

Agenda

Corporate Services Committee

5th Special Meeting of the Corporate Services Committee

March 6, 2023

12:00 PM

Council Chambers - Please check the City website for additional meeting detail information. Meetings can be viewed via live-streaming on YouTube and the City Website.

The City of London is situated on the traditional lands of the Anishinaabek (AUh-nish-in-ah-bek), Haudenosaunee (Ho-den-no-show-nee), Lūnaapéewak (Len-ah-pay-wuk) and Attawandaron (Add-a-won-da-run).

We honour and respect the history, languages and culture of the diverse Indigenous people who call this territory home. The City of London is currently home to many First Nations, Metis and Inuit people today.

As representatives of the people of the City of London, we are grateful to have the opportunity to work and live in this territory.

Members

Councillors S. Lewis (Chair), H. McAlister, S. Stevenson, S. Trosow, D. Ferreira, Mayor J. Morgan

The City of London is committed to making every effort to provide alternate formats and communication supports for meetings upon request. To make a request specific to this meeting, please contact CSC@london.ca or 519-661-2489 ext. 2425.

	Pages
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Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee

From: Anna Lisa Barbon, Deputy City Manager, Finance Supports

Subject: Public Sector Salary Disclosure Act Report for Calendar Year 2022

Date: March 6, 2023

Recommendation

That, on the recommendation of the Deputy City Manager, Finance Supports the following report **BE RECEIVED** for information.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Public Sector Salary Disclosure Act Report for Calendar Year 2021, February 28, 2022 meeting of Corporate Services Committee, Item#2.2

Public Sector Salary Disclosure Act Report for Calendar Year 2020, March 1, 2021 meeting of Corporate Services Committee, Item#2.4

Public Sector Salary Disclosure Act Report for Calendar Year 2019, March 9, 2020, meeting of Corporate Services Committee, Item #2.1

Public Sector Salary Disclosure Act Report for Calendar Year 2018, March 19, 2019, meeting of Corporate Services Committee, Item #2.9

2.0 Discussion and Considerations

The *Public Sector Salary Disclosure Act, 1996* (PSSDA) was enacted to assure the public disclosure of salary and benefits paid in respect to employment in the public sector. The PSSDA requires organizations in receipt of substantial Provincial funding to disclose the amount of salary and benefits paid to individuals to whom the employer paid at least \$100,000 as salary. This reporting amount has remained at this level since instituted in 1996.

The filing with the Province discloses amounts paid to employees as salary and as taxable benefits who earned more than \$100,000 in 2022. An employee's "salary" includes such amounts as salary paid in the calendar year and, if applicable, amounts paid for acting pay, overtime, retroactive payments, settlements or vacation. An employee's "taxable benefits" includes amounts for items such as life insurance, parking, and vehicle allowances. The salary disclosure filing with the Province for Agencies, Boards & Commissions will be submitted to the Province of Ontario by March 7, 2023.

This summary Report, related to the filing with the Province, refers only to City Service Areas, and the RBC Place London (previously known as London Convention Centre). As it relates to these groups the filing with the Province includes:

- 322 employees who are members of the London Professional Fire Fighters

- Association (LPFFA);
- 279 Management employees;
- 11 employees who are members of London Civic Employees Local Union No. 107
- 5 employees who are members of Service Employees International Union Local 1 Canada Registered Nurses;
- 2 employees who are members of the Canadian Union of Public Employees Local Union No. 101;
- 2 employees from the RBC Place (London Convention Centre); and,
- 1 employee who is a member of Unifor Local 302.

The salaries listed in the filing with the Province reflect 2022 salaries for all employee groups.

The Agencies, Boards & Commissions not reflected above, report out through their respective governance structure.

Conclusion

In accordance with the *Public Sector Salary Disclosure Act, 1996*, for those who earned more than \$100,000 in 2022, Civic Administration is required to file with the Province of Ontario the amount of salary and taxable benefits paid in 2022 by individual. This is a requirement by the Province as the City receives public funding from the Province of Ontario.

Prepared by: Julie Kovacs, CPA, CGA, Manager, Employee Systems

Submitted by: Ian Collins, CPA, CMA, Director, Financial Services

Recommended by: Anna Lisa Barbon, CPA, CGA, Deputy City Manager, Finance Supports

Report to Corporate Services Committee

To: Chair and Members
Corporate Services Committee

From: Anna Lisa Barbon, Deputy City Manager, Finance Supports

Subject: 2022 Statement of Remuneration and Expenses for Elected and Appointed Officials

Date: March 6, 2023

Recommendation

That, on the recommendation of the Deputy City Manager, Finance Supports the following actions **BE TAKEN**:

- a) **THAT**, in accordance with Section 284 of the *Municipal Act, 2001*, the Statements of Remuneration and Expenses for Elected and Appointed Officials, attached as Appendix “A” and Appendix “B”, **BE RECEIVED** for information,
- b) **THAT**, in accordance with City Council resolution of March 2012, the annual report on the Mayor’s Office’s expenditures **BE RECEIVED** for information, and
- c) **THAT**, in accordance with City Council Travel and Business Expenses Policy, the Statement of Travel Expenses for Senior Administration Officials, attached as Appendix “C” and “D”, **BE RECEIVED** for information.

Analysis

1.0 Background Information

1.1 Background

Section 284 of the *Municipal Act, 2001* requires the Treasurer of every municipality, on or before the 31st of March in each year, to submit to the City Council for the preceding year, an itemized statement of remuneration and expenses paid to each member of Council and Council-appointed members of Committees and Sub-committees and local bodies.

Section 284(1) reads as:

The treasurer of a municipality shall in each year on or before March 31 provide to the council of the municipality an itemized statement on remuneration and expenses paid in the previous year to,

- (a) each member of council in respect of his or her services as a member of the council or any other body, including a local board, to which the member has been appointed by council or on which the member holds office by virtue of being a member of council;*
- (b) each member of council in respect of his or her services as an officer or employee of the municipality or other body described in clause (a); and*
- (c) each person, other than a member of council, appointed by the municipality to serve as a member of any body, including a local board, in respect of his or her services as a member of the body. 2001, c. 25, s. 284 (1).*

1.0 Background Information (continued)

1.2 Previous Reports Related to this Matter

Corporate Services Committee, February 28, 2022, Consent Item # 2.1,
2021 Statement of Remuneration and Expenses Elected and Appointed Officials

Corporate Services Committee, March 28, 2022, Consent Item # 2.6,
Elected Officials and Appointed Citizen Members 2022 Remuneration

2.0 Discussion and Considerations

2.1 Council Remuneration and Expenses

The attached Appendices have been prepared for the year ending December 31, 2022, in conjunction with this requirement of the *Municipal Act, 2001*, as follows:

- Appendix “A” - Statement of Remuneration and Expenses paid to or on behalf of Elected Officials; and
- Appendix “B” - Statement of Remuneration and Expenses paid to or on behalf of Appointed Officials

In Appendix “A”, attached, the Elected Officials’ individual 2022 actual remuneration (stipends), benefits and expenses are listed.

Council expenses and remuneration were paid in accordance with Council Policy as set out through the following By-laws:

By-law:	Policy:
• By-law No. CPOL.-228-480:	Council Members’ Expense Account Policy
• By-law No. CPOL.-372-453:	Discussion of Remuneration for Elected Officials and Individuals Appointed by City Council to Serve on its Committee or a Local Agency, Board or Commission Policy
• By-law No. CPOL.-68-300:	Issuance of Technology Equipment to Council Members Policy
• By-law No. CPOL.-156-408:	Mayor – Contracted Staff Policy
• By-law No. CPOL.-229-481:	Mayor’s Expenses Policy
• By-law No. CPOL.-70-302:	Remuneration for Elected Officials and Appointed Citizen Members Policy
• By-law No. CPOL.-227-479:	Travel & Business Expenses

Stipends and taxable employer-paid benefits are fully taxable. The expenses reported under the Expenses column are not subject to income tax.

Note the following with regards to stipend reporting for the year 2022:

- Stipends identified on Appendix “A” reflect T4 reporting, which is recorded on a cash basis.
- There were 26 pay periods in 2022.
- A stipend increase of 3.5% for 2022 was made in accordance with By-Law No. CPOL. -70-302: Remuneration for Elected Officials and Appointed Citizen Members Policy.

2.0 Discussion and Considerations (continued)

2.2 Issuance of Technology Equipment to Council Members Policy

In a year where expenses or allowances are incurred under this policy, the Annual Statement of Remuneration and Expenses report will include these expenses or allowances as well.

If a council member selects the corporate standard or reimbursement option, the amounts are reported as an expense in the appendix. If a council member selects the allowance option, the amounts are reported as a benefit in the appendix. The allowance option is considered a taxable benefit and is reported as such on the T4.

2.3 Mayor's Office

On March 20 and 21, 2012, Council resolved that the Mayor be requested to provide annual reports detailing the Mayor's Office's expenditures. The 2022 expenses and a brief description provided by the Mayor's Office are below. The travel expenses are included in Appendix "A", attached.

Expenses with Description	Edwin Holder (Jan 1 – Nov 14)	Josh Morgan (Nov 15 – Dec 31)	Total
Hosting and/or Entertainment Expenses relating to hosting invited dignitaries and guests and special events requiring ticket purchase.	\$3,212.11	\$30.52	\$3,242.63
Gifts and Souvenirs Purchases include presentation plaques, City of London branded promotional items, masks and lanyards for citizen requests, visitors, and dignitaries.	\$1,436.56	-	\$1,436.56
Purchased Services Includes expenses for services such as office moving expenses, virtual conferencing, and services related to the State of the City Address for Mayor Holder; includes virtual conferencing services for Mayor Morgan.	\$3,783.91	\$30.52	\$3,814.43
Total	\$8,432.58	\$61.04	\$8,493.62

The details for the above Mayor's Office expenses can be accessed via the Mayor's page located on <https://london.ca/mayor> .

2.0 Discussion and Considerations (continued)

2.4 Statements of Travel Expenses for Senior Administration

The Council Travel and Business Expenses Policy requires the City Treasurer to submit a list of expenses incurred during the previous calendar year for the Senior Administration of certain local Boards and Commissions as well as Senior Administration of the City of London.

The attached Appendices have been prepared for the year ending December 31, 2022, in accordance with the Travel & Business Expenses Policy as follows:

- Appendix “C” - Statement of Travel and Business Expenses as submitted and reviewed by Senior Administrative Officials of:
 - London Police Services Board
 - London Public Library
 - London Transit Commission
 - RBC Place London (formerly known as London Convention Centre)
- Appendix “D” - Statement of Travel and Business Expenses as submitted and reviewed by Senior Administrative Officials of the City of London.

Conclusion

In accordance with Municipal Council’s policies regarding Council Members’ Expense Account Policy and the Mayor’s Expenses Policy, which are consistent with *Municipal Act, 2001* section 284(1), this report provides a breakdown of remuneration and expenses for elected officials. Further, consistent with other Council policies, this report provides statements of travel and business expenses for senior administrative officials of the City of London. These statements are to be received for information.

Prepared by: Sharon Swance, CPA, CGA,
Manager, Accounting Services

Julie Kovacs, CPA, CGA,
Manager, Employee Systems

Submitted by: Ian Collins, CPA, CMA,
Director, Financial Services

Recommended by: Anna Lisa Barbon, CPA, CGA,
Deputy City Manager, Finance Supports

Attachments

Appendix "A"
2022
STATEMENT OF REMUNERATION AND EXPENSES
FOR ELECTED OFFICIALS

Appointment(s)	Stipends ³	Benefits	Expenses	Total \$
Mayor Edwin Holder	127,920.52	28,964.44	6,487.87 ¹	163,372.83
Vehicle allowance/reimbursement ²		7,318.18		7,318.18
	<u>127,920.52</u>	<u>36,282.62</u>	<u>6,487.87</u>	<u>170,691.01</u>
Mayor Josh Morgan	19,244.68	4,797.89	4,134.55 ¹	28,177.12
Vehicle allowance/reimbursement ²		1,081.82		1,081.82
Technology allowance/reimbursement/standard issuance ⁴			3,751.28	3,751.28
	<u>19,244.68</u>	<u>5,879.71</u>	<u>7,885.83</u>	<u>33,010.22</u>
Councillor Ward 1 Michael van Holst	47,434.69	14,293.72	1,637.41	63,365.82
Vehicle allowance/reimbursement ²		1,568.18		1,568.18
	<u>47,434.69</u>	<u>15,861.90</u>	<u>1,637.41</u>	<u>64,934.00</u>
Councillor Ward 1 Hadleigh McAlister	7,136.19	1,500.34	882.21	9,518.74
Vehicle allowance/reimbursement ²		231.82		231.82
Technology allowance/reimbursement/standard issuance ⁴			3,934.27	3,934.27
	<u>7,136.19</u>	<u>1,732.16</u>	<u>4,816.48</u>	<u>13,684.83</u>
Councillor Ward 2 Shawn Lewis	54,570.88	12,833.71	6,746.96	74,151.55
Vehicle allowance/reimbursement ²		1,800.00		1,800.00
Technology allowance/reimbursement/standard issuance ⁴			3,934.27	3,934.27
	<u>54,570.88</u>	<u>14,633.71</u>	<u>10,681.23</u>	<u>79,885.82</u>
Councillor Ward 3 Mo Salih	<u>47,434.69</u>	<u>14,028.43</u>	<u>3,725.34</u>	<u>65,188.46</u>
Councillor Ward 3 Peter Cuddy	7,136.19	1,770.16	48.07	8,954.42
Vehicle allowance/reimbursement ²		231.82		231.82
Technology allowance/reimbursement/standard issuance ⁴			4,133.56	4,133.56
	<u>7,136.19</u>	<u>2,001.98</u>	<u>4,181.63</u>	<u>13,319.80</u>
Councillor Ward 4 Jesse Helmer	47,434.69	14,028.43	2,731.52	64,194.64
London Transit Committee, Chair		-	2,395.44	2,395.44
	<u>47,434.69</u>	<u>14,028.43</u>	<u>5,126.96</u>	<u>66,590.08</u>
Councillor Ward 4 Susan Stevenson	7,136.19	1,770.16	645.83	9,552.18
Vehicle allowance/reimbursement ²		231.82		231.82
Technology allowance/reimbursement/standard issuance ⁴			4,133.56	4,133.56
London Police Services Board, Meeting			101.76	101.76
	<u>7,136.19</u>	<u>2,001.98</u>	<u>4,881.15</u>	<u>14,019.32</u>
Councillor Ward 5 Maureen Cassidy	47,434.69	14,028.43	4,166.72	65,629.84
Federation of Canadian Municipalities, Conference			488.45	488.45
Middlesex-London Health Unit, Chair	643.83			643.83
	<u>48,078.52</u>	<u>14,028.43</u>	<u>4,655.17</u>	<u>66,762.12</u>
Councillor Ward 5 Jerry Pribil	7,136.19	1,731.56	40.50	8,908.25
Technology allowance/reimbursement/standard issuance ⁴			4,133.56	4,133.56
	<u>7,136.19</u>	<u>1,731.56</u>	<u>4,174.06</u>	<u>13,041.81</u>
Councillor Ward 6 Mariam Hamou	47,434.69	14,116.92	8,347.72	69,899.33
Vehicle allowance/reimbursement ²		522.73		522.73
	<u>47,434.69</u>	<u>14,639.65</u>	<u>8,347.72</u>	<u>70,422.06</u>
Councillor Ward 6 Samuel Trosow	7,136.19	1,677.47	696.07	9,509.73
Vehicle allowance/reimbursement ²		154.55		154.55
Technology allowance/reimbursement/standard issuance ⁴			4,133.56	4,133.56
	<u>7,136.19</u>	<u>1,832.02</u>	<u>4,829.63</u>	<u>13,797.84</u>

Appendix "A"
2022
STATEMENT OF REMUNERATION AND EXPENSES
FOR ELECTED OFFICIALS

Appointment(s)	Stipends ³	Benefits	Expenses	Total \$
Councillor Ward 7 Josh Morgan	47,434.69	14,095.03	2,580.38	64,110.10
Vehicle allowance/reimbursement ²		400.00		400.00
Federation of Canadian Municipalities, Conference			2,317.95	2,317.95
	<u>47,434.69</u>	<u>14,495.03</u>	<u>4,898.33</u>	<u>66,828.05</u>
Councillor Ward 7 Corrine Rahman	7,136.19	1,754.73	369.54	9,260.46
Vehicle allowance/reimbursement ²		139.09		139.09
Technology allowance/reimbursement/standard issuance ⁴			4,133.56	4,133.56
	<u>7,136.19</u>	<u>1,893.82</u>	<u>4,503.10</u>	<u>13,533.11</u>
Councillor Ward 8 Steve Lehman	54,570.88	15,946.18	1,683.86	72,200.92
Vehicle allowance/reimbursement ²		1,056.82		1,056.82
Technology allowance/reimbursement/standard issuance ⁴			3,003.52	3,003.52
	<u>54,570.88</u>	<u>17,003.00</u>	<u>4,687.38</u>	<u>76,261.26</u>
Councillor Ward 9 Anna Hopkins	54,570.88	11,684.19	1,689.53	67,944.60
Vehicle allowance/reimbursement ²		600.00		600.00
Association of Municipalities Ontario, Meetings			4,434.09	4,434.09
Technology allowance/reimbursement/standard issuance ⁴			3,202.81	3,202.81
	<u>54,570.88</u>	<u>12,284.19</u>	<u>9,326.43</u>	<u>76,181.50</u>
Councillor Ward 10 Paul Van Meerbergen	54,570.88	15,767.67		70,338.55
Technology allowance/reimbursement/standard issuance ⁴			4,133.56	4,133.56
	<u>54,570.88</u>	<u>15,767.67</u>	<u>4,133.56</u>	<u>74,472.11</u>
Councillor Ward 11 Stephen Turner	47,434.69	14,028.43	7,275.06	68,738.18
Councillor Ward 11 Skylar Franke	7,136.19	1,741.86	1,192.50	10,070.55
Vehicle allowance/reimbursement ²		61.82		61.82
Technology allowance/reimbursement/standard issuance ⁴			4,133.56	4,133.56
	<u>7,136.19</u>	<u>1,803.68</u>	<u>5,326.06</u>	<u>14,265.93</u>
Councillor Ward 12 Elizabeth Pelozo	54,570.88	16,071.55	6,955.52	77,597.95
Vehicle allowance/reimbursement ²		1,800.00		1,800.00
Technology allowance/reimbursement/standard issuance ⁴			4,133.56	4,133.56
	<u>54,570.88</u>	<u>17,871.55</u>	<u>11,089.08</u>	<u>83,531.51</u>
Councillor Ward 13 John Fyfe-Millar	47,434.69	14,058.23	6,057.75	67,550.67
Councillor Ward 13 David Ferreira	7,136.19	1,750.84	1,595.60	10,482.63
Vehicle allowance/reimbursement ²		115.91		115.91
Technology allowance/reimbursement/standard issuance ⁴			4,133.56	4,133.56
	<u>7,136.19</u>	<u>1,866.75</u>	<u>5,729.16</u>	<u>14,732.10</u>
Councillor Ward 14 Steve Hillier	54,570.88	16,071.55	35.00	70,677.43
Vehicle allowance/reimbursement ²		1,800.00		1,800.00
Technology allowance/reimbursement/standard issuance ⁴			3,943.31	3,943.31
	<u>54,570.88</u>	<u>17,871.55</u>	<u>3,978.31</u>	<u>76,420.74</u>

Appendix "A"
2022
STATEMENT OF REMUNERATION AND EXPENSES
FOR ELECTED OFFICIALS

Notes:

¹ Mayor's travel expenses

The Mayor's travel expenses may include Councillor and/or staff travel expenses who attended events as guests of or on behalf of the Mayor. Details can be found on the Mayor's 2022 Expense Report. A link is provided below:

https://london.ca/sites/default/files/2023-01/Final%20Q4%20Mayor%20Expense%20Report%20AODA%20Compliant_0.pdf

² Vehicle allowance/reimbursement

Councillors can elect to receive a monthly transportation allowance or a per kilometer rate reimbursement for parking and kilometer usage per By-law No. CPOL.-228-480: Council Members' Expense Account Policy. Allowances are a taxable benefit and reported on Councillors' T4's and are reported under the Benefit column on this appendix. Reimbursements are not a taxable benefit and are reported under the Expense column on this appendix.

³ Stipends

Stipends identified above reflect T4 reporting, which is recorded on a cash basis, noting that there were 26 pay periods in 2022.

⁴ Technology allowance/reimbursement/standard issuance

Councillors can elect to receive the corporate standard issuance or a reimbursement for self-purchased equipment or receive an allowance per By-law No. CPOL.-68-300: Issuance of Technology Equipment to Council Members Policy. Allowances are a taxable benefit and reported on Councillors' T4's and are reported under the Benefit column on this appendix. Reimbursements are not a taxable benefit and are reported under the Expense column on this appendix. These allowances and reimbursements are recorded net of refundable HST.

Appendix "B"
2022
STATEMENT OF REMUNERATION AND EXPENSES
FOR APPOINTED OFFICIALS

Appointment(s)	Stipends	Benefits	Expenses	Total \$
Committee of Adjustment - S. Polhill Chair	7,584.00 986.04	456.13		8,040.13 986.04 <u>9,026.17</u>
Committee of Adjustment - D. Brown	6,607.27	322.81		<u>6,930.08</u>
Committee of Adjustment - J. Fyfe-Millar ¹	976.73	58.10		<u>1,034.83</u>
Committee of Adjustment - C. Miller	7,584.00	147.87		<u>7,731.87</u>
Committee of Adjustment - A. Santiago	7,111.74	361.41		<u>7,473.15</u>
Committee of Adjustment - D. Schmidt	7,584.00	380.91		<u>7,964.91</u>
Greater London International Airport Authority - G. Kotsiomitis	23,600.00			<u>23,600.00</u>
Greater London International Airport Authority - M. O'Leary-Pickard	24,100.00			<u>24,100.00</u>
Hamilton Road Business Improvement Association - R. Pinheiro			2,704.02	<u>2,704.02</u>
Hearings Officer - D. Bryant	900.00	17.55		<u>917.55</u>
Hearings Officer - D. Ross	800.00	15.60		<u>815.60</u>
Hearings Officer - C. Scrimgeour	300.00	6.33		<u>306.33</u>
Hearings Officer - A. Wright	700.00	13.65		<u>713.65</u>
Kettle Creek Conservation Authority - B. Mackie	946.99			<u>946.99</u>
Kettle Creek Conservation Authority - R. Winfield	946.99		4.70	<u>951.69</u>
London Hydro Inc. - C. Graham Chair (Appointed: July 1, 2022)	23,508.00 2,232.00			23,508.00 2,232.00 <u>25,740.00</u>
London Hydro Inc. - G. Valente Chair (Resigned: June 30, 2022)	20,508.00 2,232.00			20,508.00 2,232.00 <u>22,740.00</u>
London Hydro Inc. - T. Goodine	20,508.00			<u>20,508.00</u>
London Hydro Inc. - G. Holburn	20,508.00			<u>20,508.00</u>
London Hydro Inc. - A. Hrymak	18,708.00			<u>18,708.00</u>
London Hydro Inc. - J. Smit	19,308.00			<u>19,308.00</u>
London Police Services Board - S. Toth	8,781.31		1,016.58	<u>9,797.89</u>
London Police Services Board - M. Walker			813.06	<u>813.06</u>
London Transit Commission - S. Collyer (Appointed: November 15, 2022)	668.80	34.54		<u>703.34</u>
London Transit Commission - T. Khan (Term Ended: November 14, 2022)	4,524.20	168.65		<u>4,692.85</u>
London Transit Commission - S. Marentette	5,193.00	203.19		<u>5,396.19</u>
London Transit Commission - S. Rooth	5,193.00	203.19	2,652.12	<u>8,048.31</u>
Lower Thames Valley Conservation Authority - J. Strybosch	260.00		193.55	<u>453.55</u>
Middlesex-London Health Unit - M. Reid	11,285.98		10,252.33	<u>21,538.31</u>

Appendix "B"
2022
STATEMENT OF REMUNERATION AND EXPENSES
FOR APPOINTED OFFICIALS

Appointment(s)	Stipends	Benefits	Expenses	Total \$
Plumbers' and Drain Layers' Examining Board - S. Atchison	100.00			<u>100.00</u>
Plumbers' and Drain Layers' Examining Board - D. Brouwer	100.00			<u>100.00</u>
Plumbers' and Drain Layers' Examining Board - M. Salliss	100.00			<u>100.00</u>
Upper Thames River Conservation Authority - M. Blosh	714.00			<u>714.00</u>
Upper Thames River Conservation Authority - S. Levin	654.50			<u>654.50</u>
Upper Thames River Conservation Authority - J. Reffle	535.50			<u>535.50</u>

Notes:

¹ All remuneration and reimbursed expenses received from the Committee of Adjustments represent amounts earned after Fyfe-Millar term as Ward 13 Councillor ended on November 14, 2022.

Appendix "C"
2022
STATEMENT OF TRAVEL AND BUSINESS EXPENSES FOR
SENIOR ADMINISTRATIVE OFFICIALS
BOARDS AND COMMISSIONS

LONDON TRANSIT COMMISSION

	Position	Total \$
K. Paleczny	General Manager	8,066.92

LONDON POLICE SERVICES BOARD

	Position	Total \$
S. Williams	Chief of Police	6,441.20

LONDON CONVENTION CENTRE CORPORATION OPERATING AS RBC PLACE LONDON

	Position	Total \$
L. Da Silva	General Manager and CEO	2,545.35

LONDON PUBLIC LIBRARY

	Position	Total \$
M. Ciccone	CEO and Chief Librarian	1,053.00

Appendix "D"
2022
STATEMENT OF TRAVEL AND BUSINESS EXPENSES FOR
SENIOR ADMINISTRATIVE OFFICIALS
CITY OF LONDON

	Position	Total \$
L. Livingstone	City Manager	\$2,801.19
B. Card	Deputy City Manager, Legal Services	\$0.00
A. Barbon	Deputy City Manager, Finance Supports	\$1,017.60
G. Kotsifas	Deputy City Manager, Planning & Economic Development	\$0.00
S. Mathers	Deputy City Manager, Planning & Economic Development	\$2,928.34
K. Scherr	Deputy City Manager, Environment & Infrastructure	\$732.43
K. Dickins	Deputy City Manager, Social & Health Development	\$834.15
C. Smith	Deputy City Manager, Neighbourhood & Community-Wide Services	\$44.86
J. Davison	Deputy City Manager, Enterprise Supports	\$6,764.13
L. Hamer	Fire Chief	\$509.93
A. Hunt	Deputy Fire Chief, Communications & Training	\$2,218.06
R. Hayes	Deputy Fire Chief, Operations	\$1,735.10
M. Hepditch	Deputy Fire Chief, Prevention & Public Education	\$0.00

BY EMAIL

February 24, 2023

Mayor Josh Morgan
City Clerk Michael Schulthess
Council for the City of London
300 Dufferin Avenue
London, ON N6B 1Z2

Dear Members of Council for the City of London:

Re: Closed meeting complaint

My Office received a complaint suggesting that members of council for the City of London met improperly behind closed doors ahead of a meeting of the city's Corporate Services Committee ("the Committee") on October 12, 2021. The complainant told us they believed that members of council met outside of a formal council or committee meeting to discuss filling a vacant council seat with a specific individual since members of the public knew to provide letters of support to council on that subject ahead of the meeting on October 12, 2021.

I am writing to share the outcome of my review. For the reasons set out below, I found no evidence that the Committee or council met privately to discuss the vacancy in advance of the Committee meeting on October 12, 2021. Therefore, the City did not contravene the open meeting requirements under the *Municipal Act, 2001*¹ (the "Act").

Ombudsman's role and authority

As of January 1, 2008, the Act gives anyone the right to request an investigation into whether a municipality has complied with the Act in closing a meeting to the public.² Municipalities may appoint their own investigator. The Act designates the Ombudsman as the default investigator for municipalities that have not appointed their own. My Office is the closed meeting investigator for the City of London.

¹ SO 2001 c 25.

² *Ibid* at s 239.1.

My Office has investigated hundreds of closed meetings since 2008. To assist municipal councils, staff, and the public, we have developed an online digest of open meeting cases. This searchable repository was created to provide easy access to the Ombudsman's decisions on, and interpretations of, the open meeting rules. Council members and staff can consult the digest to inform their discussions and decisions on whether certain matters can or should be discussed in closed session, as well as issues related to open meeting procedures. Summaries of the Ombudsman's previous decisions can be found in the digest: www.ombudsman.on.ca/digest.

Review

My Office reviewed documentation related to the meeting on October 12, 2021 and spoke with witnesses, including the Clerk.

The Clerk provided, and we reviewed, additional materials relating to the council vacancy and appointment, including agendas and minutes for meetings held before and after the Committee meeting on October 12, 2021, where filling the council vacancy was discussed. We also reviewed related media articles provided by the Clerk.

Council vacancy

Following the resignation of a member of council in September 2021, council made the resignation letter public on September 27, 2021, and declared the seat vacant on October 5, 2021.

The agenda for the Committee's meeting on October 12, 2021 included "Filling of Vacancies on Municipal Council" as an item for discussion. The original agenda included two letters from the public supporting the appointment or nomination of a particular individual to fill the vacancy. This individual was the runner-up for the council seat in the 2018 municipal election. The Clerk told our Office that an amended agenda was published on October 11, 2021, which included more than 60 letters of support for the individual.

According to the open meeting minutes, the Corporate Services Committee was called to order at 12:01 p.m. on October 12, 2021.

The open meeting minutes note that a report dated October 12, 2021, entitled "Filling Vacancies on Municipal Council" was received along with the letters of support for a specific individual. The report outlined methods for filling vacancies on municipal council and recommended an appointment process rather than a by-election given the costs and the fact that municipal elections would be held within the year. The Committee passed a motion recommending that council appoint the individual named in the letters of support.³

³ At this meeting, another member of council announced their resignation, and the Committee also considered how to fill that second vacancy. That second vacancy was not part of the closed meeting complaint under review here.

On October 26, 2021, council accepted the Committee's recommendation and appointed the individual named in the letters of support to the vacant council seat.

Analysis

The complainant suggested that the 60-plus letters of support attached to the October 12, 2021 Committee agenda were evidence that members of council had, at some point ahead of the Committee meeting on October 12, 2021, secretly discussed having that individual fill the vacancy on council.

We found no evidence that council or Committee members met to discuss the vacancy ahead of the Committee meeting on October 12, 2021. The Clerk told us that he was not aware of any meeting of council or of the Committee to discuss the filling of the council vacancy before the meeting on October 12, 2021.

The fact of the vacancy had already been made public by the City at council's meeting on September 27, 2021, and had also been discussed in the media. The individual named in the letters of support had been the runner-up in the previous municipal election in 2018.

Conclusion

My review indicates that the City did not hold improperly closed meetings to discuss filling a vacant council seat in advance of the Committee meeting on October 12, 2021.

I would like to thank the City of London for its co-operation during my review. The Clerk has confirmed that this letter will be included as correspondence at an upcoming council meeting.

Sincerely,



Paul Dubé
Ombudsman of Ontario

Cc: Michael Schulthess, City Clerk, City of London

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