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July 7, 2016

SENT BY E-MAIL AND COURIER TO:

Mr. W.A. Taylor
Chief Administrative Officer
City of Markham
101 Town Centre Blvd.
Markham, ON L3R 9W3
ataylor@markham.ca

Dear Mr. Taylor:

Re: ADR Chambers as Office of the Integrity Commissioner—year-end report

Thank you for the opportunity to act as the Office of the Integrity Commissioner (“OIC”) for the City of Markham over the past year. As you know, the OIC’s role is to help Members of Council (“Members”) ensure that they are performing their functions in accordance with their *Code of Conduct* (the “Code”). The OIC is available to educate and provide advice to Members on matters governing their ethical behaviour. It is also responsible for receiving, assessing, and investigating appropriate complaints made by Council, Members, and members of the public respecting alleged breaches of the *Code* by Members.

We are hereby providing our Annual Report for the third operating period of the OIC, covering the period July 1, 2015 to June 30, 2016.

Infrastructure

As you know, a Complaint Protocol was established and an administrative intake team is in place to determine whether a particular complaint, once received from the City Clerk, is within the OIC's mandate. Every complaint received by the OIC is assigned a file number. An intake officer ("IO") records the pertinent information, and determines whether the complaint relates to a Member's alleged ethical violation or alleged breach of the *Code*. The IO then forwards the complaint to an investigator for analysis and, possibly, investigation, unless the complaint is not within our jurisdiction to process, in which case the City Clerk will be so advised. The IO deals with general file management and administrative support for complaint investigations.

Data

The OIC received two complaints during the year, both of which required investigation. As of June 30, 2016, one file is closed and there is one investigation underway. One investigation from the previous operating period was completed and billed by the OIC during the third operating period.

Investigations

As mentioned above, one investigation from the previous operating period was completed and reported to Council during the current period. Ben Drory concluded that the actions of a former Councillor contravened the *Code* and did not conduct himself with the appropriate decorum. Mr. Drory recommended that Council impose a reprimand.

A second investigation was conducted during the current operating period and a Report to Council was made. Mr. Drory concluded that a Member's comments constituted a minor breach of the *Code* and recommended that Council impose a reprimand.

Other Services

There have been two requests for advisory services from two Members of Council. These requests were addressed in a confidential process.

Billing

A summary of billing for the year is included in this report as Appendix 1.

Summary

It has been our honour and pleasure to assist the City of Markham with our work in the OIC. We look forward to continuing to provide the highest quality of Integrity Commissioner services to the City of Markham.

Yours truly,
ADR CHAMBERS INC.

A handwritten signature in black ink, appearing to be 'M. J. A.', written in a cursive style.

Office of the Integrity Commissioner
for the City of Markham

cc Kimberley Kitteringham, City Clerk (kkitteringham@markham.ca)

APPENDIX 1: Summary of Billing

Billing for the year to date has totalled \$43,397.73.

<u>Invoice #</u>	<u>Fixed Fees</u>	<u>Ben Drory</u>	<u>Marshall Schnapp</u>	<u>HST</u>	<u>Totals</u>
5607—Providing confidential information to a sitting Councillor July 2015		4.9 hrs @ \$300/hr \$1,470.00		\$191.10	\$1,661.10
5608—Administrative fee July 2015	\$1,666.67			\$216.67	\$1,883.34
5617—Administrative fee August 2015	\$1,666.67			\$216.67	\$1,883.34
5620—Reviewing a Complaint August 2015		30.0 hrs @ \$300/hr \$9,000.00		\$1,170.00	\$10,170.00
5627—Administrative fee September 2015	\$1,666.67			\$216.67	\$1,883.34
5637—Administrative fee October 2015	\$1,666.67			\$216.67	\$1,883.34
5652—Administrative fee November 2015	\$1,666.67			\$216.67	\$1,883.34
5665—Administrative fee December 2015	\$1,666.67			\$216.67	\$1,883.34
5674—Administrative fee January 2016	\$1,666.67			\$216.67	\$1,883.34
5686—Administrative fee February 2016	\$1,666.67			\$216.67	\$1,883.34
5696—Administrative fee March 2016	\$1,666.67			\$216.67	\$1,883.34
5707— Providing confidential information to a sitting Councillor March 2016			1.45 hrs @ \$300/hr \$435.00	\$56.55	\$491.55
5711—Administrative fee April 2016	\$1,666.67			\$216.67	\$1,883.34
5724—Administrative fee May 2016	\$1,666.67			\$216.67	\$1,883.34
5739—Administrative fee June 2016	\$1,666.67			\$216.67	\$1,883.34
5747—Reviewing a Complaint May/June 2016		25.0 hrs @ \$300/hr \$7,500.00		\$975.00	\$8,475.00
Totals	\$20,000.04	59.9 hrs @ \$300/hr \$17,970.00	1.45 hrs @ \$300/hr \$435.00	\$4,992.69	\$43,397.73