



MINUTES

GOVERNANCE COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA
(www.mississauga.ca)

WEDNESDAY, NOVEMBER 13, 2013 – 11:55 AM

COUNCIL CHAMBER, SECOND FLOOR, CIVIC CENTRE

300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO L5B 3C1

Members Present: Councillor Jim Tovey, Ward 1 (Chair)
Councillor Pat Saito, Ward 9 (Vice-Chair)
Councillor Chris Fonseca, Ward 3
Councillor Bonnie Crombie, Ward 5
Councillor George Carlson, Ward 11 (Arrived at 11:57am)
Mayor Hazel McCallion (Ex-officio) (Arrived at 11:59 am and departed at 1:16 pm)

Non-Members Present: Councillor Ron Starr, Ward 6
Councillor Nando Iannicca, Ward 7 (Departed at 1:30 pm)

Members Absent: Nil

Staff Present: Gary Kent, Commissioner, Corporate Services and Chief Financial Officer
Mary Ellen Bench, City Solicitor
Finola Pearson, Senior Advisor, Media Relations
Crystal Greer, Director, Legislative Services and City Clerk
Diana Rusnov, Manager, Legislative Services and Deputy Clerk
Sacha Smith, Legislative Coordinator

CALL TO ORDER – 11:55 AM**DECLARATIONS OF (DIRECT OR INDIRECT) PECUNIARY INTEREST** - Nil**APPROVAL OF THE AGENDA**

Approved (Councillor Crombie)

DEPUTATIONS - Nil**PUBLIC QUESTION PERIOD** - Nil

(Persons who wish to address the Governance Committee about a matter on the Agenda.)

MATTERS CONSIDERED1. Approval of Minutes – September 16, 2013

Minutes of the Governance Committee meeting held on September 16, 2013.

Approved (Councillor Fonseca)

2. Council Code of Conduct

The Council Code of Conduct as requested by Councillor Nando Iannicca at the Transportation Committee meeting on November 6, 2013 and Mayor McCallion at the September 16, 2013 Governance Committee meeting for the Integrity Commissioner to provide clarification on matters concerning, but not limited to where the Council Code of Conduct forbids a Council Member from making a deputation before the Committee of Adjustment.

Robert Swayze, Integrity Commissioner spoke to the prohibition of councillors making a deputation a Committee of Adjustment meeting, the possibility of improper influence on the Committee of Adjustment and his recommendations pertaining to acceptable interaction of Councillors with the Committee of Adjustment.

Councillor Nando Iannicca spoke to the matter and referred to a letter from the President of the Cooksville Munden Park Homeowner's Organization dated November 12, 2013. He clarified that he followed the proper protocol by sending a letter to the Committee of Adjustment and not attending to make a deputation. He further referred to a letter he sent to the Committee of Adjustment regarding

an application and noted that there was unanimous support from the community and there were no objections at the Committee of Adjustment. Councillor Iannicca expressed concern with the prohibition of councillors making a deputation at a Committee of Adjustment meeting and noted that there have been no issues of influence over the Committee of Adjustment.

Mr. Swayze explained his concerns of possible influence over the Committee's decision making. He further explained that he did propose that councillors could write a letter or attend a committee of adjustment and not make a deputation as a compromise.

Members of Committee discussed the matter further and concerns were expressed that the occasional time a Councillor may need to attend a Committee of Adjustment meeting to make a deputation. It was also expressed that the public may perceive that a Councillor has influence over the Committee of Adjustment's decision making by attending meetings.

Discussion ensued with respect to amending the Code of Conduct to allow councillors to make a deputation before the Committee of Adjustment as councillors seldom attend those meetings.

RECOMMENDATION

That staff be directed to work with the Integrity Commissioner to prepare a motion for Council's consideration to amend Rule 7, Improper Use of Influence, Section 2 of the Council Code of Conduct regarding attendance at adjudicative board meetings.

Approved (Councillor Saito)
Recommendation GOV-0033-2013

Councillor Saito expressed concern with Rule 5 in the Council Code of Conduct and noted that it prohibits members of Council when attending a business event or opening from mentioning the location of a business and its products in newsletters or on their websites. Discussion ensued with respect to the matter.

RECOMMENDATION

That Rule 5 , Use of City Staff, Property, Services and Other Resources, Section 5 of the Council Code of Conduct be amended to remove the following, “and shall not include a description of its product, its address or telephone number. “

Approved (Councillor Saito)

Recommendation GOV-0034-2013

Councillor Crombie enquired if it is an issue to endorse Mississauga sport teams which are a private business for the public to purchase tickets. Mr. Swayze advised that it is not an issue because it is a community organization and could include it in the Council Code of Conduct.

RECOMMENDATION

That the Integrity Commissioner be directed to provide clarification on members of Council endorsing local sport teams.

Approved (Councillor Crombie)

Recommendation GOV-0035-2013

Councillor Crombie enquired about Rule 6, Section 3 of the Council Code of Conduct as some members of Council send electronic updates to residents. Mr. Swayze advised that it could be an issue if the City’s system is used to distribute it. Further discussion ensued with respect to e-newsletters. Crystal Greer, City Clerk suggested that members of Council could send examples of e-newsletters to the Integrity Commissioner to review and advise at the next meeting. Discussion ensued with respect to pre-clearing e-newsletters with the Integrity Commissioner after June 30th during an election year.

Councillor George Carlson, Ward 11 arrived during discussion of Item 2 at 11:57 am.

Mayor Hazel McCallion (Ex-officio) arrived during discussion of Item 2 at 11:59 am and departed at 1:16 pm.

3. Local Board Codes of Conduct and Complaint Protocol

Integrity Commissioner’s Report dated November 6, 2013 with respect to Local Board Codes of Conduct and Complaint Protocol.

Crystal Greer, City Clerk advised that she received a request from the Chair of the Committee of Adjustment to defer this matter to the next meeting date to provide him the opportunity to speak to the matter.

RECOMMENDATION

That the Integrity Commissioner's Report dated November 6, 2013 with respect to Local Board Codes of Conduct and Complaint Protocol be deferred.

Deferred (Councillor Saito)

Recommendation GOV-0036-2013

4. Audit Committee Membership Review

Memorandum dated November 5, 2013 from Carmela Radice, Legislative Coordinator advising of direction given by the Audit Committee for staff to report back on the membership of Audit Committee to include all members of Council.

Crystal Greer, City Clerk suggested that this matter could be deferred as Sally Eng, Director, Internal Audit to prepare a report.

RECOMMENDATION

That the matter regarding Audit Committee Membership be deferred to the December 9, 2013 Governance Committee meeting for the Director of Internal Audit to prepare a report.

Deferred (Councillor Crombie)

Recommendation GOV-0037-2013

5. Governance Committee Outstanding Items List

List of outstanding items that were directed to staff by the Governance Committee.

RECOMMENDATION

That the listing of outstanding items presented at the November 13, 2013 meeting that were directed to staff by the Governance Committee, be received.

Received (Councillor Fonseca)

Recommendation GOV-0038-2013

OTHER BUSINESS

Councillor Starr expressed concern about the Councillors' Expense Policy. He explained that donations to charitable organizations based in Mississauga, where the receipt is issued from an office outside of Mississauga are not considered as a valid expense in the Policy. Gary Kent, Commissioner, Corporate Services and Chief Financial Officer spoke to the Policy and explained that the issue in the Policy is with donations and noted that the intent was to keep the money distributed locally.

Councillor Saito noted that there are matters to be reviewed for the Policy such as the \$500 limit for room rentals and noted that it was suggested that if the rental was at a City facility that it not be restricted by the \$500 limit. Further to this she noted that most charities are accepting donations online and a Councillor may not be sure if the receipt will be issued from somewhere outside of Mississauga. The Policy needs to be changed to accommodate online donations and noted that these matters should be referred to Mr. Kent to create new wording to accommodate these changes. Mr. Kent advised that he would provide a report to the Governance Committee with options for the Policy.

Councillor Crombie spoke to the matter and suggested that the claims could include the request from the local charity/organization and the receipt. She further requested clarification on bidding on items as a donation to a charity and if that would be a valid expense. Mr. Kent noted that the matter could be reviewed.

Councillor Iannicca departed at 1:30 pm.

DATE OF NEXT MEETING – Monday, December 9, 2013 at 1:00 pm

ADJOURNMENT - 1:33 PM