

Governance Committee

Date

November 16, 2015

Time

1:03 PM

Location

Council Chamber
2nd Floor, Civic Centre,
300 City Centre Drive, Mississauga, ON L5B3C1

Members Present

Councillor Pat Saito, Ward 9 (**Chair**)
Councillor Karen Ras, Ward 2 (**Vice-Chair**)
Councillor Jim Tovey, Ward 1 (Arrived at 1:05 pm)
Councillor Carolyn Parrish, Ward 5
Councillor Ron Starr, Ward 6
Mayor Bonnie Crombie (Ex-officio)
John Magill, Citizen Member
Sandy Milakovic, Citizen Member

Members Absent – Nil

Staff Present/ Integrity Commissioner

Janice Baker, City Manager and CAO
Gary Kent, Commissioner, Corporate Services and Chief Financial Officer
Mary Ellen Bench, City Solicitor
Ivana Di Millo, Director, Communications
Carley Smith, Senior Communications Advisor
Robert Swayze, Integrity Commissioner
Crystal Greer, Director, Legislative Coordinator
Diana Rusnov, Manager, Legislative Services and Deputy Clerk
Sacha Smith, Legislative Coordinator

Find it online

<http://www.mississauga.ca/portal/cityhall/governancecommittee>

CALL TO ORDER – 1:03 PM**APPROVAL OF THE AGENDA**

Approved (Councillor Parrish)

DECLARATIONS OF CONFLICT OF INTEREST – Nil**DEPUTATIONS** - Nil**PUBLIC QUESTION PERIOD** - Nil**MATTERS CONSIDERED**1. Approval of Minutes – May 25, 2015 and June 17, 2015

Minutes of the previous Governance Committee meetings held on May 25, 2015 and June 17, 2015.

Approved (Councillor Ras)

2. Recommended Change to Code of Conduct Arising from Resident Input and a Complaint

Report dated August 20, 2015 from the Integrity Commissioner with respect to a recommended change to the Code of Conduct.

Robert Swayze, Integrity Commissioner spoke to the report and explained his recommendation to remove certain subsections in the Code of Conduct as rules and classify them as principles. Councillor Saito spoke to the frivolous and vexatious corporate policy that is in place.

RECOMMENDATION

1. That Rule 1 of the Council Code of Conduct (the “Code”), as set out in Appendix 1, be amended by removing subsections a., c. and h, placing them under the general heading of “Key Principles that Underlie the Code of Conduct” and re-lettering the remaining subsections of Rule 1, so that the Code to the end of Rule 1 reads as set out in Appendix 2.

2. That similar amendments be made to the Codes of Conduct for members of Local Boards.

Approved (Councillor Tovey)
Recommendation GOV-0020-2016

Councillor Tovey arrived during the discussion at 1:05 pm.

3. Proposal for Municipal Governance

Committee to discuss the proposal by John Magill and Sandy Milakovic, Citizen Members with respect to municipal governance and an off-site facilitated session.

Ms. Milakovic and Mr. Magill noted that they met with the members of the Governance Committee to discuss the proposal of an off-site facilitated session regarding municipal governance for all Members of Council. Mr. Magill noted the next steps are to schedule an off-site retreat and create a subcommittee to plan the session.

Councillor Saito enquired if the retreat would have to be an open or closed session. Mary Ellen Bench, City Solicitor explained that if there is a quorum of Council it becomes a meeting for the purposes of the Municipal Act, unless it fits the specific categories of when a meeting can be held in closed session then it should be open to the public.

Janice Baker, City Manager noted that it is feasible to have an off-site meeting at a City facility that would be accessible to the public to observe the meeting. Mr. Magill noted that it would be ideal to have the meeting in closed session as an Education Session. Ms. Bench noted that an Education Session is not intended to advance subject matters.

Councillor Parrish noted that she didn't see an issue with the public observing the meeting and thanked Ms. Milakovic and Mr. Magill for their work.

RECOMMENDATION

1. That an off-site strategic session takes place in the first quarter of 2016 for members of Council to consider what it might take to become recognized as a leader in municipal governance and commit to taking the steps necessary to achieve that goal.

2. That a retreat planning subcommittee of Governance Committee be established and that Councillor Saito, Councillor Ras, Councillor Tovey, Sandy Milakovic and John Magill be appointed to the subcommittee.

Approved (Councillor Parrish)
Recommendation GOV-0021-2015

4. Elected Officials Severance

Corporate Report dated September 10, 2015 from the Commissioner of Corporate Services and Chief Financial Officer with respect to Elected Officials' Severance.

Mayor Crombie spoke to the report and noted the issue of severance for elected officials' that leave for the private sector or Regional government should be reviewed.

Councillor Tovey enquired about the severance for the death of an elected official while in office. Gary Kent, Commissioner, Corporate Services and Chief Financial Officer and Sharon Willock, Director, Human Resources spoke to a severance upon death while in office and life insurance.

Councillor Parrish expressed concern with the possibility of a severance for an elected official who chooses not to run/leave office and will be collecting a pension. Discussion ensued by Councillors Ras, Starr, Saito and Ms. Milakovic with respect to an elected official that has to leave office for personal reasons or while collecting a severance they chose to run for another level of government or return to the private industry.

RECOMMENDATION

WHEREAS there is currently a prohibition against Councillors resigning their Council seat to take a seat at federal and provincial levels of governments only; and

WHEREAS City of Mississauga Councillors are currently entitled to receive severance pay even if of their own choosing they resign their Council seat prior to the conclusion of that term of Council;

BE IT THEREFORE RESOLVED that the City of Mississauga shall not pay severance to an elected or appointed office holder if that person is elected or appointed to another office at any level of government, including another municipality, or if choosing to return to paid employment for an organization or business before his/her term of office with the City is completed; AND

That the necessary by-laws be enacted.

Approved (Mayor Crombie)
Recommendation GOV-0022-2016

5. Elected Official Expense Policy Information Report

Corporate Report dated November 3, 2015 from the Commissioner of Corporate Services and Chief Financial Officer with respect to proposed Elected Official Expense Policy revisions.

Councillor Saito spoke to the report and noted that there is the ability for a member of Council to recognize a volunteer through a gift under the existing policy. Gary Kent, Commissioner, Corporate Services and Chief Financial Officer explained that there could be a limit, the amount would be charged from the councillor's office budget. Payroll would need to be contacted as there are particular tax rules for volunteers and employees.

Councillor Parrish expressed concern with giving money to a volunteer. Mr. Kent further advised that there is a limit for gifts up to \$500 without being reported, however gift cards must be reported. In response to a question from Councillor Starr about gift cards, Mr. Kent clarified that age has no bearing on whether the gift cards should be reported or noted, it's clear in the CRA rules that gift cards must be declared.

In response to a question from Councillor Starr with respect to sponsorship of teams, Mr. Kent advised that staff could provide further information on benchmarking of other municipalities to the members of Council by email.

Councillor Parrish expressed concern with the sponsorship of teams; however it should be reviewed for school groups as a thank you in the policy. She explained that the intent is to gift a school that needs money or new equipment. Mr. Kent advised that staff could review it further.

Councillor Tovey enquired about donations to the cadets. Mr. Kent advised that it is permitted because it is a community group.

RECOMMENDATION

That the Corporate Report entitled "Elected Official Expense Policy information report" dated November 3, 2015 from the Commissioner of Corporate Services and Chief Financial Officer, be received and that the matter regarding the definition of teams be referred to staff for review and report back to Governance Committee.

Approved (S. Milakovic)

Recommendation GOV-0023-2016

6. 2014 City of Mississauga Municipal Election, 2015 City of Mississauga Municipal By-Election Review and Technology Options for Future Municipal Elections

Corporate Report dated August 25, 2015 from the Commissioner of Corporate Services and Chief Financial Officer with respect to the 2014 Municipal Election and the 2015 Municipal By-election review and technology options for future municipal elections.

Crystal Greer, Director, Legislative Services and City Clerk spoke to the report and recognized the work of the Election Team, IT and Communications.

In response to questions from Councillor Ras with respect to utilizing the election workers and internet voting, Ms. Greer explained the research for internet voting and that money will be spent on a study for the IT security aspects of internet voting. Most of the workers that were hired were polling staff and there was an increase in the number of advance polling dates with the goal of increasing voter turnout. Staff will be reviewing what is the best way to handle advance voting.

Councillor Parrish enquired about concerns with the removal of some polling locations during the By-election. Ms. Greer noted that statistically it could not be determined if the decrease is due to a decrease in polling locations, also no complaints were received about the reduced number of polling locations. Discussion ensued with respect to vote anywhere for the next general election.

Ms. Milakovic enquired about the accessibility for the homeless and mentally ill to vote and suggested that staff work with community agencies to set up local polling stations in a shelter. Ms. Greer noted that staff do work with community groups to communicate the elections, but agreed that there could be more work done in this area.

RECOMMENDATION

1. That the Corporate Report dated August 25, 2015 from the Commissioner of Corporate Services and Chief Financial Officer, entitled 2014 Municipal Election, 2015 Municipal By-Election Review and technology options of future Municipal Elections be received.
2. That the Ministry of Municipal Affairs and Housing be requested to do the following:
 - a. Address concerns related to the accuracy of the Voters' List with the Municipal Property Assessment Corporation and that the Ministry insist on a lower acceptable margin of error with respect to the Voters' List.
 - b. Specify the parameters for the administration of internet voting in the *Municipal Elections Act, 1996*.
3. That staff be requested to prepare amendments to the City of Mississauga's Records Retention By-law 537/96 to align with section 88 of the *Municipal Elections Act, 1996*.

Approved (Councillor Starr)

Recommendation GOV-0024-2016

7. Ranked Choice Voting – Addendum Report to August 25, 2015 Report

Corporate Report dated October 30, 2015 from the Director, Legislative Services and City Clerk providing an addendum report with respect to ranked choice voting.

Crystal Greer, Director, Legislative Services and City Clerk spoke to the report and noted that staff would not recommend going forward with ranked choice voting until the contract is completed with the current vendor and the cost to replace equipment.

Mayor Crombie spoke to the matter and noted that she supports the concept in theory but it would involve a lot of education and should not be rushed. She further noted that the City should wait for the upper levels to try it out first. Councillor Parrish noted that the concept of ranked choice voting works well in other countries.

RECOMMENDATION

That the Report dated October 30, 2015, from the Director of Legislative Services and City Clerk providing an update on the financial and administrative impact of Ranked Choice Voting, be received for information.

Received (Councillor Parrish)
Recommendation GOV-0025-2016

8. **2016 Governance Committee Meeting Dates**

Memorandum dated November 6, 2015 from the Legislative Coordinator advising of the 2016 Governance Committee meeting dates.

Councillor Saito advised that meetings can still be called by the Chair if an additional meeting is required.

Received (Councillor Parrish)
Recommendation GOV-0026-2016

OTHER BUSINESS

Mayor Crombie spoke to recorded voting at meetings. Direction was given to staff to report back on recorded voting at meetings.

ADJOURNMENT – 2:12 PM