

Appointment to fill the vacancy in the Office of Councillor, Ward 44, Scarborough - East

Date: June 20, 2017

To: City Council

From: City Clerk

Wards: Ward 44

SUMMARY

The purpose of this report is to appoint a qualified person to the office of Councillor, Ward 44, Scarborough - East.

RECOMMENDATIONS

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 have consented to accept the office if they are appointed to fill the vacancy of Councillor, Ward 44, Scarborough - East:

1. Mukaioh Mark Balack
2. James Borland
3. Norman Bradley
4. Alan Burke
5. Molly Brown
6. Corneliu Chisu
7. Kevin Clarke
8. Axcel Cocon
9. Michael Coll
10. Kirk Cormier
11. Daniel Cubellis
12. Domenic Cubellis
13. Sudha Datta
14. Lorelei Derera
15. Tom Deluca
16. Naren Doobay
17. Itohan (Patience) Evbagharu

18. Roger Francis
19. Khamy Ganeshathasan
20. Jasper Ghorl
21. Chris Goethel
22. Vito Greto
23. Jim Hart
24. Kazi Hoque
25. George Jacobs
26. Virginia Jones
27. Mujeeb Khan
28. Walayat Khan
29. Kevin Kipping
30. Tatiana Kouzminyk
31. Dino Leonardo Lombardi
32. Cheryl Lewis-Thurab
33. Robert McDermott
34. David Mitchelson
35. Mohammed Mirza
36. Sameem Mohamed
37. Penn Pentcho Penev
38. John Porter
39. Worrick Russell
40. Mohammad Shabani
41. William Sheehan
42. Peter Sialtsis
43. Muhammad Siddiqui
44. Bobby S. Singh
45. Curtis Smith
46. David Soknacki
47. Kiruthika Thayaparan
48. Suthan Thulakawathan

FINANCIAL IMPACT

This report has no financial impact.

DECISION HISTORY

City Council on May 24, 25 and 26, 2017 declared the office of Councillor for Ward 44 vacant, following the passing of Councillor Ron Moeser. Council decided to fill the vacancy by appointment:

2017.CC29.1 - Declaring the Office of Councillor, Ward 44 - Scarborough East Vacant and Deciding the Method to Fill the Vacancy

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.CC29.1>

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By law, City Council must fill the vacancy by appointment within 60 days of declaring it vacant. Therefore City Council must make a appointment by July 25, 2017.

COMMENTS

48 applications received

The City Clerk's Office has sought applications from interested and qualified persons for appointment to the vacant office. Advertisements were placed in the Scarborough Mirror and the Toronto Sun. Information about the appointment opportunity was also communicated using social media and the City's website.

An information session was held at the Scarborough Civic Centre on June 7, 2017 where interested persons could learn more about the appointment process and complete the required forms. The deadline for filing the required forms was Monday, June 19, 2017 at 4:30 p.m. By the deadline, the City Clerk had received 48 applications.

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

Applicants have also been given the opportunity to submit supplementary documentation in support of their candidacy for appointment.

City Council has approved a procedure for this appointment

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; 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 assume office once City Council enacts a by-law confirming the appointment and the City Clerk administers the Declaration of Office. The new Councillor will hold office until the end of the term on November 30, 2018.

CONTACT

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SIGNATURE

Ulli S. Watkiss
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 and the Wards of their Qualifying Address

Candidate	Ward in Which Their Qualifying Address is Located
Mukaioh Mark Balack	42
James Borland	44
Norman Bradley	40
Alan Burke	36
Molly Brown	27
Corneliu Chisu	44
Kevin Clarke	43
Axcel Cocon	33
Michael Coll	31
Kirk Cormier	44
Daniel Cubellis	38
Domenic Cubellis	38
Sudha Datta	42
Lorelei Derera	33
Tom Deluca	44
Naren Doobay	37
Itohan (Patience) Evbagharu	38
Roger Francis	44
Khamy Ganeshathasan	42
Jasper Ghorl	44
Chris Goethel	44
Vito Greto	44
Jim Hart	44
Kazi Hoque	44
George Jacobs	44
Virginia Jones	41
Mujeeb Khan	44
Walayat Khan	35
Kevin Kipping	41
Tatiana Kouzminyk	44
Dino Leonardo Lombardi	38
Cheryl Lewis-Thurab	44
Robert McDermott	29
David Mitchelson	44
Mohammed Mirza	44
Sameem Mohamed	44

Candidate	Ward in Which Their Qualifying Address is Located
Penn Pentcho Penev	43
John Porter	40
Worrick Russell	35
Mohammad Shabani	31
William Sheehan	44
Peter Sialtsis	44
Muhammad Siddiqui	35
Bobby S. Singh	44
Curtis Smith	36
David Soknacki	43
Kiruthika Thayaparan	41
Suthan Thulakawathan	42

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.