



MINUTES

GOVERNANCE COMMITTEE

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

MONDAY, FEBRUARY 27, 2012 – 1:03 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 (Arrived at 1:04 pm)
Councillor Bonnie Crombie, Ward 5
Councillor Pat Saito, Ward 9 (Vice-Chair)
Councillor George Carlson, Ward 11
Mayor Hazel McCallion (ex-officio) (Arrived at 1:06 pm)

Members Absent: Nil

Staff Present: Janice Baker, City Manager and CAO
Brenda Breault, Commissioner, Corporate Services and Treasurer
Mary Ellen Bench, City Solicitor
Catherine Monast, Team Leader, Media External Communications
Karen Spencer, Advisor
Crystal Greer, Director, Legislative Services and City Clerk
Sacha Smith, Legislative Coordinator

CALL TO ORDER – 1:03 P.M.**DECLARATIONS OF (DIRECT OR INDIRECT) PECUNIARY INTEREST - Nil****APPROVAL OF THE AGENDA**

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

Approved (Councillor P. Saito)

DEPUTATIONS - Nil

Councillor Chris Fonseca arrived in the Council Chamber at 1:04 p.m.

PUBLIC QUESTION PERIOD - Nil

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

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

Minutes of the Governance Committee meeting held on January 23, 2012.

Approved (Councillor C. Fonseca)

2. Integrity Commissioner – Request for Proposals

Corporate Report dated February 17, 2012 from the City Solicitor with respect to the mandate of the Integrity Commissioner and a Request for Proposal for the Integrity Commissioner position.

Mayor Hazel McCallion arrived in the Council Chamber at 1:06 p.m.

Members of Committee discussed the Request for Proposal (RFP) for the Integrity Commissioner position and made the following comments:

- Concerns were expressed that the fee for the Integrity Commissioner would not be a set fee and with the reimbursement of some expenses to the Integrity Commissioner.
- The feasibility of a cost sharing arrangement with the Region of Peel for an Integrity Commissioner should be reviewed.

- The parameters of who is eligible to utilize the services of the Integrity Commissioner should be clear.
- Concerns were expressed that there be an informal way to approach the Integrity Commissioner with entry-level questions that would be more cost effective.
- The reimbursement of meals for the Integrity Commissioner be removed from the RFP.
- Options for payment where the retainer would cover the educational sessions and questions that do not require research throughout the year be reviewed.
- Suggestion that the RFP include that the fee structure be reviewed after one year.
- Concerns were expressed about the possibility of the City being penalized if the contract was terminated due to the City joining with a larger group for an Integrity Commissioner.

Mary Ellen Bench, City Solicitor explained the retainer fees and hourly rates. She responded to committee enquiries with respect to possible changes to the RFP. She clarified that members of the public could file complaints but could not access the Integrity Commissioner for advice. Ms. Bench advised that there would be an educational session when the annual report comes back and the next session would be at the call of Council. Based on the comments she could look into a block rate for these sessions so that preparation and attendance would be included in the rate. Janice Baker, City Manager commented on the possibility of some fixed fees for a number of hours for service provided.

RECOMMENDATION

1. 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, 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;
2. That staff be authorized to issue a Request For Proposal (RFP) seeking applicants for the position of Integrity Commissioner for a five-year term, substantially in the form of the RFP attached as Appendix 1 to the report dated February 17, 2012 from the City Solicitor as amended to incorporate the comments provided by the Governance Committee.

Amended (Councillor P. Saito)
Recommendation GOV-0008-2012

3. Revised Elected Officials' Policy

Corporate Report dated February 22, 2012 from the Commissioner of Corporate Services and Treasurer with respect to revisions to the Elected Officials' Expense Policy.

Members of Committee discussed revisions to the draft Elected Officials' Expense Policy and made the following comments:

- Concerns were raised with the "Ineligible Expenses" section of the draft policy with respect to payment to others for assistance with ward or City events.
- Websites – City and Personal section of the draft policy should include the wording "development" as there are charges for the development and design of websites.
- Concerns were raised with respect to the use of "etc." as there needs to be clarification in some instances on what it could include.
- The "Contributions and Donations" section of the draft policy should have wording to exempt a Councillor that may go over the \$500 limit by way of Council Resolution.
- In the "Approval" section of the draft policy, the process should be clearly worded to describe the process in which a Councillor would follow should their claims be in excess of the annual budget amount.
- In the "Non City-Standard Equipment and Items" section of the draft policy, the wording with respect to reimbursement should be removed.
- Page 37 of Appendix 2 to the report, the wording should be revised for the proposed policy section to include "unless Council has approved" in the context when expenses exceed the budget.
- Concerns were expressed with the budget for newsletters and communicating with residents in the respective wards more than once per year.

Further to the comments on the draft policy, members of committee discussed a \$500 cap for the "Memberships" section of the policy. Discussion ensued with respect to whether service clubs and professional organizations should be an eligible expense. Janice Baker, City Manager and CAO explained that the City does pay for professional fees for staff where it is required for the job. After further discussion by members of the committee, it was decided that the members of Council should have a cap of \$500 annually for membership fees to organizations or associations.

Brenda Breault, Commissioner, Corporate Services and Treasurer acknowledged that staff could work further on the draft policy to incorporate some of the comments. Ms. Baker suggested generic wording for an exemption for members of Council to the policy by Council Resolution. She further advised that the City Clerk surveys members of Council on their office budget and the matter of the newsletter budget could be noted at that time.

RECOMMENDATION

1. That the draft revised Elected Officials' Expenses Policy as outlined in the report dated February 22, 2012 from the Commissioner of Corporate Services and Treasurer be received for discussion and direction to staff.
2. That, subject to final direction with regard to the Elected Officials' Expenses policy revisions, any other policy which may require amendments to align with the Elected Officials' Expenses Policy be brought forward for approval.
3. That the draft revised Elected Officials' Expenses Policy presented to the Governance Committee on February 27, 2012 be amended to indicate that "Membership fees to organizations or associations deemed by the elected official to be relevant to his or her work will be eligible for reimbursement up to \$500 annually through the elected official's expense account."

Amended/Approved (Councillor G. Carlson)
Recommendation GOV-0009-2012

4. City Council Committee Structure Review: Survey to Assist in Scoping the Review

Memorandum dated February 14, 2012 from the City Manager and Chief Administrative Officer with respect to the proposed survey and circulation.

Janice Baker, City Manager and C.A.O. spoke to the proposed survey and circulation. She noted that staff are looking for direction on the circulation of the survey and the questions.

Members of Committee provided the following feedback on the survey:

- The survey should be circulated to the Mayor and members of Council first for feedback.
- In section A of the survey, the questions should be listed for each committee separately and not grouped together.
- Section A should include a question about the time of day for meetings, similar to question 20B.
- Section for protocols that could include time limitations for councillors and deputants and review the blackberry use policy.
- Include a question on the number of councillors appointed to committees of Council.

In response to the suggested changes to the survey, Ms. Baker acknowledged the changes and advised that the survey would be amended to reflect the changes prior to circulation.

Members of Committee discussed the use of Blackberrys/smartphones at meetings as it relates to a resolution restricting the use at meetings. There was a general consensus that the matter should be included on the survey as part of protocol at meetings.

RECOMMENDATION

That the City Council Committee Structure survey be circulated to the Mayor and Members of Council and that staff report back to the Governance Committee on the results of the survey.

Approved (Councillor G. Carlson)
Recommendation GOV-0010-2012

OTHER BUSINESS

Councillor Jim Tovey enquired if Legal staff could be asked questions that would typically go to the Integrity Commissioner as a cost savings measure. Mary Ellen Bench, City Solicitor advised that due to the nature of conflict questions, legal staff are not in the position to answer these questions.

At this time Chris Mackie, MIRANET advised that he missed Public Question Period. The committee consented to hear Mr. Mackie.

Mr. Mackie referred to his presentation to Budget Committee and that MIRANET made a recommendation that there be a budget review subcommittee. He suggested that the Governance Committee review the matter of a budget review subcommittee on a standalone basis. Councillor Pat Saito advised that there would be a review of the Council Committee structure and the matter would be dealt with as part of the review.

Mayor Hazel McCallion enquired about the matter of election campaign finances. Councillor Saito noted that it is included on the committee's workplan.

ADJOURNMENT- 3:06 P.M.