

## **Appointments to the Ethics Steering Committee**

*(City Council on December 14, 15 and 16, 1999, adopted this Clause, without amendment.)*

**The Administration Committee recommends:**

- (1) the adoption of the following points contained in the report (October 5, 1999) from the Chief Administrative Officer:**
  - “(a) given the duty of the Mayor to cause the laws of the municipality to be duly executed and obeyed, and further, that complaints or concerns from any person regarding alleged non-compliance with the Code of Conduct may be made to the Mayor in writing, it is suggested that the Mayor, or the Deputy Mayor, or the Mayor’s designate, be the Chair of the Ethics Steering Committee;**
  - (b) given the role and Corporate-wide focus of the Administration Committee, it is suggested that the Chair of the Administration Committee be a member of the Ethics Steering Committee; and**
  - (c) given the tie-in to ensuring consistency where appropriate with the conduct expected of staff and officers of the City of Toronto, it is suggested that the Chair of the Personnel Sub-Committee be a member of the Ethics Steering Committee;”;** and
- (2) that the Chief Administrative Officer, in consultation with the Ethics Steering Committee, be requested to develop a protocol respecting ethical matters.**

**The Administration Committee submits the following communication (November 3, 1999) from the City Clerk:**

City Council at its meeting held on October 26 and 27, 1999, had before it, Clause No. 1 contained in Report No. 11 of The Striking Committee, headed “Appointments to the Ethics Steering Committee”.

Council directed that this Clause be struck out and referred to the Administration Committee, with a request that the Committee establish Terms of Reference for the Ethics Steering Committee.

(Clause No. 1 of Report No. 11 of The Striking Committee  
headed “Appointments to the Ethics Steering Committee”)

(City Council on October 26 and 27, 1999, struck out and referred this Clause to the Administration Committee, with a request that the Committee establish Terms of Reference for the Ethics Steering Committee.)

The Striking Committee recommends that:

- (1) a maximum of seven Members of Council be appointed to the Ethics Steering Committee for a term of office expiring November 30, 2000;
- (2) the Ethics Steering Committee be permitted to select its own Chair from amongst its members; and
- (3) the following seven Members of Council be appointed to the said Ethics Steering Committee for a term of office expiring November 30, 2000:
  - Councillor Lorenzo Berardinetti, Scarborough City Centre;
  - Councillor Elizabeth Brown, Rexdale-Thistletown;
  - Councillor Tom Jakobek, East Toronto;
  - Councillor Irene Jones, Lakeshore-Queensway;
  - Councillor Blake F. Kinahan, Lakeshore-Queensway;
  - Councillor Joe Mihevc, York Eglinton; and
  - Councillor David Soknacki, Scarborough Highland Creek.

**The Striking Committee submits the following report (October 12, 1999) from the City Clerk:**

Purpose:

The purpose of this report is to provide Members of Council with a list of Members' preferences for appointment to the new Ethics Steering Committee.

Funding Sources, Financial Implications and Impact Statement:

Not applicable.

Recommendation:

It is recommended that the Striking Committee give consideration to Members' preferences outlined in Schedule 1 and report to the next meeting of City Council to be held on October 26,

1999, outlining recommendations for appointment to the Ethics Steering Committee, as requested by City Council at its meeting held on September 28 and 29, 1999.

Council Reference/Background/History:

City Council on September 28 and 29, 1999, by its adoption, as amended, of Clause No. 2 of Report No. 5 of The Administration Committee, headed "Code of Conduct for Members of Council Inclusive of Lobbyist Provisions", requested the Striking Committee to submit a report to the next meeting of City Council to be held on October 26, 1999, outlining recommendations for appointment to the Ethics Steering Committee.

Members of Council were canvassed on October 5, 1999, to determine their interest in being appointed to the Ethics Steering Committee. The attached Schedule 1 contains a list of those Members who have indicated an interest in such appointment.

Conclusion:

It is recommended that the Striking Committee report to the next meeting of City Council to be held on October 26, 1999, outlining recommendations for appointment to the Ethics Steering Committee.

Contact Name:

Joanne Hamill, Manager of Community Councils and Committees, 392-4339.

**The Striking Committee also submits the following report (October 5, 1999) from the Chief Administrative Officer:**

Council on September 28 and 29, 1999, in its adoption of the report approved the establishment of an Ethics Steering Committee: Code of Conduct for Council Members -- Inclusive of Lobbying Provisions. As requested, I respectfully submit the following suggestions for the consideration of the Striking Committee.

Staff considered these points in the course of drafting the report. While not included in the final report, it is hoped that the Striking Committee may find them of some assistance in recommending the membership of the Ethics Steering Committee:

- (a) given the duty of the Mayor to cause the laws of the municipality to be duly executed and obeyed, and further, that complaints or concerns from any person regarding alleged non-compliance with the Code of Conduct may be made to the Mayor in writing, it is suggested that the Mayor, or the Deputy Mayor, or the Mayor's designate, be the Chair of the Ethics Steering Committee;
- (b) given the role and Corporate-wide focus of the Administration Committee, it is suggested that the Chair of the Administration Committee be a member of the Ethics Steering Committee;

- (c) given the tie-in to ensuring consistency where appropriate with the conduct expected of staff and officers of the City of Toronto, it is suggested that the Chair of the Personnel Sub-Committee be a member of the Ethics Steering Committee; and
- (d) a minimum membership of three Councillors and a maximum of five Councillors would be appropriate given the highly sensitive and/or confidential nature of matters that may be brought before the Ethics Steering Committee.

**The Striking Committee also submits the following communication (October 15, 1999) from Councillor Berardinetti, Chair of the Administration Committee:**

It has been brought to my attention that Item No. 1(a) on the agenda of the Striking Committee for its meeting of October 19, 1999, contains a suggestion from the Chief Administrative Officer that the Chair of the Administration Committee should be a member of the Ethics Steering Committee.

Although I did not originally submit my name for consideration, if the Striking Committee so wishes, I would be pleased to serve in that capacity.

Thank you for your attention to this matter.

**The Striking Committee also submits the following communication (October 14, 1999) from Councillor Elizabeth Brown, Rexdale-Thistletown:**

I would be interested in serving on the Ethics Committee. Over the past 30 years I have participated in various seminars and workshops regarding ethics, and I feel that both my experience on Council and previous experience in my community would help me serve Council well.

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(A copy of Schedule 1, referred to in the foregoing report dated October 12, 1999, from the City Clerk was forwarded to all Members of Council with the agenda of the Striking Committee for its meeting held on October 19, 1999, and a copy thereof is also on file in the office of the City Clerk.)

*(City Council on December 14, 15 and 16, 1999, had before it, during consideration of the foregoing Clause, the following communication (November 23, 1999) from Councillor Joe Mihevc, York-Eglinton:*

*We have as a Council passed an excellent Code of Conduct, September 28 and 29, 1999. I believe that it is comprehensive, forward-looking, and will contribute to Council's effectiveness. High standards will show that we as politicians are holding ourselves to a high ethic, which will attract a more positive public regard for our profession.*

*The issue of the “next step” is clearly an important one. We need to have a structure in place to implement and apply this Code of Conduct; not to have a structure would make the Code a toothless tiger. At the same time however, the structure needs to be, and be seen to be, free of “political” interference.*

*Council referred the Nomination Committee Report back to the Administration Committee in order to establish clearer terms for the Ethics Committee. My suggestion to Committee and Council is that the Ethics Committee should have a very short horizon and that it act more as a “midwife” to the structure that is to follow. That structure, protocol, or person would, to my mind, need to be arms length to Council, and at the same time need to be credible to Council and the public. One model to achieve this would be an “Ethics Commissioner”, perhaps a retired judge who would be chosen for a three-year term and who could act on a retainer basis. Other models would also need to be explored.*

*I offer these comments for Committee and Council’s consideration.)*