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TO:	GENERAL COMMITTEE
SUBJECT:	DEPUTY MAYOR POSITION
WARD:	ALL
PREPARED BY AND KEY CONTACT:	W. COOKE, CITY CLERK/DIRECTOR OF LEGISLATIVE AND COURT SERVICES EXT. 4560
SUBMITTED BY:	W. COOKE, CITY CLERK/DIRECTOR OF LEGISLATIVE AND COURT SERVICES
GENERAL MANAGER APPROVAL:	D. MCALPINE, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES
CHIEF ADMINISTRATIVE OFFICER APPROVAL:	M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

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#### **RECOMMENDED MOTION**

1. That Staff Report LCS009-18 concerning a Deputy Mayor position be received for information purposes.

#### **PURPOSE & BACKGROUND**

##### Report Overview

2. City Council at their meeting of December 4, 2018 adopted motion 17-G-304, as follows:  
  
"That staff in the Legislative and Court Services Department investigate options for the replacement of the current Acting Mayor position with an appointed Deputy Mayor position for the 2018 to 2022 term of office and report back to General Committee."
3. Section 242 of the *Municipal Act, 2001* provides that:  
  
"A municipality may, by by-law or resolution, appoint a member of the council to act in the place of the head of council or other member of council designated to preside at meetings in the municipality's procedure by-law when the head of council or designated member is absent or refuses to act or the office is vacant, and while so acting such member has all the powers and duties of the head of council or designated member, as the case may be, with respect to the role of presiding at meetings."
4. At the beginning of each new Term of Council, City Council enacts a by-law appointing Acting Mayors. Acting Mayors are appointed on a monthly basis. Each Councillor has the opportunity to be Acting Mayor four to five times each term.
5. The role of the Acting Mayor has evolved from just presiding at meetings when the Mayor is absent or is required to leave the Chair. The Acting Mayor attends events and signs official documentation in the absence of the Mayor.

## **ANALYSIS**

6. Staff contacted a number of municipalities on their Deputy Mayor/Acting Mayor process. The chart below details the results:

<b>Municipality</b>	<b>Acting Rotation Mayor</b>	<b>Deputy Mayor</b>	<b>Compensation for Deputy Mayor</b>
Milton	Yes	No	No
Toronto	No	Yes - Two Deputy Mayors appointed by the Mayor	Yes - \$114,306.06 same as City Councillor
Oshawa	No	Yes - Appointed annually by Mayor	Yes - \$4,417 on top of Councillor honorarium
Richmond Hill	No	Yes - Local/Regional Councillor with highest votes	No
Markham	No	Yes - Local/Regional Councillor with highest votes	No
Vaughan	No	Yes - Councillor with highest vote share	No
Newmarket	No	Yes - Regional Councillor	No
Burlington	Yes - to be reviewed during 2018-2022 Term of Council	No	No
Oakville	Yes	No	No
Sudbury	No	Yes - Two Deputy Mayors appointed by Council	Additional \$5,096 per annum
Kingston	No	Yes - appointed by Council	Under review by their Council Compensation Committee
Guelph	Yes	No	No
Brampton	Acting Mayor	No	No

The responsibilities of the Acting or Deputy Mayor of the above-noted municipalities are similar in nature of Barrie's Acting Mayor. The Acting/Deputy Mayor presides over meetings, signs official documentation in the absence of the Mayor and attends events on behalf of the Mayor and Council.

7. There are various methods for a person to be selected a Deputy Mayor position, including through a municipal election on a ballot, the Councillor who obtained the most votes, appointment by Council or appointment by the Mayor. If appointed, the Deputy Mayor position could be appointed for the entire term or a part of a term.
8. The Municipal Act requires that any changes to the composition of Council must be finalized by December 31 the year prior to a municipal election and are subject to public consultation. Due to the timing direction by City Council to investigate the Deputy Mayor process, an elected Deputy Mayor for the 2018-2022 is not an option for General Committee's consideration. This could be considered for the 2022-2026 Term.

9. Other options available to General Committee for consideration include:

- a) Appointment by the Mayor; or
- b) Appointment by Council; or
- c) The Councillor that receives the highest percentage of votes

General Committee could consider recommending to implement options a) or b) for the remainder of the term. Option c) could be considered now or by the next Term of Council. If General Committee wishes to replace the Acting Mayor process, the current Acting Mayor By-law would need to be repealed and replaced with a new one appointing a Deputy Mayor for the remainder of the Term. As well the Procedural By-law would need to be amended to implement this change.

- 10. If an appointment process is selected, the Mayor could either recommend a Deputy Mayor with Council having the final decision. Council could authorize the Mayor to make the appointment or Council could use a process similar to the process that was undertaken during the appointment of the Ward 6 Councillor in July, 2017.
- 11. Appointing the Councillor that receives the largest percentage of votes is a common practice used by the municipalities in the York Region. This process could potentially eliminate putting the Mayor and Council in a difficult position from voting/selecting from their peers who to appoint as a Deputy Mayor.

## **ENVIRONMENTAL MATTERS**

- 12. There are no environmental matters related to the recommendation.

## **ALTERNATIVES**

- 13. The following alternatives are available for consideration by General Committee:

### **Alternative #1**

General Committee could receive the report and defer the decision to allow the 2018-2022 Term of Council to consider a Deputy Mayor appointment.

This alternative is available for consideration. There are only six months remaining in the existing term. The 2018 to 2022 City Council would be able to address the matter after the new Council is sworn in.

### **Alternative #2**

General Committee could recommend that a Deputy Mayor be appointed by the Mayor.

This alternative is available for consideration. In a few municipalities, such as Toronto, the Mayor appoints members of Council as Deputy Mayor. This process could be viewed that the member who is appointed has an undue advantage in future elections either against an incumbent Mayor or if a Mayor was not to pursue re-election. There is the potential for the individual appointed to represent the views of the Mayor but not be supported by the rest of Council, creating conflict.

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**Alternative #3**

General Committee could recommend that the Mayor provide a recommendation for the appointment of a Deputy Mayor, with the recommendation subject to the approval of Council.

This alternative is available for consideration and would alleviate concerns that an individual appointed by the Mayor isn't supported by the rest of Council. The member who is appointed could still be viewed as having an undue advantage in future elections either against an incumbent Mayor or if a Mayor was not to pursue re-election.

**Alternative #4**

General Committee could recommend that a Deputy Mayor be appointed by Council.

This alternative is available for consideration and may be a more democratic process. Through this process members of General Committee could put their names forward for consideration of the position with General Committee voting on the member selected.

**Alternative #5**

The 2018-2022 Term of Council could continue with the current Acting Mayor process and recommend an elected Deputy Mayor for the 2022-2026 Term of Council.

This alternative is available to the next term of Council. If staff are directed to review this process early in the Term, there would be ample time to ensure that legislative timelines are met to have this process in place in time for the 2022 Municipal Election.

**Alternative #6**

General Committee could consider the appointment of the Councillor who received the highest percentage of votes in the Municipal Election.

This alternative is available for consideration by General Committee. This option removes the decision from City Council/Mayor to vote or select a candidates from their peers.

**Alternative #7**

General Committee could consider additional compensation for a Deputy Mayor position.

This alternative is available for consideration. Most municipalities surveyed do not compensate the Deputy Mayor for additional duties they may perform on behalf of the Mayor. If General Committee wishes to consider additional compensation they may wish to consider an amount similar to that of Greater Sudbury or Oshawa (\$5,000) or less.

**FINANCIAL**

14. There are no financial implications for the Corporation resulting from the proposed recommendation to receive the report for information purposes.

**LINKAGE TO 2014-2018 STRATEGIC PLAN**

15. The recommendation(s) included in this Staff Report are not specifically related to the goals identified in the 2014-2018 Strategic Plan.