



Hamilton

AGENDA
GOVERNANCE REVIEW SUB-COMMITTEE

1:00 p.m.

Thursday, January 14, 2016

Council Chambers

Hamilton City Hall

Denis Farr
Legislative Coordinator
Clerks Office
71 Main Street West, 1st Floor

Denis Farr
Legislative Coordinator
905-546-2424, ext 5987

1. CHANGES TO THE AGENDA

2. DECLARATIONS OF INTEREST

3. APPROVAL OF MINUTES

3.1 Governance Review Sub-Committee Minutes, dated June 8, 2015

4. DELEGATION REQUESTS

5. CONSENT ITEMS

6. DELEGATIONS

7. PRESENTATIONS

8. DISCUSSION ITEMS

8.1 Proclamations in the City of Hamilton (CL16002) (City Wide)

8.2 Virtual Meetings (CL16001) (City Wide) (Outstanding Business List Item)

8.3 Correspondence from Jenney Josipovic respecting Resignation from the Hamilton Farmers' Market Board

Note: Referred from the June 24, 2015 City Council Meeting

9. MOTIONS

9.1 Municipal Campaign Contributions from Corporations and Trade Unions

Note: Referred from the November 25, 2015 City Council Meeting

10. NOTICE OF MOTIONS

11. GENERAL INFORMATION/OTHER BUSINESS

11.1 Review and Amendments to the Outstanding Business List (attached hereto)

(a) Items to be removed from the Outstanding Business List:

(i) Item "C" – Proclamations in the City of Hamilton

12. PRIVATE AND CONFIDENTIAL

13. ADJOURNMENT

OUTSTANDING BUSINESS GOVERNANCE REVIEW SUB-COMMITTEE					
	Item	Date Action Initiated	Lead Division	Status	Due Date
A	Review Process for appointing members to the Election Compliance Audit Committee	Council July 11, 2014	Clerks	Pending Province's Revisions to the <i>Municipal Elections Act, 1996</i>	TBD
B	Term Limits for Citizen Appointees - City of Hamilton's Advisory Committees (CM15007)	Council July 10, 2015	Clerks	Pending Review with Advisory Committees	Prior to New Term of Council
C	Proclamations in the City of Hamilton	Council September 23, 2015	Clerks	For discussion at the January 14, 2016 Governance Review Sub-Committee	





Hamilton

MINUTES 15-001
GOVERNANCE REVIEW SUB-COMMITTEE
Friday, June 8, 2015
1:00 p.m. Room 830
Hamilton City Hall

Present: Councillors M. Pearson (Chair), M. Green (Vice-Chair), J. Partridge, L. Ferguson and A. VanderBeek.

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

1. Selection of Chair and Vice-Chair (Item A)

(Partridge/Ferguson)

- (a) That Councillor M. Pearson be appointed Chair of the Governance Review Sub-Committee for the 2014-2018 term of Hamilton City Council.
- (b) That Councillor M. Green be appointed Vice-Chair of the Governance Review Sub-Committee for the 2014-2018 term of Hamilton City Council.

CARRIED

2. 2016 Committee/Council Calendar (Item 6.1)

(Pearson/Green)

That the 2016 Committee/Council Calendar be approved.

CARRIED

3. Amendments to the Terms of Reference of the Cleanliness and Security in the Downtown Core Task Force (Referred from the General Issues Committee meeting of September 17, 2014) (Item 6.2)

(Pearson/Green)

That the Amendments to the Terms of Reference of the Cleanliness and Security in the Downtown Core Task Force, be approved, as presented.

CARRIED

4. Correspondence from John Bolognone, City Clerk, City of Kingston, respecting Municipal Electoral Reform within the Province of Ontario (Item 6.3)

(Ferguson/Partridge)

That the correspondence from John Bolognone, City Clerk, City of Kingston, respecting Municipal Reform within the Province of Ontario, be received.

CARRIED

FOR THE INFORMATION OF COMMITTEE:

- (a) **CHANGES TO THE AGENDA (Item 1)**

(Pearson/Green)

That the June 8, 2015 agenda of the Governance Review Sub-Committee, be approved, as presented.

CARRIED

- (b) **DECLARATIONS OF INTEREST (Item 2)**

None.

- (c) **APPROVAL OF MINUTES (Item 3)**

- (i) **September 5, 2014 (Item 3.1)**

(Ferguson/Partridge)

That the minutes of the September 5, 2014 meeting of the Governance Review Sub-Committee, be approved.

CARRIED

- (d) **DISCUSSION ITEMS (Item 4)**

- (i) **2016 Committee/Council Calendar (Item 6.1)**

Janet Pilon, Deputy Clerk/Manager of Legislative Services, presented the 2016 Committee/Council Calendar, with discussion including but not limited to:

- Scheduling of budget dates, which will be finalized over the next two months as per Mike Zegarac, General Manager of Finance and Corporate Services.

For disposition of this item, refer to Item 2.

(ii) **Correspondence from John Bolognone, City Clerk, City of Kingston, respecting Municipal Electoral Reform within the Province of Ontario (Item 6.3)**

Tony Fallis, Manager of Election Services, provided an overview of the proposed Municipal Electoral Reform within the Province of Ontario, with discussion including but not limited to:

- Exploration by the Province of including an option for municipalities to choose ranked ballots starting the 2018 elections.
- Ranked ballots would allow a voter to rank candidates in order of preference --first choice, second choice, third choice, etc. -- instead of just voting for one candidate.
- Encouraged input via the public consultation process, which runs until July 27, 2015 and is available online at ontario.ca/municipalelections
- Ranked ballots are not being considered for school boards – two different types of election processes could present challenges

For disposition on this item, refer to Item 4.

(iii) **Recommendations from Andre Marin, Ombudsman of Ontario, respecting the Recording of Closed Session Meetings**

Rose Caterini, City Clerk, and Janice Atwood-Petkovski, City Solicitor, provided an overview of the Ombudsman's recommendations, with discussion including but not limited to:

- Audio recording of closed meetings – City of Hamilton's position, challenges and opportunities.
- Reference to Report CL12005(a) / LS12033(a), dated June 10, 2013, respecting Audio Recording of Closed Session Meetings.
- Request to the Province for the establishment of legislative framework under the *Municipal Act, 2001*, respecting access and disclosure of electronically recorded in-camera meetings to properly protect municipal interests.

(Green/Partridge)

That as per the recommendations in Andre Marin, Ombudsman of Ontario's April 2015 report, the City Solicitor be directed to prepare an Information Report that contains the previous reports and Council decisions respecting the audio and video recording of Closed Session meetings at the City of Hamilton, including the response received from the Ministry of Municipal Affairs and Housing, to the September 2, 2015 General Issues Committee.

CARRIED

(e) **OTHER BUSINESS (Item 9)**

(i) **Amendments to the Outstanding Business List (Item 9.1)**

(Green/Partridge)

That the following Outstanding Business List Items be removed:

- (i) Item "A" – "Inner City Fund" and the "Geographic Factor"
- (ii) Item "B" – Integrity Commissioner By-law – Amendments to Section 22 (CL14003/LS14005)

That the following Outstanding Business List Item due dates be amended as follows:

- (i) Item "C" – "Process for Appointing Members to the Compliance Audit Committee"

Current Due Date: "2014-2018 Council"
Revised Due Date: December 2015

CARRIED

(f) **ADJOURNMENT (Item 10)**

(Pearson/Pasuta)

That, there being no further business, the Governance Review Sub-Committee meeting be adjourned at 1:55 p.m.

CARRIED

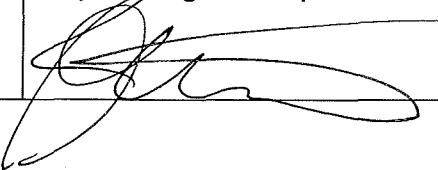
Respectfully submitted,

Councillor M. Pearson, Chair
Governance Review Sub-Committee



Hamilton

INFORMATION REPORT

TO:	Chair and Members Governance Review Sub Committee
COMMITTEE DATE:	January 14, 2016
SUBJECT/REPORT NO:	Proclamations in the City of Hamilton (CL16002) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Janet Pilon (905) 546-2424 x4304
SUBMITTED BY:	Rose Caterini City Clerk City Manager's Department
SIGNATURE:	

Council Direction:

On September 23, 2015, Council approved the following direction:

That Clerk's staff be directed to report to the Governance Review Sub-Committee regarding the history of proclamations in the City of Hamilton, including the practice of the former City of Hamilton, and why it was discontinued, and any administrative functions that were associated in order to assist the Committee.

History of Proclamations in the City of Hamilton

A proclamation is an official announcement issued by the Head of Council to recognize exceptional events, groups, people, or achievements in the municipality. The goal of a proclamation is to recognize and celebrate achievements, and to raise public awareness of important issues in the municipality.

The administrative function typically entails the Head of Council receiving requests from organizations to proclaim certain days, weeks and months in recognition of different matters of importance. The Head of Council without the need for Council approval, proclaims months, weeks or days in recognition of different matters of importance as part of a Council meeting.

The months, weeks or days were only for the current year, which required organizations to submit new requests for the municipality to proclaim the month, week or day on an annual basis.

Upon a month, week or day being proclaimed, the proclamation was prepared for the Head of Council's signature and forwarded to the organization for their records.

A review of the former Regional Municipality of Hamilton records indicates that on April 4, 1995, the Region approved the following resolution, which ceased the practice of declaring proclamations:

That, with the exception of those proclamations which have previously received Council approval, the practice of declaring Regional proclamations cease effective immediately.

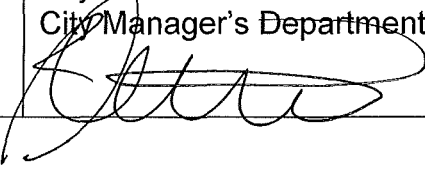
A search of the the former City of Hamilton records indicate that the City did not officially cease the practice of declaring proclamations, however, there was no evidence in the records of proclamations being recorded in the former City of Hamilton Council meeting minutes after this date.

The other lower tier municipalities, did cease the practice as follows: the former Town of Ancaster (March 28, 1995); former Town of Flamborough (September 11, 1995); former City of Stoney Creek (May 9, 1995) and the former Town of Dundas (July 17, 1995).

The practice of not declaring proclamations continued following amalgamation with the new City of Hamilton. Currently, the Clerk's Office or Mayor's Office receives requests from various organizations and advises the organizations of the City's practice of not declaring proclamations. In lieu of a proclamation, organizations are requested to submit a more detailed communication on the organization's day, week or month, and this is placed on the Council Agenda as a form of public exposure for the organization, which has been well received.



INFORMATION REPORT

TO:	Chair and Members Governance Review Sub Committee
COMMITTEE DATE:	January 14, 2016
SUBJECT/REPORT NO:	Virtual Meetings (CL16001) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Janet Pilon x 4304 Lisa Pasternak x 7292 Kwab Ako-Adjei x 2548 Peter MacNeil x 5703
SUBMITTED BY:	Rose Caterini City Clerk City Manager's Department
SIGNATURE:	

Council Direction:

On October 28, 2015, Council approved the following direction:

WHEREAS, the Hamilton Youth Advisory Committee is a group which enables youth to assist in the identification of issues and the development of solutions;

WHEREAS, participation of youth in the committee process is vital to ensuring those needs are identified and met;

WHEREAS, the Hamilton Youth Advisory Committee is committed to increasing engagement among the City's youth population; and

WHEREAS, it is important that the City of Hamilton provide members of the Hamilton Youth Advisory Committee and youth with options to participate in committee meetings, including using technology;

THEREFORE BE IT RESOLVED:

That staff investigate and report back to the Governance Review Sub Committee on the ability of the City of Hamilton being one of the first municipalities in Canada to broadcast their Youth Advisory Committee meetings using video chat technology in order to enable members of the

Hamilton Youth Advisory Committee to join in those meetings for quorum and participation accordingly.

Current Status of the Hamilton Youth Advisory Committee:

On December 9, 2015, Council approved the following, putting the Hamilton Youth Advisory Committee in abeyance until the fourth quarter of 2016:

- (a) That the Hamilton Youth Advisory Committee be put in abeyance until the fourth quarter (Q4) of 2016 such that staff are able to complete a full review of the Hamilton Youth Advisory Committee and determine an approach or model for municipally supported youth engagement; and
- (b) That staff be requested to provide quarterly updates to the Emergency and Community Services Committee throughout 2016 on this matter.

Using Video Chat Technology:

Staff note that there are two components to the use of video chat technology for the Hamilton Youth Advisory Committee, the first being youth engagement and the second being the ability for members of the Hamilton Youth Advisory Committee to participate and be counted towards quorum when joining the meeting via electronic means.

Hamilton Youth Advisory Committee:

The Hamilton Youth Advisory Committee is a group which enables youth to assist in the identification of issues affecting the City's youth, the development of solutions and is committed to increasing engagement among the City's youth population. The Committee is a Committee of Council that reports to Emergency and Community Services Standing Committee.

Youth participation in the Committee is vital to ensuring those needs are identified and met. In order to ensure success, it is extremely important that the City's youth are able to use current tools of communication they are very familiar with in order to provide them with the opportunity to voice their opinions and comments on matters that affect them. The use of chat technology could extend to the participation in discussion of the public and members of the Committee during meetings as well as having Committee members vote on recommendations when they cannot attend.

Municipal Act, 2001 and Council Procedure By-law:

The *Municipal Statute Law Amendment Act, 2006* (Bill 130), which extensively amended the *Municipal Act, 2001*, contained a provision to allow for electronic participation of

Council. (Council includes Committees of Council.) The provision placed two requirements on electronic participation:

- that electronic participation be provided for in the procedure by-law; and
- that members not be counted in determining quorum, which means not participate in decision-making, when participating electronically;

Electronic participation

238(6) The procedure by-law may provide that a member of council can participate electronically in a meeting of council which is open to the public to the extent and in the manner set out in the by-law but that member shall not be counted in determining whether or not a quorum of members is present at any point in time.

This provision did not survive 3rd reading of Bill130 and was not added to *the Municipal Act, 2001*.

Despite the absence of specific authority, the City can rely on its broad authority under the *Municipal Act, 2001* which includes, amongst other things, authority with respect to its governance structure and its accountability and transparency.

Participation in discussion of the public and members of the Committee during meetings will be relatively simple procedurally. Having Committee members vote on recommendations when they cannot attend, that is counted in determining whether or not a quorum of members is present at any point in time, will be more involved. Both will require an amendment to the Council Procedure By-law.

What's happening in Ontario?

Clerks consulted the Regional and Single Tier Clerks group and posted a discussion item on the Association of Municipal Clerks and Treasurers (AMCTO) website, for input on whether there were municipalities who had implemented a provision to permit electronic participation at meetings. There were no municipalities that had a mechanism in place to provide for voting in absentia via electronic means, however, there were several who have permitted participation via electronic means under certain circumstances, none of which allowed voting or being included for quorum purposes:

- The City of Windsor allows Councillors to 'participate' by conference call if they are out of town, 'participate' meaning that Councillors can listen to the debate and ask questions if they wish, with the minutes reflecting their participation via teleconference, however, Councillors are not permitted to vote or put a motion forward, or second a motion.
- The District Municipality of Muskoka allows non-member third party participation by consultants (as delegations) via electronic means.

- The City of Toronto has allowed a person to appear as an expert presenter to their Economic Development Committee, and allowed an out of the country transit expert to appear before Council as a delegate.
- The City of Barrie held a special Standing Committee meeting as part of Local Government Week in schools and in one case, they were able to read and respond to posts.
- The City of Ottawa has provided their advisory committees through the implementation of a policy (attached as Appendix A) with the ability to participate via telephonic means under certain circumstances several years ago. The policy has been used in two instances in recent years where an Advisory Committee member has participated via teleconference. In both cases, the member's participation was simply due to the individual's interest in staying informed and up-to-date during their absence. In both instances, the member's participation was not needed for quorum nor did the individual vote on any motions via teleconference so both of these instances did not specifically apply to the policy in place.

Clerk's also discovered that there are several municipalities, one being the Town of Aurora who have asked the Ontario Government to consider the appropriate legislative amendments to the *Municipal Act, 2001* to permit telephone and video conference participation by appointed members of their municipal Accessibility Advisory Committee required by the *Accessibility for Ontarians with Disabilities Act, 2005*. Extending the use of video technology to this Committee will be considered as part of the current review.

What's happening outside of Ontario?

The Province of British Columbia, through Section 128(1) of the *Community Charter*, (legislation for municipalities within the Province of British Columbia), provides municipalities with the opportunity to conduct special council or committee meetings using electronic and communications media, such as telephone and video conferencing. It also authorizes municipalities to allow individual council, or committee members, to participate in council and committee meetings through such media, when the member is unable to attend in person.

The Province of British Columbia set standards that require a municipality to include the process for electronic meetings in their municipal procedural by-law; provide notice of electronic meetings; and provide the appropriate facilities and equipment to give the public the opportunity to hear, or to hear and see, the participation of council members. They also set parameters as to when to consider conducting meeting electronically and what should be considered prior to allowing for electronic meetings (attached as Appendix A). These standards as parameters will be considered as part of the current review.

Next Steps

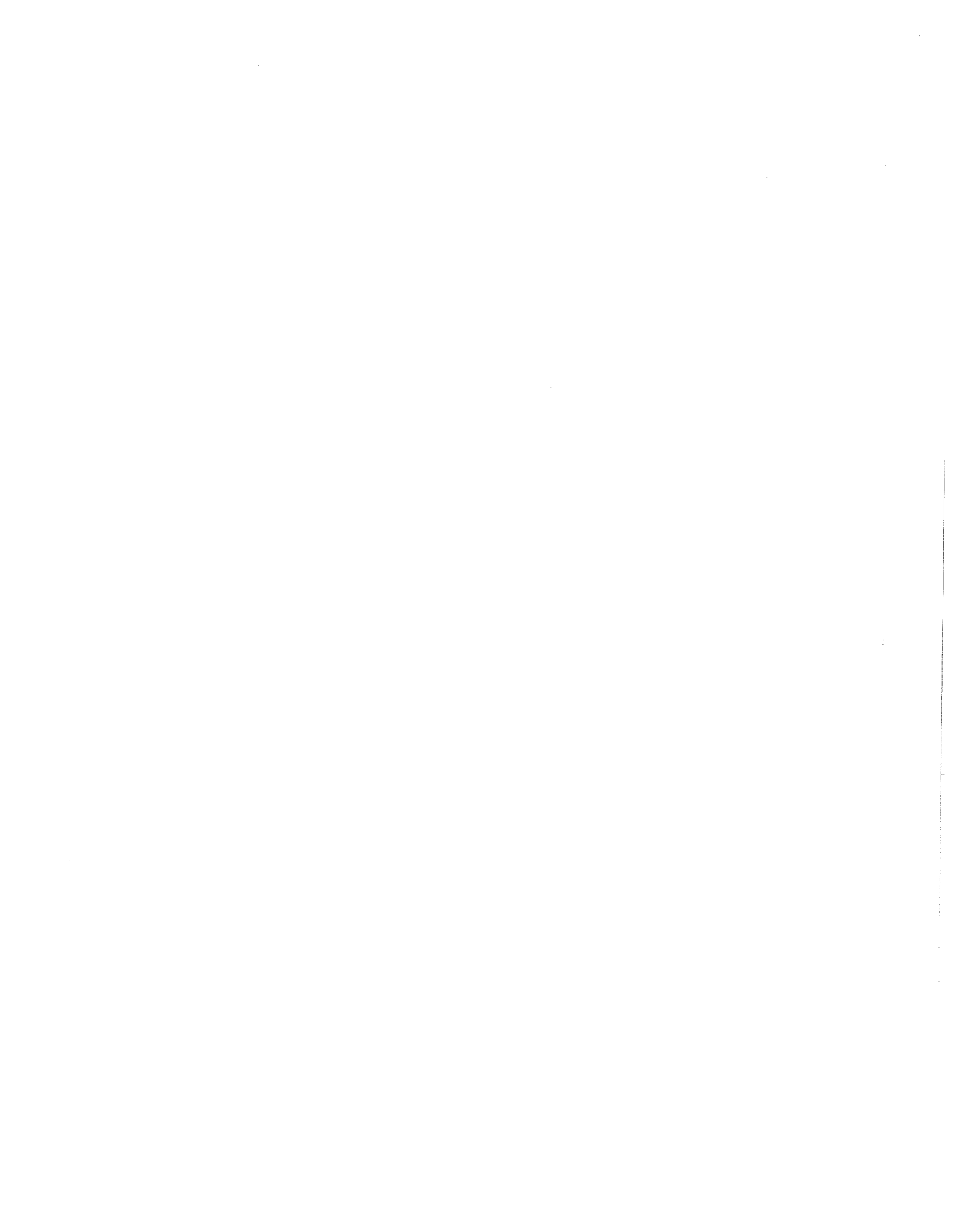
Staff will be testing technology to see what can work for the Hamilton Youth Advisory Committee.

Staff will report back to the Governance Review Sub-Committee on the results of the testing.

APPENDICES AND SCHEDULES ATTACHED

Appendix A – Ottawa - Advisory Committees' E-Meetings Corporate Policy

Appendix B – British Columbia – Municipal Electronic Meetings



ADVISORY COMMITTEES' E-MEETINGS CORPORATE POLICY



Approved By COUNCIL	Approval Date: January 25, 2006
Section Corporate Services	Effective Date: January 25, 2006
Subsection: City Clerk's Branch	Revision Date

POLICY STATEMENT

The E-Meetings Policy is a City of Ottawa policy regarding participation in an Advisory Committee Meeting via telephonic means.

PURPOSE

The purpose of the E-Meetings Policy is to clearly outline the conditions under which a voting Advisory Committee Member can participate in a Committee Meeting via telephonic means.

APPLICATION

This policy applies to Advisory Committees and their Members.

POLICY REQUIREMENTS

1. A need to ensure full and equal participation by all Members (simultaneous and instantaneous);
2. A need to protect each Member's right to vote (transparency in the taking of votes on an issue);
3. The need to ensure all speakers are clearly identified for the purposes of minute taking and to ensure quorum is met; and
4. That the City Clerk, or his or her designate, be physically present in the meeting room.

1. Application:

The requirement to have a Member participate in a meeting by means of teleconference is prefaced by the urgent need to have quorum when:

- a) Deferring a time-sensitive issue listed on the agenda until the next regularly scheduled meeting will mean the Advisory Committee will be too late to offer an opinion, recommendation or request on an issue directly related to its mandate as a Committee;

- b) An urgent item has come to light that requires the calling of a special meeting and the only way to obtain quorum is by allowing one or two members to participate via telephone from remote locations; and
- c) This method of contacting remote participants is not meant to disturb those members who are on: maternity leave, sick leave, compassionate leave (bereavement leave) or personal leave (vacation, honeymoon, business, etc.) and is only applicable to voting members.*

2. Calling A Special Meeting

- 2.1 A Special Meeting shall be summoned by the Committee Coordinator on direction of the Chair, or upon receipt of a petition of the majority of Members of the Advisory Committee. The notice shall contain the date, time and purpose for which the meeting is called.
- 2.2. Notice of all Special Meetings of the Committee setting forth the matters to be considered at such Special Meeting shall be given to all members of the Committee either:
 - (a) by special delivery mail deposited in a Canada Post Corporation Post Office not less than seventy-two hours in advance of the time fixed for the meeting;
 - (b) by delivery to the residence or place of business of the member, including by electronic mail, not less than six hours in advance of the time fixed for the meeting, and the Clerk shall attempt to give such other notice of the meeting to the member by telephone or as is otherwise practical within the circumstances; and/or
 - (c) by personal service to the members not less than six hours in advance of the time fixed for the meeting;

3. Meeting Conduct

- 3.1 The Committee Coordinator must be in attendance as the representative of the City Clerk in order for an electronic meeting to be valid.
- 3.2 The Committee Coordinator shall establish quorum at the outset of the meeting by roll call and likewise all votes will be recorded by roll call.
- 3.3 The Chair, or in his or her place, the Vice-Chair, shall be physically present in the meeting.

Effective Date: January 25, 2006		Revision Date:	
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- 3.4 If a remote Member must leave the 'phone/room' at any time during the meeting – he or she must advise that they are leaving and similarly announce when he or she has returned to the room/phone.
 - 3.5 The Member(s) participating in the meeting via telephonic means must have a copy of the agenda, minutes and other meeting documents so he or she can fully participate in the meeting.
 - 3.6 All provisions and policies that govern the operation of the Advisory Committees and their Members, including the Advisory Committee Members' Code of Conduct, shall continue to apply during electronic meetings.
 - 3.7 The City of Ottawa shall be responsible only for the costs related to the transmission of information in advance of and during the meeting.

RESPONSIBILITIES

Advisory Committee Members must give three (3) days written notice if they are unable to physically attend a meeting they know is to deal with an urgent item.

All Committee Coordinators are responsible for enforcing the policy and for ensuring each Advisory Committee Member is aware of this policy.

Committee Coordinators are responsible for reserving the polycom and for ensuring the designated meeting room's block on long-distance calls has been released for the duration of the meeting, when appropriate.

In the event of a dispute, the City Clerk, or his/her designate, shall review the request and advise the requesting member of his or her final decision.

MONITORING/CONTRAVENTIONS

Requests that do not meet the criteria outlined in this policy may be denied.

The City Clerk has the authority to monitor requests to ensure the policy is being applied consistently.

From time to time, the City Clerk's Office may review the number of requests to determine the overall effectiveness of this policy and/or to incorporate any amendments due to emerging and better teleconference equipment and/or equipment needs.

Effective Date: January 25, 2006		Revision Date:	
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REFERENCES

Advisory Committee Procedure By-law 2006-064 & Code of Conduct.
Advisory Committee Participation Expense Corporate Policy
Advisory Committee Appointment Policy
Report ACS-2006-CRS-CRS-0005

LEGISLATIVE & ADMINISTRATIVE AUTHORITIES

N/A

DEFINITIONS

Electronic meeting: is limited to Telephonic Meetings, or what is commonly referred to as teleconferencing.

Teleconference: the system of telephone connections from a remote location to the location of a meeting, which allows two way verbal communications for voting.

Urgent Item: means an item that requires an immediate decision, recommendation or action to be forwarded to a Standing Committee, lead department representative or Council.

KEY WORD SEARCH

Electronic Meetings
Teleconferencing

ENQUIRIES

Manager, Council and Committee Services
City Clerk's Branch
City of Ottawa
Ottawa, Ontario, K1P 1J1
Tel: (613) 580-2424 Ext. 26836

APPENDICES

Effective Date: January 25, 2006		Revision Date:	
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Community Charter

Ministry of Community, Sport & Cultural Development

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Monday, February 4, 47980

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Electronic Meetings

Section 128(1) of the *Community Charter* gives municipalities the opportunity to conduct special council meetings using electronic and communications media, such as telephone and video conferencing. This section also authorizes municipalities to allow individual council, or committee members, to participate in council or committee meetings through such media, when the member is unable to attend in person.

The intent behind this provision is to provide flexibility to councils in conducting business, without compromising the rights of the public to have access to the decision-making process. The legislation does this by setting standards, which require a municipality to:

- include the process for electronic meetings in the municipal procedure bylaw;
- provide notice of electronic meetings; and
- provide the appropriate facilities and equipment to give the public the opportunity to hear, or hear and see, the participation of council members.

When to Consider

Conducting Special Council Meetings Electronically

In general, municipal councils conduct their business during regularly-scheduled meetings. However, there will be occasions when a council needs to call a special council meeting.

The following are examples of these occasions.

- A new bylaw may be required to prohibit a particular activity that, in the absence of the bylaw, would likely occur in the very near future. If council's regular meeting schedule and the need to separate the first three readings of the bylaw from fourth reading and final adoption would result in unacceptable delays, a special meeting may be held for timely adoption of the bylaw.
- Council may choose to schedule special meetings at budget time to allow members to focus solely on their review of the municipality's proposed financial plan.
- Councils may choose to hold special meetings to debate important development projects or the implications to the municipality of major events.

Whether they are called to take care of urgent business or to consider key matters, special council meetings are important. Generally, all members of council will want – and in certain cases, need – to attend. However, in cases where attendance is not possible, council could choose to hold the special meeting electronically.

Electronic Participation by a Council or Committee Member

Usually, the schedules for regular council meetings, standing committee meetings and select committee meetings are set well in advance. There will be situations in which individuals are unable to attend a regular meeting or committee meeting in person. In instances where the individual's (including non-council members sitting on council committees) attendance is deemed critical, participation by electronic means may be helpful.

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What to consider

GFOA
Legislation
LGMA
MFA
UBCM

Before adopting provisions for electronic meetings, each council will want to consider the implications and whether such provisions are appropriate for their community. If the decision is made to proceed, council will need to define the scope of the provisions, by considering the following:

- the situations where electronic special council meetings will, and will not, be permitted;
- the extent of an individual council member's authority to participate electronically in non-special meetings;
- logistical issues related to using electronic technology; and
- the costs associated with electronic meetings.

Below are considerations to assist municipalities in determining the value of electronic meeting provisions. This list is not exhaustive.

Conducting Special Council Meetings Electronically

- Should provisions allow for all special council meetings to be conducted electronically or should there be defined circumstances where the public can expect council members to be physically present?
- Should the decision to designate a special council meeting as an electronic meeting be left to the discretion of the mayor, acting mayor or council members who actually call the meeting?
- Should other individuals (e.g., consultants to the municipality, staff members, etc.) be permitted to participate electronically? Or should they be required to be present in person at the specified venue?

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Electronic Participation by a Council or Committee Member

- What types of meetings (regular, special or committee) should council consider allowing members to participate electronically?
- What constitutes a valid reason for being unable to attend? Should each member be given the discretion to judge validity?
- Should the chair of the meeting be allowed to participate electronically (as chair)? Or should the chair be assumed by an individual who is physically present?
- How many members of council should be allowed to participate electronically in the same meeting (e.g. should council or council committees require a quorum of members physically present)? If there is a limit, how are participants chosen?
- How many times should an individual member be permitted to participate electronically?
- Should a member who is participating electronically be allowed to join a meeting that is underway – i.e., arrive late?
- Should a member who is participating electronically be entitled to receive an agenda package electronically or by courier?
- Should there be provisions to amend agendas with controversial items to defer the issues when members are participating by electronic means? What would those circumstances be (e.g. certain number of members participating electronically or certain type of issue to be dealt with by council)?
- Should presenters to council be required to tailor their presentations to accommodate members who are participating electronically?
- If a member, participating electronically, cannot view a presentation or read a report which is the subject of debate, should the member be allowed to participate in the debate?
- Should council have a policy about providing information received at the council or committee meeting to members participating electronically before voting on the matter?
- Should the same rules apply to council members and non-councillor committee members?

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Logistics

- What type of electronic means should be permitted? Audio? Visual? Both?
- Should cell phone and satellite connections be permitted in addition to land-line connections?

- Does the municipality have a conference phone system and an audio system that allow for clear projection of voices throughout council chambers (or the designated meeting place), and for continuous two-way communication?
- Are there facilities available at other nearby locations that are acceptable to council (e.g., university)?
- Are the video links in place capable of providing an uninterrupted video stream, similar to a conventional television broadcast?
- Are video monitors in place to project images to all members of council and to the public?
- What happens if a communications link is lost during a meeting? Should the meeting temporarily adjourn until the link is re-established? What if the lost link is with the chair of the meeting?
- Does the specific meeting place provide adequate facilities for municipal staff and the public?

Costs

- Should the municipality be responsible, in every case, for the cost to a member of participating electronically in a meeting?
- Are cost limits necessary?
- If council pays per diem costs for attendance at meetings should electronic meetings be reimbursed at the same rate?
- Do the benefits of electronic meetings justify the capital expenditures on new telephone and video equipment?

[Top](#)

How to Proceed

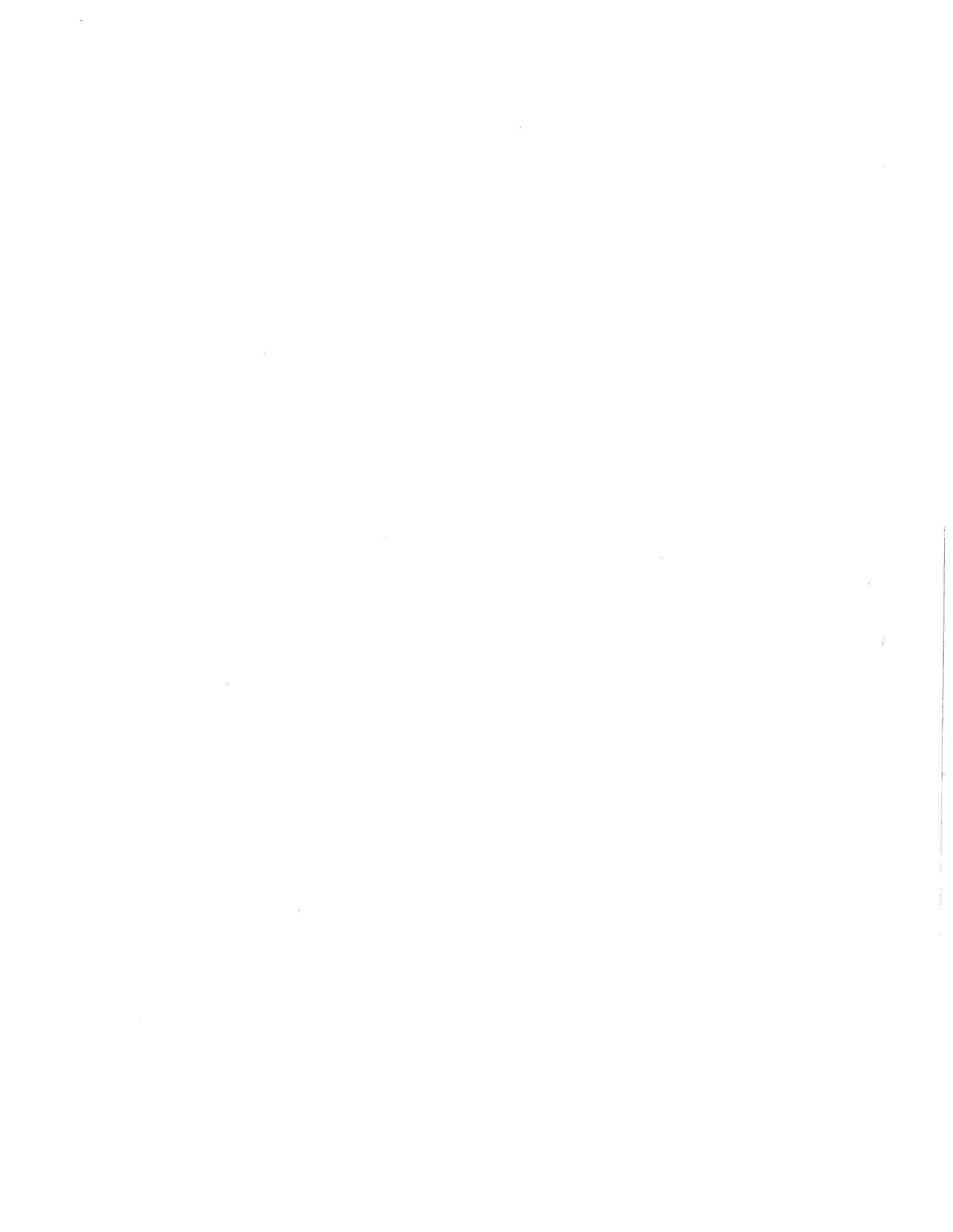
If council decides to adopt electronic meeting provisions, it must establish the process in the municipal procedural bylaw.

Section 127(2) of the *Community Charter* requires a municipality to post a notice of every special council meeting, except in cases where the requirement is waived by unanimous vote of all members. As per section 128(2), each notice must specify if the special meeting is to be conducted electronically and, if so, must identify the place where the public may attend to hear the proceedings. The facilities for the electronic meeting must enable the meeting's participants and the public to hear, or watch and hear, each other. A designated municipal officer must be in attendance at the place of the electronic meeting.

Additional Comments

Given advances in communications technology, some municipalities may view incorporating electronic technology into meetings as an idea whose time has come. In certain circumstances, electronic meetings provide a valuable tool for councils, but they may not be a substitute for conventional meetings.

Please direct questions or comments to [Advisory Services Branch](#).



From: Josipovic, Jenney
Sent: June-10-15 8:11 AM
To: Hertel, John
Subject: Farmer's Market Board - Member resignation

Good morning John,

I wanted to thank you for meeting with me last night, and discussing the issues at hand. I understand that it must have been difficult to address this, but I did appreciate your honesty and professionalism in the matter.

As we discussed, I will leave it to you to speak with Councillor Green and all others involved. I do appreciate your effort put forth in trying to find me a new committee, if any, to be part of in lieu of the Farmer's Market Board. Please accept this email as my formal resignation from the Board at this time. If you require anything else from me, please let me know.

Once again, thank you very much for your support on this issue. I appreciate all you have done for me to date, and I do hope that we can work together in some capacity in the future, as your breadth of knowledge and experience is something I admire greatly. Thank you once again, and I do hope we keep in touch.

Thanks,

Jenney Josipović
Ontario Works Case Manager #165
Community and Emergency Services
City of Hamilton
250 Main Street East, 3rd Floor
Hamilton, Ontario L8N 1H6
Phone: 905.546.4800 ext. 6367

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**CITY OF HAMILTON
MOTION**

Council Date: November 25, 2015

MOVED BY COUNCILLOR T. WHITEHEAD.....

SECONDED BY COUNCILLOR

MUNICIPAL CAMPAIGN CONTRIBUTIONS FROM CORPORATIONS AND TRADE UNIONS

That the following motion, respecting Municipal Campaign Contributions from Corporations and Trade Unions, be referred to the Governance Review Sub-Committee, for consideration:

That City Council request that the Provincial government make the required amendments to the *Municipal Elections Act, 2006* and the *Taxation Act, 2007* to:

- (a) prohibit municipal campaign contributions from corporations and trade unions; and
- (b) replace the current municipal campaign contribution rebate by extending the political contribution tax credit for individuals, which currently applies to provincial campaign contributions, to include municipal campaign contributions.

