

**Report to
Rapport au:**

**Council
Conseil**

9 December 2020 / 9 décembre 2020

**Submitted on December 8, 2020
Soumis le 8 décembre 2020**

**Submitted by
Soumis par :
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Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2020-OCC-GEN-0034

SUBJECT: Collège – Ward 8 – Delegation of Budgetary Approval Authorities and Related Matters

OBJET : Quartier 8 Collège – Délégation des pouvoirs d'approbation budgétaire et questions connexes

REPORT RECOMMENDATIONS

That City Council:

- 1. Approve that the City Clerk and the Manager, Council and Committee Services, be delegated the authority for human resources-related matters and to order and approve any budgetary expenditures for the Ward 8 office for the remainder of the 2018-2022 Term of Council, as described in this report;**

2. Receive the options for introducing further restrictions on the Ward 8 Councillor's access to City staff in City of Ottawa municipal buildings, as described in this report; and
3. Receive the procedures for the Ward 8 Councillor's participation in in-person Council and Committee meetings, as described in this report.

RECOMMANDATIONS DU RAPPORT

Que le Conseil municipal :

1. Approuve que soient délégués au greffier municipal et au gestionnaire, Services au Conseil municipal et aux comités, les pouvoirs de gestion des questions de ressources humaines et d'engagement et d'approbation de toutes dépenses budgétaires du bureau du quartier 8 pour la durée restante du mandat du Conseil 2018-2022, comme il est indiqué dans le présent rapport;
2. Reçoive les options d'ajout de nouvelles restrictions concernant l'accès du conseiller du quartier 8 au personnel municipal dans les bâtiments de la Ville d'Ottawa, comme il est indiqué dans le rapport; et
3. Reçoive les procédures liées à la participation en personne du conseiller du quartier 8 aux réunions des comités et du Conseil, comme il est décrit dans le rapport.

EXECUTIVE SUMMARY

This report addresses three directions issued by City Council at its meeting of November 25, 2020, further to consideration of the Integrity Commissioner's report titled, "[Report to Council on an Inquiry Respecting the Conduct of Councillor Chiarelli.](#)" The Integrity Commissioner's report determined that Ward 8 Councillor Rick Chiarelli breached sections of the Code of Conduct for Members of Council in relation to two former employees in the Councillor's office.

The November 2020 report followed a previous report issued by the Integrity Commissioner in July 2020 that found that the Ward 8 Councillor contravened the Code of Conduct in relation to complaints filed by three members of the public who had interviewed for a job in the Ward 8 Councillor's office.

Further to Council's directions of November 25, 2020, the Discussion section of this report includes recommendations and information regarding the following matters for the remainder of the 2018-2022 Term of Council:

Delegating authority to the City Clerk and the Manager, Council and Committee Services for human resources-related matters and to order and approve any budgetary expenditures for the Ward 8 office

Further to a Council-approved recommendation from the Integrity Commissioner that Council "suspend all delegated authorities of the Respondent to hire staff and to order and approve any budgetary expenditures for the remainder of the 2018-2022 term of office and that the said delegated authorities shall be vested as recommended by the Clerk in a separate report to Council," it is recommended that the City Clerk and the Manager, Council and Committee Services, be delegated the authority to address all employment matters relating to the Ward 8 office.

This authority would include all matters relating to the hiring, discipline and termination of staff, and addressing other human resources-related matters, including salary progression, vacation leave and overtime. In addition, should Council approve this recommendation, the City Clerk intends not to approve the use of contracted vendors or volunteers to support the Ward 8 Office for the remainder of the 2018-2022 Term of Council unless it directly supports an office-related function (e.g. website maintenance and design).

It is recommended that the City Clerk and the Manager, Council and Committee Services, have the authority to approve (or reject) budget expenditures from the Ward 8 Constituency Services Budget further to consideration, on a case-by-case basis, of:

- The nature of the expenditure and any requirements under the Council Expense Policy;
- The statutory roles of the Member and their relation to the expense; and
- The Integrity Commissioner's findings in the July 2020 and November 2020 reports.

It is further recommended that any delegations of spending authority issued by the Councillor to his staff be revoked upon approval of this report. Where a purchasing card is the most efficient, economical and feasible manner in which to pay an approved expense, that expense may be paid using a purchasing card that would be provided in the name of the Program Manager, Council Support Services, or their designate, and

administered in accordance with the appropriate purchasing card policies and processes, provided such one-time or recurring expenses are approved by the City Clerk and/or the Manager, Council and Committee Services.

It is noted that the Ward 8 Councillor may have certain delegated authorities with respect to other City budget expenditures such as those under the Temporary Traffic Calming Measures Program and the Cash-in-lieu of Parkland Funds Policy. The Ward 8 Councillor's delegated authorities will continue with respect to any budget expenditures relating to such matters, as they were not subject to the Integrity Commissioner's recommendation with respect to suspension and delegation of authorities.

Options for introducing further restrictions on the Ward 8 Councillor's access to City staff in City of Ottawa municipal buildings

For the legal and practical reasons articulated in the Discussion section of this report, staff are of the view that there are no effective means of imposing further restrictions on the Ward 8 Councillor's access to City of Ottawa municipal buildings.

That said, noting that some of the conduct complained of in the Integrity Commissioner's reports relates to comments made by the Ward 8 Councillor to employees of his office (who are considered from an administrative perspective to be City staff), there may be opportunities to implement remedial measures to address the inappropriate conduct and prevent a recurrence during any future interactions between City staff and the Ward 8 Councillor. As such, options that may address interactions between the Ward 8 Councillor and operational staff, other Members' office staff and staff within the Ward 8 office are set out in this report.

Procedures for the Ward 8 Councillor's participation in in-person Council and Committee meetings

As the COVID-19 pandemic continues to evolve, the City Clerk advises that alternative seating for the Member will be reserved in Council Chambers in accordance with the appropriate public health guidelines available at the time that in-person meetings resume.

The City Clerk will ensure that the Member's seating location would not be physically near other Members of Council but would provide for the Ward 8 Councillor to participate fully in Council meetings.

As a non-Committee member, should the Ward 8 Councillor wish to attend any future in-person Standing Committee meetings during the 2018-2022 Term of Council, the Member will be requested to notify the Office of the City Clerk in advance.

A similar arrangement for in-person participation at City Council meetings will be made for the Councillor's participation at Standing Committee meetings, such that the Member is distanced from Committee members and other Members in attendance, in accordance with any applicable public health guidelines.

RÉSUMÉ

Le présent rapport traite de trois directives données par le Conseil municipal lors de sa réunion du 25 novembre 2020 suivant son examen du rapport du commissaire à l'intégrité, qui s'intitule « [Rapport au Conseil sur une enquête concernant la conduite du conseiller Chiarelli](#) ». Dans ce rapport du commissaire à l'intégrité, il a été déterminé que le conseiller du quartier 8, Rick Chiarelli, a contrevenu à des articles du Code de conduite des membres du Conseil à l'endroit de deux anciens membres du personnel de son bureau.

Le rapport de novembre 2020 fait suite à un rapport précédent du commissaire à l'intégrité présenté en juillet 2020, qui révélait que le conseiller du quartier 8 avait enfreint le Code de conduite relativement à des plaintes déposées par trois membres du public ayant participé à une entrevue d'emploi au bureau du conseiller du quartier 8.

Tenant compte des directives du Conseil du 25 novembre 2020, la section Analyse du présent rapport comprend des recommandations et des renseignements concernant les questions suivantes pour la durée restante du mandat du Conseil 2018-2022.

Les pouvoirs délégués au greffier municipal et au gestionnaire, Services au Conseil municipal et aux comités, pour gérer les questions de ressources humaines et pour engager et approuver toutes dépenses budgétaires du bureau du quartier 8

À la suite de la recommandation du commissaire à l'intégrité approuvée par le Conseil demandant au Conseil de « [suspendre] tous les pouvoirs qu'il a délégués au défendeur au regard de l'embauche de personnel ainsi que de l'engagement et de l'approbation de toutes dépenses budgétaires pour le reste de son mandat jusqu'en 2022, et [veiller] à ce que les pouvoirs ainsi retirés au défendeur soient dévolus, conformément aux recommandations, au greffier municipal dans un rapport distinct au Conseil », il est recommandé que soit délégué au greffier municipal et au gestionnaire, Services au

Conseil municipal et aux comités, le pouvoir de gérer toutes les questions liées à l'emploi au bureau du quartier 8.

Ce pouvoir inclurait toutes les questions relatives à l'embauche, aux mesures disciplinaires et au licenciement des membres du personnel ainsi qu'à la gestion de toutes les autres questions de ressources humaines, notamment la progression salariale, les congés et les heures supplémentaires. Par ailleurs, si le Conseil approuve cette recommandation, le greffier municipal a l'intention de ne pas approuver le recours à des fournisseurs ou à des bénévoles pour soutenir le bureau du quartier 8 pour la durée restante du mandat du Conseil 2018-2022, sauf si le soutien appuie directement une fonction liée au bureau (p. ex, conception et mise à jour du site Web).

Il est recommandé que le greffier municipal et le gestionnaire, Services au Conseil municipal et aux comités, aient le pouvoir d'approuver (ou de rejeter) les dépenses budgétaires liées au budget alloué aux services de la circonscription du quartier 8 après avoir examiné, au cas par cas, ce qui suit :

- la nature de la dépense et toute exigence conformément à la Politique sur les dépenses du Conseil;
- les rôles prévus par la loi et son lien avec la dépense; et
- les constatations du commissaire à l'intégrité dans les rapports de juillet 2020 et de novembre 2020.

Il est en outre recommandé que toute délégation de pouvoir quant aux dépenses, qui a été octroyée par le Conseil aux membres de son personnel, soit révoquée lorsque le présent rapport aura été approuvé. Dans les cas où il s'agit du moyen le plus efficace, économique et faisable de payer une dépense approuvée, il est possible d'utiliser une carte d'achat fournie au nom du gestionnaire de programme, Services de soutien au Conseil municipal, ou de son mandataire, et administrée conformément aux politiques et processus adéquats en matière de carte d'achat, à condition que cette dépense ponctuelle ou ces dépenses récurrentes soient approuvées par le greffier municipal et/ou le gestionnaire, Services au Conseil municipal et aux comités.

On souligne que le conseiller du quartier 8 bénéficie de certains pouvoirs lui ayant été délégués quant à d'autres dépenses budgétaires municipales, comme dans le cadre du Programme de mesures temporaires de modération de la circulation et de la Politique sur les frais relatifs aux terrains à vocation de parc. Le conseiller du quartier 8 continuera d'exercer les pouvoirs qui lui ont été délégués relativement à toute dépense

budgétaire concernant de telles questions, car elles n'étaient pas visées par la recommandation du commissaire à l'intégrité portant sur la suspension et la délégation de pouvoirs.

Les options d'ajout de nouvelles restrictions concernant l'accès du conseiller du quartier 8 au personnel municipal dans les bâtiments de la Ville d'Ottawa

En raison des considérations d'ordre juridique ou technique articulées dans la section Analyse du présent rapport, les membres du personnel sont d'avis qu'il n'y a pas de moyen efficace d'imposer de nouvelles restrictions à l'égard de l'accès du conseiller du quartier 8 aux bâtiments municipaux de la Ville d'Ottawa.

Cela dit, comme certains aspects de la conduite visés par les plaintes dans les rapports du commissaire à l'intégrité sont liés à des commentaires faits par le conseiller du quartier 8 aux membres du personnel de son bureau (qui sont considérés comme du personnel municipal selon le point de vue administratif), il pourrait être possible de mettre en œuvre des mesures correctives visant à réprimer la conduite inappropriée et à éviter qu'un tel incident se reproduise pendant de futures interactions entre les membres du personnel de la Ville et le conseiller du quartier 8. À ce titre, les options pour encadrer les interactions entre le conseiller du quartier 8 et le personnel opérationnel, les autres membres du personnel du bureau des membres et le personnel travaillant au bureau du quartier 8 sont décrites dans le présent rapport.

Les procédures liées à la participation en personne du conseiller du quartier 8 aux réunions des comités et du Conseil

Comme la pandémie de COVID-19 est en constante évolution, le greffier municipal déclare qu'un autre siège sera réservé au membre dans la salle du Conseil conformément aux directives de santé publique pertinentes qui seront en vigueur au moment de la reprise des réunions en personne.

Le greffier municipal s'assurera que le siège du membre ne se trouve pas à proximité d'autres membres du Conseil, mais à un endroit qui permet au conseiller du quartier 8 de participer pleinement aux réunions du Conseil.

En tant que non-membre d'un comité, si le conseiller du quartier 8 souhaite assister en personne aux futures réunions des comités permanents durant le mandat du Conseil 2018-2022, il devra en aviser le Bureau du greffier municipal.

Une entente semblable concernant la participation en personne aux réunions du Conseil sera conclue à l'égard de la participation du conseiller aux réunions des

comités permanents : il se trouvera à distance des membres des comités et des autres membres présents, conformément à toute directive de santé publique applicable.

BACKGROUND

On November 25, 2020, City Council considered the Integrity Commissioner's report titled, "[Report to Council on an Inquiry Respecting the Conduct of Councillor Chiarelli](#)." The report provided the Integrity Commissioner's findings that the Ward 8 Councillor breached the Council-approved [Code of Conduct for Members of Council](#) in relation to formal complaints filed by two former employees in the Councillor's office.

At Paragraph 206 of the report, the Integrity Commissioner concluded that the Ward 8 Councillor's conduct:

"... is a shocking and astounding failure to treat the complainants with the respect they were due and required of him by the Code of Conduct. These are incomprehensible incidents of harassment that fall squarely within the definitions set out in the above City policies. The Respondent has deliberately engaged in a course of vexatious and troublesome comments against several individuals; he was absorbed in planning and executing volunteer subterfuge recruitment campaigns by objectifying the sexuality of his female employees; he abused his staff by tasking them with improper duties and functions; he employed intimidation and divisive ploys, including threats of dismissal and retaliation to coerce individuals to submit to his demands. With forethought, he conducted himself with total disregard for any of the principles and values outlined in the Code of Conduct and the workplace policies proclaimed by Council."

The November 2020 report followed a previous report from the Integrity Commissioner in July 2020, also titled, "[Report to Council on an Inquiry Respecting the Conduct of Councillor Chiarelli](#)."

In the July 2020 report, which Council considered on July 15, 2020, the Integrity Commissioner found that the Ward 8 Councillor contravened the Code of Conduct in relation to complaints filed by three members of the public who had interviewed for a job in the Ward 8 Councillor's office. The Integrity Commissioner's report stated as follows at Paragraph 121:

"All three job candidates state that the Respondent's comments and questions made them uncomfortable, embarrassed and troubled. The complainants met with the Respondent on the understanding they were interviewing for a position

in the Respondent's office. The Respondent exploited the power dynamic of the situation, in which the Respondent held out the possibility of employment, to sexualize the discussion and questions in a manner that was upsetting and unacceptable."

In both reports, the Integrity Commissioner recommended Council impose on the Ward 8 Councillor the strongest penalties under the *Municipal Act, 2001*, as set out below in more detail. Council approved the Integrity Commissioner's recommendations, as well as additional motions in response to the reports and findings.

Integrity Commissioner's authority with respect to sanctions

Under Subsection 223.4(5) of the *Municipal Act, 2001* (the Act) and Section 15 of the Code of Conduct for Members of Council, the Integrity Commissioner may make recommendations to Council with respect to penalties, sanctions and other remedial actions when the Integrity Commissioner is of the opinion that a contravention of the Code of Conduct has occurred.

Subsection 223.4(5) of the Act provides as follows:

(5) The municipality may impose either of the following penalties on a member of council or of a local board if the Commissioner reports to the municipality that, in his or her opinion, the member has contravened the code of conduct:

1. A reprimand.
2. Suspension of the remuneration paid to the member in respect of his or her services as a member of council or of the local board, as the case may be, for a period of up to 90 days.

Section 15 of the Code of Conduct for Members of Council states as follows:

1. Members of Council are expected to adhere to the provisions of the Code of Conduct. The *Municipal Act, 2001* authorizes Council, where it has received a report by its Integrity Commissioner that, in his or her opinion, there has been a violation of the *Code of Conduct*, to impose one of the following sanctions:
 - a. A reprimand; and
 - b. Suspension of the remuneration paid to the member in respect of his or her services as a member of Council or a local board, as the case may be, for a period of up to 90 days.

2. The Integrity Commissioner may also recommend that Council impose one of the following sanctions:
 - a. Written or verbal public apology;
 - b. Return of property or reimbursement of its value or of monies spent;
 - c. Removal from membership of a committee; and
 - d. Removal as chair of a committee.
3. The Integrity Commissioner has the final authority to recommend any of the sanctions above or other remedial action at his or her discretion.

Integrity Commissioner's July 2020 report – Council-approved recommendations and motions

In paragraphs 130 to 132 of the July 2020 report regarding the three job candidates, the Integrity Commissioner commented as follows regarding recommendations with respect to sanctions:

“The most serious sanction is the suspension of up to 90 days of the Councillor’s remuneration. This sanction should normally be used in a progressive way, such as 30/60/90 days, depending on the experience of the Councillor, how flagrant the behaviour and whether acknowledgment of misbehaviour, remorse or regret are expressed. Suspensions of pay should be reserved for the most egregious violations of Code of Conduct. It should also only apply when there are no acceptable avenues for reparation or no mitigating circumstances that could in part explain the offending behaviour.

The three complaints are similar in nature and were grouped for purposes of this report. However each complaint stands alone when making a finding and in considering an appropriate sanction recommendation.

Having considered the above mentioned principles, because the Councillor is the longest serving elected public office holder on Council and that this offensive and disreputable behaviour has been going on for a very long time, I have decided that the most severe of sanctions are warranted in this case.”

The Integrity Commissioner recommended that City Council receive the report, including the finding that the Ward 8 Councillor contravened Section 4 (General Integrity) and Section 7 (Discrimination and Harassment) of the Code of Conduct, and:

Consecutively impose the following sanctions for each individual contravention of the Code of Conduct commencing on adoption of this report:

- a. Complaint 1 – Suspension of the remuneration paid to Councillor Chiarelli in respect of his service as a Member of Council for 90 days;**
- b. Complaint 2 – Suspension of the remuneration paid to Councillor Chiarelli in respect of his service as a Member of Council for 90 days;**
- c. Complaint 3 – Suspension of the remuneration paid to Councillor Chiarelli in respect of his service as a Member of Council for 90 days.**

Council approved the Integrity Commissioner's recommendations, as amended by a motion moved by Councillor Luloff and seconded by Councillor Dudas, with the following resolution:

THEREFORE be it resolved that Recommendation 2 be amended to replace “commencing on adoption of this report” with “commencing on August 14, 2020 to align with the appropriate pay period, such that all insured benefits obligations, as determined by the City Solicitor and the Director of Human Resources, are met.”

Integrity Commissioner's November 2020 report – Council-approved recommendations and motions

More recently, in paragraphs 216 to 220 of the November 2020 report relating to two former employees of the Ward 8 Councillor, the Integrity Commissioner provided the following comments regarding recommended sanctions:

“As Integrity Commissioner, it is my responsibility to recommend sanctions when findings, following proper investigation, determine that provisions of the Code of Conduct have been breached.

The most serious sanction is the suspension of up to 90 days of the Councillor's remuneration. As I said in an earlier report to Council (July 15, 2020), this sanction should normally be used in a progressive way, such as 30/60/and 90 days, depending on the experience of the Councillor, how flagrant the behaviour and whether acknowledgment of misbehaviour, remorse or regret are expressed. It should be reserved for some of the most egregious violations of Code of

Conduct. It should also only apply when there are no acceptable avenues for reparation or no mitigating circumstances that could in part explain the offending behaviour.

(...)

The two complaints apposite are similar in nature and were grouped for purposes of this report. However, each complaint stands alone when making a finding and in considering an appropriate sanction recommendation.

Having considered the above mentioned principles, because the Councillor is the most senior elected public office holder on Council and that his disreputable management style as an employer and his offensive personal behaviour has been going on at least since the adoption of the Code of Conduct in May 2013, I have decided once more that the most severe of sanctions are warranted in this case.”

Among other things, the Integrity Commissioner recommended that City Council receive the report, including the finding that the Ward 8 Councillor contravened Section 4 (General Integrity) and Section 7 (Discrimination and Harassment) of the Code of Conduct, and:

- **Impose the following sanctions for each individual contravention of the Code of Conduct:**
 - a. **Complaint 1 – Suspension of the remuneration paid to Councillor Chiarelli in respect of his service as a Member of Council for 90 days;**
 - b. **Complaint 2 – Suspension of the remuneration paid to Councillor Chiarelli in respect of his service as a Member of Council for 90 days.** [Recommendation 3 of the report]
- **Direct that the effective starting date for the above recommendations for suspension of remuneration follow the end of the suspensions of remuneration of Councillor Chiarelli approved by Council on July 15, 2020 and be applied consecutively.** [Recommendation 4 of the report]
- **Remove Councillor Chiarelli from the membership of all committees of Council and any other boards, local boards, agencies or commissions he has been appointed to by Council for the remainder of the 2018-2022 term of office.** [Recommendation 5 of the report]

- **Suspend all delegated authorities of Councillor Chiarelli to hire staff and to order and approve any budgetary expenditures for the remainder of the 2018-2022 term of office and that the said delegated authorities shall be vested as recommended by the City Clerk in a separate report to Council.** [Recommendation 6 of the report]

Council approved the Integrity Commissioner's recommendations and also carried three motions in response to the Integrity Commissioner's report and findings. The resolutions of the motions were as follows:

1. Moved by Councillor McKenney, seconded by Mayor Watson:

THEREFORE BE IT RESOLVED that Council direct the Mayor to issue a formal apology on behalf of Ottawa City Council to the women who were subjected to discrimination and harassment by Councillor Chiarelli while employed at the City of Ottawa, to the women who were subjected to discrimination and harassment by Councillor Chiarelli during interviews for employment in the office of the Councillor, and to any other women who experienced discrimination and harassment by Councillor Chiarelli but were unable to come forward as a complainant or witness.

2. Moved by Councillor Kavanagh, seconded by Councillor Fleury:

THEREFORE BE IT RESOLVED that City Council call on Councillor Rick Chiarelli to recognize that his conduct in these matters has been contrary to the Code of Conduct for Members of Council and that, in the interest of preserving public confidence and respect for the City of Ottawa and the effective representation of residents living in Ward 8, he tender his resignation as a member of City Council, effective immediately.

3. Moved by Councillor Sudds, seconded by Councillor Gower:

THEREFORE BE IT RESOLVED that subject to Council's approval of the of the 2021 City budget, that in the same manner as Motion 38/4 unanimously adopted by Council on August 26, 2020 that the City's Chief Financial Officer be directed to invest the total 2021 remuneration being suspended from this Member of Council due to the contraventions of Section 4 and Section 7 of the Code of Conduct, to be allocated to community organizations that support survivors of domestic violence and/or sexual

assault in consultation with the General Manager of Community and Social Services and;

BE IT FURTHER RESOLVED that Council direct the Mayor in consultation with the City Clerk and the City Solicitor write to the Honourable Steve Clark, Minister of Municipal Affairs and Housing, seeking revisions to the Municipal Act, 2001 that would provide for the vacating of the seat of a member of council who has been found on clear and convincing evidence to have committed serious misconduct, including any definitions necessary for the implementation of such a provision; and

BE IT FURTHER RESOLVED the City Clerk be directed to provide a report at the next regularly scheduled meeting of Council on the implementation of recommendation 6 found in the “Report to Council on an Inquiry Respecting the Conduct of Councillor Chiarelli” (ACS2020-OCC-GEN-0033) and;

BE IT FURTHER RESOLVED that the City Clerk and City Solicitor, in consultation with Corporate Security, review and report back to Council on options for introducing further restrictions on Councillor Chiarelli's access to City staff in City of Ottawa municipal buildings;

BE IT FURTHER RESOLVED that Councillor Chiarelli may only participate in Council Meetings via electronic methods or, when in-person Council meetings resume in Council Chambers, in alternative seating to be reserved for the Member of Council by the City Clerk and which is not physically near other Members of Council.

DISCUSSION

This report provides recommendations and information regarding the following three Council directions issued on November 25, 2020, by way of the Sudds/Gower motion described in the Background section of this report. These directions include:

1. Direction for the City Clerk to provide a report at the next regularly scheduled meeting of Council on the implementation of Recommendation 6 found in the Integrity Commissioner's report. Recommendation 6 provided that Council “suspend all delegated authorities of the Respondent to hire staff and to order and approve any budgetary expenditures for the remainder of the 2018-2022 term of office **and that the said delegated authorities shall be vested as**

recommended by the Clerk in a separate report to Council” [emphasis added];

2. Direction for the City Clerk and City Solicitor, in consultation with Corporate Security, to “review and report back to Council on options for introducing further restrictions on Councillor Chiarelli’s access to City staff in City of Ottawa municipal buildings”; and
3. Direction that the Ward 8 Councillor “may only participate in Council Meetings via electronic methods or, when in-person Council meetings resume in Council Chambers, in alternative seating to be reserved for the Member of Council by the City Clerk and which is not physically near other Members of Council.”

In addition, staff advise that further to Council’s direction issued through the Sudds/Gower motion for “the Mayor in consultation with the City Clerk and the City Solicitor [to] write to the Honourable Steve Clark, Minister of Municipal Affairs and Housing, seeking revisions to the *Municipal Act, 2001* that would provide for the vacating of the seat of a member of council who has been found on clear and convincing evidence to have committed serious misconduct, including any definitions necessary for the implementation of such a provision,” the Mayor’s letter to Minister Clark, dated December 7, 2020, is attached to this report as Document 1.

With respect to the three Council directions that are the focus of this report, the following statutory and legal matters should be understood when considering the recommendations and information provided by staff.

The Ward 8 Councillor remains a duly elected Member of Council

Rick Chiarelli was elected as the Ward Councillor for Ward 8 in the 2018 Municipal Elections.

While Subsection 259(1) of the *Municipal Act, 2001* provides various scenarios under which the office of a Member of Council becomes vacant, none of these provisions currently apply in this instance. Furthermore, although Council through the Kavanagh/Fleury motion of November 25, 2020, called on the Ward 8 Councillor to tender his resignation, it is noted that Subsection 260(1) of the Act provides that, “A member of council of a municipality may resign from office by notice in writing filed with the clerk of the municipality.” The City Clerk had not received any such written notice from the Ward 8 Councillor at the time this report was written.

As such, Councillor Chiarelli remains in office as the elected representative for Ward 8, with the statutory roles and responsibilities that apply to all Members of Council.

Regarding these statutory roles and responsibilities, Section 224 of the *Municipal Act, 2001* provides that it is the role of council,

- (a) to represent the public and to consider the well-being and interests of the municipality;
- (b) to develop and evaluate the policies and programs of the municipality;
- (c) to determine which services the municipality provides;
- (d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
 - (d.1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- (e) to maintain the financial integrity of the municipality; and
- (f) to carry out the duties of council under this or any other Act.

Similarly, the [Ontario Municipal Councillor's Guide 2018](#), published by the Ministry of Municipal Affairs and Housing, states as follows [emphasis added]:

“In other words, the key responsibilities as a councillor are **to support the municipality and its operations while ensuring that the public and municipality’s well-being and interests are maintained.** ...

As a councillor, you have three main roles to play in your municipality: a representative, a policy-maker, and a steward. These roles may often overlap.”

Therefore, Council may approve remedial actions aimed at correcting the harm caused by the Ward 8 Councillor’s conduct as determined by the Integrity Commissioner or preventing its recurrence, as described below in more detail. That said, consideration must also be given to the fact that the Member remains in elected office representing the constituents of Ward 8 – College with continued statutory roles and responsibilities.

Remedial versus punitive actions following misconduct

It is important to distinguish between sanctions that are intended to punish misconduct, and remedial measures directed at preventing a recurrence of the misconduct or providing corrective actions, as was noted in the City Solicitor’s memorandum to Council dated November 20, 2020, regarding “Remedial Options Available in Response to the Workplace Investigation of a Complaint Against Councillor Chiarelli Pursuant to the City’s Violence and Harassment in the Workplace Policy.” As further stated by the City Solicitor in the above-noted memo:

“The courts have made clear that a municipal council’s only authority for the imposition of penalties against a member of council resides in Section 223.4(5) of the *Municipal Act, 2001*. This statutory authority can be invoked only in response to a finding by the Integrity Commissioner that the relevant Member has breached the Code of Conduct.

The scope of a municipal council’s remedial authority in relation to the conduct of its members has only rarely been the subject of judicial comment. The most notable example comes from the case involving Toronto City Council and Rob Ford, where the court noted the following in respect of what constitutes a true ‘remedial’ action under the *City of Toronto Act* (the COTA):

67. That is not to say that the COTA precludes other remedial measures to carry out the objectives of a Code. For example, the Toronto Code permits the Integrity Commissioner to recommend “Other Actions”. Those “Other Actions” include a request for an apology. Such a request is not in and of itself a penalty or sanction. In some cases, an apology would be a reasonable and efficacious way to deal with an infraction of the Code, rather than to penalize with a reprimand or suspension. Similarly, a request to return City property if someone used it improperly may be a remedial measure. We agree with the application judge that a generous reading of the City’s power to pass a code of conduct, in accordance with s. 6(1) of the COTA, would support the validity of including remedial measures in such a code. We need not determine the precise ambit of permissible remedial measures in this appeal.

Magder v. Ford (Ont. Div. Ct.)

While the court in the *Ford* case declined to determine ‘the precise ambit of permissible remedial measures’ available, a more recent decision, arising out of the Town of Whitchurch-Stouffville, provided the courts with an opportunity to elaborate further on what are **not** considered remedial measures:

The offending terms encompass the applicant: restricting the applicant's right to communicate with staff by email only with exceptions authorized by the CAO, that he return his access keys and cards to the municipal facilities and shall have no access to municipal facilities except to pick up Council packages, meetings with constituents, make bill payments, attend council meetings or rent facilities for municipal election purposes. In effect, the offending terms have limited the applicant's ability to be the mayor of the Town and a private citizen of the Town with access to municipal facilities, events and benefits. He is not permitted to attend the library or municipal community centre to take his family swimming, attend a book reading, a blood drive or attend a private party at the municipal building or utilize a municipal building for a private purpose. There are no remedial characteristics in the offending terms. The offending terms do not remedy the failure of the applicant to provide an apology. The offending terms do not remedy the relationship between the applicant and the Town's staff and employees. The offending terms do not provide a remedial path to find a solution to end the applicant's inappropriate conduct to Town staff and employees.

Altmann v. The Corporation of the Town of Whitchurch-Stouffville (OSCJ)

In the case of findings of bullying and harassment perpetrated by the Mayor of Sarnia against several senior staff [following a workplace harassment investigation and report], Sarnia's City Council in 2016 moved to restrict the Mayor from entering City Hall and from communicating with City staff, other than through an intermediary. Such measures were clearly warranted in that instance by virtue of the nature of the harassment involved, namely, that the Mayor had engaged in 'a course of vexatious comments and conduct which created a poisoned work environment for the complainants', being the City Manager, the City Clerk, the Director of Planning and Building, and the Director of Parks and Recreation. As a result, there existed a clear nexus between the conduct complained of and the remedial action taken."

Therefore, based on the outcomes in other municipalities, any action taken by Council in response to the Integrity Commissioner's findings of Code of Conduct breaches by the Ward 8 Councillor should be rationally connected to the remediation of the harm caused by the breaches or preventing its recurrence.

Further to the comments and considerations noted above, recommendations and information to address Council's directions of November 25, 2020, are set out below.

1. Delegating authorities for human resources-related matters and to order and approve any budgetary expenditures for the Ward 8 office

As described in the Background section of this report, Council on November 25, 2020, approved Recommendation 6 of the Integrity Commissioner's report, being to "Suspend all delegated authorities of Councillor Chiarelli to hire staff and to order and approve any budgetary expenditures for the remainder of the 2018-2022 term of office and that the said delegated authorities shall be vested as recommended by the City Clerk in a separate report to Council."

By way of the Sudds/Gower motion, Council directed the City Clerk to provide a report at the next regularly scheduled meeting of Council on the implementation of Recommendation 6 found in the Integrity Commissioner's report. The City Clerk's recommendations with respect to the implementation of these delegated authorities are provided below.

Delegated authorities for human resources-related matters

Members of Council are generally responsible for employment matters relating to their offices, including the recruitment and hiring process. The Office of the City Clerk has a formalized role in providing administrative support to Members of Council and their respective offices through the Mayor and Council Support Services branches. This support includes facilitating the recruitment and hiring process for Councillors' Assistants by Members of Council through activities that may include, but are not limited to, assisting with job competitions as desired by the Member, preparing contracts, enrolling employees in payroll, pension and benefits, and setting employees up with network access, security access and mandatory training.

Further to Council's approval of Recommendation 6 of the Integrity Commissioner's November 2020 report and the resulting suspension of the delegated authorities for the Ward 8 Councillor to hire staff for the remainder of the 2018-2022 Term of Council, it is recommended that the City Clerk and the Manager, Council and Committee Services, be delegated the authority to address all employment matters relating to the Ward 8 office. This would include all matters relating to the hiring, discipline and termination of staff, and addressing other human resources-related matters. In addition, should Council approve this recommendation, the City Clerk intends not to approve the use of contracted vendors or volunteers to support the Ward 8 Office for the remainder of the 2018-2022 Term of Council unless it directly supports an office-related function (e.g. website maintenance and design).

While the Integrity Commissioner's report expressly spoke to suspending and delegating authority of the Ward 8 Councillor to "hire staff," the City Clerk confirmed with the Integrity Commissioner that this authority extends to all human resources matters, such as discipline and termination. It is noted that the Integrity Commissioner determined that the Ward 8 Councillor "employed intimidation and divisive ploys, including threats of dismissal and retaliation to coerce individuals to submit to his demands" [at Paragraph 206 of the November 2020 report]. To merely limit the Clerk's authority to "hiring" new employees in the Ward 8 Office would be to potentially subject these existing and future employees to the Ward Councillor's "disreputable management style as an employer and his offensive personal behaviour" [at Paragraph 220 of the November 2020 report] as well as "a course of vexatious and troublesome comments" [at Paragraph 206 of the November 2020 report].

Further, recognizing that compensation accounts for the largest portion of a Member of Council's Constituency Services Budget, approval of matters related to salary progression, vacation leave procedures and time off in lieu of overtime (TOIL) for Ward 8 Office staff would fall within the scope of the Clerk's authority to "approve any budgetary expenditures" for the Ward 8 Office described in further detail below.

Delegated authorities to order and approve any budgetary expenditures

The City Clerk confirmed with the Integrity Commissioner that the reference to suspending all delegated authorities of the Ward 8 Councillor to order and approve "any budgetary expenditures" in Recommendation 6 referred only to those expenditures made through the Ward 8 Constituency Services Budget. It does not apply to other City budgets through which the Ward 8 Councillor may have delegated authority, as described below in more detail.

Members of Council are provided with a Constituency Services Budget in which to run their offices. Expenses include items such as community events, contributions, donations and sponsorship, office supplies and staffing, as set out in Section 3 of the [Council Expense Policy](#).

Under the Council Expense Policy (Policy), Members' claims for expenses must follow basic accounting and audit principles and various guidelines. The Policy also provides that Members can obtain a corporate card or a purchasing card, which provides more flexibility with respect to purchasing goods and services, including travel expenses. Both cards are accompanied with specific reporting and accountability requirements.

The Ward 8 Councillor's corporate card was suspended pursuant to Council's approval on November 25, 2020, of Recommendation 6 of the Integrity Commissioner's report and the resulting suspension of the delegated authorities for the Ward 8 Councillor to order and approve any budgetary expenditures for the remainder of the 2018-2022 Term of Council. It is now recommended that the City Clerk and the Manager, Council and Committee Services, be delegated the authority to order and approve all expenditures from the Constituency Services Budget for the remainder of the 2018-2022 Term of Council, taking into account whether "remedial measures" apply to relevant expenditures and in accordance with any other relevant City policies, procedures or legislation that may apply. It is further recommended that any delegations of spending authority issued by the Councillor to his staff be revoked upon approval of this report.

Under the proposed delegation, the City Clerk/Manager, Council and Committee Services, would have the authority to approve (or reject) budget expenditures from the Ward 8 Constituency Services Budget further to consideration, on a case-by-case basis, of:

- The nature of the expenditure and any requirements under the Council Expense Policy;
- The statutory roles of the Member and their relation to the expense; and
- The Integrity Commissioner's findings in the July 2020 and November 2020 reports.

While each expenditure proposed by the Ward 8 Councillor and his office would be assessed on its own merits, the general approach would be such that approvals are provided for only those expenditures that are required to ensure that the public and municipality's well-being and interests are maintained, in keeping with the Member's statutory roles, while ensuring that appropriate remedial measures are applied to address and/or prevent the harm identified in the Integrity Commissioner's reports.

Drawn from the existing accounting categories for expenses, the general approach to addressing proposed expenditures would be as follows:

Cost Element	Approval Authority	Comments
Special Events, Community	City Clerk/Manager, Council and	<ul style="list-style-type: none"> • Would not be approved as the City Clerk has already directed the Ward

Receptions and Hospitality	Committee Services	<p>8 staff to spend no more money on hospitality.</p> <ul style="list-style-type: none"> • Events were a key area noted in the Integrity Commissioner’s November 2020 report, which found that the Ward 8 Councillor “was absorbed in planning and executing volunteer subterfuge recruitment campaigns by objectifying the sexuality of his female employees; he abused his staff by tasking them with improper duties and functions...” [at Paragraph 206].
Donations, Sponsorships and Memberships	City Clerk/Manager, Council and Committee Services	<ul style="list-style-type: none"> • May be approved. • May directly relate to a Member’s statutory role and is guided by the Council Expense Policy.
City-related Business Travel	City Clerk/Manager, Council and Committee Services	<ul style="list-style-type: none"> • Would not be approved. • It is anticipated that there would be no reason for the Ward 8 Councillor or his staff to travel given the ongoing COVID-19 pandemic, and further to Council’s removal of the Ward 8 Councillor from committee and board appointments as established by Council’s approval on November 25, 2020, of Recommendation 5 of the Integrity Commissioner’s report.
Constituent Communications and Web Services <i>Includes websites,</i>	City Clerk/Manager, Council and Committee Services	<ul style="list-style-type: none"> • May be approved. • May directly relate to a Member’s statutory role and is guided by the

<i>printing, mailing, advertising</i>		Council Expense Policy.
External Services <i>Includes office assistance and consulting services</i>	City Clerk/Manager, Council and Committee Services	<ul style="list-style-type: none"> • Would not be approved. • Integrity Commissioner's report highlighted the Ward 8 Councillor's improper conduct in relation to his office staff. • Council adopted steps to ensure a harassment-free workplace through consideration on July 15, 2020, of the report titled, "Review of Recruitment and Hiring Processes for Councillors' Assistants." • Measures and supports that would provide relevant assistance, orientation and training to staff with the aim of ensuring a harassment-free workplace would not apply to external services.
Materials, Office Supplies and Related Services <i>Includes office, computer supplies, facility rentals</i>	City Clerk/Manager, Council and Committee Services	<ul style="list-style-type: none"> • May be approved. • May directly relate to administration of the Member's office in supporting the Member's statutory roles. • Any facility rentals must relate directly to events that support the Member's statutory role (i.e. public meetings on statutory matters, etc.)
Staff Costs <i>Includes salaries, time off in lieu of overtime (TOIL) and</i>	City Clerk/Manager, Council and Committee Services	<ul style="list-style-type: none"> • Existing Ward 8 office staff will continue to be paid their current salary and receive any relevant Cost of Living Adjustments (COLA) applicable to Councillors' Assistants

<p><i>vacation liabilities</i></p>		<ul style="list-style-type: none"> • Overtime may be approved upon demonstration that they directly relate to administration of the Member’s office in supporting the Member’s statutory roles (pre-approval required). • Ward 8 office staff shall be entitled to annual vacation in accordance with their contracts and from 2021 onward leave shall be used in the year in which it is earned. In cases that demonstrate hardship an exemption to pay out leave may be approved. • Any change in compensation may be approved as a result of a change in hours or demonstrated increase in scope of duties.
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From an administrative perspective, where a purchasing card is the most efficient, economical and feasible manner in which to pay an approved expense, that expense may be paid using a purchasing card that would be provided in the name of the Program Manager, Council Support Services, or their designate, and administered in accordance with the appropriate purchasing card policies and processes, provided such one-time or recurring expenses are approved by the City Clerk and/or the Manager, Council and Committee Services.

It is noted that in preparing this report, the City Clerk requested that the Ward 8 office provide financial updates on 2020 expenditures. In response, the Ward 8 office indicated that prior to Council’s suspension of the Ward 8 Councillor’s delegated authority with respect to the ordering and approval of expenses from the Ward 8 Constituency Services Budget, the office expensed under its existing delegated authority various items relating to a planned New Year’s Eve event on December 31, 2020.

Staff note that the Medical Officer of Health and Ottawa Public Health have been encouraging the City of Ottawa and Members of Council to model the message that holidays and celebrations will look and feel different during the COVID-19 pandemic. The Medical Officer of Health and Ottawa Public Health have also been encouraging everyone to spend the holidays with their household contacts this year or, for those who live alone, with one or two people of support. While a staffed and well-planned event can reduce risks of transmission when compared with private gatherings, the Medical Officer of Health and Ottawa Public Health are promoting virtual or other creative ways of celebrating that avoid in-person gatherings as substitutes for regular events.

Should Council approve the delegated authorities set out in this report, the City Clerk will consult with the Ward 8 Councillor and the Medical Officer of Health regarding the appropriateness of holding a formal New Year's Eve event this year, particularly if such an event is intended to include in-person gatherings. The City Clerk will advise Council regarding the outcome of these consultations.

Other City budgetary expenditures

Staff note that the Ward 8 Councillor has previously received fee waivers for the use of City facilities to hold events, such as a New Year's Eve event in past years. Given that the Integrity Commissioner's report found misconduct relating to events, as described above, staff recommend that such fee waivers for the remainder of the 2018-2022 Term of Council be granted only for those Ward 8 events that are strictly required to ensure that the public and municipality's well-being and interests are maintained, as approved by the City Clerk in consultation with the City Solicitor and any relevant departmental staff. This may include, for example, public meetings on statutory matters in which the Ward 8 Councillor may play a role (i.e. public meetings relating to planning and/or development applications). Under this proposed approach, fee waivers would not be provided for any special events, community receptions and hospitality.

It is also noted that the Ward 8 Councillor may have certain delegated authorities with respect to other City budget expenditures such as those under the [Temporary Traffic Calming Measures Program](#) and the [Cash-in-lieu of Parkland Funds Policy](#). The Ward 8 Councillor's delegated authorities will continue with respect to any budget expenditures relating to such matters, as they were not subject to the Integrity Commissioner's recommendation with respect to suspension and delegation of authorities.

2. Options for introducing further restrictions on the Ward 8 Councillor's access to City staff in City of Ottawa municipal buildings

Further to Council's direction of November 25, 2020, the City Clerk and City Solicitor, in consultation with Corporate Security, reviewed options for introducing further restrictions on the Ward 8 Councillor's access to City staff in City of Ottawa municipal buildings.

With respect to restricting the Ward 8 Councillor's physical access to City of Ottawa municipal buildings, staff note that the court's comments in the case of *Altmann v. The Corporation of the Town of Whitchurch-Stouffville* suggest that any limitation on the Ward 8 Councillor's physical access to City facilities would need to be directly related to the findings of the Integrity Commissioner's report.

The incidents described in the Integrity Commissioner's reports with respect to the Ward 8 Councillor relate largely to job interviews, office staff interactions and communications and off-site events. As such, staff are of the view that limiting the Member's physical access to City facilities in this instance may not be considered to be remedial measures that are directly relevant to the Integrity Commissioner's findings.

In the absence of a clear remedial rationale for the imposition of restrictions on the Ward 8 Councillor's access to municipal facilities, generally, any such Council-imposed restrictions may be struck down if challenged in a legal proceeding.

Further to Council's direction, the City's Corporate Security group has also been consulted in respect of the implementation of a Council direction barring or restricting the Ward 8 Councillor's access to City Hall and/or other municipal facilities. It is their view that any such restriction would be inherently difficult to enforce, for the following reasons:

- Most City facilities, including City Hall, are open to the general public and are not controlled-access buildings;
- The Ward 8 Councillor remains an elected Member of Council and, as such, may require access to City Hall or other facilities in order to attend Council or Committee meetings when these resume in-person, or to otherwise fulfill his role as a municipal Councillor; and
- Requiring that the Councillor be accompanied by a member of Security staff is not feasible, from either a scheduling (i.e. the timing of the Councillor's attendance at City Hall or another City facility) or a staffing perspective. Such a requirement would also run counter to the purpose of the restriction, namely to limit the Councillor's interaction with other City staff.

In light of the above, Corporate Security does not believe that it is in a position to provide the support necessary to implement restrictions on the Ward 8 Councillor's access to City staff, generally, in City of Ottawa buildings.

Further to Corporate Security's comments above, it may be noted that there exists no clear mechanism to enforce any potential breach of the restrictions, should they be imposed. While the City's *Public Conduct Policy* does provide for the banning of a member of the public from one or more City facilities in extraordinary cases, a violation of such a ban would generally be enforced by the police, in accordance with the *Trespass to Property Act*. Absent a clear statutory authority in City Council to bar another Member of Council from access to City Hall or other facilities, it is unlikely that means exist for the effective enforcement of access restrictions, unless voluntarily observed by the Member of Council at whom they are directed.

For the legal and practical reasons articulated above, staff are of the view that there are no effective means of imposing further restrictions on the Ward 8 Councillor's access to City of Ottawa municipal buildings.

That said, noting that some of the conduct complained of in the Integrity Commissioner's reports relates to comments made by the Ward 8 Councillor to employees of his office (who are considered from an administrative perspective to be City staff), there may be opportunities to implement remedial measures to address the inappropriate conduct and prevent a recurrence during any future interactions between City staff and the Ward 8 Councillor, such as the following:

Operational staff

- Operational City staff may advise their General Manager if they wish for another staff member from the department to be present during any meetings with the Ward 8 Councillor.
- General Managers may bring an additional City staff member to be present during any meetings with the Ward 8 Councillor.

Other Members' office staff

- Staff in the offices of other Members of Council may advise their Member if they wish for another staff member from their office to be present during any meetings with the Ward 8 Councillor.

Ward 8 Councillor's office staff

- Staff in the Ward 8 office may advise the City Clerk and the Ward 8 Councillor in writing if they wish to have another member of the Ward 8 Councillor's staff present during any meetings with the Ward 8 Councillor.
- Members of the Ward 8 Councillor's staff may advise the City Clerk and the Ward 8 Councillor in writing if they wish to communicate with the Councillor only in writing through the corporate e-mail system (i.e. no text messages, in-person/virtual meetings, telephone calls).
- The City Clerk will seek quarterly individual meetings with members of the Ward 8 Councillor's staff to discuss any issues that may arise, while the Manager, Council and Committee Services will seek monthly individual meetings with the Ward 8 staff.

Given the ongoing COVID-19 pandemic and resulting prevalence of online meetings, the above-noted options with respect to meetings could also apply to virtual meetings with the Ward 8 Councillor, as well as any physical meetings, for the remainder of the 2018-2022 Term of Council.

3. Procedures for the Ward 8 Councillor's participation in in-person Council and Committee meetings for the remainder of the 2018-2022 Term of Council

Council on November 25, 2020, directed that "Councillor Chiarelli may only participate in Council Meetings via electronic methods or, when in-person Council meetings resume in Council Chambers, in alternative seating to be reserved for the Member of Council by the City Clerk and which is not physically near other Members of Council."

Further to this direction, the Ward 8 Councillor may participate electronically in Council meetings for the remainder of the 2018-2022 Term of Council provided that Council and Committee meetings continue to be held electronically and that the *Procedure By-law* provisions permitting unrestricted electronic participation in Council and Committee meetings remain in place.

With respect to the Ward 8 Councillor's in-person attendance at Council meetings once they resume, as the COVID-19 pandemic continues to evolve, the City Clerk advises that alternative seating for the Member will be reserved in Council Chambers in accordance with the appropriate public health guidelines available at that time. The City Clerk will ensure that the Member's seating location would not be physically near other Members of Council but would provide for the Ward 8 Councillor to participate fully in Council meetings.

Regarding the Ward 8 Councillor's attendance at any future in-person Standing Committee meetings, staff note that the Member is no longer a member of any committees of Council further to Council's approval on November 25, 2020, of Recommendation 5 of the Integrity Commissioner's report to "Remove Councillor Chiarelli from the membership of all committees of Council and any other boards, local boards, agencies or commissions he has been appointed to by Council for the remainder of the 2018-2022 term of office."

As a non-Committee member, should the Ward 8 Councillor wish to attend any future in-person Standing Committee meetings during the 2018-2022 Term of Council, the Member will be requested to notify the Office of the City Clerk in advance. A similar arrangement for in-person participation at City Council meetings will be made for the Councillor's participation at Standing Committee meetings, such that the Member is distanced from Committee members and other Members of Council in attendance, in accordance with any applicable public health guidelines

RURAL IMPLICATIONS

There are no specific rural implications associated with this report.

CONSULTATION

As this is largely an administrative report, no consultation was undertaken.

COMMENTS BY THE WARD COUNCILLOR(S)

This is a city-wide report.

LEGAL IMPLICATIONS

There are no legal implications associated with Council's approval of the recommendations contained in this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL IMPLICATIONS

The transfer of delegated authority to the City Clerk and the Manager, Council and Committee Services for Ward 8 human resources and budgetary matters will not result in additional budgetary pressures as expenditures will be limited to within the existing budget.

ACCESSIBILITY IMPACTS

There are no accessibility impacts associated with this report.

TERM OF COUNCIL PRIORITIES

There are no Term of Council priorities associated with this report.

SUPPORTING DOCUMENTATION

Document 1 – Mayor’s letter dated December 7, 2020, to the Minister of Municipal Affairs and Housing

DISPOSITION

Staff in all departments, particularly the Office of the City Clerk, will implement any measures approved by City Council further to consideration of this report.