

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 20, 2015**

Item 9, Report No. 35, of the Committee of the Whole which was adopted, as amended, by the Council of the City of Vaughan on October 20, 2015, as follows:

***By approving the following in accordance with Communication C5 from the City Clerk, dated October 19, 2015:***

1. ***That the draft formal resolution attached as Attachment 1 to this Communication be approved as follows:***

***Whereas the Ministry of Municipal Affairs and Housing has solicited input to support potential legislative amendment to the Municipal Act, 2001, the Municipal Conflict of Interest Act and the City of Toronto Act, 2006;***

***Whereas the Municipal Act, 2001 provides that municipalities are created by the Province of Ontario to be responsible and accountable governments with respect to matters within their jurisdiction and each municipality is given powers and duties under [the Act] and many other Acts for the purpose of providing good government with respect to those matters;***

***Whereas municipalities, municipal associations, and municipal professional associations have submitted or will submit proposed legislative modifications for consideration.***

***It is therefore recommended:***

1. ***That the Minister of Municipal Affairs and Housing be requested to give due consideration to recommendations for legislative reform submitted by municipalities, municipal associations, and municipal professional associations;***
2. ***That any legislative amendments made to the Municipal Act, 1996, and the Municipal Conflict of Interest Act:***
  - a) ***be made in recognition of the fact that municipalities have the responsibility to be effective stewards of the services, finances, public places, and local governance mechanisms within their communities;***
  - b) ***promote local accountability, but not create burdens for effective governance; and***
  - c) ***give consideration to the financial affordability of the amendment to the municipality and its taxpayers;***

***and that the City Clerk be requested to forward the resulting formal resolution to the Minister of Municipal Affairs and Housing;***

2. ***That the submissions of the Association of Municipalities of Ontario (AMO), the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), the Municipal Finance Officers Association (MFOA), the Regional Municipality of York and the Clean Air Council (CAC) set out respectively in Attachments 2, 3, 4, 5 and 6 to this Communication, be received; and***
3. ***That the consolidated list of recommendations extracted from the submissions of the foregoing and attached as Attachment 7, be received.***

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 20, 2015**

Item 9, CW Report No. 35 – Page 2

9

#### **MUNICIPAL LEGISLATION REVIEW**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the City Clerk, dated October 7, 2015:

##### **Recommendation**

The City Clerk, in consultation with the Interim Commissioner of Legal & Administrative Services/City Solicitor, the Director of Financial Planning and Analytics, and the Director of City Financial Services/Deputy Treasurer recommends:

1. That the City Clerk be requested to complete consultations and bring forward a draft formal resolution for Council's consideration.

##### **Contribution to Sustainability**

The *Municipal Act, 2001* and the *Municipal Conflict of Interest Act* are key components of the legislative framework which supports democracy, openness and transparency in municipal government and which, in turn, contribute to the sustainability of the City's good government practices.

##### **Economic Impact**

The economic impact associated with potential legislative change is presently unknown. A draft resolution for Council's consideration will be prepared using existing internal resources and input from professional associations to which City staff belong.

##### **Communication Plan**

Council's resolution in this matter will be submitted to the Ministry of Municipal Affairs and Housing.

##### **Purpose**

The purpose of this report is to provide Council with an update on preparations underway to develop a draft formal resolution for submission to the Ministry of Municipal Affairs and Housing with respect to the Ministry's review of the *Municipal Act, 2001*, the *Municipal Conflict of Interest Act*, as well as the *City of Toronto Act, 2006*.

##### **Background – Analysis and Options**

On June 5, 2015, the Ministry of Municipal Affairs and Housing announced a review of municipal legislation, specifically the *Municipal Act, 2001*, *Municipal Conflict of Interest Act*, as well as the *City of Toronto Act, 2006*. The public, Members of Council and City Staff may provide direct submissions to the Ministry the legislation until October 31, 2015. The Ministry's review will focus on three overarching themes: accountability and transparency, financial sustainability, and responsive and flexible service delivery. Attachment 1 to this report contains a copy of the Ministry's public consultation guide for the Municipal Legislation Review.

##### **City of Vaughan Response**

At its meeting of June 23, 2015, Council approved a recommendation arising from *Municipal Elections Act, Municipal Act and Municipal Conflict of Interest Act Review* [Report No. 28, Item 5 of the Committee of the Whole Working Session] requesting the City Clerk to compile comments from Members of Council and staff and prepare a draft formal resolution for Council's consideration with respect to proposed modifications to the *Municipal Act, 2001* and *Municipal Conflict of Interest Act*.

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 20, 2015**

#### **Item 9, CW Report No. 35 – Page 3**

Over the summer a number of staff participated with their professional associations to investigate and recommend potential legislative modifications. In addition, the City Clerk circulated a simplified version of the Ministry of Municipal Affairs and Housing consultation guide on the Municipal Legislation Review to Members of Council and City staff and has conducted individual consultations with Members of Council upon request. The Director of Financial Planning and Analytics and the Director of City Financial Services/Deputy Treasurer have also canvassed potential amendments relating to the municipal finance provisions in the *Municipal Act*.

Based on these ongoing consultations a draft formal resolution will be prepared and brought forward for Council's consideration on October 20, 2015.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

This report promotes the strategic goals of Vaughan Vision 2020/Strategic Plan, in particular:

##### **Organizational Excellence**

- Ensure a High Performing Organization
- Ensure Financial Sustainability

#### **Regional Implications**

There are no regional implications associated with this report at this time, though continuing consultations may result in suggestions for legislative reforms that could impact the City's relationship with the Region of York.

#### **Conclusion**

The current Municipal Legislation Review is an important opportunity for the City of Vaughan to provide the Ministry of Municipal Affairs and Housing with constructive comments and proposed modifications to key pieces of municipal legislation. Consultations with Members of Council and City Staff are ongoing, and are occurring in parallel with consultations being conducted by staff through their municipal sector professional associations and groups. The results of these consultations will be brought to Council in association with a formal draft resolution for consideration at the October 20, 2015 meeting of Council.

#### **Attachments**

Attachment 1 - Municipal Legislation Review Public Consultation Discussion Guide

#### **Report Prepared By:**

Evan Read, Municipal Management Intern

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)