

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Administration Committee

Meeting 10

Tuesday, October 5, 2004

The Administration Committee met on October 5, 2004, in Committee Room No. 1, City Hall, Toronto, commencing at 9:30 a.m.

Councillor	9:30 a.m. to 12:00 noon	2:00 p.m. to 2:30 p.m.
Councillor Michael Walker, Chair	X	-
Councillor Janet Davis, Vice-Chair	X	X
Councillor Shelley Carroll	X	-
Councillor Frank Di Giorgio	X	X
Councillor Rob Ford	X	-
Councillor Doug Holyday	X	X
Councillor Frances Nunziata	X	-
Councillor Sylvia Watson	X	X

* Members were present for all or part of the meeting.

Councillor Walker in the Chair.

Declarations of Interest Pursuant to the Municipal Conflict of Interest Act.

None declared.

10.1 Council Chamber Elevator Maintenance Costs, Downtime and Possible New Staircase at City Hall

The Administration Committee considered a report (September 23, 2004) from the Commissioner of Corporate Services reporting on the costs associated with the repairs to the Council elevator since amalgamation, the annual downtime, based on 2003, of the City Hall elevators serving Council Chamber and provide recommendations that would improve the performance of these elevators. Also, to bring forward to the Administration Committee the previous report on the installation of a stairway from the Council Chamber to the second floor of City Hall.

Recommendations:

It is recommended that this report be received for information.

On motion by Councillor Holyday, the Administration Committee received the report (September 23, 2004) from the Commissioner of Corporate Services.

Report 8, Other Items Clause 12(a)

10.2 Status of Special Constable Request and Means Available to Protect City of Toronto Security Officers

The Administration Committee considered a report (September 15, 2004) from the Commissioner of Corporate Services reporting on the status of the request to appoint City of Toronto security officers at City Hall as special constables, the means available to protect these security officers while on duty and how further enhancements can be made to increase benefits to the community.

Recommendations:

It is recommended that this report be received for information.

On motion by Councillor Di Giorgio, the Administration Committee received the report (September 15, 2004) from the Commissioner of Corporate Services.

Report 8, Other Items Clause 12(b)

10.3 Recipient - 2004-2005 City of Toronto Women's Studies Scholarship at the University of Toronto

The Administration Committee considered a report (September 14, 2004) from the Chief Administrative Officer advising Council of the result of the scholarship application process for the City of Toronto undergraduate scholarship in Women's Studies at the University of Toronto.

Recommendations:

It is recommended that:

- (1) City Council extend its congratulations to Samantha Cutrara as the 2004-2005 recipient of the City of Toronto undergraduate scholarship in Women's Studies at the University of Toronto; and
- (2) the appropriate City Officials be authorised and directed to take the necessary action to give effect thereto.

On motion by Councillor Nunziata, the Administration Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (September 14, 2004) from the Chief Administrative Officer.

Report 8, Clause 1

10.4 Provision of Recruitment Advertising Services Request for Proposal No. 9103-04-7223

The Administration Committee considered a report (September 20, 2004) from the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer reporting on the results of Request for Proposal No. 9103-04-7223 issued for recruitment advertising services and to request authority to award a contract to the recommended Proponent, for the period November 1, 2004 to October 31, 2005 with an option to extend the contract for an additional second and third year.

Recommendations:

It is recommended that:

- (1) authority be granted to enter into a one year contract with RecruitAd Advertising, the highest overall scoring Proponent meeting the requirements for the provision of recruitment advertising services, at a cost not to exceed \$400,000.00 including all applicable charges and taxes

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- for the period November 1, 2004 to October 31, 2005, with an option to renew the contract for an additional second and third year;
- (2) the option to renew the contract for a second year be exercised for the period November 1, 2005 to October 31, 2006 at a cost not to exceed \$400,000.00 including all applicable charges and taxes and the option to renew the contract for a third year be exercised for the period November 1, 2006 to October 31, 2007 at a cost not to exceed \$400,000.00 including all applicable charges and taxes under the same terms and conditions and is to be reviewed by the Commissioner of Corporate Services in co-operation with the Purchasing Agent, provided the previous term of the contract was performed satisfactorily, to ensure it is feasible to extend the contract;
 - (3) provided that there is a favourable review, in accordance with Recommendation No. 2, the Commissioner of Corporate Services be delegated the authority to exercise the options to renew the contract for a second and third year period on the terms and conditions set out above and be authorized to instruct the Purchasing Agent to process the necessary contract; and
 - (4) the necessary City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Watson, the Administration Committee:

- (1) recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (September 20, 2004) from the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer, subject to the annual renewal being approved by City Council; and
- (2) requested the Commissioner of Corporate Services and the Chief Financial Officer and Treasurer to report directly to City Council, for its meeting on October 26, 2004, providing a breakdown of the costs outlined in the report and a co-ordination of these costs with other advertising costs in the City.

(Commissioner of Corporate Services; Chief Financial Officer and Treasurer - October 6, 2004)

Report 8, Clause 2

10.5 Contracts Awarded by the Bid Committee during the 2004 Summer Recess Period

The Administration Committee considered a report (September 3, 2004) from the Chief Financial Officer and Treasurer advising the Administration Committee of contracts awarded by the Bid Committee in accordance with the requirements of the City of Toronto Municipal Code, Purchasing, Chapter 195-10.

Recommendations:

It is recommended that this report be received for information.

On motion by Councillor Davis, the Administration Committee received the report (September 3, 2004) from the Chief Financial Officer and Treasurer.

Report 8, Other Items Clause 12(c)

10.6 Tax Adjustment - *Municipal Act, 2001* Section 357 and 358

Councillor Davis in the Chair.

The Administration Committee held a statutory meeting in accordance with the *Municipal Act, 2001*.

The Administration Committee considered a report (September 16, 2004) from the Chief Financial Officer and Treasurer recommending approval for the cancellation, reduction or refund of taxes pursuant to the provisions of sections 357 and 358 of the *Municipal Act, 2001* (formerly section 442 and 443 under the old Municipal Act).

Recommendations:

It is recommended that:

- (1) the individual tax appeal applications made pursuant to section 357 of the *Municipal Act, 2001* resulting in tax adjustments totalling \$3,530,330.49 (excluding phase-in/capping), as provided in the detailed hearing report attached as Appendix C, be approved;

- (2) the individual tax appeal applications made pursuant to section 358 of the *Municipal Act, 2001* resulting in tax adjustments totalling \$227,236.06 (excluding phase-in/capping), as provided in the detailed hearing report attached as Appendix D, be approved; and,
- (3) the appropriate City Officials be authorized and directed to take the necessary actions to give effect thereto.

On motion by Councillor Watson, the Administration Committee recommended that City Council:

- (1) adopt the staff recommendations in the Recommendations Section of the report (September 16, 2004) from the Chief Financial Officer and Treasurer; and
- (2) deny application 20030535 for cancellation in taxes for the property located at 61 Glen Edyth Drive and that the taxpayer be advised to appeal to the Assessment Review Board.

Jerry Khidaroo appeared before the Committee and filed a written submission.

Report 8, Clause 3

10.7 Restrictions on the Ability of Council Members to Seek Higher Office.

The Administration Committee considered a report (September 23, 2004) from the City Clerk reporting on the implications of imposing restrictions on a Council Member's ability to seek higher elected office.

Recommendation:

It is recommended that this report be received for information.

The following motion by Councillor Holyday failed:

"That the matter be referred back to the City Clerk with a request for a further report on the feasibility of requesting the Province to enact enabling legislation to

require Members of Council to resign if they seek higher office during the first year of the municipal term, such report to include comment on other issues raised during discussion at this meeting.

On motion by Councillor Davis, the Administration Committee received the report (September 23, 2004) from the City Clerk.

Report 8, Other Items Clause 12(d)

10.8 Municipal Term of Office

The Administration Committee considered a report (September 21, 2004) from the City Clerk reporting on a four year term for municipal office.

Recommendation:

It is recommended that this report be received for information.

The following motions (A) and (B) were not voted on because the motion by Councillor Holyday to receive carried:

(A) Moved by Councillor Watson:

"(1) That the Province be requested to extend the Municipal term of office to 4 years rather than 3, effective with the Municipal election of 2006; and

(2) the Provincial election date be offset from the municipal election date so that it occurs in the year following the municipal election date".

(B) Moved by Councillor Davis:

"That the Province be requested to amend the Elections Act to change the campaign period and date of registration for candidates to May 1 in the year of an election".

On motion by Councillor Holyday, the Administration Committee:

- (a) received the report (September 21, 2004) from the City Clerk; and
- (b) requested the City Clerk to report to the Committee on the feasibility of advancing the municipal election date.

(City Clerk - October 6, 2004)

Report 8, Other Items Clause 12(e)

10.9 Records Retention By-law

The Administration Committee considered a report (September 16, 2004) from the City Clerk seeking City Council approval to introduce a by-law to schedule the retention of City records, and the destruction of records that have no financial, legal or archival value and have completed their scheduled retention.

Recommendations:

It is recommended that:

- (1) a harmonized records retention bylaw be enacted substantially as set out in the draft bylaw attached as Appendix "A";
- (2) a Corporate Records Retention Committee, with staff representation from Legal Services, Internal Audit, and City Clerk's Office (Records and Archives), be established to recommend future amendments of the retention schedule to Administration Committee for City Council approval;
- (3) authority be granted for the introduction of the necessary Bills in City Council to give effect to the foregoing; and
- (4) the appropriate City of Toronto officials be authorized to take the necessary actions to give effect thereto.

On motion by Councillor Carroll, the Administration Committee recommended that City Council adopt the staff recommendations in the Recommendations Section in the report (September 16, 2004) from the City Clerk.

Report 8, Clause 4

10.10 McMillan vs. City of Toronto - Court Application

The Administration Committee considered a report (September 16, 2004) from the City Solicitor advising Council of the outcome of a Court application brought by Mr. James McMillan. Mr. McMillan asked the Court to declare that the policies adopted by Toronto City Council at its meeting on April 14, 15, and 16, 2003 entitled "Use of Communications, Services and Resources During an Election Year" and "Use of Corporate Resources for Election Purposes Especially During An Election Year" are unlawful, ultra vires the powers of City Council and that they breach section 15 of the Canadian Charter of Rights and Freedoms.

Recommendations:

It is recommended that Council receive this report for its information.

On motion by Councillor Holyday, the Administration Committee recommended that City Council receive the report (September 16, 2004) from the City Solicitor for information.

Report 8, Clause 5

10.11 Purchase of 248 Brooke Avenue for Municipal Parking Purposes (Ward 16 - Eglinton-Lawrence)

The Administration Committee considered a confidential report (September 21, 2004) from the President, Toronto Parking Authority and because it relates to a proposed or pending acquisition of land for municipal or local board purposes discussions should be held in-camera.

Councillor Stintz was present during consideration of this matter.

On motion by Councillor Davis, the Administration Committee submitted to City Council, without recommendation, the confidential report (September 21, 2004) from the President, Toronto Parking Authority, which was forwarded to Members of Council under confidential cover; and recommended that, because it relates to a proposed or pending acquisition of land, under the *Municipal Act, 2001* discussions about this report be held in camera.

Report 8, Clause 6

10.12 2004 Third Quarterly Report on Property Sales and Purchases (All Wards)

The Administration Committee considered a report (September 22, 2004) from the Commissioner of Corporate Services providing the 2004 Third Quarterly Report on property sales and purchases for the information of the Committee.

Recommendations:

It is recommended that this report be received for information.

On motion by Councillor Di Giorgio, the Administration Committee received the report (September 22, 2004) from the Commissioner of Corporate Services

Report 8, Other Items Clause 12(f)

10.13 Toronto's Walking Couriers

The Administration Committee considered a communication (August 3, 2004) from the Toronto Pedestrian Committee forwarding action taken by the Committee on July 14, 2004.

Recommendation:

The Toronto Pedestrian Committee recommends that the Administration Committee request City Council to:

- (1) set an example by advocating the use of pedestrian messengers, whenever possible, if any small packages are to be delivered in the City of Toronto (especially downtown), that such delivery be done by foot, bicycle or public transit; and
- (2) request that the Provincial and Federal Governments follow the same sustainably responsible delivery practice, as well as the private sector, when they are conducting their business within the confines of the City.

On motion by Councillor Watson, the Administration Committee referred the communication (August 3, 2004) from the Toronto Pedestrian Committee to the City Clerk with a request that she report back to the Committee.

(City Clerk: c.c. Committee Secretary, Toronto Pedestrian Committee - October 6, 2004)

Report 8, Other Items Clause 12(g)

10.14 Implementation Plan for the “3-1-1” Customer Service Strategy

The Administration Committee was advised that a proposed report on this matter was not available.

Report 8, Other Items Clause 12(h)

10.15 Redevelopment of the St. Lawrence Market North Property (Ward 28 - Toronto Centre - Rosedale)

Councillor Davis in the Chair.

The Administration Committee considered a report (September 20, 2004) from the Commissioner of Corporate Services seeking City Council's endorsement of a set of development parameters for the St. Lawrence Market North property and an updated Strategic Vision statement for the entire St. Lawrence market Complex.

Recommendations:

It is recommended that:

- (1) Council adopt the development parameters for St. Lawrence Market North and Strategic Vision statement for the entire St. Lawrence Market Complex as set out in Appendices 1 and 2(A) respectively;
- (2) the Commissioner of Corporate Services investigate and report back on access and parking options for St. Lawrence Market North; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Anne Milchberg, Manager, Development and Portfolio Planning, Facilities and Real Estate Division and James Parakh, Urban Designer, South District, Urban Development Services gave a presentation to the Committee on this matter.

Councillor McConnell was present during consideration of this matter.

On motion by Councillor Carroll, the Administration Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (September 20, 2004) from the Commissioner of Corporate Services.

Report 8, Clause 7

10.16 Complaint re: Actions at Committee Meeting

The Administration Committee considered a report (September 22, 2004) from the City Solicitor reporting on the classification of a complaint, received under the Complaint Protocol for the Council Code of Conduct (that predates the appointment of the Integrity Commissioner), as a matter that is not on its face a Code of Conduct complaint. The report also recommends that the type of actions complained of be reviewed as part of the Procedural By-law (Municipal Code Chapter 27, Council Procedures) review or by the Integrity Commissioner.

Recommendations:

It is recommended that:

- (1) the wearing of apparel, buttons and similar accessories supporting a particular position be the subject of one or more reviews as follows:
 - A. the proposed Working Group to review Municipal Code Chapter 27, Council Procedures consider limitations on members of Council and the public wearing apparel, buttons and similar accessories supporting a particular position at Council and committee meetings, similar to the Provincial example;
 - B. the Integrity Commissioner comment on members of Council wearing apparel, buttons and similar accessories supporting a particular position at Council and committee meetings and include comments on adding specific provisions to the Code of Conduct for Members of Council;
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including providing notice of Council's actions to the members of the public who requested a review of this practice.

Councillor Davis in the Chair.

The following motion by Councillor Watson was not voted on because the motion by Councillor Walker to receive carried:

"That the staff recommendations in the Recommendations Section of the report be adopted subject to amending recommendation (1)A by deleting the words "and the public" and "similar to the Provincial example"."

On motion by Councillor Walker, the Administration Committee recommended that City Council receive the report (September 22, 2004) from the City Solicitor.

Report 8, Clause 8

10.17 Progress Report, Phase 1 - Fuel Site Review (All Wards)

The Administration Committee considered a report (September 27, 2004) from the Commissioner of Corporate Services reporting on the progress of the Fuel Site Review and advise of a delay in the completion of Phase One.

Recommendations:

It is recommended that this report be received for information.

On motion by Councillor Carroll, the Administration Committee received the report (September 27, 2004) from the Commissioner of Corporate Services

Report 8, Other Items Clause 12(i)

10.18 Expropriations for the North York Centre Plan Service Road of six parcels of land: 25 and 27 Holmes Avenue; parts of 21, 26 and 33 Holmes Avenue and part of 482 Kenneth Avenue. (Ward 23 - Willowdale)

The Administration Committee considered a report (September 30, 2004) from the Commissioner of Corporate Services seeking approval for the expropriations of 25 and 27 Holmes Avenue, parts of 21, 26 and 33 Holmes Avenue and part of 482 Kenneth Avenue.

Recommendations:

It is recommended that:

- (1) City Council, as the approving authority under the *Expropriations Act*, approve the City's Application for Approval to expropriate the properties and interests in six properties specified in the Schedule attached to this

report (the "Property") that are required for construction of the east service road in the North York Centre area;

- (2) City Council, as the expropriating authority, authorize all necessary steps in accordance with the *Expropriations Act* to expropriate the Property for the establishment of a new public highway and for all works and uses ancillary thereto, such steps including but not limited to, preparation and registration of an Expropriation Plan and service of Notices of Expropriation, Notices of Election as to a Date for Compensation and Notices of Possession;
- (3) the Director of Real Estate or the Executive Director of Facilities and Real Estate be authorized to sign the Notices of Expropriation and Notices of Possession on behalf of the City;
- (4) leave be granted for introduction of the necessary Bill in Council to give effect thereto; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Carroll, the Administration Committee recommended that City Council adopt the staff recommendations in the Recommendations Section in the report (September 30, 2004) from the Commissioner of Corporate Services.

Report 8, Clause 9

10.19 Acquisition of a part of 18 Kempford Boulevard - North York Centre Plan Service Road (Ward 23 - Willowdale)

Councillor Davis in the Chair.

The Administration Committee considered a confidential report (September 28, 2004) from the Commissioner of Corporate Services, and because it relates to a proposed or pending acquisition of land for municipal or local board purposes discussions be held in-camera.

On motion by Councillor Holyday, the Administration Committee recommended that City Council:

- (1) adopt the staff recommendations in the Recommendations Section in the confidential report (September 28, 2004) from the Commissioner of Corporate Services which was forwarded to Members of Council under confidential cover; and
- (2) because it relates to a proposed or pending acquisition of land for municipal or local board purposes, under the *Municipal Act, 2001* discussions about this report be held in camera.

Report 8, Clause 10

10.20 Declaration as Surplus of an Additional Portion of 150 Borough Drive (Ward 38 - Scarborough Centre)

The Administration Committee considered a report (October 4, 2004) from the Commissioner of Corporate Services declaring an additional portion of 150 Borough Drive surplus to municipal requirements.

Recommendations:

It is recommended that:

- (1) a portion of the property municipally known as 150 Borough Drive, being part of Block I on Plan M-1410, shown as Part 5 on Sketch No. PS-2003-088d, except for parts of Part 5, the lands upon which the two existing stairwells and ventilation shaft of the City's deck parking garage structure are located, be declared surplus to the City's requirements and the Commissioner of Corporate Services be authorized to invite The Goldman Group to present an offer to exchange the declared surplus lands for lands owned by The Goldman Group shown as Part 1 and Part 2 on Sketch No. PS-2003-088d;
- (2) all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and

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

On motion by Councillor Holyday, the Administration Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (October 4, 2004) from the Commissioner of Corporate Services.

Report 8, Clause 11

The Committee adjourned its meeting at 2:30 p.m.

Chair