

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 10, 2013

Item 4, Report No. 16, of the Finance and Administration Committee, which was adopted, as amended, by the Council of the City of Vaughan on December 10, 2013, as follows:

By approving the following:

- 1) That consideration of this matter be deferred to the next term of Council and that an opportunity be provided at that time for community input; and***
- 2) That Communication C15 from the City Clerk, dated December 10, 2013, be received.***

4 COUNCIL COMPOSITION – REGIONAL MUNICIPALITY OF YORK

The Finance and Administration Committee recommends that consideration of this matter be deferred to the Council meeting of December 10, 2013.

Recommendation

The Interim City Manager recommends:

1. That City Council consider providing consent to the adoption of a by-law by Regional Council changing the composition and size of Regional Council to increase the number of members from The Corporation of the City of Vaughan from four to five;
2. That in the event that Council supports an additional City of Vaughan member on Regional Council, the City Clerk be requested to forward the City's consent to the Regional Clerk; and
3. That in the event the necessary consents are obtained and a by-law is passed by Regional Council to add an additional City of Vaughan member on Regional Council, that City Council enact a by-law to increase its size accordingly, and that the 2014-2017 Draft Operating Budget and Plan be amended to reflect the projected financial impact.

Contribution to Sustainability

Increasing the number of representatives from Vaughan on Regional Council more fairly aligns the City's representation with population distribution and growth in York Region.

Economic Impact

Increasing Vaughan's representation on Regional Council will also increase the size of Vaughan Council by one member, commencing December 1, 2014. The annual cost to the City of Vaughan of one Regional Councillor is approximately \$294,000 for salaries (Member and support staff), benefits, and discretionary expenses. Only minor additional one-time costs will be required (i.e. configuring the Council chamber system) since one vacant office is available on the Council floor. In addition, an adjustment to the Council Corporate budget in the amount of approximately \$2,000 would be required in future years for miscellaneous expenses; such as office supplies.

Communications Plan

The Regional Clerk will be publishing notice of Regional Council's intention to pass the necessary by-law at a public meeting of Regional Council scheduled for December 19, 2013. Should the by-law be adopted and the necessary consent received by a majority of York Region's local municipalities, representing a majority of the Region's electors, the additional Council office will form part of the City Clerk's communications to the public in preparation for the 2014 general municipal and school board elections.

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In addition, a media advisory will also be issued by the City's Corporate Communications Department.

Purpose

The purpose of this report is to enable Council to consider providing consent to the adoption of a by-law by Regional Council changing the composition and size of Regional Council to increase the number of members from The Corporation of the City of Vaughan from four to five, subject to comments from the public that may arise at this Finance and Administration meeting and consideration of the financial implications. Should the necessary consents be obtained by Regional Council and a by-law to change its composition be enacted, this report also authorizes the enactment of a by-law by City Council to increase its size for that purpose. Once Regional Council passes its by-law on December 19, 2013, a special meeting of City Council will be required on or about December 19, 2013 to consider that by-law.

Background - Analysis and Options

At its special meeting of October 24, 2013 Regional Council formally received notification from the Province of Ontario that Ontario Regulation 279/13 had been passed which permits York Region to exercise its powers under section 218 of the *Municipal Act* to change the size of its Council by increasing the number of members from Vaughan from four to five. The Regional Clerk was instructed to forward the material in support of Council's decision to the local municipalities in York Region with the request that they provide their consent to the necessary by-law by December 18, 2013.

Implementation of the change in size and composition requires a triple majority.

Section 219 of the *Municipal Act* states that a York Region by-law to change its composition is invalid unless it receives what is referred to as a triple majority;

- a majority of the votes on Regional Council are cast in its favour;
- a majority of the councils of the local municipalities in York Region pass resolutions consenting to the by-law; and
- the total number of electors in the local municipalities that have passed the consenting resolutions, form a majority of all the electors in the upper-tier municipality.

If the triple majority is achieved prior to January 1, 2014, the change will take effect for the 2014 general municipal election.

The current composition of Regional Council does not fairly represent Vaughan's share of York Region's population.

Regional Council is comprised of 21 members consisting of the Regional Chair and 20 members elected to York Region's nine local municipalities. The Mayor of the City of Vaughan, and three Local and Regional Councillors, comprise Vaughan's four current members on Regional Council.

The Region's Chief Administrative Officer, in reporting to Regional Council in this matter has noted that as of 2011, the regional structure was based on a distribution of members and population that resulted in Vaughan having 20% of the voting power on Regional Council despite having 28% of the population.

Attachments 1 and 2 reflect the distribution of voting power on Regional Council as compared to the respective populations of York Region's constituent local municipalities. For ease of reference, Attachment 1 shows the comparison amongst the five municipalities which are over-represented (having a greater number of votes on Council than percentage population).

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Attachment 2 reflects the comparison amongst the four municipalities which are either neutrally affected or under-represented on the basis of that comparison. In both attachments the 2011 and 2014 populations are compared to York Region's overall populations of 1,073,158 and 1,149,323 (projected) respectively, as calculated by York Region staff. York's population per elected Member in 2011 was 53,658. For the 2014 projected population, York's population per elected Member would be 57,466 under the status quo and 54,730 with the proposed additional member from Vaughan.

Table 1 below summarizes the comparison were the proposed change implemented with the 2014 election. The impact on the City of Vaughan were the change not implemented is also reflected:

Table 1:

2014 – Representation by Population				
	Number of Elected Members	Percentage of Elected Members	Percentage of Population	Representation: Over/Under
Aurora	1	5%	5%	Neutral
East Gwillimbury	1	5%	3%	Over
Georgina	2	9%	4%	Over
King	1	5%	2%	Over
Markham	5	24%	28%	Under
Newmarket	2	9%	8%	Over
Richmond Hill	3	14%	18%	Under
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Source: Report No. 2 of the Chief Administrative Officer [Region of York], adopted by Regional Council on October 18, 2012

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Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council as set out in Vaughan Vision 2020, particularly,

Staff Excellence: Demonstrate Effective Leadership

Regional Implications

Implementation of the proposed change in composition supports the reduction of a significant disparity in the representativeness of elected officials on York Region Council as compared to the population of their local municipalities.

Conclusion

This report responds to the request from York Region to consider providing consent to the adoption of a by-law which will increase representation from Vaughan from four to five members on Regional Council. Since implementation of the change in time for the 2014 election can only occur if a triple majority is obtained (a majority vote of York Council coupled with the consent of a majority of local municipalities representing a majority of York Region's electors), Council's expeditious consideration of this matter is required.

Attachments

Attachment 1: Representation by Population Analysis – Local Municipalities Over Represented on York Region Council

Attachment 2: Representation by Population Analysis – Local Municipalities Neutrally/Under Represented on York Region Council

Report prepared by:

Jeffrey A. Abrams, City Clerk
Barbara Cribbett, Interim City Manager

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)



memorandum

DATE: DECEMBER 10, 2013

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: JEFFREY A. ABRAMS, CITY CLERK

RE: FINANCE AND ADMINISTRATION COMMITTEE REPORT NO. 16, ITEM 4: COUNCIL COMPOSITION – REGIONAL MUNICIPALITY OF YORK.

C	15
Item #	4
Report No.	116 (F&A)
Council - December 10/13	

Council has before it today a report from the Interim City Manager which was deferred from the Finance and Administration Committee meeting of November 25, 2013. The report asks Council to consider providing consent to the adoption of a by-law by Regional Council permitting it to change its size by adding an additional member from Vaughan. The Region cannot pass its by-law without the consent of a majority of the municipalities in York Region who represent a majority of the population in the Region. Those majorities, coupled with the majority vote of Regional Council, constitute what is referred to as the required 'triple majority'.

For the information of Council, the Councils of the Town of East Gwillimbury, the Town of Whitchurch-Stouffville, the Town of Georgina and the Township of King have already declined to provide consent to the by-law. Similarly, the General Committee of the Town of Aurora on December 3 recommended that consent not be provided. That recommendation will be before Aurora Council on December 10, 2013.

The question of providing consent was before the Town of Richmond Hill's Committee of the Whole on December 2, however a vote on a motion to not provide the consent lost on a tie with the result that the matter was forwarded to Council without recommendation. The matter was before Richmond Hill Council yesterday evening, but was not called for separate discussion. As a result, Richmond Hill Council has not provided consent to the adoption of the by-law by Regional Council.

The Councils of the Town of Newmarket and the City of Markham have not as yet scheduled votes on the matter.

At this point in time five of the Region's nine local municipalities have either voted not to provide consent or having had the opportunity, failed to provide consent. Aurora Council will make its determination this evening.

Based on the foregoing information, Regional Council will be unable to pass its by-law to increase the size of its council by one additional member from Vaughan, having failed to achieve the necessary triple majority.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Jeffrey A. Abrams', written over a circular stamp or seal.

Jeffrey A. Abrams
City Clerk

JAA/cb

FINANCE AND ADMINISTRATION COMMITTEE – NOVEMBER 25, 2013

COUNCIL COMPOSITION – REGIONAL MUNICIPALITY OF YORK

Recommendation

The Interim City Manager recommends:

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Report prepared by:

Jeffrey A. Abrams, City Clerk
Barbara Cribbett, Interim City Manager

Respectfully submitted,

Barbara Cribbett
Interim City Manager

Attachment 1

Representation by Population Analysis Local Municipalities Over Represented on York Region Council					
	East Gwillimbury	Georgina	King	Newmarket	Whitchurch-Stouffville
Elected Members	1	2	1	2	1
2011 Population	23,727	46,505	21,439	84,639	38,979
2014 Projected Population	30,311	50,282	24,776	87,076	45,232
2011 Population Per Elected Member	23,727	23,253	21,439	42,320	38,979
2014 Population Per Elected Member	30,311	25,141	24,776	43,538	45,232
2011 Percentage of Population (rounded)	2%	4%	2%	8%	4%
2011 Percentage of Elected Members (rounded)	5%	10%	5%	10%	5%
2014 Percentage of Population (rounded)	3%	4%	2%	8%	4%
2014 Percentage of Elected Members (rounded)	5%	9%	5%	9%	5%
Representation Over/Under	Over	Over	Over	Over	Over

Attachment 2

Representation by Population Analysis Local Municipalities Neutrally/Under Represented on York Region Council					
	Aurora	Markham	Richmond Hill	Vaughan (status quo)	Vaughan (proposed)
Elected Members	1	5	3	4	5
2011 Population	55,626	312,135	189,551	300,557	300,557
2014 Projected Population	60,470	327,534	205,960	317,683	317,683
2011 Population Per Elected Member	55,626	62,427	63,184	75,139	60,111
2014 Population Per Elected Member	60,470	65,507	68,653	79,421	63,537
2011 Percentage of Population (rounded)	5%	29%	18%	28%	28%
2011 Percentage of Elected Members (rounded)	5%	25%	15%	20%	20%
2014 Percentage of Population (rounded)	5%	28%	18%	28%	28%
2014 Percentage of Elected Members (rounded)	5%	24%	14%	20%	24%
Representation Over/Under	Neutral	Under	Under	Under	Under