



# MINUTES

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## GOVERNANCE COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA  
([www.mississauga.ca](http://www.mississauga.ca))

**MONDAY, MARCH 17, 2014 – 1:04 PM**

**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) (Arrived at 1:11pm)  
Councillor Chris Fonseca, Ward 3  
Councillor Bonnie Crombie, Ward 5  
Councillor George Carlson, Ward 11  
Mayor Hazel McCallion (Ex-officio) (Arrived at 1:11pm)

Members Absent: Nil

Non-Members Present: Councillor Ron Starr (Ward 6)

Staff/Integrity  
Commissioner Present: Janice Baker, City Manager  
Gary Kent, Commissioner, Corporate Services and Chief Financial Officer  
Mary Ellen Bench, City Solicitor  
Ivana Di Millo, Director, Communications  
Finola Pearson, Senior Advisor, Media Relations  
Robert Swayze, Integrity Commissioner  
Crystal Greer, Director, Legislative Services and City Clerk  
Diana Rusnov, Manager, Legislative Services and Deputy Clerk  
Sacha Smith, Legislative Coordinator

**CALL TO ORDER – 1:04 PM****APPROVAL OF THE AGENDA**

Councillor Tovey requested that an email dated March 12, 2014 from the Integrity Commissioner with respect to letters about the Committee of Adjustment be added to the Agenda.

Approved as Amended (Councillor Crombie)

**DECLARATIONS OF (DIRECT OR INDIRECT) PECUNIARY INTEREST - Nil****DEPUTATIONS - Nil****PUBLIC QUESTION PERIOD - Nil**

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

**MATTERS CONSIDERED**

1. Approval of Minutes – January 13, 2014

Minutes of the Governance Committee meeting held on January 13, 2014.

Approved (Councillor Crombie)

2. Review of Rule 7, Council Code of Conduct re: members attending tribunals such as the Ontario Municipal Board

Integrity Commissioner's Report dated March 6, 2014 with respect to members attending tribunals such as the Ontario Municipal Board.

Robert Swayze, Integrity Commissioner spoke to the difference when a Member of Council appears before a tribunal as a personal property owner or as a Member of Council. He noted that a Member of Council should not appear at the Ontario Municipal Board (OMB) and take a position that is opposite to Council. However, the OMB noted that they have found ward councillors can be helpful with mediation with members of the community. Mr. Swayze suggested that members of Council contact him prior to appearing before a tribunal.

Councillor Carlson spoke in support of Mr. Swayze's recommendation. He further spoke to the importance of notice to residents of the City's policy, because it can be confusing to residents when members of Council can't appear before a tribunal.

#### RECOMMENDATION

That the *Council Code of Conduct* be amended by deleting the two sections of Rule 7 highlighted in Appendix 1 and replacing them with the following:

"If Council has taken a position in an Ontario Municipal Board ("OMB") matter and instructed the City Solicitor to appear at a hearing in support of such position, no member of Council who disagrees with such position, shall give evidence at such hearing or otherwise work against the will of Council in such matter. With the consent of the lawyer assigned to represent the City at an OMB hearing, a member of Council who is in support of the Council instructions to such lawyer, may give evidence at an OMB hearing. Notwithstanding the above, if the OMB has decided to mediate a dispute between parties in a matter, any member of Council may offer his or her services to assist with such mediation regardless of his or her position in the matter and participate, if approved by the OMB mediator.

Generally, members of Council should not take part in the proceedings of any other tribunal where the City is a party unless such participation is approved by the Integrity Commissioner"

Approved (Councillor Carlson)  
Recommendation GOV-0007-2014

Mayor McCallion and Councillor Saito arrived in the Council Chamber at 1:11pm.

### 3. Transportation Committee Review

Corporate Report dated March 3, 2014 from the Commissioner of Corporate Services and Chief Financial Officer with respect to a review of the Transportation Committee.

Mayor McCallion suggested that the review of the Transportation Committee should take place in 2014 with the current members of Council to provide comments prior to the end of the Council term. The new term of Council could review the comments and make the decision.

Gary Kent, Commissioner, Corporate Services and Chief Financial Officer explained that the logic was to have more experience with the Committee and noted that the review could be completed with the current term of Council and present the recommendations to the new Council in 2015.

Councillor Crombie expressed concern with the current three-week Council meeting cycle and the structure of the Transportation Committee. She noted that the Transportation Committee should be structured more like an advisory committee.

Janice Baker, City Manager commented on the current structure of the Transportation Committee and noted that the thought was there would be more activity at the Provincial level around some of the transit and transportation agenda.

Councillor Saito noted that she had hoped that the Transportation Committee would be structured to have a mixture of internal and external members to meet with members of Council to discuss transportation issues and education. She noted that she agrees with the suggestion to move items to General Committee if the agenda items for Transportation Committee appear to be limited. She suggested that the recommendation be amended to include that staff further review the suggestion of a transportation advisory committee.

Mayor McCallion spoke to the issues that should be considered by the Transportation Committee. Ms. Baker advised that reports regarding cycling, road maintenance, snow clearing, movement of goods and people are all being placed on the Transportation Committee agenda.

Mr. Kent noted that staff could report back on the review, get input from the current Council and provide a final report to the new Council. Councillor Fonseca suggested that staff get feedback from some of the advisory committees. Ms. Baker noted that staff could review the feedback in the Council Committee Structure Review Survey from advisory committee members.

#### RECOMMENDATION

1. That the report entitled, "Transportation Committee Review", dated March 3, 2014, from the Commissioner of Corporate Services and Chief Financial Officer, be received for information.
2. That staff undertake a further review of the Transportation Committee early in 2015 after the Committee has had one full year of operation to determine its effectiveness and need to continue.

3. That staff be directed to review the original suggestion of a transportation advisory committee.

Amended/Approved (Councillor Fonseca)  
Recommendation GOV-0008-2014

4. Elected Officials Expenses Policy (04-05-04)

Corporate Report dated March 10, 2014 from the Commissioner of Corporate Services and Chief Financial Officer with respect to the Elected Officials Expenses Policy.

RECOMMENDATION

That the recommended change to the Elected Officials Expenses Policy (04-05-04) as outlined in the Corporate Report dated March 10, 2014 from the Commissioner of Corporate Services and Chief Financial Officer titled "Elected Officials Expenses Policy (04-05-04)" be approved.

Approved (Councillor Crombie)  
Recommendation GOV-0009-2014

At this time Councillor Saito requested clarification on Item #4 in the January 13, 2014 Governance Committee Minutes. She noted that there are controversial planning issues in her ward that will require regular updates to residents by email or letter. Robert Swayze, Integrity Commissioner confirmed that it would be acceptable to send information to residents that relates to meeting dates and the progress of the planning issues. He further explained that his concerns are with newsletters and "electioneering" in letters.

5. Integrity Commissioner's Response with respect to Letters about the Committee of Adjustment

Email dated March 12, 2014 from Robert Swayze, Integrity Commissioner with respect to letters about the Committee of Adjustment that were tabled at the February 26, 2014 General Committee meeting.

RECOMMENDATION

That the email dated March 12, 2014 from Robert Swayze, Integrity Commissioner providing a response to Councillor Jim Tovey with respect to letters about the Committee of Adjustment that were tabled at the proceedings of General Committee on February 26, 2014, be received for information.

Received (Councillor Crombie)  
Recommendation GOV-0010-2014

### **OTHER BUSINESS**

Mayor McCallion enquired about the difference in accepting gift cards versus cash under \$500. Robert Swayze, Integrity Commissioner spoke to the matter and explained that gift cards are traceable whereas cash could put a member of Council at risk. He further noted that if items are not taken home and become the property of the Corporation it is not seen as a gift to a member of Council.

Mayor McCallion spoke to the issue of an Integrity Commissioner at the Region of Peel and each Region of Peel municipality. Discussion ensued with respect to the difference in the Council Code of Conduct between the Regional municipalities and the feasibility of the Integrity Commissioner for each Regional municipality also governing Regional Councillors.

**DATE OF NEXT MEETING** – Monday, April 14, 2014 at 1:00 pm

**ADJOURNMENT** – 1:51 PM