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## Governance Committee

### Date

2017/03/06

### Time

1:01 PM

### Location

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

### Members Present

Councillor Karen Ras	Ward 2
Councillor Carolyn Parrish	Ward 5
Councillor Ron Starr	Ward 6
Councillor Pat Saito	Ward 9
Mayor Bonnie Crombie	(Ex-officio)
Sandy Milakovic	Citizen member
John Magill	Citizen member

### Members Absent

Councillor Jim Tovey	Ward 1
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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  
Ivana Di Millo, Director, Communications  
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>

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1. CALL TO ORDER – 1:01 PM

2. APPROVAL OF AGENDA

Councillor Parrish requested to add discussion on the corporate policy regarding the visitation of senior government officials to the City of Mississauga.

Amended/Approved (Councillor Parrish)

3. DECLARATION OF CONFLICT OF INTEREST – Nil

4. DEPUTATIONS - Nil

5. PUBLIC QUESTION PERIOD - 15 Minute Limit

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

Chris Mackie, Cranberry Cove Resident Association spoke to Item 6.2. and expressed concern that under the new policy resident associations would need to file financial statements within 90 days of the annual general meeting (AGM). He suggested that the requirement be changed to within 90 days of the fiscal year end instead of the AGM.

Heather Coupey, Community Development Coordinator noted that staff are working with groups to have the AGM date line up with the fiscal year end date. She further explained that usually most groups have their fiscal year end close to the AGM. Mr. Mackie further expressed concern with changing the fiscal year end to the AGM date as it would involve changing the Association's constitution and it may be onerous for the Association's volunteers.

Councillor Starr noted that the City should do the best thing for the groups and try to make it simple for them. Ms. Coupey noted that staff can work with the groups to have the best date for them. John Magill commented on complying with federal law and noted that associations not approving financial statements at their AGM should look into the matter.

Ms. Coupey clarified that it's the previous year's financials that need to be filed within 90 days of the AGM.

6. MATTERS CONSIDERED

6.1. Approval of the Minutes - November 14, 2016

Approved (J. Magill)

6.2. Community Group Support Program Policy 08-01-01

Members of Committee spoke to the subject report and raised the following concerns:

- Should outline the legal requirements so the Policy is clear to the community groups.
- It is important that the City set community groups up for success and not failure with respect to the accounting standards as the City is trying to encourage public engagement and community involvement.
- Provide groups with basic templates and staff support to help keep the groups organized.
- Templates and materials are available by the Ontario Corporations Act (OCA) and the Canadian Network on Corporate Accountability (CNCA).
- It is important that groups have an understanding of what it means to be incorporated and what is legally required.

Heather Coupey explained the two new categories that are proposed in the Policy: developing new groups and status with conditions to help support groups. She confirmed that staff would provide groups with basic templates to help keep the community groups organized. In addition, staff will be providing education to the groups including topics such as incorporation and by-laws.

Direction was given to staff to provide additional templates and materials provided by the OCA and CNCA.

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.

Received (Councillor Starr)

Recommendation GOV-0001-2017

### 6.3. Integrity Commissioner Request for Proposals

In response to a question from Councillor Parrish, Mary Ellen Bench, City Solicitor explained that if Bill 68 is enacted in its current form, the Integrity Commissioner's role would be expanded to provide advice to members of Council in writing and would have some authority to launch their own investigations.

Discussion ensued with respect to the Integrity Commissioner interviews and it was decided that Governance committee members, any remaining members of Council, the City Clerk and City Solicitor be invited to attend the interviews.

#### 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 members of Governance Committee, City Clerk, City Solicitor and other members of Council will 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.

Approved (Mayor Crombie)  
Recommendation GOV-0002-2017

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

Members of Committee spoke to the subject report and raised the following concerns:

- The proposal that an Integrity Commissioner can delegate their functions to another person.
- Suggested that the contract for the Integrity Commissioner include delegations of authority by the Integrity Commissioner be approved by Council.
- Concerns should be raised regarding the introduction of maximum contributions from a candidate or spouse could make to their campaign as the formula may put new candidates at a disadvantage.

Mary Ellen Bench, City Solicitor explained that it is not a mandatory requirement to allow the Integrity Commissioner to delegate. It could be noted in the contract for the Integrity Commissioner to renegotiate when Bill 68 is enacted to review delegations. Ms. Bench further spoke to the ability of the Integrity Commissioner to launch investigations as per Bill 68 and the only restriction is the time period and suggested that it should be raised as a concern.

Ms. Bench confirmed that the triple majority rule at the Region of Peel would remain. However, the requirement for a regulation would no longer be mandatory. Also Bill 68 introduces the requirement that following each municipal election, regional government have to review their composition and determine if it still appropriate.

Crystal Greer, City Clerk advised that a form will be provided to members of Council if a conflict of interest is declared to complete and it would become a part of the public record. In response to a question from Councillor Parrish, Ms. Greer noted that for donors to qualify for the rebate program, donors under \$100 would need to be listed.

Janice Baker, City Manager and CAO advised that Ms. Bench would summarize the concerns and bring it to Council for approval.

It was noted that there should be a contribution formula for the Regional Chair.

RECOMMENDATION

That staff prepare a summary of concerns raised with respect to "*Bill 68, the Modernizing Ontario's Municipal Legislation Act, 2016*" and report back to Council.

Approved (Councillor Parrish)

Recommendation GOV-0003-2017

6.5. Status of Governance Committee Work Plan Items

Councillor Parrish suggested that a new section for senior government visits and consultations be included in the Protocol Corporate Policy. Staff could review the suggestion and how it could be addressed in a policy. Councillor Ras expressed concern with the feasibility of having control over the matter. Mayor Crombie spoke to the Protocol Policy and noted that often organizers are not aware of the Policy and don't follow it. Sandy Milakovic noted that sometimes the decisions are based on security measures and that should be reflected in the protocol. Councillor Saito suggested that there be a communication plan in the protocol.

Janice Baker, City Manager and CAO spoke to the matter and noted that staff can review the policy; however the City may have control up to a certain point.

Councillor Parrish expressed concern with the Acting Mayor being asked to replace the Mayor when the Ward Councillor is available. This should be reviewed where the Ward Councillor is asked before the Acting Mayor. Mayor Crombie noted that if she can't attend an event her staff suggests that the Ward Councillor or all members of Council be invited.

Approved/Direction (Councillor Parrish)  
Recommendation GOV-0004-2017

6.6. Governance Subcommittee Report 1 - 2016 November 14, 2016

GS-0001-2016

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

GS-0002-2016

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

Approved (J. Magill)

Recommendations GOV-0005-2017 to GOV-0006-2017

7. OTHER BUSINESS

Crystal Greer, Director, Legislative Services and City Clerk provided information with respect to a question in Item 6.4. She advised that the amendments in Bill 68 refer specifically to a maximum contribution from a candidate or spouse for Mayor or member of Council and does not refer to a Regional Chair. Councillor Saito noted that this matter should be included in the summary from the City Solicitor to Council.

8. ADJOURNMENT – 2:03PM