

MANAGEMENT REPORT

Date: November 25, 2024
To: Mayor and Council
From: Tatiana Dafoe, City Clerk
Report Number: COU24-149
Attachments: None

Title: Appointment of an Integrity Commissioner

Objective: To award the Request for Proposal for Integrity Commissioner Services (RFP-2024-22) for the City of Stratford.

Background: The Municipal Act, 2001, requires all municipalities to appoint an Integrity Commissioner. Broadly, the role of an Integrity Commissioner is to ensure adherence to the Code of Conduct for Members of Council and Designated Boards as well as the Municipal Conflict of Interest Act (MCIA). Further, the Integrity Commissioner provides advice and education to Members of Council on the rules contained within each. The Integrity Commissioner may conduct inquiries regarding whether a Member of Council or a local board has contravened the Code of Conduct or certain Sections of the MCIA.

At the May 13, 2024 Regular Council meeting, Council adopted the following resolution:

THAT a request for proposal be issued in 2024 for integrity commissioner services;

AND THAT the following requirements be mandatory:

- the successful bidder will have at least ten (10) years of legal or quasi-judicial experience, or senior municipal management; and
- minimum of three (3) references for whom the proponent has satisfactorily provided Integrity Commissioner services in the past 5 years; and
- the term of the contract be to December 31, 2026.

Following receipt of the direction above, staff issued a Request for Proposal (RFP-2024-22). The purpose of this Report is to provide Members of Council with the results of the procurement process and seek approval for the appointment of a new Integrity Commissioner for the City of Stratford.

Analysis: A total of four proposals were received from the following organizations in response to Request for Proposal RFP-2024-22:

- Good Sense Workplace Solutions
- ADR Chambers Inc.
- Loopstra Nixon LLP
- Boghosian + Allen LLP

Proposals were assessed against the following criteria:

- Experience
- Approach and methodology
- Knowledge of Ontario Municipal Act
- Experience with the Municipal Conflict of Interest Act
- Public Relations and Education
- Municipal References
- Financial

Following an evaluation of each proposal, two submissions were shortlisted and interviewed: ADR Chambers Inc. and Boghosian + Allen LLP. It is recommended that David Boghosian, Managing Partner of Boghosian + Allen LLP be appointed as the City of Stratford's Integrity Commissioner to December 31, 2026, with an option to renew for two years at the sole discretion of the City of Stratford.

Mr. Boghosian has over 30 years of experience in providing a broad range of legal services to municipalities including integrity commissioner services. Mr. Boghosian currently acts as Integrity Commissioner for several municipalities, including but not limited to: the Township of Pelham, the Township of Caledon, the City of Greater Sudbury, the City of Hamilton, and Norfolk County.

Upon appointment, it will be important for Council and the public to understand the role and purpose of the Integrity Commissioner, the impact of this office and how to communicate with the Integrity Commissioner. Communications, contact information and general information will be provided on the City of Stratford's website.

Financial Implications:

Financial impact to current year and future year operating budgets:

Funds are included in the annual budget for Integrity Commissioner services with a lump sum amount based on historical hourly volumes. No variances are expected in 2024 or 2025.

Legal considerations:

The City is required to appoint an integrity commissioner in accordance with the Municipal Act, 2001.

Alignment with Strategic Priorities:

Not applicable: This report does not directly align with one of the Strategic Priorities. The City is statutorily required to appoint an Integrity Commissioner as required by the Municipal Act, 2001.

Alignment with One Planet Principles:

Not applicable: This report does not directly align with the One Planet Principles. The City is statutorily required to appoint an Integrity Commissioner as required by the Municipal Act, 2001.

Staff Recommendation: THAT the Request for Proposal (RFP-2024-22) for Integrity Commissioner Services be awarded to Boghosian + Allen LLP;

THAT as the appointed Integrity Commissioner for the City of Stratford, David Boghosian, Managing Partner of Boghosian + Allen LLP will fulfill all statutory requirements pursuant to sections 223.3 and 223.8 of the Municipal Act, 2001, and pursuant to the Municipal Conflict of Interest Act, R.S.O. c M.50, as amended;

AND THAT a by-law be enacted to authorize the Mayor and Clerk, or their respective delegates, to execute an agreement with David Boghosian, Managing Partner of Boghosian + Allen LLP for the provision of Integrity Commissioner Services to December 31, 2026, with an option to renew for two years at the sole discretion of the City of Stratford.

Prepared by: Tatiana Dafoe, City Clerk

Recommended by: Karmen Krueger, CPA, CA, Director of Corporate Services
Joan Thomson, Chief Administrative Officer