



AGENDA

SESSION 15
SPECIAL MEETING OF
THE COUNCIL OF
THE CORPORATION OF THE CITY OF MISSISSAUGA
(www.mississauga.ca)

WEDNESDAY, JULY 8, 2015 – 9:00 A.M.

COUNCIL CHAMBER
300 CITY CENTRE DRIVE
MISSISSAUGA, ONTARIO L5B 3C1

Contact: Carmela Radice, Legislative Coordinator, Office of the City Clerk
Telephone: 905-615-3200 Ext. 5426; carmela.radice@mississauga.ca



Meetings of Council streamed
live and archived at mississauga.ca/videos

1. CALL TO ORDER**2. APPROVAL OF AGENDA****3. DECLARATIONS OF CONFLICT OF INTEREST****4. PUBLIC QUESTION PERIOD – 15 Minute Limit**

(in accordance with Section 36 of the City of Mississauga Procedure By-law 0139-2013 - Council may grant permission to a person who is present and at Council and wishes to address Council on a matter on the Agenda. Public Question Period is limited to a total of 15 minutes. Persons addressing Council with a question should limit preamble to a maximum of two statements sufficient to establish the context for the question. For any other matter, leave must be granted by Council to deal with a matter not on the agenda).

5. MOTION FOR CLOSED SESSION

- (a) To close to the public a portion of the Council meeting to be held on July 8, 2015, to deal with various matters.

CLOSED SESSION

- (a) Pursuant to the *Municipal Act*, Section 239 (2)
- (i) Security of the property re: **Enersource (Verbal)**.

6. DEPUTATIONS

- (a) St. Julia Catholic Elementary School

Bruno Iozzo, resident will speak to the removal of the school bus for St. Julia Catholic Elementary School.

7. INTRODUCTION AND CONSIDERATION OF CORPORATE REPORTS

- R-1 Report dated June 26, 2015, from the Director of Legislative Services and City Clerk re: **Financial Statements – Notice of Default 2015 Municipal By-Election Campaign Contributions and Expenses.**

Recommendation

That the report dated June 26, 2015 from the City Clerk giving notice of default of the registered candidates who failed to file financial statements and/or auditor's reports reflecting election campaign expenses for the 2015 municipal by-election, in accordance with the *Municipal Elections Act*, 1996, be received.

Motion

8. CORRESPONDENCE

- (a) Direction Item: D-1

D-1 That the Ministry of Municipal Affairs and Housing is conducting a review of the *Municipal Elections Act, 1996* requesting public input, the City of Mississauga Governance Committee reviewed the questions circulated by the Ministry and formulated suggestions and comments and requested that the proposed comments and suggestions be circulated to all members of Council for input and the comments will be forwarded to the Ministry for inclusion in their review.

Direction Required

9. NOTICE OF MOTION

- M-1 Councillor McFadden requests that Council that the City of Mississauga include an indoor aquatic facility in its design for Phase 1 the community centre at Park 459 and that all possible sources for public funding (development charges, other levels of government, neighbouring municipalities) and private funding (naming opportunities) be investigated to minimize the impact on the property tax bill.

Motion

- M-2 Councillor Carlson requests that a crossing guard be implemented at the intersection of Second Line West and Sombrero Way effective at the commencement of the school year in September 2015 and site inspection be conducted in October at the intersection of Second Line West and Sombrero Way to make sure the warrants are met.

Motion

10. MOTION

- (a) To receive the report dated June 26, 2015 from the City Clerk giving notice of default of the registered candidates who failed to file financial statements and/or auditor's reports reflecting election campaign expenses for the 2015 municipal by-election, in accordance with the *Municipal Elections Act, 1996*.

Corporate Report R-1

11. CONFIRMATORY BILL

A by-law to confirm the proceedings of the Council of The Corporation of the City of Mississauga at its meeting held on July 8, 2015.

12. ADJOURNMENT



Corporate Report

Clerk's Files

Originator's Files

COUNCIL AGENDA

JUL 08 2015

DATE: June 26, 2015

TO: Mayor and Members of Council
Meeting Date: July 8, 2015

FROM: Crystal Greer
Director, Legislative Services and City Clerk

SUBJECT: **Financial Statements – Notice of Default
2015 Municipal By- Election Campaign Contributions and
Expenses**

RECOMMENDATION: That the report dated June 26, 2015 from the City Clerk giving notice of default of the registered candidates who failed to file financial statements and/or auditor's reports reflecting election campaign expenses for the 2015 municipal by-election, in accordance with the *Municipal Elections Act, 1996*, be received.

BACKGROUND: Under the provisions of Section 80(3) of the *Municipal Elections Act, 1996*, the City Clerk is required to notify Council and all appropriate local boards of those candidates who failed to file a financial statement and/or auditor's report reflecting the candidates' election campaign finances for the 2015 municipal by-election. No auditor's report is required to be filed if the total contributions received and expenses incurred are equal to or less than \$10,000.

COMMENTS: The deadline for candidates to file a financial statement and auditor's report following the 2015 municipal by-election was June 26, 2015 at 2:00 p.m. All registered candidates were notified of the filing requirements and the June 26, 2015 deadline by a letter sent to them by registered mail. Attached as Appendix 1 is the required Notice of Default disclosing the names of those registered candidates who failed to file the necessary documents before the filing deadline.

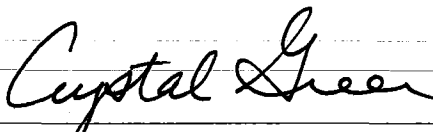
One candidate failed to comply with the legislated requirements. On June 26, 2015, as required by section 80(3) of the *Municipal Elections Act*, a Notice of Default was sent to the candidate in default.

FINANCIAL IMPACT: Not Applicable.

CONCLUSION: According to the *Municipal Elections Act*, Section 80(1) a candidate is subject to the penalties listed in subsection (2) in addition to any other penalty that may be imposed under this *Act*. The penalties described in subsection 2 are as follows:

- (a) The candidate forfeits any office to which he or she was elected and the office is deemed to be vacant; and
- (b) Until the next regular election has taken place, the candidate is ineligible to be elected or appointed to any office to which this *Act* applies.

ATTACHMENTS: Appendix 1: Notice of Default



Crystal Greer
Director, Legislative Services and City Clerk

Prepared By: Crystal Greer, Director, Legislative Services and City Clerk

NOTICE OF DEFAULT
MUNICIPAL ELECTIONS ACT, 1996 (SECTION 80(3))

For the campaign period ending June 11, 2015 the registered candidate listed below did not file their financial statements and/or audited report or supplementary financial statement, on or before June 26, 2015 at 2:00 pm and therefore have not complied with the provisions of the *Municipal Elections Act, 1996*:

Name (last name, first name)	Office	Ward
King, Stephen	Councillor	4

- s. 80(1) A candidate is subject to the penalties listed in subsection (2), in addition to any other penalty that may be imposed under this Act,
- (a) if he or she fails to file a document as required under section 78 or 79.1 by the relevant date;
 - (b) if a document filed under section 78 shows on its face a surplus, as described in section 79, and the candidate fails to pay the amount required by section 79(4) to the clerk by the relevant date;
 - (c) if a document filed under section 78 shows on its face that the candidate has incurred expenses exceeding what is permitted under section 76; or
 - (d) if a document filed under section 79.1 shows on its face a surplus and the candidate fails to pay the amount required by subsection 79.1(7) by the relevant date.
- s. 80(2) In the case of a default described in subsection (1),
- (a) the candidate forfeits any office to which he or she was elected and the office is deemed to be vacant; and
 - (b) until the next regular election has taken place, the candidate is ineligible to be elected or appointed to any office to which the Act applies.
- s. 80(3) In the case of a default described in subsection (1), the clerk shall notify the candidate and the council or board in writing that the default has occurred.
- s. 80(4) The candidate may, before the last day for filing a document under section 78 or 79.1, apply to the Ontario Court of Justice to extend the time for filing the document under that section and, if the court is satisfied there are mitigating circumstances justifying a later date for filing the document, the court may grant an extension for the minimum period of time necessary to enable the candidate to file the document but the court shall not grant an extension of more than 90 days.
- s.80(6) If the court grants an extension under subsection (4), the penalties set out in subsection (2) apply only if the candidate has not filed the document before the end of the extension.

I, Crystal Greer, City Clerk for the Municipality of the City of Mississauga hereby certify that the information submitted above is true and correct.


 Crystal Greer, City Clerk

**Municipal Elections Act, 1996 Review
Mayor & Members of Council Survey Results**

COUNCIL AGENDA
JUL 08 2015

The Ministry of Municipal Affairs and Housing is conducting a review of the *Municipal Elections Act, 1996* and has requested public input. As per the Ministry's Public Consultation Discussion Guide, the review focused on five main themes: campaign finance, third party advertising, accessibility, enforcement and ranked ballots.

The City of Mississauga's Governance Committee reviewed the questions circulated by the Ministry and formulated suggestions and comments. The Committee requested that the proposed comments and suggestions be circulated to all members of Council for input. Two responses were received from Members of Council by the requested deadline of July 3, 2015. Staff have compiled the responses and submit them for consideration by Council at the special Council meeting scheduled for July 8, 2015. If approved by Council, the comments will be forwarded to the Ministry for inclusion in their review.

<input type="checkbox"/> Receive	<input type="checkbox"/> Resolution
<input checked="" type="checkbox"/> Direction Required	<input type="checkbox"/> Resolution / By-Law
<input type="checkbox"/> Community Services <input type="checkbox"/> Corporate Services <hr/> <input type="checkbox"/> Planning & Building <input type="checkbox"/> Transportation & Works	For <input type="checkbox"/> Appropriate Action <input type="checkbox"/> Information <input type="checkbox"/> Reply <input type="checkbox"/> Report

D-1(a)

Campaign Finance

Questions posed by the Ministry:

"If you were a voter, candidate or supporter of a candidate, what was your experience with financing an election campaign? What areas might be improved and how? In your response, consider areas where you felt that the process was complex or difficult, and any ideas for simplifying the process or making it easier to understand."

Governance Committee comments/ suggestions	# who agree or disagree	
	Yes	No
Consider basing candidate campaign spending limits on ward population rather than electoral population.	2	
Consider imposing a post-election spending limit.	2	
Consider an increase to the maximum contribution limit for Mayoral candidates (<i>Toronto Mayoral Candidates have a maximum contribution limit of \$2500.00</i>).	2	
Consider an increase to the maximum contribution limit for Candidates running for Council.	2	

Additional comments or suggestions:

- *Post election expenses shouldn't be more than a % of the election limit (this % should be subject to discussion, maybe 30%)*
- *Tax deductible receipts should be provided*

Third Party Advertising

Questions posed by the Ministry:

"Please tell us about your thoughts on third party advertising in municipal elections."

Governance Committee comments/ suggestions	# who agree or disagree	
	Yes	No
Spending limits should be imposed on third party advertisers.	2	
Consider imposing on third party advertisers a total spending limit for the election per municipality, similar to the \$5000.00 contribution limit imposed on all Candidates.	2	
A third party advertiser should be defined in the Municipal Elections Act.	2	
Create parameters and rules that promote transparency about who the third party advertiser is.	2	

Additional comments or suggestions:

- None provided

D-1(c)

Accessibility

Questions posed by the Ministry:

"Please tell us about your thoughts and, experience with accessibility in municipal elections. Have you experienced accessibility challenges or barriers related to voting or running for office? If so, what were those challenges and what would help overcome those barriers."

Governance Committee comments/ suggestions	# who agree or disagree	
	Yes	No
The City of Mississauga is committed to removing barriers for all electors, Candidates and staff. The Corporation adheres to the Accessibility for Ontarians with Disabilities Act. With respect to elections, the Office of the City Clerk inspects all voting locations to ensure that barriers are removed. If a barrier is immovable, the location is not used. Special voting equipment is also offered to ensure that all persons can vote independently. Election workers are trained in accessible customer service and if an election worker faces an accessibility barrier, steps are taken to ensure that it is removed.	2	

Additional comments or suggestions:

- None provided

D-1(d)

Enforcement

Questions posed by the Ministry:

"Please tell us about your thoughts and, experience with enforcement tools under the Act. Do you feel that municipal election rules are effectively enforced? Why? Why not?"

Governance Committee comments/ suggestions	# who agree or disagree	
	Yes	No
The City of Mississauga receives a variety of complaints and concerns raised with respect to election rules. However, in many cases the Corporation does not have the legislative authority to address the complaint or concern and it is often referred to another agency. It is suggested that the Province communicate information regarding the appropriate avenue for various complaints and concerns and that the Province be responsible for investigating complaints.	2	

Additional comments or suggestions:

- None provided

D-1(e)

Ranked Ballots

Questions posed by the Ministry:

1. *What are your thoughts on using ranked ballots for Ontario municipal elections?*
2. *Should municipalities be able to use ranked ballots for certain offices and not others? For example, only for mayor?*
3. *Should public consultation by a municipality be required before implementing ranked ballots or before changing from ranked ballots back to the current system?*
4. *What form should that consultation take?*

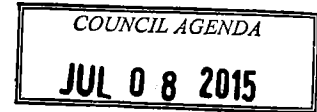
Governance Committee comments/ suggestions	# who agree or disagree	
	Yes	No
The City of Mississauga is interested in the possibility of implementing ranked ballots. However there are concerns regarding uniformity between municipalities and how it will affect elector's understanding.	2	

Additional comments or suggestions:

-Two respondents do not support ranked ballots

NOTICE OF MOTION

Moved by: Sue McFadden



WHEREAS a new major community centre and sports park is currently being designed and developed to serve Mississauga residents at Park 459 in the City's northwest quadrant;

AND WHEREAS every other major community centre in Mississauga has an indoor aquatic amenity either within the building or affiliated with and geographically-linked to it (ie: Cawthra and Glen Forest pools) and that a pool at the Park 459 centre is needed to complete the community;

AND WHEREAS recent City of Mississauga studies have revealed the City's northwest quadrant has the highest demand for aquatic programming throughout Mississauga, that drop-in swims are on the rise at the two nearest pools, and that the aquatic service level by population is the second lowest in the City;

AND WHEREAS during recent community engagement sessions about the design of the centre and fields at Park 459, the most frequent request was and is for an indoor pool;

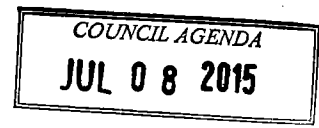
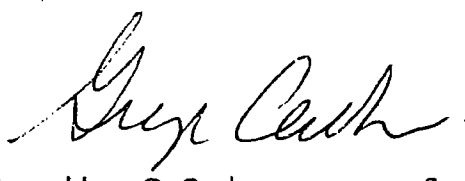
AND WHEREAS anecdotal evidence demonstrates that Mississauga residents are traveling to neighbouring municipalities (Milton, Oakville, Georgetown) for aquatic programming and open swims due to the lack of availability and crowded pools in the City's northwest quadrant;

NOW THEREFORE BE IT RESOLVED THAT the City of Mississauga include an indoor aquatic facility in its design for Phase 1 the community centre at Park 459;

AND FURTHER THAT all possible sources for public funding (development charges, other levels of government, neighbouring municipalities) and private funding (naming opportunities) be investigated to minimize the impact on the property tax bill.

Sue McFadden
June 30th, 2015

Motion
July 8, 2015



Moved by: G. Carlson Seconded by:

WHEREAS Student Transportation of Peel Region (STOPR), the Peel District School Board, and the Dufferin Peel Catholic District School Board recently decided upon the removal of school bus service for students attending St. Julia Catholic Elementary School and Meadowvale Village Public School;

AND WHEREAS the students attending St. Julia Catholic Elementary School and Meadowvale Village Public School who will no longer be bused will now be walking to St. Julia Catholic Elementary School and Meadowvale Village Public School;

AND WHEREAS there are presently high traffic volumes in this community during the morning and afternoon commutes as there are several elementary schools in this community, as well as two secondary schools;

AND WHEREAS there are extremely high traffic volumes, as well as cut-through traffic at the intersection of Second Line West and Sombrero Way during the morning and afternoon commutes;

NOW THEREFORE BE IT RESOLVED:

1. That a crossing guard be implemented at the intersection of Second Line West and Sombrero Way effective at the commencement of the school year in September 2015, due to the number of students attending St. Julia Catholic Elementary School and Meadowvale Village Public School who will no longer be bused;
2. That the Site Inspection Subcommittee conduct site inspections at the intersection of Second Line West and Sombrero Way in September and October 2015, to determine if the warrants are met to retain the crossing

M-2(a)

guard for the students attending St. Julia Catholic School and Meadowvale Village Public School;

3. That the crossing guard at the intersection of Second Line West and Sombrero Way be removed at the Christmas break 2015, if the site inspections conducted in September and October 2015 determine that the warrants are not met for the retention of the crossing guard;
4. That notwithstanding Traffic Safety Council recommendation TSC-0090-2015, a crossing guard be implemented at the intersection of Second Line West and Sombrero Way effective at the commencement of the school year in September 2015, due to the number of students attending St. Julia Catholic Elementary School and Meadowvale Village Public School who will no longer be bused;
5. That notwithstanding the City of Mississauga Corporate Policy and Procedure 10-03-01 Traffic Safety in School Zones, a crossing guard be implemented at the intersection of Second Line West and Sombrero Way effective at the commencement of the school year in September 2015, due to the number of students attending St. Julia Catholic Elementary School and Meadowvale Village Public School who will no longer be bused.