

**BY EMAIL**

Council
City of Hamilton
71 Main Street West, 1st Floor
Hamilton, ON, L8P 4Y5

June 2, 2021

Dear Members of Council for the City of Hamilton:

Re: Report – Office of the Ontario Ombudsman

As you know, I have completed my investigation into whether the LGBTQ Advisory Committee for the City of Hamilton held a closed meeting on October 20, 2020, that violated the open meeting rules. A copy of the report was provided to the City and made public on my Office's website.

In accordance with s. 239.2(12) of the *Municipal Act, 2001*, the City is required to pass a resolution stating how it intends to address my report when I find that a meeting or part of a meeting was held contrary to the open meeting rules.

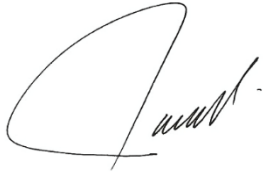
239.2 (12) If a municipality or a local board receives a report from a person referred to in clause 239.1 (a) or (b) reporting his or her opinion, and the reasons for it, that a meeting or part of a meeting that was the subject-matter of an investigation by that person appears to have been closed to the public contrary to section 239 or to a procedure by-law under subsection 238 (2), the municipality or the local board, as the case may be, shall pass a resolution stating how it intends to address the report.

This requirement ensures a public record of council's intentions with respect to the recommendations made in my report, reflecting the accountability of council to act with transparency and uphold the open meeting rules.

On April 28, 2021, council passed a resolution to receive my report as correspondence. The resolution did not address how the City intends to address the report, as required by the Act.

As I recognized in my report, I understand that the City has taken steps to improve the committee's open meeting practices going forward. The Clerk told my Office that the City has dedicated additional support for advisory committees and staff liaisons, and I commended the City for taking these steps. However, the steps taken by the City do not satisfy the Act's requirement to pass a resolution. The City should pass a resolution stating how it intends to address my report in accordance with s. 239.2(12) of the *Municipal Act, 2001* as soon as practicable.

Yours truly,

A handwritten signature in black ink, appearing to read 'J. Paul Dubé', written over a large, light-colored oval shape.

J. Paul Dubé
Ombudsman of Ontario