

January 13, 2022

Kristen Newman
Corporate Leader - Strategic and Legal Affairs
Municipality of Lakeshore
419 Notre Dame Street, Belle River, ON, N0R 1A0

Dear Ms Newman,

RE: Expression of Interest – Municipality of Lakeshore Integrity Commissioner

This is further to our telephone conversation of January 13, 2022 in which you requested that we submit a proposal for the provision of integrity commissioner services to the Municipality of Lakeshore. At your request we are keeping this submission brief but would be pleased to expand upon our qualifications and approach at your direction.

The principals of Principles *Integrity* have extensive experience as both consumers and providers of Integrity Commissioner Services. Established in early 2017, Principles *Integrity* is a partnership operated by its two principals Jeffrey Abrams and Janice Atwood-Petkovski, two experienced municipal lawyers and corporate leaders, with over 35 years of experience each in municipal law and governance. Our unique perspective enhances our ability to provide context-relevant guidance that focuses on the things that matter.

Partnership Profile:

Name: Principles *Integrity*
Principals: Jeffrey A. Abrams, B.A., LL.B and Janice Atwood-Petkovski, B.A., LL.B.
Email: postoffice@principlesintegrity.org
Telephone: (647) 259-8697
Administrative Address: 30 Haddon Street, Toronto ON, M5M 3M9

Principles *Integrity* currently serves as Integrity Commissioner for over 40 municipalities and other public sector organizations across Ontario. Our clients are well served by our broad-based experience in developing and implementing codes of conduct and other policies governing ethical behaviours; providing education and training; providing timely, customized confidential advice to elected officials on request; conducting skilled complaint administration with a focus on informal resolution; and publishing clear public reports which emphasize opportunities for lessons-learned and reconciliation.

We also actively participate in our professional association, the Municipal Integrity Commissioners of Ontario (MICO), where we have led the development of integrity commissioner practices and operating principles.

The Principles *Integrity* approach

Principles *Integrity* believes that there is one overarching objective for a municipality in appointing an accountability officer such as Integrity Commissioner and that is to raise the public's perception and confidence that their elected officials meet established ethical standards. This is done by helping build a practical ethical policy framework which has a central focus on good governance rather than mere technical compliance; providing timely, reasoned and helpful advice, guidance, and education to the governing body and key members of staff; and where necessary, serving as an independent review mechanism when assertions are made that an elected official has not abided by the relevant ethical standards.

We exercise the authority given to us in a manner that promotes good governance and effective and ethical solutions. When required to respond to a complaint, we exercise restraint and carry a solution-oriented perspective, favouring teaching opportunities over sanctions.

We have substantial expertise in the application of the *Municipal Conflict of Interest Act* and have developed an effective codification of statutory and common law that assists elected officials in avoiding both real and apparent conflicts of interest while enabling them to carry out the duties for which they were elected.

Principles *Integrity*

Though our emphasis is on developing a robust ethical framework and providing education and advice to support elected officials in carrying out their duties ethically, complaints are sometimes filed. Exercising independence of judgement, we will be sensitive to the concerns of the community as they are raised, and will seek to resolve matters firstly by informal discussion and review. Informal resolution may be achieved through education, the setting of reasonable expectations for outcomes, referrals to more relevant processes and agencies, and at the very least the articulation and narrowing of issues to be reviewed. No formal reports will be issued as a result of informal resolution, because to do so would interfere with the parties' commitment to resolution of the dispute.

Formal investigations, if they occur, will emphasize procedural fairness, the achievement of public interest objectives, and conclude with public reports which help guide participants in proper ethical practices.

Thank you for your consideration of this Expression of Interest. We would be pleased to meet with you or any other Municipal representatives to discuss our submission further. Attached as requested is our pricing proposal, and résumés.

Respectfully submitted,

Principles *Integrity*,

through its principals:

Jeffrey A. Abrams and Janice Atwood-Petkovski

Principles *Integrity*

Pricing Proposal:

Principles *Integrity* proposes the following fee structure for the services of Integrity Commissioner for the Municipality of Lakeshore

\$1,000 Annual Retainer

\$1750 Per Diem Block Fee for preparation and attendance at Workshops, Training/Orientation Sessions which we would schedule in consultation with our local contact. Half-day per diems would be applied where appropriate.

\$275 Hourly rate for all other services, including:

- Providing advice to Members on the application of the Code of Conduct, policies, procedures and rules, and on their obligations under the *Municipal Conflict of Interest Act*;
- Assessing, and when informal resolution of a complaint is not possible, investigating complaints about a Member under the Code of Conduct and other policies, procedures and rules governing the ethical behaviour of Members; reporting to Council with recommendations on appropriate sanctions, if applicable, and other remedial action;
- Reviewing and providing recommendations on the Code of Conduct, and on the request of Council or the local contact, other Municipal policies and procedures.

Disbursements:

Mileage will be charged at \$.54 per km or at the rate otherwise in place at the Municipality. Other forms of transportation will be considered with the prime focus being minimizing cost to the Municipality. We will not charge for faxes, minor printing, clerical services or long distance telephone calls. For large printing production (an annual report, for example) we request the Municipality to provide support. In the alternative, we would arrange these printing jobs and disburse the cost without markup.

Interview and inquiry space:

Where the Municipality is unable to provide space, if required, during the course of an inquiry we would arrange for suitable space and disburse the cost without markup. Unless an expense is incurred in the course of a confidential investigation (in the rare event, for example, that process server costs must be incurred), all other disbursements will be pre-approved by the local contact and would be at cost, without markup.

Point of Contact:

Subject to other arrangements, it is expected that the Corporate Leader - Strategic and Legal Affairs will be the Integrity Commissioner's on-site point of contact for the receipt of documentation and other administrative interactions.

Term:

Principles *Integrity* acknowledges that the Municipality's appointee to the position of Integrity Commissioner will be required to enter a multi-year contract. We propose that the initial term of that contract be no less than three years.

Principles *Integrity*

Principal's Credentials and Resumes:

Because the traditional resumé format does not readily speak to the applicability of employment experience and credentials to support the objectives of an appointment process, the following brief summary is provided to assist the Municipality in understanding how the principals' resumes on the following pages demonstrate their qualifications and experience to fulfill the role of the TBPSB's Integrity Commissioner.

Experience:

Jeffrey Abrams and Janice Atwood-Petkovski, the principals of Principles Integrity have:

- each been serving municipalities in various capacities for over thirty-five years, have abundant experience in the application of administrative law, and good governance practices
- have for better than a decade worked in the Integrity Commissioner field – not only are they experienced integrity commissioners, but they have seen and experienced the impact of an integrity commissioner's work from the perspective of municipal staff and elected officials
- as prominent members of the profession, led the Municipal Integrity Commissioners of Ontario (MICO) project to develop a Statement of Principles to guide integrity commissioners in the practice of their profession, and in the preparation of MICO's submission to the provincial government on the role of integrity commissioners and codes of conduct for municipalities
- have developed innovative Code of Conduct provisions to help elected and appointed officials, including provisions endorsed in the recent report of the Collingwood Judicial Inquiry which reconcile an official's obligation to abide by not only the Municipal Conflict of Interest Act but the common law

Principles *Integrity*

Jeffrey A. Abrams, B.A., LL.B.

CURRENT:

Co-Principal of Principles *Integrity*

2017 -

Principles *Integrity* is a partnership dedicated exclusively to providing professional services as an Integrity Commissioner (including at times Lobbyist Registrar, Closed Meeting Investigator and Municipal Ombudsman services) to local governments and officials. Through the provision of trusted, reliable and timely advice, customized education and training, and fair and independent complaint investigations, Principles *Integrity* delivers a solutions-focused approach to supporting good governance and proper ethical behaviour. The firm serves as Integrity Commissioner to approximately 40 municipalities and other public bodies across Ontario.

GTA MUNICIPAL GOVERNMENT:

2004 - 2017

CITY CLERK (2008 – 2017)

The Corporation of the City of Vaughan

Directed the statutory and administrative functions of the City Clerk's Office. Advanced City's reputation for accountability and transparency, principally through the design and implementation of governance strategies. Responsible for the oversight of numerous diverse operations (e.g. Secretariat, Access & Privacy, Risk Management, Elections, Records Management, Development Services, Committee of Adjustment, High Speed Reproduction, Council/Corporate administration). Key influencer in development of City's first code of conduct (2008). Served as City's initial Lobbyist Registrar (2016).

DEPUTY REGIONAL CLERK (2005 - 2008)

The Regional Municipality of York

Responsible for council and committee processes and for the corporate Access and Privacy program. Participated in a variety of corporate initiatives, and carried broad administrative and management responsibilities. Served as Senior Legal Counsel to the municipality and its Police Services Board on information technology matters.

PRINCIPAL (2004 – 2006)

Abrams Law & Strategy

Principal of a legal services and strategic consulting practice providing services to government agencies and private enterprises, and specialized in governance and communication matters, risk management, procurement, legislative reform, business development, and other commercial and operational matters.

ONTARIO PUBLIC SERVICE:

2002 - 2004

COUNSEL - SPECIAL PROJECTS (2004)

Chief Election Officer, Elections Ontario

Reporting to the Chief Election Officer, responsible for providing strategic and legal advice to support Election Ontario's efforts in modernizing election policy and administration in Ontario.

EXECUTIVE LEAD - CONTRACT MANAGEMENT (2004)

Youth Justice Transition

Ministry of Children and Youth Services

Principles *Integrity*

Reporting to the ADM, and the Transition Project Director, responsible for leading the disentanglement of all transfer payment agency agreements shared between adult and youth correctional systems.

PROJECT DIRECTOR - ALTERNATIVE SERVICE DELIVERY (on secondment) (2002 - 2003)

Ministry of Community Safety and Correctional Services

Reporting to the Executive Lead (ADM), responsible for leading a project to create a unique provincial facility for the secure treatment of severely mentally ill sentenced adult offenders. (Acting Executive Lead, reporting to Deputy Minister, for six months)

METROPOLITAN TORONTO / CITY OF TORONTO:

1986 - 2002

DIRECTOR - SECRETARIAT, PRINTING & DISTRIBUTION (1998 - 2002)

City Clerk's Division

Directed two major portfolios, which when taken together represented the majority of the City Clerk's mandate. Responsible for the City's deliberative legislative bodies including City Council and for the City's offset printing, networked high-speed reproduction, mail and distribution systems.

SENIOR SOLICITOR (1986 - 1998)

Legal Services Division

Served as counsel to every major department and agency of the former Metropolitan government, as well as to their respective political oversight boards and committees, with an emphasis on governance, *Planning Act* matters, commercial transactions, high technology acquisitions, and procurement matters.

EDUCATION AND PROFESSIONAL DEVELOPMENT

OSGOODE/FORUM OF CANADIAN OMBUDSMAN (FCO) - ESSENTIALS FOR OMBUDS CERTIFICATE

SCHULICH MASTER'S CERTIFICATE IN MUNICIPAL MANAGEMENT, 2012

LAW SOCIETY OF UPPER CANADA (and other providers), **Continuing Legal Education**, (ongoing)

QUEEN'S UNIVERSITY, School of Business, **Public Executive Program**, 2002

UNIVERSITY OF WINDSOR, Faculty of Law (LL.B.) 1983; **Admitted to THE ONTARIO BAR**, 1985

UNIVERSITY OF TORONTO, B.A., **Urban Studies**, 1980

OTHER ACCOMPLISHMENTS AND MEMBERSHIPS

MEMBER, MUNICIPAL INTEGRITY COMMISSIONERS OF ONTARIO (MICO)

AMCTO PRESTIGE AWARD, 2015

MEMBER, PAST VICE CHAIR, ONTARIO MUNICIPAL INSURANCE EXCHANGE (OMEX)

PAST CHAIR, MUNICIPAL EDUCATION RESEARCH FOUNDATION

MEMBER, ASSOCIATION OF MUNICIPAL MANAGERS, CLERKS AND TREASURERS OF ONTARIO (Past Vice Chair, Legislative Committee)

MEMBER, SENECA COLLEGE MUNICIPAL PROGRAM ADVISORY COMMITTEE

FORMER PART-TIME PROFESSOR

SCHOOL OF LEGAL AND PUBLIC ADMINISTRATION, SENECA COLLEGE

PAST MEMBER, ONTARIO PROFESSIONAL PLANNERS INSTITUTE (OPPI) DISCIPLINE COMMITTEE

Principles *Integrity*

JANICE ATWOOD-PETKOVSKI, Hon.B.A., LL.B.

Co-Principal of Principles *Integrity*

2017-

Principles *Integrity* is a partnership dedicated exclusively to providing professional services as an Integrity Commissioner (including at times Lobbyist Registrar, Closed Meeting Investigator and Municipal Ombudsman services) to local governments and officials. Through the provision of trusted, reliable and timely advice, customized education and training, and fair and independent complaint investigations, Principles *Integrity* delivers a solutions-focused approach to supporting good governance and proper ethical behaviour. The firm serves as Integrity Commissioner to approximately 40 municipalities and other public bodies across Ontario.

CITY OF HAMILTON

2013 – 2017

City Solicitor

Legal advisor to Council, committees, and Senior Management Team, on legal, governance and procedural issues.

Responsible for Legal Services and Prosecutions, leading a team of 55, managing a budget of \$3M, advising on diverse issues including corporate commercial, procurement, acquisition, real estate, construction law, planning & development, and litigation.

Responsible for Annual Budget, program review, performance measures, business planning.

Implemented Lobbyist Registry.

CITY OF VAUGHAN

2006 – 2012

Commissioner of Legal & Administrative Services & City Solicitor

(Responsible for Legal Services, Human Resources, City Clerk Dept, and Enforcement)

Provided direct leadership to Legal Services, Real Estate, Office of the City Clerk including Risk & Insurance, Records Management and Access & Privacy, Licensing, Enforcement Services and Human Resources, with 110 full time staff and an operating budget of \$16M

Senior legal advisor to Council, providing strategic, legal and procedural advice to committees on municipal roles, responsibilities and governance matters. Leadership role for planning and implementing corporate and departmental initiatives, establishing goals and objectives including performance measures. Active role in developing Strategic Plan, Annual Budgets, Program Review, Performance Measures, and other corporate initiatives

Directly led a team of in-house counsel, handling diverse issues including labour and employment, corporate commercial, procurement, acquisition, real estate, construction law, planning & development, and litigation. Directed and managed external legal counsel.

Effective in establishing priorities, developing work plans, delegating responsibilities, working closely and collaboratively with staff to produce effective solutions and measurable results. Provided strong and effective leadership, encouraging open communication, fostering cooperation, building consensus and demonstrating accountability. As an energetic and enthusiastic leader, motivated and inspired others to reach full potential

CITY OF MISSISSAUGA

2004 – 2005

Legal Counsel

Provided legal and strategic advice to Council, Committees and management.

Prepared reports, attending counsel to provide legal advice.

Provided legal advice relating to OMB/litigation & administrative law group & prosecutors.

CITY OF BRAMPTON

1989 – 2004

Director of Enforcement and Administrative Law

Provided legal and strategic advice to Council, Committees and management.

Principles *Integrity*

Prepared reports, budgets, developed business plans, appeared at Court and OMB.

Provided legal advice, direction and oversight to lawyers and staff within administrative law group, prosecutors and enforcement staff.

PEEL DISTRICT SCHOOL BOARD
Trustee, Ward 9

1991 – 1994

Memberships/ Participation

Municipal Integrity Commissioner Association of Ontario (MICO) 2017-present

Society of Ontario Adjudicators and Regulators (SOAR) 2017

Municipal Law Dept. Association of Ontario (Treasurer 2006 – 2008)

Co-Chair, Annual Municipal Enforcement Conference 2010 - 2012

School Board Trustee, Peel District School Board 1991 - 1994

Vice-President/President, Peel Music Festival 1999 - 2006

Education

LL.B., Osgoode Law School, York University

Past Certified Specialist in Municipal Law

Masters Certificate Municipal Leadership,

Schulich Executive School of Business

Certified Municipal Manager III, OMMI

Hon.B.A, Queen's University

Institut de traducteurs et interpretes, Belgium