## Edgemont LEAF Petition: Turpitude and Depravity at City's Road Department.

Our group is called RECALL and it represents at least 650 Edgemont's heavily taxed citizens (including many seniors on fixed income, and the relentlessly growing numbers of unemployed, neither of whom are in a position to pay yet more taxes). RECALL stands against the extra LEAF levy. RECALL has a president, a VP, we have a secretary, a treasurer, etc. One thing we don't have right now is funding but we make up for it in perseverance and our bulldog determination.

As regards the Pro-Leaf petition, the City's Roads Dept. has been moving their goal posts at will, to reach their objective of collecting the extra Leaf levy. **They have a stake in passing the levy.** We feel it's more of a **$2.3 million/5 years Leaf windfall/seizure** for new i-phones, i-pads, i- pods etc. (i.e. a slush fund), than it is about an Edgemont beautification program. A disguised **money grab**. Why do we feel that way? There's no detailed budget showing exactly how our money is to be spent for our benefit, only the good old broad strokes.

According to our early conversation with the City, **the original Pro-Leaf petition had passed by measly 22 signatures (i.e. 0.41% of the 5331 eligible households).** Incredibly, our ***sage councilor*** Sean Chu calls this an **"overwhelming majority"** (Metro News article, Sun. Apr. 03, 2016). **Is it a lack of education, a lack of common sense, or just a plain, shear dumbness? An excess of bias? I wonder.**

We have collected, '***without any door-to-door harassment***,' over 600 Against-Leaf signatures, of which **many more than** 22 were from people who had changed their minds on Leaf because they felt they had been bullied (but were **not allowed to withdraw their signatures,** although many **requested it the same or the following day**). **RECALL calls for an investigation into these Leaf's unethical shenanigans**. This makes for an even **weaker case** for instituting the extra Leaf Levy. If we further discount undated signatures, non-registered owners' signatures, late signatures and other invalid signatures, **the case for an extra Leaf levy vanishes into the thin air and Roads/ECA/Leaf remain standing there, wondering what has just happened to their Inside Edge propaganda machine. In the end, when all the dust settles, people see that the emperor has no clothes.**

**According to RECALL's count, the pro-Leaf petition has failed and does not have enough signatures to pass the minimum 2/3's required by law. This is an incontrovertible FACT, which Roads can't deny, but are trying to.**

**The saga did not end there.** As soon as Roads learned **from us** they didn't have enough signatures, they ***immediately lowered the number of eligible households by about 100 to ramp up the required percentage back to 67% (i.e. Roads again moved the goal posts).*** **They eliminated all multi-property owners with one stroke of a pen.** This knee-jerk reaction of the Road Department was **an illegal and unethical 'adjustment'** made to the total number of Edgemont households that are legally eligible to sign a petition (i.e. 5331). **However, their move was utterly predictable. *They are desperate!*** In light of the vested interest and the resulting audacious elasticity exercised by Roads **to create the required signature count out of thin air**, the RECALL group **requests/demands** an independent Audit ***of the Pro Leaf Petition***, by a reputable accounting firm. ***Our point is 2-fold: The 'Roads' is not above the law. The pro-Leaf petition does not have the required 2/3 majority.***

### In conclusion:

1. Roads have vested interest in passing the Pro-Leaf petition and therefore they have employed [illegible] metric that is very 'elastic' in their favor. **This is illegal, and makes them liable to an investigation.**
2. **RECALL** requests a signature recount by an independent, reputable accounting firm.

3. **RECALL** requests an audit of the last-minute '**creative adjustments'** made by Mr. McGinn who attempted to bulldoze LEAF through. According to RECALLS' count, Roads don't have the required number of signatures to pass the petition. However, our count **is, at the moment, being ignored by Roads.**
4. **RECALL** requests **an investigation by the Ethics Commissioner** into the behavior of certain City Roads employees, particularly Mr. Sean McGinn. We have been **repeatedly stonewalled** and had to **deal with a total absence of transparency** – a situation symptomatic of a 3rd world country.
5. **By contrast**, pro-Leafers have been **afforded the opposite treatment**. There was a great deal of **collusion between Roads and ECA/Leafers**. For instance, Roads allowed a piecemeal submission of signatures, checked their validity, and gave ECA feedback and heads-up to make corrections in the already submitted material. **RECALL request an investigation into these shady practices**. **A petition can be submitted only once, and 'as is', no feedback or collusion is allowed, by law. A failure to abide by this principle makes the petition null and void.**
6. ***RECALL requests the absence/exclusion of councilor Sean Chu*** from the final Council vote on LEAF ***on April 11, 2016.*** **Mr. Chu has a vested interest in the outcome as he seems to have turned the Pro-Leaf petition into his 'very own (p)re-election campaign', big street signs and all**. Therefore his vote is **not impartial and does not count**. I think the phrase ***'BEING RECUSED'*** comes to mind in this context.
7. If a property owner has to spend an additional $450 over a 5 year period on extra Leaf taxes, he won't have $450 to buy stain to paint his house. How does that contribute to beautifying our neighborhood? Besides, each household can get their own flowerpot for much, much less than $450 over a 5 years period.
8. In many places in Edgemont, the City strung up ugly lawnmower extension cords from one light standard to the next. **This is the City's way of beautifying Edgemont neighborhood.** Would Leaf fix it? No. Do we need Leaf? No. I complained to my representative, councilor Sean Chu about the extension cords 2 years ago and what did he do about it? Exactly nothing. ***Useless as always.*** The City ***must*** correct this first.
9. In the summer of 2015, the Pro-Leaf petitioners ***used coercive techniques and pretexts*** (e.g. your property value will rise if you sign up). For instance, I made it crystal clear to them the 1st time I didn't want any Leaf, yet they came 3x (i.e. 2 more times) to twist my arm. I heard similar complaints from many other people while volunteering behind the Against Leaf petition desk at the ECA. Many people were coerced into signing. Furthermore, many ***spoke no English***. **Signatures exacted under duress or under false pretenses, or from people who speak no English are not legally binding.** This further ***invalidates*** more of the Pro-Leaf petition signatures. In fact, it also ***makes the whole petition utterly illegal.*** **RECALL requests and demands an investigation into these shady practices and illegal shenanigans.**
10. Even if just 1% of the 3533 signatures were collected under the above conditions, that by itself ***invalidates the Pro-Leaf petition***, which passed by a measly 22 votes (i.e. 35>22, see paragraph #3 above).
11. I have also personally received harassing and threatening calls and email from Pro-Leafers. All of them were anonymous, of course, it goes without saying. **"This is the democracy at its best" (councilor Sean Chu, Metro News article, Sun. Apr. 03, 2016).** They are available upon request.
12. ***If,*** in spite of the many ***very serious systemic flaws*** in the pro-Leaf petition pointed out herein, and many other flaws pointed out by the other speakers, the City ***still approves Leaf***, it opens itself not only to the judgment of the court of public opinion, but also to potential lawsuits, which ***RECALL*** would likely initiate with the help from pro bono lawyers. We do have a very strong case to win it, Leaf does not.
13. ***In summary, the Leaf petition is so full of holes on so many different levels, it doesn't stand up to scrutiny. It must be voted down by the Council. I have touched only on a small number of these artifices – there are many more, dealt with by other RECALL members.***

**Igor Mokrys, The RECALL, (403)-774-5674, April 6th , 2016**

## PETITION REQUESTING CONSTRUCTION OF A LOCAL IMPROVEMENT

PETITION 2015-02-004



We, the undersigned property owners hereby petition The City of Calgary to have the following local improvement constructed.

TYPE OF IMPROVEMENT: 961-Special Tax - Enhanced Landscaping

LOCATION : EDGEMONT - I APPROVE AN ANNUAL SPECIAL TAX LEVY OF $84 PER PROPERTY TO PROVIDE ENHANCED LANDSCAPE MAINTENANCE TO COMMUNITY ENTRANCEWAYS, BOULEVARDS, PARKS & GREEN SPACES AS IDENTIFIED BY THE EDGEMONT COMMUNITY ASSOCIATION.

| AFFECTED PROPERTY | | REGISTERED OWNER (PLEASE PRINT) | DATE (YYYY/MM/DD) | REGISTERED OWNER SIGNATURE (ONLY 1 SIGNATURE REQUIRED) | WITNESS SIGNATURE |
|---|---|---|---|---|---|
| 167 EDGEVALLEY CI NW | | Rahim Jafarian | 2015, April 19th | | |
| 171 EDGEVALLEY CI NW | PL | Keng Yip (no English) | 2015 June 6 | | |
| 175 EDGEVALLEY CI NW | † | | | | |
| 179 EDGEVALLEY CI NW | PL | Helen Cheng Chien-Fen Tseng | | Helen Cheng Chien-Fen Tseng | |
| 183 EDGEVALLEY CI NW | | cindy cheng | 2015/04/19 | | |
| 187 EDGEVALLEY CI NW | | RICHARD ALZETTA | 2015/05/21 | | H. Campbell |
| 191 EDGEVALLEY CI NW | | | | | |
| 195 EDGEVALLEY CI NW | P | | | | |
| 199 EDGEVALLEY CI NW | † | | | | |
| 203 EDGEVALLEY CI NW | | Zeng Fu Liu | May 18/15 | | H. Campbell |

ISC: Confidential

On Apr 1, 2016, at 3:17 PM, Carlo, MayAnn <MayAnn.Carlo@calgaryARB.ca> wrote:
**1st Fl, Old City Hall - 700 Macleod Tr SE is where the meeting will take place.**
Good afternoon

Thank you for your email. With respect to your inquiry below, the Proposed 2016 Special Tax Bylaw – Edgemont Report is going before the SPC on Community and Protective Services meeting on April 6, 2016. It is currently the first report in the agenda so it may start shortly after 9:30 barring any amendments on the agenda. Please note that at the beginning of the meeting, Committee may vote to change the order of items listed on the agenda. At any time during a meeting, Committee may also vote to table one or more Reports, to be heard at a later date. After introducing an Agenda item, the Chair of the Committee will call for members of the public to come forward to be heard. On large items, the City Clerk may make a sign-up sheet available.

When addressing Members of Committee, you should notify City Clerk's staff prior to the start of the meeting if you have any visual materials to present. Please follow the following guidelines:

- Give your name for the record, and provide the correct spelling;
- Indicate if you are speaking on behalf of a client or company or a group of citizens (ie, community association, club or organization);
- If you would like to distribute printed material, please bring 35 copies. Submissions will form part of the public record of the meeting;
- Each speaker is given 5 minutes to speak; and
- Please limit your comments to the matter contained in the report and the recommendations being discussed.

I hope this answers your questions. If you require further clarifications, please feel free to contact me directly.

Sincerely,

May Ann Carlo
Legislative Assistant, Legislative Services
City Clerk's Office | The City of Calgary
Mail code: #8007
T (403) 268-2527 | F (403) 268-2362 | E mayann.carlo@calgary.ca
1st Fl, Old City Hall - 700 Macleod Tr SE
PO Box 2100 Station M, Calgary AB T2P 2M5

POINT SUMMARY OF MY 2 page SUBMISSION
28 yrs resident
+ electronic submission (Threatening phone call
households + threatening email)

- Recall represents at least 650 * 3 (wives, kids, grandparents) = 2,000 people
- We have a president, VP, Secretary, treasurer etc. – all volunteers
- Roads/Leaf have vested financial interest in passing the petition at stake is ($2.3 million over 5yrs)
- Roads and Leaf work in collusion to ram the petition through at any cost.
- They used underhanded methods to reach their objectives (manipulated the results)
- The petition was delivered piecemeal
- Roads checked each piece, feeding information back to Leaf to make corrections
- This invalidates the whole petition
- Their original petition 'passed' by measly 22 signatures (0.41%)
- Detailed scrutiny revealed they failed to reach the required 2/3 of signatures
- Roads responded by immediately lowering the total # of eligible households by ~~about 100~~ 95, down from the original 5331, to artificially raise the percentage back to 67
- This shenanigan took place several months after the petition was filed
- Roads unilaterally disenfranchised ~~about 100~~ 95 taxpayers with 1 stroke of a pen
- These were the multi-property owners
- Road unilaterally falsified the #s in order to get the desired result ~~X 4.9US un.~~
- The Roads mistakenly think they are above the law
- Many people were coerced to sign up
- They were not allowed to remove their signatures once they signed
- Some people were never contacted - disenfranchised
- I myself was harassed at my house on 3 different occasions
- I have personally received a threatening phone calls and email. from pro-leafers

= against last petition

•Others complained to me at the ECA signing table about the same

•some did not even speak English but had to sign (p.464, 171 Edegvalley Close)

•many signed under duress

• Signatures exacted under duress or under false pretenses (e.g. prop. value rise), or from people who speak no English are not legally binding.

•This invalidates the whole petition

•RECALL requests that the flawed petition be voted down in council

•RECALL requests that councilor Sean Chu be disallowed to vote, or recused because of his extreme bias

•RECALL requests an external audit of the petition by an outside and independent entity.

•RECALL requests an Ethics Commissioner's investigation into ~~the~~ questionable behavior of certain Roads Dept. employees.

•RECALL requests that because the petition does not stand up to scrutiny, it be thrown out/disallowed.

5.April 2016

I.J.M.

IGOR MARKS
"RECALL"
(403)774-5674