



## STAFF REPORT ACTION REQUIRED

### Appointment to Fill the Vacancy in the Office of Councillor, Ward 5, Etobicoke-Lakeshore

<b>Date:</b>	June 30, 2014
<b>To:</b>	City Council
<b>From:</b>	City Clerk
<b>Wards:</b>	Ward 5, Etobicoke-Lakeshore

#### **SUMMARY**

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City Council is required to fill the vacancy in Ward 5, Etobicoke-Lakeshore, by appointment. Twenty qualified persons are seeking appointment.

#### **RECOMMENDATIONS**

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**The City Clerk recommends that:**

1. City Council appoint a person from among the following persons who have signified in writing that they are legally qualified to hold the office of Councillor and consented to accept the office if they are appointed to fill the vacancy of Councillor, Ward 5, Etobicoke-Lakeshore:

1. Rami Abu-Hantash
2. Daniel Akinbosede
3. Ben Cachola
4. Priyan De Silva
5. Sophia Edwards
6. Nico Fidani-Diker
7. James French
8. Diane Gadoutsis
9. Eric Goldfarb
10. Roberta Jennings
11. Blake Kinahan
12. Urgen Kuyee
13. Richard Leswick

14. James Maloney
15. Walter (Wolodymyr) Melnyk
16. Agnes Potts
17. Nimesh Sondarva
18. Kinga Surma
19. Christian Tobin
20. Qiujun Wu

## **ISSUE BACKGROUND**

Peter Milczyn was elected as a Member of the Legislative Assembly of Ontario in the June 12, 2014 Ontario General Election. He resigned from City Council effective June 27, 2014 in writing to the City Clerk.

City Council will formally declare the seat vacant under an item on the agenda for the same meeting at which this report will be considered. By law, City Council must fill the vacancy by appointment within 60 days of declaring it vacant.

At its meeting of June 10, 11, 12 and 13, 2014, City Council authorized the City Clerk to seek applicants for the vacancy in Ward 5 in conjunction with the separately authorized process for the vacancy in Ward 20.

## **COMMENTS**

### **20 applications received for Ward 5**

As authorized by City Council, the City Clerk sought applications from interested and qualified persons for appointment to the vacant office. This was done in conjunction with recruitment for the office of Councillor for Ward 20, Trinity-Spadina.

Advertisements were placed in the Toronto Sun and the Etobicoke Guardian. Information was widely disseminated using social media, the City's website and traditional media.

Information sessions were conducted on June 23 and 24 at Toronto City Hall and Etobicoke Civic Centre, respectively.

The City Clerk provided interested persons with a Consent of Nominee and Declaration of Qualification after providing personal identification showing their name and qualifying address within the City of Toronto. The deadline for filing the required forms was by 4:30 p.m. on June 25, 2014. By the deadline, the Clerk had 20 applications for Ward 5 and 29 applications for Ward 20. Six people applied for appointment in both wards.

The City Clerk has reviewed the documents and is satisfied that the nominees are qualified to hold office.

Candidates were also given the opportunity to submit any documentation that they wish to share with Council members to support their candidacy for appointment.

### **Procedures to appoint**

City Council has approved a procedure to consider the appointment as follows:

1. Each applicant shall be provided the opportunity to address City Council for up to 5 minutes;
2. The order in which applicants address City Council shall be determined by lot drawn by the City Clerk when City Council begins its debate on the item;
3. Members of City Council shall be entitled to ask one question of each candidate;
4. City Council shall vote on the appointment by ballot in accordance with the Council Procedures (see Attachment 2); and
5. City Council shall enact a by-law confirming the appointment of the successful candidate to the office for the remainder of the term of the present Council.

### **Next steps**

The appointee will take over once (1) City Council has enacted a by-law and (2) the City Clerk administers the Declaration of Office. The new Councillor will hold office until the end of the term on November 30, 2014.

### **CONTACT**

John D. Elvidge, Director, Secretariat, 416-392-8641, [jelvidge@toronto.ca](mailto:jelvidge@toronto.ca)

### **SIGNATURE**

City Clerk

### **ATTACHMENTS**

Attachment 1 - List of Candidates and the Wards of Their Qualifying Address

Attachment 2 - Balloting Rules contained in Appendix A-II to Municipal Code Chapter 27, Council Procedures, as applicable

## Attachment 1

### List of Candidates for Ward 5 and the Wards of Their Qualifying Address

<b>Candidate</b>	<b>Ward in Which Their Qualifying Address is Located</b>
Rami Abu-Hantash	6
Daniel Akinbosede	27
Ben Cachola	2
Priyan De Silva	10
Sophia Edwards	36
Nico Fidani-Diker	6
James French	4
Diane Gadoutsis	1
Eric Goldfarb	16
Roberta Jennings	5
Blake Kinahan	5
Urgen Kuyee	11
Richard Leswick	5
James Maloney	5
Walter (Wolodymyr) Melnyk	6
Agnes Potts	3
Nimesh Sondarva	38
Kinga Surma	5
Christian Tobin	16
Qiujun Wu	24

## Attachment 2

### **Balloting Rules contained in Appendix A-II to Municipal Code Chapter 27, Council Procedures, as applicable**

**[Note: Parts A to F do not apply]**

**G. Members vote for one nominee and sign ballot.**

Using the ballot, a member votes for only one nominee, signs the ballot and prints his or her name on the ballot.

**H. Balloting results public.**

All ballot results are public.

**I. Announcing ballot results and members' votes.**

The Chair announces the results of the ballot, and if requested, announces the individual ballot results and the name of the member casting the ballot.

**J. When most votes do not make a majority.**

If the nominee with the most votes does not receive the votes of a majority of the members present, Council conducts another ballot in accordance with Subsections G, H, I and K.

**K. Steps to exclude nominees with few or no votes or tie votes.**

The next ballot excludes the nominees with the fewest votes and any nominee with no votes. If two or more nominees are tied with the fewest votes, the Chair selects the nominee or nominees who advance to the next ballot by the following method:

A. The names of the tied nominees are placed on sheets of paper of equal size, and the paper are folded in half and placed in a box; and

B. The Chair pulls one or more pages with the name or names of the nominee or nominees who advance to the next ballot from the box.

**L. Votes to find a candidate with the most votes and then a majority vote.**

Balloting continues in accordance with Subsections G., H, I and K until one nominee receives both the most votes and a majority of votes.

**M. Steps for when remaining nominees are tied.**

If after the steps set out in Subsection L only two nominees remain and the votes for the two remaining nominees are tied, the Chair selects the winner by the following method:

A. The names of each of the two remaining nominees are placed on two sheets of paper of equal size, and the papers are folded in half and placed in a box; and

B. The Chair pulls the name of one nominee from the box, and that nominee is declared the winner.