

**MINUTES OF THE COUNCIL  
OF THE  
CITY OF TORONTO  
INAUGURAL MEETING**

**FRIDAY, JANUARY 2, 1998**

The Members of the first Council of the new City of Toronto, for the three-year term commencing January 1, 1998, met at 1:00 p.m. in the Council Chamber, City Hall, Toronto.

The City Clerk, Mrs. Novina Wong, presided in accordance with the provisions of subsection 51(2) of the Municipal Act, R.S.O. 1990, as amended.

The meeting opened with the singing of the National Anthem by Mr. Robert Pilon.

1 Members present at this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 55.

2 The City Clerk called upon Rabbi Dr. David Monson, Rabbi Emeritus of Beth Sholom Synagogue, to give the invocation.

3 The City Clerk welcomed the Members of Council to the Inaugural Meeting of the Council of the new City of Toronto, and reported that she had in her possession 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, i.e.

Mel Lastman, Mayor - City of Toronto

John Adams, Councillor - Midtown  
Gerry Altobello, Councillor - Scarborough Bluffs  
Brian Ashton, Councillor - Scarborough Bluffs  
Maria Augimeri, Councillor - Black Creek  
Bas Balkissoon, Councillor - Scarborough Malvern  
Lorenzo Berardinetti, Councillor - Scarborough City Centre  
Milton Berger, Councillor - North York Centre South  
Ila Bossons, Councillor - Midtown  
Elizabeth Brown, Councillor - Rexdale-Thistletown  
Sandra Bussin, Councillor East Toronto  
Raymond Cho, Councillor - Scarborough Malvern  
Gordon Chong, Councillor - Don Parkway  
Olivia Chow, Councillor - Downtown  
Rob Davis, Councillor - York - Eglinton  
Betty Disero, Councillor - Davenport  
Brad Duguid, Councillor - Scarborough City Centre  
Frank Faubert, Councillor - Scarborough Highland Creek  
Mike Feldman, Councillor - North York Spadina  
John Fillion, Councillor - North York Centre  
Joanne Flint, Councillor - North York Centre South  
Dennis Fotinos, Councillor - Davenport  
Norm Gardner, Councillor - North York Centre  
Mario Giansante, Councillor - Kingsway-Humber  
Douglas Holyday, Councillor - Markland-Centennial  
Tom Jakobek, Councillor - East Toronto  
Anne Johnston, Councillor - North Toronto  
Irene Jones, Councillor - Lakeshore-Queensway  
Norman Kelly, Councillor - Scarborough Wexford  
Blake F. Kinahan, Councillor - Lakeshore-Queensway  
Joan King, Councillor - Seneca Heights  
Chris Korwin-Kuczynski, Councillor - High Park  
Jack Layton, Councillor - Don River  
Gloria Lindsay Luby, Councillor - Kingsway-Humber  
Peter Li Preti, Councillor - Black Creek  
Doug Mahood, Councillor - Scarborough Agincourt  
George Mammoliti, Councillor - North York Humber  
Pam McConnell, Councillor - Don River  
Joe Mihevc, Councillor - York-Eglinton  
David Miller, Councillor - High Park  
Denzil Minnan-Wong, Councillor - Don Parkway  
Ron Moeser, Councillor - Scarborough Highland Creek  
Howard Moscoe, Councillor - North York Spadina  
Frances Nunziata, Councillor - York-Humber  
Dick O'Brien, Councillor - Markland-Centennial  
Case Ootes, Councillor - East York

Joe Pantalone, Councillor - Trinity-Niagara  
Michael Prue, Councillor - East York  
Kyle Rae, Councillor - Downtown  
Bill Saundercook, Councillor - York-Humber  
Judy Sgro, Councillor - North York Humber  
Sherene Shaw, Councillor - Scarborough Agincourt  
David Shiner, Councillor - Seneca Heights  
Mario Silva, Councillor - Trinity-Niagara  
Bruce Sinclair, Councillor Rexdale-Thistletown  
Mike Tzekas, Councillor - Scarborough Wexford  
Michael Walker, Councillor - North Toronto

- 4 The City Clerk called upon the Associate Chief Justice of Ontario, the Honourable John Morden, to swear in the Mayor-elect, Mr. Mel Lastman, and invited Mrs. Lastman to join in the ceremony.

The Mayor-elect then took the Oath of Allegiance and the Declaration of Office before the Associate Chief Justice of Ontario, The Honourable John Morden.

His Worship, Mayor Lastman, was invested with the Chain of Office by the Honourable John Morden.

- 5 At the request of the City Clerk, the Members-elect rose in unison, responsively recited the Declaration of Office and Oath of Allegiance and signed such documents.

The City Clerk, in accordance with the Municipal Act and the City of Toronto Act, 1997, deemed the City of Toronto Council for the term of the Council commencing on January 1, 1998, to be duly organized.

Mayor Lastman assumed the Chair.

At this point in the proceedings, Councillor Ootes, seconded by Councillor Jakobek, moved:

**“BE IT RESOLVED THAT**, in accordance with subsection 95(2) of the Municipal Act, Council extend the period for declaration of office for those Councillors who cannot attend the meeting today.”

Upon the question of the adoption of the foregoing motion, without amendment, it was carried.

At this point in the proceedings, His Worship, Mayor Lastman, introduced the Members of the new City of Toronto Council.

- 6 The Honourable Hilary M. Weston, Lieutenant Governor of Ontario, extended congratulations to the Mayor and Members of this new Council, and addressed the Council.

7 His Worship, Mayor Lastman, the first Mayor of the first Council of the new City of Toronto, gave his Inaugural Address. (See Appendix “C”.)

8 His Grace Aloysius M. Ambrozic, Archbishop of Toronto, gave the benediction.

9 At this point in the proceedings, Mayor Lastman, on behalf of the Members of Council, extended Council’s appreciation to The Honourable Hilary M. Weston, The Honourable John Morden, Rabbi Dr. David Monson, and Archbishop Aloysius Ambrozic, for their presence today to celebrate this historic event with the new Council. Mayor Lastman also extended special thanks to the Bach Children’s Choir and Mr. Robert Pilon, for their outstanding performances, and to the representatives of the City’s heritage sites who were here today in their costumes to celebrate the new City and its heritage.

Mayor Lastman also extended an invitation to the citizens of the new City of Toronto to join him and the Members of Council in the Open House in the Rotunda at the conclusion of this portion of the Inaugural Meeting.

10 At this point in the proceedings, Councillor Walker requested that Council meet at the Council Chamber, City Hall, Toronto, when it reconvenes on Tuesday, January 6, 1998, and not at the Council Chamber, Metro Hall, Toronto, as indicated on the Agenda.

Mayor Lastman ruled the request out of order.

11 Councillor Ootes, seconded by Councillor O’Brien, moved that leave be granted to introduce:

“Bill No. 1 To confirm the first portion of the proceedings of the Council at its Inaugural Meeting held on the 2nd day of January, 1998.”,

which was carried.

Upon the question, “Shall this Bill, prepared for this portion of the Inaugural Meeting of Council, be passed and hereby declared as a By-law?”, as follows:

“By-law No. 1-1998 To confirm the first portion of the proceedings of the Council at its Inaugural Meeting held on the 2nd day of January, 1998.”,

it was carried.

Council recessed at 2:25 p.m. to reconvene on Tuesday, January 6, 1998, at 9:30 a.m., in the Council Chamber, Metro Hall, to consider other business matters.

**TUESDAY, JANUARY 6, 1998**  
**9:35 A.M.**

Council reconvened.

Mayor Lastman took the Chair and called the Members to order.

- 12 Members present at the morning session of the second day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 57.

- 13 Councillor Johnston, seconded by Councillor Jones, moved that:

“**WHEREAS** the Members of City Council are deeply saddened to learn of the passing of Dr. Marion Powell on Sunday, December 21, 1997; and

**WHEREAS** Dr. Powell, in recognition of her vision and pioneering courage, was awarded the Persons Award, the Order of Canada, the Gardiner Award and the YWCA Woman of Distinction Award; and

**WHEREAS** Dr. Powell will be long-remembered as the mother of birth control in Canada, due to her diligent efforts in the promotion of planned parenthood;

**NOW THEREFORE BE IT RESOLVED THAT** the City Clerk be directed to convey, on behalf of the Members of City of Toronto Council, an expression of sincere sympathy to the Powell family.”

The foregoing motion was carried unanimously.

Council rose and observed a moment of silence in memory of the late Dr. Marion Powell.

- 14 At this point in the proceedings, the Mayor requested Members of Council to indicate whether they have an interest in any matters listed on the Order Paper for Council, together with the nature of the interest.

Councillor Balkissoon declared his interest in the communication (December 23, 1997) from the Metropolitan Clerk, forwarding the recommendation of Metropolitan Council that a Telecommunications Committee or Task Force be established, in that he is an employee of Bell Canada, and in all the communications and reports pertaining to the request for a recount with regard to the municipal election held on November 10, 1997, for City Councillor for Ward Scarborough-Malvern, in that he is a City Councillor for Ward Scarborough-Malvern.

Councillor Cho declared his interest in all the communications and reports pertaining to the request for a recount with regard to the municipal election held on November 10, 1997, for City Councillor for Ward Scarborough-Malvern, in that he is a City Councillor for Ward Scarborough-Malvern.

Councillor Disero declared her interest in the communication (November 14, 1997) from Mr. Tony Letra, Trustee, Ward 2, Metropolitan Separate School Board, requesting a recount with regard to the municipal election held on November 10, 1997, for City Councillor for Ward Toronto-Davenport, in that she is a City Councillor for Ward Toronto-Davenport.

The communications were read as follows:

- 15
- (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;
  - (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;
- (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";

- (xiii) from 18 Members-Elect requesting that the first Community Council meetings be held on the evening of Thursday, January 8, 1998, in each jurisdiction;
- (xiv) from the Chair, Toronto Transition Team (December 31, 1997) advising that the Team, in concert with the Chief Administrative Officer, has undertaken an internal search process to identify for recommendation to the new Council candidates for the positions of Executive Commissioner, Solicitor and Auditor;
- (xv) from Mr. G. Collver, Etobicoke Citizens for Effective Government (January 5, 1998) noting that references to a Healthy City Office and an Office of Environmental Planning and Management were omitted in the Transition Team's final report and requesting that consideration be given to inserting these references in order to highlight the vital importance of these Offices and to emphasize their significance in integrating strategic policy and planning support to City Council;
- (xvi) from the President, Local 79, Canadian Union of Public Employees (January 5, 1998) submitting comments on the final report of the Toronto Transition Team;
- (xvii) from the City Clerk (January 5, 1998) forwarding comments received from Members of Council regarding the draft procedural by-law;
- (xviii) from the Metropolitan Clerk (October 16, 1997) advising that Metropolitan Council on October 8 and 9, 1997, recommended that the hiring of a Children's Advocate who has expertise on children's issues be a high priority of the new City of Toronto Council; and
- (xix) from the Assistant City Clerk, City of Toronto (December 30, 1997) forwarding, for consideration by the new City Council, a report dated August 29, 1997, from the Commissioner of Urban Development Services, embodied in Clause No. 5 of Report No. 8 of the Economic Development Committee, headed "Submission to the Transition Team on Economic Development in the New City of Toronto".

The foregoing communications and reports were considered with Notice of Motion 14(d) appearing on the Order Paper. (See Minute No. 23.)

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.



The foregoing report was considered with Notice of Motion 14(b) appearing on the Order Paper. (See Minute No. 21.)

17 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.

The foregoing reports were considered with Notice of Motion 14(c) appearing on the Order Paper. (See Minute No. 22.)

18 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.

The foregoing reports were received for information, Council having been advised by the Chief Financial Officer and Treasurer that the Strategic Policies and Priorities Committee will give consideration to these reports at its meeting to be held on January 19, 1998.

19 (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 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?”;
- (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 Toronto-Davenport.
- (iv) from Mr. A. D’Silva, Fasken, Campbell, Godfrey, Barristers and Solicitors (January 2, 1998) on behalf of Ms. E. Montgomery, who is requesting a recount, seeking permission to make oral submissions on Ms. Montgomery’s behalf; and
- (v) from the City Clerk (January 5, 1998) requesting that Council hold a special meeting on Monday, February 2, 1998, at 2:00 p.m. in the Council Chamber, Metro Hall, for the purpose of considering all applications for recounts.

The foregoing communications, petitions and report were considered with Notice of Motion 22(d) on the Order Paper. (See Minute No. 48)

- 20 At this point in the proceedings, the Mayor called upon Notice of Motion 14(a) appearing on the Order Paper, as follows:

**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.”

Upon the question of the adoption of the foregoing Motion, without amendment, Councillor Layton moved that the foregoing Motion be amended by adding thereto the following new Operative Paragraph:

“**AND BE IT FURTHER RESOLVED THAT** those sections of the draft Procedural By-law dealing with rules of procedure governing the proceedings of Council and its Committees be adopted on an interim basis only, until Council decides otherwise at any time during this meeting, and, further that, should Councillors have amendments to those sections of the Council Procedural By-law that have been enacted at this time, such amendments shall be considered at an appropriate time later in the meeting.”

Upon the question of the adoption of the foregoing motion by Councillor Layton, it was carried.

Upon the question of the adoption of the foregoing Motion, as amended, it was carried.

21 At this point in the proceedings, the Mayor called upon Notice of Motion 14(b) appearing on the Order Paper, as follows:

**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 to establish the delegation of responsibility for continuing operations to identifiable and accountable officials during the interim period pending the establishment by Council of the full integration of all components of amalgamation.”

Upon the question of the adoption of the foregoing Motion, without amendment, and that Council now give consideration to the aforementioned report of the Chief Administrative Officer, it was carried, more than two-thirds of Members present having voted in the affirmative.

In accordance with the adoption of the foregoing Motion, Council had before it a report dated December 24, 1997, from the Chief Administrative Officer, entitled "Interim Delegation and Financial Control". (See Attachment No. 1)

Upon the question of the adoption of the foregoing report dated December 24, 1997, from the Chief Administrative Officer, without amendment, it was carried.

- 22 At this point in the proceedings, the Mayor called upon Notice of Motion 14(c) appearing on the Order Paper, as follows:

**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.”

Upon the question of the adoption of the foregoing Motion, without amendment, and that Council now give consideration to the aforementioned reports of the Chief Financial Officer and Treasurer, it was carried, more than two-thirds of Members present having voted in the affirmative.

In accordance with the adoption of the foregoing Motion, Council had before it the following reports 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; (See Attachment No. 2)
- (ii) (December 22, 1997) submitting recommendations to provide for the levy and collection of 1998 interim realty taxes; (See Attachment No. 3)
- (iii) (December 22, 1997) submitting recommendations to provide custody and note issuance services to the new City of Toronto; (See Attachment No. 4)
- (iv) (December 23, 1997) submitting recommendations to provide authority to borrow, pending the receipt of revenues and the issuance and sale of debentures; (See Attachment No. 5) 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. (See Attachment No. 6).

Upon the question of the adoption of the foregoing reports, without amendment:

- (a) Councillor Jakobek, seconded by Councillor Mahood, moved that Council adopt the following recommendations:

“It is recommended that:

- (1) the foregoing reports be adopted, and a copy of each of the foregoing reports from the Chief Financial Officer and Treasurer, as adopted by Council, be forwarded to the Budget Committee, once it is established, for further consideration and report thereon to City Council for its meeting to be held on February 4, 1998, and that the 1998 draft Operating and Capital Budgets be submitted to all Standing Committees for consideration and input; and

(2) the Chief Financial Officer and Treasurer be directed to ensure that the School Board costs to the residential taxpayers are spread equally over the 1998 tax billing period, provided Provincial legislation does not prevent or penalize City Council from doing so.”

(b) Councillor Moscoe moved that Council adopt the following recommendations:

“It is recommended that:

(1) the question of tax policies be considered by Council at the earliest possible opportunity; and

(2) Part (2) of the foregoing motion (a) by Councillor Jakobek, seconded by Councillor Mahood, be referred to the Chief Financial Officer and Treasurer for report thereon to Council for its meeting to be held on February 4, 1998, through the Strategic Policies and Priorities Committee.”

(c) Councillor Shiner, seconded by Councillor Pantalone, moved that Council adopt the following recommendation:

“It is recommended that, prior to property taxes collected being sent to the Toronto Boards of Education, the Chief Financial Officer and Treasurer be requested to submit a report to Council on the total cost for Provincial services that are now the financial responsibility of the new City of Toronto and the funds available to pay for these services from the Provincial changes to the education portion of the residential property taxes in Toronto.”

(d) Councillor Chow moved that Council adopt the following recommendation:

“It is recommended that:

(1) the recommendations from the Strategic Policies and Priorities Committee regarding the 1998 Operating Budget principles, directions, targets and guidelines, and the 1998 Capital Budget target, be submitted to City Council for its meeting to be held on February 4, 1998, for approval; and

(2) Departments, Agencies, Boards and Commissions be requested to also submit their Operating Budgets to the Standing Committees for input at the same time as such budgets are being presented to the Budget Committee.”

(e) Councillor Layton moved that Council adopt the following recommendation:

“It is recommended that Schedule 1 appended to the report dated December 18, 1997, from the Chief Financial Officer and Treasurer, be amended by deleting the figure ‘\$91,537.5’ under the 1998 Interim Budget for Housing, and the Province of Ontario be advised that City Council will not be paying its share for housing.”

At this point in the proceedings, the Mayor, having regard to the nature of the foregoing motion (e) by Councillor Layton, ruled such motion out of order.

Councillor Layton challenged the ruling of the Mayor.

Upon the question, “Shall the ruling of the Mayor be upheld?”, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Minnan-Wong, Moeser, Nunziata, O’Brien, Ootes, Prue, Saundercook, Sgro, Shiner, Silva, Tzekas - 40.

Nays: Councillors: Augimeri, Bussin, Chow, Johnston, Jones, Kinahan, Layton, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Walker - 15.

Decided in the affirmative by a majority of 25.

At this point in the proceedings, Councillor Augimeri, with the permission of Council, requested that a separate vote be taken on Schedule 1 to the report dated December 18, 1997, from the Chief Financial Officer and Treasurer, insofar as it pertains to the 1998 Interim Operating Budget Estimates for Housing.

The Mayor, having regard to the nature of the foregoing request of Councillor Augimeri, ruled such request out of order.

Councillor Augimeri challenged the ruling of the Mayor.

Upon the question, “Shall the ruling of the Mayor be upheld?”, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Chong, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski,

Lindsay Luby, Li Preti, Mahood, Moeser, Nunziata, Ootes, Saundercook, Sgro, Sinclair, Tzekas - 32.

Nays: Councillors: Augimeri, Bussin, Cho, Chow, Davis, Faubert, Johnston, Jones, Kinahan, Layton, Mammoliti, McConnell, Mihevc, Miller, Moscoe, O'Brien, Pantalone, Prue, Rae, Shiner, Silva, Walker - 22.

Decided in the affirmative, by a majority of 10.

(f) Councillor Bossons, in amendment, moved that Council adopt the following recommendation:

“It is recommended that City Council note its great reluctance in adopting the Interim Estimates, having regard for the impending downloading by the Province of Ontario.”

At this point in the proceedings, Councillor Moscoe, with the permission of Council, withdrew Part (2) of his foregoing motion (b).

At this point in the proceedings, Councillor Chow, with the permission of Council, withdrew her foregoing motion (d).

Upon the question of the adoption of the foregoing motion (f) by Councillor Bossons, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Faubert, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Sgro, Shiner, Silva, Sinclair, Walker - 45.

Nays: Councillors: Balkissoon, Davis, Duguid, Feldman, Kelly, Lindsay Luby, Saundercook, Shaw, Tzekas - 9.

Decided in the affirmative by a majority of 36.

Upon the question of the adoption of the foregoing motion (c) by Councillor Shiner, seconded by Councillor Pantalone, the vote was taken as follows:

Yeas: Mayor: Lastman.



Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Davis, Disero, Duguid, Faubert, Flint, Fotinos, Gardner, Holyday, Jakobek, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas - 45.

Nays: Councillors: Chow, Feldman, Filion, Giansante, Johnston, Kinahan, King, McConnell, Mihevc, Rae, Sinclair, Walker - 12.

Decided in the affirmative by a majority of 33.

Upon the question of the adoption of Part (1) of the foregoing motion (a) by Councillor Jakobek, seconded by Councillor Mahood, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 55.

Nays: Councillors: Layton, McConnell - 2.

Decided in the affirmative by a majority of 53.

Upon the question of the adoption of Part (2) of the foregoing motion (a) by Councillor Jakobek, seconded by Councillor Mahood, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Chong, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 54.

Nays: Councillors: Cho, Chow, Mihevc - 3

Decided in the affirmative by a majority of 51.

Upon the question of the adoption of Part (1) of the foregoing motion (b) by Councillor Moscoe, it was carried.

In summary, Council adopted the following recommendations:

“It is recommended that:

- (1) the report dated December 18, 1997, from the Chief Financial Officer & Treasurer, entitled ‘1998 Interim Operating Budget Estimates’, embodying the following recommendation, be adopted:

‘It is recommended that City Council approve the interim current budget estimates in the amount of \$4,096,354,100.00.’;

- (2) the report dated December 22, 1997, from the Chief Financial Officer & Treasurer, entitled ‘1998 Interim Levy By-law’, embodying the following recommendation, be adopted:

‘It is recommended that authority be granted for the introduction of a bill in Council, substantially in the form of the draft by-law attached, providing for an interim levy prior to the adoption of the estimates for 1998.’;

- (3) the report dated December 22, 1997, from the Chief Financial Officer & Treasurer, entitled ‘Contract to Provide Custody and Note Issuance Services for the new City of Toronto’, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) a two-year contract be awarded to the Royal Bank to provide custody and note issuance services to the new City of Toronto; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.’;
- (4) the report dated December 23, 1997, from the Chief Financial Officer & Treasurer, entitled ‘Borrowing Authority’, embodying the following recommendations, be adopted:

‘It is recommended that:

- (1) authority be granted for the introduction of a bill in Council substantially in the form of the draft by-law attached as Schedule 1, authorizing a temporary

borrowing limit to meet 1998 current expenditures, pending receipt of levies and other revenues, at \$1,000,000,000;

- (2)
    - (a) authority be granted for the introduction of bills in Council substantially in the forms of a draft by-laws attached as Schedules 2 and 3 for temporary borrowing to finance capital projects for 1998 pending the issuance of debentures; and
    - (b) entering into agreements on behalf of the Corporation for the sale and issue of debentures, not to exceed \$400 million, and the reporting thereon by the second regular meeting of Council; and
  - (3) authorize the appropriate City officials to take the necessary actions to give effect thereto.'
- (5) the report dated December 21, 1997, from the Chief Financial Officer & Treasurer, entitled 'Statement of Investment Policies and Goals', embodying the following recommendations, be adopted:  
  
'It is recommended that:
  - (1) Attachment 1 be adopted as the City's Statement of Investment Policies and Goals; and
  - (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.';
- (6) a copy of each of the foregoing reports from the Chief Financial Officer & Treasurer, as adopted by Council, be forwarded to the Budget Committee, once it is established, for further consideration and report thereon to City Council for its meeting to be held on February 4, 1998, and that the 1998 draft Operating and Capital Budgets be submitted to all Standing Committees for consideration and input;
- (7) the Chief Financial Officer & Treasurer be directed to ensure that the School Board costs to the residential taxpayers are spread equally over the 1998 tax billing period, provided Provincial legislation does not prevent or penalize City Council from doing so;
- (8) the question of tax policies be considered by Council at the earliest possible opportunity;
- (9) prior to property taxes collected being sent to the Toronto Boards of Education, the Chief Financial Officer & Treasurer be requested to submit a report to Council on the total cost for Provincial services that are now the financial responsibility of the new City of Toronto and the funds available to pay for these services from the

Provincial changes to the education portion of the residential property taxes in Toronto; and

- (10) City Council note its great reluctance in adopting the Interim Estimates, having regard for the impending downloading by the Province of Ontario.”

23 At this point in the proceedings, the Mayor called upon Notice of Motion 14(d) appearing on the Order Paper, as follows:

**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.”

Upon the question of the adoption of the foregoing Motion, without amendment, and that Council now give consideration to the aforementioned report from the Toronto Transition Team and the draft Procedural By-law, it was carried, more than two-thirds of Members present having voted in the affirmative.

In accordance with the adoption of the foregoing Motion, Council had before it the following reports and communications:

- (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; [See Attachment No. 7(i)]
- (ii) from the City Clerk (December 30, 1997) submitting the draft Procedural By-law of the Toronto Transition Team; [See Attachment No. 7(ii)]
- (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; [See Attachment No. 7(iii)]
- (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 percent representation of Council; [See attachment No. 7(iv)]
- (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;
- (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";
- (xiii) from 18 Members-Elect requesting that the first Community Council meetings be held on the evening of Thursday, January 8, 1998, in each jurisdiction;
- (xiv) from the Chair, Toronto Transition Team (December 31, 1997) advising that the Team, in concert with the Chief Administrative Officer, has undertaken an internal search process to identify for recommendation to the new Council candidates for the positions of executive commissioner, solicitor and auditor;
- (xv) from Mr. G. Collver, Etobicoke Citizens for Effective Government (January 5, 1998) noting that references to a Healthy City Office and an Office of Environmental Planning and Management were omitted in the Transition Team's final report and requesting that consideration be given to inserting these references in order to highlight the vital importance of these Offices and to emphasize their significance in integrating strategic policy and planning support to City Council;
- (xvi) from the President, Local 79, Canadian Union of Public Employees (January 5, 1998) submitting comments on the final report of the Toronto Transition Team;
- (xvii) from the City Clerk (January 5, 1998) forwarding comments received from Members of Council regarding the draft Procedural By-law; [See Attachment No. 7(v)]
- (xviii) from the Metropolitan Clerk (October 16, 1997) advising that Metropolitan Council on October 8 and 9, 1997, recommended that the hiring of a Children's advocate who has expertise on children's issues be a high priority of the new City of Toronto Council; and
- (xix) from the Assistant City Clerk, City of Toronto (December 30, 1997) forwarding, for consideration by the new City Council, a report dated August 29, 1997, from the Commissioner of Urban Development Services, embodied in Clause No. 5 of Report No. 8 of the Economic Development Committee, headed "Submission to the Transition Team on Economic Development in the New City of Toronto".

(A copy of each of the aforementioned communications (iii; iv; vii to xvi; xviii and xix) is on file with the City Clerk.)

Council also had before it, during consideration of the foregoing matter, the following communication and reports:

- (i) (December 18, 1997) submission from the Coalition of Concerned Councillors, entitled "Final Report on Community Councils in the new City of Toronto";
- (ii) (January 5, 1998) from the City Clerk seeking concurrence of Council with respect to requests received from Members of Council regarding their global budget and staffing requirements; [See Attachment No. 7(vi)]
- (iii) (December 23, 1997) from Councillor I. Jones, Chair, Etobicoke Board of Health, advising that the members of the Etobicoke Board of Health are interested in acting as an interim community health advisory committee for public health in order to ensure continuity in the identification of local issues and to provide input and advice to the Toronto Board of Health;
- (iv) (December 29, 1997) from the Chair, Parking Authority of Toronto, and the Chair, Parking Authority of North York, forwarding, for approval, a by-law to establish the size, composition and qualifications for membership of the Board of the Toronto Parking Authority and to establish the delegation of responsibility for the operation of parking facilities, including on-street metered parking, to the Toronto Parking Authority in accordance with the City of Toronto Act, 1997 (No. 2). [See Attachment No. 7(vii)]

(A copy of each of the aforementioned communications (i) and (iii) is on file with the City Clerk.)

At this point in the proceedings, Councillor Kelly declared his interest in the communication (January 5, 1998) from the City Clerk, with respect to the global budget and staffing for Members of Council, in that his wife is employed by the City of Toronto as his Executive Assistant.

Councillor Mahood declared his interest in the communication (January 5, 1998) from the City Clerk, with respect to the global budget and staffing for Members of Council, in that his daughter is employed by the City of Toronto as his Administrative Assistant.

Councillor Sgro declared her interest in the communication (January 5, 1998) from the City Clerk, with respect to the global budget and staffing for Members of Council, in that her daughter is employed by the City of Toronto as her Administrative Assistant.

Mayor Lastman designated Councillor Ootes to take the Chair for the next part of the meeting, and vacated the Chair.

Upon the question of the adoption of the final report of the Toronto Transition Team, without amendment:

- (a) Mayor Lastman, seconded by Councillor Ootes, in amendment, moved that Council adopt the following recommendation:

“It is recommended that Council approve the recommendations in the final report of the Toronto Transition Team on an interim basis only, and that a Special Committee of Council be established to review the recommendations and report to the Strategic Policy and Priorities Committee in four months; and that the Special Committee be comprised of:

Councillor David Miller (Chair);  
Councillor Elizabeth Brown;  
Councillor Mike Feldman;  
Councillor Anne Johnston;  
Councillor Joan King;  
Councillor Norm Kelly;  
Councillor Peter Li Preti;  
Councillor Howard Moscoe;  
Councillor Michael Prue;  
Councillor Kyle Rae;  
Councillor Judy Sgro; and  
Councillor Ron Moeser;

and that all motions that come forward with respect to the final report of the Toronto Transition Team be referred to this Special Committee, except those dealing with Staffing and Salaries be referred to the Corporate Services Committee; and that the Chief Administrative Officer do all things necessary to provide support and assistance to this committee.”

At this point in the proceedings, Council Miller, with the permission of Council, proposed that Council consider the final report of the Toronto Transition Team and the draft Council Procedural By-law, pertaining to the rules of procedures governing the proceedings of Council and its Committees, separately.

Council concurred in the foregoing proposal.

Council deferred further consideration of the foregoing matter until later in the meeting. (See Minute No. 30.)

- 24 Councillor Feldman, seconded by Councillor Lindsay Luby, moved that leave be granted to introduce:

“Bill No. 2 To prescribe the duties and responsibilities of the Chief Administrative Officer.”



- “Bill No. 3 To delineate certain duties and responsibilities of the Clerk for the City of Toronto.”
- “Bill No. 4 To delineate certain duties and responsibilities of the Chief Financial Officer & Treasurer for the City of Toronto.”
- “Bill No. 5 To delineate certain duties and responsibilities of the Commissioner of Human Resources for the City of Toronto.”
- “Bill No. 6 To delineate certain duties and responsibilities of the Fire Chief.”,

which was carried.

Upon the question, “Shall these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws?”, as follows:

- “By-law No. 2-1998 To prescribe the duties and responsibilities of the Chief Administrative Officer.”
- “By-law No. 3-1998 To delineate certain duties and responsibilities of the Clerk for the City of Toronto.”
- “By-law No. 4-1998 To delineate certain duties and responsibilities of the Chief Financial Officer & Treasurer for the City of Toronto.”
- “By-law No. 5-1998 To delineate certain duties and responsibilities of the Commissioner of Human Resources for the City of Toronto.”
- “By-law No. 6-1998 To delineate certain duties and responsibilities of the Fire Chief.”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Tzekas - 48.

Nays: Councillors: Faubert, McConnell, Walker - 3.

Decided in the affirmative by a majority of 45.

Councillor Feldman, seconded by Councillor Lindsay Luby, moved that leave be granted to introduce:

“Bill No. 7 To confer certain authorities and responsibilities with respect to the appropriation and commitment of funds and the payment of accounts of the City of Toronto and other related matters on an interim basis.”

“Bill No. 8 To adopt a seal for the City of Toronto.”

“Bill No. 9 To provide authority for certain officers and employees of the Corporation of the City of Toronto to sign cheques and carry on the business of banking for and on behalf of the City of Toronto.”

“Bill No. 10 To provide for the levy and collection of 1998 interim realty taxes and penalties for non-payment thereof.”

“Bill No. 11 To authorize the temporary borrowing of moneys to meet the current expenditures of the City of Toronto for the year 1998.”

“Bill No. 12 To authorize temporary advances pending the issue and sale of debentures and raising money by way of loan on the debentures.”

“Bill No. 13 To authorize agreements respecting the issue and sale of debentures.”,

which was carried.

Upon the question, “Shall these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws?”, as follows:

“By-law No. 7-1998 To confer certain authorities and responsibilities with respect to the appropriation and commitment of funds and the payment of accounts of the City of Toronto and other related matters on an interim basis.”

“By-law No. 8-1998 To adopt a seal for the City of Toronto.”

“By-law No. 9-1998 To provide authority for certain officers and employees of the Corporation of the City of Toronto to sign cheques and carry on the business of banking for and on behalf of the City of Toronto.”

“By-law No. 10-1998 To provide for the levy and collection of 1998 interim realty taxes and penalties for non-payment thereof.”

- “By-law No. 11-1998 To authorize the temporary borrowing of moneys to meet the current expenditures of the City of Toronto for the year 1998.”
- “By-law No. 12-1998 To authorize temporary advances pending the issue and sale of debentures and raising money by way of loan on the debentures.”
- “By-law No. 13-1998 To authorize agreements respecting the issue and sale of debentures.”,

the vote was taken as follows:

Yeas: Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Tzekas - 49.

Nays: Councillors: Faubert, Walker - 2.

Decided in the affirmative by a majority of 47.

Council recessed at 12:37 p.m.

**2:10 P.M.**

Council reconvened.

Mayor Lastman took the Chair and called the Members to order.

25 At the request of Council, the City Clerk called the Roll at 2:11 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Adams, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Jakobek, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Tzekas, Walker - 49.

26 Members present at the first afternoon session of the second day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 57.

27 At this point in the proceedings, Councillor McConnell, seconded by Councillor Layton, moved that Council vary the order of its proceedings to now consider the communications from 18 Members-Elect, requesting that the first Community Council meetings be held on the evening of Thursday, January 8, 1998, in each jurisdiction (see Minute No. 23), the vote upon which was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Giansante, Johnston, Jones, Kelly, Kinahan, King, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Walker - 45.

Nays: Councillors: Ashton, Gardner, Holyday, Jakobek, Korwin-Kuczynski, Li Preti, Moeser, Ootes, Tzekas - 9.

Decided in the affirmative by a majority of 36.

Upon the question of the adoption of the recommendation embodied in the aforementioned communications:

(a) Councillor McConnell, in amendment, moved that Council adopt the following recommendation:

“It is recommended that the first Community Council meetings be held in the Council Chambers of their respective jurisdictions on Thursday, January 8, 1998, in the evening, as requested by the 18 Members-Elect in their communications.”

(b) Councillor Bossons, in amendment, moved that Council adopt the following recommendation:

“It is recommended that the first Community Council meetings to be held for the purpose of electing the Community Council Chairs, be held today in the Metro Hall Council Chamber.”

Mayor Lastman designated Councillor Ootes to take the Chair for the next part of the meeting, and vacated the Chair.

- (c) Councillor Korwin-Kuczynski, in amendment, moved that the foregoing motion (b) by Councillor Bossons be amended to provide that the Community Council meetings be held consecutively in the Metro Hall Council Chamber on Thursday, January 8, 1998, at 8:00 p.m.

Mayor Lastman resumed the Chair.

- (d) Councillor Chow, in amendment, moved that Council adopt the following recommendations:

“It is recommended that:

- (1) the Chief Administrative Officer and the Office of the Mayor be requested to arrange a briefing session for the public on how to participate in the meetings of the Community Councils, Standing Committees and Task Forces; and
- (2) this briefing session take place prior to the selection of the Community Council Chairs.”

Upon the question of the adoption of the foregoing motion (a) by Councillor McConnell, the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Bussin, Chow, Duguid, Faubert, Filion, Johnston, Jones, Kinahan, Layton, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, O'Brien, Pantalone, Prue, Rae, Silva, Sinclair, Walker - 24.

Nays: Mayor: Lastman.  
Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Davis, Disero, Feldman, Flint, Fotinos, Gardner, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Minnan-Wong, Moeser, Ootes, Saundercook, Sgro, Shaw, Shiner, Tzekas - 32.

Decided in the negative by a majority of 8.

Upon the question of the adoption of the foregoing motion (c) by Councillor Korwin-Kuczynski, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Augimeri, Bossons, Brown, Bussin, Chow, Faubert, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, McConnell, Mihevc, Miller, Moscoe, Nunziata, Silva, Sinclair, Walker - 21.

Nays: Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Cho, Chong, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, King, Lindsay Luby, Li Preti, Mahood, Mammoliti, Minnan-Wong, Moeser, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Tzekas - 36.

Decided in the negative by a majority of 15.

Upon the question of the adoption of the foregoing motion (b) by Councillor Bossons, without amendment, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Davis, Disero, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, Minnan-Wong, Moeser, O'Brien, Ootes, Prue, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas - 38.

Nays: Councillors: Adams, Augimeri, Bussin, Chow, Duguid, Faubert, Filion, Jones, Kinahan, Layton, McConnell, Mihevc, Miller, Moscoe, Nunziata, Pantalone, Rae, Silva, Walker - 19.

Decided in the affirmative by a majority of 19.

At this point in the proceedings, Councillor Chow, with the permission of Council, withdrew Part (2) of her foregoing motion (d).

Upon the question of the adoption of Part (1) of the foregoing motion (d) by Councillor Chow, it was carried.

In summary, Council adopted the following recommendations:

“It is recommended that:

- (1) the first meeting of the Community Councils to be held for the purpose of electing the Community Council Chairs be held today in the Metro Hall Council Chamber; and
- (2) the Chief Administrative Officer and the Office of the Mayor be requested to arrange a briefing session for the public on how to participate in meetings of the Community Councils, Standing Committees and Task Forces.”

At this point in the proceedings, the Mayor, having regard to the foregoing decision of Council, proposed that Council now recess in order to permit the Community Councils to meet to elect their respective Chairs.

Council concurred in the foregoing proposal.

Council recessed at 3:47 p.m.

**4:23 P.M.**

Council reconvened.

Mayor Lastman took the Chair and called the Members to order.

28 Members present at the second afternoon session of the second day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 55.

29 At this point in the proceedings, the Mayor advised the Council that the Community Councils, at their respective meetings, had elected the following Members of Council as their Chairs:

East York Community Council	Councillor Prue
Etobicoke Community Council	Councillor Brown
North York Community Council	Councillor Berger
Scarborough Community Council	Councillor Berardinetti
Toronto Community Council	Councillor Rae

York Community Council

Councillor Saundercook

30 Council resumed its consideration of the final report of the Toronto Transition Team, the draft Procedural By-law and reports and communications related thereto. (See also Minute No. 23.)

(b) Councillor Moscoe, in amendment, moved that Council adopt the following recommendations:

“It is recommended that:

- (1)
  - (a) each Councillor be provided with a global budget of \$70,000.00 to cover office expenses, including communicating with constituents;
  - (b) Councillors be allocated sufficient funds within the General Council budget to cover the salaries and benefits for one (1) Executive Assistant, one (1) Constituency Assistant and one (1) Administrative Assistant;
  - (c) each Councillor be given the latitude to hire the equivalent of three (3) full-time staff from the following classifications: Executive Assistant, Constituency Assistant, Administrative Assistant and Clerical Assistant;
  - (d) on an interim basis, the salary range for the Executive Assistant and the Constituency Assistant be that of the Executive Assistant in the former Municipality of Metropolitan Toronto and the salary range for the Administrative Assistant and the Clerical Assistant be that of the Administrative Assistant and the Clerk Grade 3 position in the former Municipality of Metropolitan Toronto; and
  - (e) all permanent former ‘City’ or ‘Metro’ employees retain their permanent employment status and those earning in excess of the City-recommended salary ranges will have their salaries red-circled;
- (2) the question of the fourth assistant (clerical) for Members of Council be referred to the Special Committee recommended by the Mayor for further consideration;
- (3) Recommendation 13 of the final report of the Toronto Transition Team be amended to provide that:
  - (a) each Member of Council shall be entitled to an office wherever Council regularly meets;



- (b) Members of Council be entitled to an office wherever their respective Community Council meets; and
  - (c) Members of Council, within their office budget allocation, be permitted to establish a constituency office if they so desire;
- (4) Recommendation 11 of the final report of the Toronto Transition Team be adopted, and further that the question of salaries for Members of Council be reviewed by the Corporate Services Committee at its first meeting, with the premise that the salaries be pegged at the average salary of a Member of the Provincial legislature (including the work on Committees but excluding the salaries of Cabinet Ministers);
- (5) in addition, the Corporate Services Committee be requested to review the personal expense allowances of Members of the Ontario Legislature, in order to establish a reasonable expense allowance for Members of Council;
- (6) Recommendation 21 of the final report of the Toronto Transition Team be amended by adding thereto the following:
- ‘(a) Council establish a municipal boundary task force; and
  - (b) the terms of reference of the task force shall include:
    - (i) to review the present ward system and propose divisions for each ward;
    - (ii) to review the feasibility of adjusting the size and geographic boundaries of the communities that make up the new Toronto;
    - (iii) to hold public hearings as required; and
    - (iv) to report directly to Council no later than January 31, 1999.’;
- (7) the following motion be referred to the Special Committee for further consideration:
- ‘That Recommendation 29 of the final report of the Toronto Transition Team be amended to provide that Toronto should explore the possibility of the Toronto Ambulance Service evolving into the GTA ambulance agency, and in the interim, continue to offer to provide service to other GTA municipalities on a cost plus basis.’;

- (8) the first paragraph of Recommendation 70 of the final report of the Toronto Transition Team be amended by deleting the words 'all of', and that such paragraph, as amended, be referred to the Special Committee, viz.:
- 'Council should ensure that there is citizen representation on its Agencies, Boards and Commissions.';
- (9) Recommendation 75 of the final report of the Toronto Transition Team be voted on separately.

Councillor Moscoe, having spoken to the matter for a period of five minutes, Councillor Adams, seconded by Councillor Minnan-Wong, moved that Councillor Moscoe be granted a further period of five minutes in order to permit the conclusion of his remarks, which was carried, more than two-thirds of Members present having voted in the affirmative.

- (10) the following motion be referred to the Special Committee:
- 'That Recommendation 83 of the final report of the Toronto Transition Team be amended by deleting the first paragraph and inserting in lieu thereof the following:
- "Consideration should be given to expanding the membership of the Toronto Transit Commission to eleven members, one to be the Mayor or his designate" ';
- (11) the following motion be referred to the Special Committee:
- 'That Recommendation 86 of the final report of the Toronto Transition Team be amended by adding the sentence "Failing that, City Council, as a matter of policy, shall provide sustaining grants to all Toronto public theatres equivalent to their municipal property taxes, separate and apart from any other grants they may receive." ';
- (12) the following paragraph embodied in Recommendation 90 of the final report of the Toronto Transition Team be referred to the Urban Environment and Development Committee for consideration:
- 'City Council should invite the Province to jointly explore a co-ordinated approach to the management and marketing of the National Trade Centre and the Metro Toronto Convention Centre, including the possibility of having the private operation of both facilities carried out by one company.';
- (13) the following motion be referred to the Special Committee:
- 'That Recommendation 93 of the final report of the Toronto Transition Team be amended by adding at the end of the fourth paragraph, the following:

- “(1) Matters of parking policy shall remain with the City Council through the Urban Environment and Development Committee and the Community Councils; and
- (2) there shall be a formal process of consultation with the respective Councillors on local parking policy changes.”

Councillor Moscoe, having spoken to the matter for a period of ten minutes, Councillor Adams, seconded by Councillor Mihevc, moved that Councillor Moscoe be granted a further period of five minutes in order to permit the conclusion of his remarks, which was carried, more than two-thirds of Members present having voted in the affirmative.

- (14) that portion of Recommendation 96 of the final report of the Toronto Transition Team pertaining to the Toronto Licensing Commission, together with Recommendation 99 and the second portion of Recommendation 128, be referred to the Office of the Mayor for report thereon to the Special Committee;
- (15) the following motion be referred to the Special Committee:

“That the second paragraph embodied in Recommendation 103 of the final report of the Toronto Transition Team be amended by inserting the word “model” after the words “existing Toronto Arts Council”, so that such paragraph shall now read as follows:

“The Arts Council should be based on the existing Toronto Arts Council model and it should report to Council through the Community and Neighbourhood Services Committee.” ’

Councillor Moscoe, having spoken to the matter for a period of fifteen minutes, Councillor Adams, seconded by Councillor Mihevc, moved that Councillor Moscoe be granted a further period of five minutes in order to permit the conclusion of his remarks, which was carried, more than two-thirds of Members present having voted in the affirmative.

- (16) Recommendation 118 of the final report of the Toronto Transition Team be referred to the Special Committee, together with the following proposed amendment:

“That the second paragraph of Recommendation 118 be amended to read as follows:

“A review of sidewalk and snow-ploughing practices shall be undertaken. Whatever service has been supplied until now shall continue.” ’;

- (17) Recommendation 119 of the Toronto Transition Team be referred to the Special Committee;
- (18) the first two paragraphs of Recommendation 124 of the final report of the Toronto Transition Team be referred to the Community and Neighbourhood Services Committee; and
- (19) Recommendation 134 of the final report of the Toronto Transition Team be referred to the Urban Environment and Development Committee.”

Mayor Lastman designated Councillor Ootes to take the Chair for the next part of the meeting, and vacated the Chair.

- (c) Councillor King, in amendment, moved that the foregoing motion (a) by Mayor Lastman, seconded by Councillor Ootes, be amended by adding thereto the following:

“It is recommended that:

- (1) all proposed amendments be referred to the Special Committee;
- (2) the Special Committee be requested to submit a report to the meeting of Council to be held on February 4, 1998, on the location for regular meetings of Council; and
- (3) the Special Committee be requested to submit a report to Council, as soon as possible but no later than March 4, 1998, as to the roles and responsibilities of Community Councils.”

- (d) Councillor Layton, in amendment, moved that Council adopt the following recommendations:

“It is recommended that:

- (1) the draft Council Procedural By-law be amended:
  - (a) under Section XVII, headed ‘Committees of Council’
    - (i) by adding to Section 80 the words ‘co-ordinating the input, research, advice and programs of the Healthy City Office, located in the office of the Chief Administrative Officer, to ensure sustainability and healthy public policy’;

- (ii) by adding the following to subsection 86(1) to provide for seven (7) Standing Committees of Council:

‘(6) The Economic Development Committee; and  
(7) The Board of Health’;

- (iii) deleting from Section 87 the following responsibilities of the Urban Environment and Development Committee and transferring such responsibilities to the mandate of the Economic Development Committee:

‘The Toronto Zoo, Business Improvement Areas, Boards of Management, Exhibition Place, and Toronto Harbour Commissioners.’;

- (iv) adding thereto the following new section setting out the mandate of the Economic Development Committee:

‘The Economic Development Committee shall be responsible for developing policy and co-ordinating programs across the city which relate to economic development and job creation, including:

- (1) developing and recommending job creation strategies to Council;
- (2) monitoring trends in economic activity and reporting these to Council and the citizenry on a regular basis;
- (3) ensuring that public consultation on economic development initiatives is a frequent and effective part of the mandate of the City;
- (4) monitoring policies and programs of the other orders of government in Canada and abroad in order to establish Council policies which may be required as well as to identify opportunities; and
- (5) supervise the policies, programs and budgets of the major organizations owned or operated by the municipality which have a primary job-creation or economic development aspect, including: the Toronto Harbour Commissioners, the Toronto Zoo, Exhibition Place, the Economic Development Division of the

Civic Service, the Business Improvement Areas, and community economic development initiatives.’;

- (v) adding thereto the following new Section setting out the mandate of the Board of Health:

‘The Board of Health shall be responsible for all responsibilities assigned to it under Provincial Health legislation and shall report all such activities to Council. The Board shall also develop public health policy for the Council and recommend such initiatives as it deems to be in the interest of the health of the public and the communities of Toronto for consideration by Council and its administration, including:

- (1) the consideration of budgets of the Department of Public Health and the Animal Control Division;
- (2) the review of policies of the Department of Public Health; and
- (3) the consideration of the impact on public health of policies of governments or others and the development of appropriate recommendations.’;

- (vi) deleting from Section 98:

- (1) all references to the Second and Third Deputy Mayors and inserting in lieu thereof the words Speaker and Deputy Speaker of Council; and
- (2) deleting the words ‘Budget Chief’ and inserting in lieu thereof the words ‘Chair, Budget Committee’.

- (vii) deleting Section 99 and inserting in lieu thereof the following new Section 99:

Urban Environment and Development	9 Members
Works and Utilities	8 Members
Community and Neighbourhood Services	9 Members
Emergency and Protective Services	9 Members
Corporate Services	9 Members
Economic Development	8 Members
Board of Health	4 Members

The Mayor is an ex-officio member of all Committees. The Board of Health has 13 Members by Statute and consists of six interim citizen members (the former Chairs of the Boards in the Municipalities) and three representatives from the School Boards; and

- (viii) adding to Section 106, the words 'No Member may hold the same position as a Chair of a Standing Committee or Community Council for two successive 18 month terms.';
- (2) the joint report dated December 22, 1997, from the General Manager, Metropolitan Toronto Housing Company, and General Manager, City of Toronto Non-Profit Housing Corporation, headed 'Interim Boards of Directors for the Municipal Housing Companies; Appointment Process; and passing of Special Resolutions and Confirmation of By-laws', be adopted, and further that Recommendations 78 and 79, embodied in the final report of the Toronto Transition Team be adopted, as amended, by the aforementioned joint report; and
- (3) the Chair of the new Toronto Hydro-Electric Commission be a member of Council appointed by Council."
- (e) Councillor McConnell, in amendment, moved that the foregoing motion (a) by Mayor Lastman, seconded by Councillor Ootes, be amended to provide that:
  - (1) Council consider, at this meeting, the following issues:
    - (a) the seat of government;
    - (b) the role of Community Councils; and
    - (c) the number of Standing Committees;and that these items be prioritized and considered as the first items of business on Thursday's agenda; and
  - (2) the recommendations embodied in the submission from the Coalition of Concerned Councillors, entitled 'Final Report on Community Councils in the new City of Toronto', be adopted and the Council Procedural By-law be amended, as follows, to give effect thereto:

(Note: Where a recommendation calls for amending to text of an existing section in the Draft Procedural By-law, changes are indicated in *italics*.)

    - (a) section 54 be amended to read:

*“Except with respect to a report from a Community Council, upon the request of any Member, and when the Chair is satisfied that a matter under consideration contains distinct proposals, the vote upon each proposal shall be taken separately.”;*

- (b) inserting a new section into Part X, as follows:

*“Subject to subsection 95(9), whenever the report of any Community Council appears on the City Council Agenda and a Member requests that such report be the subject of questions or debate, or that distinct proposals within the report be considered separately, City Council shall immediately and without debate hold a vote on whether such questions, debate or separate consideration should take place; if a majority of the Members present vote against the motion, the report’s recommendations will be voted on in their entirety as a single package, without questions or debate, and adopted or defeated accordingly.”;*

- (c) amending section 85 to read as follows:

- “85 (1) It is the responsibility of the Standing Committees of Council to:
- (a) provide political direction, set priorities and ensure co-ordination among related policies, programs and services;
  - (b) provide a forum for public participation and for detailed discussion of the City’s decision-making *on matters of citywide significance*;
  - (c) make policy recommendations to Council and recommend citywide priorities within the Committee’s budget envelope;
  - (d) receive reports from the corporate administration on implementation of program and policy decisions within the Committee’s areas of responsibility; and
  - (e) promote accountability and interaction with City Council on the part of agencies, boards and commissions of the City, *except those*



*whose members are nominated or appointed  
by Community Councils.*

- (2) Each Standing Committee shall report to City Council.”;
- (d) amending section 87 by:
- (I) inserting the word “*citywide*” before the words “Official Plan” in subsection (1);
  - (ii) inserting the word “*citywide*” before the words “transportation policies” in subsection (2); and
  - (iii) deleting from subsections (3) and (5) the words “the Business Improvement Area boards of management” and “Committee of Adjustment, Property Standards Committee”;
- (e) amending the introductory portion of section 89 to read as follows:
- “89. the Community and Neighbourhood Services Committee shall be responsible for addressing, *in a citywide context*, the spectrum of issues that have an impact on the quality of life in communities and neighbourhoods such as social, health, housing recreational and cultural needs, *except where such issues fall within the purview of Community Councils in accordance with section 94. Issues for which the Committee is responsible shall include:*”
- (f) amending subsections 89(9) and (10) by deleting the words “the Boards of Management of Recreational Facilities”;
- (g) amending subsection 90(5) by adding the words “*except where such matters fall within the purview of Community Councils in accordance with section 94*”;
- (h) adding a new subsection to section 91:
- “Decisions on the acquisition, disposal and use of city buildings and property shall be made in consultation with the local Community Council.”;*
- (i) adding a new section 92 as follows:

92. (1) *It is the responsibility of the Community Councils to decide local issues and act as the City's direct link with residents and taxpayers at the Community level by:*
- (a) *listening to the community, resolving problems and acting as a forum for appeal on delegated decisions;*
  - (b) *implementing citywide policies by applying them to local issues;*
  - (c) *within the framework of citywide policies, developing local policies that respond to local needs;*
  - (d) *recommending municipal priorities for the Community, and ensuring co-ordination among all municipal policies, programs and services within the Community;*
  - (e) *receiving reports from the corporate administration on implementation of program and policy decisions within the Community Councils' areas of responsibility; and*
  - (f) *promoting accountability and interaction with City Council on the part of those Agencies, Boards and Commissions of the City whose members are nominated or appointed by Community Councils; and*
- (2) *Each Community Council shall report to City Council.*
- (j) COMBINE sections 92 and 93 to form a new section 93.
- (k) REVISE section 94 to read:
- “94. *Each Community Council shall be responsible for, within the part of the City of Toronto it represents:*
- (a) *holding statutory public hearings and meetings, making recommendations to City Council on development applications, the designation and*

- protection of historic buildings and sites and other Official Plan and zoning by-law matters, commissioning area planning studies and policies, delegating matters to staff under the Planning Act and, within the context of City Council's decisions on the need for them, determining the location of new municipal facilities including local services for youth, aged and homeless people, deciding on neighbourhood redevelopment and improvement programs, and initiating community economic development initiatives, all within their respective boundaries;*
- (b) *reviewing the delivery of municipal services within the community including the need for programs, hours of operation and locations; hearing public deputations and making recommendations to City Council on other neighbourhood matters requiring a municipal by-law or commitment of unbudgeted City funds, including exemptions to fence, sign, ravine, tree and noise by-laws, BIA streetscape improvement plans and other street furniture, traffic and parking regulations; and standards of cleanliness within the road allowance;*
- (c) *hearing and deciding appeals of staff decisions regarding construction-related permits; billings related to snow removal, cleaning and clearing of debris and cutting of weeds and long grass; encroachments on municipal property, requests to remove trees and damage caused by trees on municipal property; licensing of rooming houses, lotteries and bingos, pets, business and vending; installation of street banners and pennants; animal control issues;*
- (d) *making recommendations to City Council on lease agreements related to local assets including lands, buildings and sub-surface rights-of-way; alternative use or sale of municipal property; making municipal facilities available at below-market rates; use, obstructions and leasing of boulevards; sale of advertising space on City walls, bridges, vehicles, public squares and within the road allowance; night-time construction and other site-specific noise*

*activity by the City or its Agencies, Boards and Commissions; approval of events in City parks and other public or private outdoor sporting and cultural events;*

- (e) *involving citizens in neighbourhood issues, such as recreation needs and safety concerns, social and health-related needs, programs and policy issues affecting the local area, store-front services; reviewing, creating or terminating local special-purpose advisory committees or task forces; monitoring the well-being of local neighbourhoods and reporting to City Council on how well community needs are being met; co-ordinating volunteer efforts;*
  - (f) *nominating citizens as members of Business Improvement Area boards, community panels of the Committee of Adjustment, Architectural Advisory Committee and Property Standards Committee; appointing members to local recreational facility boards of management; evaluating the operations of such local boards and making recommendations on their structure;*
  - (g) *making recommendations to the Budget Committee and City Council on Community allocations and priorities in the operating and capital estimates; overseeing budget expenditures for local programs and services; re-allocating funds within the Community budget for local services, subject to limits established by City Council; recommending the budgets for those Agencies, Boards and Commissions of the City whose members they nominate or appoint; administering community grants; making submissions for grants, sponsorships or funding from other levels of government, foundations or the private sector; developing and clarifying local Community-based arts grants policies and criteria; and conducting community needs assessments.*
- (l) DELETE the existing sections 95 and 96;
  - (m) ADD a new section 95 as follows:

95. (1) *At the same time as it is circulated to Members of that Community Council, the agenda of every Community Council meeting shall be circulated to the Members of City Council representing wards adjoining the boundaries of the Community.*
- (2) *If any Member of City Council believes that a matter on the agenda of a adjoining Community Council will have a significant direct impact on his or her ward, the Member may submit a request in writing, in accordance with subsection (3), asking that the matter be treated as a boundary issue.*
- (3) *Any request submitted under subsection (2) must:*
- (a) *provide a written explanation of the anticipated impact; and*
  - (b) *reach the Clerk responsible for that Community Council not later than three days before the date of the meeting;*
- and the Clerk shall immediately provide copies to the Chair of that Community Council and to the Chair of the Community Council to which the Member belongs, and they shall jointly decide whether or not the matter is a boundary issue.*
- (4) *In the event that the Chairs of the Community Councils cannot agree on whether or not a matter is a boundary issue, a decision shall be made by the Mayor or another Member designated by the Mayor.*
- (5) *Whenever a request has been submitted under subsection (2) the matter shall not be considered by either of the Community Councils concerned until either:*
- (a) *a decision has been made in accordance with subsection (3) or subsection (4) that the matter is not a boundary issue; or*
  - (b) *the report of a joint working group convened in accordance with subsection (6) is available to be considered with the matter.*

- (6) *When it has been decided in accordance with subsection (3) or subsection (4) that a matter is a boundary issue, a joint working group shall immediately be appointed by the chairs of the Community Councils concerned, and shall include the Member who submitted the request together with the Members for the subject ward and such other persons as the Chairs may appoint.*
- (7) *A joint working group established in accordance with subsection (6) shall prepare a report with recommendations within six weeks.*
- (8) *At the earliest opportunity after the report referred to in subsection (7) is available, the matter and the report shall be placed on the agenda of a combined meeting of the Community Councils concerned, following which each Community Council shall vote on the matter.*
- (9) *If the votes of the Community Councils differ, the matter shall be sent directly to the next upcoming meeting of City Council for resolution, and (new section in Part X) shall not apply.*
- (n) AMEND section 100 to read:
100. The Budget Committee shall be composed of twelve (12) Members of Council including the Budget Chief, a representative from each of the Standing Committees, *and a representative of each Community Council who may be the Chair or such other Member as the Community Council may appoint.*
- (o) AMEND section 107 by:
- (a) renumbering subsections (3) and (4) as (4) and (5) respectively;
- (b) changing “(3)” in subsections (1) and (2) to “(4)”; and
- (c) adding the following new subsection:
- (3) *A sub-committee of a Community Council, consisting of members of the Community Council only, may also*

*be established by a Community Council in accordance with subsection (4).”*

Council deferred further consideration of the foregoing matter until later in the meeting. (See Minute No. 32.)

- 31 At this point in the proceedings, Councillor O’Brien, with the permission of Council, moved that Council vary the order of its proceedings in order to introduce the following Notice of Motion, which was carried:

**Moved by: Councillor O’Brien**

**Seconded by: Councillor Layton**

“**WHEREAS** it is necessary to establish the interim authority of officials employed in the Clerk’s Department in the civic service areas to sign documents and affix the Corporate seal, when necessary to perform the duties of the municipal clerk;

**NOW THEREFORE BE IT RESOLVED THAT** consideration be given to the report dated January 5, 1998, from the City Clerk of Toronto, entitled ‘Authority to Affix Corporate Seal’.”

Upon the question of the adoption of the foregoing Motion, without amendment, and that Council now give consideration to the aforementioned report dated January 5, 1998, from the City Clerk of Toronto, entitled “Authority to Affix Corporate Seal”, it was carried, more than two-thirds of Members present having voted in the affirmative.

In accordance with the adoption of the foregoing Motion, Council had before it a report dated January 5, 1998, from the City Clerk, entitled “Authority to Affix Corporate Seal”. (See Attachment No. 8)

Upon the question of the adoption of the report dated January 5, 1998, from the City Clerk, without amendment, it was carried.

- 32 Council resumed its consideration of the final report of the Toronto Transition Team, the draft Council Procedural By-law and reports and communications related thereto. (See also Minutes Nos. 23 and 30.)

At this point in the proceedings, Councillor O’Brien, with the permission of Council, moved that Council vary the order of its proceedings in order to permit Council to now vote on Part (1) of the foregoing motion (b) by Councillor Moscoe, viz.:

“that Council adopt the following recommendations:

‘It is recommended that:

- (1) (a) each Councillor be provided with a global budget of \$70,000.00 to cover office expenses, including communicating with constituents;
- (b) Councillors be allocated sufficient funds within the General Council budget to cover the salaries and benefits for one (1) Executive Assistant, one (1) Constituency Assistant and one (1) Administrative Assistant;
- (c) each Councillor be given the latitude to hire the equivalent of three (3) full-time staff from the following classifications: Executive Assistant, Constituency Assistant, Administrative Assistant and Clerical Assistant;
- (d) on an interim basis, the salary range for the Executive Assistant and the Constituency Assistant be that of the Executive Assistant in the former Municipality of Metropolitan Toronto and the salary range for the Administrative Assistant and the Clerical Assistant be that of the Administrative Assistant and the Clerk Grade 3 position in the former Municipality of Metropolitan Toronto; and
- (e) all permanent former "City" or "Metro" employees retain their permanent employment status and those earning in excess of the City-recommended salary ranges will have their salaries red-circled.' "

the vote upon which was taken as follows:

Yeas: Councillors: Adams, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Disero, Duguid, Feldman, Fillion, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 47.

Nays: Councillors: Chow, Davis, Flint, Holyday - 4.

Decided in the affirmative, more than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of Part (1) of the foregoing motion (b) by Councillor Moscoe, without amendment, the vote was taken as follows:



Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Fillion, Fotinos, Gardner, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 45.

Nays: Councillors: Davis, Flint, Giansante, Holyday, Lindsay Luby, Minnan-Wong - 6.

Decided in affirmative by a majority of 39.

Mayor Lastman resumed the Chair.

(f) Councillor Walker, in amendment, moved that Council adopt the following recommendations:

“It is recommended that the draft Procedural By-law be amended by:

- (1) deleting Section 95; and
- (2) amending Section 107 by:
  - (a) renumbering subsection (3) to subsection (4);
  - (b) renumbering subsection (4) to subsection (5);
  - (c) adding a new subsection (3) to read as follows:

‘(3) A Sub-Committee of a Community Council consisting of Members of the Community Council and citizens may be established, when deemed appropriate in accordance with Subsection (4)’; and
  - (d) deleting from subsections (1) and (2) the words ‘in accordance with subsection (3)’ and inserting in lieu thereof the words ‘in accordance with subsection (4)’.”

Council deferred further consideration of the foregoing matter until later in the meeting. (See Minute No. 38.)

33 Councillor O'Brien, seconded by Councillor Feldman, moved that leave be granted to introduce:

“Bill No. 14 To provide interim authority for certain officials employed in the office of the Clerk to sign documents and affix the corporate seal on behalf of the City of Toronto.”,

which was carried.

Upon the question, “Shall this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law?”, as follows:

“By-law No. 14-1998 To provide interim authority for certain officials employed in the office of the Clerk to sign documents and affix the corporate seal on behalf of the City of Toronto.”,

it was carried.

34 Councillor Johnston, seconded by Councillor Sinclair, moved that leave be granted to introduce:

“Bill No. 15 To confirm the second portion of the proceedings of the Council at its Inaugural Meeting held on the 6th day of January, 1998.”

which was carried.

Upon the question, “Shall this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law?”, as follows:

“By-law No. 15-1998 To confirm the second portion of the proceedings of the Council at its Inaugural Meeting held on the 6th day of January, 1998.”

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas, Walker - 54.

Nay: Councillor: Jones - 1.

Decided in the affirmative by a majority of 53.

Council recessed at 5:28 p.m., to reconvene at 9:30 a.m. on Thursday, January 8, 1998.

**THURSDAY, JANUARY 8, 1998, 9:41 A.M.**

Council reconvened.

Mayor Lastman took the Chair and called the Members to order.

35 Members present at the morning session of the third day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 57.

36 At this point in the proceedings, and with the permission of Council, Councillor Walker, seconded by Councillor Johnston, moved that:

**“BE IT RESOLVED THAT** City Council record in its Minutes, an expression of sorrow felt by the Members on the passing of Ray Gardner, the husband of former Metropolitan Toronto and City of Toronto Councillor Kay Gardner, and a noted journalist:

A respected editor and outstanding reporter, and a strong believer in the power of trade unions to help better the cause of the working person, Ray Gardner was born in Victoria, British Columbia.

As a young man, he moved to Vancouver, and helped start a local of the Newspaper Guild at the now-defunct Vancouver News Herald. In 1947, after stints at all three of that city's daily newspapers, he received the prestigious Kemsley Scholarship, then awarded annually, to the most 'outstanding young newspaperman in Canada'. As a result, Mr. Gardner, spent 14 months in the United Kingdom and Europe, reporting on British and European culture and also interviewing Britain's then-Prime Minister, Clement Atlee.

After returning to Canada, Ray Gardner worked as a freelancer for a number of periodicals, including Maclean's, Liberty and Reader's Digest.

In 1961, he joined the Toronto Star organization, and he remained a Star employee until he retired in 1986. He began his work with the Paper as its West Coast editor, and later filled a variety of positions, including editor of

the weekly magazine supplement, Star Weekly, and assistant managing editor of the daily newspaper.

The Star appointed him as its readers' representative at the Paper, its ombudsman, in 1982, and he remained in that post until his retirement in 1986. In his final years as ombudsman, he insisted on representing the newspaper's readers. 'The paper is big and powerful', he said at the time. 'It can look after itself. I intend to be for the people.'

Since his retirement, Mr. Gardner had been active in politics, supporting his wife in her campaigns, and helping out in the day-to-day business of her office."

The foregoing Motion was carried unanimously.

Council rose and observed a moment of silence in memory of the late Mr. Gardner.

- 37 At this point in the proceedings, Councillor O'Brien, rising on a point of personal privilege, moved that Council adopt the following recommendation:

"It is recommended that, with respect to the brochure, entitled 'Our City Toronto, January 1998', which was sent out to constituents across the new City of Toronto, the Message from the Mayor on Page 1 be corrected to reflect that the west boundary of the City of Toronto is Etobicoke Creek, rather than Highway 427, and that the appropriate staff be requested to ensure that this correction is communicated to the citizens."

Upon the question of the adoption of the foregoing motion by Councillor O'Brien, it was carried.

- 38 Council resumed its consideration of the final report of the Toronto Transition Team, the draft Procedural By-law and reports and communications related thereto. (See also Minutes Nos. 23, 30 and 32.)

- (g) Councillor Holyday, in amendment, moved that Council adopt the following recommendation:

"It is recommended that:

- (1) Recommendation 11 of the final report of the Toronto Transition Team be amended to provide that, until the matter of salaries for Members of Council and tax-free portions has been resolved, the salaries for Councillors be set at \$64,505.13, one-third tax free, as it was for the former Metropolitan Councillors; and, further, that the Mayor's salary also remain the same as the former Metropolitan Chairman; and

- (2) Recommendation No. 22 of the final Report of the Toronto Transition Team be amended so that the municipal ward boundaries are changed to reflect the Federal and Provincial boundaries.”

(h) Councillor Mihevc, in amendment, moved that:

- (1) the foregoing motion (a) by Mayor Lastman, seconded by Councillor Ootes, be amended to provide that the Special Committee report directly to City Council; and

- (2) Council adopt the following recommendations:

“It is recommended that:

- (a) Recommendation 105 of the final report of the Toronto Transition Team be amended to provide that where Agencies, Boards and Commissions are geographically defined as serving a particular neighbourhood or area of the City, the Community Councils appoint the Councillor and citizen members;

- (b) the Procedural By-law be amended to provide that the Nominating Committee be composed of one representative from each Community Council; and, further, that only Members who are not Chairs of Standing Committees or Community Councils are eligible to be Members of the Nominating Committee; and

- (c) the following recommendation be referred to the Special Committee:

‘That the Chairs of the Standing Committees be selected by the Members of the Standing Committees; and, further, that Chairs of Standing Committees and Community Councils be eligible to serve as Chairs only once during a three-year term.’ ”

(i) Councillor Chow, in amendment, moved that Council adopt the following recommendation:

“It is recommended that the foregoing motion (a) by Mayor Lastman, seconded by Councillor Ootes, be amended to provide that a new Standing Committee, named the Economic Development Committee, be established and the composition of the Economic Development Committee be referred to the Striking Committee for an immediate report thereon to Council respecting its membership.”

(j) Councillor Bossons, in amendment, moved that Council adopt the following recommendation:

“It is recommended that Section 106(1) of the draft Procedural By-law be amended so that the appointment period for membership on the Standing Committees is for 12 months instead of 18 months.”

- (k) Councillor Minnan-Wong, in amendment, moved that Council adopt the following recommendations:

“It is recommended that:

- (1) no action be taken on the hiring of Executive Commissioners; and that Recommendations 44 and 45 in the final report of the Toronto Transition Team be referred to the Special Committee; and
- (2) in the event City Council cannot achieve a zero percent tax increase, Members of Council receive a penalty of ten percent in their own salaries.”

- (l) Councillor Lindsay Luby, in amendment, moved that Council adopt the following recommendations:

“It is recommended that:

- (1) Part (2) of the foregoing motion (c) by Councillor King be amended to provide that, until such time as the Special Committee reports back on the location for regular meetings of Council, the meetings of Council be alternated between City Hall and Metro Hall; and
- (2) the Council Procedural By-law be amended to provide that:
  - (a) the Standing Committee memberships be rotated annually; and
  - (b) the Chairs of the Standing Committees be appointed by the Standing Committees.”

- (m) Councillor Adams, in amendment, moved that Council adopt the following recommendations:

“It is recommended that:

- (1) Recommendation 110 of the final report of the Toronto Transition Team not be adopted on an interim basis but be referred to the Special Committee for consideration; and that the Chief Financial Officer & Treasurer and the Interim City Solicitor be requested to submit a joint report to the Special Committee on the implications for the new City with regard to such recommendation; and

- (2) the Special Committee be requested to consider the provision of assistance to Councillors' offices in the event of extended disability or sickness of office staff and other related matters, including severance allowances."
- (n) Councillor Miller, in amendment, moved that Council adopt the following recommendations:
- "It is recommended that:
- (1) the foregoing motion (a) by Mayor Lastman, seconded by Councillor Ootes, be amended by deleting from the first Operative Paragraph the words 'in four months' and inserting in lieu thereof the words 'scheduled to be held in the first week of May and on to Council for its meeting to be held in the second week of May';
  - (2) the Chief Administrative Officer and the City Clerk be requested to submit a report to the first meeting of the Special Committee outlining a suggested workplan and identifying priorities and implementation issues that require early resolution;
  - (3) the City Solicitor be requested to submit a report to the Special Committee on legal issues, if any, raised by Bill 103 and the final report of the Toronto Transition Team;
  - (4) the Chief Administrative Officer be requested to submit a report to the Special Committee on the administrative structure of the new City, such report to identify other possible options for the administrative structure;
  - (5) the Chief Administrative Officer be requested to submit a report to the Special Committee on Recommendation 66 of the final report of the Toronto Transition Team, and the possibility of enabling citizens to make routine applications for permits, etc., in their neighbourhoods, at libraries, community centres or other existing facilities by electronic means; and
  - (6) an Economic Development Committee be established and the development of terms of reference for such Committee be referred to the Special Committee."
- (o) Councillor Ootes, in amendment, moved that Part (2) of the foregoing motion (c) by Councillor King be amended to provide that, until such time as the Special Committee reports back to Council on a permanent location for regular meetings of Council, such meetings be held at Metro Hall.
- (p) Councillor Jones, in amendment, moved that:

- (i) the foregoing motion (a) by Mayor Lastman, seconded by Councillor Ootes, be amended to provide that the report dated January 7, 1998, from the Acting Secretary, Interim Board of Health, embodying the following recommendations, be adopted:

“The Interim Board of Health recommends to Council that:

- (1) the Board of Health report directly to City Council;
- (2) Section 97 of Council’s draft Procedural By-law be amended to include the Chair of the Board of Health as a member of the Strategic Policies and Priorities Committee;
- (3) the Board of Health for the City of Toronto Health Unit be composed of 13 members. The 13 members of the Board shall consist of:
  - (a) seven (7) Members of Council; and
  - (b) six (6) citizen members. One from each of the former municipalities to be recommended by the Community Councils (each Community Council to recommend one (1) citizen appointee);
- (4) the Chair of the Interim Board of Health, Councillor John Filion, be one of the Council representatives appointed to the Toronto Board of Health; and
- (5) Council seek a legislative change to increase the members for the Toronto Board of Health from a maximum of 13 to a maximum of 15 to allow for representatives from the Public and Separate School Boards.”; and

- (ii) the following motion be referred to the Special Committee:

“That City Council adopt the following recommendations:

‘It is recommended that:

- (a) the draft Procedural By-law be amended:
  - (i) by deleting all references to the Nominating Committee and expanding the mandate of the Community Councils to include the duties and responsibilities of the Nominating Committee;



- (ii) to provide that the position of Budget Chief be deleted and that City Council be divided into Budget Committees, each Committee to be delegated a certain portion of the Corporate Operating Budget and be responsible for:
    - (1) electing its own Chair; and
    - (2) submitting recommendations to City Council, through the Strategic Priorities and Planning Committee, on its portion of the overall Corporate Operating Budget;
  - (iii) by deleting from the lead-in phrase to Section 103 the words “by the Mayor” and inserting in lieu thereof the words “by Council”, so that such lead-in phrase shall now read as follows:

“103. A Striking Committee composed of up to seven (7) Members of Council appointed by Council, and including the Mayor as Chair, shall:”;
  - (iv) to provide that the Chair of a Standing Committee shall not be permitted to hold the position of Chair for more than one 18-month period during the term of Council; and
  - (v) to provide that the Members of a Standing Committee shall not be appointed to the same Standing Committee at the conclusion of the first 18-month period, during the term of Council, in order to provide an opportunity for all Members of Council to serve on different Standing Committees;
- (b) the draft Procedural By-law be implemented for a period of six months and the Corporate Services Committee be requested to convene a special meeting to hear deputations from the public in regard to the draft Procedural By-law and report thereon to Council in June, 1998; and
  - (c) no additional honoraria or stipends be provided for Members of Council who are appointed to act either as Chairs or Members of Agencies, Boards and Commissions.’ ”

At this point in the proceedings, Councillor Prue, with the permission of Council, moved that the vote be now taken, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Berger, Brown, Chong, Disero, Duguid, Fotinos, Jakobek, Kelly, King, Korwin-Kuczynski, Mahood, Nunziata, Prue, Sgro, Tzekas - 16.

Nays: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chow, Davis, Faubert, Feldman, Fillion, Flint, Giansante, Holyday, Johnston, Jones, Kinahan, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, O'Brien, Ootes, Pantalone, Rae, Saundercook, Shaw, Silva, Sinclair, Walker - 38.

Decided in the negative by a majority of 22.

(q) Councillor Balkissoon, in amendment, moved that Council adopt the following recommendation:

“It is recommended that the Special Committee be requested to consider Recommendation 8 of the final report of the Toronto Transition Team regarding the Community and Neighbourhood Services Committee and its key functional areas, insofar as they pertain to Parks and Recreation, the Culture Office, the Agencies, Boards and Commissions of the Toronto Public Library Board, the Toronto Arts Council, the Toronto Historical Board, the Boards of Management of Recreational Facilities, the Hummingbird Centre for the Performing Arts, the St. Lawrence Centre for the Performing Arts and the Ford Centre, in that these major services of the City may be more effectively delivered by having their own Standing Committee.”

(r) Councillor Li Preti, in amendment, moved that Council adopt the following recommendation:

“It is recommended that the Chief Administrative Officer be requested to submit reports to the Special Committee on three options, with advantages and disadvantages and cost factors involved in choosing the seat of government, and that these options, together with the recommendations of the Special Committee, be reported to Council in three months; and that all Members of Council be invited to attend the meeting of the Special Committee at which this issue will be discussed.”

(s) Councillor Davis, in amendment, moved that the foregoing motion (g) by Councillor Holyday be amended by adding thereto the following words:

“and further that City Council appoint a Blue Ribbon Panel of six ratepayers, representing each of the former Area Municipalities, the membership of which shall be determined by the Corporate Services Committee, and that the sole responsibility of the Panel be to make recommendations to Council, through the Corporate Services Committee, regarding remuneration for the Mayor and Members of Council.”

- (t) Councillor Kinahan, in amendment, moved that Council adopt the following recommendation:

“It is recommended that all references to ‘Budget Chief’ in the recommendations of the final report of the Toronto Transition Team and any motions adopted or referred by Council be changed to ‘Budget Chair’.”

- (u) Councillor Brown, in amendment, moved that the foregoing motion (a) by Mayor Lastman, seconded by Councillor Ootes, be amended by deleting from the second Operative Paragraph, the name “Councillor Elizabeth Brown” and inserting in lieu thereof, the name “Councillor Gloria Lindsay Luby”.

- (v) Councillor Shiner, in amendment, moved that Council adopt the following recommendation:

“It is recommended that, on an interim basis, Metro Hall be renamed ‘Toronto City Place’.”

- (w) Councillor Fillion, in amendment, moved that Council adopt the following recommendation:

“It is recommended that the Chief Administrative Officer be requested to submit reports to the Special Committee on a preferred organizational structure for the senior staff, such report to be submitted as soon as possible.”

- (x) With the permission of Council, Councillor Moscoe, in amendment, moved that Council adopt the following recommendations:

“It is recommended that:

- (1) the draft Council Procedural By-law be amended by:

- (a) deleting the words in Section 82(c) and inserting in lieu thereof the words ‘making recommendations to Council on revenue and expenditure issues, through the Strategic Policies and Priorities Committee’;
- (b) deleting the word ‘Strategic’ from the name of the Strategic Policies and Priorities Committee, mutatis mutandis;

- (c) including a definition for the word 'Strategic' in the Procedural By-law; and
  - (d) adding to the end of Section 1(m)(ii), the words 'save and except the ex-officio powers of the Mayor as a Member of a Community Council'; and
- (2) the following motion be referred to the Special Committee for consideration and report thereon to Council:

**'WHEREAS** the amalgamation of the seven municipalities within Metropolitan Toronto has been accomplished with haste and with little forward planning. Among the literally thousands of decisions that will have to be made is where the seat of government will rest. This matter will have to be resolved quickly. For the moment, (based on the recommendations of the Toronto Transition Team), Councillors who are presently located in Metro Hall or Toronto City Hall retained their offices, and for others, lots have been drawn to determine their locations in either Metro Hall or Toronto City Hall; and

**WHEREAS** the first meeting of the new Toronto Council will be held at Toronto City Hall and subsequent meetings will take place at Metro Hall; and

**WHEREAS**, notwithstanding the differences of opinion that abound amongst the newly-elected Members, two basic principles of consensus seem to be emerging:

- (1) it is generally felt that it would be beneficial to have the offices for all Councillors within the same location; and
- (2) there seems to be a feeling among many Councillors that Council offices ought to be where meetings take place; and

**WHEREAS** many Councillors feel that Toronto City Hall would be the preferred location for the seat of government. It is a location that has traditionally been recognized as the centre of municipal government. The "Toronto City Hall" image is a symbol that has a status that goes well beyond the old City of Toronto; and

**WHEREAS** there is a strong feeling, however, that Toronto City Hall cannot adequately accommodate all Members of Council conveniently and comfortably and that the facilities offered by Metro Hall, which is a modern, efficient building, can be more easily and economically retrofitted to accommodate a Council of 57 Members; and

**WHEREAS** I would urge Members of Council not to make the decision with the same haste as the Harris government has made most of its recent legislative changes; and

**WHEREAS** I propose that the ultimate seat of government be a complex that includes Toronto City Hall, (renovated), Nathan Phillips Square, a restored old City Hall and office space constructed as required on lands presently owned by the City of Toronto adjacent to City Hall. It is essential, however, that this complex be properly planned and co-ordinated to ensure that this seat of government is one that properly reflects the importance of a city of 2 1/4 million people; and

**WHEREAS** I propose that in the interim, offices be provided in Metro Hall for all Councillors and that Metro Hall become the provisional seat of government for the new City of Toronto until the city centre complex becomes available, that staff be directed to review the need for accommodating staff and Council and that we aim to move into the Toronto Centre Municipal Complex following the next election;

**NOW THEREFORE BE IT RESOLVED THAT** Metropolitan Council recommend to the new City of Toronto Council that Metro Hall be the provisional seat of government until an appropriate City Centre Complex can be planned and developed;

**AND BE IT FURTHER RESOLVED THAT** plans for a city centre complex be developed by staff and that such plans include:

- (1) renovation of the present Toronto City Hall to accommodate the new Toronto government;
- (2) restoration of old City Hall, (1899), to its original grandeur, (now owned by Metro and leased to the Province, lease expires 1998);
- (3) the construction or lease of office space behind Toronto City Hall as required, (land presently owned by the City of Toronto);
- (4) the redevelopment of Bay Street, north of Queen as part of the City Centre Complex; and
- (5) underground connections to tie the buildings together;

**AND BE IT FURTHER RESOLVED THAT** staff establish as an objective to have these facilities ready for full use for the next term of Council.' ”

- (y) Councillor Fotinos, in amendment, moved that:

- (1) Part (6) of the foregoing motion (n) by Councillor Miller be amended by adding thereto the words “and, as part of the review of the Terms of Reference, consider the merits of including urban planning as a responsibility of such Committee”; and
- (2) Council adopt the following recommendation:
- “It is recommended that Recommendation 21 of the final report of the Toronto Transition Team pertaining to one Councillor per ward representation be referred to the Urban Environment and Development Committee and circulated to the Community Councils for consideration and report thereon to Council no later than Wednesday, March 4, 1998.”
- (z) Councillor Flint, in amendment, moved that Part (4) of the foregoing motion (b) by Councillor Moscoe be amended to provide that the salary paid to Members of Council be no higher than \$79,500.00 and that this sum not include any tax-free component; and, further that if Provincial legislation precludes this, then the sum be lowered accordingly.
- (aa) Councillor Gardner, in amendment, moved that Council adopt the following recommendation:
- “It is recommended that the report dated December 29, 1997, from the Chair, Parking Authority of Toronto, and the Chair, Parking Authority of North York, headed ‘Enabling By-law for the Toronto Parking Authority’, be adopted.”

Council deferred further consideration of the foregoing matter until later in the meeting. (See Minute No. 41.)

At this point in the proceedings, Councillor King, seconded by Councillor Davis, moved that Council waive the requirement of the 12:30 p.m. recess, in order to conclude the voting on the foregoing matter, the vote upon which was taken as follows:

- Yeas: Mayor: Lastman.  
Councillors: Adams, Ashton, Balkissoon, Berardinetti, Berger, Brown, Chong, Davis, Disero, Feldman, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, McConnell, Miller, Minnan-Wong, Moeser, Nunziata, O’Brien, Ootes, Prue, Sgro, Shaw, Shiner - 33.
- Nays: Councillors: Altobello, Augimeri, Bussin, Cho, Chow, Duguid, Faubert, Filion, Flint, Jones, Kelly, Kinahan, Layton, Mammoliti, Mihevc, Moscoe, Rae, Silva, Sinclair, Walker - 20.

Decided in the negative, less than two-thirds of Members present having voted in the affirmative.

Council recessed at 12:27 p.m.

**2:12 P.M.**

Council reconvened.

Mayor Lastman took the Chair and called the Members to order.

- 39 At the request of Council, the City Clerk called the Roll at 2:14 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair - 52.

- 40 Members present at the afternoon session of the third day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 57.

- 41 Council resumed its consideration of the final report of the Toronto Transition Team, the draft Procedural By-law and reports and communications related thereto. (See also Minutes Nos. 23, 30, 32 and 38.)

Upon the question of the adoption of Part (1) of the foregoing motion (e) by Councillor McConnell, viz.:

“that:

- (1) Council consider, at this meeting, the following issues:

- (a) the seat of government;
- (b) the role of Community Councils; and
- (c) the number of Standing Committees;

and that these items be prioritized and considered as the first items of business on Thursday's agenda;"

the vote was taken as follows:

Yeas: Councillors: Adams, Augimeri, Bossons, Bussin, Chow, Faubert, Filion, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Mammoliti, McConnell, Mihevc, Pantalone, Prue, Rae, Saundercook, Silva, Sinclair, Tzekas, Walker - 23.

Nays: Mayor: Lastman.  
Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Berger, Brown, Cho, Chong, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, King, Lindsay Luby, Li Preti, Mahood, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Sgro, Shaw, Shiner - 34.

Decided in the negative by a majority of 12.

Upon the question of the adoption of the foregoing motion (o) by Councillor Ootes, viz.:

"that Part (2) of the foregoing motion (c) by Councillor King be amended to provide that, until such time as the Special Committee reports back to Council on a permanent location for regular meetings of Council, such meetings be held at Metro Hall."

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Cho, Chong, Davis, Duguid, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, King, Mahood, Mammoliti, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Saundercook, Sgro, Shiner - 31.

Nays: Councillors: Adams, Ashton, Bossons, Brown, Bussin, Chow, Disero, Faubert, Feldman, Filion, Flint, Jakobek, Korwin-Kuczynski, Layton, Lindsay



Luby, Li Preti, McConnell, Mihevc, Miller, Minnan-Wong, Rae, Shaw, Silva, Sinclair, Tzekas, Walker - 26.

Decided in the affirmative by a majority of 5.

At this point in the proceedings, the Mayor, having regard to the foregoing decision of Council, declared Part (1) of the foregoing motion (1) by Councillor Lindsay Luby, redundant, viz.:

“that:

- (1) Part (2) of the foregoing motion (c) by Councillor King be amended to provide that, until such time as the Special Committee reports back on the location for regular meetings of Council, the meetings of Council be alternated between City Hall and Metro Hall;”.

At this point in the proceedings, the Mayor, having regard to the nature of Part (1) of the foregoing motion (c) by Councillor King, declared such Part redundant, viz.:

“that the foregoing motion (a) by Mayor Lastman, seconded by Councillor Ootes, be amended by adding thereto the following:

‘That:

- (1) all proposed amendments be referred to the Special Committee;’.”

Upon the question of the adoption of Parts (2) and (3) of the foregoing motion (c) by Councillor King, as amended, viz.:

“that the foregoing motion (a) by Mayor Lastman, seconded by Councillor Ootes, be amended by adding thereto the following:

‘That:

- (2) the Special Committee be requested to submit a report to the meeting of Council to be held on February 4, 1998, on the location for regular meetings of Council, and until such time as the Special Committee reports back to Council on a permanent location for regular meetings of Council, such meetings be held at Metro Hall; and
- (3) the Special Committee be requested to submit a report to Council, as soon as possible but no later than March 4, 1998, as to the roles and responsibilities of Community Councils.’ ”

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Gardner, Giansante, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 54.

Nays: Councillors: Augimeri, Filion, Holyday - 3.

Decided in the affirmative by a majority of 51.

Upon the question of the adoption of the foregoing motion (w) by Councillor Filion, viz.:

“that Council adopt the following recommendation:

‘It is recommended that the Chief Administrative Officer be requested to submit reports to the Special Committee on a preferred organizational structure for the senior staff, such report to be submitted as soon as possible.’ ”,

it was carried.

Upon the question of the adoption of Part (1) of the foregoing motion (y) by Councillor Fotinos, viz.:

“that:

- (1) Part (6) of the foregoing motion (n) by Councillor Miller be amended by adding thereto the words ‘and, as part of the review of the Terms of Reference, consider the merits of including urban planning as a responsibility of such Committee’;”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Cho, Davis, Disero, Duguid, Faubert, Fotinos, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Nunziata, Ootes, Prue, Saundercook, Silva, Sinclair, Tzekas, Walker - 36.

Nays: Councillors: Augimeri, Bossons, Brown, Bussin, Chong, Chow, Feldman, Fillion, Flint, Gardner, Kinahan, Layton, Miller, Moeser, Moscoe, O'Brien, Pantalone, Rae, Sgro, Shaw, Shiner - 21.

Decided in the affirmative by a majority of 15.

Upon the question of the adoption of the foregoing motion (i) by Councillor Chow, viz.:

“that the foregoing motion (a) by Mayor Lastman, seconded by Councillor Ootes, be amended to provide that a new Standing Committee, named the Economic Development Committee, be established and the composition of the Economic Development Committee be referred to the Striking Committee for an immediate report thereon to Council respecting its membership.”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Silva, Sinclair, Tzekas, Walker - 53.

Nays: Mayor: Lastman.  
Councillors: Moeser, Shaw, Shiner - 4.

Decided in the affirmative by a majority of 49.

Upon the question of the adoption of the foregoing motion (n) by Councillor Miller, as amended, viz.:

“that Council adopt the following recommendations:

‘It is recommended that:

- (1) the foregoing motion (a) by Mayor Lastman, seconded by Councillor Ootes, be amended by deleting from the first Operative Paragraph the words “in four months” and inserting in lieu thereof the words “scheduled to be held in the first week of May and on to Council for its meeting to be held in the second week of May”;
- (2) the Chief Administrative Officer and the City Clerk be requested to submit a report to the first meeting of the Special Committee

outlining a suggested workplan and identifying priorities and implementation issues that require early resolution;

- (3) the City Solicitor be requested to submit a report to the Special Committee on legal issues, if any, raised by Bill 103 and the final report of the Toronto Transition Team;
- (4) the Chief Administrative Officer be requested to submit a report to the Special Committee on the administrative structure of the new City, such report to identify other possible options for the administrative structure;
- (5) the Chief Administrative Officer be requested to submit a report to the Special Committee on Recommendation 66 of the final report of the Toronto Transition Team, and the possibility of enabling citizens to make routine applications for permits, etc., in their neighbourhoods, at libraries, community centres or other existing facilities by electronic means;
- (6) an Economic Development Committee be established, and the Special Committee be requested to develop Terms of Reference for the Economic Development Committee, and, as part of the review of the Terms of Reference, consider the merits of including urban planning as a responsibility of such Committee;’ ”,

it was carried.

Upon the question of the adoption of the foregoing motion (r) by Councillor Li Preti, viz.:

“that Council adopt the following recommendation:

‘It is recommended that the Chief Administrative Officer be requested to submit reports to the Special Committee on three options, with advantages and disadvantages and cost factors involved in choosing the seat of government, and that these options, together with the recommendations of the Special Committee, be reported to Council in three months; and that all Members of Council be invited to attend the meeting of the Special Committee at which this issue will be discussed.’ ”,

it was carried.

Upon the question of the adoption of Part (1) of the foregoing motion (h) by Councillor Mihevc, viz.:

“that:

- (1) the foregoing motion (a) by Mayor Lastman, seconded by Councillor Ootes, be amended to provide that the Special Committee report directly to City Council;”,

it was carried.

Upon the question of the adoption of the foregoing motion (u) by Councillor Brown, viz.:

“that the foregoing motion (a) by Mayor Lastman, seconded by Councillor Ootes, be amended by deleting from the second Operative Paragraph, the name ‘Councillor Elizabeth Brown’ and inserting in lieu thereof, the name ‘Councillor Gloria Lindsay Luby’.”,

it was carried.

Upon the question of the adoption of Part (3) of the foregoing motion (b) by Councillor Moscoe, viz.:

“that:

- (3) Recommendation 13 of the final report of the Toronto Transition Team be amended to provide that:
- (a) each Member of Council shall be entitled to an office wherever Council regularly meets;
  - (b) Members of Council be entitled to an office wherever their respective Community Council meets; and
  - (c) Members of Council, within their office budget allocation, be permitted to establish a constituency office if they so desire;”,

it was carried.

Upon the question of the adoption of the foregoing motion (t) by Councillor Kinahan, viz.:

“that Council adopt the following recommendation:

‘It is recommended that all references to “Budget Chief” in the recommendations of the final report of the Toronto Transition Team and any motions adopted or referred by Council be changed to “Budget Chair”.’ ”,

it was carried.

Upon the question of the adoption of Part (14) of the foregoing motion (b) by Councillor Moscoe, viz.:

“that:

- (14) that portion of Recommendation 96 of the final report of the Toronto Transition Team pertaining to the Toronto Licensing Commission, together with Recommendation 99 and the second portion of Recommendation 128, be referred to the Office of the Mayor for report thereon to the Special Committee;”

it was carried.

Upon the question of the adoption of Part (2) of the foregoing motion (y) by Councillor Fotinos, insofar as it pertains to the words “no later than Wednesday, March 4, 1998”, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Ashton, Augimeri, Balkissoon, Berger, Brown, Cho, Chong, Disero, Feldman, Fotinos, Giansante, Jakobek, Johnston, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mammoliti, Moeser, Ootes, Pantalone, Sgro, Silva, Sinclair - 25.

Nays: Councillors: Altobello, Berardinetti, Bossons, Bussin, Chow, Davis, Duguid, Faubert, Filion, Flint, Gardner, Holyday, Jones, Kelly, Kinahan, King, Layton, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, O'Brien, Prue, Rae, Saundercook, Shaw, Shiner, Tzekas, Walker - 32.

Decided in the negative by a majority of 7.

Upon the question of the adoption of the balance of Part (2) of the foregoing motion (y) by Councillor Fotinos, viz.:

“that:

- (2) Council adopt the following recommendation:

‘It is recommended that Recommendation 21 of the final report of the Toronto Transition Team pertaining to one Councillor per ward representation be referred to the Urban Environment and Development Committee and circulated to the Community Councils for consideration and report thereon to Council.’ ”

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chong, Chow, Disero, Feldman, Fotinos, Giansante, Holyday, Jakobek, Johnston, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Minnan-Wong, Moeser, Nunziata, O'Brien, Pantalone, Sgro, Shaw, Shiner, Silva - 37.

Nays: Councillors: Bossons, Davis, Duguid, Faubert, Fillion, Flint, Gardner, Jones, Kelly, Kinahan, McConnell, Miller, Moscoe, Ootes, Prue, Rae, Saundercook, Sinclair, Tzekas, Walker - 20.

Decided in the affirmative by a majority of 17.

Upon the question of the adoption of Part (1) of the foregoing motion (m) by Councillor Adams, viz.:

“that Council adopt the following recommendations:

‘It is recommended that:

- (1) Recommendation 110 of the final report of the Toronto Transition Team not be adopted on an interim basis but be referred to the Special Committee for consideration; and that the Chief Financial Officer & Treasurer and the Interim City Solicitor be requested to submit a joint report to the Special Committee on the implications for the new City with regard to such recommendation;’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Silva, Sinclair, Tzekas, Walker - 55.

Nays: Councillors: Jakobek, Shiner - 2.

Decided in the affirmative by a majority of 53.

Upon the question of the adoption of Part (i)(1) of the foregoing motion (p) by Councillor Jones, viz.:

“that:

- (i) the foregoing motion (a) by Mayor Lastman, seconded by Councillor Ootes, be amended to provide that the report dated January 7, 1998, from the Acting Secretary, Interim Board of Health, embodying the following recommendations, be adopted:

‘The Interim Board of Health recommends to Council that:

- (1) the Board of Health report directly to City Council;’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Berardinetti, Berger, Bossons, Bussin, Chow, Davis, Filion, Flint, Giansante, Johnston, Jones, Kinahan, King, Layton, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Pantalone, Prue, Rae, Silva, Sinclair, Walker - 33.

Nays: Mayor: Lastman.  
Councillors: Ashton, Balkissoon, Brown, Cho, Chong, Disero, Duguid, Faubert, Feldman, Fotinos, Gardner, Holyday, Jakobek, Kelly, Korwin-Kuczynski, Lindsay Luby, Li Preti, Ootes, Saundercook, Sgro, Shaw, Shiner, Tzekas - 24.

Decided in the affirmative by a majority of 9.

Upon the question of the adoption of the foregoing motion (a) by Mayor Lastman, seconded by Councillor Ootes, as amended by all of the foregoing motions adopted by Council, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Cho, Chong, Davis, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair - 49.



Nays: Councillors: Bussin, Chow, Filion, Jones, Layton, Mammoliti, Tzekas, Walker - 8.

Decided in the affirmative by a majority of 41.

At this point in the proceedings, Councillor Jakobek, with the permission of Council, moved that Council re-open consideration of the foregoing motion (a) by Mayor Lastman, seconded by Councillor Ootes, as amended, insofar as it pertains to salaries only, which was carried, more than two-thirds of Members present having voted in the affirmative.

At this point in the proceedings, Councillor Flint, with the permission of Council, proposed that the vote be now taken on her foregoing motion (z), and that such motion be considered as a "stand alone" motion, viz.:

"that Council adopt the following recommendation:

'It is recommended that the salary paid to Members of Council be no higher than \$79,500.00 and that this sum not include any tax-free component; and, further that if Provincial legislation precludes this, then the sum be lowered accordingly.'

At this point in the proceedings, Councillor Prue, rising on a point of privilege, requested the Mayor to rule on whether the foregoing motion (z) by Councillor Flint was ultra vires.

The Mayor, having regard to the nature of the foregoing motion (z) by Councillor Flint, ruled such motion in order.

Councillor Prue challenged the ruling of the Mayor.

Upon the question "Shall the ruling of the Mayor be upheld?", the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chow, Duguid, Feldman, Flint, Giansante, Holyday, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mammoliti, McConnell, Miller, Minnan-Wong, Moeser, Nunziata, O'Brien, Ootes, Pantalone, Saundercook, Sgro, Shaw, Silva, Sinclair, Tzekas - 39.

Nays: Councillors: Adams, Chong, Davis, Disero, Faubert, Filion, Fotinos, Gardner, Kelly, Kinahan, Mahood, Mihevc, Moscoe, Prue, Rae, Walker - 16.

Decided in the affirmative by a majority of 23.

At this point in the proceedings, Councillor Holyday, with the permission of Council, proposed that the vote be now taken on Part (1) of his foregoing motion (g), rather than voting on the foregoing motion (z) by Councillor Flint.

Council concurred in the foregoing proposal.

Upon the question of the adoption of Part (1) of the foregoing motion (g) by Councillor Holyday, viz.:

“that Council adopt the following recommendation:

‘It is recommended that Recommendation 11 of the final report of the Toronto Transition Team be amended to provide that, until the matter of salaries for Members of Council and tax-free portions has been resolved, the salaries for Councillors be set at \$64,505.13, one-third tax free, as it was for the former Metropolitan Councillors; and, further, that the Mayor’s salary also remain the same as the former Metropolitan Chairman.’ ”,

the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shiner, Silva, Sinclair, Tzekas - 50.

Nays: Councillors: Davis, Feldman, Jones, Minnan-Wong, O’Brien, Shaw - 6.

Decided in the affirmative by a majority of 44.

The Mayor designated Councillor Ootes to take the Chair for the next part of the meeting, and vacated the Chair.

At this point in the proceedings, Acting Chair Ootes called for further motions to amend the draft Council Procedural By-law.

Upon the question of the adoption of the draft Council Procedural By-law, without amendment:

(a) Councillor Moscoe, in amendment, moved that the draft Council Procedural By-law be amended as follows:

- (1) by adding to subsection 6(1) the words “in writing” after the words “24 hours’ notice”, so subsection 6(1) shall now read as follows:  
  
“The Mayor may at any time summon a special meeting of the Council on 24 hours’ notice in writing to the Members and shall summon a special meeting of the Council when requested to do so in writing by a majority of the Members”;
- (2) by deleting from subsection 6(3) the words “as the Mayor may direct”, and inserting in lieu thereof the words “by the Clerk in consultation with the Mayor”;
- (3) by deleting from subsection 16.1(a) the word “official and replacing it with the word “employee”;
- (4) amending subsection 17(b) to read as follows:  
  
“No person shall engage in behaviour which may disrupt the proceedings of Council.”;
- (5) by deleting from subsection 19(b) the word “official” and replacing it with the word “employee”;
- (6) adding to subsection 29(2) the following words:  
  
“unless Council by an official vote by at least two-thirds of the Members present and voting waives this procedure”;
- (7) adding to subsection 32 the following words:  
  
“unless Council by an official vote by at least two-thirds of the Members present and voting waives this procedure”;
- (8) by deleting section 58;
- (9) by deleting from subsection 80 the words “Strategic Policies and Priorities” and inserting in lieu thereof the words “Financial Priorities”, and that other pertinent sections of the By-law be amended accordingly;
- (10) amending subsection 82(c) to read as follows:  
  
“(c) making recommendations to Council on revenue and expenditure issues.”;

- (11) by deleting from subsection 98(4) the word “Chief” and replacing it with the word “Chair”;
  - (12) by referring section 116 to the Clerk and Interim City Solicitor with a request that they report on whether such section applies to Community Councils; and
  - (13) by deleting from subsection 122(c) the word “annual” and replacing it with the words “twice yearly”.
- (b) Councillor Moeser, in amendment, moved that Section 26(3)(b) of the draft Council Procedural By-law be amended by deleting the words “with the consent of the Council”.
- (c) Councillor Mammoliti, in amendment, moved that the draft Council Procedural By-law be amended:
- (1) by deleting the following subsection 16.1(a):
    - “16.1 No Member shall,
      - (a) speak disrespectfully of any member of the Royal Family, the Governor General, the Lieutenant Governor of any Province, any Member of Council or any official of the Corporation;”;
    - (2) to provide that subsection 18(1), under Section VI, headed “Order of Business”, include, as the 2nd item of business on the Agenda for Council, either the Lord’s Prayer or an acceptable alternate prayer; and
    - (3) by deleting from subsection 25, under Section VIII, headed “Rules of Debate”, the words “five minutes” and inserting in lieu thereof the words “eight continuous minutes”, so that subsection 25 shall now read as follows:
      - “25. A Member may speak to the same matter for a maximum of eight continuous minutes.”

Councillor Mammoliti, having spoken to the matter for a period of five minutes, Councillor Layton, seconded by Councillor Bossons, moved that Councillor Mammoliti be granted a further period of five minutes in order to permit the conclusion of his remarks, the vote upon which was taken as follows:

Yeas: Councillors: Adams, Altobello, Ashton, Berger, Bossons, Brown, Cho, Davis, Disero, Faubert, Feldman, Flint, Fotinos, Kinahan, Layton, Lindsay Luby, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Nunziata, O’Brien, Ootes, Prue, Rae, Sgro, Silva - 28.

Nays: Councillors: Duguid, Kelly, Mahood, Saundercook, Tzekas - 5.

Decided in the affirmative, more than two-thirds of Members present having voted in the affirmative.

- (d) Councillor Prue, in amendment, moved that Council adopt the following recommendation:

“It is recommended that the communication dated December 29, 1997, from Councillor Prue, outlining his comments on the draft Council Procedural By-law as attached to the report dated January 5, 1998, from the City Clerk, be referred to the Special Committee for discussion and report back.”

Acting Chair Ootes designated Councillor Miller to take the Chair for the next part of the meeting, and vacated the Chair.

- (e) Councillor Kinahan, in amendment, moved that Council adopt the following recommendation:

“It is recommended that Council adopt the draft Council Procedural By-law appended to the communication dated January 5, 1998, from the City Clerk, in the interim, and that the draft By-law and all communications and amendments related thereto be referred to the Special Committee for report thereon to Council for its meeting to be held in May, 1998.”

- (f) Councillor Flint, in amendment, moved that subsection 18(1) of the draft Council Procedural By-law be amended to provide that the 2nd item of business on the Order Paper for Council, headed “Moment of Silence”, not be adopted at this time, but be referred to the Special Committee.

Acting Chair Miller designated Councillor Ootes to take the Chair for the next part of the meeting, and vacated the Chair.

- (g) Councillor Walker, in amendment, moved that the draft Council Procedural By-law be amended as follows:

- (1) (i) by deleting subsection 1(h), and renumbering the remaining subsections accordingly; and
- (ii) by deleting all references to “the Corporation of” before the words “the City of Toronto” in the By-law;
- (2) subsection 6(2) be amended to read “that meetings of Council cannot be called at the same time as the Strategic Policies and Priorities Committee,

Standing Committees or Community Council meetings are scheduled” and that the subsequent subsections be renumbered accordingly;

- (3) section 9 be amended to read “A majority of Members sitting in their assigned seats is necessary to constitute a quorum of Council”;
- (4) subsections 10(2) and (3) be amended by replacing “15 minutes” with “5 minutes”;
- (5) section 11 be amended to include the following definitions:

“Council In Camera

- A. A Member may move a motion that Council meet In Camera if the subject matter being considered is:
  - (1) the security of the property of the municipality or local board;
  - (2) personal matters about an identifiable individual, including municipal or local board employees;
  - (3) a proposed or pending acquisition of land for municipal or local board purposes;
  - (4) labour relations or employee relations;
  - (5) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
  - (6) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - (7) a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another Act; and
  - (8) a request under the Municipal Freedom of Information and Protection of Privacy Act.

The motion must indicate the general reason an In Camera discussion is required.

- B. Only those matters agreed to in public for discussion In Camera may be discussed.
  - C. The rules governing Committee meetings will be observed by Council In Camera.
  - D. At the conclusion of an In Camera meeting, the Chair will announce the time of the resumption of the Council meeting, and in the absence of such announcement, the Council meeting will resume within ten (10) minutes after the end of the In Camera meeting.
- (6) subsection 16.1(d) be amended to include the following definition of Unparliamentary Language - Language expressions, or statements in debate or questions which:
- A. attribute false or undeclared motives to another Member;
  - B. charges another Member with being dishonest;
  - C. is abusive or insulting; or
  - D. is likely to cause disorder.
- (7) section 23 be renumbered 23(a) and the following be inserted as subsection 23(b):
- “23 (b) The Chair will not take part in the discussion of an item while in the chair”;
- (8) section 25 be renumbered as 25(a) and the following be inserted as 25(b):
- “25 (b) A member, with the leave of Council, may be granted one five-minute extension to speak on the same matter.”;
- (9) subsection 26(3)(b) be amended by deleting the words “with the consent of the Council”;
- (10) subsection 26(5) be renumbered as 26(5)(a) and the following be inserted as 26(5)(b):
- “26(5)(b) Council may grant a five-minute extension to a member to ask questions of the same person on the same matter”;
- (11) subsection 26(7) be deleted;

- (12) section 28 be amended by inserting after the words “current term of Council” the following words:
- “Or which for reasons of health, safety, emergency or legal deadline, cannot first be considered by the appropriate Committee.”;
- (13) subsections 29(1) and (2) be deleted;
- (14) subsection 37(3) be deleted;
- (15) subsection 47(2) be amended by inserting the following words after the word “majority”, “or who voted in opposition on a tied vote”;
- (16) subsection 77(b) be deleted and that the balance of section 77 be renumbered accordingly;
- (17) section 78 be amended by deleting all the words after the words “without reporting shall” and inserting in lieu thereof the following:
- “only be in order if the subject referred to the Committee is being considered in camera as provided by section 11”; and
- (18) subsection 87.1(g) be amended to read as follows:
- “Committee of Adjustment panels”.

Councillor Walker having spoken to the matter for a period of five minutes, Councillor Davis, seconded by Councillor Flint, moved that Councillor Walker be granted a further period of five minutes in order to permit the conclusion of his remarks, which was carried.

At this point in the proceedings, Councillor Moeser, with the permission of Council, withdrew his foregoing motion (b).

- (h) Councillor McConnell, in amendment, moved that the foregoing motion (e) by Councillor Kinahan be amended to provide that Section 24 of the draft Council Procedural By-law be referred to the Special Committee for further consideration, and, in the meantime, the draft Council Procedural By-law be amended:
- (1) to provide that Members of Council be permitted to speak twice;
- (2) by deleting from Section 26(3)(c) the words “of the” and inserting in lieu thereof the words “of a”, so that Section 26(3)(c) shall now read as follows:



- “26(3)(c) of a previous speaker, if that speaker has moved a motion, and that any question of the previous speaker who has moved a motion be limited to clarification of that motion only.”; and
- (3) by amending Section 47 to provide for reconsideration of matters every 18 months.
- (i) Councillor Faubert, in amendment, moved that Section 3 of the draft Council Procedural By-law be amended by deleting the words “The Standing Orders of the Legislative Assembly of Ontario” and inserting in lieu thereof the words “Bourinot’s, Beauschesne, Robert’s or any other authority deemed appropriate”.
- (j) Councillor Miller, in amendment, moved that:
- (1) the foregoing motion (e) by Councillor Kinahan be amended to provide that:
- (a) Section 3 of the draft Council Procedural By-law be struck out and referred to the City Clerk for a report thereon to the Special Committee;
- (b) Section 6 of the draft Council Procedural By-law be amended by deleting the words “24 hours’ notice” and inserting in lieu thereof the words “48 hours’ notice”;
- (c) a new subsection (a) be added to Section 11 of the draft Council Procedural By-law, as follows, and that subsections (a) and (b) be renumbered accordingly:
- “(a) if it is required in accordance with the Municipal Act or other applicable legislation;” and
- (d) Section 25 of the draft Council Procedural By-law be amended to provide that the time a Member of Council may speak does not include time for reading or stating the motion;
- (2) the following recommendations be forwarded to the Special Committee:
- “It is recommended that the draft Council Procedural By-law be amended as follows:
- (a) by deleting in subsection 26(5) the words ‘and answers thereto’;
- (b) by deleting in subsection 26(7) the word ‘Similar’ and inserting in lieu thereof the words ‘the same’;

- (c) by adding to subsection 80(j) the words ‘developing in conjunction with the citizens, the Social Charter, recommended in the Toronto Transition Team Report’; and
- (d) by adding to subsection 118(i) the words ‘except that a Committee may have recorded votes’ ”; and

(3) Council adopt the following recommendation:

“It is recommended that the City Solicitor be requested to report to the Special Committee on the ability of the Mayor to sit, ex-officio, on the Community Councils, in view of the provisions of Bill 103, viz. ‘Members of Community Councils shall be elected from the former Cities’.”

(1) Councillor Layton, in amendment, moved that Council adopt the following recommendations:

“It is recommended that the draft Council Procedural By-law be amended:

(1) under Section I, headed ‘Interpretation’:

- (a) by deleting the definitions of ‘Second Deputy Mayor and Third Deputy Mayor’;
- (b) by adding thereto the following new definitions:

‘Speaker of the Council’ means a Member, appointed by Council by by-law, as Speaker, to perform the functions of ‘Chair’ of the meetings of City Council;

‘Deputy Speaker of the Council’ means a Member, appointed by Council by by-law, to perform the functions of ‘Chair’ of the meetings of City Council in the absence of the Speaker;

‘Question Period’ means a sixty minute period during which members of the public who have registered their name and question with the Clerk in advance of the Council meeting shall be entitled to ask their question and receive an answer from the Mayor or Council to whom the question is directed. Answers shall be limited to three minutes in duration. No supplementary questions from members of the public shall be permitted;

- (c) by deleting the definition for ‘Point of Procedure’ and deleting all references to ‘Point of Procedure’ wherever it occurs in the draft Council Procedural By-law; and

- (d) to provide that the definition of 'Community Council' shall now read as follows:

'Community Council' means a Standing Committee of Council established under section 7 of the City of Toronto Act, 1997, to ensure that matters of a local nature are considered in a local context and to ensure that matters of a local nature are considered by those Councillors who represent historic communities and that recommendations concerning such local matters are presented to the City Council through these Standing Committees of the Council;

- (2) under Section III, headed 'Inaugural Meeting of Council', by deleting subsection 4(2)(b) and inserting in lieu thereof the following new subsection 4(2)(b):

'(2)(b) Council shall recess to permit Community Councils to meet in, in their respective Community Council meeting places, i.e. the six former municipal council chambers, to elect their Chairs and to permit the Striking Committee to meet and submit its report to Council;';

- (3) under Section V, headed 'Meetings of Council':

- (a) by inserting in subsection (6)(1), after the words 'on 24 hours' notice', the words 'in writing', so that such subsection shall now read as follows:

'(6)(1) The Mayor may at any time summon a special meeting of the Council on 24 hours' notice in writing to the Members and shall summon a special meeting of the Council when requested to do so in writing by a majority of the Members.';

- (b) by deleting from subsections 8(1) and 8(2) the words 'the Mayor, the Deputy Mayor or Third Deputy Mayor' and inserting in lieu thereof the words 'the Speaker or Deputy Speaker';

- (c) by deleting from subsection 8(3) the word 'Mayor' and inserting in lieu thereof the word 'Speaker'; and

- (d) by deleting from Section 13 the words 'and Community Councils' and 'or Community Councils', so that such Section shall now read as follows:

'13. The Mayor shall chair the Strategic Policies and Priorities Committee and Striking Committee of the Council, and shall

be a member ex-officio of all other Standing and other Committees of the Council, and shall be entitled to vote as a member of such Committees.’;

- (4) under Section VI, headed ‘Order of Business’, by inserting a new 6th item headed ‘Question Period’ and renumbering the following sections accordingly; and
- (5) under Section VIII, headed ‘Rules of Debate’:
- (a) by adding to Section 25 the words ‘unless Council authorizes the Member to speak for one additional five minute period on the matter’, so that such Section shall now read as follows:
- ‘25. A Member may speak to the same matter for a maximum of five minutes, unless Council authorizes the Member to speak for one additional five minute period on the matter.’;
- (b) by deleting the following subsection 26(4):
- ‘26.(4) The number of times a Member may ask questions of the same person on the same matter shall be limited to one time only.’;
- (c) by adding to subsection 29(2) the words ‘Council may, at its discretion, without debate, decide on the affirmative vote of at least two-thirds of the Members present and voting whether to immediately consider such a Notice of Motion’;
- (d) by striking out and referring the following Section 32 to the Corporate Services Committee for further consideration and report thereon to Council:
- ‘32. A motion or Notice of Motion in respect of a matter which is ultra vires the jurisdiction of the Council shall not be in order.’; and
- (e) by deleting from the lead-in phrase to Section 39 the words ‘debate as follows’ and inserting in lieu thereof the words ‘consideration in the following order’, so that such lead-in phrase shall now read as follows:
- ‘39. The following are deemed to be procedural motions and shall be subject to consideration in the following order:’.”

At this point in the proceedings, Councillor Mammoliti, rising on a point of order, proposed that his foregoing motion (c) should be voted on before the referral motion (e) by Councillor Kinahan.

Acting Chair Ootes, having regard to the nature of the foregoing motion (e) by Councillor Kinahan, and amendments thereto, ruled that such motions would take precedence.

Councillor Mammoliti challenged the ruling of the Acting Chair.

Upon the question, "Shall the ruling of the Acting Chair be upheld?", the vote was taken as follows:

Yeas: Councillors: Altobello, Ashton, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Duguid, Feldman, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Kinahan, King, Layton, Lindsay Luby, Mahood, McConnell, Moeser, O'Brien, Ootes, Pantalone, Rae, Saundercook, Sgro, Shaw, Silva, Tzekas - 33.

Nays: Councillors: Adams, Augimeri, Berger, Filion, Jones, Li Preti, Mammoliti, Mihevc, Miller, Moscoe, Prue, Walker - 12.

Decided in the affirmative by a majority of 21.

Upon the question of the adoption of Parts (1) and (2) of the foregoing motion (h) by Councillor McConnell, viz.:

"that the foregoing motion (e) by Councillor Kinahan be amended to provide that Section 24 of the draft Council Procedural By-law be referred to the Special Committee for further consideration, and, in the meantime, the draft Council Procedural By-law be amended:

- (1) to provide that Members of Council be permitted to speak twice;
- (2) by deleting from Section 26(3)(c) the words 'of the' and inserting in lieu thereof the words 'of a', so that Section 26(3)(c) shall now read as follows:

'26(3)(c) of a previous speaker, if that speaker has moved a motion, and that any question of the previous speaker who has moved a motion be limited to clarification of that motion only.';"

the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Berardinetti, Berger, Bossons, Bussin, Cho, Chow, Filion, Johnston, Jones, Korwin-Kuczynski, Layton,

Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Rae, Silva, Walker - 24.

Nays: Councillors: Ashton, Brown, Chong, Davis, Disero, Duguid, Feldman, Flint, Fotinos, Gardner, Holyday, Jakobek, Kelly, Kinahan, King, Lindsay Luby, Mahood, O'Brien, Ootes, Pantalone, Prue, Sgro, Shaw, Shiner, Sinclair, Tzekas - 26.

Decided in the negative by a majority of 2.

At this point in the proceedings, Councillor Miller, with the permission of Council, moved that Part (1)(b) of his foregoing motion (j) be referred to the City Clerk for report thereon to the Special Committee, viz.:

“that:

- (1) the foregoing motion (e) by Councillor Kinahan be amended to provide that:
  - (b) Section 6 of the draft Council Procedural By-law be amended by deleting the words ‘24 hours’ notice’ and inserting in lieu thereof the words ‘48 hours’ notice’;”,

which was carried.

Upon the question of the adoption of Part (1)(a) of the foregoing motion (j) by Councillor Miller, viz.:

“that:

- (1) the foregoing motion (e) by Councillor Kinahan be amended to provide that:
  - (a) Section 3 of the draft Council Procedural By-law be struck out and referred to the City Clerk for a report thereon to the Special Committee;”,

it was carried.

Upon the question of the adoption of Part (1)(c) of the foregoing motion (j) by Councillor Miller, viz.:

“that:

- (1) the foregoing motion (e) by Councillor Kinahan be amended to provide that:

- (c) a new subsection (a) be added to Section 11 of the draft Council Procedural By-law, as follows, and that subsections (a) and (b) be renumbered accordingly:
  - ‘(a) if it is required in accordance with the Municipal Act or other applicable legislation;’ ”,

it was carried.

Upon the question of the adoption of Part (1)(d) of the foregoing motion (j) by Councillor Miller, viz.:

“that:

- (1) the foregoing motion (e) by Councillor Kinahan be amended to provide that:
  - (d) Section 25 of the draft Council Procedural By-law be amended to provide that the time a Member of Council may speak does not include time for reading or stating the motion;”,

the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Berardinetti, Bossons, Bussin, Chow, Duguid, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Pantalone, Rae, Silva, Tzekas, Walker - 25.

Nays: Councillors: Berger, Brown, Cho, Chong, Davis, Disero, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, Lindsay Luby, Mahood, Minnan-Wong, Moeser, Nunziata, O’Brien, Ootes, Pantalone, Prue, Saundercook, Sgro, Shaw, Shiner, Sinclair - 28.

Decided in the negative by a majority of 3.

Upon the question of the adoption of the foregoing motion (e) by Councillor Kinahan, as amended, it was carried.

In summary, Council adopted the following recommendations with respect to the Final Report of the Toronto Transition Team, the draft Council Procedural By-law, and reports and communications related thereto:

- (A) “It is recommended that Council approve the recommendations in the final report of the Toronto Transition Team on an interim basis only, subject to the following amendments (a) to (o), and that a Special Committee of Council, reporting directly to Council, be established to review the recommendations and report thereon to

Council for its meeting to be held in the second week of May; the Special Committee be comprised of:

Councillor David Miller (Chair)  
Councillor Mike Feldman  
Councillor Anne Johnston  
Councillor Joan King  
Councillor Norm Kelly  
Councillor Gloria Lindsay Luby  
Councillor Peter Li Preti  
Councillor Howard Moscoe  
Councillor Michael Prue  
Councillor Kyle Rae  
Councillor Judy Sgro  
Councillor Ron Moeser;

all motions that come forward with respect to the final report of the Toronto Transition Team be referred to this Special Committee, and those dealing with staffing and salaries be referred to the Corporate Services Committee; and the Chief Administrative Officer do all things necessary to provide support and assistance to this Special Committee:

- (a) all references to 'Budget Chief' in the recommendations of the final report of the Toronto Transition Team and any motions adopted or referred by Council be changed to 'Budget Chair';
- (b) Recommendation 13 of the final report of the Toronto Transition Team be amended to provide that:
  - (i) each Member of Council shall be entitled to an office wherever Council regularly meets;
  - (ii) Members of Council be entitled to an office wherever their respective Community Council meets; and
  - (iii) Members of Council, within their office budget allocation, be permitted to establish a constituency office if they so desire;
- (c) Recommendation 11 of the final report of the Toronto Transition Team be amended to provide that, until the matter of salaries for Members of Council and tax-free portions has been resolved, the salaries for Councillors be set at \$64,505.13, one-third tax free, as it was for the former Metropolitan Councillors; and, further, that the Mayor's salary also remain the same as the former Metropolitan Chairman;



- (d) each Councillor be provided with a global budget of \$70,000.00 to cover office expenses, including communicating with constituents;
- (e) Councillors be allocated sufficient funds within the General Council budget to cover the salaries and benefits for one (1) Executive Assistant, one (1) Constituency Assistant and one (1) Administrative Assistant;
- (f) each Councillor be given the latitude to hire the equivalent of three (3) full-time staff from the following classifications: Executive Assistant, Constituency Assistant, Administrative Assistant and Clerical Assistant;
- (g) on an interim basis, the salary range for the Executive Assistant and the Constituency Assistant be that of the Executive Assistant in the former Municipality of Metropolitan Toronto and the salary range for the Administrative Assistant and the Clerical Assistant be that of the Administrative Assistant and the Clerk Grade 3 position in the former Municipality of Metropolitan Toronto;
- (h) all permanent former 'City' or 'Metro' employees retain their permanent employment status and those earning in excess of the City-recommended salary ranges will have their salaries red-circled;
- (i) Recommendation 21 of the final report of the Toronto Transition Team pertaining to one Councillor per ward representation be referred to the Urban Environment and Development Committee and circulated to the Community Councils for consideration and report thereon to Council;
- (j) that portion of Recommendation 96 of the final report of the Toronto Transition Team pertaining to the Toronto Licensing Commission, together with Recommendation 99 and the second portion of Recommendation 128, be referred to the Office of the Mayor for report thereon to the Special Committee;
- (k) Recommendation 110 of the final report of the Toronto Transition Team not be adopted on an interim basis but be referred to the Special Committee for consideration; and that the Chief Financial Officer & Treasurer and the Interim City Solicitor be requested to submit a joint report to the Special Committee on the implications for the new City with regard to such recommendation;
- (l) the Board of Health report directly to City Council;
- (m) a new Standing Committee, named the Economic Development Committee, be established and the Special Committee be requested to develop Terms of Reference for the Economic Development Committee and, as part of the

review of the Terms of Reference, consider the merits of including urban planning as a responsibility of such Committee;

- (n) the composition of the Economic Development Committee be referred to the Striking Committee for an immediate report thereon to Council respecting its membership;
- (o) the draft Council Procedural By-law, appended to the communication dated December 30, 1997, from the City Clerk be adopted, in the interim, subject to:
  - (i) striking out and referring Section (3) to the City Clerk for a report thereon to the Special Committee; and
  - (ii) adding a new subsection (a) to Section 11, as follows, and renumbering subsections (a) and (b) accordingly:
    - ‘(a) if it is required in accordance with the Municipal Act or other applicable legislation;’;

and that the draft By-law and all communications and proposed amendments related thereto be referred to the Special Committee for report thereon to Council for its meeting to be held in May, 1998.”

- (B) “It is further recommended that:
  - (a) the Special Committee be requested to:
    - (i) submit a report to the meeting of Council to be held on February 4, 1998, on the location for regular meetings of Council and, until such time as the Special Committee reports back to Council on a permanent location for regular meetings of Council, such meetings be held at Metro Hall; and
    - (ii) submit a report to Council as soon as possible but no later than March 4, 1998, on the roles and responsibilities of Community Councils;
  - (b) the Chief Administrative Officer be requested to submit reports to the Special Committee on:
    - (i) three options, with advantages and disadvantages and cost factors involved in choosing the seat of government, and that these options, together with the recommendations of the Special Committee, be reported to Council in three months; and that all Members of Council

- be invited to attend the meeting of the Special Committee at which this issue will be discussed;
- (ii) a preferred organizational structure for the senior staff, such report to be submitted as soon as possible;
  - (iii) the administrative structure of the new City, such report to identify other possible options for the administrative structure; and
  - (iv) Recommendation 66 of the final report of the Toronto Transition Team, and the possibility of enabling citizens to make routine applications for permits, etc., in their neighbourhoods, at libraries, community centres or other existing facilities by electronic means;
- (c) the Chief Administrative Officer and the City Clerk be requested to submit a report to the first meeting of the Special Committee outlining a suggested workplan and identifying priorities and implementation issues that require early resolution;
  - (d) the City Solicitor be requested to submit a report to the Special Committee on legal issues, if any, raised by Bill 103 and the final report of the Toronto Transition Team;
  - (e) the Chief Administrative Officer and the Office of the Mayor be requested to arrange a briefing session for the public on how to participate in meetings of the Community Councils, Standing Committees and Task Forces;
  - (f) with respect to the brochure, entitled 'Our City Toronto, January 1998', which was sent out to constituents across the new City of Toronto, the Message from the Mayor on Page 1 be corrected to reflect that the west boundary of the City of Toronto is Etobicoke Creek, rather than Highway 427, and that the appropriate staff be requested to ensure that this correction is communicated to the citizens; and
  - (g) the following motion be referred to the City Clerk for report thereon to the Special Committee:  
  
‘That Section 6 of the draft Council Procedural By-law be amended by deleting the words “24 hours’ notice” and substituting therefor the words “48 hours’ notice” ’;

(C) in accordance with the foregoing recommendations adopted by Council in Section (A) above, the following motions were referred to the Special Committee:

(a) Moved by Councillor Balkissoon:

‘That Council adopt the following recommendation:

“It is recommended that the Special Committee be requested to consider Recommendation No. (8) of the final report of the Toronto Transition Team regarding the Community and Neighbourhood Services Committee and its key functional areas, insofar as they pertain to Parks and Recreation, the Culture Office, the Agencies, Boards and Commissions of the Toronto Public Library Board, the Toronto Arts Council, the Toronto Historical Board, the Boards of Management of Recreational Facilities, the Hummingbird Centre for the Performing Arts, the St. Lawrence Centre for the Performing Arts and the Ford Centre, in that these major services of the City may be more effectively delivered by having their own Standing Committee.” ’

(b) Moved by Councillor Bossons:

‘That Council adopt the following recommendation:

“It is recommended that Section 106(1) of the draft Council Procedural By-law be amended so that the appointment period for membership on the Standing Committees is for 12 months instead of 18 months.” ’

(c) Moved by Councillor Faubert:

‘That Section (3) of the draft Council Procedural By-law be amended by deleting the words “The Standing Orders of the Legislative Assembly of Ontario” and inserting in lieu thereof the words “Bourinot’s, Beauschesne, Robert’s or any other authority deemed appropriate”.’

(d) Moved by Councillor Flint:

‘That subsection 18(1) of the draft Council Procedural By-law be amended to provide that the 2nd item of business on the Order Paper for Council, headed “Moment of Silence”, not be adopted at this time, but be referred to the Special Committee of Council.’

- (e) Moved by Councillor Gardner:

‘That Council adopt the following recommendation:

“It is recommended that the report dated December 29, 1997, from the Chair, Parking Authority of Toronto, and the Chair, Parking Authority of North York, headed ‘Enabling By-law for the Toronto Parking Authority’, be adopted.” ’

- (f) Moved by Councillor Holyday:

‘That Council adopt the following recommendation:

“It is recommended that Recommendation 22 of the final report of the Toronto Transition Team be amended so that the municipal ward boundaries be changed to reflect the Federal and Provincial boundaries.” ’

- (g) Moved by Councillor Jones:

‘That Council adopt the following recommendation:

“It is recommended that the following recommendations embodied in the report dated January 7, 1997, from the Acting Secretary, Interim Board of Health, be adopted:

- ‘(2) Section 97 of Council’s draft Council Procedural By-law be amended to include the Chair of the Board of Health as a member of the Strategic Policies and Priorities Committee;
- (3) the Board of Health for the City of Toronto Health Unit be composed of 13 members. The 13 members of the Board shall consist of:
  - (a) seven (7) Members of Council; and
  - (b) six (6) citizen members. One from each of the former municipalities to be recommended by the Community Councils (each Community Council to recommend one (1) citizen appointee);
- (4) the Chair of the Interim Board of Health, Councillor John Filion, be one of the Council representatives appointed to the Toronto Board of Health; and

- (5) Council seek a legislative change to increase the members for the Toronto Board of Health from a maximum of 13 to a maximum of 15 to allow for representatives from the Public and Separate School Boards.’ ” ’

(h) Further moved by Councillor Jones:

‘That City Council adopt the following recommendations:

‘It is recommended that:

- (1) the draft Council Procedural By-law be amended:
- (a) by deleting all references to the Nominating Committee and expanding the mandate of the Community Councils to include the duties and responsibilities of the Nominating Committee;
  - (b) to provide that the position of Budget Chair be deleted and that City Council be divided into Budget Committees, each Committee to be delegated a certain portion of the Corporate Operating Budget and be responsible for:
    - (i) electing its own Chair; and
    - (ii) submitting recommendations to City Council, through the Strategic Priorities and Planning Committee, on its portion of the overall Corporate Operating Budget;
  - (c) by deleting from the lead-in phrase to Section 103 the words ‘by the Mayor’ and inserting in lieu thereof the words ‘by Council’, so that such lead-in phrase shall now read as follows:

‘103. A Striking Committee composed of up to seven (7) Members of Council appointed by Council, and including the Mayor as Chair, shall.’;

- (d) to provide that the Chair of a Standing Committee shall not be permitted to hold the position of Chair for more than one 18-month period during the term of Council; and
  - (e) to provide that the Members of a Standing Committee shall not be appointed to the same Standing Committee at the conclusion of the first 18-month period, during the term of Council, in order to provide an opportunity for all Members of Council to serve on different Standing Committees;
- (2) the draft Council Procedural By-law be implemented for a period of six months and the Corporate Services Committee be requested to convene a special meeting to hear deputations from the public in regard to the draft Council Procedural By-law and report thereon to Council in June, 1998.” ’
- (i) Moved by Councillor Layton:

‘That Council adopt the following recommendations:

‘‘It is recommended that the draft Council Procedural By-law be amended:

(1) under Section I, headed ‘Definitions’:

- (a) by deleting the definitions of ‘Second Deputy Mayor and Third Deputy Mayor’;
- (b) by adding thereto the following new definitions:

‘Speaker of the Council’ means a Member, appointed by Council by by-law, as Speaker, to perform the functions of ‘Chair’ of the meetings of City Council.

‘Deputy Speaker of the Council’ means a Member, appointed by Council by by-law, to perform the functions of ‘Chair’ of the meetings of City Council in the absence of the Speaker.

‘Question Period’ means a sixty minute period during which members of the public who have registered their name and question with the Clerk in advance of the Council meeting shall be entitled to ask their

question and receive an answer from the Mayor or Council to whom the question is directed. Answers shall be limited to three minutes in duration. No supplementary questions from members of the public shall be permitted.

- (c) by deleting the definition for 'Point of Procedure' and deleting all references to 'Point of Procedure' wherever it occurs in the draft Council Procedural By-law; and
- (d) to provide that the definition of 'Community Council' shall now read as follows:

'Community Council' means a Standing Committee of Council established under section 7 of the City of Toronto Act, 1997, to ensure that matters of a local nature are considered in a local context and to ensure that matters of a local nature are considered by those Councillors who represent historic communities and that recommendations concerning such local matters are presented to the City Council through these Standing Committees of the Council;

- (2) under Section III, headed 'Inaugural Meeting of Council', by deleting subsection 4(2)(b) and inserting in lieu thereof the following new subsection 4(2)(b):

'(2)(b) Council shall recess to permit Community Councils to meet in, in their respective Community Council meeting places, i.e. the six former municipal council chambers, to elect their Chairs and to permit the Striking Committee to meet and submit its report to Council;';

- (3) under Section V, headed 'Meetings of Council':

- (a) by inserting in subsection (6)(1), after the words 'on 24 hours' notice', the words 'in writing', so that such subsection shall now read as follows:



‘(6)(1) The Mayor may at any time summon a special meeting of the Council on 24 hours’ notice in writing to the Members and shall summon a special meeting of the Council when requested to do so in writing by a majority of the Members.’;

- (b) by deleting from subsections 8(1) and 8(2) the words ‘the Mayor, the Deputy Mayor or Third Deputy Mayor’ and inserting in lieu thereof the words ‘the Speaker or Deputy Speaker’;
- (c) by deleting from subsection 8(3) the word ‘Mayor’ and inserting in lieu thereof the word ‘Speaker’; and
- (d) by deleting from Section 13 the words ‘and Community Councils’ and ‘or Community Councils’, so that such Section shall now read as follows:

‘13. The Mayor shall chair the Strategic Policies and Priorities Committee and Striking Committee of the Council, and shall be a member ex-officio of all other Standing and other Committees of the Council, and shall be entitled to vote as a member of such Committees.’

- (4) under Section VI, headed ‘Order of Business’, by inserting a new 6th item headed ‘Question Period’ and renumbering the following sections accordingly;
- (5) under Section VIII, headed ‘Rules of Debate’:
  - (a) by adding to Section 25 the words ‘unless Council authorizes the Member to speak for one additional five minute period on the matter’, so that such Section shall now read as follows:

‘25. A Member may speak to the same matter for a maximum of five minutes, unless Council authorizes the Member to speak for one additional five minute period on the matter.’;

- (b) by deleting the following subsection 26(4):
  - '26.(4) The number of times a Member may ask questions of the same person on the same matter shall be limited to one time only.';
- (c) by adding to subsection 29(2) the words 'Council may, at its discretion, without debate, decide on the affirmative vote of at least two-thirds of the Members present and voting whether to immediately consider such a Notice of Motion';
- (d) by striking out and referring the following Section 32 to the Corporate Services Committee for further consideration and report thereon to Council:
  - '32. A motion or Notice of Motion in respect of a matter which is ultra vires the jurisdiction of the Council shall not be in order.'; and
- (e) by deleting from the lead-in phrase to Section 39 the words 'debate as follows' and inserting in lieu thereof the words 'consideration in the following order', so that such lead-in phrase shall now read as follows:
  - '39. The following are deemed to be procedural motions and shall be subject to consideration in the following order:';
- (6) under Section XVII, headed 'Committees of Council'
  - (a) by adding to Section 80 the words 'co-ordinating the input, research, advice and programs of the Healthy City Office, located in the office of the Chief Administrative Officer, to ensure sustainability and healthy public policy';
  - (b) by adding the following to subsection 86(1) to provide for seven (7) Standing Committees of Council:
    - '(6) The Economic Development Committee; and
    - (7) The Board of Health';

- (c) deleting from Section 87 the following responsibilities of the Urban Environment and Development Committee and transferring such responsibilities to the mandate of the Economic Development Committee:

‘The Toronto Zoo, Business Improvement Areas, Boards of Management, Exhibition Place, and Toronto Harbour Commissioners.’; and

- (d) adding thereto the following new section setting out the mandate of the Economic Development Committee:

‘The Economic Development Committee shall be responsible for developing policy and co-ordinating programs across the city which relate to economic development and job creation, including:

- (1) developing and recommending job creation strategies to Council;
- (2) monitoring trends in economic activity and reporting these to Council and the citizenry on a regular basis;
- (3) ensuring that public consultation on economic development initiatives is a frequent and effective part of the mandate of the City;
- (4) monitoring policies and programs of the other orders of government in Canada and abroad in order to establish Council policies which may be required as well as to identify opportunities; and
- (5) supervise the policies, programs and budgets of the major organizations owned or operated by the municipality which have a primary job-creation or economic development aspect, including: the Toronto Harbour Commissioners, the Toronto Zoo, Exhibition Place, the Economic Development Division of the Civic Service, the Business Improvement

Areas, and community economic development initiatives.’;

- (e) adding thereto the following new Section setting out the mandate of the Board of Health:

‘The Board of Health shall be responsible for all responsibilities assigned to it under Provincial Health legislation and shall report all such activities to Council. The Board shall also develop public health policy for the Council and recommend such initiatives as it deems to be in the interest of the health of the public and the communities of Toronto for consideration by Council and its administration, including:

- (1) the consideration of budgets of the Department of Public Health and the Animal Control Division;
- (2) the review of policies of the Department of Public Health; and
- (3) the consideration of the impact on public health of policies of governments or others and the development of appropriate recommendations.’;

- (f) deleting from Section 98:

- (i) all references to the Second and Third Deputy Mayors and inserting in lieu thereof the words Speaker and Deputy Speaker of Council; and
- (ii) deleting the words ‘Budget Chief’ and inserting in lieu thereof the words ‘Chair, Budget Committee’.

- (g) deleting Section 99 and inserting in lieu thereof the following new Section 99:

Urban Environment and Development	9 Members
Works and Utilities	8 Members
Community and Neighbourhood Services	9 Members
Emergency and Protective Services	9 Members
Corporate Services	9 Members
Economic Development	8 Members
Board of Health	4 Members

The Mayor is an ex-officio member of all Committees. The Board of Health has 13 Members by Statute and consists of six interim citizen members (the former Chairs of the Boards in the Municipalities) and three representatives from the School Boards; and

- (h) adding to Section 106, the words 'No Member may hold the same position as a Chair of a Standing Committee or Community Council for two successive 18 month terms.' "
- (j) Further moved by Councillor Layton:

'That Council adopt the following recommendations:

"It is recommended that:

- (1) the joint report dated December 22, 1997, from the General Manager, Metropolitan Toronto Housing Company, and General Manager, City of Toronto Non-Profit Housing Corporation, headed 'Interim Boards of Directors for the Municipal Housing Companies; Appointment Process; and passing of Special Resolutions and Confirmation of By-laws', be adopted, and further that Recommendations 78 and 79, embodied in the final report of the Toronto Transition Team be adopted, as amended, by the aforementioned joint report; and

- (2) the Chair of the new Toronto Hydro-Electric Commission be a member of Council appointed by Council.”’;

(k) Moved by Councillor Lindsay Luby:

‘That Council adopt the following recommendations:

“It is recommended that:

- (1) the Standing Committee memberships be rotated annually; and
- (2) the Chairs of the Standing Committees be appointed by the Standing Committees;

and the draft Council Procedural By-law be amended accordingly.”’

(l) Moved by Councillor Mammoliti:

‘That City Council adopt the following recommendations:

“It is recommended that the draft Council Procedural By-law be amended:

- (1) by deleting the following subsection 16.1(a):

‘16.1 No Member shall,

- (a) speak disrespectfully of any member of the Royal Family, the Governor General, the Lieutenant Governor of any Province, any Member of Council or any official of the Corporation;’;
- (2) to provide that subsection 18(1), under Section VI, headed ‘Order of Business’, include, as the 2nd item of business on the Agenda for Council, either the Lord’s Prayer or an acceptable alternate prayer; and
- (3) deleting from subsection 25, under Section VIII, headed ‘Rules of Debate’, the words ‘five minutes’ and inserting in lieu thereof the words ‘eight continuous minutes’, so that subsection 25 shall now read as follows:

‘25. A Member may speak to the same matter for a maximum of eight continuous minutes.’”

(m) Moved by Councillor McConnell:

‘That Council adopt the following recommendation:

“It is recommended that the recommendations embodied in the submission from the Coalition of Concerned Councillors, entitled ‘Final Report on Community Councils in the new City of Toronto’, be adopted and the draft Council Procedural By-law be amended, as follows, to give effect thereto.”;

Note: Where a recommendation calls for amending to text of an existing section in the Draft Council Procedural By-law, changes are indicated by *italics*:

(1) section 54 be amended to read:

*“Except with respect to a report from a Community Council, upon the request of any Member, and when the Chair is satisfied that a matter under consideration contains distinct proposals, the vote upon each proposal shall be taken separately.”;*

(2) inserting a new section into Part X, as follows:

*“Subject to subsection 95(9), whenever the report of any Community Council appears on the City Council Agenda and a Member requests that such report be the subject of questions or debate, or that distinct proposals within the report be considered separately, City Council shall immediately and without debate hold a vote on whether such questions, debate or separate consideration should take place; if a majority of the Members present vote against the motion, the report’s recommendations will be voted or in their entirety as a single package, without questions or debate, and adopted or defeated accordingly.”;*

(3) amending section 85 to read as follows:

“85 (1) It is the responsibility of the Standing Committees of Council to:

(a) provide political direction, set priorities and ensure co-ordination among related policies, programs and services;

- (b) provide a forum for public participation and for detailed discussion of the City's decision-making *on matters of citywide significance*;
  - (c) make policy recommendations to Council and recommend citywide priorities within the Committee's budget envelope;
  - (d) receive reports from the corporate administration on implementation of program and policy decisions within the Committee's areas of responsibility; and
  - (e) promote accountability and interaction with City Council on the part of agencies, boards and commissions of the City, *except those whose members are nominated or appointed by Community Councils*.
- (2) Each Standing Committee shall report to City Council.”;
- (4) amending section 87 by:
- (a) inserting the word “*citywide*” before the words “Official Plan” in subsection (1);
  - (b) inserting the word “*citywide*” before the words “transportation policies” in subsection (2); and
  - (c) deleting from subsections (3) and (5) the words “the Business Improvement Area boards of management” and “Committee of Adjustment, Property Standards Committee”;
- (5) amending the introductory portion of section 89 to read as follows:
- “89. the Community and Neighbourhood Services Committee shall be responsible for addressing, *in a*



*citywide context, the spectrum of issues that have an impact on the quality of life in communities and neighbourhoods such as social, health, housing recreational and cultural needs, except where such issues fall within the purview of Community Councils in accordance with section 94. Issues for which the Committee is responsible shall include:"*

(6) amending subsections 89(9) and (10) by deleting the words "the Boards of Management of Recreational Facilities";

(7) amending subsection 90(5) by adding the words "*except where such matters fall within the purview of Community Councils in accordance with section 94*";

(8) adding a new subsection to section 91:

*"Decisions on the acquisition, disposal and use of city buildings and property shall be made in consultation with the local Community Council."*;

(9) adding a new section 92 as follows:

92. (1) *It is the responsibility of the Community Councils to decide local issues and act as the City's direct link with residents and taxpayers at the Community level by:*

(a) *listening to the community, resolving problems and acting as a forum for appeal on delegated decisions;*

(b) *implementing citywide policies by applying them to local issues;*

(c) *within the framework of citywide policies, developing local policies that respond to local needs;*

(d) *recommending municipal priorities for the Community, and ensuring co-ordination among all municipal policies, programs and services within the Community;*

- (e) *receiving reports from the corporate administration on implementation of program and policy decisions within the Community Councils' areas of responsibility; and*
      - (f) *promoting accountability and interaction with City Council on the part of those Agencies, Boards and Commissions of the City whose members are nominated or appointed by Community Councils.*
    - (2) *Each Community Council shall report to City Council.*
  - (10) COMBINE sections 92 and 93 to form a new section 93.
  - (11) REVISE section 94 to read:
    - "94. *Each Community Council shall be responsible for, within the part of the City of Toronto it represents:*
      - (a) *holding statutory public hearings and meetings, making recommendations to City Council on development applications, the designation and protection of historic buildings and sites and other Official Plan and zoning by-law matters, commissioning area planning studies and policies, delegating matters to staff under the Planning Act and, within the context of City Council's decisions on the need for them, determining the location of new municipal facilities including local services for youth, aged and homeless people, deciding on neighbourhood redevelopment and improvement programs, and initiating community economic development initiatives, all within their respective boundaries;*
      - (b) *reviewing the delivery of municipal services within the community including the need for programs, hours of operation and locations; hearing public deputations and making recommendations to City Council on other*

neighbourhood matters requiring a municipal by-law or commitment of unbudgeted City funds, including exemptions to fence, sign, ravine, tree *and noise* by-laws, BIA streetscape improvement plans *and other street furniture*, traffic and parking regulations; *and standards of cleanliness within the road allowance*;

- (c) hearing and deciding appeals of staff decisions regarding construction-related permits; billings related to snow removal, cleaning and clearing of debris and cutting of weeds and long grass; encroachments on municipal property, requests to remove trees and damage caused by trees on municipal property; *licensing of rooming houses, lotteries and bingo, pets, business and vending; installation of street banners and pennants; animal control issues*;
- (d) *making recommendations to City Council on lease agreements related to local assets including lands, buildings and sub-surface rights-of-way; alternative use or sale of municipal property; making municipal facilities available at below-market rates; use, obstructions and leasing of boulevards; sale of advertising space on City walls, bridges, vehicles, public squares and within the road allowance; night-time construction and other site-specific noise activity by the City or its Agencies, Boards and Commissions; approval of events in City parks and other public or private outdoor sporting and cultural events*;
- (e) involving citizens in neighbourhood issues, such as recreation needs and safety concerns, *social and health-related needs, programs and policy issues affecting the local area, store-front services; reviewing, creating or terminating local special-purpose advisory committees or task forces*; monitoring the well-being of local neighbourhoods and reporting to City Council on how well

community needs are being met;  
*co-ordinating volunteer efforts;*

- (f) nominating citizens as members of *Business Improvement Area boards*, community panels of the Committee of Adjustment, *Architectural Advisory Committee* and Property Standards Committee; *appointing members* to local recreational facility boards of management; *evaluating the operations of such local boards and making recommendations on their structure;*
- (g) *making recommendations to the Budget Committee and City Council on Community allocations and priorities in the operating and capital estimates; overseeing budget expenditures for local programs and services; re-allocating funds within the Community budget for local services, subject to limits established by City Council; recommending the budgets for those Agencies, Boards and Commissions of the City whose members they nominate or appoint; administering community grants; making submissions for grants, sponsorships or funding from other levels of government, foundations or the private sector; developing and clarifying local Community-based arts grants policies and criteria; and conducting community needs assessments.*

(12) DELETE the existing sections 95 and 96;

(13) ADD a new section 95 as follows:

95. (1) *At the same time as it is circulated to Members of that Community Council, the agenda of every Community Council meeting shall be circulated to the Members of City Council representing wards adjoining the boundaries of the Community.*

- (2) *If any Member of City Council believes that a matter on the agenda of a adjoining Community Council will have a significant direct impact on his or her ward, the Member may submit a request in writing, in accordance with subsection (3), asking that the matter be treated as a boundary issue.*
- (3) *Any request submitted under subsection (2) must:*
  - (a) *provide a written explanation of the anticipated impact; and*
  - (b) *reach the Clerk responsible for that Community Council not later than three days before the date of the meeting;*

*and the Clerk shall immediately provide copies to the Chair of that Community Council and to the Chair of the Community Council to which the Member belongs, and they shall jointly decide whether or not the matter is a boundary issue.*
- (4) *In the event that the Chairs of the Community Councils cannot agree on whether or not a matter is a boundary issue, a decision shall be made by the Mayor or another Member designated by the Mayor.*
- (5) *Whenever a request has been submitted under subsection (2) the matter shall not be considered by either of the Community Councils concerned until either:*
  - (a) *a decision has been made in accordance with subsection (3) or subsection (4) that the matter is not a boundary issue; or*
  - (b) *the report of a joint working group convened in accordance with*

*subsection (6) is available to be considered with the matter.*

- (6) *When it has been decided in accordance with subsection (3) or subsection (4) that a matter is a boundary issue, a joint working group shall immediately be appointed by the chairs of the Community Councils concerned, and shall include the Member who submitted the request together with the Members for the subject ward and such other persons as the Chairs may appoint.*
- (7) *A joint working group established in accordance with subsection (6) shall prepare a report with recommendations within six weeks.*
- (8) *At the earliest opportunity after the report referred to in subsection (7) is available, the matter and the report shall be placed on the agenda of a combined meeting of the Community Councils concerned, following which each Community Council shall vote on the matter.*
- (9) *If the votes of the Community Councils differ, the matter shall be sent directly to the next upcoming meeting of City Council for resolution, and (new section in Part X) shall not apply.*

(14) AMEND section 100 to read:

100. The Budget Committee shall be composed of twelve (12) Members of Council including the Budget Chief, a representative from each of the Standing Committees, *and a representative of each Community Council who may be the Chair or such other Member as the Community Council may appoint.*

(15) AMEND section 107 by:

- (a) renumbering subsections (3) and (4) as (4) and (5) respectively;

(b) changing “(3)” in subsections (1) and (2) to “(4)”; and

(c) adding the following new subsection:

(3) *A sub-committee of a Community Council, consisting of members of the Community Council only, may also be established by a Community Council in accordance with subsection (4).*

(n) Further moved by Councillor McConnell:

‘It is recommended that section 47 of the draft Council Procedural By-law be amended to provide for reconsideration of matters considered during the term of Council every 18 months.’

(o) Moved by Councillor Mihevc:

‘That Council adopt the following recommendations:

“It is recommended that:

- (1) Recommendation 105 of the final report of the Toronto Transition Team be amended to provide that where Agencies, Boards and Commissions are geographically defined as serving a particular neighbourhood or area of the City, the Community Councils appoint the Councillor and citizen members;
- (2) the draft Council Procedural By-law be amended to provide that the Nominating Committee be composed of one representative from each Community Council; and, further, that only Members who are not Chairs of Standing Committees or Community Councils are eligible to be Members of the Nominating Committee; and
- (3) the following recommendation be referred to the Special Committee:

“That the Chairs of the Standing Committees be selected by the Members of the Standing Committees; and, further, that Chairs of Standing Committees and Community Councils be eligible to serve as Chairs only once during a three-year term”.’

(p) Moved by Councillor Miller:

That the following recommendations be forwarded to the Special Committee:

‘It is recommended that:

(1) the draft Council Procedural By-law be amended as follows:

- (a) by deleting in subsection 26(5) the words “and answers thereto”;
- (b) by deleting in subsection 26(7) the word “similar” and inserting in lieu thereof the words “the same”;
- (c) by adding to subsection 80(j) the words “developing in conjunction with the citizens, the Social Charter, recommended in the Toronto Transition Team Report”; and
- (d) by adding to subsection 118(i) the words “except that a Committee may have recorded votes”; and

(2) that Council adopt the following recommendation:

“It is recommended that the City Solicitor be requested to report to the Special Committee on the ability of the Mayor to sit, ex-officio, on the Community Councils, in view of the provisions of Bill 103, viz. “Members of Community Councils shall be elected from the former Cities”.

(q) Moved by Councillor Minnan-Wong:

“That Council adopt the following recommendation:

‘It is recommended that no action be taken on the hiring of Executive Commissioners; and that Recommendations 44 and 45 in the final report of the Toronto Transition Team be referred to the Special Committee.

(r) Moved by Councillor Moscoe:

“That Council adopt the following recommendations:

‘It is recommended that:



- (1) Recommendation 21 of the final report of the Toronto Transition Team be amended by adding thereto the following:
  - “(a) Council establish a municipal boundary task force;  
and
  - (b) the terms of reference of the task force shall include:
    - (I) to review the present ward system and propose divisions for each ward;
    - (ii) to review the feasibility of adjusting the size and geographic boundaries of the communities that make up the new Toronto;
    - (iii) to hold public hearings as required; and
    - (iv) to report directly to Council no later than January 31, 1999.”;
- (2) the following motion be referred to the Special Committee for further consideration:

‘That Recommendation 29 of the final report of the Toronto Transition Team be amended to provide that Toronto should explore the possibility of the Toronto Ambulance Service evolving into the GTA ambulance agency, and in the interim, continue to offer to provide service to other GTA municipalities on a cost plus basis.’;
- (3) the first paragraph of Recommendation 70 of the final report of the Toronto Transition Team be amended by deleting the words ‘all of’, and that such paragraph, as amended, be referred to the Special Committee, viz.:

‘Council should ensure that there is citizen representation on its Agencies, Boards and Commissions.’;
- (4) Recommendation 75 of the final report of the Toronto Transition Team be voted on separately;
- (5) the following motion be referred to the Special Committee:

'That Recommendation 83 of the final report of the Toronto Transition Team be amended by deleting the first paragraph and inserting in lieu thereof the following:

“Consideration should be given to expanding the membership of the Toronto Transit Commission to eleven members, one to be the Mayor or his designate” ’;

- (6) the following motion be referred to the Special Committee:

“That Recommendation 86 of the final report of the Toronto Transition Team be amended by adding the sentence ‘Failing that, City Council, as a matter of policy, shall provide sustaining grants to all Toronto public theatres equivalent to their municipal property taxes, separate and apart from any other grants they may receive.’ ”;

- (7) the following paragraph embodied in Recommendation 90 of the final report of the Toronto Transition Team be referred to the Urban Environment and Development Committee for consideration:

“City Council should invite the Province to jointly explore a co-ordinated approach to the management and marketing of the National Trade Centre and the Metro Toronto Convention Centre, including the possibility of having the private operation of both facilities carried out by one company.”;

- (8) the following motion be referred to the Special Committee:

“That Recommendation 93 of the final report of the Toronto Transition Team be amended by adding at the end of the fourth paragraph, the following:

‘(1) Matters of parking policy shall remain with the City Council through the Urban Environment and Development Committee and the Community Councils; and

(2) there shall be a formal process of consultation with the respective Councillors on local parking policy changes.’ ”;

- (9) the following motion be referred to the Special Committee:

“That the second paragraph embodied in Recommendation 103 of the final report of the Toronto Transition Team be amended by inserting the word ‘model’ after the words ‘existing Toronto Arts Council’, so that such paragraph shall now read as follows:

‘The Arts Council should be based on the existing Toronto Arts Council model and it should report to Council through the Community and Neighbourhood Services Committee.’ ”

- (10) Recommendation 118 of the final report of the Toronto Transition Team be referred to the Special Committee, together with the following proposed amendment:

“That the second paragraph of Recommendation 118 be amended to read as follows:

‘A review of sidewalk and snow-ploughing practices shall be undertaken. Whatever service has been supplied until now shall continue.’ ”;

- (11) Recommendation 119 of the Toronto Transition Team be referred to the Special Committee;
- (12) the first two paragraphs of Recommendation 124 of the final report of the Toronto Transition Team be referred to the Community and Neighbourhood Services Committee; and
- (13) Recommendation 134 of the final report of the Toronto Transition Team be referred to the Urban Environment and Development Committee.’ ”

- (s) Further moved by Councillor Moscoe:

‘That Council adopt the following recommendation:

“It is recommended that the draft Council Procedural By-law be amended by:

- (1) deleting the words in Section 82(c) and inserting in lieu thereof the words ‘making recommendations to Council on revenue and expenditure issues, through the Strategic Policies and Priorities Committee’;

- (2) deleting the word 'Strategic' from the name of the Strategic Policies and Priorities Committee, mutatis mutandis;
  - (3) including a definition for the word "Strategic" in the draft Council Procedural By-law; and
  - (4) adding to the end of Section 1(m)(ii), the words 'save and except the ex-officio powers of the Mayor as a Member of a Community Council'."
- (t) Further moved by Councillor Moscoe:

'That Council adopt the following recommendation:

"It is recommended that the following motion be referred to the Special Committee for consideration and report thereon to Council:

'WHEREAS the amalgamation of the seven municipalities within Metropolitan Toronto has been accomplished with haste and with little forward planning. Among the literally thousands of decisions that will have to be made is where the seat of government will rest. This matter will have to be resolved quickly. For the moment, (based on the recommendations of the Toronto Transition Team), Councillors who are presently located in Metro Hall or Toronto City Hall retained their offices, and for others, lots have been drawn to determine their locations in either Metro Hall or Toronto City Hall; and

WHEREAS the first meeting of the new Toronto Council will be held at Toronto City Hall and subsequent meetings will take place at Metro Hall; and

WHEREAS, notwithstanding the differences of opinion that abound amongst the newly-elected Members, two basic principles of consensus seem to be emerging:

- (1) it is generally felt that it would be beneficial to have the offices for all Councillors within the same location; and
- (2) there seems to be a feeling among many Councillors that Council offices ought to be where meetings take place; and

WHEREAS many Councillors feel that Toronto City Hall would be the preferred location for the seat of government. It is a location that has traditionally been recognized as the centre of municipal government. The "Toronto City Hall" image is a symbol that has a status that goes well beyond the old City of Toronto; and

WHEREAS there is a strong feeling, however, that Toronto City Hall cannot adequately accommodate all Members of Council conveniently and comfortably and that the facilities offered by Metro Hall, which is a modern, efficient building, can be more easily and economically retrofitted to accommodate a Council of 57 Members; and

WHEREAS I would urge Members of Council not to make the decision with the same haste as the Harris government has made most of its recent legislative changes; and

WHEREAS I propose that the ultimate seat of government be a complex that includes Toronto City Hall, (renovated), Nathan Phillips Square, a restored old City Hall and office space constructed as required on lands presently owned by the City of Toronto adjacent to City Hall. It is essential, however, that this complex be properly planned and coordinated to ensure that this seat of government is one that properly reflects the importance of a city of 2 1/4 million people; and

WHEREAS I propose that in the interim, offices be provided in Metro Hall for all Councillors and that Metro Hall become the provisional seat of government for the new City of Toronto until the city centre complex becomes available, that staff be directed to review the need for accommodating staff and Council and that we aim to move into the Toronto Centre Municipal Complex following the next election;

NOW THEREFORE BE IT RESOLVED THAT Metropolitan Council recommend to the new City of Toronto Council that Metro Hall be the provisional seat of government until an appropriate City Centre Complex can be planned and developed;

AND BE IT FURTHER RESOLVED THAT plans for a city centre complex be developed by staff and that such plans include:

- (1) renovation of the present Toronto City Hall to accommodate the new Toronto government;
- (2) restoration of old City Hall, (1899), to its original grandeur, (now owned by Metro and leased to the Province, lease expires 1998);
- (3) the construction or lease of office space behind Toronto City Hall as required, (land presently owned by the City of Toronto);
- (4) the redevelopment of Bay Street, north of Queen as part of the City Centre Complex; and
- (5) underground connections to tie the buildings together;

AND BE IT FURTHER RESOLVED THAT staff establish as an objective to have these facilities ready for full use for the next term of Council.' ” ’

- (u) Further moved by Councillor Moscoe:

‘That the draft Council Procedural By-law be amended as follows:

- (1) by adding to subsection 6(1) the words “in writing” after the words “24 hours’ notice”, so subsection 6(1) shall now read as follows:

“The Mayor may at any time summon a special meeting of the Council on 24 hours’ notice in writing to the Members and shall summon a special meeting of the Council when requested to do so in writing by a majority of the Members”;

- (2) by deleting from subsection 6(3) the words “as the Mayor may direct”, and inserting in lieu thereof the words “by the Clerk in consultation with the Mayor”;
- (3) by deleting from subsection 16.1(a) the word “official and replacing it with the word “employee”;
- (4) amending subsection 17(b) to read as follows:

“No person shall engage in behavior which may disrupt the proceedings of Council.”;

- (5) by deleting from subsection 19(b) the word “official” and replacing it with the word “employee”;
- (6) adding to subsection 29(2) the following words:  
  
“unless Council by an official vote by at least two-thirds of the Members present and voting waives this procedure”;
- (7) adding to subsection 32 the following words:  
  
“unless Council by an official vote by at least two-thirds of the Members present and voting waives this procedure”;
- (8) by deleting section 58;
- (9) by deleting from subsection 80 the words “Strategic Policies and Priorities” and inserting in lieu thereof the words “Financial Priorities”, and that other pertinent sections of the By-law be amended accordingly;
- (10) amending subsection 82(c) to read as follows:  
  
“(c) making recommendations to Council on revenue and expenditure issues.”;
- (11) by deleting from subsection 98(4) the word “Chief” and replacing it with the word “Chair”;
- (12) by referring section 116 to the Clerk and Interim City Solicitor with a request that they report on whether such section applies to Community Councils; and
- (13) by deleting from subsection 122(c) the word “annual” and replacing it with the words “twice yearly”.

(v) Moved by Councillor Prue:

“That the communication dated December 29, 1997, from Councillor Prue, outlining his comments on the draft Council Procedural By-law as attached to the report dated January 5, 1998, from the City Clerk, be referred to the Special Committee for discussion and report back.”

(w) Moved by Councillor Shiner:

‘That Council adopt the following recommendation:

“It is recommended that, on an interim basis, Metro Hall be renamed ‘Toronto City Place’.”

(x) Moved by Councillor Walker:

‘That Council adopt the following recommendations:

“It is recommended that the draft Council Procedural By-law be amended by:

- (1) deleting Section 95; and
- (2) amending Section 107 by:
  - (a) renumbering subsection (3) to subsection (4);
  - (b) renumbering subsection (4) to subsection (5);
  - (c) adding a new subsection (3) to read as follows:

‘(3) A Sub-Committee of a Community Council consisting of Members of the Community Council and citizens may be established, when deemed appropriate in accordance with Subsection (4)’; and

- (d) deleting from subsections (1) and (2) the words ‘in accordance with subsection (3)’ and inserting in lieu thereof the words ‘in accordance with subsection (4)’.”

(y) Further moved by Councillor Walker:

“It is recommended that the draft Council Procedural By-law be amended as follows:

- (1) (I) by deleting subsection 1(h), and renumbering the remaining subsections accordingly; and
  - (ii) by deleting all references to “the Corporation of” before the words “the City of Toronto” in the By-law;
- (2) subsection 6(2) be amended to read “that meetings of Council cannot be called at the same time as the Strategic Policies and Priorities Committee, Standing Committees or Community Council meetings



are scheduled” and that the subsequent subsections be renumbered accordingly;

- (3) section 9 be amended to read “A majority of Members sitting in their assigned seats is necessary to constitute a quorum of Council”;
- (4) subsections 10(2) and (3) be amended by replacing “15 minutes” with “5 minutes”;
- (5) section 11 be amended to include the following definitions:

“Council In Camera

A. A Member may move a motion that Council meet In Camera if the subject matter being considered is:

- (1) the security of the property of the municipality or local board;
- (2) personal matters about an identifiable individual, including municipal or local board employees;
- (3) a proposed or pending acquisition of land for municipal or local board purposes;
- (4) labour relations or employee relations;
- (5) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (6) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (7) a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another Act; and
- (8) a request under the Municipal Freedom of Information and Protection of Privacy Act.

The motion must indicate the general reason an In Camera discussion is required.

- B. Only those matters agreed to in public for discussion In Camera may be discussed.
  - C. The rules governing Committee meetings will be observed by Council In Camera.
  - D. At the conclusion of an In Camera meeting, the Chair will announce the time of the resumption of the Council meeting, and in the absence of such announcement, the Council meeting will resume within ten (10) minutes after the end of the In Camera meeting.
- (6) subsection 16.1(d) be amended to include the following definition of Unparliamentary Language - Language expressions, or statements in debate or questions which:
- A. attribute false or undeclared motives to another Member;
  - B. charges another Member with being dishonest;
  - C. is abusive or insulting; or
  - D. is likely to cause disorder.
- (7) section 23 be renumbered 23(a) and the following be inserted as subsection 23(b):
- “23 (b) The Chair will not take part in the discussion of an item while in the chair”;
- (8) section 25 be renumbered as 25(a) and the following be inserted as 25(b):
- “25 (b) A member, with the leave of Council, may be granted one five-minute extension to speak on the same matter.”;
- (9) subsection 26(3)(b) be amended by deleting the words “with the consent of the Council”;
- (10) subsection 26(5) be renumbered as 26(5)(a) and the following be inserted as 26(5)(b):

“26(5)(b) Council may grant a five-minute extension to a member to ask questions of the same person on the same matter”;

(11) subsection 26(7) be deleted;

(12) section 28 be amended by inserting after the words “current term of Council” the following words:

“Or which for reasons of health, safety, emergency or legal deadline, cannot first be considered by the appropriate Committee.”;

(13) subsections 29(1) and (2) be deleted;

(14) subsection 37(3) be deleted;

(15) subsection 47(2) be amended by inserting the following words after the word “majority”, “or who voted in opposition on a tied vote”;

(16) subsection 77(b) be deleted and that the balance of section 77 be renumbered accordingly;

(17) section 78 be amended by deleting all the words after the words “without reporting shall” and inserting in lieu thereof the following:

“only be in order if the subject referred to the Committee is being considered in camera as provided by section 11; and

(18) subsection 87.1(g) be amended to read as follows:

“Committee of Adjustment panels”.

(D) In accordance with the foregoing recommendations adopted by Council in Section (A) above, the following communications were referred to the Special Committee for further consideration:

(i) 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;

(ii) 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;

- (iii) 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;
- (iv) 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;
- (v) 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;
- (vi) from the Metropolitan Clerk (September 26, 1997) forwarding the recommendations of Metropolitan Council pertaining to the Metropolitan Cycling and Pedestrian Committee;
- (vii) 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;
- (viii) from the Metropolitan Clerk (December 23, 1997) forwarding the recommendation of Metropolitan Council that a Telecommunications Committee or Task Force be established;
- (ix) 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;
- (x) 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;

- (xi) from Mr. G. Collver, Etobicoke Citizens for Effective Government (January 5, 1998) noting that references to a Healthy City Office and an Office of Environmental Planning and Management were omitted in the Transition Team's final report and requesting that consideration be given to inserting these references in order to highlight the vital importance of these Offices and to emphasize their significance in integrating strategic policy and planning support to City Council;
  - (xii) from the President, Local 79, Canadian Union of Public Employees (January 5, 1998) submitting comments on the final report of the Toronto Transition Team;
  - (xiii) from the City Clerk (January 5, 1998) forwarding comments received from Members of Council regarding the draft Council Procedural By-law; and
  - (xiv) from the Assistant City Clerk, City of Toronto (December 30, 1997) forwarding, for consideration by the new City Council, a report dated August 29, 1997, from the Commissioner of Urban Development Services, embodied in Clause No. 5 of Report No. 8 of the Economic Development Committee, headed "Submission to the Transition Team on Economic Development in the New City of Toronto".
- (E) In accordance with the foregoing motions adopted by Council in Section (A) above, the following motions were referred to the Corporate Services Committee:
- (a) Moved by Councillor Adams:  
  
‘That Council adopt the following recommendation:  
  
“It is recommended that the Special Committee be requested to consider the provision of assistance to Councillors’ offices in the event of extended disability or sickness of office staff and other related matters, including severance allowances.” ’
  - (b) Moved by Councillor Flint:  
  
‘That Part (2) of the following motion by Councillor Moscoe be amended to provide that the salary paid to Members of Council be no higher than \$79,500.00 and that this sum not include any tax-free component; and, further that if Provincial legislation precludes this, then the sum be lowered accordingly.’

- (c) Moved by Councillor Jones:

‘That Council adopt the following recommendation:

“It is recommended that no additional honoraria or stipends be provided for Members of Council who are appointed to act either as Chairs or Members of Agencies, Boards and Commissions.” ’

- (d) Moved by Councillor Minnan-Wong:

‘That Council adopt the following recommendation:

“It is recommended that, in the event City Council cannot achieve a zero percent tax increase, Members of Council receive a penalty of ten percent in their own salaries.” ’

- (e) Moved by Councillor Moscoe:

“That Council adopt the following recommendations:

‘It is recommended that:

- (1) the question of the fourth assistant (clerical) for Members of Council be referred to the Special Committee recommended by the Mayor for further consideration;
- (2) Recommendation 11 of the final report of the Toronto Transition Team be adopted, and further that the question of salaries for Members of Council be reviewed by the Corporate Services Committee at its first meeting, with the premise that the salaries be pegged at the average salary of a Member of the Provincial legislature (including the work on Committees but excluding the salaries of Cabinet Ministers); and
- (3) in addition, the Corporate Services Committee be requested to review the personal expense allowances of Members of the Ontario Legislature, in order to establish a reasonable expense allowance for Members of Council.”; and

- (f) Moved by Councillor Davis:

“That City Council appoint a Blue Ribbon Panel of six ratepayers, representing each of the former Area Municipalities, the membership of which shall be determined by the Corporate Services Committee, and that the

sole responsibility of the Panel be to make recommendations to Council, through the Corporate Services Committee, regarding remuneration for the Mayor and Members of Council.”

Mayor Lastman resumed the Chair.

- 42 At this point in the proceedings, the Mayor announced to Council that he had appointed the following Members to the Striking Committee:

Councillor Elizabeth Brown  
Councillor Gordon Chong  
Councillor Tom Jakobek  
Councillor Joe Pantalone  
Councillor Bill Saundercook  
Councillor Sherene Shaw

At this point in the proceedings, Councillor Chong proposed that Council now recess in order to permit the Striking Committee to meet.

Council concurred in the foregoing proposal.

- 43 At this point in the proceedings, and with the permission of Council, Councillor Jones moved that Council vary the proceedings in order to introduce the following Notice of Motion, which was carried:

**Moved by: Councillor Jones**

**Seconded by: Councillor Prue**

“**WHEREAS**, the City of Toronto Act, 1997 (No. 2), provides that a Board of Health for the City of Toronto is established on January 1, 1997, under the name of the Board of Health for the City of Toronto Health Unit; and

**WHEREAS**, pursuant to s. 18 of the City of Toronto Act, 1997, the Transition Team has hired Dr. Sheela Basrur as the Acting Medical Officer of Health for the City of Toronto; and

**WHEREAS**, pursuant to sections 18 and 19 of the City of Toronto Act, 1997, Council of the City of Toronto is deemed to have taken all steps necessary to make Dr. Sheela Basrur the effective holder of the office of Acting Medical Officer of Health for the City of Toronto; and

**WHEREAS**, it is necessary for Council to confer upon the Acting Medical Officer of Health all of the powers and duties of the Medical Officers of Health of the former municipalities of The City of Toronto, The City of Etobicoke, The City of North York, The City of York, The City of Scarborough and The Borough of East York;

**NOW THEREFORE BE IT RESOLVED THAT** Council consider the report dated January 5, 1998, from the Chief Administrative Officer regarding the powers and duties of the Acting Medical Officer of Health.”

Upon the question of the adoption of the foregoing Motion, without amendment, and that Council now give consideration to the aforementioned report, it was carried, more than two-thirds of Members present having voted in the affirmative.

In accordance with the adoption of the foregoing Motion, Council had before it a report dated January 5, 1998, from the Chief Administrative Officer, entitled “Powers and Duties of Acting Medical Officer of Health”. (See Attachment No. 9.)

Upon the question of the adoption of aforementioned report, without amendment, Councillor Jones moved that Council adopt the following recommendations:

“It is recommended that:

- (1) the report dated January 5, 1998, from the Chief Administrative Officer, headed ‘Powers and Duties of the Acting Medical Officer of Health’, embodying the following recommendation, be adopted:

‘It is recommended that authority be granted for the introduction of a bill in Council substantially in the form of the draft by-law attached as Schedule 1’;  
and

- (2) such Bill be adopted.”

Upon the question of the adoption of the foregoing motion by Councillor Jones, the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas, Walker - 53.

Nay: Councillor: Faubert - 1.

Decided in the affirmative by a majority of 52.

Upon the question, “Shall Bill No. 16, being a bill ‘To delineate certain duties and responsibilities of the Acting Medical Officer of Health’, be passed and hereby declared as a By-law?”, as follows:



“By-law No. 16-1998 To delineate certain duties and responsibilities of the Acting Medical Officer of Health”.,

44 it was carried.  
Councillor Fotinos, seconded by Councillor Disero, moved that leave be granted to introduce:

“Bill No. 17 To confirm the third portion of the proceedings of the Council at its Inaugural Meeting held on the 8th day of January, 1998.”,

which was carried.

Upon the question, “Shall this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law?”, as follows:

“By-law No. 17-1998 To confirm the third portion of the proceedings of the Council at its Inaugural Meeting held on the 8th day of January, 1998.”,

it was carried, without dissent.

Council recessed at 5:00 p.m.

**8:14 P.M.**

Council reconvened.

Mayor Lastman took the Chair and called the Members to order.

45 At the request of Council, the City Clerk called the Roll at 8:14 p.m., those Members present at the call of the Roll being:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, O’Brien, Ootes, Pantalone, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 53.

46 Members present at the first evening session of the third day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday,

Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 57.

- 47 At this point in the proceedings, the Mayor called upon Notice of Motion 22(b) appearing on the Order Paper, as follows:

**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.”

Councillor Minnan-Wong moved that Council now give consideration to the foregoing Motion, the vote upon which was taken as follows:

Yeas: Councillors: Flint, Holyday, Jakobek, Mammoliti, Minnan-Wong, Moeser, Nunziata - 7.

Nays: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Fotinos, Gardner, Giansante,

Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, McConnell, Mihevc, Miller, Moscoe, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 50.

Decided in the negative, less than two-thirds of Members present having voted in the affirmative.

Having regard for the foregoing decision of Council, Councillor Adams, seconded by Councillor Miller, moved that the foregoing Motion be referred to the Budget Committee for consideration.

Upon the question of the adoption of the foregoing motion by Councillor Adams, seconded by Councillor Miller, it was carried.

48 At this point in the proceedings, the Mayor called upon Notice of Motion 22(d) appearing on the Order Paper, as follows:

**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, 1998;

**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.”

Councillor Ootes moved that Council now give consideration to the foregoing Motion, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Augimeri, Berardinetti, Bossons, Brown, Bussin, Chong, Chow, Davis, Disero, Duguid, Filion, Flint, Fotinos, Gardner, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Li Preti, Mahood, McConnell, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 45.

Nays: Councillors: Ashton, Berger, Faubert, Feldman, Giansante, Lindsay Luby, Mammoliti, Moeser, O'Brien - 9.

Decided in the affirmative, more than two-thirds of Members present having voted in the affirmative.

Council had before it the following reports and communications:

- (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?”;
- (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;
- (iv) from Mr. A. D’Silva, Fasken, Campbell, Godfrey, Barristers and Solicitors (January 2, 1998) on behalf of Ms. E. Montgomery, who is requesting a recount requesting permission to make oral submissions on Ms. Montgomery’s behalf; and
- (v) from the City Clerk (January 5, 1998) requesting that Council hold a special meeting on Monday, February 2, 1998, at 2:00 p.m. in the Council Chamber, Metro Hall, for the purpose of considering all applications for recounts. [See Attachment No. 10(i)]

Council also had before it, during consideration of this matter, reports dated January 5, 1998, and January 7, 1998, from Mr. H.W.O. Doyle, Functional Lead, Legal Department, and Ms. M. Rodriguez, Implementation Task Force Member, providing an update on the legal proceedings that have been initiated to seek a recount of the ballots cast in Ward 18, requesting City Council's ratification of actions taken to date and further requesting authorization to take all actions in the legal proceeding considered necessary to protect the interests of the City. [See Attachments Nos. 10(ii and iii)]

(A copy of each of the aforementioned communications (i) to (iv) is on file with the office of the City Clerk.)

Upon the question of the adoption of the foregoing Notice of Motion and reports, without amendment, Councillor Ootes moved that Council adopt the following recommendations:

“It is recommended that:

- (1) the report dated January 5, 1998, from the City Clerk, entitled ‘Election Recounts’, embodying the following recommendation, be adopted:

‘It is recommended that Council hold a special meeting on Monday, February 2, 1998, at 2:00 p.m., in the Council Chamber, Metro Hall, for the purpose of considering all applications for recounts which are filed with the Clerk by that time, and the Clerk provide notice of the Special Meeting to all candidates for the particular office.’;

- (2) the joint report dated January 5, 1998, from Mr. H.W.O. Doyle, Functional Lead, Legal Department, and Ms. M. Rodrigues, Implementation Task Force Member, be received for information; and
- (3) the joint report dated January 7, 1998, from Mr. H.W.O. Doyle, Functional Lead, Legal Department, and Ms. M. Rodrigues, Implementation Task Force Member, embodying the following recommendations be adopted:

‘It is recommended that:

- (i) this report be received for information; and
- (ii) City Council ratify the actions taken to date by the Functional Lead, Legal Department, in the aforementioned legal proceedings and authorize the Functional Lead, or the City Solicitor upon being appointed, in consultation with the City Clerk, to take all actions in the legal proceeding considered necessary or desirable to protect the interests of the City.’ ”

Upon the question of the adoption of the foregoing motion by Councillor Ootes, it was carried.

- 49 At this point in the proceedings, the Mayor called upon Notice of Motion 22(e) appearing on the Order Paper, as follows:

**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."

Councillor Adams moved that Council now give consideration to the foregoing Motion, the vote upon which was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Cho, Chow, Davis, Disero, Duguid, Faubert, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Minnan-Wong, Moscoe, Nunziata, O'Brien, Ootes, Prue, Rae, Saundercook, Shaw, Silva, Sinclair, Tzekas, Walker - 45.

Nays: Councillors: Brown, Bussin, Chong, Feldman, Kelly, King, Moeser, Pantalone, Sgro, Shiner - 10.

Decided in the affirmative, more than two-thirds of Members present having voted in the affirmative.

Council also had before it, during consideration of the foregoing Motion, a confidential joint report dated January 8, 1998, from the Commissioner of Human Resources and the Functional Lead for Legal Services, respecting the arbitration award issued on December 11, 1997, between the Toronto Firefighters' Association and the City of Toronto

At this point in the proceedings, Councillor Saundercook, with the permission of Council, moved that Council recess prior to its consideration of the recommendations of the Striking Committee and immediately reconvene in Committee Room "A"; that Council resolve itself into Committee of the Whole and then recess to meet privately to consider the foregoing Motion and the aforementioned confidential joint report dated January 8, 1998, from the Commissioner of Human Resources and the Functional Lead for Legal Services, which involves labour relations issues, in accordance with subsection 55(7) of the Municipal Act, which was carried.

Council deferred further consideration of the foregoing Motion and confidential report until later in the meeting. (See Minute No. 56.)

- 50 At this point in the proceedings, and with the permission of Council, Councillor Rae moved that leave be granted to introduce the following Notice of Motion, and that Council now give consideration thereto, which was carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Rae**

**Seconded by: Councillor Miller**

**“WHEREAS** on July 3, 1996, a new bargaining unit was certified at the former City of Toronto, covering employees known as ‘Recreation Casuals’, which included pool and lifeguard staff and instructor/coaches in recreation programs, most of whom work less than thirty hours per week and/or on a seasonal basis; and

**WHEREAS** the former City of Toronto attempted to have the certification overturned by the Divisional Court, without success; and

**WHEREAS** bargaining took place in the fall of 1997, culminating in an agreement which was ratified by the former Toronto City Council and the employees on December 16, 1997; and

**WHEREAS** the terms of the agreement cover the period July 3, 1996 to December 31, 1997, and include provisions which settle two outstanding issues between the parties; and

**WHEREAS** the agreement has no negative financial implications for the years 1996 and 1997 and will cost less than \$150,000.00 in 1998; and

**WHEREAS** the agreement was submitted to the Financial Advisory Board for approval but approval was not granted; and

**WHEREAS** Local 79 has commenced an action against both the City and the Financial Advisory Board before the Labour Relations Board to have the agreement enforced; and

**WHEREAS** it is in the best interest of both the employees and the City of Toronto that this agreement be ratified by City Council;

**NOW THEREFORE BE IT RESOLVED THAT** the Collective Agreement negotiated between the former City of Toronto and CUPE Local 79, Recreation Workers Unit, be ratified.”

Council also had before it, during consideration of the foregoing Motion, the following confidential report and communication:



- (i) confidential report (January 8, 1998) from the Commissioner of Human Resources, entitled "Collective Agreement - Former City of Toronto and CUPE Local 79, Recreation Workers Unit"; and
- (ii) communication (December 30, 1997) from the President, Canadian Union of Public Employees (CUPE), Local 79, requesting that the new City Council concur with the ratification of the Memorandum of Understanding by the old City of Toronto Council on December 8, 1997.

At this point in the proceedings, Councillor Saundercook, with the permission of Council, moved that Council also consider the foregoing Motion, and the aforementioned confidential report and communication, which deal with labour relations issues, in Committee of the Whole, in camera, which was carried.

Council deferred further consideration of the foregoing matter until later in the meeting. (See Minute No. 57.)

- 51 At this point in the proceedings, the Mayor called upon Notice of Motion 22(f) appearing on the Order Paper, as follows:

**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.”

Councillor Rae moved that Council now give consideration to the foregoing Motion, which was carried, more than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of the foregoing Motion, without amendment, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 55.

Nays: Nil.

Decided in the affirmative, without dissent.

- 52 At this point in the proceedings, and with the permission of Council, Councillor Layton moved that leave be granted to introduce the following Notice of Motion, and that Council now give consideration thereto, which was carried, more than two-thirds of Members present having voted in the affirmative:

**Moved by: Councillor Layton**

**Seconded by:           Councillor Rae**

**“WHEREAS** the owner of 213 Pape Avenue applied to the City of Toronto Committee of Adjustment, in 1997, for a variance to increase the maximum permitted residential gross floor area to accommodate an extended second floor to fill in a void within a rear addition to the house constructed on that property; and

**WHEREAS** the former City’s Director, Development Approval and Deputy Chief Building Official, noting that the proposed gross floor area would exceed Official Plan limits, and would be close to double the maximum permitted by the Zoning By-law, and that there had been an earlier, similar application refused by the Committee, recommended that the application be refused; and

**WHEREAS** the Committee, by Decision signed August 13, 1997, refused the requested variance, finding that ‘the proposal is almost 100 percent more than the permitted [by the Zoning By-law] density in the area’ and that the application would constitute ‘an over-development of the site and cannot be regarded as desirable or within the general intent of the Zoning By-law’; and

**WHEREAS** the owner has appealed the refusal to the Ontario Municipal Board; and

**WHEREAS** it is desirable that the decision of the Committee of Adjustment be upheld and that permission not be granted to increase the maximum gross floor area for this property; and

**WHEREAS** the hearing of the appeal has been set for January 14, 1998; and

**WHEREAS** it is urgent that instructions be given to staff immediately to attend the hearing in support of the decision of the Committee of Adjustment;

**NOW THEREFORE BE IT RESOLVED THAT:**

- (1) the requirements of section 27 of the Procedural By-law respecting notice of a motion be waived; and
- (2) appropriate legal and planning staff be instructed to attend at the Ontario Municipal Board Hearing scheduled for January 14, 1998, to defend the decision of the City of Toronto Committee of Adjustment refusing a variance requested by the owner of 213 Pape Avenue.”

Upon the question of the adoption of the foregoing Motion, without amendment, it was carried.

53     At this point in the proceedings, Councillor Saundercook, seconded by Councillor Sinclair, moved that, in accordance with the previous decision of Council (See Minutes Nos. 49 and

50), Council now recess to meet privately to consider the foregoing Notice of Motion by Councillor Adams, seconded by Councillor Walker, and the confidential joint report dated January 8, 1998, from the Commissioner of Human Resources and the Functional Lead for Legal Services; and the foregoing Notice of Motion by Councillor Rae, seconded by Councillor Miller, the confidential report dated January 8, 1998, from the Commissioner of Human Resources, and the communication dated December 30, 1997, from the President, CUPE Local 79, respecting labour relations issues, in accordance with subsection 55(7) of the Municipal Act, which was carried.

Council recessed at 8:40 p.m.

**8:45 P.M.**

Council reconvened in Committee Room "A".

Mayor Lastman took the Chair and called the Members to order.

54 Members present at the second evening session of the third day of this meeting:

Mayor: Lastman.

Councillors: Adams, Ashton, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 54.

At this point in the proceedings, Council resolved itself into Committee of the Whole.

The Committee of the Whole recessed at 8:46 p.m. to meet privately to consider the foregoing Notice of Motion by Councillor Adams, seconded by Councillor Walker, and the confidential joint report dated January 8, 1998, from the Commissioner of Human Resources and the Functional Lead for Legal Services; and the foregoing Notice of Motion by Councillor Rae, seconded by Councillor Miller; the confidential report dated January 8, 1998, from the Commissioner of Human Resources; and the communication dated December 30, 1997, from the President, CUPE Local 79, respecting labour relations issues, in accordance with subsection 55(7) of the Municipal Act.

**9:25 P.M.**

The Committee of the Whole reconvened in the Council Chamber.

The Committee of the Whole rose.

Mayor Lastman took the Chair and called the Members to order.

55 Members present at the third evening session of the third day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Berger, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 57.

56 Council resumed its consideration of the foregoing Motion by Councillor Adams, seconded by Councillor Walker, and the aforementioned confidential joint report dated January 8, 1998, from the Commissioner of Human Resources and the Functional Lead for Legal Services, respecting the arbitration award issued on December 11, 1997, between the Toronto Firefighters' Association and the City of Toronto. (See Minute No. 49)

The Mayor, in accordance with subsections 55(8) and (9) of the Municipal Act, reported that the following motion had been moved in Committee of the Whole for consideration by Council in conjunction with the aforementioned Motion and confidential joint report:

Moved by Councillor Rae:

“that the foregoing Motion, together with the confidential joint report dated January 8, 1998, from the Commissioner of Human Resources and the Function Lead for Legal Services, be referred to the Corporate Services Committee for consideration, and the Commissioner of Human Resources be requested to submit a further report thereon to the Committee, such matters to remain confidential in accordance with section 55(9) of the Municipal Act.”

The Mayor, having regard to the foregoing motion moved in Committee of the Whole, called upon additional motions with respect thereto.

No additional motions were put forward by Members of Council.

Upon the question of the adoption of the foregoing motion by Councillor Rae, the vote was taken as follows:

Yeas: Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Berger, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Gardner, Holyday, Jakobek, Johnston, Jones, King, Korwin-Kuczynski, Li Preti, Mahood, Mihevc, Minnan-Wong,

Moeser, Nunziata, O'Brien, Ootes, Pantalone, Rae, Saundercook, Sgro, Shaw, Shiner, Sinclair, Tzekas, Walker - 43.

Nays: Councillors: Augimeri, Bossons, Filion, Giansante, Kelly, Lindsay Luby, Mammoliti, Miller, Moscoe, Prue, Silva - 11.

Decided in the affirmative by a majority of 32.

- 57 Council resumed its consideration of the foregoing Motion by Councillor Rae, seconded by Councillor Miller, the confidential report dated January 8, 1998, from the Commissioner of Human Resources, and the communication dated December 30, 1997, from the President, CUPE Local 79, respecting the Collective Agreement for former City of Toronto and CUPE Local 79, Recreation Workers Unit. (See Minute No. 50)

The Mayor, in accordance with subsections 55(8) and (9) of the Municipal Act, reported that the following motion had been moved in Committee of the Whole for consideration by Council in conjunction with the aforementioned Motion and confidential report:

Moved by Councillor Ashton:

“that Council adopt the following recommendations:

‘It is recommended that:

- (1) the confidential report dated January 8, 1998, from the Commissioner of Human Resources, entitled ‘Collective Agreement - Former City of Toronto and CUPE Local 79, Recreation Workers Unit’, embodying the following recommendation, be adopted:

“It is recommended that the Collective Agreement negotiated between the former City of Toronto and CUPE Local 79, Recreation Workers Unit, be ratified.”; and

- (2) the communication dated December 30, 1997, from the President, Canadian Union of Public Employees (CUPE), Local 79, be received.’ ”

The Mayor, having regard to the foregoing motion by Councillor Ashton, moved in Committee of the Whole, called upon additional motions with respect thereto.

No additional motions were put forward by Members of Council.

Upon the question of the adoption of the foregoing motion by Councillor Ashton, it was carried.

58 At this point in the proceedings, and with the permission of Council, Councillor Prue moved that leave be granted to introduce the following Notices of Motion, and that Council now give consideration thereto, which was carried, more than two-thirds of Members present having voted in the affirmative:

(i) **Moved by: Councillor Prue**

**Seconded by: Mayor Lastman**

“**WHEREAS** Ward 1, East York, as set out in the City of Toronto Act, 1997, is inadequately represented by only two Members of Council, with a ratio of 53,911 per Member; and

**WHEREAS** the average representation by population ratio of all wards in the new City of Toronto is 39,000 per Member; and

**WHEREAS** serious potential quorum and voting problems exist with only two Members sitting on the East York Community Council;

**NOW THEREFORE BE IT RESOLVED THAT** Council request a joint report from the Chief Administrative Officer and the Interim Lead Solicitor on potential solutions to this problem.”; and

(ii) **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.”

Council also had before it, during consideration of the foregoing Motions, a communication (January 2, 1998) from Councillor Michael Walker, North Toronto, recommending that a Committee be formed, composed of one elected representative from each of the former cities of Scarborough, North York, York, Toronto, Etobicoke, the Borough of East York and the Municipality of Metropolitan Toronto, to review all the resumes of all candidates who were granted an interview for senior positions; re-interview any of the candidates that it deems appropriate; and recommend persons for each of the positions reviewed to Council at its meeting of February 4, 1998.

Upon the question of the adoption of the foregoing Motions, without amendment, Councillor Prue, in amendment, moved that:

- (1) the foregoing Motion (i) by Councillor Prue, seconded by Councillor Lastman, be amended by adding to the Operative Paragraph the words “including the feasibility of requesting Provincial legislation to allow for a third representative for East York, either by appointment or by by-election”, so that such Operative Paragraph shall now read as follows:

“**NOW THEREFORE BE IT RESOLVED THAT** Council request a joint report from the Chief Administrative Officer and the Interim Lead Solicitor on potential solutions to this problem, including the feasibility of requesting Provincial legislation to allow for a third representative for East York, either by appointment or by by-election.”; and

- (2) the foregoing motion (i) by Councillor Prue, seconded by Mayor Lastman, as amended, together with the foregoing motion (ii) by Councillor Walker, seconded



by Councillor Adams, and the communication dated January 2, 1998, from Councillor Michael Walker, North Toronto, be referred to the Special Committee for consideration.

Upon the question of the adoption of the foregoing motion by Councillor Prue, it was carried.

- 59 At this point in the proceedings, and with the permission of Council, Councillor Shaw presented Report No. 1 of The Striking Committee and moved, seconded by Councillor Pantalone, that Council now give consideration to such Report, which was carried, more than two-thirds of Members present having voted in the affirmative.

The Mayor designated Councillor Ootes to take the Chair for the next part of the meeting and vacated the Chair.

Acting Chair Ootes requested Members of Council to indicate the Clause Number wherein they have an interest, together with the nature of the interest.

Mayor Lastman declared his interest in that portion of Clause No. 1 of Report No. 1 of The Striking Committee, headed "Appointment of Members of Council to Standing Committees, Other Committees and Task Forces, Special Purpose Bodies and Special Positions", respecting the Kennedy Road Business Association, in that his son is the Chair of the Kennedy Road Business Association.

Mayor Lastman resumed the Chair.

The Mayor proposed that Council now proceed through the Report, with Members of Council indicating those Clauses, by number, on which they wish to speak; that Council then proceed with the adoption of the remaining Clauses; and that Council then give further consideration to those Clauses which have been held at the request of Members of Council, not necessarily in the order they appear on the Agenda.

Council concurred in the foregoing proposal.

Upon the question of the adoption of Report No. 1 of The Striking Committee, without amendment, it was held in its entirety.

- 60 **Clause No. 1 of Report No. 1 of The Striking Committee, headed "Appointment of Members of Council to Standing Committees, Other Committees and Task Forces, Special Purpose Bodies and Special Positions."**  
(See Appendix "A", page 1.)

McCormick Playground Arena

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the McCormick Playground Arena, as embodied in Recommendation No. (100) of the Striking Committee, without amendment, Councillor Pantalone, in amendment, moved that the foregoing Clause be amended by deleting the name "McConnell, P." and inserting in lieu thereof the name "Korwin-Kuczynski, C." for appointment to the McCormick Playground Arena, so that the City Council appointees shall be as follows:

Korwin-Kuczynski, C.;  
Pantalone, J.; and  
Silva, M.

#### Deputy Mayor

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Councillor Ootes as Deputy Mayor, as embodied in Recommendation No. (1) of the Striking Committee, without amendment, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas - 52.

Nays: Councillors: McConnell, Nunziata, Prue, Walker - 4.

Decided in the affirmative by a majority of 48.

#### Budget Chair

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Councillor Jakobek as Budget Chair, as embodied in Recommendation No. (2) of the Striking Committee, without amendment, Councillor Ashton, in amendment, moved that the foregoing Clause be amended to provide for the appointment of Councillor Kinahan as Budget Chair.

At this point in the proceedings, Councillor Kinahan, with the permission of Council, withdrew his name for appointment as Budget Chair.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Councillor Jakobek as Budget Chair, without amendment, the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas - 51.

Nays: Councillors: Bossons, Faubert, Pantalone, Prue, Walker - 5.

Decided in the affirmative by a majority of 46.

Greater Toronto Services Board (When Established)

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of five Members of Council to the Greater Toronto Services Board (when established) as embodied in Recommendation No. (8)(b) of the Striking Committee, without amendment:

- (a) Councillor Layton, in amendment, moved that the foregoing Clause be amended to provide for the appointment of Councillor Layton to the Greater Toronto Services Board.
- (b) Councillor Bossons, in amendment, moved that the foregoing Clause be amended to provide for the appointment of Councillor Bossons to the Greater Toronto Services Board.
- (c) Councillor Flint, in amendment, moved that the foregoing Clause be amended to provide for the appointment of Councillor King to the Greater Toronto Services Board.
- (d) Councillor Mammoliti, in amendment, moved that the foregoing Clause be amended to provide for the appointment of Councillor Mammoliti to the Greater Toronto Services Board.
- (e) Councillor Johnston, in amendment, moved that Recommendation (8)(b) of the Striking Committee be struck out and referred to the Special Committee to Review the Final Report of the Toronto Transition Team for further consideration.

Upon the question of the adoption of the foregoing motion (e) by Councillor Johnston, the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Augimeri, Bossons, Bussin, Cho, Chow, Duguid, Faubert, Holyday, Johnston, Jones, Layton, Lindsay Luby, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Prue, Sgro, Sinclair - 24.

Nays: Mayor: Lastman.  
Councillors: Ashton, Balkissoon, Berardinetti, Brown, Chong, Davis, Disero, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Jakobek, Kelly, Kinahan, King, Korwin-Kuczynski, Li Preti, Moeser, O'Brien, Ootes, Pantalone, Rae, Saundercook, Shaw, Shiner, Silva, Tzekas, Walker - 31.

Decided in the negative by a majority of 7.

At this point in the proceedings, and with the permission of Council, Councillor Layton requested the Chair of Council to rule on the procedure to be followed by Council for the appointment of Members of Council to the Greater Toronto Services Board.

The Chair of Council ruled that the appointment of Members of Council to the Greater Toronto Services Board would be conducted by written ballot.

Councillor Shiner challenged the ruling of the Chair.

Upon the question, "Shall the ruling of the Chair be upheld?", the vote was taken as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Mammoliti, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Sinclair, Tzekas, Walker - 49.

Nays: Councillors: Davis, Kelly, Li Preti, McConnell, Shiner, Silva - 6.

Decided in the affirmative by a majority of 43.

The Chair of Council, having regard to the foregoing motions, advised the Council that the following Members, including those Members recommended by the Striking Committee, are nominated for appointment to the Greater Toronto Services Board (when established):

Bossons, I.;  
Flint, J.;  
Kelly, N.;  
King, J.;  
Layton, J.;  
Mammoliti, G.;  
Shaw, S.;  
Shiner, D.; and  
Silva, M.

The Chair of Council suggested that Council now proceed with the appointment of five Members of Council to the Greater Toronto Services Board by written ballot.

At the request of Council, the City Clerk tallied the results of the election by ballot, the voting being as follows:

**For Councillor Bossons:**

Councillors: Adams, Augimeri, Bossons, Bussin, Cho, Chow, Faubert, Johnston, Jones, Kinahan, King, Layton, Mammoliti, McConnell, Mihevc, Miller, Nunziata, Prue, Walkers - 19.

**For Councillor Flint:**

Mayor: Lastman.  
Councillors: Adams, Altobello, Bossons, Brown, Bussin, Chong, Davis, Disero, Duguid, Feldman, Filion, Flint, Fotinos, Gardner, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 42.

**For Councillor Kelly:**

Mayor: Lastman.  
Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Bossons, Brown, Chong, Davis, Disero, Duguid, Feldman, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Korwin-Kuczynski, Layton, Lindsay Luby, Mahood, Moeser, O'Brien, Ootes, Pantalone, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas - 34

**For Councillor King:**

Councillors: Adams, Ashton, Balkissoon, Berardinetti, Bussin, Cho, Chow, Duguid, Faubert, Filion, Flint, Giansante, Holyday, Johnston, Kinahan, King, Lindsay Luby, Mahood, McConnell, Mihevc, Miller, Prue, Rae, Sinclair - 24.

**For Councillor Layton:**

Councillors: Adams, Augimeri, Berardinetti, Bossons, Bussin, Cho, Chow, Faubert, Filion, Giansante, Holyday, Jones, Johnston, Kinahan, Layton, Mammoliti, McConnell, Mihevc, Miller, Moscoe, Nunziata, Prue, Rae, Sinclair, Walker - 25.

**For Councillor Mammoliti:**

Councillors: Adams, Augimeri, Chow, Filion, Flint, Giansante, Li Preti, Mammoliti, Mihevc, Miller, Nunziata, Prue, Walker - 13.

**For Councillor Shaw:**

Mayor: Lastman.

Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Davis, Disero, Feldman, Fotinos, Gardner, Jakobek, Kelly, Korwin-Kuczynski, Li Preti, Mahood, McConnell, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas - 33.

**For Councillor Shiner:**

Mayor: Lastman.

Councillors: Altobello, Ashton, Balkissoon, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas - 38.

**For Councillor Silva:**

Mayor: Lastman.

Councillors: Altobello, Ashton, Augimeri, Balkissoon, Berardinetti, Brown, Chong, Davis, Disero, Duguid, Faubert, Feldman, Flint, Fotinos, Gardner, Giansante, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 47.

The Chair of Council informed the Council that Councillors Flint, Kelly, Shaw, Shiner and Silva, having received a majority of votes of those Members of Council present, are appointed to the Greater Toronto Services Board (when established).

City of Toronto Non-Profit Housing Corporation (Cityhome); and

Metropolitan Toronto Housing Company Limited (MTHCL)

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Board of Directors for the single Toronto Housing Company (when established) as embodied in Recommendation No. (14)(b) of the Striking Committee, without amendment:

- (a) Councillor Layton, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Special Committee to review the Final Report of the Toronto Transition Team be requested to give consideration to expanding the number of Members of Council to be appointed to the amalgamated Housing Company, and that Councillor Layton be considered for appointment in the event the membership is expanded.”

- (b) Councillor Sinclair, in amendment, moved that the foregoing motion (a) by Councillor Layton be amended to include Councillor Sinclair.

- (c) Councillor Mammoliti, in amendment, moved that the foregoing motion (a) by Councillor Layton be amended to include Councillor Mammoliti.

Upon the question of the adoption of the foregoing motion (c) by Councillor Mammoliti, it was carried.

Upon the question of the adoption of the foregoing motion (b) by Councillor Sinclair, it was carried.

Upon the question of the adoption of the foregoing motion (a) by Councillor Layton, as amended, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that the Special Committee to review the Final Report of the Toronto Transition Team be requested to give consideration to expanding the number of Members of Council to be appointed to the amalgamated Housing Company, and that Councillors Layton, Mammoliti and Sinclair be considered for appointment in the event the membership is expanded’ ”,

it was carried.

Toronto Board of Health

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Toronto Board of Health, as embodied in Recommendation No. (15) of the Striking Committee, without amendment:

- (a) Councillor Prue, in amendment, moved that the foregoing Clause be amended by deleting the following Part (b) from Recommendation No. (15) of the Striking Committee:

“(b) the following Members of Council be appointed to the interim Board:

Prue, M. (to replace the Chair of the East York Board of Health);  
Jones, I. (to replace the Chair of the Etobicoke Board of Health);  
King, J. (to replace the Chair of the North York Board of Health);  
Johnston, A. (to replace the Chair of the Toronto Board of Health);  
Altobello, G. (to replace the Chair of the Scarborough Board of Health); and  
Mihevc, J. (to replace the Chair of the York Board of Health);

for a term of office expiring when the new Board is constituted by by-law;”.

- (b) Councillor Shiner, in amendment, moved that the foregoing Clause be amended by amending Part (c) of Recommendation No. (15) of the Striking Committee:

- (1) to provide that City Council appoint seven (7) Members of Council to the new Board of Health when it is established; and
- (2) adding the name “Filion, J.” for appointment to the new Board of Health when it is established, so that the City Council appointees shall be as follows:

Altobello, G.;  
Filion, J.;  
Johnston, A.;  
Jones, I.;  
King, J.;  
Mihevc, J.; and  
Prue, M.

Council deferred further consideration of the appointment of Members of Council to the Toronto Board of Health until later in the meeting. (See Page No. 163.)

#### Toronto Transit Commission

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Toronto Transit Commission, as embodied in Recommendation No. (17) of the Striking Committee, without amendment, it was carried.



Toronto Police Services Board

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Toronto Police Services Board, as embodied in Recommendation No. (18) of the Striking Committee, without amendment:

- (a) Councillor Ashton, in amendment, moved that the foregoing Clause be amended to provide for the appointment of Councillor Nunziata to the Toronto Police Services Board.
- (b) Councillor Mihevc, in amendment, moved that the foregoing Clause be amended to provide for the appointment of Councillor Chow to the Toronto Police Services Board.

The Chair of Council, having regard for the foregoing motions, advised the Council that the following Members, including those Members recommended by the Striking Committee, are nominated for appointment to the Greater Toronto Services Board:

Chow, O.;  
Gardner, N.;  
Nunziata, F.; and  
Shaw, S.

The Chair of Council suggested that Council now proceed with the appointment of two Members of Council to the Toronto Police Services Board by written ballot.

At the request of Council, the City Clerk tallied the results of the election by ballot, the voting being as follows:

**For Councillor Chow:**

Councillors: Augimeri, Bossons, Chow, Bussin, Cho, Feldman, Filion, Johnston, Jones, Kinahan, Layton, Lindsay Luby, McConnell, Mihevc, Miller, Rae - 16.

**For Councillor Gardner:**

Mayor: Lastman.  
Councillors: Adams, Altobello, Balkissoon, Brown, Cho, Chong, Davis, Disero, Duguid, Faubert, Feldman, Filion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Kelly, King, Korwin-Kuczynski, Lindsay Luby, Li Preti, Mahood, Mammoliti, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 44.

**For Councillor Nunziata:**

Councillors: Adams, Ashton, Augimeri, Berardinetti, Bussin, Chow, Faubert, Giansante, Holyday, Johnston, Jones, Kinahan, Korwin-Kuczynski, Layton, Li Preti, Mammoliti, McConnell, Mihevc, Moscoe, Nunziata, Prue, Sinclair, Walker - 23.

**For Councillor Shaw:**

Mayor: Lastman.

Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Bossons, Brown, Chong, Davis, Disero, Duguid, Flint, Fotinos, Gardner, Jakobek, Kelly, King, Mahood, Minnan-Wong, Moeser, O'Brien, Ootes, Pantalone, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas - 29.

The Chair of Council informed the Council that Councillors Gardner and Shaw, having received a majority of votes of those Members of Council present, are appointed to the Toronto Police Services Board.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Councillor Sgro as the Mayor's designate on the Toronto Police Services Board, as embodied in Recommendation No. (18) of the Striking Committee, without amendment, it was carried.

**Toronto Parking Authority**

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Toronto Parking Authority, as embodied in Recommendation No. (27) of the Striking Committee, without amendment, it was carried.

**Toronto Zoo, Board of Management**

Upon the question of the adoption of the foregoing Clause insofar as it pertains to the appointment of Members of Council to the Toronto Zoo, Board of Management, as embodied in Recommendation No. (28) of the Striking Committee, without amendment:

- (a) Councillor Berardinetti, in amendment, moved that the foregoing Clause be amended by deleting the name "Berardinetti, L." and inserting in lieu thereof the name "Mahood, D." for appointment to the Toronto Zoo, Board of Management.
- (b) Councillor Tzekas, in amendment, moved that the foregoing Clause be amended by deleting the name "Altobello, G." and inserting in lieu thereof the name "Tzekas, M." for appointment to the Toronto Zoo, Board of Management.

Upon the question of the adoption of the foregoing motion (a) by Councillor Berardinetti, it was carried.

Upon the question of the adoption of the foregoing motion (b) by Councillor Tzekas, it was carried.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Toronto Zoo, Board of Management, as amended, viz.:

“that the City Council appointees to the Toronto Zoo, Board of Management shall be as follows:

Augimeri, M.;  
Cho, R.;  
Faubert, F.;  
Mahood, D.; and  
Tzekas, M.”,

it was carried.

#### Scarborough Historical Museums, Board of Management

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Scarborough Historical Museums, Board of Management, as embodied in Recommendation No. (37)(b) of the Striking Committee, without amendment, Councillor Faubert, in amendment, moved that the foregoing Clause be amended by deleting the name “Faubert, F. (to replace Johnson, F.)” and inserting in lieu thereof the name “Kelly, N. (to replace Johnson, F.)” for appointment to the Scarborough Historical Museums, Board of Management, so that the City Council appointees shall be as follows:

Duguid, B.; and  
Kelly, N. (to replace Johnson, F.).

Upon the question of the adoption of the foregoing motion by Councillor Faubert, it was carried.

#### Toronto Arts Council

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Toronto Arts Council, as embodied in Recommendation No. (39) of the Striking Committee, without amendment, Councillor Disero, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the requests from Councillors J. Mihevc, P. McConnell and H. Moscoe for appointment to the Toronto Arts Council be

referred to the Toronto Arts Council for further consideration and report thereon to the Special Committee.”

Upon the question of the adoption of the foregoing motion by Councillor Disero, it was carried.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Toronto Arts Council, as amended, it was carried.

Junction Gardens Business Improvement Area (High Park and Davenport)

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Junction Gardens Business Improvement Area, as embodied in Recommendation No. (64) of the Striking Committee, without amendment, Councillor Fotinos, in amendment, moved that the foregoing Clause be amended by adding the name “Fotinos, D.” for appointment to the Junction Gardens Business Improvement Area, so that the City Council appointees shall be as follows:

Disero, B.;  
Fotinos, D.; and  
Miller, D.

Upon the question of the adoption of the foregoing motion by Councillor Fotinos, it was carried.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Junction Gardens Business Improvement Area, as amended, it was carried.

Bloordale Village Business Improvement Area (Trinity-Niagara and Davenport)

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Bloordale Village Business Improvement Area, as embodied in Recommendation No. (53) of the Striking Committee, without amendment, Councillor Fotinos, in amendment, moved that the foregoing Clause be amended by adding the names “Disero, B.” and “Fotinos, D.” for appointment to the Bloordale Village Business Improvement Area, so that the City Council appointees shall be as follows:

Disero, B.;  
Fotinos, D.;  
Pantalone, J.; and  
Silva, M.

Upon the question of the adoption of the foregoing motion by Councillor Fotinos, it was carried.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Bloorville Village Business Improvement Area, as amended, it was carried.

Weston Business Improvement Area (York Humber)

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Weston Business Improvement Area, as embodied in Recommendation No. (76) of the Striking Committee, without amendment, Councillor Nunziata, in amendment, moved that the foregoing Clause be amended by adding the name "Nunziata, F." for appointment to the Weston Business Improvement Area, so that the City Council appointees shall be as follows:

Nunziata, F.; and  
Saunderscook, B.

Upon the question of the adoption of the foregoing motion by Councillor Nunziata, it was carried.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Weston Business Improvement Area, as amended, it was carried.

Toronto and Region Conservation Authority

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Toronto and Region Conservation Authority, as embodied in Recommendation No. (112) of the Striking Committee, without amendment, it was carried.

Swansea Town Hall Community Centre (High Park)

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to Recommendation No. (95) of the Striking Committee, without amendment, Councillor Miller, in amendment, moved that the foregoing Clause be amended by deleting the words "Community Centre" and inserting in lieu thereof the words "Board of Management", so that the name of the organization shall now read as follows:

"Swansea Town Hall Board of Management".

Upon the question of the adoption of the foregoing motion by Councillor Miller, it was carried.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to Recommendation No. (95) of the Striking Committee, as amended, it was carried.

Little Italy Business Improvement Area (Trinity-Niagara)

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Little Italy Business Improvement Area, as embodied in Recommendation No. (65) of the Striking Committee, without amendment, Councillor Pantalone, in amendment, moved that the foregoing Clause be amended by adding the name "Silva, M." for appointment to the Little Italy Business Improvement Area, so that the City Council appointees shall be as follows:

Pantalone, J.; and  
Silva, M.

Upon the question of the adoption of the foregoing motion by Councillor Pantalone, it was carried.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Little Italy Business Improvement Area, as amended, it was carried.

Mount Dennis Improvement Area (York-Humber)

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Mount Dennis Improvement Area, as embodied in Recommendation No. (74) of the Striking Committee, without amendment, Councillor Saundercook, in amendment, moved that the foregoing Clause be amended by adding the name "Saundercook, B." for appointment to the Mount Dennis Improvement Area, so that the City Council appointees shall be as follows:

Nunziata, F.; and  
Saundercook, B.

Upon the question of the adoption of the foregoing motion by Councillor Saundercook, it was carried.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Mount Dennis Improvement Area, as amended, it was carried.

Board of Directors, Hockey Hall of Fame

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Board of Directors, Hockey Hall of Fame, as

embodied in Recommendation No. (153) of the Striking Committee, without amendment, Councillor Holyday, in amendment, moved that the foregoing Clause be amended by striking out Recommendation (b) of the Striking Committee.

Upon the question of the adoption of the foregoing motion by Councillor Holyday, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

At this point in the proceedings, and with the permission of Council, Councillor Shiner moved that, in accordance with Section 47 of the Interim Council Procedural By-law, the foregoing Clause be re-opened for further consideration, which was carried, more than two-thirds of Members present having voted in the affirmative.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Board of Directors, Hockey Hall of Fame, as embodied in Recommendation No. (153) of the Striking Committee, without amendment, Councillor Shiner, in amendment, moved that the foregoing Clause be amended by amending Recommendation No. (153) of the Striking Committee by:

- (a) deleting the word “third” in Part (b) and inserting in lieu thereof the word “fourth”, so that Part (b) shall now read as follows:
  - “(b) the City Clerk be requested to submit a report to the next meeting of the Striking Committee on the possibility of a fourth Member of Council being appointed to the Board of Directors of the Hockey Hall of Fame.”; and
- (b) adding the following Part (c):
  - “(c) in the event that City Council is permitted to appoint a fourth Member to the Board of Directors of the Hockey Hall of Fame, that Councillor D. Shiner be appointed to the Board accordingly.”

Upon the question of the adoption of the foregoing motion by Councillor Shiner, it was carried.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Board of Directors, Hockey Hall of Fame, as amended, it was carried.

Board of Directors, Town of York Historical Society

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Board of Directors, Town of York Historical Society, as embodied in Recommendation No. (142) of the Striking Committee, without

amendment, Councillor Rae, in amendment, moved that the foregoing Clause be amended by deleting the name "Saundercook, B." and inserting in lieu thereof the name "McConnell, P." for appointment to the Board of Directors, Town of York Historical Society, so that the City Council appointees shall be as follows:

McConnell, P.; and  
Rae, K.

Upon the question of the adoption of the foregoing motion by Councillor Rae, it was carried.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Board of Directors, Town of York Historical Society, as amended, it was carried.

#### Woman Abuse Council

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Woman Abuse Council, as embodied in Recommendation No. (144) of the Striking Committee, without amendment, Councillor Brown, in amendment, moved that the foregoing Clause be amended by deleting the name "Brown, E." and adding thereto the names "Augimeri, M.", "Jones, I." and "Layton, J." for appointment to the Woman Abuse Council, so that the City Council appointees shall be as follows:

Augimeri, M.;  
Chow, O.;  
Jones, I.;  
Layton, J.; and  
Miller, D.

Upon the question of the adoption of the foregoing motion by Councillor Brown, it was carried.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Woman Abuse Council, as amended, it was carried.

Council resumed its consideration of the appointment of Members of Council to the Toronto Board of Health, as embodied in Recommendation No. (15) of the Striking Committee. (See also Page No. 155.)

Upon the question of the adoption of the foregoing motion (a) by Councillor Prue, viz.:

"that the foregoing Clause be amended by deleting the following Part (b) from Recommendation No. (15) of the Striking Committee:



‘(b) the following Members of Council be appointed to the interim Board:

Prue, M. (to replace the Chair of the East York Board of Health);  
Jones, I. (to replace the Chair of the Etobicoke Board of Health);  
King, J. (to replace the Chair of the North York Board of Health);  
Johnston, A. (to replace the Chair of the Toronto Board of Health);  
Altobello, G. (to replace the Chair of the Scarborough Board of Health); and  
Mihevc, J. (to replace the Chair of the York Board of Health);

for a term of office expiring when the new Board is constituted by by-law;’ ”,

the vote was taken as follows:

Yeas: Councillors: Adams, Ashton, Augimeri, Balkissoon, Berardinetti, Bossons, Bussin, Cho, Chong, Chow, Davis, Duguid, Faubert, Feldman, Filion, Flint, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Tzekas, Walker - 49.

Nays: Mayor: Lastman.  
Councillors: Altobello, Disero, Fotinos, Johnston, Sinclair - 6.

Decided in the affirmative by a majority of 43.

Upon the question of the adoption of the foregoing motion (b) by Councillor Shiner, viz.:

“that the foregoing Clause be amended by amending Part (c) of Recommendation No. (15) of the Striking Committee:

- (1) to provide that City Council appoint seven (7) Members of Council to the new Board of Health when it is established; and
- (2) adding the name ‘Filion, J.’ for appointment to the new Board of Health when it is established, so that the City Council appointees shall be as follows:

Altobello, G.;  
Filion, J.;  
Johnston, A.;  
Jones, I.;  
King, J.;

Mihevc, J.; and  
Prue, M.”,

it was carried.

Upon the question of the adoption of the foregoing Clause, the appointment of Members of Council to the Toronto Board of Health, as amended, it was carried.

Upper Village Business Improvement Area (North Toronto and York-Humber)

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to Recommendations Nos. (72) and (74) of the Striking Committee, without amendment, Councillor Johnston, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Upper Village Business Improvement Area (North Toronto) and the Upper Village Business Improvement Area (York-Eglinton) be requested to give consideration to amalgamating the two organizations.”

Upon the question of the adoption of the foregoing motion by Councillor Johnston, it was carried.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to Recommendations Nos. (72) and (74) of the Striking Committee, as amended, it was carried.

Access and Equity Action Plan, Race Relations, Disability and Human Rights, and Ethno-Canadian Issues Task Force

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of a Member of Council to the Access and Equity Action Plan, Race Relations, Disability and Human Rights, and Ethno-Canadian Issues Task Force, as embodied in Recommendation No. (i)(b) of the Striking Committee, without amendment, Councillor Miller, in amendment, moved that the foregoing Clause be amended by deleting the name “Miller, D.” and inserting in lieu thereof the name “Mihevc, J.” for appointment to the Access and Equity Action Plan, Race Relations, Disability and Human Rights, and Ethno-Canadian Issues Task Force, so that the City Council appointee shall be as follows:

Mihevc, J. (Chair).

Upon the question of the adoption of the foregoing motion by Councillor Miller, it was carried.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of a Member of Council to the Access and Equity Action Plan, Race Relations,

Disability and Human Rights, and Ethno-Canadian Issues Task Force, as amended, it was carried.

Children's Action Committee (Sub-Committee of the Community and Neighbourhood Services Committee)

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of a Member of Council to the Children's Action Committee, as embodied in Recommendation No. (i)(f) of the Striking Committee, without amendment:

- (a) Councillor McConnell, in amendment, moved that the foregoing Clause be amended to provide that, in addition to the Child Advocate position recommended in Recommendation 39 of the final report of the Toronto Transition Team:
  - (1) a further position of Youth Advocate be established. The duties of the Child Advocate would continue to be those identified in Recommendation 39, that is to prepare and present to Council a children's strategy, to form a sub-committee to implement the recommendations of the First Duty report and to bring together various sectors dealing with children's issues to develop an action plan for co-ordinating children's services;
  - (2) the Children's Advocate would monitor Council's budget and policies to ensure that children are our first priority and comment on these matters to Council;
  - (3) the Youth Advocate would spearhead and chair Mayor Lastman's Task Force on Youth Employment and develop a comprehensive action plan for Council's approval to address issues of youth unemployment, homelessness, health and alienation in order to allow youth to benefit as full participatory citizens in our new City;
  - (4) Councillor P. McConnell be named the Children's Advocate;
  - (5) Councillor O. Chow be named the Youth Advocate;
  - (6) the mandate of the Youth Advocate be as follows:
    - (a) to assist in developing comprehensive programs that assist youth to become employed; these programs must deal with barriers, such as homelessness, substance abuse, lack of education and work experience;
    - (b) to spearhead and chair Mayor Lastman's Task Force on Youth Employment and to develop a comprehensive action plan for Council's approval to address issues of youth employment,

homelessness, health and alienation, in order to allow youth to benefit as full participatory citizens in our new City;

- (c) to explore and expand apprenticeship programs by working with the private sector, youth employment service agencies and different levels of government;
  - (d) to advocate for federal, provincial and municipal funding for youth;
  - (e) to provide a forum to address youth issues; and
  - (f) to establish appropriate municipal jobs for youth, with support from the private sector;
- (7) the methodology of the Youth Advocate shall be as follows:
- (a) set up a Sub-Committee of the Community and Neighbourhood Services Committee on Youth Employment;
  - (b) set up a youth summit that brings together:
    - (i) the private sector;
    - (ii) all youth employment service agencies;
    - (iii) the three levels of government;
    - (iv) colleges, universities and School Boards; and
    - (v) youth representatives from Youth Councils; and
  - (c) produce and implement a report/work plan for Council; and
- (8) the resources of the Youth Advocate shall be as follows:
- (a) staff to support the Youth Employment Sub-Committee:
    - (i) Project Manager (assist in developing work plan); and
    - (ii) administrative support; and
  - (b) space, equipment and budget to support above.
- (b) Councillor Moeser, in amendment, moved that:
- (1) the foregoing Clause be amended by striking out and referring Recommendation (i)(f) of the Striking Committee to the Special Committee to review the Final Report of the Toronto Transition Team; and

- (2) the foregoing motion (a) by Councillor McConnell be referred to the Office of the Mayor for consideration in the preparation of the forthcoming report on the Children's Advocate.

At this point in the proceedings, and with the permission of Council, Councillor Moeser withdrew his foregoing motion (b).

- (c) Councillor Bussin, in amendment, moved that Recommendation (i)(f) of the Striking Committee be struck out and referred to the Office of the Mayor for report thereon in 30 days.
- (d) Councillor Sgro, in amendment, moved that:
- (1) the foregoing motion (a) by Councillor McConnell be referred to the Office of the Mayor for further consideration and report thereon to the Community and Neighbourhood Services Committee; and
- (2) Recommendation (i)(f) of the Striking Committee be adopted.
- (e) Councillor Johnston, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the question of the participation of Ms. Caroline DiGiovanni on the Children's Action Committee be referred to the Office of the Mayor.”

Upon the question of the adoption of the foregoing motion (c) by Councillor Bussin, the vote was taken as follows:

Yeas: Councillors: Adams, Altobello, Bussin, Disero, Duguid, Faubert, Flint, Fotinos, Jakobek, Johnston, King, Korwin-Kuczynski, Li Preti, Mahood, McConnell, Mihevc, Minnan-Wong, Nunziata, Rae, Silva, Sinclair, Tzekas, Walker - 23.

Nays: Mayor: Lastman.  
Councillors: Ashton, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Chow, Davis, Feldman, Fillion, Gardner, Giansante, Holyday, Jones, Kelly, Kinahan, Layton, Lindsay Luby, Mammoliti, Miller, Moeser, Moscoe, O'Brien, Ootes, Pantalone, Prue, Saundercook, Sgro, Shaw, Shiner - 32.

Decided in the negative by a majority of 9.

Upon the question of the adoption of the foregoing motion (e) by Councillor Johnston, it was carried.

At this point in the proceedings, and with the permission of Council, Councillor Sgro withdrew Part (2) of her foregoing motion (d).

Upon the question of the adoption of Part (1) of the foregoing motion (d) by Councillor Sgro, it was carried.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of a Member of Council to the Children's Action Committee, as amended, viz.:

“that the foregoing Clause be amended by adding thereto the following:

‘It is further recommended that:

- (1) the question of the participation of Ms. Caroline DiGiovanni on the Children's Action Committee be referred to the Office of the Mayor; and
- (2) the following motion be referred to the Office of the Mayor for further consideration and report thereon to the Community and Neighbourhood Services Committee:

Moved by Councillor McConnell:

“It is recommended that, in addition to the Child Advocate position recommended in Recommendation 39 of the final report of the Toronto Transition Team:

- (1) a further position of Youth Advocate be established. The duties of the Child Advocate would continue to be those identified in Recommendation 39, that is to prepare and present to Council a children's strategy, to form a sub-committee to implement the recommendations of the First Duty report and to bring together various sectors dealing with children's issues to develop an action plan for co-ordinating children's services;
- (2) the Children's Advocate would monitor Council's budget and policies to ensure that children are our first priority and comment on these matters to Council;
- (3) the Youth Advocate would spearhead and chair Mayor Lastman's Task Force on Youth Employment and develop a comprehensive action plan for Council's approval to address issues of youth unemployment, homelessness, health and

alienation in order to allow youth to benefit as full participatory citizens in our new City;

- (4) Councillor P. McConnell be named the Children's Advocate;
- (5) Councillor O. Chow be named the Youth Advocate;
- (6) the mandate of the Youth Advocate be as follows:
  - (a) to assist in developing comprehensive programs that assist youth to become employed; these programs must deal with barriers, such as homelessness, substance abuse, lack of education and work experience;
  - (b) to spearhead and chair Mayor Lastman's Task Force on Youth Employment and to develop a comprehensive action plan for Council's approval to address issues of youth employment, homelessness, health and alienation, in order to allow youth to benefit as full participatory citizens in our new City;
  - (c) to explore and expand apprenticeship programs by working with the private sector, youth employment service agencies and different levels of government;
  - (d) to advocate for federal, provincial and municipal funding for youth;
  - (e) to provide a forum to address youth issues; and
  - (f) to establish appropriate municipal jobs for youth, with support from the private sector;
- (7) the methodology of the Youth Advocate shall be as follows:
  - (a) set up a Sub-Committee of the Community and Neighbourhood Services Committee on Youth Employment;
  - (b) set up a youth summit that brings together:
    - (i) the private sector;
    - (ii) all youth employment service agencies;
    - (iii) the three levels of government;

- 
- (iv) colleges, universities and School Boards; and
  - (v) youth representatives from Youth Councils; and
  - (c) produce and implement a report/work plan for Council; and
  - (8) the resources of the Youth Advocate shall be as follows:
    - (a) staff to support the Youth Employment Sub-Committee:
      - (i) Project Manager (assist in developing work plan); and
      - (ii) administrative support; and
    - (b) space, equipment and budget to support above.” ’ ”,

it was carried.

The Chair of Council, having regard to the foregoing motions, advised the Council that the following Members, including the Member recommended by the Striking Committee, are nominated for appointment as Chair of the Children's Action Committee and Children's Advocate:

Chow, O.; and  
McConnell, P.

The Chair of Council suggested that Council now proceed with the appointment of one Member of Council as Chair of the Children's Action Committee and Children's Advocate by written ballot.

At the request of Council, the City Clerk tallied the results of the election by ballot, the voting being as follows:

**For Councillor Chow:**

Mayor: Lastman.

Councillors: Altobello, Ashton, Balkissoon, Berardinetti, Bossons, Brown, Cho, Chong, Chow, Davis, Disero, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Jones, Kelly, Layton, Li Preti, Lindsay Luby, Mammoliti, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Saundercook, Shaw, Shiner, Sgro, Tzekas - 40.

**For Councillor McConnell:**



Councillors: Adams, Duguid, Faubert, Kinahan, King, Korwin-Kuczynski, Mahood, McConnell, Mihevc, Rae, Silva, Walker - 12.

The Chair of Council informed the Council that Councillor Chow, having received a majority of votes of those Members of Council present, is appointed as Chair of the Children's Action Committee and Children's Advocate.

Council deferred further consideration of Clause No. 1 of Report No. 1 of the Striking Committee until later in the meeting. (See Minute No. 63.)

At this point in the proceedings, the Chair of Council, with the permission of Council, proposed that Council now recess in order to permit the Toronto Transit Commission to meet to elect its Chair and Vice-Chair.

Council concurred in the foregoing proposal.

Council recessed at 11:45 p.m.

**11:52 P.M.**

Council reconvened.

Mayor Lastman took the Chair and called the Members to order.

61 Members present at the fourth evening session of the third day of this meeting:

Mayor: Lastman.

Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Davis, Disero, Duguid, Faubert, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 55.

62 At this point in the proceedings, and with the permission of Council, the Chair of Council reported that he had been advised that the Toronto Transit Commission, at its meeting held at 11:45 p.m. on Thursday, January 8, 1998, had elected Councillor Howard Moscoe as Chair, and Councillor Rob Davis as Vice-Chair.

63 Council resumed its consideration of Clause No. 1 of Report No. 1 of The Striking Committee, headed "Appointment of Members of Council to Standing Committees, Other Committees and Task Forces, Special Purpose Bodies and Special Positions." (See also Minute No. 60.)

Task Force on Community Safety

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Task Force on Community Safety, as embodied in Recommendation No. (i)(g) of the Striking Committee, without amendment:

- (a) Councillor Korwin-Kuczynski, in amendment, moved that the foregoing Clause be amended to provide that Councillors Duguid, Korwin-Kuczynski and Sinclair be appointed to the Task Force on Community Safety.
- (b) Councillor Duguid, in amendment, moved that the foregoing Clause be amended to provide for the appointment of Councillor Duguid as Co-Chair of the Task Force on Community Safety.
- (c) Councillor Tzekas, in amendment, moved that the foregoing Clause be amended to provide for the appointment of Councillor Tzekas to the Task Force on Community Safety.
- (d) Councillor Sgro, in amendment, moved that the foregoing Clause be amended to provide for the appointment of Councillor Sgro to the Task Force on Community Safety.

Mayor Lastman designated Councillor Ootes to take the Chair and vacated the Chair.

The hour of midnight having arrived, Council continued in session.

**FRIDAY, JANUARY 9, 1998**  
**12:00 MIDNIGHT**

The hour of midnight having arrived, Council continued in session.

- (e) Councillor Mahood, in amendment, moved that the foregoing Clause be amended to provide that there be only one Chair of the Task Force on Community Safety.

Upon the question of the adoption of the foregoing motion (e) by Councillor Mahood, the vote was taken as follows:

Yeas: Councillors: Altobello, Bossons, Bussin, Cho, Chong, Chow, Feldman, Flint, Jones, King, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Moeser, O'Brien, Prue, Rae, Sgro, Silva, Sinclair, Tzekas - 24.

Nays: Councillors: Ashton, Balkissoon, Berardinetti, Brown, Davis, Disero, Duguid, Faubert, Fillion, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Kelly, Korwin-Kuczynski, Mihevc, Miller, Minnan-Wong, Moscoe, Nunziata, Ootes, Pantalone, Saundercook, Shaw, Shiner, Walker - 28.

Decided in the negative by a majority of 4.

Upon the question of the adoption of the foregoing motion (a) by Councillor Korwin-Kuczynski, it was carried.

Upon the question of the adoption of the foregoing motion (c) by Councillor Tzekas, it was carried.

Upon the question of the adoption of the foregoing motion (d) by Councillor Sgro, it was carried.

Acting Chair Ootes, having regard to the foregoing motion (b) by Councillor Duguid, advised the Council that the following Members, including the Members recommended by the Striking Committee, are nominated for appointment as Co-Chairs of the Task Force on Community Safety:

Davis, R.;  
Duguid, B; and  
Shaw, S.

Acting Chair Ootes suggested that Council now proceed with the appointment of two Members of Council as Co-Chairs of the Task Force on Community Safety by written ballot.

At the request of Council, the City Clerk tallied the results of the election by ballot, the voting being as follows:

**For Councillor Davis:**

Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Davis, Disero, Duguid, Faubert, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kelly, Kinahan, King, Korwin-Kuczynski, Mammoliti, McConnell, Miller, Minnan-Wong, Moeser, O'Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair - 43.

**For Councillor Duguid:**

Councillors: Adams, Ashton, Bossons, Bussin, Cho, Chow, Duguid, Faubert, Feldman, Filion, Flint, Giansante, Holyday, Jones, Kinahan, King, Korwin-Kuczynski, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moscoe, O'Brien, Ootes, Prue, Rae, Sgro, Silva, Sinclair, Tzekas, Walker - 34.

**For Councillor Shaw:**

Councillors: Altobello, Balkissoon, Berardinetti, Brown, Chong, Chow, Davis, Disero, Fotinos, Gardner, Jakobek, Johnston, Kelly, Li Preti, Mahood, Mihevc, Moeser, Moscoe, Pantalone, Saundercook, Shaw, Shiner, Tzekas - 23.

Acting Chair Ootes informed the Council that Councillors Davis and Duguid, having received a majority of votes of those Members of Council present, are appointed as Co-Chairs of the Task Force on Community Safety, and that the membership of the Task Force on Community Safety would now be as follows:

Davis, R. and Duguid, B. (Co-Chairs);  
Korwin-Kuczynski, C.;  
Sinclair, B.;  
Shaw, S.;  
Sgro, J.; and  
Tzekas, M.

**World City Committee (to Develop Friendship Agreements, Twinnings, etc.)**

Upon the question of the adoption of the foregoing Clause insofar as it pertains to the appointment of Members of Council to the World City Committee (to Develop Friendship Agreements, Twinnings, etc.), as embodied in Recommendation No. (ii) of the Striking Committee, without amendment:

- (a) Councillor Ashton, in amendment, moved that the foregoing Clause be amended to provide that the Chair of the World City Committee (to Develop Friendship Agreements, Twinnings, etc.) be elected by the Committee.
- (b) Councillor Shaw, in amendment, moved that the foregoing Clause be amended to provide for the appointment of the following Members of Council to the World City Committee (to Develop Friendship Agreements, Twinnings, etc.):

Balkissoon, B.;  
Li Preti, P.;  
Mahood, D.;  
Shiner, D.; and  
Tzekas, M.

- (c) Councillor Filion, in amendment, moved that the foregoing Clause be amended to provide for the appointment of Councillor Filion to the World City Committee (to Develop Friendship Agreements, Twinnings, etc.).
- (d) Councillor Feldman, in amendment, moved that the foregoing Clause be amended to provide for the appointment of Councillor Feldman to the World City Committee (to Develop Friendship Agreements, Twinnings, etc.).
- (e) Councillor Adams, in amendment, moved that the foregoing Clause be amended to provide for the appointment of Councillor Adams to the World City Committee (to Develop Friendship Agreements, Twinnings, etc.).
- (f) Councillor Sgro, in amendment, moved that the foregoing Clause be amended to provide for the appointment of Councillor Sgro to the World City Committee (to Develop Friendship Agreements, Twinnings, etc.).
- (g) Councillor Giansante, in amendment, moved that the foregoing Clause be amended to provide for the appointment of Councillor Giansante to the World City Committee (to Develop Friendship Agreements, Twinnings, etc.).

Upon the question of the adoption of the foregoing motion (b) by Councillor Shaw, it was carried.

Upon the question of the adoption of the foregoing motion (c) by Councillor Filion, it was carried.

Upon the question of the adoption of the foregoing motion (d) by Councillor Feldman, it was carried.

Upon the question of the adoption of the foregoing motion (e) by Councillor Adams, it was carried.

Upon the question of the adoption of the foregoing motion (f) by Councillor Sgro, it was carried.

Upon the question of the adoption of the foregoing motion (g) by Councillor Giansante, it was carried.

Upon the question of the adoption of the foregoing motion (a) by Councillor Ashton, it was carried.

Upon the question of the adoption of the foregoing Clause, insofar as it pertains to the appointment of Members of Council to the Task Force on Community Safety, as amended, viz.:

“that Recommendation (ii) of the Striking Committee pertaining to the World City Committee (to Develop Friendship Agreements, Twinnings, etc.), be amended:

- (a) to provide that the Chair of the Committee be elected by the Committee; and
- (b) by adding the names ‘Adams, J.’, ‘Balkissoon, B.’, ‘Feldman, M.’, ‘Filion, J.’, ‘Giansante, M.’, ‘Li Preti, P.’, ‘Mahood, D.’, ‘Sgro, J.’, ‘Shiner, D.’ and ‘Tzekas, M.’ for appointment to the Committee, so that the City Council appointees shall be as follows:

Adams, J.;  
Ashton, B.;  
Balkissoon, B.;  
Cho, R.;  
Chong, G.;  
Feldman, M.;  
Filion, J.;  
Giansante, M.;  
Li Preti, P.;  
Korwin-Kuczynski, C.;  
Mahood, D.;  
Mammoliti, G.;  
Pantalone, J.;  
Sgro, J.;  
Shaw, S.;  
Shiner, D.;  
Silva, M.;  
Sinclair, B.; and  
Tzekas, M.”,

it was carried.

At this point in the proceedings, and with the permission of Council, Councillor Flint moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the City Clerk be requested to provide Members of Council with an alphabetical listing of Members of Council indicating, for each Member, the Standing Committees, Agencies, Boards, Commissions and external organizations to which they have been appointed.”

Upon the question of the adoption of the foregoing motion by Councillor Flint, it was carried.

Upon the question of the adoption of Clause No. 1 of Report No. 1 of The Striking Committee, as amended, it was carried.

Mayor Lastman resumed the Chair.

64 **Clause No. 2 of Report No. 1 of The Striking Committee, headed “Schedule of Meetings”.**

(See Appendix “A”, page 62.)

Upon the question of the adoption of the foregoing Clause, without amendment:

- (a) Councillor Prue, in amendment, moved that the foregoing Clause be amended by allocating a second day for East York and York Community Councils to meet, consistent with Etobicoke, North York, Scarborough and Toronto Community Councils.
- (b) Councillor Fotinos, in amendment, moved that the foregoing Clause be amended by adding thereto the following:

“It is further recommended that the Special Committee be requested to consider changing the time of the meetings of the Emergency and Protective Services Standing Committee to 9:30 a.m. on Tuesdays.”

Upon the question of the adoption of the foregoing motion (a) by Councillor Prue, it was carried.

Upon the question of the adoption of the foregoing motion (b) by Councillor Fotinos, it was carried.

Upon the question of the adoption of the foregoing Clause, as amended, it was carried.

65 At this point in the proceedings, and with the permission of Council, Councillor Miller proposed that Members of Council recognize the diligent efforts of the staff of the City Clerk’s Department during this meeting with a round of applause.

Council concurred in the foregoing proposal and recognized the efforts of the staff of the City Clerk’s Department with a round of applause.

66 Councillor Fotinos, seconded by Councillor Kinahan, moved that leave be granted to introduce:

“Bill No. 18 To appoint seven members of the City Council as members of the Toronto Transit Commission.”,

which was carried.

Upon the question, “Shall this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law?”, as follows:

“By-law No. 18-1998 To appoint seven members of the City Council as members of the Toronto Transit Commission.”,

the vote upon which was as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Fillion, Flint, Fotinos, Gardner, Giansante, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mahood, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 52.

Nays: Nil.

Decided in the affirmative, without dissent, more than two-thirds of the Members present having voted in the affirmative.

67 Councillor Fotinos, seconded by Councillor Chong, moved that leave be granted to introduce:

“Bill No. 19 To confirm the last portion of the proceedings of the Council at its Inaugural Meeting held on the 2nd, 6th, 8th and 9th days of January, 1998.”,

which was carried.

Upon the question, “Shall this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law?”, as follows:

“By-law No. 19-1998 To confirm the last portion of the proceedings of the Council at its Inaugural Meeting held on the 2nd, 6th, 8th and 9th days of January, 1998.”,

the vote upon which was as follows:

Yeas: Mayor: Lastman.  
Councillors: Adams, Altobello, Ashton, Balkissoon, Berardinetti, Bossons, Brown, Bussin, Cho, Chong, Chow, Disero, Duguid, Feldman, Fillion, Flint, Fotinos, Gardner, Holyday, Jakobek, Johnston, Jones, Kinahan, King, Korwin-Kuczynski, Layton, Lindsay Luby, Li Preti, Mammoliti, McConnell, Mihevc, Miller, Minnan-Wong, Moeser, Moscoe, Nunziata, O’Brien, Ootes, Pantalone, Prue, Rae, Saundercook, Sgro, Shaw, Shiner, Silva, Sinclair, Tzekas, Walker - 50.



Nays: Nil.

Decided in the affirmative, without dissent.

Council adjourned at 12:30 a.m.

**MEL LASTMAN,**  
**Mayor**

**NOVINA WONG,**  
**City Clerk**

**Attachment No. 1**

(Report dated December 24, 1997, from the Chief Administrative Officer,  
entitled "Interim Delegation and Financial Control")

Purpose:

To establish interim delegation of responsibility for continuing operations to identifiable accountable officials.

Funding Sources, Financial Implications and Impact Statement:

It is essential to the orderly financial and organizational transition to the new City of Toronto that identifiable financial controls and clear lines of accountability between Council and staff officials be established.

Recommendations:

It is recommended that:

- (1) authority be granted for the introduction of bills in Council in respect of the following:

	Column I (Official)	Column II (Schedule No.)
(a)	Chief Administrative Officer	1
(b)	Treasurer	2
(c)	Clerk	3
(d)	Human Resources	4
(e)	Fire Chief	5;

- (2) authority be granted for the introduction of a bill in Council substantially in the form of the draft by-law attached as Schedule 6, the Interim Financial Control By-law;
- (3) authority be granted for the introduction of a bill in Council substantially in the form of the draft by-law attached as Schedule 7 providing for the adoption of a corporate seal for the new City of Toronto;
- (4) authority be granted for the introduction of a bill in Council substantially in the form of the draft by-law attached as Schedule 8 providing for the signing of cheques issued by the City of Toronto; and
- (5) the appropriate City of Toronto officials be authorized and directed to take the actions necessary to give effect hereto.

Council Reference/Background/History:Discussion:

## (1) Duties and Responsibilities of Municipal Officers

The City of Toronto Act, 1997 required the Transition Team to hire the municipal officers required by statute and any other employees of the executive rank whom the Transition Team considered necessary to ensure the good management of the City. The Transition Team has hired the Chief Administrative Officer, the Clerk, the Chief Financial Officer & Treasurer, the Fire Chief, and the Commissioner of Human Resources. The appendices to this report include draft by-laws relating to each of these positions.

The City of Toronto Act, 1997 provides that City Council is deemed to have appointed these individuals. The by-laws state that each designated officer of the City is responsible for the operation of his or her own department with all officers and employees of the seven former municipalities in the corresponding department reporting to this individual. The Clerk and Treasurer have duties under the Municipal Act which are referenced in the by-laws. The Chief Administrative Officer, however, has no particular duties pursuant to a statute. The Municipal Act provides that the Chief Administrative Officer's responsibilities and duties must be set out in a by-law. Schedules 1 to 5 of this report include a draft by-law with respect to each of these positions.

The draft by-laws include a number of provisions which are intended to assign a particular responsibility to the appropriate individual. For example, the Clerk is delegated administrative responsibilities under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). MFIPPA permits such delegation by the head of an institution and provides that City Council is the "head". As well, the Fire Chief is assigned responsibilities of the Metropolitan Toronto Fire Coordinator for the purposes of an emergency response by-law.

It is recommended that Council adopt these by-laws for the purpose of empowering the appointed officials to administer operations of the City.

## (2) Interim Financial Control By-law:

A municipal council may act only through its authorized agents. Financial control by-laws authorize officials and other employees of the municipality to make expenditures on behalf of the municipality. Such authority is almost always limited in monetary amount. Since funds must be provided by Council before an expenditure is committed, the authority must be limited to the budget as authorized by Council. It may also be subject to other controls.

The monetary limit of spending authority will vary according to the level of responsibility. It may also be contained in documents that are not only varied in form but also mixed with other kinds of delegated authority. The existing delegated authorities in the seven municipalities constituting the new City are not easily collected and identified.

It is imperative that the new Council assume immediate financial control through identifiable and accountable officials. It is not possible to delegate spending authority to department heads who are not yet appointed.

To balance the need for an orderly transition with the requirements of effective council control it is recommended that the Chief Administrative Officer (CAO) be delegated authority to make current expenditures of up to \$500,000.00 provided funds are available in the interim appropriations or approved budget. The CAO will delegate this authority. It is proposed that the CAO be deemed in the interim financial control by-law to have delegated authority in accordance with all existing by-laws and resolutions in this respect in effect in the seven constituent municipalities on December 31, 1997. The CAO will, however, have the ability to change the deemed delegation should this be necessary or appropriate and as circumstances warrant. In this way, the CAO should have the necessary authority to carry out his responsibility to Council. Once the new structure is in place and appropriate officials appointed, a comprehensive financial control by-law will be recommended to Council for approval.

(3) Corporate Seal

Schedule 6 is a draft by-law providing for the adoption of a seal for the City. Legislation provides that the seal of a municipal corporation must appear on various documents including contracts and documents certified for use in the courts. It is, therefore, necessary to adopt a seal at this time.

Conclusion:

It is recommended that by-laws in the form of the draft by-laws attached in the Schedules be enacted.

## Schedule 1

## CITY OF TORONTO

## DRAFT BY-LAW

A By-law to prescribe the duties and responsibilities  
of the Chief Administrative Officer

Whereas, in accordance with ss. 18 and 19 of the City of Toronto Act, 1997, the Council of the City of Toronto is deemed to have taken all steps required to appoint Michael Garrett to the position of Chief Administrative Officer for the City of Toronto; and

Whereas the Chief Administrative Officer shall have such general control and management of the administration of the government and affairs of the City and perform such duties as Council prescribes; and

Whereas the Chief Administrative Officer shall be responsible for the efficient administration of all departments of the City to the extent that he is given control over them by the Council in this by-law;

Whereas the powers prescribed in this by-law do not encroach upon the powers of Council or its committees or the statutory duties of its officers;

Now, therefore, the Council of the City of Toronto HEREBY ENACTS as follows:

1. The Chief Administrative Officer is the senior official of the City, provides organizational leadership to staff, and is responsible for the efficient and effective delivery of services.
2. The Chief Administrative Officer is the head of the administrative and operational aspects of the government of the City of Toronto and is responsible to the Council for the proper administration of the affairs of the City, including organizational restructuring, in accordance with the by-laws adopted by the Council.
3. The Chief Administrative Officer, is responsible for providing effective advice and support to the Mayor and Council in developing and implementing the policies, plans and programs of Council.
4. The Chief Administrative Officer shall manage the human, fiscal and physical resources of the City.
5. The Chief Administrative Officer shall appoint, promote, demote, suspend and dismiss, subject to the provisions of any personnel regulations adopted by Council or collective agreements applicable to employees of the City, all employees of the City except the first level of senior management and statutory officials.

6. The Chief Administrative Officer shall recommend to Council the appointment and dismissal of first level senior management and statutory officials of the City.
7. In addition to the other powers set out in this by-law, the Chief Administrative Officer shall possess all of the powers, duties and responsibilities of the Chief Administrative Officers, known as the City Managers, of the former Cities of York , Etobicoke, and Scarborough; and of the Chief Administrative Officers of the former municipalities of The Borough of East York and The Municipality of Metropolitan Toronto; and of the City Administrator for the former City of North York; and of the Board of Management, acting as a Board or as individual Commissioners, of the former City of Toronto;
8. The Chief Administrative Officer shall carry out such additional duties and exercise such additional responsibilities as the Council may, from time to time, prescribe.
9. Nothing in this by-law shall be deemed to empower the Chief Administrative Officer to exercise or encroach upon the powers of the City Council or its committees or upon the statutory duties of its officers.
10. Where this by-law conflicts with any other by-law setting out the powers and duties of a municipal official, this by-law prevails to the extent of the conflict.
11. This by-law shall be deemed to have come into force on January 1, 1998.

ENACTED AND PASSED this     day of,     A.D. 1998.

Schedule 2

CITY OF TORONTO

DRAFT BY-LAW

To delineate certain duties and responsibilities of the  
Chief Financial Officer & Treasurer for the City of Toronto

Whereas, according to sections 18 and 19 of the City of Toronto Act, 1997, the Council of the City of Toronto is deemed to have taken all steps required to appoint Wanda A. Liczyk to the office of Chief Financial Officer & Treasurer and to the office of collector for the City of Toronto;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. In addition to all duties imposed upon a Treasurer and a collector by the Municipal Act, R.S.O. 1990, c. M.45, and any other statutes and all amendments thereto, and by any by-law of the Council, the Chief Financial Officer & Treasurer shall have full charge and control of and be fully responsible for the conduct of the Finance Department for the City of Toronto.
2. The Chief Financial Officer & Treasurer shall possess all of the duties and responsibilities of the Treasurers for the former Cities of Etobicoke, North York, Toronto, Scarborough and York, The Borough of East York and The Municipality of Metropolitan Toronto.
3. All other collectors for the City shall report to the Chief Financial Officer & Treasurer.
4. The Chief Financial Officer & Treasurer shall carry out such additional duties and exercise such additional responsibilities as Council may from time to time prescribe.
5. Where this by-law conflicts with the provisions of any other by-law setting out the powers and duties of a municipal official, this by-law prevails to the extent of the conflict.
6. This By-law is deemed to have come into force on January 1, 1998.

### Schedule 3

### CITY OF TORONTO

### DRAFT BY-LAW

To delineate certain duties and responsibilities of the Clerk for the City of Toronto

Whereas, in accordance with sections 18 and 19 of the City of Toronto Act, 1997, the Council of the City of Toronto is deemed to have taken all steps required to appoint Novina Wong to the office of Clerk for the City of Toronto:

The Council of the City of Toronto HEREBY ENACTS as follows:

1. In addition to all duties imposed upon the said Clerk by the Municipal Act, R.S.O. 1990, c. M.45, and any other statutes and by any by-law of the said Council, the Clerk shall have full charge and control of and be fully responsible for the conduct of the Clerk's Department for the City of Toronto.
2. The Clerk shall possess all of the duties and responsibilities of the Clerks of the former cities of Etobicoke, York, North York, Toronto, and Scarborough, and of the Borough of East York and the Municipality of Metropolitan Toronto ( the "former municipalities").

3. City Council hereby delegates to the Clerk the powers and duties set out in sections 17, 18, 25, 26, and 34 of the Municipal Freedom of Information and Protection of Privacy Act (“MFIPPA”), R.S.O. 1990, c. M. 56. In the event a power or duty under other sections of MFIPPA has previously been delegated to an official, employee or body of the former municipalities and who is no longer an official, employee or body of the City of Toronto, then the Clerk shall be empowered to exercise those powers and perform those duties in their stead.
4. The Clerk shall carry out such additional duties and exercise such additional responsibilities as Council may from time to time prescribe.
5. Where this by-law conflicts with any other by-law setting out the duties and responsibilities of a municipal official, this by-law prevails to the extent of the conflict.
6. This By-law shall be deemed to have come into force on January 1, 1998.

ENACTED AND PASSED this     day of,                     A.D. 1998.

Schedule 4

CITY OF TORONTO

DRAFT BY-LAW

To delineate certain duties and responsibilities of the Commissioner of Human Resources for the  
City of Toronto

Whereas, according to sections 18 and 19 of the City of Toronto Act, 1997, the Council of the City of Toronto is deemed to have taken all steps required to appoint Brenda Glover to the office of Commissioner of Human Resources for the Corporation of the City of Toronto:

The Council of the Corporation of the City of Toronto HEREBY ENACTS as follows:

1. The Commissioner of Human Resources shall possess all of those duties and responsibilities related to human resources and labour relations of the Senior Director of Human Resources of the former City of York; the Commissioner of Administrative Services of the former City of Etobicoke; the Director of Human Resources of the former Borough of East York; the Senior Director, Human Resource Services of the former City of Scarborough; the Commissioner of Human Resources of the former City of North York; the Director, Human Resources for the former City of Toronto and the Commissioner of Corporate and Human Resources for the former Municipality of Metropolitan Toronto.



2. The Commissioner of Human Resources shall carry out such additional duties and exercise such additional responsibilities as Council may from time to time prescribe.
3. Where this by-law conflicts with any other by-law setting out the powers and duties of a municipal official, this by-law prevails to the extent of the conflict.
4. This By-law shall be deemed to have come into force on January 1, 1998.

ENACTED AND PASSED this    day of        A.D. 1998.

Schedule 5

CITY OF TORONTO

DRAFT BY-LAW

A By-law to delineate certain duties and responsibilities of the Fire Chief

Whereas, according to ss. 18 and 19 of the City of Toronto Act, 1997, the Council of the City of Toronto is deemed to have taken all steps required to appoint Alan Speed to the office of Fire Chief for the City of Toronto; and

Whereas, according to s. 210, paragraph 31 of the Municipal Act, a municipality may pass by-laws for the provision of firefighting services and for the maintenance of a fire department;

Now, therefore, the Council of the City of Toronto HEREBY ENACTS as follows:

1. The Fire Chief shall possess all powers and duties of the Fire Chiefs for the former Cities of Etobicoke, North York, Scarborough, York and Toronto and the Borough of East York.
2. In addition to any duties imposed upon the Fire Chief by any statutes or by-laws, the Fire Chief shall have all of the duties and responsibilities of the Metropolitan Toronto Fire Coordinator for the purposes of Metropolitan Toronto By-law No. 31-96.
3. Where this by-law may conflict with any other by-law setting out powers and duties of a municipal official, this by-law shall supersede and prevail over that other by-law to the extent of the conflict.
4. This by-law shall be deemed to have come into force January 1, 1998.

ENACTED AND PASSED this    Day of        A.D. 1998.

Schedule 6

CITY OF TORONTO

Interim Financial Control By-law

DRAFT By-law

To confer certain authorities and responsibilities with respect to the appropriation and commitment of funds and the payment of accounts of the City of Toronto and other related matters on an interim basis.

Recitals

Whereas:

The City of Toronto Act, 1997, provides that by-laws and resolutions of the former municipalities of Toronto, York, East York, North York, Scarborough, Etobicoke and Metropolitan Toronto (the “old municipalities”) are deemed to be by-laws and resolutions of Council for the City and remain in force in respect of the part of the urban area to which they applied immediately before January 1, 1998 until Council repeals or amends these by-laws and resolutions;

The by-laws and resolutions of the old municipalities designate officials with authority to commit and expend corporate funds within prescribed monetary and other limits ( the “designations”);

The officials may, pursuant to the by-laws and resolutions, further designate employees within their responsibility and control to commit and expend corporate funds within further prescribed monetary and other limits ( the “sub-designations”) ;

Pending the determination by Council of the organizational structure of the City of Toronto and the selection and hiring of employees of executive rank for the City of Toronto, it is deemed appropriate and necessary to continue all designations and sub-designations in order to achieve an orderly transition;

It is also necessary that, at the same time, Council should control all spending during the transition period through an official or officials hired pursuant to the provisions of the City of Toronto Act, 1997 or appointed by the Council;

The transition period will involve the integration of various components of the seven old municipalities into one organization and the unification of a variety of existing administrative practices;

The existing designations and sub-designations are, in some cases, included as part of a system of procurement controls and practices which vary among the old municipalities and which should

continue until a comprehensive financial control by-law may be enacted which is consistent with the organizational structure determined by Council;

It is deemed appropriate that Council establish financial controls during the transition period by authorizing the Chief Administrative Officer to modify existing designations and sub-designations where necessary for the effective, orderly and efficient administration of the City;

**NOW THEREFORE** the Council of the City of Toronto HEREBY ENACTS as follows:

1. Definitions

In this by-law.

“account” means a financial liability of the City arising from a commitment and evidenced by any invoice, pay sheet, receipt or other document indicating payment is due for the goods or services specified in the account;

“appropriation” means the allocation of funds by Council for a specified purpose and shown as such in the estimates;

“approval of Council” means the approval of Council and includes the approval of a project by the council of one of the old municipalities;

“Chief Administrative Officer” means the Chief Administrative Officer of the City;

"City" means the City of Toronto;

“Council” means the council of the City;

“estimates” means the estimates adopted by the Council in accordance with section 4 and includes the interim appropriations referred to in section 5;

“old municipalities” has the same meaning as in the City of Toronto Act, 1997;

“project” means an undertaking, work or scheme included in the capital works program and funded by long term borrowing;

“Treasurer” means the Chief Financial Officer & Treasurer of the City

Part I  
General

2. Sole Authority:

Council has the sole authority to allocate funds to corporate appropriations and projects and for approving corporate programs and objectives.

3. Purpose:

The commitment of funds and payment of accounts of the City shall be carried out in accordance with the provisions of this by-law.

Part II  
Appropriations

4. Estimates:

Council, in adopting the estimates of all sums required during the year for the purposes of the City in accordance with the Municipal Act, shall determine the sums required for every purpose and the sums required for the various categories of purposes, as determined by Council, shall be an appropriation.

5. Interim Appropriations:

Council shall, before the adoption of the estimates for a year, adopt interim appropriations for the sums required in that year for the period from the 1st day of January to the date the estimates for that year are adopted.

6. Transfers:

(1) The Chief Administrative Officer may re-allocate sums from one appropriation to another of not more than \$250,000.00 per re-allocation provided that any such re-allocation shall be reported to Council not later than the second regular Council meeting following the re-allocation.

(2) The Chief Administrative Officer may re-allocate sums from one capital account to another of not more than \$250,000.00 per re-allocation provided that any such re-allocation shall be reported to Council not later than the second regular Council meeting following the re-allocation.

Part III  
Capital Works Program

7. Projects:

(1) Council in adopting the capital works program shall determine the sums required for every purpose and each category of purpose shall be a project and each sum provided therefor shall be a capital account.

(2) Notwithstanding the inclusion of a project within the capital works program adopted by Council, each individual project therein, including the funding therefor, must have the approval of Council.

Part IV  
Council Approval

8. Approval:

No commitment shall be made, no debt shall be incurred, no expenditure shall be made and no account shall be paid by or on behalf of the City except with the approval of Council or in accordance with the authority granted in accordance with the provisions of this by-law.

9. Authority of Chief Administrative Officer

The Chief Administrative Officer may make a commitment in respect of any corporate expense not exceeding \$500,000.00 in any one instance provided that the approval of Council has been given by way of an appropriation in the estimates for that purpose or by way of an approval of Council of the project.

10. Treasurer's Authority:

Notwithstanding any other provision in this by-law, the Treasurer is authorized to pay the following accounts provided that funds are available in the appropriation or capital account for the purpose:

- (a) all salaries, wages, and benefits due to any person in the employ of the City; and
- (b) all retiring allowances and mandatory sick pay grants due to any person previously in the employ of the City;
- (c) all accounts for telephones, postage and utilities supplied to the City;
- (d) all accounts for fees and levies payable to the federal, provincial or other municipal government, or to any agency, board or commission thereof;
- (e) all accounts for payment of principal or interest on debentures, loans or overdrafts, including foreign exchange;
- (f) all accounts for payment to the School Board of amounts raised for it by tax levy;
- (g) all accounts for advances to agencies, boards and commissions on account of the appropriations therefor authorized by Council;

- (h) all accounts for advance to the Toronto Transit Commission or the School Board on account of capital works, pending the issuance of debentures where all necessary authorizations of such capital works have been received, such advances to be made after receipt of a written request; and
- (i) all accounts relating to employee pension deductions and employer pension contributions in respect of the salaries and wages to those persons who are paid by or employed by the City, and which are payable in respect of any duly authorized registered pension plan on behalf of the respective employees.

Part V  
Administration

11. Designation:

(1) Subject to subsection 14(2), the Chief Administrative Officer shall maintain a current schedule specifying the names and positions, or both, of officials and employees having financial signing authority on behalf of the City and the monetary limits of each. The Chief Administrative Officer may limit the authority to particular classes of commitment and may attach conditions to its exercise all of which shall be set out in the schedule. The Chief Administrative Officer may from time to time amend and update any schedule prepared and filed under this section or deemed to be filed under subsection 14(2).

(2) Any schedule prepared by the Chief Administrative Officer pursuant to subsection 1 shall be signed by the Chief Administrative Officer and a copy, with specimen signatures of the designated officials and employees referred to in subsection 1, shall be filed with the Treasurer for the purposes of proper financial control.

(3) Subsection 2 applies with any necessary modifications to any amendment to the schedule made by the Chief Administrative Officer.

12. Execution:

Where a commitment is made in accordance with the provisions of this by-law, the appropriate officials are authorized to take the necessary action to give effect thereto including the execution of any necessary agreement or other document.

13. Controls:

The Treasurer shall carry out whatever tests and inquiries are appropriate to ensure that satisfactory internal control practices are followed and that the terms of this by-law are duly carried out and the Treasurer is authorized to issue administrative directives for this purpose to be followed by officials and employees.

14. Transition and Repeal of Existing By-laws and Resolutions

(1) Except to the extent preserved by subsection 2,

(a) any provision in a By-law or resolution of the old municipalities which was in effect on December 31, 1997 which designates officials or employees having financial authority to make commitments or establishes monetary limits therefor or that is otherwise inconsistent with the authority of the Chief Administrative Officer granted pursuant to sections 6, 9 or 11 of this by-law or granted to the Treasurer pursuant to section 10 is repealed and of no force and effect, and

(b) any sub-designation by an official or employee of the old municipalities pursuant to a by-law or resolution which is repealed by clause 1(a) of this section is revoked and of no force and effect.

(2) On the date this by-law comes into force, the Chief Administrative Officer shall be deemed to have filed a schedule in accordance with section 11 designating officials and employees having financial authority to make commitments on behalf of the City up to the monetary limits established in the by-laws and resolutions repealed by clause 1(a) of this section and in the sub-designations revoked by clause 1(b) of this section. Any monetary limit in the schedule deemed to have been filed under this section shall not exceed the limits of the Chief Administrative Officer and the Treasurer otherwise provided under this by-law.

(3) Where this by-law conflicts with any provision of any other by-law or resolution designating officials and employees having financial authority to make commitments on behalf of the City and establishing monetary limits thereof, this by-law prevails to the extent of the conflict.

16. Effective Date:

This by-law shall come into force on the date of its enactment.

Enacted and Passed this \_\_\_\_\_ day of January, 1998

SCHEDULE 7

CITY OF TORONTO

DRAFT BY-LAW

To Adopt a Seal for the City of Toronto

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The seal, an impression of which appears in the margin hereof, is hereby adopted as the corporate seal of the Corporation of the City of Toronto.

Enacted and Passed this \_\_\_\_\_ day of A.D. 1998.

SCHEDULE 8

CITY OF TORONTO

DRAFT BY-LAW NO. \_\_\_\_\_

To provide authority for certain officers and employees of the Corporation of the City of Toronto to sign cheques and carry on the business of banking for and on behalf of the City

The Council of the Municipality of the City of Toronto HEREBY ENACTS as follows:

1. All cheques issued by The City of Toronto shall, be signed by the Chief Administrative Officer and the Chief Financial Officer & Treasurer if the signatures are stamped, lithographed or engraved on any City cheque.
2. Cheques not in excess of \$50,000 and where the signatures are not stamped, lithographed or engraved on the cheque may be signed by any two employees of the Finance Department as designated by the Chief Financial Officer & Treasurer from time to time.
3. Cheques in excess of \$50,000 and where the signatures are not stamped, lithographed or engraved on the cheque may be signed by the Chief Administrative Officer and Chief



Financial Officer & Treasurer or by the Chief Administrative Officer or the Chief Financial Officer & Treasurer and any employee of the Finance Department as designated by the Chief Financial Officer & Treasurer from time to time.

4. The Chief Administrative Officer or the Chief Financial Officer & Treasurer or any employee of the Finance Department as designated by the Chief Financial Officer & Treasurer may sign an order for the transfer of any sums of money from one Corporation account to another or to any agency, board or commission of the City.
5. This By-law shall come into force on the 7<sup>th</sup> day of January, 1998.

Enacted and Passed this \_\_\_\_\_ day of A.D. 1998.

## **Attachment No. 2**

(Report dated December 18, 1997, from the  
Chief Financial Officer and Treasurer, entitled  
“1998 Interim Operating Budget Estimates”)

### Purpose:

To provide funds to allow departments, agencies, boards and commissions to finance their normal operations until the final current budget is adopted by Council.

### Financial Implications:

This request provides interim operating funds for departments, agencies, boards and commissions.

### Recommendation:

Approve the interim current budget estimates in the amount of \$4,096,354,100.00

### Council Reference/Background/History:

N/A.

### Discussion:

The 1998 Current Budget will be presented to Council for its approval in late April. In order to allow departments, agencies, boards and commissions to finance their normal operations during the first part of the year, it is necessary for Council to approve interim operating budget estimates. The attached schedule details the interim estimates by program with the 1997 consolidated budget included for comparative purposes. Expenditures made during this period by departments, agencies, boards and commissions must be restricted to normal operating expenditures.

Except for capital projects that have ongoing approvals or are included in the interim capital estimates, no expenditures of a capital nature should be incurred prior to the approval of the capital budget.

The total recommended interim appropriation is \$2,803,575,500.00 for City purposes and \$1,292,778,600.00 for school purposes. The details of the interim operating budget estimates are contained in Schedule 1 attached.

Conclusion:

The interim operating estimates provide funding for departments, agencies, boards and commissions until the final budget is approved by Council in April 1998.

Schedule 1

City of Toronto  
1998 Interim Operating Budget Estimates

	<b>1997 Budget \$000's</b>	<b>1998 Interim Budget \$000's</b>
<b>Community and Health Services</b>		
Public Health	91,474.0	45,737.0
Social Services and Housing Administration	7,123.0	3,561.5
Housing	183,074.9	91,537.5
Hostels	52,359.3	26,179.7
Income and Skills Support	905,728.0	452,864.0
Community Development and Support	18,016.1	9,008.1
Seniors' Support	132,903.0	66,451.5
Children's Services	210,741.0	105,370.5
<b>Total Community and Health</b>	1,601,419.3	800,709.8
<b>Roads and Transportation</b>		
Public Transit	735,618.0	367,809.0
Transportation	202,453.8	101,226.9
<b>Total Roads and Transportation</b>	938,071.8	469,035.9
<b>Emergency and Regulatory Services</b>		
Police	509,191.6	254,595.8
Fire	223,187.4	111,593.7
Licensing and Enforcement	13,481.4	6,740.7
Ambulance Services	61,961.5	30,980.8
Parking	66,000.5	33,000.3
<b>Total Emergency and Regulatory Services</b>	873,822.4	436,911.3
<b>Works, Utilities and Environmental Services</b>		
Solid Waste Management	136,258.0	68,129.0
Conservation	20,598.5	10,299.3
Water Pollution Control	236,752.8	118,376.4
Water	433,054.3	216,527.2
<b>Total Works, Utilities and Environmental</b>	826,663.6	413,331.9
<b>Parks, Recreation, Cultural and Heritage</b>		
Parks and Recreation	265,337.0	132,668.5
Arts, Culture and Heritage	42,211.3	21,105.7
Library	121,309.9	60,655.0
<b>Total Parks, Recreation, Cultural and Heritage</b>	428,858.2	214,429.2

<b>City of Toronto</b>		
<b>1998 Interim Operating Budget Estimates</b>		
	<b>1997 Budget \$000's</b>	<b>1998 Interim Budget \$000's</b>
<b>Planning and Development</b>		
Urban Planning and Building	67,171.4	33,585.7
Economic and Tourism Development	11,690.5	5,845.3
<b>Total Planning and Development</b>	<b>78,861.9</b>	<b>39,431.0</b>
<b>Corporate Administration</b>		
Legislative Process Management	35,715.0	17,857.5
Corporate Management	6,505.3	3,252.7
Financial Services	50,638.9	25,319.5
Human Resources Management	23,102.8	11,551.4
Legal	21,448.2	10,724.1
Corporate Asset Management	126,143.2	63,071.6
Information Technology Management	46,130.2	23,065.1
Information and Communication	33,620.1	16,810.1
<b>Total Corporate Administration</b>	<b>343,303.7</b>	<b>171,652.0</b>
<b>Capital Financing</b>		
Debt Charges	194,512.0	97,256.0
Capital from Current	94,295.5	47,147.8
<b>Total Capital Financing</b>	<b>288,807.5</b>	<b>144,403.8</b>
<b>Corporate Expenditures</b>		
Temporary Borrowing	9,445.0	4,722.5
Tax Deficiencies/Write Offs	91,836.8	45,918.4
Funding of Liabilities - Employee Related	34,759.7	17,379.9
Funding of Liabilities - Current and Future	37,884.4	18,942.2
Contingency	32,543.3	16,271.7
Other Corporate Expenditures	9,382.0	4,691.0
Insurance Premium/Claims	4,717.5	2,358.8
Special Purpose Grants	6,772.1	3,386.1
<b>Total Corporate Expenditures</b>	<b>227,340.8</b>	<b>113,670.6</b>
<b>Total Expenditures before Education Costs</b>	<b>5,607,149.2</b>	<b>2,803,575.5</b>
<b>Education Costs</b>	<b>2,585,557.1</b>	<b>1,292,778.6</b>
<b>Total Current Budget Estimates</b>	<b>8,192,706.3</b>	<b>4,096,354.1</b>

(Report dated December 22, 1997, from the  
Chief Financial Officer and Treasurer,  
entitled "1998 Interim Levy By-law")

Purpose:

To provide for the levy and collection of 1998 interim realty taxes.

Financial Implications:

The approval of the by-law will provide for the cash requirements of the City until the final 1998 operating budget is approved by Council in May 1998.

Recommendation:

Authority be granted for the introduction of a bill in Council substantially in the form of the draft by-law attached providing for an interim levy prior to the adoption of the estimates for 1998.

Council Reference/Background/History:

N/A

Discussion:

Section 370 of the Municipal Act, as amended by the two Fair Municipal Finance Acts in 1997, provides that a municipal council may pass a by-law, prior to the adoption of the estimates, to levy interim taxes for 1998.

For the interim levy in 1998, the six Area Municipalities, as constituted within Metropolitan Toronto prior to January 1, 1998, will bill and levy the taxes for property owners within each of their respective boundaries for practical, administrative and computer system reasons. The 1998 final billing will be carried out as a single function by the new City of Toronto with the implementation of a new tax system. The interim mill rates for residential properties in each of the six former Area Municipalities are 50 per cent of the full residential rates in such areas in 1997. The interim mill rates for commercial properties are to be calculated by dividing 50 per cent of the total taxes raised on that assessment in 1997 including business occupancy taxes levied in 1997 by the total commercial and industrial assessment according to the most recently revised assessment roll and multiplying by 1,000. Interim mill rates have been calculated on this basis for each of the areas formerly comprising the Area Municipalities.

The total amount to be raised by the interim levy is \$2,288,721,327.00. Additional funds will be raised by provincial transfer payments, user fees, internal revenue sources and, if necessary, temporary borrowing.

The by-law attached as has been prepared in accordance with the foregoing.

Conclusion:

The interim levy by-law will provide for the cash requirements of the City until the 1998 operating budget is approved by Council in May 1998.

Draft By-law \_\_\_\_\_

***To provide for the levy and collection of 1998 interim realty taxes and penalties  
for non-payment thereof.***

WHEREAS subsection 370(8) of the Municipal Act, as amended by the Fair Municipal Finance Act, 1997 and the Fair Municipal Finance Act, 1997 (No.2), provides that for 1998, the council of a local municipality may, before the adoption of the estimates for the year, pass a by law levying taxes (the "interim taxes") on the assessment of property in the municipality rateable for local municipality purposes; and

WHEREAS subsection 2(2) of the City of Toronto Act, 1997, provides that the City of Toronto is a local municipality for all purposes; and

WHEREAS the said section 370, as amended, provides in subsection 9 thereof that the interim taxes shall be levied "on the assessment according to the assessment roll, as most recently revised before the by-law is passed, for taxation in 1997 in accordance with the following:

1. Taxes on residential and farm assessment shall be set by levying a mill rate that does not exceed the prescribed percentage (or 50 per cent if no percentage is prescribed) of the residential mill rate levied in 1997,
2. Taxes on commercial and industrial assessment shall be set by levying a mill rate that does not exceed the mill rate that would raise, on all the commercial and industrial assessment rateable for local municipality purposes in 1997, the prescribed percentage (or 50 per cent if no percentage is prescribed) of the total taxes raised on that commercial and industrial assessment in 1997 including all business taxes levied in 1997"; and

WHEREAS no percentages have been prescribed for the purposes of the said subsection 370(9); and

WHEREAS the said section 370 provides in subsection 7 thereof that "if as a result of municipal restructuring parts of a local municipality as it exists on January 1 of a year were, at any time, in the preceding year, in different local municipalities" then section 370 applies "for the purposes of the current year with respect to each such area as though it were a separate municipality"; and

WHEREAS during 1997, parts of the City of Toronto were in six different local municipalities known as area municipalities under the Municipality of Metropolitan Toronto Act; and

WHEREAS each mill rate for taxes on residential and farm assessment set out in Column II in section 2 of this by-law does not exceed 50 per cent of the residential mill rate levied in 1997 on such assessment in the area of the City of Toronto set out in Column I opposite each such mill rate; and

WHEREAS each mill rate for taxes on commercial and industrial assessment set out in Column III in section 2 of this by-law does not exceed the mill rate that would raise, on all the commercial and industrial assessment rateable for local municipality purposes in 1997 in the area of the City of Toronto set out in Column I opposite such rate, more than 50 per cent of the total taxes raised on such assessment in 1997 including all business taxes levied in 1997.

The Council of The City of Toronto (the "Council") HEREBY ENACTS as follows:

1. In this by-law:

"area" means the part of the City of Toronto which was the geographical area of an "area municipality" as defined by the Municipality of Metropolitan Toronto Act, as it read on December 31, 1997 and each such area is referred to by the name of the former municipality;

"Treasurer" means the Chief Financial Officer and Treasurer of the City of Toronto; and

"Tax Collector" means any person who was a collector or tax collector appointed, pursuant to the provisions of the Municipal Act, by by-law of a former area municipality in force on December 31, 1997, and notwithstanding any provision in another by-law of the City of Toronto, includes the Treasurers of the former area municipalities for the purposes of this by-law.

2. Before the adoption of the estimates for 1998, there shall be levied as taxes on the assessment of all property in the City of Toronto rateable for local municipality purposes according to the assessment roll as most recently revised before this by-law is enacted for taxation in 1997, in amounts calculated within each of the areas set out in Column I by the application of,

- (a) in the case of property classified as residential and farm assessment, the mill rate set out opposite such area under Column II, and
- (b) in the case of property classified as commercial and industrial assessment, the mill rate set out opposite such area under Column III:

Column I (Area)	Column II (Residential/Farm Mill Rate)	Column III (Commercial/Industrial Mill Rate)
East York	240.29	410.11
Etobicoke	223.28	379.64
North York	225.04	379.96
Scarborough	231.00	396.00
Toronto	235.25	399.88
York	251.34	416.54

3. The taxes levied by subsection 1(2) shall be paid in installments which shall be due and payable in respect of each property situated within each area listed under Column I below, on the dates set out opposite such area under Columns II to V as may be applicable:

Column I (Area)	Column II (1st Instalment)	Column III (2nd Instalment)	Column IV (3rd Instalment)	Column V (4th Instalment)
East York	February 13	March 13	April 14	
Etobicoke	February 12	March 12	April 9	
North York	February 2	March 2	April 1	
Scarborough	February 9	April 8		
Toronto	February 13	March 13	April 14	May 11
York	February 20	March 20	April 17	

4. The payment of taxes, or any instalment thereof, may be made, in respect of property situated within each area listed in Column I below, at the location for payment set out opposite such area under Column II below:

Column I (Area)	Column II (Location for Payment)
East York	850 Coxwell Avenue
Etobicoke	399 The West Mall
North York	5100 Yonge Street
Scarborough	150 Borough Drive
Toronto	100 Queen Street West
York	2700 Eglinton Avenue West

5. Taxes shall be payable to the Treasurer, City of Toronto.

6. When not in default, the payment of taxes, or any instalment thereof, may also be made at any financial institution permitted by the Municipal Act, as amended, as designated by the Treasurer.



**7.** The Treasurer or Tax Collectors may mail, or caused to be mailed, all notices of taxes required in accordance with the provisions of the Municipal Act, as amended, to the address of the residence or place of business of the person taxed pursuant to this by-law. Notices will not be mailed to tenants. It is the responsibility of the person taxed to notify and collect taxes from tenants or other persons.

**8.** The Treasurer or the Tax Collectors shall be and they are hereby authorized to accept part payment from time to time on account of any taxes due, and to give a receipt for such part payment provided that acceptance of any such part payment does not affect the collection of any percentage charge imposed or collectable under section 9 in respect to non-payment of any taxes or any class of taxes or of any instalment thereof.

**9.** A penalty for non-payment of taxes shall be added at the rate of 1.25 percent on the 1st day of default, and on the 1st day of each calendar month thereafter in which default continues, but not after December 31, 1998.

**10.** The Treasurer or the Tax Collectors shall add interest at the rate of 1.25 percent per month on the 1st day of each calendar month from the 31<sup>st</sup> day of December, 1998 until the taxes are paid.

**11.** Except in the case of taxes payable under sections 33 and 34 of the Assessment Act, as amended, the percentage charge imposed by section 9 as a penalty for non-payment of taxes and monies payable as taxes shall be added to every tax or assessment, rent or rate or any instalment or part thereof remaining unpaid on the first day of default and on the first day of each calendar month thereafter in which such default continues but not after December 31, 1998; and it shall be the duty of a Tax Collector, immediately after the several dates named in section 2 to collect at once, by distress or otherwise under the provisions of the applicable statutes all such taxes, assessments, rents, rates or instalments or parts thereof as shall not have been paid on or before the several dates named as aforesaid, together with the said percentage charges as they are incurred.

**12.** In respect of taxes payable under sections 33 and 34 of the Assessment Act, as amended, the percentage charge imposed by section 9 as a penalty for non-payment of taxes and moneys payable as taxes shall be added to every amount of taxes so payable remaining unpaid on the first day after twenty-one days from the date of mailing by the Treasurer or a Tax Collector of a demand for payment thereof and on the first day of each calendar month thereafter in which default continues but not after December 31, 1998; and it shall be the duty of a Tax Collector immediately after the expiration of the said twenty-one days to collect at once by distress or otherwise under the provisions of the applicable statutes, all such taxes as shall not have been paid on or before the expiration of the said twenty-one-day period, together with the said percentage charges as they are incurred.

**13.** Nothing herein contained shall prevent the Tax Collectors from proceeding at any time with the collection of any rate, tax or assessment, or any part thereof, in accordance with the provisions of the statutes and by-laws governing the collection of taxes.

**14.** Where the sum of the total annual taxes for which any person is chargeable in the year 1998 for municipal, school, local improvement and other purposes, upon any real property assessed in one parcel to the same owner would according to the assessment thereon be less than \$10.00, the sum of such taxes shall be deemed to be \$10.00 and shall be so entered on the collector's roll and the difference between the sum that would have been entered but for this section and the sum of \$10.00 shall form part of the general funds of the City of Toronto and such levy shall be deferred to the issuance of the final tax bill.

**15.** Where tenants of land owned by the Crown or in which the Crown has an interest are liable for the payment of taxes and where any such tenant has been employed either within or outside the municipality by the same employer for not less than thirty days, such employer shall pay over to the Treasurer or Tax Collectors on demand out of any wages, salary or other remuneration due to such employee, the amount then payable for taxes under this by-law and such payment shall relieve the employer from any liability to the employee for the amount so paid.

Mayor

City Clerk

#### **Attachment No. 4**

(Report dated December 22, 1997, from the  
Chief Financial Officer and Treasurer,  
entitled "Contract to Provide Custody and  
Note Issuance Services for the New City of Toronto")

#### Purpose:

To provide custody and note issuance services to the new City of Toronto.

#### Financial Implications:

The recommended action will result in lower costs for custody and note issuance services and will aid in achieving financial benefits from an amalgamated investment and cash management program.

#### Recommendations:

It is recommended that:

- (1) a two-year contract be awarded to the Royal Bank to provide custody and note issuance services to the new City of Toronto; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

#### Council Reference/Background/History:

N/A

Discussion:

The former Area Municipalities and the Municipality of Metropolitan Toronto use two financial institutions to provide custody and note issuance services. In order to immediately begin to achieve the benefits of an amalgamated investment and cash management program, it is recognized that a single custodian should be chosen by the new City of Toronto to provide custody and note issuance services.

Accordingly, a request for proposals for custody and note issuance services for the new City of Toronto was sent on November 10, 1997, to financial institutions which provide these services in Canada. Responses which met the mandatory requirements of the City were received from three Proponents within the November 26, 1997, deadline for receipt of submission. All these Proponents were interviewed on December 2, 1997.

After the interviews, each of the team members independently evaluated the Proponents in accordance with the evaluation criteria outlined in the RFP. Proposed pricing structure and terms, proposed services and alternatives, and responses to standardized interview questions and qualifications, performance capabilities and references were evaluated by reviewing the written submissions, oral presentations and by interviews with the references provided by the Proponents.

Although all Proponents demonstrated the ability to provide the required services, the proposed pricing structure of the Royal Bank was significantly better than that of the other Proponents.

The 1998 estimated cost of Royal Bank providing these services to the new City of Toronto is 35 per cent. and 45 per cent. lower than 1997 consolidated budgeted amounts, respectively.

Conclusion:

It is recommended that the Royal Bank be awarded a two year contract to provide custody and note issuance services.

**Attachment No. 5**

(Report dated December 23, 1997, from the  
Chief Financial Officer and Treasurer,  
entitled "Borrowing Authority")

Purpose:

To provide authority to borrow pending the receipt of revenues and the issuance and sale of debentures.

Financial Implications:

An estimate of related costs incurred due to temporary borrowing during 1998 will be included in the 1998 Operating Budget.

Recommendations:

It is recommended that:

- (1) authority be granted for the introduction of a bill in Council substantially in the form of the draft bylaw attached as Schedule 1 authorizing a temporary borrowing limit to meet 1998 current expenditures, pending receipt of levies and other revenues, at \$1,000,000,000.00;
- (2) authority be granted for:
  - (a) the introduction of bills in Council substantially in the forms of a draft bylaws attached as Schedules 2 and 3 for temporary borrowing to finance capital projects for 1998 pending the issuance of debentures; and
  - (b) entering into agreements on behalf of the Corporation for the sale and issue of debentures, not to exceed \$400 million, and the reporting thereon by the second regular meeting of Council; and
- (3) the appropriate City officials be authorized to take the necessary actions to give effect thereto.

Discussion:

- (1) Subsection 187(1) of the Municipal Act provides that a municipal council may by by-law authorize the Head of Council and the Treasurer of the municipality to borrow from time to time by way of promissory note or banker's acceptance such sums as the council may deem necessary to meet, until the taxes are collected and other revenues for the current year are received, the current expenditures of the corporation. Section 108.1 of the City of Toronto Act, 1997 (No. 2) provides that, for the purposes of subsections 187(4) of the Municipal Act,

the estimated revenues of the City of Toronto for 1997 are the sum of the former Area Municipalities and the former Area Municipalities and the former Municipality of Metropolitan Toronto as shown on the estimates adopted for 1997. The City may also undertake temporary borrowing, under individual project approvals, for capital projects pending the issuance of debentures.

The amount of temporary borrowing outstanding at any one time is generally limited by the Municipal Act, unless otherwise approved by the Ontario Municipal Board, to 50 percent of estimated annual revenues from January 1 to September 30 and to 25 percent thereafter. Until the current year's estimates are adopted, the limitation may be calculated upon the revenues of the City of Toronto for 1997 are the sum of the estimated revenues of all the former area municipalities and the former Municipality of Metropolitan Toronto as shown on the estimates adopted for 1997. Based upon forecasted current requirements, it is proposed that a limit of \$1,000,000,000 be established which is less than the allowable limit under legislation but is projected to be sufficient to provide the necessary flexibility for the operation of the City's cashflow management and temporary borrowing program during 1998.

- (2) (a) Under Section 188(1) of the Municipal Act, temporary borrowing is allowable pending the issuance of debentures by the City for capital purposes as well as for boards of education. Temporary borrowing costs incurred on behalf of the TDSB are recovered from this organization.
- (b) Section 101 of the City of Toronto Act, 1997 (No. 2) empowers the Council annually by by-law to authorize the Mayor and the Chief Financial Officer and Treasurer to negotiate and enter into agreements for the issuance and sale of debentures to finance capital expenditures previously approved, including the purposes of any former Area Municipality, the former Municipality of Metropolitan Toronto and a board of education, subject to such terms and conditions as the by-law specifies. Section 146(2) and 146(7) of the Municipal Act, permits municipalities as may be prescribed by provincial regulations to enter into agreements to manage any risk associated with issuing debentures in foreign currencies due to changes in exchange or interest rates.

Any such agreements must be reported to Council not later than the second regular meeting of Council after the agreement is signed and Council is required to pass all necessary money bylaws to carry out the agreement.

Preliminary estimates of debenture requirements for 1998 to finance capital expenditures on behalf of the City of Toronto, the former Area Municipalities, the former Municipality of Metropolitan Toronto and the Toronto District School Board total approximately \$400 million. This sum may be reduced during 1998 capital budget considerations. In 1997, the preliminary amount identified was \$400 million and the authority to issue up to this amount was requested and approved. Due to capital market conditions and timing considerations as well as some reduced capital requirements, \$205 million of debenture financing was completed during the year,

consisting of \$95.1 million for the Metropolitan Corporation, \$75.1 million for the Metropolitan Toronto School Board and \$34.8 million for the Area Municipalities.

The proceeds from debentures issued under this authority will be used to finance capital expenditures which have been incurred or committed for fully approved projects.

By providing this mechanism, it is recognized that a successful debenture issue requires an ability to respond to financial market conditions in a timely manner to obtain the most advantageous rates and terms.

Schedule 1

Draft By-law No. \_\_\_\_\_

To authorize the temporary borrowing of moneys to meet the current expenditures of the City of Toronto for the year 1998

WHEREAS subsection 187(1) of the Municipal Act provides that a municipal council may by by-law authorize the Head of Council and the Treasurer of the municipality to borrow from time to time by way of promissory note or banker's acceptance such sums as the council may deem necessary to meet, until the taxes are collected and other revenues for the current year are received, the current expenditures of the corporation for the year, including the amount required for sinking fund, principal and interest falling due within the year upon any debt of the corporation, school purposes, special rates purposes, and for any board, commission or body and other purposes for which the corporation is required by law to provide; and

WHEREAS subsection 187(2) of the Municipal Act provides that the amount which may be borrowed at any one time for the purposes mentioned in subsection 187(1) of the Municipal Act plus the total of any similar borrowings that have not been repaid, shall not exceed from January 1 to September 30 of 1998, 50 percent of the total of the estimated revenue of the corporation as set forth in the estimates adopted for 1998; and

WHEREAS subsection 187(4) of the Municipal Act provides that until the estimates for 1998 are adopted, the limitations upon borrowing imposed by subsection 187(2) of the Municipal Act, shall temporarily be calculated upon the estimated revenues of the corporation as set forth in the estimates adopted for 1997; and

WHEREAS section 108.1 of the City of Toronto Act, 1997 (No. 2) provides that, for the purposes of subsection 187(4) of the Municipal Act, the estimated revenues of the City of Toronto for 1997 are the sum of the estimated revenues of all the former Area Municipalities and the former Municipality of Metropolitan Toronto as show on the estimates adopted for 1997; and

WHEREAS subsection 187(4.1) of the Municipal Act provides that, for the purposes of subsections 187(2) and 187(4) of the Municipal Act, estimated revenues do not include revenues

derivable or derived from borrowing or issues of debentures, a surplus including arrears of levies, or a transfer from the capital fund, reserve fund or reserves; and

WHEREAS it is deemed necessary by the Council of the City of Toronto (the Council) to borrow the sum of One Billion Dollars (\$1,000,000,000.00), to meet, until the taxes are collected and other revenues for the current year are received, the current expenditures of the City of Toronto for the year 1998 including the amounts and sums aforesaid; and

WHEREAS the said sum of One Billion Dollars (\$1,000,000,000.00), plus any similar borrowings that have not been repaid, is less than 50 percent of the total amount of the estimated revenues of the City of Toronto as set forth in the sum of the estimates adopted for the year 1997, in accordance with subsections 187(2), 187(4), 187(4.1) of the Municipal Act, and section 108.1 of the City of Toronto Act, 1997;

Now, therefore, the Council HEREBY ENACTS as follows:

1. The Mayor and Treasurer of the City of Toronto be and are hereby authorized to borrow from time to time by way of promissory note or banker's acceptance a sum or sums not exceeding in all the sum of One Billion Dollars (\$1,000,000,000.00), to meet, until the taxes are collected and other revenues for the year 1998 are received, the current expenditures of the City of Toronto for 1998, including the amounts required for sinking fund, principal and interest falling due within the year upon any debt of the City of Toronto, including any debt incurred by any former Area Municipality and by the former Municipality of Metropolitan Toronto, school purposes, special rates purposes, and for any board, commission or body and other purposes for which the City of Toronto is required by law to provide.
2. Any promissory note or banker's acceptance made under the authority of section 1 hereof shall be sealed and signed by the Mayor and the Treasurer in accordance with the provisions of the Municipal Act.

ENACTED AND PASSED this                    day of January, A.D. 1998.

Schedule 2

Draft By-law No. \_\_\_\_\_

To authorize temporary advances pending the issue and sale of debentures  
and raising money by way of loan on the debentures.

WHEREAS subsection 188(1) of the Municipal Act provides that when a municipality has approved an undertaking to be financed in whole or in part by incurring long-term debt, the municipal council may by by-law authorize temporary borrowing to meet expenditures made in connection with the said undertaking; and

WHEREAS subsection 183(1) of the Municipal Act provides that, pending the sale of a debenture, or in lieu of selling it, a municipal council may by by-law authorize the Mayor and the Treasurer to raise money by way of loan on the debenture and to hypothecate the debenture for the loan; and

WHEREAS subsection 123(7) of the Municipal Act provides that, a municipal council may and, upon the request of a school board exercising jurisdiction in all or part of the municipality shall, pending the issue and sale of debentures, agree with a bank or person for temporary advances from time to time for the purposes authorized, and pending the sale of debentures or in lieu of selling them, authorize the chair and treasurer to raise money by way of loan on the debentures and to hypothecate them for the loan, and shall transfer the proceeds of such advance or loan to the school board.

The Council of the City of Toronto (the "Council") HEREBY ENACTS as follows:

1. When Council has authorized the borrowing of money and the issuance of debentures for the purposes of the City of Toronto, including the purposes of any former Area Municipality, the former Municipality of Metropolitan Toronto, or a board of education, authority is hereby granted
  - (a) to the Treasurer to obtain from a bank or person temporary advances from time to time for the purposes authorized, and to borrow temporarily to meet expenditures made in connection with the undertaking, pending the sale of the debentures,
  - (b) to the Mayor and the Treasurer to raise money by way of a loan on the debentures and to hypothecate them for the loan pending the sale of the debentures or in lieu of selling them,
  - (c) to the Treasurer to transfer the proceeds of any advance or loan obtained for a board of education to such board of education, and
  - (d) to the Mayor and the Treasurer to enter into any agreements necessary to give effect to the foregoing.
2. Where a board of education requests the Treasurer to exercise the authority granted by section 1, the temporary advances referred to in clause 1(a) shall be obtained or the raising of money and hypothecation of debentures referred to in clause 1(b) shall be undertaken in accordance with the provisions of the Municipal Act, this by-law and the request of the board of education.

ENACTED AND PASSED this        day of January, A.D. 1998.



## Schedule 3

Draft By-law No. \_\_\_\_\_

To authorize agreements respecting the issue and sale of debentures.

WHEREAS section 101 of the City of Toronto Act, 1997 (No. 2) provides that when the Council of the City of Toronto (the "Council") has authorized the borrowing of money and the issue of debentures for its purposes, including the purposes of any former Area Municipality, the former Municipality of Metropolitan Toronto, and a board of education, Council may by by-law authorize the Mayor and Treasurer subject to such terms and conditions as the by-law specifies to enter into an agreement or agreements with any person or persons for the issue and sale of debentures upon such terms and conditions including price or prices as the Mayor and Treasurer consider expedient at any time in the year in which the by-law is passed; and

WHEREAS subsection 146(2) of the Municipal Act permits municipalities as may be prescribed by provincial regulations to issue debentures expressed and payable in such foreign currencies as may be prescribed; and

WHEREAS subsection 146(7) of the Municipal Act permits municipalities as may be prescribed by provincial regulations to enter agreements to minimize costs or counteract the risk associated with the issuing of debentures due to fluctuations in interest rates and in the rate of exchange between the Canadian dollar and other currencies; and

WHEREAS the City of Toronto is a municipality for the purposes of section 146 of the Municipal Act by virtue of Ontario Regulation 640/93 filed on October 14, 1993, as amended by Ontario Regulation 933/93;

Now, therefore, Council HEREBY ENACTS as follows:

1. The Mayor and Treasurer are authorized to enter into an agreement or agreements with a purchaser or purchasers during the year 1998 for the sale and issue of debentures upon such terms and conditions including price or prices as they deem expedient to provide an amount not exceeding \$400,000,000.00 for the purposes of the City of Toronto, including the purposes of any former Area Municipality, the former Municipality of Metropolitan Toronto, and a board of education.
2. Any agreement or agreements entered into under section 1 may provide that the debentures to be issued may be expressed and be payable in lawful money of Canada or in any foreign currency as may be prescribed under the Municipal Act and regulations thereunder and such agreements may include any additional financial agreement, as defined in such regulations, to minimize costs or counteract the risk associated with the issuing of debentures due to fluctuations in interest rates and in the rate of exchange between the Canadian dollar and other currencies.

3. The Mayor and Treasurer are authorized to apply on behalf of the City of Toronto to any regulatory body in Canada or outside Canada for any approvals required in connection with any such agreement or agreements or for the issue and sale of debentures thereunder.
4. Where the Mayor and the Treasurer have entered into an agreement in accordance with section 1, the Treasurer shall report the terms of the agreement(s) to Council not later than the second regular Council meeting next following the entering into of such agreement(s).
5. This By-law shall come into force on the date of its enactment.

ENACTED AND PASSED this        day of January, A.D. 1998.

### **Attachment No. 6**

Report dated December 21, 1997, from the  
Chief Financial Officer and Treasurer,  
entitled "Statement of Investment Policies and Goals"

#### Purpose:

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.

#### Financial Implications:

The recommended action will result in a unified and common set of investment policies and goals that will help to achieve financial benefits from an amalgamated investment and cash management program.

#### Recommendations:

It is recommended that:

- (1) Attachment 1 as the City's Statement of Investment Policies and Goals be adopted; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

#### Council Reference/Background/History:

N/A.

#### Discussion:

Regulation 438/97 to Section 167 of the Municipal Act, (Attachment 2), is the governing legislation for the investment of municipal funds in the Province of Ontario. Section 7 of this Regulation states:

“Before a municipality invests in a security prescribed under this Regulation, the council of the municipality shall, if it has not already done so, adopt a statement of the municipality’s investment policies and goals.”

Investment and cash management functions are being delivered by one unit effective January 2nd, 1998. To conform to the legislative requirements and to immediately begin to realize these benefits the City is required to adopt a common statement of investment policies and goals.

Accordingly, Attachment 1 contains a statement of investment policies and goals for the new City of Toronto. This statement considers, among other things, governing legislation, the fiduciary responsibility of the City, and the cashflow and income requirements of the City.

Conclusions:

Adopt Attachment 1 as the City’s Statement of Investment Policies and Goals to create a common set of investment policies and goals across the City.

Attachment 1

City of Toronto

STATEMENT OF INVESTMENT POLICIES AND GOALS

(1) Policy

It is the policy of the Municipality of the City of Toronto to invest the City’s funds in a manner which will provide the highest investment return consistent with the maximum security of principal, while meeting the cash requirements of the City and conforming to all legislation governing the investment of the City’s monies.

(2) Scope

This investment policy applies to all investments made on behalf of the City and its agencies, boards and commissions including but not limited to operating funds, reserves, reserve funds, trust funds, sinking funds and any new fund created by the City unless specifically exempted.

(3) Prudence

Investments shall be made with judgement and care - under the circumstances then prevailing - which persons of prudence, discretion and integrity exercise in the management of investments, considering the necessity of safety of capital as well as the probable income to be derived.

The standard of prudence to be used by investment officials shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall take all necessary actions to ensure the maximum performance of investments on a portfolio basis, subject to the prescribed risk parameters dictated by the investment policy.

(4) Objective

The primary objectives in priority order of the City’s investment activities shall be:

(a) Safety of Principal

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner which seeks to ensure the preservation of capital in the overall portfolios. To obtain this objective, diversification is required among issuers of securities and the sectors of the economy to which they belong. In addition, the credit quality of investments shall be a key factor in their consideration as an eligible investment for the portfolios.

(b) Liquidity

The City’s investment portfolios will remain sufficiently liquid to enable the City to meet all operating requirements which might be reasonably anticipated.

(c) Return on Investment

Investment portfolios shall be designed with the objective of attaining market rates of return throughout budgetary and economic cycles consistent with the maximum security, taking into account the City’s investment risk constraints and cashflow characteristics of the portfolios.

(5) Delegation of Authority

The Chief Financial Officer and Treasurer of the City shall establish written procedures and policies for the operation of the investment program consistent with this investment policy. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures and policies established by the Chief Financial Officer and Treasurer of the City.

## (6) Ethics and Conflicts of Interest

Investment officers of the City shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair their ability to make important investment decisions. Investment officers shall disclose to the Chief Financial Officer and Treasurer of the City any material financial interests in financial institutions that conduct business within Canada, and they shall further disclose any significant personal financial or investment positions that could be related to the performance of the portfolios.

## (7) Authorized and Suitable Investments

The City may invest in certain securities as set out by Ontario Regulation 438/97 to the Municipal Act, as amended from time to time. A copy of this regulation, which prescribes the securities in which a municipality may invest, is attached to this policy. Investment of trust funds is regulated by The Trustee Act. However, in keeping with the primary objective of the City's investment policy, namely the preservation of capital, permissible investments have been restricted to those of high credit quality and reasonable liquidity. Consequently, investment officers are permitted to invest only in fixed income instruments of the following issuers:

- (i) Government of Canada and its guarantees;
- (ii) short term (less than one year) obligations of Provinces of Canada and their guarantees which have a minimum credit rating of A-1 by Canadian Bond Rating Service (CBRS) or R-1 (low) by Dominion Bond Rating Service (DBRS);
- (iii) long term (greater than one year) obligations of Provinces of Canada and their guarantees which have a minimum credit rating of A by CBRS or DBRS;
- (iv) Canadian municipalities or collective Canadian municipalities which have a minimum credit rating of A by CBRS or DBRS, or Moody's or by Standard and Poors;
- (v) Canadian School Boards or Separate School Boards which have a minimum rating of AA by CBRS or DBRS or Moody's or by Standard and Poors;
- (vi) short term obligations of Schedule I Canadian chartered banks which have a minimum short term credit rating of A-1 by CBRS or R-1(low) by DBRS and long term obligations of such banks which have a minimum long term credit rating of AA by CBRS or DBRS;
- (vii) short term obligations of Canadian trust companies which have a minimum short term credit rating of A-1+ by CBRS or R-1(mid) by DBRS and long term obligations

of such trust companies which have a minimum long term credit rating of AA by CBRS or DBRS; or

- (viii) short term obligations of Schedule II Canadian chartered banks which have a minimum credit rating of A-1+ by CBRS or R-1(mid) by DBRS.

(8) Safekeeping and Custody

All security transactions entered into shall be conducted on a delivery against payment basis. Securities may be held by a third party custodian designated by the Chief Financial Officer and Treasurer of the City and evidenced by safekeeping receipts. The Chief Financial Officer and Treasurer of the City may enter into a securities lending arrangement with the custodian.

(9) Diversification

Investments will be diversified by issuer and by the sector of the economy to which they belong. Maximum amounts and maximum percentages of the portfolio for each issuer and sector may be established from time to time by the Chief Financial Officer and Treasurer of the City.

(10) Maximum Maturities

Where appropriate, the duration of a portfolio's investments will usually match the expected duration of the portfolio's liabilities. The Chief Financial Officer and Treasurer may deviate from this course of action if there is a reasonable basis to do so.

(11) Audit

The Chief Financial Officer and Treasurer of the City shall establish an annual process of independent review by the City's Auditor. This review will provide assurance of compliance with governing legislation, this investment policy and procedures established by the Chief Financial Officer and Treasurer of the City.

(12) Performance standards

(a) Operating Funds, Reserves and Reserve Funds

The City's investment strategy is an active strategy and the basis used by the Chief Financial Officer and Treasurer to determine whether market yields are being achieved shall be appropriate debt market indices as published by leading Canadian investment firms.

Accordingly, the investment portfolio will be designed to obtain, at a minimum, market rates of return taking into account the City's investment risk tolerance, constraints and cashflow needs.

## (b) Sinking Funds

The sinking fund's investment strategy is fundamentally a passive buy and hold strategy with respect to the assets required to meet the actuarial rates of return, with the surplus, if any, being available for active management. Given this strategy, the basis used by the Sinking Fund Committee to determine whether the actuarial rates of return are being achieved shall be the accounting rates of return using the constant yield method of amortization.

The investment portfolio shall be designed to obtain as a minimum, the actuarial rate of return specified in the sinking fund by-laws of the underlying Sinking Fund Debentures during economic cycles, taking into account the sinking fund's cashflow needs.

## (13) Reporting

The Chief Financial Officer and Treasurer of the City, in accordance with legislative requirements, will submit to Council an annual report on investment activity and returns.

## Attachment 2

## Regulation Made under the Municipal Act

## Eligible Investments

1. A municipality does not have the power to invest under section 167 of the Act in a security other than a security prescribed under this Regulation.
2. The following are prescribed, for the purposes of clause 167(2)(a) of the Act, as securities that a municipality may invest in:
  - (1) Bonds, debentures, promissory notes or other evidence of indebtedness issued or guaranteed by,
    - (i) Canada or a province or territory of Canada;
    - (ii) an agency of Canada or a province or territory of Canada,
    - (iii) a country other than Canada;
    - (iv) a municipality in Canada including the municipality making the investment;
    - (v) a school board or similar entity in Canada;

- (vi) a local board as defined in the Municipal Affairs Act (but not including a school board or a municipality) or a conservation authority established under the Conservation Authorities Act; or
  - (vii) the Municipal Finance Authority of British Columbia.
- (2) Bonds, debentures, promissory notes or other evidence of indebtedness of a corporation if,
- (i) the bond, debenture or other evidence of indebtedness is secured by the assignment, to a trustee, as defined in the Trustee Act, of payments that Canada or a province or territory of Canada has agreed to make or is required to make under a federal, provincial or territorial statute; and
  - (ii) the payments referred to in sub-paragraph (I) are sufficient to meet the amounts payable under the bond, debenture or other evidence of indebtedness, including the amounts payable at maturity.
- (3) Deposit receipts, deposit notes, certificates of deposit or investment, acceptances or similar instruments issued, guaranteed or endorsed by,
- (i) a bank listed in Schedule I or II to the Bank Act (Canada);
  - (ii) a loan corporation or trust corporation registered under the Loan and Trust Corporation Act;
  - (iii) a credit union or league to which the Credit Union and Caisses Populaires Act applies; or
  - (iv) the Province of Ontario Savings Office.
- (4) Bonds, debentures or evidence of long-term indebtedness issued or guaranteed by an institution listed in paragraph (3).
- (5) Short term securities, the terms of which provide that the principal and interest shall be fully repaid no later than three days after the day the investment was made, that are issued by,
- (i) the board of governors of a college of applied arts and technology established under section 5 of the Ministry of Colleges and Universities Act;
  - (ii) a degree granting institution as authorized under section 3 of the Degree Granting Act; or
  - (iii) a board as defined in the Public Hospitals Act.



- (6) Bonds, debentures or other securities issued or guaranteed by the International Bank for Reconstruction and Development.
3.
  - (1) A municipality shall not invest in a security under subparagraph (iii) of paragraph (1) or paragraph (4) of section 2 unless the bond, debenture, promissory note or evidence of indebtedness is rated,
    - (a) by Canadian Bond Rating Service Inc. as “AA-” or higher;
    - (b) by Dominion Bond Rating Service Limited as “AA(low)” or higher;
    - (c) by Moody’s Investors Services Inc. as “Aa3” or higher; or
    - (d) by Standard and Poor’s Inc. as “AA-” or higher.
  - (2) If an investment made under subparagraph (iii) of paragraph (1) or paragraph (4) of section 2 falls below the standard required under subsection (1), the municipality shall sell the investment within 90 days after the day the investment falls below the standard.
4.
  - (1) A municipality shall not invest more than 25 per cent. of the total amount in all sinking and retirement funds in respect of debentures of the municipality, as estimated by its treasurer on the date of the investment, in short-term debt issued or guaranteed by the municipality.
  - (2) In this section, “short-term debt” means any debt, the terms of which provide that the principal and interest of the debt shall be fully repaid no later than 364 days after the debt is incurred.
5. A municipality shall not invest in a security issued or guaranteed by a school board or similar entity unless,
  - (a) the money raised by issuing the security is to be used for school purposes; and
  - (b) the security is to be repaid entirely from taxes or charges levied on property, with grants or appropriations made by the government of Canada or a province or territory of Canada or a municipality, or from a combination of such taxes, charges, grants and appropriations.
6.
  - (1) A municipality shall not invest in a security that is expressed or payable in any currency other than Canadian dollars.
  - (2) Subsection (1) does not prevent a municipality from continuing an investment, made before this Regulation comes into force, that is expressed and payable in the currency of the United States of America or the United Kingdom.

7. Before a municipality invests in a security prescribed under this Regulation, the council of the municipality shall, if it has not already done so, adopt a statement of the municipality's investment policies and goals.
8.
  - (1) If a municipality has an investment in a security prescribed under this Regulation, the council of the municipality shall require the treasurer of the municipality to prepare and provide to the council, each year or more frequently as specified by the council, an investment report.
  - (2) The investment report referred to in subsection (1) shall contain,
    - (a) a statement about the performance of the portfolio of investments of the municipality during the period covered by the report;
    - (b) a description of the estimated proportion of the total investments of a municipality that are invested in its own long-term and short-term securities to the total investment of the municipality and a description of the change, if any, in that estimated proportion since the previous year's report;
    - (c) a statement by the treasurer as to whether or not, in his or her opinion, all investments were made in accordance with the investment policies and goals adopted by the municipality;
    - (d) a record of the date of each transaction in or disposal of its own securities, including a statement of the purchase and sale price of each security; and
    - (e) such other information that the council may require or that, in the opinion of the treasurer, should be included.
9.
  - (1) Despite this Regulation, an investment by a municipality in bonds, debentures or other indebtedness of a corporation made before March 6, 1997 may be continued if the bond, debenture or other indebtedness is rated,
    - (a) by Canadian Bond Rating Service Inc. as "AA-" or higher;
    - (b) by Dominion Bond Rating Service Limited as "AA(low)" or higher;
    - (c) by Moody's Investors Services Inc. as "Aa3" or higher; or
    - (d) by Standard and Poor's Inc. as "AA-" or higher.
  - (2) If the rating an investment continued under subsection (1) falls below the standard required by that subsection, the municipality shall sell the investment within 90 days after the day the investment falls below the standard.

10. Ontario Regulation 74/97 is revoked.

**Attachment No. 7 (i)**

(Communication dated December 11, 1997  
from the Toronto Transition Team, regarding the Final Report  
of the Team, entitled "New City, New Opportunities")

We were established as a transition Team by the City of Toronto act, 1997 to prepare the groundwork for the transformation to a new, unified City of Toronto. We are pleased to submit our Final Report to you as the first Council elected to represent the people of this great new City.

Our purpose has been to develop a proposed blueprint for the new City that will:

- make the transition, from seven municipalities to one, as smooth and seamless as possible;
- create a new structure for civic governance that is accessible and accountable to the people;
- encourage innovative approaches to making municipal services both responsive and affordable;
- build on the strengths that have made Toronto a world leader among cities, including a shared sense of community; and
- launch the unified City of Toronto into a new era, with a sense of confidence and hope for an economically, socially, culturally and environmentally strong future.

Our Final Report includes 136 recommendations for your consideration. In preparing this report, we have benefitted from the advice of thousands of Torontonians who participated in public consultations, leading up to and following the publication of our Interim Report in October. We have also learned from the experience of others, and from the expertise of municipal staff who have assisted us in our work over the last seven months.

In addition to this report, you will receive a draft procedural by-law, prepared by the new City Clerk, along with other briefing materials and background documents that we hope will be of assistance. A draft 1998 Budget will be forthcoming before year-end. This preliminary Budget should be seen as a work-in-progress. As we explain in our report, because of the magnitude of change in the provincial-municipal financial relationship, combined with the amalgamation, there are still too many "unknowns" to finalize a full draft Budget.

We consider ourselves a resource to the Council-elect and will be available to discuss this Report and its recommendations, at your convenience. Our mandate formally ends on January 31, 1998.

We view this period in the evolution of Toronto as a time of tremendous opportunity. The Team is honoured to have had the chance to participate in launching the new Toronto. We urge you to make the most of your opportunity to ensure Toronto is ready and able to meet the challenges of the future.

(The Final Report of the Toronto Transition Team, entitled “New City, New Opportunities”, referred to above, is on file with the City Clerk.)

**Attachment No. 7 (ii)**

(Communication dated December 30, 1997, from the City Clerk submitting the draft Procedural By-law of the Toronto Transition Team)

On December 11, 1997, as part of the presentations by the Toronto Transition Team, a draft Procedural By-law was submitted to the Members-Elect.

Enclosed herewith is a revised version of the draft Procedural By-law. It has now incorporated a table of contents and a few editing changes. In addition to rules of procedures governing the proceedings of Council and its Committees, the draft Procedural By-law incorporates the governance and committee structure proposed by the Transition Team and should be considered in conjunction with the final report of the Transition Team.

At the workshop for Members-Elect on December 22, 1997, hosted by the Chairman of the Toronto Transition Team, the City Clerk was requested to seek comments from Members-Elect pertaining to the proposed governance structure, the draft Procedural By-law and other recommendations embodied in the final report of the Transition Team. I will be reporting to Council as soon as I have received these comments.

(The Draft Procedural By-law, referred to above, is on file with the City Clerk.)

**Attachment No. 7 (iii)**

(Joint report dated December 22, 1997, headed “Interim Boards of Directors for the Municipal Housing Companies; Appointment Process; and Passing of Special Resolutions and Confirmation of By-laws” from the General Manager, Metropolitan Toronto Housing Company and the General Manager, City of Toronto Non-Profit Housing Corporation.)

**Purpose:**

To summarize the recommendations of the Toronto Transition Team and the Boards of Directors of the City of Toronto Non-Profit Housing Corporation and The Metropolitan Toronto Housing Company Limited respecting an amalgamated Toronto Housing Company, and to seek the authority for the steps necessary to implement such recommendations if adopted, including the designation by Council of the councillor members whose appointments to the interim Boards of Directors will take effect once the citizen members have been appointed, the putting in place of a nomination process for such citizen members, the passing of special resolutions by Council (to enable the issuance of Articles of Amendment for each of the housing companies) and the confirmation by the Council of amending by-laws already passed by the two Boards of Directors 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.

**Recommendations:**

It is recommended that, subject to adoption of the recommendations of the Toronto Transition Team and of the Boards of Directors of the City of Toronto Non-Profit Housing Corporation (Cityhome) and The Metropolitan Toronto Housing Company Limited (MTHCL) as to the amalgamation of those two housing companies and the appointment of identical “interim” Boards of Directors:

- (1) the existing chairs of the Boards of Directors of MTHCL and Cityhome be requested jointly to provide to Council for its consideration, in accordance with a process developed and implemented by those chairs, a list of nominees from among the current membership of those Boards, for appointment as the citizen and tenant members to serve on the interim Boards of Directors;
- (2) two City Councillors be appointed, effective on appointment of the citizen and tenant members, to the interim Boards of Directors;
- (3) special resolutions of the City of Toronto in its capacity as sole shareholder of Cityhome and of MTHCL, authorizing in each case an amendment to the articles thereof, be passed in accordance with the wordings which are appended to this report;
- (4) the Cityhome and MTHCL amending by-laws passed by their respective Boards of Directors and appended to this report be confirmed;
- (5) the matter of confirmation of any other Cityhome and any MTHCL by-laws for which the process of such confirmation has been initiated by either of their respective Boards of Directors be taken to have been adjourned, without amendment or rejection, to the Council meeting for which such confirmation has been properly scheduled to be dealt with as an agenda item; and
- (6) the appropriate City officials be authorized to give effect to Recommendations Nos. (3) and (4) and to the recommendations of the Toronto Transition Team and the Cityhome and MTHCL Boards of Directors.

**Background:**

The Toronto Transition Team has recommended the amalgamation of MTHCL and Cityhome into one Toronto Housing Company. In order to facilitate the amalgamation process, the Transition Team has also recommended as an interim measure that the Board of Directors of each housing company be reduced in size to 7 (from Cityhome’s current 9 and MTHCL’s current 17) and the same 7 individuals — 2 councillors and 5 citizens — be appointed to the two Boards. In this way, a single group would oversee the amalgamation and also manage both companies during the transition, anticipated as a six- to nine-month period.

The two Boards of Directors met on December 8, 1997 and recommended that the interim Boards be increased to a membership of 9 by the addition of one tenant from each of the current Boards. The Board resolutions are set forth in the attached communications from the Metropolitan Clerk and Cityhome’s General Manager.

A reduction in MTHCL's Board of Directors will require amendment of its existing articles, which provide for precisely 17 directors. While Cityhome's Board is already 9, the Cityhome articles must also be amended if only one of its tenants is to sit on its Board, since those articles currently require that one-third of its directors be tenants. The Business Corporations Act requires Articles of Amendment to be authorized by a special resolution of its shareholders (one that is approved by a two-thirds majority at a meeting called for the purpose); in the case of a sole corporate shareholder such as the City, an ordinary resolution of its governing body, the Council, will necessarily result in a special resolution. Once so authorized, the Articles of Amendment must be submitted in a prescribed form, with the prescribed fee, to the Province's Ministry of Consumer and Commercial Relations for certification.

The processes for making the councillor and citizen appointments to the interim Boards of Directors need to be established.

Discussion:

The wordings for the Cityhome and MTHCL special resolutions appended to this report have been prepared in each case by legal staff familiar with the company's affairs. The MTHCL resolution provides for a minimum of 5 directors and a maximum of 20 to match what has been in Cityhome's articles since 1990. As soon as the special resolutions are passed, the two sets of Articles of Amendment will be engrossed, signed and forwarded to the Ministry for certification on the same date.

The provisions in MTHCL's by-laws dealing with the appointment of directors are geared to the number of 17 called for in its articles. Similarly, the provisions in Cityhome's by-laws dealing with the appointment of directors are geared to the requirement in its articles for one-third of its directors to be Cityhome tenants. These provisions will have to be modified to permit the interim Boards of Directors to be constituted as proposed, and so each Board has passed an appropriate amending by-law, expressed to come into force when appropriate Articles of Amendment are certified effective in each case. Those amending by-laws, copies of which are appended to this report, require shareholder confirmation as per Recommendation No. (4). The amending by-laws also deal with incidental matters; for Cityhome, the terminology of its general by-law No. 9 will be made consistent with the existence of the new City, and for MTHCL, the quorum for directors' meetings will be set at 2/5's (rather than seven) and the size of its Finance Committee reduced to three (from five).

Other MTHCL by-laws dealing with terminology according with the existence of the new City, and with the Tenant Benefit Fund will also require confirmation but this may conveniently be deferred to a subsequent Council meeting (such as the one at which the citizen appointments to the interim Boards will be made) as long as Recommendation No. (5) is adopted to avoid the termination of those other by-laws by reason of the non-confirmation rule under the Business Corporations Act.

To avoid delay in the steps toward amalgamation, and to ensure continuity, Recommendation No. (1) calls for the existing Cityhome and MTHCL chairs to prepare a list of nominees for Council's citizen appointments to the two interim Boards of Directors from among the existing

citizen directors of both Boards in accordance with a process to be devised by them. It is envisioned that such appointments can be made at a Council meeting in the near future.

Ordinarily, councillor appointments to agencies, boards and commissions made at the beginning of the term of each new Metropolitan Council have included the four councillor directorships on MTHCL's current 17-member Board by way of adjournment from, and as the concluding matter of, the prior year's annual shareholder meeting. MTHCL's by-laws stipulate the continuation in office of all directors until their successors are appointed, so this postponement has not resulted in vacancies. If a forthcoming interim MTHCL Board is to have only two councillors, it would serve no practical purpose for City Council to make four councillor appointments at this time, and so Recommendation No. (2) calls for only the two appointments to the interim Boards be made, to become effective concurrently with the citizen appointments; the incumbent "Metro" councillor directors, all of whom were elected to the new City Council, can continue in office in the meantime.

#### SPECIAL RESOLUTION OF THE CITY OF TORONTO

in its capacity as sole shareholder of

#### THE METROPOLITAN TORONTO HOUSING COMPANY LIMITED

Authority is hereby granted for an amendment to the constating articles of The Metropolitan Toronto Housing Company Limited, being Articles of Amendment certified effective, pursuant to the *Business Corporations Act*, as of the 15<sup>th</sup> day of September, 1993, so as to replace the stipulation for 17 directors in section 3 thereof with a stipulation for a minimum of 5 directors and a maximum of 20 directors.

#### **Attachment No. 7 (iv)**

(Report dated December 17, 1997, from  
the General Secretary, Toronto Transit Commission.)

At its meeting on Tuesday, December 16, 1997, the Commission considered the following motion:

"Whereas the Toronto Transit Commission after provincial downloading will be making application for annual subsidies averaging \$450,000 million per year;

Whereas the appointment of citizens to the Toronto Transit Commission does not ensure adequate accountability and responsibility at Council for the commercial viability of the transit system and the protection of the public asset;

Whereas the current Commission structure of seven Council Members represents 20 percent of the Metropolitan Council;

Now be it resolved that the Commission under the new City of Toronto be expanded to eleven Council Members in order to retain a 20 percent representation of Council."

The Commission approved the foregoing motion and requested that it be referred to the Striking Committee of the new City of Toronto for consideration.

**Attachment No. 7 (v)**

(Communication dated January 5, 1998, from the City Clerk,  
forwarding comments received from Members of Council  
regarding the draft Procedural By-law)

At the workshop for Members-Elect on December 22, 1997, hosted by the Chairman of the Toronto Transition Team, the City Clerk was requested to seek comments from Members-Elect pertaining to the proposed governance structure, the procedural by-law and other recommendations embodied in the final report of the Transition Team.

Attached herewith, are comments received from the following Members of Council with respect to the draft Procedural By-law:

- (i) Councillor Joan King, Seneca Heights (December 22, 1997);
- (ii) Councillor Michael Prue, East York (December 29, 1997);
- (iii) Councillor Irene Jones, Lakeshore-Queensway (December 29, 1997);
- (iv) Councillor Joe Mihevc, York-Eglinton (December 30, 1997);
- (v) Councillor Joanne Flint, North York Centre South (December 31, 1997); and
- (vi) Councillor Jack Layton, Don River (January 2, 1998).

(A copy of the comments received from the Members of Council, referred to in the foregoing communication is on file in the office of the City Clerk.)

**Attachment No. 7 (vi)**

(Report dated January 5, 1998, from the City Clerk,  
headed "Global Budget and Staffing for Members of Council")

Purpose:

To seek the concurrence of Council with respect to a request I received from Members of Council regarding their global budget and staffing requirements.

Funding Sources, Financial Implications and Impact Statement:

Funding to be included in the 1998 Budget.

Recommendation:

It is recommended that Council concur in the aforementioned request.



Discussion:

On December 12, 1997, I received a communication signed by 35 Members of Council to the City Clerk and the Chair of the Transition Team recommending as follows:

## “(1) Budget -

That the Councillors' Budget be reduced to \$70,000.00. This should be sufficient to operate two offices (Metro and Local) and accommodate all other expenses related to the office and external communications.

## (2) Staffing -

Three (3) full-time equivalent Assistants to be allocated to each Councillor as follows:

- Political/Research/Executive Assistant
- Constituency Assistant
- Administrative Assistant

## (3) Salaries and Benefits -

- (a) these salaries and benefits will be absorbed by the Clerk's office;
- (b) salary levels shall be consistent with Metro/City present levels; and
- (c) all existing “City” or “Metro” employees (excluding assistants currently on contract) will be "red-circled" or “grandfathered” to protect their existing salary levels and status.”

Conclusion:

Council's concurrence in the foregoing recommendations is necessary to allow Members of Council to plan their office expenditures and hire the necessary staff.

## COUNCILLORS' BUDGET:

Based on the proposal outlined in the December 12, 1997, letter from Members of Council:

Position	Salary	Benefits	Total
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	\$	\$	\$
Executive Assistant	39,395 8,273		47,668 low end
	48,149 10,111		58,260 high end
Constituency Assistant	39,395 8,273		47,668 low end
	48,149 10,111		58,260 high end
Administrative Assistant	37,106 7,792		44,898 low end
	41,783 8,774		50,557 high end
Low end total salaries + benefits	\$140,234		
High end total salaries + benefits	\$167,077.		

**Attachment No. 7 (vii)**

(Joint Report dated December 29, 1997, entitled "Enabling By-law for the Toronto Parking Authority", from the Chair, the Parking Authority of Toronto and Chair, The Parking Authority of North York.)

Purpose:

To establish the size, composition and qualifications for membership of the Board of the Toronto Parking Authority and to establish the delegation of responsibility for the operation of parking facilities, including on-street metered parking, to the Toronto Parking Authority in accordance with the City of Toronto Act, 1997 (No. 2).

Recommendations:

It is recommended that:

- (1) authority be granted for the introduction of a bill in Council substantially in the form of the draft by-law attached to establish the new Toronto Parking Authority and delegate responsibilities to it; and
- (2) the President of the Toronto Parking Authority meet with City staff to develop appropriate policies and procedures for the assumption of City-wide responsibility for on-street metered parking by the Toronto Parking Authority, for approval by the Board of the Toronto Parking Authority and by Council.

Discussion:

The City of Toronto Act, 1997 (No. 2) (the "Act") dissolves the current Parking Authority of Toronto and Parking Authority of North York and establishes a new Toronto Parking Authority for the City, all effective January 1, 1998. The Act requires Council to pass a by-law establishing the size and composition of the new Toronto Parking Authority, the qualifications of its members, rules respecting re-appointment, procedures for filling vacancies, and circumstances under which members' seats become vacant. In addition, the Act allows Council to give certain authority to the Toronto Parking Authority by by-law.

The purpose of this report is to recommend to Council an enabling by-law for the Toronto Parking Authority that provides for those matters that must be established by by-law and provides the new Toronto Parking Authority with the authority and responsibilities otherwise authorized by the legislation. In accordance with the recommendations of the Transition Team, the composition of the Toronto Parking Authority board is recommended to be seven voting members, five of whom will be citizen members and two Councillors, at least one of whom will be a member of the Urban Environment and Development Committee. In addition, the Transition Team recommended that the City's senior transportation administrator be a non-voting member of the Toronto Parking Authority. The Act provides that until the Council appoints new members of the Toronto Parking Authority, the persons who are members of the Parking Authorities of the old municipalities on December 31, 1997 will become the interim board for the Toronto Parking Authority.

In accordance with the Transition Team's report, the draft enabling by-law authorizes the Toronto Parking Authority to manage and operate both off-street parking and on-street metered parking on behalf of the City. Issues respecting the assumption of responsibility for on-street metered parking by the Toronto Parking Authority, such as outstanding contractual obligations, procedures and responsibility for the installation of meters, rates and revenues, etc., will have to be addressed prior to implementation. It is therefore recommended that the President of the Toronto Parking Authority meet with appropriate City staff to develop necessary policies and procedures for presentation to the Board of the Toronto Parking Authority and City Council.

The Transition Team's report also recommends that the City explore opportunities for service agreements with the new Parking Authority respecting the issuance of permits for residential street permit parking, boulevard parking and front yard parking. This will be the subject of a later joint report from the Toronto Parking Authority and the Executive Commissioner, Urban Development.

Finally, the Transition Team has recommended that the Toronto Parking Authority explore opportunities for service agreements with the Toronto Transit Commission and GO Transit regarding the operation of commuter parking lots. The draft enabling by-law authorizes the Toronto Parking Authority to pursue these possibilities.

The draft enabling by-law establishes an arm's-length relationship between the City and the new Parking Authority, however, policy continues to be the responsibility of City Council, land and buildings are owned by the City, and only Council has the authority to pass any by-laws required to regulate the parking of vehicles and impose penalties for the contravention of by-laws. Also, the

draft enabling by-law continues the present situation whereby net revenue from the operations of the Toronto Parking Authority would be placed into a City reserve fund established under clause (d) of paragraph 56 of section 207 of the Municipal Act.

It is recommended that Council adopt the attached draft by-law for the purpose of establishing the framework for membership of the board of the Toronto Parking Authority and empowering the Toronto Parking Authority to administer on-street metered parking and off-street parking operations in the City.

CITY OF TORONTO

BY-LAW No. \_\_\_\_\_

A By-law respecting the “Toronto Parking Authority”.

WHEREAS, by the City of Toronto Act, 1997 (No. 2), a parking authority (the “Parking Authority”) was established on January 1, 1998 under the name of Toronto Parking Authority in English and Office des parcs de stationnement de Toronto in French, and the Parking Authority is deemed to be a parking authority established under paragraph 57 of section 207 of the Municipal Act;

AND WHEREAS section 89 of the City of Toronto Act, 1997 (No. 2) provides that the Council of the City shall pass a by-law to establish the size, composition and membership of the Parking Authority, and may by by-law give the Parking Authority certain additional powers;

THE COUNCIL OF THE CITY OF TORONTO HEREBY ENACTS AS FOLLOWS:

1. (a) The Parking Authority shall consist of seven members appointed by Council, each of whom shall be a person qualified to be elected as a member of Council. At least two members shall be members of Council, one of whom shall be a member of the Urban Environmental and Development Committee.
- (b) The City's senior transportation administrator shall be a non-voting member of the Parking Authority.
2. The members shall hold office until the expiration of the term of the Council that appointed them and until their successors are appointed to office.
3. The members may be paid such remuneration as may be fixed by Council.
4. Where a vacancy occurs in the membership of the Parking Authority from any cause, Council shall immediately appoint a qualified person who shall hold office for the remainder of the term for which his or her predecessor was appointed.

5. A member's seat becomes vacant or a member becomes disqualified from sitting as a member upon the occurrence of any of the following circumstances:
  - (a) if he or she ceases to be a person qualified to be elected as a member of Council;
  - (b) is mentally incapable and has been so found by a tribunal or court of competent jurisdiction;
  - (c) has the status of a bankrupt;
  - (d) resigns from his or her office;
  - (e) becomes an employee of the Parking Authority; or
  - (f) dies during his or her term of office.
6. Any member is eligible for re-appointment on the expiration of his or her term of office subject to any policies adopted by Council from time to time respecting the appointment of persons to municipal boards and committees.
7. All the powers, rights, authorities and privileges now or hereafter conferred upon the City by any general or special Act with respect to the construction, maintenance, operation and management of parking facilities within the City of Toronto including on-street metered parking facilities shall be exercised by the Parking Authority subject to the following limitation:
  - (a) Land and buildings where vehicles may be parked shall be acquired and owned by the City and shall be used by the Parking Authority only where designated by by-law of Council for that purpose.
  - (b) Only Council shall pass by-laws regulating the parking of vehicles and imposing penalties for the contravention of such by-laws.
8. Administration for the Parking Authority shall be provided through the President/Chief Administrative Officer who shall be appointed by the Board of the Parking Authority.
9. The Parking Authority may enter into agreements for the construction of parking facilities in, under, over or on land that is vested in the City for any purpose.
10.
  - (1) The Parking Authority may sell, lease or otherwise dispose of land or buildings, or parts of them, that have been designated for the Parking Authority's use by by-law of Council and are no longer required for the Parking Authority's purposes.
  - (2) The terms of the transaction shall be subject to Council's approval.

- (3) The City shall execute any documents that are required for the transaction.
  - (4) The money obtained from such transaction shall be paid to the City and the balance remaining after payment of incidental expenses shall be paid into the reserve fund established under clause (d) of paragraph 56 of section 207 of the Municipal Act.
11. Where the City or the Parking Authority constructs a building or structure on land owned by the City, for the purposes of the Parking Authority, above or below ground level or both, the City or, with Council's consent, the Parking Authority may construct on, under or in connection with the building or structure any foundations, footings and supports that the City or the Parking Authority considers necessary to permit space above the building or structure that is owned by the City, but not required for City or Parking Authority purposes, to be used for the construction of other buildings or structures by any person to whom an interest in the space is transferred.
12. A building that the City or the Parking Authority constructs as a municipal parking facility may include facilities at basement, street mezzanine or second floor levels that are not required for City or Parking Authority purposes. The City or the Parking Authority may lease those facilities for commercial or administrative purposes.
13.
  - (1) The Parking Authority may enter into agreements for the maintenance, operation and management of parking facilities within the City of Toronto.
  - (2) The Parking Authority may, with the consent of the council of the municipality concerned, enter into agreements for the maintenance, operation and management of parking facilities outside the City of Toronto.
  - (3) The net revenue obtained under such agreements shall be paid into the reserve fund established under clause (d) of paragraph 56 of section 207 of the Municipal Act.
14. The Parking Authority shall submit to Council its estimates for the current year, at the time and in the form prescribed by Council and shall make requisitions upon Council for all sums of money required to carry out its powers and duties, but nothing herein divests Council of its authority with reference to providing the money for the purposes of the Parking Authority and, when money is so provided by Council, the City Treasurer shall, upon the certificate of the Parking Authority, pay out such money.
15. On or before the first day of March in each year, the Parking Authority shall submit its annual report for the preceding year to Council including a complete audited and certified financial statement of its affairs, with balance sheet and revenue and expenditure statement.
16. The municipal auditor shall be the auditor of the Parking Authority and all books, documents, transactions, minutes and accounts of the Parking Authority shall, at all times, be open to his or her inspection.

17. Municipal Code Chapter 75, Parking Authority, of the City of Toronto and By-laws 31295, 32181, 32726 of the Corporation of the City of North are repealed.

ENACTED and PASSED this \_\_\_\_ day of \_\_\_\_\_, 1998.

### **Attachment No. 8**

(Report dated January 5, 1998, headed  
“Authority to Affix Corporate Seal”, from the City Clerk)

#### Purpose:

To establish the interim authority of officials employed in the Clerk’s Department in the civic service areas to sign documents and affix the corporate seal, when necessary to perform the duties of the municipal clerk.

#### Funding Sources, Financial Implications and Impact Statement:

There are no financial implications other than an increased departmental efficiency in having the ability to perform duties of the clerk in the location of the councils and records of the old municipalities comprising the new City of Toronto.

#### Recommendation:

It is recommended that authority be granted for the introduction of a bill in Council authorizing the officials named in this report to sign documents and affix the corporate seal when necessary in carrying out the duties of the City Clerk which are assigned to them, on an interim basis during the transition period.

#### Council Reference/Background/History:

A municipal clerk is assigned a variety of duties under statute. For example, section 73 of the Municipal Act requires the clerk to record, without note or comment, all resolutions, decisions and other proceedings of council; to preserve and file all accounts acted upon by council; and, to keep the originals of all by-laws of council and of the proceedings of council. In a large municipality such as the City of Toronto such duties must and will be, as a matter of course, carried out by a variety of persons employed in the department.

Section 70 of the Municipal Act also requires the municipal clerk to furnish certified copies of the records under the control of the clerk “under the clerk’s hand and the seal of the corporation of the municipality”. The clerk may also be required to furnish certified copies under other legislation such as contained in section 42 of the Assessment Act. There are also a number of other documents (e.g., proof of residence, pension documents) from other agencies and governments which the Clerk

provides as a customer service and which require the Clerk's signature under corporate seal. Effective January 1, 1998 all documents requiring that the corporate seal be affixed will have the corporate seal of the City of Toronto affixed. The corporate seals of the former municipalities constituting the new city will no longer be used since the corporations they represent are dissolved.

Comments and/or Discussion and/or Justification:

While many of the duties delegated to a municipal clerk by statute are assigned by the clerk to various employees within the clerk's department without specific direction or authorization by the council, in the circumstances where the duty to be assigned involves the use of the corporate seal it is appropriate that the sanction and authority of the council be obtained.

Since the Clerk's Department will continue to function and provide customer service in the civic service centres after January 1, 1998 and since many of the records which must be certified are currently kept in these locations, such as minutes of old councils, it is appropriate that, as an interim measure, officials similarly located be authorized to provide certified copies "under the clerk's hand and the seal of the corporation of the municipality". Records maintained by, or on behalf of the new Council will be maintained in the location of the new Council. Such records would include all new contracts and agreements authorized by the new Council. In practice, certification of documents at locations away from the location of the new Council would be limited to records of the former councils of the dissolved municipalities and records maintained at such locations after January 1, 1998 such as those arising out of meetings of community councils or involving assessment rolls. It would also include the large numbers of documents which are certified by the municipal clerk as a service to the public, including proof of residence, and pension documents.

Conclusions:

It is therefore recommended that a by-law be enacted granting authority on an interim basis for the transition period to the following officials to sign documents on behalf of the City of Toronto and affix the corporate seal of the City of Toronto in the place and stead of the Clerk where required in carrying out the duty being performed:

- (1) the Clerk and Deputy Clerk of the former Borough of East York;
- (2) the City Clerk and Deputy Clerk of the former City of Scarborough and the person assigned as Committee Secretary to the Scarborough Community Council;
- (3) the Director of Council Services of the former City of Etobicoke and the person assigned as Committee Secretary to the Etobicoke Community Council;
- (4) the City Clerk and Director of Council Services and the Supervisor of Council Services of the former City of York;
- (5) the City Clerk and Deputy Clerk of the former City of North York and the person assigned as Committee Secretary to the North York Community Council;



- (6) the City Clerk and Assistant City Clerk of the former City of Toronto and the person assigned as Committee Secretary to the Toronto Community Council; and
- (7) the Deputy Clerk and the Assistant Secretary to the Council of the former Municipality of Metropolitan Toronto.

**Attachment No. 9**

(Report dated January 5, 1998, entitled "Powers and Duties of Acting Medical Officer of Health", from the Chief Administrative Officer)

**Purpose:**

The purpose of this report is to recommend to Council the enactment of a by-law conferring upon the Acting Medical Officer of Health the powers and duties of the Medical Officers of Health of the former municipalities of The City of Toronto, The City of York, The City of Etobicoke, The City of Scarborough, The City of North York, and The Borough of East York.

**Funding Sources, Financial Implications and Impact Statement:**

None.

**Recommendation:**

It is recommended that authority be granted for the introduction of a bill in Council substantially in the form of the draft by-law attached as Schedule 1.

**Comments and/or Discussion and/or Justification:**

The City of Toronto Act, 1997 provides that the Transition Team shall hire the municipal officers required by statute and any other employees of executive rank whom the Transition Team considers necessary to ensure the good management of the City. Pursuant to this authority the Transition Team has hired Dr. Sheela Basrur as the Acting Medical Officer of Health for the Board of Health for the City of Toronto Health Unit.

The City of Toronto Act, 1997 provides that City Council is deemed to have taken, on January 1, 1998, all steps required to make Dr. Basrur the effective holder of her office.

The City of Toronto Act, 1997 (No. 2) provides for the establishment of a Board of Health for the City of Toronto, to be known as the Board of Health for the City of Toronto Health Unit, effective

January 1, 1998 and for the dissolution of the Boards of Health of the former municipalities also effective January 1, 1998.

A draft by-law which, if enacted, would confer upon Dr. Sheela Basrur, all of the powers and duties of the Medical Officers of Health for the former municipalities is attached as Schedule 1. Such a by-law is required for effective administration.

**Attachment No. 10 (i)**

(Report dated January 5, 1998, headed "Election Recounts"  
from the City Clerk, City of Toronto)

Purpose:

To request a special meeting of Council to consider all applications for election recounts that are filed by February 2, 1998.

Funding Sources, Financial Implications and Impact Statement:

N/A.

Recommendation:

It is recommended that Council hold a special meeting on Monday, February 2, 1998, at 2:00 p.m., in the Council Chamber, Metro Hall, for the purpose of considering all applications for recounts which are filed with the Clerk by that time, and the Clerk provide notice of the Special Meeting to all candidates for the particular office.

Background:

As of today, we have received four applications to Council for a recount. These relate 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. We may receive more applications before the February 2, 1998, deadline. There is also an application to Court in the Scarborough Malvern case and a letter dated January 2, 1998, from Mr. Alan L. W. D'Silva, Solicitor, in this regard.

Authority:

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. The Clerk of the new City is to conduct a recount within

10 days of Council's resolution. The Regulation also provides that the last day for applying to a Court for a recount is February 2, 1998.

Discussion:

It is appropriate that all applications for recounts be considered by Council at the same time. Council could be placed in a difficult situation if it considers an application for a recount at an early meeting in January, 1998, only to receive a further application for a recount of the same office or question before February 2, 1998. Considering all applications at the same time would result in more efficiency as we would possibly be able to conduct any or all recounts at the same time. It would also enable us to give adequate notice to the most affected parties.

Conclusion:

It is our view that Council should deal with all requests filed on or before February 2, 1998, on a comprehensive basis. Council should also consider this report in conjunction with the report of the Lead Solicitor dated January 5, 1998.

**Attachment No. 10 (ii)**

(Report dated January 5, 1998, from the Functional Lead, Legal Department, entitled "Court Application for Recount of Ballots in Municipal Election in Ward 18")

Purpose:

The purpose of this report is to advise City Council of legal proceedings that have been initiated to seek a recount of the ballots cast in Ward 18 in the municipal election held on November 10, 1997.

Funding Sources, Financial Implications and Impact Statement:

N/A

Recommendation:

It is recommended that this report be received for information.

Council Reference/Background/History:

Pursuant to Ontario Regulation 423/97, made under the Municipal Elections Act, 1996 (the Act), the Council of the City of Toronto is authorized to pass a resolution, on or before February 2, 1998, requiring a recount of votes cast for any office or any question in the regular 1997 municipal election.

In light of the receipt by the City Clerk of a number of requests for recounts, Mayor Lastman, seconded by Councillor Ootes, has submitted Notice of Motion 22(d) for the Agenda of the Council meeting of January 6, 1998, moving that Council hold a special meeting on February 2, 1998 to consider all applications for recounts filed on or before that date.

Pursuant to section 58 of the Act, a person seeking a recount in a municipal election may also seek an order from the Ontario Court (General Division) directing the clerk of the relevant municipality to undertake a recount of ballots. In addition, by virtue of the aforementioned Ontario Regulation 423/97, any application for a recount under section 58 must be made by February 2, 1998.

On Friday, January 2, 1998, at the request of the City Clerk, a representative of the Legal Department attended at the Ontario Court (General Division) with respect to an application made under section 58 of the Act seeking a recount of the ballots cast in Ward 18 in the municipal election held on November 10, 1997. A recount of the ballots in this ward is also one of the requests for a recount that have been made directly to City Council and which are the subject of Mayor Lastman's motion, referred to above.

Madam Justice Bellamy, who considered the application, adjourned the matter until January 7, 1998. In making her determination, she also stated as follows:

The new City Council is scheduled to hear this request on January 6, 1998 and it is hoped that City Council will be able to decide the issue on that date.

Madam Justice Bellamy further requested that Council be advised of her request.

Comments and/or Discussion and/or Justification:

In light of Madam Justice Bellamy's request, and a report from the City Clerk with respect to this specific application for a court-ordered recount, this report has been submitted to City Council.

Council should note that, notwithstanding Madam Justice Bellamy's request, the question of how to address an application for a recount made to it is a matter solely within the discretion of Council. Therefore, Council can choose to defer consideration of the application for a recount if it wishes to do so, despite the preference expressed by Madam Justice Bellamy.

Conclusions:

It is recommended that City Council consider this report in conjunction with the aforementioned Notice of Motion submitted by Mayor Lastman and the report on this matter submitted by the City Clerk.

**Attachment No. 10 (iii)**

(Joint Report dated January 7, 1998, entitled  
"Court Application for Recount of Ballots in Municipal Election

in Ward 18", from the Functional Lead, Legal Department  
and Ms. Margaret Rodrigues, Implementation Task Force Member)

Purposes:

Further to our previous report to City Council, dated January 5, 1998, this report is intended to update City Council regarding the legal proceedings that have been initiated to seek a recount of the ballots cast in Ward 18 in the municipal election held on November 10, 1997.

In addition, this report also requests City Council's ratification of actions taken to date by the Functional Lead, Legal Department in the aforementioned legal proceedings and authorization for the Functional Lead, or the City Solicitor upon being appointed, in consultation with the City Clerk, to take all actions in the legal proceeding considered necessary or desirable to protect the interests of the City.

Funding Sources, Financial Implications and Impact Statement:

N/A

Recommendations:

It is recommended that:

- (1) this report be received for information; and
- (2) City Council ratify the actions taken to date by the Functional Lead, Legal Department in the aforementioned legal proceedings and authorize the Functional Lead, or the City Solicitor upon being appointed, in consultation with the City Clerk, to take all actions in the legal proceeding considered necessary or desirable to protect the interests of the City.

Council Reference/Background/History:

The history of this matter is set out in our previous report to City Council, dated January 5, 1998, which is also before Council.

On January 7, 1998, a representative of the Legal Department attended before Mr. Justice Rivard of the Ontario Court (General Division) in the continuation of the proceedings which had been adjourned on January 2, 1998. Submissions were made to the court on behalf of the City seeking the adjournment of the court application for a recount in Ward 18 to February 3, 1998, the day following the date for City Council's consideration of all applications for recounts proposed in Mayor Lastman's motion. This would allow the court application to be considered in light of Council's consideration of the matter.

Mr. Justice Rivard rejected this submission, apparently on the basis of his concern that any delay in the recount process may adversely affect the interests of the applicant for the recount. In particular, if the applicant is, in fact, the actual elected representative, she is currently unable to take

her seat and participate in Council business. As well, Mr. Justice Rivard appeared to adopt the view that constituents in Ward 18 may be adversely affected by not having their appropriate representative acting in her official capacity.

In light of his concerns, Mr. Justice Rivard adjourned the matter to January 22, 1998, presumably to allow the hearing of the application to proceed on that date.

Comments and/or Discussion and/or Justification:

Given Mayor Lastman's motion and other reports before Council on this matter, this report has been submitted so as to inform Council on the latest developments in the relevant legal proceedings.

As indicated in our previous report, notwithstanding Madam Justice Bellamy's request and the action taken by Mr. Justice Rivard, the question of how to address an application for a recount made to Council is a matter solely within its discretion. Therefore, Council can choose to defer consideration of the application for a recount if it wishes to do so, despite the preference expressed by Madam Justice Bellamy and the order of Mr. Justice Rivard.

Conclusions:

It is recommended that City Council consider this report in conjunction with the aforementioned Notice of Motion submitted by Mayor Lastman, the report on this matter submitted by the City Clerk and our previous report on the matter.

It is also recommended that City Council ratify the actions taken to date by the Functional Lead, Legal Department, in the aforementioned legal proceedings and authorize the Functional Lead, or the City Solicitor upon being appointed, in consultation with the City Clerk, to take all actions in the legal proceeding considered necessary or desirable to protect the interests of the City.