



Hamilton

**GOVERNANCE REVIEW SUB-COMMITTEE**

**MINUTES 22-002**

**Monday, May 30, 2022**

**9:30 am**

**Council Chambers**

**Hamilton City Hall**

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

**Absent:** Councillor T. Whitehead – Personal

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**THE FOLLOWING ITEMS WERE REFERRED TO THE AUDIT, FINANCE & ADMINISTRATION COMMITTEE FOR CONSIDERATION:**

- 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)**

**(Clark/VanderBeek)**

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 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~~

**Result: Motion CARRIED by a vote of 3 to 2, as follows:**

YES - Councillor Maureen Wilson  
NOT PRESENT - Councillor Terry Whitehead  
YES - Councillor Arlene VanderBeek  
NO - Councillor Lloyd Ferguson  
NO - Councillor Maria Pearson  
YES - Councillor Brad Clark

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

**(Pearson/Wilson)**

- (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 Report FCS22045, be approved.

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

YES - Councillor Maureen Wilson  
NOT PRESENT - Councillor Terry Whitehead  
YES - Councillor Arlene VanderBeek  
YES - Councillor Lloyd Ferguson  
YES - Councillor Maria Pearson  
YES - Councillor Brad Clark

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

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

**(Clark/VanderBeek)**

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

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

YES - Councillor Maureen Wilson  
NOT PRESENT - Councillor Terry Whitehead  
YES - Councillor Arlene VanderBeek  
YES - Councillor Lloyd Ferguson  
YES - Councillor Maria Pearson  
YES - Councillor Brad Clark

**(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)**

**(Ferguson/Pearson)**

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

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

YES - Councillor Maureen Wilson  
NOT PRESENT - Councillor Terry Whitehead  
YES - Councillor Arlene VanderBeek  
YES - Councillor Lloyd Ferguson  
YES - Councillor Maria Pearson  
YES - Councillor Brad Clark

**(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):**

**(Ferguson/Pearson)**

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

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

YES - Councillor Maureen Wilson  
NOT PRESENT - Councillor Terry Whitehead  
YES - Councillor Arlene VanderBeek  
YES - Councillor Lloyd Ferguson  
YES - Councillor Maria Pearson  
YES - Councillor Brad Clark

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

**(e) ADJOURNMENT (Item 15)**

**(Ferguson/VanderBeek)**

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

**Result: Motion CARRIED by a vote of 5 to 0, as follows:**

YES - Councillor Maureen Wilson  
NOT PRESENT - Councillor Terry Whitehead  
YES - Councillor Arlene VanderBeek  
YES - Councillor Lloyd Ferguson  
YES - Councillor Maria Pearson  
YES - Councillor Brad Clark

Respectfully submitted,

Councillor M. Wilson, Chair  
Governance Review Sub-Committee

Angela McRae  
Legislative Coordinator  
Office of the City Clerk