

March 24, 2010

To: City Council

From: Mayor David Miller

Subject: EX41.16 - Office of Independent Counsel for Council and Members of Council

I have conferred with the City Manager and we are in agreement that this matter requires further review and analysis. I have requested that the City Manager report back to Executive Committee at the same meeting the committee considers candidate legal expenses and other related matters.

Mayor David Miller



## STAFF REPORT INFORMATION ONLY

### Office of Independent Counsel for Council and Members of Council

<b>Date:</b>	March 24, 2010
<b>To:</b>	City Council
<b>From:</b>	City Manager
<b>Wards:</b>	All
<b>Reference Number:</b>	

### SUMMARY

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On March 1, 2010 the Executive Committee considered a Member Motion, EX.41.16, regarding the establishment of an office of independent counsel for Council and Members of Council. Executive Committee requested the Mayor, in consultation with the City Manager, City Solicitor and Treasurer report directly to Council on this matter. This report provides information on the status of this request.

### Financial Impact

There are no financial impacts resulting from this report.

### DECISION HISTORY

This report relates to a Member Motion approved by the Executive Committee at its meeting on March 1, 2010 for consideration by City Council at its meeting on March 31 and April 1, 2010.

The motion recommends that:

“City Council establish the Office of Independent Counsel and that the terms of reference for the office be:

- a. To represent the interests of Members of Council both collectively and individually in matters related to their function as elected representatives and members of Toronto Council.

- b. To advocate for the interests of Council and Members of Council in matters related to their rights as elected representatives in dealing with, but not limited to, the public, the media, agencies, boards and commissions, external organizations, other orders of government and their agencies and the City of Toronto.
- c. To report directly to Council.
- d. To receive support as required from the City Manager in consultation with the Mayor and the Clerk.

That the Mayor in consultation with the City Manager, City Solicitor and Treasurer report directly to Council on the anticipated staffing and budget required to support the office of independent Council.

The initial budget for the establishment of this office be taken from the current budget of the City Solicitor and various legal reserves with a view to establishing a discrete budget for this function in the 2012 budget.

The Office be up and running no later than May of 2010 and if necessary, until such time as it is fully functional, the City Manager in consultation with the Mayor provide for outside legal representation and temporary office assistance.”

<http://www.toronto.ca/legdocs/mmis/2010/ex/bgrd/backgroundfile-27982.pdf>

## **COMMENTS**

The Mayor has consulted with the City Manager on establishing an office of independent counsel for Council and Members of Council and we are in agreement that this matter requires further review and analysis. The Mayor has requested the City Manager report to Executive Committee at the same meeting the committee considers candidate legal expenses and other related matters.

## **CONTACT**

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## **SIGNATURE**

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Joseph P. Pennachetti, City Manager