



# MINUTES

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## GOVERNANCE COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA  
([www.mississauga.ca](http://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.