

# Report to Municipal Council



<b>Meeting Date:</b> October 16, 2024	<b>Report Date:</b> October 8, 2024
<b>Reason Before Council:</b> Policy Direction / Approval	<b>Priority:</b> Urgent
<b>Department:</b> General Government	<b>Type of Meeting:</b> Regular Meeting

**Report Title:** Integrity Commissioner Services – Extension Agreement

## **Recommended Resolution:**

That Council agree to extend the Agreement for Integrity Commissioner Services to December 31, 2026.

## **Analysis & Background:**

Section 223.3(1) of the *Municipal Act, 2001*, provides as follows:

**223.3 (1)** Without limiting sections 9, 10 and 11, those sections authorize the municipality to appoint an Integrity Commissioner who reports to council and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to any or all of the following:

1. The application of the code of conduct for members of council and the code of conduct for members of local boards.
2. The application of any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of members of council and of local boards.
3. The application of sections 5, 5.1, 5.2 and 5.3 of the *Municipal Conflict of Interest Act* to members of council and of local boards.
4. Requests from members of council and of local boards for advice respecting their obligations under the code of conduct applicable to the member.
5. Requests from members of council and of local boards for advice respecting their obligations under a procedure, rule or policy of the municipality or of the local board, as the case may be, governing the ethical behaviour of members.
6. Requests from members of council and of local boards for advice respecting their obligations under the *Municipal Conflict of Interest Act*.



7. *The provision of educational information to members of council, members of local boards, the municipality and the public about the municipality's codes of conduct for members of council and members of local boards and about the Municipal Conflict of Interest Act. 2017, c. 10, Sched. 1, s. 19 (1); 2022, c. 24, Sched. 3, s. 3.*

By By-Law 2018-49, Council appointed the firm of Cunningham Swan as the Integrity Commission for a period of five (5) years. The Agreement also provided for an option to renew for an additional two (2) year period.

It has recently come to the Clerk's attention that this Agreement has expired, and discussions ensued with the firm of Cunningham Swan regarding the extension of the contract. As such they have provided an Amending Agreement for Council's consideration. The Amending Agreement is self-explanatory.

Allowing for the extension to December 31, 2026, with allow staff sufficient time to prepare an RFP for Integrity Commissioner services and to consult with neighbouring municipalities in an effort to obtain the best rates. This is the process that was taken for the previous RFP as firms may offer reduced fees if multiple municipalities in the same area appoint the same Integrity Commissioner.

**Attachments:**

- By-Law 2018-49
- Agreement with Cunningham Swan dated October 30, 2018
- Draft Amending Agreement

**Prepared By:** Tammy Godden, Clerk