Canadian Race Relations Foundations, City of Toronto – Confronting Ant-Black Racism Unit (CABR), Diversity, Inclusion and Anti-Oppression Advisory Committee (London, Ontario), Newcomer Centre of Peel and Peel Regional Diversity Roundtable.

The team also reviewed the work of Dr. Ameil Joseph’s report, “Findings and Analysis: Year 1, April 2018-February 2019,” which identified recommendations for HARRC.

Moving forward, CAP recommends the following governance structure to ensure that HARRC is set up to succeed:

- Board of directors with 13 members
 - Board led by either two Co-Chairs or Chair and Vice Chair to be elected by the Board itself
- Staggered term limits to ensure continuity; maximum of two terms (TBD in bylaws)
 - 5 members 24-month terms
 - 5 members 36-month terms
 - Chair/Co-Chair 36-month term
- Board to hire an Executive Director within first 90 days
- Executive Director to hire key operational and administrative lead
- Physical office in visible, accessible location with strong digital presence
- Funding provided by City of Hamilton initially (36 months)
- Bylaws and board policies to be determined by board

Acknowledgements:

Thank you to the members of CAP who provided their invaluable input into this project as well as our partners at the City of Hamilton for their support and guidance.

Recommended Terms of Reference Hamilton Anti-Racism Resource Centre (HARRC)

Background

Launched in April 2018, the Hamilton Anti-Racism Resource Centre (HARRC) was a collaborative pilot project. In February 2019, the project was paused to allow time for broader engagement across the community. Hamilton City Council approved the re-establishment of HARRC with an independent board of directors. Clear in this directive was the need to anchor that re-establishment in lived experiences of residents grounded in an equity, diversity and inclusion lens.

In October 2020, a HARRC Community Advisory Panel (CAP) was appointed recruit and recommend HARRC’s inaugural board of directors to City Council. Below is a description of the HARRC director role. Successful candidates will have an opportunity to play a leadership role in building a new organization focused on this important work.

The Board of Directors governs through exercising both its formal authority (i.e., to select the Executive Director) as well as its informal authority of influence and persuasion (i.e. to help shape HARRC’s strategic goals).

The Board traditionally delegates the authority to carry out HARRC’s operations and management to its Executive Director and should actively support – as well as hold accountable – the Executive Director in carrying out HARRC’s vision and purpose:

- **Vision:** To serve as a friendly and supportive centre that promotes a sense of belonging for racialized people in Hamilton and where individuals impacted by racism and other forms of race related oppression can access information, support and resources.
- **Purpose:** The Anti-Racism Resource Centre and telephone help line will help fill service gaps that exist in Hamilton relating to anti-racism and anti-oppression. In particular, it will provide support, assistance and information by offering the option for individuals to speak directly to a trained staff member on matters relating to racism, discrimination and oppression or provide referrals to the appropriate service providers.

Responsibilities

Board members will have a unique opportunity to establish a new governance structure and framework for HARRC as its inaugural board of directors.

Working together – and in constructive partnership with management – the Board also has the responsibility for establishing and shaping the vision, mission and goals of HARRC. Board members play a vital role – often in constructive partnership with senior management – in crafting the strategic direction of HARRC. Collectively, the members of the Board are legally responsible for HARRC and all its activities. They also must provide ongoing oversight to ensure financial soundness and sustainability.

Accordingly, the Board ensures the finances of HARRC are handled properly; approves and monitors its annual budget; establishes and monitors financial policies and practices.

HARRC’s Board will:

- Govern and lead to actively advance the vital mission of HARRC.
- Actively support – and hold accountable – the Executive Director and staff.
- Craft, foster and support the HARRC’s vision, mission, strategic goals, strategic objectives and strategic metrics of success.
- Hold itself accountable to the highest levels of integrity.
- Actively lead and manage its own governance structure, culture and efforts.
- Encourage genuinely diverse ideas, perspectives and opinions.
- Speak as one voice once a decision has been made by the Board.
- Constructively partner with each other, the HARRC Executive Director and staff.
- Diligently and constructively advance HARRC’s relationship with the community.
- Actively oversee HARRC’s ongoing sustainability and operational effectiveness.
- Establish criteria of success and evaluate the overall performance and results of HARRC on an ongoing basis.

Duties

- Develop HARRC’s governing policies and procedures.
- Consistently foster and engage in effective strategic thinking, insights, questions and planning.
- Hire, assist, counsel, oversee and regularly evaluate the Executive Director.
- Foster the Executive Director’s effective leadership and management of HARRC’s personnel, operations and activities.
- Without limiting the general responsibility of the Board, appropriately delegate operational and management authority to the Executive Director of HARRC.
- In constructive partnership with the Executive Director, thoughtfully craft the strategic goals, objectives and metrics of success for HARRC.
- Maintain, monitor and protect the safety and soundness of HARRC and its assets.
- Understand and monitor HARRC’s performance and results.

Time Commitment

Board members will meet regularly. It is likely that the board will need to meet once a month (or more frequently) to get HARRC staffed and up and running. After that, the board may choose to meet less frequently. In the short-term, meetings will take place virtually until social distancing measures are no longer required. Meetings will occur at a time of day that is convenient for the majority of board members. Every effort will be made to ensure full participation.

Remuneration

HARRC directors will serve without remuneration in money or time. Participation is voluntary.

Reasonable expenses such as travel to and from meetings and dependent care may be reimbursed.

Term of Membership

Each director is committed to serve a two-year term (e.g. January 2021 – January 2023). Some directors may have longer terms to ensure board continuity. Terms may be renewable. Board term limit policies will be developed once the board is up and running.

Skills

Board members should be passionate about advancing anti-racism in Hamilton. Experience serving on boards and/or building new not-for-profits is preferred but not a requirement. The Community Advisory Panel will seek to reflect the City of Hamilton’s diversity in HARRC’s board composition.

In addition to the above role profile, there will be key leadership roles on the board:

Chair/Co-Chair

The role of the Chair is to facilitate meetings and act as a champion in moving the mandate forward.

Additional responsibilities will include:

- Ensure that HARRC maintain on file all meeting minutes
- In partnership with Executive Director coordinate meetings, set the date and time, prepare and forward the agenda, and forward any necessary supporting materials to all committee members
- Primary liaison with City of Hamilton and media spokesperson
- Prepare a year-end committee report for inclusion in the Annual Report

Treasurer

The role of the Treasurer is to oversee all financial aspects of HARRC.

Responsibilities will include:

- Oversees finances of the organization
- Oversees fiscal matters of the organization
- Partners with senior staff to create and review annual budget for board approval
- Ensures development and board review of financial policies and procedures

HAMILTON ANTI-RACISM RESOURCE CENTRE**PROJECT NEXT STEPS:****ONBOARDING, BUDGETARY, OPERATIONAL AND SUSTAINABILITY REQUIREMENTS**

Staff conducted further engagement, research and best practices to identify the required tasks if the Board of Directors is approved by Council. The tasks would require retaining a consultant to work with the new Board of Directors to complete the following deliverables and submit a report to Council by July 2021:

Tasks	Deliverables	Timelines	Cost estimates
Governance Capacity Building	<ul style="list-style-type: none"> Onboarding of the new Board of Directors – provide various training sessions for the board to fully understand its roles and responsibilities Develop onboarding package: HARRC briefing document, new board member checklist, etc Draft board policies for board approval Develop bylaws in consultation with legal expertise Establish required Board committees and their terms of reference Advance other new Board/organizational requirements, such as incorporation. 	February – May 2021	\$25,000
Short-Long terms Operational Planning	<ul style="list-style-type: none"> Develop a 5-year operating budget Develop staffing needs and competencies Develop space requirements – both long-term and virtually during the COVID-19 pandemic Facilitate job description development for the inaugural Executive Director Develop a funding and sustainability plan Conduct targeted stakeholders’ engagement to inform the above tasks and activities, and with the Board 	April – June 2021	\$15,000
Report to Council	<ul style="list-style-type: none"> Produce a final report to Council that is clear on full budgetary, operational and sustainability requirements for HARRC Presentation of report to City Council 	July 2021	\$10,000
Total Cost Estimate			\$50,000