



Legislation Text

File #: BL-18-008, **Version:** 1

TAMRMS#: B06

Bylaw 13/2018 - Amendment to Council Code of Conduct and Bylaw 14/2018 Amendments to Integrity Commissioner

Presented by: Chris Belke, Chief Legislative Officer

RECOMMENDATION(S)

1. That Bylaw 13/2018, being Amendment 2 to Bylaw 38/2017 Council Code of Conduct be read a first time.
2. That Bylaw 13/2018, be read a second time.
3. That unanimous consent be given for consideration of third reading of Bylaw 13/2018.
4. That Bylaw 13/2018 be read a third and final time.
5. That Bylaw 14/2018, being Amendment 1 to Bylaw 45/2017 Integrity Commissioner be read a first time.
6. That Bylaw 14/2018, be read a second time.
7. That unanimous consent be given for consideration of third reading of Bylaw 14/2018.
8. That Bylaw 14/2018 be read a third and final time.

PURPOSE OF REPORT

To present proposed Bylaw 13/2018 - Amendment to Council Code of Conduct and proposed Bylaw 14/2018 - Amendments to Integrity Commissioner for consideration by Council.

COUNCIL DIRECTION

On December 11, 2017 Council passed the following motions:

(BL-17-052)

That Bylaw 46/2017 be read a third and final time.

(BL-17-053)

That Bylaw 45/2017, be read a third and final time.

BACKGROUND AND DISCUSSION

Bylaw 38/2017 Council Code of Conduct was passed by Council on August 21, 2017. This bylaw set outs the functions and responsibilities of the Integrity Commissioner with respect to receiving, reviewing, investigating and adjudicating complaints based on s. 70 - Formal Complaint Procedure. Bylaw 45/2017 Integrity Commissioner was passed by Council on December 11, 2017. This bylaw sets out the appointment, role and duties of the Integrity Commissioner. Both Bylaw 38/2017 Council Code of Conduct and Bylaw 45/2017 Integrity Commissioner currently have an effective date of March 1, 2018.

Administration considered issuing a Request for Proposal (RFP) for the service of an Integrity Commissioner. However, the position of Integrity Commissioner is novel and unique to Alberta municipalities (Calgary is currently the only other Alberta municipality that utilizes an Integrity Commissioner), and the City of St. Albert has no information as to approximately how many complaints may be received and the amount of time that would be required to conduct any subsequent investigations. This would have made it difficult to define the scope of the service required in a RFP and difficult for any proponents to provide accurate costing for the provision of their services. Consequently, Administration decided to sole source the service of the Integrity Commissioner for an initial six month term, rather than a one year term. The initial six month term will help establish greater insight into the scope of the service to be provided and help establish more accurate costing for the provision of the service. Any subsequent appointments would then be for a one year term, with the possibility of one year term extensions. The proposed amendment to section 3 of the Bylaw 45/2017 Integrity Bylaw reflects this.

Administration is currently in the process of determining the details of a service contract with a party interested in providing the services of an Integrity Commissioner. Since Bylaw 38/2017 Council Code of Conduct and Bylaw 45/2017 Integrity Commissioner come into effect March 1, 2018, further proposed amendments to both bylaws would change the effective date from March 1, 2018 to March 15, 2018. This will provide Administration more time to finalize the contract with the Integrity Commissioner to ensure it is in place prior to the bylaws coming into force.

STAKEHOLDER COMMUNICATIONS OR ENGAGEMENT

N/A

IMPLICATIONS OF RECOMMENDATION(S)

Financial:

None at this time.

Legal / Risk:

None at this time.

Program or Service:

None at this time.

Organizational:

None at this time.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

1. Council could choose to further amend Bylaw 38/2017 Council Code of Conduct and Bylaw 45/2017 Integrity Commissioner and direct Administration to bring another updated version of the bylaw back to Council at a future date for further consideration.
2. Council could choose not to consider Bylaw 13/2018 - Amendment to Council Code of Conduct and Bylaw 14/2018 Amendments to Integrity Commissioner at this time. However, this would mean that Bylaw 38/2017 Council Code of Conduct and Bylaw 45/2017 Integrity Commissioner would take effect March 1, 2018 and that s. 70 - Formal Complaint Procedure of Bylaw 38/2017 Council Code of Conduct would not have the mechanism of the Integrity Commissioner in place to ensure compliance with this section. Since the duties of the Integrity Commissioner set out in s. 7 of Bylaw 45/2017 Integrity Commissioner are inextricably linked with s. 70 of Bylaw 38/2017 Council of Conduct, it is essential both bylaws take effect at the same time.

STRATEGIC CONNECTIONS

Governance Strategy

Council is committed to ensuring that the City of St. Albert is a responsive, accountable government that delivers value to the community.

Report Date: February 26, 2018

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Committee/Department: Legislative Services

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