

Date: 2022-03-21

Subject: **Temporary Integrity Commissioner and Lobbyist Registrar Services**

Contact: Peter Fay, City Clerk, Legislative Services

Report Number: Legislative Services-2022-300

Recommendations:

1. That the report titled: **Temporary Integrity Commissioner and Lobbyist Registrar Services**, to the City Council Meeting of April 6, 2022, be received;

Overview:

- Council requested staff to explore engaging the Region of Peel's Integrity Commissioner and Lobbyist Registrar on a temporary basis, to ensure compliance with the *Municipal Act, 2001*.
- This report provides information requested by Council to facilitate a decision to engage Principles Integrity as the City's temporary Integrity Commissioner and Lobbyist Registrar, and includes recommendations for Council's consideration should it wish to proceed with this temporary services engagement.

Background:

City Council passed the following Resolution at its Special Meeting of March 11, 2022:

Resolution C074-2022

1. That the services of the current Council-appointed Integrity Commissioner, Muneeza Sheikh, be ended in accordance with the provisions of the Council Code of Conduct;
2. That the services of the current Council-appointed Lobbyist Registrar, Muneeza Sheikh, be ended;
3. That until such time as a new Integrity Commissioner and Lobbyist Registrar is appointed by Council, that staff explore the possibility to retain on a temporary basis the Integrity Commissioner for the Regional Municipality of Peel Council, to be appointed as the temporary Integrity

- Commissioner (in accordance with Section 223.2 of the Municipal Act, 2021) and Lobbyist Registrar for the City of Brampton, or another municipal Integrity Commissioner and Lobbyist Registrar, and report back to Council no later than the April 6, 2022 meeting; and
4. That an expression of thanks and appreciation be provided to Muneeza Sheikh, on behalf of Council, for her service to the Council and City of Brampton as Integrity Commissioner and Lobbyist Registrar.

This report addresses Clause 3 of Council's Resolution to provide information to Council regarding the retention of Principles Integrity on a temporary basis as the City's Integrity Commissioner and Lobbyist Registrar.

Current Situation:

Staff contacted Principles Integrity, being the current Integrity Commissioner and Lobbyist Registrar for the Region of Peel, to explore possible service provision for the City of Brampton on a temporary basis. An invitation to submit a brief services proposal was provided to Principles Integrity, and a proposal was received which forms Appendix 1 to this report.

For stability and continuity, staff requested Principles Integrity confirm they are available and interested to provide services up to July 2023 or until the City undertakes a process and appoints a new Integrity Commissioner and Lobbyist Registrar. Principles Integrity confirmed their interest and availability with the condition they not be precluded from bidding or applying for future services.

Principles Integrity also offered to serve immediately as "caretaker" Integrity Commissioner to provide technical compliance with section 223.3 (1.1) of the *Municipal Act, 2001*, if required.

If Council wishes to proceed to engage Principles Integrity on a temporary basis, the following recommendations may be introduced:

That Principles Integrity be appointed as the City's temporary Integrity Commissioner and Lobbyist Registrar, effective April 6, 2022 to July 1, 2023, or until such time as the City has appointed a new Integrity Commissioner and Lobbyist Registrar;

That a by-law be passed to appoint Principles Integrity, as the Integrity Commissioner for City Council, in accordance with the *Municipal Act, 2001*, effective April 6, 2022, and repeal By-law 165-2019;

That a by-law be passed to appoint Principles Integrity, as the Lobbyist Registrar, in accordance with the *Municipal Act, 2001*, effective April 6, 2022, and repeal By-law 166-2019;

That the Interim Chief Administrative Officer be authorized to sign an agreement with Principles Integrity, based on their proposal brief dated March 18, 2022, for Integrity Commissioner and Lobbyist Registrar services, with content satisfactory to the Interim Chief Administrative Officer and Commissioner, Legislative Services, and in a form approved by the City Solicitor or designate.

If Council intends to proceed with appointing Principles Integrity as the temporary Integrity Commissioner and Lobbyist Registrar, Council should be aware they will be proposing their standard agreement for Integrity Commissioner and Lobbyist Registrar services. They have noted in their proposal that the only substantive change proposed in their agreement is to require that any termination of their services be subject to a reasonable justification of the non-performance of our responsibilities under the agreement to help ensure the general public that the Integrity Commissioner is structurally independent from Council.

If Council does not wish to proceed with Principle Integrity, staff will reach out to other municipal Integrity Commissioners to explore retention of their services.

Council may also wish to consider when and how to procure or recruit its Integrity Commissioner and Lobbyist Register for the new term of Council, or it may wish to leave that decision to the new term of Council. A temporary appointment of Principles Integrity until July 2023 facilitates continuity for the remainder of the current term of Council, and allows the new term of Council the time to establish its governance system and determine the method and process moving forward to appoint a new Integrity Commissioner and Lobbyist Registrar.

Corporate Implications:

Financial Implications:

An operating budget for Integrity Commissioner and Lobbyist Registrar services is incorporated into the City's annual budget and is available for services incurred.

Other Implications: *nil*

Term of Council Priorities:

This report achieves the term of Council priority of a Well-Run City by ensuring compliance with the Accountability and Transparency provisions of the *Municipal Act, 2001*, to facilitate accountable and transparent government.

Conclusion:

Council requested staff explore temporary Integrity Commissioner and Lobbyist Registrar services from Principles Integrity, being the Integrity Commissioner and Lobbyist Registrar for the Region of Peel. Principles Integrity has submitted a proposal to provide services until July 2023 for Council's consideration.

Authored by:

Peter Fay, City Clerk
Legislative Services

Reviewed and Approved by:

Marlon Kallideen, Commissioner
Legislative Services

Attachments: Appendix 1 – Proposal from Principles Integrity, dated March 18, 2022.