

MA 2 – BIA Board Session

Robert Marleau, Integrity Commissioner

M. Rick O'Connor, City Clerk and Solicitor

April 1, 2019

Overview

- Relationship with Council
- BIAs as “local boards”
- New accountability framework

Relationship with Council



Legislative Responsibilities

As a local board, BIAs are subject to:

- *Municipal Act, 2001*
- *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*
- *Municipal Elections Act, 1996*
- *Municipal Conflict of Interest Act*

Policies and Procedures

Every BIA must have:

➤ Procedural by-law

➤ Policies:

- Hiring of employees
- Procurement
- Sale and other disposition of land
- Use of board resources during election campaign period



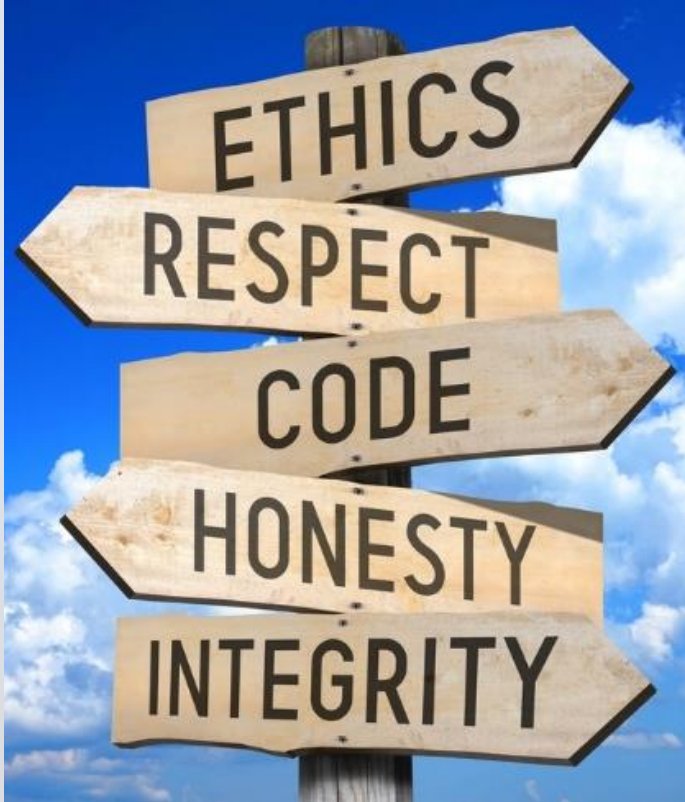
Open Meetings

BIA Board meetings must be open and accessible to the public, except as provided for by specific, discretionary exceptions

Procedures for closed session:

- Board must pass a resolution in open session, citing reason and general nature of subject
- Minutes of closed session must be recorded
- No votes, except for procedural matter or giving direction to staff

New Accountability Framework



As of March 1, 2019, BIA board members are subject to a code of conduct and a new municipal conflict of interest scheme.

Code of Conduct

- Applies to Board members (not BIA staff)
- Includes a wide range of provisions related to ethical behaviour
 - Improper use of influence
 - Gifts, benefits and hospitality
 - Confidential information
 - Use of board resources
- Informal or formal complaints through the City's IC



Municipal Conflict of Interest Act (MCIA)

The MCIA applies to pecuniary (financial) interests, direct or indirect of a member and/or his or her parent, child or spouse.

When a member has a pecuniary conflict of interest, the member must:

- Disclose the interest;
- Not participating in the discussion or vote;
- Not attempt, in any way, to influence the voting before, during or after the meeting; and
- File a written statement of the interest with the secretary of the BIA.

Seek Advice

“Everyone sees what you appear to be, few experience what you really are.”

— **Niccolò Machiavelli, The Prince**

When in doubt, reach out to the Integrity Commissioner for confidential advice respecting obligations under the Code of Conduct or a potential conflict of interest.

Questions?



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<https://ottawa.ca/en/city-hall/accountability-and-transparency/accountability-framework>