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ADMINISTRATION COMMITTEE AGENDA MEETING 3

Date of Meeting: Tuesday, May 2, 2006 Enquiry: Yvonne Davies

Time: 9:30 a.m. Committee Administrator

Location: Committee Room 1 416-392-7039

City Hall

100 Queen Street West Toronto, Ontario

If the Administration Committee wishes to meet in camera (privately), a motion must be made to do so, and the reason given (*Municipal Act*, 2001).

Declarations of Interest under the Municipal Conflict of Interest Act

Confirmation of Minutes – March 6, 2006

Speakers/Presentations:

10:00 a.m. – Item 1 2:00 p.m. – Items 8 and 9 2:10 p.m. – Item 15

Communications/Reports:

FAIR WAGE OFFICE

1. De-Certification of Construction Trades Unions

(Speakers – 10:00 a.m.)

(In camera – solicitor-client privilege)

(Postponed from March 6, 2006 meeting)

Confidential report (February 9, 2006) from the Executive Director of Human Resources.

2. Fair Wage Policy Violation – Dram Electric Co. Ltd.

(Postponed from January 5, 2006 meeting)

Report (October 17, 2005) from the Manager, Fair Wage Office seeking to disqualify Dram Electric Co. Ltd. from City contracts for failure to comply with the City of Toronto Fair Wage Policy.

Recommendations:

It is recommended that:

- (1) Dram Electric Co. Ltd. be disqualified from conducting business on City projects for a period of two (2) years inclusive for failure to comply with the provisions of the Fair Wage Policy in two separate instances over a period of three years inclusive, and
- (2) following the disqualification period, Dram Electric Co. Ltd. be placed on probation for the next contract year; and
- (3) the disqualification of Dram Electric be published on the City's Web Site; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

2(a). Fair Wage Policy Violation – Two Separate Instances

Report (February 17, 2006) from the Manager, Fair Wage Office reporting on the definition of "two separate instances" under the Fair Wage Policy.

Recommendations:

It is recommended that:

- (1) that the recommendations in the report of the Manager, Fair Wage Office dated October 17, 2005 be adopted; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

3. Fair Wage Violation – Kary Construction Limited

Report (February 17, 2006) from the Manager, Fair Wage Office recommending disqualification of Kary Construction Ltd. from City contracts for failure to comply with the City of Toronto Fair Wage Policy.

Recommendations:

It is recommended that:

- (1) since Kary Construction Ltd. has been found to be in non-compliance with the provisions of the Fair Wage Policy in two separate instances over a period of three years inclusive, that they be disqualified from conducting business on City projects for a period of two (2) years inclusive;
- (2) after the disqualification period is over, Kary Construction Ltd. be placed on probation for the next contract year;
- (3) Kary Construction Ltd.'s status as a disqualified firm be published on the City's Web Site and;
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

4. Proposed Amendments to the Fair Wage Policy Disqualification Process

Report (April 18, 2006) from the City Solicitor expanding on the report of the Manager, Fair Wage Office (dated February 17, 2006) requested by the Administration Committee to clarify the meaning of "two instances" under the Fair Wage Policy, in response to a further request from Councillor Watson, and to expedite consideration of these outstanding disqualification reports.

Recommendations:

DEPUTY CITY MANAGER AND CHIEF FINANCIAL OFFICER

5. 2006 Insurance Program Renewal

(In camera – Security of the Property of the Municipality)

Confidential report (April 18, 2006) from the Deputy City Manager and Chief Financial Officer.

PURCHASING AND MATERIALS MANAGEMENT

6. 2005 Annual Report on Sole Source Purchasing Activity

Report (April 10, 2006) from the Treasurer providing details on the City division's purchasing activities in the areas of sole source purchasing exceeding the Divisional Purchase Order (DPO) limit of \$7,500.00 for the year 2005.

Recommendations:

It is recommended that this report be received for information only.

7. Policy for Access to information to Members of Council at Various Stages of the Procurement Process – Councillor Requests

Report (April 10, 2006) from the Treasurer advising of individual Councillor requests for procurement information as required by the Policy for Access to Information to Member of Council at Various Stages of the Procurement Process.

Recommendation:

REVENUE SERVICES

8. Tax Adjustment - Municipal Act, 2001 Sections 357 and 358

(2:00 p.m. Statutory Hearing under the *Municipal Act*, 2001)

Report (April 10, 2006) from the 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.

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 \$1,145,627.34 (including reductions in Business Improvement Area charges and excluding phase-in/capping adjustments), as provided in the detailed hearing report attached as Appendix C, be approved;
- the individual tax appeal applications made pursuant to Section 358 of the *Municipal Act*, 2001 resulting in tax adjustments totalling \$1,473,182.89 (including reductions in Business Improvement Area charges and excluding phase-in/capping adjustments), 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.

9. Apportionment of Property Taxes

(2:00 p.m. Statutory Hearing under the *Municipal Act*, 2001)

Report (April 18, 2006) from the Treasurer recommending approval for the apportionment of taxes pertaining to properties listed in Appendices A and B of this report and to report on the estimated amount of grant funding required to off-set the penalty/interest charges associated with these properties.

Recommendations:

It is recommended that:

- (1) the property tax apportionments identified in Appendix A and Appendix B, columns entitled "Apportioned Tax" and " Apportioned Phase In/Capping", be approved; and,
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

10. Accounts Receivable – Largest Debtors with Tax Arrears Greater Than \$500,000

Report (April 13, 2006) from the Treasurer providing information on property tax accounts with outstanding receivables of \$500,000 or more as at December 31, 2005, and to provide information on the total taxes outstanding as at December 31, 2005.

Recommendations:

It is recommended that this report be received for information.

INFORMATION AND TECHNOLOGY

11. Authority to Award Request for Proposal (RFP) 2104-06-3074 Wireless Telecommunications Services

Report (April 13, 2006) from the Acting Director, Purchasing and Materials Management, and the Chief Corporate Officer, advising on the results of the Request for Proposal 2104-06-3074 for Wireless Telecommunications Services (Cellular, pager, data and wireless messaging) and to request authority to award contracts to the recommended bidders. Included are recommendations for the award of Vendor of Record contracts for the continuation of existing services and the selection of Preferred Vendors for future new services.

Recommendations:

It is recommended that:

(1) a contract be awarded to Telus Mobility in the amount of \$12,711,300 including all applicable taxes and charges, as the Preferred Vendor for the provision of Wireless Telecommunications Services;

- (2) a contract be awarded to Rogers Wireless in the amount of \$3,632,800 including all applicable taxes and charges, as a Vendor of Record for the provision of Wireless Telecommunications Services;
- (3) a contract be awarded to PageNet Canada in the amount of \$482,800 including all applicable taxes and charges, as the Preferred Vendor for the provision of Paging and Wireless Telecommunications Services;
- (4) a contract be awarded to Telus Mobility Wireless Business Solutions in the amount of \$499,900 including all applicable taxes and charges, for the provision of Wireless Telecommunications Services equipment from Telus Mobility;
- (5) a contract be awarded to Wireless Systems Solutions in the amount of \$447,200 including all applicable taxes and charges, for the provision of Wireless Telecommunications Services equipment from Telus Mobility;
- (6) a contract be awarded to No Wires Direct in the amount of \$39,700 including all applicable taxes and charges, for the provision of Wireless Telecommunications Services equipment from Rogers Wireless;
- (7) a contract be negotiated and awarded to Bell Mobility in the amount of \$5,042,800 including all applicable taxes and charges, for the provision of Wireless Telecommunications Services for existing accounts, until such time as the those accounts can be transferred to an approved Vendor of Record;
- (8) a contract be awarded to Baka Wireless in the amount of \$101,700 including all applicable taxes and charges, for the provision of Wireless Telecommunications Services equipment from Bell Mobility; and
- (9) the appropriate City Officials be authorized and directed to take any necessary action to give effect thereto;

12. Software Licence Usage and Extension of Client Level Agreement – Oracle Corporation Canada Inc.

Report (April 6, 2006) from the Chief Corporate Officer reporting on the semi-annual report of the Executive Director of Information and Technology indicating the number of Oracle database licences acquired by City Divisions and their associated acquisition costs. As well, this report seeks approval to extend the Client Level Agreement and Blanket Contract No. 47011278 with Oracle Corporation Canada Inc. for the provision of the Oracle8 product and its subsequent releases.

Recommendations:

It is recommended that:

- (1) the appropriate City officials be authorized to extend the Client Level Agreement and Blanket Contract No. 47011278 with Oracle Corporation Canada Inc., to the Oracle Data Base Management System (DBMS) Standard Vendor of Record Master Agreement to acquire licences under the approved Corporate Technology Acquisition process, for the period ending March 30, 2007 in an amount not to exceed \$1,955,000.00 including all applicable charges and taxes; and
- (2) the appropriate City officials be directed to take the necessary action to give effect thereto.

13. Assistive Technology and Web Accessibility (All Wards)

Communication (February 28, 2006) from the Disability Issues Committee recommending to the Administration Committee that City Council:

(1) adopt the following proposed Web Accessibility Statement:

"The City of Toronto has a long-standing commitment to building an inclusive society and becoming barrier free. Toronto City Council adopted the City's Accessibility Plan in 2003 which has the central focus to make city facilities, information and activities more accessible, to identify and eliminate disparities and to create an accessible workplace.

The City intends to provide Web users with information which is clear, in plain language, and concise and logical. The City is taking the steps to address accessibility in its business practices and to make the City's website and online content accessible to the greatest number of users.

By using the measures required by the Ontarians with Disabilities Act and by the internationally-recognized standards established by the W3C (World Wide Web Consortium), the City will always strive to provide all Web users with an informative, intuitive and enriching Web experience."; and

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

CHIEF CORPORATE OFFICER

14. 2005 Annual Report on Multilingual Services (All Wards)

Report (April 13, 2006) from the Chief Corporate Officer on the Multilingual Services Policy passed by Council in 2002 and providing a summary of translation and interpretation activities undertaken in 2005 in order to meet the language needs of City of Toronto residents.

Recommendations:

It is recommended that this annual report on multilingual services be received for information.

FACILITIES AND REAL ESTATE

15. Acquisition of Toronto District School Board's Wanita Road Site (Ward 44 – Scarborough East)

(Speakers - 2:10 p.m.)

(Postponed from the March 6, 2006 meeting.)

(In-camera: - proposed or pending acquisition of land for municipal purposes)

Confidential report (March 2, 2006) from the Chief Corporate Officer.

- 15(a). Report from the General Manager, Parks, Forestry and Recreation not yet available.
- **15(b).** Communication (April 19, 2006) from June and Edwin Turner.
- **15(c).** Communication (February 20, 2006) from Bruce L. Smith and Betty J. Smith.
- **15(d).** Communication (February 28, 2006) from Don York, Chair, Manse Valley Community Association.

- **15(e).** Communication (March 5, 2006) from Patricia Heikkila.
- **15(f).** Communication (March 5, 2006) from Debbie Kirkoff.
- 15(g). Communication (March 4, 2006) from Gerry Snore.
- **15(h).** Communication (March 4, 2006) from Earl Bolton.
- **15(i).** Communication (March 5, 2006) from Kelly Shanley.
- **15(j).** Communication (March 5, 2006) from Dieter Skorn.
- 15(k). Communication (March 5, 2006) from Sharon and Don York.
- **15(1).** Communication (March 5, 2006) from Sidney and Elizabeth Karsh.
- **15(m).** Communication (March 6, 2006) from Don York, Manse Valley Community Association.
- **15(n).** Communication (March 6, 2006) from Betty Smith.
- **15(0).** Communication (March 6, 2006) from Bruce Smith.
- **15(p).** Communication (April 16, 2006) from Gerry Snore.
- 15(q). Communication (April 16, 2006) from Katherine Heikkila.
- **15(r).** Communication (April 17, 2006) from Kelly Shanley.
- 15(s). Communication (April 16, 2006) from Earl Bolton.
- **15(t).** Communication (April 7, 2006) from Chris Eaton.
- **15(u).** Communication (March 11, 2006) from Dieter Skorn.
- 15(v). Communication (April 7, 2006) from Sherry Eaton.
- 15(w). Communication (April 7, 2006) from Nancy and Rob Clements.
- 15(x). Communication (April 6, 2006) from Bernie Sigrist.
- 15(v). Communication (April 6, 2006) from Gord Novikoff.
- **15(z).** Communication (April 6, 2006) from Nicholas de Kruyff.

- 15(aa). Communication (April 10, 2006) from Hay Man Tsui.
- **15(bb).**Communication (April 10, 2006) from Frank and Annemarie Kaufman.
- 15(cc). Communication (April 11, 2006) from Varuna Indraratne.
- **15(dd).**Communication (April 13, 2006) from Lori Lockrey.
- 15(ee). Communication (undated) from Dr. Douglas Fleming and Kathleen Fleming.

16. Termination of Lease of Lands Adjacent to 26 Ernest Avenue (Ward 18 – Davenport)

Report (April 10, 2006) from the Chief Corporate Officer seeking authority to terminate the Lease with M & S Waste and Salvage Limited, and to authorize the Chief Corporate Officer or his designate to execute and deliver a Notice of Termination.

Recommendations:

It is recommended that:

- authority be granted for termination of the lease with M & S Waste and Salvage Limited (the "Tenant") for the lands described as Part of Lot 34, Concession 2 From the Bay, shown as Part 7 on Plan 64R-16975, Part 1 and Part of Part 2 on Plan 64R-16972, City of Toronto and adjacent to 26 Ernest Avenue, as more particularly shown on Sketch "A" attached (the "Property") ("the Lease");
- (2) the Chief Corporate Officer or his designate be authorized to execute and deliver the Notice of Termination; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

17. The 519 Church Street Community Centre – Addition Phase II (Ward 27 – Toronto Centre-Rosedale)

Report (April 12, 2006) from the Chief Corporate Officer seeking approval for Facilities and Real Estate Division to proceed with the Phase II Renovations at the 519 Church Street Community Centre.

Recommendations:

It is recommended that:

- (1) the Phase II addition at 519 Church Street be approved;
- the Facilities and Real Estate Division's 2006 Approved Capital Budget be amended to reflect (i) an increase of \$2.2 million project costs in 2006, funded from Section 37 funding and cash donations from the community, zero net; (ii) cash flow of \$0.50 million in 2006 and \$1.125 million in 2007 and \$1.025 in 2008, all gross, zero net;
- (3) the Planning Act Section 37 funding be used first and the 519 Church Street Board reimburse the City for expenditures on a quarterly basis, from its accumulated donations from the Community;
- (4) the architect of record, Kohn Shnier Architects, be issued a sole source purchase order for the contract administration of the designs that exist from Phase I and minor design changes as required to implement the Phase II work; and
- (5) the appropriate City officials be given the authority and direction to take the necessary actions required to give effect hereto.

18. Declaration as Surplus – Parcel of Vacant Land Southeast Corner of Industrial Street and Esandar Drive Adjacent to 43 Industrial Street (Ward 26 – Don Valley West)

Report (April 12, 2006) from the Chief Corporate Officer declaring the property surplus to municipal requirements.

Recommendations:

It is recommended that:

(1) the parcel of vacant land at the southeast corner of Industrial Street and Esandar Drive, abutting 43 Industrial Street, being part of Block B on Plan 2643 and designated as Part 1 on Reference Plan 64R-6535, also shown as Part 1 on Sketch No. PS-2006-008 (the "Property"), be declared surplus to the City's requirements

and the Chief Corporate Officer be authorized to invite an offer to purchase from the owner of 43 Industrial Street, and all steps necessary to comply with the City's real estate disposal process as set out in 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.

19. Declaration as Surplus One-Inch Strip of Land Between 112 and 114 Kingston Road (Ward 32 – Beaches-East York)

Report (April 12, 2006) from the Chief Corporate Officer declaring the subject Cityowned property surplus to municipal requirements.

Recommendations:

It is recommended that:

- (1) the one-inch strip of land located between 112 and 114 Kingston Road, being Part of Lot 4 on Plan 782E (the "Property"), be declared surplus to the City's requirements and the Chief Corporate Officer be authorized to invite an offer to purchase the Property from the owner of Nos. 112-126 Kingston Road, and all steps necessary to comply with the City's real estate disposal process as set out in 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 Property without giving the original owners from whom the Property was expropriated the first chance to repurchase the Property; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

20. The Jolly Miller Lands (Ward 25 – Don Valley West)

Report (April 18, 2006) from the Chief Corporate Officer providing, as directed by Council, an annual report on the amount of revenue generated from the Jolly Miller lands for the purpose of tracking the recovery of its original acquisition costs.

Recommendations:

CITY CLERK

21. Status of Outstanding Staff Report Requests

Report (April 19, 2006) from the City Clerk providing further information requested by the Administration Committee on the status of outstanding staff report requests.

Recommendations:

It is recommended that this report be received for information.

CITY SOLICITOR

22. Marijuana Growhouses – Cost Recovery for Enforcement Activities

Report (April 19, 2006) from the City Solicitor reporting on the possibility of imposing fees on the owners of properties used as growhouses, to reimburse the City for costs expended in conducting enforcement activities in respect of the property.

Recommendations:

It is recommended that:

- (1) the City Solicitor, in consultation with the General Manager of Municipal Licensing and Standards, be requested to review and identify the enforcement costs specifically incurred in respect of growhouses and report back on a form of draft by-law for their recovery; and
- (2) the appropriate City officials be authorized to take whatever action may be required in order to implement the recommendations in this report.



ADMINISTRATION COMMITTEE SUPPLEMENTARY AGENDA MEETING 3

Date of Meeting: Tuesday, May 2, 2006

Time: 9:30 a.m.

Location: Committee Room 1

City Hall

100 Queen Street West Toronto, Ontario **Enquiry: Yvonne Davies**

Committee Administrator

416-392-7039

ydavies@toronto.ca

Communications/Reports:

Acquisition of Toronto District School Board's Wanita Road Site (Ward 44 – Scarborough East)

(In-camera- proposed or pending acquisition of land for municipal purposes)

15(a). Confidential report (April 24, 2006) from the General Manager, Parks, Forestry and Recreation.

(In-camera- proposed or pending acquisition of land for municipal purposes)

- **15(ff).** Confidential report (April 24, 2006) from the Deputy City Manager and Chief Financial Officer.
- **15**(**gg**). Communication (undated) from Kelly, Scott and Bridget Kimberley, Centennial Community and Recreation Association.
- 15(hh). Communication (April 25, 2006) from Dr. Douglas Fleming and Kathleen Fleming.
- **15(ii).** Communication (April 26, 2006) from Mathew Melito.

NEW ITEMS

PURCHASING AND MATERIALS MANAGEMENT

23. Request for Sole Source Approval – Amendment to Contract 47006976 – Hicks Morley Hamilton Stewart

Report (April 19, 2006) from the Executive Director, Human Resources and the Acting Director, Purchasing and Materials Management obtaining sole source approval to amend contract 47006976 issued to Hicks Morley Hamilton Stewart, Barristers & Solicitors to extend the validity date to December 31, 2006 and authorize additional payments of \$75,000 to finalize work on existing labour relations files.

Recommendations:

It is recommended that:

- (1) sole source contract 47006976 issued to Hicks Morley Hamilton Stewart, Barristers & Solicitors be amended by \$75,000 excluding taxes for a total of \$570,000 excluding taxes to authorize expenditures related to services rendered on existing files managed by this firm; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

TREASURER

24. Write-off of Uncollectable Miscellaneous Receivables - 2005

Report (April 20, 2006) from the Deputy City Manager and Chief Financial Officer recommending the write-off of uncollectible miscellaneous receivable accounts in accordance with the provisions of the Financial Control By-law.

Recommendations:

It is recommended that:

(1) City Council approve the write-off of uncollectable accounts of \$243,478.71 as detailed in Appendix A to this report; and

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

[Copies of the confidential Appendix B circulated to Members only under confidential cover because it relates to personal information about identifiable individuals]

REVENUE SERVICES

25. Offering Discounts for Early Property Tax Payments

Report (April 25, 2006) from the Treasurer reporting on the legislation governing discounts in recognition of early payment of property taxes.

Recommendations:

It is recommended that this report be received for information.

ACCOUNTING SERVICES

26. Expenses Incurred from City Resources for Conferences for the Year 2005

Report (April 24, 2006) from the Treasurer responding to the following recommendation made at the March 6, 2006 Administration Committee meeting:

"that the City Clerk, in consultation with the Treasurer, to report to the May 2, 2006 meeting of the Administration Committee on 2005 actual expenses incurred from City resources to pay for expenses towards any conference, convention, etc. that may or may not have been attended by a Member of Council or staff".

Recommendations:

FACILITIES AND REAL ESTATE

27. 2006 First Quarterly Report on Property Sales and Purchases (All Wards)

Report (April 18, 2006) from the Chief Corporate Officer providing the 2006 First Quarterly Report on property sales and purchases for the information of the Committee.

Recommendations:

It is recommended that this report be received for information.

28. Termination of Residential Lease for 736 Woburn Avenue (Ward 16 – Eglinton-Lawrence)

Report (April 18, 2006) from the Chief Corporate Officer seeking authority to terminate the residential Lease between the City and Robby Hersh to allow for demolition of the house in order to incorporate the land into the municipal park system.

Recommendations:

It is recommended that:

- (1) authority be granted to terminate the City's residential lease with Robby Hersh for the property known municipally as 736 Woburn Avenue, Toronto. (The "Property").
- (2) the Chief Corporate Officer or his designate be authorized to execute and deliver the Notice of Termination; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

29. Warden Station Redevelopment Strategy and Initial Land Acquisition (Ward 35 – Scarborough Southwest)

(In-camera - proposed or pending acquisition of land for municipal purposes)

Confidential report (April 18, 2006) from the Deputy City Manager and Chief Financial Officer.

30. Declaration as Surplus – A Portion of 25 Canterbury Place (Ward 23 – Willowdale)

Report (April 18, 2006) from the Chief Corporate Officer seeking authority to declare a portion of 25 Canterbury Place surplus to municipal requirements.

Recommendations:

It is recommended that:

- (1) the portion of 25 Canterbury Place, described as part of Lot 19, Concession 1 West of Yonge Street shown as Parts 3 & 4 on Sketch No. PS-2006-041 (the "Property"), be declared surplus to municipal requirements with the intended method of disposal to be by way of a conveyance to one or more of the Yonge Street Owners in exchange for a release of any and all claims over 25 Canterbury Place and all steps necessary to comply with the City's real estate disposal process as set out in 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 lands without giving the original owners from whom the lands were expropriated the first chance to repurchase the lands;
- (3) staff be authorized to negotiate the terms of a settlement of any and all claims the Yonge Street Owners may have over 25 Canterbury Place; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

CITY SOLICITOR

31. Information and Privacy Commissioner Order MO-2030, Regarding Request for MPAC's Assessment Information in Electronic Form

(In-camera – Solicitor/client privilege)

Confidential report (April 19, 2006) from the City Solicitor.

OTHER

32. Recognition of Former Toronto Mayors

Communication (April 25, 2006) from Councillor Paul Ainslie.