

Background and Previous Council Direction

Background

Vacancies of a councillor's seat may occur when, for any reason, a councillor permanently no longer occupies the position of councillor during the term of office for which they were elected. Depending on the circumstances and timing, the seat may remain vacant until a by-election is held, or for the remainder of the term if the Municipal Government Act allows.

In the past, Council has designated one or more continuing councillors to assume some of the responsibilities pertaining to the vacant seat in the interim, such as ward representation with respect to constituency issues, or to serve as the employer for the impacted Ward Office staff. The exact nature of arrangements have varied over time.

Previous Council Direction

DATE	REPORT NUMBER	DIRECTION/DESCRIPTION
2024 December 17	CSC2024-1355	Departure of Councillor Before End of Term (Verbal) Council directed Administration to: 1. Review Council policies and bylaws relating to Councillors and Councillor Assistants (CC030, PAC010, PAC005, PAC012, PAC015) and identify amendments for discussion to a meeting of Council Services Committee in Q1 2025 that contemplate: a. Departure of a Councillor before the end of the term; b. Bereavement or medical leave of a Councillor; c. Division of ward budget; d. Reporting structure for staff; and e. Representation for communities. 2. Draft any new policies with respect to the absence of a Councillor as required, and return to Council through Council Services Committee in Q3 2025.
2024 December 03	C2024-1339	Ward 6 Assistants and Community Representation (Verbal) Council adopted the following recommendations with respect to the vacancy of the seat of the councillor for Ward 6:

That Council, for the remainder of the current term of Council:

1. Effective 2024 November 27, direct that Councillor Walcott (Ward 8) be approved as the employing Councillor of Ward 6 Assistants;
2. Assign representation for Ward 6 communities as follows:
 - a. Councillor Sharp (Ward 1): Christie Park, Coach Hill, Glamorgan, Glenbrook, Glendale, Patterson, Signal Hill, Spruce Cliff, Strathcona Park, Westgate and Wildwood
 - b. Councillor Walcott (Ward 8): Aspen Woods, Canada Olympic Park, Cougar Ridge, Discovery Ridge, Medicine Hill, Springbank Hill and West Springs
 - c. Councillor Penner (Ward 11) will be the primary Council liaison for constituent matters pertaining to Tsuut'ina Nation.
3. For the purposes of Section 10(m) of the Councillors' Budgets and Expenses Bylaw 36M2021, authorize Councillor Walcott and Councillor Sharp to make decisions about applications made under the Ward Community Event Fund for events or initiatives to be held in Ward 6 communities as set out in Recommendation 3, within the allocated amount of the Ward Community Event Fund set for Ward 6.

2021 May 10

C2021-0699

[Office of the Councillors: Governance Review and Proposal](#)

Council amended the City Clerk Bylaw to provide authority to the City Clerk with respect to any Council policies referencing the Coordinating Committee of the Councillors Office:

That Council:

1. Rescind the Governance Structure Office of the Councillors Policy (PAC004);
2. Give three readings to Proposed Bylaw 38M2021, amending the City Clerk Bylaw (73M94), to provide authority to the City Clerk for the purposes of accountability for the Office of the Councillors and for any Council policies or guidelines referencing the authority of Coordinating Committee of the Councillors Office (CCCO);

		<ol style="list-style-type: none"> 3. Direct the City Clerk's Office to review the mandate of the CCCO, returning to the Priorities and Finance Committee through the CCCO no later than July 2021 with a framework for Council governance over the accountability and transparency processes for matters related to the Office of the Councillors; and, 4. Direct that the report and attachments be released as public documents; and 5. Direct the Closed Meeting discussions remain confidential pursuant to Section 24 (Advice from officials) of the Freedom of Information and Protection of Privacy Act.
2020 October 26	C2020-1227	<p><u>Proposed Amendments to Councillors Assistants Policy (PAC005)</u></p> <p>Council adopted the following recommendations with respect to the vacancy of the seat of the councillor for Ward 10:</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Approve the Chair, Coordinating Committee of the Councillors Office ("CCCO") as the employing Councillor for the interim; 2. Request CCCO and the Councillors for Wards 5 and 9 to discuss this as soon as possible and implement any other solutions deemed more effective; 3. Assign the Ward 10 communities to the Ward 5 and 9 Councillors as follows: <p>Ward 5: industrial areas north of 16th Avenue plus Whitehorn, Temple, Coral Springs, Rundle and Monterey Park</p> <p>Ward 9: industrial areas south of 16th Avenue plus Maryland Heights, Vista Heights, Marlborough, Marlborough Park, Abbeydale and Pineridge; and</p> 4. Allocate the non-staffing portions of the Ward 10 budget 50/50 to the Ward 5 and 9 budgets for activities and communication in Ward 10.

Bylaws, Regulations, Council Policies

Municipal Government Act

Bylaws respecting maternity and parental leave for councillors

- 144.1 (1) A council of a municipality may, by bylaw, having regard to the need to balance councillors' roles as parents with their responsibilities as representatives of residents, establish whether councillors are entitled to take leave prior to or after the birth or adoption of their child.
- (2) If a bylaw under subsection (1) entitles councillors to take leave, the bylaw must contain provisions
- (a) respecting the length of the leave and other terms and conditions of the leave entitlement, and
 - (b) addressing how the municipality will continue to be represented during periods of leave.

Vacancy in position of councillor

162. A council must hold a by-election to fill a vacancy on council unless:

...

- (b) the council consists of 6 or more councillors and the vacancy occurs
 - (i) in the 18 months before a general election and there is only one vacancy, or
 - (ii) in the 12 months before a general election and the number of councillors remaining is at least one more than the majority of the number of councillors comprising the council under section 143.

Election day

165. Unless a council sets an earlier date, election day for a by-election under section 162 or 163 is 120 days after the vacancy occurs.

Reasons for disqualification

174. (1) A councillor is disqualified from council if

...

- (d) the councillor is absent from all regular council meetings held during any period of 60 consecutive days, starting with the date that the first meeting is missed, unless subsection (2) applies.

...

- (2) A councillor is not disqualified by being absent from regular council meetings under subsection (1)(d) if
 - (a) the absence is authorized by a resolution of council passed at any time
 - (i) before the end of the last regular meeting of the council in the 60-day period, or

- (ii) if there is no other regular meeting of the council during the 60-day period, before the end of the next regular meeting of the council, or
- (b) the absence is in accordance with a bylaw under section 144.1.
- (3) For the purposes of this section, a councillor is not considered to be absent from a council meeting if the councillor is absent on council business at the direction of council.

Procedure Bylaw 35M2017

- 76. (1) A motion to excuse one or more Members of Council, absent for the whole of a Council meeting, is discretionary, and may be adopted prior to adjournment by a majority vote.
- (2) A Member of Council who is absent by reason of other Council business at the direction of Council is not considered to be absent.