
Governance Committee

Date

2017/03/06

Time

1:00 PM

Location

Civic Centre, Council Chamber,
300 City Centre Drive,
Mississauga, Ontario, L5B 3C1

Members

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

Contact

Sacha Smith, Legislative Coordinator, Legislative Services
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Find it Online

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

INDEX – GOVERNANCE COMMITTEE – MARCH 6, 2017

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA**
3. **DECLARATION OF CONFLICT OF INTEREST**
4. **DEPUTATIONS**
5. **PUBLIC QUESTION PERIOD** - 15 Minute Limit
(Persons who wish to address the Governance Committee about a matter on the Agenda.)
6. **MATTERS TO BE CONSIDERED**
 - 6.1. Approval of the Minutes - November 14, 2016
 - 6.2. Community Group Support Program Policy 08-01-01
 - 6.3. Integrity Commissioner Request for Proposals
 - 6.4. Bill 68, the Modernizing Ontario's Municipal Legislation Act, 2016
 - 6.5. Status of Governance Committee Work Plan Items
 - 6.6. Governance Subcommittee Report 1 - 2016 November 14, 2016
7. **OTHER BUSINESS**
8. **ADJOURNMENT**

City of Mississauga

Minutes



Governance Committee

Date

2016/11/14

Time

1:02 PM

Location

Civic Centre, Council Chamber,
300 City Centre Drive,
Mississauga, Ontario, L5B 3C1

Members Present

Councillor Jim Tovey	Ward 1
Councillor Karen Ras	Ward 2
Councillor Ron Starr	Ward 6
Councillor Pat Saito	Ward 9
Sandy Milakovic	Citizen member
John Magill	Citizen member
Mayor Bonnie Crombie	(Ex-officio)

Members Absent

Councillor Carolyn Parrish	Ward 5
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Staff Present

Janice Baker, City Manager and Chief Administrative Officer
Gary Kent, Commissioner of Corporate Services and Chief Financial Officer
Mary Ellen Bench, City Solicitor
Crystal Greer, Director of Legislative Services and City Clerk
Diana Rusnov, Manager of Legislative Services and Deputy Clerk
Sacha Smith, Legislative Coordinator

Find it online

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

1. **CALL TO ORDER** – 1:02 PM2. **APPROVAL OF AGENDA**

Approved (Councillor Ras)

3. **DECLARATION OF CONFLICT OF INTEREST** – Nil4. **DEPUTATIONS**4.1. **Item 6.2 Sacha Smith, Team Lead-Legislative Coordinator**

Sacha Smith, Team Lead-Legislative Coordinator spoke to the feasibility of implementing consent agendas at Council and General Committee. She noted the benefits of implementation and how it could work in Mississauga.

Members of Committee spoke to the matter and made the following comments:

- Support to have consent agendas at General Committee and Council.
- It may not be necessary in Mississauga as the agendas do not have as many items compared to other municipalities or boards. Also, Councillors may want to comment on items that are ward related.
- Consent agendas usually leave lots of time for discussion on items of greater significance. Experience with consent agendas at board meetings is that it works quite well.
- Leads to more efficient meetings and it is important that it is communicated well to the public as to what a consent agenda is.
- Not sure it is necessary to implement consent agendas, but perhaps review the agenda structure.
- Once recorded voting is implemented it will add more time to the agenda, a consent agenda would help with spending more time on items.
- Consent agendas could be implemented on a 6 month trial basis.

Crystal Greer, Director, Legislative Services and City Clerk advised that the matter of consent agendas was raised back in December 1993 and noted the concerns that were expressed. She further noted that with consent agendas there would be an added efficiency for when recorded voting is implemented.

Received (Councillor Ras)

Recommendation GOV-0020-2016

4.2. Item 6.3 Diana Rusnov, Manager, Legislative Services and Deputy Clerk

Diana Rusnov, Manager, Legislative Services and Deputy Clerk provided an overview of the proposed amendments to the Procedure By-law which include the following: recorded voting, Planning and Development Committee Chair and housekeeping amendments.

Members of Committee spoke to the matter and made the following comments:

- Concern that ward specific questions cannot be asked during Councillors' Enquiries as there are some instances where ward specific issues affect other wards.
- Some members of Council have raised the issue that some ward specific matters are not appropriate for Councillor Enquiries.
- Staff should review the wording with respect to ward specific matters during Councillor Enquiries. Staff to survey members of Council on what they feel Councillors' Enquiries should include. Include options of wording such as City interest, ward interests that haven't been resolved etc.
- Discussion regarding a procedural by-law subcommittee. It was noted that Councillor Parrish expressed interest to sit on a procedure by-law subcommittee if one is created. Committee agreed that procedure by-law matters could be discussed at the Good Governance Subcommittee meetings and Councillor Parrish could join the subcommittee or the discussion for that subject matter.

Janice Baker, City Manager and CAO spoke to the communication protocol established with Council.

Received (Councillor Tovey)
Recommendation GOV-0021-2016

5. **PUBLIC QUESTION PERIOD** - 15 Minute Limit

Chris Mackie, resident expressed concern with the deputation process which now includes submitting a deputation form. Diana Rusnov, Manager, Legislative Services and Deputy Clerk explained the deputation process and the improvements that have taken place. Councillor Saito explained that as a result of the Council strategic sessions, public deputations were identified. This matter will be discussed at a future Governance Subcommittee meeting and noted that the meetings are open to the public.

6. **MATTERS CONSIDERED**

6.1. Approval of the Minutes - September 19, 2016

Approved (Councillor Ras)

6.2. Consent agenda: Proposal to Streamline the Council and General Committee Meetings

RECOMMENDATION

1. That the report titled "Consent Agenda: Proposal to Streamline the Council and Committee Meeting Process", from the Commissioner of Corporate Services and Chief Financial Officer, dated October 3, 2016, be received.
2. That the use of a consent agenda be implemented for Council and General Committee meetings on a 6 month trial basis and that a by-law be enacted to incorporate the necessary amendments to the Council Procedure By-law 0139-2013, as amended.

Approved (Councillor Ras)
Recommendation GOV-0022-2016

6.3. Proposed Amendments to the Council Procedural By-law (By-law 0139-2013)

RECOMMENDATION

That a by-law be enacted to amend By-law 0139-2013, being the Corporation of the City of Mississauga Council Procedure By-law as amended, in accordance with the Corporate Report dated October 5, 2016, from the Commissioner of Corporate Services and Chief Financial Officer titled "Proposed Amendments to the Council Procedure By-law 0139-2016.

Approved (Councillor Tovey)
Recommendation GOV-0023-2016

6.4. Status of Governance Committee Work Plan Items

Received (Councillor Ras)

7. OTHER BUSINESS – Nil

8. ADJOURNMENT – 2:03 PM

City of Mississauga

Corporate Report



Date: 2017/02/28

To: Chair and Members of Governance Committee

From: Paul Mitcham, P. Eng, MBA, Commissioner of
Community Services

Originator's files:

Meeting date:
2017/03/06

Subject

Community Group Support Program Policy 08-01-01

Recommendation

That the report entitled Community Group Support Program Policy 08-01-01 dated February 28, 2017 from the Commissioner of Community Services be received for information.

Report Highlights

- The Corporation of the City of Mississauga (the "City"), through the current Community Group Support Program, strives to develop mutually beneficial relationships that support community involvement by groups who deliver arts, culture and heritage; library, recreation, sports and leisure; special events; and various social, environmental and special interest programs and services that are highly valued by residents.
- The City currently has 50 Recognized Community Groups; 60 sport Affiliated Groups; and 120 recreation/arts & culture Affiliated Groups. Groups that participate in this program have access to city resources such as meeting space and permission to place portable signs on City road allowances.
- The Community Group Support Program was last revised in 2011. The proposed policy revisions were driven by feedback received through stakeholder information sessions that took place in April/May and September 2016. Over fifty per cent of current registered community groups participated in the information sessions.
- Key revisions include: **new registered group categories** that allow for enhanced understanding of the variety of groups that the City works with and of the requirements and benefits for each type of group; the addition of a **developing group status** that will allow emerging groups to access some benefits of the program as they work to meet the policy requirements; a requirement that all groups with an annual operating budget over \$10,000 be **incorporated**; changes to **financial audit** requirements that provide flexibility and reduce costs for organizations with smaller organizations and align with practices of

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regional and provincial funding agencies; the addition of a **Support with Conditions** status that outlines a process to provide support groups who may lapse in meeting policy requirements but wish to remain in the program; and a clarified process for **removal** of groups from the registry.

- The Policy revisions will help to ensure better governance; transparency to group members, the general public and the City and ensure the inclusion of diverse groups that deliver programs and services that are highly valued by Mississauga residents.

Background

The current Community Group Support Program policy 08-01-01 (the Policy) outlines the eligibility criteria to become formally recognized by the City as either an Affiliated Group or a Recognized Community Group; the available benefits for each; and the application and approval process. The City currently has 50 Recognized Community Groups; 60 sport Affiliated Groups; and 120 recreation/arts & culture Affiliated Groups. These not-for-profit groups are governed by volunteers and deliver a variety of programs and services that complement those offered by the City are highly valued by residents.

The Policy was last updated in September, 2011 and was scheduled to be reviewed as part of the Corporate Policy and Procedure Program. A Corporate Report titled “Recommendations for Revisions to the Community Group Support Program and Community Consultation” was received for information by Council on October 13, 2015. This report outlined a number of staff recommendations to enhance the current policy along with a plan to obtain input and feedback from affiliated and community groups through a series of public information sessions to inform policy revisions.

A working group of Community Services staff (Recreation, Culture, Parks & Forestry and Environment Divisions) and Corporate Services staff (Finance, Legal, Communications, Risk Management) was established with leadership from the Community Development Team to implement the stakeholder engagement process, to provide expertise to inform policy revisions and to ensure alignment across a number of City divisions and departments.

Four information sessions were held in April and May of 2016 with 121 representatives from 93 community groups in attendance. Attendees were presented with an overview of the proposed Policy changes and had the opportunity to provide feedback through small group discussions. Feedback was recorded and groups used to inform the further development of the revised Policy.

Three follow up information sessions were held in September, 2016, attended by 119 representatives from 102 community groups. A draft of the revised Policy was presented at these sessions. Groups had the opportunity to seek clarity regarding all proposed changes and provide detailed feedback about their opinions and readiness to implement the proposed

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requirements through an interactive survey process that was completed during the session. Feedback from this round of sessions was very positive and indicated that groups felt engaged in the Policy process and influential in its development. 98% of the groups that attended the information sessions intend to participate in the revised Policy program, with 93% indicating that they could meet all proposed requirements within one year.

Comments

The development of the draft revised Policy, to be renamed the Community Group Registry Policy (Appendix 1) was heavily informed by feedback from the information sessions. Benchmarking examples from similar policies in other municipalities including Toronto, Oakville, Ajax, Vaughn and Brampton were also considered. A comparison chart demonstrating the changes between the current and revised policy is included as Appendix 2.

The policy was circulated to all Directors for their comments, which are outlined and responded to in Appendix 3, the Summary of Feedback.

Key revisions to the policy are summarized below.

New Registered Group Categories

Under the current Policy community groups are placed in one of two categories only: Affiliated or Recognized. The revised Policy will require groups to register under one of the following new categories, which are detailed in Appendix A of the revised Policy, attached.

- Community organizations & clubs
- Recreation Provider
- Arts & Culture Provider
- Older Adult Provider
- City Sport Group Provider
- Regional Sport Group Provider
- Affiliated Youth Sport Group Provider
- Rate Payer/Resident Groups/BIAs
- Community Stewardship Groups

The use of categories allows for enhanced understanding of the variety of groups that the City works with. All Registered Groups will need to meet the minimum requirements; however additional requirements and benefits are tailored for each category. This reflects the diverse group mandates and enhances understanding of the requirements, benefits and eligible services available to each group.

Survey results from the September 2016 Information Session indicated that 81% of current registered groups support this change (11% neutral response).

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New Group Applications

New groups applying to the Registry Program will be required to demonstrate that they will deliver programs, services and social activities to Mississauga Residents that are of benefit to and valued by Mississauga Residents, complement existing City services and programs, and/or address an unmet need or demand within the category they are applying for, with the exception of Community Organizations and Clubs. Groups may be required to provide a business plan that clearly demonstrates that the group meets or will meet these criteria.

Developing Group Status

Mississauga is a city growing in population and diversity. New groups will emerge that have the potential to enhance variety and choice of programs and services for residents but may not yet meet all of the policy requirements. The addition of a Developing Group Status will allow emerging groups to access some benefits of the Community Group Registry Program as they work to meet all of the policy requirements, with guidance from the City for a one year period.

At the September, 2016 sessions, community group surveys showed 64% supported the inclusion of a Developing Group Status, with 25% remaining neutral.

Governance

The City's relationship with volunteer community groups is one of support only; the City cannot act as a review body for any group. However, the City, through this Policy, can help to ensure that Registered Groups have effective governance practices.

The proposed revisions to the Policy require groups to have a conflict of interest policy; a code of conduct and a mechanism for resolution of complaints. Groups must also follow relevant City policies, for example, the Respectful Workplace, Workplace Violence and Accessibility policies, which are considered "universal" and are important for groups to be aware of and adhere to.

At the September 2016 information sessions 60% of groups indicated that can already meet these requirements; 20% indicated they could meet this requirement in one year; and 10% indicated that they could meet this requirement with support such as samples of key policies and templates.

Incorporation

All Registered Groups, except groups with an annual operating budget of less than \$10,000, must be incorporated as a not-for-profit organization (Ontario Corporations Act, R.S.O. 1990, c. C.38) ; be a charter member of a provincial/ national/ international not-for-profit (or charitable) organization; or operate under the umbrella of an existing incorporated Registered Group. Incorporation gives an organization legal status and therefore provides groups with significant and crucial benefits, such as being able to enter into financial agreements, limited liability of its members and an increased opportunity to successfully apply for grants. This practice is consistent with other municipalities.

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Approximately 70% of groups surveyed at the September 2016 sessions indicated that they were already incorporated and 6.3 % said they could meet this new requirement within a one year period.

Local community resources, such as Volunteer MBC, are available to support groups who may need assistance with incorporation.

Finances

The proposed revisions to the Policy require groups' financial practices to be in accordance with generally accepted Canadian business and accounting standards. 86% of groups surveyed at the September, 2016 sessions currently believe they meet this requirement, with 4.2% saying they could meet this requirement in one year. The remaining 4.2% indicated they would require support, with no one being unable to meet this requirement. City staff will provide examples and templates of balance sheets, income statements and financial reports to the community groups to assist them.

The proposed revisions to the Policy include the recommendation that Registered Groups maintain a three month contingency fund of operating expenses.

Financial Audit

Under the current policy, groups must be able to provide financial statements of the previous operating year's expenditures; for groups with expenditures over \$130,000, an audited financial statement is required. Feedback received in the first information sessions, held in April/May of 2016, indicated that groups were concerned about increased costs associated with obtaining audited financial statements.

The proposed revisions to the Policy includes changes to financial audit requirements that provide flexibility and reduce costs for smaller organizations and align with practices of regional and provincial funding agencies. Specifically:

- Registered Groups with an annual operating budget of less than \$130,000 must provide financial statements or complete a City-provided template
- Registered Groups with an operating budget of \$130,000 up to \$249,999 must provide financial statements that have been reviewed by an independent auditor, and
- Registered Groups with an annual operating budget of \$250,000 or more must provide audited financial statements.

This proposed change was well received by groups and aligns with the practices of other regional and provincial funding organizations.

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Transparency to Members

The proposed revisions to the Policy include requirements that enhance transparency to members including:

- Having a public web site (or channel such as Facebook),
- Acknowledging that they are a Registered Group with the City through the use of a City provided Registered Group “mark” on their participant registration forms and public website/channel.
- Posting AGM reports on their public website/channel within 60 days following their AGM. Financial reports are not required to be posted on the group’s website but shall be made available to the City and members at the group’s AGM and upon member request.
- Acknowledging any City direct or in-kind funding/support and City fees and charges, such as rental rates and sport facility usage, in the financial statements of their AGM report.

84% of groups surveyed at the September, 2016 sessions already have a public website or channel. City staff will provide guidance to groups who do not yet have an established public web site or channel. The City website will include links to websites/channels of all Registered Groups.

Membership & Registered Participants

Under the proposed revisions to the Policy, each Registered Group must have a voting membership of not less than 25 Members and an elected Board of Directors of not less than five members, with the majority of the Board and the President or Vice President being Mississauga Residents. The Board cannot be comprised of all members of the group simultaneously.

“Member” is now defined as “an individual defined in the group’s constituting documents. The group’s constitution outlines which Members, through a set process, are entitled to vote at the group’s Annual General Meeting (AGM) or a special meeting of the membership, when called.” Groups are now also required to have a clearly defined voting membership and a membership application form.

Groups will be required to provide annual Registered Participant numbers, where applicable, to demonstrate their overall engagement with and service to Mississauga Residents. “Registered Participant” means an individual who is a participant or registrant in the programs and services of a Registered Group and not a Member of the group/organization.

81% of groups surveyed at the September, 2016 sessions supported these changes. The proposed revisions to the Policy would also allow for not-for-profit community organizations and clubs that cannot meet the 25 member requirement to be approved for Registered Group status with a closed membership (i.e. membership is open only to the Board). The group may

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be required to provide a rationale for operating with a closed membership and must also meet additional criteria. This would allow for social service organizations, stewardship groups and professional art & culture organizations that operate with a closed membership to be included in the program and have access to benefits such as a City road allowance, community vendor rate and community group rental rate.

Regional Groups

The proposed revisions to the Policy allow for the inclusion of regional groups that may not be based in Mississauga but deliver programs/services in the City that directly benefit Mississauga Residents (e.g. The Boys and Girls Club of Peel, Big Brothers and Big Sisters of Peel). Regional Groups can be considered for inclusion under the following conditions:

- A minimum of 30% of the voting membership must be Mississauga Residents (as defined by the Policy)
- The President or Vice President for all Regional Groups must be a Mississauga Resident, and
- For Regional Sports Groups, a minimum of 60% of the membership must be Mississauga Residents.

68% of participants surveyed at the September, 2016 sessions supported this change, with 23% remaining neutral.

Sport Group Residency Requirements

Under the current Ice Allocation policy (08-03-03) affiliated youth groups, that are allocated ice in accordance with this policy, are allowed to have a maximum of five percent (5) % of the organization's total registration as non-residents without seeking an exception from the City. This has applied to the Mississauga Hockey League and all minor hockey associations, Mississauga Girls Hockey League, Mississauga Ringette Association and three figure skating clubs.

Staff are recommending that the current Ice Allocation policy (08-03-03) be revised to allow affiliated youth sport groups a maximum of ten percent (10) % of the organizations total registration as non-residents and a maximum of thirty-five percent (35%) of the entire program for Ringette. These recommendations would support organizations, such as the Mississauga Hockey League and Mississauga Ringette Association, who have requested exceptions to the current policy, by allowing residents bordering on Mississauga to join the associations for sustainability purposes. The Mississauga Girls Hockey League has also brought on non-residents, in certain age groups, where a team would not exist without the support of theses non-residents. Ensuring youth have an opportunity to participate in the ice sports has tremendous benefits and by increasing the percentage of allowable non-residents we can ensure the sustainability of these important sports.

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Under the Outdoor Sport Field Management Policy (08-03-07) all sport groups, with the exception of competitive rep baseball (3 non-resident players/team at the highest competitive level per age group), girls' softball at forty percent (40%) and cricket at twenty percent (20%) have an allowable non-resident percentage that is five percent (5%) of their entire program.

Staff are recommending a revision to the Outdoor Sport Field Management Policy (08-03-07) to allow all other groups, such as soccer and field hockey, ten percent (10%) of the entire program. This increase in the allowable non-resident percentage from five to ten percent (10%) would support these groups to continue to meet their needs and be viable groups.

Support with Conditions Status

The proposed revisions to the Policy include the addition of a Support with Conditions status that outlines a process to provide support to groups who may lapse in meeting Policy requirements but wish to remain in the program. A Support with Conditions Action Plan would be developed that the group must comply with in order to maintain their status as a Registered Group and continue to receive benefits. The maximum duration of an action plan is two years. During that period the organization may receive increased coaching and guidance from staff in support of their efforts to achieve Policy compliance.

68% of surveyed groups at the September, 2016 sessions supported the addition of this category, with 22% remaining neutral.

Removal from the Program

In addition to current policy requirements, under the proposed revisions, groups may also be removed from the proposed Community Groups Registry Program for the following reasons with the approval of the Commissioner of Community Services and future requests for inclusion may be denied if the group:

- Fails to implement the recommendations of the Support With Conditions Action Plan within the two year limit
- Does not have their Developing Group status renewed
- Does not renew their status on an annual basis 90 days following the group's AGM

The proposed revisions to the Policy outline clear steps for the removal of a Registered Group from the program, including that staff will request a meeting with the group's executive and notify the applicable ward councillors(s). Groups may appeal this decision, in writing, to the appropriate Community Services Director.

74% of groups surveyed at the September, 2016 sessions agreed with the inclusion of these new conditions. One concern raised by groups in the September session was the sixty (60) day timeframe to renew their status following their AGM. The proposed new requirement is to extend the time frame for renewal to ninety (90) days following their AGM.

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Implementation Plan

The following implementation timeframe is recommended:

- The proposed revisions to the Policy will take effect immediately upon adoption by Council for all new groups.
- Groups that are currently participating under the current policy will renew their status using the new group categories as per their AGM date (i.e. 90 days following AGM) ,
- Groups will be given a one year transition period from their 2017 - 2018 AGM date to their 2018 - 2019 AGM date to meet all of the revised Policy requirements.
- Groups that require further assistance in meeting the Policy requirements can be placed on Support with Conditions Status for an additional two year period.

The following measures will be taken to support groups to implement the new requirements:

- The City web site (Community Groups page) will include templates and sample policies (e.g. conflict of interest and how to incorporate as a not-for-profit) to support groups in understanding and meeting the revised Policy requirements.
- Training seminars/workshops will take place following the launch of the revised Policy to educate groups about the Policy requirements and to support ongoing capacity building in areas identified by groups, such as governance, finance, incorporation, risk management.

An online system has been developed using Fluid Review (software program) and will be launched in 2017 to “lean” the application and renewal process for groups and support overall compliance with the Policy.

Strategic Plan

The recommended changes to the Community Group Support Program policy support the City's Corporate Strategic Plan, as they will advance the pillars of Connect and Belong.

Conclusion

The Policy revisions will ensure better governance; transparency to group members, the general public and alignment with the anticipated new requirements of Ontario's *Not-For-Profit Corporations Act, 2010* (ONCA) when it takes effect (date is to be determined).

The revised Community Group Registry Program also provides a framework for the City of Mississauga to strengthen relationships with and support capacity building of not-for-profit /voluntary sector organizations and community groups to deliver programs and services that keep Mississauga Residents active, healthy and connected to the community.

Attachments

- Appendix 1: Drafted revised Community Group Registry Program Policy
- Appendix 2: Comparison Chart – Current Community Group Support Program Policy
- Appendix 3: Revised Outdoor Sports Field Management Policy
- Appendix 4: Revised Arena Ice Allocation Policy



Paul Mitcham, P. Eng, MBA, Commissioner of Community Services

Prepared by: Heather Coupey, Community Development Coordinator

Corporate Policy & Procedure



Policy Title: Community Group Registry Program

Policy Number: 08-01-01

Draft Only – Clean copy - February 27, 2017

Section:	Community Services	Subsection:	Community Groups
Effective Date:	October 12, 2011	Last Review Date:	July, 2015
Approved by: Council	Owner Division/Contact: Group's staff liaison or the Recreation Division, Community Services Department		

Policy Statement

The Corporation of the City of Mississauga (the "City"), through the Community Group Registry Program, strives to develop mutually beneficial relationships that support community involvement by groups who provide services to keep Mississauga residents active, healthy and engaged in their communities.

Purpose

This policy outlines:

- The eligibility criteria to become a Registered Group
- The eligible benefits for each category of Registered Group (attached as Appendix A), and
- The application and approval process

The Community Group Registry Program (the "Registry Program") is designed to support Not-for-Profit community groups governed by volunteers, including resident and ratepayer's associations. The groups exist for the benefit of the residents of Mississauga and deliver:

- Arts, culture and heritage programs and services
- Recreation, sports and leisure programs and services
- Parks & forestry stewardship
- Special events, and
- Various social, environmental and special interest programs and services

The Registry Program supports Registered Groups (defined below) by providing access to City resources, such as meeting space and permission to place portable signs on City road allowances, in a fair and equitable manner. The levels of assistance which can be provided are limited by available resources. Direct financial assistance is not provided as part of the Registry Program.

Policy Number: 08-01-01

Effective Date: October 12, 2011

Policy Title: Community Group Registry Program

Last Review Date: July, 2015

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Legislative Requirement

Any collection, use and disclosure of information under this policy will be undertaken in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, as amended.

Administration

The Registry Program is administered by the Community Services Department. A list of Registered Groups is available on the Community Services website at:

www.mississauga.ca/communitygroups

Definitions

“Commissioner” means the Commissioner of Community Services or his/her designate, in writing.

“Director” means any of the following Community Services Department directors or their respective designates in writing:

- Director, Recreation
- Director, Culture
- Director, Parks & Forestry
- Director, Environment

“Member” means an individual as defined in a Registered Group’s governing documents, including by-laws, articles of incorporation and/or constitution. The Registered Group’s constitution outlines which Members, through a set process, are entitled to vote at the Registered Group’s Annual General Meeting (AGM) or a special meeting of the Membership, when called. All Registered Groups must have a clearly defined Membership and require that its general Membership application form be completed. Registered Groups may have associate Members that are defined by their governing documents. Parents and guardians representing Registered Participants under the age of 18 are eligible for Membership.

“Membership” means all Members of a Registered Group collectively.

“Mississauga Resident” means:

- Any individual whose principal address is in Mississauga (temporary absences for reasons such as vacation do not affect residence status), or
- A student who is registered in an educational institution in Mississauga and who lives and attends school in Mississauga for a period of at least eight months during the calendar year, or
- A non-resident who is the principal owner of a business in Mississauga and thereby pays Mississauga business taxes

“Not-for-Profit” means a group formed for the purpose of providing services, activities, programs and opportunities that improve or benefit one or more communities in Mississauga. The group does not generate profit to be distributed amongst its members, directors, officers or trustees, as the case may be. A volunteer Board of Directors or trustees govern the organization. The group may generate revenue but there can be no financial gain for Members, trustees, directors or officers. Any revenue remaining after expenditures is turned back into the organization to further its aims and activities.

“Regional Group” means a Registered Group that either:

- 1) Clearly demonstrates that it is not sustainable without non-resident Members and therefore includes Members from the Region of Peel, neighbouring regions or defined league/organization boundaries. (The group must also meet a demand or unique program need of Mississauga Residents), or
- 2) Provides programs and services in Mississauga and more than one city within the Region of Peel.

Regional Groups must not exclude Mississauga Residents and must be actively recruiting Mississauga Residents as Members and Registered Participants.

“Registered Group” means a Not-for Profit community group that has applied and been approved for inclusion in the Registry Program in accordance with the eligibility criteria outlined in this policy, including Appendix A. A Registered Group may be either a:

- Club - an association or organization dedicated to a particular interest or activity, whose Members meet on a regular basis to participate in a common social activity, or a
- Provider - a group that:
 - Provides direct recreation, culture, environmental or Parks & Forestry programs or service delivery to children, youth, and/or adults (free or paid) that supplement the services provided by the City
 - Delivers a major outdoor festival
 - An older adult group that provides direct delivery of more than one older adult social activity, or
- A community or social service organization/religious organization/pre-school

“Registered Participant” means an individual who is a participant or registrant in the programs and services of a Registered Group and not a Member of the Registered Group.

Accountability

Commissioner

The Commissioner is responsible for approving staff recommendations to remove a Registered Group from the Registry Program.

Directors

Policy Number: 08-01-01

Effective Date: October 12, 2011

Policy Title: Community Group Registry Program

Last Review Date: July, 2015

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All Directors are accountable for:

- Ensuring all applicable managers/supervisors are aware of this policy and of any subsequent revisions
- Ensuring compliance with this policy
- Approving staff recommendations and/or requests for exceptions to the policy or appeal of a staff decision, and
- Removing Registered Groups from the Registry Program, if approved by the Commissioner

Managers/Supervisors

Managers/supervisors of staff who are responsible for the administration of the Registry Program are accountable for:

- Ensuring staff in their respective work units are aware of this policy and any subsequent revisions
- Ensuring applicable staff are trained on this policy and any subsequent revisions with respect to their specific job function
- Ensuring staff comply with this policy
- Ensuring review of new applications by applicable staff
- Approving new applications, where applicable
- Approving Developing Group or Support with Conditions Status (each defined below), as applicable, and
- Ensuring annual review of existing Registered Groups to ensure they continue to meet all eligibility criteria

City's Role

The City's relationship with Registered Groups under the Registry Program is one of support only. The City will not be held responsible for the decisions and/or actions of any Registered Group or its Members. As a result, the City's relationship with Registered Groups is not an endorsement of the group's beliefs or views. The City will not act as a review body for any such group nor will it represent or imply any partnership.

Staff Liaison Role

Under the Registry Program, a staff liaison will be assigned to the specific group categories outlined in Appendix A. Staff liaisons will provide ongoing assistance and guidance and monitor the group's compliance to this and all applicable City policies and by-laws. The amount of time spent with each Registered Group may vary, as assessed by staff. Groups may receive up to 15 hours of staff liaison time on an annual basis. Developing Groups and Groups on Support with Conditions Status may receive additional hours of staff liaison time.

Staff liaisons are permitted to attend a Registered Group's AGM. The staff liaison may also attend any Board meeting for a specific agenda item(s) or the Registered Group may request their attendance.

In keeping with the spirit of the City's Conflict of Interest policy, a staff liaison may only attend a Registered Group's Board of Director's meetings in a non-voting capacity.

Application and Approval Process

Eligible Groups

The Eligibility Criteria section and Appendix A of this policy provide an overview of the applicable Registered Group categories.

Community groups meeting all of the applicable criteria may express their interest in joining the Registry Program by contacting the Community Development Unit, Recreation Division, Community Services Department online on the [Community Groups website](http://www.mississauga.ca/communitygroups) - www.mississauga.ca/communitygroups. The website clearly outlines the eligibility criteria and required documentation for all community groups applying for the Registry Program.

Requests will be reviewed and approval will be determined by the appropriate Community Services staff from each division (Recreation, Culture, Parks & Forestry or Environment). Community Services staff will select the right Registered Group category and advise the group of the outcome of their request. Registered Groups may only belong to one category.

Ineligible Groups

Approval for inclusion in the Registry Program will not be provided for groups whose purpose, goals and/or objectives include any of the following:

- To promote a for-profit professional association or business opportunity
- In conflict with the values, goals and objectives of the City as demonstrated by the City's decisions, actions, plans, by-laws, policies, programs or otherwise
- Is involved in a claim or legal action against the City
- To further the aims of a political party, promote a political doctrine or persuade the public to adopt a particular view on a social question or issue

Eligibility Criteria

All Registered Groups must meet and adhere to the following minimum criteria and requirements. Additional criteria are outlined by Registry category in Appendix A.

1. The group must adhere to applicable laws, including the Ontario *Human Rights Code*, as amended (e.g. does not endorse views and ideas which are likely to promote discrimination, contempt or hatred for any person on the basis of political affiliation, economic status, level of literacy or the protected grounds defined in the Code (race, national or ethnic origin, citizenship, religion, age, sex, marital status, family status, sexual orientation, disability)).
2. All groups must demonstrate that they will deliver programs, services and social activities to Mississauga Residents:
 - That are of benefit to and valued by Mississauga Residents

- Are an extension of the services and programs of the City's Recreation, Culture, Parks & Forestry or Environment Divisions, and/or
- Address an unmet need or demand within the category they are applying for

Staff will make their recommendation based on the information provided by the group, with approval by the applicable supervisor/manager. Groups may be required to provide a business plan that clearly demonstrates that the group meets or will meet these criteria. Groups who are not approved may request an appeal of the decision, in writing to the applicable Community Services Director, within 30 business days of notification of ineligibility. The appeal must clearly address all eligibility criteria that were not met. Consideration for approval may be recommended, provided that the request does not increase the demand for City facilities, services and/or other resources or adversely affect existing Registered Groups. The applicable Director will then make the final decision.

3. The group must have a written constitution and by-laws or operating guidelines establishing the framework within which the group will operate that includes:
 - Clearly defined Membership of not less than 25 Members (includes a minimum five board members). Groups that do not provide direct programming to Mississauga Residents that is an extension of the programs and services of the Recreation, Culture, Parks & Forestry or Environment Divisions (i.e. are not Registered Group Providers) and cannot meet the requirement of not less than 25 members may be approved for Registered Group status
 - An elected Board of Directors of not less than five members, with the majority of the Board and the President or Vice President being Mississauga Residents. The number of voting Members must be greater than the number of Board members, with the exception of Registered Groups with a closed membership. Elected sub-groups operating under the umbrella organization must also adhere to this standard.
 - Note: For Regional Groups whose primary purpose is to deliver sport programs/services, a minimum of 60% of the Membership must be Mississauga Residents; for all other categories with Regional Groups, a minimum of 30% of the Membership must be Mississauga Residents; the President or Vice President for all Regional Groups must be a Mississauga Resident.
 - Groups that do not provide direct programming that is an extension of the programs and services of the Recreation, Culture, Parks & Forestry or Environment Divisions may operate with a closed membership (i.e. Membership is open only to the Board). The group must provide a rationale for operating with a closed membership and must meet the following additional criteria:
 - Be incorporated as a Not-for-Profit
 - Have a minimum of eight Board members
 - Have a clearly defined open and public recruitment process for Board members
 - Have by-laws that address nepotism, cronyism and conflict of interest

- Authorize the City to inspect any and all records, Board minutes, bank statements, invoices and documents in the custody or control of the group and/or to request a letter from the Registered Group's auditor
 - Must have a financial review or audit of financial statements, regardless of the amount of the Operating Budget
 - Must post their Annual General Report within 60 days of their AGM on their public website
 - Membership that is open to Mississauga Residents, as defined through a set process in the group's constitution. Groups may be required to provide a list of Members and Registered Participants, with mailing addresses, to validate residency requirements. Groups must obtain the consent of their Members and Registered Participants or their legal guardian before providing their personal information to the City. The City must provide a notice of collection of personal information to the Members and Registered Participants.
 - The ability for all Members to vote, in accordance with the group's constitution. Note: it is recommended that groups provide a mechanism for proxy voting in their by-laws.
 - A process through which the group holds an AGM at which the Board of Directors is elected from the Members through a democratic election process with a clearly defined quorum.
 - A conflict of interest policy, a code of conduct and a mechanism for resolution of complaints that is documented within the group's by-laws and policies, and
 - The process for disposing of assets upon dissolution of the group
4. All Registered Groups with an annual Operating Budget of \$10,000 or more must be incorporated as a Not-for-Profit under the *Ontario Corporations Act, R.S.O. 1990, c. C.38*, as amended or be a charter member of a provincial/ national/international Not-for-Profit or operate under the umbrella of an existing incorporated Registered Group. The applicable Director can provide an exception for this requirement if the group's staff contact or liaison receives a request in writing from the Board of Directors outlining acceptable reasons (in the City's discretion) why the group cannot incorporate.
 5. The group must have a statement of the group's purposes, goals and objectives and an overall schedule of events, programs and services.
 6. Groups will be required to provide annual Registered Participant numbers, where applicable, to demonstrate their overall engagement with and service to Mississauga Residents.
 7. The group must have a public website or public channel. City staff will provide guidance to groups who have not established a public website or channel.

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8. The group must comply with applicable City policies, including the Respectful Workplace, Workplace Violence and Accessibility policies. These policies can be found at: [City Hall - Policies](#)
9. The group must meet the residency requirements outlined here and in Appendix A. Requests for exceptions must be made in writing from the group's executive to the applicable staff contact or liaison on an annual basis. All requests will be considered, provided that registration of non-residents does not increase the demand for City facilities, services and/or other resources. The group's staff contact or liaison will make a recommendation to the applicable Director, who will then make the final decision.
10. All outstanding debts to the City must be paid in full at the time of the group's renewal date, or agreement reached regarding retirement of the debt, for the group to be approved for the Registry Program. All new groups applying to the program must be in good standing with the City.

Additional Insurance

Once a Registered Group is approved for the Registry Program they may be eligible to access a Commercial General Liability insurance program through the City. Additional information will be provided by the Registered Group's contact or staff liaison.

The insurance only provides coverage for operations or activities of the Registered Group within the City of Mississauga. The Registered Group may require other forms of insurance not offered by the City; for this reason the City strongly recommends that all Registered Groups consult with a licensed insurance broker to discuss additional insurance that is appropriate for the group's activities.

Developing Group Status

The City promotes and supports the formation of new and innovative groups that provide services to Mississauga Residents. Groups that do not meet all of the eligibility criteria can therefore apply for Developing Group Status. Staff assigned to support the formation of new groups will make a recommendation to the applicable manager/supervisor, who may approve a group for admission to the Registry Program as a Developing Group.

Approval is for a one year period and subject to review by staff on a quarterly basis throughout the one year period.

Groups applying for Developing Group Status must meet the following additional criteria:

- Have five Board members with the President or Vice President being a Mississauga Resident, and
- Be able to provide a written statement of purpose, including goals and objectives, a plan for membership recruitment and a proposed budget

In addition, the group will be evaluated on their ability to:

- Advance the City's vision built on the strategic pillars – Move, Belong, Connect, Prosper & Green, and
- Advance the goals of the City's Recreation Master Plan, Sport Plan, Sport Tourism Plan, Older Adult Plan, Living Green Master Plan, Youth Plan or Culture Plan

Groups approved as Developing Groups will receive benefits under the Registry Program as approved by the applicable manager/supervisor.

Responsibilities of Eligible Groups

In order to maintain their status and continue to receive Registered Group benefits, Registered Groups are responsible for the following. Noncompliance may result in the suspension or termination of the Registered Group's status or recommendation for Support with Conditions Status.

- Operating on democratic principles and processes that are accountable to Members and can withstand public scrutiny
- Demonstrating transparency to their Membership and Registered Participants:
 - Through disclosure of any City support and payment of City fees and charges (e.g. rental rates and sport facility usage) in the financial statements of their AGM report
 - By posting the group's AGM report, with the exception of financial statements, on the group's public website or channel within 60 days following their AGM
 - By making the group's AGM report, including any financial statements, available to Members at the groups AGM and upon request
 - By having the group's Registered Participant application form and website acknowledge that they are a Registered Group with the City through the use of a Registered Group mark provided by the City
- Notifying their City staff contact or liaison and Members a minimum of 21 days prior to the date of their annual AGM or any special meeting of the Membership
- Providing immediate notice to Community Services staff of any changes in the Registered Group's executive/Board and/or constitution/by-laws
- Annually providing their staff contact or liaison with all documentation required to update and renew their Registered Group status, within 90 days of their AGM
- Providing additional information to Community Services staff as requested, and
- Maintaining books of account and records of the financial management of the group's funds in accordance with generally accepted Canadian business and accounting practices and to only source financial assistance from accredited, recognized granting organizations and/or legal lending financial institutions

Financial Requirements

Registered Groups are required to provide financial information to the City, based on the amount of their Operating Budget. An explanation of commonly used financial terminology is attached as Appendix B.

Process

Registered Groups must be able to provide financial statements (an income statement and balance sheet) of the previous operating year's expenditures and gross revenues, where applicable, and a proposed budget for the next operating year, signed by two authorized signing officers or an independent certified accounting firm.

Registered Groups with an annual gross Operating Budget of less than \$130,000 must provide financial statements or complete a City-provided template. Registered Groups with a gross annual Operating Budget of \$130,000 up to \$250,000 must provide financial statements that have been reviewed by an independent, third party auditor, i.e. an individual permitted to do so under the *Public Accounting Act, 2004*. Groups with an annual gross Operating Budget of \$250,000 or more must provide audited financial statements.

The City strongly recommends that Registered Groups maintain a three month contingency fund of operating expenses. The City may request information pertaining to a Registered Groups contingency fund or capital reserve.

The City may require the following groups to authorize the City to inspect any and all records, Board minutes, bank statements, invoices and documents in the custody or control of the Registered Group and/or to request a letter from the Registered Group's auditor:

- Registered Groups on Support with Conditions
- Developing Groups
- Registered Groups that the City has received a complaint against from a vote held at a special meeting of the Membership and endorsed by the majority of the group's Members with respect to finances, and
- Approved Not-for-Profit professional associations with a closed membership

Support with Conditions Status

Should Community Services staff identify concerns with compliance to this policy or receive a request from a Registered Group for assistance with compliance to the policy, the group's staff contact or liaison may make a recommendation to the applicable manager/supervisor that the Registered Group be placed on Support with Conditions Status. If the manager/supervisor agrees, a Support with Conditions Action Plan will be implemented that the group must comply with in order to maintain their status as a Registered Group and continue to receive benefits. The maximum duration of a Support with Conditions Action Plan is two years.

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The Registered Group may receive guidance from staff in support of their efforts to become compliant with the policy. Support with Conditions Status can be applied at any time and may or may not be removed at the next annual renewal period, based on the organization's ability to meet the goals, objectives and timelines outlined and agreed to in the action plan.

Groups may be required to provide quarterly status reports during implementation of the Support with Conditions Action Plan. Support benefits may be suspended at any time, as authorized by the applicable Director.

Examples of when Support with Conditions Status may be applied include that the group:

- Has requested to be placed on Support with Conditions Status
- Has a major deficit or a deficit that continues over multiple years
- Shows evidence of not being financially viable
- Does not demonstrate the ability to plan into the future
- Demonstrates management or governance practices which do not conform to generally acceptable practices in the sector
- Does not operate in a democratic manner that would withstand public scrutiny
- Does not adhere to this and/or other applicable City policies or by-laws, and
- Does not renew status on an annual basis 90 days following the group's AGM

Support With Conditions Status Steps

The following steps will apply:

1. The Registered Group contacts City staff and requests to be placed on Support with Conditions Status or the staff contact or liaison identifies a concern with a Registered Group
2. The president of the Registered Group will be notified by staff of their Support with Conditions Status. The group will then be required to work with staff to develop a Support with Conditions Action Plan and submit it within 60 days of notification of Support with Conditions Status. The action plan must be adopted by the group's Board of Directors.
3. Staff contact or liaison from the applicable division will work with the group on areas identified in the Support with Conditions Action Plan, such as governance and improved financial accountability/sustainability or adherence to this and other applicable City policies or by-laws. The group will be required to provide any requested documentation.

If benefits were suspended during this time, staff will recommend reinstatement of Registered Group status and benefits to the applicable Director following the successful completion of the Support with Conditions Action Plan. If completion of the plan is not successful, staff will recommend termination of the group's Registered Group status.

Removal from the Registry Program

Groups may be removed from the Registry Program and future requests for inclusion may be denied if the group:

- Provides fraudulent or misleading information to the City

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- Acts in contravention of this or any other City policy or violates any provincial or federal legislation or municipal by-law
- Is involved in a claim or legal action against the City
- Fails to implement the recommendations of the Support with Conditions Action Plan within the two year limit
- Does not have their Developing Group Status renewed
- Does not renew their status on an annual basis 90 days following the group's AGM, or
- Otherwise no longer meets the criteria outlined in this policy

City staff may request a meeting with the group's executive if a Registered Group is to be removed from the Registry Program. The applicable ward councillors(s) will also be notified. The Commissioner must approve all staff recommendations to remove a group from the Registry Program. Groups may appeal this decision, in writing, to the appropriate Community Services Director of Recreation, Culture, Parks & Forestry or Environment within 30 business days of notification of removal. The appeal must clearly address the rationale for their appeal. The Director will consult with applicable City staff, if required, and make a recommendation to the Commissioner to either uphold the removal or reinstate the group. The Commissioner will make the final decision.

Groups may request removal from the Registry Program at any time. Requests must be made in writing, must be signed by the group's executive members and sent to the applicable staff contact or liaison. Contact information is available on the City's website.

If a Registered Group dissolves they must follow the dissolution clause in their constitution and provide the City staff contact or liaison with written confirmation of the dissolution signed by the Registered Group's Board. Staff reserve the right to request additional documentation from the Registered Group, including financial statements, bank account information and verification of the dispersal of funds.

Groups that are no longer registered under the Registry Program must immediately refrain from using the City's Registered Group intellectual property, including trademarks/logos and from referring to itself as a Registered Group associated with the City in that regard.

Report to Council

An information report will be prepared by Community Services staff when requested by Council, to outline the value of City services provided to Registered Groups.

Revision History

Reference	Description
GC-0256-2005 – 2005 04 27	

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October, 2007	Administrative Revision - Change of responsibility for ratepayer applications from Communications Division to Recreation and Parks Division.
GC-0610-2011 – 2011 10 12	

APPENDIX A**COMMUNITY GROUP REGISTRY PROGRAM (CGRP) - GROUP CATEGORY**

Access to a general liability insurance program, where listed as an eligible benefit, will be confirmed by Community Services staff upon approval as a Registered Group.

Room rentals are subject to availability. Approved Regional Groups, with the exception of Regional Sport Groups, are not entitled to free meeting room space.

CATEGORY	ADDITIONAL REQUIREMENTS OR EXCEPTIONS	ELIGIBLE BENEFITS
Community Organization & Clubs: A Not-for-Profit Social Service Organization/ Religious Organizations/Pre-School/ General Interest Club/Older Adult Club/Mississauga based groups that are a charter member of a provincial/ national/ international Not-for-Profit	<ul style="list-style-type: none"> 80% of the group's Members and Registered Participants must be Mississauga Residents or meet the regional requirement of 30% Mississauga Residents for approved Regional Groups President or Vice president must be a Mississauga Resident Older Adult Clubs must meet the 90% Mississauga Residency Requirement for Membership and Registered Participants Older Adult Clubs must have 90% of their Membership and Registered Participants fifty five (55) years and older Groups that are a charter member of a provincial/ national/ international Not-for-Profit may be eligible for this category 	Booking Benefits: <ul style="list-style-type: none"> Rental Rate Category <ul style="list-style-type: none"> Community Group Older Adult Clubs: May be eligible for free weekday use (Monday to Friday 8:30am - 4:30pm) of facilities from September until June, based on available older adult space in accordance with established booking guidelines, and are charged 20% off the regular affiliated room rate during evenings and weekends. July and August use is subject to availability Other Benefits: <ul style="list-style-type: none"> Special Event Vendor licence – Community Group rate Permission to place a promotion/mobile sign on a City road allowance
Recreation Provider: A group that provides direct programs/service delivery for children, youth and/or adults that supplements the services provided by the Recreation	<ul style="list-style-type: none"> 80% of the group's Members and Registered Participants must be Mississauga Residents Approved Regional Groups must meet a 30% 	Booking Benefits: <ul style="list-style-type: none"> Rental Rate Category: <ul style="list-style-type: none"> Rooms – Affiliated Fields – Affiliated Youth or Adult Arenas – Affiliate

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Division.	<p>Mississauga Residency requirement</p> <ul style="list-style-type: none"> President or Vice president must be a Mississauga Resident 	<p>Youth or Resident</p> <ul style="list-style-type: none"> Pools - TDB Free meeting space on a space-available basis <ul style="list-style-type: none"> 12 monthly room bookings for executive meetings per calendar year (with the exception of approved Regional Groups) 1 Annual General Meeting room booking per calendar year (with the exception of approved Regional Groups) Priority Booking up to 12 months in advance <p>Other Benefits</p> <ul style="list-style-type: none"> A general liability insurance policy (Approval process required) Permission to place a promotion/mobile sign on a City road allowance Staff liaison hours Special event Vendor licence – Community Group rate
<p>Arts & Culture Provider: A group that provides direct Arts & Culture programs/service delivery for children, youth and/or adults that supplements the services provided by the Culture Division.</p>	<ul style="list-style-type: none"> 80% of the group's Members and Registered Participants must be Mississauga Residents. Note: There is no residency requirement for audience participants Approved Regional Groups must meet a 30% Mississauga Residency requirement President or Vice president must be a Mississauga Resident 	<p>Booking Benefits:</p> <ul style="list-style-type: none"> Rental Rate Category: <ul style="list-style-type: none"> Rooms – Affiliated Fields – Affiliated Youth or Adult Arenas – Affiliate Youth or Resident Pools - TBD Free meeting space on a space-available basis <ul style="list-style-type: none"> 12 monthly room bookings for executive meetings per calendar year (with the exception of approved Regional Groups) 1 Annual General

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		<p>Meeting room booking per calendar year (with the exception of approved Regional Groups)</p> <ul style="list-style-type: none"> – Priority Booking up to 12 months in advance <p>Other Benefits:</p> <ul style="list-style-type: none"> • A general liability insurance policy (Approval process required) • Permission to place a promotion/mobile sign on a City road allowance • Staff liaison hours • Special event Vendor licence – Community Group rate
<p>Older Adult Provider: A group that provides more than one direct delivery of an older adult social activity for the benefit of Mississauga Residents</p>	<ul style="list-style-type: none"> • Must have 90% Mississauga Residents as Members and Registered Participants • President or Vice president must be a Mississauga Resident • Must have 90% of their membership and Registered Participants fifty five (55) years and older • Must have a minimum of 50 Members and/or Registered Participants • Participate on a Community Centre Older Adult Committee (CCOAC) • Provide City staff at the group's allocated City facilities with the group's activity schedule on a quarterly basis • Provide annual club/group information updates • Provide quarterly program statistics to City staff 	<p>Booking Benefits:</p> <ul style="list-style-type: none"> • May be eligible for free weekday use (Monday to Friday 8:30am - 4:30pm) of facilities from September until June, based on available older adult space in accordance with established booking guidelines, and are charged 20% off the regular affiliated room rate during evenings and weekends. July and August use is subject to availability • Free meeting space on a space-available basis <ul style="list-style-type: none"> – 12 monthly room bookings for executive meetings per calendar year – 1 Annual General Meeting room booking per calendar year – Priority Booking up to 12 months in advance

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		<p>Other Benefits:</p> <ul style="list-style-type: none"> • A general liability insurance policy (Approval process required) • Staff liaison hours • Permission to place a promotion/mobile sign on a City road allowance • Special event Vendor licence – Community Group rate
<p>City Sport Group Provider: A Mississauga based sport group that delivers league-based programs and/or services that directly benefit Mississauga Residents.</p>	<ul style="list-style-type: none"> • Groups who have 80% or more youth are not eligible to be a City Sport Group • Must meet a minimum 80% Mississauga Residency requirement for Members and Registered Participants • Minimum requirement of 50 Registered Participants annually • President or Vice president must be a Mississauga Resident 	<p>Booking Benefits:</p> <ul style="list-style-type: none"> • Rental Rate Category – Community Group • Free meeting space on a space-available basis <ul style="list-style-type: none"> – 6 monthly room bookings for executive meetings per calendar year – 1 Annual General Meeting room booking per calendar year • Priority bookings as outlined in the Outdoor Sports Field Management Policy and the Arena Ice Allocation Policy <p>Other Benefits</p> <ul style="list-style-type: none"> • A general liability insurance policy (Approval process required) • Special event Vendor licence – Community Group rate • Permission to place a promotion/mobile sign on a City road allowance, • Staff liaison hours
<p>Regional Sport Group Provider:</p>	<ul style="list-style-type: none"> • Regional Sport Groups must meet the definition for 	<p>Booking Benefits:</p> <ul style="list-style-type: none"> • Rental Rate Category

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<p>A Mississauga based sport group that delivers programs and services that directly benefit Mississauga Residents but can include participants from the Region of Peel, neighbouring regions or defined league boundaries.</p>	<p>an approved Regional Group in this policy</p> <ul style="list-style-type: none"> • The group must meet a minimum 60% Mississauga Residency requirement • Minimum requirement of 50 Registered Participants annually • President or Vice president must be a Mississauga Resident 	<ul style="list-style-type: none"> – Community Group • Free meeting space on a space-available basis <ul style="list-style-type: none"> – 6 monthly room bookings for executive meetings per calendar year – 1 Annual General Meeting room booking per calendar year <p>Other Benefits</p> <ul style="list-style-type: none"> • Special event Vendor licence – Community Group rate • Permission to place a promotion/mobile sign on a City road allowance • Staff liaison hours
<p>Affiliated Youth Sport Group Provider: A Mississauga-based group sanctioned by the sport's governing body which provides organized league-based sport activities primarily to youth and meets the residency requirements. Adult leagues/programs within an Affiliated Youth Sport group will be categorized as a City Sport Group.</p>	<ul style="list-style-type: none"> • Affiliated Youth Sport Group must meet the minimum Mississauga Residency requirements and not exceed the maximum non-resident component as outlined in the Outdoor Sports Field Management Policy and the Arena Ice Allocation policies • Maximum non-resident component permitted: <ul style="list-style-type: none"> – Competitive rep baseball – 3 non-resident players per team at the highest competitive level of play per age group – Girls Softball – 40% of the entire program – Cricket – 20% of the entire program – Ice - Ringette – 35% of the entire program – Other ice users – 10% of the entire program – All other sports – 10% 	<p>Booking Benefits:</p> <ul style="list-style-type: none"> • Rental Rate Category <ul style="list-style-type: none"> – Youth – Affiliated Youth – Adult – Community Group • Priority bookings as outlined in the Outdoor Sports Field Management Policy and the Arena Ice Allocation policies • Free meeting space on a space-available basis <ul style="list-style-type: none"> – 12 monthly room bookings for organization's executive meetings per calendar year – 1 Annual General Meeting room booking per calendar year <p>Other Benefits:</p> <ul style="list-style-type: none"> • A general liability insurance policy (Approval process required)

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	<ul style="list-style-type: none"> • of the entire program • Adult leagues/programs within an Affiliated Youth Sport group can only comprise 20% of the sport group • Minimum requirement of 50 Registered Participants annually • President or Vice president must be a Mississauga Resident 	<ul style="list-style-type: none"> • Permission to place a promotion/mobile sign on a City road allowance • Staff liaison hours • Special event Vendor licence – Community Group rate
<p>Rate-Payer/Resident Groups/ Business Improvement Areas (BIA) established by City By-law:</p> <p>Neighbourhood associations that strengthen and support resident engagement and provide opportunities for greater active participation in Mississauga communities</p>	<ul style="list-style-type: none"> • Membership must be 100% Mississauga Residents • President and Vice President must be a Mississauga Resident • Must have a clearly defined membership with geographic boundaries • Must have one or more neighbourhood based activity/program/event that is an extension of the services and programs of the Recreation, Parks & Forestry, Environment or Culture Division. 	<p>Booking Benefits:</p> <ul style="list-style-type: none"> • Rental Rate Category <ul style="list-style-type: none"> – Rooms – Affiliated Youth/Adult – Parks – Affiliated – Arena – Community – Fields – Community – Pools -TBD • Free meeting space on a space-available basis <ul style="list-style-type: none"> – 12 monthly room bookings for executive meetings per calendar year – 1 Annual General Meeting room booking per calendar year – Priority Booking up to 12 months in advance <p>Other Benefits:</p> <ul style="list-style-type: none"> • A general liability insurance policy (Approval process required) • Permission to place a promotion/mobile sign on a City road allowance • Staff liaison hours • Special event Vendor licence – Community Group rate

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<p>Community Stewardship Groups: Provide environmental education and stewardship programs, which could include naturalization, horticulture, gardening, and urban agriculture, on City-owned properties.</p>	<ul style="list-style-type: none"> • 80% of the group's members and Registered Participants must be Mississauga Residents • Approved Regional Groups must meet a 30% Mississauga Residency requirement • President or Vice president must be a Mississauga Resident 	<p>Booking Benefits:</p> <ul style="list-style-type: none"> • Rental Rate Category <ul style="list-style-type: none"> – Rooms – Affiliated Youth/Adult – Parks - Affiliated – Arena – Community – Fields – Community – Pools - TBD • Free meeting space on a space-available basis <ul style="list-style-type: none"> – 12 monthly room bookings for executive meetings per calendar year (with the exception of approved Regional Groups) – 1 Annual General Meeting room booking per calendar year (with the exception of approved Regional Groups) – Priority Booking up to 12 months in advance <p>Other Benefits:</p> <ul style="list-style-type: none"> • A general liability insurance policy (Approval process required) • Permission to place a promotion/mobile sign on a City road allowance • Priority booking of City Park Equipment • Staff liaison hours. • Special event Vendor licence – Community Group rate
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Appendix B

Explanation of Common Financial Terminology

Audit

An audited set of financial statements will consider the review engagement (see definition below) and test on a sample basis the source documents for the information included in the financial statements. This will include an auditor's highest level of opinion and therefore includes a fair deal of examination, including documentation of the processes within the organization being audited. An audit can only be provided by an independent, third party auditor, i.e. an individual permitted to do so under the *Public Accounting Act, 2004*.

Capital Reserve

A capital reserve is a type of account that is reserved for long-term capital investment projects or other large and anticipated expenses that will be incurred in the future.

Contingency Fund

A contingency fund is a savings account or other highly liquid asset set aside for meeting the future costs of upkeep and any unexpected costs that may arise or for covering unscheduled expenses that would otherwise be drawn from the general fund.

Operating Budget

"Operating Budget" means a financial document, including an income statement and balance sheet, completed in advance of the accounting year with estimates of both projected gross revenues, including any reserve funds or cash balance, and projected expenses. If estimated revenues exceed estimated expenses, it results in a profit; if estimated expenses exceed estimated revenues, it results in a loss.

Review Engagement

A review does not constitute an audit; therefore an audit opinion is not expressed on the financial statements. A review engagement can only be provided by an independent, third party auditor, i.e. an individual permitted to do so under the *Public Accounting Act, 2004*.

The objective of a review engagement is to assess whether information covered by the review engagement report and presented on financial statements is plausible within the framework of accepted reporting criteria. Review procedures consist of inquiry, discussion and analytical procedures and confirm that nothing has come to the auditor's attention that causes them to believe that the information being reported on is not, in all material respects, in accordance with appropriate criteria.

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Current Policy – What Exists Today – Community Group Support Program policy	Proposed Policy – If the information in a specific section is unchanged, or has required minimal revision to terminology only, “No change” will appear.	Rationale – Why changes (deletions and/or additions) to the revised policy were made.
<p>POLICY STATEMENT</p> <p>The City of Mississauga (the “City”), through the Community Group Support Program, strives to develop mutually beneficial relationships that support community involvement by groups who provide services to all individuals, families and communities that live, work, and play in Mississauga.</p>	<p>POLICY STATEMENT</p> <p>The Corporation of the City of Mississauga (the “City”), through the Community Group Registry Program, strives to develop mutually beneficial relationships that support community involvement by groups who provide services to keep Mississauga residents active, healthy and engaged in their communities.</p>	<p>Minor wording changes – no change to intent.</p>
<p>PURPOSE</p> <p>This policy outlines the eligibility criteria to become formally recognized by the City as either an Affiliated Group or a Recognized Community Group; the available benefits for each; and the application and approval process.</p> <p>The Community Group Support Program (the “Program”) is designed to assist not-for-profit community groups, governed by volunteers, who deliver arts, culture and heritage; recreation, sports and leisure; special events; and various social, environmental and special interest programs and services which exist for the benefit of the residents of Mississauga.</p>	<p>PURPOSE</p> <p>This policy outlines:</p> <ul style="list-style-type: none"> • The eligibility criteria to become a Registered Group • The eligible benefits for each category of Registered Group (attached as Appendix A), and • The application and approval process <p>The Community Group Registry Program (the “Registry Program”) is designed to support Not-for-Profit community groups governed by volunteers, including resident and ratepayer’s associations. The groups exist for the benefit of the residents of Mississauga and deliver:</p> <ul style="list-style-type: none"> • Arts, culture and heritage programs and services • Recreation, sports and leisure programs and services 	<p>There will now be only one category, “Registered Groups”, with sub-categories: (Affiliated Youth Sport Group, Arts & Culture Provider, etc.), as outlined in Appendix A of the policy. By categorizing all groups as “registered” in the policy and inserting a chart to outline the services and benefits each group receives the policy is easier for groups to understand. Feedback from staff and community groups indicated there was a need for greater clarity. The groups will receive services/benefits in accordance with their category. Also included resident and ratepayer’s groups, who may meet the policy’s criteria and want to access the associated benefits. Other minor wording changes for clarity.</p>

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<p>The Program will help volunteer community groups by providing access in a fair and equitable manner to specific City resources, such as meeting space and permission to place portable signs on City road allowances. The levels of assistance which can be provided are limited by available resources. Direct financial assistance is not provided as part of the Program.</p>	<ul style="list-style-type: none"> • Parks & forestry stewardship • Special events, and • Various social, environmental and special interest programs and services <p>The Registry Program supports Registered Groups (defined below) by providing access to City resources, such as meeting space and permission to place portable signs on City road allowances, in a fair and equitable manner. The levels of assistance which can be provided are limited by available resources. Direct financial assistance is not provided as part of the Registry Program.</p>	<p>Minor wording changes – no change to intent.</p>
<p>LEGISLATIVE REQUIREMENT Any collection, use and disclosure of information under this policy will be undertaken in accordance with the <i>Municipal Freedom of Information and Protection of Privacy Act</i>.</p>	<p>LEGISLATIVE REQUIREMENT No change.</p>	
<p>ADMINISTRATION The Community Group Support Program is administered by the Community Services Department.</p>	<p>ADMINISTRATION The Registry Program is administered by the Community Services Department. A list of Registered Groups is available on the Community Services website at www.mississauga.ca/communitygroups</p>	<p>Minor wording changes to align with Registry. Due to automation of the Registry Program it will be possible for the City, in the spirit of transparency, to provide a list of current Registered Group.</p>
<p>DEFINITIONS “Commissioner” means the Commissioner of</p>	<p>DEFINITIONS “Commissioner” means the Commissioner of</p>	<p>Included “in writing” for the</p>

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Community Services or his/her designate.	Community Services or his/her designate, in writing.	Commissioner's designate.
	<p>"Director" means any of the following Community Services Department directors or their respective designate in writing:</p> <ul style="list-style-type: none"> • Director, Recreation • Director, Culture • Director, Parks & Forestry, or • Director, Environment 	New definition added for clarity and ease of reading, as several Community Services Directors are involved.
	<p>"Member" means an individual named and defined in the group's by-laws and articles of incorporation and others interested in furthering the group's purposes. The group's constitution outlines which Members, through a set process, are entitled to vote at the group's Annual General Meeting (AGM) or a special meeting of the membership, when called. All Registered Groups must have a clearly defined membership and a general membership application form. Groups may have associate members that are defined by their constitution. For children or youth programs, adults representing those under the age of 18 are to be eligible for membership.</p>	New definition to clarify what constitutes a member of a group.
"Mississauga Resident" means anyone who lives permanently in Mississauga (temporary absences for reasons such as vacation do not affect resident status, as long as the resident's principal address	<p>"Mississauga Resident" means:</p> <ul style="list-style-type: none"> • Anyone whose principal address is in Mississauga (temporary absences for reasons such as vacation do not affect residence 	Language revised for clarity.

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remains in Mississauga); a student who is registered in an educational institution in Mississauga and who lives and attends school in Mississauga for a period of at least eight months during the calendar year; or a non-resident who is the principal owner of a business in Mississauga and thereby pays Mississauga business taxes.	<p>status)</p> <ul style="list-style-type: none"> • A student who is registered in an educational institution in Mississauga and who lives and attends school in Mississauga for a period of at least eight months during the calendar year, or • A non-resident who is the principal owner of a business in Mississauga and thereby pays Mississauga business taxes 	
	<p>“Not-for-Profit” means a group formed for the purpose of providing services, activities, programs and opportunities that improve or benefit one or more communities in Mississauga. The group does not generate profit to be distributed amongst its members, directors, officers or trustees, as the case may be. A volunteer board of directors or trustees govern the organization. The group may generate revenue but there can be no financial gain for Members, trustees, directors or officers. Any revenue remaining after expenditures is turned back into the organization to further its aims and activities.</p>	New definition to assist groups in understanding what constitutes a not-for-profit organization.
	<p>“Regional Group” means a group that either:</p> <ol style="list-style-type: none"> 1) Can clearly demonstrate that it is not sustainable without non-resident Members and therefore includes Members from the Region of Peel, neighbouring regions or defined league/organization boundaries. (The group also must meet a demand or unique 	New definition added for clarity and to assist staff in determining the correct category for groups that request regional status.

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	<p>program need of Mississauga Residents.) or</p> <p>2) Provides programs and services in Mississauga and more than one city within the Region of Peel.</p> <p>Regional Groups must not exclude Mississauga Residents and must be actively recruiting Members and Registered Participants from Mississauga.</p>	
	<p>“Registered Group” means a Not-for-Profit community group that has applied and been approved for inclusion in the Registry Program, in accordance with the eligibility criteria outlined in this policy, including Appendix A.</p> <p>A Registered Group may be either a:</p> <ul style="list-style-type: none"> • Club - an association or organization dedicated to a particular interest or activity whose Members meet on a regular basis to participate in a common social activity, or a • Provider - a group that: <ul style="list-style-type: none"> – Provides direct recreation, culture, environmental or Parks & Forestry programs or service delivery to children, youth, and/or adults (free or paid) that supplement the services provided by the City – Delivers a major outdoor festival – An older adult group that provides direct delivery of more than one older adult social activity, or 	<p>Provided a definition of a Registered Group, as there is now only one designation, with various categories.</p>

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	<ul style="list-style-type: none"> • A community or social service organization/religious organization/preschool. 	
	<p>“Registered Participant” means an individual who is a participant or registrant in the programs and services of a Registered Group and not a Member of the Registered Group.</p>	New definition to clarify who has voting privileges.
	<p>ACCOUNTABILITY Commissioner The Commissioner is responsible for approving staff recommendations to remove a Registered Groups from the Registry Program.</p>	Added Commissioner for clarity of roles.
<p>ACCOUNTABILITY Departmental Directors All departmental directors are accountable for:</p> <ul style="list-style-type: none"> • ensuring all applicable managers/supervisors are aware of this policy and of any subsequent revisions; and • ensuring compliance with this policy. 	<p>Directors All Directors are accountable for:</p> <ul style="list-style-type: none"> • Ensuring all applicable managers/supervisors are aware of this policy and of any subsequent revisions • Ensuring compliance with this policy • Approving staff recommendations and/or requests for exceptions to the policy, and • Removing Registered Groups from the Registry Program if approved by the Commissioner. 	Added the requirement to approve exceptions and remove groups from the Registry.
<p>Managers/Supervisors Managers/supervisors of staff who are responsible for the administration of the Community Group</p>	<p>Managers/Supervisors Managers/supervisors of staff who are responsible for the administration of the Registry</p>	

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<p>Support Program are accountable for:</p> <ul style="list-style-type: none"> • ensuring staff in their respective work units are aware of this policy and any subsequent revisions; • ensuring applicable staff are trained on this policy, and any subsequent revisions, with respect to their specific job function; and • ensuring staff comply with this policy. 	<p>Program are accountable for:</p> <ul style="list-style-type: none"> • No change • No change • No change • Ensuring review of new applications by applicable staff • Approving new applications, where applicable • Approving Developing Group or Support with Conditions Status (each defined below), as applicable, and • Ensuring annual review of existing Registered Groups to ensure they continue to meet all eligibility criteria 	<p>Added the requirements to review new applications to determine approval and to ensure groups renew annually.</p>
<p>CITY’S ROLE The City’s relationship with volunteer community groups receiving assistance under this Program is one of support only. The City cannot be responsible for the decisions and/or actions of any group or its members. As a consequence, the City’s relationship with volunteer community groups is not an endorsement of the group’s beliefs or views, and the City will not act as a review body for any such group, or be seen to represent or imply any partnership.</p>	<p>CITY’S ROLE The City’s relationship with Registered Groups under the Registry Program is one of support only. The City will not be held responsible for the decisions and/or actions of any Registered Group or its Members. As a result, the City’s relationship with Registered Groups is not an endorsement of the group’s beliefs or views. The City will not act as a review body for any such group nor will it represent or imply any partnership.</p>	<p>Revised for clarity to ensure groups don’t, for example, expect to receive legal advice from the City.</p>

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<p>STAFF LIAISON ROLE</p> <p>The staff liaison's role is to determine the appropriate types and levels of services required by an Affiliated Group and to provide ongoing assistance and guidance. The amount of time spent with each group may vary, depending on the needs of the group. For example, staff liaisons may spend more time with a new or emerging group than with an established group. The staff liaison, in conjunction with other City staff as appropriate, monitors compliance to the affiliation agreement.</p> <p>In keeping with the spirit of the City's policy regarding conflict of interest, the staff liaison may attend the group's Board of Directors meetings in a non-voting capacity. Where possible, staff liaisons will attend the Annual General Meeting (AGM) of the Affiliated Groups assigned to them.</p>	<p>STAFF LIAISON ROLE</p> <p>Under the Registry Program, a staff liaison will be assigned to specific group categories, as outlined in Appendix A. Staff liaisons will provide ongoing assistance and guidance and monitor the group's compliance to this and all City policies and by-laws. The amount of time spent with each Registered Group may vary, as assessed by staff. Groups may receive up to 15 hours of staff liaison time on an annual basis. Developing Groups and Groups on Support with Conditions Status may receive additional hours of staff liaison time.</p> <p>Staff liaisons are permitted to attend a Registered Group's AGM. The staff liaison may also attend any Board meeting for a specific agenda item(s) or the Registered Group may request their attendance.</p> <p>In keeping with the spirit of the City's Conflict of Interest policy, a staff liaison may only attend Registered Group's Board of Director's meetings in a non-voting capacity.</p>	<p>Minor wording changes to clarify the role of the staff liaisons within Community Services and that they will only be assigned to specific groups for up to 15 hours per year (approximately one hour per month with an additional three hours for activities such as attending an AGM.) Removed reference to determining the types of services, as this will be dependent on the category the group is assigned to.</p> <p>Clarified when a staff liaison might attend group meetings, including the AGM. It is not a staff requirement to attend AGM's but it is best practice that they do so.</p>
<p>APPLICATION PROCESS</p> <p>Groups should contact Recreation and Parks, Community Services Department for an</p>	<p>APPLICATION AND APPROVAL PROCESS - Eligible Groups</p> <p>The Eligibility Criteria section and Appendix A of this policy provide an overview of the</p>	<p>Combined the Application Process and Approval sections with the Eligibility</p>

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<p>application. The application will clearly outline the required criteria and documentation for all volunteer community groups applying for the Program.</p> <p>Applications for eligible groups are approved by the appropriate Community Services staff who are responsible for reviewing and verifying applications for Affiliated Groups and Recognized Community Groups. Groups will be notified by Community Services staff to advise them of the outcome of their application.</p> <p>Provided a group cannot be disqualified for any of the reasons outlined in the “Ineligible Groups” section, groups may receive assistance as an Affiliated Group or as a Recognized Community Group.</p> <p>Groups applying to be an Affiliated Group or a Recognized Community Group must also meet all of the criteria outlined in the Eligibility Criteria section below.</p>	<p>applicable Registered Group categories.</p> <p>Community groups meeting all of the applicable criteria may express their interest in joining the Registry Program by contacting the Community Development Unit, Recreation Division, Community Services Department online on the Community Groups website - www.mississauga.ca/communitygroups. The website clearly outlines the eligibility criteria and required documentation for all community groups applying for the Registry Program.</p> <p>Requests will be reviewed and approval will be determined by the appropriate Community Services staff from each division (Recreation, Culture, Parks & Forestry or Environment). Community Services staff will select the right Registered Group category and advise the group of the outcome of their request. Registered Groups may only belong to one category.</p>	<p>section. Wording revised to better reflect the process of approving applications – groups must submit an “expression of interest” and are then evaluated by staff. The eligibility language has been revised to align with the introduction of the Community Group Registry Program. The separate categories for Affiliated Groups and Recognized Community Groups have been removed.</p> <p>Clarified that approval will be by staff from the applicable Community Services division.</p>
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<p>Ineligible Groups Approval for inclusion in the Program as an Affiliated Group or a Recognized Community Group will not be provided for groups whose primary purpose, goals and/or objectives are:</p> <ul style="list-style-type: none"> • to promote a professional association or business opportunity; • in conflict with the values, goals and objectives of the City as demonstrated by the City’s decisions, actions, plans, by-laws, policies, programs, or otherwise; or • to further the aims of a political party, promote a political doctrine, or persuade the public to adopt a particular view on a broad social question. 	<p>Ineligible Groups Approval for inclusion in the Registry Program will not be provided for groups whose primary purpose, goals and/or objectives include any of the following:</p> <ul style="list-style-type: none"> • No change • No change • Is involved in a claim or legal action against the City • No change 	<p>Minor wording changes to align with revisions to the program.</p> <p>Groups may be removed from the Registry for this reason, so it makes sense to add this condition here.</p>
<p>Affiliated Groups Eligibility for affiliated status is reserved for Mississauga-based groups that provide services which supplement the services provided by the City. Affiliated Groups must not duplicate the services, membership or geographic service area of an existing Affiliated Group, including those with a pending application, unless it can be demonstrated that an existing Affiliated Group cannot meet the community needs and that additional services are required and facilities are available.</p>		<p>These sections have been removed, as there will now only be Registered Groups in various categories. The question of duplication of services has been moved to the Eligibility Criteria section (#2).</p>

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<p>Recognized Community Groups Groups who do not provide services which supplement the services provided by the City, such as condominium corporations, religious groups and service clubs, are not eligible for affiliated status but may apply to become Recognized Community Groups.</p>		
<p>ELIGIBILITY CRITERIA - AFFILIATED GROUPS AND RECOGNIZED COMMUNITY GROUPS Groups applying to become an Affiliated Group or a Recognized Community Group must meet all of the following criteria: 1. The group must adhere to the Ontario <i>Human Rights Code</i>.</p>	<p>ELIGIBILITY CRITERIA All Registered Groups must meet and adhere to the following minimum criteria and requirements. Additional criteria are outlined by Registry category in Appendix A.</p> <ol style="list-style-type: none"> 1. The group must adhere to the Ontario <i>Human Rights Code</i>, as amended (e.g. does not endorse views and ideas which are likely to promote discrimination, contempt or hatred for any person on the basis of political affiliation, economic status, level of literacy or the protected grounds defined in the Code (race, national or ethnic origin, citizenship, religion, age, sex, marital status, family status, sexual orientation, disability)) 2. All groups applying to the program must demonstrate that they will deliver programs, services and social activities to Mississauga Residents: <ul style="list-style-type: none"> • That are of benefit to and valued by Mississauga Residents 	<p>The majority of the specific membership, residency and financial documentation requirements have been moved to Appendix A.</p> <p>Included more detail about the Human Rights Code for the benefit of the Registered Groups.</p> <p>This requirement previously appeared in the Affiliated Groups section but is applicable to any Registered Group category. The criteria have been expanded to avoid duplication of services.</p>

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<p>2. The group must have a written constitution and by-laws or operating guidelines establishing the framework within which the group will operate that includes: -an elected Board of Directors of not less</p>	<ul style="list-style-type: none"> • Are an extension of the services and programs of the Recreation, Culture, Parks & Forestry or Environment Division, and/or • Address an unmet need or demand within the category they are applying for <p>Staff will make their recommendation based on the information provided by the group, with approval by the applicable supervisor/manager. Groups may be required to provide a business plan that clearly demonstrates that the group meets or will meet these criteria. Groups who are not approved may request an appeal of the decision, in writing to the applicable Community Services Director, within 30 business days of notification of ineligibility,. The appeal must clearly address all eligibility criteria that were not met. Consideration for approval may be recommended, provided that the request does not increase the demand for City facilities, services and/or other resources or adversely affect existing Registered Groups. The applicable Director will then make the final decision</p> <p>3. No change</p> <p>1. The group must have a written constitution</p>	
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<p>than five members, with the majority of the Board being Mississauga Residents and with the President or Vice President being a Mississauga Resident. Elected sub-groups operating under the umbrella organization would also adhere to this standard. (The applicable Community Services Director, or his/her designate, may authorize an exception for regional groups) -general membership of not less than 20 members</p>	<p>and by-laws or operating guidelines establishing the framework within which the group will operate that includes:</p> <ul style="list-style-type: none"> – Clearly defined Membership of not less than 25 Members (includes a minimum five board members). Groups that do not provide direct programming that is an extension of the programs and services of the Recreation, Culture, Parks & Forestry or Environment Divisions to Mississauga Residents (i.e. are not Registered Group Providers) and cannot meet the requirement of not less than 25 members may be approved for Registered Group status – An elected Board of Directors of not less than five members, with the majority of the Board and the President or Vice President being Mississauga Residents. The number of voting Members must be greater than the number of Board members, with the exception of Registered Groups with a closed membership. Elected sub-groups operating under the umbrella organization must also adhere to this standard. <ul style="list-style-type: none"> ➤ Note: For Regional Groups, whose primary purpose is to deliver sport programs/services, a minimum of 60% of the membership must be Mississauga Residents; for all other categories with Regional Groups, a 	<p>The requirement is now for 25 voting members. (Groups’ constitutions define who is a voting member.) This requirement ensures that groups that are being adopted into the Registry Program are viable groups with a strong voting membership.</p> <p>Included the stipulation that voting members must outnumber Board members, as this model does demonstrate a fully democratic voting process when electing a Board.</p> <p>Included reference to Regional Groups.</p>
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	<p>minimum of 30% of the Membership must be Mississauga Residents; the President or Vice President for all Regional Groups must be a Mississauga Resident.</p> <ul style="list-style-type: none"> – Groups that do not provide direct programming that is an extension of the programs and services of the Recreation, Culture, Parks & Forestry or Environment Divisions may operate with a closed membership (i.e. membership is open only to the Board).. The group must provide a rationale for operating with a closed membership and must meet the following additional criteria: <ul style="list-style-type: none"> ➤ Be incorporated as a Not-for-Profit ➤ Have a minimum of eight Board members ➤ Have a clearly defined open and public recruitment process for Board members. ➤ Have by-laws that address nepotism, cronyism and conflict of interest ➤ Authorize the City to inspect any and all records, Board minutes, bank statements, invoices and documents in the custody or control of the group and/or to request a letter from the Registered Group's auditor ➤ Must have a financial review or audit of financial statements, regardless of the amount of the 	<p>Included additional criteria for groups that do not provide direct programming to Mississauga Residents and operate with a closed membership (i.e. membership is open only to the Board).</p>
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<ul style="list-style-type: none"> - membership is open to all Mississauga residents and defined through a set process. • based on geographic location (i.e. ratepayer groups); however, membership must be open to all residents within the geographic area • based on skill level, facility limitations or age; however, the group may not close its membership if non-residents make up any portion of the membership; • a condition that all members must be eligible to vote (for children's or youth programs, adults representing those under the age of 18 must be eligible to vote) • a process through which the group holds an 	<p>Operating Budget</p> <ul style="list-style-type: none"> ➤ Must post their Annual General Report within 60 days of their AGM on their public website – Membership that is open to all Mississauga Residents, as defined through a set process in the group's constitution. Groups may be required to provide a list of Members and Registered Participants, with mailing addresses, to validate residency requirements. Groups must obtain the consent of its Members and Registered Participants or their legal guardian before providing their personal information to the City. The City must provide a notice of collection of personal information to the Members and Registered Participants. – The ability for all Members to vote, in accordance with the group's constitution. Note: It is recommended that groups provide a mechanism for proxy voting in their by-laws – A process through which the group holds 	<p>Clarified that groups may be required to provide membership lists with addresses and must obtain the consent of their members before sharing their personal information with the City.</p> <p>The deleted bullets are covered in the categories appendix.</p> <p>The City is recommending proxy voting, as many groups difficulty in getting members out to vote at their AGM.</p>
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<p>AGM at which the Board of Directors is elected from the general membership through a democratic election process</p> <ul style="list-style-type: none"> the process for disposing of assets upon dissolution of the group <p>3 .At least 80 per cent of the group’s members must be Mississauga Residents, with the following exceptions:</p> <ul style="list-style-type: none"> -registration cannot be closed to a Mississauga Resident if non-residents make up any portion of the membership -One hundred per cent of the player members of all minor sports groups, other than minor youth soccer groups, must be Mississauga residents. -Minor youth soccer groups are permitted only two percent non-residents, to comply with regional and provincial governing body registration requirements. -requests for exceptions must be made in writing to the group’s staff liaison on an annual basis and will be considered, provided that registration of non-residents does not increase the demand for City facilities. Written approval of the sports group’s executive is required 	<p>an AGM at which the Board of Directors is elected from the Members through a democratic election process with a clearly defined quorum</p> <ul style="list-style-type: none"> – A conflict of interest policy, a code of conduct and a mechanism for resolution of complaints that is documented within the group’s by-laws and policies, and – No change 	<p>Provided additional direction with respect to quorum.</p> <p>These requirements are included to strengthen the groups’ governance – it is a best practice for boards to have such documented procedures. The role of the City is then clearly defined, i.e. the City does not get involved in internal complaints within a group – staff and councillors have been asked to mediate in the past and this is not the role of the City.</p> <p>These bullets were removed or moved to the Eligibility section, as the criteria are now clarified in each Registered Group category. The detail of specific residency requirements has been moved to Appendix A.</p>
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<p>before signing non-resident players and a detailed “Declared Non-Residents List” must be provided to the City. The staff liaison will make a recommendation to the applicable Director or his/her designate, who will then make the final decision.</p> <p>-100 percent Mississauga Residents are required for ratepayer groups.</p> <p>-a minimum of 51 percent is required if the group is providing a service which does not supplement the services provided by the City or which does not otherwise exist within the City, and if the group cannot function without its non-resident members. Groups applying for affiliation must submit a plan of action to increase the percentage of Mississauga Residents to a minimum of 80 per cent within a time considered reasonable by the City.</p>	<p>4. All Registered Groups with an annual operating budget of \$10,000 or more must be incorporated as a Not-for-Profit under the <i>Ontario Corporations Act, R.S.O. 1990, c. C.38</i>, as amended, or be a charter member of a provincial/national/international Not-for-Profit or operate under the umbrella of an existing incorporated Registered Group. The applicable Director can provide an exception for this requirement if the group’s staff contact or liaison receives a request in writing from the Board of Directors outlining acceptable reasons (in the City’s discretion) why the group cannot incorporate</p> <p>5. No change</p>	<p>New requirement for specific groups. Incorporation ensures a level of financial viability for the group. Directors may approve an exception.</p>
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<p>4. The group must have a statement of the group's purposes, goals and objectives and an overall schedule of events, programs and services.</p>	<p>6. Groups will be required to provide annual Registered Participant numbers, where applicable, to demonstrate their overall engagement with and service to Mississauga Residents.</p> <p>7. The group must have a public website or public channel. City staff will provide guidance to groups who have not established a public website or channel.</p> <p>8. The group must comply with City policies, including the Respectful Workplace, Workplace Violence and Accessibility policies. These policies can be found at: City Hall - Policies</p> <p>9. The group must meet the residency requirements outlined here and in Appendix A. Requests for exceptions must be made in writing from the group's executive to the applicable staff contact or liaison on an annual basis. All requests will be considered, provided that registration of non-residents does not increase the demand for City facilities, services and/or other resources. The group's staff contact or liaison will make a recommendation to the applicable Director, who will then make the final decision.</p>	<p>Review of participation numbers (e.g. number of registered players) demonstrates that the group is continuing to attract members/volunteers.</p> <p>New requirement to mirror the norm for most established organizations.</p> <p>These policies are required by legislation and are considered "universal", meaning they apply to all employees and elected officials of the City, as well as volunteers. These policies and are important for groups to be aware of.</p> <p>Provided a general statement about residency requirements. Details are included in Appendix A.</p>
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<p>4. The group must be able to provide financial statements of the previous operating year's expenditures and revenues, where applicable, and a budget for the next operating year, signed by two authorized signing officers or independent certified accounting firm or, for groups with expenditures over \$130,000, an audited financial statement</p> <p>6. All outstanding debts to the City must be paid in full, or agreement reached regarding retirement of the debt, for the group to be granted Affiliated Group or Recognized Community Group status and access City services.</p>	<p>10. All outstanding debts to the City must be paid in full at the time of the group's renewal date, or agreement reached regarding retirement of the debt, for the group to be approved for the Registry Program. All new groups applying to the program must be in good standing with the City.</p>	<p>Detail on financial requirements has been moved to the Responsibilities of Eligible Groups – Financial Requirements section.</p> <p>Minor wording changes to reflect the Registry Program. Added that all new groups must be in good standing with the City.</p>
	<p>ADDITIONAL INSURANCE</p> <p>Once a Registered Group is approved for the Registry Program they may be eligible to access a Commercial General Liability insurance program through the City. Additional information will be provided by the Registered Group's contact or staff liaison.</p> <p>The insurance only provides coverage for operations or activities of the Registered Group within the City of Mississauga. The Registered Group may require other forms of insurance not offered by the City; for this reason the City strongly recommends that all Registered Groups consult with a licensed insurance broker to</p>	<p>New section to ensure groups are aware that the City's insurance does not cover all circumstances. Legal has recommended that the City not suggest which additional insurance groups should purchase, as this is better left to insurance experts.</p>

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	discuss additional insurance that is appropriate for the group's activities.	
	<p>DEVELOPING GROUP STATUS</p> <p>The City promotes and supports the formation of new and innovative groups that provide services to Mississauga Residents. Groups that do not meet all of the eligibility criteria can therefore apply for Developing Group status. Staff assigned to support the formation of new groups will make a recommendation to the applicable manager/supervisor, who may approve a group for admission to the Registry Program as a Developing Group.</p> <p>Approval is for a one year period and subject to review by staff on a quarterly basis throughout the one year period.</p> <p>Groups applying for Developing Group status must meet the following additional criteria:</p> <ul style="list-style-type: none"> • Have five Board members, with the President or Vice President being a Mississauga Resident, and • Be able to provide a statement of purpose, including goals and objectives, a plan for membership recruitment and a proposed budget <p>In addition, the groups will be evaluated on their ability to:</p>	<p>New definition for those groups who may have fallen into the "Recognized Community Group" category under the "old" policy. This new category gives staff and community groups a clearer framework and provides more opportunity for new groups to develop with ample guidance from the City.</p>

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	<ul style="list-style-type: none"> • Advance the City’s vision built on the strategic pillars – Move, Belong, Connect, Prosper & Green • Advance the goals of the City’s Recreation Master Plan, Sport Plan, Sport Tourism Plan, Older Adult Plan, Living Green Master Plan, Youth Plan or Culture Plan <p>Groups approved as Developing Groups will receive benefits under the Registry Program as approved by the applicable manager/supervisor.</p>	
<p>Maintaining Status</p> <p>Affiliated Groups with an annual operating budget of over \$130,000 are required to submit an audited financial statement for the current fiscal year to Community Services on an annual basis. Otherwise, Community Services staff will request updated information from approved groups annually or as deemed necessary. In order to maintain status as an Affiliated Group or a Recognized Community Group, groups will be given an opportunity to identify any changes and/or asked to provide recent documentation with respect to the information submitted with their original application.</p> <p>Groups will have up to 60 days from the date of the request to provide any required information or documentation. Failure to do so will result in the loss of either Affiliated Group or Recognized</p>		<p>Much of this information has been moved to the Responsibilities of Eligible Groups – Financial Requirements section.</p>

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<p>Community Group status unless, due to extenuating circumstances, an extension has been approved by the applicable Community Services Director or his or her designate.</p>		
<p>SUPPORT AND BENEFITS FOR ELIGIBLE GROUPS</p> <p>The following represents the services available to an eligible group:</p> <ul style="list-style-type: none"> • publicity assistance through: <ul style="list-style-type: none"> – inclusion in various City communication channels – permission to place portable signs on City road allowances (refer to Corporate Policy and Procedure – Portable Signs on Road Allowances) • facility rentals and bookings: <ul style="list-style-type: none"> – booking of City community centre rooms at preferred rental rates, if applicable – use and delivery of equipment, subject to availability and payment of fees, if applicable • Affiliated Groups only: <ul style="list-style-type: none"> – assignment of a staff liaison – provision of free facility meeting room space for a maximum of twelve executive/board meetings and one AGM per year, on a space-available basis and in accordance with the City’s facility booking practices – booking of City parks and community 		<p>The detail in this section has been incorporated into Appendix A.</p>

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<p>centre rooms up to 12 months in advance at preferred rental rates, if applicable</p> <ul style="list-style-type: none"> – a general liability insurance policy that protects the Affiliate Group’s officers, directors and board members, volunteers and staff while acting in the scope of their duties (participants are not covered), against claims made by third parties for death, bodily injury, personal injury, and property damage or loss thereof <p>Note: This is <u>not</u> Directors’ liability insurance</p> <ul style="list-style-type: none"> – Affiliated Sports Groups: <ul style="list-style-type: none"> ➤ priority booking of City outdoor sports facilities, with first priority given to youth sports groups; ➤ priority booking of City ice and arena floors, in accordance with Corporate Policy and Procedure – Prime Time Ice Allocation 		
<p>RESPONSIBILITIES OF ELIGIBLE GROUPS</p> <p>Eligible groups are responsible for:</p> <ul style="list-style-type: none"> • operating on democratic principles and processes which are accountable to members 	<p>RESPONSIBILITIES OF ELIGIBLE GROUPS</p> <p>In order to maintain their status and continue to receive Registered Group benefits, Registered Groups are responsible for the following. Noncompliance may result in the suspension or termination of the Registered Group’s status or recommendation for Support with Conditions Status.</p> <ul style="list-style-type: none"> • No change 	<p>Expanded section to reference the option of Support with Conditions Status.</p>

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<p>and which can withstand public scrutiny;</p> <ul style="list-style-type: none"> advising Community Services staff of the date of their AGM; providing immediate notice to Community Services staff of any changes in the group's executive/board or constitution; and providing an updated list of the Board of Directors (including names and addresses) and 	<ul style="list-style-type: none"> Demonstrate transparency to their Members and Registered Participants: <ul style="list-style-type: none"> ➤ Through disclosure of any City support and payment of City fees and charges(e.g. rental rates and sport facility usage) in the financial statements of their AGM report ➤ By posting the group's AGM report, with the exception of financial statements, on the group's public website or channel within 60 days following their AGM ➤ By making the group's AGM report, including any financial statements, available to Members at the group's AGM and upon request ➤ By having the group's Registered Participant application form and website acknowledge that they are a Registered Group with the City through the use of a Registered Group mark provided by the City ➤ Notifying their City staff contact or liaison and Members a minimum of 21 days prior to the date of their annual AGM or any special meeting of the Membership ➤ Providing immediate notice to Community Services staff of any changes in the Registered Group's executive/Board and/or constitution/by-laws; ➤ Annually providing their staff contact or liaison with all documentation required to update and renew their Registered Group 	<p>Disclosure of funding support and the cost of applicable fees and charges imposed by the City speaks to the City's commitment to transparency and ensures groups are providing accurate information to their members.</p> <p>Specified the 21 day prior minimum requirement, as staff are given little notice at times.</p> <p>Added that changes to by-laws must also be provided to staff.</p> <p>Groups now have 90 days to provide updated information. Currently, exceptions to the residency</p>
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<p>membership numbers to confirm residency requirements within 30 days of the AGM. Exceptions to the residency requirement for Board of Directors must be approved by Council;</p> <ul style="list-style-type: none"> providing additional information to Community Services Staff as requested. 	<p>status, within 90 days of their AGM</p> <ul style="list-style-type: none"> ➤ No change ➤ Maintaining books of account and records of the financial management of the group's funds in accordance with generally accepted Canadian business and accounting practices and to only source financial assistance from accredited, recognized granting organizations and/or legal lending financial institutions. 	<p>requirements that apply specifically to Board members are delegated to Council. It is recommended that any exceptions to residency status be approved by the applicable Community Services director.</p> <p>Included more detail with respect to the requirements to maintain appropriate financial records and practices.</p>
	<p>Financial Requirements Registered Groups are required to provide financial information to the City, based on the amount of their Operating Budget. An explanation of commonly used financial terminology attached as Appendix B.</p>	<p>Much of this information was previously captured in the "Maintaining Status" section of the policy.</p>
	<p>Process Registered Groups must be able to provide financial statements (an income statement and balance sheet) of the previous operating year's expenditures and gross revenues, where applicable, and a proposed budget for the next operating year, signed by two authorized signing</p>	<p>In order to spare the groups unnecessary expense only those groups with annual</p>

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	<p>officers or an independent certified accounting firm.</p> <p>Registered Groups with an annual gross Operating Budget of less than \$130,000 must provide financial statements or complete a City-provided template. Registered Groups with a gross annual Operating Budget of \$130,000 up to \$250,000 must provide financial statements that have been reviewed by an independent, third party auditor, i.e. an individual permitted to do so under the <i>Public Accounting Act, 2004</i>. Groups with an annual gross Operating Budget of \$250,000 or more must provide audited financial statements.</p> <p>The City strongly recommends that Registered Groups maintain a three month contingency fund of operating expenses. The City may request information pertaining to a Registered Groups contingency fund or capital reserve.</p> <p>The City may require the following groups to authorize the City to inspect any and all records, Board minutes, bank statements, invoices and documents in the custody or control of the Registered Group and/or to request a letter from the Registered Group's auditor:</p> <ul style="list-style-type: none"> • Registered Groups on Support with Conditions • Developing Groups • Registered Groups that the City has received 	<p>operating budget exceeding \$250,000 will require audited financial statements. Currently any group with an annual operating budget of over \$130,000 is required to do this. The \$250,000 figure is based on the Province's recommendation for pending revisions to the <i>Not-for-Profit Corporations Act</i>.</p> <p>The City cannot dictate the groups' finances but is recommending a minimum 3 month contingency fund.</p> <p>Stakeholders did not feel that the City should be able to inspect their books unless there is a specific issue. The policy reflects that only groups that are on Support with Conditions or Developing Group status will need to meet this requirement.</p>
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	<p>a complaint against from a vote held at a special meeting of the Membership and endorsed by the majority of the group's Members with respect to finances, and</p> <ul style="list-style-type: none"> • Approved Not-for-Profit professional associations with a closed membership 	
	<p>SUPPORT WITH CONDITIONS STATUS Should Community Services staff identify concerns with compliance to this policy or receive a request from a Registered Group for assistance with compliance to this policy, the group's staff contact or liaison will make a recommendation to the applicable manager/supervisor that the Registered Group be placed on Support with Conditions Status. If the manager/supervisor agrees, a Support wit Conditions Action Plan will be implemented that the group must comply with in order to maintain their status as a Registered Group and continue to receive benefits. The maximum duration of a Support with Conditions Action Plan is two years.</p> <p>The Registered Group may receive guidance from staff in support of their efforts to become compliant with the policy. Support with Conditions Status can be applied at any time and may or may not be removed at the next annual renewal period, based on the organization's ability to meet the goals, objectives and timelines outlined and agreed to in the action plan.</p>	<p>The addition of Support with Conditions Status provides the City with a formalized process for notifying groups that their eligibility to remain in the registry is at risk. The grants program currently uses this process to great success.</p>

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	<p>Groups may be required to provide quarterly status reports during implementation of the Support with Conditions Action Plan. Support benefits may be suspended at any time, as authorized by the applicable Director.</p> <p>Examples of when Support with Conditions Status may be applied include that the group:</p> <ul style="list-style-type: none"> • Has requested to be placed on Support with Conditions Status • Has a major deficit or a deficit that continues over multiple years • Shows evidence of not being financially viable • Does not demonstrate the ability to plan into the future • Demonstrates management or governance practices which do not conform to generally acceptable practices in the sector • Does not operate in a democratic manner that would withstand public scrutiny • Does not adhere to this and/or other City policy or by-law, and • Does not renew status on an annual basis 90 days following the group's AGM 	
	<p>Support with Conditions Status Steps</p> <ol style="list-style-type: none"> 1. The Registered Group contacts City staff and requests to be placed on Support with Conditions Status or the staff contact or liaison identifies a concern with a Registered 	

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	<p>Group</p> <ol style="list-style-type: none"> 2. The president of the Registered Group will be notified by staff of their Support with Conditions Status. The group will then be required to work with staff to develop a Support with Conditions Action Plan and submit it within 60 days of notification of Support with Conditions Status. The action plan must be adopted by the group's Board of Directors. 3. Staff contact or liaison from the applicable division will work with the group on areas identified in the Support with Conditions Action Plan, such as governance and improved financial accountability/ sustainability or adherence to this and other City policies or by-laws. The group will be required to provide any requested documentation. <p>If benefits were suspended during this time, staff will recommend reinstatement of Registered Group status and benefits to the applicable Director following the successful completion of the Support with Conditions Action Plan. If completion of the plan is not successful, staff will recommend termination of the group's Registered Group status.</p>	
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<p>Termination of Affiliated or Recognized Community Group Status</p> <p>Status may be rescinded by the applicable Community Service Divisional Director and future requests for assistance may be denied if the group no longer meets the criteria outlined in this policy; provides fraudulent or misleading information to the City; acts in contravention of this policy or violates any provincial or federal legislation or municipal by-law; has a ruling against it from the Ontario Human Rights Commission; or is involved in a claim or legal action against the City.</p>	<p>Removal from the Registry Program</p> <p>Groups may be removed from the Registry Program and future requests for inclusion may be denied if the group:</p> <ul style="list-style-type: none"> • Provides fraudulent or misleading information to the City • Acts in contravention of this or any other City policy or violates any provincial or federal legislation or municipal by-law • Is involved in a claim or legal action against the City • Fails to implement the recommendations of the Support with Conditions Action Plan within the two year limit • Does not have their Developing Group status renewed • Does not renew their status on an annual basis 90 days following the group's AGM, or • Otherwise no longer meets the criteria outlined in this policy <p>City staff will request a meeting with the group's executive if a Registered Groups is to be removed from the Registry Program. The applicable ward councillors(s) will also be notified. The Commissioner must approve all staff recommendations to remove a group from the Registry Program. Groups may appeal this decision, in writing, to the appropriate Community Services Director of Recreation,</p>	<p>The content is now formatted in bullets for ease of reading. It is recommended that groups only be removed from the registry with the approval of the Commissioner, Community Services.</p> <p>The City will make every effort to provide ample opportunity for groups to hold discussions with staff before they are removed from the Registry.</p> <p>Included an appeal process.</p>
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<p>Groups may terminate their Affiliated or Recognized status at any time. Requests must be made in writing and must be signed by the group's executive members. Requests from Affiliated Groups must be sent to the staff liaison; requests from Recognized Community Groups must be sent to the Community Services Department. Contact information is available on the City's web site.</p>	<p>Culture, Parks & Forestry or Environment within 30 business days of notification of removal. The appeal must clearly address the rationale for their appeal. The Director will consult with applicable City staff, if required, and make a recommendation to the Commissioner to either uphold the removal or reinstate the group. The Commissioner will make the final decision.</p> <p>Groups may request removal from the Registry Program at any time. Requests must be made in writing, must be signed by the group's executive members and sent to the applicable staff contact or liaison. Contact information is available on the City's web site.</p> <p>If a Registered Group dissolves they must follow the dissolution clause in their constitution and provide their staff contact or liaison with written confirmation of the dissolution signed by the Registered Group's Board. Staff reserve the right to request additional documentation from the Registered Group, including financial statements, bank account information and verification of the dispersal of funds.</p> <p>Groups that are no longer registered under the Registry Program must immediately refrain from using the City's Registered Group intellectual property, including trademark/logos and from referring to itself as a Registered Group</p>	<p>Minor wording changes, no change to intent.</p> <p>This section was added to ensure that groups are following the dissolution process if they are asking to be removed from the Registry because the group is disbanding.</p>
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	associated with the City in that regard.	
<p>REPORT TO COUNCIL</p> <p>On an annual basis, in advance of budget deliberations, a report will be prepared by Community Services staff outlining the value of services provided to Affiliated and Recognized Community Groups (i.e. facility rentals and staff time) and will be presented to Council for their information.</p>	<p>REPORT TO COUNCIL</p> <p>An information report will be prepared by Community Services staff, when requested by Council, to outline the value of City services provided to Registered Groups.</p>	<p>Community Services will provide information that is deemed relevant by Council, at their request.</p>

City of Mississauga

Corporate Policy & Procedure



Policy Title: Outdoor Sports Field Management

Policy Number: 08-03-07

Draft Only – 2017 02 27

Section:	Community Services	Subsection:	Recreation
Effective Date:	October 14, 2015	Last Review Date:	[Last Review]
Approved by: Council	Owner Division/Contact: Recreation Divisions, Community Services Department		

Policy Statement

The City of Mississauga is committed to meeting the community's recreational needs in a fiscally responsible manner through a comprehensive outdoor sports field management policy.

Purpose

The purpose of this policy is to ensure a fair, transparent and equitable allocation process of Mississauga outdoor sports field resources that will maximize facility utilization while preserving and maintaining high quality playing fields through effective management.

Scope

This policy applies to all sport groups and/or organizations allocated outdoor sports fields operated and maintained by the City of Mississauga.

This policy does not establish fees. Fees and any applicable discounts are established through an annual by-law subject to Council approval.

Administration

This policy is administered by the Recreation Division, Community Services Department.

Definitions

For the purposes of this policy:

“Affiliated Youth Sport Group” means a Mississauga-based group that provides organized league-based sport activities for youth. Affiliated Youth Sport Groups must meet the “Residency Requirements” outlined in this policy. Adult leagues within an Affiliated Youth Sport Group are recognized as Community Sport Groups.

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“Championship” means a single sport event with rights to the event held by the respective City, regional, provincial, national or international sport organization.

“City Recreation Leagues/Programs” means all community sports leagues/programs that are organized and operated by the Recreation Division, Community Services Department.

“Community Sport Groups” means league-based not-for-profit non-affiliated youth or adult competitive sport organizations led by an elected Board of Directors of not less than five volunteer members, with a minimum of 80% of participants being Mississauga Residents.

“Mississauga Resident” means anyone who lives permanently in Mississauga (temporary absences for reasons such as vacation do not affect resident status, as long as the resident’s principal address remains in Mississauga); a student who is registered in an educational institution in Mississauga and who lives and attends school in Mississauga for a period of at least eight months during the calendar year; or a non-resident who is the principal owner of a business in Mississauga and thereby pays Mississauga property tax.

“Non-Resident and Commercial Groups” means:

- Organizations or individuals that book facilities with the intent of generating positive net income (profit)
- Businesses providing recreational opportunities for their employees, or
- Local youth or adult user groups that are comprised of non-Mississauga residents

“Regional Sport Group” means a sport group that includes team representation from the Peel Region, neighbouring regions or defined league boundaries.

“Resident Group” means an adult sport group or league that has Mississauga Resident representation.

“Tournament” means an annual, single sport non-Championship event. Tournaments are arranged by local sport organizations.

“Youth” means an individual who is 21 years of age and under.

Residency Requirements

Mississauga Residents must be guaranteed a fair opportunity to register, try-out and participate in Mississauga-based recreational and competitive programs. Membership for recreational (house league) players cannot be closed to Mississauga Residents prior to the start of the organization’s season or, before the end of try-outs for competitive players, if non-residents make up any portion of the membership. The participant’s level of play will be determined by the applicable organization and not by the City.

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The chart below outlines the maximum non-resident component permitted by the City in order to sustain Mississauga-based outdoor sports field organizations.

Type of Group	Maximum Non-resident component
Affiliated Youth Sport Groups	Competitive/rep baseball (i.e. Central Ontario Baseball Association) - 3 non-resident players per team at the highest competitive level of play per age group; at all other levels – no non-residents
	Girls softball - 40 percent of an entire softball program
	Cricket – 20 percent of an entire program
	All others - 5 <u>10</u> percent of an entire program
Regional Sport Groups	As agreed to in consultation with the Director, Recreation

Requests from groups to the Sport Development and Tourism Section, Recreation Division for exceptions over and above those allowed by this policy must be made prior to the start of each season and will be considered on a case-by-case basis, provided that registration of non-residents does not increase the demand for City facilities. When an exception for Affiliated Youth ~~competitive (rep)~~ baseball is requested, staff will ensure that related baseball organizations are consulted prior to making a decision. The Director, Recreation Division, Community Services Department or his/her designate will make the final decision.

Allocation Priorities

Outdoor sports fields will be allocated in accordance with the following priority list:

1. City Recreation Leagues/Programs
2. Affiliated Youth Sport Groups
3. Dufferin Peel Catholic District School Board and the Peel District School Board
4. City Sport Groups/Regional - Youth
5. City Sport Groups/Regional - Adult
6. Community Sport Groups - Youth
7. Community Sport Groups - Adult
8. Resident Groups
9. Non-Resident and Commercial Groups

Available hours will be allocated with consideration given to:

- The group's priority ranking, as of the application deadline
- The number of registered participants for groups within the same category, if applicable
- Historical use

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- The intended sport usage
- Seasonal requirements
- Applicable outdoor sports field user agreements, and
- The group's geographic area in relation to available fields

Allocation is dependent on the yearly supply of outdoor sports fields and requests by organizations. The previous year's actual registration data for Affiliated Youth Sport Groups will be used to project the next year's allocation. Player/team registrations per age group must be submitted with the application, in a format acceptable to the City, to support the actual figures. Information to verify residency requirements must be provided upon request. If additional hours are being requested, the organization must justify this need in writing. Groups should not accept additional registrations for new programs without first consulting with the City to confirm field availability.

The City may verify club registration numbers with the appropriate governing body. Non-affiliated organizations may also be required to provide this information, upon request.

The City reserves the right to reduce, reassign or reallocate fields as required, in order to optimize facility utilization, particularly when demand exceeds supply. When demand for outdoor sports fields exceeds available supply, required fields will be drawn from group allocations in reverse order on the priority listing. For example, an increase in demand from an Affiliated Youth Sport Group might result in a reduced allocation for an adult Community Sport Group.

Signing of Seasonal Contracts

A contract listing permit dates is issued for all seasonal outdoor sport field contracts. Groups must accept the terms and conditions for use prior to use of the facility. Failure to acknowledge a contract or to comply with the contract terms and conditions will result in the City cancelling the contract and may result in the cancellation of associated facility bookings

Allocation Request Submission Dates

Submission processes and deadlines will be communicated to groups annually by the Sport Development and Tourism Section, Recreation Division. Requests that are not received within the stated deadlines and/or without the required documentation will only be considered after all other requests have been processed. Submission of an application request does not constitute approval. Championship and Tournament allocation requests are submitted separately from practice/game requests.

Emerging Sports

When reasonable and feasible, the City will allocate field time to recognize and to gauge interest in an emerging sport, providing existing affiliated users are not adversely affected. The group making the request must provide the Recreation Division with a business plan to support their

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program and demonstrate that it meets unmet community needs. An exemption to the City requirement for a maximum five percent non-resident component may be granted for a three year period, during which time the group is expected to increase the percentage of Mississauga Residents.

The City will strive to utilize unallocated field time first to meet the needs of a new applicant. However, to ensure maximum field utilization, the City reserves the right to reallocate fields and/or times, particularly when demand exceeds supply.

Opening and Closing Dates for Outdoor Fields

The following booking periods apply to outdoor sports fields, weather and field conditions permitting.

Surface Type	LIT		UNLIT	
	Opening Day	Closing Evening	Opening Day	Closing Evening
Artificial Turf/ Track	April 1 st	November 30 th	N/A	N/A
Ball Diamond	1 st Saturday in May	4 th Sunday in September	2 nd Saturday in May	1 st Sunday in September
Cricket Pitch	N/A	N/A	2 nd Saturday in May	4 th Sunday in September
Soccer Pitch	4 th Saturday in May	4 th Sunday in September	3 rd Saturday in May	2 nd Sunday in September
Football Field	1 st Saturday in June	3 rd Sunday in November	3 rd Saturday in May	3 rd Sunday in November

On an annual basis, the Sport Development and Tourism Section, Recreation Division, will consult with the applicable sport organizations and the Parks & Forestry Division, Community Services Department, to determine if permits may be granted outside of the posted open and close dates. Reasonable efforts will be made to accommodate all requests.

Standards of Play

Entitlement

Entitlement reflects the number of hours sports teams are eligible for at each age level, based on the previous year's registration.

Field Allocation Formula

The Recreation Division will apply an allocation formula for soccer, baseball/softball and cricket (Appendix A) when allocating outdoor sports field time. The formula will determine the total entitlement (hours per week) for each organization and the distribution of those hours to different age and skill level groupings. User groups will determine game structure and duration (e.g. one hour game, 1.25 hour practice, etc.). "Select" teams within an organization (with the exception of

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the Mississauga Baseball Association/Mississauga Girls Softball Association) will not be recognized for allocation purposes.

It may be necessary to adjust the formula from time to time due to changing requirements within a sport(s) (e.g. Long Term Athlete Development standards.) The City will consult with user groups in advance. The Director of Recreation or his/her designate, is authorized to approve agreed upon amendments to Appendix A.

Championships/Tournaments

Requests for Championship and/or Tournament dates will be granted as part of the allocation process and will be considered in accordance with the Allocation Priorities section of this policy.

Allocation of Championships and/or Tournaments will be carried out in a fair and equitable manner in accordance with the following:

- City, regional, provincial, national or international sanctioned Championships supported by the City will receive priority booking
- Established tournaments hosted by Affiliated Youth Sport Groups will receive primary consideration
- The overall number of Championships and/or Tournaments the organization is requesting and/or has been granted
- New or established Championships and/or Tournaments deemed by the City to contribute to community building, and
- The economic benefit and promotion of the City of Mississauga from a sport tourism perspective

Seasonal contract holders will be encouraged to use available allocations within their geographic area to fulfill Championship and/or Tournament requests.

The City reserves the right to reassign fields and/or alter allocated times in order to accommodate Championships and/or Tournaments and/or to maximize field utilization. Reasonable efforts will be made to accommodate the displaced field time, in accordance with the allocation priorities outlined in this policy.

Cancellation Penalties

Cancellation penalties are outlined in Corporate Policy and Procedure – Payment and Refund of Facility Rental Fees and on the facility rental contract.

The City reserves the right to reasonably postpone, reschedule or cancel any permitted activity due to unforeseen circumstances, without penalty to the organization holding the contract.

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The City will conduct random field audits throughout the outdoor sport season to ensure space is utilized most efficiently and that fields are receiving the proper level of maintenance.

The City reserves the right to cancel a contract or portion of the contract without notice should there be a breach of the conditions or regulations; it is demonstrated that an organization is not using allocated time; or should the City ascertain that the fields are not being used for the purpose contained in the application.

Field Management

Maintenance Guidelines

The City's goal is to ensure that all City-operated outdoor sports fields are well maintained and safe for use throughout the playing season. The maintenance guidelines for each outdoor field type, including materials provided by the City, are included as Appendix B to this policy.

Revisions to the opening/closing dates and/or Appendix B may be made with the approval of the Director, Parks & Forestry, Community Services Department or his/her designate.

Scheduled Maintenance and Regeneration

To achieve the City's goal of providing safe, well maintained fields, it is critical that scheduled rest periods of outdoor fields for turf recovery are observed by all users. Groups who use fields beyond their official open and/or close date or who use fields throughout the season during scheduled rest periods may have their contracts cancelled by the City. Cancellation penalties, as per the contract, will apply.

Inclement Weather/Poor Field Conditions

The City will use the following criteria to determine if a sports field is deemed to be unplayable:

- Visible puddles of water on the surface of the field, or
- Water sponging when walking on the field.

City staff reserve the right to close a sports field, regardless of the type of event that is scheduled or underway. Customer Service Centre (CSC) staff will make every effort to advise user groups of field closures through the City's various communication channels.

In the event that the City has closed a field due to inclement weather and conditions improve prior to it being reopened (e.g. on a weekend), organizations are permitted to use allocated field time if they deem the field playable without inflicting damage.

The game official is responsible for calling the game unplayable if there is lightning or if he/she deems the sports field unsafe for play.

Organizations must notify the CSC within three business day following a booking(s) that is cancelled due to inclement weather in order to receive the appropriate credit, if applicable.

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Unforeseen Maintenance/Repair

The City will close any field or facility in the event of an unforeseen need for maintenance/repair. Notification of unplanned closures will be communicated as soon as possible to the permit holder directly and will be posted on the City's external website.

Groups should report any hazards or unsafe conditions to the Parks & Forestry Division as soon as possible by contacting the applicable Parks supervisor/manager.

Damage

Groups will be responsible for the cost of repairs and applicable administration fees that result from the permit holder's improper use of fields or facilities.

Unauthorized Use of Fields

Exclusive use of a field for an organized, unstructured activity (e.g. pick-up soccer) requires a permit, which may be obtained by contacting the CSC.

The City reserves the right to cancel a contract or portion of a contract without notice should there be a breach of its terms and conditions, including failure to acknowledge/sign a contract or should the City ascertain that the field(s) is not being used for the purpose outlined in the application.

Groups that elect to use a field that the City has closed for maintenance or repair or that is unplayable due to weather conditions will be considered to be trespassing and will be required to pay any resulting damages and/or fines. The group may also have the remainder of their contract cancelled and/or be restricted from booking any other City facility for a period of time as determined by the City. Cancellation penalties, as per the contract, will apply.

Exceptions

Exceptions to this policy require the approval of the Director, Recreation or his/her designate or the Director, Parks and Forestry or his/her designate.

Revision History

Reference	Description
GC-0575-2015 – 2015 10 14	

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APPENDIX A - STANDARDS OF PLAY**Based on Long Term Athlete/Player Development Sport Models**

The Community Services Department will apply the following standards of play when allocating City of Mississauga outdoor sports fields for regular season and playoff requirements (practices and games) for all applicable sport groups identified. Competitive and/or development teams are defined as those teams that are sanctioned by a provincial sports organization and normally travel outside of the community to play other municipalities. The formula will determine the entitlement (hours per week) for each organization. Additional hours may be requested and will be subject to field availability.

Allocation Formula – Baseball/Softball

Note: 1 booking = 2.5hrs as per the Sports Fields Fees & Charges By-Law

Note: If 2 teams share a field the entitlement is adjusted

Note: The regular season entitlement will be allocated Monday through Sunday, pending field availability and affiliation status

House League

Age of Team players	# of Players Registered	Base Level # of Players per Team	Actual # of Teams	# of Practices per Team per Week	Teams per Practice Field	# of Games per Team per Week	Total Hours per Team per Week	Softball or Multi-Purpose Field Required	Hardball Field Required	Total Hours per Week	Rainout Allotment (x 15%)	Total Hours per Week
U4 – 7		6		1 (2.5 x .5)	2	2 (2.5 x .5 x 2)	3.75	X				
8 - 9		12		1 (2.5 x 1)	1	1* (2.5 x .5)	3.75 or 5.0*	X				
10 - 11		12		1 (2.5 x 1)	1	1* (2.5 x .5)	3.75 or 5.0*	X				
12 –13		12		1 (2.5 x 1)	1	2 (2.5 x .5 x 2)	5.0	X				
14 –15		12		1 (2.5 x 1)	1	2 (2.5 x .5 x 2)	5.0	X				
14 –15		12		1 (2.5 x 1)	1	2 (2.5 x .5 x 2)	5.0		X			
16 - 18		12		1 (2.5 x 1)	1	2 (2.5 x .5 x 2)	5.0	X				
16 - 18		12		1 (2.5 x 1)	1	2 (2.5 x .5 x 2)	5.0		X			
Total												

* City will allocate for 2 games if Provincial or National Sports Organization governing bodies sanctioned the one additional game or if required for Long Term Athlete Development (LTAD).

[illegible]

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Allocation Formula – Soccer

Note: 1 booking = 2.5 hours as per the Sports Fields Fees & Charges By-Law

Note: If 2 teams share a field the entitlement is adjusted by .5

Note: The regular season entitlement will be allocated Monday through Sunday pending field availability and affiliation status.

Recreation

Age of Team players	# of Players Registered	Base Level # of Players per Team	Actual # of Teams	# of Practices per Team per Week	Teams per Practice Field	# of Games per Team per Week	Total Hours per Team per Week	5 v 5 Field	7 v 7 Field	9 v 9 Field	11 v 11 Unlit	11 v 11 Lit	Total Hours per Week
U4 -U5		6		1 (60 minutes x .5)	2	N/A	0.5	X					
U6		6		1 (60 minutes x .5)	2	1 (60 minutes x.5)	1.0	X					
U7 -U8		8		1 (60 minutes x .5)	2	1 (60 minutes x.5)	1.0	X					
U9-U10		9		1 (70 minutes)	1	1 (70 minutes x.5)	1.75		X				
U11-U12		12		1 (1 hour)	1		1.0			X*	X		
U11-U12		12				1 (2 hours x .5)	1.0			X*		X	
U13-U19		12		1 (1.5 hours)	1		1.5				X		
U13-U19		12				1 (2 hours x .5)	1.0					X	
19-U21		12		*	1	1 (2 hours x.5)	1.0					X	
Adult 21+		12		N/A	N/A	1 (2 hours x.5)	1.0					X	

* If field availability permits

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Soccer Development

Age of Team players	# of Players Registered	Base Level # of Players per Team	Actual # of Teams	# of Practices per Team per Week	Teams per Practice Field	# of Games per Team per Week	Total Hours per Team per Week	5 v 5 Field	7 v 7 Field	9 v 9 Field	11 v 11 Unlit	11 v 11 Lit /Unlit	Total Hours per Week
U8		8		2 (60 minutes x 2)	1	1 (60 minutes x.5)	2.5	X					
U9– U10		9		2 (60 minutes x 2)	1	1 (60 minutes x.5)	3.0		X				
U11– U12		12		2 (1.5 hours x 2)	1		3.0			X*	X		
U11– U12		12				1 (2 hours x .5)	1.0			X*		X	
U13– U19		12		2 (1.5 hours x 2)	1		3.0				X		
U13– U19		12				1 (2.5 hours x .5)	1.25					X	
19– U21		12		*1.5 hours	1		1.5				X		
19– U21						1 (2.5 hours x.5)	1.25					X	
Adult 21+		12		N/A	N/A	1 (2.5 hours x.5)	1.25					X	

* If field availability permits

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Allocation Formula - Cricket

Note: 1 weekday booking = 2.5 hrs and 1 weekend booking = 4 hours as per the Sports Field Fees & Charges By-Law

Note: T-10 = 2.5 hour booking, T-20 = 4 hour booking, 40 and 50 overs = 8 hr booking

Note: The regular season entitlement will be allocated Monday through Sunday pending field availability* and affiliation status.

Age of Team players	# of Players registered	Base Level # of Players per Team	Actual # of Teams	# of T-20 Teams	# of 40 and 50 over Teams	# of Practices per Team per Week	Teams per Practice Field	Total Hours per Team per Week PRACTICE	# of Games Per Team per Week	Total Hours per Team per Week GAME	T-20 # of Home Games requested for SEASON in Mississauga	40/50 over # of Home Games requested for SEASON in Mississauga
U6		8		N/A	N/A	2	4	.375 (45 minutes x 2 x .25)	N/A	N/A	N/A	N/A
6 – U9		8		N/A	N/A	2	2	1.5 (90 minutes x 2 x .5)	1	0.75 (90 minutes x .5)	N/A	N/A
9 – U11		10		N/A	N/A	2	2	1.5 (90 minutes x 2 x .5)	1	0.75 (90 minutes x .5)	N/A	N/A
11–U17		11				2	2	2.5 (2.5 hours x 2 x .5)	# of home games*	Based on type of game		
12 – U20		11				2	2	2.5 (2.5 x 2 x .5)	# of home games*	Based on type of game		
15 - U21 female		11			N/A	2	2	2.5 (2.5 x 2 x .5)	# of home games*	Based on type of game		
Senior 20+		11				N/A	N/A	If availability permits	# of home games*	Based on type of game		
TOTAL												

*Teams registered in a cricket league sanctioned by a provincial sport organization recognized by Cricket Canada will receive priority.

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APPENDIX B - Permitted Ball Diamond Maintenance Guidelines

Activity	Lit Irrigated Fields	Unlit Irrigated Fields	Unlit Non-Irrigated Fields
Grass Cutting	3 Times per Week; Grass cut to 3"	3 Times per Week; Grass cut to 3"	1 Time per Week; Grass cut to 3"
Fertilization	5 Times per Year	1 Time per Year	1 Time per Year
Overseeding, Sodding, Topdressing	1 Time per Year or as required	1 Time per Year or as required	1 Time per Year or as required
Aeration	5 Times per Year	3 Times per Year	2 Times per Year
Home Plate	One permanent plate installed; replaced as required	One permanent plate installed; replaced as required	One permanent plate installed; replaced as required
Pitcher's Plate	One permanent plate installed; replaced as required	One permanent plate installed; replaced as required	One permanent plate installed; replaced as required
Lining	1 Time per Week	1 Time per 2 weeks	1 Time per 2 weeks
Screening	Added to low spots as required	Added to low spots as required	Added to low spots as required
Infield Gilling, Raking, Dragging, Levelling	Infield: 5 Times per Week	Infield: 2 Times per Week	Infield: 2 Times per Week
Warning Track Gilling, Rototilling, Levelling	1 Time per 2 Weeks	1 Time per 2 Weeks	1 Time per 2 Weeks
Litter Pickup	1 Time per Week	1 Time per Week	1 Time Per Week
<ul style="list-style-type: none"> Fencing, irrigation, lighting, backstops, players' benches and bleacher maintenance are also provided by the City as required throughout the season on City park facilities. School diamond capital repairs are the responsibility of the appropriate school board. School fields will be lined as per permitted use only. 			

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APPENDIX B - Permitted Cricket Field Maintenance Guidelines

Activity	Major Fields	Combination Soccer/Cricket
Grass Cutting	3 Times per Week; Grass cut to 2.5"	1 Time per Week; Grass cut to 3"
Fertilization	5 Times per Year	1 Time per Year
Overseeding, Sodding, Topdressing	1 Time per Year or as required	1 Time per Year or as required
Aeration	5 Times per Year	2 Times per Year
Lining	1 Time per Week	1 Time per 2 Weeks
Litter Pickup	1 Time per Week	1 Time per Week
<ul style="list-style-type: none"> Fencing, irrigation, players' benches and bleacher maintenance are also provided by the City as required throughout the season on City Facilities. School fields will be lined as per permitted use only. 		

APPENDIX B - Permitted Soccer/Football Field Maintenance Guidelines

Activity	Lit Irrigated Fields	Unlit Irrigated Fields	Unlit Non-Irrigated Fields
Grass Cutting	3 Times per Week; Grass cut to 3"	3 Times per Week; Grass cut to 3"	1 Time per Week; Grass cut to 3"
Fertilization	5 Times per Year	1 Time per Year	1 Time per Year
Overseeding, Sodding, Topdressing	1 Time per Year or as required	1 Time per Year or as required	1 Time per Year or as required
Aeration	5 Times per Year	3 Times per Year	2 Times per Year
Lining	1 Time per Week	1 Time per 2 weeks	1 Time per 2 weeks
Litter Pickup	1 Time per Week	1 Time per Week	1 Time Per Week
<ul style="list-style-type: none"> School field capital repairs are the responsibility of the appropriate school board. School fields will be lined as per permitted use only. 			

City of Mississauga

Corporate Policy & Procedure

**Policy Title: Arena Ice Allocation****Policy Number: 08-03-03****Draft Policy Only – February 27, 2017**

Section:	Community Services	Subsection:	Recreation
Effective Date:	October 30, 2013	Last Review Date:	October, 2013
Approved by: Council	Owner Division/Contact: Sports Unit, Recreation Division, Community Services Department		

Policy Statement

The City of Mississauga is committed to meeting the recreational needs of the City and its residents through a comprehensive arena ice allocation policy for all users.

Purpose

Standards and priorities for allocation of arena ice have been developed to meet the needs of Mississauga residents, while ensuring the effective and optimal use of City arena facilities, at the lowest possible cost to the taxpayer.

This policy outlines the standard ice allocations for each type of user group and the priorities which will be applied in the event of a conflict in ice time requests.

Scope

This policy applies to all City of Mississauga arenas, excluding Vic Johnson Arena (Streetsville), the Hershey Centre Bowl and all artificial outdoor City rinks.

Reference to “ice” during the summer season includes the rental of arena floor space where the ice has been temporarily removed.

Definitions

For the purposes of this policy:

“Affiliated Youth Group” means those Mississauga-based groups that provide services which supplement those provided by the City and that have successfully applied for and been granted status as an Affiliated Group in accordance with Corporate Policy and Procedure – Community Group Support Program. School groups qualify for the youth affiliate rate when activities are included in the course curriculum or where school representation is required.

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“Mississauga Resident” means anyone who lives permanently in Mississauga (temporary absences for reasons such as vacation do not affect resident status, as long as the resident’s principal address remains in Mississauga); a student who is registered in an educational institution in Mississauga and who lives and attends school in Mississauga for a period of at least eight months during the calendar year; or a non-resident who is the principal owner of a business in Mississauga and thereby pays Mississauga business taxes.

Administration

This Policy Is Administered By The Sports Unit, Recreation Services Division, Community Services Department.

Residency

Mississauga Residents must be guaranteed a fair opportunity to register, try-out and participate in Mississauga-based recreational and competitive programs. Membership for recreational (house league) players cannot be closed to Mississauga Residents prior to the start of the organization’s season or, for competitive players, before the end of try-outs if non-residents make up any portion of the membership. The level of play will be determined by the applicable organization and not by the City.

To ensure the sustainability of Mississauga based ice organizations, Affiliated Youth Groups that are allocated ice in accordance with this policy will be allowed to register a maximum of ~~five-ten~~ percent of the organization’s total registration as non-residents without seeking an exception from the City. Non-residents will be charged a non-residents surcharge in accordance with the Recreation Fees and Charges By-Law, as amended. Requests from groups to the Sports Unit for exceptions over and above ~~five-ten~~ percent will be considered on a case-by-case basis. The Director, Recreation Division, Community Services Department or his/her designate will make the final decision.

Regional-based Affiliated Youth Groups that cannot operate without a non-resident component that is greater than ~~five-ten~~ percent will be permitted a higher percentage of non-residents, as agreed to in consultation with the Director, Recreation the Sports Unit.

Organizations qualifying for the Mississauga-based representative rate (e.g. GTHL) will have a minimum of 80% Mississauga Residents per organization. Team rosters must be available upon request to confirm residency.

Primetime Ice Hours Per Season

Summer

The summer season begins on Victoria Day Monday (in May) and runs until August 31st.

“Primetime Ice” for the summer season is:

- Monday to Friday - 6:00 pm to 11:00 pm

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- Sunday - 6:00 pm to 11:00 pm

Ice during the summer season is not subject to priority allocation, but will be allocated in accordance with the application deadlines communicated by the Sports Unit and are based on market demand and consideration of arena operational efficiencies.

Affiliated Youth Groups are entitled to the affiliated rate during the summer season.

Fall/Winter/Spring

The Fall/Winter/Spring season begins on September 1st and ends on the Sunday before Victoria Day Monday the following May.

“Primetime Ice” for the Fall/Winter/Spring is:

- Monday to Friday - 4:00 pm – 11:00 pm
- Saturdays - 7:00 am – 9:00 pm
- Sundays - 7:00 am – 11:00 pm

Seasonal Contract

Organizations utilizing Fall/Winter/Spring primetime ice will be required to commit to a minimum 26 week seasonal contract that must begin by the 3rd weekend in September and run for a minimum of 26 consecutive weeks, including any weeks with exception dates. Organizations that require a seasonal contract that runs longer than 26 weeks must commit to the entire seasonal contract. The ability to commence seasonal contracts during the first two weekends in September and/or to extend contracts past 26 weeks is dependent on availability of ice.

Seasonal contracts will not include the following dates: December 24th; statutory holidays - December 25th, Christmas Day; December 26th Boxing Day; and January 1st, New Years' Day.

Exceptions may be requested for the remaining statutory holidays (Thanksgiving, Family Day and, if applicable, Good Friday); the remaining dates in the Christmas period (December 27th to December 31st); and March break (Saturday through Saturday). No other exceptions will be granted.

Priority Allocation – Seasonal Contracts

The City is committed to allocating up to 20% of overall primetime ice to the following two groups: Recreation Division programs (e.g. Learn to Skate/Hockey; public access programs); followed by Established community adult leagues/programs.

The remaining 80% of primetime ice will be allocated to provide game/practice and/or program ice time on a priority basis for seasonal contracts. The same prioritization is used to address dispensing surplus ice times, wait lists and acquiring additional ice time (as may be required).

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The remaining priorities are as follows:

- Affiliated Youth
- Board of Education
- Mississauga Based Rep Organizations (GTHL)
- Junior A Hockey
- Private Leagues and Individual Users
- Commercial & Non Resident

When the demand for ice exceeds availability, ice required will be obtained from groups in reverse order on the 80% priority allocation above. Consideration will be provided for smaller organizations not able to sustain a reduction without seriously impacting their activities.

Standards of Play

The Community Services Department will adhere to the following standards of play when allocating seasonal contract ice for all ice users identified in the chart below:

RECREATIONAL		
Hockey - House League	Category	Hours per Week - 15 players per team
4 – 11 year olds, House League	MHL, Ringette and MGHL	1 hour per team (a shared practice and game) per week
12 – 20 years , House League	MHL, Ringette and MGHL	1.5 hours per team (full practice & game) per week
COMPETITIVE		
Hockey- Rep	Category	Hours per Week -15 players per team
Greater Toronto Hockey League (GTHL) 9 – 13 year olds, Rep (AA & AAA)	ALL	2.25 hours per team (1 hour practice and a 1.25 hour game)
GTHL 14–20 years, Rep - AA & AAA	ALL	2.50 hours per team (1 hour practice and 1.50 hour game)
Hockey/Ringette Rep	Category	Hours per Week - 15 players per team
MGHL 8 – 20 year olds, Rep +	8 Novice (DS) 9/10 Atom (DS) 11/12 PeeWee (A,BB,B,DS) 13/14 Bantam (BB,B,DS) 15/16 Midget(B)	2 hours per team (1 hour practice and a 1 hour game)
	11/12 PeeWee (AA) 13/14 Bantam(AA,A) 15/16 Midget (AA,A,BB) 17/18 Intermediate (A)	2.5 hours per team (1 hour practice and a 1.5 hour game)
	17/18 Intermediate (AA)	3 hours per team (1 hour practice and a 2 hour game)

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Ringette Rep	6/7 Bunnies 8/9 Novice 10,11 Petite 12,13 Tween 14,15 Junior	2 hours per team (1 hour practice and a 1 hour game)
	16/17 Belle 19+ Open	2.5 hours per team (1 hour practice and a 1.5 hour game)
Mississauga Hockey League Rep (A)	9 Minor Atom 10 Atom 11 Minor PeeWee 12 PeeWee 13 Minor Bantam 14 Bantam 15 Minor midget 16/17Midget U21	2.25 hours per team (1 hour practice and a 1.25 hour game)
Figure Skating		
Categories	Hours per Week	
Preschool/Canskate	1 hour per week per 50 skaters	
Jr. A and Jr. B Pre-star Intermediate A and B Intermediate development Star 1 and 2	1 hour per week per 10 skaters	
Senior Star 3	1 hour per week per 4 skaters	
Senior Senior Advanced Competitive Team	1 hour per week per 3 skaters	
Precision –Synchronized	2 hour per week per team	
Adult	1 hour per week per 20 skaters	

Ice time will be allocated in a minimum of one hour blocks, which include an allowance for a 10-minute flood. User groups will determine game structure and duration (e.g. stop, straight time, 1 hour game, 1.5 hour game).

The seasonal contract ice rental rate for Affiliated Youth Groups and the GTHL will only apply to ice allocated in accordance with the standards of play. The supplementary hours will be subject to the rate as approved in the Recreation Fees and Charges By-Law, as amended. The Affiliated Youth Groups and GTHL non-prime rates will be applied to additional ice booked during non-prime hours.

Youth Affiliated Groups Ice Calculation

Seasonal contract ice is allocated annually for Affiliated Youth Groups using historical registration trend data. Each organization's eligible ice allocation will be based on their average registration numbers over the past three years.

If the organization's registration numbers over the past three years are trending lower (e.g. by two percent), the organization will be allocated two percent fewer hours than the previous year. Organizations will then have the option to commit to retaining the supplementary ice for the

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upcoming season (i.e. the difference in the previous year's allocation and their new entitlement). The decision to retain the supplementary ice must be made by the deadline for seasonal contracts, May 01, unless otherwise communicated by the Sports Unit.

If the decision is to retain the supplementary hours, the hours will go into the organization's "bank" and could be used to schedule additional activities, such as second team practices. The supplementary hours may be carried over and committed to for subsequent seasons.

The supplementary hours will be subject to the rate as approved in the Recreation Fees and Charges By-Law, as amended, as they are over and above the organization's eligible ice based on the standards of play. If registration increases and the organization is entitled to more hours than were allocated by the City, their supplementary hours will be used to fulfill the eligible ice allocation and be converted to the regular affiliated rate.

If the organization's registration over the previous three years is trending higher, the allocated hours of eligible ice will go up accordingly, with required primetime ice being obtained from groups in reverse order on the 80% priority listing if required.

Note: Those organizations with supplementary ice may be required to return all or a portion of the supplementary ice in the event that the City cannot fulfill the basic requirement for eligible primetime ice for all groups in the 80% priority listing. The Sports Unit will ensure any redistribution of supplementary ice is carried out in a fair and equitable manner.

Reselling Unused Seasonal Contract Ice

Organizations will have the opportunity to resell unused ice through the City's Customer Service Centre booking office. A rebooking fee per transaction, as set out in the Recreation Fees and Charges By-Law, as amended, will be charged to the team selling the ice if the City is successful in reselling it. The purchaser will pay the higher of the rate applicable to their organization or the rate the ice was originally booked at. The organization reselling the ice will be credited with the rate on their original contract, minus any administration/rebooking fee.

The resale or purchase of ice does not impact the calculation of ice allocation for future years.

Tournaments/Special Events

The City reserves the right to make adjustments to allocations in order to accommodate tournaments and special events. However, the City will work in collaboration with groups to ensure that the impact of tournaments and special events on seasonal groups is minimized. Advanced commitment for special events and tournaments may be granted at staff discretion.

Policy Number: 08-03-03

Effective Date: October 30, 2013

Policy Title: Arena Ice Allocation

Last Review Date: October, 2013

7 of 7

Cancellation Penalties

Organizations may be subject to cancellation penalties outlined in Corporate Policy and Procedure – Payment and Refund of Facility Rental Fees and reflected on their facility rental contract.

Pilot Programs/Emerging Sports

Organizations interested in obtaining additional primetime ice for new initiatives in the form of a pilot project or to gauge interest in an emerging sport must request supplementary ice prior to program development. The group making the request must provide the Sports Unit with a proposal that includes the required hours of ice; a marketing plan; proposed fees; and a target audience.

Contracts for pilot projects/emerging sports will stipulate that the group may cancel their allocated ice with two weeks' notice without penalty.

A program will only be considered a pilot project for the first two years of operation by the same organization.

Revision History

Reference	Description
GC-137-96 - 1996 02 28	
October 12, 2011	Housekeeping – Volunteer policy renamed to Community Group Support Program GC-0592-2013 – 2013 10 30

City of Mississauga
Corporate Report



Date: 2017/02/22

To: Chair and Members of Governance Committee

From: Mary Ellen Bench, BA, JD, CS, CIC.C, City Solicitor

Originator's files:

Meeting date:
2017/03/06

Subject

Integrity Commissioner Request for Proposals

Recommendation

1. That the mandate of the Integrity Commissioner shall be to act as an advisor to Members of Council on matters relating to ethics and the *Council Code of Conduct*, to act as an educational resource to Members of Council in this respect, and to independently receive and investigate complaints regarding a possible breach of the *Council Code of Conduct* by a Member of Council or a local board be affirmed;
2. That the qualifications of an Integrity Commissioner, beyond being independent and impartial, as set out in this report be affirmed;
3. That staff be authorized to issue a request for proposal (RFP) seeking applicants for the position of Integrity Commissioner for a four-year non-renewable term, to carry out this mandate and any additional duties that may be placed upon the Integrity Commissioner by legislation;
4. That direction be provided on the appropriate individuals to be responsible for evaluating proposals and making a recommendation to City Council on a new Integrity Commissioner; and
5. That the term of the Integrity Commissioner to be appointed for the period commence July 2017 and end in June 2021, and that a four year non-renewable term be recommended going forward.

Report Highlights

- The term of office for the current Integrity Commissioner ends in June 2017 and is not

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renewable.

- It is proposed to issue an RFP to retain the services of a new Integrity Commissioner, and that the new Integrity Commissioner have the same mandate as Mr. Swayze, the City's current Integrity Commissioner.
- Bill 68, *An Act to Amend various Acts* in relation to municipalities will significantly expand the role of the Integrity Commissioner to include the conduct of investigations and making of recommendations including referral to court, of breaches of the *Municipal Conflict of Interest Act*. It will also allow the Province by regulations to mandate what must be in a Council or local board Code of Conduct. It is therefore recommended that the City's requirements respecting senior level management, legal or judicial experience be maintained.
- To renew this appointment for a five-year term would time the renewal within the next municipal election campaign period. It is therefore recommended that the term of appointment going forward be four years, so that it would fall to the outgoing Council to make the appointment and confirm the mandate of the Integrity Commissioner going forward.

Background

The appointment of an Integrity Commissioner is authorized under Section 223.3 of the *Municipal Act, 2001*. The Act requires that this position be independent, report to Council, and that it performs the function identified in the legislation and as assigned by the Municipality. Best practices identify the need for an Integrity Commissioner, beyond the need to be independent and impartial, to not be a municipal employee, and to be appointed for a tenure that is non-renewable on a part-time basis. Remuneration should be fixed at a reasonable level to avoid concerns about undue influence.

The *Code of Conduct for Mayor and Members of Council* became effective on December 1, 2010 when the new term of Council took office. The *Local Board and Tribunals Code of Conduct* was approved in 2013 and took effect in January 2014. The mandate of the Integrity Commissioner, as determined by City Council, is to provide advice as requested by City Council or by a Member of City Council, and also advise members of local boards and tribunals; to provide educational training as requested by City Council or local boards; and to investigate both informal and formal complaints made to the Integrity Commissioner and where appropriate report to Council with recommendations regarding penalties pursuant to Section 223.4 of the *Municipal Act, 2001*.

The qualifications of an Integrity Commissioner, beyond the need to be independent and impartial, as approved by City Council include:

- proven impartiality and neutrality, comparable to that of a judge;

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- ability to provide services on a part-time, flexible and as-needed basis without competing employment demands;
- no involvement in political campaigning/endorsements, no political party membership and no related conflict of interest;
- no financial interest in the work undertaken by the City;
- an independent person known to have high ethical standards;
- experience managing sensitive inquiries, conducting investigations and making appropriate recommendations;
- excellent communication skills;
- familiarity with investigatory procedures and applicable legal principles, particularly as they relate to evidence, legal interpretation and natural justice;
- general knowledge and appreciation of municipal government;
- ability to interpret and apply the provisions of various statutes, regulations, policies and other enabling documents;
- impartiality, wisdom, sound judgment combined with an ability to inspire trust and confidence;
- at least 10 years of senior-level management, legal, tribunal or judicial experience with preference given to those with judicial experience.

Comments

Bill 68, the *Modernizing Ontario's Municipal Legislation Act, 2016*, proposes a number of changes to the *Municipal Act, 2001* and to the *Municipal Conflict of Interest Act* that would impact the role of the Integrity Commissioner going forward. The Bill will make the appointment of an Integrity Commissioner by all municipalities mandatory. The Bill would expand persons who can file a complaint under the *Municipal Conflict of Interest Act* beyond those who are electors in the Municipality to a much broader "any person".

It will also expand the mandate of the Integrity Commissioner to carry out inquiries and make findings in respect of contraventions under the *Municipal Conflict of Interest Act* on receipt of a complaint, or on a Commissioner's own initiative. The Bill also proposes to allow Integrity Commissioners to delegate their authority to third parties. The proposed expanded mandate and potential to delegate raises concerns, due to the nature of the relationship contemplated between the Integrity Commissioner and the Municipality. The City is retaining an individual for their specific expertise and not a corporation or law firm. Given the complexity of the *Municipal Conflict of Interest Act* and the new authority Bill 68 proposes to transfer to Integrity Commissioners, it is strongly recommended that the requirement for ten years of senior-level management, legal, tribunal or judicial experience with preference given to those with judicial experience, be a key requirement for this position. A detailed report on the impact of Bill 68 has been submitted separately.

When Council last considered the appointment of an Integrity Commissioner the evaluation committee consisted of the City Manager, City Solicitor, City Clerk and three members of the

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Governance Committee. Direction is sought in respect of the composition of the committee to assess applications for the position of Integrity Commissioner for the City of Mississauga, including its local boards and tribunals, for the term commencing in June 2017.

It is recommended that the term for the Integrity Commissioner to be selected be for four years, ending in June 2021, given that 2022 is a municipal election year. A four year term would allow the outgoing Council to make any changes to the mandate and appoint the new Integrity Commissioner to hold office for the next term of Council.

Financial Impact

\$100,000 annually has been budgeted for the services of an Integrity Commissioner. Based on invoices received over the last five years and the current mandate, this is an appropriate budgeted amount.

Conclusion

The *Council Code of Conduct* took effect December 1, 2010 at the beginning of the new term of Council and the *Local Board and Tribunals Code of Conduct* was introduced in 2013 and took effect in January 2014. The current Integrity Commissioner's contract stipulates that it is for a five-year non-renewable term, which expires in June 2017. Bill 68 will expand the role of the Integrity Commissioner. The purpose of this report is to seek authority to issue a new RFP to retain an Integrity Commissioner and determine the evaluation process, as set out in this report.



Mary Ellen Bench, BA, JD, CS, CIC.C

Prepared by: Mary Ellen Bench, City Solicitor

City of Mississauga

Corporate Report



Date: 2017/02/21

To: Chair and Members of Governance Committee

From: Mary Ellen Bench, BA, JD, CS, CIC.C, City Solicitor

Originator's files:

Meeting date:

Subject

Bill 68, the Modernizing Ontario's Municipal Legislation Act, 2016

Recommendation

That the City of Mississauga make written submissions to the Province of Ontario in respect of the concerns raised in the report of the City Solicitor dated February 21, 2017, titled "Bill 68, the *Modernizing Ontario's Municipal Legislation Act, 2016*".

Report Highlights

- Bill 68, the *Modernizing Ontario's Municipal Legislation Act, 2016*, includes a number of significant changes to municipal legislation, some of which raise concerns.
- **The *Municipal Act, 2001***
 - Amendments respecting Council and committee meetings clarify the definition of meeting, open up new exceptions to the open meeting requirement and provide for participation of a Member of Council or a local board or committee by electronic means.
 - Regional governance provisions are amended to delete the requirement for a regulation to change the composition of Regional Council, while leaving the Minister with authority to enact one and maintain the triple majority requirement. Regional Councils will have to review membership after every second regular election.
 - Codes of Conduct and the services of an Integrity Commissioner will be mandatory for municipal Councils and local boards, and the Minister may set minimum requirements for Codes of Conduct.
 - The role of the Integrity Commissioner has been significantly expanded to include providing advice and conducting investigations under the *Municipal Conflict of Interest Act*.
 - The Integrity Commissioner would be given the power to initiate his/her own investigation and provision is made for an Integrity Commissioner to delegate any of

his/her functions to another person.

- Prudent investment options are provided to allow approved municipalities with strong credit ratings a broader range of investment options.
- Technical amendments are made that address municipal tax sales and clarify that municipalities have broad authority to use administrative penalties.
- Similar amendments are made to the *City of Toronto Act, 2006*.
- By Resolution 0257-2015, the City requested new revenue tools similar to those given to the City of Toronto and an amendment to s.442 to reduce municipal exposure to certain joint and several liability claims. These requests have not been addressed by Bill 68.

- **Climate Change**

- Amendments to the *Municipal Act, 2001* and the *Planning Act* provide specific authority for municipalities to enter into long-term planning arrangements for energy conservation, climate change and green energy. *Planning Act* amendments make climate change part of the Provincial Policy Statement.

- **Municipal Conflict of Interest Act**

- Municipal Councillors and local board members will be required to make written disclosure of conflicts of interest that the Clerk will maintain in a public registry.
- Provisions are put in place for conflict of interest investigations carried out by the Integrity Commissioner to come to the court as a result of a complaint by any person, or by the Integrity Commissioner's own initiative.
- Penalties will be expanded to allow a judge to reprimand a member or former member, suspend remuneration up to 90 days, declare a seat vacant, disqualify a member from running for office or order restitution.

- **Municipal Elections Act**

- The date that the term of Council commences following a municipal election will be moved forward to November 15th.
- Maximum campaign contributions will be increased from \$750 to \$1,200 and maximum contributions that a candidate or spouse can make will be limited to \$25,000 for Mayoralty candidates in the City and between \$11,214 and \$14,603 for Councillors based on a formula. This could disadvantage new candidates.

Background

Bill 68, the *Modernizing Ontario's Municipal Legislation Act, 2016* ("Bill 68") received first reading on November 16, 2016 and second reading on December 6, 2016. Bill 68 amends the *Municipal Act, 2001*, *City of Toronto Act*, *Municipal Conflict of Interest Act*, *Public Inquiries Act*, *Municipal Elections Act*, *Development Charges Act* and *Planning Act*, plus a number of Acts related to specific municipalities or facilities.

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Comments

The purpose of this report is to identify the most significant changes Bill 68 introduces and to advise of potential concerns about Bill 68 provisions.

Council and Committee Meetings

Bill 68 adds a definition of “meeting” to the *Municipal Act, 2001*. Meeting will be defined to include situations where a quorum of members is present and the members discuss or otherwise deal with a matter in a way that materially advances the business or decision-making of the Council, local board or committee. This addition appears to be responsive to certain closed meeting investigations that arose out of situations where sufficient Members of Council to make quorum attended the same social event, raising a question about whether the event constituted a meeting under the current definition.

Bill 68 also proposes to allow municipalities to include participation in that portion of a meeting that is open to the public by a Member of Council or local board or committee electronically, but those participating electronically are not counted for quorum. The amendment does not address whether the member participating electronically can vote or not, which suggests that the municipality can make this determination in its procedure by-law. Bill 68 also allows municipalities to establish community councils with authority to consider matters delegated to them by Council.

Bill 68 opens up new exceptions to the open meetings requirement as well. An exception is provided for information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them. It does not extend to information supplied in confidence as between an upper-tier and lower-tier municipality, however. Specific exceptions have also been added for information that is a trade secret or scientific, technical, commercial, financial or labour relations information supplied in confidence that would prejudice the competitive position of a person or organization and, if owned by the municipality, has monetary or potential monetary value. A new provision has also been included allowing discussions of a position, plan, procedure, criteria or instruction to be applied in any negotiations carried on by or on behalf of the municipality to be held in camera.

Regional Governance

The requirement for a regulation, before an upper-tier municipality can proceed through the statutory requirements to change the composition of Regional Council, has been removed. The remaining criteria, including the need for a public meeting and triple majority support, have not changed.

Triple majority, as defined in Section 219 of the *Municipal Act, 2001*, provides that a by-law making changes to the composition of a Regional Council is not valid unless,

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- a) a majority of all votes on the upper-tier Council are cast in favour of the by-law resolution;
- b) a majority of the Councils of all lower-tier municipalities forming part of the upper-tier municipality have passed resolutions consenting to the by-law or the resolutions;
and
- c) the total number of electors in the lower-tier municipalities that have passed resolutions consenting to the by-law or the resolution form a majority of all the electors of the upper-tier municipality.

Given that the City of Mississauga has the majority of all electors in the Region of Peel, such a by-law cannot be enacted without the support of the City of Mississauga. The Minister is still able to make a regulation to change the size of Regional Council under Bill 68 in the year preceding the next municipal election and, if the Minister elects to do so, consideration must be had for the principle of representation by population by the Minister. This is not expressed as a condition for a regional government, however.

Bill 68 also includes a provision requiring, in the year following the regular election in 2018 and every second regular election after that, a regional municipality to review the number of members of Regional Council that represent each of its lower-tier municipalities. No principles are provided to shape that review.

Bill 68 proposes that local municipalities be able to appoint a local Councillor as an alternate member of an upper-tier Council when a member is unable to attend Regional Council for any reason.

Mandatory Codes of Conduct and Expanded Role of Integrity Commissioners

Bill 68 makes it mandatory for municipalities to establish Codes of Conduct for Members of Council and for its local boards. It also authorizes the Minister to make regulations prescribing matters that a municipality must include in its Code of Conduct. A by-law cannot provide that a member who contravenes a Code of Conduct is guilty of an offence or is required to pay an administrative penalty.

In addition, municipalities are required to engage the services of an independent Integrity Commissioner and, if a municipality has not appointed an Integrity Commissioner, then it is required to make arrangements for all the responsibilities of an Integrity Commissioner to be provided by a Commissioner of another municipality.

Since 2010, the City of Mississauga has engaged an Integrity Commissioner and has relied upon the Commissioner to provide advice to Members of Council and its boards on their ethical obligations and responsibilities under the *Code of Conduct*, to investigate complaints and report findings to Council as provided for in the *Municipal Act*, and to provide educational training and

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materials to both Members of Council and members of the City's local boards. Mississauga has a separate Code of Conduct for its local boards that was enacted in 2015. These requirements in the Bill will have no impact on Mississauga as a result.

Expanded Role of Integrity Commissioner and Municipal Conflict of Interest Act

The responsibilities of an Integrity Commissioner have been significantly expanded. Presently, legislation provides that the Integrity Commissioner can perform three roles as determined by the municipality: advisory; complaint investigation and adjudication; and an educational role. Bill 68 expands these roles to also include clear direction for Integrity Commissioners to provide advice to Members of Council or local boards respecting their obligations under the *Municipal Conflict of Interest Act* ("MCIA"), allowing the Integrity Commissioner to conduct certain investigations under the MCIA, and further, authorizing the Integrity Commissioner on the Commissioner's own initiative, to conduct inquiries into whether a Member of Council or of a local board has contravened the Code of Conduct or the MCIA. The Bill also clarifies that any advice given by the Integrity Commissioner be in writing and that the Integrity Commissioner can summarize advice given in a report, without disclosing confidential information that could identify persons concerned. Additionally, the Bill has extended the right to apply to an Integrity Commissioner respecting an alleged contravention of *the MCIA* by a Member of Council or a local board *to any person*, whereas current legislation only allows electors the opportunity to do so. It is unclear how the courts will respond to findings made by an Integrity Commissioner under the MCIA, particularly if an Integrity Commissioner who is appointed by a municipality does not have a legal background.

The proposed amendments respecting the role of the Integrity Commissioner raise a number of concerns. Expanding the role of the Integrity Commissioner, and allowing the Integrity Commissioner to conduct inquiries on the Commissioner's own initiative, will make it difficult for municipalities to assess the appropriateness or to properly determine the cost of any such investigations.

The Bill does not set criteria or qualifications for individuals who wish to assume the role of Integrity Commissioner. If an Integrity Commissioner decides to conduct an inquiry on his or her own initiative, the Commissioner is required to publish a notice of the inquiry and may hold a public meeting to discuss it.

There is also a concern with the ability of an Integrity Commissioner to conduct an investigation on his/her own initiative where the Integrity Commissioner lives outside of a municipality and may not have sufficient information to put proper context around issues before launching an investigation that could be costly in terms of both expense and reputation.

Finally, the Bill proposes to authorize Integrity Commissioners to delegate their authority to a third party. The concern this raises is that the Municipality is entering into what is in essence a personal service agreement with an Integrity Commissioner and the Municipality may not have a

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relationship at all, or comfort level with, the person the Integrity Commissioner delegates to. This is different than authorizing an Integrity Commissioner to bring in a third party for advice, for example a criminal lawyer or forensic accountant if an investigation under the *MCIA* potentially reveals a fraud. The Commissioner is entitled to complete access to all records of the municipality that the Commissioner believes are necessary for the inquiry and is required to complete the inquiry within 180 days. Where the Commissioner determines it is appropriate to do so, the Integrity Commissioner may apply to a judge for determination as to whether there is a conflict under the *MCIA* and the Integrity Commissioner must publish brief written reasons whether the Commissioner refers the matter to a judge or determines not to pursue the matter in court. The Municipality or local board is responsible for paying all the Commissioner's costs in applying to the courts.

It is recommended that the City of Mississauga express concern in respect of the authority for Integrity Commissioners to commence inquiries of their own initiative in respect of potential contraventions of the applicable *Code of Conduct* or the *MCIA*.

Municipal Conflict of Interest Act Amendments

Bill 68 also amends the *MCIA*. It may be that the amendments contained in Bill 68 in respect of the authority of the Integrity Commissioner to investigate *MCIA* matters, and investigate matters on the Integrity Commissioner's own initiative, may be seen as a response to some of Commissioner Cunningham's recommendations. Commissioner Cunningham sought a more practical approach to certain types of matters that could be investigated under the *MCIA* and penalties that were not as onerous as those currently in place in that legislation. Amendments to the *MCIA* found in Bill 68 also address Mr. Justice Cunningham's recommendation that the *MCIA* contain a preamble similar to that found in provincial conflict of interest legislation setting out certain principles.

Bill 68 endorses four principles in relation to the duties of Members of Council and local boards under the Act:

1. The importance of integrity, independence and accountability in local government decision making;
2. The importance of certainty in reconciling the public duties and pecuniary interests of members;
3. Members are expected to perform their duties of office with integrity and impartiality in a manner that will bear the closest scrutiny; and
4. There is a benefit to municipalities and local boards when members have a broad range of knowledge and continue to be active in their own communities, whether in business, in the practice of a profession, in community associations and otherwise.

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Written Notice of Conflict

The *MCIA* is also amended to require Members of Council to file a written statement setting out the general nature of their conflict and/or declaration as commonly happens today, as opposed to a verbal declaration. The Clerk will be required to keep a registry of all statements of conflict under the Bill.

The *MCIA* has not been expanded beyond pecuniary interests. In matters under the *MCIA*, where a Member of Council or a local board has a direct or indirect pecuniary interest, the *MCIA* is, however, broadened to prohibit any influence upon officers or employees of the municipality or local board in any way to attempt to influence a decision or recommendation. The *MCIA* has been amended to reflect a six-week period to file an application alleging a pecuniary interest and, if the application is first made to an Integrity Commissioner, the time to apply to the courts does not start until after the Integrity Commissioner releases a decision on the matter.

The powers of a judge under the *MCIA* have been expanded. If the judge determines that the member or former member contravened the *MCIA*, the judge may:

1. Reprimand the member or former member;
2. Suspend the remuneration paid to the member for a period of up to 90 days;
3. Declare the member's seat vacant;
4. Disqualify the member or former member from being a member during the period of not more than seven years after the date of the order; or
5. If the contravention has resulted in personal financial gain, require the member or former member to make restitution to the parties suffering the loss, or, if the parties' identity is not readily ascertainable, to the municipality or local board as the case may be.

In exercising his or her discretion, the Bill allows a judge to consider the reasonableness of the actions taken by the member or former member, whether the pecuniary interest was disclosed and whether the breach was committed through inadvertence or by reason of an error in judgment made in good faith.

Prudent Investment Options

Bill 68 introduces a new section that allows a municipality, that meets certain requirements which will be put into a new regulation, to migrate away from the existing prescriptive approach to investments and to adopt a framework for investment that uses a prudent investment standard. Once enacted, this will allow the City of Mississauga, given its AAA credit rating, to invest money that it does not immediately require in securities as long as the City exercises the care, skill, diligence and judgment that a prudent investor would exercise in making such an investment. The intent of this section is to allow municipalities to make higher returns on their investments.

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Changes Respecting Municipal Tax Collection and Tax Arrears

Bill 68 will amend the *Municipal Act, 2001*, to allow tax bills to be delivered electronically if the taxpayer chooses to receive the bill in that manner. Authority to cancel, reduce or refund all or part of a payment in lieu of taxes is also added, in circumstances similar to which the Treasurer may currently make such adjustments, including vacant properties, properties that have become exempt in the previous year, situations where there is a fire or demolition, extreme poverty or repairs and renovations that prevent the normal use of the property for at least three months. Applications can only be made by the body responsible for making the payment in lieu, so tenants cannot apply.

A number of clean up provisions have also been added allowing for municipalities to register tax arrears certificates on lands forfeited to the Crown, unless forfeiture is under the *Forfeited Corporate Property Act, 2015*, and where the Minister's consent is required and to reduce the time that property taxes have to be in arrears before a municipality can start a tax sale from the current three years.

Revenue Tools and Cost Mitigation Requests

By Resolution 0257-2015, attached as Appendix 1, the City requested new revenue tools similar to those given to the City of Toronto and an amendment to s.442 to reduce municipal exposure to certain joint and several liability claims. These requests have not been addressed by Bill 68. Municipal requests for additional tools to assist in regulating the sharing economy are also not addressed. A tool to incent accessible vehicle use by transportation networking companies would be most helpful.

Integrated Service Delivery and New Policies

There is a new provision under the heading "Integrated Planning for Service Delivery" adding the ability for the Minister to make regulations to support the integration of service delivery with planning for service delivery by others. It is not clear what services this would apply to, so it is assumed to be intended to be broad.

Bill 68 will require municipalities to adopt policies respecting preservation of the tree canopy and vegetation. A policy respecting pregnancy leaves and pregnancy leaves for Members of Council will be required. Finally, Bill 68 adds a new requirement for municipalities to have a policy regarding Councillor-staff relations.

Climate Change and Environmental Matters

The Bill amends the *Planning Act* to include climate change as part of the provincial policy statement. It also amends the *Municipal Act* by adding specific authority for municipalities to

enter into long-term planning arrangements for energy conservation, climate change and green energy. It also authorizes new environmental standards for building.

Election Reform

Bill 68 contains an amendment to the *Municipal Elections Act* to change the date that the term of Council commences from December 1st to November 15th.

The Bill also contains an amendment which increases the maximum campaign contribution from \$750 to \$1,200. The current maximum contribution has been in place for a number of years.

Another amendment introduces a maximum contribution that a candidate and his or her spouse can make to the candidate's own election campaign. The limit is determined based on the lesser of \$25,000 or a formula determined by the number of eligible electors. Based on the eligible electors from the 2014 Municipal Election, only candidates for Mayor would have a contribution limit of \$25,000. All other candidates for Council would have a contribution limit far lower than \$25,000 (the range was \$11,214 - \$14,603). This amendment could put new candidates at a disadvantage, because they may not have the same ability to collect campaign contributions from other sources.

Financial Impact

The legislative amendments found in Bill 68 can have a financial impact on the municipality, most particularly those that relate to the expanded role of the Integrity Commissioner, however it is not possible to calculate that impact at this time.

Conclusion

Bill 68, An Act to amend various Acts in relation to municipalities, makes amendments to several pieces of legislation that impact municipalities, some of which cause concern. This report reviews the most significant changes and sets out the concerns identified by staff.

Attachments

Appendix 1: City of Mississauga Resolution 0257-2015



Mary Ellen Bench, BA, JD, CS, CIC.C

Prepared by: Mary Ellen Bench, City Solicitor



RESOLUTION 0257-2015
adopted by the Council of
The Corporation of the City of Mississauga
at its meeting on October 28, 2015

0257-2015 Moved by: Jim Tovey Seconded by: Carolyn Parrish

WHEREAS the Ministry of Municipal Affairs and Housing is conducting its 5-year review of the *Municipal Act, 2001* and is seeking comments from municipalities and stakeholders;

AND WHEREAS in 2006 new permissive taxing authority was granted to the City of Toronto in the *City of Toronto Act, 2006* but was not extended to municipalities generally;

AND WHEREAS the new tax tools extended to Toronto provide an additional revenue source for funding infrastructure and other capital and operating demands;

AND WHEREAS municipalities are responsible for maintaining 63% of infrastructure in the province with only 9% of the revenue;

AND WHEREAS municipalities will never achieve fiscal sustainability without revenue tools that grow with the economy and make municipalities full partners with the provincial and federal governments;

AND WHEREAS the *Municipal Act, 2001* requires all council meetings be open to the public, except in limited and specified circumstances, but does not define the term "meeting";

AND WHEREAS the *Municipal Act, 2001* permits a municipal council to discuss land acquisitions *in camera* but does not permit closed meetings to discuss other commercial transactions;

AND WHEREAS municipalities are at a competitive disadvantage compared to business corporations which can engage in confidential negotiations with companies concerned with protecting proprietary technology;

AND WHEREAS s.44(2) of the *Municipal Act, 2001* imposes statutory joint and several liability on municipalities for damages sustained by persons whose injuries are caused or contributed to by highway non-repair;

AND WHEREAS if other at-fault defendants are unable to pay, the plaintiff can recover the entire damages award from the municipal defendant, even if it is only 1 per cent responsible;

AND WHEREAS with the advent of the "shared economy", municipalities across Ontario are now faced with the challenge of regulating new forms of transportation service providers such as Uber, as well as other internet dispatch businesses such as Air BnB;

AND WHEREAS the shared economy continues to evolve and municipalities will face new and emerging business models that do not even exist at present;

NOW THEREFORE BE IT RESOVED:

1. that staff be authorized to make submissions to the Ministry of Municipal Affairs and Housing to propose amendments to the *Municipal Act, 2001* as outlined in the report from the City Solicitor dated October 7, 2015, titled "*Municipal Act, 2001, Five-Year Provincial Review*";
2. that the *Municipal Act, 2001* be amended to include a broad power to impose taxes beyond the property tax (including any ancillary enforcement, fine and penalty powers), available to all municipalities if they choose to use it;
3. that Council of the City of Mississauga request the Government of Ontario and the Government of Canada to extend additional tax authority to municipalities, beyond the tax tools contained in the *City of Toronto Act, 2006*, including authority to collect sales taxes and receive a share of income tax revenues;
4. that the *Municipal Act, 2001* and associated regulations that pertain to investment be amended to provide enhanced revenue from investments, to provide higher expected revenue to municipalities while continuing to maintain a very low risk profile;
5. that the *Municipal Act, 2001* be amended to include a definition of a "meeting" of council and that s.239(2) amended to permit closed meetings to discuss proposed or pending commercial business transactions;
6. that the *Municipal Act, 2001* be amended to clarify that a municipality that has a permanent easement over lands that are located within its boundaries, but owned by another party, may pass a by-law establishing those lands as a highway;
7. that s.42(2) of the *Municipal Act, 2001* be amended to substitute a system of modified proportionate liability for municipalities as an incremental reform that strikes an appropriate balance between compensating accident victims and protecting public tax payers;
8. that the *Municipal Act, 2001* provide clear authority for municipalities to regulate new and emerging transportation service providers, internet dispatch businesses and other business models that develop under the new "shared economy" to ensure that new business models are held to the same standards as existing industries with respect to public safety and consumer protection; and
9. that the report from the City Solicitor dated October 7, 2015, titled "*Municipal Act, 2001, Five-Year Provincial Review*" and a copy of this Resolution be forwarded to the Minister of Municipal Affairs and Housing, all local MPPs, all local MPs and the Association of Municipalities of Ontario (AMO) for their information.
10. that the motion be forwarded to the Federation of Canadian Municipalities for their consideration.

Carried

Status of Governance Committee Workplan Items

Issue	Timeline	Details
1. Tour de Mississauga Delivery Model for 2016 and beyond	Adopted by Council on February 10, 2016.	<p>MCAC-0004-2016</p> <ol style="list-style-type: none"> 1. That the letter dated December 18, 2015 from Glenn Gumulka, Executive Director, SustainMobility, regarding the management of the Tour de Mississauga, be received for information. 2. That the Members of the Mississauga Cycling Advisory Committee support the transfer of the management of the Tour de Mississauga to SustainMobility. 3. That the Tour de Mississauga Subcommittee of the Mississauga Cycling Advisory Committee continue to work with SustainMobility on the Terms and Conditions relating to the transfer of the management of the Tour de Mississauga to SustainMobility.
2. Review of Code of Conduct	Throughout the term of Council.	On-going updates to the Code of Conduct.
3. Review expanding the membership of the Towing Industry Advisory Committee (TIAC)	June 20, 2016 Governance Committee Agenda	<p>The following recommendation was approved by Governance on June 20, 2016:</p> <p>That the review of membership on the Towing Industry Advisory Committee be dealt with along with all of the committee membership reviews in the 1st quarter of 2018 by the Governance Committee.</p>

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4. Feasibility Study for Internet Voting	Completed	<p>The following recommendation was approved by Governance on June 20, 2016:</p> <p>1. That the Corporate Report dated June 7, 2016 from the Director of Legislative Services and City Clerk, outlining the potential enhancements for the 2018 Municipal Election be received for information.</p> <p>2. That staff be directed to implement Vote Anywhere for the 2018 Municipal Election on Election Day and Advance Poll Days and that the City of Mississauga will wait for the Province to test the ranked ballot option before it is implemented for a municipal election.</p>
5. Procedure By-law Review	Completed	<p>The following recommendation was approved by Governance on November 14, 2016:</p> <p>That a by-law be enacted to amend By-law 0139-2013, being the Corporation of the City of Mississauga Council Procedure By-law as amended, in accordance with the Corporate Report dated October 5, 2016, from the Commissioner of Corporate Services and Chief Financial Officer titled "Proposed Amendments to the Council Procedure By-law 0139-2016.</p>
6. Report on Pilot Committee of Adjustment Streaming	Completed	<p>The following recommendation was approved by Governance Committee on September 19, 2016:</p> <p>GOV-0014-2016</p> <p>1. That the Corporate Report dated August 8, 2016 from the Commissioner of Corporate Services and Chief Financial Officer titled. "Video streaming and On-demand videos for Additional Committee meetings" be received.</p>

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		2. That staff be directed to implement video streaming and on-demand videos for the Audit and Governance Committees as a one year pilot project.
7. Municipal Election Campaign Contribution Rebate Program for the 2018 Election	Completed	Adopted by Council on February 22, 2017.
8. Review of Section 29 of the Committee of Adjustment Procedure By-law	Completed	Adopted by Council on September 14, 2016.
9. Election Lawn Signs	Discussion at Special Council on November 16, 2016.	Resolution 0220-2016 adopted by Council on November 16, 2016 to establish the period of time that the signs can be up. Resolution 0221-2016 adopted by Council on November 16, 2016 which gives direction to staff to provide further information on the Sign By-law as it relates to Municipal Elections
10. Community Group Support	March 6, 2017 meeting date	Report included on March 6, 2017 Committee Agenda
11. Budget Allocation Process for Advisory Committees	2017 Budget Process (November-December 2016)	Finance staff are requesting that this item be considered during the budget process.

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12. Integrity Commissioner RFP and Recruitment	March 6, 2017 meeting date	Report included on March 6, 2017 Committee Agenda
13. Posting of comments from Planning Staff with respect to Committee of Adjustment applications	Update during the 1st quarter of 2017.	
13. Bill 8 (Accountability Act) implementation	To be scheduled for a future meeting date.	
14. Procedure for establishing committees or task forces	To be scheduled for a future meeting date.	
15. Issues resulting from the Region of Peel representation discussions	Update during the 1 st quarter of 2017.	On-going consultation at the Region of Peel.
16. Corporate Policy Review pertaining to Municipal Elections	Update during the 3 rd quarter of 2017.	
17. Corporate Policy Review – Citizen Appointment Process (including a review to limit citizen member appointments to one committee)	Update during the 1 st quarter or 2018.	

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18. Citizen appointments to committees (membership/ composition)	Update during the 1 st quarter or 2018.	Arising from discussion at General Committee on June 15, 2016.
19. Review of committees for 2018-2022 term of Council	Update during the 1 st quarter or 2018.	Arising from discussion at General Committee on June 15, 2016.
20. Protocol for visitation by Canada's Prime Minister	To be scheduled for a future meeting date.	

REPORT 1 - 2016

To: CHAIR AND MEMBERS OF GOVERNANCE COMMITTEE

The Governance Subcommittee presents its first report for 2016 and recommends:

GS-0001-2016

That John Magill be appointed as Chair of the Governance Subcommittee.

(GS-0001-2016)

GS-0002-2016

That Sandy Milakovic be appointed as Vice-Chair of the Governance Subcommittee.

(GS-0002-2016)