



Appointment of City Solicitor

Date	June 21, 2023
To	City Council
From	City Manager's Office
Service Area	Office of the City Clerk
Item No.	CM23-25

RECOMMENDATION

That City Council:

1. Appoint Cheryl Willoughby as Acting City Solicitor effective July 1, 2023 as a result of the retirement of Byron Werry on June 30, 2023;
2. Direct the City Manager to initiate and undertake the search for a new City Solicitor;
3. Delegate authority to the City Manager, under authority of Section 87(1.1) of *The Cities Act* to appoint the new City Solicitor, establish the terms and conditions of the employment contract;
4. Delegate authority to the City Manager to have the City Solicitor report directly to them; and
5. Direct the Interim City Solicitor to prepare the necessary bylaw to amend The Administration Bylaw, Bylaw No. 2003-69 to reflect the revised reporting responsibilities pertaining to the City Solicitor, to be brought forward to the meeting of City Council following approval of these recommendations and the required public notice.

ISSUE

City Solicitor Byron Werry has provided notice of his retirement effective June 30, 2023.

The appointment of an Acting City Solicitor is required effective July 1, 2023.

IMPACTS

Financial Impact

Cheryl Willoughby will receive an increase of 10 per cent to her monthly salary as per the City of Regina's promotional guidelines during the period of promotion.

Strategic/Policy Impacts

Byron Werry has served in the role of City Solicitor since July 2008 and is retiring effective June 30, 2023.

The City Solicitor is the City of Regina's senior legal counsel. In addition to overseeing the Legal Department, the City Solicitor oversees Risk Management and the Bylaw Enforcement Branch. It is critical that an individual fill this position until a permanent replacement is named.

It is also recommended that Council delegate future appointments of a City Solicitor to the City Manager. This reflects an increasingly common practice across the country whereby City Solicitors' primary direct reporting relationship is to the City Manager. Notwithstanding, the City Solicitor will continue to provide advice, guidance and counsel to City Council and its Committees.

There are no accessibility, environmental, legal/risk, or other impacts.

OTHER OPTIONS

1. City Council could choose not to delegate authority to the City Manager for the future selection and appointment of the City Solicitor.
2. City Council could choose not to delegate its direct reporting relationship with the City Solicitor to the City Manager.

COMMUNICATIONS

In light of Byron Werry's imminent retirement on June 30, 2023, it is critical that City Council appoint an Acting City Solicitor effective July 1, 2023.

DISCUSSION

In 2019, the provincial government amended *The Cities Act* to provide for City Council to delegate the selection and appointment of a City Solicitor to the City Manager. The City of Saskatoon

exercised this option and its City Solicitor now reports directly and solely to the City Manager.

There has been no change to the appointments of the City Manager or the City Clerk. Both appointments remain the sole prerogative of City Council.

DECISION HISTORY

The recommendations outlined in the report require approval by City Council.

Respectfully Submitted,



Niki Anderson
City Manager

Prepared by: Jim Nicol, City Clerk