

COUNCIL BUDGETS TASK FORCE MAY 13, 2015

COUNCIL EXPENDITURE BUDGETS

Recommendation

The Director of Financial Planning and Analytics recommends:

1. That this report be received

Contribution to Sustainability

Council is responsible for overall governance and policy making, which directly influences the financial and operational sustainability of the municipality. The allocation of expenditure budgets to individual Council offices supports Council in carrying out their responsibilities.

Economic Impact

There is no direct economic impact from this report. Any changes to the council discretionary expense formula that may be recommended by this task force would be considered by the Finance, Administration and Audit Committee as part of the 2016 Budget process.

Communications Plan

Not Applicable

Purpose

The purpose of this report is to provide the Task Force with background information on the Council Discretionary Expense Formula and the Council Office Expenditure Policy.

Background - Analysis and Options

To assist the Task Force, staff is providing copies of:

- Original Terms of Reference for the Council Budgets Task Force which was adopted by Council at the February 17, 2015 meeting and the Revised Terms of Reference adopted on March 24, 2015.
- Council Extract from February 17, 2015 which provides information about the APPROVED 2015 Council Budget and the RECOGNIZED 2016-18 Council Plan
- Council Extract from January 31, 2012 which provides information on the Council Discretionary Expense Formula
- Policy CL-012: Council Member Expense Policy
- By-Law 316-2007: Council Remuneration
- Policy CL-011: Code of Ethical Conduct for Members of Council

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the strategic goals as set forth in Vaughan Vision 2020/Strategic Plan, particularly 'Ensure Financial Sustainability'.

Regional Implications

This Task Force will be reviewing the local component for the budgets of the Mayor and Local and Regional Councillors. The Regional component of costs incurred by those offices is the responsibility of the Regional Municipality of York.

Conclusion

Staff has provided the Task Force with reports to assist them in the review of the Council Discretionary Expense Formula and the Council Office Expenditure Policy.

Attachments

1. Original Terms of Reference for the Council Budgets Task Force
2. Council Extract from February 17, 2015
3. Council Extract from March 24, 2015
4. Revised Terms of Reference for the Council Budgets Task Force
5. Council Extract from January 31, 2012
6. Policy CL-012 Council Member Expense Policy
7. By-Law 316-2007: Council Remuneration
8. Policy CL-011: Code of Ethical Conduct for Members of Council

Report prepared by:

Jackie Lee Macchiusi, CPA, CGA
Senior Manager, Corporate Financial Planning and Analysis

Respectfully submitted,

Laura Mirabella-Siddall, CPA, CA
Director of Financial Planning and Analytics



memorandum

DATE: February 12, 2015
TO: Mayor & Members of Council
FROM: Jeffrey A. Abrams
City Clerk
RE: Council Meeting – February 17, 2015
COUNCIL OFFICE EXPENDITURE 2015 BUDGET AND 2016-2018 PLAN
Item 4, Report No. 4 of the
Finance, Administration and Audit Committee Meeting – February 2, 2015

C	<u>11</u>
Item #	<u>4</u>
Report No.	<u>4 (FAA)</u>
<u>Council - February 17/15</u>	

Recommendation

The City Clerk recommends:

1. That the attached Terms of Reference for the Council Budgets Task Force, be approved.

Background

At the Finance, Administration and Audit Committee meeting of February 2, 2015, the committee recommended that a task force be created to review the Council Office Expenditure Policy and report back by the end of 2015 for consideration in the 2016 budget.

Adoption of the attached Terms of Reference will implement the recommendation of the Finance, Administration and Audit Committee.

Respectfully submitted,



Jeffrey A. Abrams
City Clerk

Attachment:

- 1) Terms of Reference – Council Budgets Task Force

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COUNCIL BUDGETS TASK FORCE TERMS OF REFERENCE

Mandate / Objectives

- 1) The Council Budgets Task Force is a sub-committee of the Finance, Administration and Audit Committee.
- 2) The Council Budgets Task Force will review the Council Office Expenditure Policy and report its findings to the Finance, Administration and Audit Committee by the end of 2015 for consideration in the 2016 Budget.

Term

The Council Budgets Task Force shall submit a report of its findings and recommendations by December 2015.

Membership

The membership shall be composed of the following Members of Council:

Regional Councillor Rosati
Councillor DeFrancesca
Councillor Iafrate
Councillor Yeung Racco

Meeting Procedures

The proceedings of the Council Budgets Task Force are to be governed by the City's Procedural By-law.

Agendas and Reporting

Agendas shall be prepared by the City Clerk's Office in consultation with the Committee Chair. Agendas shall be posted on the City's web site one week prior to the scheduled date of meeting, or as soon as practicable.

After each meeting of the Committee, the City Clerk shall submit a report in the City's committee report format to the Finance, Administration and Audit Committee.

Meetings

Meeting dates will be determined at the first meeting of the committee. The committee may meet on the schedule determined, or at the call of the Chair.

Meetings are to be open to the public in accordance with the Municipal Act, 2001.

Notice of Meetings

Meetings will be noted on the Schedule of Meetings calendar posted on the City's website.

Quorum

The majority of members, including the Chair, shall constitute quorum.

Staff Resources

The role of Staff is to act as a resource to the Council Budgets Task Force, but not to be members of the committee, or to deliberate or draft the findings of the committee. The following Staff will provide advisory and technical support specific to the mandate and objectives of the committee:

- Commissioner of Finance & City Treasurer
- Director of Budgeting & Financial Planning
- City Clerk

The City Clerk's Office will be responsible for agenda production and distribution, the giving of procedural advice, and the recording of the proceedings of the Council Budgets Task Force.

Authority

The Council Budgets Task Force may not exercise decision-making powers, or commit expenditures save for those specifically delegated by Council. The committee may not direct staff to undertake activities without authority from Council.

Amendment / Expansion of Terms of Reference

Only Council can initiate any amendment and/or expansion of the Terms of Reference.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 17, 2015

Item 4, Report No. 4, of the Finance, Administration and Audit Committee, which was adopted, as amended, by the Council of the City of Vaughan on February 17, 2015, as follows:

By approving the recommendation set out in Communication C11 from the City Clerk, dated February 12, 2015, as follows:

1. *That the attached Terms of Reference for the Council Budgets Task Force, be approved.*

4 COUNCIL OFFICE EXPENDITURE 2015 BUDGET AND 2016-2018 PLAN

The Finance, Administration and Audit Committee recommends:

- 1) That the recommendation contained in the following report of the City Clerk, dated February 2, 2015, be approved; and
- 2) That a task force be created to review the Council Office Expenditure Policy and report back by the end of 2015 for consideration in the 2016 budget, and that this task force be comprised of Regional Councillor Rosati, Councillor Iafrate, Councillor Yeung Racco and Councillor De Francesca.

Recommendation

The City Clerk, in consultation with the Economic Development Department and the Financial Planning and Analytics Department, recommends:

1. That the Council Office Budgets set out in this report be included in the Draft 2015 Budget and 2016-2018 Plan; and
2. That at such time as modifications are made to the remuneration of Members of Council, the Council Office Budgets be amended accordingly.

Contribution to Sustainability

Council is responsible for overall governance and policy making, which directly influences the financial and operational sustainability of the municipality. The allocation of expenditure budgets to individual Council offices supports Council in carrying out their responsibilities.

Economic Impact

In accordance with adopted Council Discretionary Expense Formula, the economic impact and associated tax rate increase are provided in the table below:

Table 1

Overall Adjustments by Budget Year

	2015	2016	2017	2018
Budget Change	\$23,158	\$33,601	\$34,196	\$44,864
Avg. Councillor Budget Change	\$2,600	\$3,700	\$3,800	\$5,000
Associated Tax Rate Increase	0.01%	0.02%	0.02%	0.02%

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 17, 2015

Item 4, Finance Report No. 4 – Page 2

Communications Plan

This report is one of a number of reports which will be integrated into the City's 2015 Budget and 2016-2018 Plan and will benefit from the communications plans in effect for that purpose.

Purpose

The purpose of this report is to provide the Finance, Administration and Audit Committee with budget adjustments to the offices of the Mayor and Members of Council in accordance with the adopted discretionary budget formula.

Background

Council Budget Formula

In January of 2012, Council adopted a methodology and formula to calculate Council's Discretionary Budgets. The methodology is outlined below:

The discretionary component of each budget is based on a rate of \$0.70 per resident in each Ward, plus a rate of \$1.25 per business in each Ward in 2012;

For the purposes of developing future budgets, the residential and business rates are increased in accordance with the Toronto CPI index rounded up to the nearest cent. For 2015-2018 the rate for each year is as follows:

Year	Residential	Business
2015	\$0.73	\$1.30
2016	\$0.74	\$1.33
2017	\$0.75	\$1.36
2018	\$0.77	\$1.39

The population and business counts are based on data provided by the City Clerk's Office and the Economic Development Department;

The Mayor's and the Regional Councillors' budgets are based on the same rates per resident and business as above, but calculated using a reduction to 50% and 34% of the city-wide estimates for population and businesses, respectively.

Salaries and Benefits

The non-discretionary component of Council Office budgets is derived from Council Remuneration By-law 316-2007 under which the Mayor and the Deputy Mayor receive \$122,849 and \$84,301, respectively, and other Members of Council receive \$76,636.

The summary of the 2015-2018 Council Budgets, based on the adopted formula, is as follows:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 17, 2015

Item 4, Finance Report No. 4 – Page 3

2015-2018 Council Budgets Summary

Members of Council	2015		2016		2017		2018	
	Draft	Budget	Draft	Budget	Draft	Budget	Draft	Budget
	Budget	Increase	Budget	Increase	Budget	Increase	Budget	Increase
Mayor Bevilacqua	\$276,725	\$6,402	\$283,329	\$6,604	\$290,044	\$6,715	\$298,902	\$8,858
Regional Councillor Michael Di Biase	\$188,691	\$6,322	\$193,105	\$4,414	\$197,590	\$4,485	\$203,526	\$5,936
Regional Councillor Mario Ferri *	\$181,196	\$5,076	\$185,590	\$4,394	\$190,075	\$4,485	\$195,991	\$5,916
Regional Councillor Rosati	\$177,256	-\$5,113	\$181,560	\$4,304	\$185,925	\$4,365	\$191,741	\$5,816
Ward 1 Councillor Iafrate	\$148,478	\$2,741	\$152,167	\$3,689	\$155,983	\$3,816	\$159,912	\$3,929
Ward 2 Councillor Carella	\$139,249	\$1,613	\$141,480	\$2,231	\$143,731	\$2,251	\$146,994	\$3,263
Ward 3 Councillor DeFrancesca	\$150,073	\$2,189	\$153,152	\$3,079	\$156,305	\$3,153	\$160,243	\$3,938
Ward 4 Councillor Yeung Racco	\$144,106	\$1,869	\$146,862	\$2,756	\$149,681	\$2,819	\$153,219	\$3,538
Ward 5 Councillor Shefman	\$146,668	\$2,059	\$148,798	\$2,130	\$150,905	\$2,107	\$154,575	\$3,670
Total	\$1,552,442	\$23,158	\$1,586,043	\$33,601	\$1,620,239	\$34,196	\$1,665,103	\$44,864
Tax Rate Adjustment		0.01%		0.02%		0.02%		0.02%

* Regional Councillor Ferri's 2015 budget was offset by the removal of the previous Regional Councillor budget in 2014.

Tables 2 and 3 below show the detailed calculations used to update population and business counts.

Table 2

Population Estimates**

	2014	2018				
	Distribution %*	Distribution %*	2015	2016	2017	2018
Ward 1	21.5%	22.5%	70,447	73,751	77,123	79,529
Ward 2	18.2%	17.8%	58,349	59,810	61,250	63,161
Ward 3	21.4%	21.6%	69,385	71,700	74,026	76,336
Ward 4	17.5%	17.5%	56,396	58,175	59,957	61,828
Ward 5	21.4%	20.6%	68,216	69,409	70,545	72,746
Total	100.0%	100.0%	322,791	332,846	342,900	353,600

Note:

*Population % distribution from OMB Hearing Application to Redivide the Municipality into Six Wards, City of Vaughan (Appendix B Witness Statement of Russell B. Matthew) provided by City Clerk's Office

**Forecasted 2015-18 Ward populations calculated assuming straight line change from 2014 to 2017 in population and distribution%

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 17, 2015

Item 4, Finance Report No. 4 – Page 4

Table 3

Business Count Estimates

	Current % Distribution*	2015	2016	2017	2018
Ward 1	6%	651	673	695	718
Ward 2	13%	1,452	1,500	1,549	1,600
Ward 3	23%	2,474	2,555	2,639	2,727
Ward 4	47%	5,178	5,350	5,527	5,708
Ward 5	11%	1,172	1,210	1,250	1,292
Total*	100%	10,927	11,288	11,660	12,045

Note:

*Current % business count distribution by Ward and forecasted 2015-18 total number of businesses are provided by the Economic Development Department.

Based on the adjusted population and business count data shown in Tables 2 and 3 and the approved formula for allocating budgets to the various Council offices, the 2015 Council Budgets and 2016-2018 Plan for each of the applicable budget years appear in Attachment 1.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the strategic goals as set forth in Vaughan Vision 2020/Strategic Plan, particularly 'Ensure Financial Sustainability'.

Regional Implications

This report speaks to the costs of the local component for the budgets of the Mayor and Local and Regional Councillors. The Regional component of costs incurred by those offices is the responsibility of the Regional Municipality of York.

Conclusion

Council Budgets were developed based on the approved formula. The resulting increase to the overall Council Office Expenditure Budgets is on average \$34,000 per year, or 0.018% tax impact.

Attachments

1. 2015-2018 Budget Forecasts

Report prepared by:

Nelson Pereira
Senior Corporate Consolidations Analyst
Ext. 8393

(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.)

2015 Budget Forecast

Members of Council	Non-Discretionary Expenses			Discretionary Expense Formula Components					Combined		
	Council Remuneration	Council Benefits	Total Salaries and Benefits	Applied Figures ¹		Applied Rates ³		Total Discretionary Expenditures ⁴	2015 Draft Council Budget	2014 Draft Council Budget	Budget Increase
				Population	Business	Residence	Business				
Mayor Bevilacqua ²	\$122,849	\$27,730	\$150,579	162,978	5,517	\$0.73	\$1.30	\$126,146	\$276,725	\$270,323	\$6,402
Regional Councillor Michael Di Biase ²	\$84,301	\$19,400	\$103,701	109,806	3,717	\$0.73	\$1.30	\$84,990	\$182,369	\$182,369	\$6,322
Regional Councillor Mario Ferri ²	\$76,636	\$19,570	\$96,206	109,806	3,717	\$0.73	\$1.30	\$84,990	\$176,120	\$176,120	\$5,076
Regional Councillor Rosati ²	\$76,636	\$15,630	\$92,266	109,806	3,717	\$0.73	\$1.30	\$84,990	\$181,196	\$182,369	(\$5,113)
Ward 1 Councillor Iafate	\$76,636	\$19,570	\$96,206	70,447	651	\$0.73	\$1.30	\$52,272	\$177,256	\$148,478	\$2,741
Ward 2 Councillor Carella	\$76,636	\$18,130	\$94,766	58,349	1,452	\$0.73	\$1.30	\$44,483	\$139,249	\$145,737	\$1,613
Ward 3 Councillor DeFrancesca	\$76,636	\$19,570	\$96,206	69,385	2,474	\$0.73	\$1.30	\$53,867	\$150,073	\$147,884	\$2,189
Ward 4 Councillor Yeung-Racco	\$76,636	\$19,570	\$96,206	56,396	5,178	\$0.73	\$1.30	\$47,900	\$144,106	\$142,237	\$1,869
Ward 5 Councillor Shelman	\$76,636	\$18,710	\$95,346	68,216	1,172	\$0.73	\$1.30	\$51,322	\$146,668	\$144,609	\$2,059
Totals	\$743,599	\$177,880	\$921,482					\$630,960	\$1,552,442	\$1,529,284	\$23,158

Note: ¹ Estimated population and businesses are 322,793 and 10,927, respectively.

² Mayor's and Regional Councillors' discretionary expenses are based on approximately 1/2 and 1/3 of estimated population and businesses, respectively.

³ Residence and Business Rate Increase by CPI (2%)

⁴ Applied Population and Business Figures * Associated Applied Residence and Business Rates

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2016 Budget Forecast

Members of Council	Non-Discretionary Expenses			Discretionary Expense Formula Components					Combined		
	Council Remuneration	Council Benefits	Total Salaries and Benefits	Applied Figures ¹		Applied Rates ³		Total Discretionary Expenditures ⁴	2016 Draft Council Budget	2015 Draft Council Budget	Budget Increase
				Population	Business	Residence	Business				
Mayor Bevilacqua ²	\$122,849	\$28,540	\$151,389	168,053	5,699	\$0.74	\$1.33	\$131,940	\$283,329	\$276,725	\$6,604
Regional Councillor Michael Di Biase ²	\$84,301	\$19,910	\$104,211	113,225	3,840	\$0.74	\$1.33	\$88,894	\$193,105	\$188,691	\$4,414
Regional Councillor Mario Ferri ²	\$76,636	\$20,060	\$96,696	113,225	3,840	\$0.74	\$1.33	\$88,894	\$185,590	\$181,196	\$4,394
Regional Councillor Rosati ²	\$76,636	\$16,030	\$92,666	113,225	3,840	\$0.74	\$1.33	\$88,894	\$181,560	\$177,256	\$4,304
Ward 1 Councillor Iafate	\$76,636	\$20,060	\$96,696	73,751	673	\$0.74	\$1.33	\$55,471	\$152,167	\$148,478	\$3,689
Ward 2 Councillor Carella	\$76,636	\$18,590	\$95,226	59,810	1,500	\$0.74	\$1.33	\$46,254	\$141,480	\$139,249	\$2,231
Ward 3 Councillor DeFrancesca	\$76,636	\$20,060	\$96,696	71,700	2,555	\$0.74	\$1.33	\$56,456	\$153,152	\$150,073	\$3,079
Ward 4 Councillor Yeung-Racco	\$76,636	\$20,060	\$96,696	58,175	5,350	\$0.74	\$1.33	\$50,166	\$146,862	\$144,106	\$2,756
Ward 5 Councillor Shelman	\$76,636	\$19,190	\$95,826	69,409	1,210	\$0.74	\$1.33	\$52,972	\$148,798	\$146,668	\$2,130
Totals	\$743,599	\$182,500	\$926,102					\$669,941	\$1,586,043	\$1,552,442	\$33,601

Note: ¹ Estimated population and businesses are 332,845 and 11,288, respectively.

² Mayor's and Regional Councillors' discretionary expenses are based on approximately 1/2 and 1/3 of estimated population and businesses, respectively.

³ Residence and Business Rate Increase by CPI (2%)

⁴ Applied Population and Business Figures * Associated Applied Residence and Business Rates

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2017 Budget Forecast

Members of Council	Non-Discretionary Expenses			Discretionary Expense Formula Components					Combined	
	Council Remuneration	Council Benefits	Total Salaries and Benefits	Applied Figures ¹		Applied Rates ³		Total Discretionary Expenditures ⁴	2017 Draft Council Budget	2016 Draft Council Budget
				Population	Business	Residence	Business			
Mayor Bevilacqua ²	\$122,849	\$29,340	\$152,189	173,131	5,887	\$0.75	\$1.36	\$137,855	\$290,044	\$283,329
Regional Councilor Michael Di Biase ²	\$84,301	\$20,410	\$104,711	116,646	3,966	\$0.75	\$1.36	\$92,879	\$197,590	\$193,105
Regional Councilor Mario Ferri ²	\$76,636	\$20,560	\$97,196	116,646	3,966	\$0.75	\$1.36	\$92,879	\$190,075	\$185,590
Regional Councilor Rosati ²	\$76,636	\$20,560	\$97,196	116,646	3,966	\$0.75	\$1.36	\$92,879	\$185,925	\$181,560
Ward 1 Councilor Iaffate	\$76,636	\$20,560	\$97,196	77,123	695	\$0.75	\$1.36	\$58,787	\$155,983	\$152,167
Ward 2 Councilor Carrella	\$76,636	\$19,050	\$95,686	61,250	1,549	\$0.75	\$1.36	\$48,045	\$143,731	\$141,480
Ward 3 Councilor DeFrancesca	\$76,636	\$20,560	\$97,196	74,026	2,639	\$0.75	\$1.36	\$59,109	\$156,305	\$153,152
Ward 4 Councilor Young-Racco	\$76,636	\$20,560	\$97,196	59,957	5,827	\$0.75	\$1.36	\$52,485	\$149,681	\$146,862
Ward 5 Councilor Shelman	\$76,636	\$19,660	\$96,296	70,545	1,250	\$0.75	\$1.36	\$54,609	\$150,905	\$148,798
Totals	\$743,599	\$187,110	\$930,712					\$689,527	\$1,620,239	\$1,586,043

Note: ¹ Estimated population and businesses are 342,901 and 11,660, respectively.

² Mayor's and Regional Councilors' discretionary expenses are based on approximately 1/2 and 1/3 of estimated population and businesses, respectively.

³ Residence and Business Rate increase by CPI (2%)

⁴ Applied Population and Business Figures * Associated Applied Residence and Business Rates

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2018 Budget Forecast

Members of Council	Non-Discretionary Expenses			Discretionary Expense Formula Components					Combined	
	Council Remuneration	Council Benefits	Total Salaries and Benefits	Applied Figures ¹		Applied Rates ³		Total Discretionary Expenditures ⁴	2017 Draft Council Budget	2016 Draft Council Budget
				Population	Business	Residence	Business			
Mayor Bevilacqua ²	\$122,849	\$30,130	\$152,979	178,532	6,081	\$0.77	\$1.39	\$145,923	\$298,902	\$290,044
Regional Councilor Michael Di Biase ²	\$84,301	\$20,910	\$105,211	120,286	4,097	\$0.77	\$1.39	\$98,315	\$203,526	\$197,590
Regional Councilor Mario Ferri ²	\$76,636	\$21,040	\$97,676	120,286	4,097	\$0.77	\$1.39	\$98,315	\$195,991	\$190,075
Regional Councilor Rosati ²	\$76,636	\$16,790	\$93,426	120,286	4,097	\$0.77	\$1.39	\$98,315	\$191,741	\$185,925
Ward 1 Councilor Iaffate	\$76,636	\$21,040	\$97,676	79,529	718	\$0.77	\$1.39	\$62,236	\$159,912	\$155,983
Ward 2 Councilor Carrella	\$76,636	\$19,500	\$96,136	63,161	1,600	\$0.77	\$1.39	\$50,858	\$146,994	\$143,731
Ward 3 Councilor DeFrancesca	\$76,636	\$21,040	\$97,676	76,336	2,726	\$0.77	\$1.39	\$62,567	\$160,243	\$156,305
Ward 4 Councilor Young-Racco	\$76,636	\$21,040	\$97,676	61,828	5,709	\$0.77	\$1.39	\$55,543	\$153,219	\$149,681
Ward 5 Councilor Shelman	\$76,636	\$20,130	\$96,766	72,746	1,291	\$0.77	\$1.39	\$57,809	\$154,575	\$150,905
Totals	\$743,599	\$191,620	\$935,222					\$729,881	\$1,665,103	\$1,620,239

Note: ¹ Estimated population and businesses are 342,901 and 11,660, respectively.

² Mayor's and Regional Councilors' discretionary expenses are based on approximately 1/2 and 1/3 of estimated population and businesses, respectively.

³ Residence and Business Rate increase by CPI (2%)

⁴ Applied Population and Business Figures * Associated Applied Residence and Business Rates

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CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 24, 2015

Item 24, Report No. 12, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on March 24, 2015, as follows:

By approving the recommendation set out in Communication C4 from the City Clerk, dated March 23, 2015, as follows:

That the attached revised Terms of Reference for the Council Budgets Task Force be approved.

24

CODE OF ETHICAL CONDUCT FOR MEMBERS OF COUNCIL

The Committee of the Whole recommends approval of the recommendation contained in the following resolution submitted by Regional Councillor Rosati, dated March 3, 2015, 2015:

Member's Resolution

Submitted by Regional Councillor Gino Rosati

Whereas, The Code of Ethical Conduct for Members of Council has been in effect since November 2, 2009;

Whereas, A review should be done at this time;

Whereas, The Integrity Commissioner recommended such a review in her annual review in June 2014;

Whereas, There is a correlation between the Code and the Expense Policy for Members of Council

It is therefore recommended:

1. That the Task Force to Review the Expense Policy for Members of Council be amended to also include a review of the Code of Ethical Conduct for Members of Council.



memorandum

DATE: MARCH 23, 2015

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: JEFFREY A. ABRAMS
CITY CLERK

RE: COUNCIL MEETING – MARCH 24, 2015
CODE OF ETHICAL CONDUCT FOR MEMBERS OF COUNCIL
ITEM 24, REPORT NO. 12, COMMITTEE OF THE WHOLE

C	<u>4</u>
Item #	<u>24</u>
Report No.	<u>12 (cw)</u>
<u>Council - March 24/15</u>	

Recommendation

The City Clerk recommends:

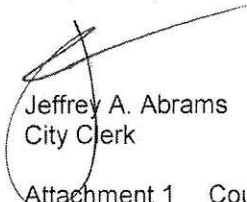
1. That the attached revised Terms of Reference for the Council Budgets Task Force be approved.

Background

At the Finance, Administration and Audit Committee meeting of February 2, 2015, the committee recommended that a task force be created to review the Council Office Expenditure Policy and report back by the end of 2015 for consideration in the 2016 budget process. The Terms of Reference to implement the Task Force were provided for adoption by Council at its meeting of February 17, 2015 [Finance, Administration and Audit Committee, Report No. 4, Item 4].

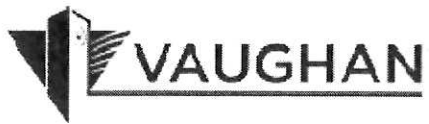
At its meeting of March 3, 2015, Committee of the Whole had before it a Member's Resolution submitted by Regional Councillor Rosati recommending that the Task Force reviewing the Council Office Expenditure Policy also review the Code of Ethical Conduct for Members of Council. Committee of the Whole recommended approval of the recommendation, which is before Council at its meeting of March 24, 2015 for adoption. The attached revised Terms of Reference for the Council Budgets Task Force implement the addition to the Task Force's mandate.

Respectfully submitted,


Jeffrey A. Abrams
City Clerk

Attachment 1 Council Budgets Task Force Terms of Reference (Revised)

JAA/cb



**COUNCIL BUDGETS TASK FORCE
TERMS OF REFERENCE (REVISED)**

Mandate / Objectives

- 1) The Council Budgets Task Force is a sub-committee of the Finance, Administration and Audit Committee.
- 2) The Council Budgets Task Force will review the Council Office Expenditure Policy and report its findings to the Finance, Administration and Audit Committee by the end of 2015 for consideration in the 2016 budget.
- 3) The Council Budgets Task Force will review the Code of Ethical Conduct for Members of Council.

Term

The Council Budgets Task Force shall submit a report of its findings and recommendation by December 2015.

Membership

The membership shall be composed of the following Members of Council:

Regional Councillor Rosati
Councillor DeFrancesca
Councillor Iafrate
Councillor Yeung Racco

Meeting Procedures

The proceedings of the Council Budgets Task Force are to be governed by the City's Procedural By-law.

Agendas and Reporting

Agendas shall be prepared by the City Clerk's Office in consultation with the Committee Chair. Agendas shall be posted on the City's website one week prior to the scheduled date of meeting, or as soon as practicable.

After each meeting of the Committee, the City Clerk shall submit a report in the City's committee report format to the Finance, Administration and Audit Committee.

Meetings

Meeting dates will be determined at the first meeting of the committee. The committee may meet on the schedule determined, or at the call of the Chair.

Meetings are to be open to the public in accordance with the *Municipal Act, 2001*.

Notice of Meetings

Meetings will be noted on the Schedule of Meetings calendar posted on the City's website.

Quorum

The majority of members, including the Chair, shall constitute quorum.

Staff Resources

The role of staff is to act as a resource to the Council Budgets Task Force, but not to be members of the committee, or to deliberate or draft the findings of the committee. The following Staff will provide advisory and technical support specific to the mandate and objectives of the committee:

- Commissioner of Finance & City Treasurer
- Director of Budgeting & Financial Planning
- Executive Director, Office of the City Manager
- City Clerk

In addition, the Integrity Commissioner and the Director of Internal Audit will be invited to participate at meetings.

The City Clerk's Office will be responsible for agenda production and distribution, the giving of procedural advice, and the recording of the proceedings of the Council Budgets Task Force.

Authority

The Council Budgets Task Force may not exercise decision-making powers, or commit expenditures save for those specifically delegated by Council. The committee may not direct staff to undertake activities without authority from Council.

Amendment / Expansion of Terms of Reference

Only Council can initiate any amendment and/or expansion of the Terms of Reference.

The Terms of Reference for the Task Force were established by Council's adoption of Item 4 of Finance, Administration and Audit Committee Report No. 4 on February 17, 2015; and Item 24 of Committee of the Whole Report No. 12 on March 24, 2015.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 31, 2012

Item 4, Report No. 1, of the Finance and Administration Committee, which was adopted without amendment by the Council of the City of Vaughan on January 31, 2012.

4

COUNCIL EXPENDITURE BUDGETS

The Finance and Administration Committee recommends:

- 1) That the recommendation contained in the following report of the City Clerk, dated January 16, 2012, be approved; and
- 2) That the deputation of Mr. Richard Lorello, 235 Treelawn Boulevard, Kleinburg, L0J 1C0, be received.

Recommendation

The City Clerk on behalf of the Council Budgets Task Force recommends:

1. That the formula for calculating Council's Discretionary Budgets be revised to include a \$0.70 residential rate per capita and a \$1.25 business rate per business count, as detailed in Attachment 1;
2. That for the purpose of developing the Ward Council Budgets the above recommended rates are to be applied to estimated ward population and business data provided by the City Clerk and Economic Development Department;
3. That for the purpose of developing the Mayor's and Regional Councillor Budgets the above recommend rates are to be applied using a 50% and 34% allocation of estimated total population and businesses, respectively, provided by the City Clerk and Economic Development Department;
4. That for the purposes of developing future budgets, the residential and business rates be increased in relation to the Toronto CPI index, rounded up to the nearest cent; and
5. That budget changes related to the new formula be incorporated into the Draft 2012 Operating Budget and 2012 -2014 operating forecasts.

Contribution to Sustainability

N/A

Economic Impact

Approval of the recommendation in this report will result in the following budget increases:

	2012	2013	2014
Budget Change	\$46,907	\$37,779	\$40,265
Avg. Councillor Budget Change	\$5,200	\$4,200	\$4,500
Tax Rate Increase	0.03%	0.02%	0.03%

Communications Plan

N/A

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 31, 2012

Item 4, Finance Report No. 1 – Page 2

Purpose

The purpose of this report is to provide the Finance and Administration Committee with the Council Budgets Task Force's recommendation for allocating funds to the Council discretionary budgets.

Background - Analysis and Options

On June 28, 2011, the Finance and Administration Committee recommended that the Council Budgets Task Force be re-established to review the Council expense budget which was endorsed by Council on April 5, 2011. Members of the Council Budgets Task Force are Mayor Bevilacqua, Regional Councillor Rosati, and Councillors Carella, DeFrancesca, and Racco. The Task Force met on November 25 and December 9, 2011. At the December 9, 2011 meeting, the Task Force made the following motion:

The Council Budgets Task Force recommends to Council:

- 1) *That the formula for calculating the Council Budgets be revised to include a business and residential rate per capita in accordance with the comments from the members of the Task Force;*
- 2) *That for the purposes of developing future budgets, the rate be increased in relation to the CPI;*
- 3) *That the impacts related to the new formulas be incorporated into the Draft 2011/2014 Budgets; and*
- 4) *That a report be prepared for submission to the Finance and Administration Committee meeting of January 16, 2012, on behalf of the Council Budgets Task Force to implement the Task Force's recommendations.*

Attachment 1 provides detailed results of the Task Force's recommendation. Approval of the Task Force's recommendation will result in a tax rate increase of 0.03% in 2012, 0.02% in 2013, and 0.03% in 2014.

Relationship to Vaughan Vision 2020/Strategic Plan

N/A

Regional Implications

N/A

Conclusion

The Council Budgets Task Force's recommendation is before the Committee for consideration.

Attachments

Attachment 1 - 2012 – 2014 Draft Council Budgets

Report prepared by:

R. Magnifico
Assistant City Clerk

(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.)

City of Vaughan
2012-2014- Draft Council Budgets

Summary of Draft Council Budget Task Force

	2012		2013		2014	
	Draft Budget	Budget Increase	Draft Budget	Budget Increase	Draft Budget	Budget Increase
Members of Council						
Mayor Bevilacqua	\$254,593	\$5,052	\$262,147	\$7,554	\$270,186	\$8,049
Regional Councillor Rosati	\$167,095	\$3,797	\$172,184	\$5,089	\$177,608	\$5,424
Regional Councillor Michael Di Biase	\$167,095	\$3,797	\$172,184	\$5,089	\$177,608	\$5,424
Regional Councillor Deb Schulte	\$167,095	\$3,797	\$172,184	\$5,089	\$177,608	\$5,424
Ward 1 Councillor Iafate	\$136,027	\$5,229	\$139,085	\$3,058	\$142,346	\$3,261
Ward 2 Councillor Carrella	\$136,947	\$5,149	\$140,061	\$3,114	\$143,381	\$3,320
Ward 3 Councillor DeFrancesca	\$134,527	\$5,979	\$137,477	\$2,950	\$140,622	\$3,145
Ward 4 Councillor Yeung-Racco	\$125,771	\$5,223	\$128,130	\$2,359	\$130,643	\$2,513
Ward 5 Councillor Shelman	\$142,432	\$7,884	\$145,908	\$3,477	\$149,614	\$3,705
Total	\$1,431,582	\$46,907	\$1,469,361	\$37,779	\$1,509,626	\$40,265
Tax Rate Adjustment		-0.03%		0.02%		0.03%

2012 Budget Forecast

	Non-Discretionary Expenses			Discretionary Expense Formula Components				Combined	
	Council Remuneration	Council Benefits	Total Salaries and Benefits	Applied Figures ¹		Applied Rates		Total Discretionary Expenditures ³	Draft 2012 Council Budget
				Population	Business	Residence	Business		
Members of Council									
Mayor Bevilacqua ²	\$115,763	\$23,731	\$139,494	155,625	4,929	\$0.70	\$1.25	\$115,099	\$254,593
Regional Councillor Rosati ²	\$72,216	\$17,332	\$89,548	104,852	3,321	\$0.70	\$1.25	\$77,547	\$167,095
Regional Councillor Michael Di Biase ²	\$72,216	\$17,332	\$89,548	104,852	3,321	\$0.70	\$1.25	\$77,547	\$167,095
Regional Councillor Deb Schulte ²	\$72,216	\$17,332	\$89,548	104,852	3,321	\$0.70	\$1.25	\$77,547	\$167,095
Ward 1 Councillor Iafate	\$72,216	\$17,332	\$89,548	65,300	615	\$0.70	\$1.25	\$46,479	\$136,027
Ward 2 Councillor Carrella	\$72,216	\$17,332	\$89,548	65,300	1,351	\$0.70	\$1.25	\$47,399	\$136,947
Ward 3 Councillor DeFrancesca	\$72,216	\$17,332	\$89,548	60,600	2,047	\$0.70	\$1.25	\$44,979	\$134,527
Ward 4 Councillor Yeung-Racco	\$72,216	\$17,332	\$89,548	43,890	4,400	\$0.70	\$1.25	\$36,223	\$125,771
Ward 5 Councillor Shelman	\$72,216	\$17,332	\$89,548	73,140	1,349	\$0.70	\$1.25	\$52,884	\$142,432
Totals	\$693,491	\$162,387	\$855,878					\$575,704	\$1,431,582

Note: ¹ Estimated population and businesses for 2012 are 308,230 and 9,762 respectively as provided by Clerk's Department and Economic & Technology Development (ETD)

² Mayor's and Regional Councillors' discretionary expenses are based on approximately 1/2 and 1/3 of estimated population and businesses, respectively

³ Total Discretionary Expenditures = Applied Population and Business Figures * Associated Applied Residence and Business Rates

$$A + B = C$$

City of Vaughan
2012-2014- Draft Council Budgets

2013 Budget Forecast

Members of Council	Non-Discretionary Expenses				Discretionary Expense Formula Components				Combined	
	Council Remuneration	Council Benefits	Total Salaries and Benefits		Applied Figures ¹		Applied Rates ³		Total Discretionary Expenditures ⁴	Draft 2013 Council Budget
					Population	Business	Residence	Business		
Mayor Bevilacqua ²	\$115,763	\$23,731	\$139,494		162,628	5,126	\$0.71	\$1.28	\$122,653	\$262,147
Regional Councillor Rosati ²	\$72,216	\$17,332	\$89,548		109,570	3,454	\$0.71	\$1.28	\$82,636	\$172,184
Regional Councillor Michael Di Biase ²	\$72,216	\$17,332	\$89,548		109,570	3,454	\$0.71	\$1.28	\$82,636	\$172,184
Regional Councillor Deb Schulte ²	\$72,216	\$17,332	\$89,548		109,570	3,454	\$0.71	\$1.28	\$82,636	\$172,184
Ward 1 Councillor Iafate	\$72,216	\$17,332	\$89,548		68,239	640	\$0.71	\$1.28	\$49,537	\$139,085
Ward 2 Councillor Carella	\$72,216	\$17,332	\$89,548		68,239	1,405	\$0.71	\$1.28	\$50,513	\$140,061
Ward 3 Councillor DeFrancesca	\$72,216	\$17,332	\$89,548		63,327	2,129	\$0.71	\$1.28	\$47,929	\$137,477
Ward 4 Councillor Yeung-Racco	\$72,216	\$17,332	\$89,548		45,865	4,576	\$0.71	\$1.28	\$38,582	\$128,130
Ward 5 Councillor Shefman	\$72,216	\$17,332	\$89,548		76,431	1,403	\$0.71	\$1.28	\$56,361	\$145,909
Totals	\$693,491	\$162,387	\$855,878	A					\$513,483	\$1,469,361
									B =	C
										\$37,779

Note: ¹ Estimated population and businesses are 322,100 and 10,152 respectively. They are based on the 2012 estimates + 4.5% historical population growth and 4% estimated growth provided by ETD

² Mayor's and Regional Councillors' discretionary expenses are based on approximately 1/2 and 1/3 of estimated population and businesses, respectively

³ Residence and Business Rate increase by CPI (2%)

⁴ Applied Population and Business Figures * Associated Applied Residence and Business Rates

2014 Budget Forecast

Members of Council	Non-Discretionary Expenses				Discretionary Expense Formula Components				Combined	
	Council Remuneration	Council Benefits	Total Salaries and Benefits		Applied Figures ¹		Applied Rates ³		Total Discretionary Expenditures ⁴	Draft 2014 Council Budget
					Population	Business	Residence	Business		
Mayor Bevilacqua ²	\$115,763	\$23,731	\$139,494		169,947	5,331	\$0.73	\$1.30	\$130,702	\$270,196
Regional Councillor Rosati ²	\$72,216	\$17,332	\$89,548		114,501	3,592	\$0.73	\$1.30	\$88,060	\$177,608
Regional Councillor Michael Di Biase ²	\$72,216	\$17,332	\$89,548		114,501	3,592	\$0.73	\$1.30	\$88,060	\$177,608
Regional Councillor Deb Schulte ²	\$72,216	\$17,332	\$89,548		114,501	3,592	\$0.73	\$1.30	\$88,060	\$177,608
Ward 1 Councillor Iafate	\$72,216	\$17,332	\$89,548		71,309	665	\$0.73	\$1.30	\$52,798	\$142,346
Ward 2 Councillor Carella	\$72,216	\$17,332	\$89,548		71,309	1,461	\$0.73	\$1.30	\$53,833	\$143,381
Ward 3 Councillor DeFrancesca	\$72,216	\$17,332	\$89,548		66,177	2,214	\$0.73	\$1.30	\$51,074	\$140,622
Ward 4 Councillor Yeung-Racco	\$72,216	\$17,332	\$89,548		47,929	4,759	\$0.73	\$1.30	\$41,095	\$130,643
Ward 5 Councillor Shefman	\$72,216	\$17,332	\$89,548		79,871	1,459	\$0.73	\$1.30	\$60,066	\$149,614
Totals	\$693,491	\$162,387	\$855,878	A					\$653,748	\$1,509,626
									B =	C
										\$40,265

Note: ¹ Estimated population and businesses are 336,595 and 10,559 respectively. They are based on the 2013 estimates + 4.5% historical population growth and 4% estimated growth provided by ETD

² Mayor's and Regional Councillors' discretionary expenses are based on approximately 1/2 and 1/3 respectively of estimated population and businesses, respectively

³ Residence and Business Rate increase by CPI (2%)

⁴ Applied Population and Business Figures * Associated Applied Residence and Business Rates

**CITY OF VAUGHAN
POLICY MANUAL**

Policy No:	CL – 012
Department:	COUNCIL
Subject:	COUNCIL MEMBER EXPENSE POLICY

CITY OF VAUGHAN

COUNCIL MEMBER EXPENSE POLICY

October

(Note: This policy replaces Policy No. 01.36)

Council Approval: 2010/03/09
Report No/Item: 9/26
Cross Reference: Policy No. 01.37

Amended: 2011/18/11
Report No/Item: 17/6

Policy No:	CL – 012
Department:	COUNCIL
Subject:	COUNCIL MEMBER EXPENSE POLICY

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Amended: 2011/18/11
 Report No/Item: 17/6

Policy No:	CL – 012
Department:	COUNCIL
Subject:	COUNCIL MEMBER EXPENSE POLICY

1.0 PURPOSE

This policy guides the expenditures that support Councillors in performing their diverse roles and in representing their constituents. The approved Councillor budgets allow Councillors to:

- Administer their offices
- Represent the City at functions or events

This policy is intended to:

- Provide Councillors with the ability to allocate resources in the most efficient way to meet their own particular requirement.
- Identify the process that Councillors and their staff use to administer their budgets.
- Recognize Councillors' accountability for managing City resources allocated to them.
- Provide specific and clear direction regarding diverse expenses, clarifying what expenses are "eligible", "ineligible" along with some narrative.

2.0 GENERAL TERMS AND DEFINITIONS

2.1. Business Related Expenses

- Business expenses are incurred in the interest of the City for the advancement of the City.
- Business expenses support the attainment of the City's approved goals and objectives.
- The City will only pay for business expenses incurred in furthering the interest of the City.
- A business expense is incurred for the City's benefit and not for a personal benefit.
- Business expenses are subject to the normal approvals that are contemplated in the City's Purchasing Policies and other policies and are permissible expenditures.
- Business expenses are eligible for reimbursement; personal expenses are not.
- Council approval is required for a Council Member(s) to represent *all Members of Council* in an official capacity at an event or function and the expense is a business expense chargeable to Council Corporate Budget.
- Without Council approval, the Council Member is not representing *all Members of Council* in an official capacity at an event or function. He/she is therefore representing his/her ward or the Region and then it is a business expense and would be charged to the Council Member Budget.
- Council approval is required before a Council Member may charge an expense to Council Corporate Budget. Without Council approval, the business expense is charged to individual Council Member Budget.

Council Approval: 2010/03/09
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Amended: 2011/18/11
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Policy No:	CL – 012
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Subject:	COUNCIL MEMBER EXPENSE POLICY

- If there is doubt and it is not certain whether the expense is business or personal, then it is more than likely personal. *A business type expense can be supported and defended against any challenge.*
- Business related expenditures will be reimbursed by the City, within the terms of this policy.

2.2. Council Corporate

- Refers to the Council Corporate Account from which expenses are paid that relate to Council as a Whole or that are shared by Council Members. Council approval is required before a Council Member may charge an expense to the Council Corporate Budget.

2.3. Ineligible Expenses

- Ineligible expenses under this policy are expenses that will not be reimbursed to Council Members, nor paid by the City of Vaughan on behalf of the Council Members.
- Expenses that would otherwise be eligible under this policy, but that result from a contract with, or purchase of supplies, material or equipment, from *family member(s)* of the Council Member, will be ineligible if the family member is an owner (excluding public company ownership), senior executive or any employee who directly benefits financially from the contract or purchase.
 - **Family Members include:**
 - Spouse, common-law partner, or any person with whom the person is living as a spouse outside of marriage
 - Parent, including step-parent and legal guardian
 - Child, including step-child and grandchild
 - Siblings and children of siblings
 - Aunt/uncle, niece/nephew, first cousin
 - In-laws, including mother/father, sister/brother, daughter/son
 - Any person who lives with the Member on a permanent basis
- If an expense is not dealt with in the Policy, then the expense is ineligible to be charged to the Council Member's Budget.

3.0 GUIDING PRINCIPLES

When interpreting this policy, the following principles should be kept in mind:

3.1 Integrity of Council

- The integrity of City Council as a whole and the offices of the Councillors must be protected.

Council Approval: 2010/03/09
Report No/Item: 9/26
Cross Reference: Policy No. 01.37

Amended: 2011/18/11
Report No/Item: 17/6

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Subject:	COUNCIL MEMBER EXPENSE POLICY

- 3.2 Accountability
- The public expects the public funds Councillors use when they perform their duties to be used prudently.
 - Councillors are the stewards of City resources and are ultimately accountable to the public and their constituents for the type and level of expenses they incur.
 - Councillors' expenses must be reasonable and reflect what the public expects of an elected official.

- 3.3 Transparency
- The public has a right to know how public funds allocated to Councillors are spent.
 - The public's right to Councillors' expense information must be balanced against the need to protect privacy and personal information, and allow time for proper accounting and reconciliation of expenses.

- 3.4 Compliance
- The Council Corporate Budget and the Individual Councillors' Budgets must be administered in accordance with policies and procedures of the City as well as other statutory requirements.

4.0 ROLES AND RESPONSIBILITIES

4.1. Council Members and Council Staff

- Public funds may not be expended or committed for personal use, non-City business use, campaign or election related purposes.
- Authorize expenditures from their Office Budget or staff budgets. Council Members or their authorized staff must sign off all receipts, invoices and packing slips with original signatures (signature stamps and electronic signatures will not be accepted).
- ***Council Members and their staff are responsible for charging all expenses to the appropriate General Ledger account codes and Budget.***
- Meet all financial, legal and Income Tax obligations.
- Stay within total budget and within specific limits within expense categories in this Policy.
- Council Members are to forward requests to purchase Computer Hardware/Software, Telephone and Fax, Wireless Equipment and Office Equipment, to the Information Technology Management department, and Office Decorations and Office Furniture to the Building & Facilities department, to co-ordinate with the Purchasing department and ensure compliance with corporate standards. Assets purchased will be inventoried by ITM and Building & Facilities departments.
- Safeguard and maintain all Computer Hardware/Software, Office Decorations,

Council Approval: 2010/03/09
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Office Equipment, Office Furniture, Telephone and Fax, and Wireless Equipment provided by the City and purchased with City funds.

- Ensure that all purchases are in accordance with Purchasing Policies and procedures. If the Vendor of Record is not used then the reason should be written on the documentation.
- Ensure that all goods/services are received in good condition. Invoices and Packing Slips must be signed (and dated) by the Council Member or his/her designate.
- Strictly comply with Council Member Expense Policy, Accounting, Financial and Budget Policies/Procedures at all times.
- Since Council Members use public funds when they perform their duties, the public expects public funds to be used prudently.
- Council Members are the stewards of City resources and are ultimately accountable to the public and their constituents for the type and level of expenses they incur.
- Council Members' expenses must be reasonable and reflect what the public expects of an elected official.
- Council Members' business expenses and personal expenses must be kept separate.
- The City will not pay for York Region expenses on behalf of the Council Member.
- At the end of the term, if not returning, return all assets (Computer Hardware/Software, Office Decorations, Office Equipment, Office Furniture, Telephone and Fax, and Wireless Equipment) provided by the City and purchased with City funds. Non-returning Council Members may purchase returned assets from the City at fair market value utilizing personal funds *if newly-elected Council Members do not wish to continue using those assets.*
- Council Members or their staff should submit claims for reimbursement once a month. However, if this is not possible, then claims must be submitted at least quarterly.
- Should a Council Member exceed the limits placed on an expense in the Policy, then the Council Member must reimburse the City for the over-expenditure.
- If a Council Member wishes to deviate from this Policy, Council approval must be obtained in advance.

4.2. Finance Staff

- Finance staff shall review submitted expense documentation and ensure the documentation is in accordance with policy prior to processing submitted expenses for payment.
- Provide Members of Council with monthly budget reports relating to their individual budgets.

4.3. City Auditor

- Dispute Resolution and or Exemption to the Policy: In cases of uncertainty on the

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interpretation of any item in the Council Member Expense Policy, or exemption to the Policy, the City Auditor should be consulted on the intended interpretation of the Council Member Expense policy in question. If any dispute or exemption is not resolved then the dispute will be brought forward to the **Finance and Administration Committee for a final ruling**. In the meantime any disputed items will not be paid by the City.

5.0 **USE OF CORPORATE CREDIT CARD**

- The Corporate Credit Card is provided to the Mayor. It is to be used for City business expenses of the Cardholder as outlined in this policy.
- Personal Expenses shall not be put on the Corporate Credit Card.
- All credit card expenses must be supported with detailed original receipts and the signed credit card receipt. A credit card receipt in itself is unacceptable. If on a rare occasion the detailed original receipt is mislaid, an explanation of the detail and business purpose of the expense must be provided, signed and dated by the Mayor and accompany the signed credit card receipt.
- If the Corporate Credit Card is used for City business to pay for other Council members and/or City Staff, information should be written on supporting documentation. If the expense is a business meal, then the business purpose of the meeting and who attended must be noted. The expenses may be charged to the Mayor's budget, or if agreed in advance, the expense may be split and charged back to the Council Members' and/or City Staffs' budget for their share.
- If through exceptional circumstances, personal expenses are charged to the Corporate Credit Card, the Mayor must reimburse the City by personal cheque within the same month the personal expenses were incurred, so that the City is not out of pocket when it pays the full monthly balance owing.
- Public funds may not be expended or committed for personal use, non-City business use, campaign or election related purposes.

6.0 **CORPORATE RESOURCES AVAILABLE/ALLOCATED TO COUNCILLORS**

- Council Member Budget
 - Each Council Member is provided with an annual office budget to pay for expenses that are allowed in the Council Member Expense Policy.
 - Annual Council Member Budgets are subject to approval by Council as a Whole.
 - Surplus Council Member budgets may not be transferred to the next year.
 - Each individual Council Member has discretion over the allocation of their budget,

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within the framework of City of Vaughan policies and procedures, and any relevant statutory requirements.

- Council Corporate Budget
 - To fund general support for all Council Members.
 - Used for expenses on behalf of, or shared by all Council Members.
 - Council as a body share certain resources and receive a consistent level of corporate support related to the basic functions of the office.
 - Annual Council Corporate Budget is subject to approval by Council as a Whole.
 - The Council Corporate Budget is prepared and monitored by the Clerk's Department, in accordance with this policy.
 - The Clerk's Department will have purchasing responsibility for the Council Corporate Budget expenditures.

7.0 SIGN-OFF PROCESS

- Council Members are responsible for authorizing and signing all expenditures.
- (1) A Council Member's Expense Submission Form with complete signed supporting documents should be submitted for reimbursement or
- (2) Purchasing documents with complete signed/approved supporting documents should be submitted for payment to Vendors.

8.0 SUPPORTING DOCUMENTATION REQUIREMENTS

- All requests for payment or reimbursement must be supported by appropriate original hard copy documentation, original detailed receipts and proof of payment. Credit card receipts on their own will not be accepted. If on a rare occasion, the detailed original receipt is mislaid, an explanation on the detail and business purpose of the expense must be provided, be signed and dated and accompany the signed credit card receipt.
- Supporting documentation should show:
 - Name of vendor/organization
 - Details of the expense
 - Business purpose if applicable
 - Names of participants if applicable
 - Amount of the expense
 - Date of the expense
 - Proof or acknowledgement of goods/services received
 - Examples of supporting documentation – notice/flyer, letter, receipt, credit card transaction slip, vendor transaction receipt, restaurant detailed receipt, bank-stamped cheque, copy of e-mail, purchase order, field purchase order, packing slip, invoice, parking ticket, boarding pass, vendor statements, bank statements, correspondence.

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- Any additional specific supporting documentation required anywhere in this policy must be provided
- Reimbursement to Councillor - Council Member's Expense Submission form with complete signed supporting documents should be submitted
- Direct payment to Vendor – Purchasing documents with complete signed documents should be submitted

9.0 BUSINESS RELATED EXPENSES

- 9.1 Advertising (1)** **Eligible Expense(Council Member Budget**
- Advertising is permitted if it is related to the business of the City of Vaughan in all types of media of charitable/non-profit organizations with either
 - an address in Vaughan
 - holding the event in Vaughan or
 - providing services to Vaughan.
 - The organization must either provide a *registration number* (charitable or non-profit) or must have *Community Service Organization (CSO) status* with the City of Vaughan.
 - Council Members **must provide** a copy of one of the following: the organization's letter / notice / flyer / e-mail to the Council Member **or** copy of the print ad, **as well as** (1) proof of payment if seeking reimbursement **or** (2) supporting documentation if requesting a cheque from the City.
 - Advertising is also provided under Council Corporate Budget on behalf of all Council Members.

Ineligible:

Advertising non-City business information e.g., advertising a fund-raising event for a non-profit/charitable organization.

Narrative:

- The annual maximum allowed is **\$2000** per Council Member and **\$4000** for the Mayor.
- Council Members cannot place any advertising after June 30th in an election year.
- *Business advertising includes the type of information on a business card. Additional City information may be included in the advertisement.*

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- 9.2 Advertising (2) **Eligible: (Council Corporate Budget)**
- Holiday greetings and/or advertising on behalf of all Council Members **as approved by Council**. Advertising is not limited to any religion but is determined by Council and advertised in the appropriate local newspapers. Season's Greeting cards are distributed by the Secretary to the Mayor and Members of Council on behalf of all Council Members.

Note:

This section is to be read in conjunction with the above section.

- 9.3 Books, Magazines, Newspapers, Periodicals **Eligible Expense (Council Member Budget):**
- Books, magazines, newspapers and periodicals that are related to the business of the City and/or Region of which the City is a part of.
- Ineligible Expense:**
- Lifestyle / entertainment magazines (e.g. sports, cooking, gardening, fashion, celebrities, travel, how to etc.).

Narrative:

- Name of book or magazine must be included on the invoice.
- Council Members must identify the *business purpose* for the books, magazines, newspapers, periodicals when the business reason is not evident.
- Delivery address must be City Hall office.
- Council Members must provide an original subscription invoice or renewal notice indicating delivery address of publication.

- 9.4 Business Appreciation Expense: (Members of Council with Staff) **Eligible: (Council Corporate Budget)**
- Special staff appreciation events with all Members of Council invited, or other events as approved by Council.
 - Reasonable alcohol.
 - Reasonable expenses.

Narrative:

Expenses must be supported by:

- original detailed receipts and
- signed credit card receipts,

and provide details of :

- Business Purpose of Meeting and
- Names of Participants.

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9.5 Hospitality Expense
(External Parties)
(Approved by Council)

(1) Economic Development, Business Investment, and Culture

Eligible: (Economic Development Budget)

- Where Council approves a business hospitality situation (*co-ordinated through the Economic Development department*), special catering, venue rentals and transportation expenses are eligible for the Mayor and all of Council to **host external parties** (special constituents, business contacts, representatives of other levels of government, international delegations or visitors from out of town) visiting the City for potential economic development, business investment or cultural opportunities.
- On a Council-approved business trip, the Mayor and/or Council Members may *reciprocate hospitality* to their hosts in appreciation of their cordiality and goodwill. *As this meal will be charged to the Economic Development budget, the eligibility for the day's per diem, will be determined by one's responsibility for at least one of the other 2 meals.*
- Reasonable alcohol during meals or receptions involving business hospitality.
- Reasonable entertainment expenses.
- *Reasonable incidental expenses and refreshments/snacks.*

(2) Other Hospitality (Approved by Council)

Eligible: (Council Corporate Budget)

- Where Council approves a hospitality situation whereby one or more Council Members are **hosting external guests** visiting the City with little/no intention of pursuing economic development, business investment or cultural opportunities, but (1) to have a workshop, conference, meeting for some other purpose or (2) for other miscellaneous reasons.
- Reasonable *alcohol during* meals.
- Reasonable venue costs.
- Reasonable incidental expenses *and refreshments/snacks.*

Narrative:

All Council-approved hospitality expenses of external parties must be supported by:

- original detailed receipts and
- signed credit card receipts,

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and provide details of :

- Business Purpose of Meeting and
- Names of Participants.

9.6 Business Meeting Expense (1)

(Staff and/or Council Members and /or External Parties)

Eligible Expense (Council Member Budget):

- Business meals/*snacks* in the interest of the City of Vaughan for: meetings with City employees, Council Members' staff, other Council Members, External Parties (business constituents, business contacts, government officials, or business visitors from out of town) or employees of a City agency, board, commission or special purpose body.
- Meals consumed by Council Members prior to attending evening functions or events.
- In-town conference/seminar at which meals are not provided and where no per diem may be claimed. Per diem is allowed only if overnight stay is required and one is responsible for at least one (1) meal per day.
- Up to two attendance tickets/registration fees at *government* events/functions.
- Facility rental.
- Catering order, including coffee, tea, juices, pop, cookies, snacks, light food.
- Venue set-up fees, including audio-visual equipment, flip charts, set-up fees, cleaning charges.
- External facilitator fees.

Ineligible Expense:

- **Alcohol is a personal expense.**
- *Entertainment or Holiday* meals with City employees, Council Members' staff, other Council.
- Members or employees of a City agency, board, commission or special purpose body *and their relatives.*

Narrative:

- For attendance at *government* events/functions, one ticket must be used by the Council Member. The second ticket can be used for the Council Member's staff or spouse/companion (in circumstances where it is customary and expected that a spouse/companion attend, *based on the nature of the event (e.g., gala)*. If the Council Member is unable to attend, then the Council Member's Full-time Assistant may use the ticket with his/her spouse/companion. The Council Member or Assistant must be in attendance.
- Council Members must provide a copy of one of the following: letter/event notice/flyer/e-mail requesting the Council Member's attendance as well as (1) proof of payment if seeking reimbursement or (2) supporting documentation if requesting a cheque from the City.

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All *business meeting* expenses **must be supported** by (1) original detailed receipts, (2) signed credit card receipts, and provide details of 1) Business purpose of meeting
2) Names of participants.

- 9.7 **Business Meeting Expense (2)**
(Staff and/or Council Members and/or External Parties)
- Eligible: (Council Corporate Budget)**
- Catered meals for Council meetings when required, and kitchen supplies. Catered meals (lunches and dinners) to be the responsibility of the Assistant of the Chair of the Committee and are to be purchased at the discretion of the Chair of the Committee. Kitchen supplies are to be purchased by the Secretary to the Mayor and Members of Council.
 - *For all Council Members attending external business meetings/events as a group, as approved by Council. This is not business hospitality but a business meeting expense chargeable to Council Corporate Budget .*

Ineligible Expense:

- Alcohol is a personal expense.

Narrative:

All business meeting expenses must be supported by:

- original detailed receipts and
- signed credit card receipts,

and provide details of :

- Business Purpose of Meeting and
- Names of Participants.

- 9.8 **Cable Television**
- Eligible Expense (Council Member Budget):**
- Additional cable connections if required.

Ineligible Expense:

- Movie/entertainment channel programming.
- Monthly cable fee for *Home Office*.
- Cable installation and program fee for *Home Office*.
- Cable equipment purchase or rental for *Home Office*.
- Specific cable channels and programs.

Narrative:

- Basic cable (at no cost) is provided in each Council Member's office at City Hall as a corporate expense.
- Cable connection at City Hall is provided from City centralized resources

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(Building & Facilities Department).

- Requests for additional cable connection at City Hall must be made to the City's Building and Facilities department

- 9.9 **Community Expense:**
(Donations to Community Groups)
- Ineligible Expense (Council Member Budget):**
- Any form of donations is **ineligible** and are not to be charged to the Council Member Budget.
- Eligible (Council Corporate Budget):**
- Grants, donations or sponsorship, on behalf of the Corporation, as authorized by Council.

- 9.10 **Community Expense:**
(Event Tickets Participation fee Benefit provided)
- Eligible Expense (Council Member Budget):**
- Up to two tickets per charitable or fund-raising event (in circumstances where it is customary and expected that a spouse/companion attend, based on the nature of the event (e.g., gala))
 - One ***participation fee*** or ***benefit provided***, for the Council Member to participate in charitable or fund-raising events such as golf tournaments, walkathons, *runs, bike events, BBQs*, etcetera.

Ineligible Expense:

- Entertainment events such as theatre shows, musical performances or other concerts are ineligible expenses unless it is a charitable or fund-raising event.
- Raffle tickets, silent auctions, table prize tickets at events

Narrative:

- The charitable or fund-raising event must be for/ by a charitable/non-profit organization with either (1) an address in Vaughan (2) holding the event in Vaughan or (3) providing services to Vaughan. The organization must either provide a registration number (charitable or non-profit) or must have Community Service Organization (CSO) status with the City of Vaughan.
- For charitable events or dinners, event organizers must make out charitable receipts to the City of Vaughan.
- One ticket must be used by the Council Member. The second ticket can be used for the Council Member's staff or spouse/companion (in circumstances where it is customary and expected that a spouse/companion attend, based on the nature of the event (e.g., gala). If the Council Member is unable to attend, then the Council Member's Full-time Assistant may use the ticket with his/her spouse/companion. The Council Member or Full-time Assistant must be in attendance.
- Council Members must provide a copy of one of the following: event notice/flyer/e-mail requesting the Council Member's attendance as well as (1) proof of payment

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if seeking reimbursement or (2) supporting documentation if requesting a cheque from the City.

Eligible (Council Corporate Budget):

- Council supported fundraising events: Purchase of a City table for the Mayor and Council Members *and their spouses* for Council supported fundraising events (Humber Regional Hospital Gala, York Central Hospital Gala, York Region Police Chief's Dinner(*also known as York Regional Police Appreciation Night*) and Vaughan Health Care Foundation Gala and Chairman's Dinner for the Arts. *May include other events as approved by Council e.g., retirement of a dignitary, etc.*

**9.11 Community
Expense:
(Gifts and
Promotion)
(1)**

Eligible Expense (Council Member Budget):

- City-related promotional items such as fridge magnets, souvenir T-shirts, pins, ties, pens, etc.
- Payment for gifts from the Economic Development Department's gift inventory.
- Gifts / flowers / awards for constituents, community leaders, seniors, community groups for **special occasions (max \$100 for each occasion)** with an annual maximum allowed of **\$1000**.

Ineligible Expenses:

- Gifts for Council staff or other employees of City agencies, boards, commissions and special purpose bodies.
- **A monetary award/gift/promotion by way of a cheque is not permissible.**

Narrative:

- Council Members must provide an original invoice or receipt detailing gift items, quantity, cost and purpose of the items.
- Expenses incurred for flowers / gifts / awards to specific constituents, community leaders, community groups or seniors **must include an explanation on how it relates to City business** e.g., illness / death / remembrance of a prominent community leader, congratulate / recognize an achievement of a constituent. There may be other special circumstances for the flowers/gifts/awards.

**9.12 Community
Expense:
(Gifts and
Promotion)
(2)**

Eligible Expense (Council Corporate Budget)

- Grade 12 Proficiency Awards or as authorized by Council.
- Gifts (flags, promotional items) presented by the Mayor or designate, on behalf of the City and all Council Members, to Official Guests and Dignitaries.
- Flowers (or donations to charitable organizations for deaths) for special occasions (births, deaths, illnesses) provided by the Mayor or designate on behalf of the City and all Council Members to community leaders and to senior city officials and their immediate family (mother, father, spouse, child, sibling), to a maximum of **\$250** (1January 2010).

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Eligible Expense (Corporate Communication Budget)

- Sponsorship of the Christmas Staff Children's party, the Christmas Staff Open House or as *authorized by Council*.

Note:

This section is to be read in conjunction with the above section

**9.13 Community
Expense:
(Hosting
Events by
Council
Member)**

Eligible Expense (Council Member Budget):

- Costs directly associated with hosting an event
- Total costs limited to **\$1500 maximum** per event. Example: Advertising the event, space rental fees or permit fees, venue decorations and set-up, miscellaneous supplies, equipment rental, including stage, chairs, tables, sound systems, audio/video equipment etc.

Ineligible Expense:

- Payment to City staff of other departments to organize event.
- Event costs (as above) for an event organized entirely by a third party with no direct Council Member participation.
- Council Member Events after the cut-off date of **June 30th** during an election year.

Narrative:

- Where the Council Member is raising funds, receiving donations or services-in-kind, the event or initiative must be authorized or endorsed by Council so as to be in alignment with the Code of Ethical Conduct on Gifts and Benefits Rule No.2 1(j).
- To be eligible, **proof is required** of Council Member hosting the event e.g. name on flyer, name as co-sponsor of event.
- Council Member community event expenses can supplement events organized by program areas, e.g. park opening by Parks, Recreation and Culture, or Environment Days by Waste Management Services etc.
- Council Member hosting events can be co-organized with community groups.
- Council Members must provide an *original detailed invoice* from vendor, including *nature of service, date and venue* of event.
- Council Members must comply with the policy on donations to Council Member hosting events.
- Donations received for Council Member hosted events, must be reported to both the *Integrity Commissioner* and the City Clerk's Office.
- Donation Cheques received must be made in the name of the City of Vaughan and forwarded to the Finance department.
- Donations received by Council Members for a specific event must be maintained in a specific identified City account and must be dedicated to the event originally

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funded. Surplus donations received in excess of the cost of the specific event during a calendar year, can be carried forward between calendar years to be used for the same specific event only.

- Where the specific event is not repeated or continued, any excess funds in the specific account will be forwarded to Council Corporate Budget.
- Donations received for hosting community events and expenditures funded by donations, are subject to the same disclosure requirements as expense funded by the Council Member's Budget.

Form:

Integrity Commissioner – Gifts and Benefits Information Statement

**9.14 Membership
s
(1)**

Eligible Expense (Council Member Budget):

- Memberships for the Council Member or their staff that are related to the Council Member's work in the community or for the City.

Ineligible Expense:

- Retail memberships (e.g., Costco).
- Award programs. (e.g., credit card annual fees)

Narrative:

Council Members must identify how a membership is relevant to City business when the business reason is not evident.

**9.15 Membership
s
(2)**

Eligible (Council Corporate Budget)

Corporate memberships and fees for AMO and FCM or as authorized by Council for all Council Members.

**9.16 Newsletters
and Flyers,
Photocopyin
g and
Postage**

Newsletters/Flyers:

Eligible Expense (Council Member Budget):

- Design, writing, copy-editing, printing costs.
- Distribution costs through Canada Post or private firms.
- Translation fees.
- Clip art or stock photo fees.

Ineligible Expense:

- Printing and distributing newsletters after **cut-off date (June 30th)** during an election year *unless so directed and approved by Council*.

Narrative:

- Council Members are encouraged to use the Photocopying services of the Mailroom for bulk photocopying and the Vendor of Record for printing services.

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- If the Council Member chooses to use other printers, he/she must follow Purchasing policy.
- Newsletters must relate to the business of the City, York Region and/or relations with other levels of Government.
- Newsletters may include actual factual information such as accomplishments by the City, Committees and initiatives led by the Council Member.
- Promises and intentions are campaign-related and unfulfilled declarations, and are not permitted in newsletters in an election year.
- The use of electronic newsletters is governed by "eNewsletters Publication and Mailing Database Policy" which was approved by Council in 2007.
- Council Members must submit an *original invoice* from vendor along with a copy of the newsletter or flyer.

Photocopying:

Eligible Expense (Council Member Budget):

- Photocopying charges for copies done by Council Member's Office, mailroom or outside vendors.

Other information about photocopying:

- For outside vendors, Council Members must provide an *original invoice detailing the date of the job and number of copies*.

Postage:

Eligible Expense (Council Member Budget):

- Canada Post related costs.
- Courier delivery costs by outside courier service.

Narrative:

- The City Clerk's Office coordinates all mail services through the City's mailroom, and allocates charges based on usage.

9.17 Office
Decoration
and
Maintenance
(Maximum
\$3,500)

Eligible Expense (City's Building and Facilities Budget):

- Once during each term, up to \$2,500 limit, the City will thoroughly clean carpets (replace if necessary), clean blinds (replace if necessary), paint the walls for the City Hall Offices of incoming new Council Members. Returning Council Members may also request the same, once during each term, as required.
- Ongoing regular cleaning of offices (carpets, garbage).

Eligible Expense (Council Member Budget):

During the Council term, Council Members will be charged:

- The cost of painting and re-keying for City Hall.

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Ineligible Expense:

- Home Office decorating and maintenance costs.

Eligible Expense (Council Corporate Budget):

Once per term, up to a limit of \$1,000:-

- Artwork purchased for City Hall Office.
- Area Rugs.
- Vases, decorations and ornaments.

Narrative:

See Council Member Responsibilities.

**9.18 Office
Furniture
(1)**

Eligible Expense (Council Member Budget):

- Costs for refurbishing or repairing furniture to corporate standard.
- Moving costs for City furniture at other storage locations.
- Transportation costs from vendor

Ineligible Expense:

- Furniture for Home Office.

Narrative:

- All furniture that Council Members buy must be consistent to a Corporate standard to be established by Council.

See Council Member Responsibilities.

**9.19 Office
Furniture
(2)**

Eligible (Council Corporate Budget)

- Basic furniture to corporate standard will be provided to and be shared between Council Members and their staff at the Vaughan City Hall Office.

Note:

- This section is to be read in conjunction with the above section.

**9.20 Photographi
c Supplies &
Services**

Eligible Expense (Council Member Budget):

- Professional photographer or videographer fees.
- Processing and digital print fees.
- Frames, CDs, and other output devices.
- Film or other storage mechanisms.

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Provided from the City's centralized resources:

- Random informal photographic services are provided by the Corporate Communications department during normal work hours for Council-approved initiatives.

Narrative:

- Eligible expenses above must be solely for City business.
- Council Members cannot use photographs or materials that were taken with City resources or by City staff for election-related purposes.
- Can only use photography for uses consistent with City policy on photography.

**9.21 Spousal/
Companion
Expenses**

Eligible Expense (Council Member Budget):

- It may be protocol, in exceptional circumstances where it is customary and expected that a spouse/companion attend, based on the nature of the event (e.g., gala), to have a spouse/companion attend a function due to:
 1. **Hospitality**
 2. **Community Expense (Event Tickets).**
- Refer to appropriate sections for complete details.

Ineligible Expense:

- Spousal/companion fees for airline tickets, conference registrations, additional accommodation, meals, travel, tours etc should be paid for personally.

**9.22 Spousal
Expenses**

Eligible (Council Corporate Budget):

- Council supported fundraising events: Purchase of a City table for the Mayor and Council Members *and their spouses* for Council supported fundraising events (Humber Regional Hospital Gala, York Central Hospital Gala, York Region Police Chief's Dinner and Vaughan Health Care Foundation Gala and Chairman's Dinner for the Arts.

**9.23 Staff-Salary
and Benefits
Overage**

Eligible Expense (Council Member Budget):

- Salaries and Benefits for part-time assistance exceeding vacation coverage provided, if required.

**9.24 Stationery

Office
Supplies

Printing
Services**

Eligible Expense (Council Member Budget):

- Toners, labels, paper and supplies available from the City's vendor.
- General office supplies e.g., staples, pens, pencils, highlighters, post-it notes, writing pads, filing folders and miscellaneous supplies.
- Stationery including envelopes, letterheads, business cards, diaries.

Narrative:

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- Toner cartridges which exceed the normal allocation charged to **Council Corporate Budget** per calendar year, will be charged to **Council Member Budgets**.
- Charge for direct usage by Council Member's office including direct support staff, except toners as stated above.
- Council Members' staff are set up so that they can directly order supplies from the City's vendor on-line.
- Use of City of Vaughan logo must comply with the City's standard logo.

**9.25 Technology Suite (1)
Computer Hardware, Software and Accessories**

Eligible Expense (Council Member Budget):

Computer Hardware, Software and Accessories

- Other than scheduled replacement of corporate standard computer hardware, software and peripherals that have been approved by the Information Technology Management (ITM) department for Council Members and their staff.
- Includes any upgrades from corporate standard irrespective if scheduled or unscheduled replacement.

Wireless (Cell Phones, Blackberry, PDAs)

Wireless (Cell phones, Blackberries, PDAs)

- Unscheduled/scheduled replacement of cost of equipment such as blackberries, cell phones or other Personal Digital Assistants (PDAs), limited to only one unit each per Council Member and staff member. The Mayor as head of Council is permitted to have 2 phones.
- Wireless blackberry/cell phone monthly charges including System Access Fee, 911 fee (limited to one plan per person. The Mayor as head of Council is permitted to have 2 plans, but with separate service providers)
- Business-related text messaging costs.
- Business-related local or long-distance charges from any phone.
- Voice Roaming charges.
- Peripherals such as battery chargers, carrying cases, data (memory) stick etc.

Internet Services

Internet Services

- High-speed internet connection for Home Office (Council Member and staff).
- Installation costs.
- Modem rental fees.

Office Equipment

Office Equipment:

- Fax machine, shredder, audio-visual equipment, camera, video camera and small appliances for City business.
- Maintenance contracts for equipment.
- Carrying case for equipment.

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- Peripherals for equipment.

Telephone and Fax:

**Telephone
and Fax**

- Peripherals such as headsets, etc.
- Standard Home Office Telephone and Fax equipment as determined by ITM, and associated dedicated communication line.
- Home Office Monthly fees, including fees for specialty features such as call display, call waiting, messaging.
- Pay-per-use conference calling for City Hall Office or Home Office.
- Home Office *business-related* long-distance charges.
- Home Office 411 calls.

Ineligible Expense:

Computer Hardware, Software and Accessories

- Non-corporate standard hardware or software.
- Equipment that Council Members or their staff may have bought outside of the required ITM procurement process.

Wireless (Cell phones, Blackberries, PDAs)

- Personal long-distance calls
- Pay-per-use calls
- Personal messaging/downloads

Internet Services

- Fees for access to for-fee sites.

Office Equipment

- Equipment for Home Office other than one fax machine.

Telephone and Fax:

- Personal long-distance calls.
- Pay per use calls.
- Phones not supported by ITM

Narrative:

Computer Hardware, Software and Accessories

- Must follow the ITM procurement process through the ITM department.

Wireless (Cell phones, Blackberries, PDAs)

- Must buy wireless equipment and set up a plan through ITM department with corporate vendor and corporate contract. Limited to one phone and one plan per Council Member.
- Council Members who are not returning to office will be permitted to retain their cell phone numbers and reassign those to their personal cell phones.
- Council Members must reimburse the City for any *personal* long-distance calls

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from City Hall office or Home office and related roaming charges..

- Council Members **must provide only the front pages of the monthly bill itemizing the services and charges.** Back-up pages containing a detailed list of telephone calls are not required and will be shredded.
- The monthly cell phone bill **must be signed (and dated)** by the Council Member to verify that the charges have been reviewed and are correct.

Internet Services

- Council Members must arrange for internet set-up at the Home office with the ITM department. The connection must be primarily for City business usage.

Office Equipment:

- Must be for business purposes.

Telephone and Fax:

- Home Office telephone/fax line must be dedicated for City business only.
- Council Members must reimburse the City for any personal long-distance calls made from City Hall office or Home office monthly.
- Council Members **must submit the first few pages of the monthly bill identifying the services and itemized fees for each service.** Back-up pages containing detailed list of telephone calls are not required.
- Telephone equipment purchased must be supported by the *original itemized invoice* showing details of the equipment.
- Council Members must provide an *original work order* and *invoice* detailing any installation or connection work, the address of the work and charges.
- Additional phone or fax lines (other than what has been provided out of ITM budget) for the Council Member's office at City Hall must be arranged through the ITM office. Costs will be charged to Council Member Budget.

Form:

Form - Payment of Wireless Expenses

9.26 Technology Suite (2)

Wireless
(Cell
Phones,
Blackberries
, PDAs)

Eligible Expense (Council Corporate Budget): Wireless (Cell Phones, Blackberries, PDAs)

- Unscheduled/Scheduled replacement of cost of wireless data card (also called *wireless internet stick*) for use with a portable computer (one per Council Member- does not include Council Member staff).
- Monthly data charges, including data packages for Council Members *only and not for Council Member staff*.
- limited to one wireless plan per person.
- Data Roaming Charges.

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- Office Equipment**
- Office Equipment**
- Lease, rental, purchase, maintenance and repair costs of all shared equipment for example: photocopier machine, fax machine, reception area, kitchen appliances, furnishings, accessories etc.

- Computer Hardware, Software and Accessories**
- Eligible Expense (Information Technology Management Budget):**
Computer Hardware, Software and Accessories
- Scheduled replacement of corporate standard computer hardware, software and peripherals that have been approved by the Information Technology Management department.

- Internet Services Telephone and Fax**
- Internet Services**
- Internet access through the City's network at City Hall.
- Telephone/Fax:**
- City Hall office telephone/fax lines.
 - City Hall office monthly fees, including fees for specialty features such as call display, call waiting, messaging
 - City Hall business-related long-distance charges.
 - City Hall office basic telephone equipment.
 - City Hall office fax machine.
 - City Hall office 411 calls.

Note:
This section is to be read in conjunction with the above section.

- 9.27 Training (1)**
- Eligible Expense (Council Member Budget):**
- Specialized individual training and seminars for Council Members and support staff that meets specific business requirements.

- Ineligible Expense:**
- Training unrelated to City business.
 - Physical fitness, sports, arts programs.
 - Personal development programs for degrees or diplomas.

- Narrative:**
- To be reimbursed for training/seminar fees, Council Members and their staff must provide proof that they have completed the course or program, and an original fee receipt from the education body.
 - Council Member staff cannot claim overtime for training that takes place after office hours or on weekends.

If there is doubt about the eligibility of a training seminar/course, consult the Human

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Resources department on its appropriateness.

9.28 Training (2) Eligible (Council Corporate Budget)

- Group training and seminars for Council Members and Council support staff as approved by Council.

Provided from the City's centralized resources:

- Training and development programs from the City.

Narrative:

Training and seminars must meet City-related business requirements.

9.29 Transportation: Council Members (excluding the Mayor) have a choice between:-
(a) Monthly Allowance or (b) Mileage Claim.

(a) Monthly Allowance Method (no details required)

- The Allowance is conditional to a boundary of 80 kms one way from City Hall.

Eligible Expense (Council Member Budget):

- The Committee of the Whole approved a new mileage allowance of \$768 per month.
- Transportation (air, train, bus, car rental) or kilometrage (if driving) to get from City Hall to destination and return. If driving, total kilometers claimed must be reduced by 160 kms by Council Members on the Allowance method.
- Council members on the monthly Allowance may only claim business related taxi, car rental, bus, subway/train expenses if the destination city is more than 80 kms one way from City Hall. Within the boundary of 80 km one way from City Hall, these expenses cannot be claimed.
- Business-related parking fees

Narrative:

- Monthly Allowance is to cover all local business related travel expenses (subway, bus, taxi, car rental, train, mileage) within the boundary (within 80km one way from City Hall). No details of mileage are required by the City.
- The monthly Allowance once chosen, will be enforced to the end of the tax year.
- A Council Member's decision for the monthly Allowance must be in writing and sent to the Director of Human Resources.
- Without written notification, Council Members will be reimbursed on the Mileage Claim method.
- Allowances will show on the annual T4. Council Members must keep records of personal and business mileage for Income Tax purposes.
- Business-related Parking expenses must be supported with *original receipts* from

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parking operators indicating *date, time, and parking location*. Credit card receipts will not be accepted unless it has all the relevant details.

(b) Mileage Claim Method (Details Required)
Eligible Expense (Council Member Budget)

- Use of personal vehicles to travel for business purposes. Cannot claim travel expense (rides on cabs or other modes of transportation) between home and the normal work location. For Council Members, City Hall is considered their normal work location.
- Business related taxi, car rental (includes insurance coverage, gasoline costs), bus, subway/train expenses.
- Transportation (air, train, bus, car rental) or kilometrage (if driving) to get from City Hall to destination and return. If travel from home to destination to City Hall to home, claim total kilometers less distance from home to City Hall to home and any personal mileage. If travel from home to destination to home, claim total kilometers less distance from home to City Hall to home. I.E. for ALL mileage claims, claim total mileage less (distance from home to City Hall to home and any personal mileage).
- Business-related parking fees.
- Business Trips by Council Members or their staff.

Narrative:

- The rate of reimbursement per kilometrage will be at the same rate as applied to City employees.
- Council Members are accountable for the accuracy of the kilometrage claimed.
- The reimbursement is not a taxable benefit.
- Business-related Parking expenses must be supported with *original receipts* from parking operators indicating *date, time, and parking location*. Credit card receipts will not be accepted unless it has all the relevant details

Other information about kilometrage:

- Council Members and their staff must report the date, start of day odometer reading and end of day odometer reading, the number of personal kilometers travelled, and the business purpose of the trip according to established categories (e.g. business meeting, ward meeting, constituency meeting and special event).
- Detailed destination addresses are not required. Intersection information (e.g. Hwy 7 and Weston, etc) or building names (e.g. Pierre Berton Library, etc) are acceptable for security and privacy protection reasons.
- Council Members or their staff should submit claims for kilometrage and parking expense at least once a month.

Ineligible Expense for Allowance or Mileage Claim method.

1. Gasoline.

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2. Personal vehicle maintenance and repair costs.
3. Vehicle licensing fees.
4. Insurance costs.
5. Clean Air Certification costs.
6. Fines for parking, speeding, traffic violations.
7. Tow and impound fees.
8. Car-wash fees.
9. Charges for damage to rental vehicle.

Narrative Applies to Allowance or Mileage Claim:

Those on the Allowance method are bound by the 80 km one-way-from-City Hall rule.

Taxi

- Council Members must provide an original Taxi receipt with the date and the “to” and “from” destinations. Credit card receipts and statements will not be accepted. If a receipt is mislaid the required information must be provided in writing, be signed and dated.

Car Rental

- Compact cars should be rented at all times.
- Driver must be either the Council Member or their staff. City policies prohibit any third-party drivers where City funds are used to pay the rental fee.
- Collision damage coverage must be secured.
- Council Members must submit an invoice showing the date of rental, model of car, rental rate and any insurance purchased.

Bus, Subway, Go Train

Train, subway or bus receipts are required. If receipts are not available, a signed statement must be presented.

Mayor’s Lease Vehicle:

- The Mayor is provided with a lease vehicle and therefore does not qualify for a Monthly Allowance or Mileage Claim.
- Vehicle expenses for lease, repairs, insurance, license, maintenance, fuel, car wash/cleaning, highway tolls and business parking are charged to the Mayor’s budget. Original receipts/invoices are required. Credit Card receipts alone will not be accepted. Missing receipts require written explanation of the detail of the expense with signature and date.

Form:

- Kilometrage & Parking Expense Form for those claiming mileage including parking.

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9.30 Transportation
Highway Tolls

Eligible Expense (Council Member Budget):

- Highway tolls for business meetings.

Ineligible Expense:

- Highway tolls related to travel between home and normal work location as this is considered a personal expense by the Canada Revenue Agency. For Council Members, City Hall is their normal work location.
- Purchase of a transponder or service fees associated therewith.

Other information about tolls:

- Must identify business purpose use of the toll highway.
- Toll billing statement showing the vehicle plate number, must be presented, be signed (and dated) to verify the charges and support the claim.

9.31 Travel:
Conferences, Seminars
and Business
Trips

Eligible Expense (Council Member Budget):

- Conference registration
- Transportation (air, train, bus, car rental) or kilometrage (if driving) to get from City Hall to destination and return. If driving, the lesser of economy airfare or mileage will be reimbursed. Total kilometers claimed must be reduced by 160 kms and any personal mileage by Council Members on the Allowance method.
- Council members on the monthly Allowance may only claim these business related taxi, car rental, bus, subway/train expenses if the destination city is more than 80 kms one way from City Hall as the Allowance replaces claiming these expenses.
- Hotel (lowest rate category available on the basis of single room accommodation only at the government/lowest rate where available). Up charges for additional individuals are a personal responsibility.
- Business Faxes
- Business Computer and Internet Charges
- Business Hospitality expenses where an external party is hosted (Hospitality Policy applies).
- Trip cancellation insurance
- Laundry and dry cleaning expenses
- Business telephone calls
- Reasonable personal long distance telephone charges to family at home will be allowed in consideration of being out of town on City business.
- Parking
- Extra Medical Insurance- only when travelling outside of Canada.
- Visa expenses and Medical shots only if required and for travelling outside of Canada. If this is covered by the City's medical plan, then expenses may not be claimed.

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Per Diem to cover one or more meals per day. \$125 Maximum (January 1, 2010)

Travel:
Cont'd

- No receipts are required.
- To qualify, overnight stay is required and one must be personally responsible for at least one meal per day. If 3 meals per day are included/provided with the conference fee/seminar/business trip, then cannot claim a per diem allowance.
- Should a Council Member not participate in any of the 3 daily meals included/provided for particular reasons, this will not provide grounds to be eligible for the per diem. Original detailed receipts will then be required for reimbursement of meals consumed limited to **\$125 per day** (inclusive of tax and gratuities).
- The number of days claimed for the per diem calculation will be the **full or partial days** at the conference/seminar or business trip provided one is responsible for at least one meal per day i.e. all meals per day are not included/provided.
- **Travel the day before or the day after** the conference/seminar/business trip does not qualify for per diem allowance. Require detailed original receipts for meals.
- *Council Members who have a business meeting with an external party at a conference, seminar, business trip, will be reimbursed. Required are (1) original detailed receipts and credit card receipts (2) business purpose of the meeting (3) names of the participants. **Alcohol is a personal expense.** As this meal will be covered by the Council Member's budget, the eligibility for the day's per diem will be determined by the Council Member's responsibility for at least one of the other 2 meals.*
- In exceptional circumstances, reimbursement would be permitted for the total day's meal expenses which exceed the per diem rate. Original detailed receipts would be required to support the expenses with a written explanation of the circumstances.
- For travel outside of Canada, *per diem will be in U.S. dollars. No receipts are required.*

Ineligible Expense:

- Personal expenses :-for example upgrades for airfare or train (see Narrative), personal equipment, personal services, shoe shines, valet parking services, loss of personal effects, purchase of personal goods (luggage, clothing, souvenirs), personal tours, golfing, personal entertainment, spousal/companion expenses (registration, accommodation, meals, travel, golf, dinner dances, tours etc).
- Personal Sightseeing expenses
- Medical Insurance (when travelling within Canada)
- In Suite Services e.g. movies, bar services
- Alcoholic beverages (considered personal expense except in **council-approved** hospitality situations.)
- *Also see section 2.3 on ineligible expenses.*

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Narrative:

- Must be related to the business of City of Vaughan.
- Cash advances for hotel and per diem costs can be requested up to *two weeks* before the travel date.
- Reimbursement will be made for airfare, hotel reservations and conference registration fees that are paid in advance.
- Economy class for airfare or train. *Upgrades are a personal expense unless approved by Council or a medical note is provided explaining why the upgrade is required.*
- **Boarding** passes/tickets, to prove flight taken, will be required to be submitted after the trip.
- If a Council Member chooses to use his/her own vehicle as a mode of travel to the destination, reimbursement will be the *lesser* of economy airfare or mileage (less 160 kms and any personal mileage for those on the Allowance)..
- A Conference may be paid in advance only if the City receives an early-booking discount.
- Council Members can request the City to reimburse expenses for only a portion of the trip, if a City program, agency, board, commission or special-purpose body, or any organization which is an **Eligible body** (provincial, regional and local governments or political subdivisions of them, the Federal government or a foreign government within a foreign country, or a conference, seminar or event organizer) where the member is either speaking or attending in an official capacity, under the Code of Conduct, Gifts and Benefits section, or if the Council Member has an official or speaking role at the conference and the organizer is paying the remainder of the costs for the trip.
- Council Members must report to the *Integrity Commissioner* within 30 days from the first date of travel, all travel costs *funded by* an Eligible body under the Code of Conduct.

Travel:
Cont'd

Business Travel co-ordinated through the Economic Development department- (Economic Development Budget)

- Council approval is required for Council Members prior to the business trip.
- All eligible travel expenses will be funded through the Economic Development department's budget.

Other information about Out-of-Town Conferences, Seminars and Business Travel:

- Attendance at any Conferences, Seminars or Business Trips **outside Canada and the USA, shall be approved by special resolution of Council.**
- All travel costs **exceeding \$3800** (January 1, 2010) must be approved by Council.

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- A *Travel Notification Form* must be submitted to the City Clerk's Office at least 10 days before traveling.
- Travel reimbursement must include *any itinerary* confirming travel dates and airline booking.
- Reimbursement of conference registration fees must include a copy of the *conference brochure* confirming the cost and conference dates.
- The reimbursement of hotel costs must include an *original hotel invoice* itemizing room costs and other incidentals.
- Claims for travel, must be submitted to the City Clerk's Office within 30 days after returning from travel. **Original receipts must accompany all claims.**
- Foreign currency will be converted into Canadian currency, based on the exchange rate on the date when the expense was paid, unless a credit card statement is provided to show the actual Cdn dollars charged to their credit card for the expenses.
- No report is required on the outcome of a conference however for *business travel a comprehensive report is required.*
- Adherence to this Policy does not exempt a Council Member from being subject to a Code of Ethical Conduct investigation, nor does it preclude the Integrity Commissioner from receiving complaints against a Member or investigating complaints under the Code of Conduct Complaint Protocol.
- Where the Council Member has sought the opinion of the Integrity Commissioner before traveling, and if the Integrity Commissioner receives a complaint about the very matter on which the Commissioner has already provided an opinion, the Integrity Commissioner may investigate the complaint as (a) the Members may not have followed the recommendations in the opinion of the Integrity Commissioner or (b) some of the facts may have changed from the time the opinion was sought.

Forms:

- Form - Travel Notification Form
- Integrity Commissioner – Gifts and Benefits Information Statement

APPROVAL PROCESS

1. Council Members shall ensure that their attendance at Conferences, Seminars or Business Trips meets the following guidelines:
 - a) Attendance is relative to the work of the municipality and, will benefit Council Members in the performance of their duties or the Corporation at large.
 - b) Council services will not be unduly disrupted.
 - c) Funds have been identified in their current budgets.
2. All attendance at Conferences, Seminars or Business Trips must be approved by Council for the Mayor and Council Members *unless approved in the annual*

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budget.

3. Following approval, *substitutions* shall be approved by the City Manager.

CONFERENCES AND SEMINARS OUTSIDE THE GREATER TORONTO AREA

1. The maximum amount which may be expended by a Council Member, or a member of staff for attendance at a Conference or Seminar ***outside the Greater Toronto Area*** (but ***within Canada or USA***) without a special resolution from Council shall be **\$3,800** (Jan 1, 2010):
2. Conferences and Seminars outside the Greater Toronto Area are *authorized through the budgetary process.*
3. Conferences and Seminars outside the Greater Toronto Area but within Canada or the USA, shall be limited to two per year for Council.
4. Conferences and Seminars held by the Federation of Canadian Municipalities (FCM) and the Association of Municipalities of Ontario (AMO) shall be included in the limitation as outlined in 3 above.
5. Council Members who are members of the Executive of the FCM or AMO shall be exempted from the limitations as outlined in 3 above.
6. Any Council Member who wishes to attend a Conference or Seminar in excess of the limitation outlined in 3 above shall have such attendance approved by special resolution of Council.

CONFERENCE, SEMINARS, WITHIN THE GREATER TORONTO AREA

1. Conferences and Seminars *within the Greater Toronto Area* are *authorized through the budgetary process.*

An estimated amount of **\$2,950** per Council Member may be placed in the budget submissions to cover attendance at Conferences and Seminars **within the GTA.**

9.32 Websites

Provided from the City's centralized resource (ITM Budget)

- Council Members are provided with a standard page on the City's internet site at www.Vaughan.ca for the purposes of publishing contact information and professional profile information. Any changes are to be requested through the ITM department.

Ineligible Expense:

- Any fees relating to a Council Member's external websites.

Narrative:

- The personal website of each Council Member hosted *outside* of the City's

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- internet URL address is entirely the responsibility of the Council Member.
- City staff cannot provide any advice related to these external sites, including wording for disclaimers.
- The City recommends that Council Members choose a web-hosting company operating *from Canada* to reduce the risk of breaching the privacy of constituents under the United States Patriots Act requirements.
- The Council Members' standard City internet page cannot advocate for a political party, or candidates in any election campaign.

Council Members **may not** publish links to their personal web sites from their City's website page site.

10.0 ELECTION YEAR EXPENSES (Effective January 1 of the election year)

10.1 Use of Corporate Resources during an Election Year

- The following guidelines apply to an acclaimed Council Member or a Council Member not seeking re-election, as well as all Council Members who seek re-election.
- Under the Municipal Elections Act, the **City of Vaughan cannot provide subsidy to any candidates in a municipal election campaign.**
- Corporate Resources is defined as any City Resources, including the Council Member's office budget, City facilities, City staff and City programs and services.
- An election year begins on January 1 and ends on the end of the term of Council, November 30th.
 - Council Members will not be allowed to use the office expense budget for advertising, newsletters, and community expenses (Council Member hosted events, tickets to events and functions, gifts and promotion (including flowers, awards)) **after June 30th** in an election year.
- Nothing in this policy shall preclude a Council Member from performing his/her job as a Council Member, nor inhibit him/her from representing the interests of the constituents who elected them.

10.2 Policies Applicable During Entire Election Year

- Corporate resources (any City resources, including the Council Member's office budget, City facilities, City staff and City programs and services) and funding may not be used for any election-related purposes. ***I.E., Council Members cannot be***

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subsidized with Corporate resources for election-related purposes.

- Staff may not canvass or actively work in support of a municipal, provincial or federal candidate or party during normal working hours unless they are on a leave of absence without pay, lieu time, float day or vacation leave.
- The Office Budget for Council Members for the period January 1 to November 30th in a municipal election year be restricted to 11/12ths of the approved Office Budget with the provision that subsequent to Election Day:
 - New Council Members be allocated a budget equal to 1/12th of the approved budget amount for the month of December; and
 - Re-elected Council Members have available to them the balance of funds remaining as of Election Day
- Council Members may not deliver any unsolicited material outside their existing ward where printing and/or distribution costs are paid by the City. Care should be taken to ensure that the mailing of newsletters be restricted to the member's ward only (with accommodation made for the normal spillage associated with Canada Post postal walks.) This policy is to be effective not only during an election year but at all times.
- Council Members may not:
 - Print or distribute any material paid by City funds that illustrates that a Council Member or any other individual is registered in any election or where they will be running for office;
 - Profile (name or photograph) or make reference to, in any materials paid by City funds, any individual who is registered as a candidate in any election;
 - Print or distribute any material using City funds that makes reference to, or contains the names or photographs of, or identifies registered candidates for municipal elections; and that Minutes of City Council and Committee meetings be exempt from this policy.
- Council Members are responsible to ensure that the content of any communication material, including printed material such as newsletters, advertising etc., funded by the city for the operation of each Council Member's Office, is not directly election-related.
- Web sites or domain names that are funded by the City of Vaughan may not include any election-related campaign material.
- The City is to be reimbursed for all election-related calls from cell phones, blackberries and PDA's which are funded by the City.
- No Council Member shall undertake campaign-related activities on municipal

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property during regular working hours.

- Council Members may not use the City's voice mail system to record election related messages.
- Council Members may not use the services of any staff in the City of Vaughan to assist in any communication activity related to the preparation or distribution of campaign related materials or events.
- No photographic or video materials may be created by City staff for use in any campaign materials.
- The City of Vaughan logo will not be used in any campaign related materials.

10.3 Discontinued Activities During an Election Year

The following activities are discontinued for Council Members after **June 30th** of an election year unless so directed and approved by Council:

- The ordering of stationery *with any reference to the name of the Council Member.*
- The ordering or movement of office furniture and furnishings, *except in the case of operational necessity where to do otherwise would prevent the Council Member from carrying out the duties of his/her office.*
- Distribution of media releases by or on behalf of individual Council Members including through the use of City of Vaughan media relations or departmental communications networks.
- *Any form of advertising by a Council Member.*
- No advertising paid for by the City of Vaughan shall contain the name of a Council Member or the Mayor, *unless required in order that they may carry out their duties as an elected official e.g. partnerships with other levels of government. Names of Members of Council are permitted in these events.*
- *City-paid-advertising refers to situations where the City purchases advertising in various media outlets. In these instances, reference can be made to the Mayor and Members of Council as a group but **not individually by name**. Corporate news releases and media advisories are not considered City-paid-advertising.*
- Printing and/or general distribution of *electronic or printed* newsletters.
- *Printing and distribution of mailings except with respect to a matter then under*

Council Approval: 2010/03/09
Report No/Item: 9/26
Cross Reference: Policy No. 01.37

Amended: 2011/18/11
Report No/Item: 17/6

Policy No:	CL – 012
Department:	COUNCIL
Subject:	COUNCIL MEMBER EXPENSE POLICY

consideration or about to be considered at a public meeting or by a Committee of Council, or Council, pertaining to an existing issue in the community, and then only to the persons in the immediate vicinity of the particular location in question. No such mailings may be made where the Council Member is aware that City officials have or will be distributing a communication to the same effect.

- Community expenses, including Council Member hosted events, tickets or any contribution to events and functions, and gifts and promotions (*including flowers ,awards or any other gift/promotion*).

Council Approval: 2010/03/09
Report No/Item: 9/26
Cross Reference: Policy No. 01.37

Amended: 2011/18/11
Report No/Item: 17/6

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 316-2007

A By-law to amend the Council Remuneration By-law 251-2005.

Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. By-law 251-2005 is hereby amended as follows:
 - (i) By deleting paragraphs 1 and 2 and substituting the following therefor:
 1. That the annual remuneration of the Mayor be fixed as follows: effective January 1, 2007, \$109,117.00; effective January 1, 2008, \$112,391.00; effective January 1, 2009, \$115,763.00.
 2. That the annual remuneration of all other Members of Council be fixed as follows: effective January 1, 2007, \$68,071.00; effective January 1, 2008, \$70,113.00; effective January 1, 2009, \$72,216.00.

READ a FIRST, SECOND and THIRD time and finally passed this 12th day of November, 2007.

Linda D. Jackson, Mayor

J. D. Leach, City Clerk

**CITY OF VAUGHAN
POLICY MANUAL**

Policy No:	CL – 011
Department:	COUNCIL
Subject:	CODE OF ETHICAL CONDUCT FOR MEMBERS OF COUNCIL

CODE OF ETHICAL CONDUCT FOR MEMBERS OF COUNCIL**CITY OF VAUGHAN**

Council Approval:	2009/21/09	Amended:	2011/06/28
Minute No.	181	Report No/Item:	35/2
Cross Reference:	Policy No. 01.35		

**CODE OF ETHICAL CONDUCT FOR MEMBERS OF COUNCIL
CITY OF VAUGHAN
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Introduction

Democracy is an active process – one that requires ongoing engagement between citizens and their elected officials. Ethics and integrity are at the core of public confidence in government and in the political process.

There has been a general trend at the municipal level of government in Ontario, to develop rules around ethical conduct for elected officials so that they may carry out their duties with impartiality and equality of service to all, recognizing that as leaders of the community, they are held to a higher standard of behavior and conduct.

It is the purpose of this *Code of Ethical Conduct* to establish rules that guide Members of Council in performing their diverse roles in representing their constituents and recognize Members' accountability for managing City resources allocated to them.

Preamble

Whereas the City of Vaughan first instituted a Code of Conduct for Members of Council in 1996;

And Whereas elected officials of the City of Vaughan have and recognize their obligation to not only obey the law, but to go beyond the minimum standards of behaviour and act in a manner that is of the highest ethical ideals so that their conduct will bear the closest public scrutiny;

And whereas the private interest of elected officials of the City of Vaughan must not provide the potential for, or the appearance of, an opportunity for benefit, wrongdoing, or unethical conduct;

And Whereas this Code of Ethical Conduct stems from the principles of the pre-existing Code of Conduct that has been in place since 1996 based on the belief by the Council of the City of Vaughan that not just employees but also elected officials should have a document against which to measure their conducts that they may be held to account;

The Council of the City of Vaughan will adopt certain rules that further underscore a Councillor's belief in his/her responsibility as a public trustee;

Commentary

The operation of democratic municipal government requires that elected officials be independent, impartial and duly responsible to the people. To this end, it is imperative that:

- The City of Vaughan decisions and policy be made through the proper processes of municipal government structure.
- Public office not be used for personal gain.
- The public have confidence in the integrity of its municipal government.

A written Code of Ethical Conduct protects the public interest and helps to ensure that the Members of Council share a common basis for acceptable conduct. These standards are designed to provide a reference guide and a supplement to the legislative parameters within which the members must operate.

The public is entitled to expect the highest standards of conduct from the members that it elects to local government. In turn, adherence to these standards will protect and enhance the City of

Vaughan's reputation and integrity.

Framework and Interpretation

1. This *Code of Ethical Conduct* applies to the Mayor and all Members of Council. It is to be given broad, liberal interpretation in accordance with applicable legislation and the definitions set out herein. Commentary and examples used in this *Code of Ethical Conduct* are meant to be illustrative and not exhaustive. From time to time additional commentary and examples may be added to this document by the Integrity Commissioner, as she or he deems appropriate.
2. As long as all the facts known to the member are disclosed to the Integrity Commissioner and there is no change to these facts, then the member may rely on any written advice provided by the Integrity Commissioner.
3. Members of Council, Members of the public or City staff seeking clarification of any part of this *Code* should consult with the Integrity Commissioner.

Commentary

This *Code of Ethical Conduct* does not prohibit the activities in which Members of Council normally engage on behalf of constituents in accordance with applicable laws.

The Municipal Act is the primary source of regulation for municipalities and provides the basis for good governance within municipal government. There are other important documents that regulate the behavior and conduct of Members. Clear and consistent written rules provide elected officials with confirmation that their actions adhere to the highest ideals of integrity during their term of office. This *Code of Ethical Conduct* operates together with and as a supplement to the following existing statutes, documents and policies governing the conduct of Members.

Legislation:

- The Municipal Act, 2001. S.O. Chapter 25 and amendments;
- The Municipal Conflict of Interest Act;
- The Municipal Elections Act, 1996; and
- The Municipal Freedom of Information and Protection of Privacy Act.
- The Criminal Code of Canada also governs the conduct of Members of Council.

Definitions:

In the *Code of Ethical Conduct*:

1. the terms "child", "parent" and "spouse" have the same meanings as in the *Municipal Conflict of Interest Act*;
2. "child" means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family;
3. "member" means a member of Vaughan City Council;

4. "parent" means a person who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that person is the natural parent of the child;
5. "spouse" means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage;
6. "family member" means
 - spouse, common-law partner, or any person with whom the person is living as a spouse outside of marriage
 - parent, including step-parent and legal guardian
 - child, including step-child and grandchild
 - siblings and children of siblings
 - aunt/uncle, niece/nephew, first cousins
 - in-laws, including mother/father, sister/brother, daughter/son
 - any person who lives with the Member on a permanent basis
7. "staff" includes Commissioners, Directors, Managers, Supervisors, Clerical and Technical Unionized employees, Hourly Unionized staff, Part-time Unionized staff, Temporary/Seasonal staff, Contract staff, students and Volunteers.

Implementation:

This Code shall replace Policy Number 01.06 CNL: 96.03.25 and shall come into force on the 2nd day of November 2009

Rule No. 1

Key Principles: The key principles that underline the rules in this *Code of Ethical Conduct* are as follows:

- a) **Members of Council shall serve and be seen to serve their constituents in a conscientious and diligent manner.**

Commentary

This underscores that Members' carry out their official City activities in a way that will foster and enhance respect for government and above all, demonstrate respect for members of the public.

- b) **Members of Council should be committed to performing their functions with integrity and transparency.**

**Amended, Council, June 28, 2011, Rpt 35, Item 2:*

Responding to Inquiries from the Public

Vaughan City Council is committed to overseeing the provision of responsive and accessible services including dealing with reasonable inquiries and requests for information in a timely manner. On occasion, an individual citizen may not be accepting of the response and may restate the inquiry in various ways, or may be rude or harassing in their delivery of the inquiry. There is a need to balance access to information against the need to protect the legitimate interests of the City; the need to respect approved policies and procedures of the City within civil and respectful discourse; and the need to respect the role of officers and employees of the municipality.

Members of Council who receive requests for information or inquiries from members of the public, City staff or other Members of Council may be guided by Protocol 03.26 "Response by City Staff to Requests for Information from the Public". In addition, complaints regarding staff may be forwarded to the appropriate City Commissioner or the City Manager.

This Code does not require Members of Council to provide a response to an inquiry or request for information that is frivolous or vexatious, unreasonable or harassing.

For example:

- the Member of Council is of the opinion on reasonable grounds that the inquiry is made for a purpose other than to obtain information;
- the inquiry has been made more than once and is being used for the purpose of revisiting an issue that has been previously addressed;
- the inquiry is articulated in such a way that it can be considered harassing or abusive;
- the Member is of the opinion, on reasonable grounds, that providing a response would interfere with the operations of the City;
- the inquiry is not an inquiry but rather a complaint.

Communication labelled "Private" and/or "Confidential" may be shared or disclosed as necessary or appropriate, taking into consideration the following:

- information may be disclosed to appropriate staff in order to respond to the issue or concern being communicated;

- information will not be treated as confidential where the communication was shared by the requestor or not made in a confidential manner (copied to others, or made in the presence of others);
 - if the information is needed by an officer, employee, consultant or agent of the City who needs the information in the performance of her or his duties and if the information is necessary and proper in the discharge of the City's functions.
-

Commentary

As public officials, Members of Council recognize the public's right to reasonable access to information in relation to how decisions are made. This right of access includes the right of the public to receive complete and understandable information which must be balanced against the requirement to protect the legitimate interests of the City and the respect for approved policies of the City.

- c) **Members of Council shall avoid the improper use of the influence of their office, and conflicts of interest, both apparent and real. Members of Council shall not extend, in their discharge of their official duties, preferential treatment to family members, organizations or groups in which they or their family member have a pecuniary interest.**

Commentary

As a result, Members of Council will have a common understanding that they will not participate in activities that grant, or appear to grant, any special consideration, treatment, or advantage to an individual which is not available to every other individual;

Members of Council recognize that their actions are governed by the *Municipal Conflict of Interest Act* (MCI), and that, by virtue of the provisions of that statute, the Integrity Commissioner of the City of Vaughan has no authority to receive or investigate complaints regarding alleged contraventions under the MCI.

- d) **Members of Council shall avoid any interest in any contract made by him/her in his/her official capacity and shall not contract with the City or any agency thereof for the sale and purchase of supplies, material or equipment or for the rental thereof.**

e) **Members of Council shall not engage in the management of a business carried on by a corporation nor profit directly or indirectly from a business, including but not limited to a corporation, that does business or has contracted with the City of Vaughan, or hold an office or directorship, unless holding the office or directorship is in a social club, religious organization, other charitable organization or corporations with shares directly or indirectly held by the municipality.**

f) **Approved exceptions**

A Member of Council may engage in an activity prohibited by clause 1(e) if the following conditions are met:

1. The Member has disclosed all material facts to the Integrity Commissioner.

2. The Integrity Commissioner is satisfied that the activity, as carried on in the specified manner, did not create a conflict between the Member's private interest and public duty.

3. The Integrity Commissioner has given the Member his or her approval and has specified the manner in which the Member of Council may remedy the situation.

4. The Member remedies the situation in the manner specified by the Integrity Commissioner

Commentary

Members of Council must adhere to the City's purchasing policies and pay careful attention to the Councillors' expense policies. Examples of exceptions include, hospital boards and other not-for-profit organizations and charities.

g) **Members of Council shall perform official duties and arrange their public affairs in a manner that promotes public confidence and respect and will bear close public scrutiny; and**

Commentary

Members of Council shall not participate in activities that grant, or appear to grant, any special consideration, treatment, or advantage to an individual which is not available to every other individual member of the public.

h) **Members of Council shall seek to serve the public interest by upholding both the letter and the spirit of the laws and policies established by the Federal Parliament, Ontario Legislature, and the City Council.**

Commentary

A number of the provisions of this *Code* incorporate policies, procedures and provisions adopted by Council and contained in various statutes. The provisions of this *Code* are intended to be applied in concert with existing legislation and go beyond the minimum standards of behaviour.

- i) Members of Council shall fulfill their roles as set out in the Municipal Act and respect the role of staff in the administration of the business affairs of the City.**

Commentary

Members of Council recognize that the decision-making authority for the municipality lies with Council, not an individual Councillor and that it is the role of the officers and employees of the municipality to implement council's decisions and establish administrative practices and procedures to carry out council's decisions. Members of Council recognize and respect the role of City staff and affirm that only Council as a whole has the capacity to direct staff members. Council as a whole must be able to access information, on a need to know basis, in order to fulfill its decision-making duties and oversight responsibilities [...]. Individual Members also recognize that the information that they receive as members of the decision-making body of Council is subject to the confidentiality and disclosure rules of Provincial and Federal statutes and City of Vaughan bylaws. (See Rule No. 3 on Confidential Information and Rule No. 16 on Conduct Respecting Staff).

Rule No. 2

Gifts and Benefits:

1. No member shall accept a fee, advance, gift, loan, or personal benefit that is connected directly or indirectly with the performance of his or her duties of Office, except as specifically contemplated.

For these purposes, a fee or advance paid to or a gift or benefit provided with the member's knowledge to a member's spouse, child, or parent, or to a member's staff that is connected directly or indirectly to the performance of the member's duties is deemed to be a gift to that member. The following are recognized as exceptions:

- (a) compensation authorized by law;
- (b) such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
- (c) a political contribution otherwise reported by law;
- (d) services provided without compensation by persons volunteering their time to a Member;
- (e) a suitable memento of a function honoring the Member (i.e. a trinket or favour of relatively little monetary value such as pen, notepad, t-shirts);
- (f) food, lodging, transportation and entertainment provided by provincial, regional and local governments or political subdivisions of them, by the Federal government or by a foreign government within a foreign country or by a conference, seminar or event organizer where the Member is either speaking or attending in an official capacity at an official event;
(for greater certainty of item f, where Council has authorized or endorsed an initiative or event, this would be considered an official event.)
- (g) food and beverages consumed at banquets, receptions or similar events, for charitable, not for profit and community purposes, if:
 1. attendance serves a legitimate public duty purpose; and
 2. the value is reasonable and the invitations infrequent; and
- (h) business meals;
- (i) communication to the offices of a Member, including subscriptions to newspapers and periodicals related to the duties of Office.
- (j) Sponsorships and donations for community events or initiatives organized or run by a member or a third party on behalf of a Member where Council has authorized or endorsed the event or initiative.
(for greater certainty of item j, for Member-organized community events or initiatives, Members should be transparent in their dealings with the public and should not handle any funds on behalf of any organizations and should remain at arms length from the financial aspects of these events and initiatives.)

Rule #2 Part 1(j) does not affect the entitlement of a Member of Council to:

- i. *Use her or his office expense budget to run or support community events subject to the terms of the Councillor Expense Policy;*
- ii. *Urge constituents, businesses and other groups to support community events put on by others in the Member's Ward or elsewhere in the City;*
- iii. *Play an advisory or membership role in any organization that holds community events in the Member's Ward; and*
- iv. *Collaborate with the City of Vaughan and its agencies to hold community events.*

Members are strongly encouraged to list all gifts and benefits they receive.

However, in the case of categories (b), (e), (f), (g) (h), and (i) where the value of the gift or benefit exceeds \$500, or if the total value received from any one source during the course of a calendar year exceeds \$500, the member shall within 30 days of receipt of the gift or reaching the annual limit, list the gift or benefit on a Councillor information statement, the form of which will be prescribed by the Integrity Commissioner.

The Integrity Commissioner shall, without notice, examine from time to time the Councillor information statement to ascertain whether the receipt of a gift or benefit might, in her or his opinion, create a conflict between a private interest and the public duty of the Member.

In the event that the Integrity Commissioner makes the preliminary determination, he or she shall call upon the Member to justify receipt of the gift or benefit. Should the Integrity Commissioner determine that receipt was inappropriate, he or she may direct the member to return the gift, reimburse the donor for the value of any gift or benefit already consumed, or forfeit the gift or remit the value of any gift or benefit already consumed to the City or City agency, board or commission.

Each Member shall file a copy of their Councillor information statement with the office of the City Clerk on a quarterly basis (the first quarter being April 30th of the calendar year) and the statements shall be a matter of public record.

Commentary:

Gifts and benefits are often received by Members in the course of their duties, and attendance at public functions is expected and considered part of their role. The object of this rule is to provide transparency around the receipt of incidental gifts and benefits, where the total value may be perceived as potentially influencing decision making.

Personal integrity and sound business practices require that relationships with vendors, contractors, or others doing business with the City, be such that no Member of Council is perceived as showing favoritism or bias toward the vendor, contractor or other. Each Member of Council is accountable to the public and should keep a list of all gifts received from individuals, firms or associations (with estimated values) in their constituency offices for review by Integrity Commissioner, as he/she deems appropriate. However, those gifts or benefits that exceed \$500 or the annual limit of \$500 for one source, shall be kept on a form prescribed by the Integrity Commissioner and filed with the office of the City Clerk on a quarterly basis.

Gifts that are subject to listing on the Member of Council information statement can be many types of things, and may include:

- property (i.e. a book, flowers, a gift basket, a painting or sculpture, furniture, wine);

- use of property or facilities (i.e. a vehicle, an office, a cottage) at a reduced rate or at no cost;
- membership in a club or other organization (i.e. a golf club) at a reduced rate or at no cost;
- an invitation to and/or tickets to attend an event (i.e. an athletic commercial event, concert, a play) at a reduced rate or at no cost;
- an invitation to attend a gala or fund-raising event at a reduced rate or at no cost.

An invitation to attend a function where the invitation is connected directly or indirectly with the performance of the Member's duties of Office (i.e. for which the public office holder has a ceremonial, presentational or representational official role) is not considered to be a gift. Attendance is considered to be the fulfillment of an official function or duty.

There are a range of expenses that support a Councillors' role in community development and engagement activities in their ward.

For MPPs, these expenses are generally paid for by caucus funds. This is not the case for municipal Members of Council. The section of the Councillor Expense Policy that deals with Community Expense-Events will indicate allowable expenses for reimbursement and provide for Members of Council to include certain community expenses related to a Member's role in community development as allowable expenditures from their office expense budget. However, gaming tickets during charitable functions, such as raffle tickets, table prize tickets, etc. should not be eligible for reimbursement

- 2. Expenses incurred by Members of Council working during normal meal periods serve a legitimate public duty purpose, provided that the expenses incurred are reasonable and appropriate in the circumstances. Reasonable and appropriate expenses are those that:**
 - a. Are incurred for an official duty or function;**
 - b. Are modest, representing a prudent use of public funds;**
 - c. Do not involve alcoholic beverages**

In general, working meals are to be provided in-house.

Commentary

Rule #2 must be considered with and balanced against the principle contained expense policies in all Ontario municipalities, which is that Members are entitled to be reimbursed for expenses that are legitimately and appropriately incurred for an official duty or function and which are reasonable and prudent expenses and use of public funds in the circumstances. In making a determination of what constitutes a modest and prudent use of public funds, Members should consider the dollar amounts set in the City of Vaughan Policy Manual I Section: Administration Policy No.: 03.031, as amended.

Given the heavy demands on Members' schedules in the performance of their duties and functions, there are legitimate circumstances that require business meetings over a meal period and result in the Member working through his or her normal meal periods.

"Official duties" or "functions" has the following meaning:

For Members of Council, it includes those activities that are reasonably related to a Member's office, taking into consideration the different interest, the diverse profiles of their wards and their different roles on Committees, agencies, boards and commissions.

For persons employed in the office of Members, it includes those activities and responsibilities that flow from acting on direction from or taking action on behalf of a member.

As representatives of the municipal government, Members will be expected or required to extend hospitality to external parties as part of their official duties and functions. This Code recognizes that through adherence to the current and proposed rules of the City's Councillor Expense Policy, it is legitimate for Members to incur hospitality expenses for meetings, examples of which include:

- a. Engaging representatives of other levels of government, international delegations or visitors, the broader public sector, business contacts and other third parties in discussions on official matters;
- b. Providing persons from national, international and charitable organizations with an understanding and appreciation of the City of Vaughan or the workings of its municipal government;
- c. Honouring persons from Vaughan in recognition of exceptional public service.

This Code recognizes that the current and proposed City of Vaughan Councillor Expense Policy, holds legitimate that Members of Council will be reimbursed or have their office budgets charged for expenses that are incurred while extending hospitality to an external party, including hospitality that takes place in the course of travelling on a duty or function or a Member of Council provided the expenses are reasonable and appropriate in the circumstances.

Reasonable and appropriate expenses are expenses that strike a balance between economy (the expenses represent a prudent use of public funds) and proportionality (the expenses represent what is customary for such functions).

Wherever possible, Members of Council should utilize City-owned facilities and resources that are appropriate to the function.

- 3. This Code recognizes that as community leaders, Members of Council may lend their support to and encourage, community donations to registered charitable and Not for profit groups. Monies raised through fundraising efforts shall go directly to the groups or volunteers and chapters acting as local organizers of the group. This Code recognizes the important work of Members of Council in supporting charitable causes and the need for transparency in Members' involvement.**

This Code sets the following guiding principles for Members of Council:

- (a) Members of Council should not directly or indirectly manage or control any monies received relating to charitable organization's fundraising.
- (b) A Member of Council or a third party acting on behalf of the Member shall neither solicit nor accept support in any form from an individual, group or corporation with any pending planning, conversion, or demolition variance application before Vaughan City Council.

- (c) With reference to Member- Organized Community Events, Members of Council must report to the Integrity Commissioner, the names of all donors and the value of their donation that supplement the event.
- (d) Where a Member of Council sponsors and/or lends support to a charitable organization's event, this Code recognizes that all donations are subject to the Code of Ethical Conduct.
- (e) No donation cheques should be made out to a Member of Council.

Nothing included herein affects the entitlement of a Member of Council to:

- i. Use her or his office expense budget to run or support community events subject to the terms of the Councillor Expense Policy section relating to Community Expense Events;
 - ii. urge constituents, businesses and other groups to support community events and advance the needs of a charitable organization put on by others in the Member's Ward or elsewhere in the City;
 - iii. play an advisory or membership role in any organization that holds community events in the Member's Ward; and
 - iv. collaborate with the City of Vaughan and its agencies to hold community events.
- (f) Members of Council should not handle any funds on behalf of any charitable organization or Community group and should remain at arms length from the financial aspects of these community and external events.

Rule No. 3

Confidential Information:

1. No Member shall disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except when required by law or authorized by Council to do so.
2. No Member shall use confidential information for personal or private gain, or for the gain of relatives or any person or corporation.
3. No Member shall directly or indirectly benefit, or aid others to benefit, from knowledge respecting bidding on the sale of City property or assets.
4. No Member shall disclose the content of any such matter, or the substance of deliberations, of the in-camera meeting until the Council or committee discusses the information at a meeting that is open to the public or releases the information to the public.
5. No Member shall permit any persons other than those who are entitled thereto to have access to information that is confidential.
6. No Member shall access or attempt to gain access to confidential information in the custody of the City unless it is necessary for the performance of their duties and not prohibited by Council policy.

Commentary:

Confidential information includes information in the possession of the City that the City is either prohibited from disclosing, or is required to refuse to disclose, such as under Access and Privacy legislation. Such legislation imposes mandatory or discretionary restrictions on disclosure of information received in confidence from third parties of a corporate, commercial, scientific or technical nature, personal information about an individual disclosure of which would constitute an unjustified invasion of privacy, and information that is subject to solicitor-client privilege. Where it is clear that a communication was not made in a confidential manner (ie. copied to others, or made in the presence of others) or the manner of communication undermines the validity of labeling it 'confidential', such communication will not be given any higher level of confidentiality than any other communication. The words 'privileged', 'confidential', or 'private' will not be understood to preclude the appropriate sharing of the communication for the limited purpose of reviewing, responding or looking into the subject-matter of the communication.

For the purposes of the *Code of Ethical Conduct*, "confidential information" may also include information that concerns personnel, labour relations, litigation, property acquisitions, the security of the property of the City or a local board, and matters authorized in other legislation, to remain confidential.

Under the Procedural By-law, a matter that has been legitimately discussed at an in-camera (closed) meeting remains confidential, until such time as a condition renders the matter public.

Requests for information should be referred to appropriate staff to be addressed as either an informal request for access to municipal records or as a formal request under the Municipal

Freedom of Information and Protection of Privacy Act.

Particular care should be exercised in ensuring confidentiality of the following types of information:

- the security of the property of the municipality or local board;
- personal information about an identifiable individual, including municipal or local body employees;
- a proposed or pending acquisition or disposition of land by the municipality or local board;
- labour relations or employee negotiations and personnel matters.
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;
- items under contract negotiation
- price schedules in contract tender or Request For Proposal submissions
- statistical data required by law not to be released (e.g. certain census or assessment data)

Rule No. 4

Use of City Property, Services and Other Resources

No Member shall use for personal purposes any City property, equipment, services, supplies or services of consequence (for example, agency, board, commission, or City-owned materials, websites, board and City transportation delivery services, and any Members expense budgets) other than for purposes connected with the discharge of City duties, which may include activities within the Member's office of which City Council has been advised.

No Member shall obtain financial gain from the use of City developed intellectual property, computer programs, technological innovations or other patentable items, while an elected official or thereafter. All such property remains the exclusive property of the City of Vaughan.

No Member shall use information gained in the execution of his or her duties that is not available to the general public for any purposes other than his or her official duties.

Commentary:

Members, by virtue of their position, have access to a wide variety of property, equipment, services and supplies to assist them in the conduct of their City duties as public officials. This privilege should not be seen to be abused. In recognizing that members are held to a higher standard of behavior and conduct, members should not use such property for any purpose other than for carrying out their official duties. Careful attention should be given to the provisions of the City's Councillor expense policy which identifies approved allowable expenses.

During election campaigns, refer to Rule No. 5 and 7.

Rule No. 5

Election Campaign Work:

- 1. Members are required to follow the provisions of the *Municipal Elections Act, 1996*.**

Commentary

Although the Integrity Commissioner of the City of Vaughan does not have jurisdiction to receive or investigate complaints regarding alleged contraventions of the *Municipal Elections Act*, (MEA) the Integrity Commissioner shall forward any information regarding a potential breach of the MEA by a Member of Council, directly to City Clerk.

- 2. No member shall use the facilities, equipment, supplies, services or other resources of the City for any election campaign or campaign-related activities.**
- 3. No member shall use the services of persons for campaign related activities during hours in which those persons receive any compensation from the City.**

Commentary

Paragraph 2 of Policy 01.32 provides as follows: "Given that the Municipal Elections Act prohibits the use of corporate resources for election-related purposes, in a municipal election year, commencing on June 30th until the date of the election, Members of Council may not book directly, or indirectly, any City facility for any purpose that might be perceived as an election campaign purpose."

Rule No. 6

Business Relations

- 1. No Member shall borrow money from any person who regularly does business with the City unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.**
- 2. No Member shall act as a paid agent before Council or a committee of Council or any agency, board, or committee of the City.**
- 3. No Member shall refer a third party to a person, partnership, or corporation in exchange for payment or other personal benefit.**

Commentary

Members of Council are mindful to avoid any activity that may give rise to consideration of personal gain as a result of holding public office.

Rule No. 7

Improper Use of Influence:

- 1. No Member of Council shall use the influence of her or his office for any purpose other than for the exercise of her or his official duties.**

Commentary

Pursuant to corporate policy, the City Manager directs City Commissioners, who in turn, direct City staff. City Council and not individual Members of Council appropriately give direction to the City administration.

Rule No. 8

Conduct At Council

- 1. Members shall conduct themselves at Council with decorum. Respect for deputants and for fellow members and staff requires that all members show courtesy and not distract from the business of the Council during presentations and when other members have the floor.**

Commentary

A Member of Council recognizes the importance of cooperation and strives to create an atmosphere during Council and Committee meetings that is conducive to solving the issues before Council, listening to various point of view and using respectful language and behavior in relation to all those in attendance.

Rule No. 9

Transparency & Openness in Decision Making and Member's Duties

- 1. Members shall endeavour to conduct and convey Council business and all their duties in an open and transparent manner other than for those decisions which by virtue of legislation are authorized to be dealt with in a confidential manner in closed session, so that stakeholders can view the process and rationale which was used to reach decisions, and the reasons for taking certain actions.**

Commentary

Various statutes, City by-laws, policies and procedures, as well as, decisions of courts and quasi-judicial tribunals form the basis of decisions made by City Council. Unless prohibited by legislation of by-law, Members of Council should clearly identify to the public how a decision was reached and upon which law, procedure and policy their decision was based.

Rule No. 10

Media Communications

- 1. Members of Council will accurately communicate the decisions of Vaughan's Council, even if they disagree with a majority decision of Council so that there is respect for and integrity in the decision making processes of Council.**

Commentary

A Member of Council may state that he or she did not support a decision, or voted against the decision. A member should refrain from making disparaging comments about Members of Council and Council's processes and decisions.

Rule No. 11

Representing the City

- 1. Members shall make every effort to participate diligently in the activities of the Committees, agencies, boards, commissions and advisory committees to which they are appointed.**

Commentary

Individual Members of Council are appointed to committees, agencies, boards and commissions based on their various backgrounds and ability to contribute diligently to matters before them bringing their expertise and experience.

Given that Council and Committee meetings are scheduled far in advance to accommodate the many activities of elected office of a Member of Council, to participate diligently means that a Member shall not be absent from Council, agencies, boards and commissions meetings without reasonable justification (i.e. illness of member, family circumstance,) for more than three consecutive scheduled meetings or on a regular basis.

Rule No. 12

Conduct Respecting Current and Prospective Employment:

1. No Member shall allow the prospect of his or her future employment by a person or entity to detrimentally affect the performance of his or her duties to the City.

Rule No. 13

Encouragement of Respect for the City and Its By-Laws

- 1. Members shall encourage public respect for the City and its by-laws.**

Commentary

A Councillor must not denigrate a City by-law in responding to a citizen, as this undermines confidence in the City and the rule of law.

Rule No. 14

Harassment

- 1. Members shall be governed by the City's Respectful Workplace Policy.**
- 2. Harassment of a member by another member, staff or any member of the public is misconduct.**
- 3. Upon receipt of a complaint that relates to Rule No. 14, the Integrity Commissioner shall forward the information subject of the complaint to Human Resources who will refer it to an independent investigator.**

Commentary

It is the policy of the City of Vaughan that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment.

The City of Vaughan's Respectful Workplace Policy (Harassment and Discrimination) ensures a safe and respectful workplace environment and appropriate management of any occurrences of harassment and discrimination as defined by the policy.

The City of Vaughan Policy applies to Members of Council and will provide guidance to the independent investigator. Upon receipt of the findings of the independent investigator, the Integrity Commissioner shall utilize the investigator's findings to make a determination on the application of the Code of Ethical Conduct and the merits to an investigation on the ethical conduct of the Member of Council subject of the complaint.

Rule No. 15

Discreditable Conduct

1. Members shall conduct themselves with appropriate decorum at all times.

Commentary

As leaders in the community, members are held to a higher standard of behavior and conduct, and accordingly their behavior should be exemplary.

Rule No. 16

Conduct Respecting Staff:

- 1. No member shall compel staff to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities.**
- 2. No member shall use, or attempt to use, their authority for the purpose of intimidating, threatening, coercing, commanding, or influencing any staff member with the intent of interfering in staff's duties, including the duty to disclose improper activity.**
- 3. Members shall be respectful of the role of staff to advise based on political neutrality and objectivity and without undue influence from any individual member or faction of the Council.**
- 4. No member shall maliciously or falsely impugn or injure the professional or ethical reputation or the prospects or practice of staff and all members shall show respect for the professional capacities of the staff of the City.**

Commentary

Members of Council should expect a high quality of advice from staff based on political neutrality and objectivity irrespective of party politics, the loyalties of persons in power, or their personal opinions.

Members of Council must recognize that only Council as a whole has the capacity to direct staff members to carry out specific tasks or functions as provided in the Municipal Act. The Administration, under the direction of the City Manager, serves the Council as a whole, and the combined interests of all members as expressed through the resolutions of Council. An individual member should not request staff to undertake extensive work or prepare lengthy reports, other than pursuant to a Council direction.

It is inappropriate for a member to attempt to influence staff to circumvent normal processes in a matter, or overlook deficiencies in a file or application. It is also inappropriate for members to involve themselves in matters of administration or departmental management which fall within the jurisdiction of the City Manager. Any such attempts should be reported to the Integrity Commissioner.

Rule No. 17

Employment of Council Relatives/Family Members

1. No member shall attempt to influence the outcome, or to influence any City employee to hire or promote a member of a Councillor's family.
2. No member shall make any decision or participate in the process to hire, transfer, promote, demote, discipline or terminate any member of his or her family.
3. No member shall supervise a family member, or be placed in a position of influence over a family member.
4. No member shall attempt to use a family relationship for his or her personal benefit or gain.
5. Every member shall adhere to the City's nepotism policy.

Commentary:

If a family member of a Councillor is an applicant for employment with the City or candidate for promotion or transfer, the family member will proceed through the usual selection process pursuant to the City's hiring policies, with no special consideration.

Rule No. 18

Failure to Adhere To Council Policies and Procedures:

- 1. Members shall adhere to such by-laws, policies and procedures adopted by Council that are applicable to them.**

Commentary

A number of the provisions of this *Code of Conduct* incorporate policies and procedures adopted by Council. More generally, Members of Council are required to observe the terms of all policies and procedures established by City Council.

Members must pay special attention to, and comply strictly with the Councillors Expense Policy.

This provision does not prevent a member of Council from requesting that Council grant an exemption from a policy.

Rule No. 19

Reprisals and Obstruction:

- 1. No Member shall obstruct the Integrity Commissioner in the carrying out of her or his responsibilities.**
- 2. No member shall threaten or undertake any act of reprisal against a person initiating an *inquiry or complaint* under the Code of Conduct or who provides information to the Integrity Commissioner in any investigation.**

Commentary

Members of Council should respect the intent of the *Code of Ethical Conduct* and investigations conducted under it. It is also a violation of the *Code of Ethical Conduct* to obstruct the Integrity Commissioner in the carrying out of her or his responsibilities, as, for example, by the destruction of documents or the erasing of electronic communications or refusing to respond in writing to a formal complaint lodged pursuant to the Complaint Protocol passed by Council.

Rule No. 20

Compliance with the Code of Ethical Conduct:

1. Upon receipt of the Integrity Commissioner's recommendations, Council may impose either of the following two penalties where the Integrity Commissioner reports that in her or his opinion, there has been a violation of the *Code of Conduct*:
 1. A reprimand; or
 2. Suspension of the remuneration paid to the member in respect of his or her services as a member of council or the local board, as the case may be, for a period of up to 90 days.
2. The Integrity Commissioner may also recommend that Council take the following actions:
 - i) Removal from membership of a Committee.
 - ii) Removal as Chair of a Committee.
 - iii) Repayment or reimbursement of moneys received.
 - iv) Return of property or reimbursement of its value.
 - v) A written and/or verbal request for an apology to Council, the complainant, or both.

Commentary

Members of Council are accountable to the public through the election process. Between elections they may, for example, become disqualified and lose their seat if convicted of an offence under the *Criminal Code* of Canada or for failing to declare a conflict of personal interest under the *Municipal Conflict of Interest Act*.

In addition, the *Municipal Act* authorizes Council to impose either of two penalties on a Member of Council following a report by the Integrity Commissioner that, in her or his opinion, there has been a violation of the *Code of Ethical Conduct*.

Rule No. 21

Implementation

1. Council Members are expected to formally and informally review their adherence to the provisions of the Code on a regular basis or when so requested by Council.
2. At the beginning of each term, Members of Council will be expected to sign two copies of the Code of Conduct.
3. At the beginning of each term, each Member of Council shall meet with the Integrity Commissioner.
4. At the beginning of each term, each Member of Council shall file an explanatory statement of all community organizations in which they participate, in the form provided by the Integrity Commissioner, within 60 days of being elected or appointed. Thereafter, each Member of Council shall file or update their disclosure statement, once in every calendar year on the date established by the Commissioner.
5. Councillors and members of the public should not assume that any unethical activities not covered by or not specifically prohibited by these ethical standards of conduct, or by any legislation, are therefore condoned.

Commentary

At the beginning of each term, Members of Council will be expected to sign two copies of the Code of Conduct (one for themselves and one for the Clerk's Office) to convey to each other and all stakeholders that they have read, understand and accept it.

A Code of Conduct component will be included as part of the orientation workshop for each new Council.