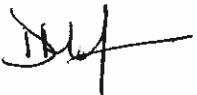



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**TO:** GENERAL COMMITTEE

**SUBJECT:** DECLARATION OF WARD 8 VACANCY AND TEMPORARY COMMITTEE ASSIGNMENTS

**PREPARED BY AND KEY CONTACT:** D. MCALPINE, CITY CLERK, EXT. 4421

**SUBMITTED BY:** D. MCALPINE, CITY CLERK 

**GENERAL MANAGER APPROVAL:** E. ARCHER, CMA, GENERAL MANAGER OF CORPORATE SERVICES 

**CHIEF ADMINISTRATIVE OFFICER APPROVAL:** C. LADD, CHIEF ADMINISTRATIVE OFFICER 

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**RECOMMENDED MOTION**

1. That in accordance with Section 262 of the Municipal Act, S.O. 2001, the office of Councillor – Ward 8 be declared vacant.
2. That the following members of Council be appointed on a temporary basis to serve in Councillor J. Robinson's capacity on the committees/boards below until such time as the appointments of members of Council to committees/boards for 2013/2014 are considered:
  - a) Councillor \_\_\_\_\_ - Community Services Committee;
  - b) Councillor \_\_\_\_\_ - Accessibility Advisory Committee;
  - c) Councillor \_\_\_\_\_ - Environmental Advisory Committee;
  - d) Councillor \_\_\_\_\_ - International Relations Committee;
  - e) Councillor \_\_\_\_\_ - Order of the Spirit Catcher Committee; and
  - f) Councillor \_\_\_\_\_ - Ontario Society for the Prevention of Cruelty to Animals (OSPCA), if required by the OSPCA.

**PURPOSE AND BACKGROUND**

3. Pursuant to Section 259 Municipal Act 2001, S.O. 2001, the office of a member of council of a municipality becomes vacant if the member resigns from his or her office and the resignation is effective under section 260 of the Act.
4. In order for the resignation to be effective under Section 260 of the Municipal Act 2001, S.O. 2001, the member of Council is required to provide notice in writing to the Clerk. Councillor J. Robinson provided notice to the City Clerk on August 1, 2012 of her resignation from her office as Councillor for Ward 8 on Barrie City Council, effective immediately.

5. Section 262 of the Municipal Act 2001, S.O. 2001 states "if the office of a member of a council becomes vacant under section 259, the council shall at its next meeting declare the office to be vacant, except if a vacancy occurs as a result of the death of a member, the declaration may be made at either of its next two meetings."
6. In accordance with Section 262 of the *Municipal Act 2001, S.O. 2001*, the office of Councillor - Ward 8 is proposed to be declared vacant at a City Council meeting to be held after the General Committee meeting on August 13, 2012.
7. A process to fill the vacancy will be addressed as a separate report.
8. In December 2010, Councillors were appointed to the various committees and boards of the City of Barrie for a two year term ending November 30, 2012. After the first two years, the appointments to committees and boards would be reconsidered based on the insights and experiences of the members of City Council. It was anticipated that in part, Council's assessment of the need for reappointments or new appointments would be based on the Committee's success at meeting its objectives and/or its contributions to City Council's Strategic Plan, which had not been approved at the time of the Committee appointments.

#### **ANALYSIS**

9. Councillor J. Robinson was appointed to a number of Committees of Council as well as being appointed on the City's behalf to the Ontario Society for the Prevention of Cruelty to Animals (OSPCA).
10. As a result of Councillor J. Robinson's resignation, there is a Councillor vacancy on the following committees of Council:
  - a) Community Services Committee (a reference committee);
  - b) Accessibility Advisory Committee;
  - c) Environmental Advisory Committee;
  - d) International Relations Committee (including the Committee formed to determine the display location of the little totem pole); and
  - e) Order of the Spirit Catcher Committee.
11. In the case of some of the above committees, specifically the Community Services and Order of the Spirit Catcher Committees, the ability to achieve quorum will be significantly impacted if the Committee vacancy remains unfilled. In the case of the Accessibility and International Relations Committees, there is a single Council member appointee to the Committee. The Environmental Advisory Committee includes two members of Council.
12. It was anticipated that a report would be presented in November 2012 to address the remaining two years of this term of office. As a result of the resignation and the timing associated with a process to fill the office of Councillor - Ward 8, it is recommended that Councillors temporarily be assigned the committee appointments until such time as either the vacancy is filled or the appointments of members of Council to committees/boards for 2013/2014 are considered. This may slightly delay the timing of the appointments to boards and committees for the remaining two years, to avoid considering committee appointments twice in a short period.

13. The Ontario Society for the Prevention of Cruelty to Animals (OSPCA) will be contacted to determine if they continue to request that Council appoint a member to their board.

**ENVIRONMENTAL MATTERS**

14. There are no environmental matters related to the recommendation.

**ALTERNATIVES**

15. The following alternative(s) are available to the General Committee in regard to this report:

**Alternative #1**

General Committee could recommend that a portion or all of the Councillor vacancies on the Committees of Council remain vacant during the process of filling the Office of Councillor - Ward 8.

The ability to achieve quorum will be significantly impacted if the Committee vacancies remain unfilled.

**Alternative #2**

General Committee could recommend that the successful candidate or appointee resulting from a by-election or appointment process be appointed to serve in Councillor J. Robinson's capacity on the Committees of Council immediately upon the individual's election/appointment.

This is likely to result in Council considering committee appointments twice in a short period of time.

**FINANCIAL**

16. There are no direct financial implications for the Corporation relating to the recommendation to declare the office of Councillor – Ward 8 vacant and temporarily appoint Council members to the committees/boards. The process utilized to fill the office of Councillor – Ward 8 will have direct financial implications for the Corporation that will be addressed in a separate report.

**LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN**

17. The recommendations included in this Staff Report are not specifically related to City Council's Strategic Plan.