

A G E N D A

FRIDAY, JANUARY 2, 1998

1:00 p.m.

COUNCIL CHAMBER, CITY HALL, TORONTO

ORGANIZATION OF THE COUNCIL

1. O CANADA.

- Sung by Robert Pilon.

2. INVOCATION.

- Rabbi Dr. David Monson, Rabbi Emeritus of Beth Sholom Synagogue.

3. REPORT OF THE CITY CLERK that she has received certificates from the Clerks of the former Area Municipalities and the Chief Returning Officer for the 1997 Municipal Election certifying as to the persons elected and entitled to be Members of the City Council.

4. DECLARATION OF OFFICE AND OATH OF ALLEGIANCE BY THE MAYOR.

To be administered by the Honourable John Morden, Associate Chief Justice of Ontario.

5. DECLARATIONS OF OFFICE AND OATHS OF ALLEGIANCE BY THE MEMBERS OF COUNCIL IN UNISON.

To be administered by the City Clerk, Novina Wong.

6. REPORT OF THE CITY CLERK that she has in her possession the Declarations of Office taken by a sufficient number of the Members of Council, and that, therefore, the City of Toronto Council for the term of the Council commencing on January 1, 1998, is deemed to be organized.

7. INTRODUCTION OF THE MEMBERS OF COUNCIL.

8. REMARKS BY THE HONOURABLE HILARY M. WESTON, LIEUTENANT GOVERNOR OF ONTARIO.

9. INAUGURAL ADDRESS BY MAYOR MEL LASTMAN.

10. BENEDICTION.

- Archbishop Aloysius Ambrozic of the Archdiocese of Toronto.

11. INTRODUCTION OF BILL TO CONFIRM THE FIRST PORTION OF THE PROCEEDINGS OF COUNCIL AT THIS MEETING.

COUNCIL RECESSES TO RECONVENE ON TUESDAY, JANUARY 6, 1998, AT 9:30 A.M., IN THE COUNCIL CHAMBER, METRO HALL, TO CONSIDER OTHER BUSINESS MATTERS.

Open House in the Rotunda at 2:30 p.m.

TUESDAY, JANUARY 6, 1998

12. COUNCIL RECONVENES AT 9:30 A.M. IN THE COUNCIL CHAMBER, METRO HALL.

13. COMMUNICATIONS.

- (a) (i) From the Toronto Transition Team (December 11, 1997) submitting the final report of the Team, entitled "New City, New Opportunities", which embodies 136 recommendations for the new City;

(Copies of the full report previously distributed to all Members-Elect by the Transition Team directly.)

- (ii) from the City Clerk (December 30, 1997) submitting the draft Procedural By-law of the Transition Team;
- (iii) from the Assistant City Clerk, City of Toronto (December 10, 1997) forwarding a Discussion Paper for City Council's consideration in determining the role of the Community Councils;
- (iv) from the Administrator, Board of Health for the City of Toronto Health Unit (November 12, 1997) forwarding a communication dated October 15, 1997, from the Chair, Northern Health Area Community Health Board, respecting the future Toronto Board of Health;
- (v) from the General Manager, Metropolitan Toronto Housing Company, and the General Manager, City of Toronto Non-Profit Housing Corporation (Cityhome) (December 22, 1997) respecting the Interim Boards of Directors for the Municipal Housing Companies, the appointment process, the passing of special resolutions to enable the issuance of Articles of Amendment for each of the housing companies, and the confirmation by the Council of amending by-laws which will harmonize the provisions in the companies' by-laws respecting directors, with the intended structure and make-up of the interim Boards once the Articles of Amendment are in place;
- (vi) from the General Secretary, Toronto Transit Commission (December 17, 1997) recommending that the membership of the Commission, under the new City of Toronto, be expanded to 11 Council Members, in order to retain a 20 per cent representation of Council;

- (vii) from the Metropolitan Clerk (December 3, 1997) forwarding the recommendations of the Public Art Policy Advisory Committee of Metropolitan Toronto that the Public Art Policy Advisory Committee be carried forward into the new City of Toronto as a public art committee in some form and that the format be changed slightly to provide that the Committee assume a policy function which reports through an appropriate standing committee of the new Council which deals with public art and culture; and that Members of Council be included in the membership of the new Public Art Committee;
- (viii) (1) from the Metropolitan Clerk (September 26, 1997) forwarding the recommendations of Metropolitan Council pertaining to the Metropolitan Cycling and Pedestrian Committee; and

(2) from the Metropolitan Clerk (October 16, 1997) forwarding the recommendation of Metropolitan Council that City Council maintain and strengthen existing cycling and pedestrian advisory committee structures;
- (ix) from the Metropolitan Clerk (December 23, 1997) forwarding the recommendation of Metropolitan Council that a Telecommunications Committee or Task Force be established;
- (x) from the Metropolitan Clerk (October 16, 1997) forwarding the recommendation of Metropolitan Council that the Special Committee on Transit Accessibility be continued with the same membership;

(Attachments are on file in the office of the City Clerk.)
- (xi) from the Chief Administrative Officer, Metropolitan Toronto and Region Conservation Authority (MTRCA) (November 21, 1997) forwarding a recommendation of the MTRCA that the new City of Toronto be requested to appoint representatives to the Don Watershed Regeneration Council based on Community Councils that have an interest in the Don Watershed, as early as possible in 1998;
- (xii) from the Metropolitan Clerk (July 7, 1997) forwarding the recommendations of Metropolitan Council pertaining to the final report of the Metro Task Force on Services to Young Children and Families, entitled "First Duty"; and

- (xiii) from 17 Members-Elect requesting that the first Community Council meetings be held on the evening of Thursday, January 8, 1998, in each jurisdiction.
- (b) From the Chief Administrative Officer (December 24, 1997) recommending that authority be granted to introduce the necessary bills in Council regarding the duties and responsibilities of municipal officers, the interim financial control by-law and the interim corporate seal.
- (c) From the Chief Financial Officer and Treasurer:
 - (i) (December 18, 1997) submitting recommendations to provide funds to allow departments, agencies, boards and commissions to finance their normal operations until the final current budget is adopted by Council;
 - (ii) (December 22, 1997) submitting recommendations to provide for the levy and collection of 1998 interim realty taxes;
 - (iii) (December 22, 1997) submitting recommendations to provide custody and note issuance services to the new City of Toronto;
 - (iv) (December 23, 1997) submitting recommendations to provide authority to borrow, pending the receipt of revenues and the issuance and sale of debentures; and
 - (v) (December 21, 1997) submitting recommendations to provide for the legislative requirement that the Council of a municipality adopt a statement of the municipality's investment policies and goals prior to making investments in securities under Regulation 438/97.
- (d) From the Chief Financial Officer and Treasurer:
 - (i) (December 18, 1997) regarding a process and timetable for the 1998 Operating Budget; and
 - (ii) (December 23, 1997) regarding a process and timetable for the 1998 Capital Budget.
- (e) (i) From the City Clerk, City of Scarborough (December 4, 1997) forwarding a copy of a letter from Ms. Edith Montgomery, Councillor, Ward 14, City of Scarborough, requesting a recount with regard to the municipal election held on November 10, 1997, for City Councillor for Ward 18,

Scarborough-Malvern, in accordance with Section 57 of the Municipal Elections Act, 1996;

- (ii) petitions and form letters requesting a recount of ballots in the City of Toronto, High Park and Davenport Wards, regarding the plebiscite question, "Are you in favour of the sale of spirits, beer and wine for consumption in licensed premises?"; and
- (iii) from Mr. Tony Letra, Trustee, Ward 2, Metropolitan Separate School Board (November 14, 1997) requesting a recount with regard to the municipal election held on November 10, 1997, for City Councillor for Ward 21, Toronto-Davenport.

14. NOTICES OF MOTION.

(a) **Moved by:** Mayor Lastman

Seconded by: Councillor Ootes

“**WHEREAS** the Toronto Transition Team has submitted a draft Procedural By-law for consideration by the City of Toronto Council; and

WHEREAS the draft Procedural By-law contains provisions governing the proceedings of Council and its Committees, as well as provisions for the governance and committee structure of this Council; and

WHEREAS the recommendations of the Toronto Transition Team on the governance and committee structure are subject to debate by Council; and

WHEREAS it is necessary and desirable that Council give consideration first to those parts of the Procedural By-law dealing with rules of procedure governing the proceedings of Council and its committees;

NOW THEREFORE BE IT RESOLVED THAT Council now consider and adopt those sections of the draft Procedural By-law dealing with rules of procedure governing the proceedings of Council and its committees only, and that the balance of the draft Procedural By-law be considered with the recommendations embodied in the final report of the Toronto Transition Team.”

(b) **Moved by:** Mayor Lastman

Seconded by: Councillor Ootes

“WHEREAS it is necessary to establish the delegation of responsibility for continuing operations to identifiable accountable officials during the interim period pending the establishment by Council of the full integration of all components of amalgamation;

NOW THEREFORE BE IT RESOLVED THAT consideration be given to the report dated December 24, 1997, from the Chief Administrative Officer, submitting recommendations on the duties and responsibilities of municipal officers, the interim financial control by-law and the interim corporate seal.”

(c) **Moved by: Mayor Lastman**

Seconded by: Councillor Ootes

“WHEREAS it is necessary to provide funds to allow departments, agencies, boards and commissions to finance their normal operations until the final current budget is adopted by Council; and

WHEREAS it is necessary to provide for the levy and collection of 1998 interim realty taxes; and

WHEREAS it is necessary to provide custody and note issuance services to the new City of Toronto; and

WHEREAS it is necessary to provide authority to borrow, pending the receipt of revenues and the issuance and sale of debentures; and

WHEREAS it is necessary to provide for the legislative requirement that the council of a municipality adopt a statement of the municipality’s investment policies and goals prior to making investments in securities under Regulation 438/97;

NOW THEREFORE BE IT RESOLVED THAT consideration be given to the following reports from the Chief Financial Officer and Treasurer:

- (i) (December 18, 1997) respecting the proposed 1998 Interim Operating Budget Estimates;
- (ii) (December 22, 1997) respecting the proposed 1998 Interim Levy By-law;

- (iii) (December 22, 1997) respecting the contract to provide Custody and Note Issuance Services for the New City of Toronto;
 - (iv) (December 23, 1997) respecting borrowing authority; and
 - (v) (December 21, 1997) respecting the Statement of Investment Policies and Goals.”
- (d) **Moved by: Mayor Lastman**
- Seconded by: Councillor Ootes**

“**WHEREAS** the Toronto Transition Team on December 11, 1997, submitted to Council the final report of the Team, entitled ‘New City, New Opportunities’, which embodies 136 recommendations for the new City; and

WHEREAS Council also has before it a report dated December 30, 1997, from the City Clerk submitting a draft Procedural By-law proposed by the Transition Team;

NOW THEREFORE BE IT RESOLVED THAT Council give consideration to the final report of the Toronto Transition Team and the draft Procedural By-law proposed by the Transition Team.”

15. INTRODUCTION OF BILL TO CONFIRM THE SECOND PORTION OF THE PROCEEDINGS OF COUNCIL AT THIS MEETING.

16. COUNCIL RECESSES TO PERMIT THE COMMUNITY COUNCILS TO MEET AND ELECT THEIR RESPECTIVE CHAIRS.

Community Councils will meet immediately following the recess of the Council meeting in Committee Room A, in the following order, to elect Community Council Chairs:

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|------------------|------------------|
| (i) East York | (iv) Scarborough |
| (ii) Etobicoke | (v) Toronto |
| (iii) North York | (vi) York |

Striking Committee will meet following the conclusion of the last Community Council meeting to consider appointments and a schedule of meetings for Council, the Standing Committees and the Community Councils.

THURSDAY, JANUARY 8, 1998

17. COUNCIL RECONVENES AT 9:30 A.M. IN THE COUNCIL CHAMBER, METRO HALL.

18. PRESENTATION OF REPORT OF THE STRIKING COMMITTEE.

19. DECLARATIONS OF INTEREST IN THE REPORT OF THE STRIKING COMMITTEE.

Members of Council are requested to indicate the Clause number wherein they have an interest together with the nature of the interest.

20. CONSIDERATION OF REPORT OF THE STRIKING COMMITTEE.

21. INTRODUCTION AND CONSIDERATION OF BILLS.

22. NOTICES OF MOTION.

(a) **Moved by: Councillor Walker**

Seconded by: Councillor Adams

“WHEREAS the Council of the new City of Toronto assumes office on January 1, 1998; and

WHEREAS at a briefing for Members-Elect held on December 4, 1997, the Clerk of the new City of Toronto proposed that Council business meetings of Toronto City Council be conducted at Metro Hall; and

WHEREAS the new City Clerk has no authority to decide the location where meetings of City Council should be held, as that is the sole prerogative of elected officials; and

WHEREAS in a News Release (July 15, 1997) entitled ‘Transition Team Recommends New City Council Should Meet in Toronto City Hall’, the Toronto Transition Team recommended that the new City of Toronto Council meet in the Toronto City Hall; and

WHEREAS Toronto City Hall has a modern telecommunications and computer network; an automated voting system its Council Chamber; and is capable of conducting Council business efficiently and effectively, until Council decides the location for the new City's permanent seat of government; and

WHEREAS Toronto City Hall offers public accessibility with unobtrusive security, easy access to the Council Chambers, its public meeting rooms and all other facilities; and

WHEREAS Toronto City Hall is an architectural landmark within Metropolitan Toronto, across Canada, and around the world; and

WHEREAS the citizens of Toronto recognize Toronto City Hall as the centre of municipal government;

NOW THEREFORE BE IT RESOLVED THAT Council adopt the recommendation of the Toronto Transition Team that the Council meetings of the new City Council continue to be held on Toronto City Hall until Council decides the location for the new City's permanent seat of government."

(b) **Moved by:** **Councillor Minnan-Wong**

Seconded by: **Councillor Mammoliti**

"**WHEREAS** there is no greater issue to the residents of the new City of Toronto than keeping taxes down; and

WHEREAS the City of Toronto can keep taxes down and still maintain quality services; and

WHEREAS the City of Toronto does not have a mandate to increase taxes; and

WHEREAS keeping taxes down means jobs and prosperity; and

WHEREAS keeping taxes down means security for seniors; and

WHEREAS keeping taxes down means stable neighbourhoods; and

WHEREAS keeping taxes down means efficient government; and

WHEREAS keeping taxes down means value for the taxpayer;

NOW THEREFORE BE IT RESOLVED THAT Council commit to keeping taxes down and not increasing the mill rate for three years;

AND BE IT FURTHER RESOLVED THAT the City of Toronto be required to hold a public referendum before increasing the mill rate."

(c) **Moved by:** **Councillor Walker**

Seconded by: **Councillor Adams**

“WHEREAS the Council of the new City of Toronto takes office on January 2, 1998; and

WHEREAS a majority of Councillors have indicated it is necessary to engage in careful organizational design to ensure Council’s efficiency, accessibility and accountability and that the hiring of additional senior staff may predetermine that organizational structure and limit Council’s future options in this regard; and

WHEREAS the organizational structure of the new City has not been considered nor approved by the new Council and to continue hiring senior staff could place individuals into positions that may not exist; and

WHEREAS the enabling legislation for the new City moves all existing contracts and responsibilities of the current employees forward into the new City of Toronto; and

WHEREAS the current legislation provides for a potentially lengthy legal process including a full hearing before Council for all statutory employees who are either constructively or actively dismissed; and

WHEREAS newly-elected Members of Council must be given an opportunity to review references and consider the experience, abilities and skills of candidates prior to the submission of a final list of candidates for recommendation to City Council; and

WHEREAS in a letter forwarded to the Transition Team, signed by 27 Members-Elect, and now endorsed by 29 Members-Elect, a majority of the new City of Toronto Council requested that the Transition Team and the new Chief Administrative Officer immediately stop the hiring process for any additional staff, including the Executive Commissioners;

NOW THEREFORE BE IT RESOLVED THAT the hiring of senior management staff be immediately halted so that Council has the full opportunity to determine the organizational structure for the new City.”

(d) **Moved by:** **Mayor Lastman**

Seconded by: **Councillor Ootes**

“**WHEREAS** Ontario Regulation 423/97 provides that the Council of the new City of Toronto may pass a resolution on or before February 2, 1998, requiring a recount of votes cast for any office or on any question in the 1997 regular election; and

WHEREAS the Clerk of the new City is to conduct a recount within 10 days of Council's resolution; and

WHEREAS the Regulation also provides that the last day for applying to a Court for a recount is February 2, 1998; and

WHEREAS the City Clerk has received four applications for recounts relating to the office of Councillor - Scarborough Malvern and the office of Councillor - Toronto Davenport, as well as liquor questions in each of Toronto High Park and Toronto Davenport; and

WHEREAS more applications may be received before the February 2, 1998, deadline; and

WHEREAS it is appropriate that all applications for recounts be considered by Council at the same time;

NOW THEREFORE BE IT RESOLVED THAT Council hold a special meeting on Monday, February 2, 1998, at 2:00 p.m., to give consideration to all requests for recounts filed on or before February 2;

AND BE IT FURTHER RESOLVED THAT the City Clerk be requested to submit a report to Council with respect to all applications received for recounts.”

(e) **Moved by:** **Councillor Adams**

Seconded by: **Councillor Walker**

“WHEREAS the terms of the agreement between the Toronto Firefighters’ Association and the City of Toronto for the period of January 1, 1996, to December 31, 1997, had not been resolved, which resulted in the Association issuing a Notice to proceed to a Board of Arbitration on March 26, 1997; and

WHEREAS pursuant to that Notice of Arbitration, a hearing was set for November 7, 1997; and

WHEREAS the parties agreed to adjourn the November 7, 1997, hearing until December 2, 1997, because they were in the midst of negotiating the terms of the agreement for the period ended December 31, 1997; and

WHEREAS the City of Toronto ratified the terms of an agreement, in principle, between Local 113 of the Firefighters’ Union and the City on November 18, 1997, which agreement was subsequently ratified by Local 113; and

WHEREAS the funds for implementation of the agreement have been set aside in the accounts of the City of Toronto for the 1997 budget year; and

WHEREAS the terms of the agreement for the period of January 1, 1996, to December 31, 1997, are in keeping with settlements and arbitral awards in comparable groups, including other firefighter locals in the Greater Toronto Area and the Metropolitan Toronto Police (highlights of the Agreement are attached hereto); and

WHEREAS the City of Toronto applied to the Financial Advisory Board on November 21, 1997, for approval of the terms negotiated with the Toronto Firefighters for the period ended December 31, 1997; and

WHEREAS the Financial Advisory Board did not deal with the City’s application in a timely fashion which led the Toronto Firefighters’ Association to request a hearing before the arbitration tribunal which had been adjourned from December 2, 1997; and

WHEREAS the arbitration tribunal issued an award on December 11, 1997, imposing on the City an award on the same terms as had been agreed to between the Toronto Firefighters and the City; and

WHEREAS on December 18, 1997, one week after the arbitration panel made its award, the Financial Advisory Board purported to decide not to approve the City’s application in respect of the terms of the Firefighters agreement; and

WHEREAS the Financial Advisory Board has thereby created an administrative dilemma for staff of the City of Toronto; and

WHEREAS the solicitors for the Toronto Firefighters' Association have threatened to bring legal action to force the implementation of the agreement and the award;

NOW THEREFORE BE IT RESOLVED THAT the staff of the City of Toronto be instructed to implement the arbitration award issued on December 11, 1997, between the Toronto Firefighters' Association and the City of Toronto, in accordance with its terms."

(f) **Moved by:** **Councillor Rae**

Seconded by: **Councillor Adams**

“WHEREAS City Council has been advised by local residents of illegal liquor sales, noise, drunkenness and other disturbances associated with the premises at 5 St. Joseph Street; and

WHEREAS it is alleged that the present tenant of the premises has been engaged in the illegal sale of liquor without a licence and operating an illegal establishment which has disturbed the community with noise, drunkenness and other problems; and

WHEREAS the landlord of the premises has advised that the present applicant for the liquor licence is not the tenant and does not have the right to occupy the premises; and

WHEREAS it is feared that the premises, if licensed by the liquor Licence Board, shall remain under the control of the present occupant and create an even greater disturbance to the community through the escalation of existing problems; and

WHEREAS subsection 6(2)(h) of the Act provides that an applicant is entitled to be issued a licence to sell liquor except if the licence is not in the public interest having regard to the needs and wishes of the residents of the municipality in which the premises are located; and

WHEREAS section 7.1 of Regulation 719 under the Act states that, in the absence of receiving submissions to the contrary, the Board shall consider a resolution of the council of the municipality in which are located the premises for which a person holds a licence to sell liquor, as proof of the needs and wishes of the residents of a municipality for the purposes of clause 6(2)(h) of the Act;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) City Council request the Liquor Licence Board of Ontario to refuse the application for a licence to sell liquor made with respect to the premises located at 5 St. Joseph Street as not in the public interest, having regard to the needs and wishes of the residents of the municipality;
- (2) the City Solicitor be requested to appear at any hearing of this matter scheduled before the Liquor Licence Board of Ontario to oppose the issuance of the liquor licence; and
- (3) City Council request that any public interest hearing scheduled by the Liquor Licence Board be held in the evening at a convenient venue in the community to be determined through consultation with the local residents and the Ward Councillor.”

23. INTRODUCTION OF BILL TO CONFIRM THE LAST PORTION OF THE PROCEEDINGS OF COUNCIL AT THIS MEETING.

24. ADJOURNMENT.

O CANADA

O Canada! Our home and native land!
True patriot love in all thy sons command.
With glowing hearts we see thee rise,
The True North, strong and free!
From far and wide, O Canada, we stand
on guard for thee.
God keep our land glorious and free!
O Canada, we stand on guard for thee.
O Canada, we stand on guard for thee.

O Canada! Terre de nos aïeux!
Ton front est ceint de fleurons glorieux!
Car ton bras sait porter l'épée, il sait porter la
croix!
Ton histoire est une épopée Des plus brillants
exploits.
Et ta valeur, de foi trempée,
Protégera nos foyers et nos droits,
Protégera nos foyers et nos droits.