

Bylaw 20781 - Amendments to Bylaw 18483 Council Code of Conduct

RECOMMENDATION

1. That Attachment 3 of the November 1, 2024, Office of the City Clerk report OCC02272 remain private pursuant to sections 23 (local public body confidences) and 24 (advice from officials) of the *Freedom of Information and Protection of Privacy Act*.
2. That Code of Conduct Sub-Committee recommend to Council Services Committee:
 - a. That Council Services Committee recommend to City Council:
That Bylaw 20781 be given the appropriate readings.
 - b. That Attachment 3 of the November 1, 2024, Office of the City Clerk report OCC02272 remain private pursuant to sections 23 (local public body confidences) and 24 (advice from officials) of the *Freedom of Information and Protection of Privacy Act*.

Purpose

To amend the Council Code of Conduct Bylaw to incorporate substantive changes discussed at Code of Conduct Sub-Committee and Council Services Committee meetings.

Readings

Bylaw 20781 is ready for three readings.

A majority vote of City Council on all three readings is required for passage.

If Council wishes to give three readings during a single meeting, then prior to moving the third reading, Council must unanimously agree “That Bylaw 20781 be considered for third reading.”

Report Summary

Bylaw 20781 proposes substantive amendments to the Council Code of Conduct based on the review of the current Council Code of Conduct Bylaw completed by the Code of Conduct Sub-Committee and Council Services Committee between August 2021 and September 2023. These substantive amendments accompany the proposed procedural amendments in Office of the City Clerk report OCC02479, Bylaw 20841 - Council Code of Conduct - Procedural

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Amendments, also being considered at the November 1, 2024, Code of Conduct Sub-Committee meeting.

REPORT

The *Municipal Government Act* requires councils of all municipalities in Alberta to adopt a code of conduct for elected officials by bylaw.

City Council first passed Bylaw 18483 - Council Code of Conduct Bylaw, on June 16, 2018. Since then, minor amendments have been made reflecting recommendations from the Integrity Commissioner and Ethics Advisor and other housekeeping adjustments to provide greater clarity.

In accordance with the Code of Conduct for Elected Officials Regulation under the *Municipal Government Act*, Council must review its code of conduct at least once every four years.

At the September 29, 2022, Code of Conduct Sub-Committee, the first formal review of the Council Code of Conduct Bylaw was initiated. At that meeting, Administration presented Office of the City Manager report OCM00775, Council Code of Conduct - Lessons Learned, as well as a report from the Integrity Commissioner and Ethics Advisor recommending revisions to the code of conduct.

At the January 24, 2023, and June 6, 2023, Code of Conduct Sub-Committee meetings, as well as at the September 15, 2023, Council Services Committee meeting, Administration, Integrity Commissioner, and Ethics Advisor reviewed the existing code of conduct and provided recommendations for amendments. Members of Council also provided their feedback on proposed changes.

At the September 15, 2023, Council Services Committee meeting, the committee reviewed the final draft of the consolidated feedback and directed Administration to prepare amendments to the Council Code of Conduct Bylaw to formally update Council's code of conduct as follows:

That Administration prepare draft amendments to Bylaw 18483 - Council Code of Conduct that incorporate the consolidated feedback as outlined in private Attachment 1 of the September 15, 2023, Office of the City Clerk report OCC01805rev.

Attachment 3 contains the summary of the consolidated feedback, which was also attached to the September 2023 report and includes feedback from the Ethics Advisor, Integrity Commissioner and Councillors. It is recommended to remain private because it represents a summary of discussions that occurred in private, however the Committee may wish to recommend that City Council make this document public after it has considered the Bylaw.

Bylaw 20781 contains amendments to Schedule A of the Council Code of Conduct Bylaw, which establishes the substantive provisions of Council's code of conduct. The Bylaw also contains Schedules B and C, which set out the procedures to be followed by the Integrity Commissioner during an investigation if a complaint is made, and the processes for Council to follow when considering a report of a substantiated breach of the code of conduct and possible sanctions.

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Office of the City Clerk report OCC02479, Bylaw 20841 - Council Code of Conduct - Procedural Amendments, referred to the November 1, 2024, Code of Conduct Sub-Committee by Council on July 3/4, 2024, proposes procedural amendments to Schedules B and C. As all three Schedules contribute to a complete code of conduct and collectively fulfill all legislative requirements for codes of conduct for elected officials, both Bylaw 20781 and Bylaw 20841 can be considered together.

ATTACHMENTS

1. Bylaw 20781 - Council Code of Conduct - Substantive Amendments
2. Bylaw 18483 - Council Code of Conduct - Substantive Amendments - Tracked Changes
3. Summary of Code of Conduct Consolidated Feedback - PRIVATE

OTHERS REVIEWING THIS REPORT

- M. Plouffe, Chief People Officer & City Solicitor