



**JOINT MEETING
Finance and Economic Development Committee
Governance Renewal Sub-Committee**

MINUTES 1

Friday, 6 July 2012, 9:30 a.m.

Champlain Room, 110 Laurier Avenue West

Present: Chair : Mayor J. Watson
Councillor: P. Clark (Vice-Chair, FEDCO),
Councillor: A. Hubley (GRSC)
Councillors R. Chiarelli, D. Deans, K. Egli, K. Hobbs, M. McRae,
S. Moffatt, M. Taylor, D. Thompson

Regrets: Councillors P. Hume, M. Wilkinson

DECLARATIONS OF INTEREST

There were no declarations of interest.

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- Notes: 1. Please note that these Minutes are to be considered DRAFT until confirmed by Committee.
2. Please note that any written or verbal submissions (including your name but excluding personal contact information) will form part of the public record and be made available to City Council and the public.
3. Unless otherwise indicated, Council will be requested to consider all items at its meeting of 11 July 2012 in Joint Finance and Economic Development Committee and Governance Renewal Sub-Committee Report 1.

CITY MANAGER'S OFFICE

CITY CLERK AND SOLICITOR DEPARTMENT

1. LOBBYIST REGISTRY - UPDATE
ACS2012-CMR-CCB-0033

CITY-WIDE

REPORT RECOMMENDATIONS

- 1. That the Joint Meeting of the Governance Renewal Sub-Committee and the Finance and Economic Development Committee recommends that Council approve the establishment of a Lobbyist Registry, including the Lobbyist Code of Conduct, as described in this report, to come into effect on September 1, 2012.**
- 2. That the Joint Meeting of the Governance Renewal Sub-Committee and the Finance and Economic Development Committee receive the definition of a Community Association as described in this report.**
- 3. That staff be directed to amend the Employee Code of Conduct to incorporate the provisions related to lobbying and disclosure as described in this report.**

Mr. Rick O'Connor, City Clerk and Solicitor, and Ms. Leslie Donnelly, Deputy City Clerk, appeared before Committee on this item. Ms. Donnelly spoke to a PowerPoint presentation, which served to provide Committee with an overview of the report. A copy of her presentation is held on file.

Committee heard from the following public delegations:

- Guy Giorno*;
- Bob McCaw, President, Fisher Heights & Area Community Association;
- Agnes Warda, Knoxdale-Merivale Council, which represents eight of the nine community associations in Ward 9;
- James O'Grady*, Federation of Citizens' Associations of Ottawa-Carleton;
- Archie Campbell*, Federation of Citizens' Associations of Ottawa-Carleton;
- Murray Chown, Novatech;
- Sheila Perry*, Overbrook Community Association;
- Andrew Stirling, Kanata Beaverbrook Community Association;
- Rob Pierce and Josh Cardish, Greater Ottawa Home Builders' Association*;
- Bill Driver; and
- John Dickie, Dickie & Lyman Lawyers LLP.

Written submissions were received from all those marked above with an asterisk (*). All written submissions are held on file with the City Clerk.

After hearing from the public delegations, staff responded to questions from Committee members with respect to the report.

Committee then considered the following motions.

MOTION FED/GRSC 01/01

Moved by Councillor A. Hubley

WHEREAS the definition of lobbying under the proposed Lobbyist Registry By-law covers communication by “an individual who is paid or who represents a business or financial interest”; and

WHEREAS there are occasions when not-for-profit groups/organizations communicate with Members of Council regarding matters that concern a financial interest of the not-for-profit group/organization; and

WHEREAS lobbying is a legitimate activity, and it is in the best interest of the taxpayer to have transparency regarding lobbying that occurs for the financial benefit of any group or organization, whether for profit or not for profit;

THEREFORE BE IT RESOLVED THAT the Lobbyist Registry By-law be amended to require disclosure by not-for-profit groups/organizations when communicating regarding a financial interest, where that not-for-profit group/organization has paid staff.

CARRIED, with Councillor P. Clark dissenting

MOTION FED/GRSC 01/02

Moved by Councillor D. Deans

WHEREAS grass-roots lobbying campaigns are almost exclusively related to advocacy efforts; and

WHEREAS the proposed Lobbyist Registry has been revised to explicitly exempt advocacy communication from the disclosure requirements of the Registry;

THEREFORE BE IT RESOLVED THAT the definition of “grass-roots communication” in Subsection 1(4) and the provision related to the authority to grant an exemption for a grassroots lobbying campaign, specifically Section 5 (Grassroots Exemption Period), be removed from the draft *Lobbyist Registry By-law*.

CARRIED

MOTION FED/GRSC 01/03

Moved by Councillor M. McRae

WHEREAS there are times when individuals who lobby on behalf of an organization are asked by the City to participate as a stakeholder in working or advisory groups, such as the Multi-unit Waste Diversion Implementation Task Force, the Multi-residential Property Tax Task Force, or the Housing and Supports Working Group (now known as the Housing and Supports Consultative Group); and

WHEREAS, although the staff report indicates activities related to these undertakings are not to be considered lobbying, such activities are not listed as a specific exemption;

THEREFORE BE IT RESOLVED THAT the following be added to the list of exemptions in Section 4:

“(11) communications directly related to those City-initiated consultative meetings and processes where an individual is participating as a stakeholder.”

CARRIED

MOTION FED/GRSC 01/04

Moved by Councillor K. Egli

WHEREAS the Governance Renewal Sub-Committee directed that the Lobbyist Registry “be designed to register only lobbying activities and actions”; and

WHEREAS staff have recommended that ‘Communication’ be defined as “any substantive form of communication including formal meeting, email letter or phone call”; and

WHEREAS this definition does not explicitly include those interactions that materially advance a matter defined as lobbying that occur outside of a formal setting;

THEREFORE BE IT RESOLVED THAT the definition of ‘Communication’ in the Lobbyist Registry By-law be amended to read:

“Communication” means any substantive form of communication including a formal meeting, email, letter, phone call, or meaningful

dialogue or exchange that materially advances a matter that is defined as lobbying whether in a formal or informal setting.”

CARRIED

MOTION FED/GRSC 01/05

Moved by Councillor K. Hobbs

THAT subsection 1(5) of the draft Lobbyist Registry By-law be amended to remove the last sentence, as follows: “These communications can take place at any time, in both a formal and informal setting”.

CARRIED

The report recommendations were then put to Committee and CARRIED as amended Motions FED/GRSC 01/01, FED/GRSC 01/02, FED/GRSC 01/03, FED/GRSC 01/04 and FED/GRSC 01/05.

DIRECTIONS TO STAFF:

1. That the Integrity Commissioner bring forward recommendations with respect to Councillors’ voluntary self-disclosure when a report comes forward on an annual review of the operations of the Lobbyist Registry.
2. That staff put in place a method for registered lobbyists to be fully identifiable.
3. That staff ensure that all registered lobbyist activities are clearly identifiable to the general public. (i.e. use of clear, plain language)
4. That staff look into the possibility of items within the electronic lobbyist registry having links to the status/process of the particular Planning projects/files to which they relate and vice versa.
5. That staff bring forward, for the Council meeting, a motion to address concerns with respect to lobbying on broad public policy issues.
6. That the Deputy City Clerk provide members of Council with screen shots from the Lobbyist Registry development site in order to give some sense of the registration process and the type of information that will be captured therein.

2. INTEGRITY COMMISSIONER
ACS2012-CMR-CCB-0034

CITY-WIDE

REPORT RECOMMENDATION

That the Joint Meeting of the Governance Renewal Sub-Committee and the Finance and Economic Development Committee recommend that Council approve the roles, responsibilities and selection process for the position of Integrity Commissioner for the City of Ottawa, including that the Integrity Commissioner also be the City's Meetings Investigator and the Lobbyist Registrar, as described in this report.

Mr. Rick O'Connor, City Clerk and Solicitor, and Ms. Leslie Donnelly, Deputy City Clerk, appeared before Committee on this item. Ms. Donnelly spoke to a PowerPoint presentation, which served to provide Committee with a brief overview of the report. A copy of her presentation is held on file.

After hearing from the public delegations, staff responded to questions from Committee members with respect to the report.

The report recommendation was then put to Committee and CARRIED as presented.

DIRECTION TO STAFF:

That staff be directed to bring forward information with respect to a potential salary cap for the position of Integrity Commissioner.

3. ADVISORY COMMITTEE RENEWAL TO SUPPORT COUNCIL'S TERM
OF COUNCIL PRIORITIES
ACS2012-CMR-CCB-0032

CITY-WIDE

REPORT RECOMMENDATIONS

That the Joint Meeting of the Governance Renewal Sub-Committee and the Finance and Economic Development Committee table this report for consideration at a subsequent Joint Meeting of the Finance and Economic Development Committee and the Governance Renewal Sub-Committee, to be held on 30 August 2012:

- 1. At its meeting of 30 August 2012, that the Joint Meeting of the Finance and Economic Development Committee and the Governance Renewal Sub-Committee recommend Council approve the following:**

- A) The revised structure for Advisory Committees, as outlined in this report, as follows:
- i. Accessibility Advisory Committee
 - ii. Arts, Culture, Heritage and Recreation Advisory Committee
 - iii. Community Services Advisory Committee
 - iv. Environmental Stewardship Advisory Committee
 - v. French Language Services Advisory Committee
- B) The establishment of a Built Heritage Sub-Committee, reporting to Planning Committee, composed of four (4) Members of Council and three (3) citizen members as described in this report.
- C) The establishment of a Seniors Round Table as described in this report.
2. That the City Clerk and Solicitor Department be directed to implement the revisions to the Advisory Committee structure as outlined above, including a new recruitment process for relevant citizen members.
 3. The selection panels for the Advisory Committees and Built Heritage Sub Committee as outlined in the report.
 4. The Terms of Reference related to the new Advisory Committee structure found in Documents 1-6.
 5. That the City Clerk and Solicitor be directed to revise the relevant administrative policies to reflect Council's approved changes and submit revised By-laws to Council for approval where required.

Ms. Leslie Donnelly, Deputy City Clerk, provided a brief overview of the report, noting that many of the proposed changes had come from the Advisory Committees themselves.

The report was then TABLED, for consideration at the Joint Committee's subsequent meeting, scheduled for August 30, 2012.

ADJOURNMENT

The Committee adjourned the meeting at 1:15 p.m.

Original signed by
D. Blais

Original signed by
Mayor J. Watson

Committee Coordinator

Chair