September 24, 2014
Special Meeting

Members Present:  
Mayor S. Fennell
Regional Councillor E. Moore – Wards 1 and 5
Regional Councillor J. Sanderson – Wards 3 and 4
Regional Councillor S. Hames – Wards 7 and 8
Regional Councillor G. Miles – Wards 7 and 8
Regional Councillor J. Sprovieri – Wards 9 and 10
City Councillor G. Gibson – Wards 1 and 5
City Councillor J. Hutton – Wards 2 and 6
City Councillor B. Callahan – Wards 3 and 4
City Councillor V. Dhillon – Wards 9 and 10

Members Absent:  
Regional Councillor P. Palleschi – Wards 2 and 6 (illness)

Staff Present:  
Mr. J. Corbett, Chief Administrative Officer
Ms. M. Ball, Chief Planning and Infrastructure Services Officer
Mr. D. Cutajar, Chief Operating Officer
Mr. J. Patteson, Chief Public Services Officer
Mr. P. Simmons, Chief Corporate Services Officer
Mr. D. Kraszewski, Senior Executive Director, Planning and Building, Planning and Infrastructure Services
Mr. P. Honeyborne, Executive Director, Finance/Treasurer, Corporate Services
Mr. R. Zuech, Acting City Solicitor, Corporate Services
Mr. M. Clark, Fire Chief, Public Services
Mr. E. Evans, Deputy City Clerk, Corporate Services
Ms. T. Brenton, Legislative Coordinator, Corporate Services
Ms. S. Pacheco, Legislative Coordinator, Corporate Services
The meeting was called to order at 12:05 p.m., moved into Closed Session at 12:39 p.m. and recessed at 2:25 p.m. Council reconvened in Open Session at 2:29 p.m. and adjourned at 2:52 p.m.

A. **Approval of the Agenda**

During consideration of Approval of the Agenda, the question arose whether Council could receive a delegation from a solicitor regarding a pending lawsuit. Council requested a legal opinion from the Acting City Solicitor, to be provided in Closed Session.

Councillor Miles inquired about the addition of a delegation regarding a taxicab stand but did not pursue the request since this Special Meeting of Council was called for a specific purpose.

John Corbett, Chief Administrative Officer, indicated that staff would recommend that agenda item D1 be withdrawn from the agenda and item D2 be deferred, pending legal advice to be provided in Closed Session.

C286-2014  Moved by City Councillor Gibson
Seconded by Regional Councillor Moore

That the agenda for the Special Council Meeting of September 24, 2014 be approved, as amended, to withdraw Report D 1 from the agenda.

Carried

Note: Later in the meeting on a two-thirds majority vote, the Approval of the Agenda was reopened and Item D1 was withdrawn.

B. **Conflicts of Interest**

Mayor Fennell declared a conflict of interest with regard to items D1 and D2, as she has a pecuniary interest in the outcome of this discussion.

City Councillor G. Gibson declared a conflict of interest with regard to the amounts pertaining to him in item D1, as a result of a pecuniary interest in the outcome of this discussion.

Regional Councillor E. Moore declared a conflict of interest with regard to the amounts pertaining to her in item D1, as a result of a pecuniary interest in the outcome of this discussion.

Regional Councillor J. Sprovieri declared a conflict of interest with regard to the amounts pertaining to him in item D1, as a result of a pecuniary interest in the outcome of this discussion.
City Councillor B. Callahan declared a conflict of interest with regard to the amounts pertaining to him in item D1, as a result of a pecuniary interest in the outcome of this discussion.

Regional Councillor J. Sanderson declared a conflict of interest with regard to the amounts pertaining to him in item D1, as a result of a pecuniary interest in the outcome of this discussion.

City Councillor V. Dhillon declared a conflict of interest with regard to the amounts pertaining to him in item D1, as a result of a pecuniary interest in the outcome of this discussion.

City Councillor J. Hutton declared an interest with regard to the amounts pertaining to him in item D1, as a result of a pecuniary interest in the outcome of this discussion.

Regional Councillor S. Hames declared a conflict of interest with regard to the amounts pertaining to her in item D1, as a result of a pecuniary interest in the outcome of this discussion.

Regional Councillor G. Miles declared a conflict of interest with regard to the amounts pertaining to her in item D1, as a result of a pecuniary interest in the outcome of this discussion.

C. Delegations

C 1. Delegation from Paramjit Singh Birdi, Brampton resident, re: Reimbursements Required by the Mayor and Members of Council for Expenses Charged to the City, as Confirmed by Deloitte Canada and Resulting from Findings of the Forensic Audit

Mr. Birdi did not delegate on this matter as the item for which he requested to delegate, had been withdrawn from the agenda.


C 2. Delegation from David Shiller, Lawyer, Shillers LLP, re: Reimbursements Required by the Mayor and Members of Council for Expenses Charged to the City, as Confirmed by Deloitte Canada and Resulting from Findings of the Forensic Audit and Correspondence from Integrity Commissioner re: Forensic Audit of Mayor and Members of Council Expenses.

The Mayor advised that Mr. Shiller withdrew his delegation request.

D. **Reports**

D 1. Report from J. Corbett, Chief Administrative Officer, dated September 9, 2014, re: **Reimbursements Required by the Mayor and Members of Council for Expenses Charged to the City, as Confirmed by Deloitte Canada and Resulting from Findings of the Forensic Audit.**

See Delegation C 1

The subject report was withdrawn from the agenda.

John Corbett, Chief Administrative Officer, advised that Council received specific legal advice relating to conflict of interest matters.

A motion was introduced to confirm the intention of Members of Council to repay amounts identified in the forensic audit following a dispute resolution process, to provide for posting of these amounts on the City’s website, and to defer Item D2 until the dispute resolution process has been completed.

Council consideration of the motion included:
- Declaration of conflicts of interest by all Members of Council in attendance at the meeting as it relates to consideration of Report D1
- Questions with respect to the status of Report D1 which was withdrawn during Approval of the Agenda, and information from staff in response
- Details from staff with respect to the proposed deferral of Item D2

The following motion was considered.

C287-2014 Moved by Regional Councillor Sprovieri
Seconded by City Councillor Dhillon

Whereas the Mayor and Council of the City of Brampton desire to follow through with the repayment of amounts identified in the forensic audit following a dispute resolution process,

Therefore Be It Resolved that staff be directed to implement Council Resolution C036-2014 of February 12, 2014 requiring Members to repay amounts identified in the Deloitte audit report; and,

That the repaid amounts be posted on the City of Brampton website; and,

That staff be directed to establish a dispute resolution process prior to finalizing the publicly posted amounts; and,
That the report of the Integrity Commissioner (Item D2) be deferred until the dispute resolution process is completed.

Carried

D 2. Correspondence from Robert Swayze, Integrity Commissioner, dated September 5, 2014, re: Forensic Audit of Mayor and Members of Council Expenses.

Deferred pursuant to Resolution C287-2014

E. Public Question Period

1. Ros Feldman, Brampton resident, asked if the matter of reimbursements of Council expenses would be completed prior to the election on October 27, 2014. John Corbett, Chief Administrative Officer, indicated it is Council’s intention to address this matter as soon as possible, with closure anticipated prior to the election.

2. Devinder Sangha, Brampton resident, asked why the matter of reimbursements of Council expenses was not discussed at this meeting. John Corbett, Chief Administrative Officer, reiterated that Council received legal advice during Closed Session with respect to conflicts of interest, that it is Council’s intention to repay monies owing following a dispute resolution process, and that information with respect to amounts owing would be published on the City’s website.

3. Hargy Randhawa, Brampton resident, asked about vote tabulators used by the City during Municipal Elections. The Mayor reminded Mr. Randhawa that questions from the public are limited to matters dealt with as part of the meeting agenda.

4. John Corbett, Chief Administrative Officer, responded to questions from Raymond Kingsmore, Brampton resident, with respect to the dispute resolution process, declaration of conflicts of interest by Members of Council, and withdrawal of Report D1 from the agenda.

F. Closed Session

The following motion was considered.

C288-2014 Moved by City Councillor Gibson
Seconded by Regional Councillor Miles
That this Council proceed into Closed Session to discuss matters pertaining to the following:

F 1. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose – legal advice

Carried

G. Confirming By-law

The following motion was considered.

C289-2014 Moved by City Councillor Hutton
Seconded by City Councillor Gibson

That the following By-law before Council at its Special Meeting of September 24, 2014 be given the required number of readings, taken by the Mayor and the City Clerk and the Corporate Seal affixed thereto.

323-2014 To confirm the proceedings of the Special Council Meeting held on September 24, 2014

Carried

H. Adjournment

The following motion was considered.

C290-2014 Moved by City Councillor Hutton
Seconded by Regional Councillor Hames

That this Council do now adjourn.

Carried

S. Fennell, Mayor

E. Evans, Deputy Clerk