



ADDITIONAL COUNCIL AGENDA

WEDNESDAY, June 20, 2012

12. CORRESPONDENCE

(a) Information Items: I-5

I-5 An email dated June 17, 2012, from MISSISSAUGA WATCH regarding the Mississauga Council Code of Conduct and the Integrity Commissioner.

Received and referred to Governance Committee

Carmela Radice

From: MISSISSAUGA WATCH [mississauga_watch@yahoo.com]
Sent: 2012/06/17 2:25 PM
To: Carmela Radice
Cc: Crystal Greer; MISSISSAUGA WATCH
Subject: Requesting that you add my April and June Governance Committee deputations to agendas, please
Attachments: radice-greer cover letter.docx; Mississauga Council Code of Conduct takes investigations away from Integrity Commissioner APRIL 2012.docx; Mississauga Council Code of Conduct shields Senior City Staff from Integrity Commissioner JUNE 2012.docx

Hi Ms Radice (Hi Ms Greer!)



Please see the three attachments beginning with radice-greer cover letter.

Thanks!

<input checked="" type="checkbox"/> Receive	<input type="checkbox"/> Resolution
<input type="checkbox"/> Direction Required	<input type="checkbox"/> Resolution / By-Law
<input type="checkbox"/> Community Services <input type="checkbox"/> Corporate Services <hr/> <input type="checkbox"/> Planning & Building <input type="checkbox"/> Transportation & Works	For <input type="checkbox"/> Appropriate Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Reply <input type="checkbox"/> Report

I-5(a)

Hi Ms Radice (Hi Ms Greer!)

I'm requesting that you add this email and the two attachments to the June 20, 2012 Council agenda, please. In addition, please add Attachment #1 to the April 16, 2012 Governance Committee minutes and Attachment #2 to the June 11, 2010 Governance Committee minutes.

The first, "Mississauga Council Code of Conduct takes investigations away from Integrity Commissioner (Governance Committee deputation" is a transcript of a video I presented to the April 16, 2012 Governance Committee.

The second attachment, "Mississauga Council Code of Conduct shields Senior City Staff from Integrity Commissioner --MISSISSAUGAWATCH deputation" is a transcript of a video I presented to the June 11, 2012 Governance Committee.

Both rely heavily on video of Councillor Pat Mullin's comments regarding "an ombudsman" handling public complaints against Staff during the May 21, 2008 General Committee meeting.

Her exact words were:

"And how many times would an investigator have to come forward to take a look at complaints.

But I guess I'm looking for some direction from possibly Staff if there is something that we can put in place which would be, I guess would be a complaint procedure —against Staff. And maybe somebody could respond.

Or if there's another way in terms of looking at it.

I talked to Mary Ellen Bench about it and I mean I'm wondering if there is something like maybe the ombudsman that could take a look at something like this."

My April deputation to the Governance Committee pointed out that the City's Council *Code of Conduct* in no way addresses the very problems that Mr. Barber had regarding the Senior Staff sitting at Council (City Manager, Commissioners) back in 2007-2008.

I also fingered the *Code's* deceptive Rule No 12 as a way elected officials can escape an investigation by the Integrity Commissioner altogether, forcing him to refer a "Respectful Workplace Policy"-related-complaint to Human Resources instead.

I-5(b)

The second attachment, my June 11th deputation to the Governance Committee, repeats video of Councillor Mullin's May 21, 2008 General Committee comments regarding complaints against City (Senior) Staff.

I'll repeat them yet again.

"...if there is something like maybe the ombudsman that could take a look at something like this"

But my primary purpose for Monday's Governance Committee video deputation was to drive home the point that in order to address Authentic Accountability, you first have to examine the efficacy of your current public complaints practices.

That has never happened.

I also need to repeat my May 19, 2010 comment to General Committee regarding Ethical Infrastructure:

"--you know I would think that first you'd check to see the validity of the public complaints system that you already have in place."

Next. I was delighted that my "check to see the validity of the public complaints system" was echoed at the April 16, 2012 Governance Committee meeting by Ward 3 Councillor Chris Fonseca.

From my view (having researched City of Mississauga municipal governance since May 2006 through audio, video and Freedom of Information) Councillor Fonseca's comments regarding Governance are by far the most important I've ever heard from inside Mississauga City Hall.

I wish to share them here [emphasis mine]:

"I think Councillor Saito's point, **I think for all of us, when we're looking at this over-review of governance** —her point about **you get out of it what you put into it, is really important in terms of understanding the process of when a complaint is made.** Whether it be internally amongst councillors— Whether it be from a member of the public towards one of the council-members or from a member of the public towards Staff."

---Councillor Chris Fonseca, Mississauga Governance Committee meeting, April 16, 2012

I-5(cc)

Last, I want Mayor McCallion to know that I fully intend on keeping my promise regarding her invitation to have a meeting with her.

And to thank her for what she promised me for that meeting.

"Will I be able to have a video camera?" --MISSISSAUGAWATCH

"You can bring anything you want, any data you want, you can -- whatever you want," --Mayor Hazel McCallion

Thanks,

Ursula

MISSISSAUGAWATCH

Mississauga Council Code of Conduct takes investigations away from Integrity Commissioner (Governance Committee deputation)

April 20th, 2012

For the record, this video was presented as a deputation at the April 16, 2012 Governance Committee meeting.

Mississauga Council Code of Conduct takes investigations away from Integrity Commissioner (16:39 min)

(Click here to go directly to the clip on YouTube)

[VIDEO TRANSCRIPT BEGINS]

Mayor Hazel McCallion, Mississauga Council meeting, May 21 2008

R-5, I think it is.

R-4. Motion to receive them? Second?

MISSISSAUGAWATCH, whispering into camera, Mississauga Council meeting, May 21 2008

This is the one.

Mayor Hazel McCallion, Mississauga Council meeting, May 21 2008

Councillor Mullin? Thank you.

Councillor Pat Mullin, Mississauga Council meeting, May 21 2008

Yes, I read "R-4". And I guess my question, and this is regarding the whole complaints issue, with regards to Don Barber at the Council meetings.

And there is an addition to this which talks about the possibility of an investigator. And I guess my concern with that would be, well first of all is that the cost of relatively significant.

MISSISSAUGAWATCH, whispering into camera, Mississauga Council meeting, May 21 2008

Use the Ontario Ombudsman.

Councillor Pat Mullin, Mississauga Council meeting, May 21 2008

I-5(e)

And how many times would an investigator have to come forward to take a look at complaints.

But I guess I'm looking for some direction from possibly Staff if there is something that we can put in place which would be, I guess would be a complaint procedure —against Staff. And maybe somebody could respond.

Or if there's another way in terms of looking at it.

I talked to Mary Ellen Bench about it and I mean I'm wondering if there is something like maybe the ombudsman that could take a look at something like this.

MISSISSAUGAWATCH, whispering into camera, Mississauga Council meeting, May 21 2008

Yeah, yeah.

Councillor Pat Mullin, Mississauga Council meeting, May 21 2008

And it just seems to me that it would be an ongoing scenario—

Mayor Hazel McCallion, Mississauga Council meeting, May 21 2008

Yuh.

Councillor Pat Mullin, Mississauga Council meeting, May 21 2008

—and a continuation. And never a satisfaction at the end of the day. That we would be just putting more and more money into this.

MISSISSAUGAWATCH, reporting April 14, 2012

Now regarding “never a satisfaction at the end of the day” and “putting more and more money into this”, I want to talk a little bit about the Integrity Commissioner and public complaints against elected officials.

And to do that, I need to refer to the February 17, 2012 Corporate Report and its first recommendation with respect to the mandate of the Integrity Commissioner.

That report states, quote:

That the Governance Committee reaffirm 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,

That's one. And

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;

Now the previous clip was video of the May 21, 2008 Council meeting.

And Councillor Mullin, when she was referring to “never a satisfaction at the end of the day” —it had to do with several complaints that Donald Barber had filed against, specifically, City Security.

[video insert; Rogers Cable 10 telecast showing Roy Willis/Donald Barber ejected from Council, June 7, 2006 synchronized to video surveillance footage]

And it's now, what? April 14, 2012 and those issues still have not been resolved.

So the “never a satisfaction at the end of the day” continues.

And so for Donald Barber, for me, for all citizens, the quote, “to independently receive and investigate complaints” is the Integrity Commissioner's most crucial role. I really believe that.

Receive the complaint. And investigate the complaint.

Now the Integrity Commissioner's mandate to investigate complaints is clearly a major theme throughout several corporate reports —either relating to the Integrity Commissioner of the Council *Code of Conduct*.

“Investigate complaints” is echoed in the February 17, 2012 report in the “*Integrity Commissioner – Request for Proposals*” too.

[video insert. Highlighted in yellow: "The role of the appointed Integrity Commissioner will be to: 3. Investigate complaints and alleged breaches of the Council Code of Conduct."

And "investigate complaints" is also echoed in the February 17, 2012 Corporate Report under "*Request for Proposals*"

Quote:

"and to independently receive and investigate complaints regarding a possible breach of the Council Code of Conduct by a Member of Council"

"Investigate complaints" is also on Page 4 of the Report under "Mandate". The report states, quote:

I-5(g)

Commissioner Cunningham supports the City's practice of defining the role of the Integrity Commissioner to include educational, advisory and investigatory functions. The investigatory role of the Integrity Commissioner is

Ready?

to receive, investigate and report on formal and informal complaints respecting the conduct of Members of Council and potential breaches of the Council Code of Conduct.

And so there it is again, "receive, investigate" complaints.

Now I'm truly disappointed in Commissioner Cunningham. Either he didn't read the Council *Code of Conduct* carefully enough or he didn't understand its implications.

The *Code*, the way that it's written —It's entirely possible that you can get the *absurd* situation where more public complaints *are not* investigated by the Integrity Commissioner than the other way around.

And I'll repeat that.

The way the *Code* is written, it's entirely possible that you can get the *absurd* situation where more public complaints *are not* investigated by the Integrity Commissioner than the other way around.

Here's why.

A reasonable person who has been treated unfairly, or who believes that to be the case, would certainly rejoice in discovering the *Code's* Rule No. 12 and the tenet. quote, that "all persons be treated fairly".

I believe that if members of the public do file complaints it would be under the *Code's* Rule No. 12, the *Respectful Workplace Policy*, since it seems to be the only way to get fair treatment.

Now, tragically for citizens, Rule Number 12 is actually a seductive decoy.

Let's examine why.

Rule 12 states, 1. Quote:

Members are governed by the City's Respectful Workplace policy. All Members have a duty to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation and to ensure that their work environment is free from discrimination and harassment.

Boy you sure can't argue with that. So what's the problem?

Provision 2, which takes the investigation mandate *away* from the Integrity Commissioner, that's right, "away" —and hands it right back to Staff!

Let me read Provision 2 to you. Quote:

Upon receipt of a complaint that relates to the City's Respectful Workplace policy and involves a Member, the Integrity Commissioner shall forward the information subject to the complaint to Human Resources who will refer it for an independent investigation.

Yep. The investigation is *away* from the Integrity Commissioner!

A complaint filed under this *Code* Rule 12 goes to Human Resources and is just like any other public complaint.

In fact, the Integrity Commissioner can *not* investigate any complaint filed under Rule 12.

Now sure, Provision 3 goes on to say. Quote:

Upon receipt of the findings of the independent investigator, the Integrity Commissioner shall make a *determination* on the application of this Code of Conduct and the merits of the investigation respecting the conduct of the Member subject to the complaint. The findings of the Integrity Commissioner shall be reported to City Council—

Etc etc.

But the Integrity Commissioner's findings are only as good as the investigation itself.

Under Rule 12, the investigation is taken *away* from him. The investigation is conducted by an "investigator" that is selected by City Staff/Human Resources. And can *even* be retired City Staff brought back on contract!

Why?

Like I understand that the City of Mississauga Council *Code of Conduct* was written by the City of Vaughan. It's essentially City of Vaughan's Council *Code of Conduct* with a few changes here and there.

But why would the Integrity Commissioner *not* be allowed to investigate? Especially where it relates to treatment of citizens. And the *Respectful Workplace Policy*.

I-5(i)

Why would you have City Staff select an investigator to hold elected officials accountable? It's kind of circular.

And the other thing is, why would be there an independent invest— an "independent investigator", selected by City Staff when the February 17, 2012 Corporate Report, *first recommendation* said that

the Governance Committee reaffirm that the mandate of the Integrity Commissioner shall be to —independently receive and investigate complaints regarding a possible breach of the Council Code of Conduct

Nowhere here does it say, oh, except Rule 12.

So. What I'm requesting is that Rule 12 also be investigated by the Integrity Commissioner. And no one else!

From beginning to end.

So that when you write, when a citizen writes something down, or a Member of Council, under Rule 12, that person is *assured* that it's dealt with exclusively by the Integrity Commissioner.

From the processing of the complaint through the investigation to the writing of the findings.

Please do that for the citizens of Mississauga. And for elected officials as well, who would, who may file a complaint under this.

And just for the record, I'm going to replay the video of the May 21, 2008 Council meeting with Councillor Mullin discussing Corporate Report dated May 15, 2008.

Only this time I'm going to provide you context.

And here's the Corporate Report. And we'll just skim through this.

And it deals with complaints. It says so here. "SUBJECT: Complaints filed against City staff by Donald Barber at the Council Meeting of March 26, 2008".

And Recommendation 1 as you can see here, is:

That Council instruct the City Manager to retain an impartial and independent investigator to carry out and investigate the allegations made against City Staff by Mr. Barber in the statements and materials be [sic] submitted to Council at its meeting of March 26, 2008

I-5(j)

[scanning Corporate Report]

We go on. And there's plenty of information here.

There's some of the —extensive list of complaints that he's got.

And what's interesting is, there's Step 1, "The City should engage an independent and impartial person or entity to carry out the investigation and prepare a report."

"Screening and Acknowledgement of Complaint".

Essentially what they're doing here, is a lot of this, you can recognize in the *Code of Conduct* regarding investigations and so on.

But what's really astonishing is down here, this comment. "Financial Impact".

Fees would be based on the amount of time spent to conduct such an investigation and an initial estimate is that this could easily exceed \$50,000.00.

Just on Mr. Barber's complaint alone.

And it says the financial impact:

Cannot be determined with certainty and will depend on the scope of the investigation, the number of witnesses to be interviewed and the volume of the material to be reviewed. Anticipated to exceed \$50,000.00.

So with that you're almost looking here at an integrity commissioner. For one person.

So with that context, we'll now here what Councillor Mullin has to say.

[video, May 21, 2008 Mississauga Council meeting overlapped with MISSISSAUGAWATCH commenting]

Councillor Pat Mullin, Mississauga Council meeting, May 21 2008

You're looking at \$50,000. Plus. And I'm not sure how much money has been put into looking at some of these complaints so far.

But I see it as possibly an ongoing scenario that might never really come to a satisfactory conclusion. So, I guess I'm looking for some direction.

Mayor Hazel McCallion, Mississauga Council meeting, May 21 2008

Councillor Mullin, I met with the City Manager this morning. I have not see the report.

I-5(K)

**MISSISSAUGAWATCH commenting on the Mississauga Council meeting, May 21 2008
on April 14, 2012**

Now the Mayor mentions an ombudsman twice. Listen.

Mayor Hazel McCallion, Mississauga Council meeting, May 21 2008

And I was going to ask, I was a little slow in asking, that this report be referred back to look at a process.

I think we should look at—we talked about an ombudsman like the City of Toronto has appointed.

**MISSISSAUGAWATCH commenting on the Mississauga Council meeting, May 21 2008
on April 14, 2012**

Like Toronto has an ombudsman.

Mayor Hazel McCallion, Mississauga Council meeting, May 21 2008

Because we've already had one which cost us close to \$50,000 and there's another one that might be— And I, when you read the report it also says that not all the information has been provided to be investigated. In addition to that, so I would ask Council to refer it back to Staff

Councillor Pat Mullin, Mississauga Council meeting, May 21 2008

I'll be happy to—

Mayor Hazel McCallion, Mississauga Council meeting, May 21 2008

And the City Manager to further the investigation on it. And to come up with a policy and a process.

Whether we look at an ombudsman—

**MISSISSAUGAWATCH commenting on the Mississauga Council meeting, May 21 2008
on April 14, 2012**

Again, "ombudsman". A specific person to deal with public complaints against Staff.

Mayor Hazel McCallion, Mississauga Council meeting, May 21 2008

—is something we should look at. Or what other opportunities—or what other options there are for us to consider before we proceed with this one:

MISSISSAUGAWATCH, reporting April 14, 2012

And that was May 21, 2008 and that issue still hasn't been addressed. It hasn't.

And while there's now an integrity commissioner in place to file complaints against elected officials, there still is no consistent person —ombudsman or integrity commissioner, or otherwise, to deal with complaints against City Staff.

And that includes everything right up to the Commissioners and the City Manager.

So it's interesting to look at the May 21, 2008 video and see that [shakes head and gestures, "WTF"]. And that's the other thing I would request is for the Governance Committee to perhaps consider expanding the mandate of the Integrity Commissioner to also include complaints against City Staff.

Thanks.

[VIDEO TRANSCRIPT ENDS]

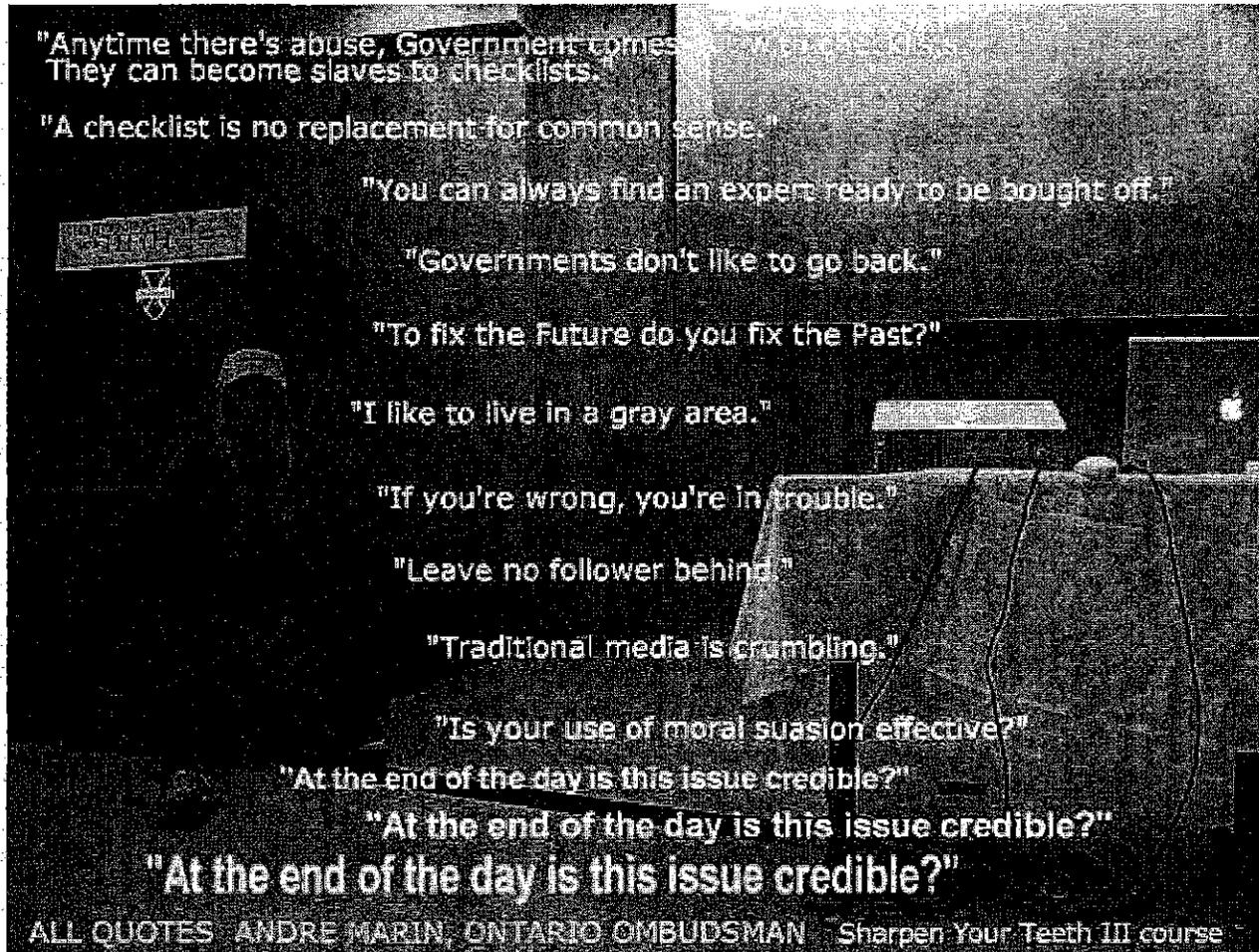
Signed,
MISSISSAUGAWATCH

ADDITIONAL RESOURCES

May 15, 2008 Corporate Report, **SUBJECT: Complaints filed against City staff by Donald Barber at the Council Meeting of March 26, 2008**

Mississauga blogger to City of Mississauga Director of Corporate Security, "CITY STAFF LIE." (6:38 min)

I-5(m)



"You can always find an expert ready to be bought off" —Ontario Ombudsman's Sharpen Your Teeth III course 2009.

I-5(h)

Mississauga Council Code of Conduct shields Senior City Staff from Integrity Commissioner —MISSISSAUGAWATCH deputation

June 16th, 2012

For the record, this video was presented as a deputation at the June 11, 2012 Governance Committee meeting.

Complete with transcript.

Mississauga Council Code of Conduct shields Senior City Staff from Integrity Commissioner (14:03 min)

(Click here to go directly to the clip on YouTube)

[VIDEO TRANSCRIPT BEGINS]

MISSISSAUGAWATCH, introducing the video deputation June 10, 2012

I just posted these [photographs] to the internet the other day. And I got an immediate response.

Seems these are photographs of Mississauga's very first girl's hockey team —circa 1965/66. Erindale. That's me.

And that's me right here playing right wing to Mabel Boyd on left.

And reaching further back, that's me and my grandfather beside the Miles Lane bridge over the Cooksville Creek circa 1953 before Hurricane Hazel came and washed the entire bridge out.

So why do I show this?

Photographs — speak to History.

As for video? That's how History speaks!

The video clips span from May 2008 when Councillor Mullin first suggested “an ombudsman” to address complaints against City Staff to the April 16, 2012 Governance Committee meeting discussions.

Listen carefully and see if you can recognize the most important comment ever made by a City of Mississauga elected official regarding authentic accountability.

Meaning —if you were to take this video and cut it into a one minute clip, what would be the all-important take home message?

I-5(0)

And that's a challenge for you. See if you can recognize *Real*?

[VIDEO INSERT Mississauga Council meeting, May 21 2008 BEGINS]

MISSISSAUGAWATCH, whispering into camera, Mississauga Council meeting, May 21 2008

This is the one.

Mayor Hazel McCallion, Mississauga Council meeting, May 21 2008

Councillor Mullin? Thank you.

Councillor Pat Mullin, Mississauga Council meeting, May 21 2008

Yes, I read "R-4". And I guess my question, and this is regarding the whole complaints issue, with regards to Don Barber at the Council meetings.

And there is an addition to this which talks about the possibility of an investigator. And I guess my concern with that would be, well first of all is that the cost of relatively significant.

MISSISSAUGAWATCH, whispering into camera, Mississauga Council meeting, May 21 2008

Use the Ontario Ombudsman.

Councillor Pat Mullin, Mississauga Council meeting, May 21 2008

And how many times would an investigator have to come forward to take a look at complaints.

But I guess I'm looking for some direction from possibly Staff if there is something that we can put in place which would be, I guess would be a complaint procedure —against Staff. And maybe somebody could respond.

Or if there's another way in terms of looking at it.

I talked to Mary Ellen Bench about it and I mean I'm wondering if there is something like maybe the ombudsman that could take a look at something like this.

MISSISSAUGAWATCH, whispering into camera, Mississauga Council meeting, May 21 2008

Yeah, yeah.

Councillor Pat Mullin, Mississauga Council meeting, May 21 2008

And it just seems to me that it would be an ongoing scenario—

Mayor Hazel McCallion, Mississauga Council meeting, May 21 2008

Yuh.

Councillor Pat Mullin, Mississauga Council meeting, May 21 2008

—and a continuation. And never a satisfaction at the end of the day. That we would be just putting more and more money into this.

[VIDEO INSERT Mississauga Council meeting, May 21 2008 ENDS]

MISSISSAUGAWATCH, narrating the video deputation June 10, 2012

And then May 2010. Me. Unprepared, incoherent —and ineffective in front of Mississauga General Committee.

[VIDEO INSERT Mississauga General Committee meeting, May 19 2010 BEGINS]

Councillor Eve Adams, Mississauga General Committee meeting, May 19, 2010

Good morning and welcome.

MISSISSAUGAWATCH, Mississauga General Committee meeting, May 19, 2010

Good morning Councillor Adams and Council.

I came here to discuss the minutes of meetings and then walked in a saw the —this one here, if I could have this [over head projector] on the [Council] Code of Conduct for integrity commissioner.

And I consider that way more important than anything I have to say about minutes.

So I kind of regret that I didn't know about this.

You can't just switch, can you?

Councillor Eve Adams, Mississauga General Committee meeting, May 19, 2010

It actually is on the agenda so you can speak to it.

MISSISSAUGAWATCH, Mississauga General Committee meeting, May 19, 2010

I-5(q)

Yeah, but I'm not good on my feet. I need to prepare ahead of time. I'm not swift.

But I was hoping that —this is really important.

If people remember, it was Councillor Mullin who had said that there were issues that are chronically coming up regarding —and she was mentioning Donald Barber as an example.

And she had recommended that, you know, once and for all, to deal with it. And this is how, I think, the idea of the integrity commissioner came up.

And I also recall I had urged Councillor —I think Councillor Saito was going to lead the charge on this.

And I asked her to invite the Ontario Ombudsman in to address Council to give them some idea as to how to set up an integrity commissioner.

This is —you know, I've been observing Mississauga Council since June 14, 2006. And I'm talking about audiotape, videotape and stuff like that.

This has got to be the most important Corporate Report and direction. Certainly from the view of treatment of citizens and Ethical Infrastructure. And this thing did not go through Audit Committee, for example.

It just kind of showed up here and Staff is recommending that you accept it.

There's not any possibility for public input. I don't even know if it's been run through [the] public.

And you know I would think that first you'd check to see the validity of the public complaints system that you already have in place. The one for Corporate Security and the generic ones. And whether those are being handled properly.

Because if they're not —and I'm saying they're not, and I've got Freedom of Information saying it, so, you know, the fact that, the fact that —well, okay, it's not a fact because it's based on evidence but it's sort of ultimately my conclusions. And somebody else could look at the evidence and see it differently.

But for me, I'd question any integrity commissioner —or a process here, because I just don't see the Ethical Infrastructure in place to support something like that—

—Mayor McCallion was giving an address at UTM last week and I was there. And she was talking about public input and the importance of it.

And this [Corporate Report] just came up and could be rubber-stamped today and that's it.

[F-5(r)]

So I would hope that Council might look at this and say, "You know this is really important. Let's put some —let the public look at this and talk about it."

Anyway, I'm hoping that —I'll be preparing for this at Council. Because I'm better — I'm very scattered [inaudible] I'm sorry.

[VIDEO INSERT Mississauga General Committee meeting, May 19 2010 ENDS]

[VIDEO INSERT MISSISSAUGAWATCH Governance Committee April 16 2010 video deputation BEGINS]

MISSISSAUGAWATCH, reporting April 14, 2012

And that was May 21, 2008 and that issue still hasn't been addressed. It hasn't.

And while there's now an integrity commissioner in place to file complaints against elected officials, there still is no consistent person —ombudsman or integrity commissioner, or otherwise, to deal with complaints against City Staff.

And that includes everything right up to the Commissioners and the City Manager.

So it's interesting to look at the May 21, 2008 video and see that [shakes head and gestures, "WTF"]. And that's the other thing I would request is for the Governance Committee to perhaps consider expanding the mandate of the Integrity Commissioner to also include complaints against City Staff.

Thanks.

[VIDEO INSERT MISSISSAUGAWATCH Governance Committee April 16 2010 video deputation ENDS]

[VIDEO INSERT Mississauga Governance Committee discussion April 16 2010 BEGINS]

Councillor Pat Saito, Mississauga Governance Committee meeting, April 16, 2012

—with the hiring of the Integrity Commissioner —and the anticipation is that this person would be, hopefully, here by the end of June. And then in the Fall, this committee would sit down with the Integrity Commissioner and work on the amendments to the [Council] *Code of Conduct* with that person being here to work on it with us.

So there is an opportunity for some of the concerns that you have raised to be reviewed during that process.

They may not all be addressed because —I don't agree the Integrity Commissioner that we are looking at to deal with the *Code of Conduct* and the application of the *Code of Conduct*. That is for Members of Council.

I-5(s)

I don't agree that that person should be handling about all City Staff. That *is* a Staff responsibility—it's a senior Staff, Commissioner, Director level responsibility, or City Manager level of responsibility. [* Note. MISSISSAUGAWATCH never suggested that the Integrity Commissioner address complaints regarding "all City Staff". But rather Senior Management—City Manager, Commissioners, Directors.]

Now having said, Councillor Carlson and I were just talking about it there and there may be some validity in taking a look at the Integrity Commissioner dealing with complaints of the Senior Staff—the Commissioner, City Manager level.

But at this point, I don't think either of us are, you know, that's just something that was thrown out in discussion. Whether that would happen, whether we would think it's a good idea after we've, you know, we've sat down and talked about it or not, I don't know.

But as far as Staff below that level, that is dealt with by Senior Staff. That is their responsibility.

MISSISSAUGAWATCH, Mississauga Governance Committee meeting, April 16, 2012

Actually that, yeah. I, I—that's good. I like that.

Councillor Pat Saito, Mississauga Governance Committee meeting, April 16, 2012

But anyway, we're—thank you. Gee we agree on something—

MISSISSAUGAWATCH, Mississauga Governance Committee meeting, April 16, 2012

I've got a question to what you said, Councillor Saito.

At the beginning you said you weren't sure about that Number 2 thing, "Upon receipt"—

Councillor Pat Saito, Mississauga Governance Committee meeting, April 16, 2012

I just wasn't sure where it was from. If you could—

MISSISSAUGAWATCH, Mississauga Governance Committee meeting, April 16, 2012

It's under Rule 12.

Councillor Pat Saito, Mississauga Governance Committee meeting, April 16, 2012

That was under Rule 12.

MISSISSAUGAWATCH, Mississauga Governance Committee meeting, April 16, 2012

E5(4)

Rule 12 deals with the Respectful Workplace Policy. And that is Provision 2 under Rule 12.

So anything that the Integrity Commissioner receives a complaint and he feels that it deals with the Respectful Workplace Policy, then he can't investigate. He must hand it to Human Resources.

Councillor Pat Saito, Mississauga Governance Committee meeting, April 16, 2012

Then it's referred. Okay. Thank you. I just lost the context on it so I appreciate that.

MISSISSAUGAWATCH, Mississauga Governance Committee meeting, April 16, 2012

And that's what I'd like you to fix, please. Thank you.

Councillor Jim Tovey (Chair), Mississauga Governance Committee meeting, April 16, 2012

Okay, hang on a second, Ursula.

Councillor Chris Fonseca, Mississauga Governance Committee meeting, April 16, 2012

I think Councillor Saito's point, I think for all of us, when we're looking at this over-review of governance —her point about you get out of it what you put into it, is really important in terms of understanding the process of when a complaint is made. Whether it be internally amongst councillors— Whether it be from a member of the public towards one of the council-members or from a member of the public towards Staff.

But I'm —Councillor Saito and Councillor Carlson —you just, Councillor Saito, you just spoke for Councillor Carlson, I guess, in saying that you'd be willing to look at —if there's a way that we can look at including, perhaps, I don't know, we would have to have more discussion around the Leadership Team.

But I think for all of us, including the Leadership Team and Council, we're committed to this Governance Committee, specifically because we want to make sure that we move forward for the City of Mississauga —that we have a transparent and clear path when it comes to a complaint process, a *Code of Conduct*, and also in terms of an *independent* person who is working to analyze and review that whole process.

So thank you for coming.

MISSISSAUGAWATCH, Mississauga Governance Committee meeting, April 16, 2012

Thank you.

[VIDEO INSERT Mississauga Governance Committee discussion April 16 2010 ENDS]

I-5(u)

MISSISSAUGAWATCH, narrating the video deputation June 11, 2012

So what's that all-important take home message?

**[VIDEO FLASHBACK Mississauga Governance Committee discussion April 16 2010
BEGINS]**

Councillor Chris Fonseca, Mississauga Governance Committee meeting, April 16, 2012

I think Councillor Saito's point, I think for all of us, when we're looking at this over-review of governance —her point about you get out of it what you put into it, is really important in terms of understanding the process of when a complaint is made. Whether it be internally amongst councillors— Whether it be from a member of the public towards one of the council-members or from a member of the public towards Staff.

**[VIDEO FLASHBACK Mississauga Governance Committee discussion April 16, 2012
ENDS]**

**[VIDEO FLASHBACK Mississauga General Committee discussion May 19, 2010
BEGINS]**

MISSISSAUGAWATCH, Mississauga General Committee meeting, May 19, 2010

—you know I would think that first you'd check to see the validity of the public complaints system that you already have in place.

MISSISSAUGAWATCH, narrating the video deputation June 11, 2012

And, because you can't say this often enough!

[BLACK SCREEN TEXT SUMMARIES ALL-IMPORTANT TAKE HOME MESSAGE]

Councillor Chris Fonseca, Mississauga Governance Committee meeting, April 16, 2012

I think Councillor Saito's point, I think for all of us, when we're looking at this over-review of governance —her point about you get out of it what you put into it, is really important in terms of understanding the process of when a complaint is made. Whether it be internally amongst councillors— Whether it be from a member of the public towards one of the council-members or from a member of the public towards Staff.

MISSISSAUGAWATCH, Mississauga General Committee meeting, May 19, 2010

—you know I would think that first you'd check to see the validity of the public complaints system that you already have in place.

[VIDEO TRANSCRIPT ENDS]

I-5(v)

Signed,
MISSISSAUGAWATCH