

**City Council, Standing Committee and Commission
Conseil, comités permanents et commission**

Motion

Notice of Motion / Avis de motion

Council / Conseil

Report / Agenda: City Council Agenda

Item / Article:

Re: Declaration of Vacant Office on Council - Ward 19 (Cumberland) and Related Matters

Moved by / Motion de: **Councillor M. Luloff**
Seconded by / Appuyée par: **Mayor J. Watson**

WHEREAS on February 27, 2020, Stephen Blais was elected to be the Member of Provincial Parliament for Orléans and, in accordance with Subsection 260(1) of the *Municipal Act, 2001*, provided the Clerk with written notice of his resignation as City Councillor for Ward 19 (Cumberland) on March 5, 2020, effective that same day; and

WHEREAS in accordance with Section 262 of the *Municipal Act, 2001*, when a Member resigns, Council is statutorily mandated to declare the Office to be vacant at its “next meeting”, being the meeting of March 25, 2020; and

WHEREAS in accordance with Section 263 of the *Municipal Act, 2001*, within 60 days of declaring the Office vacant, Council shall either appoint a new Member, or pass a by-law requiring a by-election to be held in accordance with the *Municipal Elections Act, 1996*; and

WHEREAS the Novel Coronavirus (COVID-19) pandemic continues to evolve and is causing significant, ongoing and shifting effects throughout the City of Ottawa; and

WHEREAS the memorandum issued to Council on February 28, 2020 (attached as Appendix A) sets out staff’s original recommendation of holding a by-election in Ward 19 (Cumberland) under the shortest possible statutory timelines with nominations opening on March 25, 2020 and Voting Day taking place on June 8, 2020; and

WHEREAS the administration of a by-election is major undertaking led by the Office of the City Clerk, but supported by all City departments, particularly Information Technology Services, Legal Services, Procurement, Public Information and Media Relations; and

WHEREAS the majority of staff across the Office of the City Clerk, Information Technology Services, Legal Services, Procurement, Public Information and Media Relations, are presently focused on the COVID-19 emergency and/or working remotely under unusual circumstances due to social distancing, self-isolation and/or the closure of most daycares and schools; and

WHEREAS the Clerk is now of the view that a by-election on the shortest statutory timeline is no longer considered feasible given the requirements of the provincial emergency orders and the health and safety protocols put forward by Ottawa Public Health including practicing social distancing and for residents to remain at home; and

WHEREAS the Clerk's Office continues to consult with the Medical Officer of Health and the Ministry of Municipal Affairs and Housing to provide Council with all of its options with respect to filling the Ward 19 vacancy in light of both the legislation and the need for social distancing and isolation; and

WHEREAS to assist residents with day-to-day constituency matters, there are a number of legislative and administrative matters that must be addressed to ensure that Ward 19 matters are dealt with in a timely manner; and

WHEREAS the Delegation of Authority By-law requires the concurrence by the Ward Councillor prior to various planning approvals being given, and other City procedures and processes also provide for Ward Councillor concurrence; and

WHEREAS there will be routine bills to pay from the Ward 19 (Cumberland) Constituency Services Budget and human resources matters relating to the Ward 19 (Cumberland) Office that need to be addressed;

THEREFORE BE IT RESOLVED that Council declare the Office of City Councillor for Ward 19 (Cumberland) to be vacant, in accordance with Section 262 of the *Municipal Act, 2001*; and

BE IT FURTHER RESOLVED that Council approve the following interim delegations of authority with respect to Ward 19 (Cumberland) matters until such time that a new Councillor is sworn in and takes Office:

- a) That concurrence under the Delegation of Authority By-law for Ward 19 (Cumberland) matters, and the provision of Councillor Comments on staff reports related to Ward 19 (Cumberland), may be provided by Councillors Darouze, Luloff and Dudas; and**

b) That the City Clerk and the Manager of Committee and Council Services be delegated the interim authority to approve the payment of expenses from the Ward 19 (Cumberland) Office Budget arising from routine matters, and to address human resources matters relating to the Ward 19 (Cumberland) Office; and

BE IT FURTHER RESELOVED that Council direct the Office of the City Clerk to report back to Council within the 60-day statutory timeline with a detailed report on the options to appoint or hold a by-election in Ward 19 (Cumberland), including the projected cost and staff's "operational readiness" to deliver on any presented option.