



AGENDA

GOVERNANCE COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA
(www.mississauga.ca)

MONDAY, FEBRUARY 11, 2013 – 1:00 P.M.

COUNCIL CHAMBER, SECOND FLOOR, CIVIC CENTRE

300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO L5B 3C1

Members

Councillor Jim Tovey, Ward 1 (Chair)
Councillor Pat Saito, Ward 9 (Vice-Chair)
Councillor Chris Fonseca, Ward 3
Councillor Bonnie Crombie, Ward 5
Councillor George Carlson, Ward 11

Contact: Sacha Smith, Legislative Coordinator, Office of the City Clerk
905-615-3200 ext. 4516 Fax: 905-615-4181
sacha.smith@mississauga.ca

CALL TO ORDER**DECLARATIONS OF (DIRECT OR INDIRECT) PECUNIARY INTEREST****APPROVAL OF THE AGENDA****DEPUTATIONS**

- A. Item 1 Jeremy Harvey, Chair, Museums of Mississauga Advisory Committee (MOMAC)
- B. Item 1 Karen Spencer, Advisor

PUBLIC QUESTION PERIOD

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

MATTERS TO BE CONSIDERED

1. Approval of Minutes – November 12, 2012

Memorandum dated February 7, 2013 from the Legislative Coordinator with respect to the approval of the November 12, 2012 Governance Committee Minutes.

2. Approval of Previous Minutes – January 14, 2013

Minutes of the Governance Committee meeting held on January 14, 2013.

3. City Committees of Council Structure Review – Museums of Mississauga Advisory Committee (MOMAC)

Written submission from Jeremy Harvey, Chair, Museums of Mississauga Advisory Committee with respect to the staff recommendations in the City Committees of Council Structure Review regarding MOMAC.

4. City Committees of Council Structure Review – Transportation and Transit Committee Research, Adjudication Committee Overview

Corporate Report dated February 5, 2013 from the City Manager and Chief Administrative Officer with respect to transportation and transit committee research, adjudication committee overview.

RECOMMENDATION

1. That the report entitled, City Committees of Council Structure Review – Transportation and Transit Committee Research, Adjudication Committee Overview, dated February 5, 2013, from the City Manager and Chief Administrative Officer, be received for information.

2. That the Governance Committee direct the City Clerk to forward final recommendations of the Governance Committee with respect to the City Committees of Council Structure Review to General Committee for discussion, instead of being forwarded directly to City Council as per the usual process.

5. Governance Committee Outstanding Items List

Listing of outstanding items that were directed to staff by the Governance Committee.

6. Correspondence List

List of correspondence received by the Governance Committee and an update on the status for each matter.

OTHER BUSINESS

CLOSED SESSION

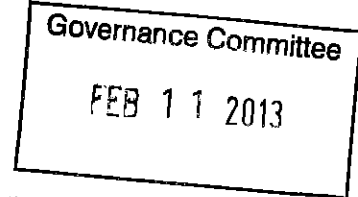
DATE OF NEXT MEETING – Wednesday, February 27, 2013 Immediately Following General Committee

ADJOURNMENT

Memorandum



TO: Members of Governance Committee
FROM: Sacha Smith, Legislative Coordinator
DATE: February 7, 2013
SUBJECT: Governance Committee – November 12, 2012 Minutes



At the January 14, 2013 Governance Committee meeting Councillor Tovey suggested that the November 12, 2012 minutes did not capture the discussion regarding whether a citizen would be permitted to make a complaint about a councillor. The November 12, 2012 minutes were reviewed and the following wording could be inserted in paragraph 3 of Deputation A to provide further elaboration:

“Mr. Barber enquired if the Code of Conduct addresses situations where someone believes they have the right to make a complaint against a councillor where they were denied proper representation or intervention on behalf of residents. Mr. Swayze responded to Mr. Barber’s question and explained that he would have to make a preliminary determination with every complaint ~~if the matter is within his mandate and decide if its within his jurisdiction to review.~~ Councillor Tovey further advised Mr. Barber that the Code of Conduct contains commentary under each rule that provides some examples and clarity.”

The wording noted above has been inserted in the attached draft minutes for the November 12, 2012 Governance Committee minutes for your adoption.

A handwritten signature in cursive script that reads "S. Smith".
Sacha Smith
Legislative Coordinator



MINUTES

GOVERNANCE COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA
(www.mississauga.ca)

MONDAY, NOVEMBER 12, 2012 – 1:04 P.M.

COUNCIL CHAMBER, SECOND FLOOR, CIVIC CENTRE

300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO L5B 3C1

Members Present: Councillor Jim Tovey, Ward 1 (Chair)
Councillor Pat Saito, Ward 9 (Vice-Chair)
Councillor Chris Fonseca, Ward 3 (Arrived at 1:06 pm)
Councillor Bonnie Crombie, Ward 5
Councillor George Carlson, Ward 11
Mayor McCallion (ex-officio) (Arrived at 1:12 pm and
Departed at 2:38 pm)

Members Absent: Nil

Staff Present: Janice Baker, City Manager and CAO
Mary Ellen Bench, City Solicitor
Ivana Di Millo, Director, Communications
Karen Spencer, Advisor
Diana Rusnov, Manager, Legislative Services and Deputy Clerk
Crystal Greer, Director, Legislative Services and City Clerk
Sacha Smith, Legislative Coordinator

CALL TO ORDER - 1:04 P.M.**DECLARATIONS OF (DIRECT OR INDIRECT) PECUNIARY INTEREST - Nil****APPROVAL OF THE AGENDA**

Councillor Crombie moved approval of the agenda, as presented. This motion was voted on and carried.

Approved (Councillor Crombie)

DEPUTATIONS**A. Item 2 Don Barber, Resident**

Mr. Barber spoke to the matter and suggested that more examples be included in the Code of Conduct to clearly outline to members of Council and the public what a conflict is. He further spoke to clarity of the definition of a "well informed reasonable person". Councillor Saito spoke to the matter and explained that she had expressed concerns at a previous meeting that some people may not understand who a "well informed reasonable person" was. Robert Swayze, Integrity Commissioner noted that at a previous meeting he commented on members of Council determining if they can vote impartially on a matter to determine if there is a personal conflict.

Councillor Carlson commented about members of Council who are members of Boards and other committees and the possibility of conflicts if the group receives funding or services from the City.

Mr. Barber enquired if the Code of Conduct addresses situations where someone believes they have the right to make a complaint against a councillor where they were denied proper representation or intervention on behalf of residents. Mr. Swayze responded to Mr. Barber's question and explained that he would have to make a preliminary determination with every complaint and decide if its within his jurisdiction to review. Councillor Tovey further advised Mr. Barber that the Code of Conduct contains commentary under each rule that provides some examples and clarity.

Councillor Fonseca arrived at 1:06 pm and Mayor McCallion arrived at 1:12 pm during the deputation.

RECOMMENDATION

That the deputation by Donald Barber, resident with respect to the Council Code of Conduct be received.

Received (Councillor Saito)
Recommendation GOV-0027-2012

PUBLIC QUESTION PERIOD

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

Ursula Keuper-Bennett, Resident referred to Rules No. 1 & 9 in the Code of Conduct, and enquired about the definition of "diligent" in the Code. Robert Swayze, Integrity Commissioner explained the definition. Councillor Saito spoke to the matter and suggested that more appropriate wording should be reviewed for "diligently" in section 4 of Rule 9.

Ms. Keuper-Bennett referred to Rule No.9 and noted that Section 22 of the Council Procedure By-law does not include the public. Mayor McCallion agreed with Ms. Keuper-Bennett's suggestion and noted that Sections 22(1) of the Council Procedure By-law should include members of the public. Councillor Carlson suggested that the reference to Provincial or Federal government could be changed to Member of Parliament and Member of Provincial Parliament.

Ms. Keuper-Bennett referred to Rule no.10 in the Code and enquired about communicating to the media only when decisions are made. Councillor Saito spoke to the matter and noted that a statement could be included in the Code that notes that all Councillors communicate accurately about matters at all times.

Ms. Keuper-Bennett referred to Rule no. 15 with respect to exemptions. Mr. Swayze explained that there may be circumstances where a councillor may need to do something that is contrary to a policy, but is appropriate. Councillor Saito and Mayor McCallion spoke to the matter and provided an example where an exemption may be requested and that usually staff would provide a report on the matter.

MATTERS CONSIDERED:**1. Approval of Minutes of Previous Meeting**

Minutes of the Governance Committee meeting held on October 22, 2012.

Mayor McCallion enquired about public notice for changes to the Code of Conduct. Crystal Greer, Director, Legislative Services and City Clerk advised that a request for comments for the Code of Conduct was posted on the City's web page and in a news release.

Approved (Councillor Crombie)

2. Further Review of Council Code of Conduct

Report dated November 2, 2012 from the Integrity Commissioner with respect to a further review of the Council Code of Conduct.

Councillor Saito spoke to the matter and noted her support for the proposed amendments. Councillor Crombie enquired about including For Profit Boards. Mr. Swayze noted that he would address the matter in a report that would address members of local boards and citizen committees. Councillor Crombie spoke to the Code including a dress code for members of Council.

Councillor Carlson suggested that there be protocol for an opening statement by the Chair at the Committee of Adjustment when a member of Council attends a meeting. Robert Swayze, Integrity Commissioner spoke to the matter. Direction was given to the City Clerk to implement an opening statement at Committee of Adjustment meetings when a member of Council is present.

Mayor McCallion enquired about parameters when members of Council are requested to support charities or groups. Mr. Swayze noted that members of Council can support charities, but a list of charities should be provided if a member of Council receives a request for suitable organizations to donate to. Discussion ensued with respect to declaring gifts and the timing to submit the declaration forms. Further discussion ensued with respect to differentiation between the Mayor and Councillors accepting gifts. Mr. Swayze responded that in other Code of Conducts there is no differentiation, however he could review some commentary and come back to the Committee.

Councillor Tovey enquired about citizen members of committees working on municipal election campaigns. Mr. Swayze noted that he would review the matter and come back to the Committee.

RECOMMENDATION

That the Council Code of Conduct and Protocol be amended as highlighted on Appendix 2 to the Integrity Commissioner's report dated November 2, 2012 subject to consideration of feedback to the call for public input, and further that the revised version of the Council Code of Conduct be considered at the December 12, 2012 Council meeting for final adoption.

Approved (Councillor Fonseca)
Recommendation GOV-0028-2012

3. Use of Communication Devices by Members of Council During Meetings – Resolution 0022-2011

Memorandum dated November 8, 2012 from Crystal Greer, Director, Legislative Services and City Clerk requesting direction from the Governance Committee with respect to the effectiveness of Resolution 0022-2011.

Members of Committee discussed the rationale of a communication device procedure. Further discussion ensued with respect to the use of communication devices by members of Council at meetings and respecting the public and staff

during deputations.

Councillor Crombie suggested a protocol or guideline for members of Council at meetings that would address the use of communications devices, side conversations, reading other documents etc. Crystal Greer, Director, Legislative Services and City Clerk advised that the protocol for meetings is addressed in the Council Procedure By-law and that staff would need to be advised of what changes would be required.

Committee further discussed the current procedure and concerns were noted about the use of communication devices during the In Camera session. Ms. Greer advised that staff would distribute the motion that captured the discussion prior to the next Council meeting.

RECOMMENDATION

That Council consider a motion regarding the use of communication devices by Members of Council during meetings that incorporates the comments from the Governance Committee.

Approved (Councillor Saito)
Recommendation GOV-0029-2012

Mayor McCallion departed the meeting at 2:38 pm during discussion of Item 3.

4. Council Lunch Recess – Resolution 0108-2011

Memorandum dated November 8, 2012 from Crystal Greer, Director, Legislative Services and City Clerk requesting direction from the Governance Committee with respect to Council Lunch Recess.

RECOMMENDATION

That Council consider a motion regarding the Council Lunch Recess that provides for a working lunch into the Closed Session whenever Council meetings continue beyond noon.

Approved (Councillor Carlson)
Recommendation GOV-0030-2012

5. Governance Committee Outstanding Items List

Listing of outstanding items that were directed to staff by the Governance Committee.

Councillor Crombie enquired about the timelines for some of the items on the Outstanding Items List.

RECOMMENDATION

That the Governance Committee Outstanding Items List for the November 12, 2012 Governance Committee meeting, be received.

Received (Councillor Saito)
Recommendation GOV-0031-2012

6. **Correspondence List**

List of correspondence received by the Governance Committee and an update on the status for each matter.

RECOMMENDATION

That the list of correspondence received by the Governance Committee and an update on the status for each matter, be received.

Received (Councillor Fonseca)
Recommendation GOV-0032-2012

OTHER BUSINESS - Nil

CLOSED SESSION - Nil

DATE OF NEXT MEETING – Monday, January 14, 2013 at 1:00 P.M.

ADJOURNMENT – 2:53 P.M.



Governance Committee

FEB 11 2013

MINUTES

GOVERNANCE COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA
(www.mississauga.ca)

MONDAY, JANUARY 14, 2013 – 1:04 P.M.

COUNCIL CHAMBER, SECOND FLOOR, CIVIC CENTRE

300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO L5B 3C1

Members Present:

Councillor Jim Tovey, Ward 1 (Chair)
Councillor Chris Fonseca, Ward 3
Councillor Bonnie Crombie, Ward 5
Councillor George Carlson, Ward 11
Mayor Hazel McCallion

Members Absent:

Councillor Pat Saito, Ward 9 (Vice-Chair)

Staff Present:

Janice Baker, City Manager and CAO
Brenda Breault, Commissioner, Corporate Services and Treasurer
Mary Ellen Bench, City Solicitor
Ivana Di Millo, Director, Communications
Karen Spencer, Advisor
Crystal Greer, Director, Legislative Services and City Clerk
Diana Rusnov, Manager, Legislative Services and Deputy Clerk
Sacha Smith, Legislative Coordinator

The order of the agenda was changed during discussion.

CALL TO ORDER – 1:04 P.M.

DECLARATIONS OF (DIRECT OR INDIRECT) PECUNIARY INTEREST - Nil

APPROVAL OF THE AGENDA

Mayor McCallion moved approval of the agenda. This motion was voted on and carried.

Approved (Mayor McCallion)

DEPUTATIONS

A. Item 3 Greg Vezina, Resident

See Item 3 for discussion

B. Item 5 Fayaz Karim, Peel Poverty Action Group

Mr. Karim appeared before Committee and spoke in opposition to corporate and trade union donations to municipal campaign funding. He commented on the possible effects on democracy and social housing. He requested that all members of Council consider not accepting corporate donations for their campaigns.

Councillor Carlson enquired about donations from businesses and noted that some personal donations come from individuals who belong to a corporation. Mr. Karim noted there is concern with corporate donations from developers and advised that Peel Poverty Action Group would submit comments with respect to tax credits for donations made by individuals.

Mayor McCallion spoke to the matter and noted that the lack of social housing and development in Mississauga is not related to corporate donations. She further spoke to corporate donations and expressed concern with comments that corporate donations influence decisions of Council.

Councillor Crombie commented that corporate donations do not affect Council decisions and noted that if corporate donations were removed, employees of the corporation can still donate and the process would be less transparent. She noted that a rebate program would make it easier for individuals to donate to campaigns.

Councillor Carlson commented that he does not support removing corporate donations to municipal campaigns as there is no evidence that it affects Council's decision making.

Councillor Fonseca spoke to corporate and individual donations to municipal election campaigns. She noted her support for individual tax credits for donations to a campaign. She spoke further to the lack of social housing and noted that majority of tax dollars go to the federal government.

Mayor McCallion suggested that Peel Poverty Action Group should focus more on the upper levels of government on how we deal with social housing as the local level does not have the funding for this infrastructure.

RECOMMENDATION

That the deputation from Fayaz Karim, Peel Poverty Action Group with respect to municipal campaign contributions from corporations and trade unions be received.

Received (Councillor Crombie)
Recommendation GOV-0003-2013

C. Item 2 Karen Spencer, Advisor

See Item 2 for discussion

PUBLIC QUESTION PERIOD - Nil

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

MATTERS CONSIDERED:

3. 2010 – 2011 By-Election Irregularities

Written submission from Greg Vezina, Resident with respect to 2010 and 2011 By-election financial returns for candidates.

Mr. Vezina spoke to the written submission regarding the 2010 municipal election and the 2011 By-election irregularities. He noted that greater disclosure, review and audit of campaign financial returns are needed. He highlighted issues with the review of campaign financials and made suggestions to improve the process.

Councillor Crombie spoke to the matter and noted the implementation of an elections oversight committee to review election candidate financials, compiling a list of items that are appropriate for spending election campaign funds, campaign rebate program and accepting donations from corporations and trade unions.

Crystal Greer, City Clerk clarified that staff are recommending amendments to the procedure for the Election Campaign Finances Committee and did not recommend an additional committee to review all candidate campaign financials.

Mr. Vezina expressed concern with the operation of the Election Campaign Finances Committee.

Mayor McCallion spoke to the matter and noted that changes need to be made to Provincial legislation. There should be an opportunity for all candidates' expenses to be reviewed prior to the deadline to ensure all missing information is provided, instead of being involved in a hearing with the Elections Campaign Finances Committee. Mayor McCallion further noted that she would take the matter to the Province once Council has decided on what changes should be made to Provincial legislation. The candidates should also be provided the opportunity to review the guidebook for municipal campaigns and ask questions.

Councillor Fonseca spoke to the matter and suggested that the matter be brought before AMO and AMCTO. She agreed that a committee should be looked at to review candidate financials and the Clerk's Office should not be responsible for reviewing the finances.

Councillor Carlson raised concerns with a committee to review all candidate campaign financials as it would not be a statutory committee. Mary Ellen Bench, City Solicitor advised that there is no authority under the legislation to make this a mandatory committee. She spoke further to the challenge with issues that may arise with creating a committee. Councillor Carlson further expressed concern that the City could be liable if a review is not performed correctly and there are issues with a submission from a candidate.

Discussion ensued with respect to the role of the oversight committee and the changes that could be made to make the process better for candidates.

RECOMMENDATION

That the written submission from Greg Vezina, resident with respect to 2010 and 2011 by-election financial returns for candidates be received.

Received (Councillor Crombie)
Recommendation GOV-0001-2013

RECOMMENDATION

WHEREAS the foundation of the City of Mississauga has been built on the principles of good governance, integrity and ethics;

AND WHEREAS the Council of the City of Mississauga conducts its business in an open, transparent and publicly accessible manner;

AND WHEREAS there does not currently exist a dedicated oversight body to review election expenses of all candidates running for municipal office;

AND WHEREAS it is in the best interest of the residents of the City of Mississauga to ensure that all candidates properly file their election financial returns in accordance with all rules and regulations;

AND WHEREAS the federal and provincial election bodies regularly review the financial filings of candidates immediately following an election to ensure that candidate's financial submissions are complete and accurate;

THEREFORE, BE IT RESOLVED THAT the Governance Committee directs staff to prepare a report on the feasibility of creating an Election Finance Review Committee.

Approved (Councillor Crombie)
Recommendation GOV-0002-2013

Councillor Crombie referred to her comments with respect to a list of items that are appropriate for election expenses. Ms. Bench advised that it is beyond the mandate of the Integrity Commissioner and that a change to election expenses would require provincial legislative amendments.

1. Approval of Minutes of Previous Meeting

Minutes of the Governance Committee meeting held on November 12, 2012.

Councillor Tovey indicated that the minutes did not include discussion regarding whether a citizen would be permitted to make a complaint about a councillor. Crystal Greer, City Clerk advised that the minutes could be brought back at the next meeting for the committee to review the amendment.

2. City Committees of Council Structure Review – Advisory Committee Overview

Corporate Report dated January 4, 2013 from the City Manager and Chief Administrative Officer providing an overview of advisory committees as part of the City Committees of Council Structure Review.

Ms. Spencer spoke to the report and noted that it addressed 10 of the 19 advisory committees. She reviewed the benchmarking of the City's committee structure with other municipalities, survey responses, criteria to form an advisory committee, evaluation methodology for advisory committees and specific findings for the 10 advisory committees.

Councillor Crombie enquired about the Mississauga Celebration Square Events Committee becoming a Board instead of a Committee. Ms. Spencer noted that she could bring back a list if a Board is of interest. She advised that the Committee has helped staff with approving summer applications for the Square and streamlined processes. Councillor Crombie further spoke to combining

committees, an orientation for new citizen members on committees and the growth of the Tour de Mississauga cycling event.

Councillor Fonseca spoke in support of providing training for new citizen members on committees. She referred to the criteria for advisory committees and suggested that if a committee doesn't align with the City's Strategic Plan or an approved plan it shouldn't be a committee, and should be in addition to fulfilling 5 of the criteria. She further spoke to a shift in focus to active transportation.

Councillor Carlson spoke to the matter and noted that there should be training for committee chairs and efficiencies such as number of meetings, members and councillors on a committee should be reviewed.

Mayor McCallion spoke to the matter and noted the process for the Citizen Appointments Committee should be reviewed. When combining committees, subcommittees should also be reviewed. The administration of the use of the Mississauga Celebration Square should be a staff responsibility. Mayor McCallion noted that each committee should be required to report to Council on their agenda items, recommendations and activities of the committee. The Tour de Mississauga should be reviewed and organized by the City and expressed concern with the Mississauga Cycling Advisory Committee not focusing enough time on cycling safety. Mayor McCallion further spoke to the Towing Industry Advisory and Public Vehicle Advisory Committees and noted issues with membership on Traffic Safety Council.

Councillor Tovey spoke to the matter and noted that the Terms of Reference for committees should advance the City's strategic goals and suggested that there be an orientation for new citizen members.

Mayor McCallion further expressed concern with the Advertising Review Panel. Ms. Spencer noted that this committee would be addressed at the next meeting.

RECOMMENDATION

1. That the report entitled, City Committees of Council Structure Review – Advisory Committee Overview, dated January 4, 2013, from the City Manager and Chief Administrative Officer, be received for information.
2. That the Governance Committee endorse the following principles, which will guide further analysis undertaken for the City Committees of Council Structure Review:

- a. That the City of Mississauga has a high number of Advisory Committees of Council, in comparison to the eleven other Canadian municipalities benchmarked, and reducing the number of Advisory Committees would benefit the governance structure and decision-making processes of the City of Mississauga.
- b. That in establishing any new Advisory Committees of Council, certain pre-set criteria should be met before City Council can approve a new Committee of Council creation (refer to Appendix 1).
- c. That it is important that the work of Advisory Committees of Council remain within the stated mandates and objectives of their approved, respective Terms of Reference and also align and evolve with the City of Mississauga's changing priorities.

Approved (Councillor Fonseca)
Recommendation GOV-0004-2013

4. Response to Election Campaign Finances Suggestions

Memorandum dated January 8, 2013 from the Director, Legislative Services and City Clerk providing responses to comments and suggestions from Greg Vezina, Resident regarding various items including the Election Campaign Finance Committee.

RECOMMENDATION

That the memorandum dated January 8, 2013 from the Director, Legislative Services and City Clerk providing responses to comments and suggestions from Greg Vezina, Resident regarding various items including the Election Campaign Finance Committee, be received for information.

Received (Councillor Fonseca)
Recommendation GOV-0005-2013

5. Municipal Election Campaign Contribution Rebate Program

Corporate Report dated January 8, 2013 from the Commissioner of Corporate Services and Treasurer with respect to a Municipal Election Campaign Contribution Rebate Program.

Janice Baker, City Manager clarified that the subject report provides options and that staff could report back on a program. Discussion ensued with respect to the

matter and it was noted that the program should be available to Mississauga residents and donations from individuals. Further discussion ensued with respect to eligible donation amounts to a maximum rebate amount of \$375.

RECOMMENDATION

That the report entitled Municipal Election Campaign Contribution Rebate Program from the Commissioner of Corporate Services and Treasurer, dated January 8, 2013 be received for information and that staff be directed to report back on a rebate program for the City that includes the following:

- a) Mississauga residents only; and
- b) Rebate for individual contributions; and
- c) Rebate of 50% up to a maximum of \$375 for contributions over \$100.

Approved (Councillor Crombie)
Recommendation GOV-0006-2013

6. 2010 Municipal Election and 2011 By-Election Review

Corporate Report dated January 7, 2013 from the Commissioner of Corporate Services and Treasurer with respect to the 2010 Municipal Election and 2011 By-Election Review.

Councillor Crombie spoke to part 7 of the recommendation in the subject report and requested that part 7 be dealt with when staff report back on the feasibility of a dedicated oversight body to review election expenses of all candidates running for municipal office.

Councillor Fonseca enquired about including apartment buildings as polling stations. Crystal Greer, City Clerk advised that the primary concern is to ensure that there is accessibility and staff generally try to have the polling stations that cover a greater number of people for the electronic vote counting machines. She further noted that there may be issues with access to external people to a polling station in an apartment building. Direction was given to staff to review including private locations such as apartment buildings as polling stations.

Councillor Crombie enquired if the school boards were approached about a PA Day for municipal elections. Ms. Greer noted that there have been communication with the school boards with respect to a PA Day on election day, but it hasn't been well received.

RECOMMENDATION

1. That the report dated January 7, 2013, from the Commissioner of Corporate Services and Treasurer, titled "2010 Municipal Election and 2011 Municipal By-Election Review" be received.

2. That Council request that identification standards for electors be established by the Federal Government for use by the Provincial and Municipal Governments during elections.
3. That the Peel District School Board and Dufferin- Peel Catholic District School Board be requested to deem election day as specified in the *Municipal Elections Act 1996*, a Professional Activity Day (P.A. Day) to ensure that all School Board facilities are available for use as polling locations during Municipal Elections.
4. That enforcement measures and fees and charges for contravention of the Sign By- law be reviewed and that staff report back prior to 2014.
5. That opportunities to increase staff participation on Election Day be explored.
6. That staff report back to Governance Committee on the AMCTO review of the Voters' List, once the final report is released
7. That the matter of an amendment to the Election Campaign Finances Committee procedure be deferred pending a report from staff to review the feasibility of a dedicated oversight body to review election expenses of all candidates running for municipal office.

Amended/ Approved (Councillor Carlson)
Recommendation GOV-0007-2013

7. Proposed Legislative Amendments Respecting Councillors who Run for Provincial or Federal Office

Corporate Report dated January 2, 2013 from the City Solicitor with respect to proposed legislative amendments for Councillors who run for Provincial or Federal Office.

RECOMMENDATION

1. That the report of the City Solicitor titled "Proposed Legislative Amendments Respecting Councillors who Run for Provincial or Federal Office" dated January 2, 2013 be received for information;
2. That the Province be requested to amend s. 259 of the *Municipal Act, 2001* to declare vacant the office of a member of Council who at the close of nominations in a federal or provincial election, is a registered candidate; and

3. That a copy of this report be circulated to the Minister of Municipal Affairs and Housing, all local MPPs, MPs and to AMO.

Approved (Councillor Crombie)
Recommendation GOV-0008-2013

8. 2013 Governance Committee Meeting Dates

Memorandum dated January 9, 2013 from the Legislative Coordinator with respect to the 2013 Governance Committee meeting dates.

Received (Councillor Fonseca)
Recommendation GOV-0009-2013

9. Governance Committee Outstanding Items List

Listing of outstanding items that were directed to staff by the Governance Committee.

Received (Councillor Carlson)
Recommendation GOV-0010-2013

10. Correspondence List

List of correspondence received by the Governance Committee and an update on the status for each matter.

Received (Councillor Crombie)
Recommendation GOV-0011-2013

OTHER BUSINESS

Councillor Carlson suggested that the election rebate program be connected with the candidate filing their forms. The donors would only receive their rebate after the candidate has filed.

CLOSED SESSION - Nil

DATE OF NEXT MEETING – Monday, February 11, 2013 at 1:00 P.M.

ADJOURNMENT - 4:39 P.M.

To members of Governance Committee

Governance Committee
FEB 11 2013

Committees of Council Review – MOMAC

On behalf of MOMAC I would like to respond to the staff recommendation that "MOMAC to be retired as a committee or change to a different committee which is not as structured as a Committee of Council"

While we agree that Committees of Council should be reviewed in terms of their role in helping Council make decisions, and the cost benefit of having those committees, we would advise that this is the wrong time to sever a formal link between MOMAC and Council.

- MOMAC provides a common forum and a two-way direct link between the Community, Staff and Council. Given Council's support for storage solutions and ultimately a museum (with ongoing talks with Peel District School Board), it is more important than ever that these direct linkages are preserved so that the voice of the community is properly communicated and understood by both Staff and Council.
- If MOMAC and/or other supporters of Museums are going to reach out to citizens / business / other levels of government to help support the Museum plans and activity, it is clearly beneficial if the City demonstrates its support unequivocally. Severing the link between MOMAC and Council makes this task harder at best.
- MOMAC self evidently is the champion for the museums, and we recognise that in a time of budget constraints that the Museums must justify their requirements against competing demands. We provide a forum where these cases can be made, and this allows Council to better prioritise between the varying demands on resources, both within and outside the Culture Division.
- MOMAC has a governance role, which allows Council to delegate responsibility for aspects of Ontario's Community Museum Operating Grants and for some provisions of the Benares Endowment Fund.

However, we recognise that costs and resources need to be optimised and recommend that MOMACs Collection and Storage Subcommittee (CASS) no longer requires City Clerks support (which was never requested) and that CASS' reports will be approved by MOMAC, as is the case currently. This would reduce the need for City Clerk support from 12 to 14 meetings (4 MOMAC + 8/10 CASS) to only 4 MOMAC meetings (a reduction of c.70%).

In summary MOMAC was originally set up by Council to champion and unify the cause for Mississauga's Museums. We have reached the point where there is agreement that there is a need to collect, preserve and display artifacts that illustrate Mississauga's evolution into a major city, and a recognition that if we do not do so, these artifacts may be damaged, lost or no longer available to the City. It is at least arguable that without MOMACs focus, passion and commitment we would not have reached this point.

Our advice to Council is that there is still much work to be done to progress the Museum's plans, and that the work would be more easily and efficiently undertaken if MOMAC remains as a Committee of Council providing a formal link between Citizens, Council and Staff.

In addition to sending this letter, it is our intention to attend the next Governance Committee to go through the contents of this response and answer any questions you may have.

Jeremy Harvey
Chair - MOMAC



Corporate Report

Clerk's Files

Originator's
Files

4.

DATE: February 5, 2013

TO: Chair and Members of Governance Committee
Meeting Date: February 11, 2013

Governance Committee

FEB 11 2013

FROM: Janice M. Baker, FCPA, FCA
City Manager and Chief Administrative Officer

SUBJECT: **City Committees of Council Structure Review – Transportation
and Transit Committee Research, Adjudication Committee
Overview**

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- RECOMMENDATION:**
1. That the report entitled, City Committees of Council Structure Review – Transportation and Transit Committee Research, Adjudication Committee Overview, dated February 5, 2013, from the City Manager and Chief Administrative Officer, be received for information.
 2. That the Governance Committee direct the City Clerk to forward final recommendations of the Governance Committee with respect to the City Committees of Council Structure Review to General Committee for discussion, instead of being forwarded directly to City Council as per the usual process.

**REPORT
HIGHLIGHTS:**

- A 'City Committees of Council Structure Review' was requested to be undertaken by City Council in 2011. The approved recommendations from this review are to be made operational for the next term of Council (Dec. 2014) unless otherwise determined.
- This report is the second in a series of reports outlining the research for this review.

- Research on a potential Transportation and Transit Committee is described including the rationale for it to be a Committee-of-the-Whole and how this could be maintained within the committee calendar.
- An analysis of all of the budgets for Advisory and Adjudication Committees indicate that unspent balances often exist at year end.

BACKGROUND:

The Governance Committee (January 14, 2013) heard information on the ten Advisory Committees that meet regularly and include citizens as part of the Committee membership. Three 'principles' were endorsed by the Governance Committee regarding Advisory Committees which include: a) reducing the total number of committees, b) ensuring pre-set criteria is met before a new committee is established and, c) ensuring committees continually evolve to align with the City of Mississauga's changing priorities.

COMMENTS:

The research described in this corporate report is the second in a series of reports for the City Committees of Council Structure Review. Included in this report is research describing:

- Overall Committee Meetings Data
- Transportation & Transit Committees
- Potential changes in the Committee Calendar
- Adjudication Committees
- Advisory & Adjudication Committee Budgets
- Administrative Ideas

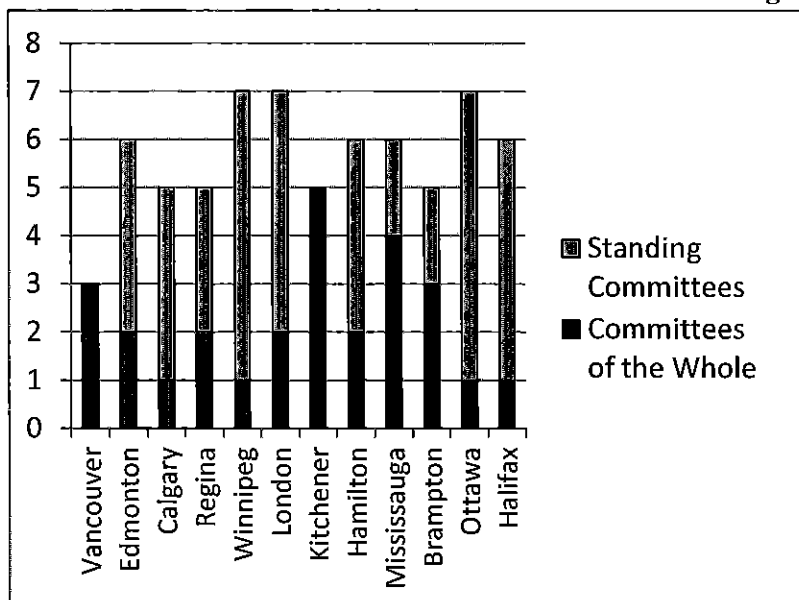
OVERALL COMMITTEE MEETINGS DATA

Overall Committee Meetings Data: Eleven large cities across Canada were benchmarked against Mississauga for this review. The following is a description the similarities and differences between the Committees-of-a-Whole and major Standing Committees among those cities. A Committee-of-the-Whole is simply a committee with all elected Council Members as members and no others. Standing Committees include only Council Members but does not have the entire Council as members.

Mississauga has four Committees-of-a-Whole (Council, General

Committee, Planning & Development Committee and Budget Committee) and two policy Standing Committees (Governance Committee and Audit Committee). As shown in the chart below, the line for Mississauga is therefore shown as having six committees in total. In comparison with the other cities, Mississauga has one of the highest number of Committees-of-the-Whole, but when examining the total combined number of committees, our municipality is just above the average.

CHART 1: No# of Committees-of-the-Whole & Standing Comm.

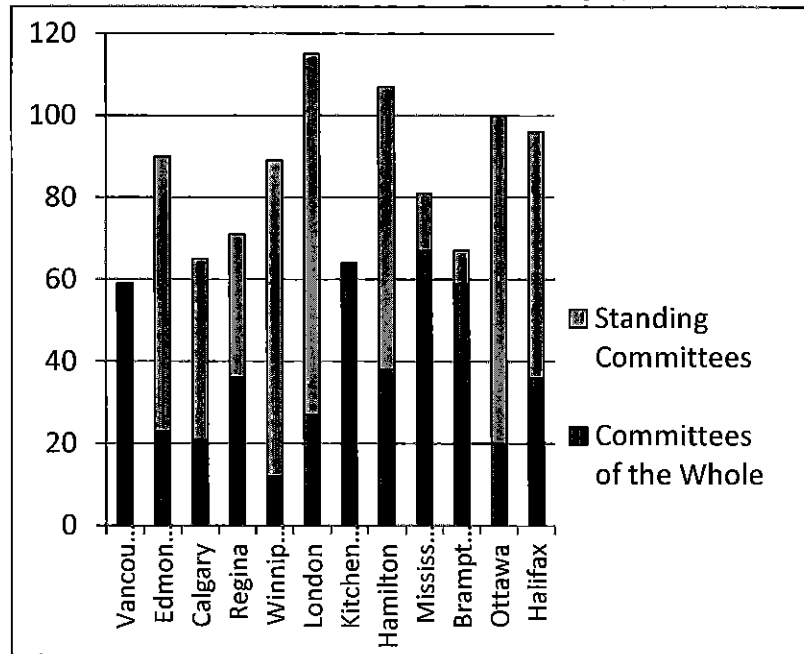


What is interesting is that six (50%) of these large cities operate with only one Committee-of-the-Whole, which is Council. For these six municipalities, a number of Standing Committees with a portion of the Council Members (usually a half or one-third of the total Council), meet and debate on a wide range of policy issues, and determine recommendations that ultimately Council will approve. This illustrates that large cities can operate under any number of different governance structures and provide solid decision-making for their citizens.

Another important aspect is the total number of meetings that Council Members are present at to make their own particular governance structure viable. The chart below tallies up the number of annual meetings found on each of their 2013 committee's calendars. It is clear that the total number of separate committees (chart above) in no way

dictates the number of actual meetings per year.

CHART 2: Number of Committee Meetings (2013 Calendar)



For Mississauga, Council Members and the corporation’s Leadership Team have emphatically indicated their support for the Committee-of-the-Whole governance structure.

TRANSPORTATION & TRANSIT COMMITTEES

Transportation & Transit Committees: At the on-set of this review, the question of the need for a Transportation & Transit Committee was raised. Accordingly, this review’s on-line survey asked for participant’s opinion of the following statement, “*The creation of a ‘Transit and/or Transportation Committee’, would be desirable.*” The chart below shows the results.

OPINION	Council Member	Staff	Citizen Member
Strongly agree	5	8	22
Agree	2	32	24
Neutral, Neither Agree nor Disagree	1	14	12
Disagree	0	8	3
Strongly disagree	0	1	1
N/A, Not enough information	1	5	3

Within the comment space for this specific question there were

numerous and varied comments of what this committee might, or might not, have a mandate for, especially in light of the five existing committees associated with movement on our rights-of-ways (Advisory Committees for road safety, cycling, traffic safety, public vehicles (taxi) and the towing industry). Many comments also described transportation and transit issues as key priorities of the City of Mississauga, indicating it was time to focus that discussion.

While discussions occur at these five Advisory Committees (mentioned above), for the most part, high level, strategic discussions for transportation and transit issues are tabled at General Committee. To understand the volume of agenda items that relate to transportation and transit issues tabled at General Committee, the total agendas in 2012 were reviewed. In total, there were 237 agenda items (not including in-camera and Advisory Committee reports), and of these 119 (50%) were related to transportation and transit. The breakdown of types of items within this 50% include:

- Deputations - 2.5%
- Large construction projects – 7%
- Cycling / Auto share – 1%
- Transit – 2.5%
- Typical reports – 37% (noise, parking, 4-way stops, road closures, assumption of municipal services, lane closures, driveways, etc.)

In looking at the 11 benchmarked cities for similar Transportation & Transit Committees, a number of variations of committees are found. Four of these cities have stand-alone Transportation and Transit Committees (note: if a municipality operates its transit business through a separate commission, most often the transportation and transit committees are separate entities). These four examples are Standing Committees, not Committees-of-the-Whole, because those city's entire governance structure is set up with Standing Committees as the norm. The City of Edmonton's 'Transportation Committee' is an example of a committee focussed on every aspect of transportation including small and large items associated with the fleet, road network, strategic planning, customer issues, traffic flow, regional area networks are listed. Also, Edmonton has a separate 'Edmonton Transit System Advisory Board' reporting to the Transportation Committee.

As well, five of the eleven cities have a combination of two Standing Committees to cover off all of the items associated with transportation and transit issues. For example, a ‘public works’ committee might exist but for safety and active transportation issues, these would go to a ‘community and protection’ committee for discussion.

For the City of Mississauga, if there is a desire to institute a new committee with a strategic focus on transportation and transit, it would be difficult to do this at the Advisory Committee level. Council has been clear in their desire to maintain the Committee-of-the-Whole structure and therefore the challenge will be to find a way to work this new committee into the annual calendar without creating more workload for City Council, staff or citizens.

**POTENTIAL CHANGES
IN COMMITTEES
CALENDAR**

Potential Changes in Committees Calendar: At this time, the City of Mississauga operates on a two-week cycle of Council throughout the year, allowing for statutory holidays, summer break and the Christmas holiday shut-down period. Typically the Planning and Development Committee (PDC) and the General Committee occur the week prior to Council meetings. This two week cycle means these committees are held 19 times in a year. Benchmarking the other cities (chart 2 above), Mississauga’s number of meetings is very average.

Working a new Committee-of-the-Whole into the annual calendar can be achieved if Council were to move from a two week cycle to a three week cycle. Week one would be PDC and the new Transportation Committee; week two would be General Committee; week three would be Council.

A typical 3-week cycle would look like this (example only):

Monday	Tuesday	Wednesday	Thursday	Friday
PDC		Trans. & Transit		
		General Committee		
		Council		

If this three week cycle is acceptable, the total number of meetings would be as follows:

Meeting	Existing	Proposed
Council	19	13
General Comm.	20	13
PDC	19	13*
Trans. & Transit	-	13
TOTAL	58	52

*PDC meetings can be scheduled on a 3-week cycle with the agreement that special meetings can be called if such events as an OMB Hearing, etc. require additional discussion at PDC.

Therefore, if there is approval for a newly created Transportation and Transit Committee to be a Committee-of-the-Whole, it would not increase the number of meetings the Council Members attend and it has the extra benefit of likely lessening the number of ‘additional agendas’ as staff would often have an additional week to respond to questions of Council Members. If the three week cycle causes a major slow down in decision-making on an important issue, the option is always available to take the item directly to General Committee, or even Council if there is no other option.

ADJUDICATION COMMITTEES

Adjudication Committees: Within the Committees of Council structure, there are a number of adjudication committees which include:

- Committee of Revision
- Election Campaign Finances Committee
- Property Standards Committee
- Mississauga Appeal Tribunal
- Advertising Review Panel
- Incidents in City Facilities Appeal Committee

The following outlines the key points regarding each of these committees:

Committee of Revision: a quasi-judicial committee mandated by the *Ontario Municipal Act*, which sets out the local improvement process

and the subsequent imposition of charges to the individual tax rolls of affected owners. The Committee of Revision is the body constituted to hear resident's objections and operates according to the Statutory Powers and Procedures Act. Council delegates this authority to three citizen members. (no changes to this committee are proposed)

Election Campaign Finances Committee: pursuant to the *Municipal Elections Act, 1996*, the Election Campaign Finances Committee considers applications for election campaign finance compliance audits and makes a determination as to whether the application should be granted or rejected, and undertakes all other responsibilities set out in the Legislation. Council is mandated to have such a committee, which is made up of five citizen members. (no changes to this committee are proposed)

Property Standards Committee: is authorized by the *Building Code Act* and operates according to the Statutory Powers and Procedures Act. The Property Standards Committee hears appeals by registered owners of property who have received a Property Standards Order regarding a component(s) of their property that does not conform to the Property Standards By-law. Council delegates this authority to five citizen members. (no changes to this committee are proposed)

Mississauga Appeal Tribunal: required pursuant to the *Ontario Municipal Act*, to hear appeals regarding business licences, tow truck licences, taxicab owner's licences resulting from a recommendation of the Licensing Manager to refuse or revoke such licences. Council is mandated to have such a committee, which is made up of five citizen members. (no changes to this committee are proposed)

Incidents in City Facilities Appeal Committee: an individual or group, who has been issued a ban by City staff under the 'Responding to Incidents in City Facilities' policy, may seek a review of the decision through this Committee. This committee was established in 2010 and the five citizen members of the Mississauga Appeal Tribunal make up the membership of this committee and very limited work has occurred to date. (no changes to this committee are proposed)

Advertising Appeal Committee: the purpose of the Advertising Review Panel is to review advertising as requested under the

corporation’s ‘Placing Advertisement with the City’ policy. All reviews are conducted in accordance with the approved terms of reference. The panel is made up of five Council Members and very limited work has occurred to date. (no changes to this committee are proposed)

NOTE: The six committees described above do not bring their decisions through City Council for final approval as their decisions are final and binding.

**ADVISORY &
ADJUDICATION
COMMITTEE BUDGETS**

Advisory & Adjudication Committee Budgets: Over many years and many decisions, a number of operating budget accounts have been created specifically for an individual Advisory Committee. The five committees with these accounts are:

- Mississauga Cycling Advisory Committee
- Road Safety Mississauga Advisory Committee
- Traffic Safety Council
- Heritage Advisory Committee
- Accessibility Advisory Committee

Beyond this, there are funds made available to handle costs associated with our adjudication committees and a portion of the Clerk’s Office budget also helps support some of the costs for these committees.

When all of these budgets are combined, the breakdown is as follows:

Advisory & Adjudication Committees (2012 totals*)	TOTAL
Annual Budget (combined)	\$131,900
Expenditures	\$114,766
Revenues	\$23,513
Balance (unspent)	\$64,859

*does not include labour costs, professional (legal) services, printing costs other than material printed at the Print Shop.

Of concern is the significant balance of annual unspent funds. The balance might vary year to year but almost always there remains funds unspent. Over the past few years the corporation has changed the method of requesting and funding new initiatives, and as funding gets tighter for all of the programs and projects that City Council

ultimately approves in the annual budget cycle, it would be important to bring these budgets in line with our current practices as well.

Two suggestions are made in this regard:

- Operating Account: using past averages for committee expenditures, create a single current account for typical expenditures to operate the Committees of Council. (items to be included, but not limited to: food & beverage, printing, honourariums, mileage & parking, professional services, operating materials, advertizing, etc.)
- Projects: all 'projects' have a separate capital account created for this work, with approval of City Council. Whenever possible, this approval would align with the Budget Committee approvals for the upcoming budget year.

ADMINISTRATIVE IDEAS

Administrative Ideas: Over the course of this review a number of ideas have been generated that would potentially make many of the Committees of Council more efficient and effective. Some of the ideas are noted below and the full breadth of all of these administrative ideas will be formally discussed in the final report for this review:

- Agenda Management System: the budget request for an Agenda Management System was approved as part of the 2013 Budget. The ability to move toward an electronic agenda management system and video digitizing of meetings enhances the entire legislative process. Such a system simplifies every aspect of creating and producing Council and Committee agendas, while providing improved access and transparency for the public. It allows for greater efficiency, both from a labour perspective for those submitting agenda items and later, increased ease for those who access and use the information.
- Upgraded Meeting Room Facility: the City of Mississauga has a large number of committees but has problems with accommodating these meetings, both in the sheer number of meetings but also in the room features and amenities. The Hearing Room is at capacity for meetings and now the Council

Chamber is being used on a consistent basis to hold many of the Advisory Committee meetings. When the Council Chamber is used it requires the presence of an Audio Visual Technician to operate the room lights and projectors, even for the simplest presentation. Consideration to create another well-appointed meeting room, to hold committee meetings in, would need to be addressed through a future budget cycle.

- Refreshing Committees to Stay Relevant: Much of the discussion to date, especially regarding Advisory Committees, is about keeping the committees within their Council approved mandates, and making sure that as priorities and city resources change and evolve, so too do the Committees of Council.

Some suggestions would be:

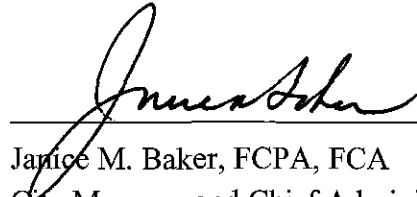
- All Advisory Committees, where possible, should dissolve at the end of each term of Council, allowing for a refresh of the committee structure as a whole.
- The Clerk's Office should organize for a template by which all Terms of Reference need to conform. This will help all parties clearly understand their mandate and responsibilities and help uncover overlaps between committees.
- At the start of each term of Council, and upon the committee members being affirmed, the Committee Members must reflect on their Terms of Reference and create a high level work plan, both of which are approved by Council. If changes to either the Terms of Reference or work plan occur, approval by Council is required.
- At the end of each year, a report is submitted to Council that describes the work that occurred in relation to the approved work plan.

FINANCIAL IMPACT: Financial impact will be forthcoming when specific recommendations for approval are tabled in the final report for this review.

CONCLUSION: The City Committees of Council Structure Review has revealed that large cities across Canada operate under many different governance

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structures. Mississauga is, for the most part, fairly average in the number of the larger, policy committees Mississauga has, although this municipality has more Committee-of-the-Whole, which is the structure that has best suited the Council over many years. Regardless, if Council wishes to focus on transportation and transit as a formal Council of Council, this can be accommodated without increasing the number of meetings annually.



Janice M. Baker, FCPA, FCA
City Manager and Chief Administrative Officer

Prepared By: Karen Spencer, Advisor, City Manager's Office

Governance Committee-Outstanding Items List

Issue	Last Discussed on	Who	Status
1. Proposed options for standing committees with respect to the City Council Committee Structure Review	January 23, 2012	Karen Spencer	Will be reported as part of the Committees of Council Structure Review at the February 11, 2013 Governance Committee meeting.
2. Public Question Period at committees of Council	May 14, 2012	Karen Spencer	Will be reported as part of the Committees of Council Structure Review.
3. Council Committee Structure Review	January 14, 2013	Karen Spencer	There will be reviews for advisory and standing committees at the February 11 and March 18, 2013 meeting dates.
4. Reporting Structure for senior staff to report gifts and benefits	September 17, 2012	City Manager	Proposed for the March 18, 2013 meeting date.
5. Code of conduct for citizen members on committees of Council (including for profit Boards)	October 22, 2012	City Clerk and Integrity Commissioner	Update will be provided at the February 27, 2013 meeting date.
6. Review any differentiation between the Mayor and Councilors accepting gifts and citizen members working for municipal election campaigns	November 12, 2012	Integrity Commissioner	Coming to a future meeting date

Governance Committee
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Correspondence List

Who	Meeting Date	Matter	Status
David Culham	January 23, 2012	Review of committee structure	Mr. Culham advised of the dates when the overview of the City Committees of Council Structure Review will be presented to the Governance Committee.
Alan Kan	September 17, 2012	Review Council meeting times and Public Question Period	Response provided to Mr. Kan Mr. Kan will be advised of when amendments to the Procedure By-law will be considered by the Governance Committee

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