

Y2K Employee Indemnification

(City Council on November 23, 24 and 25, 1999, adopted this Clause, without amendment.)

The Administration Committee recommends the adoption of the recommendation of the Administration Committee embodied in the confidential communication (November 8, 1999) from the City Clerk respecting Y2K Employee Indemnification, which was forwarded to Members of Council under confidential cover.

(City Council on November 23, 24 and 25, 1999, considered the aforementioned confidential communication dated November 8, 1999, from the City Clerk, regarding a confidential report dated October 25, 1999, from the Acting Commissioner of Corporate Services, such report to remain confidential in accordance with the provisions of the Municipal Act, save and except the recommendations embodied therein.)

*(Extract from the confidential communication dated November 8, 1999,
from the City Clerk.*

Recommendation:

The Administration Committee recommends the adoption of the confidential report (October 25, 1999) from the Acting Commissioner of Corporate Services; and further, that the appropriate staff be requested to take all necessary steps to protect any legal rights the City may have from the City's insurer/s.)

*(Extract from the confidential report dated October 25, 1999
addressed to the Administration Committee
from the Acting Commissioner of Corporate Services.*

Recommendations:

It is recommended that:

- (1) the City represent or assume the cost of representing a present or former Member of Council or City officer or employee in a civil action or proceeding (including an appeal) commenced or threatened against the Member, officer or employee and, if there is a final judgement, pay any damages or costs (including interest) awarded against the Member, officer or employee as a result of the action or proceeding or, if there is a final settlement out of court, pay any sum required in connection with settlement of the action or proceeding, where the action or proceeding in question relates to the Year 2000 problem and arises out of acts or omissions done or made or allegedly done or made by the Member, officer or employee in his or her capacity as a Member, officer or employee of the City, as the case may be, provided in each case that the Member, officer or employee was at all times acting in good faith and within the scope of his or her lawful duties in dealing with or attempting to deal with the Year 2000 problem to which the action or proceeding relates and that there is compliance with the provisions set out in the by-law referred to in (2); and*

(2) *the City Solicitor be requested to prepare the necessary by-law.)*