

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 27, 2014**

Item 16, Report No. 21, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 27, 2014.

**16**

**PARK OPENING CEREMONIES IN 2014**

(Referred)

**The Committee of the Whole recommends:**

- 1) That the following resolution submitted by Councillor Racco, dated April 29, 2014, be received; and**
- 2) That the following Communications be received:**
  - C3 Confidential Communication from the Commissioner of Legal & Administrative Services, dated May 9, 2014; and**
  - C5 Integrity Commissioner, dated May 13, 2014.**

Council, at its meeting of May 6, 2014, adopted the following recommendation:

That consideration of this matter be deferred to the Committee of the Whole meeting of May 13, 2014.

**Committee of the Whole recommendation of April 29, 2014:**

The Committee of the Whole recommends that the following resolution submitted by Councillor Racco, dated April 29, 2014, be received:

**Resolution of Councillor Racco, dated April 29, 2014:**

*Whereas*, there are four parks near completion but still under construction in the City of Vaughan; and

*Whereas*, following the opening of a park for public use, Corporate Events, along with Mayor and Members of Council, host a formal ribbon cutting ceremony; and

*Whereas*, the Council Member Expense Policy requires that certain activities be discontinued after June 30 of an election year, unless so directed and approved by Council, including: the distribution of media releases on or behalf of individual Council members including through the use of City of Vaughan media relations; any form of advertising by a Council member, including the general distribution of electronic newsletters; City paid advertising containing the name of a Council member or the Mayor; and

*Whereas*, the Council Member Expense Policy provides that nothing in the 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; and

*Whereas*, in consultation with Parks Development staff it is felt that due to the long winter and current Spring weather conditions and other matters to be resolved with contractors, not all new parks currently under construction will be ready to open officially by June 30;

*Be it therefore resolved that* the June 30, 2014 deadline set out in the Council Member Expense Policy be extended by one month to July 31, 2014 for the purpose only of accommodating the official opening of parks for which an official opening cannot be arranged by June 30, 2014.

**Attachments**

None



## memorandum

c 5
Communication
CW: May 13/14
Item: 16

**DATE:** May 13, 2014  
**TO:** Members of Council  
**FROM:** Suzanne Craig, Integrity Commissioner  
**RE:** **2014 Members of Council Election Year Guidelines**

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The enclosed document is being provided to All Members of Council to assist those Members who are running for re-election, in understanding Code of Conduct obligations.

The rules of the Code of Conduct for Members of Council are not intended to prevent Members from carrying out their duties of office or engaging with their constituents. The Code however, does contain provisions that are relevant in an election year, which Members should familiarize themselves with in order to fulfill their obligations under the Code as current Members of Vaughan Council.

Members of Council are strongly encouraged to contact me if there is need for clarification on the enclosed Election year Guidelines. Vaughan City Council continues to be a benchmark in ethical decision making among Ontario municipalities. I am confident that this hard-earned reputation will continue if you maintain your current demeanor in the fulfillment of your official duties. While the tenor of election campaigns is a political matter and while I cannot receive any Code complaints after June 30th, the authority of my mandate continues after the complaint the June date and does not preclude me from making recommendations to individual Members and Council.

Respectfully,

Suzanne Craig  
Integrity Commissioner

Cc: Barbara Cribbitt, Interim City Manager  
MaryLee Farrugia, Commissioner Legal and Administrative Services  
Jeffrey Abrams, City Clerk

/attach

## **Members of Council Election Year Guidelines**

### Relevant Code Provisions

#### **Rule 5 of the Code of Conduct – Election Campaign Work**

Section 11 of the Code of Conduct Protocol – No Complaint Prior to Election. The Code of Conduct Complaint Protocol states that no review or investigation of a complaint will be referred to or received by the Integrity Commissioner after June 30<sup>th</sup> in an election year. Section 11 means that the Integrity Commissioner cannot receive complaints after June 30<sup>th</sup>. However, the Integrity Commissioners continues to have oversight for the application and enforcement of Code rules.

### Councillor Newsletters

Up until Nomination Day, regularly scheduled Councillor Newsletters may be published. The Newsletter content shall not announce or illustrate the Member's intention to run for re-election. There shall be no reference made to a Councillor's election campaign or link to their campaign website or materials in a City of Vaughan e-newsletter.

Generally, a listing of the Member's, City's, departments' and Council's accomplishments over the previous three years is not deemed to be election-related and is viewed as a legitimate use of City resources for the purposes of the Code of Conduct.

If individual Members of Council are not already engaged in the practice of creating and distributing a newsletter, it is not recommended that they commence the practice now, unless there is a particular update of relevance to the City (i.e. Ice storm cleanup).

### Use of Corporate Resources During an Election Year

Rule 5 of the Code of Conduct states that a Member shall *neither* use the facilities, equipment, supplies, services or other resources of the City for any election campaign or campaign-related activities, *nor* use the services of persons for campaign related activities during hours in which those persons receive any compensation from the City.

The *Commentary* to Rule 5 indicates that Members may not book directly, or indirectly, any City facility for any purpose that might be perceived as an election campaign purpose. However, Rule 5 does not prohibit Members of Council from fulfilling their duties as elected officials by attending and speaking at City events (i.e. Mayor's Gala, park openings).

A Member's email distribution lists that have been acquired during their term of office shall not be used for campaign purposes. However, insofar as Members continue to be sitting Members of Council, they may continue to update their constituents on corporate City matters.

A Member's City website may continue to be updated in their role as Member of Council until the end of their term of Council. Similarly, Members of Council may continue to use social media such as Facebook and Twitter to update constituents about their work as a Member of Council.

The Integrity Commissioner cannot receive any complaints after June 30<sup>th</sup>; however, Members of Council are encouraged to consult with the Integrity Commissioner, until the end of their term of Council, regarding content in social media communications.

City funded Blackberries cannot be used for campaign related purposes, even for occasional use.

The City's public website is available to any member of the public, including election candidates and therefore, any information that can be downloaded publicly from the City's website, may be linked to a Member running for re-election on their campaign website.

#### Conduct Respecting Staff

Rule 16.1 of the Code of Conduct states that no Member of Council shall compel staff to engage in partisan political activities or be subject to threats or discrimination for refusing to engage in such activities. Rule 16.3 reminds Members of Council that they must 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.

While many City projects are ongoing and there is a desire to see them to completion, Members of Council should be mindful to not direct City staff in research and gathering information on issues, as the decision-making authority for the City lies with Council, not an individual Councillor and only Council as a whole has the authority to direct City staff.

City employees, including Council Member staff, are permitted to work on a campaign or support a candidate outside of the hours that they are compensated by the City, as long as they follow the City's Human Resources policy which defines permitted campaign activity.

#### General Activities of Members of Council

Distribution of campaign material is allowed on public property subject to existing City by-laws.

Members of Council shall not post campaign materials or signs at City events or at City Hall or community centres or other public property in accordance with the City's by-laws.

Members of Council continue to be elected officials for their term of office and as such, are allowed to attend City-organized events or events held on City property and act as representatives of the City in their capacity as elected officials, including speaking at the event and participating in ceremonial activities.

After Nomination Day, Members of Council seeking re-election shall not reference their name in City event signage, banners or posters and no donations can be accepted or solicited for any community events contemplated under Rule 2.3 of the Code of Conduct. After Nomination Day, a Member of Council candidate for re-election, in attendance at City events, should not add on a feature to the event (i.e. free ice cream) as this may be perceived as promoting a specific Councillor.

Suzanne Craig  
Integrity Commissioner

**PARK OPENING CEREMONIES IN 2014**

(Referred)

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**Committee of the Whole recommendation of April 29, 2014:**

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*Whereas*, following the opening of a park for public use, Corporate Events, along with Mayor and Members of Council, host a formal ribbon cutting ceremony; and

*Whereas*, Whereas, the Council Member Expense Policy requires that certain activities be discontinued after June 30 of an election year, unless so directed and approved by Council, including: the distribution of media releases on or behalf of individual Council members including through the use of City of Vaughan media relations; any form of advertising by a Council member, including the general distribution of electronic newsletters; City paid advertising containing the name of a Council member or the Mayor; and

*Whereas*, the Council Member Expense Policy provides that nothing in the 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; and

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Respectfully submitted,

Sandra Yeung Racco  
Councillor, Ward 4 (Concord/Thornhill North)

**Attachments**

None