

106. APPOINTMENT OF A CANDIDATE TO FILL THE VACANT POSITION OF LOCAL AND REGIONAL COUNCILLOR

Mayor Bevilacqua asked the City Clerk to explain the process for this Special Council meeting.

The City Clerk advised as follows:

Council has adopted procedures for the appointment process to be conducted at this meeting. These procedures were distributed with the agenda as part of the City Clerk's report.

Each of the candidates who have completed a Consent of Nominee and a Declaration of Qualification and provided personal identification deemed satisfactory by the City Clerk will have the opportunity to address City Council for up to five minutes.

The speaking order will be determined by lot. The City Clerk will place the names of all candidates on equal size pieces of paper in a container and randomly draw the names.

After all the names have been drawn, staff will produce a listing that will be distributed to Members of Council and the public.

Each Member of Council can ask a question of each candidate. Members of Council can speak if they wish once all candidates have spoken and all questions have been heard.

After Members of Council have spoken, Council will vote. The City Clerk will review the voting process with Members of Council at the appropriate time.

Upon conclusion of the voting, the City Clerk will declare to be appointed the candidate receiving the votes of more than one-half of the number of the Members of Council present and voting, or the candidate selected by lot, in the event that two remaining candidates are tied. The City Clerk will then request that the Mayor call for a motion to appoint the candidate.

At the end of today's meeting, City Council will enact a by-law to confirm the appointment of the successful candidate to the office of Local and Regional Councillor for the remainder of the term of the present Council.

Following the enactment of the appointment by-law, the appointee will take the Declaration of Office.

The City Clerk advised that the following persons had withdrawn their names from consideration:

Anton Muzychka
Ian Stedman
Parag Tandon

The City Clerk drew the names of each candidate to determine a speaking order, as follows:

1. Adriano Volpentesta
2. Francesco Vennare
3. Stephen Roberts
4. Devender Sandhu
5. Brittney Rossi
6. Tal Sagi
7. Richard Lorello
8. Shernett Martin

SPECIAL COUNCIL MEETING MINUTES – JUNE 28, 2017

9. Josh Martow
10. Tony Lorini
11. Teresa Marando
12. Sunder Singh
13. Jennifer Shelton
14. Blair Alon
15. Jenny Alfandary
16. Joy Lerman
17. Carrie Liddy
18. Cristina Rizzuto
19. Ralph Canale
20. Christine Caponi
21. Diana Corazza
22. Joyce Frustaglio
23. Stephen Kerwin
24. Bryce Taylor
25. Mubarak Ahmed
26. Bernie Green
27. Amir Soltaninia
28. Harsh Naik
29. Sabrina DiMarco
30. Mario DiNardo
31. Rom Koubi
32. Peter Badali
33. Pamela Taraday-Levy
34. Ellie Miron
35. Patrizia Bottoni
36. Meera Anand
37. Sanharib Mirkhai
38. William Carney
39. Sridhar Nimmagadda
40. Barry Nelson
41. Jacob Freedman
42. Mary Mauti
43. Barry Barnes
44. John DiNino
45. Gillian Evans
46. Nicola Pinto
47. Elliott Frankl
48. Michael McKenzie
49. Roman Belousov
50. David Miller
51. Giacomo Parisi
52. Justin Darmanin
53. Frank Miele

The following candidates addressed Council:

1. Adriano Volpentesta
2. Francesco Vennare
3. Stephen Roberts
4. Devender Sandhu
5. Brittney Rossi
6. Tal Sagi
7. Richard Lorello
8. Shernett Martin
9. Josh Martow

SPECIAL COUNCIL MEETING MINUTES – JUNE 28, 2017

10. Tony Lorini
11. Teresa Marando
12. Sunder Singh
13. Jennifer Shelton
14. Jenny Alfandary
15. Joy Lerman

Blair Alon was called upon to speak however he was not in attendance and did not address Council.

MOVED by Councillor DeFrancesca
seconded by Councillor Carella

That Special Council recess at 11:04 a.m.

CARRIED

MOVED by Councillor Yeung Racco
seconded by Councillor Carella

That Special Council reconvene at 11:21 a.m.

Special Council reconvened at 11:21 a.m. with all Members present.

The following candidates addressed Council:

16. Carrie Liddy
17. Cristina Rizzuto
18. Ralph Canale
19. Diana Corazza
20. Joyce Frustaglio
21. Stephen Kerwin
22. Bryce Taylor
23. Mubarak Ahmed
24. Bernie Green
25. Amir Soltaninia
26. Harsh Naik
27. Sabrina DiMarco
28. Mario DiNardo
29. Rom Koubi
30. Peter Badali

Christine Caponi was called upon to speak however she was not in attendance and did not address Council.

MOVED by Councillor Carella
seconded by Councillor DeFrancesca

That Special Council recess at 12:37 p.m.

CARRIED

MOVED by Regional Councillor Ferri
seconded by Regional Councillor Rosati

SPECIAL COUNCIL MEETING MINUTES – JUNE 28, 2017

That Special Council reconvene at 1:07 p.m.

CARRIED

Subject:

FW: Vacant Regional Seat.

C. 1
Special Communication
COUNCIL: June 28/17
Item 1

From: Eddy Aceti [REDACTED]

Sent: Monday, June 12, 2017 10:01 AM

To: Bevilacqua, Maurizio

Cc: Carella, Tony; DeFrancesca, Rosanna; Rosati, Gino; Iafrate, Marilyn; McEwan, Barbara; 'Furio Liberatore'; Ferri, Mario; Racco, Sandra; Shefman, Alan; Kostopoulos, Daniel; 'Tony Alati'; 'Clara Astolfo Astolfo'; 'Elvira Caria'; 'Silvana Cavaliere Galloro'; 'alden cudanin'; 'pauline durso'; 'Pia Famiglietti'; 'anthony francescucci'; 'Robert kenedy'; 'Rom Koubi'; 'Anthony La Regina'; 'josh martow'; 'franco mirenzi'; 'p. taraday-levy'; 'Mario Racco'; 'Ken Schwenger'; 'tim soroichinsky'; 'maria verna'; 'Richard Lorello'; 'Noor Javed'; 'Adam MartinRobbins'; 'Zach Dubinsky'

Subject: RE: Vacant Regional Seat.

Dear Mayor Bevilacqua and members of Council,

I am writing regarding the Appointment of a new member into the Regional seat recently made vacant by Michael Di Biase. As these positions are filled by elected individuals I strongly feel that the person that replaces Michael Di Biase should be elected by the residents of Vaughan. Subject to any rules in place for these situations if a bi-election is not going to be held then I would expect that the next available candidate in line from the results of the last election be chosen.

Once decided I would greatly appreciate a response with how City Council expects address this matter.

I appreciate your time & consideration in this matter.

Regards,

Eddy Aceti, CPA CGA BA LPA

Maple Resident

[REDACTED]
www.afcpa.ca

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Subject:
Attachments:

FW: Filling the vacant Regional Councillor seat.
june 10 Appointment of Regional Councillor .doc

c <u>2</u>
Special Communication
COUNCIL: <u>June 28/17</u>
Item <u>1</u>

From: Furio Liberatore [REDACTED]
Sent: Saturday, June 10, 2017 1:07 PM
To: Clerks@vaughan.ca

Reply To: Furio Liberatore

Cc: Carella, Tony; DeFrancesca, Rosanna; Rosati, Gino; Iafrate, Marilyn; Ferri, Mario; Bevilacqua, Maurizio; McEwan, Barbara; Racco, Sandra; Shefman, Alan; Craig, Suzanne; Kostopoulos, Daniel; Tony Alati; Clara Astolfo Astolfo; Elvira Caria; Silvana Cavaliere Galloro; alden cudanin; pauline durso; Pia Famiglietti; anthony francescucci; Robert kenedy; Rom Koubi; Anthony La Regina; josh martow; franco mirenzi; p. taraday-levy; Ken Schwenger; tim sorochinsky; maria verna; Richard Lorello; Noor Javed; Adam MartinRobbins; Zach Dubinsky
Subject: Filling the vacant Regional Councillor seat.

Ms. McEwan

Please accept and post this communication in regards to Council voting unanimously on June 5 to publicly appointment the next Regional Councilor.

Dear Mr. Bevilacqua and Council,

Re: Filling the vacant Regional Council Seat

Dear Mayor Bevilacqua and Members of Council,

I have copied some of Vaughan's ratepayers associations on this matter to encourage communication.

After reading the articles in the *Vaughan Citizen* and the *Toronto Star* regarding the Appointment of the vacant regional seat, as a resident I have some questions and concerns regarding this process.

I appreciate Councils attempt to expedite this process so the person selected has as much time possible to be brought up to speed on the position.

The concerns I have regarding this process is that we will be using city time, resources, and taxpayer money during the vetting process. Second, Mr. Carella's comments, and I quote: [that the candidate] "to make a public statement that it's not their intention for them to run again for the same office at the end of the term." If Council is interviewing candidates, and Council intends to select the best candidate for the job, why wouldn't they be able to run again? I interpret this statement as Mr. Carella is trying to limit any future competition. I could be wrong, so I welcome Mr. Carella providing some clarification regarding his statement. Mr. Carella went on to say "As we all know, incumbency is a major determinant of one's success in an election." If this is a position that a candidate earns during this process, why not let them run for the position again and let the voters decide whether or not the incumbent is worthy of re-election. Thirdly, if the candidate accepts not to run again, what motivation will this candidate have to do this job and bring 100% everyday knowing ultimately that they will not be able to run again? Lastly, this is not the most democratic way to fill this position. With all due respect to the Members of Council, it is the residents that votes for who represents us, not you.

The most democratic and cost-effective way is to look back to the 2014 Regional Councillor polling results and select the next candidate with most votes. This was the method that council adopted to appoint Regional Councillor Ferri to Deputy Mayor. If it was suitable enough to fill the significant role of Deputy Mayor, it should be the same method used to fill the Regional seat. You may find that the next candidate may not want the position so move down the list until the position is accepted. This process is the most transparent and democratic of all. This will ultimately show the residents that this is whom we chose. With all the negative press that our city is getting regarding our former Deputy Mayor Michael DiBiase, we can turn this into a good news story!

Respectfully,
Furio Liberatore.

Magnifico, Rose

Subject: Regional Councilor

c <u>3</u>
Special Communication
COUNCIL: <u>June 28/17</u>
Item <u>1</u>

From: Phyllis Barbieri [mailto: [REDACTED]]
Sent: Tuesday, June 27, 2017 8:50 AM
To: Bevilacqua, Maurizio <Maurizio.Bevilacqua@vaughan.ca>; Ferri, Mario <Mario.Ferri@vaughan.ca>; Rosati, Gino <Gino.Rosati@vaughan.ca>; Iafrate, Marilyn <Marilyn.Iafrate@vaughan.ca>; Carella, Tony <Tony.Carella@vaughan.ca>; DeFrancesca, Rosanna <Rosanna.DeFrancesca@vaughan.ca>; Racco, Sandra <Sandra.Racco@vaughan.ca>; Shefman, Alan <Alan.Shefman@vaughan.ca>; Rigakos, Demetre <Demetre.Rigakos@vaughan.ca>; McEwan, Barbara <Barbara.McEwan@vaughan.ca>
Subject: Regional Councilor

Good Morning Mayor and Councilors:

It is the eve before a big decision for the Corporation of The City of Vaughan.

I hope the selection made tomorrow by this council will be a win/win solution. I just wanted to remind this selection committee some criteria that should be kept in mind, with your selection.

- The incumbent should understand the definition of Fiduciary duties.
- Vaughan has a notorious reputation for having the interest of developers, make sure the new councilor has a balanced approach.
- Make certain the incumbent has the best interest of the Corporation of the City of Vaughan when voting on council.
- The incumbent respects the professionals that are decision makers in the City
- This incumbent is a skilled speaker and a critical thinker.

I understand sometimes that you want to choose someone for other reasons. However this process should contain no biased approach.

My blessings to all, Good Luck.

Sincerely

Phyllis Barbieri

Sent from Outlook

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 099-2017

A By-law to appoint a member to fill the vacant Local and Regional Councillor position.

WHEREAS a vacancy was created in the office of Local and Regional Councillor on May 18, 2017;

AND WHEREAS, in accordance with Section 262(1) of the *Municipal Act*, 2001, S.O. 2001, c.25 (the "*Municipal Act*"), Council declared the Office of Local and Regional Councillor vacant on June 5, 2017;

AND WHEREAS under Section 263 of the *Municipal Act*, a Municipality shall, within 60 days of the declaration, either pass a by-law requiring a by-election or appoint someone who has consented to fill the vacancy;

AND WHEREAS Council at its meeting of June 5, 2017, directed that the vacant position be filled through the appointment of a person qualified to hold office and selected through a public appointment process;

AND WHEREAS at its meeting of June 28th, 2017, Council selected a person who has consented to fill the vacancy to be appointed to the vacant Local and Regional Councillor position;

NOW THEREFORE the Council of The Corporation of the City of Vaughan enacts as follows

1. Sunder Singh is appointed to fill the Office of Local and Regional Councillor for the remainder of the current term of Council.

Enacted by City of Vaughan Council this 28th day of June, 2017.

Hon. Maurizio Bevilacqua, Mayor

Barbara A. McEwan, City Clerk

APPOINTMENT OF A CANDIDATE TO FILL THE VACANT POSITION OF LOCAL AND REGIONAL COUNCILLOR**Recommendation**

The City Clerk recommends:

1. That Council appoint a person from among those persons listed in Attachment 1 who have signified in writing that they are legally qualified to hold the office of Local and Regional Councillor and have consented to accept the office if they are appointed to fill the vacancy of Local and Regional Councillor.

Contribution to Sustainability

The *Municipal Act, 2001*, is part of a legislative framework which supports the administration and government of municipalities of Ontario, which, in turn, contributes to the sustainability of the City and good government.

Economic Impact

There is limited economic impact as there is an existing budget for the office of the Local and Regional Councillor. There were some costs associated with the promotion of the appointment process (ie. newspaper ads) that were absorbed within existing budgets.

Communications Plan

This report will be posted on the City's website in accordance with the Procedural By-law.

Purpose

The purpose of this report is to present the names of those persons who have signified in writing that they are legally qualified to hold the office of Local and Regional Councillor and have consented to accept the office if they are appointed to fill the vacancy of Local and Regional Councillor in order that Council may appoint a person to that office.

Background - Analysis and Options

At the June 5th Council meeting (Item 24, Report No. 21, Committee of the Whole) Council approved the following:

- "1) That the Local and Regional Councillor vacancy be filled by way of a public appointment; and
- 2) That the Clerk be directed to commence the public appointment process immediately in accordance with the process set out in Communication C14 from the City Clerk, dated June 5, 2017, with a view to completing the process by June 30, 2017."

The period for accepting applications for the appointment opened on June 8, 2017 and closed on June 22, 2017 at 4:30 p.m. Information on the vacant council position and appointment process was widely communicated to the public through many different channels including the City's website, eNewsletter, digital signs, social media, Councillor eNewsletters and the media. In addition, a Public Information Session was held on Thursday, June 15th, 2017 to provide information to prospective applicants on the appointment process.

Applicants were given the opportunity to submit supplementary documentation in support of their candidacy for appointment and have provided a signed acknowledgement that all materials filed as part of their application will be part of the public record. A list of the applicants is included as Attachment 1. A total of 56 applications were received, along with supporting materials, provided in Attachment 2. The appointment process is set out in Attachment 3.

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

The filling of the vacancy of the office of the Local and Regional Councillor addresses the Term of Council Priority being "Continue to advance the culture of excellence in governance."

Regional Implications

The Region of York will be advised of the outcome of the appointment process.

Conclusion

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

Attachments

Attachment 1: List of Applicants ([Click for Link to Applicant Submissions](#))

Attachment 2: [Applicant Submissions](#) (*Available for viewing on the City's website and in the Office of the City Clerk*)

Attachment 3: Appointment Process

Report prepared by:

Todd Coles, Deputy City Clerk
Barbara A. McEwan, City Clerk

Respectfully submitted,

Barbara A. McEwan
City Clerk



List of Applicants
Appointment of Local
and Regional Councillor
(Alphabetical Order)

ATTACHMENT 1

Click on name to view applicant's submission.

[Ahmed, Mubarak](#)
[Alfandary, Jenny](#)
[Alon, Blair](#)
[Anand, Meera](#)
[Badali, Peter](#)
[Barnes, Barry](#)
[Belousov, Roman](#)
[Bottoni, Patrizia](#)
[Canale, Ralph](#)
[Caponi, Christine](#)
[Carney, William](#)
[Corazza, Diana](#)
[Darmanin, Justin](#)
[DiMarco, Sabrina](#)
[DiNardo, Mario](#)
[DiNino, John](#)
[Evans, Gillian](#)
[Frankl, Elliott](#)
[Freedman, Jacob](#)
[Frustaglio, Joyce](#)
[Green, Bernie](#)
[Kerwin, Stephen](#)
[Koubi, Rom](#)
[Lerman, Joy](#)
[Liddy, Carrie](#)
[Lorello, Richard](#)
[Lorini, Tony](#)
[Marando, Teresa](#)

[Martin, Shernett](#)
[Martow, Josh](#)
[Mauti, Mary](#)
[McKenzie, Michael](#)
[Miele, Frank](#)
[Miller, David](#)
[Mirkhai, Sanharib](#)
[Miron, Ellie](#)
[Muzychka, Anton](#)
[Naik, Harsh](#)
[Nelson, Barry](#)
[Nimmagadda, Sridhar](#)
[Parisi, Giacomo](#)
[Pinto, Nicola](#)
[Rizzuto, Cristina](#)
[Roberts, Stephen](#)
[Rossi, Brittney](#)
[Sagi, Tal](#)
[Sandhu, Devender](#)
[Shelton, Jennifer](#)
[Singh, Sunder](#)
[Soltaninia, Amir](#)
[Stedman, Ian](#)
[Tandon, Parag](#)
[Taraday-Levy, Pamela](#)
[Taylor, Bryce](#)
[Vennare, Francesco](#)
[Volpentesta, Adriano](#)

Applicant Submissions

Submissions are available for review
in the Office of the City Clerk
or online at Vaughan.ca

Procedure for Special Meeting of Council for the Public Appointment to fill Council Vacancy

Date/Time: Wednesday, June 28, 2017, 9:30 a.m.
Location: Council Chamber, City Hall, 2141 Major Mackenzie Drive

Special Council Meeting to Consider Appointment to Vacancy

1. Nominee(s) will be offered a maximum of five (5) minutes each, with no extension, to speak prior to the first round of voting. The order of speakers will be drawn randomly by the City Clerk.
2. Each Member of Council will have the opportunity to ask a question of each candidate.
3. If the Slate of Nominees includes only one (1) Nominee, the City Clerk will declare that Nominee elected and a resolution will be prepared and submitted to Council for enactment.

Voting Procedure

4. If the Slate of Nominees includes more than one (1) Nominee, rounds of voting will be conducted as follows:
 - a. The City Clerk will provide Members of Council a ballot on which to indicate their choice of their Nominee by placing an 'x' next to the nominee's name.
 - b. The City Clerk will read out the names of all the Nominees alphabetically by surname.
 - c. Each Member of Council is entitled to vote for one (1) Nominee in each round of voting.
 - d. Members of Council must sign and print their name on the ballot. Ballots that do not contain both the name and signature of the Member will be rejected.
 - e. Once the Member of Council has finished voting, they will fold their ballot in half and place it on the ledge in front of their desk for collection by the City Clerk.
 - f. The City Clerk will read the ballots individually, indicating the vote of each Member of Council.
 - g. If at the end of any round of voting, a Nominee receives the votes of more than one-half of the Members of Council present, the City Clerk will declare the Nominee to be elected and a resolution will be prepared and submitted to Council for enactment.
 - h. If the Nominee receiving the greatest number of votes cast does not receive more than one-half the votes of all voting members of Council, the Nominee or Nominees who received the fewest number of votes will be excluded from further consideration, subject to the following procedures:
 - i. Where a Nominee receives zero votes they will be automatically excluded from any further rounds of voting.
 - ii. Where there is a tie for the fewest number of votes received, the City Clerk will draw, from those Nominees that are tied for the lowest number of votes,

all but one (1) Nominee's name to continue in the subsequent round of voting. The name of the Nominee not drawn by the City Clerk will be excluded from the next round of voting.

- i. The vote will be taken again by the City Clerk and, if necessary, more than once, excluding in each successive vote the candidate or candidates who receive the fewest number of votes. This process will be repeated until the candidate receiving the greatest number of votes has also received more than one-half of the votes of the voting Members of Council, or until a tie is broken in accordance with the tie-breaking procedures.
- j. In the event that there is a round of voting where all the Nominees receive an equal number of votes the following procedures will be followed:
 - i. Where there are three (3) or more Nominees remaining, the City Clerk will draw all but one (1) Nominee's name to continue in the subsequent round of voting. The name of the Nominee not drawn by the City Clerk will be excluded from the next round of voting.
 - ii. Where there are only two (2) Nominees remaining, and they are tied, the City Clerk will break the tie by drawing the name of the successful Nominee. The City Clerk will declare the Nominee, whose name has been drawn by the City Clerk, to be elected and a resolution will be prepared and submitted to Council for enactment.