



REPORT

REPORT TO: Chair and Members of the Community & Corporate Affairs Committee

REPORT FROM: S. Jones, Clerk and Director of Legislative Services

DATE: June 18, 2018

REPORT NO.: ADMIN-2018-0022

RE: Appointment of an Integrity Commissioner

RECOMMENDATION:

THAT Report No. ADMIN-2018-0022 dated June 18, 2018 regarding the appointment of an Integrity Commissioner, be received;

AND FURTHER THAT the Community & Corporate Affairs Committee recommend Council authorize the award for the provision of an Integrity Commissioner to Principles Integrity for a term to commence September 1, 2018 and conclude December 31, 2022;

AND FURTHER THAT the CAO and Clerk be authorized to execute an agreement and all associated documents with Principles Integrity;

AND FURTHER THAT the CAO approve the issuance of a Purchase Order for an upset limit of \$15,000 (excluding taxes) to Principles Integrity;

AND FURTHER THAT the Clerk prepare the necessary by-law to appoint Principles Integrity as Integrity Commissioner for the Town of Halton Hills;

AND FURTHER THAT the Clerk forward a copy of this report to the Region of Halton, City of Burlington, the Town of Milton and the Town of Oakville for their information.

BACKGROUND:

Section 223.3-223.8 of the *Municipal Act, 2001* authorize a municipality to appoint an Integrity Commissioner who reports to Council in an independent manner on the application of codes of conduct and other rules and procedures governing the ethical behavior of its Members.

Bill 68, the *Modernizing Ontario's Municipal Legislation Act, 2017*, which received Royal Assent on May 30, 2017, expanded the responsibilities of Integrity Commissioners and removed the discretion of municipalities to make Integrity Commissioner services

available. The revised *Municipal Act* now requires that a municipality must appoint an Integrity Commissioner by March 1, 2019.

Regional Council authorized regional staff to begin the process to issue a Request for Proposal (RFP) for the services of an Integrity Commissioner. As each municipality in Halton is required to have an Integrity Commissioner it was decided to explore the possibility of appointing one Integrity Commissioner who would serve all five municipalities.

Halton Region on behalf of the Halton Cooperative Purchasing Group (HCPG), issued the RFP on March 22, 2018, and which closed on April 12, 2018. Four submissions were received. A staff committee consisting of representatives from each of the Clerk's Offices (four municipalities and the Region) evaluated the submissions. The proposal from Principles Integrity obtained the highest overall score and was recommended to be awarded the RFP by all of the participating representatives.

COMMENTS:

Principles Integrity was formed in 2017 and is composed of two principals, Jeffrey Abrams and Janice Atwood-Petkovski, municipal lawyers each with over 30 years' experience working in, and with several municipalities throughout, the GTA including the cities of Toronto, Mississauga, Hamilton, Brampton, Vaughan and the Regional Municipality of York. Principles Integrity has been appointed as Integrity Commissioner for over 20 municipalities including the Region of Peel, Mississauga, Kingston, Simcoe, Northumberland and Grey counties, and the Town of Whitchurch-Stouffville.

Staff is requesting that the CAO and Clerk be authorized to enter into an agreement with Principles Integrity for the provision of Integrity Commissioner services for a term to commence September 1, 2018 and conclude December 31, 2022.

Upon the signing of the agreement and commencement of the appointment, staff will work with Principles Integrity to develop a comprehensive Council Code of Conduct. Other services that may be provided by the Integrity Commissioner over the course of the contract may include, but not limited to; acting as an advisor to Council, providing guidance related to the obligations of members of Council related to the Code of Conduct, providing advice to individual members related to policies and legislation governing ethical behavior, and providing education and training on various pieces of legislation and policies. Additionally, effective March 1, 2019 the Integrity Commissioner will be required under provincial legislation to provide guidance on the applicability of the *Municipal Conflict of Interest Act*. The extent of services to be provided will be formalized as part of the agreement with Principles Integrity.

RELATIONSHIP TO STRATEGIC PLAN:

This report is in keeping with the Town's Strategic goal of effective municipal government.

FINANCIAL IMPACT:

Principles Integrity will be retained for an annual fee of \$1,000 plus a fee per service, for the total estimated annual amount of \$15,000 (exclusive of taxes) for the period of September 1, 2018 to December 31, 2022.

CONSULTATION:

Staff has consulted with the Region of Halton and the area municipalities in the awarding of the RFP. To date the Councils for Region of Halton and the Town of Milton have approved the awarding of the RFP to Principles Integrity. The Town of Oakville and the City of Burlington will be taking reports to their respective Councils in the near future.

PUBLIC ENGAGEMENT:

As this report is administrative and legislative in nature there was no public engagement.

SUSTAINABILITY IMPLICATIONS:

Not applicable

COMMUNICATIONS:

A copy of this report and respective Council resolution will be sent to the Region of Halton and the area municipalities for their information.

CONCLUSION:

Upon successful completion of an agreement with Principles Integrity, a by-law formally appointing Principles Integrity as the Integrity Commissioner for the Town of Halton Hills will be brought forward to Council.

Reviewed and Approved by,

A handwritten signature in black ink that reads "Brent Marshall". The signature is written in a cursive, flowing style.

Brent Marshall, CAO