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October 15, 2024

VIA EMAIL TO CLERK (Matthew.Trennum@hamilton.ca)

Mayor and Members of Council
Hamilton City Hall
71 Main Street West
Hamilton, Ontario L8P 4Y5

Dear Mayor and Members of Council:

**RE: HAMILTON INTEGRITY COMMISSIONER 2023/2024
ANNUAL REPORT**

I am pleased to provide my annual report from the inception of my term as your Integrity Commissioner and Lobbyist Registrar through October 13, 2024.

Integrity Commissioner Services

Complaints and Investigations

During the past year, I received a total of 8 Code of Conduct complaints against 4 different members of Council and one against a member of a Local Board. The disposition of those complaints were as follows:

1. I found one member of Council to be in breach of the Code of Conduct following an investigation and recommended a reprimand as the penalty;
2. I found one member of a Local Board to be in violation of the Code of Conduct and recommended that person's removal from the Local Board and a ban from re-application to serve on that Board for 2 years. I also recommended that the Member apologize to the Complainant;
3. I investigated 2 complaints about potential breaches of confidentiality in respect of members of the Selection Committee and the HPSBSC, respectively, but was unable to determine whether a Code of Conduct violation had occurred in either case;
4. I received 5 additional Code of Conduct Complaints which I dismissed summarily without conducting an investigation;

5. I am currently in the process of investigating one Code of Conduct Complaint involving a member of Council.

I received one Complaint alleging that two members of Council had acted in breach of the *Municipal Conflict of Interest Act* (“MCIA”). I summarily dismissed that Complaint in respect of both Councillors.

Requests for Advice

I fielded 14 requests for advice from members of Council and 2 requests for advice from members of Local Boards. 11 of those requests concerned potential conflict of interest issues under the MCIA and 5 of them related to potential Code of Conduct violations.

Gifts or Benefits Disclosure

I did not receive any Gifts or Benefits Disclosure Statements pursuant to s. 4.(5) of the Code of Conduct during this reporting period.

Education

I conducted Code of Conduct and MCIA training for members of the Committee of Adjustments on February 6, 2024.

I attended before the General Committee of Council on April 10, 2024 regarding confidential advice I had given to Cllr. Pauls regarding a MCIA conflict issue by letter dated February 6, 2024, which was subsequently publicly released. A related Motion to Reconsider was considered at that meeting. I regard my involvement at this meeting as predominantly an educational exercise.

Lobbyist Registrar Activities

Complaints and Investigations

I conducted one investigation regarding unregistered lobbying. I issued a Report concluding that there had been a violation of the Lobbyist Registry Bylaw and directed a suspension of the individual from lobbying for a period of 30 days.

Requests for Advice

I received 7 requests for advice in relation to the Lobbyist Registry Bylaw during this reporting period. The majority of questions concerned whether a particular office holder with the City was someone in respect of whom they needed to register as a lobbyist before speaking to that person. Another repeated inquiry was whether the particular subject-matter intended to be discussed was something that required registration.

I trust this will be of interest to you. Please do not hesitate to contact me if you have any questions.

Yours very truly,

A handwritten signature in blue ink, appearing to read "D. Boghosian", with a long horizontal flourish extending to the right.

David G. Boghosian.
Integrity Commissioner,
City of Hamilton

DGB/dgb/ka