
Governance Committee

Date: November 16, 2020
Time: 1:00 PM
Location: Online Video Conference

Members Present

Mayor Bonnie Crombie	Ex-Officio (arrived 1:07 PM)
Councillor Karen Ras	Ward 2
Pat Saito	Ward 9 (Chair)
George Carlson	Ward 11
Carolyn Parrish	Ward 5
John Magill	Citizen Member
Sandy Milakovic	Citizen Member (Vice-Chair)

Staff Present

Paul Mitcham, City Manager and Chief Financial Officer
Andrea Maxwell, City Solicitor
Lori Kelly, Director, Human Resources
Diana Rusnov, Director, Legislative Services and City Clerk
Sacha Smith, Manager, Legislative Services and Deputy City Clerk
Allyson D'Ovidio, Legislative Coordinator, Legislative Services

1. CALL TO ORDER – 1:00 PM

2. APPROVAL OF AGENDA

Approved (Councillor C. Parrish)

3. DECLARATION OF CONFLICT OF INTEREST - Nil

4. MINUTES OF PREVIOUS MEETING

4.1 Governance Committee Draft Minutes - September 28, 2020

Approved (Councillor G. Carlson)

5. PRESENTATIONS - Nil

6. DEPUTATIONS

6.1 Item 10.1. Jonathan Giggs, Resident (Ward 1)

Jonathan Giggs, resident, Ward 1, addressed the Committee with respect to item 10.1 on the agenda related to public question period. Mr. Giggs recommended the following:

- That the limit of three people permitted to ask questions during public question period be eliminated.
- That the time limit of 15 minutes for public question period be removed.
- That members of the public be allowed to ask their questions after each agenda item is discussed by committee members.

6.2 Item 10.1. Sue Shanly, Chair, Mississauga Residents' Associations Network (MIRANET)

Sue Shanly, Chair, Mississauga Residents Associations Network (MIRANET) addressed the Committee with respect to item 10.1 on the agenda related to public question period. Ms. Shanly noted the following:

- That members of MIRANET were concerned with limiting public question period to three people.
- That extending public question period to all committee meetings was a significant step forward in the City of Mississauga's governance structure.
- That participating in virtual meetings was difficult for members of the public.
- That limitations on public question period were perceived as a hindrance.
- That MIRANET supports an open question period with a limit of five minutes per speaker and with strict criteria so that there is no duplication of questions.

The Chair requested that Ms. Shanly clarify which committees MIRANET's suggestions were applicable to. Ms. Shanly noted that MIRANET's recommendations were intended for both Standing and Advisory committees.

Councillor Ras moved that item 10.1 be moved forward on the agenda.

Councillor Ras suggested building flexibility into the rules and asked how other municipalities handle public question period. Diana Rusnov, Director Legislative Services and City Clerk noted that the allocation of 10 to 15 minutes for public question period is consistent across municipalities but that some municipalities do not allow preambles and request that individuals only ask questions. Ms. Rusnov further noted that the City of Toronto does not allow public question period at Council meetings but does allow it at other meetings.

Councillor Parrish spoke in support of requesting that individuals only ask questions noting that individuals with a preamble could book a delegation. Councillor Parrish suggested the following:

- That individuals provide their questions to the City Clerk in advance.
- That if preambles were eliminated more than three people could be included in the 15-minute public question period time limit.
- That public question period could be moved to after presentations on the agenda.
- That once meetings were conducted in person, it would be possible to consider lengthening public question period.
- That if individuals have more than two questions, they could be directed to the individual's Ward Councillor.

Councillor Carlson noted the importance of rules related to public question period but supported the idea of flexibility at the discretion of the Chair.

The Chair noted that the intention of the discussion surrounding public question period was to provide more structure for advisory committee meetings. The Chair also noted the importance of having a specific location for public question period on an agenda, but suggested that the Chair of each committee could move public question period as required. The Chair supported the idea of individuals being able to ask questions only and requested that the City Clerk review the timeline for when an individual receives their invitation to speak at a virtual meeting after registration.

7. PUBLIC QUESTION PERIOD - 15 Minute Limit (5 minutes per speaker) - Nil

8. CONSENT AGENDA

The following items were approved on the consent agenda: 9.4 and 11.1

RECOMMENDATION

Moved By Councillor G. Carlson

Approved

9. MATTERS TO BE CONSIDERED

9.1 Integrity Commissioner Request for Proposals

Andra Maxwell, City Solicitor noted that a request for proposals (RFP) would be initiated to select an Integrity Commissioner and that direction from Governance Committee was requested regarding who should sit on the evaluation committee. It was noted that during the previous selection process the City Solicitor and the City Clerk were on the

evaluation committee and all members of Council were invited to participate in the interview process.

Councillor Ras noted that the discussion could be opened up to Council but spoke in support of Governance Committee participating in the process.

Councillor Parrish spoke in support of the City Solicitor, City Clerk and members of Governance Committee participating in the interview process and of the City Solicitor, City Clerk or representative from Human Resources asking the interview questions.

RECOMMENDATION GOV-0011-2020

Moved By Councillor K. Ras

1. That the mandate of the Integrity Commissioner shall be to act as an advisor to members of Council and local boards on matters relating to ethics, their respective codes of conduct and the Municipal Conflict of Interest Act, to act as an educational resource in this respect, and to independently receive and investigate complaints regarding a possible breach of the code of conduct or Municipal Conflict of Interest Act by a member of Council or a local board;
2. That the qualifications of an Integrity Commissioner, beyond being independent and impartial, as set out in this report be affirmed;
3. That staff be authorized to issue a request for proposals (RFP) seeking applicants for the position of Integrity Commissioner for a four-year non-renewable term, to carry out this mandate and any additional duties that may be placed upon the Integrity Commissioner by legislation;
4. That the Governance Committee Members be appointed to the evaluation committee responsible for evaluating proposals and making a recommendation to City Council on a new Integrity Commissioner; and
5. That the new Integrity Commissioner be appointed for a four-year non-renewable term commencing July 2021 and ending June 2025.

Approved

9.2 Proxy Voting at Council Meetings

Councillor Ras spoke in support of proxy voting where Councillors cannot attend meetings due to illness and asked if Council had the ability to set the scope for when proxy voting would be permitted. Sacha Smith, Manager, Legislative Services and Deputy City Clerk noted that Bill 197 provided the City Clerk with the ability to establish processes surrounding proxy voting and that proxy voting could be limited to when a Councillor is ill or unable to attend a meeting electronically.

Councillor Parrish spoke in opposition of proxy voting due to the obligation for elected officials to attend meetings.

Mayor Crombie agreed that all efforts should be made by elected officials to attend meetings but noted that there could be scenarios where an elected official is called away on municipal business and is unable to vote on an important item. Councillor Parrish

suggested that by way of a compromise electronic attendance could allow absent elected officials to vote. Diana Rusnov, Director, Legislative Services and City Clerk noted that the ability to meet and vote electronically would be in place for a full year and that the process would be reviewed in a year's time.

Councillor Carlson and the Chair spoke in support of electronic meetings as a way for absent elected officials to participate in voting.

Councillor Ras suggested that the decision could be deferred but noted that once in person meetings begin again, Council should consider whether electronic participation in meetings would continue.

RECOMMENDATION GOV-0012-2020

Moved By Councillor K. Ras

That a decision regarding Proxy Voting at Council meetings be deferred and that a report be brought back to the Governance Committee in the fall of 2021 to review both "Electronic Participation" and "Proxy Voting".

Approved

9.3 Potential Citizen committee for Election related matters

Council Resolution 0335-2020 attached for reference

The Chair provided background noting that the Province of Ontario had eliminated the ability for municipalities to establish Ranked Choice Voting and therefore, if established, the committee would no longer review this item.

Discussion ensued on whether a subcommittee should be established for reviewing election related matters. In addition, Governance Committee would direct the subcommittee to establish a terms of reference and the criteria for the committee structure and how citizen members would be appointed.

Governance Committee discussed the timelines related to Ward boundary changes and Diana Rusnov, Director, Legislative Services and City Clerk clarified that the by-law to establish Ward boundary changes would have to be in place by December 31, 2021 in order to apply to the 2022 municipal election. Ms. Rusnov also suggested that the Planning and Building Department be involved in discussions related to Ward boundaries. The Chair suggested that if established, the committee's recommendations for a terms of reference, committee structure and appointment process could be included on the agenda for the January 25, 2021 Governance Committee meeting.

The following individuals spoke in support of establishing the subcommittee to review election related items:

- Councillor Parrish
- John Magill, Citizen Member
- Sandy Milakovic, Citizen Member

- Councillor Ras

RECOMMENDATION GOV-0013-2020

Moved By Councillor C. Parrish

1. That a Subcommittee of the Governance Committee be established to discuss election related matters and that a draft Terms of Reference be prepared for the next Governance Committee meeting.
2. That the Subcommittee initially be comprised of the Chair of the Governance Committee, Councillor Pat Saito, Sandy Milokovic, Citizen Member, John Magill, Citizen Member, Councillor Karen Ras, Councillor Carolyn Parrish and Mayor Bonnie Crombie as ex-officio.

Approved

9.4 Status of the Governance Committee Work Plan (CONSENT)

RECOMMENDATION

Moved By Councillor G. Carlson

That the Governance Committee Work Plan included as item 9.4 on the November 16, 2020 Governance Committee Agenda be received.

Approved

10. MATTERS PERTAINING TO THE COUNCIL PROCEDURE BY-LAW

10.1 Discussion with respect to Public Question Period

Item 10.1 discussion was moved up to item 6.2 and voted on.

RECOMMENDATION GOV-0014-2020

Moved By Councillor C. Parrish

1. That the provisions under s.42 of the Council Procedural by-law 0129-2013, regarding "Public Question Period" be amended to include the following:
 - a. Limited to 15 minutes maximum at Advisory Committees
 - b. The time period is at the discretion of the Mayor for Council and the Chair of Standing Committees.
 - c. Limit to two (2) questions
 - d. Questions can be submitted in advance to the City Clerk at least 24 hours prior to the meeting.
2. That the provisions under s.42 of the Council Procedural by-law 0129-2013, regarding "Public Question Period" be amended to remove the following:
 - a. "Persons invited to address Council with a question shall be limited to a preamble to their question of a maximum of two statements sufficient to establish the context for the question".

Approved

11. INFORMATION ITEMS

11.1 2021 Governance Committee Meetings Dates (CONSENT)

RECOMMENDATION

Moved by Councillor G. Carlson

That the memorandum dated November 16, 2020, from the Governance Committee Legislative Coordinator, to the Chair and Members of Governance Committee with respect to the committee meeting dates for 2021 be received.

Approved

12. OTHER BUSINESS - Nil

13. DATE OF NEXT MEETING - January 25, 2021

14. ADJOURNMENT – 2:16 PM (Councillor K. Ras)