

THE CITY OF TORONTO

City Clerk's Division

Minutes of the Administration Committee

Meeting No. 8

Tuesday, September 10, 2002.

The Administration Committee met on Tuesday, September 10, 2002, in Committee Room 1, 2nd Floor, City Hall, Toronto, commencing at 9:35 a.m.

Attendance

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

| | 9:35 a.m. to 12:33 p.m. | 2:05 p.m. to 2:35 p.m. | In-Camera 2:35 p.m. to 4:22 p.m. | 4:22 p.m. to 5:45 p.m. |
|---|----------------------------|---------------------------|--|---------------------------|
| Councillor Brian Ashton | X | X | X | X |
| Councillor Rob Ford | X | | | |
| Councillor Doug Holyday, Chair | X | X | X | X |
| Councillor Anne Johnston | X | X | X | X |
| Councillor David Miller | X | X | X | X |
| Councillor Frances Nunziata Vice-Chair | X | A | A | A |
| Councillor Paul Sutherland | X | X | X | X |
| Councillor David Soknacki | X | X | X | X |

Regrets:

Councillor Frances Nunziata (Afternoon Session).

Confirmation of Minutes.

On motion by Councillor Ford, the Administration Committee confirmed the Minutes of its meeting held on June 25, 2002 and its special meeting held on July 16, 2002.

8.1 New 'IT' Strategic Plan - "e-City".

Mr. James Ridge, Executive Director of Information and Technology, delivered a presentation respecting the new "IT" Strategic Plan – "e-City" and also filed a copy of a discussion paper in connection with the foregoing matter.

Mr. John Adams, Cottingham Solutions Inc., appeared before the Administration Committee in connection with the foregoing matter and agreed to submit a copy of his deputation material to the City Clerk.

The Administration Committee:

- (1) received the presentation by the Executive Director, Information and Technology Division, Corporate Services Department, respecting the New “IT” Strategic Plan – “e-City”;
- (2) requested the Commissioner of Corporate Services:
 - (a) in consultation with the City Clerk and the Executive Director, Information and Technology Division, to develop Terms of Reference for the establishment of an “IT” Sub-Committee of the Administration Committee and submit a report thereon to the October 8, 2002, meeting of the Administration Committee; **(Motion by Councillor Ashton)**
 - (b) in her forthcoming report to the Administration Committee in October 2002 to give consideration to what the capacity for multilingual service will be, and how this initiative will include the various Agencies Boards and Commissions; **(Motion by Councillor Sutherland and Councillor Johnston)** and
 - (c) to submit a report to the Administration Committee in three months time respecting the parking permit issue raised by Councillor David Miller; **(Motion by Councillor Miller)** and
- (3) referred the deputation material submitted by Mr. John Adams, Cottingham Solutions Inc., respecting “e-City”, to the Commissioner of Corporate Services for consideration in her forthcoming report. **(Motion by Councillor Miller)**

(Commissioner of Corporate Services; Executive Director
of Information and Technology; Mr. John Adams –
September 10, 2002)

(Clause No. 31(a) – Report No. 12)

**8.2 Court Services Division
Implementation Status Report.**

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

- (1) (June 6, 2002) from the Commissioner of Corporate Services, reporting on the Court Services Division's progress with its new responsibilities relating to court administration and court support function for proceedings commenced under Parts I, II and III of the Provincial Offences Act (POA); advising that this report contains no changes to the 2002 budget; that the Provincial Offences Act transfer was successfully completed on schedule and preliminary figures suggest that unless significant, unidentified costs are incurred, or a departure in enforcement activity occurs, revenue will approximate the 2002 budget; that Data is being collected to establish an annual budget in support of the 2003 budget process; that Court Services Division faces several issues that will influence the long-term efficiency of the program; that Staff have had an opportunity to discuss early program results with other Ontario municipalities and are proceeding with a work plan that focuses on improving public service, remedies some of the inherited program inefficiencies, and includes an effective fine collection approach; that as part of the transfer, the Provincial government has invited Municipal partners to engage in discussions that can streamline activities; that this phase of the agreement begins in September and staff are preparing to participate in these discussions; and recommending that this report be received for information; and

- (2) (September 8, 2002) from Mr. Alan Burke, President, East Beach Community Association, advising that it has recently come to the EBCA (East Beach Community Association) attention that Associate Chief Justice Donald Ebbs has eliminated night court in Toronto; that the EBCA has very strong concerns about this; that people are being denied access to the courts because for small fines it is not practical to dispute them since the lost wages or vacation time will be more than the fine; and urging the Administration Committee to pass a motion to strongly suggest that Associate Chief Justice Ebbs reconsider his decision to eliminate night court in Toronto.

The Administration Committee recommended that Council:

- (1) request the Associate Chief Justice, Office of the Chief Justice, to reconsider his decision with respect to the elimination of night court operations in Toronto to ensure access to justice for the residents of Toronto; **(Motion by Councillor Miller)**
- (2) reiterate its request to the Province that per diem JPs be made available in the City of Toronto to assist with the Provincial Offences Act prosecutions; **(Motion by Councillor Miller)**
- (3) received the report (June 6, 2002) from the Commissioner of Corporate Services respecting the Court Services Division Implementation Status report; and
- (4) requested the Commissioner of Corporate Services to submit a report to the Administration Committee on the outcome of the discussions with the Province regarding the future of the (ICON) computer system which administers the Provincial Offences Act payment, court scheduling and administration activities. **(Motion by Councillor Ashton)**

(Commissioner of Corporate Services; Director, Court Services; Mr. Alan Burke, President, East Beach Community Association – September 10, 2002)

(Clause No. 2 – Report No. 12)

8.3 Unsolicited Bid Process.

The Administration Committee had before it a communication (Undated) from Councillor Paul Sutherland, advising that after discussions with the procurement department and the CAO's office he has discovered that the City of Toronto does not have a formal process to administer unsolicited tenders; that the lack of a formal process inhibits the ability for private companies to approach the City with imaginative and feasible ideas to promote development; that unsolicited tenders can provide Toronto taxpayers with value for money and act as an economic stimulus; that a number of countries around the world have formalized procedures to deal with unsolicited bids including the U.S.A., United Kingdom, Australia and Ecuador; that the "Swiss Challenge" is an effective model to promote unsolicited bids in a fair and practical way;

that the Swiss Challenge model follows a number of steps in order to standardize the process of unsolicited bids; providing an example of the Swiss Challenge format; further advising that the method has proven to provide effective and fair competition, dynamic innovation and transparency of the tender process; that the Swiss Challenge contains a formal evaluation process, evaluation criteria and a review, and an approval committee; and requesting that the Administration Committee refer the “Swiss Challenge” model for unsolicited bids to the CAO and report back to the Administration Committee as to the feasibility of this model or any other suitable model in Toronto.

Mr. John Adams appeared before the Administration Committee in connection with the foregoing matter.

On motion by Councillor Sutherland, the Administration Committee referred the foregoing communication to the Chief Administrative Officer for report thereon to the Administration Committee in three months time.

(Chief Administrative Officer; Councillor Paul Sutherland;
Mr. John Adams – September 10, 2002)

(Clause No. 31(b) – Report No. 12)

**8.4 Optimizing Revenue from Development Potential
TTC Properties – Schedule “A” Properties
(Various Wards).**

The Administration Committee had before it a report (June 24, 2002) from the Commissioner of Corporate Services, providing information on the work plan formulated on the Schedule “A” Properties with regard to optimizing revenue from development potential of properties owned and/or operated by the TTC; advising that revenue will be generated from the eventual sale/lease of these properties; that while existing staff will advance this work during the balance of 2002, in order to expedite this project, it is necessary to secure additional temporary staff and other resources; that this report advises that the 2003 Operating Budget submissions for the affected Divisions will include the necessary funding to expedite the project; and recommending that this report be received for information.

On motion by Councillor Soknacki, the Administration Committee received the foregoing report.

(Clause No. 31(c) – Report No. 12)

8.5 Establishment of the Toronto Order of Merit to Acknowledge Outstanding Citizen Achievement.

The Administration Committee had before it a joint report (August 6, 2002) from the Chief Administrative Officer and the Commissioner of Corporate Services, creating a civic award called the Toronto Order of Merit; establishing the Terms of Reference governing the nomination and selection process and the administration of the award program; advising that there is no current year financial impact, however, approval of the recommendations contained in this report will result in a \$30,000 annual increase in the City Clerk's Office, Protocol operating budget; that this report does not have a financial impact in other departments or agencies, or on reserves/reserve funds or current and future liabilities; that there is no impact on staffing levels; and recommending that:

- (1) the Terms of Reference for the Toronto Order of Merit award program set out in Appendix 1 be adopted for implementation in 2003;
- (2) the Chief of Protocol, City Clerk's Office be designated as the lead official for the administration of the award program;
- (3) the City Clerk be authorized to follow the process outlined in Appendix 1 to appoint citizen members to a Toronto Order of Merit Advisory Committee, which will make recommendations to Council on award recipients;
- (4) the Chief of Protocol undertake a process to develop a design that reflects the importance of this award;
- (5) the City Clerk establish and conduct the annual Toronto Order of Merit award program, subject to funds in the amount of \$30,000 being added to the City Clerk's annual operating budget, and this request be referred to the 2003 Operating Budget process for consideration; and
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Ashton, the Administration Committee recommended to Council the adoption of the foregoing joint report (August 6, 2002) from the Chief Administrative Officer and the Commissioner of Corporate Services.

(Clause No. 3 – Report No. 12)

**8.6 Procedural Changes Relating to Debates
to Defer or Refer Entire Clauses.**

The Administration Committee had before it the following reports:

(1) (May 14, 2002) from the City Clerk, recommending that:

(1) Chapter 27, Council Procedures, of The City of Toronto Municipal Code, as amended, be amended to give effect to the following procedural changes:

§ 27-44 be amended by adding the following Parts B, C and D, and by renaming the existing subsection as Part A, so that the subsection would read substantially as follows:

“A. A motion to defer, or a motion to refer, made pursuant to § 27-43, shall be debatable only:

- (1) on the desirability of deferring or referring the clause,
- (2) on the appropriateness of the conditions attached to the motion to refer or defer, or
- (3) in making motions to amend the motion to defer or refer,

and no discussion of the main question shall be allowed until after the disposition of the motion to defer or refer;

B. A member may speak to a motion to defer or refer made pursuant to § 27-43 for a maximum of two minutes without extension;

C. § 27-28 applies to any debate in respect of a motion made pursuant to § 27-43, provided that members may ask questions for a maximum of 2 minutes only;

D. For the purposes of this section, a motion to defer an entire clause includes a motion to refer an entire clause, and a motion to refer an entire clause includes a motion to defer an entire clause, so that there shall be only one potential debate pursuant to this section for each clause before Council.”; and

- (2) in accordance § 27-137, notice of Council's intention to amend Chapter 27, Council Procedures, of the City of Toronto Municipal Code be given; and that authority be granted for the introduction of the necessary Bill in Council to give effect thereto; and

- (2) (August 27, 2002) from the City Clerk, summarizing consultations on the procedural changes relating to debates to defer or refer entire clauses; advising that there are no financial implications arising from this report; that the option recommended by the City Clerk's Office is an attempt to strike a balance between the efficient time management of Council's agenda and the desire of Members of Council to speak to matters that are of importance to them; that the Members consultations reinforced the need to strike a balance; that the City Clerk will be following up on a number of the alternatives and suggestions in the ongoing meeting management review; and recommending that this report be received for information.

Councillor Case Ootes, Deputy Mayor, appeared before the Administration Committee in connection with the foregoing matter.

On motion by Councillor Sutherland, the Administration Committee:

- (1) recommended to Council the adoption of the foregoing report (May 14, 2002) from the City Clerk; and

- (2) received the report (August 27, 2002) from the City Clerk respecting Member consultations on the Procedural Changes relating to Debates to Defer or Refer Entire Clauses.

The following motion was voted on and **lost**:

Councillor Johnston moved that, the Administration Committee requested the City Clerk to submit a report on the feasibility of holding City Council meetings bi-weekly and ending these meetings at 6:00 p.m.

The following motion was voted on and **lost** on a tie vote:

Councillor Ashton moved that, the Administration Committee recommend to Council that the foregoing report (May 14, 2002) from the City Clerk be received and that the status quo be maintained.

(Clause No. 4 – Report No. 12)

8.7 Electoral Boundaries Re-Adjustment Process.

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

- (1) (August 23, 2002) from the Chief Administrative Officer, recommending that:
 - (1) the concept of “effective representation for urban Canadians” serve as the basis of the City of Toronto’s position on the federal and provincial electoral boundaries readjustment process;
 - (2) the Mayor or his designate make a representation, based on the principles and analysis contained in this report, to the Federal Electoral Boundaries Commission for Ontario at the public hearings to be held in Toronto on November 22, December 9 and December 10, 2002;
 - (3) the Federal government be requested to amend the *Electoral Boundaries Readjustment Act* so as to reduce the permissible variance from the provincial electoral quotient (i.e., population divided by number of electoral districts) to plus or minus 10 percent, unless exceptional circumstances justify a larger deviation; and that the Federation of Canadian Municipalities be requested to advocate for this change;
 - (4) the Federal government be requested to amend s.51 of the Constitution Act, 1867 by eliminating the *Representation Act, 1985* “grandfather clause” provision which mandates that no province shall have fewer representatives in the House of Commons than it did during the 33rd Parliament;
 - (5) the Provincial government be requested to amend the *Representation Act, 1996* to provide that the population of all electoral districts for the Ontario legislature be within plus or minus 10 percent of the provincial electoral quotient, unless exceptional circumstances justify otherwise;
 - (6) the City Clerk monitor voting trends in the City of Toronto’s electoral districts to determine whether there is any relationship between electoral district variance and voter turnout and, if so, whether certain communities face particularly severe electoral disadvantage;
 - (7) the Chief Administrative Officer review the forthcoming proposal to be issued by the Federal Electoral Boundaries Commission for Ontario to determine whether or not it may be necessary for the City to take further action;

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- (8) copies of this report be distributed to the Prime Minister, Federal cabinet members, MPs from Ontario, the Premier of Ontario, the Minister of Municipal Affairs and Housing, MPPs representing the GTA, the Federation of Canadian Municipalities, the Association of Municipalities of Ontario, the Large Urban Mayors' Caucus of Ontario, and the Big City Mayors' Caucus; and
- (9) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto; and
- (2) (August 27, 2002) from Mr. Alan Heisey, requesting an opportunity to depute at the September 10, 2002, meeting of the Administration Committee and submitting a political pamphlet entitled "Slow Senate Reform.....until House of Commons representation is fairer.", which was forwarded to Members of Council with the September 10, 2002, agenda for the Administration Committee and a copy thereof is on file in the Office of the City Clerk, City Hall.

The following persons appeared before the Administration Committee in connection with the foregoing matter and filed a written submission in regard thereto:

- Mr. Alan Heisey; and
- Mr. John Adams.

Councillor Holyday appointed Councillor Soknacki Acting Chair and vacated the Chair.

The Administration Committee recommended to Council the adoption of the foregoing report (August 23, 2002) from the Chief Administrative Officer, subject to:

- (1) amending Recommendation No. (2) by adding after the word "designate" the words "the Chair of the Administration Committee and the Chair of the City's Civic Participation Initiative", so that Recommendation No. (2) now reads as follows:

“(2) the Mayor or his designate, the Chair of the Administration Committee and the Chair of the City's Civic Participation Initiative, make a representation, based on the principles and analysis contained in this report, to the Federal Electoral Boundaries Commission for Ontario at the public hearings to be held in Toronto on November 22, December 9 and December 10, 2002;

**(Motion by Councillor Miller and
Councillor Holyday)**

(II) amending Recommendation No. (3) to read as follows:

“(3) the Federal government be requested to amend the *Electoral Boundaries Readjustment Act* so as to reduce the permissible variance from the provincial electoral quotient (i.e., population divided by number of electoral districts) to plus or minus five percent; and that the Federation of Canadian Municipalities be requested to advocate for this change; **(Motion by Councillor Ashton and Councillor Soknacki)**

(Councillor Ashton voted in opposition to Councillor Soknacki’s amendment.)

(III) amending Recommendation No. (5) to read as follows:

“(5) the Provincial government be requested to amend the *Representation Act, 1996* to provide that the population of all electoral districts for the Ontario legislature be within plus or minus five percent of the provincial electoral quotient; **(Motion by Councillor Ashton and Councillor Soknacki)** and

(IV) amending Recommendation No. (6) to read follows:

“(6) the Chief Administrative Officer monitor voting trends in the City of Toronto’s electoral districts to determine whether there is any relationship between electoral district variance and voter turnout and, if so, whether certain communities face particularly severe electoral disadvantage; **(Motion by Councillor Holyday)**

- (V) that copies of this report be distributed to the Prime Minister, Federal cabinet members, MPs from Ontario, the Premier of Ontario, the Minister of Municipal Affairs and Housing, MPPs representing the GTA, the Federation of Canadian Municipalities, the Association of Municipalities of Ontario, the Large Urban Mayors' Caucus of Ontario, and the Big City Mayors' Caucus; and **(Motion by Councillor Miller)**
- (VI) that a copy of the report (August 23, 2002) from the Chief Administrative Officer respecting Electoral Boundaries Readjustment Process be forwarded to the Intergovernmental Affairs Committee for information. **(Motion by Councillor Ashton)**

so that the Recommendations now read as follows:

“It is recommended that:

- (1) the concept of “effective representation for urban Canadians” serve as the basis of the City of Toronto’s position on the federal and provincial electoral boundaries readjustment process;
- (2) the Mayor or his designate, the Chair of the Administration Committee and the Chair of the City’s Civic Participation Initiative, make a representation, based on the principles and analysis contained in this report, to the Federal Electoral Boundaries Commission for Ontario at the public hearings to be held in Toronto on November 22, December 9 and December 10, 2002;
- (3) the Federal government be requested to amend the *Electoral Boundaries Readjustment Act* so as to reduce the permissible variance from the provincial electoral quotient (i.e., population divided by number of electoral districts) to plus or minus five percent; and that the Federation of Canadian Municipalities be requested to advocate for this change;

- (4) the Federal government be requested to amend s.51 of the Constitution Act, 1867 by eliminating the *Representation Act, 1985* “grandfather clause” provision which mandates that no province shall have fewer representatives in the House of Commons than it did during the 33rd Parliament;
- (5) the Provincial government be requested to amend the *Representation Act, 1996* to provide that the population of all electoral districts for the Ontario legislature be within plus or minus five percent of the provincial electoral quotient;
- (6) the Chief Administrative Officer monitor voting trends in the City of Toronto’s electoral districts to determine whether there is any relationship between electoral district variance and voter turnout and, if so, whether certain communities face particularly severe electoral disadvantage;
- (7) the Chief Administrative Officer review the forthcoming proposal to be issued by the Federal Electoral Boundaries Commission for Ontario to determine whether or not it may be necessary for the City to take further action;
- (8) copies of this report be distributed to the Prime Minister, Federal cabinet members, MPs from Ontario, the Premier of Ontario, the Minister of Municipal Affairs and Housing, MPPs representing the GTA, the Federation of Canadian Municipalities, the Association of Municipalities of Ontario, the Large Urban Mayors’ Caucus of Ontario, and the Big City Mayors’ Caucus; and
- (9) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Councillor Holyday resumed the Chair.

(Clause No. 5 – Report No. 12)

**8.8 Recovery of Election Costs
from the School Boards.**

The Administration Committee had before it a report (August 27, 2002) from the City Clerk, reporting on the status of the City Clerk's request to the Province of Ontario for an amendment to the legislation to permit the recovery of election costs from the school boards; advising that should the Province decide to implement the City Clerk's request, a share of the election event budget would be recoverable from the four school boards in the City of Toronto; that Election Services' staff have requested the Ministry of Municipal Affairs and Housing to revoke Ontario Regulation 352/97 to permit the recovery of election costs from the school boards; that staff will need to wait until any proposed amendments to the *Municipal Elections Act, 1996* are introduced in the Fall of 2002 to see if the Ministry has agreed to this request; and recommending that this report be received for information.

On motion by Councillor Miller, the Administration Committee:

- (1) deferred consideration of the foregoing report until its meeting scheduled to be held on October 8, 2002; and
- (2) directed that this item be considered by the Administration Committee on October 8, 2002, after public depositions, if any, are heard.

(City Clerk; Director of Election Services – September 10, 2002)

(Clause No. 31(d) – Report No. 12)

**8.9 Fees for Copies of Audited
Financial Statements of
Municipal Candidates.**

The Administration Committee had before it a report (August 27, 2002) from the City Clerk, reporting on the fees charged for copies of Audited Financial Statements of Municipal Candidates; advising that there are no financial implications arising from this report; that any fee structure must balance the need to inform and involve the public in the governance process with the need for cost recovery; that currently there exists the opportunity for members of the public to view all of the documentation free of charge; that the fee of \$0.50 per impression for the audited financial statements of municipal

candidates represents an appropriate level of cost recovery and would deter frivolous requests for these documents; that lowering the copying fee would result in an increased cost for the City; and recommending that this report be received for information.

Mr. John Adams, Cottingham Solutions Inc., appeared before the Administration Committee in connection with the foregoing matter and suggested that City Council request a change in the Municipal Act or the City of Toronto Act in order that audited statements of elected officials may be published on a web site.

On motion by Councillor Miller, the Administration Committee:

- (1) deferred consideration of the foregoing report and the suggestion made by Mr. John Adams, Cottingham Solutions Inc., until its meeting scheduled to be held on October 8, 2002; and
- (2) directed that this item be considered by the Administration Committee on October 8, 2002, after public deputations, if any, are heard.

(City Clerk; Director of Election Services; Mr. John Adams
– September 10, 2002)

(Clause No. 31(e) – Report No. 12)

**8.10 Tenant Outreach Program
2000 Municipal Election.**

The Administration Committee had before it a report (August 27, 2002) from the City Clerk, describing the tenant outreach program undertaken by the City of Toronto during the 2000 Municipal Election; advising that there are no financial implications arising from this report; that this report has outlined a number of options for the tenant outreach program; that staff will continue to evaluate these options and look at implementing a plan that maintains the same level of service and is the most cost effective; and recommending that this report be received for information.

On motion by Councillor Miller, the Administration Committee:

- (1) deferred consideration of the foregoing report until its meeting scheduled to be held on October 8, 2002; and

- (2) directed that this item be considered by the Administration Committee on October 8, 2002, after public deputations, if any, are heard.

(City Clerk; Director of Election Services – September 10, 2002)

(Clause No. 31(f) – Report No. 12)

8.11 2003 Municipal Election By-Laws.

The Administration Committee had before it a report (August 27, 2002) from the City Clerk, recommending that:

- (1) Council authorize the advance votes dates and times as indicated in section number 1 of this report;
- (2) Council authorize certain election material to be made available in the languages set out in section number 2 of this report;
- (3) the City continue the practice of opening voting places at 10:00 a.m. on voting day;
- (4) institutions be open for the full voting day (10:00 a.m. to 8:00 p.m.); and
- (5) leave be granted to introduce the necessary Bills in Council and the appropriate City officials be authorized to take the necessary action to give effect thereto.

On motion by Councillor Miller, the Administration Committee:

- (1) deferred consideration of the foregoing report until its meeting scheduled to be held on October 8, 2002; and
- (2) directed that this item be considered by the Administration Committee on October 8, 2002, after public deputations, if any, are heard.

(City Clerk; Director of Election Services – September 10, 2002)

(Clause No. 31(g) – Report No. 12)

8.12 2003 Contribution Rebate Program.

The Administration Committee had before it a report (August 27, 2002) from the City Clerk, recommending that:

- (1) should City Council decide to authorize the payment of rebates to persons who make contributions to candidates for office on the Council of the City of Toronto during the 2003 municipal election, the contribution rebate program be as outlined in Appendix "A" of this report; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of a bill substantially in the form of Appendix A.

On motion by Councillor Miller, the Administration Committee:

- (1) deferred consideration of the foregoing report until its meeting scheduled to be held on October 8, 2002; and
- (2) directed that this item be considered by the Administration Committee on October 8, 2002, after public depositions, if any, are heard.

(City Clerk; Director of Election Services – September 10, 2002)

(Clause No. 31(h) – Report No. 12)

8.13 Establishment of a Future City Integrity Commissioner and an Immediate Interim Complaint Procedure Respecting the Code of Conduct for Council Members.

The Administration Committee had before it a communication (August 8, 2002) from the City Clerk, advising that City Council at its meeting held on July 30, 31 and August 1, 2002, had before it Clause No. 37 of Report No. 10 of The Administration Committee, headed "Other Items Considered by the Committee"; advising that Council directed that the aforementioned Clause be received for information, subject to striking out and referring Item (q), entitled "Establishment of a Future City Integrity Commissioner and an Immediate Interim Complaint Procedure Respecting the Code of Conduct for Council Members", embodied therein, back to the Administration Committee for further consideration.

- “(q) Establishment of a Future City Integrity Commissioner and an Immediate Interim Complaint Procedure Respecting the Code of Conduct for Council Members.

The Administration Committee reports having referred the following communication back to the Ethics Steering Committee with a request that the Ethics Steering Committee:

- (1) develop the Interim Complaint Procedure as a stand-alone process in the absence of a City Integrity Commissioner function; and
- (2) reconsider the recommendations within the context of having the Interim Complaint Procedure established as a stand-alone process:

(June 20, 2002) from the City Clerk, Ethics Steering Committee, advising that the Ethics Steering Committee on June 20, 2002, recommended to the Administration Committee that:

- (1) consistent with its Terms of Reference, the Ethics Steering Committee be charged with the responsibility of recommending to Council, the protocols, by-laws and policies governing the ethical behaviour of members of Council;
- (2) consistent with its Terms of Reference, neither the Ethics Steering Committee nor any other Council body or individual (including a City employee) shall have a role in the investigation or adjudication of the ethical behaviour of another member of Council, with the one exception noted in Recommendation No. (6);
- (3) an Integrity Commissioner function similar to the Provincial model and having an appointment term that does not exceed five years, be established by the City of Toronto to advise Council members on Code of Conduct inquiries, assess the nature and legitimacy of formal Code of Conduct complaints, determine whether investigation is warranted, and ensure that appropriate actions are taken in this regard for report and recommendation to Council;
- (4) qualifications for the City Integrity Commissioner include, at a minimum, membership in the Law Society of Upper Canada, municipal or other administrative law experience, municipal law adjudication experience, and impartiality such as that perceived with a retired judge;

- (5) Council grant authority for application to be made for special legislation from the Province to establish a City Integrity Commissioner similar to the Provincial model and that the City Solicitor and Chief Administrative Officer develop the required Draft Act;
- (6) the Integrity Commissioner operate in an arm's length capacity from Council and the Mayor's office except that, following the Provincial model, Council will make the final decision on whether any penalty (as may be recommended by the Integrity Commissioner) is imposed on the member found to have contravened the Bill Code;
- (7) while awaiting special legislation from the Province, the Interim Complaint Procedure presented in Appendix 2 be approved for implementation including its provisions for an informal complaint process, or a formal process using the services of external legal counsel, fixed penalty provisions, specified reporting procedures and timeframes, conditions respecting payment of legal costs, and a role for Ethics Steering Committee to convey the report to Council and advise on the extent of public disclosure;
- (8) the cost of processing any complaints under the proposed Interim Complaints Procedure during the year 2002, be absorbed by the Clerk's Division since funds have been confirmed as available for this purpose;
- (9) the Ethics Steering Committee report to the Administration Committee in the fall of 2002 on a recommended Advice Protocol for processing requests for advice to an Integrity Commissioner under the Draft Act;
- (10) the Ethics Steering Committee report to the Administration Committee in the fall of 2002 on a recommended Complaint Protocol for processing investigation requests to an Integrity Commissioner under the Draft Act;
- (11) Council determine the source of a budget to cover the establishment of an Integrity Commissioner function, as well as what monetary or other limitations should apply, only after special legislation has been enacted; and
- (12) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Councillor Joe Mihevc, St. Paul's, appeared before the Administration Committee in connection with the foregoing matter.

On motion by Councillor Soknacki, on behalf of Councillor Mihevc, the Administration Committee:

- (1) deferred consideration of the foregoing communication until its meeting scheduled to be held on October 8, 2002; and
- (2) requested the Chief Administrative Officer to make a presentation to the Administration Committee respecting this matter at the aforementioned meeting.

(Chief Administrative Officer; City Solicitor; Sr. Corporate Management and Policy Consultant, CAO's Office; Chair, Ethics Steering Committee – September 10, 2002)

(Clause No. 31(i) – Report No. 12)

**8.14 Amendment to Lease and Shared Facilities Agreement
93 and 95 Lavinia Avenue
(Ward 13 – Parkdale – High Park).**

The Administration Committee had before it a joint report (August 21, 2002) from the Commissioner of Corporate Services and the Commissioner of Community and Neighbourhood Services, recommending that:

- (1) authority be granted to amend the Ground Lease and the Shared Facilities Agreement between the City as the Landlord and the Swansea Town Hall Residences as the Tenant, accepting a surrender of a portion of the demised premises as described herein, on the terms and conditions as agreed and in a form acceptable to the City Solicitor;
- (2) authority be granted to accept a payment of \$50,000.00 from the Swansea Town Hall Residences in return for a release from the City of all potential claims for damage to the Swansea Town Hall which arose at the time of construction of the Residences, and to apply that payment to the costs of constructing the expansion to the Swansea Town Hall;
- (3) authority be given to the Commissioner of Community and Neighbourhood Services, or his designate, to approve, on behalf of the City of Toronto, as service manager, the partial surrender of the lease by Swansea Town Hall Residences, as

required under the *Social Housing Reform Act, 2000* (the “SHRA”), and to submit a business case to the Ministry of Municipal Affairs and Housing (the “Minister”) on behalf of Swansea Town Hall Residences to seek Ministry approval under the SHRA; and

- (4) 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 joint report (August 21, 2002) from the Commissioner of Corporate Services and the Commissioner of Community and Neighbourhood Services.

(Clause No. 14 – Report No. 12)

**8.15 Toronto Centre for the Arts -
5040 Yonge Street - Amendments to Lease Respecting
Development of Adjacent Lands
(Ward 23 – Willowdale.)**

The Administration Committee had before it a report (August 23, 2002) from the Commissioner of Corporate Services, recommending that:

- (1) the City, as tenant, enter into a Lease Amending Agreement with OPG-700 University Inc., (“OPG”) to amend provisions of the May 31, 1991 Ground Lease (the “Lease”) including limiting the landlord’s rights to approve Arts Centre alterations, to broaden Arts Centre’s permitted uses, to reflect the service utility easements recommended below and to acknowledge that zoning density rights previously transferred to the then landlord’s adjacent lands also apply to the new owners of such lands;
- (2) the City enter into a Reciprocal Operating Agreement with Menkes 5000 Yonge Development Ltd. (“Menkes”) and Transamerica Life Canada (“Transamerica”) joint owners of the land east of the Arts Centre and with Broadway Residences Inc. owner of the land south of the Arts Centre to reflect the above mentioned lease revisions;

- (3) the City, as tenant, enter into agreements, to approve as part of the Ground Lease:
 - (a) an easement from Menkes, Transamerica and OPG on land adjacent to easterly limit of the Arts Centre, to provide the main entrance of the Arts Centre with an improved replacement driveway turning circle, drop-off area, and canopy overhang and to terminate the turning circle easement dated March 3, 1993;
 - (b) an easement from Menkes, Transamerica and OPG on land adjacent to the easterly limit of the Arts Centre, to provide the Arts Centre with access to the east elevation wall of the Arts Centre to carry out any maintenance, repairs, alterations etc., when required; and
 - (c) an easement on land adjacent to the southerly limit of the Arts Centre from Broadway Residences Inc. (a Menkes subsidiary) and OPG, for emergency vehicular road ingress and egress between the Arts Centre and Beecroft Road;
- (4) the City, as tenant, enter into agreements to amend the Ground Lease to authorize OPG, the landlord, to provide the following easements in the Arts Centre to adjacent landowners:
 - (a) a below grade easement beneath the north easterly corner of the Arts Centre's premises to Menkes and to Transamerica for a sanitary sewer line;
 - (b) a surface easement over a triangular area at the rear south-easterly corner of Arts Centre's premises to Broadway Residences Inc. for a shared hammerhead driveway turnaround; and
 - (c) an easement to Menkes and to Transamerica for the access doors of their development's elevator/stairway vestibule (connecting the Arts Centre to their adjacent underground parking garage and to the subway station) to open into the Arts Centre premises.
- (5) the City enter into such other agreements and execute such other documents as may be required to implement these recommendations. These agreements and the agreements recommended above shall include terms and conditions satisfactory to the Commissioner of Corporate Services in accordance with these recommendations, in a form satisfactory to the City Solicitor; and
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Ashton, the Administration Committee recommended to Council the adoption of the foregoing report (August 23, 2002) from the Commissioner of Corporate Services.

(Clause No. 15 – Report No. 12)

8.16 Report on 2001 Operating Budget Reductions of 19 Custodial Staff.

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

- (1) (June 3, 2002) from the Commissioner of Corporate Services, reporting on the reduction strategy of 19 full-time positions; advising that in 2001, a saving of \$440,000 was achieved by reducing 19 full-time custodial positions; that the reduction strategy employed ensured that surplus staff were provided with future employment in other areas of the Division thereby reducing the impact of the reduction of positions; that as a result, the expected savings of \$440,000 were realized in 2001; and recommending that this report be received for information; and
- (2) (September 9, 2002) from the President, Canadian Union of Public Employees, Local 79, urging the Administration Committee to recognize the importance of maintaining the front-line services provided by the workers of the Custodial and Operation's section.

On motion by Councillor Ashton, the Administration Committee received the foregoing report and communication.

(Clause No. 31(j) – Report No. 12)

8.17 Update on Unallocated Fleet Assets.

The Administration Committee had before it a report (August 12, 2002) from the Commissioner of Corporate Services, responding to the motion passed by the Administration Committee at its meeting of March 27, 2001 to provide an update of information on the status of unallocated fleet assets; advising that there are no financial implications resulting from the adoption of this report; and recommending that this report be received for information.

On motion by Councillor Soknacki, the Administration Committee:

- (1) received the foregoing report; and
- (2) expressed its appreciation to staff for their efforts in this endeavour.

(Commissioner of Corporate Services; Director, Fleet Services, Corporate Services Department; Manager, Fleet Development, Corporate Services Department – September 10, 2002)

(Clause No. 31(k) – Report No. 12)

8.18 Tender for Gasoline and Diesel Fuels - 2003.

The Administration Committee had before it a joint report (August 26, 2002) from the Chief Financial Officer and Treasurer, the Commissioner of Corporate Services, the Medical Officer of Health and the Commissioner of Works and Emergency Services, advising the results of the tender issued for the supply and delivery of Gasoline and Diesel Fuels, used in various fleet vehicles, heavy equipment and emergency power generators, by various Departments for the period January 1, 2003, to December 31, 2003; presenting two options to the Administration Committee for consideration; requesting authority to award a contract to the recommended bidders based on one of the two options detailed in this report; and recommending that the Administration Committee adopt Option B contained in this report.

On motion by Councillor Soknacki, the Administration Committee recommended to Council the adoption of Option “B” embodied in the foregoing joint report (August 26, 2002) from the Chief Financial Officer and Treasurer, the Commissioner of Corporate Services, the Medical Officer of Health and the Commissioner of Works and Emergency Services respecting the Tender for the supply and delivery of Gasoline and Diesel Fuels for 2003 subject to the necessary funds being available in 2003.

(Clause No. 6 – Report No. 12)

8.19 Review of Council Policy Requiring Bidders on a City Contract to Disclose Information Relating to Contact Made With Senior Management Employees – One Small Step to Cut Red Tape in City Procurements.

The Administration Committee had before it a communication (Undated) from Mr. John Adams, President and CEO, Cottingham Solutions Inc., recommending that the Administration Committee:

- (1) recommend that City Council rescind the 1998 policy requiring any firm bidding on a contract with the City to provide the name of any former senior management employee of the former Metropolitan Toronto or Area Municipality; or
- (2) request the Chief Administrative Officer and the Chief Financial Officer and Treasurer to review and report to the November 2002 meeting of the Committee on the merits of rescinding or retaining the 1998 policy.

Mr. John Adams, President and CEO, Cottingham Solutions Inc., appeared before the Administration Committee in connection with the foregoing matter.

The Administration Committee referred the foregoing communication:

- (1) to the Chief Administrative Officer and the Commissioner of Corporate Services for consideration and report thereon to the meeting of the Administration Committee scheduled to be held on October 8, 2002, on the merits of rescinding the policy requirement with respect to former employees; **(Motion by Councillor Ashton)** and
- (2) to the Chief Administrative Officer for consideration and inclusion in her forthcoming report on the new purchasing policies and procedures. **(Motion by Councillor Soknacki)**

(Chief Administrative Officer; Commissioner of Corporate Services; Mr. John Adams – September 10, 2002)

(Clause No. 31(l) – Report No. 12)

8.20 Landscape Maintenance and/or Snow Clearance/Removal Services at Various Police Facilities Throughout the City of Toronto for the Years 2002 Through 2005 Request for Quotation No. 6032-02-0176.

The Administration Committee had before it a joint report (August 23, 2002) from the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer, recommending that:

- (1) the quotation submitted by Industrial Property Services (IPS) be accepted for the Landscape Maintenance and/or Snow Clearance/Removal services at various Police Facilities throughout the City of Toronto, for the period November 15, 2002, through November 14, 2003, in the total amount of \$394,830.00, including all taxes and charges, being the lowest quotation received; and
- (2) the balance of the award in the amount of \$789,660.00 to Industrial Property Services (IPS) be referred to Council for approval since the budgets related to the required portion of the contract for 2003/2004 and 2004/2005 must be approved by Council.

On motion by Councillor Soknacki, the Administration Committee recommended to Council the adoption of the foregoing report (August 23, 2002) from the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer subject to the necessary funds being available in subsequent years.

(Clause No. 7 – Report No. 12)

8.21 Collection Agency Services Contract Request for Proposal No. 9138-01-7489.

The Administration Committee had before it a report (August 28, 2002) from the Chief Financial Officer and Treasurer, recommending that:

- (1) Canadian Bonded Credits Limited, as the highest overall scoring proponent, be retained to provide collection services under a pilot-project for a one year period, at a cost not to exceed \$996,000, with a provision to extend the contract for two additional one-year periods at a cost of \$1 million per year if the pilot-project proves to be successful as stated in the RFP, and

- (2) authority be granted to appropriate City staff to enter into an agreement with Canadian Bonded Credits Limited to provide collection services for outstanding parking fines, such agreement to contain clauses satisfactory to the Chief Financial Officer and Treasurer and the City Solicitor.

On motion by Councillor Ashton, the Administration Committee recommended to Council the adoption of the foregoing report (August 28, 2002) from the Chief Financial Officer and Treasurer.

(Clause No. 8 – Report No. 12)

8.22 Apportionment of Taxes.

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

- (1) (August 28, 2002) from the Chief Financial Officer and Treasurer, requesting approval for the apportionment of property taxes pertaining to properties listed as in Appendix “A” of this report; advising that there are no financial implications arising from this report; and recommending that the Administration Committee approve the apportionment of property taxes for the properties listed as in Appendix “A”; and
- (2) (August 27, 2002) from Mr. David G. Fleet, Poole Milligan, LLP, advising that he is acting on behalf of Canada Lands Company CLC Limited with respect to its application for an apportionment of taxes under Section 413 of the Municipal Act; that the City has proposed an apportionment in 2001 attributable to his client on Assessment Roll No. 1904 062 060 025 10 0000 in the amount of \$3,778,120.00 which is still under review respecting its appropriateness; that at the present time there is an objection to the proposed apportionment; and requesting an adjournment of the hearing date proposed for September 10, 2002, until the review has been completed.

Councillor Holyday appointed Councillor Soknacki Acting Chair and vacated the Chair.

On motion by Councillor Holyday, the Administration Committee recommended to Council that the individual property tax apportionment applications made pursuant to Section 413 of the Municipal Act, as provided in the detailed hearing report (Appendix “A”), be approved with the exception of the following application to be heard at a future hearing:

Administration Committee Minutes
Tuesday, September 10, 2002

| Tax Year | Original Roll No. | Property Address | Tax Roll No. for Apportioned Properties | Tax Apportionment |
|----------|---------------------|---------------------|---|-------------------|
| 2001 | 1904-06-2-060-02500 | 65 Navy Wharf Court | 1904-06-2-060-02510 | \$ 200,788.87 |
| | | | 1904-06-2-060-02520 | \$ 26,855.11 |
| | | | Total | \$227,643.98 |
| | | | | |

Councillor Holyday resumed the Chair.

(Clause No. 9 – Report No. 12)

8.23 Metropolitan Toronto Pension Plan – Election for Increased Spousal Pension, Predecease of Spouse, Discontinuation of Reduction in Member’s Pension.

The Administration Committee had before it a report (August 29, 2002) from the Chief Financial Officer and Treasurer, recommending that:

- (1) By-law No. 15-92 of the former Municipality of Metropolitan Toronto as heretofore amended, governing the Metropolitan Toronto Pension Plan, be further amended by substituting “2000” for “2001” in the second-last line of subsection 32(8); and
- (2) leave be granted for the introduction of the necessary Bill in Council to implement such amendment.

On motion by Councillor Ashton, the Administration Committee recommended to Council the adoption of the foregoing report (August 29, 2002) from the Chief Financial Officer and Treasurer.

(Clause No. 10 – Report No. 12)

**8.24 Declaration as Surplus
Strip of Land Adjacent to
120 Sinnott Road
(Ward 35 – Scarborough Southwest).**

The Administration Committee had before it a report (August 16, 2002) from the Commissioner of Corporate Services, recommending that:

- (1) the strip of land adjacent to 120 Sinnott Road, described as Part of Lot 11 on Plan 3759, be declared surplus to the City's requirements and Commissioner of Corporate Services be authorized to invite offer(s) to purchase from the adjoining property owner at 120 Sinnott Road, subject to the retention of a sewer easement, 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 Sutherland, the Administration Committee recommended to Council the adoption of the foregoing report (August 16, 2002) from the Commissioner of Corporate Services.

(Clause No. 21 – Report No. 12)

**8.25 Declaration as Surplus
Parcel of Vacant Land
Northwest Corner of Bedford Park
and Grey Road
(Ward 16 – Eglinton and Lawrence).**

The Administration Committee had before it a report (August 16, 2002) from the Commissioner of Corporate Services, recommending that:

- (1) the parcel of vacant land located at the northwest corner of Bedford Park Avenue and Grey Road, described as Part of Lot 775 on Plan M108 and shown as Part 1 on Sketch No. PS-2002-020, be declared surplus to the City's requirements and Commissioner of Corporate Services be authorized to invite offer(s) to purchase from the adjoining property owner at 410 Bedford Park 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 Sutherland, the Administration Committee recommended to Council the adoption of the foregoing report (August 16, 2002) from the Commissioner of Corporate Services.

(Clause No. 22 – Report No. 12)

**8.26 Declaration as Surplus
Parcel of Vacant Land
12 Kipping Avenue
(Ward 17 – Davenport).**

The Administration Committee had before it a report (August 16, 2002) from the Commissioner of Corporate Services, recommending that:

- (1) the parcel of vacant land, municipally known as 12 Kipping Avenue, described as being Part of Lots 76, 77 and 78, Block A, Plan 886 and designated as Part 11 on Reference Plan 64R-16146, be declared surplus to the City's requirements and the Commissioner of Corporate Services be authorized to invite offer(s) to purchase 12 Kipping Avenue from the adjoining property owner at 10 Kipping 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 Sutherland, the Administration Committee recommended to Council the adoption of the foregoing report (August 16, 2002) from the Commissioner of Corporate Services.

(Clause No. 23 – Report No. 12)

**8.27 Declaration as Surplus
Parcel of Vacant Land
Portion of 4667 Kingston Road
(Ward 44 – Scarborough East).**

The Administration Committee had before it a report (August 16, 2002) from the Commissioner of Corporate Services, recommending that:

- (1) the parcel of vacant land located between Nos. 4665 and 4669 Kingston Road and being a portion of 4667 Kingston Road, described as Part of Lot 2 on Plan 1502 and shown on the attached Sketch PS-2001-081 as Part 1, be declared surplus to the City's requirements and the property be listed 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 Sutherland, the Administration Committee recommended to Council the adoption of the foregoing report (August 16, 2002) from the Commissioner of Corporate Services.

(Clause No. 24 – Report No. 12)

**8.28 Declaration as Surplus
Vacant Parcel of Land
113 Parliament Street
(Ward 28 – Toronto Centre – Rosedale).**

The Administration Committee had before it a report (August 16, 2002) from the Commissioner of Corporate Services, recommending that:

- (1) the property known municipally as 113 Parliament Street, described as Part of Lot 7 on Plan 108 and designated as Part 9 on Reference Plan RD178, be declared surplus to the City's requirements and the Commissioner of Corporate Services be authorized to invite offer(s) to purchase the property from the tenant, Mediacom Inc., and if, in the opinion of staff, no recommendable offer is received, then to invite offer(s) to purchase the property, from the abutting property owner at 115 Parliament Street, and if, in the opinion of staff, no recommendable offer is received, then the property be listed for sale on the open market, and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken;

- (2) City Council approve, as the approving authority under the provisions of the *Expropriations Act*, the disposal of the subject lands without giving the original owners from whom the land was expropriated the first chance to repurchase the lands; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Sutherland, the Administration Committee recommended to Council the adoption of the foregoing report (August 16, 2002) from the Commissioner of Corporate Services.

(Clause No. 25 – Report No. 12)

**8.29 Declaration as Surplus
Commercial Condominium Unit
220 Duncan Mill Road, Unit 217
(Ward 34 – Don Valley East).**

The Administration Committee had before it a report (August 12, 2002) from the Commissioner of Corporate Services, recommending that:

- (1) 220 Duncan Mill Road, Unit 217, described as Unit 17, Level 2 and Unit 21, Level 2 and Unit 212, Level A and Unit 245, Level A on Metropolitan Condominium Plan No. 918 and its appurtenant common interest be declared surplus to the City's requirements and be listed 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 Sutherland, the Administration Committee recommended to Council the adoption of the foregoing report (August 12, 2002) from the Commissioner of Corporate Services.

(Clause No. 26 – Report No. 12)

**8.30 Declaration as Surplus
Parcel of Land Adjoining
40 Sheppard Avenue West
(Ward 23 – Willowdale).**

The Administration Committee had before it a report (August 16, 2002) from the Commissioner of Corporate Services, recommending that:

- (1) the parcel of land adjoining 40 Sheppard Avenue West, described as Part of Lot 7 on Plan M389 and designated Part 1 on Reference Plan 66R-19585, be declared surplus to the City's requirements and Commissioner of Corporate Services be authorized to invite offer(s) to purchase from the adjoining property owner at 40 Sheppard Avenue West 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 Sutherland, the Administration Committee recommended to Council the adoption of the foregoing report (August 16, 2002) from the Commissioner of Corporate Services.

(Clause No. 27 – Report No. 12)

**8.31 Declaration as Surplus
Commercial Condominium Units
222 Spadina Avenue, Unit 8 and
222 Spadina Avenue, Unit 10
(Ward 20 – Trinity-Spadina).**

The Administration Committee had before it a report (August 16, 2002) from the Commissioner of Corporate Services, recommending that:

- (1) 222 Spadina Avenue, Unit 8, described as Unit 8, Level A on Metropolitan Toronto Condominium Plan No. 1089 together with its appurtenant common interest and 222 Spadina Avenue, Unit 10, described as Unit 10, Level A on Metropolitan Toronto Condominium Plan No. 1089 together with its appurtenant common interest, be declared surplus to the City's requirements and listed 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 Sutherland, the Administration Committee recommended to Council the adoption of the foregoing report (August 16, 2002) from the Commissioner of Corporate Services.

(Clause No. 28 – Report No. 12)

**8.32 Declaration as Surplus
22 Wascana Avenue
(Ward 28 – Toronto Centre - Rosedale).**

The Administration Committee had before it a report (August 27, 2002) from the Commissioner of Corporate Services, recommending that:

- (1) the property municipally known as 22 Wascana Avenue, described as Lot 5 on Plan 860, be declared surplus to the City's requirements and the property be listed for sale on the open market and all steps necessary to comply with Chapter 213 of the 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 Sutherland, the Administration Committee recommended to Council the adoption of the foregoing report (August 27, 2002) from the Commissioner of Corporate Services.

(Clause No. 29 – Report No. 12)

**8.33 Declaration as Surplus
31 Tracy Street
(Ward 28 – Toronto Centre - Rosedale).**

The Administration Committee had before it a report (August 27, 2002) from the Commissioner of Corporate Services, recommending that:

- (1) the property known municipally as 31 Tracy Street, described as Part of Lot 7, Plan 108, be declared surplus to the City's requirements and the property be listed for sale on the open market and all steps necessary to comply with Chapter 213 of the 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 Sutherland, the Administration Committee recommended to Council the adoption of the foregoing report (August 27, 2002) from the Commissioner of Corporate Services.

(Clause No. 30 – Report No. 12)

8.34 Review of the Police Reference Check Program and Record Retention Schedule.

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

- (1) (July 10, 2002) from Mr. Norm Gardiner, Chair, Toronto Police Services Board, providing the final results of a review of the police reference check program and responses to comments by deputants with respect to retention periods for records of the Toronto Police Service; advising that there are no financial implications in regard to the receipt of this report; and recommending that this report be received for information;
- (2) (September 8, 2002) from Mr. Donald Barber, providing his comments with respect to the foregoing matter.

On motion by Councillor Sutherland, the Administration Committee received the foregoing report and communication.

(Chair, Toronto Police Services Board; Mr. Donald Barber
– September 10, 2002)

(Clause No. 31(m) – Report No. 12)

8.35 Benefit Coverage – Former Municipality of Metropolitan Toronto Over Age 65 Retirees.

The Administration Committee had before it the following communications:

- (1) (June 11, 2002) from the City Clerk, a confidential communication respecting Benefit Coverage – Former Municipality Toronto Over Age 65 Retirees, such report to be considered in-camera having regard that the subject matter relates to personal matters about identifiable individuals;

- (2) (June 24, 2002) from Mr. Jack Horsley, submitting a summary outlining what he considers to be the essential legal documents and issues pertaining to the matter of benefit coverage for former Municipality of Metropolitan Toronto over age 65 Retirees; and
- (3) (September 5, 2002) from the Executive Director, COTAPSAI, entitled "Executive Summary Metro Toronto Pensioners Drug Coverage."

The Administration Committee also had before it a copy of the Sun Life Benefits Plan booklet issued to employees of the Corporation of the Municipality of Metropolitan Toronto.

The Director, Pension, Payroll and Employee Benefits, Finance Department, gave an in-camera presentation to the Administration Committee in connection with the aforementioned matter and filed a copy of her presentation material.

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

- Mr. Richard Majkot, Executive Director, COTAPSAI, and filed a written submission with respect thereto; and
- Mr. Michael Mitchell, Sack, Goldblatt & Mitchell.

Councillor Michael Walker, St. Paul's, also appeared before the Administration Committee in connection with the foregoing matter.

The Administration Committee:

- (1) submitted, without recommendation, the confidential communication (June 11, 2002) from the City Clerk respecting Benefit Coverage – Former Municipality of Metropolitan Toronto Over Age 65 Retirees, which was forwarded to Members of Council under confidential cover, having regard that all motions pertaining thereto lost on a tie vote; and
- (2) recommends that, in accordance with the Municipal Act, discussions pertaining to the aforementioned issue be considered in-camera having regard that the subject relates to potential litigation matters; and

- (3) requested the Chief Financial Officer and Treasurer to submit a report directly to Council for its meeting scheduled to be held on October 1, 2002:
- (1) on the actual “out-of-pocket” expenses in the last year that coverage was provided by Sun Life Assurance Company of Canada; and
 - (2) on the appropriate way to pay for the benefits on a going forward basis only.
(Motion by Councillor Miller)

The following Motions were voted on and **lost on a tie vote**:

Councillor Miller moved that, the Administration Committee recommended to Council that former Metropolitan Toronto retirees over age 65 continue to be provided with post retirement drug benefits coverage.

Councillor Holyday appointed Councillor Sutherland Acting Chair and vacated the Chair.

Councillor Holyday moved that, the Administration Committee recommend to Council the adoption of the joint confidential report (May 29, 2002) from the Chief Financial Officer and Treasurer and the City Solicitor with respect to benefit coverage for former Municipality of Metropolitan Toronto over age 65 retirees – supplementary report.

Councillor Holyday resumed the Chair.

(Chief Financial Officer and Treasurer – September 10, 2002)

(Clause No. 1 – Report No. 12)

**8.36 Acquisition of 36 Holmes Avenue
for the North York Centre Plan Service Road
(Ward 23 – Willowdale).**

The Administration Committee had before it a confidential report (August 13, 2002) from the Commissioner of Corporate Services, respecting the Acquisition of No. 36 Holmes Avenue for the North York Centre Plan Service Road, such report to be considered in-camera having regard that the subject matter relates to the pending acquisition of land for municipal purposes.

On motion by Councillor Miller, the Administration Committee recommended to Council the adoption of the confidential report (August 13, 2002) from the Commissioner of Corporate Services respecting the acquisition of 36 Holmes Avenue for the North York Centre Plan Service Road, 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 proposed acquisition of land for municipal purposes.

(Clause No. 20 – Report No. 12)

**8.37 Accounts Receivable – Largest Debtors
With Tax Arrears Greater than \$500,000.**

The Administration Committee had before it a report (September 3, 2002) from the Chief Financial Officer and Treasurer, providing the quarterly report identifying those properties with tax arrears of \$500,000 or more that are owned by a corporation; advising of the efforts that have been made to collect the tax arrears, and if a bailiff has been used in the collection efforts; and recommending that this report be received for information.

On motion by Councillor Nunziata, the Administration Committee received the foregoing report.

(Clause No. 31(n) – Report No. 12)

**8.38 Fleet Service Card: Update on Actions
Taken and Status of Re-Tendering.**

The Administration Committee had before it a report (August 20, 2002) from the Commissioner of Corporate Services, recommending that:

- (1) Council approve the actions taken to date in establishing a sole source contract with PHH Vehicle Management Services and the extension of the sole source until such a time as new contracts are implemented, no later than March 31, 2003, at a total cost not to exceed \$1,000,000 to cover flow through charges, licensing and service fees already budgeted for in 2002 departmental budgets and included in 2003 budget submissions, to ensure continued service for vehicles covered by the fleet maintenance card; and
- (2) the appropriate city officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Ashton, the Administration Committee recommended to Council the adoption of the foregoing report (August 20, 2002) from the Commissioner of Corporate Services.

(Clause No. 13 – Report No. 12)

**8.39 Quorum for Trustees' Meetings – Proposed
Modification of Conditions Relating
to Presence of Representatives.**

The Administration Committee had before it a report (September 4, 2002) from the Board Secretary, Board of Trustees of the Metropolitan Toronto Police Benefit Fund, advising that The Board of Trustees of the Metropolitan Toronto Police Benefit Fund at its meeting held on Friday, August 30, 2002, recommended to the Administration Committee that the draft amending by-law appended to the report (August 6, 2002) from the City Solicitor, be enacted, to accomplish the desired purpose of avoiding failures to achieve a quorum where the sole officer representative is absent, as long as a pensioner representative and the other representatives are present.

On motion by Councillor Johnston, the Administration Committee recommended to Council the adoption of the Recommendation of the Board of Trustees of the Metropolitan Toronto Police Benefit Fund embodied in the foregoing communication (September 4, 2002) from the Board Secretary, Board of Trustees of the Metropolitan Toronto Police Benefit Fund.

(Clause No. 11 – Report No. 12)

**8.40 The Corporation of the City of York
Employee Pension Plan Actuarial Report
and Cost Certificate as at January 1, 2002.**

The Administration Committee had before it a communication (September 3, 2002) from the City Clerk, York Employee Pension Plan Committee, advising that The York Employee Pension Plan Committee, at its meeting held on Friday, August 30, 2002, recommended to the Administration Committee that the Actuarial Report and Cost Certificate as at January 1, 2002, prepared by Mercer Human Resource Consulting be adopted, with the exception of the cost-of-living adjustment being made to pensions in payment effective July 1, 2002, which the Committee advises having deferred for consideration at its next meeting.

On motion by Councillor Soknacki, the Administration Committee:

- (1) recommended to Council the adoption of the recommendation of the York Employee Pension Plan Committee embodied in the foregoing communication (September 3, 2002) from the City Clerk, York Employee Pension Plan Committee;
- (2) requested the Chief Financial Officer and Treasurer, in consultation other appropriate staff, if required, to submit a report to the meeting of the Administration Committee scheduled to be held on October 8, 2002:
 - (a) on the cash flow implications for the City of Toronto of not having to meet the solvency provisions of the Pension Benefits Acts of Ontario; and
 - (b) on whether other pension plans for which the City of Toronto has funding responsibilities are also exempt from these solvency provisions.

(Members of Council – September 10, 2002)

(Clause No. 12 – Report No. 12)

**8.41 Sale of City-Owned Property,
205 Yonge Street
(Ward 27 – Toronto Centre - Rosedale).**

The Administration Committee had before it the following:

- (1) report (September 6, 2002) from the Commissioner of Corporate Services, recommending that:
 - (1) the Offer to Purchase from 3067485 Nova Scotia Limited to purchase the City-owned property known municipally as 205 Yonge Street in the amount of \$2,810,000.00 less an allowance of \$150,000.00, be accepted on the terms outlined in the body of this report, including the approval of the Easement Agreement, 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 expenses related to this property as outlined in the body of this report;
 - (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including the payment of any necessary expenses and amending the closing date to such earlier or later date as she considers reasonable; and
 - (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;
- (2) communication (August 28, 2002) from Mr. Robert Rueter, President, Caimor Ltd., confidentially expressing concern to the Administration Committee respecting the manner in which he was treated in connection with his offers to purchase 205 Yonge Street and non-compliance with the terms of the Sale Protocol established by the City pertaining thereto; outlining his objections to the manner in which this matter was conducted; setting out facts known to him and providing documents in regard thereto; and
- (3) confidential report (September 9, 2002) from the Commissioner of Corporate Services, addressing the concerns raised by Mr. Robert Rueter, President, Caimor Ltd., in his communication dated August 28, 2002, such report to be considered in-camera having regard that the subject matter may develop into a case for litigation.

Mr. Robert Rueter, President, Caimor Ltd., appeared before the Administration Committee in connection with the foregoing matter.

Councillor Kyle Rae, Toronto Centre-Rosedale, also appeared before the Administration Committee in connection with the foregoing matter.

On motion by Councillor Ashton, the Administration Committee:

- (1) recommended to Council the adoption of the foregoing report (September 6, 2002) from the Commissioner of Corporate Services;
- (2) received the confidential report (September 9, 2002) from the Commissioner of Corporate Services providing information with respect to the communication (August 28, 2002) from Mr. Robert Rueter, President, Caimor Ltd.

(Clause No. 19 – Report No. 12)

**8.42 Marketing of 700 Huron Street -
(Ward 22 - St. Paul's).**

The Administration Committee had before it a confidential report (September 5, 2002) from the Commissioner of Corporate Services, respecting the marketing of 700 Huron Street, such report to be considered in-camera having regard that the subject matter relates to the possible disposition of property.

On motion by Councillor Ford, on behalf of Councillor Walker, the Administration Committee recommended to Council the adoption of the confidential report (September 5, 2002) from the Commissioner of Corporate Services respecting the marketing of 700 Huron Street, 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 security of the property of the municipality.

Councillor Michael Walker, St. Paul's, also appeared before the Administration Committee in connection with the foregoing matter.

(Clause No. 17 – Report No. 12)

**8.43 Disposition of Surplus Property -
39 Newcastle Street
(Ward 6 - Etobicoke – Lakeshore).**

The Administration Committee had before it a report (September 5, 2002) from the Commissioner of Corporate Services, recommending that:

- (1) authority be granted to continue negotiations with CIC Millwork Limited to resolve outstanding issues and report on the outcome of the negotiations directly to Council at its meeting of October 1, 2 and 3, 2002; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Ashton, the Administration Committee concurred with the recommendations embodied in the foregoing report (September 5, 2002) from the Commissioner of Corporate Services.

(Clause No. 18 – Report No. 12)

**8.44 Proposed Development at
2245 Lawrence Avenue West
(Ward 2 – Etobicoke North).**

The Administration Committee had before it a report (September 6, 2002) from the Commissioner of Corporate Services, recommending that:

- (1) subject to HHRA committing to funding the sublease of an additional 200 square metres of parkland plus improvements in the amount of \$210,000.00 by October 18, 2002, Real Estate staff in consultation with staff of EDCT be authorized to negotiate with Oakwood Retirement Communities Inc. (Oakwood) the sublease of 200 square meters of additional parkland coterminous with Oakwood's lease of the property;
- (2) should HHRA not commit to fund the sublease of the additional 200 square metres by October 18, 2002, or should the negotiations with Oakwood to sublease the additional lands fail then EDCT should receive a cash-in-lieu payment for the statutory parkland dedication;
- (3) a sub-lease agreement with Oakwood Retirement Communities Inc. under terms outlined in the body of this report and acceptable to the Commissioner of Corporate Services, the Commissioner of EDCT and the City Solicitor be authorized; and

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

The Administration Committee also having had before it a number of communications addressed to Councillor Rob Ford, Etobicoke North, opposing the proposed rezoning of the corner of Scarlet Road and Lawrence Avenue.

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

- Mr. John Raddi, Director Humber Heights of Etobicoke Ratepayers Inc., and filed a written submission with respect thereto; and
- Mr. Joseph Kennedy.

Councillor Pam McConnell, Toronto Centre-Rosedale, also appeared before the Administration Committee in connection with the foregoing matter.

The Administration Committee:

- (1) recommended to Council that the Ontario Municipal Board be advised of any action taken by Council respecting this matter; **(Motion by Councillor Sutherland)**
- (2) requested the Commissioner of Corporate Services to:
 - (a) proceed with negotiations to acquire two acres of land at the same lease price that Oakwood Retirement Communities Inc., has paid the Toronto District School Board; **(Motion by Councillor Sutherland)** and
 - (b) ensure that the ruling of the OMB respecting this matter is followed with respect to the involvement of local residents; **(Motion by Councillor Miller)**

and submit a report directly to Council for its meeting scheduled to be held on October 1, 2002;

- (3) requested the City Solicitor to submit a report to the aforementioned meeting of Council on the potential and feasibility of expropriating lands for park purposes on this site; **(Motion by Councillor Ashton)** and
- (4) forwarded a copy of the report (September 6, 2002) from the Commissioner of Corporate Services respecting the proposed development of 2245 Lawrence Avenue West, to the Chief Administrator's Office for comment thereon to the Policy and Finance Committee for its meeting on September 19, 2002, when it gives consideration to the recommendations of the School Advisory Committee on the City's position on funding to the newly formed Ontario Education Equality Task Force. **(Motion by Councillor Sutherland, on behalf of Councillor McConnell)**

(Clause No. 16 – Report No. 12)

The Administration Committee adjourned its meeting at 5:45 p.m.

Chair.