



Special Council Meeting

Jubilee Centre Council Chamber
9909 Franklin Avenue, Fort McMurray, AB T9H 2K4

Wednesday, February 15, 2023
4:00 PM

Agenda

1. **Call to Order**
2. **In-Camera Session**
 - 2.1. Advice from Officials/Privileged Information - Integrity Commissioner Report for Action
(in camera pursuant to sections 24(1) and 27(1) of the *Freedom of Information and Protection of Privacy Act*)

Adjournment

Subject: Summary of Integrity Commissioner Report for Action**APPROVALS:****Paul Thorkelsson**_____
Director_____
Chief Administrative Officer**Recommended Motion:**

WHEREAS Council believes that Councillor Shafiq Dogar has acted in a manner contrary to the Code of Conduct; and

WHEREAS Councillor Dogar has been afforded procedural fairness with respect to Council's consideration of this matter and was notified in advance that Council:

- a) would be considering the matter and was given a copy of this draft Resolution that may be considered by Council;
- b) may consider sanctions recommended by the Integrity Commissioner, and may accept or vary the sanctions subject to the *Municipal Government Act*; and

WHEREAS Councillor Dogar was expressly informed of his right to retain legal counsel and for his legal counsel to be present at any Council meeting in which this Resolution would be discussed and voted on; and

WHEREAS Councillor Dogar was given the opportunity to personally, or via his legal counsel, or both, to make submissions to the rest of Council regarding his conduct in this matter at a fairness hearing held in camera by Council prior to Council deliberations on this matter; and

WHEREAS Council has considered the submissions made by Councillor Dogar and/or his legal counsel; and

WHEREAS Council has attempted to reach a consensus as to the appropriate action; and

WHEREAS each member of Council honestly believes that during the fairness hearing they had an open mind, were amenable to persuasion, and were ready and willing to be persuaded by submissions made by Councillor Dogar; and

WHEREAS Council has provided united or separate reasons so that Councillor Dogar

understands the basis for the decision to address his conduct;

BE IT RESOLVED AS FOLLOWS:

1. THAT Council receive the Integrity Commissioner Report and accept the findings of the Commissioner);
2. THAT Council find that Councillor Dogar (the Member) acted in contravention of the Council Code of Conduct Bylaw No. 18/009 for the reasons set out in the Report.
3. THAT Council adopt and impose the following recommended sanctions, as set out in the Report, as an expression of its commitment to the Council Code of Conduct Bylaw No. 18/009:
 - a. Direct the Member to promptly provide an apology to the Complainant. The Member may provide the apology in **private** either in person or in writing but in either case, to ensure that the apology is both meaningful and substantive, the Member is to solicit and receive assistance from Dennis Fraser and/or Holly Fortier, and the Member is to cooperate in receiving this assistance.
 - b. Direct that Dennis Fraser and Holly Fortier within the Indigenous community be involved in the Indigenous Awareness training of the Member and the assessment of the Member's understanding of relevant Indigenous issues and that the Member promptly undertake this training. This is to occur as soon as possible, and in any event within two (2) months of the date of this resolution. Council (i) further directs the Member to report back to Council on the learnings in a closed session within three (3) months and (ii) requests Dennis Fraser and/or Holly Fortier to report to Council in a closed session on the effect of the training.

Summary:

On July 19, 2022, a formal complaint was made under the Code of Conduct (the 'Code') alleging that Councillor Shafiq Dogar (the 'Member') contravened sections of the Code with respect to his conduct during the June 28, 2022, Council meeting.

The complaint included that during a presentation on funding to support the National Inquiry into Missing and Murdered Indigenous Women and Girls ('MMIWG'), the Member exited the Council meeting missing important parts of the presentation including, presentations by speakers affected and those from the Missing or Murdered and Exploited Indigenous Peoples Task Force.

It was alleged that during a recess, the Member approached the presenters, including the Complainant, in the lobby and made inquiries and/or comments in an antagonizing tone. The complaint alleged that the Member's conduct was in breach of sections 8.1, 8.5 and 8.6 of the Code.

The Integrity Commissioner undertook an investigation of the complaint and concluded that Councillor Shafiq Dogar has contravened sections 8.2 of the Code, *“Members shall treat one another, the employees of the Municipality and members of the public with courtesy, dignity and respect and without abuse, bullying or intimidation”*.

In the report, the Integrity Commissioner recommends that Council adopt and implement sanctions as follows:

1. Direct the Member to promptly provide an apology to the Complainant. The Member may provide the apology **privately** either in person or in writing but in either case, to ensure that the apology is both meaningful and substantive, Council should direct that the Member receive appropriate assistance and that the Member cooperate in receiving this assistance.
2. Direct that an appropriate person or persons within the Indigenous community is involved in the Indigenous Awareness training of the Member and the assessment of the Member’s understanding of relevant Indigenous issues and that the Member promptly undertake this training. This should occur as soon as possible.

Strategic Plan Values:

Rural and Indigenous Communities and Relationships