Wednesday, June 26, 2019

Special Meeting #2

Members Present:
Mayor P. Brown
Regional Councillor P. Vicente – Wards 1 and 5
Regional Councillor R. Santos – Wards 1 and 5
Regional Councillor M. Palleschi – Wards 2 and 6 (left at 5:06 p.m. – other municipal business)
Regional Councillor M. Medeiros – Wards 3 and 4
Regional Councillor P. Fortini – Wards 7 and 8
Regional Councillor G. Dhillon – Wards 9 and 10
City Councillor D. Whillans – Wards 2 and 6 (left at 5:06 p.m. – other municipal business)
City Councillor J. Bowman – Wards 3 and 4 (left at 3:15 p.m. – personal)
City Councillor C. Williams – Wards 7 and 8
City Councillor H. Singh – Wards 9 and 10

Members Absent:
il

Staff Present:
J. Pittari, Chief Administrative Officer
R. Forward, Commissioner of Planning and Development Services
A. Meneses, Commissioner of Community Services
B. Zvaniga, Commissioner of Public Works and Engineering
J. Macintyre, Acting Commissioner of Corporate Services
A. Milojevic, General Manager, Transit
B. Boyes, Fire Chief, Fire and Emergency Services
D. Squires, City Solicitor, Corporate Services
P. Fay, City Clerk
C. Gravlev, Deputy City Clerk
T. Brenton, Legislative Coordinator, City Clerk’s Office
The meeting was called to order at 2:38 p.m. and recessed at 4:11 p.m. Council moved into Closed Session at 4:27 p.m. and recessed at 5:06 p.m. Council reconvened in Open Session at 5:12 p.m. and adjourned at 5:13 p.m.

1. **Approval of the Agenda**

   The Mayor announced that this Special Meeting was called for the following purposes and that under Council’s rules no other business could be added.

   1. Discussion Item re: Matters regarding the Government of Quebec’s Bill 21 prohibiting the wearing of religious symbols by individuals in positions of authority;

   2. A separate closed session matter related to information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them and the security of the property of the municipality or local board;

   3. A separate closed session matter related to labour relations or employee negotiations; and,

   4. A separate closed session matter related to 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 and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

   The following motion was considered.

   C259-2019 Moved by Regional Councillor Palleschi
   Seconded by Regional Councillor Dhillon

   That the agenda for the Special Council Meeting of June 26, 2019 (meeting #2) be approved as published and circulated.

   Carried

   The following was received by the City Clerk’s Office after the agenda was printed and relates to published items on the agenda (Council approval was not required for addition of these items in accordance with Procedure By-law 160-2004, as amended):

   Item 3.1. Delegations:
   Re: Item 4 (Government of Quebec Bill 21):
2. **Declarations of Interest under the Municipal Conflict of Interest Act** – nil

3. **Delegations**

   3.1. Delegations re: **Item 4 – Government of Quebec Bill 21**:
   
   1. Jaskaran Singh Sandhu, Executive Director, World Sikh Organization of Canada
   2. Mustafa Farooq, Executive Director, National Council of Canadian Muslims (NCCM)
   3. Father Roman Galadza, St Elias Ukrainian Catholic Church
   4. Randy Kerman, President, Har Tikvah Congregation of Brampton (on behalf of Rabbi Michal Shekel)

   Note: Council agreed to vary the order of business and heard from Father Roman Galadza first.

   Jaskaran Singh Sandhu, Executive Director, World Sikh Organization of Canada, outlined comments and concerns with respect to Quebec's Bill 21, and responded to questions of clarification from Council.

   Mustafa Farooq, Executive Director, National Council of Canadian Muslims (NCCM), outlined comments and concerns with respect to Quebec's Bill 21, and responded to questions of clarification from Council.

   Father Roman Galadza, St Elias Ukrainian Catholic Church, outlined comments and concerns with respect to Quebec's Bill 21, and responded to questions of clarification from Council.

   Randy Kerman, President, Har Tikvah Congregation of Brampton (on behalf of Rabbi Michal Shekel), was not in attendance at the meeting.

   The following motion was considered.

   C260-2019   Moved by Regional Councillor Dhillon  
   Seconded by Regional Councillor Palleschi
That the following delegations, to the Special Council Meeting of June 26, 2019, re: Item 4 – Government of Quebec Bill 21, be received:

1. Jaskaran Singh Sandhu, Executive Director, World Sikh Organization of Canada;

2. Mustafa Farooq, Executive Director, National Council of Canadian Muslims (NCCM); and,

3. Father Roman Galadza, St Elias Ukrainian Catholic Church.

Carried

4. Reports

4. Discussion Item re: Matters regarding the Government of Quebec Bill 21 prohibiting the wearing of religious symbols by individuals in positions of authority.

A motion, moved by Mayor Brown and seconded by City Councillor Singh, was introduced, with the operative clauses as follows:

Therefore Be It Resolved That the City of Brampton support in principle the legal challenge against the freedom of religion proposed in Quebec's Bill 21; and

That staff report back on ways Brampton can be supportive.

The Mayor outlined the rationale and purpose of the motion, and noted amendments made to the motion, for clarification purposes, since its publication on the agenda for this meeting.

An amendment was proposed by Regional Councillor Dhillon to further clarify the motion to amend the wording in the first operative clause to note that it is a “discriminatory Bill”.

The Mayor, as mover, accepted this requested change as a “friendly” amendment, with the clause now reading as follows:

Therefore Be It Resolved That the City of Brampton support in principle the legal challenge against the discrimination of freedom of religion proposed in Quebec’s Bill 21; and
Members of Council expressed their views on Quebec's Bill 21 and noted the appropriateness of Brampton Council's motion, given the City's rich, diverse and inclusive culture.

The motion was considered as follows.

C261-2019 Moved by Mayor Brown
Seconded by City Councillor Singh

Whereas the City of Brampton consists of a diverse community, many of whom wear religious symbols including turbans, hijabs, Kippa, the cross and many others; and

Whereas the fundamental right of religious freedom is protected by the Charter of Rights in Freedoms; and

Whereas the City of Brampton, as Canada's most multicultural and diverse large City, stands firmly to support religious freedom as this is aligned with our Freedom of Rights under the Canadian Charter of Rights; and

Whereas the City of Brampton stands in solidarity with National Council of Canadian Muslims (NCCM) and the Canadian Civil Liberties Association (CCLA) in their legal challenge against Bill 21 in Quebec; and

Whereas Brampton is ground zero for diversity and Canadian multiculturalism and Council bears a responsibility to stand up in defence of the Canadian multicultural mosaic;

Therefore Be It Resolved That the City of Brampton support in principle the legal challenge against the discrimination of freedom of religion proposed in Quebec’s Bill 21; and

That staff report back on ways Brampton can be supportive.

A recorded vote was requested, and the motion carried unanimously, as follows:

Yea Nay Absent
Dhillon nil nil
Singh nil
Williams nil
Fortini
Medeiros
Brown
Bowman
A motion, moved by Mayor Brown and seconded by Regional Councillor Santos, was introduced, with the operative clauses as follows:

**Therefore Be It Resolved:**

1. That the City of Brampton invite all affected individuals, either pursuing or training for a career in firefighting in Quebec, to apply for a career with Brampton Fire and Emergency Services; and

2. That Brampton Fire and Emergency Services place select advertising within Quebec promoting a career with Brampton Fire and Emergency Services.

The Mayor outlined the rationale and purpose of the motion, and noted amendments made to the motion, since its publication on the agenda for this meeting.

The Mayor provided clarification that the motion is not intended to provide special consideration to applicants from Quebec, but to let them know the City of Brampton believes in the values of diversity and inclusion, including the accommodation of religious symbols.

Members of Council expressed their views with respect to the proposed motion.

An amendment to the motion was introduced by Regional Councillor Dhillon to add an additional “Whereas” clause, and revise the wording in Clause 2, and to add an additional Clause 3, as follows:

- **Whereas** The City of Brampton must become a leader in diversity, equity, and inclusion;

Therefore be it resolved:
1. That the City of Brampton invite affected individuals, either pursuing or training for a career in different municipal services including Fire and Emergency to consider a career with The City of Brampton.

2. That the City of Brampton produce and place select local advertising within ethnic, and diversity-based, media outlets located within Brampton and targeted social media advertisements in Quebec promoting career opportunities in The City of Brampton that highlight diversity as our strength in our City; and

3. That:

   a) Staff immediately initiate a review and/or equity audit of City of Brampton hiring practices, race relations, promotional practices, anti-discrimination policies, equity employment, diversity, gender issues and employee misconduct procedures and policies to determine the sufficiency of actions to be taken and for any areas for improvement.

   b) That a neutral third-party facilitator or consultant should be retained to conduct the review and/or equity audit and to provide options and recommendations to this audit.

   c) That the terms of reference be determined at a later date.

Councillor Dhillon outlined the rationale and purpose of his proposed amendments.

Peter Fay, City Clerk, provided advice on the proposed Clause 3, indicating that the matter subject to this clause is not is within the purpose for which this Special Council was called. He suggested that a Notice of Motion could be provided for consideration on this topic at the Council Meeting of July 10, 2019.

The Mayor, as mover of the motion, accepted the revised wording to Clause 2 as a “friendly” amendment.

The Mayor indicated that the measures outlined in Clause 3 are already underway at the City, to address inclusion and equity in the workplace (in consultation with CCDI (Canadian Centre for Diversity and Inclusion); and proposed enhancements to multilingual and cultural Corporate communications, including job postings (report expected for consideration at the Council Meeting of July 10, 2019).

At the request of Council, Joe Pittari, Acting Chief Administrative Officer, provided additional information about the work being undertaken by the Canadian Centre for Diversity and Inclusion.
During consideration of this matter, a Point of Order was raised by Regional Councillor Palleschi. The Mayor gave leave for the Point of Order.

Councillor Palleschi requested a ruling from the Mayor about whether the topics outlined in Clause 3 of the proposed amendment are before Council for consideration at this time.

The Mayor indicated his acceptance of the advice of the City Clerk that Clause 3 is not within the subject for which this meeting was called.

In response to comments from Councillor Dhillon, the City Clerk advised that a Member could challenge, but not debate, the Mayor’s ruling.

Members of Council expressed varying opinions on the main motion and Councillor Dhillon’s proposed amendments.

The main motion, as amended, was considered.

A separate vote was taken on Clause 1, as follows:

1. That the City of Brampton invite affected individuals, either pursuing or training for a career in different municipal services, including Fire and Emergency Services, to consider a career with the City of Brampton; and

A recorded vote was requested on Clause 1, with the results as follows:

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<tr>
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Carried
9 Yeas
1 Nays
1 Absent
A separate vote was taken on Clause 2, as amended, as follows:

2. That the City of Brampton produce and place select local advertising within ethnic, and diversity-based, media outlets located within Brampton and targeted social media advertisements in Quebec promoting career opportunities in The City of Brampton that highlight diversity as our strength in our City.

A recorded vote was requested on Clause 2, as amended, with the results as follows:

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Carried
10 Yeas
0 Nays
1 Absent

The motion, in its entirety, was considered as follows.

C262-2019 Moved by Mayor Brown
Seconded by Regional Councillor Santos

Whereas the Government of Quebec has passed Bill 21 prohibiting the wearing of “religious symbols” by individuals in positions of authority; and

Whereas The City of Brampton believes in the values of diversity and inclusion, including the accommodation of religious symbols;

Therefore Be it Resolved:

1. That the City of Brampton invite affected individuals, either pursuing or training for a career in different municipal services, including Fire and Emergency Services, to consider a career with the City of Brampton; and
2. That the City of Brampton produce and place select local advertising within ethnic, and diversity-based, media outlets located within Brampton and targeted social media advertisements in Quebec promoting career opportunities in The City of Brampton that highlight diversity as our strength in our City.

Carried

5. **Correspondence**

5.1. News Release, dated June 17, 2019, from the National Council of Canadian Muslims (NCCM) re: *Civil Liberties Groups Launch Legal Challenge Against Bill 21.*

The following motion was considered.

C263-2019  Moved by Regional Councillor Vicente
Seconded by City Councillor Whillans

That the News Release, dated June 17, 2019, from the National Council of Canadian Muslims (NCCM), to the Special Council Meeting of June 26, 2019, re: *Civil Liberties Groups Launch Legal Challenge Against Bill 21*, be received.

Carried

6. **Public Question Period**

Sylvia Roberts, Brampton resident, asked about the use of the term “ground zero” in relation to diversity and multiculturalism, when it is associated with other matters. The Mayor noted that the term is used in a lot of different contexts.

7. **By-laws** – nil

8. **Closed Session**

The following motion was considered.

C264-2019  Moved by City Councillor Whillans
Seconded by Regional Councillor Vicente
That Council proceed into Closed Session to discuss matters pertaining to the following:

8.1. Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them and the security of the property of the municipality or local board

8.2. Labour relations or employee negotiations

8.3. 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 and advice that is subject to solicitor-client privilege, including communications necessary for that purpose

Carried

Note: In Open Session, the Mayor reported on the status of matters considered in Closed Session, as follows:

- 8.1. this item was considered by Council and direction was given, including to pass a motion in Open Session (see Resolution C265-2019 below)
- 8.2. this item was considered and direction was given to staff in Closed Session with respect to this matter
- 8.3. this item was considered by Council and direction was given, including to pass a motion in Open Session (see Resolution C266-2019 below)

The following motion was considered with respect to Item 8.1.

C265-2019 Moved by Regional Councillor Medeiros
Seconded by Regional Councillor Fortini

That an amendment to the transit capital budget be approved in the amount of $900,000 to be funded from the General Rate Stabilization reserve.

Carried

The following motion was considered with respect to Item 8.3.

C266-2019 Moved by Regional Councillor Medeiros
Seconded by Regional Councillor Santos

That, in light of the anticipated revenue to the City from hosting the GT20 in Brampton, the Commissioner, Community Services be authorized to execute a sponsorship agreement with Bombay Sports Co. Ltd. for
sponsorship opportunities in the amount of up to $100,000 plus HST and production costs in connection with the GT20 Canada Cricket tournament scheduled to be held this summer at the CAA lands and on terms and conditions in compliance with the Municipal Act, 2001 and otherwise satisfactory to the Commissioner, Community Services and in a form acceptable to the City Solicitor or designate.

Carried

9. **Confirming By-law**

The following motion was considered.

C267-2019 Moved by Regional Councillor Santos
Seconded by Regional Councillor Vicente

That the following by-law before Council at its Special Meeting of June 26, 2019 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:

149-2019 To confirm the proceedings of the Special Council Meeting held on June 26, 2019

Carried

10. **Adjournment**

The following motion was considered.

C268-2019 Moved by Regional Councillor Santos
Seconded by Regional Councillor Vicente

That Council do now adjourn to meet again for a Regular Meeting of Council on Wednesday, July 10, 2019 at 9:30 a.m. or at the call of the Mayor.

Carried

__________________________________________
P. Brown, Mayor

__________________________________________
P. Fay, City Clerk