



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
City Clerk's Office

TO:	Chair and Members Audit, Finance and Administration Committee
COMMITTEE DATE:	January 19, 2023
SUBJECT/REPORT NO:	Recording of Advisory Committee Meetings (FCS21054(a))
WARD(S) AFFECTED:	(City Wide)
PREPARED BY:	Janet Pilon Manager, Legislative Services / Deputy Clerk Ext. 4304
SUBMITTED BY:	Andrea Holland City Clerk
SIGNATURE:	

RECOMMENDATION

- (a) That Council approve the recording and retention of all Virtual, Hybrid and In Person Advisory Committee meetings;
- (b) That subject to the approval of recommendation (a) to this report, the draft by-law, entitled "To Amend By-law No. 11-040 To Establish Retention Periods for Records of the City of Hamilton" (the "Records Retention By-law"), attached as Appendix 'A' to this report, be enacted by Council;
- (c) That subject to the approval of recommendation (a) to this report, the recruitment advertising for Advisory Committee Membership include notice that all Advisory Committee meetings will be livestreamed and recorded for future viewing; and
- (d) That subject to the approval of recommendation (a) to this report, all Council appointed Advisory Committee members be required to sign the Acknowledgement Form prior to each member attending their first meeting, as acknowledgement of the livestreaming and recording of all meetings.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

EXECUTIVE SUMMARY

In June of 2021 staff reported back to Governance Review Sub-Committee on the results of a poll of the current citizen members of the City's Advisory Committees, as to whether they would be in favour or opposed to having their meetings recorded. The poll resulted in the majority wishing to have their meetings recorded.

Based on the result of the poll, Staff undertook to review this process for the next term of Council and to seek Council direction on whether Advisory Committee meetings for the 2022 – 2026 Term of Council will be recorded and retained.

In order to be prepared for the possibility of recording Advisory Committee meetings for the 2022 – 2026 Term of Council, Council approved the acquisition of an additional encoder for the live streaming and closed captioning of the Advisory Committee meetings on May 26, 2021.

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: There are no financial implications.

Staffing: Advisory Committee staff liaisons will require training in order to preserve and publish their meeting recordings through eSCRIBE on the City's website.

Legal: The proposed amendment to the Records Retention By-law would be required to reflect the retention of recorded Advisory Committee meetings.

HISTORICAL BACKGROUND

In 2020, at the onset of the COVID pandemic, Advisory Committee meetings were suspended when it wasn't possible for the members of the public to attend the meetings in person, as the City was required to maintain compliance with the open meeting requirement set forth in Section 239(1) of the *Municipal Act*.

In preparation for the Advisory Committees to meet via WebEx, staff polled the citizen members of the Advisory Committees to inquire if they had the necessary equipment (laptop/computer, camera, microphone/headphones) in order to participate at the meetings.

Once it was determined that the majority of the citizen members of these Advisory Committees had the equipment required to participate electronically at the meetings, Council approved an amendment to the Procedural By-law 18-270, to enable the Advisory Committees to meet via WebEx and to have their meetings livestreamed through YouTube.

To provide the public with the same opportunity to attend a meeting, as if the meeting was in person, and to ensure the City's compliance with the *Municipal Act*.

Staff were directed to poll all the citizen members of Advisory Committees to determine whether they were in favour or opposed to the recording of meetings for future viewing. Staff reported the results of this poll in Report FCS21054, submitted to the Governance Review Sub-Committee on June 25, 2021, and indicated that they would prepare a report detailing requirements to effect the recording of Advisory Committee meetings during the next term of Council.

In order, to livestream and record all future Advisory Committee meetings, the meetings would have to be conducted through WebEx and livestreamed through eSCRIBE or YouTube with their videos being published to the website following the conclusion of the meeting.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Section 239(1) of the *Municipal Act* and Section 9.1 of the City's Procedural By-law 21-021, as amended, requires all meetings to be open to the public, except where the *Municipal Act* permits the meeting to be closed.

Currently, the Records Retention By-law excludes recordings of Advisory Committee meetings from the retention of meeting recordings and an amendment to the Retention By-law is required if the recommendations in this report are accepted.

All 2022 – 2026 citizen appointees to Advisory Committees will be required to sign a Acknowledgement Form attached as Appendix 'B' to this report prior to their first meeting attendance, in order to acknowledge that their Advisory Committee meetings will be recorded, retained and archived on the City's website for future viewing.

RELEVANT CONSULTATION

Legal Services reviewed the amendments made to the existing Acknowledgement Form as found in Appendix 'B' of this report.

Records staff reviewed the amendment to the Retention By-law to ensure that the wording was reflective of the direction being considered.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Based on the citizen member Advisory Committee poll results, staff are recommending that the recording and retention of all Advisory Committee meetings be put in place.

ALTERNATIVES FOR CONSIDERATION

None

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation - Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community

APPENDICES AND SCHEDULES ATTACHED

Appendix 'A' – Records Retention By-law Amendment
Appendix 'B' - Acknowledgement Form