

From: [Coles, Todd](#)
To: Clerks@vaughan.ca; [Britto, John](#)
Cc: [Leung, Isabel](#)
Subject: Fwd: [External] Item 4:7 INDEMNIFICATION BY-LAW AMENDMENTS FOR MEMBERS OF COUNCIL
Date: Tuesday, April 21, 2020 6:33:51 AM

From: Richard Lorello [REDACTED]
Sent: Tuesday, April 21, 2020 12:07 AM
To: Maurizio Bevilacqua; Mario Ferri; City of Vaughan; Linda D. Jackson; Marilyn lafrate; Tony Carella; Rosanna DeFrancesca; Sandra Racco; Alan Shefman
Cc: Todd Coles
Subject: [External] Item 4:7 INDEMNIFICATION BY-LAW AMENDMENTS FOR MEMBERS OF COUNCIL

Good morning Mr. Coles.

Please post this communication as it relates to the April 21, 2020, 2pm Committee of the Whole meeting.

<https://pub-vaughan.escribemeetings.com/Meeting.aspx?Id=c140b4ea-a112-472c-af6f-bc2d55f5d09c&Agenda=Agenda&lang=English&Item=17>

Good morning Mayor and Members of Council

I find that the consideration of this item at this time is highly questionable and after reviewing the proposed Indemnification By-law, I could not help but feel revolted and repulsed at the consideration of the proposed By-law during these unprecedented times of suffering during a global pandemic which has taken a hard toll on Vaughan residents in so many ways.

The consideration of this item which inherently benefits Members of Council financially demonstrates a sense of entitlement, poor judgement, a high degree of self interest and insensitivity during a time when many taxpayers feel great concern and anxiety for their own financial stability, health and welfare, including the loss of friends and family as the world continues to find medical and economic solutions to the pandemic.

Let history record that within the context of a dangerous global pandemic where thousands of people in Vaughan, across the country and around the world who are facing medical distress, financial distress and instability, Vaughan Council found it necessary to make it a priority to consider a By-law that will be financially beneficial for themselves, effectively providing funds in advance to cover personal legal costs, at the expense of Vaughan taxpayers.

Let us also consider that as Council considers giving themselves a financial parachute through this By-law, Members of Council will not see any disruption to their own remuneration, at a time when thousands of taxpayers will in reality not have any financial parachute and will see significant financial disruption and hardship, to the point where meeting mortgage payments, property taxes and grocery bills will be difficult if not impossible for many as a result of COVID-19. The average taxpayer does not have the luxury to grant themselves a financial parachute.

The consideration of this item not only demonstrates insensitivity, but it also demonstrates a level of thoughtless disrespect for taxpayers and the general public during this very difficult time. It should not have to be said that this is not "business as usual".

I respectfully request that Council defer this item indefinitely until a future time when the threat of pandemic has passed and when the general public is no longer facing the threat of financial hardship, contracting a dreaded illness or worse yet, the loss of friends or family. It is highly unusual for any level of government to be considering items such as this while a crushing pandemic is far from being resolved. **NOW IS NOT THE TIME!**

Further to my review, I also see that Regional Councillor / Deputy Mayor Mario Ferri went to great lengths to propose amendments to the By-law to protect his own financial interests, but fails to make any amendments to ensure that the By-law protects the interest of the taxpayer. The amendments proposed by Councillor Ferri seem highly one-sided. Specifically, the proposed By-law in question lacks the proper mechanisms to ensure that the taxpayer is fully protected against the loss of funds resulting from the possibility of delinquent Members of Council who fail to repay funds that they were not entitled to.

The By-law requires stronger mechanisms in order for the City to be able to collect funds from delinquent Councillors who fail to repay money that was advanced to them where it is subsequently determined that the individual is not entitled to indemnification in accordance with the By-law or ordered by a court to pay. There should be no discussion of advancing funds to any Member of Council without a mechanism for the City to collect the funds should a Councillor fail to repay.

Should Members of Council continue to consider and approve this By-law, I would strongly recommend that the taxpayer be kept whole by amending the By-law to add the following;

1. Where it is subsequently determined that a Member of Council is not entitled to indemnification in accordance with the By-law and fails to repay funds owing to the City after the stated 90 day repayment deadline, that staff be automatically empowered to seek an immediate court order to recoup funds by way of a wage garnishment or liens against a Councillors assets.
2. Where a Member of Council fails to be re-elected, where the garnishment of wages is no longer an option and the Member of Council still has outstanding funds owing to the City, that City staff be empowered to withhold any

outstanding funds owed to the City from any severance payments or expenses owed to the Councillor. Where the outstanding funds owed to the City surpasses the severance payment, that staff be empowered to seek a court order for the balance of the outstanding funds.

I make these recommendations due to a very important lesson learned by the City. It is important to note our experience with Regional Councillor Linda Jackson's failure to pay funds owed to the City resulting from a court order dating back to her term as Mayor between 2006 through 2010. As of January 2019, these funds remained outstanding and it is my understanding that there is still a balance outstanding. In the interest of the taxpayer, we cannot allow this to repeat itself in future and now is the time to adopt remedies to ensure that it does not happen in future.

Regards
Richard T. Lorello