



**City of Kingston
Report to Council
Report Number 21-273**

To: Mayor and Members of Council
From: Craig Desjardins, Acting Commissioner, Corporate Services
Resource Staff: John Bolognone, City Clerk
Jenna Morley, City Solicitor & Director of Legal Services
Date of Meeting: November 2, 2021
Subject: Appointment of Members to the Integrity Commissioner
Selection Panel

Council Strategic Plan Alignment:

Theme: Corporate business

Goal: See above

Executive Summary:

The purpose of this report is to recommend the appointment of Members of Council to serve on the selection panel for the recruitment of their new Integrity Commissioner. The *Municipal Act, 2001* (the Act) at Section 223.3 (1) authorizes the municipality to appoint an Integrity Commissioner, who reports to Council and who is responsible for performing in an independent manner, the functions assigned by the municipality in accordance with the Act.

By-Law Number 2017-064, being A By-Law to Establish an Accountability Framework for the City of Kingston, at Section 5, sets out that (a) the selection process for the Integrity Commissioner shall be overseen by a selection panel, and (b) the appointment of the Integrity Commissioner shall be recommended to Council by the selection panel.

In light of concerns expressed by Council members at the October 19th Council meeting, staff are recommending that the selection panel be comprised of three (3) members of Council, including the Mayor, rather than having City staff representation, as was the case in 2017. The

November 2, 2021

Page 2 of 5

Clerks Department and Legal Services staff will provide administrative, procedural and legal support to the Integrity Commissioner Selection Panel, as required.

Recommendation:

That the Integrity Commissioner Selection Panel for the recruitment of an Integrity Commissioner for a four-year term commencing in 2022 be comprised of Mayor Paterson, Councillor _____, and Councillor _____.

November 2, 2021

Page 3 of 5

Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

**Craig Desjardins, Acting
Commissioner, Corporate
Services**

ORIGINAL SIGNED BY CHIEF
ADMINISTRATIVE OFFICER

**Lanie Hurdle, Chief
Administrative Officer**

Consultation with the following Members of the Corporate Management Team:

Paige Agnew, Commissioner, Community Services	Not required
Peter Huigenbos, Commissioner, Business, Environment & Projects	Not required
Brad Joyce, Commissioner, Transportation & Public Works	Not required
Jim Keech, President & CEO, Utilities Kingston	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

November 2, 2021

Page 4 of 5

Options/Discussion:

On September 7, 2021, staff provided Council with [Report Number 21-227](#), Extension of the Term of the Integrity Commissioner Until Completion of Integrity Commissioner RFP Process. With Council's approval, the incumbent Integrity Commissioner's term has been extended to December 31, 2021.

As part of the process to secure a new integrity commissioner, staff issued a Request for Proposals (RFP) F18-CS-Cs-2021-03 for Integrity Commissioner Services on September 21, 2021.

Notice of RFP F18-CS-Cs-2021-03 was sent to 4432 registered Biddingo subscribers based on those that had indicated an interest in being notified of all procurement postings related to Management Consulting, Human Resources or Communications. In addition to the aforementioned, direct notice of the issuance of the RFP was provided to 17 Integrity Commissioners who are currently providing Integrity Commissioner services in 42 municipalities. Notice was also advertised in two issues of the Law Society of Ontario's publication, *Ontario Reports*.

The result of this RFP promotion was eight individuals/firms downloaded the procurement documents for consideration with three formal submissions received by the deadline.

The Integrity Commissioner Selection Panel will need to complete their evaluation of the three proposals and interview candidates by November 26, 2021 in order to prepare the necessary report and make recommendations to Council on December 7, 2021 for the appointment of the Integrity Commissioner. Following Council's approval, staff will undertake administration of the necessary contractual documents.

City staff will bring forward additional changes to By-Law 2017-064, being A By-Law to Establish an Accountability Framework for the City of Kingston and the Code of Conduct Complaint Protocol at a future Council meeting in order to establish a more direct relationship between Council and its Integrity Commissioner.

Existing Policy/By-Law:

[Municipal Act, 2001](#)

[By-Law Number 2017-064, being A By-Law to Establish an Accountability Framework for the City of Kingston](#)

Notice Provisions:

None

November 2, 2021

Page 5 of 5

Accessibility Considerations:

None

Financial Considerations:

Integrity Commissioner Services are funded through the Operating Budget of the Office of the City Clerk.

Contacts:

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Jenna Morley, City Solicitor & Director of Legal Services, 613-546-4291 extension 1365

Other City of Kingston Staff Consulted:

Janet Jaynes, Deputy City Clerk

Exhibits Attached:

None