

**MINUTES OF A SPECIAL MEETING
OF THE COUNCIL OF THE
CITY OF TORONTO**

THURSDAY, NOVEMBER 6, 2008

CALL TO ORDER - 9:42 a.m.

S26.1 Speaker Bussin took the Chair and called the Members to order.

The meeting opened with *O Canada*.

S26.2 MOMENT OF SILENCE

Members of Council observed a moment of silence.

S26.3 NOTICE OF SPECIAL MEETING

Speaker Bussin advised Council that this special meeting is scheduled for the following purposes:

1. to consider the Executive Committee's Report on:
 - the 2009 Recommended Water and Wastewater Service Rate;
 - the 2009 Recommended Toronto Water Capital and Operating Budgets;
 - the 2009 Toronto Solid Waste Management Operating and Capital Budgets; and
 - the 2009 Residential Solid Waste Rates;
2. to introduce and enact General Bills; and
3. to introduce and enact a confirming by-law for this special meeting.

S26.4 INTRODUCTION OF REPORT BY COMMITTEE CHAIR

Mayor Miller presented the Report from Meeting 25 of the Executive Committee for consideration.

S26.5 DECLARATIONS OF INTEREST

There were no declarations of interest.

S26.6 PETITIONS

There were no petitions.

S26.7 REVIEW OF THE ORDER PAPER

Speaker Bussin proposed that Council consider the following two sets of Items together, as recommended by the Executive Committee:

Items related to Toronto Water:

EX25.1 on the Toronto Water 2009-2018 Capital Program

EX25.2 on the Toronto Water 2009 Operating Budget

EX25.3 on the 2009 Water and Wastewater Service Rate

Items related to Solid Waste Management:

EX25.4 on the Solid Waste Management Services 2009-2018 Capital Program

EX25.5 on the Solid Waste Management Services 2009 Operating Budget

EX25.6 on the Recommended 2009 Residential Solid Waste Rates

Vote:

Adoption of the November 6, 2008 Order Paper, without amendment:

Yes - 31

Mayor: Miller

Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho,
Del Grande, Di Giorgio, Feldman, Fletcher, Giambrone,
Hall, Heaps, Holyday, Jenkins, Lee, McConnell, Mihevc,
Moeser, Nunziata, Palacio, Pantalone, Parker, Perks,

Rae, Saundercook, Stintz, Thompson, Vaughan, Walker	
No - 1 Councillor:	Ootes

Carried by a majority of 30.

CONSIDERATION OF REPORT

S26.8 EXECUTIVE COMMITTEE MEETING 25

Under Section 27-70 of Council’s Procedures, a Committee’s recommendations on Items are considered adopted without amendment by consent, unless Council decides otherwise.

November 6, 2008

Held for consideration Minute S26.9	EX25.1	Toronto Water 2009-2018 Capital Program (Ward All)
Held for consideration Minute S26.10	EX25.2	Toronto Water 2009 Operating Budget (Ward All)
Held for consideration Minute S26.11	EX25.3	2009 Water and Wastewater Service Rate (Ward All)
Held for consideration Minute S26.12	EX25.4	Solid Waste Management Services 2009-2018 Capital Program (Ward All)
Held for consideration Minute S26.13	EX25.5	Solid Waste Management Services 2009 Operating Budget (Ward All)
Held for consideration Minute S26.14	EX25.6	Recommended 2009 Residential Solid Waste Rates (Ward All)

Consideration of Items - Executive Committee Meeting 25

S26.9 Toronto Water 2009-2018 Capital Program

EX25.1	ACTION	Amended		Ward: All
---------------	--------	---------	--	-----------

Speaker Bussin in the Chair.

Ruling by Speaker:

Speaker Bussin ruled Councillor Minnan-Wong's questions to City officials out of order because they relate to various rates and fees charged by the City of Toronto. She advised that the Items under consideration relate specifically to the water rates and questions regarding other charges would not be permitted.

Councillor Del Grande challenged the ruling of the Speaker.

Vote to Uphold the Ruling of the Speaker:

Yes - 20	
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, Di Giorgio, Fletcher, Giambrone, Hall, Heaps, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Perks, Rae, Thompson
No - 13	
Councillors:	Del Grande, Feldman, Holyday, Jenkins, Minnan-Wong, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Vaughan

Carried by a majority of 7.

Ruling by Speaker:

Speaker Bussin ruled that Councillor Mammoliti's questions to City officials had already been answered and further questions of a similar nature would not be permitted.

Councillor Mammoliti challenged the ruling of the Speaker.

Vote to Uphold the Ruling of the Speaker:

Yes - 22	
Councillors:	Ashton, Bussin, Carroll, Cho, Davis, Di Giorgio, Fletcher, Giambrone, Hall, Heaps, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Parker, Perks, Rae, Saundercook, Thompson, Vaughan
No - 10	
Councillors:	Del Grande, Feldman, Holyday, Mammoliti, Minnan-Wong, Nunziata, Ootes, Palacio, Shiner, Stintz

Carried by a majority of 12.

Ruling by Speaker:

Speaker Bussin ruled that Councillor Shiner's questions of Mayor Miller were related to line-specific items in the Capital Budget and therefore should have been asked of City officials.

Motions:

1. Councillor Mammoliti moved that the Item be amended by adding the following:

The General Manager of Toronto Water report to City Council, through the Public Works and Infrastructure Committee, on a method of how to offer unique and immediate help to residents with incidents of extreme basement flooding, within a two- or three-hour period of the first call, such report to include how this can be done and any impacts this would have on the Toronto Water Budget.

2. Councillor Milczyn moved that the Item be amended by adding the following:

The Acting Deputy City Manager and Chief Financial Officer report to the Executive Committee, at the appropriate time, on Development Charge contributions to the Water and Wastewater Reserves of municipalities in the Greater Toronto Area, such report to quantify both the rates and the dollar amounts of Development Charge contributions.

3. Councillor Jenkins moved that the Item be amended in accordance with the following:

1. In the event Council adopts the full increase in Development Charges in 2009 as permitted by the Development Charges Background Study, the 2009 water rate increase be reduced by the corresponding amount (approximately 2 percent).

OR

2. In the event Council adopts a lesser increase in 2009 Development Charges, the 2009 water rate increase be reduced commensurately.

Ruling by Speaker:

Speaker Bussin ruled motion 3 by Councillor Jenkins out of order in its current format because it has the effect of deferring the setting of the water rate until Council considers the Development Charges By-law. She advised Councillor Jenkins that in order to achieve what he is pursuing, he would need to move deferral of the Item until Council considers the Development Charges By-law so it can consider both Items at the same time.

Councillor Jenkins, with the permission of Council, revised his motion 3.

Revised Motion:

3. Councillor Jenkins moved that Council defer consideration of the Item until Council considers the new Development Charges By-law, so that they may be considered together.

Vote on Deferral:

Adoption of revised motion 3 by Councillor Jenkins:

Yes - 11	
Councillors:	Del Grande, Feldman, Jenkins, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Walker
No - 28	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Hall, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Pantalone, Perks, Rae, Thompson, Vaughan

Lost by a majority of 17.

Motion:

4. Councillor Palacio moved that the Item be amended by adding the following:

The General Manager, Toronto Water, report to the next meeting of the Public Works and Infrastructure Committee on an urgent basis with an update on the following basement flooding mitigation measures in Study Area 3:

1. Catch basins on Nairn Avenue, Harvie Avenue and Chudleigh Road be cleaned at all times, and a detailed schedule of this cleaning be provided to the local City Councillors.
2. Applications filed for the City's Basement Flooding Protection Subsidy Program in Study Area No. 3 be prioritized and processed as soon as possible to help guard against basement flooding, such as backflow prevention valves.
3. Toronto Water be requested to report as soon as possible to an upcoming meeting of the Public Works and Infrastructure Committee on findings of sewer flow monitoring in the affected area.

4. Toronto Water officials be requested to expedite the environmental assessment process by scheduling the required Environmental Assessment Public Meeting at the earliest possible time, in the affected Study Area No. 3.
5. Temporary enhancement to existing sewer capacity and overland flow drainage be undertaken in the vicinity of Nairn Park, that has been experiencing chronic basement flooding problems, and that details of these plans be provided to the local City Councillors.
6. Holding tanks be vacuumed constantly and vacuum equipment be on standby, whenever rainstorms are forecasted.
7. Efforts be made to encourage residents to apply for the Back Flow Prevention Program.

Ruling by Speaker:

Speaker Bussin ruled motion 4 by Councillor Palacio out of order because it is beyond the scope of the Item under consideration.

Motion:

5. Councillor Shiner moved that the Item be amended in accordance with the following:
 1. The 2009 gross Operating Budget as recommended by Executive Committee in the amount of \$386.32 million be approved.
 2. The 2009 Capital Budget cash flow as recommended by Executive Committee in the amount of \$488.44 million be approved.
 3. The Residential Water Rates be increased by 6 percent this year, not 9 percent as recommended by Executive Committee, for a reduction of 3 percent and the Large Industrial be increased by 2 percent, which reduces revenue by \$17.68 million.
 4. The Capital Reserve Net draw be increased by \$17.68 million to \$31.64 million to replace the reduced revenue.
 5. The necessary changes be made to the rates in Appendix A and B of the budget.

Ruling by Speaker:

Speaker Bussin ruled Parts 1 and 2 of motion 5 by Councillor Shiner redundant because they are already before Council for approval as part of the Executive Committee recommendations.

Votes:

Adoption of Parts 3, 4 and 5 of motion 5 by Councillor Shiner:

Yes - 15	
Councillors:	Ashton, Del Grande, Feldman, Holyday, Jenkins, Lee, Milczyn, Minnan-Wong, Nunziata, Ootes, Parker, Shiner, Stintz, Thompson, Walker
No - 25	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moeser, Pantalone, Perks, Rae, Saundercook, Vaughan

Lost by a majority of 10.

Adoption of motion 1 by Councillor Mammoliti:

Yes - 30	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Giambrone, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Parker, Saundercook, Shiner, Stintz, Thompson, Vaughan
No - 10	
Councillors:	Carroll, Cho, Davis, Di Giorgio, Heaps, Lee, Pantalone, Perks, Rae, Walker

Carried by a majority of 20.

Adoption of motion 2 by Councillor Milczyn:

Yes - 29	
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, Del Grande, Feldman, Filion, Giambrone, Heaps, Holyday, Jenkins, Kelly, Lee, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Parker, Perks,

	Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 11	
Mayor:	Miller
Councillors:	De Baeremaeker, Di Giorgio, Fletcher, Hall, Lindsay Luby, Mammoliti, McConnell, Moeser, Pantalone, Rae

Carried by a majority of 18.

Adoption of the Items, as amended:

Yes - 27	
Mayor:	Miller
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Holyday, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moeser, Pantalone, Perks, Rae, Saundercook, Thompson, Vaughan
No - 13	
Councillors:	Ashton, Del Grande, Feldman, Jenkins, Lee, Milczyn, Minnan-Wong, Nunziata, Ootes, Parker, Shiner, Stintz, Walker

Carried by a majority of 14.

City Council Decision

City Council adopted the following motions:

1. City Council approve the 2009 Recommended Capital Budget for Toronto Water with a total project cost of \$1.567 billion, and 2009 cash flow of \$488.438 million and future year commitments of \$2.224 billion comprised of the following:
 - a. new cash flow funding for:
 - i. 242 new sub-projects with a 2009 total project cost of \$1.567 billion that requires cash flow of \$98.996 million in 2009 and a future year commitment of \$213.091 million in 2010; \$264.294 million in 2011; \$265.069 million in 2012; \$397.681 million in 2013; \$139.629 million in 2014; \$126.292 million in 2015; \$48.297 million in 2016; and, \$14.120 million in 2017; and
 - ii. 169 previously approved sub-projects with a 2009 cash flow of

\$330.842 million and a future year commitment of \$281.541 million in 2010; \$252.605 million in 2011; \$220.187 million in 2012; \$0.420 million in 2013; \$0.220 million in 2014; \$0.242 million in 2015; and, \$0.255 million in 2016; and

- b. 2008 approved cash flow for 49 previously approved sub-projects with carry forward funding from 2008 into 2009 totaling \$58.600 million.
2. City Council approve that no new debt be issued to finance the 2009 cash flow requirement for the Capital program and that the 2009 Recommended Toronto Water Capital Budget be fully funded from service charges and available reserve funds, including development charges and other revenues.
3. City Council approve the 2010-2013 Capital Plan for Toronto Water totaling \$963.492 million in project estimates, comprised of \$140.449 million in 2010; \$205.051 million in 2011; \$258.630 million in 2012; and \$359.362 million in 2013.
4. City Council approve operating impacts of (\$31.966) million from 2009 to 2014 emanating from the approval of the 2009 Recommended Capital Budget, for inclusion in the 2009 and future year operating budgets.
5. City Council approve, in principle, the 2014-2018 Capital Forecast for Toronto Water totaling \$4.067 billion in project estimates, comprised of \$654.352 million in 2014; \$737.100 million in 2015; \$849.269 million in 2016; \$894.671 million in 2017; and \$931.574 million in 2018; and this forecast be used as a foundation for preparing a firm 2010 to 2019 Capital Plan and Forecast as part of the 2010 budget process.
6. This report be considered concurrently with the 2009 Water and Wastewater Service Rate Report (October 2008), from the Acting Deputy City Manager and Chief Financial Officer and the General Manager for Toronto Water.
7. The Acting Deputy City Manager and Chief Financial Officer report to the Executive Committee, at the appropriate time, on Development Charge contributions to the Water and Wastewater Reserves of municipalities in the Greater Toronto Area, such report to quantify both the rates and the dollar amounts of Development Charge contributions.
8. The General Manager of Toronto Water report to City Council, through the Public Works and Infrastructure Committee, on a method of how to offer unique and immediate help to residents with incidents of extreme basement flooding, within a two- or three-hour period of the first call, such report to include how this can be done and any impacts this would have on the Toronto Water Budget.

City Council Decision Advice and Other Information

City Council considered this Item with Item EX25.2, headed “Toronto Water 2009 Operating Budget (Ward: All)”, and Item EX25.3, headed “2009 Water and Wastewater Service Rate (Ward: All)”.

Background Information (Committee)

Toronto Water 2009-2018 Capital Program

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16564.pdf>

Toronto Water - 2009-2018 Capital Program Analyst Briefing Notes - October 17, 2008

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16573.pdf>

Background Information (City Council)

Presentation material submitted by the General Manager, Toronto Water, on the 2009-2018 Capital Budget and the 2009 Operating Budget for Toronto Water (EX25.1b)

<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-17272.pdf>

1a Toronto Water's Infrastructure Renewal Backlog

Background Information (Committee)

Toronto Water's Infrastructure Renewal Backlog

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16566.pdf>

S26.10 Toronto Water 2009 Operating Budget

EX25.2	ACTION	Amended		Ward: All
--------	--------	---------	--	-----------

Speaker Bussin in the Chair.

Ruling by Speaker:

Speaker Bussin ruled Councillor Minnan-Wong’s questions to City officials out of order because they relate to various rates and fees charged by the City of Toronto. She advised that the Items under consideration relate specifically to the water rates and questions regarding other charges would not be permitted.

Councillor Del Grande challenged the ruling of the Speaker.

Vote to Uphold the Ruling of the Speaker:

Yes - 20 Councillors: Ainslie, Ashton, Bussin, Carroll, Cho, Davis, Di Giorgio, Fletcher, Giambrone, Hall, Heaps, Lee, Lindsay Luby,

	Mammoliti, McConnell, Mihevc, Milczyn, Perks, Rae, Thompson
No - 13 Councillors:	Del Grande, Feldman, Holyday, Jenkins, Minnan-Wong, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Vaughan

Carried by a majority of 7.

Ruling by Speaker:

Speaker Bussin ruled that Councillor Mammoliti's questions to City officials had already been answered and further questions of a similar nature would not be permitted.

Councillor Mammoliti challenged the ruling of the Speaker.

Vote to Uphold the Ruling of the Speaker:

Yes - 22 Councillors:	Ashton, Bussin, Carroll, Cho, Davis, Di Giorgio, Fletcher, Giambrone, Hall, Heaps, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Parker, Perks, Rae, Saundercook, Thompson, Vaughan
No - 10 Councillors:	Del Grande, Feldman, Holyday, Mammoliti, Minnan-Wong, Nunziata, Ootes, Palacio, Shiner, Stintz

Carried by a majority of 12.

Ruling by Speaker:

Speaker Bussin ruled that Councillor Shiner's questions of Mayor Miller were related to line-specific items in the Capital Budget and therefore should have been asked of City officials.

Motions:

1. Councillor Mammoliti moved that the Item be amended by adding the following:

The General Manager of Toronto Water report to City Council, through the Public Works and Infrastructure Committee, on a method of how to offer unique and immediate help to residents with incidents of extreme basement flooding, within a two- or three-hour period of the first call, such report to include how this can be done and any impacts this would have on the Toronto Water Budget.

2. Councillor Milczyn moved that the Item be amended by adding the following:

The Acting Deputy City Manager and Chief Financial Officer report to the Executive Committee, at the appropriate time, on Development Charge contributions to the Water and Wastewater Reserves of municipalities in the Greater Toronto Area, such report to quantify both the rates and the dollar amounts of Development Charge contributions.

3. Councillor Jenkins moved that the Item be amended in accordance with the following:

1. In the event Council adopts the full increase in Development Charges in 2009 as permitted by the Development Charges Background Study, the 2009 water rate increase be reduced by the corresponding amount (approximately 2 percent).

OR

2. In the event Council adopts a lesser increase in 2009 Development Charges, the 2009 water rate increase be reduced commensurately.

Ruling by Speaker:

Speaker Bussin ruled motion 3 by Councillor Jenkins out of order in its current format because it has the effect of deferring the setting of the water rate until Council considers the Development Charges By-law. She advised Councillor Jenkins that in order to achieve what he is pursuing, he would need to move deferral of the Item until Council considers the Development Charges By-law so it can consider both Items at the same time.

Councillor Jenkins, with the permission of Council, revised his motion 3.

Revised Motion:

3. Councillor Jenkins moved that Council defer consideration of the Item until Council considers the new Development Charges By-law, so that they may be considered together.

Vote on Deferral:

Adoption of revised motion 3 by Councillor Jenkins:

Yes - 11
Councillors: Del Grande, Feldman, Jenkins, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Walker

No - 28

Mayor: Miller

Councillors: Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis,
De Baeremaeker, Di Giorgio, Fillion, Fletcher, Hall,
Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mammoliti,
McConnell, Mihevc, Milczyn, Moeser, Pantalone, Perks,
Rae, Thompson, Vaughan

Lost by a majority of 17.

Motion:

4. Councillor Palacio moved that the Item be amended by adding the following:

The General Manager, Toronto Water, report to the next meeting of the Public Works and Infrastructure Committee on an urgent basis with an update on the following basement flooding mitigation measures in Study Area 3:

1. Catch basins on Nairn Avenue, Harvie Avenue and Chudleigh Road be cleaned at all times, and a detailed schedule of this cleaning be provided to the local City Councillors.
2. Applications filed for the City's Basement Flooding Protection Subsidy Program in Study Area No. 3 be prioritized and processed as soon as possible to help guard against basement flooding, such as backflow prevention valves.
3. Toronto Water be requested to report as soon as possible to an upcoming meeting of the Public Works and Infrastructure Committee on findings of sewer flow monitoring in the affected area.
4. Toronto Water officials be requested to expedite the environmental assessment process by scheduling the required Environmental Assessment Public Meeting at the earliest possible time, in the affected Study Area No. 3.
5. Temporary enhancement to existing sewer capacity and overland flow drainage be undertaken in the vicinity of Nairn Park, that has been experiencing chronic basement flooding problems, and that details of these plans be provided to the local City Councillors.
6. Holding tanks be vacuumed constantly and vacuum equipment be on standby, whenever rainstorms are forecasted.

7. Efforts be made to encourage residents to apply for the Back Flow Prevention Program.

Ruling by Speaker:

Speaker Bussin ruled motion 4 by Councillor Palacio out of order because it is beyond the scope of the Item under consideration.

Motion:

5. Councillor Shiner moved that the Item be amended in accordance with the following:
 1. The 2009 gross Operating Budget as recommended by Executive Committee in the amount of \$386.32 million be approved.
 2. The 2009 Capital Budget cash flow as recommended by Executive Committee in the amount of \$488.44 million be approved.
 3. The Residential Water Rates be increased by 6 percent this year, not 9 percent as recommended by Executive Committee, for a reduction of 3 percent and the Large Industrial be increased by 2 percent, which reduces revenue by \$17.68 million.
 4. The Capital Reserve Net draw be increased by \$17.68 million to \$31.64 million to replace the reduced revenue.
 5. The necessary changes be made to the rates in Appendix A and B of the budget.

Ruling by Speaker:

Speaker Bussin ruled Parts 1 and 2 of motion 5 by Councillor Shiner redundant because they are already before Council for approval as part of the Executive Committee recommendations.

Votes:

Adoption of Parts 3, 4 and 5 of motion 5 by Councillor Shiner:

Yes - 15	
Councillors:	Ashton, Del Grande, Feldman, Holyday, Jenkins, Lee, Milczyn, Minnan-Wong, Nunziata, Ootes, Parker, Shiner, Stintz, Thompson, Walker
No - 25	Miller

Mayor:	
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moeser, Pantalone, Perks, Rae, Saundercook, Vaughan

Lost by a majority of 10.

Adoption of motion 1 by Councillor Mammoliti:

Yes - 30	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Giambrone, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Parker, Saundercook, Shiner, Stintz, Thompson, Vaughan
No - 10	
Councillors:	Carroll, Cho, Davis, Di Giorgio, Heaps, Lee, Pantalone, Perks, Rae, Walker

Carried by a majority of 20.

Adoption of motion 2 by Councillor Milczyn:

Yes - 29	
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, Del Grande, Feldman, Filion, Giambrone, Heaps, Holyday, Jenkins, Kelly, Lee, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Parker, Perks, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 11	
Mayor:	Miller
Councillors:	De Baeremaeker, Di Giorgio, Fletcher, Hall, Lindsay Luby, Mammoliti, McConnell, Moeser, Pantalone, Rae

Carried by a majority of 18.

Adoption of the Items, as amended:

Yes - 27	Miller
----------	--------

Mayor:	
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Holyday, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moeser, Pantalone, Perks, Rae, Saundercook, Thompson, Vaughan
No - 13	
Councillors:	Ashton, Del Grande, Feldman, Jenkins, Lee, Milczyn, Minnan-Wong, Nunziata, Ootes, Parker, Shiner, Stintz, Walker

Carried by a majority of 14.

City Council Decision

City Council adopted the following motions:

1. City Council approve the 2009 Recommended Operating Budget of \$698.703 million with gross operating expenditures of \$386.324 million and a Capital-from-current contribution of \$312.380 million, as funded by the water and wastewater user rates and other recoveries, comprised of the following services:

Services:	Gross (\$Thousands)	Net (\$Thousands)
Water Supply & Treatment	65,935	0.0
Wastewater Treatment	111,553	0.0
District Operations	102,474	0.0
Water Infrastructure Management	9,455	0.0
Capital-from-Current Contribution	312,380	0.0
Business Support	15,382	0.0
Operational Support	20,151	0.0
Program Support	61,373	0.0
Total Toronto Water	<u>698,703</u>	<u>0.0</u>

2. This report be considered concurrently with the 2009 Water and Wastewater Service Rate Report (October 2008) from the Acting Deputy City Manager and Chief Financial Officer and General Manager for Toronto Water.
3. The Acting Deputy City Manager and Chief Financial Officer report to the Executive Committee, at the appropriate time, on Development Charge contributions to the Water and Wastewater Reserves of municipalities in the Greater Toronto Area, such report to quantify both the rates and the dollar amounts of Development Charge contributions.
4. The General Manager of Toronto Water report to City Council, through the Public

Works and Infrastructure Committee, on a method of how to offer unique and immediate help to residents with incidents of extreme basement flooding, within a two- or three-hour period of the first call, such report to include how this can be done and any impacts this would have on the Toronto Water Budget.

City Council Decision Advice and Other Information

City Council considered this Item with Item EX25.1, headed “Toronto Water 2009-2018 Capital Program (Ward: All)”, and Item EX25.3, headed “2009 Water and Wastewater Service Rate (Ward: All)”.

Background Information (Committee)

Toronto Water 2009 Operating Budget

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16567.pdf>)

Toronto Water - 2009 Operating Budget Analyst Briefing Notes - October 17, 2008

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16595.pdf>)

Background Information (City Council)

Presentation material submitted by the General Manager, Toronto Water, on the 2009-2018 Capital Budget and the 2009 Operating Budget for Toronto Water (EX25.2a)

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-17273.pdf>)

S26.11 2009 Water and Wastewater Service Rate

EX25.3	ACTION	Amended		Ward: All
--------	--------	---------	--	-----------

Speaker Bussin in the Chair.

Ruling by Speaker:

Speaker Bussin ruled Councillor Minnan-Wong’s questions to City officials out of order because they relate to various rates and fees charged by the City of Toronto. She advised that the Items under consideration relate specifically to the water rates and questions regarding other charges would not be permitted.

Councillor Del Grande challenged the ruling of the Speaker.

Vote to Uphold the Ruling of the Speaker:

Yes - 20	
Councillors:	Ainslie, Ashton, Bussin, Carroll, Cho, Davis, Di Giorgio, Fletcher, Giambrone, Hall, Heaps, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Perks, Rae,

Thompson	
No - 13	
Councillors:	Del Grande, Feldman, Holyday, Jenkins, Minnan-Wong, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Vaughan

Carried by a majority of 7.

Ruling by Speaker:

Speaker Bussin ruled that Councillor Mammoliti's questions to City officials had already been answered and further questions of a similar nature would not be permitted.

Councillor Mammoliti challenged the ruling of the Speaker.

Vote to Uphold the Ruling of the Speaker:

Yes - 22	
Councillors:	Ashton, Bussin, Carroll, Cho, Davis, Di Giorgio, Fletcher, Giambrone, Hall, Heaps, Kelly, Lee, Lindsay Luby, McConnell, Mihevc, Milczyn, Parker, Perks, Rae, Saundercook, Thompson, Vaughan
No - 10	
Councillors:	Del Grande, Feldman, Holyday, Mammoliti, Minnan-Wong, Nunziata, Ootes, Palacio, Shiner, Stintz

Carried by a majority of 12.

Ruling by Speaker:

Speaker Bussin ruled that Councillor Shiner's questions of Mayor Miller were related to line-specific items in the Capital Budget and therefore should have been asked of City officials.

Motions:

1. Councillor Mammoliti moved that the Item be amended by adding the following:

The General Manager of Toronto Water report to City Council, through the Public Works and Infrastructure Committee, on a method of how to offer unique and immediate help to residents with incidents of extreme basement flooding, within a two- or three-hour period of the first call, such report to include how this can be done and any impacts this would have on the Toronto Water Budget.

2. Councillor Milczyn moved that the Item be amended by adding the following:

The Acting Deputy City Manager and Chief Financial Officer report to the Executive Committee, at the appropriate time, on Development Charge contributions to the Water and Wastewater Reserves of municipalities in the Greater Toronto Area, such report to quantify both the rates and the dollar amounts of Development Charge contributions.

3. Councillor Jenkins moved that the Item be amended in accordance with the following:

1. In the event Council adopts the full increase in Development Charges in 2009 as permitted by the Development Charges Background Study, the 2009 water rate increase be reduced by the corresponding amount (approximately 2 percent).

OR

2. In the event Council adopts a lesser increase in 2009 Development Charges, the 2009 water rate increase be reduced commensurately.

Ruling by Speaker:

Speaker Bussin ruled motion 3 by Councillor Jenkins out of order in its current format because it has the effect of deferring the setting of the water rate until Council considers the Development Charges By-law. She advised Councillor Jenkins that in order to achieve what he is pursuing, he would need to move deferral of the Item until Council considers the Development Charges By-law so it can consider both Items at the same time.

Councillor Jenkins, with the permission of Council, revised his motion 3.

Revised Motion:

3. Councillor Jenkins moved that Council defer consideration of the Item until Council considers the new Development Charges By-law, so that they may be considered together.

Vote on Deferral:

Adoption of revised motion 3 by Councillor Jenkins:

Yes - 11 Councillors: Del Grande, Feldman, Jenkins, Nunziata, Ootes, Palacio, Parker, Saundercook, Shiner, Stintz, Walker

No - 28	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Fillion, Fletcher, Hall, Heaps, Holyday, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Moeser, Pantalone, Perks, Rae, Thompson, Vaughan

Lost by a majority of 17.

Motion:

4. Councillor Palacio moved that the Item be amended by adding the following:

The General Manager, Toronto Water, report to the next meeting of the Public Works and Infrastructure Committee on an urgent basis with an update on the following basement flooding mitigation measures in Study Area 3:

1. Catch basins on Nairn Avenue, Harvie Avenue and Chudleigh Road be cleaned at all times, and a detailed schedule of this cleaning be provided to the local City Councillors.
2. Applications filed for the City's Basement Flooding Protection Subsidy Program in Study Area No. 3 be prioritized and processed as soon as possible to help guard against basement flooding, such as backflow prevention valves.
3. Toronto Water be requested to report as soon as possible to an upcoming meeting of the Public Works and Infrastructure Committee on findings of sewer flow monitoring in the affected area.
4. Toronto Water officials be requested to expedite the environmental assessment process by scheduling the required Environmental Assessment Public Meeting at the earliest possible time, in the affected Study Area No. 3.
5. Temporary enhancement to existing sewer capacity and overland flow drainage be undertaken in the vicinity of Nairn Park, that has been experiencing chronic basement flooding problems, and that details of these plans be provided to the local City Councillors.
6. Holding tanks be vacuumed constantly and vacuum equipment be on standby, whenever rainstorms are forecasted.

7. Efforts be made to encourage residents to apply for the Back Flow Prevention Program.

Ruling by Speaker:

Speaker Bussin ruled motion 4 by Councillor Palacio out of order because it is beyond the scope of the Item under consideration.

Motion:

5. Councillor Shiner moved that the Item be amended in accordance with the following:
 1. The 2009 gross Operating Budget as recommended by Executive Committee in the amount of \$386.32 million be approved.
 2. The 2009 Capital Budget cash flow as recommended by Executive Committee in the amount of \$488.44 million be approved.
 3. The Residential Water Rates be increased by 6 percent this year, not 9 percent as recommended by Executive Committee, for a reduction of 3 percent and the Large Industrial be increased by 2 percent, which reduces revenue by \$17.68 million.
 4. The Capital Reserve Net draw be increased by \$17.68 million to \$31.64 million to replace the reduced revenue.
 5. The necessary changes be made to the rates in Appendix A and B of the budget.

Ruling by Speaker:

Speaker Bussin ruled Parts 1 and 2 of motion 5 by Councillor Shiner redundant because they are already before Council for approval as part of the Executive Committee recommendations.

Votes:

Adoption of Parts 3, 4 and 5 of motion 5 by Councillor Shiner:

Yes - 15	
Councillors:	Ashton, Del Grande, Feldman, Holyday, Jenkins, Lee, Milczyn, Minnan-Wong, Nunziata, Ootes, Parker, Shiner, Stintz, Thompson, Walker
No - 25	Miller

Mayor:	
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moeser, Pantalone, Perks, Rae, Saundercook, Vaughan

Lost by a majority of 10.

Adoption of motion 1 by Councillor Mammoliti:

Yes - 30	
Mayor:	Miller
Councillors:	Ainslie, Ashton, Augimeri, Bussin, De Baeremaeker, Del Grande, Feldman, Filion, Fletcher, Giambrone, Hall, Holyday, Jenkins, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moeser, Nunziata, Ootes, Parker, Saundercook, Shiner, Stintz, Thompson, Vaughan
No - 10	
Councillors:	Carroll, Cho, Davis, Di Giorgio, Heaps, Lee, Pantalone, Perks, Rae, Walker

Carried by a majority of 20.

Adoption of motion 2 by Councillor Milczyn:

Yes - 29	
Councillors:	Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, Del Grande, Feldman, Filion, Giambrone, Heaps, Holyday, Jenkins, Kelly, Lee, Mihevc, Milczyn, Minnan-Wong, Nunziata, Ootes, Parker, Perks, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker
No - 11	
Mayor:	Miller
Councillors:	De Baeremaeker, Di Giorgio, Fletcher, Hall, Lindsay Luby, Mammoliti, McConnell, Moeser, Pantalone, Rae

Carried by a majority of 18.

Adoption of the Items, as amended:

Yes - 27	Miller
----------	--------

Mayor:	
Councillors:	Ainslie, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Hall, Heaps, Holyday, Kelly, Lindsay Luby, Mammoliti, McConnell, Mihevc, Moeser, Pantalone, Perks, Rae, Saundercook, Thompson, Vaughan
No - 13	
Councillors:	Ashton, Del Grande, Feldman, Jenkins, Lee, Milczyn, Minnan-Wong, Nunziata, Ootes, Parker, Shiner, Stintz, Walker

Carried by a majority of 14.

City Council Decision

City Council adopted the following motions:

1. City Council approve:
 - i. effective January 1, 2009, the water and wastewater rates charged to metered consumers shall be as shown below and in Appendix A (Schedule 1) attached to this report

Annual consumption	Paid on or before the due date \$/m ³	Paid after the due date \$/m ³
Block 1 - All consumers, including Industrial consumption of first 6,000 m ³	\$1.8914	\$1.9909
Block 2 - Industrial tax class, volumes consumed over 6,000 m ³ , representing 24.41% reduction from the Block 1 Rate	\$1.4297	\$1.5049

- ii. the water and wastewater rates charged to flat rate consumers be, effective January 1, 2009, increased by 9.0%, to the rates shown in Appendix B (Schedule 2) attached to this report; and
 - iii. the necessary amendments be made to Municipal Code Chapter 441, Fees and Charges and Municipal Code Chapter 849, Water and Sewage Services and Utility Bill, to give effect to Parts 1i. and 1ii., above.
2. With respect to assistance for low-income seniors and low-income disabled

persons, City Council approve:

- i. the 2009 rebate for eligible low-income seniors and persons with disability be set at a rate of \$0.4617/m³, representing a 24.41% reduction from the Block 1 Rate; and
 - ii. the necessary amendments be made to Municipal Code Chapter 849, Water and Sewage Services and Utility Bill, to give effect to Part 2i., above.
3. Authority be granted to the City Solicitor to introduce any necessary Bills required to implement these recommendations, subject to any necessary refinements, including stylistic, format and organization, as may be identified by the City Solicitor, the Acting Deputy City Manager and Chief Financial Officer and the General Manager, Toronto Water.
4. The appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.
5. This report be considered concurrently with the 2009-2018 Capital Plan and Forecast, and the 2009 Operating Budget.
6. The Acting Deputy City Manager and Chief Financial Officer report to the Executive Committee, at the appropriate time, on Development Charge contributions to the Water and Wastewater Reserves of municipalities in the Greater Toronto Area, such report to quantify both the rates and the dollar amounts of Development Charge contributions.
7. The General Manager of Toronto Water report to City Council, through the Public Works and Infrastructure Committee, on a method of how to offer unique and immediate help to residents with incidents of extreme basement flooding, within a two- or three-hour period of the first call, such report to include how this can be done and any impacts this would have on the Toronto Water Budget.

City Council Decision Advice and Other Information

City Council considered this Item with Item EX25.1, headed “Toronto Water 2009-2018 Capital Program (Ward: All)”, and Item EX25.2, headed “Toronto Water 2009 Operating Budget (Ward: All)”.

Background Information (Committee)

2009 Water and Wastewater Service Rate

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16568.pdf>

Background Information (City Council)

Presentation material submitted by the General Manager, Toronto Water, on the 2009-2018 Capital Budget and the 2009 Operating Budget for Toronto Water (EX25.3a) (<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-17274.pdf>)

S26.12 Solid Waste Management Services 2009-2018 Capital Program

EX25.4	ACTION	Amended		Ward: All
--------	--------	---------	--	-----------

Speaker Bussin in the Chair.

Motion:

1. Councillor Shiner moved that the Item be amended by adding the following:

The General Manager, Solid Waste Management Services, be requested to report to the Public Works and Infrastructure Committee, prior to June 2009, on methods to remove the \$209.00 fee from the property tax bill and show the user fee as the full amount on the utility bill.

Votes:

Motion 1 by Councillor Shiner carried.

Adoption of the Items, as amended:

Yes - 24	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Heaps, Kelly, Lee, McConnell, Mihevc, Milczyn, Pantalone, Perks, Perruzza, Rae, Saundercook, Vaughan
No - 11	
Councillors:	Del Grande, Holyday, Jenkins, Minnan-Wong, Nunziata, Ootes, Palacio, Parker, Shiner, Stintz, Walker

Carried by a majority of 13.

City Council Decision

City Council adopted the following motions:

1. City Council approve the 2009 Recommended Capital Budget for Solid Waste

Management Services, with a total project cost of \$116.121 million and a 2009 cash flow of \$59.074 million and future year commitments of \$93.673 million. The 2009 Recommended Capital Budget consists of the following:

- a. new cash flow funding for:
 - i. 19 new sub-projects, with a 2009 total project cost of \$116.121 million that requires cash flow of \$37.401 million in 2009, and future year commitments of \$36.250 million in 2010, \$35.770 million in 2011, and \$6.700 million in 2012;
 - ii. 8 previously approved sub-projects with a 2009 cash flow of \$18.879 million and future year commitments of \$12.364 million in 2010, \$2.089 million in 2011, and \$0.500 million in 2012; and
 - iii. 1 previously approved sub-project with carry forward funding from 2007 requiring 2009 cash flow of \$0.175 million, that requires Council to reaffirm its commitment; and
 - b. 2008 approved cash flow for 4 previously approved sub-projects with carry forward funding from 2008 into 2009 totaling \$2.619 million.
2. City Council approve the operating impacts of \$8.908 million in 2009 to 2013, that emanate from the approval of the 2009 Recommended Capital Budget be considered within the overall scope of Solid Waste Management Services' 2009 Operating Budget and future year operating budgets.
 3. City Council approve that all sub-projects with potential private vendor capitalization be approved conditionally, subject to the receipt of such funding during 2010 and if such financing is not forthcoming, their priority and funding be reassessed by City Council relative to other City-financed priorities and needs.
 4. City Council approve the 2010-2013 Capital Plan for Solid Waste Management Services totaling \$290.988 million in project estimates, comprised of \$53.200 million in 2010, \$133.042 million in 2011, \$77.912 million in 2012, and \$26.834 million in 2013.
 5. City Council approve, in principle, the 2014-2018 Capital Forecast for Solid Waste Management Services totaling \$121.157 million in project estimates, comprised of \$22.964 million in 2014, \$23.005 million in 2015, \$23.217 million in 2016, \$23.642 million in 2017; and this forecast be used as a foundation for preparing a 2010 to 2019 Capital Plan and Forecast as part of the 2010 budget process.
 6. The General Manager of Solid Waste Management Services report to the Public Works and Infrastructure Committee, by June 2009, on the strategies to deliver the

aggressive 5-Year Capital Plan, addressing the implementation challenges with the with respect to timelines, site locations, environmental assessments and readiness to proceed for facilities-related projects.

7. This report be considered concurrently with the Recommended 2009 Residential Solid Waste Rates Report (October 2008) from the Acting Deputy City Manager and Chief Financial Officer and General Manager for Solid Waste Management Services.
8. The General Manager, Solid Waste Management Services, be requested to report to the Public Works and Infrastructure Committee, prior to June 2009, on methods to remove the \$209.00 fee from the property tax bill and show the user fee as the full amount on the utility bill.

City Council Decision Advice and Other Information

City Council considered this Item with Item EX25.5, headed “Solid Waste Management Services 2009 Operating Budget (Ward All)”, and Item EX25.6, headed “Recommended 2009 Residential Solid Waste Rates (Ward All)”.

Background Information (Committee)

Solid Waste Management Services 2009-2018 Capital Program

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16569.pdf>)

Solid Waste Management - 2009-2018 Capital Program Analyst Briefing Notes -
October 17, 2008

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16594.pdf>)

Background Information (City Council)

Presentation material submitted by the General Manager, Solid Waste Management Services, on the 2009 Capital and Operating Budgets for Solid Waste Management Services (EX25.4a)

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-17275.pdf>)

S26.13 Solid Waste Management Services 2009 Operating Budget

EX25.5	ACTION	Amended		Ward: All
---------------	--------	---------	--	-----------

Speaker Bussin in the Chair.

Motions:

1. Councillor Shiner moved that the Item be amended by adding the following:

The General Manager, Solid Waste Management Services, be requested to report to the Public Works and Infrastructure Committee, prior to June 2009, on methods to remove the \$209.00 fee from the property tax bill and show the user fee as the full amount on the utility bill.

2. Councillor Palacio moved that the Item be amended by adding to Recommendation 3 of the Executive Committee, the words “and that this report address the feasibility of establishing a rebate for households that are low income seniors, physically disabled or have income below the poverty line”, so that Recommendation 3 now reads as follows:
3. Upon a full year implementation of the new residential Solid Waste rates, the General Manager of Solid Waste Management Services, report in September 2009, to Budget Committee on a multi-year fee strategy, and that this report address the feasibility of establishing a rebate for households that are low income seniors, physically disabled or have income below the poverty line.

Votes:

Adoption of motion 2 by Councillor Palacio:

Yes - 16	
Mayor:	Miller
Councillors:	Ashton, Bussin, De Baeremaeker, Di Giorgio, Jenkins, Lee, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Parker, Perruzza, Stintz, Walker
No - 19	
Councillors:	Augimeri, Carroll, Cho, Davis, Del Grande, Filion, Fletcher, Giambrone, Heaps, Holyday, Kelly, McConnell, Mihevc, Pantalone, Perks, Rae, Saundercook, Shiner, Vaughan

Lost by a majority of 3.

Motion 1 by Councillor Shiner carried.

Adoption of the Items, as amended:

Yes - 24	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Heaps, Kelly, Lee, McConnell, Mihevc, Milczyn, Pantalone, Perks, Perruzza, Rae, Saundercook,

Vaughan	
No - 11	
Councillors:	Del Grande, Holyday, Jenkins, Minnan-Wong, Nunziata, Ootes, Palacio, Parker, Shiner, Stintz, Walker

Carried by a majority of 13.

City Council Decision

City Council adopted the following motions:

1. City Council approve the 2009 Recommended Operating Budget for Solid Waste Management Services of \$320.342 million gross net funded by \$320.342 million in solid waste user rates and other recoveries comprised of the following services:

<u>Service:</u>	<u>Gross</u> <u>(\$000s)</u>	<u>Net</u> <u>(\$000s)</u>
Program Support	61,469.1	(195,562.9)
Collection	112,580.6	107,804.4
Transfer	26,656.4	17,514.6
Processing	49,185.7	20,571.9
Disposal	<u>70,450.0</u>	<u>49,672.0</u>
 Total Program Budget	 <u>320,341.8</u>	 <u>0.0</u>

2. The General Manager Solid Waste Management Services and the Deputy City Manager and Chief Financial Officer report to Budget Committee, as part of the 2009 Year-End Variance Report, on the actual net contribution to the Waste Management Reserve Fund as a result of the first full year implementation of new residential Solid Waste rate.
3. Upon a full year implementation of the new residential Solid Waste rates, the General Manager of Solid Waste Management Services report, in September 2009, to Budget Committee on a multi-year fee strategy.
4. The following adjustment be made to the Solid Waste Management Services 2008 Operating Budget:
 - i. City Council decrease the 2008 Solid Waste Management Approved Operating Budget by \$58.079 million (net) to account for the receipt of user fee revenue from the roll-out of the new bins for multi-residential and single-family residential effective July 1, 2008, and November 2008, respectively.

- ii. City Council increase the 2008 Non Program Approved Operating Budget by \$58.079 million (gross and net) to fund a new tax rebate program for households to refund that portion of property taxes paid for Solid Waste Management Services.
5. This report be considered concurrently with the “Recommended 2009 Residential Solid Waste Rates” (October 2008) report and the “Solid Waste Management Services 2008 Operating Budget Adjustment” (October 2008) report.
6. The General Manager, Solid Waste Management Services, be requested to report to the Public Works and Infrastructure Committee, prior to June 2009, on methods to remove the \$209.00 fee from the property tax bill and show the user fee as the full amount on the utility bill.

City Council Decision Advice and Other Information

City Council considered this Item with Item EX25.4, headed “Solid Waste Management Services 2009-2018 Capital Program (Ward All)”, and Item EX25.6, headed “Recommended 2009 Residential Solid Waste Rates (Ward All)”.

Background Information (Committee)

Solid Waste Management Services 2009 Operating Budget

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16570.pdf>)

Solid Waste Management 2009 Operating Budget Analyst Briefing Notes - October 17, 2008

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16596.pdf>)

Background Information (City Council)

Presentation material submitted by the General Manager, Solid Waste Management Services, on the 2009 Capital and Operating Budgets for Solid Waste Management Services (EX25.5a)

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-17276.pdf>)

5a Solid Waste Management Services 2008 Operating Budget Adjustment

Background Information (Committee)

Solid Waste Management Services 2008 Operating Budget Adjustment

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16571.pdf>)

S26.14 Recommended 2009 Residential Solid Waste Rates

EX25.6	ACTION	Amended		Ward: All
---------------	---------------	---------	--	-----------

Speaker Bussin in the Chair.

Motion:

1. Councillor Shiner moved that the Item be amended by adding the following:

The General Manager, Solid Waste Management Services, be requested to report to the Public Works and Infrastructure Committee, prior to June 2009, on methods to remove the \$209.00 fee from the property tax bill and show the user fee as the full amount on the utility bill.

Votes:

Motion 1 by Councillor Shiner carried.

Adoption of the Items, as amended:

Yes - 24	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Heaps, Kelly, Lee, McConnell, Mihevc, Milczyn, Pantalone, Perks, Perruzza, Rae, Saundercook, Vaughan
No - 11	
Councillors:	Del Grande, Holyday, Jenkins, Minnan-Wong, Nunziata, Ootes, Palacio, Parker, Shiner, Stintz, Walker

Carried by a majority of 13.

City Council Decision

City Council adopted the following motions:

1. The 2008 Residential Solid Waste Rates, adopted by Council for 2008, continue unchanged for 2009, as set out in Appendix A of the report (October 9, 2008) from the General Manager, Solid Waste Management Services, and the Acting Deputy City Manager and Chief Financial Officer.
2. The General Manager, Solid Waste Management Services, be requested to report to the Public Works and Infrastructure Committee, prior to June 2009, on methods to remove the \$209.00 fee from the property tax bill and show the user fee as the full amount on the utility bill.

City Council Decision Advice and Other Information

City Council considered this Item with Item EX25.4, headed “Solid Waste Management Services 2009-2018 Capital Program (Ward All)”, and Item EX25.5, headed “Solid Waste Management Services 2009 Operating Budget (Ward All)”.

Background Information (Committee)

Recommended 2009 Residential Solid Waste Rates

(<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16572.pdf>)

Background Information (City Council)

Presentation material submitted by the General Manager, Solid Waste Management Services, on the 2009 Capital and Operating Budgets for Solid Waste Management Services (EX25.6a)

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-17277.pdf>)

BILLS AND BY-LAWS

Speaker Bussin in the Chair

S26.15 Councillor De Baeremaeker, at 5:59 p.m., moved that leave be granted to introduce the following Bills, and that these Bills, prepared for this meeting of Council, be passed and hereby declared as By-laws:

Bill No. 1165	By-law No. 1172-2008	To amend City of Toronto Municipal Code Chapter 441, Fees and Charges, and Chapter 849, Water and Sewage Services and Utility Bill.
Bill No. 1166	By-law No. 1173-2008	To amend former City of Etobicoke Zoning Code Chapters 320 and 324, as amended by By-law No. 1088 2002, to partially remove the holding symbol (H) with respect to lands municipally known as 925 Kipling Avenue.
Bill No. 1167	By-law No. 1174-2008	To amend the General Zoning By law No. 438-86 of the former City of Toronto with respect to lands municipally known as 1815 Yonge Street and 25 Merton Street,

the vote on which was taken as follows:

Yes - 28	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Heaps, Holyday, Jenkins, Kelly, Lee, McConnell, Mihevc, Milczyn, Ootes, Pantalone, Perks, Perruzza, Rae, Saundercook, Vaughan, Walker
No - 7	
Councillors:	Del Grande, Minnan-Wong, Nunziata, Palacio, Parker, Shiner, Stintz

Carried by a majority of 21.

S26.16 Councillor Kelly, at 6:00 p.m., moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 1168	By-law No. 1175-2008	To confirm the proceedings of the Council at its Special meeting held on the 6th day of November, 2008,
---------------	----------------------	---

the vote on which was taken as follows:

Yes - 28	
Mayor:	Miller
Councillors:	Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Heaps, Holyday, Jenkins, Kelly, Lee, McConnell, Mihevc, Milczyn, Ootes, Pantalone, Perks, Perruzza, Rae, Saundercook, Vaughan, Walker
No - 7	
Councillors:	Del Grande, Minnan-Wong, Nunziata, Palacio, Parker, Shiner, Stintz

Carried by a majority of 21.

OFFICIAL RECOGNITIONS

S26.17 Presentations/Introductions/Announcements:

Speaker Bussin, during the morning session of the meeting, introduced students from Marc Garneau Collegiate Institute, present at the meeting.

S26.18 ATTENDANCE

Councillor Augimeri moved that the absence of Councillors Ford, Grimes and Moscoe from the special meeting of Council on November 6, 2008, be excused, which carried.

Date and Time	Quorum	Members
2008-11-06 9:42 AM - 12:30 PM (Public Session)	Present	<i>Present:</i> Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker <i>Not Present:</i> Ford, Grimes, Moscoe
2008-11-06 2:10 PM - 6:01 PM (Public Session)	Present	<i>Present:</i> Ainslie, Ashton, Augimeri, Bussin, Carroll, Cho, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Hall, Heaps, Holyday, Jenkins, Kelly, Lee, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Miller, Minnan-Wong, Moeser, Nunziata, Ootes, Palacio, Pantalone, Parker, Perks, Perruzza, Rae, Saundercook, Shiner, Stintz, Thompson, Vaughan, Walker <i>Not Present:</i> Ford, Grimes, Moscoe

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

Council adjourned on November 6, 2008, at 6:01 p.m.

**DAVID R. MILLER,
Mayor**

**ULLI S. WATKISS,
City Clerk**