



Minutes

Governance & Council Operations Committee

The Corporation of the City of Brampton

Monday, November 23, 2020

Members Present: Regional Councillor P. Fortini (Chair)
Regional Councillor M. Medeiros
Regional Councillor P. Vicente
Regional Councillor G. Dhillon
City Councillor C. Williams

Other Members Present: Regional Councillor Santos
City Councillor Bowman

Staff Present: D. Barrick, Chief Administrative Officer
M. Medeiros, Acting Treasurer, Corporate Support Services
Z. Majid, Senior Manager, Accounting Services and Deputy
Treasurer, Corporate Support Services
S. Akhtar, City Solicitor, Legislative Services
P. Fay, City Clerk
C. Gravlev, Deputy City Clerk
T. Brenton, Legislative Coordinator

The meeting was called to order at 9:30 a.m. and adjourned at 10:41 a.m.

1. Call to Order

As this meeting was conducted with electronic participation by Members of Committee, the meeting started with the City Clerk calling the roll for attendance at the meeting, as follows:

Members present during roll call: Regional Councillor Vicente, Regional Councillor Medeiros, City Councillor Williams, Chair Fortini, Regional Councillor Dhillon

Members absent during roll call: nil

2. Approval of Agenda

Committee discussion took place with respect to proposed amendments to the agenda.

A new business item was proposed for addition to the agenda regarding benefits for Council Office staff. Peter Fay, City Clerk, noted that discussion on the proposed topic could take place under Item 16.2 of the agenda during Closed Session.

The following motion was considered.

GC017-2020

Moved by Regional Councillor Medeiros

That the agenda for the Governance and Council Operations Committee Meeting of November 23, 2020 be approved as amended, to add:

10.1 Discussion Item at the Request of Regional Councillor Fortini, Committee Chair, re: **E-mails in regard to Members of Council.**

Carried

3. Declarations of Interest under the Municipal Conflict of Interest Act

Nil

4. Delegations

Nil

5. Consent

Nil

6. Announcements

Nil

7. Delegations

Nil

8. Staff Presentations

Nil

9. Reports

9.1 Staff Report re: Councillor Usage of Consultants – Follow up (RM 60/2020)

Committee consideration of this matter included:

- preference for discussions in Open Session, rather than Closed Session
- review of discussions on this topic at the Committee meeting of November 4, 2019 and the subsequent Council Meeting on November 20, 2019
- Concerns about:
 - staff not following the intent of Committee's recommendation (GC044-2019), which was approved, as amended, by Council on November 20, 2019 pursuant to Resolution C422-2019
 - amount for the cancellation fee and related HST
 - dates on which the consultant invoices for services and the invoice for cancellation fees were received, relative to Council's decision on November 20th
 - amount of time that elapsed between Council's decision on November 20th and receipt of the invoices from the consultant
 - transmission and validation method of the consultant's invoices, i.e. PDF format via e-mail
 - Committee not being consulted in advance of payment of the cancellation fee
 - discrepancies in information related to the contract submission timelines and the method (verbal versus written)
- potential need for the e-mail chain between the Member of Council and consultant regarding the provision of consultant services and related fees

- potential referral of this matter to the Integrity Commissioner for review of the dates of the invoices relative to the date of Council's resolution
- suggestion that a third party forensic audit be procured

In response to questions from Council, staff provided the following:

- details on Closed Session materials provided for Committee's reference, and confirmation that the discussion on this topic could take place in Open Session, but that the Closed Session materials should remain as part of the Closed agenda
- information on decision-making at the staff level as it relates to payments to the consultant after the passing of Council Resolution C422-2019 on November 20, 2019
- clarification that the payment after this date was for cancellation fees for termination of contract, including HST, and not for consulting services provided
- timelines related to receipt of the consultants invoices for services and the invoice for cancellation fees
- role of the Integrity Commissioner as it relates to potential review of this matter

The following motion, moved by Regional Councillor Medeiros, was introduced.

That staff be requested to report, to a future meeting of the Governance and Council Operations Committee at the call of the Chair, on a process of how a third-party auditor could be procured to undertake a forensic audit with respect to how the decision was made to make payment for cancellation of the agreement.

An amendment to the motion was proposed by Regional Councillor Fortini, and accepted by the mover, to refer the question of dates in relation to the consultant agreement to the Integrity Commissioner for investigation and/or advice.

The following motions were considered.

GC018-2020

Moved by Regional Councillor Medeiros

That staff be requested to report, to a future meeting of the Governance and Council Operations Committee at the call of the Chair, on a process of how a third-party auditor could be procured to undertake a forensic audit with respect to

how the decision was made to make payment for cancellation of the agreement; and,

That the questions of dates in relation to the agreement be referred to the Integrity Commissioner for investigation and/or advice.

Yea (4): Regional Councillor Fortini (Chair), Regional Councillor Medeiros, Regional Councillor Vicente, and Regional Councillor Dhillon

Nay (1): City Councillor Williams

Carried (4 to 1)

GC019-2020

Moved by Regional Councillor Medeiros

That the report titled: **Councillor Usage of Consultants – Follow up (RM 60/2020)**, to the Governance and Council Operations Committee Meeting of November 23, 2020, be received.

Carried

10. Other Business/New Business

- 10.1 Discussion Item at the Request of Regional Councillor Fortini, Committee Chair, re: E-mails in regard to Members of Council.

At the request of the Chair, this item will be listed on the agenda for consideration at the Governance and Council Operations Committee Meeting of March 1, 2021.

11. Deferred/Referred Matters

Nil

12. Notice of Motion

Nil

13. Correspondence

Nil

14. Councillor Question Period

Nil

15. Public Question Period

Members of the public were given the opportunity to submit questions via e-mail to the City Clerk's Office regarding any decisions made at this meeting.

Peter Fay, City Clerk, confirmed that no questions were submitted regarding decisions made at this meeting.

16. Closed Session

Committee did not proceed into Closed Session.

Item 16.1 was acknowledged by Committee

The following motion was considered with respect to Item 16.2.

GC020-2020

Moved by Regional Councillor Medeiros

That the following Closed Session matter be **referred** to the Committee of Council Meeting of December 2, 2020:

- 16.2. Open Meeting exception under Section 239 (2) (b) and (d) of the Municipal Act, 2001:

Personal matters about an identifiable individual, including municipal or local board employees; and labour relations or employee negotiations.

Carried

17. Adjournment

The following motion was considered.

GC021-2020

Moved by Regional Councillor Medeiros

That the Governance and Council Operations Committee do now adjourn to meet again for a regular meeting on Monday, March 1, 2020 at 9:30 a.m. or at the call of the Chair.

Regional Councillor Fortini, Chair