

THE CITY OF TORONTO

City Clerk's Division

Minutes of the Administration Committee

Meeting No. 10

Tuesday, July 3, 2001

The Administration Committee met on Tuesday, July 3, 2001, in Committee Room 1, 2nd Floor, City Hall, Toronto, commencing at 9:45 a.m.

Attendance

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

	9:45 a.m. to 12:47p.m.	2:14 p.m. to 7:12 p.m.	In Camera 3:21 p.m. to 4:20 p.m.
Councillor Lorenzo Berardinetti, Chair	X	X	X
Councillor Sandra Bussin	X	X	X
Councillor Rob Ford	X	X	X
Councillor Doug Holyday	X	X	X
Councillor David Miller	X	X	X
Councillor Frances Nunziata Vice-Chair	X	X	X
Councillor Sherene Shaw	X	X	X
Councillor David Soknacki	X	X	X

10-1. Presentation – Toronto Parking Authority.

The Administration Committee had before it a communication (June 5, 2001) from the Acting City Clerk, advising that the Administration Committee on June 5, 2001, during its consideration of a report (May 30, 2001) from the President, Toronto Parking Authority, respecting the purchase of property for parking purposes, amongst other things, requested the President, Toronto Parking Authority:

- “(2) to attend the next meeting of the Administration Committee scheduled to be held on July 3, 2001, providing the Committee with a briefing on the Toronto Parking Authority operations and its relationship with the Administration Committee respecting financing and acquisition of properties.”

Mr. Maurice Anderson, President, Toronto Parking Authority, appeared before the Administration Committee in connection with the foregoing matter.

On motion by Councillor Nunziata, the Administration Committee thanked the President, Toronto Parking Authority, for appearing before the Administration Committee respecting the Toronto Parking Authority's operations and its relationship with the Administration Committee; and received the foregoing communication.

(President, Toronto Parking Authority – July 3, 2001)

(Clause No. 25(a) – Report No. 11)

**10-2. Acquisition of Elihu Pease House
34 Avondale Avenue
(Ward 10 – North York Centre).**

The Administration Committee at its meeting held on July 3, 2001, had before it the following reports and communications:

- (1) (August 28, 2000) from the Commissioner of Corporate Services reporting on the discussions and negotiations held with Mr. Louis Badone and Ms. Donalda Badone, regarding the acquisition of the Elihu Pease House – 34 Avondale Avenue as instructed by Council on October 1 and 2, 1998; advising that until such time as a lawful municipal purpose is identified by a Client Department, the acquisition of this property cannot be undertaken; that if a municipal purpose is identified, staff can, if Council directs, have the Badones' submit an offer to sell to the City per the terms outlined in the report; and recommending that this report be received for information purposes;
- (2) (January 7, 2001) from Ms. Donalda Badone and Mr. Louis Badone outlining the objections they have respecting the issue of the acquisition of the Elihu Pease House; and recommending that the Administration Committee reject the report (August 28, 2000) from the Commissioner of Corporate Services in regard thereto; and honour the City agreement for purchase reached on July 25, 2000 with Mr. J. Casali at North York;

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- (3) (April 26, 2001) from the Commissioner of Corporate Services responding to the Administration Committee's request for further information on the acquisition of 34 Avondale Avenue – Elihu Pease House and to report on the continued negotiations held with the owners; advising that there are no financial implications arising from this report; that negotiations and/or opportunities for the acquisition of this property by third parties are still actively being pursued by Mr. and Mrs. Badone; and recommending that this matter be deferred to the July 3, 2001 meeting of the Administration Committee;
- (4) (June 25, 2001) from the Commissioner of Corporate Services responding to the Administration Committee's request for further information on the acquisition of 34 Avondale Avenue – Elihu Pease House; reporting on the continued negotiations held with the owners; advising that there are no financial implications arising from this report; that Mr. and Mrs. Badone have entered into an Agreement of Purchase and Sale with Shane Baghai Homes Inc. for the sale of 34 Avondale Avenue; that it is appropriate for the City to monitor the progress of the transaction at hand rather than continue in its negotiations for the acquisition of the property; and recommending that this matter be deferred sine die; and
- (5) (June 26, 2001) from Ms. Donalda Badone and Mr. Louis Badone providing the status of the October 1, 1998 City motion to acquire Elihu Pease House; advising of a conditional agreement to sell the Elihu Pease House to Shane Baghai Homes Inc.; that completion would not be until January 30, 2002, and is dependent on the following three conditions:
 - (1) development feasibility being determined by July 14;
 - (2) rezoning of land zoned commercial to residential and commercial by October 31; and
 - (3) transfer of Elihu Pease House density to those lands by December 30;

that if conditions are not met the sale will be null and void and the City motion to acquire the heritage site would still be in force; requesting deferral of this matter until such time as the sale to Shane Baghai Homes Inc. is either completed or terminated; and requesting the Administration Committee to consider compensation for costs incurred over the past three years of negotiations with the City.

Mr. Louis Badone and Mrs. Donalda Badone, appeared before the Administration Committee in connection with the foregoing matter, and filed photographs of The Morrish Store and Elihu Pease House.

On motion by Councillor Soknacki, the Administration Committee concurred with the recommendation embodied in the foregoing report (June 25, 2001) from the Commissioner of Corporate Services wherein it is recommended that this matter be deferred sine die.

(Commissioner of Corporate Services; Director of Real Estate Services; Manager, Acquisitions and Expropriations; c. Mr. Louis Badone and Ms. Donalda Badone – July 3, 2001)

(Clause No. 25(b) – Report No. 11)

10-3. Retention Period for Records in the Custody and Control of the Toronto Police Services Board and the Toronto Police Service.

The Administration Committee had before it the following reports and communications:

- (1) (June 8, 2001) from the Acting City Clerk advising that City Council at its meeting held on May 30, 31 and June 1, 2001, had before it Clause No. 18 of Report No. 7 of the Administration Committee headed “Other Items Considered by the Committee”; and directed that the aforementioned Clause be received as information, subject to striking out and referring Item (b),” entitled “Retention Period for Records in the Custody and Control of the Toronto Police Services Board and Toronto Police Service”; embodied therein, back to the Administration Committee for further consideration and the hearing of depositions;
- (2) (June 27, 2001) from Ms. Rose Burrows on behalf of Mr. Ted Berger forwarding an e-mail on behalf of Mr. Ted Berger (a constituent of Councillor Suzan Hall) respecting the retention period for records in the custody and control of the Toronto Police Services Board and the Toronto Police Service; advising that unfortunately, Mr. Berger cannot attend the meeting on July 3rd as he has a personal commitment to attend to which arose recently; and that Mr. Berger would like to express his desire (as expressed several times to Committee over the past few years) that the by-law MUST be changed and all records of innocent people be removed immediately from police records; and

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- (3) (June 28, 2001) from Mr. Remo Massaroni forwarding a submission dealing with police retention of records; outlining an incident involving his son with respect to an accusation which was later withdrawn and stating that even though the accusation was withdrawn that the police record will remain on file; and recommending that the by-law be changed so as not to harm, in any way, the innocent, such as those who have never been charged; and also recommending that in cases where a person is found innocent, is not charged, or where the accusation has been withdrawn, that all records be automatically destroyed including all computer files.

The following persons appeared before the Administration Committee in connection with the foregoing matter:

- Mr. Donald Barber;
- Mr. Vance Latchford, Latchford Associates;
- Mr. Michael Moon, and filed a written submission in regard thereto;
- Ms. Terry Daly, Catholic Children's Aid Society, and filed a written submission in regard thereto;
- Ms. Lorrie Hathaway, Volunteer Centre of Toronto;
- Mr. Norm Gardiner, Chair, Toronto Police Services Board;
- Ms. Cathy Blair, Toronto Police Services Board; and
- Ms. Susan Cardwell, Toronto Police Services Board.

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

- Councillor Suzan Hall, Etobicoke North; and
- Councillor Michael Walker, St. Paul's.

Councillor Berardinetti appointed Councillor Nunziata Acting Chair and vacated the Chair.

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- A. Councillor Berardinetti moved that the Administration Committee:
- (1) refer the foregoing communication (June 8, 2001) from the Acting City Clerk to the Toronto Police Services Board with a request that the Board review its current practices with respect to the disclosure of records of arrest for major offences under the Police Reference Check Program and submit a report thereon to the Administration Committee; and
 - (2) request the Chief of Police to attend the meeting of the Administration Committee when it gives consideration to the report from the Toronto Police Services Board requested in the aforementioned Recommendation No. (1).
(Carried)

Councillor Berardinetti resumed the Chair.

- B. Councillor Soknacki, on behalf of Councillor Hall, moved that the Administration Committee refer the following motion to the Toronto Police Services Board for report thereon to the Administration Committee:

Moved by Councillor David Soknacki on behalf of Councillor Suzan Hall:

“That the Administration Committee recommend to City Council that the following be submitted to the Toronto Police Services Board with the recommendation that the action taken by Toronto City Council on October 5, 2000, respecting the By-law governing retention periods for records in the custody and control of the Toronto Police Services Board and the Toronto Police Service be amended to provide that in cases regarding Occurrence of Major Offences, records be retained for a five-year period, but records be deleted immediately where:

- (a) the police acknowledge that the person should not have been arrested;
- (b) a court finds that the person should not have been arrested;
- (c) a court finds that someone else committed the triggering offence; and

- (d) a court affirmatively finds that the arrested person did not, in fact commit the triggering of the offence.
(Carried)

- C. Councillor Holyday moved that the Records Retention By-law remain as is. **(Redundant)**
- D. Councillor Soknacki, on behalf of Councillor Walker, moved that the Administration Committee request the Toronto Police Services Board to abide by the Records Retention By-law passed by City Council. **(Redundant)**

(Toronto Police Services Board; Chief of Police; c. Councillor Suzan Hall; Councillor Michael Walker; All Interested Parties – July 3, 2001)

(Clause No. 25(c) – Report No. 11)

**10-4. Policies/Guidelines to Govern
Constituency Office Leases and Policies
Respecting Goods, Services and Space
Below Market Value.**

The Administration Committee had before it a report (May 28, 2001) from the Commissioner of Corporate Services, providing the Committee with a set of policies to govern leases of constituency offices where the lease is taken in the name of the City as lessee; reporting on instances where Councillors accept office space or goods and services from businesses and/or clients within the Councillor's community; commenting with respect to whether or not it is appropriate for a Member of Council to accept office space at a rate which is below market value; advising that there are no funding sources required; and recommending that:

- (1) the set of policies for leases of constituency offices in the name of the City as lessee, as shown in Appendix "B", be approved; and
- (2) the appropriate City officials be authorised and directed to take the necessary action to give effect thereto.

On motion by Councillor Bussin, the Administration Committee recommended to Council the adoption of the foregoing report (May 28, 2001) from the Commissioner of Corporate Services.

(Clause No. 2 – Report No. 11)

10-5. Policy for the Selection and Hiring of Professional and Consulting Services; Use of Consultants and Expenditure Reduction Strategies; and Hiring of Professional and Consulting Services Review.

The Administration Committee had before it the following reports and communications:

- (1) (March 16, 2001) from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, entitled "Policy for the Selection and Hiring of Professional and Consulting Services" respecting a uniform Purchasing Policy for the selection and hiring of professional and consulting services for the City of Toronto; advising that the primary purpose of the policy is to provide consistency across the City for selecting, evaluating and awarding professional and consulting services in a fair, open and competitive process; and recommending that:
 - (1) the Purchasing Policy for the Selection and Hiring of Professional and Consulting Services, outlined in Appendix "A" of this report be adopted; and
 - (2) the appropriate City officials be authorized and directed to take the necessary actions to give effect hereto;
- (2) (March 15, 2001) from the Chief Administrative Officer, entitled "Use of Consultants and Expenditure Reduction Strategies" recommending that:
 - (1) the recommendations of the separate report, Policy on the Selection and Hiring of Professional and Consulting Services, be considered with this report;
 - (2) effective 2001, annual consulting expenditures reported by departments and major City agencies, boards and commissions exclude activities that are alternative service delivery methods, and include only those activities that meet the definition and project categories of consulting as defined in this report, Reduction Strategies, part (a), and in the Policy for the Selection and Hiring of Professional and Consulting Services;
 - (3) departments and the major agencies, boards and commissions of the City be directed to aim for a 5 percent reduction goal in their 2001 consulting expenditures against expenditures in 2000, inclusive of any consulting cuts already identified for the 2001 annual budget cycle underway, in order to contribute to a total corporate-wide reduction of 5 percent in consulting expenditures;

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- (4) effective 2002, line items for “consulting” in capital or operating budgets not include contracted-out/out-sourced activities, or fees and other similar payments as presented in this report, Reduction Strategies, part (b), and in the Policy on the Selection and Hiring of Professional and Consulting Services;
 - (5) in-year reporting on consulting expenditures in all six project categories be submitted by departments and the major City agencies, boards and commissions on a semi-annual basis to the Audit Division to merge the information for a corporate-wide overview of expenditures against the reduction goal, report the results to the Policy and Finance Committee, and forward the detailed information to the Purchasing and Materials Management Division for analysis; and
 - (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;
- (3) (June 19, 2001) from the Chief Administrative Officer, entitled “Summary of Year 2000 Actual Expenditures on Consultants vis-a-vis the Impacts of a 20 percent Reduction and Policies and Standards for the Use of Consultants” recommending that:
- (1) City-wide consulting expenditure for the year 2001 be established 5 percent below the 2000 gross level, resulting in a 28 percent reduction from 1999;
 - (2) the Finance Department report to the Administration Committee on 2001 consulting costs in the Operating Budgets of departments and major Agencies, Boards and Commissions, upon completion of the transfer of recorded costs to new cost element categories recommended by the Chief Administrative Officer;
 - (3) the report from the Chief Administrative Officer, The Use of Consultants and Expenditure Reduction Strategies, deferred at the March 27, 2001 meeting of Administration Committee, be adopted to achieve expenditure reductions, and to improve budgetary identification, monitoring and reporting of consulting expenditure across the City;
 - (4) the report from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, Policy for the Selection and Hiring of Professional and Consulting Services, deferred at the March 27, 2001 meeting of Administration Committee, be adopted to improve evaluation processes and procedures to hire consultants, and to document all consultant use including sole-source procurement;

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- (5) the Chief Financial Officer and Treasurer and the City Auditor, in consultation with the CAO, develop an appropriate review and approval process to justify the use of consultants, as well as to document consulting project results including matters respecting value for money; and
 - (6) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto;
- (4) (June 27, 2001) from the Chief Administrative Officer, entitled "Consulting Expenditures and Single/Sole Source Purchases for the Year 2000", summarizing the consulting expenditures by Departments, and major Agencies, Boards and Commissions of the City in 2000; advising that Data is presented in a variety of ways including consulting expenditure as a percentage of total City budgets, consulting expenditure by Project Category, and consulting activity by value ranges of the projects; that comparisons to 1999 data are made as appropriate, including that 2000 expenditure was \$20 million less than that in 1999 exclusive of the additional consulting monies for Y2K initiatives; that the report on consulting expenditures is prepared annually and includes for the first time, as directed by Council in July 2000, information on single/sole source purchases for all purposes, including consulting; and recommending that this report be received for information;
- (5) (June 28, 2001) from the City Auditor, entitled "Selection and Hiring of Professional and Consulting Services Review", recommending that:
- (1) all future reporting of consulting expenditures be based on actual expenditures incurred and not on the value of contracts awarded unless specifically requested by Council. In order to ensure that such reporting is accurate, all consulting costs reported to Council be reconciled to the City's financial information system by each Department. The Chief Administrative Officer be required to communicate to senior staff the recommended reporting requirement;
 - (2) the Chief Financial Officer and Treasurer advise all departmental staff of the specific reporting requirements for consulting expenditures. In addition, the Chief Financial Officer and Treasurer emphasize the importance of the need to accurately analyse all consulting related invoices in order to ensure that such expenditures are recorded accurately in the financial information system. Departmental staff be required to review such accounts on a regular basis and make appropriate and timely accounting adjustments, where necessary;

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- (3) the Chief Administrative Officer be required to add to the "Policy for the Selection and Hiring of Professional and Consulting Services" the following, "A justification analysis is required prior to the engagement of a consultant which outlines in general terms the costs and benefits of using a consultant, including reasons why the consulting study can not be conducted by internal staff, either in whole or in part.";
- (4) the Chief Administrative Officer to report back on the dollar threshold above which departments are required to prepare detailed business cases prior to the hiring of consulting resources. Consideration be given to the development of a formalized template and/or checklist in order to assist staff in the development of a standard business case. The business case should be approved by each Commissioner and should be filed in the department for future management review and subsequent audit;
- (5) the Chief Administrative Officer take immediate steps to ensure that the engagement of all consulting services is made in accordance with the City's purchasing policies. Consultants not be engaged until the appropriate approvals have been obtained and a duly authorized purchase order is processed and recorded on the financial management information system;
- (6) the Chief Administrative Officer require the Commissioners to provide the appropriate information on existing consulting contracts so that purchase orders can be processed by the Purchasing Agent. The Purchasing Agent take the necessary steps to record such purchase orders on the financial information system. Any payments processed in excess of original contract amounts be identified and explanations obtained for such occurrences. The need to process such purchase orders in the future will not be required if proper procedures are followed;
- (7) the Chief Administrative Officer advise all Commissioners that in making sole source procurement decisions, clear justification, target completion date of the project, duration of the consulting engagement, and estimated contract value be documented, properly authorized, and, as required by City policy, be submitted to the Chief Administrative Officer, and to the Purchasing Agent for issuance of a purchase order or contract. Where the justification does not meet the City criteria for sole sourcing such contracts be subject to a competitive tender process in accordance with the City's purchasing policies;

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- (8) the Commissioners take the necessary action to ensure that staff assigned to project management duties, especially where consultants are hired, have an appropriate combination of training and experience in project management and knowledge in the subject of the assignment, especially in the areas of developing clear and measurable deliverables, milestones, and performance evaluation criteria;
- (9) the Chief Financial Officer and Treasurer advise staff that request for proposal documents should not contain information relating to the actual project budget;
- (10) the Commissioners be required to re-evaluate the administrative internal controls in their departments in order to ensure that invoices submitted by consultants are reviewed for reasonableness, proper supporting documentation and verified to the terms of the contract prior to authorization for payment. The review should also ensure that individuals approving invoices are in a position to assess whether the service has been rendered. In regard to reimbursable out of pocket expenses, consideration be given to including all such expenditures as part of the original contract price;
- (11) the Commissioners take the necessary steps to ensure that:
 - (a) measurable standards and acceptance criteria are included in contracts executed with consultants;
 - (b) regular, properly documented, meetings are held with consultants to ensure that the consultant is meeting contractual obligations and performing as required; and
 - (c) upon completion of a project, the consultant's performance is documented and made available for review to relevant City staff, including the Purchasing Agent, when considering consultants for new projects;
- (12) the Chief Administrative Officer, in consultation with the City's Commissioners, identify areas where departments have skill shortages or insufficient staff resulting in the consistent and extensive long-term use of consultants and:
 - (a) present the appropriate business cases justifying meeting long-term operational demands by increasing staffing levels, such increases to be financed by the transfer of funds from consulting budgets to salaries and wages budgets;

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- (b) where possible, ensure sufficient City staff are trained in skills required frequently and on a long-term basis, thus reducing the City's reliance on consultants to perform such duties; and
 - (c) ensure that the continuous operation of critical management information systems is not dependant upon a single individual consultant;
 - (13) the Chief Administrative Officer communicate to and remind each Commissioner of the policy relating to the hiring of former employees, either directly or indirectly, as consultants for a specified period of time after they participated in the employee separation program of the City;
 - (14) the Chief Administrative Officer review the practice whereby individual consultants are required to contract with consulting firms for providing their services to the City rather than being engaged directly as individuals;
 - (15) in view of the fact that the recommendations contained in this report may be relevant to the City's Agencies, Boards and Commissions, the General Manager of each of these entities be required to report to their respective Boards by August 31, 2001, on such recommendations and their applicability in relation to their operations. In addition, the respective Boards be requested to forward such reports to the City Audit Committee;
 - (16) the Chief Administrative Officer be required to add to the "Policy for the Selection and Hiring of Professional Consulting Services" specific details relating to the consequences of non-compliance with the policy. The amendment to the policy be reported to the Administration Committee by August 31, 2001; and
 - (17) the Chief Administrative Officer be required to report to the next meeting of the Administration Committee on the plans and timetable relating to the implementation of recommendations contained in this report;
- (6) (June 29, 2001) from the Acting Chief Administrative Officer and the Acting Chief Financial Officer and Treasurer, entitled "Summary of CAO Reports on the Selection and Hiring of Professional and Consulting Services", advising the Administration Committee of the four CAO reports regarding the use of consultants and expenditure reduction strategies; and recommending that this report be received for information;

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- (7) (June 29, 2001) from the City Solicitor, entitled "Policy for the Selection and Hiring of Professional and Consulting Services Modifications of Policy for Retention of Outside Legal Expertise", recommending modifications to the policy for the selection and hiring of professional and consulting services as it affects the retention of external legal expertise; advising that there are no financial implications by the receipt of this report; and recommending that, for the purpose of the retention of outside legal expertise by the Legal Services Division, the procedures for the selection of consultants contained in section 7 of the Policy appended to the report, dated March 16, 2001, from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, be modified in accordance with the modifications detailed in this report; and
- (8) (March 23, 2001) from Mr. D.C. Ingram, President, Consulting Engineers of Ontario, requesting that, rather than endorsing the proposed policy for the selection and hiring of professional and consulting services, that the consulting industry, through Consulting Engineers of Ontario, be given an opportunity to provide direct input to the policy as it relates to consulting engineers who are essential to the infrastructure development of the City.

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

- Councillor Bas Balkissoon, Scarborough-Rouge River;
- Councillor Jane Pitfield, Don Valley West; and
- Councillor Michael Walker, St. Paul's.

Councillor Berardinetti appointed Councillor Nunziata Acting Chair and vacated the Chair.

A. Councillor Berardinetti, on behalf of Councillor Balkissoon, moved that the Administration Committee:

- (1) recommend to Council the adoption of the report (June 28, 2001) from the City Auditor, entitled "Selection and Hiring of Professional and Consulting Services Review", subject to:
 - (a) amending Recommendation No. (9) by deleting the word "should and inserting in lieu thereof the word "will";

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- (b) amending Recommendation No. (10) by deleting the words "In regard to reimbursable out of pocket expenses, consideration be given to including all such expenditures as part of the original contract price"; and inserting in lieu thereof the words "Council revise its contracted services agreements to clearly state that all incidental expenditures i.e., out of pocket are included in the total contract award price;"

- (c) amending Recommendation No. (12) by adding thereto the following:
 - "(d) all contracts of Critical Management Information System where a single individual consultant is the only supplier of services necessary, be reported to Standing Committees outlining the risk to the City for approval of any such award;" and

- (d) adding thereto the following new Recommendations Nos. (18), (19) and (20):
 - "(18) that each Commissioner be requested to report to the appropriate Standing Committee for review, a detailed report of all existing consultant contracts within their departments; these reports to provide details on budgeted funds, expended funds, expected completion date and performance to date;

 - (19) (a) the Acting Chief Administrative Officer be requested to report to Council every six months on the use of consultants by the City and its ABC's; and

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- (b) all Commissioners be requested to report to their appropriate Standing Committee on re-hiring of employees severed with a separation package and providing details on the authorization and approval process followed;
- (20) the City Auditor, in consultation with the City Solicitor, be requested to submit a report to the Audit Committee on any possibility of recovering funds paid to consultants where payments were made without invoices or proper receipts or contractual agreement;". **(Carried)**

Councillor Berardinetti resumed the Chair.

- B. Councillor Nunziata moved that the Administration Committee:
 - (1) recommend to Council the adoption of the report (March 15, 2001) from the Chief Administrative Officer entitled "Use of Consultants and Expenditure Reduction Strategies", subject to amending Recommendation No. (3) embodied therein by deleting the following "5 percent" and inserting in lieu thereof the following "10 percent", and deleting the word "goal"; and **(Carried)**
 - (2) direct that each department and major City ABC be requested to submit a report to the Administration Committee prior to a Request for Quotation (RFQ) or a Request for Proposal (RFP) issuance for consulting expenditure to show the need and justification for services sought; and
 - (3) that there be one account number for consulting fees, the first two digits to identify the department and show invoices for consulting fees to be paid on that account number. **(Out of Order)**
- C. Councillor Ford moved that the Administration Committee recommend to Council that the use of new consultant contracts be frozen for one year until July 1, 2002, for every department within the City of Toronto. **(Lost)**

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- D. Councillor Miller moved that the Administration Committee recommend to Council the adoption, in principle, of the joint report (March 16, 2001) from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, entitled "Policy for the Selection and Hiring of Professional and Consulting Services" wherein it is recommended that:
- "(1) the Purchasing Policy for the Selection and Hiring of Professional and Consulting Services, outlined in Appendix "A" of this report be adopted; and
 - (2) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto." **(Carried)**
- E. Councillor Soknacki moved that the Administration Committee recommend to Council:
- (1) that the Policy for the Selection and Hiring of Professional and Consulting Services be amended to require the quarterly reporting by each Agency, Board and Commission or Department of sole-sourced contracts by project category within the jurisdiction of each; and that the preparation of these reports be supervised by staff in the Purchasing Division;
 - (2) that the City Auditor, in consultation with the Interim Chief Financial Officer and Treasurer, be requested to submit a report to the Administration Committee for its meeting scheduled to be held on September 6, 2001, on an appropriate variance reporting procedure which will ensure timely reporting of variances for professional and consulting services; and
 - (3) that a copy of this clause be sent to the Audit Division to be considered as part of its corporate-wide review of expenditure reductions. **(Carried)**
- F. Councillor Holyday moved that the Administration Committee recommend to Council that should the City Auditor not be able to provide information satisfactory to the Audit Committee and the Administration Committee respecting this matter, that the Province of Ontario, or any other appropriate body, be requested to conduct an enquiry on the use of consultants within the City of Toronto. **(Carried)**

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- G. Councillor Miller moved that the foregoing motion by Councillor Holyday be tabled until the City Auditor submits his report in October 2001. **(Lost)**
- H. Councillor Bussin moved that the Administration Committee recommend to Council that:
- (1) Recommendation No. (10) embodied in the report (June 28, 2001) from the City Auditor be amended by adding after the word "department" the words "and give consideration to including an internal audit function"; and
 - (2) the forthcoming report from the City Auditor respecting this matter clarify in detail those particular contracts mentioned in the aforementioned report (June 28, 2001) from the City Auditor; which identifies a number of situations where there are opportunities to reduce consulting costs. **(Carried)**

Councillor Berardinetti appointed Councillor Nunziata Acting Chair and vacated the Chair.

- I. Councillor Berardinetti moved that the Administration Committee recommend to Council that:
- (1) the report (June 19, 2001) from the Chief Administrative Officer, be adopted;
 - (2) the report (June 29, 2001) from the City Solicitor, be adopted;
 - (3) the report (June 27, 2001) from the Chief Administrative Officer, be received; and
 - (4) the joint report (June 29, 2001) from the Acting Chief Administrative Officer and the Acting Chief Financial Officer, be received. **(Carried)**

Councillor Berardinetti resumed the Chair.

The decision of the Administration Committee, therefore, is as follows:

The Administration Committee recommended to Council:

- (I) the adoption, in principle, of the joint report (March 16, 2001) from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, entitled "Policy for the Selection and Hiring of Professional and Consulting Services" wherein it is recommended that:

- "(1) the Purchasing Policy for the Selection and Hiring of Professional and Consulting Services, outlined in Appendix "A" of this report be adopted; and

- (2) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto;"

pending a further report from the City Auditor in October, 2001, respecting this matter;

- (II) that the Policy for the Selection and Hiring of Professional and Consulting Services be amended to require the quarterly reporting by each Agency, Board and Commission or Department of sole-sourced contracts by project category within the jurisdiction of each; and that the preparation of these reports be supervised by staff in the Purchasing Division;

- (III) the adoption of the report (March 15, 2001) from the Chief Administrative Officer, entitled "Use of Consultants and Expenditure Reduction Strategies", subject to amending Recommendation No. (3) embodied therein by deleting the following "5 percent" and inserting in lieu thereof the following "10 percent", and deleting the word "goal", so that the Recommendations embodied in the aforementioned report now reads as follows:

"It is recommended that:

- (1) the recommendations of the separate report, Policy on the Selection and Hiring of Professional and Consulting Services, be considered with this report;

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- (2) effective 2001, annual consulting expenditures reported by departments and major City agencies, boards and commissions exclude activities that are alternative service delivery methods, and include only those activities that meet the definition and project categories of consulting as defined in this report, Reduction Strategies, part (a), and in the Policy for the Selection and Hiring of Professional and Consulting Services;
- (3) departments and the major agencies, boards and commissions of the City be directed to aim for a 10 percent reduction in their 2001 consulting expenditures against expenditures in 2000, inclusive of any consulting cuts already identified for the 2001 annual budget cycle underway, in order to contribute to a total corporate-wide reduction of 5 percent in consulting expenditures;
- (4) effective 2002, line items for “consulting” in capital or operating budgets not include contracted-out/out-sourced activities, or fees and other similar payments as presented in this report, Reduction Strategies, part (b), and in the Policy on the Selection and Hiring of Professional and Consulting Services;
- (5) in-year reporting on consulting expenditures in all six project categories be submitted by departments and the major City agencies, boards and commissions on a semi-annual basis to the Audit Division to merge the information for a corporate-wide overview of expenditures against the reduction goal, report the results to the Policy and Finance Committee, and forward the detailed information to the Purchasing and Materials Management Division for analysis; and
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;”;

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- (IV) the adoption of the report (June 19, 2001) from the Chief Administrative Officer, entitled “Summary of Year 2000 Actual Expenditures on Consultants Vis-a-Vis the Impacts of a 20 Percent Reduction and Policies and Standards for the use of Consultants”, wherein it is recommended that:
- “(1) City-wide consulting expenditure for the year 2001 be established 5 percent below the 2000 gross level, resulting in a 28 percent reduction from 1999;
 - (2) the Finance Department report to the Administration Committee on 2001 consulting costs in the Operating Budgets of departments and major Agencies, Boards and Commissions, upon completion of the transfer of recorded costs to new cost element categories recommended by the Chief Administrative Officer;
 - (3) the report from the Chief Administrative Officer, The Use of Consultants and Expenditure Reduction Strategies, deferred at the March 27, 2001 meeting of Administration Committee, be adopted to achieve expenditure reductions, and to improve budgetary identification, monitoring and reporting of consulting expenditure across the City;
 - (4) the report from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, Policy for the Selection and Hiring of Professional and Consulting Services, deferred at the March 27, 2001 meeting of Administration Committee, be adopted to improve evaluation processes and procedures to hire consultants, and to document all consultant use including sole-source procurement;
 - (5) the Chief Financial Officer and Treasurer and the City Auditor, in consultation with the CAO, develop an appropriate review and approval process to justify the use of consultants, as well as to document consulting project results including matters respecting value for money; and
 - (6) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto;”;

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- (V) the adoption of the report (June 28, 2001) from the City Auditor, entitled "Selection and Hiring of Professional and Consulting Services Review", subject to:
- (a) amending Recommendation No. (9) by deleting the word "should" and inserting in lieu thereof the word "will";
 - (b) amending Recommendation No. (10) by:
 - (i) adding after the word "department" the words "and give consideration to including an internal audit function;"; and
 - (ii) deleting the words "In regard to reimbursable out of pocket expenses, consideration be given to including all such expenditures as part of the original contract price"; and inserting in lieu thereof the words "Council revise its contracted services agreements to clearly state that all incidental expenditures i.e., out of pocket are included in the total contract award price;"; and
 - (c) amending Recommendation No. (12) by adding thereto the following:
 - "(d) all contracts of Critical Management Information System where a single individual consultant is the only supplier of services necessary, be reported to Standing Committees outlining the risk to the City for approval of any such award;";
 - (d) adding thereto the following new Recommendations Nos. (18), (19) and (20):
 - "(18) that each Commissioner be requested to report to the appropriate Standing Committee for review, a detailed report of all existing consultant contracts within their departments; these reports to provide details on budgeted funds, expended funds, expected completion date and performance to date;
 - (19) (a) the Acting Chief Administrative Officer be requested to report to Council every six months on the use of consultants by the City and its ABCs; and

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- (b) all Commissioners be requested to report to their appropriate Standing Committee on re-hiring of employees severed with a separation package and providing details on the authorization and approval process followed;
- (20) the City Auditor, in consultation with the City Solicitor, be requested to submit a report to the Audit Committee on any possibility of recovering funds paid to consultants where payments were made without invoices or proper receipts or contractual agreement;”;

so that the Recommendations embodied in the aforementioned report now read as follows:

“It is recommended that:

- (1) all future reporting of consulting expenditures be based on actual expenditures incurred and not on the value of contracts awarded unless specifically requested by Council. In order to ensure that such reporting is accurate, all consulting costs reported to Council be reconciled to the City’s financial information system by each Department. The Chief Administrative Officer be required to communicate to senior staff the recommended reporting requirement;
- (2) the Chief Financial Officer and Treasurer advise all departmental staff of the specific reporting requirements for consulting expenditures. In addition, the Chief Financial Officer and Treasurer emphasize the importance of the need to accurately analyse all consulting related invoices in order to ensure that such expenditures are recorded accurately in the financial information system. Departmental staff be required to review such accounts on a regular basis and make appropriate and timely accounting adjustments, where necessary;

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- (3) the Chief Administrative Officer be required to add to the "Policy for the Selection and Hiring of Professional and Consulting Services" the following, "A justification analysis is required prior to the engagement of a consultant which outlines in general terms the costs and benefits of using a consultant, including reasons why the consulting study can not be conducted by internal staff, either in whole or in part.";
- (4) the Chief Administrative Officer to report back on the dollar threshold above which departments are required to prepare detailed business cases prior to the hiring of consulting resources. Consideration be given to the development of a formalized template and/or checklist in order to assist staff in the development of a standard business case. The business case should be approved by each Commissioner and should be filed in the department for future management review and subsequent audit;
- (5) the Chief Administrative Officer take immediate steps to ensure that the engagement of all consulting services is made in accordance with the City's purchasing policies. Consultants not be engaged until the appropriate approvals have been obtained and a duly authorized purchase order is processed and recorded on the financial management information system;
- (6) the Chief Administrative Officer require the Commissioners to provide the appropriate information on existing consulting contracts so that purchase orders can be processed by the Purchasing Agent. The Purchasing Agent take the necessary steps to record such purchase orders on the financial information system. Any payments processed in excess of original contract amounts be identified and explanations obtained for such occurrences. The need to process such purchase orders in the future will not be required if proper procedures are followed;
- (7) the Chief Administrative Officer advise all Commissioners that in making sole source procurement decisions, clear justification, target completion date of the project, duration of the consulting engagement, and estimated contract value be documented, properly authorized, and, as required by City policy, be submitted to the Chief Administrative Officer, and to the Purchasing Agent for issuance of a purchase order or contract. Where the justification does not meet the City criteria for sole sourcing such contracts be subject to a competitive tender process in accordance with the City's purchasing policies;

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- (8) the Commissioners take the necessary action to ensure that staff assigned to project management duties, especially where consultants are hired, have an appropriate combination of training and experience in project management and knowledge in the subject of the assignment, especially in the areas of developing clear and measurable deliverables, milestones, and performance evaluation criteria;
- (9) the Chief Financial Officer and Treasurer advise staff that request for proposal documents will not contain information relating to the actual project budget;
- (10) the Commissioners be required to re-evaluate the administrative internal controls in their departments and give consideration to including an internal audit function in order to ensure that invoices submitted by consultants are reviewed for reasonableness, proper supporting documentation and verified to the terms of the contract prior to authorization for payment. The review should also ensure that individuals approving invoices are in a position to assess whether the service has been rendered. "Council revise its contracted services agreements to clearly state that all incidental expenditures i.e., out of pocket are included in the total contract award price;"
- (11) the Commissioners take the necessary steps to ensure that:
 - (a) measurable standards and acceptance criteria are included in contracts executed with consultants;
 - (b) regular, properly documented, meetings are held with consultants to ensure that the consultant is meeting contractual obligations and performing as required; and
 - (c) upon completion of a project, the consultant's performance is documented and made available for review to relevant City staff, including the Purchasing Agent, when considering consultants for new projects;
- (12) the Chief Administrative Officer, in consultation with the City's Commissioners, identify areas where departments have skill shortages or insufficient staff resulting in the consistent and extensive long-term use of consultants and:
 - (a) present the appropriate business cases justifying meeting long-term operational demands by increasing staffing

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- levels, such increases to be financed by the transfer of funds from consulting budgets to salaries and wages budgets;
- (b) where possible, ensure sufficient City staff are trained in skills required frequently and on a long-term basis, thus reducing the City's reliance on consultants to perform such duties; and
 - (c) ensure that the continuous operation of critical management information systems is not dependant upon a single individual consultant;
 - (d) all contracts of Critical Management Information System where a single individual consultant is the only supplier of services necessary, be reported to Standing Committees outlining the risk to the City for approval of any such award;";
- (13) the Chief Administrative Officer communicate to and remind each Commissioner of the policy relating to the hiring of former employees, either directly or indirectly, as consultants for a specified period of time after they participated in the employee separation program of the City;
- (14) the Chief Administrative Officer review the practice whereby individual consultants are required to contract with consulting firms for providing their services to the City rather than being engaged directly as individuals;
- (15) in view of the fact that the recommendations contained in this report may be relevant to the City's Agencies, Boards and Commissions, the General Manager of each of these entities be required to report to their respective Boards by August 31, 2001 on such recommendations and their applicability in relation to their operations. In addition, the respective Boards be requested to forward such reports to the City Audit Committee;
- (16) the Chief Administrative Officer be required to add to the "Policy for the Selection and Hiring of Professional Consulting Services" specific details relating to the consequences of non-compliance with the policy. The amendment to the policy be reported to the Administration Committee by August 31, 2001; and

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- (17) the Chief Administrative Officer be required to report to the next meeting of the Administration Committee on the plans and timetable relating to the implementation of recommendations contained in this report;
 - (18) that each Commissioner be requested to report to the appropriate Standing Committee for review, a detailed report of all existing consultant contracts within their departments; these reports to provide details on budgeted funds, expended funds, expected completion date and performance to date;
 - (19)
 - (a) the Acting Chief Administrative Officer be requested to report to Council every six months on the use of consultants by the City and its ABCs; and
 - (b) all Commissioners be requested to report to their appropriate Standing Committee on re-hiring of employees severed with a separation package and providing details on the authorization and approval process followed;
 - (20) the City Auditor, in consultation with the City Solicitor, be requested to submit a report to the Audit Committee on any possibility of recovering funds paid to consultants where payments were made without invoices or proper receipts or contractual agreement;”;
- (VI) that the City Auditor be directed to conduct a forensic audit of the contracts referred to in the report (June 28, 2001) from the City Auditor respecting the four instances where actual payments to the consultant had exceeded the total value of the purchase order issued by the City; and the two consultants who were engaged as project managers to develop and maintain financial information systems in the Finance Department for a number of years; and that this audit be a complete review from the original date of the contract to the current time and all details be reported to the Audit Committee in October, 2001;
- (VII) that the forthcoming report from the City Auditor respecting this matter clarify in detail those particular contracts mentioned in the aforementioned report (June 28, 2001) from the City Auditor; which identifies a number of situations where there are opportunities to reduce consulting costs;

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- (VIII) the adoption of the report (June 29, 2001) from the City Solicitor, entitled “Policy for the Selection and Hiring of Professional and Consulting Services Modifications of Policy for Retention of Outside Legal Expertise” wherein it is recommended that, for the purpose of the retention of outside legal expertise by the Legal Services Division, the procedures for the selection of consultants contained in Section 7 of the Policy appended to the report dated March 16, 2001, from the Chief Administrative Officer and the Chief Financial Officer and Treasurer, be modified in accordance with the modifications detailed in this report;
- (IX) that Commissioners be requested to submit a report to the Audit Committee on the non P.O. voucher process and ways and means of implementing stronger controls or discontinuing payment of these vouchers;
- (X) that the City Auditor, in consultation with the Interim Chief Financial Officer and Treasurer, be requested to submit a report to the Administration Committee for its meeting scheduled to be held on September 6, 2001, on an appropriate variance reporting procedure which will ensure timely reporting of variances for professional and consulting services;
- (XI) that the Commissioner of Corporate Services be requested to move rapidly to bring the intellectual knowledge as contracted into the department within City staff realm as soon as possible or before December 31, 2001, before re-issuance of the next extension or RFP on Taxation and Water Billing Systems; and
- (XII) that should the City Auditor not be able to provide information satisfactory to the Audit Committee and the Administration Committee respecting this matter, that the Province of Ontario, or any other appropriate body, be requested to conduct an enquiry on the use of consultants within the City of Toronto; and
- (XIII) that a copy of this clause be sent to the Audit Division to be considered as part of its corporate-wide review of expenditure reductions.

(Acting Chief Administrative Officer; Acting Chief Financial Officer and Treasurer; Commissioner of Corporate Services; City Auditor; City Solicitor; Director, Municipal Law; Director, Purchasing and Materials Management; Director, Audit Services; Senior Corporate Management and Policy Consultant; Senior Audit Manager; c. Councillor Bas Balkissoon; Councillor Jane Pitfield; Councillor Michael Walker; Interested Parties – July 3, 2001)

(Clause No. 1 – Report No. 11)

**10-6. Re-Location of the City Publications
and Resource Centre in City Hall.**

The Administration Committee had before it a report (June 19, 2001) from the Commissioner of Corporate Services, seeking Council approval, in principle, to proceed with the re-location of the City Publications and Resource Centre (tourist gift store) on the ground floor of City Hall, and to begin the process of issuing a Request for Expression of Interest (REI) to explore possibilities for a private-public partnership for the operation of this retail service on a self-sufficient basis; advising that there are no immediate financial implications; that staff will report back to Council on the results of the Request for Expression of Interest if approval is given to proceed; and recommending that:

- (1) Council give approval, in principle, to have the store re-located to the area immediately west of the main doors of City Hall that is currently occupied by Security staff. (Security staff would be re-located to the area currently occupied by the store.);
- (2) contingent on approval of Recommendation No. (1) above, Council give approval to staff to proceed with the issuance of a REI to explore interest in and options for a private-public partnership for the operation of this retail service; and
- (3) the REI also be targeted to the not-for-profit sector to determine if there is interest among charity groups to operate the store as a fundraising endeavour.

The Administration Committee also had before it a communication (July 3, 2001) from the Acting President, CUPE Local 79, requesting the Administration Committee to reject the proposal to issue a Request for Expression of Interest for a public-private partnership; and recommending that the Committee keep the City Publications and Resource Centre as part of the City of Toronto and staffed by City employees.

A. Councillor Shaw moved that the Administration Committee recommend to Council that:

- (1) Recommendations Nos. (2) and (3) embodied in the foregoing report from the Commissioner of Corporate Services be deleted and that the Commissioner of Corporate Services be requested to report back to the Administration Committee on other initiatives to make the store more viable. **(Lost)**
- (2) Recommendation No. (1) embodied in the foregoing report from the Commissioner of Corporate Services be adopted. **(Lost)**

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- (3) the Commissioner of Corporate Services be requested to submit a report to the Administration Committee on the possibility of increasing the publications and other materials available in the Resource Centre. **(Carried)**
- B. Councillor Miller moved that the Commissioner of Corporate Services be requested to include in the Request for Expression of Interest the possibility of a management contract rather than privatization. **(Carried)**
- C. Councillor Bussin moved that the Administration Committee:
- (1) recommend to Council the adoption of the foregoing report from the Commissioner of Corporate Services;
 - (2) that the Request for Expression of Interest be reported back to the Administration Committee for final approval; and
 - (3) that the Advertising Strategy be forwarded to Council through the Administration Committee. **(Carried)**
- D. Councillor Nunziata moved that the Commissioner of Corporate Services be requested to submit a report to the Administration Committee on changing the hours of operation of the Resource Centre to ensure that the Centre is open at a more convenient time for tourists. **(Carried)**

(Clause No. 9 – Report No. 11)

10-7. Attendance Management Program.

The Administration Committee had before it the following communications and report:

- (1) (June 19, 2001) from the Acting City Clerk, advising that the Personnel Sub-Committee on June 19, 2001, amongst other things, recommended to the Administration Committee the adoption of the report (June 4, 2001) from the Commissioner of Corporate Services, entitled “Attendance Management Program” subject to striking out the word “framework” from Recommendation No. (2) contained therein and inserting in lieu thereof the word “conditions” so that the recommendation now reads as follows:
 - “(2) the conditions for defining and reporting absences developed for city departments for the monitoring of attendance be provided to Agencies, Boards and Commissions to enable meaningful comparisons.”; and

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- (2) (June 28, 2001) from the Commissioner of Corporate Services, providing comments, as requested by the Personnel Sub-Committee, on the Attendance Management Program; advising that there are no recommended changes to the proposed Attendance Management Program; and recommending that this report be received for information.

On motion by Councillor Miller, the Administration Committee recommended to Council:

- (1) the adoption of the Recommendation of the Personnel Sub-Committee embodied in the foregoing communication (June 19, 2001) from the Acting City Clerk;
- (2) that the Commissioner of Corporate Services be requested to include in the Attendance Management Program a requirement to use discretion in handling the policy; and
- (3) that management staff be required to refer workplaces where there is above average absenteeism for the Division to Labour-Management Occupational Health Committees for discussion of measures that could improve the health of that workplace.

**(Item considered with Item No. 37)
(Clause No. 3 – Report No. 11)**

**10-8. Customer Services Issues –
Property Standards and Grass Cutting.**

The Administration Committee had before it a communication (June 19, 2001) from the Acting City Clerk, advising that the Personnel Sub-Committee at its meeting held on June 19, 2001, had before it a communication (March 27, 2001) from the City Clerk advising that the Administration Committee at its meeting held on March 27, 2001, had before it a report (February 8, 2001) from the Chief Administrative Officer, respecting issues involved in customer service as it relates to property standards and grass cutting and the steps being taken to address those issues; and referred the aforementioned report to the Personnel Sub-Committee for consideration and the hearing of depositions from representatives of CUPE Local 79, and report thereon to the meeting of the Administration Committee scheduled to be held on May 8, 2001; and that the Personnel Sub-Committee received the foregoing matter.

On motion by Councillor Bussin, the Administration Committee:

- (1) deferred consideration of the foregoing communication until its meeting scheduled to be held on September 6, 2001; and
- (2) requested the appropriate staff in the Works and Emergency Services Department, the Urban Development Services Department and the Economic Development Culture and Tourism Department to meet with interested Councillors prior to the aforementioned meeting of the Administration Committee respecting this matter and submit a further report thereon to the aforementioned meeting of the Committee.

(Chief Administrative Officer; General Manager, Transportation Services; Director, Municipal Licensing and Standards; Manager, Customer Service, Support Services; Quality Assurance Manager, Parks and Recreation; Special Assistant to the Chief Administrative Officer – July 3, 2001)

(Clause No. 25(d) – Report No. 11)

**10-9. Results of the Request For Quotation
No. 0114-01-0057 for Safety Footwear
for Various City of Toronto Departments.**

The Administration Committee had before it a joint report (June 18, 2001) from the Commissioner of Corporate Services and the Interim Chief Financial Officer and Treasurer, advising the results of the Request for Quotation for the supply and delivery of Safety Footwear for the period ending June 30, 2003, in accordance with the specifications and service requirements as required by various City of Toronto departments; requesting authority to award contracts to the recommended bidders; advising that funding will be provided in the appropriate program operating budget accounts as required for budget years 2001, 2002, and up to June 30, 2003; and recommending that:

- (1) the quotations submitted by Collins Safety O/A 3077225 Canada Inc. and Gordon Contract for the supply and delivery of Safety Footwear used by various City of Toronto departments for the period ending June 30, 2003, be accepted as the two lowest quotations received meeting specifications and service requirements as follows:
 - (a) Collins Safety O/A 3077225 Canada Inc. for approximately \$845,757.00 for the supply of safety footwear by truck service supplemented by their Mississauga store when required;

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- (b) Gordon Contract for approximately \$867,610.00 for the supply of safety footwear by store services in the City of Toronto; and
- (2) the appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

Mr. John Colantonio, appeared on behalf of Mr. Safety Shoes, in connection with the foregoing matter, and filed a written submission in regard thereto.

- A. Councillor Soknacki moved that the Administration Committee recommend to Council the adoption of the foregoing joint report from the Commissioner of Corporate Services and the Interim Chief Financial Officer and Treasurer, subject to the necessary funds being available in subsequent years. **(Carried)**
- B. Councillor Miller moved:
 - (1) that the Acting Executive Director of Human Resources be requested to monitor the usage of the safety footwear to determine if truck operations can adequately service the north-east and north-west corners of the City; and
 - (2) that the Director, Corporate Access and Privacy, City Clerk's Division, be requested to submit a report to the Administration Committee on ensuring that bidders are advised that all information in a tender of this type will be made public. **(Carried)**

(Clause No. 4 – Report No. 11)

**10-10. Results of the Request for Quotation No. 0203-01-0014
for the Supply of all Labour Materials, Equipment
and Supervision to Perform Janitorial Services
in Facilities and Real Estate, East District,
Various Wards.**

The Administration Committee had before it a joint report (June 18, 2001) from the Commissioner of Corporate Services and the Interim Chief Financial Officer and Treasurer, advising of the results of the Request for Quotation issued for the supply of all labour, materials, equipment and supervision to perform janitorial services for the

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Facilities and Real Estate Division, East District (at various locations in the former City of Scarborough), for the period August 1, 2001 to July 31, 2004, with the option to renew for two (2) additional one (1) year periods under the same terms and conditions; and recommending that:

- (1) the Quotation submitted by the lowest bidder, Waterford Building Maintenance Inc. in the estimated amount of \$1,900,812.60 including all charges and applicable taxes for the supply of all labour, materials, equipment and supervision to perform janitorial services for the Facilities and Real Estate Division's East District, former City of Scarborough, be accepted for the period of August 1, 2001 to July 31, 2004;
- (2) the prices for the option to renew for two (2) additional one (1) year periods under the same terms and conditions be reviewed by Corporate Services, Facilities and Real Estate Division in co-operation with Purchasing and Materials Management to ensure that funds are available in the Division's Operation; and
- (3) the appropriate City Officials be authorized and directed to take the necessary

The following persons appeared before the Administration Committee in connection with the foregoing matter:

- Mr. Michael Kemp, CUPE Local 416, and filed a written submission in regard thereto; and
- Mr. Garth Smith, CUPE Local 416.

On motion by Councillor Holyday, the Administration Committee recommended to Council the adoption of the foregoing joint report from the Commissioner of Corporate Services and the Interim Chief Financial Officer and Treasurer, subject to the necessary funds being available in subsequent years.

(Clause No. 5 - Report No. 11)

10-11. Quotation for Systems Workstations.

The Administration Committee had before it a joint report (June 20, 2001) from the Commissioner of Corporate Services and the Interim Chief Financial Officer and Treasurer, advising of the results of the Request for Quotation issued for the supply, delivery and installation of Artopex-Image Systems Workstations; and recommending that

the Quotation submitted by Brigholme Business Furnishings be accepted, for the supply, delivery and installation of up to a maximum of 350 units of Artopex-Imagine Systems Workstations in accordance with specifications as required by the Corporate Services Department, Facilities and Real Estate Division, for a total estimated amount of \$1,398,500.00 including all charges and all taxes, being the lowest Quotation received.

On motion by Councillor Miller, the Administration Committee recommended to Council the adoption of the foregoing joint report from the Commissioner of Corporate Services and the Interim Chief Financial Officer and Treasurer, subject to the necessary funds being available in subsequent years.

(Clause No. 6 – Report No. 11)

10-12. Auto Parts Supply Outsourcing.

The Administration Committee had before it a report (May 23, 2001) from the Commissioner of Corporate Services, responding to the Budget Advisory Committee's recommendation to explore opportunities to outsource auto parts supply including the development of a just-in-time strategy and to report on targeted savings to be achieved through such a strategy; advising that there are no financial implications in this report; that Fleet Services is already extensively engaged in just-in-time auto parts supply; that responsibility of auto parts warehousing and distribution of stock inventory is shared between Fleet Services and Purchasing and Materials Management; that the Fleet Future Plan includes a strategy to harmonize responsibility for auto parts warehousing and distribution and investigating options for this services; and recommending that this report be received for information.

On motion by Councillor Miller, the Administration Committee received the foregoing report (May 18, 2001) from the Commissioner of Corporate Services.

(Commissioner of Corporate Services; Director of Fleet Services – July 3, 2001)

(Clause No. 25(e) – Report No. 11)

**10-13. Agencies, Boards and Commissions
Currently Engaging Outside Legal Services.**

The Administration Committee had before it a report (June 18, 2001) from the City Solicitor, reporting, as requested, by the Administration Committee on January 9, 2001, on the Agencies, Boards and Commissions which currently engage outside legal services and the costs of retaining such services; advising that there are no financial implications to this

report; that based on the information provided by the Agencies, Boards and Commissions who do not use the services of the City's Legal Services Division their total combined costs for retaining outside legal services over the past year have been approximately \$360,000.00; and recommending that this report be received for information.

On motion by Councillor Soknacki, the Administration Committee:

- (1) received the foregoing report; and
- (2) requested the City Solicitor to submit a report to the meeting of the Administration Committee scheduled to be held on September 6, 2001, on which functions currently performed by outside legal services at TEDCO and CNEA can be performed by City staff; and the cost and staffing implications; and that TEDCO and CNEA be requested to co-operate with the City Solicitor in this regard.

(City Solicitor; Solicitor, Legal Services Division; President and CEO, TEDCO; President, CNEA – July 3, 2001)

(Clause No. 25(f) – Report No. 11)

**10-14. Fair Wage Policy - Rationale Behind Current
Wage Level Methodology.**

The Administration Committee had before it a report (May 18, 2001) from the Commissioner of Corporate Services, reporting, as requested by the Budget Advisory Committee on March 22, 2001, on the rationale behind the current wage level defined by the City in comparison with the fair wage level of the corresponding positions in the Federal and Provincial Government; advising that there are no financial implications to this report; that there is overwhelming acceptance and support from the construction industry, including the major employer associations for the method that City Council adopted last year; that the current methodology basically reflects what the former cities and former municipalities had in place; that the current methodology was intensely reviewed, scrutinized and debated by City Council over a year ago; that it was emphasized that by supporting approved apprenticeship programs labour costs are reduced even further; that any proposals received from the construction industry on enhancing either the fair wage policy or the fair wage rates and schedules will be brought before the Administration Committee for its consideration; and recommending that this report be received for information.

On motion by Councillor Soknacki, the Administration Committee received the foregoing report (May 18, 2001) from the Commissioner of Corporate Services.

(Clause No. 25(g) – Report No. 11)

10-15. City of Toronto Advertising Policy.

The Administration Committee had before it a report (June 19, 2001) from the Commissioner of Corporate Services, recommending that the former City of Toronto advertising policy pertaining to the rotation of statutory advertising (contained in Clause 2 of Executive Committee Report No. 15, 1988) be revoked and that the City of Toronto Advertising Policy be comprised of the following:

- (1) the purpose of City of Toronto advertising is:
 - (a) to provide accurate, timely and clear information to City of Toronto residents, businesses, visitors and stakeholders about programs, services, policies and employment opportunities;
 - (b) to heighten the visibility of local government, thereby stimulating knowledge, interest and participation in local affairs;
 - (c) to conduct social marketing/public information activities directed at maintaining and improving the quality of city life;
 - (d) to provide accountable, accessible and equitable local government; and
 - (e) to comply with any applicable statutory requirements;
- (2) that all City of Toronto advertising be based upon the following principles:
 - (a) advertising be placed in a manner that is most efficient and effective for the corporation;
 - (b) advertising be based on a communications plan which includes identification and assessment of the target audience and how best to reach the target audience within budget;
 - (c) all advertising comply with the City of Toronto Corporate Identity Program;
 - (d) wherever applicable, all advertising contain the City of Toronto Web site address;

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- (e) all advertising placed by the City of Toronto incorporate the principles of access and equity as outlined in City Council's Corporate Action Plan on Access and Equity (December, 1999) as recommended by the *Task Force on Community Access and Equity* by:
 - (i) eliminating gender stereotyping by ensuring that both sexes are treated with respect and dignity in advertising;
 - (ii) comprising a representative illustration of racial and ethnic minorities and aboriginal peoples;
 - (iii) including a realistic depiction of persons with disabilities in a manner that is dignified, using neutral word descriptions and visuals that focus on the full participation of persons with disabilities in everyday life;
 - (iv) being written in a manner and form that is easily understood by the intended audience, having due regard for varying rates of literacy within the City and the backgrounds of those to whom the advertising is directed. The minimum font size for all type in any advertisement is 10 point; and
 - (v) advertising be placed on an assessment of the languages other than English spoken by the target audience.
- (f) advertising comply with any applicable statutory requirements;
- (3) that Corporate Communications, in cooperation with city programs currently conducting advertising activities, publish a Request For Quotation (RFQ) to seek the lowest available rates for all of the City's advertising from each of the Toronto daily, community, neighbourhood, ethno-specific and third language print and electronic media; and
- (4) that Corporate Communications, in cooperation with the City Clerk and City Solicitor publish a Request For Quotation (RFQ) to establish a single daily print media outlet in which all statutory advertising for the City of Toronto will be placed in a manner and form determined as most cost-effective and efficient for a 3 year term to coincide with the beginning of each new Council.

On motion by Councillor Miller, the Administration Committee recommended to Council:

- (1) the adoption of the foregoing report (June 19, 2001) from the Commissioner of Corporate Services;

- (2) that the advertising be appropriate and placed appropriately for the issue involved; and
- (3) that the Commissioner of Corporate Services be requested to ensure that any advertising in local media including all local media (geographic and cultural) have an equal opportunity to advertise; and consider how to fairly allocate those placements.

(Clause No. 8 – Report No. 11)

10-16. City of Toronto Third Party Outdoor Advertising Program – Proposed Approach to Third Party Outdoor Advertising on City Property and on Certain Public Right-Of-Ways (All Wards).

The Administration Committee had before it a communication (June 8, 2001) from the Acting City Clerk, enclosing for information and any attention deemed necessary Clause No. 9 contained in Report No. 5 of The Economic Development and Parks Committee, headed “City of Toronto Third Party Outdoor Advertising Program, Proposed Approach to Third Party Outdoor Advertising on City Property and on Certain Public Right-of-Ways (All Wards)”, which was adopted, as amended, by the Council of the City of Toronto at its meeting held on May 30, 31 and June 1, 2001; and in so doing directed that this Clause be forwarded to the Works Committee and the Administration Committee for information.

On motion by Councillor Miller, the Administration Committee received the foregoing communication from the Acting City Clerk.

(Clause No. 25(h) – Report No. 11)

10-17. 4100 – 4210 Yonge Street (Yonge Corporation Centre) Appeal 1997879.

The Administration Committee had before it a report (June 18, 2001) from the Interim Chief Financial Officer and Treasurer, providing information, as requested by the Administration Committee on March 27, 2001, as to how the Ontario Property Assessment Corporation (OPAC) determined that the property located at 4100 Yonge Street had vacancies in 1997; advising that the Ontario Property Assessment Corporation has advised that there is no evidence in their file to substantiate that a refund of realty taxes be issued for the 1997 taxation year for vacancies that occurred during the 1997 taxation year for the property located at 4100-4210 Yonge Street and as such, they have asked for the

application to be resubmitted to them for a review and a revised recommendation; that the original recommendation made by the Finance staff to reduce the taxes in the amount of \$53,389.83 is being withdrawn; that once the application with the revised recommendation is received from OPAC, Finance staff will submit to the Administration Committee a new recommendation recommending a "0" tax adjustment; and recommending that this report be received for information.

On motion by Councillor Miller, the Administration Committee received the foregoing report from the Interim Chief Financial Officer and Treasurer.

(Clause No. 25(i)– Report No. 11)

**10-18. Sale of Surplus Vacant Land
East Side of Wilson Heights Boulevard
Between Sunbeam and Faith Avenues
(Ward 10 – York Centre).**

The Administration Committee had before it a report (June 13, 2001) from the Commissioner of Corporate Services, recommending that:

- (1) the Offer to Purchase from 1077558 Ontario Inc. to purchase the parcel of vacant land located on the east side of Wilson Heights Boulevard between Sunbeam and Faith Avenues, in the amount of \$529,900.00, be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding balance of Costing Unit No. CA1200;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as he considers reasonable; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Holyday, the Administration Committee recommended to Council the adoption of the foregoing report (June 13, 2001) from the Commissioner of Corporate Services.

(Clause No. 11 – Report No. 11)

10-19. Sale of Surplus Property

100 Charles Street East

(Ward 27 – Toronto Centre Rosedale)

The Administration Committee had before it a report (June 18, 2001) from the Commissioner of Corporate Services, recommending that:

- (1) the Offer to Purchase from Gerstein Crisis Centre to purchase the City-owned property identified as 100 Charles Street East, in the amount of \$1,750,000.00, be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding balance of Costing Unit No. RE3047;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as he considers reasonable; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Holyday, the Administration Committee recommends to Council the adoption of the foregoing report (June 18, 2001) from the Commissioner of Corporate Services.

(Clause No. 12 – Report No. 11)

10-20. Expropriation of Property Interest,

25 Esandar Drive

(Ward 26 – Don Valley West).

The Administration Committee had before it a report (June 19, 2001) from the Commissioner of Corporate Services, recommending that:

- (1) City Council, as approving authority, approve the expropriation of the property interests detailed in this report;
- (2) authority be granted to take all steps necessary to comply with the *Expropriations Act*, including but not limited to, the preparation and registration of an Expropriation Plan and the service of Notices of Expropriation, Notices of Election as to a Date for Compensation and Notices of Possession;

- (3) the Director of Real Estate be authorized to sign the Notices of Expropriation and Notices of Possession on behalf of the City;
- (4) leave be granted for introduction of the necessary Bill in Council to give effect thereto; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect hereto.

On motion by Councillor Ford, the Administration Committee recommended to Council the adoption of the foregoing report from the Commissioner of Corporate Services.

(Clause No. 13 – Report No. 11)

**10-21. Declaration as Surplus Parcel of Vacant Land
known Municipally as 10 Glenarden Road
(Ward 21 – St. Paul’s).**

The Administration Committee had before it a report (June 18, 2001) from the Commissioner of Corporate Services, recommending that:

- (1) the property known municipally as 10 Glenarden Road, described as being part of Lot 7, Registered Plan 1752, be declared surplus to the City’s requirements, and the property be offered for sale to the abutting property owner at 12 Glenarden Road, and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Soknacki, the Administration Committee recommended to Council the adoption of the foregoing report (June 18, 2001) from the Commissioner of Corporate Services.

(Clause No. 14 – Report No. 11)

**10-22. Declaration as Surplus Parcel of
Vacant Land Located at the
Rear of 360 Evans Avenue
(Ward 6 – Etobicoke Lakeshore).**

The Administration Committee had before it a report (June 18, 2001) from the Commissioner of Corporate Services, recommending that:

- (1) the parcel of vacant land located at the rear of 360 Evans Avenue, described as part of Lot 58 on Registered Plan 1023 and shown as Part 2 on the attached sketch, be declared surplus to the City's requirements, subject to the retention of an easement for any existing City services that may be located in the property, and offered for sale to the abutting property owner at 360 Evans Avenue, and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Nunziata, the Administration Committee recommended to Council the adoption of the foregoing report (June 18, 2001) from the Commissioner of Corporate Services.

(Clause No. 15 – Report No. 11)

**10-23. Declaration as Surplus
14 Byng Avenue
(Ward 35 – Scarborough Southwest)**

The Administration Committee had before it a report (June 18, 2001) from the Commissioner of Corporate Services, recommending that:

- (1) the property known municipally as 14 Byng Avenue, described as being Lots 33, 34, 35, 36 and part of Lot 37 and part of a Lane on Registered Plan 2238, also designated Parts 2 & 3 on Reference Plan 64R-7386, be declared surplus to the City's requirements, and the property be offered for sale on the open market, and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Holyday, the Administration Committee recommended to Council the adoption of the foregoing report (June 18, 2001) from the Commissioner of Corporate Services.

(Clause No. 16 – Report No. 11)

**10-24. Renewal of Term – Encroachment Agreement
with Beatty Machine Tool and Works Limited
103 Crockford Boulevard-Scarborough
(Ward 37 – Scarborough Centre.)**

The Administration Committee had before it a report (May 28, 2001) from the Commissioner of Corporate Services, respecting the Renewal of Term – Encroachment Agreement with Beatty Machine Tool and Works Limited – 103 Crockford Boulevard, Scarborough; and recommending that:

- (1) as per the renewal option exercised by the Tenant, the Encroachment Agreement be renewed for a further term of ten (10) years, subject to the same terms and conditions save and except for a new annual fee at the rate of \$400.00, net; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Holyday, the Administration Committee recommended to Council the adoption of the foregoing report (May 28, 2001) from the Commissioner of Corporate Services.

(Clause No. 20 – Report No. 11)

**10-25. Delegation of Authority to City Solicitor
to Continue the Court Action to Recover
Childcare Subsidy Overpayment.**

The Administration Committee had before it a confidential report (June 18, 2001) from the City Solicitor, seeking authority for the City Solicitor to continue court action to recover childcare subsidy overpayment.

The Administration Committee was advised by the Legal Division that the foregoing report from the City Solicitor, was incorrectly marked "confidential" and should be considered publicly having regard that there is no requirement for it to be considered in-cameral as it does not identify individuals.

- A. Councillor Soknacki moved that the Administration Committee recommend to Council the adoption of the foregoing report from the City Solicitor. **(Carried)**

- B. Councillor Bussin moved that the City Solicitor be requested to submit a report directly to Council for its meeting scheduled to be held on July 24, 2001, on the costs to the Legal Division to pursue this claim and the rationale therefor. **(Carried)**

(Clause No. 22 – Report No. 11)

**10-26. Declaration as Surplus - Parcel of Vacant Land
Located on the East Side of Everett Crescent,
North of Wallington Avenue
(Ward 31 – Beaches-East York).**

The Administration Committee had before it a report (June 18, 2001) from the Commissioner of Corporate Services, recommending that:

- (1) the parcel of vacant land located on the east side of Everett Crescent, north of Wallington Avenue, more particularly described as part of Lot 62 on Plan 2025, be declared surplus to the City's requirements and offered for sale on the open market and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and

- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Miller, the Administration Committee recommended to Council the adoption of the foregoing report (June 18, 2001) from the Commissioner of Corporate Services.

(Clause No. 17 – Report No. 11)

**10-27. Printing and Distribution Unit
Procurement Procedures.**

The Administration Committee had before it a joint report (June 14, 2001) from the Acting City Clerk and the Commissioner of Corporate Services, recommending that:

- (1) despite the provisions of Chapter 195 of the Municipal Code, the City Clerk or his or her designate have the authority to obtain competitive quotes for print production services, provided that:
 - (a) the procurements are limited to pre-press production, printing/reproduction, bindery and finishing services;
 - (b) the value of the procurement for any of the above functions not exceed \$100,000.00 in any one instance;
 - (c) a minimum of 3 bidders be selected from a list of prequalified bidders;
 - (d) bids, when submitted electronically, be received through the use of a dedicated, secure facsimile system, and the function of receiving the quotes be segregated from the evaluation process;
 - (e) the Purchasing and Materials Management Division continue to be provided with full documentation on each award, including copies of all bids received; and
 - (f) Departmental Purchase Orders be issued for any commitment under \$7,500.00, and Purchase Orders, through the offices of the Purchasing and Material Management Division, continue to be issued for any commitments over \$7,500.00.
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Holyday, the Administration Committee recommended to Council the adoption of the foregoing joint report (June 14, 2001) from the Acting City Clerk and the Commissioner of Corporate Services.

(Clause No. 23 – Report No. 11)

**10-28. Purchase of 75 Lee Avenue
(Ward 32 – Beaches-East York)**

The Administration Committee had before it a confidential report (June 25, 2001) from the President, Toronto Parking Authority, respecting the purchase of 75 Lee Avenue, such report to be considered in-camera having regard that the subject matter relates to the acquisition of land for municipal purposes.

On motion by Councillor Bussin, the Administration Committee recommended to Council the adoption of the foregoing confidential report (June 25, 2001) from the President, Toronto Parking Authority, entitled "Purchase of 75 Lee Avenue (Ward 32 – Beaches East York)", which was forwarded to Members of Council under confidential cover; and further that in accordance with the Municipal Act, discussions pertaining thereto be held in-camera having regard that the subject matter relates to the acquisition of property.

(Clause No. 10 – Report No. 11)

**10-29. Café on the Square – City Hall
Catering Exclusivity
(Ward 27 – Toronto Centre-Rosedale)**

The Administration Committee had before it a confidential report (June 25, 2001) from the Commissioner of Corporate Services, respecting the Cafe On The Square, such report to be considered in-camera having regard that the subject matter relates to litigation or potential litigation.

Councillor Duguid, Scarborough Centre, appeared before the Administration Committee in connection with the foregoing matter.

On motion by Councillor Nunziata, on behalf of Councillor Duguid, the Administration Committee:

- (1) received the foregoing confidential report from the Commissioner of Corporate Services; and

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- (2) requested the Commissioner of Corporate Services to submit a report to the meeting of the Administration Committee scheduled to be held on September 6, 2001, with an analysis that demonstrates whether or not the City is receiving value for the leasing of the space occupied by Café on the Square by comparing the value received by the City to the current lease rates for restaurant uses in the downtown Toronto area.

(Commissioner of Corporate Services; Director of Real Estate Services; Senior Property Manager; c. Councillor Brad Duguid – July 3, 2001)

(Clause No. 25(j) – Report No. 11)

10-30. Photocopier Lease – Implicit Interest Rate.

The Administration Committee had before it a confidential report (June 25, 2001) from the City Auditor, respecting the proposed agreement for the lease of photocopiers such report to be considered in-camera having regard that the subject matter may involve matters which may not be disclosed pursuant to the Municipal Freedom of Information and Protection of Privacy Act.

**(Item considered with Item No. 10-33.
See Minute Number 10-33 for the decision of the Committee.)**

(Clause No. 7 – Report No. 11)

**10-31. Compliance Audit Requests Under
The Municipal Elections Act, 1996.**

The Administration Committee had before it a report (June 28, 2001) from the Acting City Clerk, recommending that Council make a decision, as required by the *Municipal Elections Act, 1996*, to either:

- (1) (a) grant the application for a compliance audit of the election campaign finances of Councillor Mario Silva, appoint Mr. B.G. Nayman as auditor to conduct the audit and report directly back to Council at its meeting of July 24, 2001, and adopt the resolution attached as Appendix “F” to this report; or
- (b) reject the application for a compliance audit of the election campaign finances of Councillor Mario Silva;

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- (2) (a) grant the application for a compliance audit of the election campaign finances of Councillor Anne Johnston, appoint Mr. B.G. Nayman as auditor to conduct the audit and report directly back to Council at its meeting of July 24, 2001, and adopt the resolution attached as Appendix "G" to this report; or
- (b) reject the application for a compliance audit of the election campaign finances of Councillor Anne Johnston.

The Administration Committee also had before it a communication (July 3, 2001) addressed to Councillor Anne Johnston from Mr. David Green, Yonge Eglinton Centre, with respect to her tenancy at the Yonge-Eglinton Centre during the 44 day period of October 2, 2000 to November 14, 2000.

Mr. Adam Giambrone, appeared before the Administration Committee in connection with the foregoing matter, and filed a written submission in regard thereto.

- A. Councillor Soknacki moved that the Administration Committee recommend to Council the adoption of Recommendations Nos. 1(b) and 2(b) embodied in the foregoing report from the Acting City Clerk. **(Carried)**
- B. Councillor Bussin moved that City of Toronto Council request the Minister of Municipal Affairs to amend the Municipal Elections Act, 1996, to provide that compliance audit requests be directed to the Commission of Election Finances, now part of Elections Ontario, rather than to the Municipal Council. **(Carried)**

(Clause No. 24 – Report No. 11)

**10-32. Declaration as Surplus – A Portion of
the Keele Valley Landfill Site (Vaughan).**

The Administration Committee had before it a joint report (June 25, 2001) from the Commissioner of Corporate Services and the Commissioner of Works and Emergency Services, recommending that:

- (1) the portion of the Keele Valley Landfill site, shown as Part 1 on the attached sketch and more particularly described as Part 52 and portions of Parts 11 and 16 on Reference Plan 65R-5832 (the "Buffer Lands"), be declared surplus to the City's requirements;

- (2) the Commissioner of Corporate Services, in consultation with the Commissioner of Works and Emergency Services, be authorized to enter into negotiations with York Major Holdings Inc. ("York Major") for a possible land exchange of the Buffer Lands for other lands owned by York Major and to report back to the Administration Committee on the outcome of such negotiations;
- (3) all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken;
- (4) the Commissioner of Corporate Services, in consultation with the Commissioner of Works and Emergency Services, be authorized and directed to initiate discussions with the City of Vaughan to obtain its approval to acquire land in the City of Vaughan for waste management purposes, in accordance with the requirements of section 208.3 of the *Municipal Act* in the event that City Council subsequently approves a land exchange transaction with York Major; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Holyday, the Administration Committee recommended to Council the adoption of the foregoing joint report (June 25, 2001) from the Commissioner of Corporate Services and the Commissioner of Works and Emergency Services.

(Clause No. 18 – Report No. 11)

**10-33. Leasing Services for Photocopiers for a Three (3)
Year Period – Quotation Request No. 3406-01-3131
Photocopier Lease – Implicit Interest Rate.**

The Administration Committee had before it a joint report (July 3, 2001) from the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer, advising that at the April 2001 Council session, Council directed the Commissioner of Corporate Services to issue a Request for Proposal with respect to a leasing agent of the photocopier equipment, 2001 purchases, and that the Local Authority Services of the Association of Municipalities of Ontario be also invited to submit a bid; that a Request for Proposal is a method of competitive purchasing of goods and services when the requirements or services cannot be definitely specified and the expertise of the marketplace is sought to propose specific solutions to fulfill the requirement at the best

possible value; that a Request for Quotation is used when a specification is available for the requirement and price is a determining factor; that although Council directed the issuance of a Request for Proposal, a Request for Quotations was deemed to be the most appropriate method of obtaining competitive quotations due to the availability of specified requirements with price being a major awarding factor; and recommending that the Quotation submitted by MFP Financial Services be accepted to provide leasing services for photocopiers to the City of Toronto for a three (3) year period in accordance with the requirements of the Information and Technology Division of the Corporate Services Department, being the lowest quotation received.

The Administration Committee also had before it a confidential report (June 25, 2001) from the City Auditor, respecting the proposed agreement for the lease of photocopiers such report to be considered in-camera having regard that the subject matter may involve matters which may not be disclosed pursuant to the Municipal Freedom of Information and Protection of Privacy Act.

On motion by Councillor Miller, the Administration Committee:

- (1) recommended to Council the adoption of the foregoing joint report (July 3, 2001) from the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer; and
- (2) received the aforementioned confidential report (June 25, 2001) from the City Auditor.

(Clause No. 7 – Report No. 11)

**10-34. Information on 1000 Finch Avenue West
(Ward 8 – York West).**

The Administration Committee had before it a confidential report (June 27, 2001) from the Commissioner of Corporate Services, providing information respecting 1000 Finch Avenue West such report to be considered in-camera having regard that the subject matter relates to the acquisition of property.

On motion by Councillor Miller, the Administration Committee:

- (1) received the foregoing confidential report from the Commissioner of Corporate Services, entitled "Information on 1000 Finch Avenue West (Ward 8, York West)", which was forwarded to Members of Council under confidential cover;

- (2) directed that the aforementioned confidential report be forwarded to Council for information; and

that in accordance with the Municipal Act, discussion pertaining thereto be held in-camera having regard that the subject matter relates to the security of the property of the municipality or local board.

(Clause No. 21 – Report No. 11)

**10-35. Declaration as Surplus
39 Newcastle Street
(Ward 6 – Etobicoke-Lakeshore).**

The Administration Committee had before it a report (June 28, 2001) from the Commissioner of Corporate Services, recommending that:

- (1) the property known municipally as 39 Newcastle Street, save and except Part 1 on Reference Plan 64R-11339, be declared surplus to the City's requirements and offered for sale on the open market, and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Holyday, the Administration Committee recommended to Council the adoption of the foregoing report (June 28, 2001) from the Commissioner of Corporate Services.

(Clause No. 19 – Report No. 11)

**10-36. Lawyer Staffing Issues
Within Legal Division.**

The Administration Committee had before it a joint confidential report (June 27, 2001) from the City Solicitor and the Commissioner of Corporate Services, reporting on staffing issues which have emerged relating to professional staff within the Legal Division.

Councillor Berardinetti appointed Councillor Nunziata Acting Chair and left the Chair.

On motion by Councillor Berardinetti, the Administration Committee withdrew the foregoing joint confidential report from the City Solicitor and the Commissioner of Corporate Services; and directed that a report respecting staffing issues in the Legal Division be submitted to the September 6, 2001, meeting of the Administration Committee.

Councillor Berardinetti resumed the Chair.

(City Solicitor; Commissioner of Corporate Services – July 3, 2001)

(Clause No. 25(k) – Report No. 11)

10-37. Attendance Management Program.

The Administration Committee had before it a report (June 28, 2001) from the Commissioner of Corporate Services, providing comments, as requested by the Personnel Sub-Committee, on the Attendance Management Program; advising that there are no recommended changes to the proposed Attendance Management Program; and recommending that this report be received for information.

**(Item considered with Item No.7-10.
See Minute No. 7-10.)**

**10-38. Toronto Youth Cabinet -
Office Space.**

The Administration Committee had before it a communication (June 29, 2001) addressed to Councillor Lorenzo Berardinetti from Mr. Michael Foderick, Executive Member, Toronto Youth Cabinet, regarding the need for expanded office space for the Toronto Youth Cabinet.

Councillor Berardinetti appointed Councillor Nunziata Acting Chair and vacated the Chair.

On motion by Councillor Berardinetti, the Administration Committee referred the foregoing communication to the Commissioner of Corporate Services for report thereon to the Administration Committee.

Councillor Berardinetti resumed the Chair.

(Commissioner of Corporate Services; Director of Real Estate; c.
Mr. Michael Foderick, Executive Member, Toronto Youth Cabinet –
July 3, 2001)

(Clause No. 25(1) – Report No. 11)

**10-39. Request to Investigate the Possibility
of Protecting an Important Piece of
Toronto's Cultural and Natural Heritage.**

The Administration Committee had before it a communication (June 29, 2001) from Mr. Glenn De Baermemaeker, President, Save the Rouge Valley System, regarding a request to investigate the possibility of protecting an important piece of Toronto's cultural and natural heritage.

Councillor Berardinetti appointed Councillor Nunziata Acting Chair and vacated the Chair.

On motion by Councillor Berardinetti, the Administration Committee referred the foregoing communication to the Commissioner of Corporate Services for report thereon to the Administration Committee.

Councillor Berardinetti resumed the Chair.

(Commissioner of Corporate Services; Director of Real Estate; c.
President, Save the Rouge Valley System – July 3, 2001)

(Clause No. 25(m) – Report No. 11)

The Committee adjourned its meeting at 7:12 p.m.

Chair