



CITY OF HAMILTON
CITY MANAGER'S OFFICE
City Clerk's Division
and
Corporate Initiatives

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	July 6, 2015
SUBJECT/REPORT NO:	Review of the City of Hamilton's Advisory Committees (CM15007) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Janet Pilon, Manager, Legislative Services / Deputy Clerk 905 546-2424 X4304 Mark Weingartner, Senior Policy Analyst, Community & Emergency Services Department, Neighbourhood and Community Initiatives Division, 905 546-2424 X6095
SUBMITTED BY:	Rose Caterini, City Clerk Paul Johnson, Director, Corporate Initiatives
SIGNATURE:	

RECOMMENDATIONS

- (a) That the following Advisory Committees with their existing mandates be established for the 2014-2018 term of Council:
- (i) Arts Advisory Commission
 - (ii) Committee Against Racism
 - (iii) Hamilton Aboriginal Advisory Committee
 - (iv) Hamilton Cycling Committee
 - (v) Hamilton Mundialization Committee
 - (vi) Hamilton Status of Women Committee
 - (vii) Hamilton Veterans Committee
 - (viii) Advisory Committee for Immigrants and Refugees
 - (ix) Keep Hamilton Clean and Green Committee
 - (x) Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee
 - (xi) Seniors Advisory Committee

**SUBJECT: Review of the City of Hamilton's Advisory Committees (CM15007)
(City Wide) - Page 2 of 16**

- (b) That Neighbourhood and Community Initiatives Division (NCI) staff report back to the Emergency & Community Services Committee in the Fall 2015, following an internal review of the Hamilton Youth Advisory Committee to determine how to improve youth engagement and the work of Hamilton Youth Advisory Committee;
- (c) That Housing Services Division staff report back to the Emergency & Community Services Committee in the Fall 2015 , reallocating the roles and responsibilities respecting emergency shelter and tenant matters of the Food and Shelter Advisory Committee and the Tenant Advisory Committee to a newly formed citizen group with a mandate to more broadly address housing and homelessness issues;
- (d) That Public Health Services staff report back to the Board of Health in the Fall 2015, reallocating the roles and responsibilities respecting emergency food of the Food and Shelter Advisory Committee and the food continuum of the Community Food Security Stakeholder Committee to a newly formed food advisory committee with a mandate to support and inform the Food Strategy, and address food related issues;
- (e) That Tourism and Culture Division staff report back to the Planning Committee in the Fall 2015, on the creation of a working group consisting of current and former members of the Hamilton Historical Board and other heritage groups to develop a strategy to contribute to heritage presentation in the city.
- (f) That two (2) members of City Council be appointed as representatives to each of the Advisory Committees, with a requirement for each member to attend at least one (1) meeting per year;
- (g) That all established Advisory Committees prepare prior to the end of each term of Council a detailed Roles, Responsibilities and Expectations of New Members, to be available to potential applicants during the recruitment process;
- (h) That all established Advisory Committees review their Committee's Terms of Reference and Mandate, on an annual basis, recommending necessary amendments to their respective Standing Committees;
- (i) That the City of Hamilton continue to promote and develop more diverse methods of advertising and outreach to attract a diverse applicant base for the City's Advisory Committees;
- (j) That the City of Hamilton develop an online application process for the upcoming recruitment opportunities;

**SUBJECT: Review of the City of Hamilton's Advisory Committees (CM15007)
(City Wide) - Page 3 of 16**

- (k) That the City Clerk's Office develop and host a mandatory training session for the Advisory Committee Staff Liaisons at the beginning of each new term of Council to review the role of staff liaisons, the role of their committees, the processes for making recommendations to Standing Committees, and other procedural practices;
- (l) That the Staff Liaisons prepare an orientation session for the members of their Advisory Committee at the beginning of each term, tailored to their Advisory Committee's mandate; roles and responsibilities;
- (m) That the current Selection Process for Advisory Committees be revised to include the following:
 - (i) That the local Hamilton Aboriginal Community leadership, recommend to Council the appointment of residents from the Hamilton Aboriginal community, to sit on the Hamilton Aboriginal Advisory Committee;
- (n) That should any Advisory Committee not meet a minimum of three times during a Council term, the Advisory Committee be automatically disbanded at the end of the Council Term;
- (o) That any new Advisory Committee established during the term of Council be subject to the City's Procedural By-law 14-300, Appendix I, "Criteria for the creation of Advisory Committee or Task Forces";
- (p) That Advisory Committees be directed to submit annual progress reports of the committee's activities to their respective Standing Committee for review by November of each calendar year, in support of their budget request and consider various options (annual report; electronic newsletter from all Advisory Committees quarterly or biannually; etc.) for keeping Council up to date on their committee's activities.
- (q) That the item respecting the Establishment of the City of Hamilton's Advisory/Sub-Committees/Volunteer Committees and the Citizen Engagement Process (CL14010 – September 14, 2014, GIC Report 14-019, Item 17(c)) be identified as completed and removed from the General Issues Committee Outstanding Business List.

EXECUTIVE SUMMARY

City Council establishes advisory committees to receive input and advice from the residents of Hamilton. These citizen advisory committees are comprised of members of the public and supported by City staff. Residents are encouraged to participate in local government by applying to committees of their choice at the beginning of each new term of Council. Advisory bodies are reviewed at the end of each term with the exception of those required by legislation.

Report CL14010 (Establishment of the City of Hamilton's Advisory/Sub-Committees/Volunteer Committees and the Citizen Engagement Process) was presented to the General Issues Committee on September 17, 2014. Part of the report was deferred to the 2014-2018 term of Council with the following direction:

- (a) That the remainder of the report be deferred to the 2014-2018 term of Council; (refer to Appendix E for a detailed list)
- (b) That the City Clerk's office work with the Director of Neighbourhood and Community Initiatives and his citizen engagement team to obtain community input regarding the establishment of the City's Advisory/Volunteer/Sub-Committees

Between March and May 2015, staff undertook a review of the current structure and function of Hamilton's Advisory Committees formerly referred to as Volunteer Advisory Committees, the accompanying administrative policies/processes, and similar reviews from two other Ontario municipalities (Toronto and Ottawa). The review included meeting with all 16 Advisory Committees and staff liaisons as well as the Hamilton Engagement Committee, to try and identify which parts of the current advisory committee structure and process are working and which are not, and how to integrate the principles of the Council approved Hamilton's Public Engagement Charter into this work.

In conclusion, this report was informed by conversations with approximately 150 members of Advisory Committees, 13 members of the Hamilton Engagement Committee, and 15 City staff. While there was not universal agreement in all areas, there was general agreement and support on the direction of this report and these recommendations.

FINANCIAL – STAFFING – LEGAL IMPLICATIONS (for recommendation(s) only)

Financial: None.

Staffing: Support will continue to be provided by Clerks staff and departmental Staff Liaisons to the Advisory Committees.

Legal: None.

HISTORICAL BACKGROUND (Chronology of events)

The City of Hamilton currently has 114 Boards, Agencies, Commissions and Committees.

The current practice is to review these Advisory/Sub-Committees prior to each new Term of Council. An extensive review of the City's Committee structure was undertaken in 2001 as part of the new amalgamated City of Hamilton. This provided affected departments the opportunity to review the committee structure and make recommendations, in order to clarify and align mandates and ensure effective use of resources. With each new Term of Council, Advisory Committees have been re-established and only those whose mandates were completed were disbanded.

As per the City's Procedural By-law 14-300, Appendix I, "Criteria for the creation of Advisory Committee or Task Forces". The formal Advisory Committee structure has been a direct way for Council and staff to receive advice from citizens about municipal matters, key initiatives, policies, programs and emerging issues. Advisory committees are reviewed at the end of each term with the exception of those required by legislation.

The City of Hamilton currently has 16 Advisory Committees, with a total of approximately 150 members. These committees are supported by staff from various City departments. Advisory Committees operate in a manner similar to the City's Standing and Sub-Committees, with Terms of Reference, agendas, minutes and abiding by the Procedural By-law. Reports and minutes are also submitted to Council through Standing Committees.

On September 17, 2014, the General Issues Committee was presented with Report CL14010 which recommended the merging of like Advisory Committees and the disbanding of a number of Advisory Committees, as well as recommendations pertaining to Sub-Committees. Consideration of options for the 16 Advisory Committees was deferred to the 2014 – 2018 term of Council following a further review by staff.

The City Clerk's Office was directed to work with the Director, Corporate Initiatives (formerly the Director of Neighbourhood and Community Initiatives) and his citizen engagement team to obtain additional community input regarding the establishment of the City's Advisory Committees, and report to General Issues Committee by mid 2015. Council also extended the current term of Advisory Committee membership until the consultation process and review were completed.

Staff conducted a comprehensive review of the Advisory Committees, obtaining feedback from approximately 150 committee members and staff liaisons on the strengths and weaknesses of the current structure, processes, mandates, roles and responsibilities. Staff also met with the Hamilton Engagement Committee (HEC) in order

to ensure that the report recommendations aligned with the Council endorsed Core Principles of Public Engagement.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

None.

RELEVANT CONSULTATION

Review Process

In preparation for consultations with the City of Hamilton's Advisory Committees numerous documents were reviewed such as:

- The original review report from September 2014: Establishment of City of Hamilton's Advisory/Sub-Committees/Volunteer Committees and the Citizen Engagement Process (Report CL14010)
- Advisory Committees' mandates and Terms of Reference
- Advisory Committees' reports to Council
- Advisory Committee Procedural Handbook (reviewed and updated)
- Toronto and Ottawa Advisory Committee review reports
- Hamilton's Engagement Committee's Public Engagement Charter

Based on a review of these documents staff developed a set of questions to guide discussions with Advisory Committees and a second set for staff consultations (attached as Appendix C to Report CM15007).

Consultations occurred in March, April and May 2015, with all Advisory Committees (consisting of approximately 150 volunteers) and staff liaisons. Discussions focused on the strengths and weaknesses of the current structure, processes, mandates, roles and responsibilities of Committee members and staff liaisons.

Following consultations with all Advisory Committees, a meeting with the Hamilton Engagement Committee (HEC) took place on May 26, 2015. The HEC reviewed draft recommendations to ensure alignment with the Core Principles of Public Engagement (attached as Appendix D to Report CM15007) developed by this group and endorsed by Council on March 30, 2015 (Report CM15001/CES15010/PW15010).

Advisory Committees

While there was not universal agreement regarding how advisory committees should be structured and function, there was general agreement on most points. The following is a summary of the feedback that was gathered from the committees:

**SUBJECT: Review of the City of Hamilton's Advisory Committees (CM15007)
(City Wide) - Page 7 of 16**

- Advisory Committees are committed, enthusiastic and engaged, and would like their work to be of value to the City of Hamilton and its residents.
- Council and staff need to better understand the role of Advisory Committees and be more intentional in how they engage with them, so that they can better utilize the experience and expertise of Advisory Committee members.
- Advisory Committees work would benefit from more frequent and consistent contact with Councillors.
- The City should provide more direction regarding how and when Advisory Committees should report to their respective Standing Committees, and the Board of Health.
- Some Advisory Committees indicated that they would like their work to be more aligned with Council's vision and priorities but are uncertain as to how this could be achieved.
- Advisory Committees dealing with issues of diversity, inclusivity, equity and discrimination requested they remain autonomous to focus on the unique needs addressed within each of the committees.
- Most Advisory Committees indicated that monthly meetings were necessary in order to stay connected and move work forward in a timely manner. One or two indicated that quarterly meetings would meet their needs.
- A "one-size-fits-all" approach should not be adopted with respect to recruitment, number of committee members, and meeting frequency.
- With respect to the Advisory Committee recruitment process, there needs to be improvement of the content (more informed applicants/members) and methods of communication (traditional and non-traditional) in order to be more inclusive and reach a wider audience.
- Four year terms are quite long and do not work for all Advisory Committee members.
- There should be some system in place to replace/recruit members more frequently.
- Staff are engaged and supportive, and an asset to the Advisory Committees they work with.
- Advisory Committees would benefit from collaboration on issues of mutual interest.

Staff Liaisons

The following is a summary of observations and feedback from staff liaisons:

- Volunteers are passionate about their work.
- Advisory Committee members felt "blind-sided" by the September 2014 report.

**SUBJECT: Review of the City of Hamilton's Advisory Committees (CM15007)
(City Wide) - Page 8 of 16**

- Many Advisory Committees undertake projects or do programming which translates into additional work for staff beyond normal support to committees. Some of this work is beyond the mandate of the committee.
- Some Advisory Committees struggle with their mandate and scope of work, and as a result they advise or report to Council infrequently, if at all.
- Some Advisory Committees struggle with attendance and achieving quorum.
- Advisory Committees feel that staff and Council would benefit from the expertise the members have on a wide range of subject matters and they would welcome and encourage the opportunity to comment and assist wherever possible.
- Staff could benefit from a training session on the role of a staff liaison and an understanding of meeting protocol.

Hamilton Engagement Committee (HEC)

HEC members provided the following feedback at the May 26, 2015 meeting:

- There was general consensus that the draft recommendations aligned with the 8 Core Principles of Public Engagement from the Public Engagement Charter developed by HEC.
- With respect to Recommendation (f), the group noted that the minimum requirement for Council representatives' attendance should be increased.

**ANALYSIS AND RATIONAL FOR RECOMMENDATION
(Include Performance Measurement/Benchmarking Data if applicable)**

Advisory Committees are comprised of Hamilton residents and have a mandate to provide advice to City Council, through their respective Standing Committees on matters that fall within their respective areas of interest and expertise. They can also provide a forum for identifying emerging issues. While Advisory Committees should not undertake major initiatives (which is normally the role of City staff), some undertake small projects or initiatives as part of their work.

There are currently 16 Advisory Committees of Council:

1. Arts Advisory Commission
2. Committee Against Racism
3. Food and Shelter Advisory Committee
4. Community Food Security Stakeholder Committee
5. Hamilton Aboriginal Advisory Committee
6. Hamilton Cycling Committee
7. Hamilton Historical Board
8. Hamilton Mundialization Committee

9. Hamilton Status of Women Committee
10. Hamilton Veterans Committee
11. Hamilton Youth Advisory Committee
12. Advisory Committee for Immigrants and Refugees
13. Keep Hamilton Clean and Green Committee
14. Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee
15. Seniors Advisory Committee
16. Tenant Advisory Committee

Value of the City's Advisory Committee Volunteers

It is important to recognize the value of volunteers in Hamilton and the contribution they make to the health and well-being of the community. Volunteers provide critical services; help to keep neighbourhoods and the environment clean; tutor, mentor and coach; take tickets, lead tours and perform; and build houses and playgrounds. Volunteer members on Advisory Committees provide important advice and feedback to Council and City staff, provide information to residents and organize community events.

The services of dedicated and skilled volunteers allows organizations to do more than what they could otherwise afford to do with only paid employees, however, this also necessitates providing support to volunteers. This includes but is not limited to staff liaisons, and other administrative support, office supplies, refreshments, reimbursement for parking or other support for transportation, and funding any advisory committee initiatives.

RECOMMENDED CHANGES

Councillor Liaisons

Some Advisory Committees felt that they had sufficient contact with Councillors, but the majority indicated that there was little or no contact between the committee and their Council Liaison. All Advisory Committees indicated, in very strong terms, that they valued and appreciated their connection to Council and would benefit from more frequent and consistent contact with Councillors, and that their relevance and usefulness to Council and staff would be enhanced.

Recognizing the limitations of Councillors' schedules, staff recommend that two (2) members of City Council be appointed as representatives to each of the Advisory Committees with a requirement for each Councillor to attend a minimum of (but not limited to) one (1) meeting per year. However, as per Hamilton Engagement Committee feedback, more frequent attendance would be more in line with the Core Principles of Public Engagement.

Council members who are appointed as liaisons would not count towards the committee's quorum and not having voting privileges.

Reporting To Council

In reviewing Advisory Committee minutes and reports for the 2010-2014 term, staff noted that, with the exception of an annual report, many Advisory Committees report to Council infrequently, if at all. This also arose as a point of discussion during consultation with the Advisory Committees and staff liaisons. Some Advisory Committees felt they had a limited understanding regarding how and when they should report to Council. Some felt that submitting their meeting minutes was sufficient reporting. Some had presented to Council on several occasions, however, did not find value added to their role.

Most Advisory Committees also felt that Council would benefit from additional information throughout the year on all of the Advisory Committees' accomplishments, news items, upcoming events, etc.

In keeping with a more direct connection between Council and Advisory Committees, it is suggested that Advisory Committees report to Council through their respective Standing Committees on a more frequent basis and that this be included in their Terms of Reference.

Advisory Committees and staff should also explore additional methods of sharing information with Council. One example brought forward during the consultation was a quarterly or biannual electronic newsletter with all Advisory Committees contributing information. This could be coordinated through Advisory Committee staff liaisons and assistance from Communications staff.

Recruitment and Selection Process

Recruitment

Advisory Committees were asked how the recruitment process could be improved. There was general agreement that interested individuals should be provided with better information regarding the roles, responsibilities and expectations of Advisory Committee member. The committee members noted that many individuals are unaware of the commitment they are asked to make when they join an Advisory Committee. Staff recommend that, in collaboration with Advisory Committees and prior to the new recruitment period, a detailed "*Roles Responsibilities and Expectations of New Members*" be prepared for each committee and that these documents be available to potential applicants during the recruitment process.

Committee members also noted that the current methods of recruitment, namely advertising in the Hamilton Spectator and on the City's website, were insufficient and

suggested adopting methods that communicated opportunities in a more intentionally inclusive manner. Suggestions ranged from traditional and non-traditional print and broadcast media (community newspapers, newsletters, Cable 14, CHML, etc.), to social media (Twitter; Facebook, etc.), to community organizations, neighbourhood groups. Advisory Committee members also noted that while continuing with a Recruitment Open House and the traditional paper based applications, developing an online application process was absolutely necessary.

Selection Process

The Selection Process for Advisory Committees was approved at the September 22, 2014 Audit, Finance & Administration Committee meeting as part of the Governance Review Sub Committee Report 14-003, as follows:

A minimum of three (3) Council members of each Standing Committee (plus two alternates) are appointed to the Sub-Committee whose mandate will be to:

- (i) Review citizen member applications to the City's Advisory Committees;
- (ii) Shortlist where appropriate, based on applicant information provided;
- (iii) Interview candidates;
- (iv) Make recommendations to the appropriate Standing Committee for the appointment of members to the various Advisory Committees. These recommendations are to be ratified by Council.

The City of Hamilton recognizes and respects the unique status and cultural diversity among the Aboriginal communities of Hamilton. The Hamilton Aboriginal Advisory Committee has indicated that they, the Aboriginal community in Hamilton, know and understand their community best and as such, would like the local Hamilton Aboriginal community leadership to deliberate and select members to sit on the Hamilton Aboriginal Advisory Committee.

In keeping with the current committee's request and in recognition of the unique status of the Aboriginal community, staff recommend that the current Selection Process for Advisory Committees be revised to include the following:

That the local Hamilton Aboriginal Community leadership, deliberate and select residents from the Hamilton Aboriginal community, to sit on the Hamilton Aboriginal Advisory Committee.

Orientation for Committee Members

Consultations revealed that providing a comprehensive orientation session to Committee members at the beginning of the new term would benefit all members.

**SUBJECT: Review of the City of Hamilton's Advisory Committees (CM15007)
(City Wide) - Page 12 of 16**

Individuals who had participated in an orientation as part of their past service felt that by providing an orientation on how the City works, staff and advisory committee roles and responsibilities, and simplified rules of order, would set the stage for a more productive term. Individuals who had not participated in an orientation session felt that they would have benefited from such an orientation.

Staff therefore recommend that a mandatory orientation session (which all members must attend in order to retain membership) be provided to all Advisory Committee members at the beginning of each term, and that the orientation should include information on:

- The City of Hamilton structure and municipal responsibilities;
- The City of Hamilton Strategic Plan;
- Staff and Advisory Committees roles and responsibilities;
- Procedural rules of order (simplified version);
- Relevant City policies (such as Equity and Inclusion, AODA, etc.); and
- Revised Advisory Committee Procedural Handbook

Upon completion of the mandatory orientation session each Advisory Committee member will be required to sign the Committee Member Acknowledgement Form (Appendix F to the Advisory Committee Procedural Handbook).

Staff also recommend that this mandatory orientation be provided again mid-term as vacancies are filled and new members are appointed. Finally, staff recommend that the orientation include an evaluation by participants in order to make revisions as needed.

Review of Advisory Committee Mandates and Terms of Reference

Staff observed that several committees were not as familiar with their mandate as they should be, and that most committees did not review their mandate or Terms of Reference on a regular basis.

During the review, there was general agreement that some changes to Advisory Committee mandates and Terms of Reference were necessary and these revisions could better reflect the respective committees and improve their performance. Most of these suggested changes involved clarifying mandates, adjusting the number of members on a committee, meeting frequency, etc. Staff considered these suggestions and have summarized them in a detailed list attached as Appendix A to Report CM15007. Staff recommend that committees review their mandates and Terms of Reference on an annual basis, and that this recommendation is reflected in all Terms of Reference.

Additional Procedural and Administrative Items

Attendance and Quorum

In reviewing minutes and through discussion with committees and their staff liaisons, staff observed that the majority of committees achieved quorum on a fairly regular basis, however, for some committees this was a consistent problem.

Committees asked whether it would be possible to relax the procedural rules respecting quorum for Advisory Committees. Rather than relaxing procedural rules around quorum, staff suggest the following:

- Committees manage quorum through submitting resignations in a timely manner so as to better reflect the actual committee membership and thereby reduce the number required for quorum;
- As per the Advisory Committee Procedural Handbook, committee members who miss three (3) consecutive meetings without appropriate notice, shall be considered as resigned from the committee, thereby reducing the number required for quorum; and
- Asking members who attend meetings infrequently to reconsider their participation and submit resignations should they no longer be able to fulfill their commitment. Individuals would be encouraged to be engaged through other opportunities.

Term of Membership

While Advisory Committee membership and terms would still be tied to the Term of Council, there was general agreement that four year terms were too long for some individuals and that perhaps there be some shorter term membership options.

A revised Terms of Reference for committees could include four year and some two year terms with a recruitment process for replacing members mid-term of Council.

In keeping with the current practice, all Advisory Committees members' terms would expire at the end of each Term of Council.

Maximum Length of Service

Advisory Committee members are very passionate about their role and the value they bring to the City of Hamilton and its residents. There was a general consensus that there should be no limit to the number of terms an individual can sit as a member of an Advisory Committee. While attracting new members, was mentioned as a concern, most felt that some renewal within a committee would occur naturally with each recruitment period through attrition.

Reimbursement of Travel and Parking Expenses

Advisory Committee members understand that they serve as volunteers without remuneration. However, the cost incurred by volunteering, specifically travel and parking was raised several times during consultations. Staff Liaisons should ensure there is a process in place to consistently reimburse individuals for travelling to and from Advisory Committee meetings by providing bus tickets or parking passes, thereby reducing the burden of these volunteer expenses on committee members. These expenses are within the scope of approved advisory committee budgets.

Training/Orientation for Staff Liaisons to Advisory Committees

During this review, staff noted that staff liaisons to Advisory Committees were not always familiar with aspects of their role as liaisons, the role of their committees, the processes for making recommendations to Standing Committees, and other procedural rules. It's recommended that the Clerk's Office develop and facilitate a mandatory training session for Advisory Committee Staff Liaisons to ensure that they are well versed in these practices and that staff become more familiar with the contents of the Advisory Committee Procedural Handbook (attached as Appendix B to report CM15007). This orientation would take place prior to each new term, or as necessary when new staff are appointed as liaisons.

ADVISORY COMMITTEE STATUS – PENDING REPORTS

Recommendations for the following Advisory Committees involve further review and subsequent reports to Council. Proposed changes are described for each Advisory Committee below.

Hamilton Youth Advisory Committee

Staff were notified that the Neighbourhood and Community Initiatives Division (NCI) was undertaking an internal review of the Hamilton Youth Advisory Committee to determine how to improve youth engagement and the work of HYAC. NCI Division staff will be reporting to the Emergency and Community Services Committee under separate cover in the Fall 2015.

Tenant Advisory Committee and Food & Shelter Advisory Committee

Through discussions with members of the Tenant Advisory Committee; the Food & Shelter Advisory Committee and Housing Services Division staff, it became apparent that the roles and responsibilities of both committees would be better addressed through the development of a new citizen group with a mandate to broadly address housing and homelessness issues from a citizen perspective.

A new citizen-based group would complement the work of the Housing and Homelessness Planning Group. It is a group of community partners who were brought together to provide advice on the development of the City's 10-year Housing and Homelessness Action Plan. The group continues to provide direction regarding

implementation of the plan. They represent a wide range of housing-related sectors in the community, including but not limited to: food banks, emergency shelters, social housing providers, aboriginal community, newcomers sectors, tenants and landlord associations. The Housing and Homelessness Planning Group does not however have a strong citizen perspective which is critical to implementation of the City's Housing and Homelessness Action Plan.

It is therefore recommended with Housing Services Division staff's input, that staff report to the Emergency & Community Services Committee in Fall 2015 with information about the proposed housing and homelessness citizen based committee to address key issues regarding homelessness, tenant related concerns and other housing issues including the mandate of the group, roles, responsibilities and recruitment processes.

Community Food Security Stakeholder Committee & Food and Shelter Advisory Committee

Through discussions with members of the Community Food Security Stakeholder Committee; Food and Shelter Advisory Committee and Public Health staff, it became apparent that the roles and responsibilities of both committees would be better addressed through the development of a new food advisory committee with the mandate to address all aspects of food including short term relief, capacity building, and the broader food system.

It is therefore recommended with Public Health staff's input, that staff report to the Board of Health in the Fall 2015 with information about the new food advisory committee with the mandate to address all aspects of food including short term relief, capacity building, and the broader food system including the mandate of the group, roles, responsibilities and recruitment processes.

Hamilton Historical Board

Through discussions with the Hamilton Historical Board (HHB) and Tourism and Culture Division staff, it became apparent that the HHB has evolved into a working group delivering public programming rather than an advisory committee. Working with a Council approved budget and with the assistance of staff, the HHB hosts special events, commemorative activities, and heritage awards, and develops historical publications and educational material. While this work is valuable and enhances the quality of life in the City of Hamilton, it is outside the mandate of an advisory committee reporting to Council. The Hamilton Municipal Heritage Committee (a legislated committee) would continue to advise Council on heritage issues.

It is therefore recommended with Tourism and Culture Division staff's input, that staff report to the Planning Committee in the Fall 2015, respecting the creation of a working group (consisting of current and former members of the HHB, as well as other heritage groups) to work with Tourism and Culture Division staff to develop a strategy for contributing to heritage presentation in the city.

ALTERNATIVES FOR CONSIDERATION

(Include Financial, Staffing, Legal and Policy Implications and Pros and Cons for each alternative)

None.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN

Strategic Priority #1

A Prosperous & Healthy Community

WE enhance our image, economy and well being by demonstrating that Hamilton is a great place to live, work, play and learn.

Strategic Objective

1.6 Enhance Overall Sustainability (financial, economic, social and environmental).

Strategic Priority #2

Valued & Sustainable Services

WE deliver high quality services that meet citizen needs and expectations, in a cost effective and responsible manner.

Strategic Objective

2.2 Improve the City's approach to engaging and informing citizens and stakeholders

Strategic Priority #3

Leadership & Governance

WE work together to ensure we are a government that is respectful towards each other and that the community has confidence and trust in.

APPENDICES AND SCHEDULES ATTACHED

Appendix A: Suggested Modifications - Terms of Reference and Mandate *(to be taken into consideration by the Advisory Committees during their review)*

Appendix B: Revised Advisory Committee Procedural Handbook; Version May 2015

Appendix C: Discussion Questions for Consultations

Appendix D: Core Principles of Public Engagement (info graphic)

Appendix E: Remainder of the recommendations from Report CL14010 which were deferred to the 2014-2018 term of Council on September 24, 2014 by Council

Suggested Modifications – Mandate and Terms of Reference

(to be taken into consideration by the Advisory Committees during their review)

Arts Advisory Commission

Membership – committee members noted that the current prescribed membership of fifteen (15) members is too high and that six to eight (6 – 8) members would be more conducive to the mandate and type of work the committee typically undertakes.

Meeting Frequency – the committee noted that they would prefer to meet quarterly or bi-monthly, with the option of calling special meetings if the need arises.

Seniors Advisory Committee

No changes requested or recommendations.

Hamilton Veterans Committee

Membership – committee members noted that they would benefit from expanding the membership to include representatives of veteran related agencies. Staff therefore suggest that a revised membership listing be drafted in consultation with staff liaisons prior to the next recruitment period in order to facilitate these additions.

Meeting Frequency – the committee noted that they would prefer to meet less frequently during the majority of the year (e.g. every two months), with the option to meet more frequently during the months leading up to annual events.

Advisory Committee for Immigrants & Refugees

Activities – the committee noted that they host a Welcome Open House for new immigrants and refugees to the City of Hamilton and that they would like to invite members of City Council to the event. They would also like their publication, Newcomers' Guide to Resources and Services, currently only available in English, to be available in various languages. This could be accomplished through the annual budget process with a request for additional funding.

Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee

Membership – the committee noted that they would prefer not to have a maximum number of members, so that the committee can conduct their meetings in an open forum format as they appreciate the fluidity of their meetings without the need for a rigid structure.

Hamilton Status of Women Committee

No changes requested or recommendations.

Committee Against Racism

Meeting Frequency – the committee noted that they would like to meet more frequently at times. This does not require any special changes but can be accomplished through the chair calling special meetings.

Hamilton Cycling Committee

Membership – the committee noted that they would like to have a member from each ward as well as from each facet of cycling (retirees; recreational; etc.), therefore, a more defined membership composition would accomplish what the committee requires.

Meeting Frequency – the committee noted that the monthly meetings are too short, which requires some of the members working at home in order to bring items in a semi-final form to the meetings.

Keep Hamilton Clean and Green Committee

Committee Composition – the committee noted that they would benefit from more youth membership on the committee; therefore, an amendment to the current composition in the Terms of Reference would be required.

Hamilton Mundialization Committee

No changes requested or recommendations.

Hamilton Aboriginal Advisory Committee

Membership – committee members noted that the prescribed membership of fourteen (14) members is too high and that seven to nine (7 – 9) members would be sufficient.

Selection Process – see Recruitment and Selection Process section in main report.



Hamilton
CITY OF HAMILTON

ADVISORY COMMITTEE

PROCEDURAL HANDBOOK

An advisory body Council establishes to advise on specific areas of interest, with members of the public making up more than fifty (50) percent of the membership and Council members making up the rest.

Prepared By:
Office of the City Clerk, Legislative Section
Updated: May 2015

TABLE OF CONTENTS

	Page No.
Meeting Procedures	3
Parliamentary Procedures at a Glance	3
Agenda Preparation	4
Minutes Preparation	5
Report Preparation	5
Common Procedural Questions	6
The Consensus Method of Decision Making	7
Roles and Responsibilities of Appointed Committee Members	8
Role of the Chair	8
Role of the Secretary	9
Role of the Staff Liaison	9
Use of Working Groups or Task Forces	10
Members Communicating with Any Outside Agencies, Including Other Levels of Government and the Media	10
Use of Secondary Logos for Advisory Committees	10
Member Resignation	10
What to do if further consultation on procedural advice is required?	11

APPENDICES

	Appendix
Agenda Template	A
Minutes Template	B
Report (Citizen Committee) Template	C
Municipal Conflict of Interest Act, RSO, Chapter M. 50	D
Standard Operating Procedure #08-001; External Communications	E
Committee Member Acknowledgement Form	F
Citizen Committee Member Resignation Form	G
Closed Session Minutes Template	H

Meeting Procedures

Parliamentary procedure is a set of rules for meetings, which ensures that the traditional principles of equality, harmony and efficiency are kept. Too much formality in a meeting will frustrate and discourage members when the proceedings get in the way. Parliamentary rules for meetings are intended to help the group conduct its business (fairly and efficiently).

Certain formalities are unnecessary when the group size is less than about a dozen members: For example:

1. There is no limit to the number of times a member may speak to an issue; however, first time speakers should be permitted to speak before a member speaks for a second time.
2. It is necessary to address the Chair before speaking.
3. The Chair does not have to vacate the chair in order to speak, make motions or vote.

Rules for a meeting are designed to achieve the following basic meeting principles:

1. Every member has rights equal to every other member.
2. The will of the majority must be carried out.
3. Only one topic will be considered at a time.

The Role of the Committee (and its members) is to provide “advice” to Council through the appropriate Standing Committee on matters that are related to the specific mandate of that Committee (not for purposes of lobbying for special causes on behalf of the City or themselves).

Parliamentary Procedures at a Glance

1. **Sequence of steps in having a motion voted on:**
 - Moved – a proposal from the floor.
 - Seconded – another member feels the proposal is worth discussing.
 - Stated – by the Chair or Secretary. Wording is recorded properly and everyone understands the intent of the proposal.
 - Discussed – every member who wishes to speak addresses the chair and must speak only to the motion/amendment on the floor.
 - Amended – if required, changing the wording of the motion by: adding or deleting words, replacing with different words.

- Called – after sufficient discussion, either a motion to end debate or a vote is called at the discretion of the Chair.
- Restated – ensures everyone understands what is being voted on.
- Voted – Chair calls each option: “All in favour”, “opposed”?
- Declared – results of the vote are announced by the Chair “carried” or “defeated”.

2. Amending a motion

- An amendment cannot convert a motion to its direct negative (cannot change the intent of the original motion).
- An amendment must be pertinent or relevant to the topic in the main motion i.e. a motion to “commend the President for his work with the Chapter” may not be amended by striking the word “commend” with “condemn”.

Agenda Preparation

An agenda is a step-by-step outline of the issues to be covered at a meeting.

The following agenda outline is often used:

1. Changes to the Agenda
2. Declarations of Interest
3. Approval of Minutes of Previous Meeting
4. Consent Items
5. Presentations
6. Discussion Items
7. Notices of Motion
8. Motions
9. Other Business
10. Adjournment

Feel free to be flexible with the agenda planning. Keep the following points in mind:

- The early part of the meeting is usually the most lively and creative – items requiring mental energy, bright ideas and clear heads should appear early on the agenda.
- Put time limits on agenda items to help focus discussion and encourage decision making.

A sample template for the Committee agenda is attached as Appendix A, for your reference.

Minutes Preparation

The purpose of the minutes is to:

- Provide a permanent record of the proceedings of a meeting.
- Keep track of progress.
- Inform absent members.
- Provide a useful guide for evaluating a committee's work.
- Minutes should be as brief as possible, yet maintain their accuracy.

Basic set of minutes should include:

1. Name of the committee.
2. When (date and time) and where the committee met.
3. Who was present/absent.
4. Adoption of last meeting's minutes.
5. Matters discussed and any decisions made:
 - Record motions, the mover (who) made the motion, who seconded it, and whether it was carried or defeated, and any members who wished to be recorded as opposed to the motion.
 - General discussion.

After the Advisory Committee Minutes are approved by the Advisory Committee, the Minutes are submitted to the appropriate Standing Committee to be received. The approved minutes are to be submitted each month to the respective Legislative Coordinator to the Standing Committee that the Advisory Committee reports up to.

A sample template for the Committee minutes is attached as Appendix B for your reference.

Report Preparation

If the Advisory Committee is making a recommendation that requires the approval of the Standing Committee, then a Citizen Committee Report format is used. Your corresponding Legislative Coordinator can assist in the preparation of the Report. The staff liaison to the Advisory can assist in the preparation of the report.

A sample template for the Committee report is attached as Appendix C for your reference.

Common Procedural Questions

1. How can a meeting start without a quorum?

A quorum is the minimum number of eligible voters that must be present at a meeting to conduct business. This number is half the voting members plus one.

If no quorum is present, then:

- The Chair may dismiss the group within 30 minutes after the time appointed for the meeting, or
- The group may agree to proceed informally with the agenda, awaiting ratification of any decisions at a future meeting, or
- The group may discuss any items of interest, but make no decisions.
- The Committee Secretary shall record the names of the Committee members present in the minutes of the meeting.

2. After considerable debate, we still are not ready to vote on the motion. What can we do?

- A Motion to table the matter until the next meeting may be in order, so that more information can be gathered.
- A Motion to table temporarily allows a motion to be set aside until later in the meeting, allowing more urgent business to be dealt with, permitting amendments to be drafted, or allowing time for implications of the motion to be checked.
- The Motion may be withdrawn at the request of its mover, but only if no members present object.

3. Closing debate on a Motion.

Someone “calling the question” from the floor indicates that he or she wants the motion put to a vote, which needs to be seconded and cannot interrupt the list of first time speakers. Only if the Chair feels that the motion has had reasonable debate and most members are ready to vote, can he or she call the question (ie: “All those in favour?”, “Opposed?”, etc.)

4. Encouraging an alternative motion.

Sometimes while one motion is being considered, an alternative motion might be the better one. How can it be presented?

- (a) The movers of the original motion are asked if they will withdraw their motion, with the consent of a majority of the members.
- (b) If the original motion is withdrawn, then the alternative motion can be put forward.
- (c) If the original motion is not withdrawn, then the movers of the alternative motion inform the Committee that their motion will be moved if the original is defeated. They thus urge the members to vote against the original motion.

The Consensus Method of Decision Making in Groups

The following process can be used throughout the meeting for every issue the group needs to discuss.

Step 1

Describe the issue before the Committee:

- State the issue clearly and concisely. If it is complex, then write it out.

Step 2

Gather all information relevant to the issue:

- All pertinent facts and ideas about the issue need to be heard in order to make an informed decision.
- Distinguish between facts and opinions.

A decision can often be made right away. However, action may need to be tabled so that additional information can be gathered.

Step 3

List all possible solutions or actions:

- Explore alternatives.
- Be creative. Use brainstorming techniques to generate new ideas, from every member.

Step 4

Choose the best possible solution:

Use a process of elimination; refine and combine parts of your list in Step 3.

Step 5

Make a decision:

- Formulate a statement of general agreement or consensus,
- or
- Develop a motion and vote on it.
 - Then, record the results in the minutes.

Roles and Responsibilities of Appointed Committee Members

Committee members are to make themselves familiar with the Terms of Reference and Mandated activities of their specific Advisory Committee they are appointed to.

Committee members are required to attend and participate fully in the meetings:

- (i) Committee members who miss three (3) consecutive meetings without Committee approval, the member will be considered as resigning from the committee;
- (ii) Any Committee member who is absent for more than fifty per cent (50%) of the meetings during their term of appointment shall not be eligible for reappointment; and,
- (iii) Upon appointment, Committee members will be required to sign an Acknowledgement (Declaration) Form (attached hereto as Appendix “F”) **and return it to the Office of the City Clerk, prior to attending the first meeting of the Advisory Committee to which they are appointed.** The declaration will remain on file in the Office of the City Clerk for the duration of the member’s appointment.

Committee members are bound by the Municipal Conflict of Interest Act (attached hereto as Appendix D).

Role of the Chair

As the Chair of a meeting, you have several important roles: knowing the group, helping members get started, planning ahead, preparing for meetings, and presiding at meetings.

Helpful tips:

Know your group – find out what your members’ skills are and what they can do. Make sure all members understand their roles and responsibilities;

Help Members get started – involve and motivate your group members. Be sure your members understand their purpose, responsibilities, timelines and budgetary constraints;

Prepare for meetings – plan your agenda. Check on all pre-meeting arrangements; and,

Preside at meetings – establish your guidelines or rules of order. Follow your agenda; involve the members; manage the discussion.

Role of the Secretary

- Providing relevant information, ideas and opinions as a participant in the meeting;
- Record without note or comment all resolutions, decisions and other proceedings at the meeting (as per the *Municipal Act, 2001*).
- Keeping an accurate set of minutes of each meeting;
- Keeping an up-to-date membership/contact list;
- Distributing minutes to members and notifying them of upcoming meetings;
- Keeping a list of all advisory committees and members;
- Helping the Chair with preparing the agenda, advice on meeting procedure, reference materials and information retrieved from the records; and,
- Making meeting and physical set-up arrangements (*Note: room bookings with City Facilities will be co-ordinated through the Advisory Committee's Staff Liaison.*)

Role of the Staff Liaison

- Coordinate; develop and deliver the Orientation Session for the Advisory Committee;
- Liaise with Advisory Committee providing technical advice from the host department for the preparation of reports; correspondence, etc.;
- Submission of the Advisory Committee's reports, correspondence, etc. to the Director of the host department prior to finalization for review;
- Liaise with all City staff for advice and information required by the Advisory Committee, including procedural advice from Legislative Coordinator in the Office of the City Clerk;
- Arrange for printing of agendas, minutes, reference material and distribution required by the Committee;
- Arrange for the booking of the meeting room;
- Coordinate the annual review of the Committee's Terms of Reference and Mandate;
- Arrange for parking passes, if required; and,
- Forward notices of resignation to the Legislative Coordinator for inclusion in the appropriate Standing Committee agenda.

Use of Working Groups or Task Forces

Advisory Committees can create working groups or task forces to assist in the research or review of a given item and it reports its findings back to the Advisory Committee. A working group is normally comprised of Committee Members, however, when required, volunteers may be called upon for their expertise to assist a working group by providing required information. Working groups operate by consensus and formal motions are not required. Administrative support shall not be available to working groups and consequently, the preparation of agendas, minutes and meeting requirements shall be the responsibility of the working group, if required. Support staff shall not be required to attend working group meetings.

Members Communicating with Any Outside Agencies, Including Other Levels of Government and the Media

Please note that members of an Advisory Committee cannot correspond with any Ministries, any outside agencies, or the media without Council's prior approval, as per Standard Operating Procedure #08-001 – Communicating with any outside agencies, including other Levels of Government and the media attached as Appendix E.

Use of Secondary Logos for Advisory Committees

That the use of secondary logos for promotional/educational purposes by Advisory Committees be approved, are required to be approved, subject to the following guidelines:

- (i) Requests for approval of a secondary logo are required to be presented to the Governance Review Sub-committee for consideration and approval by the Advisory Committees respective Standing Committee and Council, prior to any use.
- (ii) The approved City Logo (triple H symbol, with the word mark Hamilton, with an underscoring line), as per the *Identity Standards Guide*, must be of appropriate size relative to the intended purpose and included in a sufficiently prominent location on the promotional/ educational materials.
- (iii) Design costs are to be funded by the Advisory Committee.

Member Resignation

While the City of Hamilton hopes that, upon applying for and being appointed as a citizen member of a Committee, you are able to fulfil your commitment, we do realize that on occasion a person's circumstances may change.

Therefore, if for any reason you are unable to continue to participate as an active member of the Committee(s) you have been appointed to, it is very important that you resign formally in writing by providing a completed and signed copy of the Resignation

Form (attached hereto as Appendix G) to the appropriate Legislative Coordinator, in the City Clerk's office, stating which Committee(s) you are resigning from and general reasons why (the inclusion of private/personal information is not required). This will allow the Committee to adjust its membership accordingly in order to remain effective in achieving the goals of its mandate. Your written resignation will be included in the appropriate Standing Committee agenda to be received by Council.

What to do if further consultation on procedural advice is required?

Depending upon which Standing Committee, the Advisory Committee reports through, please contact the one of following Clerk's Division staff:

Ida Bedioui

Legislative Coordinator
Planning Committee
Phone: (905) 546-2424 ext. 4605
Fax : (905) 546-2095
E-mail: ida.bedioui@hamilton.ca

Denis Farr

Legislative Coordinator
Audit, Finance & Administration
Committee
Phone: (905) 546-2424 ext. 5987
Fax : (905) 546-2095
E-mail: denis.farr@hamilton.ca

Loren Kolar

Legislative Coordinator
Board of Health
905 546 2424 ext. 2604
905 546-2095 (fax)
E-mail: loren.kolar@hamilton.ca

Stephanie Paparella

Legislative Coordinator
General Issues Committee
Phone: (905) 546-2424 ext. 3993
Fax : (905) 546-2095
E-mail: stephanie.paparella@hamilton.ca

Lauri Leduc

Legislative Coordinator
Public Works Committee
905 546 2424 ext. 4102
905 546-2095 (fax)
E-mail: lauri.leduc@hamilton.ca

Tristin McCredie

Legislative Coordinator
Emergency & Community Services
Committee
Phone: (905) 546-2424 ext. 2729
Fax : (905) 546-2095
E-mail: tristin.mccredie@hamilton.ca



Hamilton

A G E N D A **ABC ADVISORY COMMITTEE**

Monday, January 1, 2011

2:00 p.m.

Room 123, 1st Floor

City Hall

71 Main Street West, Hamilton

-
- A. APPOINTMENT OF CHAIR AND VICE CHAIR (This should be done at the first meeting of each year. After the first meeting – this heading is to be removed.)**
- 1. CHANGES TO THE AGENDA**
 - 2. DECLARATIONS OF INTEREST**
 - 3. APPROVAL OF MINUTES OF PREVIOUS MEETING**
 - 3.1 ABC Advisory Committee Meeting Minutes, dated December 1, 1999
(you won't have any for the first meeting)
 - 4. CONSENT ITEMS**
 - 5. PRESENTATIONS**
 - 6. DISCUSSION ITEMS**
 - 6.1
 - 7. NOTICES OF MOTION**
 - 8. MOTIONS**
 - 9. OTHER BUSINESS**
 - 10. ADJOURNMENT**



Hamilton

MINUTES ABC ADVISORY COMMITTEE

Monday, January 1, 2000
2:00 p.m.
Room 123, 1st Floor
City Hall
71 Main Street West, Hamilton

Present: Chair: (insert name) (**Committee members only.**)
Vice-Chair: (insert name)
Members: (insert names)

Absent with Regrets: (**insert names of absent Committee members only**)

Also Present: Jane Doe, General Manager/Chief, Hamilton Emergency Services
John Smith,
Sandra Smith,

1. CHANGES TO THE AGENDA

- (i) Added as item 4.1, a presentation by Jane Doe respecting
- (ii) Added as Item 4.2, a presentation by John Smith respecting.....

2. DECLARATIONS OF INTEREST

List any declarations that were made or note that there were none.

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

(Mover/Seconder)

- 3.1 ABC Advisory Committee Meeting Minutes, dated December 1, 1999 were approved as presented (or as amended).

CARRIED

4. CONSENT ITEMS

5. PRESENTATIONS

5.1 Presentation by Jane Doe respecting.....

6. DISCUSSION ITEMS

6.1 Review of Terms of Reference and Mandate - EXAMPLE
(insert recommendation approved by Advisory Committee)

6.2 Advisory Committee Budget - EXAMPLE
(insert recommendation approved by Advisory Committee)

7. NOTICES OF MOTION

8. MOTIONS

9. OTHER BUSINESS

10. ADJOURNMENT

(Mover/Seconder)

That, there being no further business, the meeting be adjourned at ____ a.m./p.m.
(insert time that the meeting adjourned).

CARRIED



CITIZEN COMMITTEE REPORT

To:	Chair and Members Name of Sub-Committee/Standing Committee
From:	Name of Chair _____ Name of Advisory Committee (to be signed by the Chair)
Date:	January 1, 2007
Re:	

Recommendation:

That Community Partnership Program funding request, made by the Agricultural and Rural Affairs Advisory Committee, in the amount of \$500, be increased in 2008 to \$600.

Background:

Describe here what the money is used for and why the Ag committee is asking for more.

For example,

Analysis/Rationale:

In the Analysis/Rationale section, the Committee should explain why the recommendation is being put forward, benefits for the recommendation, and any another information, which Committee wishes to share with the Grants Sub-Committee to support the recommendation.

Appendix D to the Advisory Committee
Procedural Handbook

ServiceOntario

e-Laws

Français

Municipal Conflict of Interest Act

R.S.O. 1990, CHAPTER M.50

Consolidation Period: From July 1, 2010 to the e-Laws currency date.

Last amendment: 2009, c. 33, Sched. 21, s. 7.

Definitions

1. In this Act,

"child" means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family; ("enfant")

"controlling interest" means the interest that a person has in a corporation when the person beneficially owns, directly or indirectly, or exercises control or direction over, equity shares of the corporation carrying more than 10 per cent of the voting rights attached to all equity shares of the corporation for the time being outstanding; ("intérêts majoritaires")

"council" means the council of a municipality; ("conseil")

"elector" means,

(a) in respect of a municipality, or a local board thereof, other than a school board, a person entitled to vote at a municipal election in the municipality, and

(b) in respect of a school board, a person entitled to vote at the election of members of the school board; ("électeur")

"interest in common with electors generally" means a pecuniary interest in common with the electors within the area of jurisdiction and, where the matter under consideration affects only part of the area of jurisdiction, means a pecuniary interest in common with the electors within that part; ("intérêt commun à tous les électeurs")

"judge" means a judge of the Superior Court of Justice; ("juge")

"local board" means a school board, board of directors of a children's aid society, committee of adjustment, conservation authority, court of revision, land division committee, municipal service board, public library board, board of management of an improvement area, board of health, police services board, planning board, district social services administration board, trustees of a police village, board of trustees of a police village,

- board or committee of management of a long-term care home, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act in respect of any of the affairs or purposes, including school purposes, of one or more municipalities or parts thereof, but does not include a committee of management of a community recreation centre appointed by a school board or a local roads board; ("conseil local")
- "meeting" includes any regular, special, committee or other meeting of a council or local board, as the case may be; ("réunion")
- "member" means a member of a council or of a local board; ("membre")
- "municipality" includes a board, commission or other local authority exercising any power in respect of municipal affairs or purposes, including school purposes, in territory without municipal organization, but does not include a committee of management of a community recreation centre appointed by a school board, a local roads board or a local services board; ("municipalité")
- "parent" means a person who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that person is the natural parent of the child; ("père ou mère")
- "school board" means a board as defined in subsection 1 (1) of the *Education Act*, and, where the context requires, includes an old board within the meaning of subsection 1 (1) of the *Education Act*; ("conseil scolaire")
- "senior officer" means the chair or any vice-chair of the board of directors, the president, any vice-president, the secretary, the treasurer or the general manager of a corporation or any other person who performs functions for the corporation similar to those normally performed by a person occupying any such office; ("dirigeant")
- "spouse" means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage. ("conjoint") R.S.O. 1990, c. M.50, s. 1; 1997, c. 25, Sched. E, s. 7; 1997, c. 31, s. 156 (1); 1999, c. 6, s. 41 (1); 2002, c. 17, Sched. F, Table; 2005, c. 5, s. 45 (1, 2); 2006, c. 19, Sched. C, s. 1 (1); 2006, c. 32, Sched. D, s. 10; 2007, c. 8, s. 219.

Indirect pecuniary interest

2. For the purposes of this Act, a member has an indirect pecuniary interest in any matter in which the council or local board, as the case may be, is concerned, if,

- (a) the member or his or her nominee,
 - (i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,
 - (ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or
 - (iii) is a member of a body,

that has a pecuniary interest in the matter; or
- (b) the member is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter. R.S.O. 1990, c. M.50, s. 2.

Interest of certain persons deemed that of member

3. For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member. R.S.O. 1990, c. M.50, s. 3; 1999, c. 6, s. 41 (2); 2005, c. 5, s. 45 (3).

EXCEPTIONS

Where s. 5 does not apply

4. Section 5 does not apply to a pecuniary interest in any matter that a member may have,
- (a) as a user of any public utility service supplied to the member by the municipality or local board in like manner and subject to the like conditions as are applicable in the case of persons who are not members;
 - (b) by reason of the member being entitled to receive on terms common to other persons any service or commodity or any subsidy, loan or other such benefit offered by the municipality or local board;
 - (c) by reason of the member purchasing or owning a debenture of the municipality or local board;
 - (d) by reason of the member having made a deposit with the municipality or local board, the whole or part of which is or may be returnable to the member in like manner as such a deposit is or may be returnable to all other electors;
 - (e) by reason of having an interest in any property affected by a work under the *Drainage Act* or by a work under a regulation made under Part XII of the *Municipal Act, 2001* or Part IX of the *City of Toronto Act, 2006*, as the case may be, relating to local improvements;
 - (f) by reason of having an interest in farm lands that are exempted from taxation for certain expenditures under the *Assessment Act*;
 - (g) by reason of the member being eligible for election or appointment to fill a vacancy, office or position in the council or local board when the council or local board is empowered or required by any general or special Act to fill such vacancy, office or position;
 - (h) by reason only of the member being a director or senior officer of a corporation incorporated for the purpose of carrying on business for and on behalf of the municipality or local board or by reason only of the member being a member of a board, commission, or other body as an appointee of a council or local board;
 - (i) in respect of an allowance for attendance at meetings, or any other allowance, honorarium, remuneration, salary or benefit to which the member may be entitled by reason of being a member or as a member of a volunteer fire brigade, as the case may be;
 - (j) by reason of the member having a pecuniary interest which is an interest in common with electors generally; or
 - (k) by reason only of an interest of the member which is so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence the member. R.S.O.

1990, c. M.50, s. 4; 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (1).

DUTY OF MEMBER

When present at meeting at which matter considered

5. (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member,

- (a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- (b) shall not take part in the discussion of, or vote on any question in respect of the matter; and
- (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question. R.S.O. 1990, c. M.50, s. 5 (1).

Where member to leave closed meeting

(2) Where the meeting referred to in subsection (1) is not open to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration. R.S.O. 1990, c. M.50, s. 5 (2).

When absent from meeting at which matter considered

(3) Where the interest of a member has not been disclosed as required by subsection (1) by reason of the member's absence from the meeting referred to therein, the member shall disclose the interest and otherwise comply with subsection (1) at the first meeting of the council or local board, as the case may be, attended by the member after the meeting referred to in subsection (1). R.S.O. 1990, c. M.50, s. 5 (3).

RECORD OF DISCLOSURE

Disclosure to be recorded in minutes

6. (1) Every declaration of interest and the general nature thereof made under section 5 shall, where the meeting is open to the public, be recorded in the minutes of the meeting by the clerk of the municipality or secretary of the committee or local board, as the case may be. R.S.O. 1990, c. M.50, s. 6 (1).

Idem

(2) Every declaration of interest made under section 5, but not the general nature of that interest, shall, where the meeting is not open to the public, be recorded in the minutes of the next meeting that is open to the public. R.S.O. 1990, c. M.50, s. 6 (2).

REMEDY FOR LACK OF QUORUM

Quorum deemed constituted

7. (1) Where the number of members who, by reason of the provisions of this Act, are disabled from participating in a meeting is such that at that meeting the remaining members are not of sufficient number to constitute a quorum, then, despite any other general or special Act, the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two. R.S.O. 1990, c. M.50, s. 7 (1).

Application to judge

(2) Where in the circumstances mentioned in subsection (1), the remaining number of members who are not disabled from participating in the meeting is less than two, the council or local board may apply to a judge without notice for an order authorizing the council or local board, as the case may be, to give consideration to, discuss and vote on the matter out of which the interest arises. R.S.O. 1990, c. M.50, s. 7 (2).

Power of judge to declare s. 5 not to apply

(3) The judge may, on an application brought under subsection (2), by order, declare that section 5 does not apply to the council or local board, as the case may be, in respect of the matter in relation to which the application is brought, and the council or local board thereupon may give consideration to, discuss and vote on the matter in the same manner as though none of the members had any interest therein, subject only to such conditions and directions as the judge may consider appropriate and so order. R.S.O. 1990, c. M.50, s. 7 (3).

ACTION WHERE CONTRAVENTION ALLEGED**Who may try alleged contravention of s. 5 (1-3)**

8. The question of whether or not a member has contravened subsection 5 (1), (2) or (3) may be tried and determined by a judge. R.S.O. 1990, c. M.50, s. 8.

Who may apply to judge

9. (1) Subject to subsection (3), an elector may, within six weeks after the fact comes to his or her knowledge that a member may have contravened subsection 5 (1), (2) or (3), apply to the judge for a determination of the question of whether the member has contravened subsection 5 (1), (2) or (3). R.S.O. 1990, c. M.50, s. 9 (1).

Contents of notice of application

(2) The elector in his or her notice of application shall state the grounds for finding a contravention by the member of subsection 5 (1), (2) or (3). R.S.O. 1990, c. M.50, s. 9 (2).

Time for bringing application limited

(3) No application shall be brought under subsection (1) after the expiration of six years from the time at which the contravention is alleged to have occurred. R.S.O. 1990, c. M.50, s. 9 (3).

Power of judge to declare seat vacant, disqualify member and require restitution

10. (1) Subject to subsection (2), where the judge determines that a member or a former member while he or she was a member has contravened subsection 5 (1), (2) or (3), the judge,

- (a) shall, in the case of a member, declare the seat of the member vacant; and
- (b) may disqualify the member or former member from being a member during a period thereafter of not more than seven years; and
- (c) may, where the contravention has resulted in personal financial gain, require the member or former member to make restitution to the party suffering the loss, or, where such party is not readily ascertainable, to the municipality or local board of which he or she is a member or former member. R.S.O. 1990, c. M.50, s. 10 (1).

Saving by reason of inadvertence or error

(2) Where the judge determines that a member or a former member while he or she was a member has contravened subsection 5 (1), (2) or (3), if the judge finds that the contravention

was committed through inadvertence or by reason of an error in judgment, the member is not subject to having his or her seat declared vacant and the member or former member is not subject to being disqualified as a member, as provided by subsection (1). R.S.O. 1990, c. M.50, s. 10 (2).

Member not to be suspended

(3) The authority to disqualify a member in subsection (1) does not include the right to suspend a member. R.S.O. 1990, c. M.50, s. 10 (3).

Transition: disqualification

(4) A disqualification of a member of a school board under this section that would have continued after December 31, 1997 but for the dissolution of the school board continues for its duration with respect to membership on any board whose members are elected by members of the electoral group who elected the member. 1997, c. 31, s. 156 (2).

Definition

(5) In subsection (4),

"electoral group" has the same meaning as in Part VIII of the *Education Act* as the Part read on January 1, 1997. 1997, c. 31, s. 156 (2).

Appeal to Divisional Court

11. (1) An appeal lies from any order made under section 10 to the Divisional Court in accordance with the rules of court. R.S.O. 1990, c. M.50, s. 11 (1).

Judgment or new trial

(2) The Divisional Court may give any judgment that ought to have been pronounced, in which case its decision is final, or the Divisional Court may grant a new trial for the purpose of taking evidence or additional evidence and may remit the case to the trial judge or another judge and, subject to any directions of the Divisional Court, the case shall be proceeded with as if there had been no appeal. R.S.O. 1990, c. M.50, s. 11 (2).

Appeal from order or new trial

(3) Where the case is remitted to a judge under subsection (2), an appeal lies from the order of the judge to the Divisional Court in accordance with the provisions of this section. R.S.O. 1990, c. M.50, s. 11 (3).

Proceedings not invalidated but voidable

12. The failure of any person to comply with subsection 5 (1), (2) or (3) does not of itself invalidate any proceedings in respect of any such matter but the proceedings in respect of such matter are voidable at the instance of the municipality or of the local board, as the case may be, before the expiration of two years from the date of the passing of the by-law or resolution authorizing such matter unless to make void the proceedings would adversely affect the rights of any person acquired under or by virtue of the proceedings who acted in good faith and without actual notice of the failure to comply with subsection 5 (1), (2) or (3). R.S.O. 1990, c. M.50, s. 12.

Other procedures prohibited

13. Proceedings to declare a seat vacant or to disqualify a member or former member for conflict of interest, or to require a member or former member to make restitution where a contravention has resulted in personal financial gain, shall be had and taken only under this Act. R.S.O. 1990, c. M.50, s. 13.

GENERAL

Insurance

14. (1) Despite section 279 of the *Municipal Act, 2001* or section 218 of the *City of Toronto Act, 2006*, as the case may be, the council of every municipality may at any time pass by-laws,

- (a) for contracting for insurance;
- (b) despite the *Insurance Act*, to enable the municipality to act as an insurer; and
- (c) for exchanging with other municipalities in Ontario reciprocal contracts of indemnity or inter-insurance in accordance with Part XIII of the *Insurance Act*,

to protect a member of the council or of any local board thereof who has been found not to have contravened section 5, against any costs or expenses incurred by the member as a result of a proceeding brought under this Act, and for paying on behalf of or reimbursing the member for any such costs or expenses. R.S.O. 1990, c. M.50, s. 14 (1); 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (2).

Insurance Act does not apply

(2) The *Insurance Act* does not apply to a municipality acting as an insurer for the purposes of subsection (1). R.S.O. 1990, c. M.50, s. 14 (2).

Surplus funds

(3) Despite section 387 of the *Insurance Act*, any surplus funds and the reserve fund of a municipal reciprocal exchange may be invested only in such securities as a municipality may invest in under the *Municipal Act, 2001* or the *City of Toronto Act, 2006*, as the case may be. R.S.O. 1990, c. M.50, s. 14 (3); 1996, c. 32, s. 76 (1); 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (3); 2007, c. 7, Sched. 27, s. 1.

Reserve funds

(4) The money raised for a reserve fund of a municipal reciprocal exchange may be expended or pledged for, or applied to, a purpose other than that for which the fund was established if two-thirds of the municipalities that are members of the exchange together with two-thirds of the municipalities that previously were members of the exchange and that may be subject to claims arising while they were members of the exchange agree in writing and if section 386 of the *Insurance Act* is complied with. R.S.O. 1990, c. M.50, s. 14 (4); 2009, c. 33, Sched. 21, s. 7.

Local boards

(5) A local board has the same powers to provide insurance for or to make payments to or on behalf of its members as are conferred upon the council of a municipality under this section in respect of its members. R.S.O. 1990, c. M.50, s. 14 (5).

Former members

(6) A by-law passed under this section may provide that it applies to a person who was a member at the time the circumstances giving rise to the proceeding occurred but who, prior to the judgment in the proceeding, has ceased to be a member. R.S.O. 1990, c. M.50, s. 14 (6).

Conflict with other Acts

15. In the event of conflict between any provision of this Act and any provision of any general or special Act, the provision of this Act prevails. R.S.O. 1990, c. M.50, s. 15.

STANDARD OPERATING PROCEDURE	08-001
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Subject:	Advisory Committees communicating with any outside agencies, including other Levels of Government and the media
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City of Hamilton Advisory Committees wishing to correspond with any outside agency including the media, Ministers of the Provincial/Federal Governments or with MP's and MPP's will follow the subjoined procedures:

1. Recommendation(s) to correspond with any outside agency submitted by Advisory Committees are forwarded to the appropriate Standing Committee for approval by the draft correspondence being attached as an appendix to a Citizen Committee Report prepared by the respective Advisory Committee staff liaison.
2. Once the recommendation is approved by Committee and Council, the correspondence is submitted for signature and will be signed jointly by the Mayor and the Chair of the Advisory Committee.
3. Any follow up correspondence received by the City of Hamilton in response to the letter will be forwarded to both City Council and to the Advisory Committee, which initiated the recommendation and correspondence.

**City of Hamilton
Committee Member Acknowledgement Form**

I _____ in consideration of the City of Hamilton appointing me to the _____, for the _____ term, acknowledge, undertake and agree as follows:

1. I will make all reasonable efforts to attend all meetings of this body to which I have been appointed and to participate in an impartial manner with the understanding that:
 - (a) If I am absent from three consecutive meetings without Committee approval that I may be subject to replacement on the Committee.
 - (b) If I miss 50% of the meetings during a term of appointment that I shall not be eligible for re-appointment
2. I will exercise all the rights and responsibilities of a member of the body to which I have been appointed.
3. I will be respectful of the views expressed by my fellow Committee members and City staff.
4. I understand that I am prohibited from disclosing any confidential information, which may be shared with me as a member of this Committee.
5. For Volunteer Committee members, I have received, read and have a general understanding of the City of Hamilton Advisory Committee Handbook

Dated at City of Hamilton, in the Province of Ontario this _____ day of _____, 20__.

Applicant:

Witness:

(Must be at least 18 years if age.)

(Please Print Your Name)

(Please Print Your Name)

(Please Sign)

(Please Sign)



Hamilton

CITIZEN COMMITTEE MEMBER RESIGNATION FORM

I, _____, would like to submit my resignation, effective _____, 20____, from the _____, for the following reason(s):

- My circumstances have changed and I know longer have the time to effectively participate on the Committee.
- Personal reasons.
- Other (please explain briefly):

Additional Comments (optional)

Signature

Date



COMMITTEE NAME

CLOSED SESSION MINUTES (insert # here)

Day and Date

Council Chambers
Hamilton City Hall
71 Main Street West

Item # (insert the item number here)

A Closed Session discussion respecting Appendix "A" to Report PSB10-064(b), the 2015 Capital Expenditure Report – Facilities Space Needs began at (insert time here), pursuant to Section 8.1, Sub-sections (c) and (g) of the City's Procedural By-law 14-300, and Section 239, Sub-sections (c) and (g) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for municipal or local board purposes; and, a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another Act, with the following individuals in attendance:

Present: List all of the Councillors present for the discussion on this matter here

Also Present: List all staff and others present for the discussion on this matter here

(i) 2015 Capital Expenditure Report – Facilities Space Needs (PSB10-064(b)) (City Wide) (Item 12.2) (Report PSB10-064(b) is a public document; however, Appendix "A" to Report PSB10-064(b) is Private and Confidential.)

For disposition of this matter, refer to Item (insert reference number here) in the public Minutes.

Item # (insert the item number here)

A Closed Session discussion respecting Report PSB14-091, the Acquisition of Property began at (insert time here), pursuant to Section 8.1, Sub-sections (c) and (g) of the City's Procedural By-law 14-300, and Section 239, Sub-sections (c) and (g) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for municipal or local board purposes; and, a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another Act; with the following individuals in attendance:

Present: List all of the Councillors present for the discussion on this matter here

Also Present: List all staff and others present for the discussion on this matter here

(ii) Acquisition of Property (PSB14-091) (City Wide) (Item 12.3)

For disposition of this matter, refer Item (insert reference number here) of the public Minutes.

Item # (insert the item number here)

A Closed Session discussion respecting Collective Bargaining began at (insert time here), pursuant to Section 8.1, Sub-section (d) of the City's Procedural By-law 14-300, and Section 239, Sub-section (d) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to labour relations or employee negotiation; the following individuals in attendance:

Present: List all of the Councillors present for the discussion on this matter here

Also Present: List all staff and others present for the discussion on this matter here

(iii) Collective Bargaining (no copy) (Item 12.4)

Lora Fontana provided a verbal overview of the options for the upcoming Collective Bargaining with the aid of a PowerPoint presentation. Staff was seeking a mandate with respect to the future collective bargaining process.

Direction was given to staff in Closed Session with nothing to report in Open Session.

Item # (insert the item number here)

A Closed Session discussion respecting Report LS14014(a)/PW14045(a), respecting Potential Litigation Relating to Contaminated Property began at (insert time here), pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 14-300, and Section 239, Sub-sections (e) and (f) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; with the following individuals in attendance:

Present: List all of the Councillors present for the discussion on this matter here

Also Present: List all staff and others present for the discussion on this matter here

(iv) Potential Litigation Relating to Contaminated Property (LS14014(a)/PW14045(a) (Ward 3) (Item 12.5)

For disposition of this matter, please refer to Item 34.

Please note that the last thing that is recorded in Closed Session is the motion with the time that the Committee reconvened in Open Session, so there should be no further notes after this motion.

RISE FROM CLOSED SESSION

(Merulla/Collins)

That the **Committee Name/Council** rise from Closed Session at **___ a.m./p.m.** and reconvene in Open Session.

CARRIED

Respectfully submitted,

_____, Chair
Committee Name

Legislative Coordinator
Office of the City Clerk

In the event, you go into Closed Session several times during the meeting, you would of course have a motion to rise from Closed Session several times within the minutes.

Review of City of Hamilton Advisory Committees (2015)

Discussion Questions for Advisory Committees

What is working in the current advisory committee structure and process?

What is not working in the current advisory committee structure and process?

Is the mandate of the (insert name of committee) mandate clear? (Probes/clarification – Do you understand the mandate of this advisory committee? What is the role of this advisory committee?)

How many people should serve on an advisory committee?

Should the number of terms a person can serve on an advisory committee be limited, and if yes, how many? (Probes/clarification – How many terms should people be able to sit on an advisory committee?)

Do you have any suggestions for recruiting volunteer advisory committee members?

What are your expectations of staff liaisons to advisory committees?
(Probes/clarification – What are your expectations from the staff that support the advisory committee?)

Discussion Questions for Staff Liaisons to Advisory Committees

What is working in the current advisory committee structure and process?

What is not working in the current advisory committee structure and process?

Is there clarity with respect to advisory committee mandate? (Probes/clarification – Do members of the advisory committee understand their role?)

Should there be a maximum number of members sitting on advisory committees?

Should the number of terms a person can serve on an advisory committee be limited, and if yes, how many? (Probes/clarification – How many terms should people be able to sit on an advisory committee?)

Do you have any suggestions for recruiting volunteer advisory committee members?

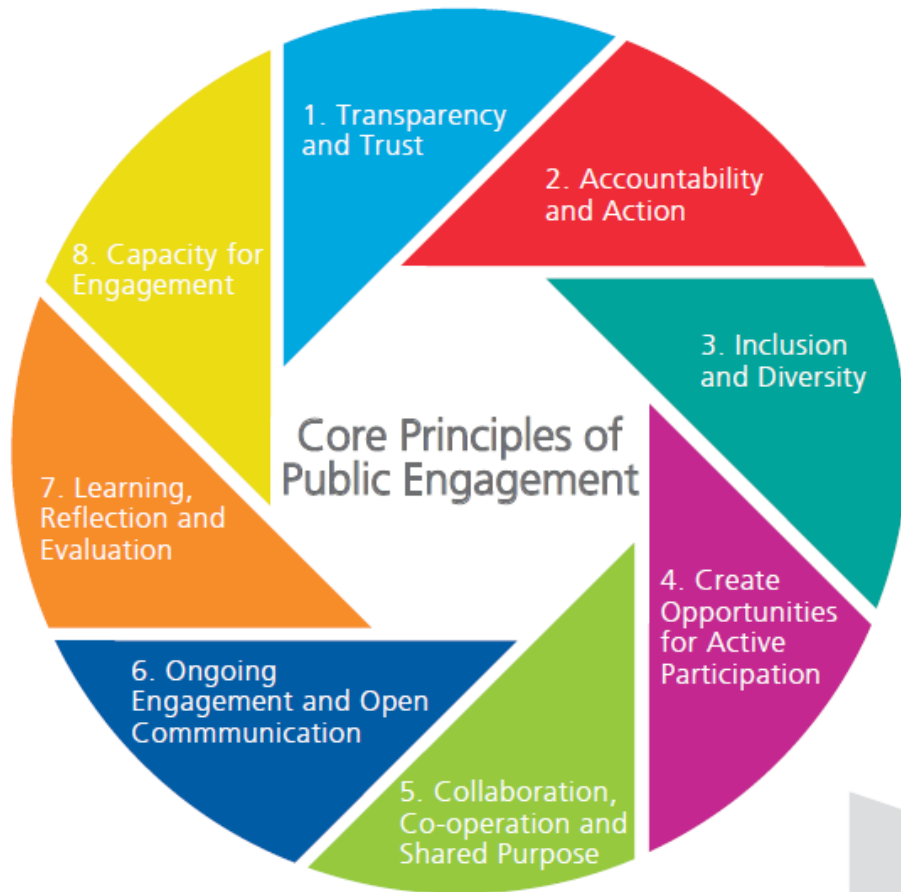
Are there any overlapping mandates between advisory committees?

Review of City of Hamilton Advisory Committees (2015)

Are there any natural linkages between advisory groups that would lend themselves to merging 2 groups?

Do advisory committee members understand the role of the staff liaisons/support staff?

How many reports/recommendations has the VAC forwarded to Council?
(Probes/clarification – Not including the annual report – assumption is that all VACs provided an annual report)



The following are the remainder of the recommendations from CL14010 which were deferred to the 2014-2018 term of Council on September 24, 2014 by Council:

- (a) That a Diversity, Race Relations and Equity Advisory Committee be established for the 2014-2018 Term of Council;
- (b) That the following Volunteer Committees be merged into the newly created Diversity, Race Relations and Equity Advisory Committee:
 - (i) Advisory Committee for Immigrants and Refugees
 - (ii) Committee Against Racism Committee
 - (iii) Hamilton Status of Women Committee
 - (iv) Hamilton Aboriginal Advisory Committee
 - (v) Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee
- (c) That a Food Strategy Advisory Committee be established for the 2014-2018 Term of Council;
- (d) That the following Committees be merged into the newly created Food Strategy Advisory Committee:
 - (i) Food and Shelter Advisory Committee
 - (ii) Community Food Security Stakeholder Committee
- (e) That a Keep Hamilton Clean, Green and Safe Advisory Committee be established for the 2014-2018 Term of Council;
- (f) That the following Committees be merged into the newly created Keep Hamilton Clean, Green and Safe Advisory Committee:
 - (i) Cleanliness and Security in the Downtown Advisory Committee
 - (ii) Keep Hamilton Clean and Green Committee
- (g) That a Housing Advisory Committee be established for the 2014-2018 Term of Council;
- (h) That the following Committees be merged into the newly created Housing Committee:
 - (i) Tenant Advisory Committee
 - (ii) Shelter aspects of the Food and Shelter Committee

- (i) That the Volunteer Committees outlined in Appendix “A” to Report CL14010 be established for the 2014-2018 term of City Council.
 - (i) That the Mandates of the Volunteer Committees included in Appendix “A” be approved.
- (j) That the committee membership of all Advisory Committees/Volunteer Committees be composed of a maximum of up to 9 citizens;
- (k) That citizen appointments to Advisory/Volunteer Committees be subjected to a two term limit;
- (l) That Volunteer Committees commence meeting quarterly in the new Term of Council;
- (m) That one Councillor Liaison to each Volunteer Committee be appointed to provide counsel and guidance on an as required basis;
- (p) That should any Advisory Committee not meet a minimum of three times during a Council Term, that the Advisory Committee be automatically disbanded at the end of the Council Term.
- (q) That any new Advisory Committees/Task Forces established in the new term of council be subjected to the City’s Procedural By-law “Criteria for the creation of Advisory Committees or Task Forces.”
- (r) That Volunteer Committees be directed to:
 - (i) in November of each calendar year, review the Committee’s Terms of Reference and submit amendments to the appropriate Standing Committee for consideration;
 - (ii) Submit annual progress reports of the committee’s activities to the appropriate Standing Committee for review in November of each calendar year.