Winnipeg

Legal Services Department • Services juridiques

INTER-OFFICE MEMORANDUM

TO:	**Marc Lemoine** City Clerks	**FROM:**	**Harold Dick** Legal Services
FILE:	G.2/2020(71)	**DATE:**	October 20, 2020

RE: Elected Officials Compensation By-Law – Amendment of By-Law No. 158/2011

Please find enclosed a By-Law which amends the Elected Officials Compensation By-Law No. 158/2011.

These amendments were directed by Council at its meeting of July 23, 2020 when the concurred in Item 2 of the Report of the Governance Committee of Council dated June 17, 2020 and, in particular, Recommendation 2 of that Report which provides for

A. Payment of a severance to a member of Council who is forced to resign due to permanent illness which, in the opinion of the Speaker of Council and based on the written report of a medical doctor, disables the person from performing their duties as a member of Council, or if they die while in office;

B. That Notice of the decision of the Speaker be provided to Council by way of a Communication to be submitted directly to and placed on the agenda of a Council meeting, for information.

Please note that the amending by-law provides for the following which are not explicitly set out in the recommendation approved by Council but which are consistent with it and help to clarify it:

- Payment is to be made by lump sum. This is implied but not explicitly stated in the By-law.
- Payment of the severance remuneration can be made to the estate of the member of Council. This is necessary in the case of a member of Council who dies while in office.
- The reason for resignation may include injury or other medical condition in addition to an illness.
- The Speaker (referred to as “the Presiding Officer to be consistent with *The City of Winnipeg Charter*) is provided with criteria to consider when a member of Council resigns due to a medical condition; specifically, the Speaker is to consider whether the severity and duration of the illness, injury or other medical condition are such that the member of Council will be prevented from carrying out their duties as a member of Council.

Since Council directed that the proper officers of the City do all things necessary to implement the intent of this recommendation, I am sending this amending by-law directly to you so that it can be placed on Council's Agenda for enactment at a forthcoming meeting.

If you have any questions, feel free to contact me.

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HAROLD DICK
Solicitor

HD/mr

Enclosure