

REPORT

Office of the Chief Administrative Officer

To: Mayor Johnstone and Members of Council **Date:** February 26, 2024

From: Lisa Spitale, Chief Administrative Officer **File:**

Item #: 2024-94

Subject: **Leave of Absence for Councillor McEvoy**

RECOMMENDATION

THAT Council approve a medical leave absence for Councillor McEvoy under Section 125 (7) of the Community Charter; and

THAT Council appoint members to fulfill Councillor McEvoy's duties as needed for the internal advisory bodies and external organizations to which he has been appointed, until such time as he is able to resume those duties.

PURPOSE

The purpose of this report is for Council to approve a medical leave of absence for Councillor McEvoy as well as provide support to those internal advisory bodies and external organizations to which he has been appointed.

BACKGROUND

On February 5, 2024, the City was notified by Councillor McEvoy that due to a medical condition, he would require a full leave of absence of three months.

DISCUSSION

Under section 125 (7) of the Community Charter a member of Council is not disqualified from holding office for being absent from Council meetings for a period of 60 consecutive days, or 4 consecutive regularly scheduled Council meetings whichever

period is longer, if the absence is: (a) because of illness or injury, (b) with the leave of Council.

It is always good practice to obtain the leave of Council for the absence to confirm the evidence of the medical leave produced by the Councillor and when the length of the leave may be uncertain.

With respect to Councillor McEvoy's current appointments, the following voids will need to be addressed by Council:

Internal Advisory Bodies

Accessibility Advisory Committee – Councillor McEvoy is the Chair and sole member of Council on this statutorily required committee, so an alternate will need to be appointed by Council.

Community Heritage Commission – Councillor McEvoy is the Chair but Councillor Fontaine is also a member and would assume the Chair's responsibilities in accordance with the Terms of Reference for the Commission per the establishing bylaw; Council could appoint an alternate member to join Councillor Fontaine, but it would not be mandatory and is not required for quorum.

Massey Theatre Working Group – Councillors McEvoy and Campbell are members of the advisory body but the Terms of Reference require that all MTWG members are present in order to achieve quorum. The Group has business to attend to and have been trying to schedule a meeting so Council will need to appoint an alternate Councillor for this advisory body.

External Organizations

Downtown BIA Board of Directors – This is a "liaison" role and Council may choose to appoint an alternate if there is an expressed need from the Board.

Memorialization Advisory Committee (SD40) – Councillors McEvoy and Nakagawa sit on this committee. It may be that an alternate appointment is not required.

Translink Mayor's Council Alternate – The Mayor may choose to appoint an alternate but it is not required.

OPTIONS

There are 3 options for Council's consideration:

1. Council approve a medical leave of absence for Councillor McEvoy under Section 125(7) of the Community Charter

2. Council appoint members to fulfill Councillor McEvoy's duties as needed for the internal advisory bodies and external organizations to which he has been appointed, in accordance with the applicable Terms of Reference, until such time as he is able to resume those duties.

3. That Council provide staff with alternative direction.

Staff recommends Options 1 and 2.

APPROVALS

This report was prepared by:
Craig MacFarlane, City Solicitor and
Peter DeJong, Corporate Officer

This report was approved by:
Lisa Spitale, Chief Administrative Officer