

THE CITY OF TORONTO

City Clerk's Division

Minutes of the Administration Committee

Meeting No. 9

Wednesday, December 8, 1999.

The Administration Committee met on Wednesday, December 8, 1999, in Committee Room 1, 2nd Floor, City Hall, Toronto, commencing at 9:40 a.m.

Attendance

Members were present for some or all of the time periods indicated.

	9:50 a.m. - 12:33 p.m.
Councillor Lorenzo Berardinetti (Chair)	X
Councillor John Adams	X
Councillor Gerry Altobello	X
Councillor Bas Balkissoon	X
Councillor Sandra Bussin (Vice Chair)	X
Councillor Doug Holyday	X
Councillor Doug Mahood	--
Councillor David Miller	X
Councillor Denzil Minnan-Wong	X
Councillor Ron Moeser	X

Confirmation of Minutes.

On motion by Councillor Altobello, the Administration Committee confirmed the minutes of its meeting held on November 30, 1999.

9-1(a) Municipal Elections – General Process and Procedures.

9-1(b) Ward Boundaries.

The Administration Committee had before it a report (November 17, 1999) from the City Clerk, responding to a request from the former Corporate Services Committee to report on the process for Election 2000; outlining in detail, for the information of Council, the process and procedures that will be followed in the conduct of the year 2000 election and the results of the consultations conducted with Members of Council and the public; advising that the Clerk of the City has the legislative authority under the *Municipal Elections Act, 1996* to establish these processes and procedures for the conduct of the election; that election policy issues which require legislative amendments or the enactment of by-laws are addressed in separate reports for the approval of the Administrative Committee and Council; that a preliminary estimate has been identified for the conduct of the 2000 municipal election for information purposes at this time; that a full budget submission will be presented later as part of the regular Year 2000 Operating Budget review; that the 2000 municipal election process is starting to take shape; that Staff are challenging practices and procedures that have been tried in the past and are developing processes to positively impact all facets of the election; that every process being developed is paralleled with an alternative; that exciting new initiatives are being pursued, such as youth voting and a new customer service model in voting places; that Election policies will be finalized by the end of 1999 so that 2000 can be spent on operational concerns; that to date, everything is on track; and recommending that this report be received and submitted to Council for information.

The Administration Committee also gave consideration to the issue of Ward Boundaries.

The following Members of Council appeared before the Administration Committee in connection with the foregoing matter:

- Councillor Milton Berger, North York Centre South;
- Councillor George Mammoliti, North York – Humber;
- Councillor Frances Nunziata; York – Humber; and
- Councillor David Shiner, Seneca Heights.

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- A. Councillor Adams moved that the Administration Committee:
- (1) concur with the recommendation embodied in the aforementioned report (November 17, 1999) from the City Clerk; and
 - (2) request the City Clerk to submit a report to the Administration Committee:
 - (i) on a pro-active program to ensure that tenants and first time owners such as young people are added as revisions to the voters list during September of the year 2000; and
 - (ii) on a process for consulting the public on how to divide the Federal/Provincial ridings for the purpose of Municipal Ward representation. **(Carried)**
- B. Councillor Minnan-Wong moved that:
- (i) the Administration Committee recommend to Council that all matters pertaining to the issue of Ward boundaries be considered by the Administration Committee; and
 - (ii) the City Clerk be requested to submit a report to the Administration Committee on how the system is going to work in terms of the election of both the Public and Catholic School Board Trustees. **(Carried)**
- C. Councillor Moeser moved that the foregoing Motion B. by Councillor Minnan-Wong be amended to provide that the Administration Committee consider the issue of Ward Boundaries and report thereon to Council through the Policy and Finance Committee. **(Lost)**
- D. Councillor Holyday, on behalf of Councillor Moscoe, moved that the Chair of the Administration Committee and two of its Members be requested to convene meetings and invite any Member of Council who has an interest in a particular riding to attend and provide input. **(Carried)**
- E. Councillor Balkissoon, on behalf of Councillor Lindsay Luby, moved

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that the City Clerk be requested to provide directly to Council for its meeting scheduled to be held on December 14, 1999, the various scenarios being contemplated as to the break-up of the individual wards; and any other criteria that she feels would be relevant to the discussion in this regard. **(Carried)**

- F. Councillor Moeser moved that the City Clerk be requested to provide all Members of Council with a copy of the legislation respecting the Fewer Municipal Politicians Act, 1999, as soon as it is available. **(Carried)**

Having regard that two different issues were considered together, the issue respecting the Municipal Elections – General Process and Procedures was submitted to Council under a separate clause to the issue of the Ward Boundaries.

With respect to the Municipal Elections – General Process and Procedures,
The Administration Committee:

- (1) concurred with the recommendation embodied in the aforementioned report (November 17, 1999) from the City Clerk; and
- (2) requested the City Clerk to submit a report to the Administration Committee on a pro-active program to ensure that tenants and first time owners such as young people are added as revisions to the voters list during September of the year 2000.

(City Clerk – December 9, 1999)

(Clause No. 2 - Report No. 9)

With respect to the Ward Boundaries, The Administration Committee:

- (A) recommended to Council that:
- (1) all matters pertaining to the issue of Ward boundaries be considered by the Administration Committee;

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- (2) the Chair of the Administration Committee and two of its Members be requested to convene meetings and invite any Member of Council who has an interest in a particular riding to attend and provide input; and
- (3) the City Clerk be requested to report to the next meeting of the Administration Committee:
 - (i) on a process for consulting the public on how to divide the Federal/Provincial ridings for the purpose of Municipal Ward representation; and
 - (ii) on how the system is going to work in terms of the election of both the Public and Catholic School Board Trustees; and

B. requested the City Clerk to provide:

- (a) directly to Council for its meeting scheduled to be held on December 14, 1999, the various scenarios being contemplated as to the break-up of the individual wards; and any other criteria that she feels would be relevant to the discussion in this regard; and
- (b) all Members of Council with a copy of the legislation respecting the Fewer Municipal Politicians Act, 1999, as soon as it is available.

(City Clerk – December 9, 1999)

(Clause No. 3 - Report No. 9)

9-2. Policy on Filling Vacancies on City Council.

The Administration Committee had before it the following reports:

- (i) (October 21, 1999) from the City Clerk, responding to a request from Council for staff to develop a policy on the methods to fill future vacancies on City Council; and recommending that:
 - (1) any vacancy in the office of the Mayor or a Councillor declared by Council prior to July 31 in the year prior to an election year be filled through the conduct of a by-election;
 - (2) any vacancy in the office of the Mayor or a Councillor declared by Council after July 31 in the year prior to an election year be filled through an appointment; and
 - (3) the recommended procedures for filling a vacancy through an appointment, as outlined in Appendix "A" be adopted;
- (ii) (November 17, 1999) from the City Clerk, responding to a request from the Administration Committee to report on the practices by other large Canadian cities in filling vacancies on municipal council; advising that with the exception of the City of London and the City of Yellowknife, which have a written policy for the filling of vacancies, all other municipalities surveyed follow the provisions of their applicable *Acts*; that generally, these *Acts* provide for all vacancies to be filled through a by-election except when the vacancy occurs within a defined time frame before the next general election (usually either six or twelve months); that Ontario's *Municipal Act* appears to be unique in giving a council total discretion in filling a vacancy through either the conduct of a by-election or an appointment; and recommending that this report be received for information; and
- (iii) (November 17, 1999) from the City Solicitor, responding to the Committee's request for a report on issues concerning the appointment of persons to fill a Council vacancy, also addressing the eligibility of persons to hold the office of City Councillor who have been charged or convicted of a criminal offence, including municipal corruption; and recommending that this report be received for information.

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The following Members of Council appeared before the Administration Committee in connection with the foregoing matter:

- Councillor Milton Berger, North York Centre South;
- Councillor George Mammoliti, North York – Humber;
- Councillor Frances Nunziata; York – Humber; and
- Councillor David Shiner, Seneca Heights.
 - A. Councillor Moeser moved that the Administration Committee defer consideration of this matter and that the Policy on Filling Vacancies on City Council be considered by the next term of Council. **(Lost)**
 - B. Councillor Adams moved that the Administration Committee defer consideration of the issue of the Filling of Vacancies on City Council until the January, 2000, meeting of the Administration Committee. **(Carried)**
 - C. Councillor Adams, on behalf of Councillor Nunziata, moved that the Province of Ontario be requested to amend the Municipal Elections Act to disallow any person from seeking Municipal office who has been convicted of a crime, arising from his/her conduct as an elected official. **(Deferred until January, 2000, meeting.)**
 - D. Councillor Shiner (Non member of the Committee) moved that the Committee request the Province of Ontario to amend the legislation:
 - (i) to provide that only one member of Council represent citizens in Ward 6 North York Humber; and
 - (ii) to reduce the size of Toronto City Council to 56 Members plus one Mayor.” **(Deferred until January, 2000, meeting.)**
 - E. Councillor Miller moved that the Committee recommend to Council the adoption of the report subject to amending Recommendation Nos. (1) and (2) by deleting the words “July 31 in the year prior to an election year” and inserting in lieu thereof the words “January 1st in an election year. . **(Deferred until January, 2000, meeting.)**

The decision of the Administration Committee therefore is as follows:

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The Administration Committee deferred consideration of the aforementioned reports until its meeting scheduled to be held on January 11, 2000; and tabled the following motions for consideration at the aforementioned meeting of the Committee:

Moved by Councillor Adams on behalf of Councillor Nunziata:

“That the Province of Ontario be requested to amend the Municipal Elections Act to disallow any person from seeking Municipal office who has been convicted of a crime, arising from his/her conduct as an elected official.”

Moved by Councillor Shiner (Non member of the Committee):

“That the Committee request the Province of Ontario to amend the legislation:

- (i) to provide that only one member of Council represent citizens in Ward 6 North York Humber; and
- (ii) to reduce the size of Toronto City Council to 56 Members plus one Mayor.”

Moved by Councillor Miller:

“That the Committee recommend to Council the adoption of the report subject to amending Recommendation Nos. (1) and (2) by deleting the words “July 31 in the year prior to an election year” and inserting in lieu thereof the words “January 1st in an election year.”

(City Clerk, City Solicitor, Administration Committee – December 9, 1999)

(Clause No. 6(a) – Report No. 9)

**9.3 Accommodation Needs of Clerk's Functions:
Records and Elections.**

The Administration Committee had before it a joint report (November 19, 1999) from the Acting Commissioner of Corporate Services and the City Clerk, outlining the current issues and necessary directions to provide appropriate accommodations to meet the needs of the Clerk's Division in the short and long-term; responding to previous recommendations adopted by Council with respect to consolidation and accommodation requirements for the City Clerk's Election and Records Centre programs; requesting approval to acquire space to accommodate the Elections and Records Centre functions; and recommending that:

- (1) the Executive Director of Facilities and Real Estate Division be directed to secure lease space for a period of five years for the Elections function at a gross rental rate not to exceed \$350 thousand per annum, and the 2000 operating budget for the Clerk's Division be adjusted accordingly;
- (2) the City Clerk and the Executive Director of Facilities and Real Estate be directed to investigate the re-allocation of the City-owned property at 25 Whitlam Avenue for a consolidated records centre;
- (3) the City Clerk include, subject to a business case being developed in conjunction with the Acting Commissioner of Corporate Services, an additional \$1.7 million as a change in scope within the 2000-2004 Capital Budget submission for transition projects to provide necessary funding for repairs and other costs related to the possibility of preparing a city-owned property for use as a records centre in year 2000;
- (4) funding of \$389 thousand previously approved in the 1999 Operating Budget to maintain the existing unconsolidated inactive records storage operation be continued on a one-time basis only in 2000;
- (5) this report be referred to the Policy and Finance Committee for consideration of the financial implications; and
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

A. Councillor Adams moved that:

- (1) the Administration Committee recommend to Council the adoption of the aforementioned report; and

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(2) forward a copy of the aforementioned report to the Budget Advisory Committee for consideration and report thereon directly to Council for its meeting scheduled to be held on December 14, 1999, having regard that the meeting of the Policy and Finance Committee took place on December 7, 1999, and the next scheduled meeting of the Policy and Finance Committee is on January 10, 2000. **(Carried)**

B. Councillor Moeser moved that the Acting Commissioner of Corporate Services be requested to continue to make every effort to utilize the City's inventory of buildings for this use. **(Carried)**

The decision of the Administration Committee therefore is as follows:

The Administration Committee:

- (1) recommended to Council the adoption of the report (November 19, 1999) from the City Clerk;
- (2) requested the Acting Commissioner of Corporate Services to continue to make every effort to utilize the City's inventory of buildings for this use; and
- (3) forwarded a copy of the aforementioned report to the Budget Advisory Committee for consideration and report thereon directly to Council for its meeting scheduled to be held on December 14, 1999, having regard that the meeting of the Policy and Finance Committee took place on December 7, 1999, and the next scheduled meeting of the Policy and Finance Committee is on January 20, 2000.

(Budget Advisory Committee; c: Acting Commissioner of Corporate Services, City Clerk – December 8, 1999)

(Clause No. 4 – Report No. 9)

**9.4 By-Law Consolidation Parking
Machines - on-Street Parking**

The Administration Committee had before it a report (November 15, 1999) from the President, Toronto Parking Authority, advising that at its meeting on December 16 and 17, 1998, Council adopted Clause No. 16 of Report No. 19 of The Corporate Services Committee, entitled 'Use of Parking Machines for On-Street Parking'; that the intent of Council's action in adopting that report was to transfer the responsibility for on-street parking machine facilities within the former Metro and Area Municipalities from City staff to the Toronto Parking Authority, and, to enact by-law No. 912-1998, a regulation for the designation of locations, installation and use of on-street parking machines within the City of Toronto; and recommending that the City Solicitor be authorized to prepare and introduce an amendment to Section 400-42 of Chapter 400 of the former City of Toronto Municipal Code to delete all references to parking machines and to incorporate the parking locations established under Chapter 400 into By-law No. 912-1998.

- A. Councillor Miller moved that the Administration Committee recommended to Council:
- (1) the adoption of the aforementioned report; and
 - (2) that the President of the Toronto Parking Authority be requested not to remove any meter poles until the issue of cycling locations is resolved. **(Carried)**
- B. Councillor Bussin moved that the Administration Committee recommend to Council that the President, Toronto Parking Authority be requested to submit a report to the Administration Committee on ways of resolving the emerging issue of parking for cyclists; such report to include funding initiatives in regard thereto. **(Carried)**

The decision of the Administration Committee therefore is as follows:

The Administration Committee recommended to Council:

- (1) the adoption of the report (November 15, 1999) from the President, Toronto Parking Authority; and

- (2) that the President, Toronto Parking Authority be requested:
 - (i) to submit a report to the Administration Committee on ways of resolving the emerging issue of parking for cyclists; such report to include funding initiatives in regard thereto; and
 - (ii) not to remove any meter poles until the issue of cycling locations are resolved.

(Clause No. 5 – Report No. 9)

9.5 Compensation Review for Executive, Management, and Exempt Employees.

The Administration Committee had before it a joint report (November 29, 1999) from the Chief Administrative Officer and Executive Director of Human Resources, recommending that:

- (1) the proposal from the HayGroup for a single compensation structure for all City non union jobs be approved (i.e., the eight levels of work and sixteen pay grades) and replace any existing compensation programs for non-union positions;
- (2)
 - (a) that the City's pay grades be priced relative to respective levels of pay of comparable external markets as defined by the HayGroup in their report, and
 - (b) that the comparable level be defined as the 75th percentile of the public sector in the Greater Toronto Area;
- (3) the proposal from the HayGroup for a pay-for-performance practice for salary adjustments be approved; that incumbent progression through the pay grade ranges no longer be based on automatic step-rate progression but rather solely on a performance based increment process;
- (4) staff submit a further report to Council in 2000 recommending the appropriate increment progression rate;
- (5) the proposal from the HayGroup for a re-earnable lump sum award for those who have reached or are near the maximum of the salary range be approved subject to a future report to Council in 2001 once the results of job evaluation are known, the incumbents have been placed into the appropriate salary range and the performance management process is further developed;

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- (6) the proposal from the HayGroup for special pay plans be approved for limited situations that require special pay over-and-above the pay grade;
- (7) a red circling policy be implemented which provides for salary protection for those situations where the job is adjusted downward;
- (8) a further report be submitted to Council on the application of negotiated across-the-board wage increases to the management and exempt employees at the conclusion of collective bargaining with CUPE Local 79;
- (9) starting in 2001 an annual GTA review based on the comparable external market be conducted to ensure that the City maintains competitive salary ranges to the external marketplace; and
- (10) staff be directed to consult with COTAPSAI, on a confidential basis, on the recommendations contained in the staff report and the proposal submitted by the HayGroup and that the results of such consultation be conveyed to City Council for its meeting on December 15, 1999.

The Administration Committee also had before it a report (December 6, 1999) from the Executive Director of Human Resources and Acting Commissioner of Corporate Services reporting on the following as requested by the Administration Committee on November 30, 1999:

- (i) the current pay scales for Executive, Management and Exempt employees;
- (ii) not only the current salary ranges but a comparison of what the ranges were in the former municipalities; and
- (iii) a mixed model of incremental increases (automatic plus pay for performance).

Mr. David Neil, President, City of Toronto Administrative, Professional Supervisory Association, a Incorporated (COTAPSAI) appeared before the Administration Committee in connection with the foregoing matter.

The Administration Committee recommended to Council the adoption of the aforementioned joint report.

(Clause No. 1 – Report No. 9)

9-6 Contribution Rebate Program and Advance Voting Days.

The Administration Committee had before it a report (December 7, 1999) from the City Clerk, reporting as requested by the Administration Committee respecting the impact on the planned advance voting days given the recommendation to amend the Municipal Elections Act, 1996 to move voting day to the Thursday after Thanksgiving in October; providing additional information on the impact of adopting the Provincial rebate percentages for the City's contribution rebate program and the impact of refunding the contribution rebates by way of a property tax credit versus the production of a cheque; advising that Council has absolute flexibility in the design of the contribution rebate program; that during the consultations with Members of Council, the majority indicated the existing program parameters were reasonable; that any decision to adopt the Provincial levels of rebate percentages would cost the City at least an estimated \$1.2 million more than the existing percentages; and while potential savings in cheque production costs could be realized if the City were to give property tax credits rather than issuing a rebate cheque, it is doubtful the majority of taxpayers would prefer this option given the time delay in receiving the credit; that additionally, many contributors are not taxpayers in the City of Toronto and therefore could not receive a tax credit; that should the Province decide to move voting day to the Thursday after Thanksgiving in October, staff will bring a further report to Council setting out the revised advance voting days; and recommending that this report be received for information.

A. Councillor Adams moved that:

- (1) the City Clerk, in consultation with the Chief Financial Officer and Treasurer, be requested to review and report to the Administration Committee on the idea of giving a financial incentive to contributors who apply for the rebate to encourage them to take the rebate in a form of property tax as opposed to a cheque as a cost-savings measure; and
- (2) the Administration Committee recommend to the Policy and Finance Committee that budgeting for any rebate program in future years be over the three years of the term of Council.
(Carried)

B. Councillor Berrardinetti moved that:

- (i) the aforementioned report be received for information; and
- (ii) the foregoing action of the Administration Committee

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be forwarded to Council for consideration with Clause No. 6 of Report No. 8 of The Administration Committee, entitled "Municipal Elections – By-law Requirement". **(Carried)**

(Clause No. 6(b) – Report No. 9)

9-7 Special Meeting of the Administration Committee.

On motion by Councillor Berrardinetti, the Administration Committee directed that a Special Meeting of the Committee be held on December 15, 1999, at 8:30 a.m. to consider recommendations from the Council Selection Panel on the appointments of a Commissioner of Urban Planning and Development Services and a Commissioner of Corporate Services.

(Clause No. 6(c) – Report No. 9)

The Committee adjourned its meeting at 12:33 p.m.

Chair