

September 24th, 2019

Michael Mostyn
Chief Executive Officer
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Via e-mail: mmostyn@bnaibrith.ca

Mr. Mostyn,

Your letter to Councillor El-Chantiry, dated September 17th, 2019, along with your more recent e-mail to Mayor Watson's staff on September 23rd, 2019, have been referred to my Office for review and to provide you with a response. As City Clerk for the City of Ottawa, I am the statutory officer who is responsible for many of the various obligations that arise under the *Municipal Act, 2001*, including, in this instance, the express obligations of the Mayor – and his Deputy Mayors – when engaged in such events. I am also responsible for the City's Protocol Office.

For context I can advise that, in accordance with Section 225 of the *Municipal Act, 2001*, the Mayor as both the "head of council" and the "chief executive officer" of the municipal corporation has the following statutory duties:

Role of head of council

225 It is the role of the head of council,

- (a) to act as chief executive officer of the municipality;
- (b) to preside over council meetings so that its business can be carried out efficiently and effectively;
- (c) to provide leadership to the council;
- (c.1) without limiting clause (c), to provide information and recommendations to the council with respect to the role of council described in clauses 224 (d) and (d.1);
- (d) to represent the municipality at official functions; and
- (e) to carry out the duties of the head of council under this or any other Act

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Furthermore, Section 226 and Section 226.1 of the Act also provides as follows:

Substitution

226 A municipality may, with the consent of the head of council, appoint a member of council to act in the place of the head of council on any body, other than on the council of another municipality, of which the head of council is a member by virtue of being head of council.

Head of council as chief executive officer

226.1 As chief executive officer of a municipality, the head of council shall,

- (a) uphold and promote the purposes of the municipality;
- (b) promote public involvement in the municipality's activities;
- (c) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
- (d) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

In light of the above-noted legislative framework, I can confirm that Councillor El-Chantiry was acting in his statutory role as Deputy Mayor when he attended at the Syrian Canadian Club of Ottawa in March of 2018.

As you are likely aware, the Mayor and Deputy Mayor each attend hundreds of functions each year at the request of a wide variety of organizations. Their attendance and the issuance of letter of congratulations, like the many proclamations issued by the Mayor, do not constitute an endorsement of the views of any individual member of those organizations. Rather, as noted in the City's Proclamation Procedures, these attendances and letters are based on "the recognition that the Mayor represents all citizens." Having reviewed our records on this issue, I can confirm that the letter issued by the Mayor, dated February 27th, 2016, to the Syrian Canadian Club of Ottawa was, in fact, the only one issued to this organization. Generally speaking, acknowledgements such as these are given to recognize the commitment of individuals and organizations within the city whose efforts enhance our community. It does not, however, constitute a personal or civic endorsement.

I trust the above explains the City's position, and thank you, once again, for raising your concerns with my Office.

Regards,

M. Rick O'Connor
City Clerk

c.c. : Coun. E. El-Chantiry
Mayor J. Watson