

# Staff Report



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To	<b>City Council</b>
Service Area	Corporate Services
Date	Monday, February 28, 2022
Subject	<b>2021 Annual Report of the Integrity Commissioner</b>

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## Recommendation

1. That the 2021 Annual Report of the Integrity Commissioner, dated February 28, 2022, be received.
  2. That the City Clerk be directed to circulate the 2021 Annual Report of the Integrity Commissioner, and all future annual reports of the Integrity Commissioner, to all applicable local boards and advisory committees.
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## Executive Summary

### Purpose of Report

To present to City Council the 2021 Annual Report of the Integrity Commissioner.

### Key Findings

As an independent and statutory officer reporting directly to City Council, the Integrity Commissioner reports annually on activities undertaken in the previous year. The Integrity Commissioner's 2021 annual report is included as attachment-1.

In addition, City staff are seeking direction from City Council to circulate this report for information to all local boards and advisory committees for which the Integrity Commissioner has jurisdiction. Recent court decisions have expanded the role of the Integrity Commissioner to include all advisory committees.

### Financial Implications

The addition of all advisory committees to the jurisdiction of the Integrity Commissioner may result in additional budget requirements in future years.

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## Report

City Council appointed Aird & Berlis LLP as the City of Guelph Integrity Commissioner on December 14, 2020. As the City's Integrity Commissioner, Aird & Berlis LLP submits annual reports to City Council that outline the activities they undertook in the previous calendar year. The 2021 Annual Report of the Integrity Commissioner is included as attachment-1.

### Integrity Commissioner Jurisdiction

[Section 223.3 \(1\) of the Municipal Act](#) establishes the role of the Integrity Commissioner as including "the application of the code of conduct for members of

council and the code of conduct for members of local boards.” Local boards are defined broadly in the Municipal Act, but for the purposes of S. 223, the following local boards are excluded (only local boards relevant to the City of Guelph are included):

- A board of health
- A committee of management under the Long-Term Care Homes Act
- A police services board
- A public library board
- A conservation authority
- A school board

A recent decision from the Ontario Divisional Court has further clarified that the definition of local boards includes advisory committees established by City Council. In this case, the term advisory committee is intended to apply to all committees, boards, panels, associations, etc., established by City Council. This includes all of the statutory and discretionary bodies noted below:

- Accessibility Advisory Committee
- Art Gallery of Guelph Board of Directors
- Committee of Adjustment
- Community Grant Allocation Panel
- City Council Remuneration and Support Advisory Committee
- Downtown Guelph Business Association
- Guelph Economic Development Advisory Committee
- Guelph Museums Advisory Committee
- Guelph Sports Hall of Fame Board of Directors
- Heritage Guelph
- Municipal Property and Building Commemorative Naming Committee
- Natural Heritage Advisory Committee
- Planning Advisory Committee
- Public Art Advisory Committee
- Solid Waste Management Master Plan Public Advisory Committee
- Tourism Advisory Committee
- Transit Advisory Committee
- Waste Resource Innovation Centre Public Liaison Committee
- Water Conservation and Efficiency Public Advisory Committee
- Well Interference Committee

As a result, all the noted committees now fall under the jurisdiction of the Integrity Commissioner and the [Code of Conduct for Members of City Council and Local Boards](#). Given this change, City staff are asking City Council for direction to circulate the Integrity Commissioner’s 2021 and future annual reports to all applicable local boards and advisory committees.

## **Financial Implications**

The City Clerk’s Office will closely monitor the budget required to support the Integrity Commissioner’s work and will report on and request changes through the City’s budget process.

## **Consultations**

Pending City Council direction, the 2021 Annual Report of the Integrity Commissioner will be circulated to all local boards and advisory committees which

fall under the Integrity Commissioner's jurisdiction. This covering staff report was also shared in advance with the City's Integrity Commissioner.

### **Strategic Plan Alignment**

The work of the Integrity Commissioner supports the Strategic Plan value of integrity, acting honestly and ethically.

### **Attachments**

Attachment-1 2021 Annual Report of the Integrity Commissioner

### **Departmental Approval**

N/A

### **Report Author**

Dylan McMahon, Manager, Legislative Services/Deputy City Clerk

### **This report was approved by:**

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### **This report was recommended by:**

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