



Minutes

City Council – Special Meeting

The Corporation of the City of Brampton

Friday, March 11, 2022

Members Present: Regional Councillor P. Fortini, Deputy Mayor
Regional Councillor R. Santos
Regional Councillor P. Vicente
City Councillor D. Whillans
Regional Councillor M. Palleschi
City Councillor J. Bowman
Regional Councillor M. Medeiros
City Councillor C. Williams
City Councillor H. Singh
Regional Councillor G. Dhillon

Members Absent: Mayor P. Brown (other municipal business)

Staff Present: P. Morrison, Interim Chief Administrative Officer
M. Kallideen, Commissioner, Legislative Services
S. Akhtar, City Solicitor
Peter Fay, City Clerk
Charlotte Gravlev, Deputy City Clerk
Terri Brenton, Legislative Coordinator

The meeting was called to order at 11:08 a.m. and recessed at 11:24 a.m. Council moved into Closed Session at 11:44 a.m. and recessed at 1:02 p.m. Council reconvened in Open Session at 1:29 p.m. and recessed at 1:45 p.m. Council moved into Closed Session again at 1:55 p.m. and recessed at 2:15 p.m. Council reconvened in Open Session at 2:25 p.m. and adjourned at 2:28 p.m.

1. Call to Order

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

Members present during roll call: Regional Councillor Dhillon, City Councillor Singh, City Councillor Williams, Regional Councillor Medeiros, City Councillor Bowman, Regional Councillor Palleschi, City Councillor Whillans, Regional Councillor Vicente, Regional Councillor Santos, and Deputy Mayor Fortini

Members absent during roll call: Mayor Brown (other municipal business)

2. Approval of Agenda

Deputy Mayor Fortini outlined the purpose of this special meeting, which was called by a petition of a majority of the Members of Council, for the following special purpose:

- Discussion re. the Integrity Commissioner and Lobbyist Registrar positions

In accordance with Council's meeting rules, no other items could be added to the agenda for this meeting.

Peter Fay, City Clerk, informed Council of correspondence received to be considered under Item 4.1 and published with the agenda after the meeting concludes.

The following motion was considered.

C070-2022

Moved by Regional Councillor Palleschi

Seconded by City Councillor Bowman

That the agenda for the Special Council Meeting of March 11, 2022 be approved as published and circulated.

Carried

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

In response to questions from Council, Peter Fay, City Clerk, confirmed that any conflicts of interest by a Member of Council are to be declared at the point at which Members become aware that they may have a declaration.

Later in the meeting, after the introduction of the main motion under Item 5.1, the following conflicts of interest were declared:

1. Regional Councillor Santos declared a conflict of interest in regard to the Integrity Commissioner contract termination as there is a complaint in which the Councillor is named.
2. City Councillor Bowman declared a conflict of interest in regard to the Integrity Commissioner contract termination due to ongoing issues with the Integrity Commissioner.

4. Delegations/Correspondence

- 4.1 Correspondence from Cody Vatcher, Brampton resident, dated March 10, 2022, re: Item 5.1 – the Integrity Commissioner and Lobbyist Registrar positions

A motion moved by Regional Councillor Dhillon and seconded by Councillor Palleschi, was introduced to receive the subject correspondence.

Council discussion took place on the correspondence.

A Point of Order was raised by Regional Councillor Medeiros, for which the Deputy Mayor gave leave.

Councillor Medeiros noted that a motion was introduced for receipt of the correspondence, and suggested Council proceed with the motion.

Mr. Fay noted that while the motion to receive the correspondence was introduced, Members are still given the opportunity to speak or ask questions about the correspondence.

In response to a question from Council, Peter Fay, City Clerk, confirmed that as the correspondence relates to a matter on the agenda for this meeting, it could be considered pursuant to the Procedure By-law.

A question was posed to Regional Councillor Dhillon by another Member of Council, and Councillor Dhillon chose not to respond.

The motion to receive the correspondence was considered as follows.

C071-2022

Moved by Regional Councillor Dhillon

Seconded by Regional Councillor Palleschi

That the correspondence from Cody Vatcher, Brampton resident, dated March 10, 2022, re: **Item 5.1 – the Integrity Commissioner and Lobbyist Registrar positions**, to the Special Council Meeting of March 11, 2022, be received.

Carried

5. Business Matters

5.1 Discussion re. the Integrity Commissioner and Lobbyist Registrar positions

Regional Councillor Medeiros noted that Open Session consideration of this matter would take place after Closed Session.

In response to comments and questions from a Member of Council about the rationale for considering this matter in Closed Session, Sameer Akhtar, City Solicitor, outlined the provisions of the Municipal Act as they relate to consideration of this matter in Closed Session.

The following motion was considered.

A motion, moved by Regional Councillor Medeiros and seconded by Regional Councillor Palleschi, was introduced to move into Closed Session.

The motion was considered as follows.

C072-2022

Moved by Regional Councillor Medeiros

Seconded by Regional Councillor Palleschi

That Council proceed into Closed Session to discuss matters pertaining to the following:

That Committee proceed into Closed Session to discuss matters pertaining to the following:

8.1. Open Session meeting exception under Section 239 (2) (f) of the Municipal Act, 2001:

Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

Note: In Open Session, Peter Fay, City Clerk, reported on the status of matters considered in Closed Session, as follows:

5.1 – this item was considered in Closed Session, information was received, and no direction was given to staff.

After Closed Session, the following motion, moved by Regional Councillor Medeiros and seconded by Regional Councillor Fortini, was introduced:

1. That the services of the current Council-appointed Integrity Commissioner, Muneeza Sheikh, be ended in accordance with the provisions of the Council Code of Conduct;
2. That the services of the current Council-appointed Lobbyist Registrar, Muneeza Sheikh, be ended;
3. That until such time as a new Integrity Commissioner and Lobbyist Registrar is appointed by Council, that staff explore the possibility to retain on a temporary basis the Integrity Commissioner for the Regional Municipality of Peel Council, to be appointed as the temporary Integrity Commissioner (in accordance with Section 223.2 of the Municipal Act, 2021) and Lobbyist Registrar for the City of Brampton, or another municipal Integrity Commissioner and Lobbyist Registrar, and report back to Council no later than the April 6, 2022 meeting; and
4. That an expression of thanks and appreciation be provided to Muneeza Sheikh, on behalf of Council, for her service to the Council and City of Brampton as Integrity Commissioner and Lobbyist Registrar.

Note after the introduction of the motion, the following conflicts of interest were declared:

1. Regional Councillor Santos declared a conflict of interest in regard to the Integrity Commissioner contract termination as there is a complaint in which the Councillor is named.
2. City Councillor Bowman declared a conflict of interest in regard to the Integrity Commissioner contract termination due to ongoing issues with the Integrity Commissioner.

Councillors Santos and Bowman did not participate in consideration of this matter.

Council discussion took place with respect to other potential conflicts of interest, during which time Mr. Akhtar clarified that advice on potential conflicts of interest should be sought from the Integrity Commissioner.

A motion, moved by City Councillor Singh and subsequently seconded by Regional Councillor Palleschi, was introduced to refer the motion to the Integrity Commissioner for further review in regards to potential declarations of conflicts by Members.

A recorded vote was taken on the referral motion, and the motion *lost* as follows:

Yea (3): City Councillor Singh, Regional Councillor Palleschi, and Regional Councillor Vicente

Nay (5): Regional Councillor Dhillon, City Councillor Williams, Regional Councillor Medeiros, City Councillor Whillans, and Deputy Mayor Fortini

Absent (3): City Councillor Bowman (conflict of interest), Mayor Brown (other municipal business), and Regional Councillor Santos (conflict of interest)

Lost (3 to 5, with 3 absent)

C073-2022

Moved by City Councillor Singh

Seconded by Regional Councillor Palleschi

*That the motion be **referred** to the Integrity Commissioner for further review with regard to potential declarations of interest by Members.*

“Moved by CI Medeiros

Seconded by CI Fortini

- 1. That the services of the current Council-appointed Integrity Commissioner, Muneeza Sheikh, be ended in accordance with the provisions of the Council Code of Conduct;*
- 2. That the services of the current Council-appointed Lobbyist Registrar, Muneeza Sheikh, be ended;*
- 3. That until such time as a new Integrity Commissioner and Lobbyist Registrar is appointed by Council, that staff explore the possibility to retain on a temporary basis the Integrity Commissioner for the Regional Municipality of Peel Council, to be appointed as the temporary Integrity Commissioner (in accordance with Section 223.2 of the Municipal Act, 2021) and Lobbyist Registrar for the City of Brampton, or another municipal Integrity Commissioner and Lobbyist Registrar, and report back to Council no later than the April 6, 2022 meeting; and*

4. That an expression of thanks and appreciation be provided to Muneeza Sheikh, on behalf of Council, for her service to the Council and City of Brampton as Integrity Commissioner and Lobbyist Registrar.”

Lost

Council Members noted their support for or opposition to the main motion.

C074-2022

Moved by Regional Councillor Medeiros

Seconded by Regional Councillor Fortini

1. That the services of the current Council-appointed Integrity Commissioner, Muneeza Sheikh, be ended in accordance with the provisions of the Council Code of Conduct;
2. That the services of the current Council-appointed Lobbyist Registrar, Muneeza Sheikh, be ended;
3. That until such time as a new Integrity Commissioner and Lobbyist Registrar is appointed by Council, that staff explore the possibility to retain on a temporary basis the Integrity Commissioner for the Regional Municipality of Peel Council, to be appointed as the temporary Integrity Commissioner (in accordance with Section 223.2 of the Municipal Act, 2021) and Lobbyist Registrar for the City of Brampton, or another municipal Integrity Commissioner and Lobbyist Registrar, and report back to Council no later than the April 6, 2022 meeting; and
4. That an expression of thanks and appreciation be provided to Muneeza Sheikh, on behalf of Council, for her service to the Council and City of Brampton as Integrity Commissioner and Lobbyist Registrar.

A recorded vote was taken and the motion carried as follows.

Yea (5): City Councillor Whillans, Regional Councillor Medeiros, City Councillor Williams, Regional Councillor Fortini, and Regional Councillor Dhillon

Nay (3): Regional Councillor Vicente, Regional Councillor Palleschi, and City Councillor Singh

Absent (3): Mayor Patrick Brown, Regional Councillor Santos, and City Councillor Bowman

Carried (5 to 3 with 3 absent)

The following motion was considered.

C075-2022

Moved by Regional Councillor Medeiros

Seconded by Regional Councillor Palleschi

That Council proceed into Closed Session to discuss matters pertaining to the following:

Open Session meeting exception under Section 239 (2) (k) of the Municipal Act, 2001:

A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Carried

Note: In Open Session, Peter Fay, City Clerk, reported on the status of matters considered in Closed Session, as follows:

5.1 – this item was considered in Closed Session, information was received, and direction was given to staff.

After Closed Session, it was noted that the main motion considered earlier could not be viewed by some watching the livestream, as a result, the City Clerk displayed the motion again.

6. 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. Mr. Fay noted that a delegation request was received after the meeting started, and indicated that he would confer with the resident and share this information with Council if warranted.

7. By-laws

Nil

8. Closed Session

- 8.1. Open Session meeting exception under Section 239 (2) (f) and (k) of the Municipal Act, 2001:

Advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Dealt with under Item 5.1 – Resolutions C072-2022 and C075-2022

9. Confirming By-law

- 9.1 By-law 48-2022 – To confirm the proceedings of Council at its Special Meeting held on March 11, 2022

The following motion was considered.

C076-2022

Moved by Regional Councillor Medeiros

Seconded by City Councillor Whillans

That the following by-law before Council at its Special Meeting of March 11, 2022, be given the required number of readings, taken as read, and signed by the Mayor and the City Clerk, and the Corporate Seal affixed thereto:

By-law 48-2022 – To confirm the proceedings of Council at its Special Meeting held on March 11, 2022

Carried

10. Adjournment

The following motion was considered.

C077-2022

Moved by City Councillor Singh

Seconded by Regional Councillor Palleschi

That Council do now adjourn to meet again for a Regular Meeting of Council on Wednesday, April 6, 2022 at 9:30 a.m. or at the call of the Mayor.

Carried

P. Brown, Mayor

P. Fay, City Clerk