

THE CITY OF TORONTO

City Clerk's Division

**Minutes of the Policy and Finance Committee
and the Community Services Committee**

Meeting No. 1

Thursday, September 20, 2001

The Policy and Finance Committee and the Community Services Committee met on Thursday, September 20, 2001, in Committee Room 1, 2nd Floor, City Hall, Toronto, commencing at 2:10 p.m.

Attendance

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

Policy and Finance Committee	2:10 p.m. to 6:25 p.m.
Mayor Mel Lastman, Chair	X
Councillor Sandra Bussan	X
Councillor Norman Kelly	X
Councillor Gloria Lindsay Luby	X
Councillor Pam McConnell	X
Councillor Denzil Minnan-Wong	X
Councillor Case Ootes, Vice Chair	X
Councillor Kyle Rae	X
Councillor David Shiner	X
Councillor Paul Sutherland	X

Community Services Committee	2:10 p.m. to 6:25 p.m.
Councillor Brad Duguid, Chair	X
Councillor Olivia Chow	X
Councillor Suzan Hall	X
Councillor Anne Johnston	X
Councillor Norman Kelly	X
Councillor Joe Mihevc	X
Councillor Michael Prue	-
Councillor Michael Walker	X

Councillor Brad Duguid, Chair, Community Services Committee, assumed the Chair.

**1-1. Shareholder Direction to the Toronto
Community Housing Corporation (TCHC).**

The Policy and Finance Committee and the Community Services Committee had before them a joint report (September 12, 2001) from the Acting Chief Administrative Officer and City Solicitor recommending that:

- (1) Council approve the attached Shareholder Direction of Toronto City Council to the Board of Directors of the Toronto Community Housing Corporation, to be effective on the date of the appointment of the Board of Directors;
- (2) Council approve the remuneration of TCHC Directors in the amount of \$500 per Board meeting, and the remuneration of the Chair at \$10,000 per annum plus \$500 per Board meeting;
- (3) Council approve the attached amendments to the Articles of Incorporation;
- (4) Council approve the attached amended By-law Number 2 of the Toronto Community Housing Corporation;
- (5) Council appoint the Directors appointed to the Toronto Community Housing Corporation Board to the Toronto Housing Company in replacement of the current Board and create a common membership between the two Boards;
- (6) the Commissioner of Community and Neighbourhood Services enter into an Operating Agreement with the Toronto Community Housing Corporation, in accordance with Section 7 of the Shareholder Direction, for the purpose of setting out the funding and program administration framework between the two parties;
- (7) the firm of Ernst and Young be appointed as the auditors of the Toronto Community Housing Corporation for the 2001 and 2002 fiscal years, subject to entering into contractual arrangements acceptable to the City;
- (8) the Board of Directors of TCHC be immediately requested by the Chief Administrative Officer to develop the policies and processes on eviction prevention, a tenant complaints process, fair wages for contracted services, and employment matters at the earliest possible time and report to Council in a manner consistent with the Shareholder Direction;

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- (9) the Chief Administrative Officer report back to Council no later than the Council meeting of December 4, 2001 on the actions taken by the Board of Directors of TCHC on the resolution of employment matters that have been raised by representatives of the Toronto Housing Company bargaining units and non-bargaining unit staff; and
- (10) the appropriate City Officials and the Boards of Directors of the Toronto Housing Company and Metro Toronto Housing Corporation be authorized and directed to take the necessary action to give effect to the foregoing recommendations; and

advising that there are no direct financial implications resulting from the approval of the Shareholder Direction, amendments to the Articles of Incorporation or TCHC By-law Number 2.

The Policy and Finance Committee and the Community Services Committee also had before them communications from the following outlining their concerns, comments, issues, or recommendations with respect to the draft Shareholder Direction for the Toronto Community Housing Corporation:

- (i) (September 4, 2001) from Mr. Bruce Rivers, Executive Director, Children's Aid Society of Toronto;
- (ii) (September 7, 2001) from Ms. Sandy Nimmo, Chairperson, City Wide Tenant Council;
- (iii) (September 18, 2001) from Ms. Maeve Sullivan, West Toronto Community Legal Services;
- (iv) (September 19, 2001) from Ms. Angie Hains, Chairperson, Toronto Non-Profit Housing Providers Network;
- (v) (September 19, 2001) from Ms. Jill McNall, Community Legal Worker, Willowdale Community Legal Services, on behalf of the Interclinic Public Housing Workgroup;
- (vi) (September 20, 2001) Briefing Note respecting remuneration for citizens appointed by Council to City and External Boards;
- (vii) (September 18, 2001) from The Joint Working Group of MTHC and THC, submitting a paper, entitled "Respecting Our Diverse Pasts: Building Our Common Future"; and

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(viii) (September 20, 2001) from Mr. Tom Clement, Executive Director, Co-operative Housing Federation of Toronto.

The Acting Chief Administrative Officer provided the Policy and Finance Committee and the Community Services Committee with an overhead presentation on the Toronto Community Housing Corporation, and filed a copy of her presentation.

The following persons appeared before the Policy and Finance Committee and the Community Services Committee in connection with the foregoing matter:

- Ms. Irene Jaakson, Advisory Committee on Homeless and Socially Isolated Persons, and filed a written submission in regard thereto;
- Ms. Ann Fitzpatrick, Children's Aid Society of Toronto, and filed a written submission in regard thereto;
- Ms. Pat McKendry, Tenant Representative, City Wide Tenant Council (of the Toronto Housing Company), and filed a written submission in regard thereto;
- Ms. Sandy Nimmo, Volunteer Chairperson, City Wide Tenant Council (of the Toronto Housing Company);
- Ms. Judy Vellend, Homelessness Action Group, and filed a written submission in regard thereto;
- Ms. Josephine Grey;
- Ms. Carolyn Fenn, Greenbrae Residents Group, Coalition of the Public Housing Fightback, and filed a written submission in regard thereto;
- Ms. Sarah Shartel, Member, Toronto and York Region Labour Council, and filed a written submission in regard thereto;
- Mr. John Ford, Staff Representative, OPSEU Local 592;
- Ms. Amber Kellen, Co-Chair, Sub-Committee for Long-Term Prevention Issues, Advisory Committee on Homeless and Socially Isolated Persons;
- Mr. Tim Rourke, and filed a written submission in regard thereto;

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- Ms. Kris Devon and Ms. Linda McCormick, Advisory Council of Toronto Social Housing Connections, and filed a written submission in regard thereto;
- Mr. Vance Latchford, Principal, Latchford Associates;
- Ms. Holly McKean;
- Mr. Albert B. Hoogenboom, Broadway Courtyard and Tenants' Association and City Wide Tenant Council, and filed a written submission in regard thereto;
- Mr. John Cartwright, Business Manager, Toronto - Central Ontario Building and Construction Trades Council, and filed a written submission in regard thereto;
- Mr. Brian Cochrane, President, Toronto Civic Employees' Union, Local 416 CUPE, and filed a written submission in regard thereto;
- Mr. Larry Heitner;
- Ms. Juanita Downey, Agnes McPhail Community, East District, and filed a written submission in regard thereto;
- Ms. Tricia De Roche, Youth Housing Outreach Project, and filed a written submission in regard thereto;
- Mr. Rick Coveyduck, Anti-Ableism Committee, and filed a written submission in regard thereto;
- Mr. Tim Maguire, City Unit Officer, Canadian Union of Public Employees Local 79, and filed a written submission in regard thereto; and
- Ms. Patricia Duck.

The following Member of Council also appeared before the Policy and Finance Committee and the Community Services Committee in connection with the foregoing matter:

- Councillor David Soknacki, Scarborough Highland Creek, Ward 16, requesting that the remuneration for the Board of Directors be reduced to \$250.00 per meeting.

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The Policy and Finance Committee and the Community Services Committee jointly:

- (A) recommended to Council the adoption of the joint report (September 12, 2001) from the Acting Chief Administrative Officer and the City Solicitor; and **(Motion by Councillor Kelly)**
- (B) referred the following motions to the Acting Chief Administrative Officer with a request that she report thereon directly to Council for its meeting scheduled to be held on October 2, 2001:

Moved by Councillor Pam McConnell:

“(1) Section 3 - Objectives and Principles - Staff Continuity:

- (a) That the Shareholder Direction Section 3.2.1 under the heading ‘Shareholder Objectives’ be amended to read as follows:

‘TCHC will employ City staff and, subject to the terms of this direction, be responsible for the management of its housing portfolio’;

- (b) that there be no further privatization or contracting out of programs, services or property management functions;
- (c) that there be a place reserved on the Board of Directors for a member of organized labour;
- (d) that programs, services and property management functions currently performed by private contractors be re-examined with a view to insourcing them for greater accountability, quality and control;

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- (e) that the TCHC be required to report to Council on any plans it has to privatize and/or contract-out work, including the use of private property management firms and the contracting-out of work currently performed by City employees.
- (2) Section 3 - Objectives and Principles:
- (a) That the Shareholder Direction Section 3.3.1 under the heading 'Principles' be amended by adding thereto the following:
 - (i) TCHC recognizes that housing is a right and a basic need, as recognized by the UN Declaration on Human Rights;
 - (ii) TCHC recognizes that public housing is a public service and should be publicly administered and publicly delivered;
 - (iii) TCHC recognizes that resident driven participation in decision-making is the key to successful delivery;
 - (b) that the Shareholder Direction Section 3.3.2 under the heading 'Principles' be amended by adding thereto the following:
 - '(k) recognize that social housing serves tenants of low and moderate incomes and accommodate the special needs of those tenants; and
 - (l) be accountable to the City of Toronto and City Council.'
- (3) Service Quality and Consistency:
- (a) that the City provide a detailed analysis of the benefits and liabilities of incorporating under the Social Housing Reform Act, and how it will impact on Council's ability to make decisions regarding the Housing Company and the provision of housing services;

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- (b) that the TCHC be required to report to Council immediately if the Corporation is no longer able to comply with the requirements of the Shareholder Direction; and
 - (c) that the Shareholder Direction Section 4.2 under the heading 'Creation of Subsidiary Companies' be amended to provide that the Shareholder Direction specifically require Council approval for the creation of any subsidiary companies.
- (4) Section 8 - Governing Directions:
- (a) That the Shareholder Direction Section 8.1 under the heading 'Tenant Participation' be amended to provide that:
 - (i) the Shareholder Direction specifically require the TCHC to adopt the tenant involvement process, designed by tenants, that provides for democratic tenant representation;
 - (ii) the Shareholder Direction require the TCHC to maintain the current commitment to promoting and facilitating tenant involvement, including a commitment to fund these efforts to at least the current level; and
 - (iii) the Shareholder Direction include a requirement to actively engage tenants in the policy development process;
 - (b) that Section 8.3 under the heading 'Other Matters' be amended to provide that the Shareholder Direction include a requirement to establish an independent Ombudsperson to accept tenant complaints and act on behalf of tenants to resolve issues.

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- (5) Compliance with City Policies:
- (a) that the TCHC shall adhere to an eviction policy that is consistent with the Council policy on evictions; and that the Acting Chief Administrative Officer be requested to forward to Council a draft policy for approval that shall be incorporated into the Shareholder Direction or in the by-laws of the Corporation, as appropriate;
 - (b) that the TCHC shall adhere to a human rights and harassment policy that is consistent with the Council policy; and that the Acting Chief Administrative Officer be requested to forward to Council a draft policy for approval that shall be incorporated into the Shareholder Direction or in the by-laws of the Corporation, as appropriate;
 - (c) that the TCHC shall adhere to a property standards policy that is consistent with the property standards enforced by the City; and that the Acting Chief Administrative Officer be requested to forward to Council a draft policy for approval that shall be incorporated into the Shareholder Direction or in the by-laws of the Corporation, as appropriate;
 - (d) that the TCHC shall adhere to a conflict of interest policy that is consistent with the Council policy; and that the Acting Chief Administrative Officer be requested to forward to Council a draft policy for approval that shall be incorporated into the Shareholder Direction or in the by-laws of the Corporation, as appropriate;
 - (e) that the TCHC shall adhere to a purchasing and financial accountability policy that is consistent with the Council policy on transparency of financial transaction, tendering and open and accountable public spending; and that the Acting Chief Administrative Officer be requested to forward to Council a draft policy for approval that shall be incorporated into the Shareholder Direction or in the by-laws of the Corporation, as appropriate;

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- (f) that the TCHC shall adhere to a Fair Wage policy that is consistent with the City's policy; and that the Acting Chief Administrative Officer be requested to forward to Council a draft policy for approval that shall be incorporated into the Shareholder Director or in the by-laws of the Corporation, as appropriate.
- (6) Consistency in Service:
- That the Shareholder Direction be amended to provide that:
- (a) the TCHC shall not sell any property without Council approval;
 - (b) the TCHC shall not convert the use of any property (including conversions from use by specific client groups, such as seniors) without Council approval; and
 - (c) the TCHC shall continue the practice of the Toronto Housing Company in being a provider of affordable housing and an advocate for affordable housing.
- (7) That, prior to the meeting of City Council on October 2, 2001, the Acting Chief Administrative Officer be requested to convene a meeting with the Members of Council who have been involved in the preparation of the foregoing motions (1) to (6), in order to discuss her responses to such motions.
- (8) That the Acting Chief Administrative Officer be requested to submit to Council for its meeting scheduled to be held on October 2, 2001, a report on the concerns raised in the depositions around income verification and eviction procedures, particularly in light of the fragility of many of the tenants served by the two housing companies; and that resolutions to these matters be included in either the Shareholder Direction or through the Community Management Plan.

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- (9) That Council recommend to the Board of Directors of the Toronto Community Housing Corporation that a committee be established to outline options and protocols for conversion of housing co-operatives; that the Co-operative Housing Federation of Toronto be a member of such committee; and further that the Board of Directors report back to Council on this issue as part of the Community Management Plan.”

Moved by Councillor Joe Mihevc:

- “(1) That, if the motions under ‘(5) Compliance with City Policies’ by Councillor McConnell are not adopted, City Council recommend to the new Board of Directors of the Toronto Community Housing Corporation the adoption of:
- (a) a Fair Wage policy consistent with that of the City of Toronto;
 - (b) a Human Rights and Harassment Policy consistent with that of the City of Toronto;
 - (c) a Conflict of Interest policy consistent with that of the City of Toronto; and
 - (d) a purchasing policy consistent with that of the City of Toronto.
- (2) That the new Toronto Community Housing Corporation be made aware that it is Council’s desire that the practice of the current Toronto Housing Company with respect to evictions be adopted until new policies and practices are adopted by the new Board.
- (3) That the Board of Directors of the Toronto Community Housing Corporation be requested to establish a procedure for dealing with City by-law infractions (property standards, heating, etc.) and any appeals in an arm’s length fashion that can address compliance in a fair and expeditious manner.”

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Moved by Councillor Olivia Chow:

“(1) That Recommendation No. (8) contained in the joint report of the Acting Chief Administrative Officer and the City Solicitor be amended to read as follows:

‘(8) the Board of Directors of TCHC be immediately requested by the Chief Administrative Officer to develop the policies and processes on eviction prevention, a democratic tenants’ participation system and structure, a tenant complaints process, fair wages for contracted services, and employment matters by April 2002, and report to Council in a manner consistent with the Shareholder Direction;’

(2) That the Shareholder Direction Section 9.2 under the heading ‘Annual Report’ be amended by adding thereto the following:

‘(g) information regarding the number of evictions each year, the rationale and the cost of these evictions.’”

Moved by Councillor Gloria Lindsay Luby:

“(1) That Recommendation No. (2) contained in the joint report of the Acting Chief Administrative Officer and the City Solicitor be amended by deleting the amount of ‘\$500.00’ and inserting in lieu thereof the amount of ‘\$250.00’.

or

(2) That Recommendation No. (2) contained in the joint report of the Acting Chief Administrative Officer and the City Solicitor be amended to provide that the remuneration paid to Board Members be capped at \$10,000.00 per year.

(3) That City Council request that the Metro Toronto Housing Corporation and the Toronto Housing Company communicate in a timely manner to all tenants and employees the decisions reached by City Council concerning the Toronto Community Housing Corporation Shareholder Direction and the composition of the Board of Directors.”

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Moved by Councillor Suzan Hall:

“That the Acting Chief Administrative Officer be requested to report directly to Council for its meeting on October 2, 2001, on an annual maximum remuneration for Board Members of the Toronto Community Housing Corporation.”

Moved by Councillor Sandra Bussin:

- “(1) That the new Board of Directors of the Toronto Community Housing Corporation be requested to follow Council's existing sale of surplus property policy with respect to the Wineva-Hubbard properties.
- (2) That a protocol be established in terms of the restructuring of any portfolio leading towards the sale of properties.”

(Motion to refer the foregoing motions to the Acting Chief Administrative Officer by Councillor Mihevc)

A recorded vote on the adoption of the joint report (September 12, 2001) from the Acting Chief Administrative Officer and the City Solicitor, and the referral of the foregoing motions to the Acting Chief Administrative Officer, was as follows:

FOR: Duguid, Hall, Kelly, Lastman, Lindsay Luby, Minnan-Wong, Ootes, Shiner, Sutherland

AGAINST: Bussin, Chow, Johnston, McConnell, Mihevc, Rae Walker.

The following motions were **voted on and lost**:

- A. Councillor Walker moved that this matter be forwarded to Council without recommendation.

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- B. Councillor Johnston moved that the Policy and Finance Committee and the Community Services Committee defer consideration of this matter and that all motions be referred to the Acting Chief Administrative Officer for report thereon to a joint meeting of the Policy and Finance Committee and the Community Services Committee. **(Lost on the following recorded vote:**

FOR: Bussin, Chow, Johnston, McConnell, Mihevc, Rae Walker

AGAINST: Duguid, Hall, Kelly, Lastman, Lindsay Luby, Minnan-Wong, Ootes, Shiner)

The Policy and Finance Committee and the Community Services Committee adjourned their joint meeting at 6:25 p.m.

Chair.