



THE REGIONAL MUNICIPALITY OF PEEL

REGIONAL COUNCIL POLICIES AND PROCEDURES COMMITTEE

MINUTES

PPC - 5/2019

The Region of Peel Regional Council Policies and Procedures Committee met on November 7, 2019 at 9:35 a.m., in the Regional Council Chamber, 5th Floor, Regional Administrative Headquarters, 10 Peel Centre Drive, Suite A, Brampton, ON.

Members Present: B. Crombie*; P. Fortini; N. Iannicca; J. Innis; C. Parrish; M. Palleschi; P. Saito; I. Sinclair

Members Absent: P. Brown (ex-officio), due to other municipal business; G.S. Dhillon, due to illness; S. McFadden, due to other municipal business; A. Thompson (ex-officio) due to other municipal business

Also Present: N. Polsinelli, Interim Chief Administrative Officer; S. VanOfwegen, Commissioner of Finance and Chief Financial Officer; C. Matheson, Commissioner of Corporate Services; J. Sheehy, Commissioner of Human Services; S. Baird, Commissioner of Digital and Information Services; G. Kocialek, Acting Commissioner of Public Works; C. Granger, Acting Commissioner of Health; P. O'Connor, Regional Solicitor; K. Lockyer, Regional Clerk and Director of Legal Services; J. Jones, Committee Clerk; S. MacGregor, Legislative Assistant

Chaired by Councillor Parrish.

1. **DECLARATIONS OF CONFLICTS OF INTEREST - Nil**

2. **APPROVAL OF AGENDA**

RECOMMENDATION PPC-12-2019

That the agenda for the November 7, 2019 Regional Council Policies and Procedures Committee meeting, be approved.

3. **DELEGATIONS - Nil**

* See text for arrivals

◆ See text for departures

4. REPORTS

4.1. Legal Process Requirements to Implement the Designated Enhanced Voting Member Model

RECOMMENDATION PPC-13-2019

Whereas, in 2017 the Province of Ontario amended s. 268 of the *Municipal Act, 2001*, as amended (the "Act") to permit a lower-tier municipality to appoint one of its members as an alternate member of the council of its upper-tier municipality to attend and vote at regional council meetings in the place of a Regional Councillor who is unable to attend a meeting of the upper-tier council;

And whereas, the councils of both the City of Brampton and the Town of Caledon have passed by-laws appointing alternate members pursuant to s. 268 of the Act to attend Peel Regional Council meetings;

And whereas, the intention of s. 268 of the Act is to preserve the voting weight of a lower-tier municipality at a meeting of its upper-tier council when a Regional Councillor of the lower-tier municipality is absent;

And whereas, the City of Mississauga is disadvantaged as the only lower-tier municipality in Ontario that cannot appoint an alternate pursuant to s.268 of the Act, given that all its members are also Regional Councillors;

And whereas, Peel Regional staff have proposed that, as an alternative, Peel Regional Council amend its Procedure By-law pursuant to s. 218(3) of the Act to permit Mississauga to designate one "enhanced voting member" to have two votes at Peel Regional Council, instead of one, with the second vote to be exercised in situations where a Regional Councillor representing Mississauga is absent from a meeting of Peel Regional Council;

And whereas, pursuant to s. 219 of the Act, a by-law granting Mississauga an enhanced voting member would not take effect until after the first regular election following the passing of the by-law, even though Brampton and Caledon already enjoy the benefit of an alternate member during the present term of Council to preserve their voting weight;

And whereas, in the unique circumstance that exists only in the Regional Municipality of Peel, an enhanced voting member for Mississauga enacted pursuant to s. 281(3) of the Act, although different in form, would have the same practical effect as if Mississauga could appoint an alternate member under s. 268 of the Act;

Therefore be it resolved, that the Region of Peel initiate the option to use Council's authority under Section 218(3) of the Act to provide an additional vote to one of Mississauga's Regional Council members when another is absent; subject to procedural requirements of:

- a) Notice,
- b) A public meeting, and
- c) A “triple majority” support

And further, that the Province of Ontario be requested to enact such legislation as would be required to authorize that a by-law enacted by the Council of the Regional Municipality of Peel pursuant to s. 218(3) of the Act, granting the City of Mississauga an enhanced voting member, to take effect during the current term of Council, notwithstanding s. 219 of the Act;

And further, that staff report back regarding the possibility of permitting more than one member being appointed as the designated enhanced voting member for the term of Council; and the possibility of weighted voting as an alternative option.

Councillor Crombie arrived at 9:41a.m.

4.2. **Council Expense Policy - Expensing Conference Costs**

RECOMMENDATION PPC-14-2019

That Section 6.2.3. of the Business Expense Account – Members of Council Policy (the Policy) be amended to allow for Regional Council Section Chairs and Vice-Chairs, in addition to Regional Council Committee Members, to claim event/conference costs for expenses incurred in performing the duties related to their appointment, as expenses related to the program;

And further, that the Policy be amended to include that event/conference expenses to be paid under program accounts for Regional Council Committee Members, or Regional Council Section Chairs and Vice-Chairs, be approved by the particular committee or Regional Council.

In response to a question from Councillor Parrish regarding Councillor compensation for conference speaking engagements, Kathryn Lockyer, Regional Clerk and Director of Legal Services, stated that the Integrity Commissioner will be requested to provide an opinion on whether conference expenses provided in-kind to Members, in exchange for speaking, would be considered a gift or compensation for services provided. She noted that the matter will be included on the upcoming Integrity Commissioner workshop agenda.

4.3 **Review of the Delegation of Powers and Duties By-law 1-2015**

RECOMMENDATION PPC-15-2019

That Schedule “B” - Approval Authorities under Part V of Procurement By-law 30-2018, award of Direct Negotiation procurements “Greater than \$100,000 to \$250,000”, currently requiring approval of the Chief Financial Officer, be amended to require Regional Council approval;

And further, that the necessary amending by-law be brought forward to Regional Council for approval;

And further, that to minimize operational impacts to Regional business, award of Direct Negotiation procurements over \$100,000 requiring an urgent response between regularly scheduled Regional Council meetings, may be approved by the Interim Period Approvals Committee;

And further, that staff report back regarding potential revisions to the Interim Period Approvals Committee (IPAC) Terms of Reference to provide the Committee authority to approve award of Direct Negotiation procurements over \$100,000 requiring an urgent response between regularly scheduled Regional Council meetings;

And further, that the staff report regarding revisions to the IPAC Terms of Reference also consider amendments to the Committee quorum requirements;

And further, that award of Direct Negotiation procurements over \$100,000 requiring an urgent response, between regularly scheduled Regional Council meetings, may be approved by the Regional Chair if the IPAC is unable to convene;

And further, that should IPAC or the Regional Chair be required to approve awards of Direct Negotiation procurements, that Council be notified immediately of the award decision with justification;

And further, that proposed changes to Part V of the Procurement By-law 30-2018 and the revised Direct Negotiation award approval process be reviewed in one year with respect to service delivery impacts and additional costs in staff time.

In response to a question from Councillor Saito regarding the timing of Direct Negotiation procurements and the potential effect on the provision of Regional services, if delegated authority was reduced, Natasha Rajani, Director Procurement, advised that reduced Direct Negotiation award authority (under \$100,000) could cause a delay in the Region awarding such contracts; and gave an example of a recent seniors dental services contract.

In response to a question from Councillor Saito regarding the possibility of providing authority to the Interim Period Approvals Committee to approve procurements over \$100,000 requiring urgent response, Kathryn Lockyer, Regional Clerk and Director of Legal Services, noted that the Terms of Reference for the Committee could be revised to provide that authority.

In response to a question from Councillor Sinclair regarding the speed with which the committee could be convened, Kathryn Lockyer noted that the committee quorum requirements could also be dealt with in a review of the Committee Terms of Reference.

4.4. **Process for the Selection of Public Members to Committees of Council**

RECOMMENDATION PPC-16-2019

That the process to appoint community members to Regional Council Committees, as outlined in the report of the Commissioner of Corporate Services,

titled "Process for the Selection of Public Members to Committees of Council", be approved;

And further, that the Terms of Reference for all Regional Council Committees requiring community member appointments be revised for compliance with the approved appointment process.

4.5. Stretch Breaks During Regional Council Meetings

RECOMMENDATION PPC-17-2019

That members of Council be encouraged to take individual informal stretch breaks throughout Regional Council meetings.

5. COMMUNICATIONS - Nil

6. IN CAMERA MATTERS - Nil

7. OTHER BUSINESS

7.1 Regional By-law or Policy Requiring that the Regional Chair Must Have Council Approval before Forwarding the Position of Council to Other Levels of Government - Oral

Councillor Saito requested that staff report back to the Policies and Procedures Committee regarding options to provide direction in a Regional by-law or policy requiring that the Regional Chair must obtain Council's endorsement of a Regional Council position before it is submitted to any level of government. Kathryn Lockyer, Regional Clerk and Director of Legal Services, noted that the question can be reviewed with the Integrity Commissioner at the upcoming Code of Conduct workshop.

8. NEXT MEETING

The next meeting of the Regional Council Policies and Procedures Committee is scheduled for February 6, 2020 at 1:00 p.m. to 2:30 p.m. in the Council Chamber, 5th floor, Regional Administrative Headquarters, Suite A, 10 Peel Centre Drive, Brampton, Ontario.

Please forward regrets to Jill Jones, Committee Clerk, and (905) 791-7800 ext. 4330 or at jill.jones@peelregion.ca.

9. ADJOURNMENT

The meeting adjourned at 10:34 a.m.