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**City Council**

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MM45.13	ACTION			Ward: All
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**Creation of a Candidate Protection Fund, moved by Councillor Stintz, seconded by Councillor Palacio**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Executive Committee. A two-thirds vote is required to waive referral.*

**Recommendations**

Councillor Stintz, seconded by Councillor Palacio recommends that:

1. The City Manager and City Solicitor report back to City Council on the options available to protect candidates and sitting councillors from legal expenses arising from legitimate legal actions.
2. The City Solicitor explore and report back to Council on appropriate options utilized by other levels of government.

**Summary**

The recent experience of Councillor Adrian Heaps has highlighted the financial risks associated with legal actions that may be brought against members of Council, in the wake of municipal elections. Such risks will undoubtedly act as a deterrent to participating in our political process.

As such, the purpose of this motion is explore options that minimize such financial risk and do so in such a way that no costs are shifted to taxpayers.

One option is to explore the creation of a Candidates' Protection Fund. Such a fund would require each candidate to pay a mandatory fee that would go into the protection fund. Any legal suits or compliance audits brought against councillor and mayoral candidates could then solely be covered through the account, based upon the recommendations of an arms-length committee.

(Submitted to City Council on January 26 and 27, 2010 as MM45.13)