

Appointment to fill the vacancy in the Office of Councillor, Ward 10, Spadina-Fort York

Date: May 25, 2022

To: City Council

From: City Clerk

Wards: Ward 10

SUMMARY

The purpose of this report is to appoint a qualified person to the office of Councillor, Ward 10, Spadina-Fort York.

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 10, Spadina-Fort York:

1. Jesse Allan
2. April Engelberg
3. Sarah Gardiner
4. Tint Htay
5. Persida Ivan
6. Michael Jackson
7. Julie Kaye
8. Azim Lila
9. Dean Maher
10. Joe Mihevc
11. Mark Salvarinas
12. Peter Scherrer
13. Hugh Simmonds
14. Allan Solman
15. Rhunah Soriano
16. Matthew Stauffer

FINANCIAL IMPACT

This report has no financial impact.

DECISION HISTORY

City Council at its meeting on May 11 and 12, 2022 declared the office of Councillor for Ward 10 vacant, following the resignation of Joe Cressy. City Council also approved a process to fill the vacancy by appointment:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.CC43.4>

COMMENTS

16 Applications have been received

The City Clerk's Office has sought applications from interested and qualified persons to fill this vacant office. The City issued a media release about the appointment and Information about the appointment opportunity was communicated using social media and the City's website. An information session was held by video conference on May 17, 2022 where persons could learn more about the appointment process. The deadline to file the required forms was Wednesday, May 25, 2022 at 4:30 p.m. By the deadline, the City Clerk had received 16 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 candidate shall be provided the opportunity to address City Council for up to 5 minutes;
2. The order in which candidates address City Council shall be determined by random draw conducted 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 process established by the City Clerk; and

5. City Council shall enact a by-law at the end of the special meeting confirming the appointment of the successful candidate to the office for the remainder of the term of the present Council.

The City Clerk has established a balloting process for hybrid meetings

In approving the appointment process to fill this vacancy, City Council authorized the City Clerk to establish balloting procedures.

Council Meetings are being conducted in a hybrid format. Members of Council, staff, candidates and the public can participate in person or remotely. The City Clerk has developed a balloting process based on Council's Procedures that accommodates Member attendance in person and by video conference. The balloting process is outlined in Attachment 2.

Next steps

The appointee will assume office once City Council enacts a by-law confirming the appointment at the end of the special meeting and the City Clerk administers the Declaration of Office. The new Councillor will hold office until the end of the term on November 14, 2022.

CONTACT

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SIGNATURE

John D. Elvidge
City Clerk

ATTACHMENTS

Attachment 1 - List of candidates for Ward 10 and the Wards of their qualifying address
Attachment 2 - Hybrid Balloting Procedures Established by the City Clerk based on the Rules in Appendix A-II to Municipal Code Chapter 27, Council Procedures, as applicable.

Attachment 1

List of Candidates for Ward 10 and the Wards of their Qualifying Address

Name	Ward
Jesse Allan	10 – Spadina-Fort York
April Engelberg	10 – Spadina-Fort York
Sarah Gardiner	4 – Parkdale-High Park
Tint Htay	10 – Spadina-Fort York
Persida Ivan	10 – Spadina-Fort York
Michael Jackson	21 – Scarborough Centre
Julie Kaye	4 – Parkdale-High Park
Azim Lila	14 – Toronto-Danforth
Dean Maher	13 – Toronto Centre
Joe Mihevc	12 – Toronto-St. Paul's
Mark Salvarinas	10 – Spadina-Fort York
Peter Scherrer	10 – Spadina-Fort York
Hugh Simmonds	16 – Don Valley East
Allan Solman	13 – Toronto Centre
Rhunah Soriano	10 – Spadina-Fort York
Matthew Stauffer	13 – Toronto Centre

Attachment 2

Hybrid Balloting Procedures Established by the City Clerk based on the Rules of Procedure in Appendix A-II to Municipal Code Chapter 27, Council Procedures, as applicable.

1. All Members must remain in their location during voting.

Once balloting begins, Members remain silent and seated and/or connected to the video conference.

2. Members attending in person will vote by paper ballot.

The Clerk issues paper ballots to Members attending the meeting in person.

Members vote for one candidate only.

Members mark the candidate of their choice, sign the ballot and print their name on the ballot.

3. Members attending by video conference will vote in a virtual breakout room.

Members present in the meeting by video conference will be placed in a breakout room, one at a time, in alphabetical order.

The City Clerk will ask the Member to consent to the City Clerk casting the Member's vote by proxy.

Members vote for one candidate only.

The City Clerk will display the candidate list on the screen within the breakout room. The Member will instruct the City Clerk to mark their paper ballot on the Member's behalf. The Deputy City Clerk will be present to witness the marking of the ballot.

The City Clerk will confirm the vote with the Member, print the Member's name on the ballot and sign the ballot. The Deputy City Clerk will initial the ballot.

Once the remote Member has cast their ballot, they will be returned to the main video conference meeting.

4. Balloting results public.

All ballot results are public.

5. Announcing ballot results and members' votes.

The Clerk announces the results of the ballot, and announces the individual ballot results and the name of the member casting the ballot.

6. 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.

7. Nominees excluded from the next ballot.

The next ballot excludes the nominees with the fewest votes and any nominee with no votes.

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

Balloting continues until one nominee receives both the most votes and a majority of votes.

9. Steps for when remaining nominees are tied.

If only two nominees remain and the votes for the two remaining nominees are tied, the Clerk 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 Clerk pulls the name of one nominee from the box, and that nominee is declared the winner.