



REPORT FOR ACTION

Appointment to fill the vacancy in the Office of Councillor, Ward 33, Don Valley East

Date: May 14, 2018

To: City Council

From: City Clerk

Wards: 33

SUMMARY

The purpose of this report is to appoint a qualified person to the office of Councillor, Ward 33, Don Valley 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 33, Don Valley East:

1. Randolph Bucao
2. Kevin Clarke
3. Brad Feraday
4. Kasra Gharibi
5. Joel Hertz
6. Michael Julihen
7. Nicholas Kane
8. Alan Kasperski
9. Glen Learning
10. Ken Lister
11. Daniel Masse
12. Divya Nayak
13. John Porter
14. Kenneth James Robertson

15. Gregory Rodriguez
16. Brian Scholz
17. Jonathan Tsao
18. George Kiu Kei Tso

FINANCIAL IMPACT

This report has no financial impact.

DECISION HISTORY

City Council on March 26 to 29, 2018 declared the office of Councillor for Ward 33 vacant, following the resignation of Councillor Shelley Carroll. Council approved a process to fill the vacancy by appointment.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.CC39.1>

By law, City Council must fill the vacancy by appointment within 60 days of declaring it vacant. Therefore City Council must make an appointment by June 4, 2018.

COMMENTS

18 applications received

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

An information session was held at North York Civic Centre on May 8, 2018 where interested persons could learn more about the appointment process and complete the required forms. The deadline for filing the required forms was Monday, May 14, 2018 at 4:30 p.m. By the deadline, the City Clerk had received 18 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 process 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

Marilyn Toft, Manager, City Council and By-laws, City Clerk's Office, 416-392-7032,
Marilyn.Toft@toronto.ca

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 List of Candidates for Ward 33 and the Wards of their Qualifying Address

	Candidate	Ward in Which Their Qualifying Address is Located
1	Randolf Bucao	40
2	Kevin Clarke	27
3	Brad Feraday	32
4	Kasra Gharibi	33
5	Joel Hertz	22
6	Michael Julihen	5
7	Nicholas Kane	40
8	Alan Kasperski	33
9	Glen Learning	33
10	Ken Lister	33
11	Daniel Masse	26
12	Divya Nayak	33
13	John Porter	40
14	Kennith James Robertson	18
15	Gregory Rodriguez	33
16	Brian Scholz	31
17	Jonathan Tsao	33
18	George Kiu Kei Tso	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.