

COMMITTEE OF THE WHOLE JUNE 18, 2007

ACCOUNTABILITY AND TRANSPARENCY COMMITTEE

Recommendation

The City Manager and the Commissioner of Legal and Administrative Services in consultation with the Senior Management Team recommend as follows:

1. That Council appoint a Local and Regional Councillor and a Ward Councillor to the Accountability and Transparency Committee at this time;
2. That applications be invited from members of the public and local media interested in the three positions on the Committee and that the Clerks Department advertise for the positions;
3. That representatives from the public have qualifications and/or background in some of the following areas: legal, ethics, public administration, governance and policy development;
4. That the Committee's Terms of Reference include the following:
 - Review current policies/practices pertaining to Council's Code of Conduct, confidentiality, accountability and transparency
 - Review current policies and practices of other municipalities related to these matters
 - Make recommendations to Council regarding the appointment of the Integrity Commissioner
 - Review current Council Code of Conduct and draft Complaint Procedure with the Integrity Commissioner and make recommendations to Council regarding any revisions
5. That the continuation of the Accountability and Transparency Committee be reviewed in two years.

Economic Impact

There is no economic impact as a result of this report.

Communications Plan

The Corporate Communications Department will issue a news release on the formation of the Committee. Advertisements seeking applicants for the positions on the Accountability and Transparency Committee will be published on the City Page in the local newspaper and will be posted on the City's website.

Purpose

On April 23, 2007, Council directed that an Accountability and Transparency Committee be established to review the City's current policies/practices pertaining to Council's Code of Conduct, confidentiality, accountability and transparency, and that this Committee also make recommendations to Council regarding the appointment of an Integrity Commissioner.

Background – Analysis and Options

A. Members of Committee

On April 23, 2007, Council directed that the Accountability and Transparency Committee be composed of the following members:

- Mayor or designate
- 1 Local and Regional Councillor
- 1 Ward Councillor
- 2 Members of the public (one with a legal background and one with ethics background strongly recommended)
- City Manager
- City Solicitor
- City Clerk
- A member of the local media

It is recommended that Council appoint a Local and Regional Councillor as well as a Ward Councillor for the Committee at this time.

It is recommended that applications be invited from members of the public and local media who are interested in the three positions on the Committee. All applications will be forwarded to Committee of the Whole for consideration.

Due to the nature of the issues to be addressed by the Committee, it is recommended that representatives from the public have certain qualifications and/or background in some of the following areas:

- Legal
- Ethics
- Governance
- Public administration
- Policy development

As Council will consider the mandate and terms of reference of the Accountability and Transparency Committee at its meeting on June 25, 2007, the deadline for applications is expected to be August 17, 2007. This will provide an opportunity for consideration of the applications so that staff can report to Council regarding the appointments in September, 2007.

B. Terms of Reference

Council directed that the Accountability and Transparency Committee be established to review the City's current policies/practices pertaining to Council's Code of Conduct, confidentiality, accountability and transparency, and that this Committee also make recommendations to Council regarding the appointment of an Integrity Commissioner.

The Accountability and Transparency Committees established in Hamilton and Kitchener-Waterloo were primarily set up to review the *Municipal Act* amendments with respect to establishing Integrity Commissioner positions. The Terms of Reference for these committees include matters that have already been addressed in reports to Council (see April 16 and May 28, 2007). In addition, Council has already directed that the position of the Integrity Commissioner be established for Vaughan. As a result, it is recommended that the Terms of Reference for the City of Vaughan's Accountability and Transparency Committee include the following:

- Review current policies/practices pertaining to Council's Code of Conduct, confidentiality, accountability and transparency
- Review current policies and practices of other municipalities related to these matters
- Make recommendations to Council regarding the appointment of the Integrity Commissioner
- Review current Council Code of Conduct and draft Complaint Procedure with the Integrity Commissioner and make recommendations to Council regarding any revisions

Upon establishment of the Committee and the appointment of the Integrity Commissioner, Council may direct the Committee to consider other matters as it deems appropriate. Council may direct that the Committee provide comments with respect to such matters as the

appointment of an Investigator to deal with complaints related to closed meetings, accountability officers pursuant to the *Municipal Act* (including an Auditor General, Ombudsman and Lobbyist Registrar), and accountability and transparency policies.

It should be noted that Council approved the Policy on Corporate Policy Development on April 23, 2007. This policy provides a procedure for development and approval of Corporate policies, from initiation through policy development and final approval by Council. Therefore, Council may, after its consideration of a Corporate policy, refer the draft policy to this Committee for review and comment.

C. Term of Committee

On June 11, 2007, Council directed that the position of the Integrity Commissioner be reviewed in two years. In keeping with this direction, it is recommended that the continuation of the Accountability and Transparency Committee be reviewed in two years. Setting a term is consistent with the City's policy governing Advisory Committees which states that the term of appointments to Advisory Committees should be noted in the appointment By-law.

Relationship to Vaughan Vision

This report is consistent with the priorities in the Vaughan Vision and the appropriate resources have been allocated and approved.

Regional Implications

None.

Conclusion

The establishment of the Accountability and Transparency Committee is in keeping with the recent amendments to the *Municipal Act*, promoting accountability and transparency in municipal government. To further the establishment of the Accountability and Transparency Committee, staff recommend the matters included in the Recommendations section of this report. Staff will report to Council in September with recommendations for the remaining three appointments to the Committee.

Attachments

None.

Report prepared by

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Respectfully Submitted,

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Services and City Solicitor