



The Corporation of the Town of LaSalle

To: Mayor and Members of Council

Prepared by: Jennifer Astrologo

Department: Council Services

Date of Report: November 7, 2023

Report Number: CS-2023-006

Subject: Appointment of Integrity Commissioner

Recommendation

That the report of the Director of Council Services, dated November 7, 2023 (CS-2023-06) regarding the Appointment of an Integrity Commissioner be received;

And that, Davies Howe LLP be appointed as the Town's Integrity Commissioner effective January 1, 2024, for a three (3) year term, subject to the execution of an Agreement between the parties, which agreement shall be to the satisfaction of the Town's Legal Counsel;

And that, the Mayor and Director of Council Services be authorized to execute said Agreement.

Report

Pursuant to the *Municipal Act, 2001*, the Town is required to ensure that it has assigned the below listed responsibilities to an Integrity Commissioner.

- The application of the code of conduct for members of council and the code of conduct for members of local boards.
- 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.
- The application of sections 5, 5.1, 5.2 of the *Municipal Conflict of Interest Act* to members of council and of local boards.
- Request from members of council and of local boards for advice respecting their obligations under the code of conduct applicable to the member.

- 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.
- Requests from members of council and of local boards for advice respecting their obligations under the *Municipal Conflict of Interest Act*.
- 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*.

These responsibilities are currently being fulfilled by Mr. Robert Swayze, the Town's appointed Integrity Commissioner. Mr. Swayze was first appointed in 2015 and his contract is set to expire on December 31, 2023.

Mid-September, the Town issued a Request for Proposals ("RFP") for the provision of Integrity Commissioner Services. As a courtesy, Mr. Swayze was notified of the RFP issuance, but did not submit a proposal in response to the Town RFP.

The Town received two (2) proposals:

- Davies Howe LLP
- Sage Analytics Inc.

The Director of Council Services and the Deputy Chief Administrative Officer reviewed and scored the proposals. Although Sage Analytics had a higher technical score, Davies Howe ultimately received a higher overall score once the financial and technical scores were combined.

Davies Howe is a law firm in Toronto, with a primary focus on municipal law and put forward Mr. Robert Miller as the named Integrity Commissioner. Although Mr. Miller has never been appointed as an Integrity Commissioner, Mr. Miller has municipal law experience from both the private and public sector perspectives. In the public sector, he served as Assistant Town Solicitor for the Town (now City) of Richmond Hill, and also as Senior Counsel for the Regional Municipality of York. He has experience educating members of council on the duties and responsibilities under the *Municipal Conflict of Interest Act*, the *Municipal Act*, and municipal Codes of Conduct.

He will be supported by two (2) lawyers in the firm, who have experience defending and responding to code of conduct complaints, and inquiries related to both municipal Codes of Conduct and the *Municipal Conflict of Interest Act*.

Consultations

Deputy Chief Administrative Officer

Financial Implications

The contract contemplates a \$1200 annual retainer regardless of the usage of services. The additional costs will depend on the nature and complexity of inquiries received.

Prepared By:



Director, Council Services/Clerk

Jennifer Astrologo

Link to Strategic Goals

1. Enhancing organizational excellence - No
2. Strengthen the community's engagement with the Town - No
3. Grow and diversify the local economy - No
4. Build on our high-quality of life - No
5. Sustaining strong public services and infrastructure - No

Communications

Not applicable

Notifications

The representative who submitted the proposal on behalf of Davies Howe LLP was notified.

Report Approval Details

Document Title:	Appointment of Integrity Commissioner.docx
Attachments:	
Final Approval Date:	Nov 14, 2023

This report and all of its attachments were approved and signed as outlined below:



Chief Administrative Officer

Joe Milicia