

EXTRACT FROM COUNCIL MEETING MINUTES SEPTEMBER 20, 2016

**132. CONFIRMATION OF APPOINTMENT OF DEPUTY CITY MANAGER  
LEGAL AND HUMAN RESOURCES**

(Addendum No. 1)

MOVED by Councillor Iafrate  
seconded by Councillor Carella

- 1) That the recommendation contained in the following report of the City Manager, dated September 20, 2016, be approved:

CARRIED

The City Manager recommends that Council enact a bylaw to:

1. Confirm the position of Deputy City Manager for Legal and Human Resources, as created by Council for The Corporation of the City of Vaughan and confirmed in By-law 040-2016. For greater clarity, the position of Deputy City Manager for Legal and Human Resources being confirmed in this By-law is the same position which was created by Council on April 13, 2016.
2. Confirm the appointment of Ms. Claudia Storto to the position of Deputy City Manager for Legal and Human Resources, as made by Council for The Corporation of the City of Vaughan and confirmed in By-law 040-2016. For greater clarity, the appointment of Ms. Storto being confirmed in this By-law is the same appointment which was made by Council on April 13, 2016 and which Ms. Storto has occupied since that date.
3. Confirm and ratify all steps, procedures and actions taken by Ms. Claudia Storto in her capacity as Deputy City Manager for Legal and Human Resources during the period from April 13, 2016 until the passing of this By-law.

**Contribution to Sustainability**

This report supports an accountable, transparent and pragmatic approach to deliberations undertaken by Council and at its various committees.

**Economic Impact**

There are no economic impacts associated with this report.

**Communications Plan**

Not applicable

**Purpose**

The purpose of this report is seek approval of a by-law to confirm actions taken by Council to create the position of Deputy City Manager, Legal and Human Resources and to appoint Ms. Claudio Storto to the position.

**Background - Analysis and Options**

On September 7, 2016 Committee of the Whole received Report No. 32 – “Closed Meeting Investigation Report Regarding the Special Meeting of Committee of the Whole for the City of Vaughan in Closed Session on April 13, 2016” as well as Communication C3 from Mr. Richard Lorello, dated September 2, 2016, Communication C4 from Ms. Carrie Liddy, dated September 2, 2016 and Communications C11 and C12 from Jeffrey Abrams, City Clerk dated September 1, 2016.

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It is noted that staff had not had sufficient opportunity at the time of submission to consider the Closed Meeting Investigation Report prior to receipt by Committee of the Whole. There are diverse opinions about this matter as noted in the Closed Meeting Investigation Report and the corresponding communications. The City Manager has since had an opportunity to analyse the report and obtain an external legal opinion. Although all decisions made by Council are within its legislative authority, the issue in question is a procedural matter in terms of ensuring compliance with Municipal Act requirements related to decisions made in the closed session meeting of Council on April 13, 2016 and the extent to which such decisions should be made in open session.

**Relationship to Term of Council Service Excellence Strategy Map (2014-2018)**

This report is consistent with the priorities established in the Term of Council Service Excellence Strategy Map, particularly with respect to continuing to advance a culture of excellence in governance.

**Regional Implications**

Not applicable

**Conclusion**

In an effort to respond to concerns arising from the Closed Meeting Investigation Report a cautious approach is prudent and preferable. It is therefore recommended that City Council enact a by-law to confirm the matters outlined in this report.

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 148-2016**

**A By-law to confirm certain actions taken by Council for The Corporation of the City of Vaughan and confirmed by By-law 040-2016.**

**WHEREAS** Council for The Corporation of the City of Vaughan has received and reviewed the report issued by the City of Vaughan's closed meeting investigator Amberley Gavel Ltd. dated August 2016 (the "Report").

**AND WHEREAS** a Staff Report has recommended that Council for The Corporation of the City of Vaughan take certain steps in response to the findings and conclusions made in the Report with respect to:

- the creation of a new position of Deputy City Manager for Legal and Human Resources; and,
- the appointment of Ms. Claudia Storto to the new position of Deputy City Manager for Legal and Human Resources.

**AND WHEREAS** Council for The Corporation of the City of Vaughan has determined that it is appropriate, in the best interests of The Corporation of the City of Vaughan and consistent with the broader interest to take those steps.

**NOW THEREFORE** the Council for The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. The position of Deputy City Manager for Legal and Human Resources, as created by Council for The Corporation of the City of Vaughan and confirmed in By-law 040-2016, is hereby confirmed. For greater clarity, the position of Deputy City Manager for Legal and Human Resources being confirmed in this By-law is the same position which was created by Council for The Corporation of the City of Vaughan on April 13, 2016.

2. The appointment of Ms. Claudia Storto to the position of Deputy City Manager for Legal and Human Resources, as made by Council for The Corporation of the City of Vaughan and confirmed in By-law 040-2016, is hereby confirmed. For greater clarity, the appointment of Ms. Claudia Storto to the position of Deputy City Manager for Legal and Human Resources being confirmed in this By-law is the same appointment which was made by Council for The Corporation of the City of Vaughan on April 13, 2016 and which Ms. Claudia Storto has occupied since that date.
3. All steps, procedures and actions taken by Ms. Claudia Storto in her capacity as Deputy City Manager for Legal and Human Resources during the period from April 13, 2016 until the passing of this By-law are hereby recognized, confirmed and ratified.

Enacted by City of Vaughan Council this 20<sup>th</sup> day of September, 2016.

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Hon. Maurizio Bevilacqua, Mayor

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Jeffrey A. Abrams, City Clerk

## **COUNCIL - SEPTEMBER 20, 2016**

### **CONFIRMATION OF APPOINTMENT OF DEPUTY CITY MANAGER, LEGAL AND HUMAN RESOURCES**

#### **Recommendation**

The City Manager recommends that Council enact a bylaw to:

1. Confirm the position of Deputy City Manager for Legal and Human Resources, as created by Council for The Corporation of the City of Vaughan and confirmed in By-law 040-2016. For greater clarity, the position of Deputy City Manager for Legal and Human Resources being confirmed in this By-law is the same position which was created by Council on April 13, 2016.
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3. Confirm and ratify all steps, procedures and actions taken by Ms. Claudia Storto in her capacity as Deputy City Manager for Legal and Human Resources during the period from April 13, 2016 until the passing of this By-law.

#### **Contribution to Sustainability**

This reports supports an accountable, transparent and pragmatic approach to deliberations undertaken by Council and at its various committees.

#### **Economic Impact**

There are no economic impacts associated with this report.

#### **Communications Plan**

Not applicable

#### **Purpose**

The purpose of this report is seek approval of a by-law to confirm actions taken by Council to create the position of Deputy City Manager, Legal and Human Resources and to appoint Ms. Claudio Storto to the position.

#### **Background - Analysis and Options**

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It is noted that staff had not had sufficient opportunity at the time of submission to consider the Closed Meeting Investigation Report prior to receipt by Committee of the Whole. There are diverse opinions about this matter as noted in the Closed Meeting Investigation Report and the

corresponding communications. The City Manager has since had an opportunity to analyse the report and obtain an external legal opinion. Although all decisions made by Council are within its legislative authority, the issue in question is a procedural matter in terms of ensuring compliance with Municipal Act requirements related to decisions made in the closed session meeting of Council on April 13, 2016 and the extent to which such decisions should be made in open session.

#### **Relationship to Term of Council Service Excellence Strategy Map (2014-2018)**

This report is consistent with the priorities established in the Term of Council Service Excellence Strategy Map, particularly with respect to continuing to advance a culture of excellence in governance.

#### **Regional Implications**

Not applicable

#### **Conclusion**

In an effort to respond to concerns arising from the Closed Meeting Investigation Report a cautious approach is prudent and preferable. It is therefore recommended that City Council enact a by-law to confirm the matters outlined in this report.

Respectfully submitted,

Daniel Kostopoulos  
City Manager