

**CITY OF VAUGHAN
EFFECTIVE GOVERNANCE AND OVERSIGHT TASK FORCE
AGENDA**

Tuesday, February 16, 2021

5:00 p.m.

Electronic Meeting

Vaughan City Hall

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| 1. CONFIRMATION OF AGENDA | |
| 2. DISCLOSURE OF INTEREST | |
| 3. COMMUNICATIONS | |
| 4. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION | |
| 1. THE CODE OF ETHICAL CONDUCT FOR MEMBERS OF COUNCIL: CITY GOVERNANCE AND DIVERSITY Presentation by the Integrity Commissioner & Lobbyist Registrar with respect to the above. | 2 |
| 2. EFFECTIVE GOVERNANCE AND OVERSIGHT SUB-COMMITTEE Attachment 1, Extract from the meeting of January 20, 2021, with respect to the above. | 17 |
| 3. EXTENSION THE TERM FOR THE EFFECTIVE GOVERNANCE AND OVERSIGHT TASK FORCE BEYOND APRIL 2021 Attachment 2, Term of Reference for the EGOTF with respect to the above. | 18 |
| 5. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION | |
| 6. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION | |
| 7. NEW BUSINESS | |
| 8. ADJOURNMENT | |

Accountability and Transparency in Municipal Government



February 16, 2021

Governance & Oversight Task Force Meeting (EGOTF)

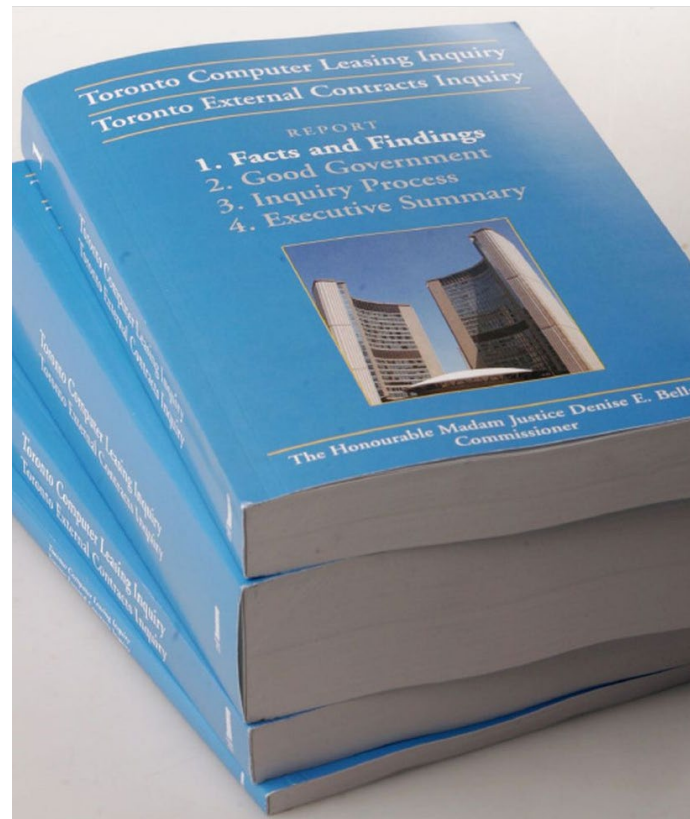
Suzanne Craig, Integrity Commissioner and Lobbyist Registrar

Why Do We Need Codes of Conduct and Integrity Commissioners?

Leadership and ethics are inseparably connected in the public sector. This is even truer in local government due to the proximity between government and constituents. The ability to gain and maintain public trust is a leadership skill that can only be achieved through integrity by using proper ethical tools and trust safeguards such as a Code of Ethics or Code of Conduct, a careful interpretation and application of ethical regulations as legislated ... and a consistent approach to public engagement not only when required by the law **but also when the issues are better understood through public discussion and feedback**. Failing to apply these principles will result in dysfunctional government and community distrust.

2

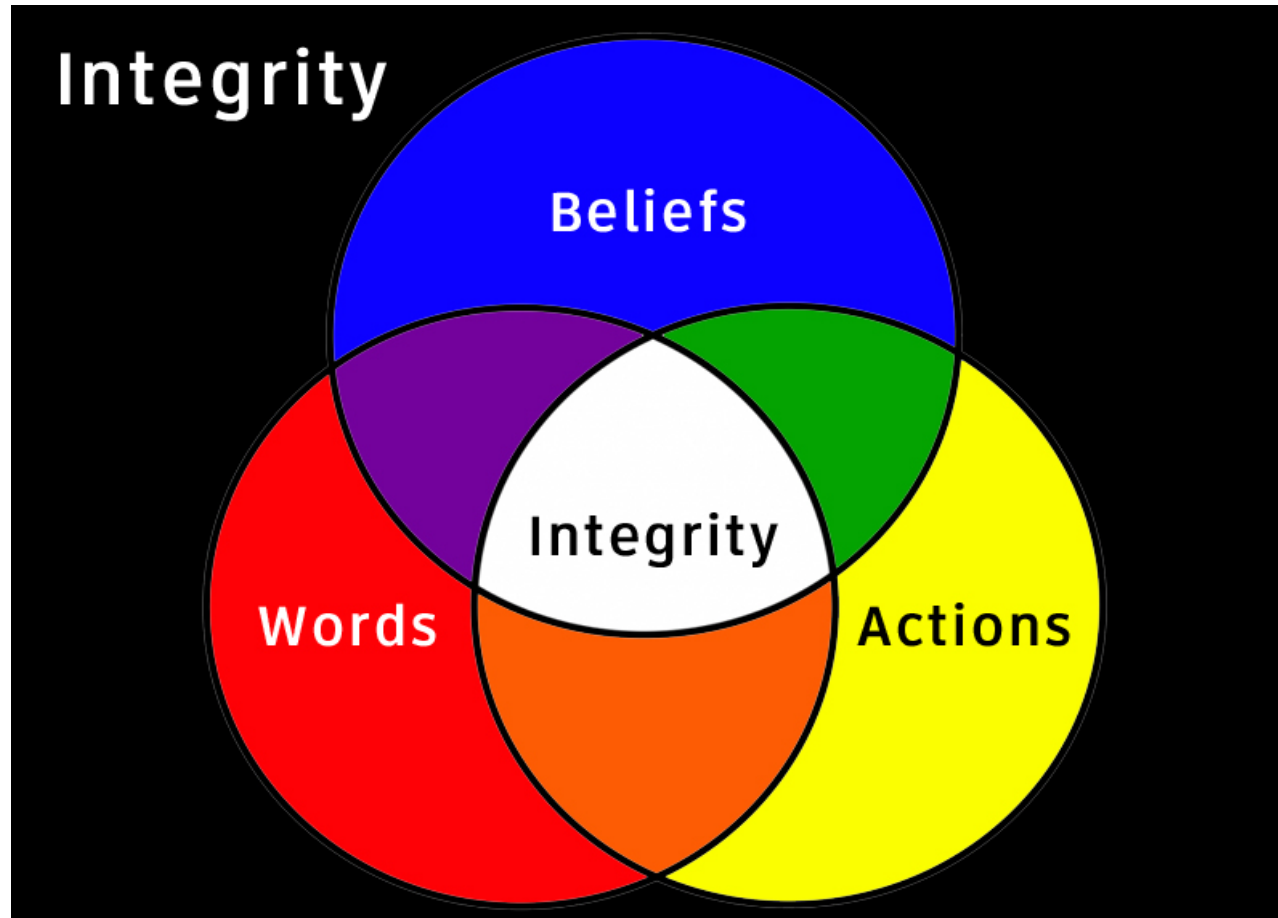
Where it all began...



ETHICAL DECISION MAKING



What is Integrity?



Where is the City going?

“One day Alice
came to a fork in
the road
and saw a Cheshire
cat in a tree. Which
road do I take? she
asked.
Where do you want to go?
was his response.
I don't know, Alice answered.
Then, said the cat, it doesn't matter”

Lewis Carroll, Alice's Adventures in Wonderland

Your Elected Members of Council

▶ They:

- ▶ Act as surrogates for the public with fairness toward all and avoid preferential treatment to any specialized interest group
- ▶ Avoid any interest or activity which is in financial and personal conflict with their official duties
- ▶ Responsibly oversee management of the public purse and accept that all monies held by the municipality are for the official duties
- ▶ Facilitate complete, understandable and timely access to information by the public

Council Representation

Council

- ▶ *Municipal Act, 2001*, s. 224: it is the role of council to:
 - ▶ represent the public and consider the well-being and interests of the municipality
 - ▶ develop and evaluate policies and programs
 - ▶ determine which services to provide
 - ▶ ensure that administrative and controllership policies, practices and procedures are in place to implement decisions
 - ▶ ensure accountability and transparency of operations
 - ▶ maintain the municipality's financial integrity
 - ▶ carry out statutory duties of council

Office of the Integrity Commissioner

City of Vaughan

- ▶ In 2008, Council voted to approve creation of an independent Office of Integrity Commissioner to improve transparency, accountability and professionalism at the City.
- ▶ In 2018, Council voted to approve the Mandatory Lobbyist Registry
- ▶ Duties of the Integrity Commissioner include:
 - ▶ Receipt and investigation of Code complaint
 - ▶ Submission of an Annual Report of the activities of office
 - ▶ Provision of advice and recommendations to Members of Council and Local Boards respecting the Code
 - ▶ Provision of educational information to Council, staff and the public about the Code and Lobbying Bylaw rules

Policy Objective of the Code of Conduct

Code of Conduct Objective

- ▶ Transparency, accountability and public confidence are fundamental components for the effective governance of municipal public bodies responsible to their communities
- ▶ The conduct of *individual* members of Council and Local Boards must be of the highest standard to maintain the confidence of the public

Code rules

The Code of Ethical Conduct contains rules, all of equal importance that bind each Member

- ▶ Confidential Information
- ▶ Gifts and Benefits Prohibition
- ▶ Use of City Property, Services and Other Resources
- ▶ Election Campaign Work
- ▶ Improper Use of Influence
- ▶ Current and Prospective Employment
- ▶ Conduct at Meetings
- ▶ Conduct Respecting Staff
- ▶ Discreditable Conduct
- ▶ City Policies and Procedures
 - ▶ Reprisals and Obstruction, Advice of the Integrity Commissioner, Compliance with the Code

Integrity Commissioner jurisdiction

Within the Integrity Commissioner's jurisdiction

- Advice and Recommendations to Members and Staff regarding the Code and the Lobbyist Registry policies
- Enforcement of Code rules through Code Complaint Procedure
- General communications to Council on matters that intersect with Code rules
- Drafting and updating the Code and relevant City policies

Outside the Integrity Commissioner's jurisdiction to investigate

- *Municipal Elections Act* (Compliance Audits)
- Complaints regarding City Administration

Council & Municipal Administration

Council

- ▶ A municipal council is the most important decision-making body in local government; an elected body comprised of a mayor/council members
 - ▶ council exercises executive, legislative, administrative and quasi-judicial powers and functions
- ▶ section 5 of *Municipal Act, 2001*
 - ▶ powers of a municipality must be exercised *by its council*
 - ▶ powers shall be exercised *by by-law* unless otherwise specifically authorized
- ▶ a municipality must ultimately act through its council and by by-law

So, how do we arrive at Ethical Decision-Making?

The single biggest problem in
communication is the illusion
that it has taken place.

- George Bernard Shaw

Thank You!

Suzanne Craig, Integrity Commissioner
and Lobbyist Registrar

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Office of the
**Integrity Commissioner
and Lobbyist Registrar**
City of Vaughan



EXTRACT
**ITEM 2, REPORT NO. 1 OF THE EFFECTIVE GOVERNANCE AND OVERSIGHT
TASK FORCE MEETING OF JANUARY 20, 2021**

2. BENCHMARKING MUNICIPAL COMMITTEES

The Effective Governance and Oversight Task Force advises Council:

- 1) That the discussion with respect to this matter was received; and
- 2) That a Sub-committee was established to receive information supplied by the Internal Auditor and make recommendations with respect to an alternate committee structure on a go forward basis.

Councillor Alan Shefman volunteered to head the Sub-committee and Deven Sandhu and Elliott Silverstein volunteered to join the sub-committee.

The Sub-committee is to be supported by the Internal Auditor and the Audit Project Manager.



TERMS OF REFERENCE: City of Vaughan Effective Governance & Oversight Task Force

Mandate / Objectives

Mandate

The City of Vaughan Effective Governance & Oversight Task Force has an overall mandate to make recommendations that ensure the City is at the forefront of accountability, transparency and regulatory governance. This includes exploring how the City of Vaughan can further enhance its governance framework, thereby continuing to empower the Mayor and Members of Council to work closely with citizens, businesses and community stakeholders.

Objectives

The Task Force will:

1. Serve as a forum for the discussion of improving governance among residents, businesses and other stakeholders.
2. Identify ways to further engage stakeholders and citizens to participate in the governing process.
3. Improve City Council's core decision-making processes and procedures.
4. Align the work of the task force members with the Council-approved priorities identified in the 2018-2022 Service Excellence Strategic Plan.

The Task Force shall develop recommendations on the following key objectives:

1. Identify areas of opportunities related to Corporate governance and accountability and recommend possible solutions including exploring the concept of:
 - a. Efficient, effective and transparent decision-making;
 - a. Council report management, processing and timing;
 - b. Dissemination and timing of information between Members of Council and City Staff;
 - c. Enhancing the partnership and consultation between Members of Council, Staff and Stakeholders; and
 - d. The Corporations governance structure and its impact on residents.
2. Identify opportunities to leverage partnerships and opportunities with relevant parties, including York Region, other local municipalities, governance organizations, other levels of government and the non-profit sector, to:
 - a. Achieve objectives of the Effective Governance & Oversight Task Force;
 - b. Contribute to areas of common interest aligned with the results identified in the City's Satisfaction Survey, Staff Engagement Survey, Internal Audit Governance and Accountability Report, Anonymous Reporting System results, and the 2018-2022 Term of Council Service Excellence Strategic Plan.
3. Identify and make recommendations related to gaps in the Corporations governance structure.

Term

The Effective Governance & Oversight Task Force shall submit its findings and recommendations for review no later than April 2021.

Membership

1. The Task Force membership shall be composed of the following:
 - a. A maximum of two (2) Council members
 - b. A maximum of nine (9) individuals that have expertise in public administration, along with representation, post-secondary and civic leadership sectors.
 - c. The Mayor will serve as an ex-officio member of the Task Force.
2. Members are to be appointed by Council. Any changes to the membership will require Council approval.

Meeting Procedures

The proceedings of the Task Force are to be governed by the City's Procedural By-law.

Agendas and Reporting

1. Agendas shall be prepared by the City Clerk's Office in consultation with the Task Force Chair.
2. Agendas shall be posted on the City's web site one week prior to the scheduled date of meeting, or as soon as practicable.
3. After each meeting of the Task Force, the City Clerk shall submit a report in the City's committee report format to the Committee of the Whole.
4. Following conclusion of the mandate of the Task Force, a report of recommendations will be brought to Council for further consideration.

Meetings

1. Meeting dates will be determined at the first meeting of the Task Force. The Task Force may meet on the schedule determined, or at the call of the Chair.
2. Meetings will be held every other month or as needed throughout the course of the Task force term, except for July and August where no meetings will be scheduled.
3. The Chair of the Task Force may call special meetings.
4. All regular meetings will be held at Vaughan City Hall located at 2141 Major Mackenzie Drive, Vaughan.
5. Meetings are to be open to the public in accordance with the Municipal Act, 2001.

Notice of Meetings

Meetings will be noted on the Schedule of Meetings calendar posted on the City's website.

Quorum

1. A majority of members, including the Chair, shall constitute quorum.
2. Ex-officio members will not be counted for the purpose of calculating the total number of persons appointed to the task Force but will be counted as a member present when in attendance.

Staff Resources

The role of staff is to act as a resource to the Task Force, but not to be members of the Task Force, or to deliberate or draft the findings of the Task Force. The following staff will provide advisory and technical support specific to the mandate and objectives of the Task Force:

1. The Office of the City Clerk will assign one staff person responsible for agenda and report production and distribution, the providing of procedural advice, the recording of proceedings of the Task Force and distribution of reports.
2. Corporate and Strategic Communications will assign one staff person to provide communications advisory services, prepare information, communications and assist in the development of the Task Force report.
3. An additional two (2) staff with subject matter expertise will be assigned to support the work of the Task Force.
4. The Task Force can be provided with additional administrative and/or technical support at the discretion of the appropriate administrative portfolio(s) or department(s).

Authority

The Task Force may not exercise decision-making powers, or commit expenditures save for those specifically delegated by Council. Any request for expenditures determined by the Task Force for the sole purpose of conducting the business or work of the Task Force shall be forwarded to Council for consideration and approval.

The Task Force may not direct staff to undertake activities without authority from Council.

Amendment / Expansion of Terms of Reference

Only Council can approve any amendment and/or expansion of the Terms of Reference.