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Council Meeting – June 21, 2022

Subject: Amending By-law Establishing an Office of the Integrity
Commissioner
Report Number: CAO-22-088
Division: Office of the Chief Administrative Officer
Department: Clerks and By-law
Purpose: For Decision

Recommendation(s):

THAT Staff Report CAO 22-88 Amending By-law Establishing an Office of the Integrity Commissioner be received for information;

AND THAT Council approve the draft amending by-law to amend the wording related to the term of contract from “5 years” to “up to 5 years”.

Executive Summary:

The purpose of this report is to propose an amendment to By-law 2018-33 to Establish the Office of an Integrity Commissioner to amend the required timeframe for contracting an Integrity Commissioner.

Discussion:

The Municipal Act, 2001, through section 223.3 authorizes a municipality to appoint an Integrity Commissioner who performs functions with respect to the application of the Code of Conduct for members of Council and other procedures, rules or policies governing their ethical behavior.

By-law 2018-33, as amended, is the by-law establishing an office of the Integrity Commissioner for Norfolk County.

In December 2021, the County’s Integrity Commissioner resigned and Council appointed ADR Chambers as an interim Integrity Commissioner for a period of up to one (1) year to allow staff to proceed with a procurement process for Integrity Commissioner Services.

As staff prepare to finalize the RFP for the procurement, it was noted that the current by-law provides for a five (5) year contract to be entered into. Staff are requesting some flexibility with the term of contract to allow for a shorter initial contract term with options

to renew in favor of Norfolk County, therefore allowing greater flexibility to meet the County's needs.

A draft amending by-law is attached as Attachment 1 to provide for the wording in Clause 3 to be amended from "5 years" to "up to 5 years". Should Council approve this minor amendment, the amending By-law is included on the Council agenda for adoption.

Financial Services Comments:

There are no direct financial implications anticipated as a result of amending this by-law to allow for a more flexible contract period related to Integrity Commissioner services, and may in fact result in a more frequent and competitive bidding process which could have a positive impact on costs. Current budgeting practice is to use a 3-5 year average of services utilized as actual costs can fluctuate quite significantly, therefore this change is not expected to have a material financial impact.

Interdepartmental Implications:

N/A

Consultation(s):

The Purchasing department, Finance and the CAO were consulted on this report.

Strategic Plan Linkage:

This report aligns with the 2019-2022 Council Strategic Priority "Build Solid Foundations".

Explanation: Assuring oversight, accountability and streamlined procurement practices.

Conclusion:

An amending by-law is required to allow for greater flexibility in establishing contract terms for the procurement of an Integrity Commissioner for Norfolk County.

Attachment(s):

- Attachment 1: Proposed Amending By-law

Approval:

Approved By:
Al Meneses
Chief Administrative Officer

Prepared/Reviewed By:
Teresa Olsen
County Clerk