



Pat Saito
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Judicial Inquiry Facts

We have received many emails in support of our position in opposing the spending of over \$2 million tax dollars for a judicial inquiry. We want to further clarify why we took this position and why we truly believe this action is a waste of taxpayers' money and serves no useful purpose. It has in fact been called nothing more than a witch hunt.

Council already received an independent legal opinion at a cost of just under \$47,000 on the matters involved. There is no valid need to spend millions of dollars more to get answers that we already have and on an inquiry that is fact finding only and will not result in any action. Also, the inquiry requested by 7 Members of Council to initially review a conflict of interest by the Mayor over a land deal in the city centre has grown to include other transactions that are not related to the land in question and may well exceed the estimated costs.

The land in question was purchased this year by the City for the construction of Sheridan College. It had previously been under an agreement of Purchase and Sale (APS) to another company but that agreement was ended by the seller before the City became involved. Any actions of the purchaser/seller related to that agreement have no relevance in the purchase by the City of the land. To further protect the city from any liability however, we included an indemnification agreement in our offer to buy the land. This issue was reviewed by an external legal firm and Council made aware of the conclusions. Also allegations that the price was inflated as a result of legal agreements between the outside parties are unfounded. Council received multiple appraisals on the land and it is very clear that we paid a fair market value for it.

We did our homework before signing any agreements and Council approved the action to proceed with the purchase.

The company who had the APS had proposed to build a first class hotel on lands owned by Oxford Properties (Square One). The Mayor and Council were very open on our support for this type of development and, in her capacity as head of Council, the Mayor accompanied by City staff, met with the proponents to tour a proposed type of hotel. The Mayor openly declared a conflict of interest in the matter when it was on a Council agenda as her son was involved in the real estate of the land and Council was well aware of this. She did neglect to do so at one meeting at which there was no decision made on the application. An error on the part of the committee coordinator, a well respected long time employee, showed a conflict was declared and those minutes distributed to and approved by Council. In a recent report to Council this was clarified and explained as an error yet the motion for an inquiry still alludes to this as an "altering of the minutes". No minutes were "altered". Council saw minutes that had an error and approved them. An inquiry will not provide any more information on this than we already have.

The legal review made it clear that the Mayor had a conflict of interest in the application and had to declare a conflict when it was on Council agendas. It also concluded she had neglected to declare it at one meeting having done so at prior meetings. While this was a contravention of the Municipal Conflict of Interest Act, it stated that it may have been committed through inadvertence or an error in judgement. The report also concluded that any external meetings that may have been held were not a conflict of interest under the act.

The inquiry also includes reference to the Enersource agreement that was made by Council on December 6, 2000. This inquiry has already been done and as a result, Council has been renegotiating the arrangement with our partner and the final agreement was before us last month. Unfortunately this inquiry has postponed or cancelled that agreement as the issue has now been included in the inquiry and the relationship with our partner jeopardized.

To clarify further the partnership with Borealis in Enersource was very beneficial to the city as they would be able to bring in billions of dollars for future expansion of the utility. It has never caused any concern in the operation of Enersource.

If we had any concern that Council did not have all the information and that we had not done due diligence by having an outside legal opinion, we would have considered an inquiry. However the information is before us. We have the facts and a review will not alter those. The inquiry terms of reference have been greatly expanded to include things that are not relevant to the issue that we first dealt with. It has evolved to be nothing more than a way to discredit the Mayor and is a waste of your money.

Those of us who opposed it have called instead for the appointment of an Integrity Commissioner who would review all conflicts or potential conflicts of Members of Council. We want to establish a code of conduct that everyone would have to follow. This is more meaningful than what was approved.

The recent actions have only served to cast aspersions on our Mayor, a woman who has done so much for our City. It has also harmed the overall reputation of our City. For those of us who have worked hard for many years to build a wonderful city and who love Mississauga, it is a very sad time in our history.

We would be pleased to further discuss this with anyone. Just email us at:

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