



City of Hamilton Report for Consideration

To: Chair and Members
General Issues Committee

Date: April 9, 2025

Report No: PW25003

Subject/Title: Report on the Appointment of City Representatives
to the Joint Stewardship Board

Ward(s) Affected: City Wide

Recommendations

- 1) That City Council **APPOINT** one member of City Council and a member of the senior leadership team to the Joint Stewardship Board, to fill the two recently vacated City of Hamilton Joint Stewardship Board seats.
- 2) Confidential Appendix "A" attached to Report PW25003 remain confidential.
- 3) That the City Clerk **BE DIRECTED** to advise the Joint Stewardship Board of the City Council Appointments.

Key Facts

- On October 9, 2024, staff were directed to prepare a report for the General Issues Committee regarding the implications of the resignation of two City of Hamilton Joint Stewardship Board members.
- This report provides advice pertaining to City Council's ability to appoint members of the Joint Stewardship Board and a discussion of the strategy that the City could pursue to right size the operations of the Joint Stewardship Board in accordance with the terms of the Red Hill Valley Joint Stewardship Agreements.
- Currently, the Joint Stewardship Board is composed of three representatives from the Haudenosaunee and three representatives from the City of Hamilton.

- Of the three City positions, Councillor Hwang is the only member representing the City, and the remaining two positions are vacant as a result of recent resignations.
- In an effort to restore the Joint Stewardship Board's functionality and address current challenges, this report outlines recommendations and strategies that can be adopted by City Council to achieve these goals and objectives.
- The Red Hill Valley Joint Stewardship Agreements do not restrict City Council's ability as to who can be a Joint Stewardship Board member. City Council can choose a member of Council, any City staff or a member of the public.
- Having one member from the senior leadership team on the Board can provide clarity on the technical aspects of the Red Hill Valley Joint Stewardship Agreements. Unlike elected officials, whose statements may be interpreted as representing broader Council positions, a senior leadership team member can offer precise, non-political interpretations of the agreements, ensuring compliance and proper implementation.
- This report is recommending that City Council appoints one member of Council and one member of the senior leadership team to the Joint Stewardship Board. City Council's selection will be made public after the conclusion of the closed session meeting.

Financial Considerations

There are no financial considerations associated with this report.

Background

The Red Hill Valley Joint Stewardship Agreements (the Agreements) were signed in September 2003 by the City of Hamilton and representatives of the Haudenosaunee.

Following the resignation of two Joint Stewardship Board members (Councillors Clark and Francis), staff were directed to report back to the General Issues Committee on the implications of the resignations on the operations of the Joint Stewardship Board.

Staff are also providing an analysis of next steps for City Council's consideration, taking into account the terms and conditions of the Agreements.

The Agreements have been reviewed, and staff confirm that City Council has the authority to appoint any individual it deems appropriate to the Joint Stewardship Board.

To restore the Board's functionality and address the current vacancies, staff are recommending that the Board would be best supported if Council appoints one member of City Council and one member of the senior leadership team to the Joint Stewardship Board.

This will allow City staff to better support the work of the Board and to support the City Council representatives through direct participation in the meetings and the assignment of work. This also provides the opportunity for the senior administration of the City to

implement the direction of the Board. Alternative appointments, or combinations thereof, can be found in the Alternatives section of this report.

Further discussion of a viable City strategy to support the Joint Stewardship Board's operations is found in the Confidential Appendix "A" to Report PW25003.

Analysis

Strategy to support the Joint Stewardship Board's operations

The City retained external legal counsel, Alexandria Winterburn from Aird & Berlis, to review the Agreements and provide the City with a strategy to assist with advancing the work of the Joint Stewardship Board in light of the resignation of the two Council members.

A viable City strategy to support the Joint Stewardship Board's operations is found in the Confidential Appendix "A" to Report PW25003.

Outlined below are key components of the proposed strategy. In addition to the core recommendations, the inclusion of one member of the senior leadership team on the board is supported by several strategic themes:

- **Continuity and Preservation of Institutional Knowledge:** A member of the senior leadership team will help provide institutional knowledge and lessons learned from past board activities are retained and applied to future decisions.
- **Long-Term Relationship Building and Sustainability:** The appointment of a member of the senior leadership team supports sustained, long-term relationships both within the board and with external partners, contributing to the overall sustainability of the Board's operations.
- **Technical Expertise and Implementation:** A member of the senior leadership team brings additional technical expertise, enabling efficient implementation of decisions made by the Board throughout the City.
- **Enhanced Coordination and Risk Management:** A member of the senior leadership team will enhance coordination with City resources, strengthen risk management practices, and ensure that board decisions align closely with the City's broader strategic priorities.
- **Clarity, Accountability, and Candid Discussions:** The presence of a member of the senior leadership team will support clarity and accountability regarding the terms of the Agreements, allowing for open and candid discussions free from overt political influence or interpretation.
- **Facilitation of Broader Public Communication:** A member of the senior leadership team enables broader public statements on board matters, contributing to ongoing transparency and engagement with the community.
- **Visible Administrative Commitment:** Appointing a member of the senior leadership team demonstrates a visible commitment by the administration to the Board's success and the effective implementation of its initiatives.

The strategy outlined in Confidential Appendix A is aimed at supporting the Joint Stewardship Board on key requirements of the Agreements.

It is critical that the Board adhere to its established procedures regarding meetings, interactions with staff and overall accountability. Additionally, enhancing the Board's operational framework will provide a solid foundation for improved record keeping and administrative functions.

By demonstrating good faith efforts to align with the terms of the Agreements and effectively restore the Board's functionality, the City and the broader Hamilton Community will be better positioned in the future.

Alternatives

In keeping with the Agreements, the City can appoint any individual to the Joint Stewardship Board. More recently, these positions have been held by three members of City Council whose wards were in close proximity to the Red Hill Valley.

City Council may choose to appoint a member of the public, staff or any combination thereof.

Relationship to Council Strategic Priorities

Report PW25003 is in keeping with the Agreements entered into by the City in 2003, and supports the following Council Strategic Priorities, namely:

1. Sustainable Economic & Ecological Development
 - 1.4 Protect green space and waterways.
3. Responsiveness & Transparency
 - 3.2 Get more people involved in decision making and problem solving.
 - 3.3 Build a high performing public service.

Previous Reports Submitted

Not applicable.

Consultation

This report was written in consultation with the following Departments / Divisions:

- Marnie Cluckie, City Manager
- Grace Mater, General Manager, Healthy and Safe Communities
- Lisa Shields, City Solicitor, Corporate Services
- Alexandria Winterburn, Aird & Berlis LLP (external)
- Katelyn LaForme, Director, Indigenous Relations, Healthy and Safe Communities
- Beth Dockstator, Manager, Indigenous Relations, Healthy and Safe Communities

Appendices and Schedules Attached

Confidential Appendix A: Legal Opinion dated December 23, 2024 from Alexandria Winterburn

Confidential Appendix "A" is private & confidential in accordance with Section 239(2)(f) of the Municipal Act 2001 as it contains advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

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