

**CERTIFIED TRUE COPY
DECISION OF
CITY COUNCIL
JUNE 21, 2023**

Communication from the Office of the City Clerk

ITEM #: CM23-26

SUBJECT: Integrity Commissioner Investigation Report (No.2023-01)

DECISION:

Recommendation

That City Council:

1. Adopt the findings of the Integrity Commissioner's Investigation Report REG 22-05 and REG 22-08 dated March 6, 2023 (Appendix A), which found that Councillors Dan LeBlanc and Andrew Stevens contravened section 13(1) and 13(2) of *Bylaw No. 2017-4 The Code of Ethics Bylaw*; and
2. Adopt the following recommendations of the Integrity Commissioner:
 - a. Request Councillors Andrew Stevens and Dan LeBlanc to provide a written apology to City Manager Niki Anderson for the negative impact their December 2022 Lawsuit had on her professionally and personally.
 - b. Reprimand Councillors Andrew Stevens and Dan LeBlanc for their actions, noting however that Motion MN 22-7 passed by Council on December 7, 2022 expressing disappointment over the negative impact on City Council's operational integrity and oversight that the Lawsuit created, would be deemed a sufficient reprimand.

Councillor Andrew Stevens cited a conflict as the Respondent named in this report, abstained from voting during consideration of the report and temporarily stepped down from his Council seat and moved to the public gallery.

Councillor Dan LeBlanc cited a conflict as the Respondent named in this report, abstained from voting during consideration of the report and temporarily stepped down from his Council seat and moved to the public gallery.

Councillor Jason Mancinelli moved, seconded by Councillor John Findura that City Council:

- 1. Accept the findings of the Integrity Commissioner's Investigation Report REG 22-05 and REG 22-08 dated March 6, 2023 (Appendix A), which found that Councillor Dan LeBlanc and Councillor Andrew**

Stevens contravened section 13(1) and 13(2) of Bylaw No. 2017-4, *The Code of Ethics Bylaw*.

- 2. Reiterate the expression of disappointment over the negative impact on City Council's operational integrity and oversight caused by the actions of Councillors LeBlanc and Stevens, as initially outlined in Motion MN22-7 passed by City Council on December 7, 2022; and**
- 3. Direct the City Solicitor and the City Clerk to prepare a report for consideration by Executive Committee in Q3 2023 as follows:**
 - a. The steps required to ensure that the City of Regina Employee Harassment Policy is extended to cover and apply to the City Manager.**
 - b. Provide a jurisdictional review of ethics bylaws adopted by other Western Canadian jurisdictions, with particular emphasis on the practice in Saskatoon.**
 - c. Outline options by which City Council could delegate a review and recommended enhancements to be conducted by an external party.**

Councillor Bob Hawkins moved, seconded by Mayor Sandra Masters, AND IT WAS RESOLVED, that City Council recess for 10 minutes.

City Council recessed at 6:47 p.m.

City Council reconvened at 7:24 p.m.

CHALLENGE TO THE CHAIR

During debate, Councillor Shanon Zachidniak challenged Mayor Sandra Masters' ruling that the gallery in Henry Baker Hall be closed to in-person public attendance for the remainder of the meeting.

The Chair ruled that in accordance with Section 14(9) of The Procedure Bylaw, Bylaw No. 9004 (the Bylaw), if members of the public who constitute the audience in the Council Chamber during a Council meeting engage in improper conduct as outlined in Section 14(8) of the Bylaw, the Mayor or presiding member may, at any meeting, cause to be expelled and excluded, any person who creates any disturbance or acts improperly during a meeting, and that in accordance with section 14(4) of the Bylaw, the Mayor or presiding member shall maintain order and preserve decorum of the meeting. Given this, Mayor Sandra Masters' ruling to close the gallery to in-person attendance for the remainder of the meeting is in order.

Pursuant to Section 19 of The Procedure Bylaw, Bylaw No. 9004, Councillor Shanon Zachidniak challenged the Chair on the ruling and requested Councillors Stevens and LeBlanc return to the meeting to vote on the Challenge to the Chair, as the challenge is not related to the item for which they declared a conflict. The Chair directed Councillors Andrew Stevens and Dan LeBlanc to resume their seats for the vote and directed the City Clerk to conduct a recorded vote on the ruling. The City Clerk advised that a majority vote in favour would confirm the Chair's ruling.

(Councillors Dan LeBlanc and Andrew Stevens resumed their Council seats.)

Challenge to the Chair - Section 14.4

The Challenge to the Chair's ruling was put and the Chair's ruling was declared CARRIED.

RESULT:	CARRIED [7 to 4]
MOVER:	Councillor Zachidniak
SECONDER:	Councillor Stadnichuk
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, Mancinelli, Mohl, Nelson and Mayor Masters
AGAINST:	Councillors: LeBlanc, Stadnichuk, Stevens, Zachidniak

(Councillors Dan LeBlanc and Andrew Stevens temporarily stepped down from their Council seats and moved to the public gallery.)

Councillor Cheryl Stadnichuk requested that items #1, #2, #3(a), and #3(b) & (c) of the motion be voted on separately.

Tabling Motion

Councillor Shanon Zachidniak moved, seconded by Councillor Cheryl Stadnichuk that City Council table this report to its July 12, 2023 meeting.

The tabling motion was put and declared LOST.

RESULT:	LOST [2 to 7]
MOVER:	Councillor Zachidniak
SECONDER:	Councillor Stadnichuk
IN FAVOUR:	Councillors: Stadnichuk, Zachidniak
AGAINST:	Councillors: Bresciani, Findura, Hawkins, Mancinelli, Mohl, Nelson and Mayor Masters
AWAY:	Councillors: LeBlanc, Stevens

Separate Vote #1

The motion was put and declared CARRIED.

RESULT:	CARRIED [8 to 1]
MOVER:	Councillor Mancinelli
SECONDER:	Councillor Findura
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, Mancinelli, Mohl, Nelson, Stadnichuk and Mayor Masters
AGAINST:	Councillor Zachidniak
AWAY:	Councillors: LeBlanc, Stevens

Separate Vote #2

The motion was put and declared CARRIED.

RESULT:	CARRIED [7 to 2]
MOVER:	Councillor Mancinelli
SECONDER:	Councillor Findura
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, Mancinelli, Mohl, Nelson and Mayor Masters
AGAINST:	Councillors: Stadnichuk, Zachidniak
AWAY:	Councillors: LeBlanc, Stevens

Separate Vote #3(a)

The motion was put and declared CARRIED.

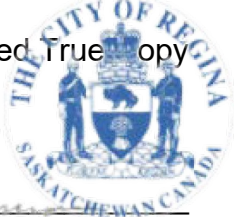
RESULT:	CARRIED [7 to 2]
MOVER:	Councillor Mancinelli
SECONDER:	Councillor Findura
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, Mancinelli, Mohl, Nelson and Mayor Masters
AGAINST:	Councillors: Stadnichuk, Zachidniak
AWAY:	Councillors: LeBlanc, Stevens

Separate Vote #3 (b) & (c)

The motion was put and declared CARRIED.

RESULT:	CARRIED [Unanimous]
MOVER:	Councillor Mancinelli
SECONDER:	Councillor Findura
IN FAVOUR:	Councillors: Bresciani, Findura, Hawkins, Mancinelli, Mohl, Nelson, Stadnichuk, Zachidniak and Mayor Masters
AWAY:	Councillors: LeBlanc, Stevens

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Amber Ackerman, A/City Clerk