

## **PREVIOUS COUNCIL DIRECTION AND BACKGROUND**

### **Previous Council Direction / Policy**

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On March 7, 2005, Council confirmed a need for the Audit Committee to receive additional reports to allow the Committee to fulfil its terms of reference. The City Solicitor and General Counsel was directed to provide an annual report regarding the structures and systems in place within The City to support an appropriate level of legal compliance regarding the various activities carried out within the organization. Law & Legal Services has provided annual reports to Council since that time.

### **Background**

#### **Authorizing environment:**

Bylaw 48M2000 establishes the position of City Solicitor and General Counsel as a designated officer, provides that the City Solicitor and General Counsel reports to the City Manager, and outlines that the City Solicitor and General Counsel has the power to initiate, prosecute, maintain or defend any action, claim or other proceeding at law or in equity deemed by the City Solicitor and General Counsel to be in the best interests of The City of Calgary including but not limited to the powers, duties and functions:

- to make decisions on the duty to defend and to indemnify any employee, volunteer, Member of Council, or appointee to a City Board, Commission, or Committee for any action, claim or other proceeding;
- to settle any action, claim or other proceeding provided the amount does not exceed \$250,000;
- to retain and pay external legal counsel when the City Solicitor and General Counsel deems it to be in the best interests of The City of Calgary;
- to report to Council with respect to any legal matter where in the City Solicitor and General Counsel's independent judgment a Council decision is necessary or Council must be informed; and
- to take such other actions and decisions as are similar or necessarily incidental to implementing the above including but not limited to expenditure of funds and other resources.