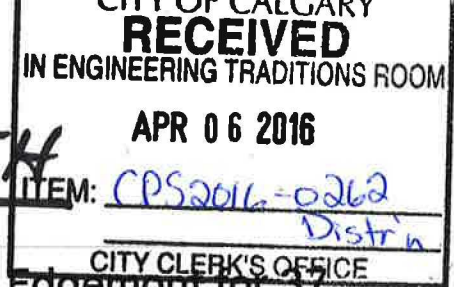


From: **Henkelman Dolores** dolores@henkelman.ca
Subject: April 6, 2016 CPS Committee Meeting - Dolores and Merv Presentations
Date: Today at 1:07 AM
To: Henkelman Dolores dolores@henkelman.ca



My name is Dolores Henkelman. We have lived in Edgemont for 37 years. I am here representing Edgemont residents who oppose the Special Tax Levy for boulevard beautification (LEAF). The "For" petition barely passed by 22 votes, without a City/Roads recount. Roads have now agreed that 37 counted signatures, it verified, were not valid in the original filed petition.

The main purpose of my presentation is to state:

- the petition submitted in favour of LEAF did not achieve the 2/3rds requirement to make it a successful petition;
- due to the date of the first signed signature on March 26, 2015 eliminates 18 signatures signed after July 23rd the 120 day timeline; and
- procedural issues that were implemented/conducted are suspect and likely not in accordance with the MGA (i.e.: multiple/piece-meal submissions; periodic/interim information provided by Roads regarding Registered and Non-Registered Owners, leading to subsequent petition corrections/changes, etc.)

The original filed and confirmed count by Roads was 3576 considered valid out of 5331 properties considered for petition. After four different counts considered valid by Roads, after it was filed, it is now saying its valid count is 3539. $3554 = 67\%$. When we brought to Roads attention the mistakes of its count, in order to achieve a 67% successful petition, they NOW want to eliminate the 95 multi properties eligible in the petition. 3539 out of 5236 properties would give them 67.59%. The filed and eligible 5331 properties would make

the percentage count 66.27%, and not successful. Our count is 3533 without deducting the multi property double counts, or deducting the 18 signatures past the 120 day timeline. We asked Roads what 37 addresses it now has deleted from the ones we eliminated not properly signed, etc. and what number of the multi properties they double counted. Roads said go through FOIP. We asked for Roads LI computer runoff so we could check our count against theirs, and an independent audit, again, go through FOIP. We asked for City legal to be at a meeting on March 24th, and Roads emailed us that the City's Law Department provides legal advice to the City of Calgary only.

We have received so many different time starts and end times to this petition. As stated in our Edgemont Newsletter, its campaign started [on April 11, 2015 until August 8th](#). The City of Calgary independently verified each signature and is pleased to inform the ECA [on July 29th](#) that the LEAF petition is valid.

ECA received its petition package around Feb. 25th and could organize and pick its start date. Roads said the 120 day timeline is [April 10th to August 7th](#). Roads stated in an email, the first signed signature on the "For" petition starts the timeline. The first signed signature was March 26, 2015 and documented on page 324. When we provided this information to Roads that 18 signatures taken [after July 23rd](#), the 120 day timeline, should be deleted from the count, they claim its statement was only paraphrased for simplicity. Roads is backtracking this logical start date of the petition and is using [April 10th](#) because this would only reduce the count by 4 versus 18. The "Against" 120

day timeline started [on November 2/15](#) the day the City sent its tax levy letter to property owners. When Roads claim it is not relevant when the ECA picked up its petition package or that someone clearly signed the petition on March 26/15, it is only when they decide the 120-day

timeline starts.

Thank you for allowing us this opportunity to speak.

My name is Merv Henkelman.

City/Roads was to prepare and count the petitions. Nothing else. It failed to be fair and ethical in the process procedure. If we didn't get a copy of the "For" petition through FOIP, we would have had to accept its count and would not have discovered how this was achieved.

Our count differs from Roads. We manually checked and counted every eligible signature on the petition sheets. If Road's computer LI system wasn't setup to accept only one signature per property, manually inputting the names could result in duplicate counts. Roads informed us, that every check mark on the pages were considered a count. We noticed some multi property owners were counted twice and Roads confirmed that 19 were counted twice. Roads is now deleting 95 multi properties from the initial 5331 eligible properties.

Both "For" and "Against" petitions were prepared by Roads with 5331 eligible properties. We told Roads they could not eliminate these 95 properties because they wouldn't know who would sign the petition.

Roads was to ensure any multi properties counted as only one vote.

The elimination would change the percentage count in the For's petition favour. The MGA states: "No name may be added to or

removed from a petition after it has been filed with the CAO." Roads said they are only removing addresses from the eligible count. Multi properties are eligible addresses. They are eligible to be taxed **per property**, and Roads would be disenfranchising these property owners their rights.

When it meant they didn't have a successful petition, Roads decided to resort to creative accounting or gaming the numbers. That is, "If you

don't want people to game the numbers, don't make the numbers a game".

The MGA states the count on a petition would exclude any person whose name is not included or is incorrect. Roads allowed and provided a list of the Non Registered Owners (NROs) to the ECA "For" group to correct most of the 185 NROs that we were able to record. 81 NROs were corrected and counted when ECA was allowed to submit its petition in a four to five piecemeal manner. The City Information Sheet states it is not able to supply the names of affected property owners but to ensure the person signing is the registered property owner.

Roads said the list of NROs were supplied to the "For" petition group to give them customer service. When we asked for customer service via an independent audit - go through FOIP. When we questioned if Affidavits and Statements were submitted with every piecemeal submission to Roads, Roads stated that this wasn't a contract, instead it was an opinion survey? When monetary value is involved, it's a contract. Why would Affidavits and Statements be necessary if this petition was only an opinion survey?

Our recount today is 3533 but with the reduction of timeline signatures and the multi properties our count is 3502. 67% requires 3554 signatures as originally filed.

If it weren't for Roads assisting the "For" campaign with a list of NROs to correct would it have been successful? Is this also a conflict of interest?

Would this petition have achieved the questionable 67% if it had been submitted properly in one submission?

In rushing to get a signature, was key information not passed along to

the owners such that they were "misled" or trivialized into signing?

In conclusion; regardless of all the discrepancies, loopholes, and changes afforded the "For" petition, it does not have the required 67% making this petition invalid. We respectfully request an outside independent audit recount of this petition.

Thank you for allowing us this opportunity to speak.