



Hamilton

GOVERNANCE REVIEW SUB-COMMITTEE

REPORT 22-002

Monday, May 30, 2022

9:30 am

Council Chambers

Hamilton City Hall

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

Absent: Councillor T. Whitehead – Personal

THE GOVERNANCE REVIEW SUB-COMMITTEE PRESENTS REPORT 22-002 AND RESPECTFULLY RECOMMENDS:

- 1. Amendment to By-law 16-288, Being a By-law to Establish and Govern the Office of Integrity Commissioner and Provide for the Resolution of Allegations of Contraventions of the Code of Conduct by Members of Council (Item 5.1)**

WHEREAS, Council enacted a By-law to Establish and Govern the Office of Integrity Commissioner and Provide for the Resolution of Allegations of Contraventions of the Code of Conduct by Members of Council, being City of Hamilton By-law No.16-288;

WHEREAS, By-law 16-288 requires the complainant to pay to the City Clerk a refundable fee in the amount of \$100.00 upon the filing of a Complaint;

WHEREAS, the refundable fee may penalize complainants from exercising their statutory rights, and may prevent legitimate complaints from being brought forward due to concerns about financial cost;

THEREFORE, BE IT RESOLVED:

That By-law 16-288, being a By-law to Establish and Govern the Office of Integrity Commissioner and Provide for the Resolution of Allegations of Contraventions of the Code of Conduct by Members of Council, be amended by deleting subsections 11.(6)(a), (b) and (c) as follows:

11. (6)(a) ~~— A Complainant shall pay to the City Clerk a refundable fee in the amount of \$100.00 upon the filing of a Complaint.~~

(b) ~~— The fee payable under paragraph 11(6)(a) shall be refunded to the Complainant when the Integrity Commissioner files their~~

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~~report, except where a Complaint is found to be frivolous, vexatious, or not made in good faith the fee shall not be refunded.~~

~~(c) Where a Complaint has been stayed, a Complainant may withdraw their Complaint and receive a refund of the fee~~

2. Hamilton Future Fund Governance Review and Reserve Strategy (FCS22045) (City Wide) (Item 10.1)

- (a) That staff be directed to develop and execute public engagement and consultation on the Hamilton Future Fund governance and reserve strategy and report back on the results in January 2023; and,
- (b) That the framework of the public engagement and consultation on Hamilton Future Fund governance and reserve strategy, attached as Appendix “A” to Governance Review Sub-Committee Report 22-002, be approved.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

The Committee Clerk advised that there were no changes to the agenda.

The May 30, 2022 Agenda of the Governance Review Sub-Committee was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 4)

(i) March 31, 2022 (Item 4.1)

The Minutes of the March 31, 2022 meeting of the Governance Review Sub-Committee were approved, as presented.

(d) COMMUNICATIONS ITEMS (Item 5)

(i) Correspondence from Paul Dube, Ontario Ombudsman respecting the Fee charged to file an Integrity Commissioner complaint (Item 5.1):

The Correspondence from Paul Dube, Ontario Ombudsman respecting the Fee charged to file an Integrity Commissioner complaint, was received.

For further disposition of this matter, refer to Item 1.

(e) ADJOURNMENT (Item 15)

There being no further business, the Governance Review Sub-Committee meeting adjourned at 10:23 a.m.

Respectfully submitted,

Councillor M. Wilson, Chair
Governance Review Sub-Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk