TORONTO **Agenda** **Regular**

Executive Committee

Meeting No.	24	**Contact**	Patsy Morris, Committee Administrator
Meeting Date	Monday, October 6, 2008	**Phone**	416-392-9151
Start Time	9:30 AM	**E-mail**	pmorris@toronto.ca
Location	Committee Room 1, City Hall		

Executive Committee		
Mayor David Miller (Chair) Deputy Mayor Joe Pantalone (Vice-Chair) Councillor Shelley Carroll Councillor Janet Davis Councillor Glenn De Baeremaeker	Councillor Paula Fletcher Councillor Norm Kelly Councillor Gloria Lindsay Luby Councillor Giorgio Mammoliti	Councillor Pam McConnell Councillor Joe Mihevc Councillor Howard Moscoe Councillor Kyle Rae

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Declarations of Interest under the Municipal Conflict of Interest Act.

Confirmation of Minutes – September 2, 2008

Speakers/Presentations - A complete list will be distributed at the meeting.

Communications/Reports

EX24.1	ACTION	11:15 AM		Ward: All

New Model to Enhance Toronto's Economic Competitiveness

Public Notice - Presentation Item

(September 22, 2008) Report from the City Manager

Recommendations

The City Manager recommends that:

1. To advance Toronto's broad economic competitiveness and unlock the value of the City's under-utilized real estate holdings, Council adopt the Business Case Study, Attachment 1 to this report, for the establishment of 2 new corporations referred to as Build Toronto and Invest Toronto.

<u>Governance:</u>

2. Council authorize the City Solicitor to incorporate two new corporations pursuant to section 148 of the *City of Toronto Act, 2006* and Ontario Regulation 609/06, the City Services Corporation Regulation, and the *Business Corporations Act* (Ontario):

   a. one with the operating name Build Toronto to unlock the value in under-utilized lands and use the available City and ABC land base to attract targeted industries, stimulate the creation of desirable employment, and regenerate neighbourhoods;

   b. one with the operating name Invest Toronto to engage the private sector in marketing and promotion activities to increase business investment and create desirable jobs in Toronto;

   and, as of the date of incorporation, appoint the City Manager, Deputy City Manager and Chief Financial Officer (CFO), and City Chief Corporate Officer (CCO) as initial interim directors of both boards until the new boards are appointed by Council, in order to execute any documents or take other actions necessary to set up operations.

3. Effective on the date that Council appoints the recruited citizen directors, the Board of Directors of Build Toronto be comprised of 11 members as follows:

a. the Mayor as Chair for the first 2 year term;
b. a citizen as Vice-Chair for the first 2 year term;
c. the Chair of the City's Economic Development Committee;
d. the City's General Manager of EDCT;
e. the City's Chief Corporate Officer; and
f. 6 residents of Toronto who are not elected officials or employees of the City or any of its ABCs or Corporations (ABCCs);

and that after the initial 2 year term, or as the Chair deems appropriate, the Vice-Chair become the Chair and the Mayor may continue as Vice-Chair or name a designate to be Vice-Chair of the Board.

4. Effective on the date that Council appoints the recruited citizen directors, the Board of Directors of Invest Toronto be comprised of 15 members as follows:

   a. the Mayor as Chair;
   b. a citizen as Vice-Chair;
   c. the Chair of the City's Economic Development Committee;
   d. the City's General Manager of EDCT; and
   e. 11 residents of Toronto who are not elected officials or employees of the City or any of its ABCCs.

5. The Public Appointments Policy corporations nominating process, currently used for other corporate boards, apply to Build Toronto and Invest Toronto and the City Manager be authorized to amend the Policy by adding the following specific qualifications for each board:

   a. For Build Toronto – accomplished in real estate law, planning and development, capital financing, environmental remediation, and construction

   b. For Invest Toronto – accomplished in international business, academics, marketing, government relations, labour, tourism or other marketing linkages.

6. The Mayor establish a Corporations Nominating Panel to recruit citizen members of the Board of Directors for the 2 new corporations and conduct a national search for the Chief Executive Officers for the 2 corporations.

7. The Remuneration Policy and the Expense Reimbursement Policy for City ABCCs apply to Invest Toronto and Build Toronto and the City Manager recommend remuneration for these boards for Council approval at the same time as the citizen board members are appointed by Council.

8. The City Manager develop shareholder directions for the 2 new corporations for Council approval at the same time as the citizen board members are appointed by Council.

9. a. Effective January 1, 2009, TEDCO's current incubator programs along with the associated funding and staffing be managed by and subsequently transferred to EDCT and included in the 2009 budget; and

b. the General Manager of EDCT, or a person acting in that capacity, be authorized to execute on behalf of the City any agreements necessary with TEDCO or others to provide for the transfer of the incubator programs and the funding for such programs.

Real Estate Strategy and Authorities for Land Transfers and Turnovers

Note 1: A land transfer conveys title to Build Toronto; a land turnover gives Build Toronto effective control over the lands to manage, develop and market lands without transferring title. Transfers may be used when there are no City or ABC program interests in the lands and a turnover may be used when there is one or more City or ABC program interests.

Note 2: "TEDCO's lands" means TEDCO's development projects and land holdings, together with the development projects and land holdings of TEDCO's subsidiaries.

10. To immediately begin the process of unlocking the value of land holdings, the City's CCO develop a City-wide real estate strategy that incorporates long term plans for all City and ABC programs and be authorized to conduct any real estate audits necessary; and all stakeholders be directed to participate in the process as set out in section C of this report in order to optimize the use of City and ABC land holdings, and to transfer or turn over to Build Toronto any City or ABC lands with potential for private development.

11. Council authorize the Deputy City Manager responsible for waterfront revitalization to review and determine the appropriate disposition of all TEDCO's lands within the waterfront planning area, with a view to expediting renewal of this large area, ensuring effective management of those lands that are likely to remain in industrial use, and ensuring that the use of other lands is optimized while awaiting renewal by Waterfront Toronto.

12. Those prior Council authorities providing for the transfer of title of certain City-owned properties to TEDCO, as more particularly set out in Attachment 5, be rescinded.

13. Conditional upon a satisfactory review by the CFO of the financial and real estate issues and subject to the execution of an agreement with Build Toronto on terms and conditions satisfactory to the CFO and in a form satisfactory to the City Solicitor:

    a. the properties that are the subject matter of the authorities rescinded by the adoption of recommendation 12 above, be transferred to Build Toronto;
    b. all TEDCO's lands outside the waterfront planning area be transferred to Build Toronto for nominal consideration, with appropriate arrangements for supporting staff and other resources as deemed necessary; and
    c. as a result of the review in recommendation 11 above, where the Deputy City Manager determines that lands should be transferred to Build Toronto, those lands be transferred to Build Toronto for nominal consideration, with appropriate arrangements for supporting staff and other resources as deemed necessary.

14. a. Authority be granted to enter into Turnover Agreement(s) with Build Toronto, on terms and conditions satisfactory to the City Manager (including, but not limited to, those terms set out in Attachment 2), in consultation with the City Solicitor, and including amending agreements from time to time, all in a form satisfactory to the City Solicitor;

    b. Conditional upon Build Toronto having entered into a Turnover Agreement, land which has been declared surplus with the intended manner of disposal to be by way of turnover to Build Toronto to manage, develop and market, be turned over to Build Toronto for such purposes; and

    c. Authority be granted to execute a Power-of-Attorney or other authority to empower signing officers of Build Toronto to sign documents on behalf of the City relating to City-owned lands turned over to Build Toronto, without further review or approval by City staff.

15. While Build Toronto will be entirely free to deal with the inventory of lands transferred in title to it (subject only to the terms of any Transfer Agreement), the terms of any proposed transfer of title of City or ABC land to Build Toronto, and of any proposed sale/disposal (including leases of 21 years or more) by Build Toronto of land subject to a Turnover Agreement, be reported through Committee and Council for consideration and determination.

16. The City Solicitor be authorized to complete the Turnover, future Transfer, and other, Agreements on behalf of the City, including paying any necessary expenses, amending the closing and other dates, and amending and waiving terms and conditions, on such terms as she considers appropriate.

Funding

17. Council allocate the amount of $10 million to the non-program expenditure budget to be funded from the Land Acquisition Reserve Fund, to be disbursed to Build Toronto and Invest Toronto, on terms satisfactory to the CFO, for the purpose of setting up and commencing business development operations including development of a business plan that identifies sustainable revenue sources.

Unanimous Shareholder Declaration, Shareholder Resolution, and Indemnity
This will require TEDCO to take all actions necessary by TEDCO to implement the recommendations in this report.

18. In order to protect current and future directors and officers of TEDCO, and current and future officers of TEDCO subsidiaries, the City:

    a. make a unanimous shareholder declaration to TEDCO, and pursuant to that declaration, make a shareholder resolution in form and substance as Attachment 3 with such changes as the City Manager may determine are appropriate, and

b. indemnify and save harmless the directors and officers from time to time of TEDCO and the directors and officers from time to time of TEDCO subsidiaries against any claims they may incur from compliance (or in the case of directors and officers of TEDCO subsidiaries, compliance at the direction of TEDCO) with the unanimous shareholder declaration.

<u>Amendments/Review - Existing By-laws and Decisions</u>

19. City of Toronto Municipal Code, Chapter 213, Sale of Real Property, be amended as set out in the draft Bill in Attachment 4.

20 The City Manager be requested to review the financial needs of Build Toronto together with the existing Policy entitled "…Proceeds from Sale of Surplus City Owned Real Property" embodied in Clause No. 1 of Report No. 9 of the Policy and Finance Committee adopted as amended by Council on June 18, 19 and 20, 2002 and report back to Council.

<u>General Authorities</u>

21. Authority be granted to enter into such additional or other agreements or documents and to do all things deemed appropriate as may, in the opinion of the City Manager or City Solicitor, be desirable to give effect hereto.

22. The appropriate City officials be authorized and directed to introduce in Council any Bills necessary to give effect to the foregoing.

Financial Impact

According to the Blueprint for Fiscal Stability and Economic Prosperity, the final report of the Mayor's Fiscal Review Panel, developing under-utilized City and ABC properties could realize substantial revenue for the City. It is therefore important to invest sufficient resources to achieve the full potential of City assets. Until these corporations are established and operational and the CCO completes his review of real estate holdings, it is difficult to determine the scale of investment needed.

Over the long term, Build Toronto will be self financing. In the short term, just as for TEDCO, there are insufficient revenues to fund substantive development projects. Build Toronto will have the advantage of being able to borrow against its own assets and future revenue streams, but will need seed money to complete a hiring process, conduct the initial review of City land assets to identify potential for private investment, and prepare a business plan. Development revenues will either be used by Build Toronto to fund additional projects that further the City's agenda or will come back to the City through various forms of revenue sharing from development projects or dividends to be used for City requirements. The activities of both corporations will lead to an increased tax base.

Invest Toronto initially will have no substantive revenue streams and must be funded from other sources. Once Invest Toronto establishes itself, there will be opportunities for private contributions from those who stand to benefit from the increased foreign marketing of Invest

Toronto, fees for participation in trade missions and research fees. Invest Toronto could also provide Build Toronto with front-end marketing and lead-development services on a contract basis.

Existing lease revenues will be sufficient to fund property management for leased lands, the incubator programs, and Invest Toronto's costs in the early years.

It is recommended that $10 million be provided by the City as seed money to support the start-up stage of both corporations. This funding will be made available to the new corporations as needed and on terms established by the City CFO. Both corporations are expected to develop business plans during their first year of operation to set out their future plans.

Although various City staff can provide significant resources to assist in the transition to the new model, it is expected that specific external expertise will be required to assist with human resources transitioning and with structuring the necessary land and project transfers. These additional resources could be cost-shared between TEDCO and the City.

Although every effort will be made to minimize transitional cost, there could be additional costs incurred in connection with the transition of assets and employees to the new corporations, and other employment matters. It is not possible to quantify those costs in the absence of specific fact situations. These issues must also be seriously considered in structuring agreements between the City and each of these corporations whenever these corporations provide services to the City.

While it is true that there are increased costs to operating two distinct corporations, the expected long term economic benefits to both the City and the Toronto community are eminently worth the investment.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Summary

The *Prosperity Agenda* and the *Blueprint for Fiscal Stability and Economic Prosperity* both indicated a need for substantive change in how the City attracts new investment and uses its under-utilized real estate holdings to regenerate Toronto. The City has reorganized the Economic Development Culture and Tourism Division (EDCT) and, together with its Federal and Provincial partners, commenced waterfront revitalization through Waterfront Toronto. The logical next phase is to review the optimal organization and governance structure for City arm's length corporation(s) to achieve the City's economic development objectives and to enable the City to maximize the value of its real estate holdings.

The City Manager engaged the Randolph Group and NetGain Partners to conduct interviews of all stakeholders including the City of Toronto Economic Development Corporation (TEDCO) board and staff, and to recommend a model that would satisfy both of these objectives. The law firm of Borden, Ladner, Gervais LLP was engaged to provide legal advice on corporate structures, financing options, and land ownership issues. To provide world-wide context, staff reviewed an extensive study of other jurisdictions by Greg Clark, an acknowledged global expert and advisor on city and regional development. Business and development experts

also provided comments on the proposed model. The Toronto Transit Commission (TTC) study of its own real estate function and the review of the City's Facilities and Real Estate Division (FRED) were also taken into account.

Based on this wide range of advice, this report recommends establishing two new City corporations referred to in this report as Invest Toronto and Build Toronto, amending the mandates of EDCT and FRED, and instituting a centralized real estate strategy that includes all City land holdings including those managed or owned by City Agencies, Boards, and Commissions (ABCs) such as the TTC.

"Invest Toronto" will engage the private sector in promoting Toronto as an investment opportunity through marketing, conducting trade missions, and coordinating with other governments and business. "Build Toronto" will engage private and public sector partners in the development of under-utilized City real estate to unlock value, stimulate the creation of desirable jobs, and regenerate neighbourhoods, consistent with the City's broader economic, social and environmental goals. Development revenues will either be used by Build Toronto to fund additional projects that further the City's agenda or will come back to the City through various forms of revenue sharing from development projects or dividends to be used for City requirements. The activities of both corporations will lead to an increased tax base. Both corporations will be closely aligned with the City's policy objectives, but will be able to implement plans on an independent basis.

This plan represents a vital step forward in meeting the objectives laid out in the Prosperity Agenda and the Blueprint for Fiscal Stability and Economic Prosperity.

Background Information

New Model to Enhance Toronto's Economic Competitiveness
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15926.pdf)
The Randolph Group - NetGain Partners Report
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15957.pdf)

EX24.2	ACTION	1:30 PM		Ward: All

Green Fleet Plan for TTC, Police, Fire and EMS

Presentation Item

(September 22, 2008) Report from the Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. City Council adopt the 2008-2011 Green Fleet Plans for Toronto Transit Commission, Toronto Police Service, Toronto Fire Services and Emergency Medical Services, in accordance with Attachment 1.

Financial Impact

There is no incremental cost impact on the 2008 Budgets for TTC, Police, Fire and EMS. The financial implications identified, and consolidated in the table below reflect the total estimated costs resulting from the price differential between a conventional vehicle and a “green” vehicle which often commands a premium or higher price. TTC, Police, Fire and EMS will include any potential incremental costs impact in future year capital budget submissions subject to corporate affordability targets. Any resultant savings in fuel costs will be reflected in their respective operating budgets.

TTC, Police, Fire and EMS estimate that on the whole the green fleet initiatives outlined in this plan will have a total estimated capital cost of approximately $129.4 million over 2008-2011 and an operating impact reflecting fuel cost savings of approximately $16.9 million during this period plus further savings in future years over the life of these assets. It must be noted that the most significant cost is related to the TTC hybrid buses which have committed Federal and Provincial partnership funding.

Toronto Transit Commission

The TTC projects that the implementation of the 2008-2011 green fleet activities (hybrid City buses only) for its fleet will result in a capital cost of $128.8 million and an operating cost savings of $16.6 million over these four years, summarized as follows:

Toronto Transit Commission financial impacts (for Hybrid Buses only):

	Capital Cost Premium for Hybrid Buses ($ 200k/bus) ($ millions)	Operating Fuel Savings Directly Attributable to use of Hybrid Buses in lieu of Conventional Buses ($ millions)
2008	70.800	(1.601)
2009	26.000	(3.596)
2010	24.000	(5.290)
2011	8.000	(6.148)
Total	128.800	(16.635)

i. Fuel savings reflect actual 2008 price per litre of diesel fuel paid by TTC. All other years are based on an estimated price per litre of diesel fuel.

ii. Costs and quantities exclude pre-2008 hybrid purchases. Fuel savings figures are cumulative and include fuel saved by Hybrid Buses purchased in the 2008-2011 period and earlier but exclude future year savings over the remainder of the 18-year life of the buses.

iii. Fuel figures not adjusted for ridership growth.

Toronto Police Service

The Toronto Police Service projects that the implementation of the 2008-2011 green fleet activities for its fleet will result in a net cost savings of approximately $0.009 million over four years, summarized as follows:

Toronto Police Service financial impacts:

	Capital Cost ($ million)	Operating Cost ($ million)	Total Cost ($ million)
2008	0.024	(0.003)	0.021
2009	0	(0.009)	(0.009)
2010	0	(0.010)	(0.010)
2011	0	(0.011)	(0.011)
Total	0.024	(0.033)	(0.009)

- The capital cost reflects the premium for hybrid vehicles after rebates. This amount in 2008 has been absorbed within the Service's approved amount for vehicle purchases and therefore did not result in a budget impact. The Service's vehicle purchases are funded from the Police Vehicle & Equipment Reserve. The Service has not determined to what extent hybrid vehicles will be used, and at this time no additional amounts have been reflected for future years capital costs.
- The operating cost reflects only fuel impacts and does not include maintenance and repair costs and residual values relative to conventional vehicles.

Toronto Fire Services

Toronto Fire Services projects that the implementation of the 2008-2011 green fleet activities for its fleet will result in a net cost of approximately $0.1 million over four years, summarized as follows:

Toronto Fire Services financial impacts:

	Capital Cost ($ million)	Operating Cost ($ million)	Total Cost ($ million)
2008	0.150	(0.033)	0.117
2009	0.090	(0.030)	0.060
2010	0	(0.031)	(0.031)
2011	0.035	(0.036)	(0.001)
Total	0.275	(0.130)	0.145

- Capital cost impact of $275,000 represents the differential in purchase costs for fuel efficient vehicles, 42 light vehicles and 24 Fire Apparatus/Support vehicles.

- Operating cost savings for fuel of ($78,437) are attributable to the fuel efficiency of new vehicles.

- The balance of fuel cost savings over four years of ($51,280) relates to the annual reduction of 17,700 kilometres for training related travel.

- The change in capital purchases will not result in any additional impact on the capital and operating budgets, since the annual contribution to the Fire Fleet Replacement Reserve (made through the operating budget), which funds the purchases in capital, is a fixed amount and therefore, the number of vehicles purchased is limited to the amount that can be funded from that annual contribution.

- The favourable impact on future operating budgets as a result of fuel savings will be subject to the impact of rising fuel prices and the increase in mileage due to planned mandatory training courses.

Fire Services will continue to seek fuel-efficient, appropriately sized apparatus whether of European or North American design and manufacture.

<u>Emergency Medical Services</u>

Emergency Medical Services projects that the implementation of the 2008-2011 green fleet activities for its fleet will result in a net cost of approximately $0.3 million over four years when fuel cost savings, rebates and contributions to reserve are accounted for:

Emergency Medical Services financial implication of planned green fleet initiatives:

	Capital Cost ($ million)	Operating Cost ($ million)	Total Cost ($ million)
2008	$0.024	$0.000	$0.024
2009	$0.098	($0.004)	$0.094
2010	$0.098	($0.016)	$0.082
2011	$0.098	($0.032)	$0.066
Total	$0.318	($0.052)	$0.266

i. Premium cost over regular vehicles: Hybrid Sedan $6.0k; Hybrid SUV $10.0k, net of rebates of $2.0k Provincial and $2.0k Federal in 2008, $2.0k Provincial-only in 2009, 2010 and 2011 unknown.

ii. Gasoline prices estimated at $1.35/L in 2008-09, $1.45/L in 2010 and $1.60/L in 2011.

Consolidated Financial Implications:

Total financial impacts for TTC, Police, Fire and EMS 2008-2011:

	Capital Cost ($ million)	Operating Cost ($ million)
TTC	128.800	(16.635)
Police	0.024	(0.033)
Fire	0.275	(0.130)
EMS	0.318	(0.052)
Total	129.417	(16.850)

i. TTC costs are for hybrid City buses only.

ii. EMS Operating Cost and Total Cost include $39,900 contribution to EMS Vehicle Reserve.

iii. Operating savings attributable to these assets will also be realized in future years.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Summary

As directed by City Council, the Toronto Transit Commission (TTC), Toronto Police Service (TPS), Toronto Fire Services (TFS) and Toronto Emergency Medical Services (EMS), with guidance from Toronto's Fleet Services Division, have prepared the "Green Fleet Plan for TTC, Police, Fire and EMS 2008-2011" to conserve fuel and reduce emissions of greenhouse gases and smog-causing pollutants. The plan is presented in Attachment 1 for Council's consideration.

This plan outlines the actions that each of the four organizations will take to green their vehicles, fuels and related activities. The plan will complement the City's existing Green Fleet Plan 2008-2011 for the City's core fleet of vehicles, those managed by Fleet Services Division and used by the City's Divisions.

For each of TTC, Police, Fire and EMS this plan presents a list of planned green fleet actions for 2008-2011. It describes their current vehicle inventory and existing green fleet activities. The plan also includes estimates of the financial impacts and greenhouse gas emission-reductions that are expected to result from the planned green fleet actions.

The four organizations estimate that the actions contained in the plan will reduce greenhouse gas emissions by more than 21,000 tonnes of eCO_2 in 2008-2011. TTC, Police, Fire and EMS estimate that on the whole the green fleet initiatives outlined in this plan will have a total estimated capital cost of approximately $129.4 million over 2008-2011 and an operating impact

reflecting fuel cost savings of approximately $16.9 million during this period plus further savings in future years over the life of these assets. It must be noted that the most significant cost is related to the TTC hybrid buses which have committed Federal and Provincial partnership funding.

Background Information

Green Fleet Plan for TTC, Police, Fire and EMS
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15920.pdf)
Green Fleet Plan for TTC, Police, Fire & EMS 2008-2011 September 2008 For presentation to City of Toronto Executive Committee
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15971.pdf)

EX24.3	ACTION	2:30 PM		Ward: All

Declaring the Toronto Transit Commission an Essential Service in Toronto

(September 22, 2008) Report from the City Manager

Recommendations

The City Manager recommends that:

1. City Council receive this report for information.

Financial Impact

There are no immediate financial implications in relation to this report.

Summary

The purpose of this report is to provide the Executive Committee and City Council with information regarding the options for and consequences of recommending to the Government of Ontario that they designate transit in Toronto as an essential service.

The report:

- outlines different collective bargaining dispute resolution methods used in Union-Management negotiations in North America,
- provides information on the current federal legislation (Canada) and provincial legislations in Canada regarding collective bargaining and essential services, provides a brief review of the comparative cost of freely negotiating collective agreements versus arbitration, and
- outlines the impact, if known, on the City of Toronto of a strike at the Toronto Transit Commission, including economic, health, traffic and environmental impacts.

Background Information

Declaring the Toronto Transit Commission an Essential Service in Toronto
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15956.pdf)

Communications

(September 12, 2008) letter from Jim S. Allan (EX.Main.EX24.3.1)
(September 8, 2008) e-mail from Charlotte & Lewis Steinberg (EX.Main.EX24.3.2)
(September 8, 2008) e-mail from Cheryl Traub (EX.Main.EX24.3.3)
(September 8, 2008) e-mail from Rikki Meggeson (EX.Main.EX24.3.4)
(September 8, 2008) e-mail from Jon Edgett, CFO, Group DKG Inc. (EX.Main.EX24.3.5)
(September 8, 2008) e-mail from John and Stella Au (EX.Main.EX24.3.6)
(September 9, 2008) e-mail from John Haapala (EX.Main.EX24.3.7)
(September 9, 2008) e-mail from Dave Crombeen (EX.Main.EX24.3.8)
(September 9, 2008) e-mail from John Warren (EX.Main.EX24.3.9)
(September 9, 2008) e-mail from Earl Biderman (EX.Main.EX24.3.10)
(September 9, 2008) e-mail from Trevor Jones (EX.Main.EX24.3.11)
(September 10, 2008) e-mail from Cindy Cohanim (EX.Main.EX24.3.12)
(September 11, 2008) e-mail from Stephanie Thorson (EX.Main.EX24.3.13)
(September 12, 2008) e-mail from Frank Goodman (EX.Main.EX24.3.14)
(September 13, 2008) e-mail from Frank KP Chow (EX.Main.EX24.3.15)
(April 21, 2008) e-mail from Sylvia Main (EX.Main.EX24.3.16)
(April 20, 2008) e-mail from D. Bacalla (EX.Main.EX24.3.17)
(September 17, 2008) e-mail from Andrew Cryne (EX.Main.Ex24.3.18)
(September 17, 2008) e-mail from Kevin Beattie, President, West Lansing Homeowners Association (EX.Main.EX24.3.19)
(September 17, 2008) e-mail from J.L.A. Colhoun (EX.Main.EX24.3.20)
(September 18, 2008) e-mail from Brian Story (EX.Main.EX24.3.21)
(September 17, 2008) e-mail from Ralph Caswell (EX.Main.EX24.3.22)

EX24.4	ACTION			Ward: 28

Sony Centre Redevelopment – Public Plaza Option

(September 22, 2008) Report from the Deputy City Manager and Chief Financial Officer, and the Chief Executive Officer – Sony Centre for the Performing Arts

Recommendations

The Chief Executive Officer of the Sony Centre for the Performing Arts and the Deputy City Manager and Chief Financial Officer recommend that:

1. Council authorize the Deputy City Manager and Chief Financial Officer and the Chief Executive Officer of the Sony Centre for the Performing Arts to implement amendments to the Umbrella Agreement based on the principles outlined in Appendix

'B' that will result in the creation of a public plaza in the strata land originally intended either for the City Centre cultural project or for a commercial development.

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

Financial Impact

The public plaza development option would result in a financial outcome that is similar to the one that would have been realized under the commercial component option, which is the fallback option established in the existing Umbrella Agreement. The implementation of the public plaza option will result in a minimum payment of $3 million from Castlepoint to the City for additional residential density. Furthermore, under this option Castlepoint will provide an additional payment of $1 million to the City towards the costs of constructing the public plaza. This will result in a total payment of $4 million.

It is currently estimated that the public plaza will have a construction cost of approximately $1 million.

Under the existing commercial component option, Castlepoint is required to make a payment of $3.5 million to the City for the long-term lease of the commercial component.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Summary

The Sony Centre for the Performing Arts (SC) has been unable to secure the necessary funding from other levels of government for the proposed CityCentre cultural project.

The original Umbrella Agreement with Castlepoint Realty Partners Ltd. (Castlepoint) incorporated a fallback scenario in which a commercial development would be constructed in the strata land below the proposed condominium tower in lieu of the City Centre. However, at its meeting in July, 2008, Council approved amendments to the Umbrella Agreement that provided staff and the developer, Castlepoint Realty Partners Ltd., with the opportunity to examine a further alternative for this strata land. Under this alternative, the strata land would be used for additional residential development and a public plaza instead of a commercial development.

Staff have determined that this new alternative will result in significant public benefits and that it will aid in the operations of the existing theatre. In addition, it has been determined that this alternative will result in a financial outcome that is similar to the outcome from a commercial development. Therefore, staff are recommending that Council authorize staff to complete amendments to the Umbrella Agreement that will result in the implementation of this new public plaza alternative.

Background Information

Sony Centre Redevelopment - Public Plaza Option
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15921.pdf)

Drawings of Proposed Public Plaza Option - Appendix 'A'
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15922.pdf)

EX24.5	ACTION			Ward: All

Toronto Waterfront Revitalization Initiative Five-Year Business Plan / Ten-Year Forecast (2008 – 2017)

(September 18, 2008) Report from Deputy City Manager Richard Butts

Recommendations

It is recommended that Council:

1. approve the Five-Year Business Plan/Ten-Year Forecast (2008 – 2017) for the Waterfront Revitalization Initiative, subject to the City's annual budget process and approval by the Provincial and Federal Governments of the same Plan;

2. authorize the revision of the City's 2008 – 2017 Capital Plan for the Waterfront Revitalization Initiative to reflect the following cash flows: $42.164 million (gross)/$41.805 million (net) in 2008, $65.723 million (gross/net) in 2009, $71.364 million (gross/net) in 2010, $88.778 million (gross/net) in 2011, $48.345 million (gross/net) in 2012, and $72.324 million (gross/net) in 2013 to 2017;

3. approve the following gross/net adjustments to sub-projects within the 2008 Capital Budget for the Waterfront Revitalization Initiative, resulting in a reduction of $15.886 million (gross/net) for the year. This will bring the revised 2008 Capital Budget for Waterfront Revitalization to $42.164 million (gross)/$41.805 million (net), with no impact to the City's overall net commitment of $500.00 million for the Waterfront Revitalization Initiative:

   i. an increase to Precinct Implementation ($5.329 million); and

   ii. reductions to Union Station ($.035 million), Portlands Preparation ($.519 million), Port Union ($2.300 million), Mimico ($1.760 million), Transportation Initiatives ($.025 million), Naturalization of the Don River ($2.337 million), Pier 4 Rehabilitation ($0.200 million), Sports Fields, Facilities & Parks Development ($6.318 million), Financial Securities ($7.697 million), and Waterfront Secretariat ($.024 million); and

4. authorize and direct appropriate City officials to take the necessary action to give effect thereto.

Financial Impact

Subject to the annual budget process, the recommendations in this report will result in the following cash flows for the City's gross/net contribution to Waterfront Revitalization: $42.164 million (gross)/$41.805 million (net) in 2008, $65.723 million (gross/net) in 2009, $71.364 million (gross/net) in 2010, $88.778 million (gross/net) in 2011, $48.345 million (gross/net) in 2012, and $72.324 million (gross/net) for the period 2013 to 2017.

The City's overall contribution to the Waterfront Revitalization Initiative will remain at $504.200 million (gross)/$500.000 (net). This includes $115.501 million (gross)/ $111.661 million (net) already incurred to the end of 2007 and an amount of $17.513 million (gross/net) incorporated in years 6 to 10 that is not allocated to specific tasks at this time, but is intended for the completion of the Water's Edge Promenade, and transit initiatives.

During its deliberations on the staff report entitled "Streamlining Waterfront Revitalization in East Bayfront" at its July, 2007 meeting, Council directed that $15.000 million (gross/net) of the City's contribution to Waterfront Revitalization be held "in reserve" to cover any third party claims that may arise against TEDCO or the City associated with the transfer of certain lands in East Bayfront from TEDCO to the City. Council further directed WT is to replace this "reserve" with revenues from the development of lands in East Bayfront by December 31, 2010. As indicated above, the total unallocated funds in the proposed Five-Year Business Plan/ Ten-Year Forecast (2008 – 2017) is $17.513 million (gross/net), and staff will ensure that this balance does not fall below the $15.000 (gross/net) threshold.

The 2008 approved Capital Budget for Waterfront Revitalization will be reduced by an amount of $15.886 million (gross/net), with no impact to the City's overall net commitment of $500.00 million for the Initiative. One of the recommended changes is a reduction of $0.200 million (gross/net) for the Pier 4 Rehabilitation project which was completed at approximately $0.200 million below budget; the unspent funds will be refunded to the City by WT and applied into the City's Strategic Infrastructure Reserve Fund to fund other Waterfront projects.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Summary

The *Toronto Waterfront Revitalization Corporation Act, 2002* which came into effect on April 1, 2003 requires that Waterfront Toronto (WT, formerly the Toronto Waterfront Revitalization Corporation) prepare annual rolling five-year business plans for approval by the Federal, Provincial and Municipal governments.

This report outlines the deliverables, funding requirements, and cost-sharing arrangements for Waterfront Revitalization over the next ten-year period (2008 to 2017) as reflected in the Five-Year Business Plan/Ten-Year Forecast for the Project developed by WT in partnership with officials from the three governments. The current Plan forms the basis for the 2009 – 2018 Capital Program submission for the Waterfront Revitalization Initiative, and recommends a reduction to the 2008 Capital Budget in the amount of $15.886M (gross/net).

During 2008, WT undertook a cost estimation validation process to determine current, comprehensive costs and cash flows for the projects that are currently under way and within its mandate, which in turn necessitated the prioritization and re-phasing of initiatives to focus on:

- the development of the West Don Lands and East Bayfront precincts, and the Central Waterfront Public Realm;
- the development of a Regional Sports Complex/Sports and Recreation Node in the Portlands;
- completing priority strategic projects that are already under way; and
- showing significant progress in construction over the next five years.

The current Plan reflects the results of these processes. As well, it includes funding for two Gardiner Expressway EAs, improvements in the central area of the Gardiner Expressway, and reallocates the unexpended funding previously provided for the Front Street Extension to various public realm projects.

In 2007, Council directed WT to develop a comprehensive revenue generation and financing strategy, including a business and financial plan for achieving Waterfront Revitalization in the Portlands. This Strategy has been recently completed and will be reviewed by members of the Intergovernmental Steering Committee consisting of senior officials from the three orders of government in the Fall of 2008. The current Plan includes the updated revenue/financing projections as presented in the Strategy.

Council also directed that a Memorandum of Understanding be developed with WT confirming deliverables for WT’s 2008/09 fiscal year on a project-by-project basis. This document was executed in August 2008, and is based on the current Plan.

Background Information

Toronto Waterfront Revitalization Initiative Five-Year Business Plan / Ten-Year Forecast (2008 - 2017)
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15923.pdf)

EX24.6	Information			Ward: All

Gaming Tax – Scope and Feasibility

(September 22, 2008) Report from the Deputy City Manager and Chief Financial Officer and the City Solicitor

Financial Impact

This report is for information only, and there are no direct financial impacts. The potential gaming tax revenue for the City depends upon legislation, and would vary by the form of tax (i.e. lotteries, racetracks etc.) and the tax rates.

Summary

The purpose of this report is to provide information to the Executive Committee with regard to a Motion requesting a report on the feasibility of establishing a Gaming Tax in the City of Toronto, in accordance with the Executive Committee's Decision Advice at its meeting on April 7, 2008.

A gaming tax could theoretically be structured as: (1) a tax on gambling winnings, (2) a tax on the activity of placing a wager or purchasing a lottery ticket, (3) a tax on the price of admission to an establishment where gambling activities occur, or (4) a tax on gaming operators, such as a tax per slot machine.

The three main gaming activities in Toronto are lotteries, race track betting, and slot machines. Lotteries are characterized by numerous games, high volume and widely distributed transactions of nominal value. Consequently, taxing related wagering activities would be relatively costly for the City and the sellers to administer. Taxing the winnings of Toronto residents (such as above an established value threshold) could be considered, but may be difficult to enforce, is not the current practice in Ontario, and so may result in a strong negative reaction from the public. Furthermore, the net proceeds from lotteries are already directed to public purposes by the Provincial government, so a new tax would be less efficient than a direct revenue sharing arrangement.

Racetrack betting in Toronto occurs at Woodbine racetrack and at various licensed off track betting facilities throughout the City. A tax on these activities (winnings or wagers – admission prices are generally nil) should be reasonable to administer. At the time of writing this report, the potential tax revenues are not known. Some downside considerations are that such a tax could skew the gaming market unintentionally toward lotteries and drive off track betting business activity out of the City.

Operation of slot machines in the City of Toronto is currently licensed only at the Woodbine Racetrack. The City and the Province have a revenue sharing agreement related to the revenues from the slot operations at this facility. The City has on numerous occasions sought a higher share of the proceeds from the Province to no avail. However, the Province may be more agreeable to a City tax as it would have less impact on its own revenue stream, and place the responsibility for the tax squarely on the City.

Any new gaming tax is likely to increase the trend toward illegal internet gaming activity in the City.

A City gaming tax on winnings or wagering would likely not be feasible under the current provisions of the *City of Toronto Act, 2006* (COTA), as sales taxes and income or wealth based tax are currently excluded from permitted taxing activities. A City request for legislative change to facilitate a gaming tax could be included in the statutory process for a two year review of the COTA. However, a new City tax would inevitably conflict with provincial revenue and policy objectives and a request for change is therefore likely to meet resistance.

Background Information

Gaming Tax - Scope and Feasibility
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15924.pdf)

EX24.7	ACTION			Ward: All

Adequacy of Employee Benefits Reserve Funds

(September 22, 2008) Report from the Deputy City Manager and Chief Financial Officer

Recommendations

The Deputy City Manager and Chief Financial Officer recommends that:

1. Council set two years of employee benefit cash costs as a target balance level for the consolidated employee benefits reserve funds.

2. Consideration be given in the 2009 Operating Budget to increase the non-program contribution to the consolidated employee benefit reserve funds by $4 million to $43 million.

3. Council endorse, in principle, a plan to require Agencies, Boards and Commissions starting in 2010 to contribute annual funding to the Sick Leave Reserve Fund that matches budgeted withdrawals.

4. Staff revise the annual benefits charges to Divisions and applicable Agencies, Boards and Commissions on a staged basis over three years starting in 2011 to reflect additional funding requirements for retired employees, employees on long-term disability, workplace safety (pre-amalgamation) and sick leave gratuity payouts.

Financial Impact

The City has a projected employee benefit actuarial liability of approximately $2.1 billion as identified in a valuation report prepared by Mercer Human Resource Consulting for the year ended December 31, 2007. Mercer's projections of actuarial liabilities from December 2006 to December 2009 are provided in Appendix A. About $240.1 million of this liability is funded by reserves as at December 31, 2007, leaving a net liability of approximately $1.8 billion. The unfunded portion of this liability will be financed from future revenues. Left unabated, the liability will continue to grow as a result of additional accrued benefits and the increased value of accruals in current year dollars. The net liability has grown from approximately $1.5 billion on December 31, 2004 to approximately $1.8 billion on December 31, 2007.

The major credit rating agencies have identified the unfunded portion of employee benefits liabilities as a negative ratings factor. Standard & Poor acknowledged that while the City of Toronto does have a plan to fund these liabilities, however progress to-date has been slow.

The recommendations will have future year operating budget implications as estimated below:

Operating Budget Impact (in $ Millions)				
2009	2010	2011	2012	2013
4.0	11.3	11.7	11.7	11.7

Summary

The purpose of this report is to report on the City's non-pension employee benefit liabilities as at December 31, 2006, extrapolated for the years 2007, 2008 and 2009. Specifically, these include the post-retirement, post-employment, sick leave gratuity and self-insured Workplace Safety Insurance Board (WSIB) benefit plans for the City of Toronto, Toronto Police Services and the City's Agencies, Boards and Commissions. Groups that are not part of this report include Toronto Hydro, Toronto Community Housing, Toronto Parking Authority and the Toronto Transit Commission.

This report will also comment on the adequacy of the employee benefits reserve funds and provide options to adequately fund the benefit liabilities.

By introducing measures to more fairly allocate the true cost of non-pension benefits across all Divisions and ABCs, it is possible to initially stop the growth in employee benefits net liabilities and allow the associated reserve funds to start building up to a recommended target of two times cash costs.

Background Information

Adequacy of Employee Benefits Reserve Funds
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15925.pdf)

EX24.8	ACTION			Ward: All

Labour and Training Costs in Construction Procurement

(September 23, 2008) Report from the City Manager

Recommendations

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

Financial Impact

There are no financial implications resulting from this report.

Summary

This report provides an overview of the construction activities for 2007 including the cost of construction contracts, breakdown of labour costs (union/non-union) and the value of training

and legal issues.

Background Information

Labour and Training Costs in Construction Procurement
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15927.pdf)

EX24.9	ACTION			Ward: All

Nomination of Replacement Toronto Trustee for the Move Ontario Trust

(September 25, 2008) Report from the City Manager

Recommendations

The City Manager recommends that:

1. Council nominate Mr. Cameron S. Weldon, Acting Deputy City Manager and Chief Financial Officer, for appointment as the City of Toronto's Municipal Trustee on the Move Ontario Trust; and

2. Council direct that, going forward, the City of Toronto's nominee for Municipal Trustee on the Move Ontario Trust shall be the person holding the position of Deputy City Manager and Chief Financial Officer.

Financial Impact

There is no financial impact associated with this report.

Summary

To recommend the nomination of a replacement Toronto trustee to the Move Ontario Trust, originally established by the Province to fund its share of the Toronto-York Spadina Subway Extension Project ("the Project").

Background Information

Nomination of Replacement Toronto Trustee for the Move Ontario Trust
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15929.pdf)

(Deferred from September 2, 2008 - 2008.EX23.15)

EX24.10	Information	10:30 AM		Ward: All

Quarterly Report: Grievance and Arbitration Activity

Deputation Item

(May 12, 2008) Report from the Executive Director, Human Resources Division, addressed to the Employee and Labour Relations Committee and submitted to the Executive Committee at the request of the Chair of the Committee.

Financial Impact

There are no immediate financial implications in relation to this report.

Summary

To provide the quarterly report of grievance and arbitration activity between January 1 and March 31, 2008, for information.

Background Information

Quarterly Report: Grievance & Arbitration Activity
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15593.pdf)

(Deferred from September 2, 2008 - 2008.EX23.3)

EX24.11	ACTION	10:00 AM		Ward: 41

Complaint Pursuant to Section 20 of the Development Charges Act, 1997 - 3700 Midland Avenue

Public Meeting

(May 16, 2008) Report from the Deputy City Manager and Chief Financial Officer and Deputy City Manager Richard Butts

Recommendations

The Deputy City Manager and Chief Financial Officer, and Deputy City Manager Richard Butts recommend that:

1. Council dismiss the complaint filed pursuant to Section 20 of the Development Charges Act, 1997 and deny the request for a development charge refund in the amount of $386,986.01.

Financial Impact

This report recommends that the complaint be dismissed and the requested development charge refund be denied.

The complainant is seeking a development charge credit (refund) in the amount of $386,986.01, as well as development charges credits for future development on the Kreadar Lands. Should Council agree that the complainant is entitled to a credit, the development charge by-law provides that the credit be the lesser of the cost of the works constructed or the development charge component related to these works. Accordingly, the applicant would only be entitled to a potential credit (refund) of $68,870.40, being the lesser of the pro rated cost of construction of Silver Star Blvd. road and sewer works (estimated by Kreadar to cost $955,336.17) and the road and sewer component of the development charges paid. In addition, a decision in favour of the complaint would result in further credits, estimated at potentially $724,000, for the balance of the undeveloped Kreadar Lands.

Summary

The purpose of this report is to provide staff recommendations in response to a complaint filed pursuant to Section 20 of the Development Charges Act, 1997 (the "Act"). The complainant, Kreadar Enterprises Ltd. (Kreadar), claims that it is entitled to development charge credits for the cost of constructing a portion of Silver Star Boulevard and related sanitary sewer works.

Staff have reviewed the complaint and recommend that the complaint be dismissed. The Act provides that a development charge credit can only be granted where there is an agreement between the municipality and the developer providing that a credit will be given in return for the construction of a development charge service. Since there is no such agreement between Kreadar and the City, Kreadar has no legal entitlement to a development charge credit.

Background Information

Complaint Pursuant to Section 20 of the Development Charges Act, 1997 - 3700 Midland Ave.
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15591.pdf)
Development Charges Complaint Letter - Cassels Brock & Blackwell LLP
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15592.pdf)

Communications

(August 28, 2008) letter from Mr. Stanley Makuch, Cassels, Brock & Blackwell LLP (EX.Supp.EX24.11.1)

EX24.12	ACTION			

Financial Planning, Analysis and Reporting System

(September 19, 2008) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that City Council approve the following:

1. Extend the existing sole source contract 47011359 to Damy Consulting Inc. to continue as the Project Manager for the Financial Planning, Analysis and Reporting System, in the amount of $315,000.00 net of GST, for the period January 1, 2009 to September 30, 2010, revising the current contract value from $498,765.00 to $813,765.00 excluding GST.

2. Extend the existing sole source contract 6024197 to Droichead Atha Inc. to continue to provide expertise as the SAP Analytics/Integration Manager for the Financial Planning, Analysis and Reporting System, in the amount of $927,000.00 net of GST, for the period October 1, 2008 to September 30, 2010, revising the current contract value from $489,600.00 to $1,416,600.00.

3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

The Financial Planning, Analysis and Reporting System is an approved capital project within the Financial Services Capital Budget with a total project cost of $7.99 million with 2007 and prior actual expenditures of $1.814 million and cashflow funding of $3.52 million in 2008, and $2.65 million in 2009.

This report recommends the extension of two sole source contracts for two consultants to September 30, 2010:

1. DAMY Consulting Inc. has been the FPARS Project Manager since January 2006. The current sole source contract 47011359 (which totals approximately $498,765.00) will expire in December 2008. This report recommends an extension of the sole source contract to September 30, 2010 totalling $315,000.00. The revised overall commitment will be $813,765.00

2. Droichead Atha Inc. has been the SAP Analytics Integration Manager for the FPARS project since September 2007. The current sole source contract 6024197(which totals $489,600.00) will expire in September 2008. This report recommends an extension of the sole source contract to September 30, 2010 totalling $927,000.00. The revised overall commitment will be $1,416,600.00.

Sufficient funding is available within the 2008 Approved Capital Budget capital account CFO906795 Financial Planning, Analysis, and Reporting System (FPARS) to fund the two sole source commitments of $1.242 million.

An increase in project costs of $7.210 million will be included in the 2009 Capital Budget Submission. The scope of the project has expanded since its approval to include a rationalization and restructuring of all City cost centres ($1.94 million), and since human resource data is tied to cost centres, a review and potential redesign of how complement planning and management is conducted in the City ($3.170 million). Also there has been about a one-year delay in implementing the new system due to its size and complexity and the need to acquire specialized technical resources to meet expanded requirements ($2.1 million). The FPARS project is scheduled to be implemented by June 2010, in time for the 2011 budget process to deliver a multi-year operating budget for the next term of Council.

External expertise is required to undertake this project as functionality within SAP new to the City for planning and analysis purposes will used. Furthermore, the FPARS project is unique for its complexity of realigning information to create cost centre views, service views and the ability to report on program specific performance management information across the City. The FPARS project must tailor multi year financial and complement planning (position) and reporting to meet the specific requirements of 34 City Divisions and, in the future, 13 Agencies, Boards and Commissions as well as corporate needs. The functionality to meet these business requirements needs to be tightly integrated in order to provide a streamlined process and reporting must be satisfied by using SAP Business Intelligence (BI), a data warehouse which currently does not exist in the City. The current cost centre and human resource data needs to be restructured and realigned to present information using an organization and service view simultaneously. Managing two concurrent views requires detailed integration of data and system functionality. In the longer term, FPARS will enable the City to optimize SAP functionality in an integrated fashion by providing the necessary foundation.

Two external consultants, SAP Analytics Integration Manager and a Project Manager have both contributed to finalizing the Project Preparation and Business Blueprinting phases of the project. The sole source extension is required to September 30, 2010 to ensure the project continues with the same expertise and business knowledge without interruption to completion.

Summary

This report provides an overview of the capital project, Financial Planning, Analysis and Reporting System (FPARS) within SAP, including required resources. The report also requests authority to extend the existing sole source agreements 47011359 and 6024179 with two consultants to provide required expertise to continue the project uninterrupted through implementation phase, in time for the 2011 Operating Budget process (June 2010).

FPARS is required to support a new streamlined planning and budgeting process City-wide that will be multi-year, service-based and performance focused. FPARS will support a foundation that includes service planning, multi-year service-based budgeting, performance management (through metrics and score carding), and expanded system functionality integration and support (through Enterprise Architecture). The system will enable the City to implement recommendations made by the Fiscal Review Panel to streamline the budget process.

FPARS addresses current issues for planning and budgeting within the City:

- for planning, it will support a multi-year service planning process for the City that stores, tracks and reports MPMP, OMBI, performance metrics, divisional / cross divisional Council priorities and initiatives and approved strategic plans. It will link services to strategic outcomes; via service objectives and priority actions that will be established based on Council policy and strategic priorities and used to guide the budget; and
- for budgeting, FPARS will reduce the amount of manual effort and shadow systems required to prepare budgets, enable multi-year budgeting and provide timely, accurate, and service-based qualitative and quantitative information to assess and allocate resources based on performance.

Background Information

Financial Planning, Analysis and Reporting System
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15931.pdf)

EX24.13	ACTION			

Operating Variance Report for the Six-month Period Ended June 30, 2008

(September 19, 2008) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the deposit of funds totalling $21.466 million received from the Provincial government to create affordable housing into the Capital Revolving Reserve Fund; and further, Council approve an in-year budget adjustment to increase the 2008 Shelter, Support and Housing Administration Operating Budget by $6.1 million gross, funded by a draw from the Capital Revolving Fund in order to make construction payments to housing providers under the Canada-Ontario Affordable Housing Program.

2. City Council approve an increase of $2.407 million gross and revenue, and $0 net to the 2008 Facilities and Real Estate Operating Budget to enable the program to receive financial incentives for electricity demand reduction from the Ontario Power Authority, and to disburse these incentives to the various participating entities upon delivery of their individual programs.

3. City Council approve a transfer of deferred revenue in the amount of $46,983.77 to the 2008 Public Information and Creative Services Budget to support the Toronto Immigration Portal in such areas as focus group testing, content development and

advertising.

4. City Council approve the technical adjustments to amend the 2008 Council Approved Operating Budget between Programs to ensure accurate reporting and financial accountability resulting in no net increase to the overall 2008 Council Approved Operating Budget as detailed in Appendix D of the report.

5. City Council authorize that the City Manager and the Deputy City Manager and Chief Financial Officer continue to monitor expenditures of City Programs, Agencies, Boards and Commissions that have projected over-expenditures and to institute appropriate strategies to ensure that they are on budget at year end.

Financial Impact

Net expenditures for the six-month period ended June 30, 2008 were $3.234 million or 0.2% lower than planned expenditures (See Table 1). Projections to year end indicate a net operating budget under-expenditure of $0.284 million. The favourable variance of $3.234 million is attributed to under-expenditures in Citizen Centred Services “A”, Internal Services, Other City Programs and in the Corporate Accounts which is partially offset by over-expenditures in Citizen Centred Services “B” (Transportation Services) and Toronto Transit Commission – Conventional Services. The Deputy City Manager & Chief Financial Officer will monitor expenditures of Programs and ABCs projecting over-expenditures at year end, and will institute appropriate strategies to ensure that they are on budget at year end.

Table 1
Net Expenditure Variance ($ Millions)

	June 2008 Over/(Under)	Projected Y/E 2008 Over/(Under)
Citizen Centred Services “A”	(6.8)	(3.5)
Citizen Centred Services “B”	19.0	15.3
Internal Services	(4.1)	(2.4)
City Manager	0.3	(0.5)
Other City Programs	(3.0)	(2.5)
Council Appointed Programs	(0.2)	(0.1)
Total - City Operations	5.1	6.3
Agencies, Boards and Commissions	5.7	3.0
Corporate Accounts	(14.1)	(9.7)
Sub-Total	(8.4)	(6.6)
Total Variance	(3.2)	(0.3)

Summary

The purpose of this report is to provide the City of Toronto Operating Variance Report for the six-month period ended June 30, 2008, along with operating variance projections for the year ending December 31, 2008; and, to obtain approval of adjustments to amend the Council

Approved Operating Budget between Program budgets in order to ensure accurate reporting and financial accountability with no increase to the 2008 Council Approved Net Operating Budget.

For the six-month period ended June 30, 2008, actual net expenditures were $3.234 million or 0.2% under budget. This was primarily due to increased snow removal costs in Transportation Services and Toronto Transit Commission (TTC) arising from the large accumulation of snow from January to April 2008; and underachievement of revenues by TTC due to the April 2008 strike. Corporately, these over-expenditures were offset by under-spending in Social Services, Solid Waste Management Services and the Corporate Accounts.

Projections to year end indicate that the City's will be underspent by $0.284 million. As indicated in Appendix A, City Operations project an unfavourable variance of $6.340 million primarily attributed to over-expenditures of $15.288 million in Transportation Services due to the significant snow removal costs associated with the higher than normal snowfall in early 2008. This is partially offset by favourable net expenditures in several City Programs including Social Services; Office of the Treasurer; Shelter, Support and Housing Administration; and Solid Waste Management Services. Collectively, Agencies, Boards and Commissions (ABC) project a net unfavourable variance at year end of $3.035 million primarily resulting from the larger than normal snow removal cost and revenue loss as a result of the April transit strike. The over-expenditures in City Operations and ABCs are offset by the projected favourable net expenditure of $9.659 million for the Corporate Accounts. The under-expenditures in the Corporate Accounts is primarily due to increased interest investment earnings of $3.380 million, higher than expected Hydro revenues of $1.416 million, higher than budget Parking Tag Enforcement & Operations revenue and Parking Authority Revenues of $4.814 million.

Background Information

Operating Variance Report for the Six-month Period Ended June 30, 2008
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15932.pdf)
City of Toronto - Consolidated Net Expenditures for the Six Months Ended June 30, 2008 ($000s) - Appendices A-C
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15933.pdf)
Appendix D - City of Toronto Budget Adjustments for the Second Quarter Ended June 30, 2008 ($000s) (http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15934.pdf)

EX24.14	ACTION			

Capital Variance Report for the Six-month Period Ended June 30, 2008

(September 19, 2008) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the in-year budget adjustments detailed in Appendix 2 of the report.

2. City Council approve a technical adjustment to change the funding source for the Bergamot Avenue Child Care Project from Provincial Subsidies to a draw from the Child Care Expansion Reserve Fund ($1.295 million).

3. City Council approve a carry forward of unspent 2007 funding for Spadina Subway Extension ($0.337 million) and Transit City Plan ($1.925 million) as detailed in Appendix 2-A of the report, in order to continue work on these projects in 2008.

Financial Impact

As summarized in Table 1 below, for the six months ended June 30, 2008, actual expenditures for Tax Supported Programs totalled $531.4 million or 25.6% of a 2008 Approved Capital Budget of 2.077 billion. By comparison, these Programs spent 28.9% of their 2007 Approved Capital Budget during the same period in 2007. Tax Supported Programs project a spending rate of 85.8% or $1.79 billion by the end of 2008.

Rate Supported Programs spent $82.6 million or 18.9% of their 2008 Approved Capital Budget of $436.7 million. It is projected that by year-end, actual expenditures will approximate $322.8 million or 73.9% of the 2008 Approved Capital Budget (see Table 1).

Table 1
Corporate Capital Variance Summary
for the Six Months EndedJune 30, 2008
($000s)

	2008 Approved Capital Budget		Actual Expenditures - January 1 toJune 30, 2008		Projected Actual to Year-End	
			$000	%	'$000	% of Plan
Tax Supported Programs:						
Citizen Centred Services - "A"	203,340		32,562	16.0%	145,945	71.8%
Citizen Centred Services - "B"	500,447		73,920	14.8%	425,647	85.2%
Internal Services	144,876		37,597	26.0%	112,697	77.8%
Other City Programs	56,003		9,639	17.2%	52,467	93.7%
Agencies, Boards & Commissions	1,172,189		377,712	32.2%	1,044,104	89.1%
Total - Tax Supported	2,076,854		531,430	25.6%	1,780,860	86.0%
Rate Supported Programs:						
Toronto Parking Authority	26,746		5,580	20.9%	15,592	58.3%
Toronto Water	410,000		76,982	18.8%	307,169	74.9%
Total Rate Supported	436,746		82,562	18.9%	322,761	73.9%
Total	2,513,600		613,992	24.4%	2,103,621	83.9%

Summary
The purpose of this report is to provide the City of Toronto Capital Variance Report for the six-month period ended June 30, 2008, and projected actual expenditures to December 31, 2008. Further, the report recommends adjustments to the 2008 Council Approved Capital Budget in order to ensure effective delivery of the City's capital program.

Capital expenditures for Tax Supported Programs during the six months period ended June 30, 2008 totalled $531.4 million, representing 25.6% of the 2008 Approved Capital Budget of $2.514 billion (see Appendix 1). City Operations spent $153.7 million or 17.0% of the 2008 Approved Capital Budget of $904.7 million; while Agencies, Boards and Commissions spent $377.7 million or 32.2% of their collective 2008 Approved Capital Budget of $1.172 billion. Rate Supported Programs spent $82.6 million or 18.9% of the 2008 Approved Capital Budget of $436.7 million. The above spending levels are consistent with prior years' performance. It is noted that capital project activities tend to be concentrated in the latter half of the year; therefore, capital spending rates will accelerate during the summer months in accordance with capital project plans and schedules.

As shown in Appendix 1, projected expenditures to year end are estimated at $2.108 billion or 83.7% of the total 2008 Approved Capital Budget of $2.514 billion. Tax Supported Programs estimate spending 85.7%, while Rate Supported Programs estimate spending 73.9% of their respective 2008 Approved Capital Budget. Projected under-expenditures to year end are primarily attributed to unanticipated delays in construction start-up; challenges in hiring appropriate staff; unanticipated legal and environmental issues; reduced funding support from the Province on cost-shared projects; and the need to revise design plans.

Background Information
Capital Variance Report for the Six-month Period Ended June 30, 2008
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15935.pdf)
Appendix 1 City of Toronto - Consolidated 2008 Capital Variance Report For the Six Months Ended June 30, 2008
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15936.pdf)
Appendix 2 - 2008 Capital Budget Adjustment Request ($Millions) Six Months Ended June 30, 2008
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15937.pdf)
Appendix 2-A 2008 Capital Budget Carry Forward Adjustment Request ($Millions) Six Months Ended June 30, 2008
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15938.pdf)

EX24.15	ACTION			

City Planning Division - 2008 Operating Budget Adjustments

(September 19, 2008) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve an amendment to the 2008 City Planning Operating Budget to include a funding increase of $0.100 million gross and $0.0 net funded by the Federation of Canadian Municipalities (FCM) Green Development Municipal Fund in the form of a grant to continue work underway related to the Toronto Green Development Standard.

2. City Council approve an amendment to the 2008 City Planning Operating Budget to include a one-time funding increase of $0.050 million gross and $0.0 net funded from equal contributions across 10 City Divisions, Agencies, Boards and Commissions, as well as a $0.010 million grant from FCM to develop a Green/ Sustainable Development training course.

3. City Council approve an amendment to the 2008 City Planning Operating Budget to include a one-time funding increase of $0.100 million gross and $0.0 net funded from Section 37 contributions to cover all costs associated with the creation and placement of public art in the Queensway and Islington Avenue area.

Financial Impact

The table below summarizes the required budget adjustment of $0.250 million gross and $0.0 net to City Planning's 2008 Council Approved Operating Budget. Details are provided in the chart below.

Budget Adjustments to the 2008 Council Approved Operating Budget						
Program	No. of Positions	Gross $000s	Revenue $000s	Net $000s	2009 Gross Impact	Funding Source
Green Development Standard	0	100	100	0	(100)	FCM Grant
Green/Sustainable Development Training	0	50	50	0	(50)	FCM Grant and contributions across ten City Divisions and ABCs
Queensway-Islington Public Art Plan	0	100	100	0	(100)	Section 37
Total	0	250	250	0	(250)	

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Summary

The purpose of this report is to request budget adjustments to City Planning's 2008 Council Approved Operating Budget due to confirmation of funding from various sources received after Council approval of the 2008 Operating Budget for City Planning in March 2008.

Background Information

City Planning Division - 2008 Operating Budget Adjustments
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15939.pdf)

EX24.16	ACTION			

Transportation Services - Mid-Construction 2008 Cash Flow Reallocations and Deferrals

(September 19, 2008) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve the deferred and accelerated cash flows in the amount of $6,100,000 detailed in Table 1 attached to the report which will have no net impact on the approved 2008 approved debt.

2. The General Manager, Transportation Services Division, be requested to report back to the Budget Committee as part of the 2009 Capital Budget process, on a revised ten year capital plan.

3. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Financial Impact

Funding in the amount of $6,100,000 will be decreased and deferred from various projects for a number of reasons, as outlined in the body of this report. In this regard, an equivalent cash flow can be accelerated, increased and reallocated to a number of projects that are ready to proceed. These cash flows represent debt funded projects with no net change to the approved 2008 net debt funding requirement. The cumulative financial impact on project costs resulting from the cash flow reallocations approved by City Council on July 15, 16 and 17 along with those recommended in this report is $19.332 million.

Transportation Services staff, as part of the upcoming 2009 budget process and consistent with the Divisional submission, has reassessed all ongoing and imminent project cash flows and all available funding sources in order that the increase in project costs will have no net impact on the approved five year debt targets for Transportation Services.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Summary

The Transportation Services Division submitted a report dated June 2, 2008 to the Budget Committee recommending the reallocation of anticipated cash flow expenditures from 2008 projects that, for various reasons, needed to be deferred to other projects that were ready to proceed. (Executive Committee Report No. EX22.33 adopted by City Council at its meeting held on July 15, 16 and 17, 2008).

As with the previous reports, additional 2008 cash flows are needed to be realigned to other program areas that are ready to proceed. This involves the deferral of 2008 approved cash flows along with a corresponding acceleration and increase within other Transportation Services Capital Budget items that yield a zero net impact on the approved debt target for 2008. The cumulative impact on project costs resulting from the cash flow reallocations approved by City Council on July 15, 16 and 17 and recommended in this report is $19.332 million. An equivalent amount of project costs will be either funded from other sources or there will be an offsetting reduction in future year project costs. In view of the foregoing, Transportation staff, as part of the upcoming 2009 budget process and consistent with the Divisional submission, has reassessed all ongoing and imminent project cash flows and all available funding sources in order that the increase in project costs will have no net impact on the approved five year debt targets for Transportation Services.

Background Information

Transportation Services - Mid-Construction 2008 Cash Flow Reallocations and Deferrals
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15940.pdf)
Table 1 Transportation Services Division - Capital Budget Deferrals and Reallocation Debt Funded Programs
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15941.pdf)

EX24.17	ACTION			

Funding the Job Evaluation and Pay Equity Plan Settlement for Toronto Public Library

(September 19, 2008) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that City Council approve the following:

1. The retroactive payment of approximately $6,384,930 (from March 1, 2004 to

December 31, 2007) for the job evaluation and pay equity plan settlement be funded from the Employee Retiree Benefits Reserve Fund, resulting in an one-time increase to the Toronto Public Library's 2008 Operating Budget of $6,384,930 gross and $0 net.

2. Toronto Public Library make every effort possible to mitigate within the 2008 Approved Operating Budget, the 2008 financial impact resulting from the job evaluation and pay equity plan settlement.

Financial Impact

There is no provision to fund the job evaluation and pay equity plan settlement costs within the Toronto Public Library's or the City's 2008 Approved Operating Budget.

The settlement results in a 2008 budget pressure of $8,332,585, comprised of an in-year 2008 pressure of $1,947,665 and a retroactive payment of $6,384,930 from March 1, 2004 to December 31, 2007. The settlement also results in an on-going budget pressure of approximately $280,000 for 2009. The settlement costs are as follows:

Year	Prior to 2008 (one-time)	2008 (ongoing)	2009 (ongoing)
Settlement Costs	$6,384,930	$1,947,655	$280,000

Consistent with past practices, this report recommends that the retroactive payment of $6,384,930 from March 1, 2004 to December 2007 be funded from the Employee Retiree Benefits Reserve Fund. Also, the 2008 in-year impact of $1,947,655 is recommended to be mitigated where possible from savings within Toronto Public Library's 2008 Approved Operating Budget. Finance staff will be monitoring spending of the Toronto Public Library and corporately throughout the remaining of the year to mitigate this pressure and report as part of the year-end 2008 Operating Variance report. The total incremental cost of $2,227,655 ($1,947,655 in 2008 and $280,000 in 2009) is to be included in the Toronto Public Library's 2009 Operating Budget Submission and subject to the 2009 operating budgetary guidelines and targets.

The projected uncommitted balance to December 31, 2008 of the Employee Retiree Benefit Reserve Fund is $147.824 million.

Summary

This report responds to the request made from the City Librarian in the report entitled "Job Evaluation and Pay Equity Plan Settlement - Toronto Public Library" to the City of Toronto to fund the settlement costs of job evaluation and pay equity plan that was reached between the Toronto Public Library (TPL) and the Toronto Civic Employees' Union, Local 416 (CUPE).

Background Information

Funding the Job Evaluation and Pay Equity Plan Settlement for Toronto Public Library
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15942.pdf)

EX24.18	ACTION			

Request for In-Year Adjustment of Toronto EMS' 2008 Capital Budget

(September 19, 2008) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council increase the Emergency Medical Services' 2008 Approved Capital Budget by $1.26 million to be fully funded from the EMS Equipment Reserve XQ1019 for the purchase of various essential emergency service equipment.

Financial Impact

There is no net financial impact resulting from the approval of the recommendation contained within this report. The recommendation seeks to authorize the creation of a new capital project within the Capital Budget for the purchase of essential emergency medical equipment. The total project cost of $1.26 million in 2008 will be fully funded from the EMS' Equipment Reserve Fund. The current balance of the EMS' Equipment Reserve as of August 2008 is $2.058 million.

New Capital Project: Medical and Health and Safety Equipment

Sub-Project	# Required	Unit Cost (Est)	Maximum Cost
New Stair Chairs	150	$1,700-$2,700	$460,000*
Misc. Equipment for Spare Ambulances	35	$4,500-$5,500	$220,000*
New Stretchers	3 Heavy Duty 20 Regular	$27,000 $4,500	$135,000*
Upgrade of Defibrillators	10	$14,000	$160,000*
Purchase of AEDs	50	$4,000-$5,000	$285,000*
TOTAL			$1,260,000*

* Maximum total includes all applicable charges and taxes

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Summary

The purpose of this report is to request approval to create a new capital project in the amount of $1.26 million to be fully funded from the EMS' Equipment Reserve Fund XQ1019 for the purchase of various essential emergency service equipment.

Background Information

Request for In-Year Adjustment of Toronto EMS'2008 Capital Budget
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15943.pdf)

EX24.19	ACTION			

Reserves and Reserve Funds Variance Report – June 30, 2008

(September 19, 2008) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve a transfer of $1.247 million from the Fire Equipment Reserve to the Fire Vehicle Reserve to account for the 2007 timing of vehicle expenditures and further, Council approve a reimbursement of $0.939 million to the Fire Equipment Reserve from the Fire Vehicle Reserve in order to meet equipment requirements in 2008.

Financial Impact

There are no financial implications contained in this report.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Summary

The purpose of this report is to provide information on reserve and reserve fund balances as at June 30, 2008, activity in reserves and reserve funds during the first half of 2008, and projected year-end balances and also recommend an inter-reserve transfer for Fire Services. The vast majority of these funds have been committed to fund capital projects and known future liabilities, leaving minimal amounts for discretionary spending.

Background Information

Reserves and Reserve Funds Variance Report - June 30, 2008
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15944.pdf)
Appendices A-D Reserves and Reserve Funds Variance Report Reserves as of June 30, 2008
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15945.pdf)

EX24.20	ACTION			

Land Exchange with the Toronto District School Board for Lands at Edithvale Park

(September 19, 2008) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that City Council approve the following:

1. The City enter into a Land Exchange Agreement with the TDSB for lands shown as Part 3 on Sketch No. PS-2008-107a (the "Sketch") and described as being part of Lot 20, Concession 1 WYS, Township of York ("TDSB Lands") in exchange for lands shown as Part 1 and Part 2 on the Sketch and described as being Lots 85, 86, 87, 88, 89, 90 and 91 on Plan 4976 ("City Lands"), and monetary consideration in the amount of $2,830,000.00 (plus GST if applicable), substantially on the terms and conditions outlined in Appendix "A" to this report and such other terms as the Chief Corporate Officer and the City Solicitor deem advisable to protect the interests of the City.

2. The City enter into a new lease with the TDSB for that portion of the building and land shown as Part 4 and Part 5 on the Sketch to allow recreation programming to continue while construction of the new community centre takes place. The lease is to be for a term of two years commencing on the closing of the transaction, at a rental rate of $87,000 per annum, substantially on the terms and conditions set out in the expired lease for the TDSB lands and such other terms as may be acceptable to the General Manager of Parks, Forestry and Recreation and the City Solicitor.

3. The City acquire a permanent easement over Part 12 as shown on the draft Reference Plan attached as Appendix "C" to this report, for the operation and maintenance of existing storm and sanitary sewers.

4. The 2008 Parks, Forestry and Recreation Capital Budget be amended by the addition of a new sub-project for the Land Acquisition and the Demolition of the Existing TDSB Building at 7 Edithvale Drive, with total project costs of $3,111,625.00 and cash flow of $2,911,625.00 in 2008 and $200,000.00 in 2010, to complete the parkland acquisition and demolition work for the construction of a new community centre, funded from the following four reserve funds:

   Parkland Acquisition – North York Local Reserve Fund (XR2041) in the amount of $59,000.00 or the balance of the fund
   Parkland Acquisition – North York City-Wide Reserve Fund (XR2039) in the amount of $249,000.00 or the balance of the fund
   Parkland Acquisition – North District Local Land Fund (XR2206) in the amount of $2,103,764.00 or the balance of the fund
   Parkland Acquisition – City Wide Land Acquisition Fund (XR2210) in the amount of $699,861.00 or the balance required to fund this transaction of $3,111,625.00.

5. The City Solicitor be authorized to complete the transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions, on such terms as she considers reasonable.

6. Financial Planning Staff work with Parks, Forestry and Recreation Staff to ensure that the Parkland Acquisition Reserve Fund for the 2009-2018 Capital Plan is allocated in accordance with Council policies and priorities.

Financial Impact

Land Exchange and Existing Building Demolition

The proposed transaction will result in expenditures in the amount of $3,111,625.00 to cover the following:

1. The land exchange costs of $2,911,625.00 (net of G.S.T.), including the land transfer tax and other closing costs, as illustrated in the chart below, to be cash flowed in 2008.

Lands to be Exchanged	Area	Appraised Value
City Lands to TDSB: Part 1 on Sketch Part 2 on Sketch Total	 0.379 ha (0.936 ac.) 0.061 ha (0.150 ac.) 0.439 ha (1.086 ac.)	$2,700,000.00
TDSB Lands to City: Part 3 on Sketch	1.203 ha (2.972 ac.)	$5,530,000.00
Difference	0.763 ha (1.886 ac.)	$2,830,000.00
Land Transfer Tax		$81,425.00
Registration Costs		$200.00
Other Costs		0
Total Net of GST		$ 2,911,625.00

2. Costs associated with the demolition of the existing TDSB school building on the land purchased by the City to allow construction of the new community centre parking lot, following the completion of construction of the new community centre, in the amount of $200,000.00 (net of G.S.T.) to be cash flowed in 2010.

No provision has been made in the Approved 2008 Capital Budget or 2008-2012 Capital Plan for this acquisition and demolition of the existing building. Funds are currently available in the following Parkland Acquisition Funds:

Parkland Acquisition – North York Local Reserve Fund (XR2041)	$59,000
Parkland Acquisition – North York City-Wide Reserve Fund (XR2039)	$249,000
Parkland Acquisition – North District Local Land Fund (XR2206)	$2,103,764
Parkland Acquisition – City Wide Land Acquisition Fund (XR2210)	$6,536,000

Edithvale Community Centre

The 2008 Parks, Forestry and Recreation Capital Budget includes a project known as Edithvale Community Centre Construction (Ward 23) (CC 223, CPR123-38-07) in the amount of $15,000,000.00, cash flowed over years 2008 through 2010 ($1 million in 2008, $10 million in 2009, and $4 million in 2010). Parks, Forestry and Recreation is ready to tender this project and the subject land transfer is required to enable commencement of construction later in 2008.

When the new 50,000 square foot community centre is complete the operating cost for a full year of operation (2011) is estimated to be approximately $810,000 per year greater than the estimated current annual operating costs for the existing 25,000 square foot facility (phased in over 2010-2011).

Somewhat offsetting this will be a reduction and ultimate elimination in the lease expense paid to the TDSB. The existing lease expense for the full school building in 2008 is approximately $190,000 per year. The proposed lease of the south portion of the school and associated parking lot will be reduced to $87,000 per year for each of years 2009 and 2010 after which there will be no further leasing expenses.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Summary

The purpose of this report is to seek authority to enter into an agreement to exchange lands owned by the City for lands owned by the Toronto District School Board (the "TDSB") for the purpose of the City constructing a new community centre.

The terms for completing the transaction, as set out in this report, are considered to be fair, reasonable and reflective of market value.

Background Information

Land Exchange with the Toronto District School Board for Lands at Edithvale Park
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15946.pdf)
Appendix "A" Terms and Conditions of Land Exchange between City of Toronto (the "City") and Toronto District School Board (the "TDSB")
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15947.pdf)
Appendix "B" Site Map and Sketch
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15948.pdf)
Appendix "C"
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15949.pdf)

EX24.21	ACTION			

Amendment for Special Request Services Labour Rates for Toronto Fire Services' Personnel for Services after Normal Business Hours

(September 22, 2008) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that City Council approve the following:

1. Item 25 of Schedule "A" (Fee Schedule for Fire Services/Inspections) to Municipal Code Chapter 441- Fees, being the hourly rate per person for Special Request Services for work outside of normal business hours, be amended by deleting the existing hourly fee of Special Request Services, charged at time and one half per hour, of $63.00 per hour for each firefighter/Inspector, $76.00 per hour for each Captain, and $87.00 per hour for each District Chief, and replacing it with an hourly fee for Special Request Services, charged at time and one half per hour, of $67.00 per hour for each Firefighter/Inspector, $81.00 per hour for each Captain, and $93.00 per hour for each District Chief plus an administration/processing fee of seven percent of the aggregate of Toronto Fire Services' personnel fees per work order and applicable G.S.T.

2. Fees for all TFS personnel for training programs offered to municipalities and private/public corporations, and any activity conducted by Fire Services outside of normal business hours be amended by deleting the existing hourly fee charged at time and one half per hour, of $63.00 per hour for each Firefighter/Inspector, $76.00 per hour for each Captain, and $87.00 per hour for each District Chief, and replacing it with a fee charged at time and one half per hour, of $67.00 per hour for each Firefighter/Inspector, $81.00 per hour for each Captain, and $93.00 per hour for each District Chief plus an administration/processing fee of seven percent of the aggregate of Toronto Fire Services' personnel fees per work order and applicable G.S.T. in order to enable full-cost recovery to be achieved.

3. City Council authorize the Fire Chief to review, on an annual basis, the fee charged for conducting services after normal business hours and recommend to Council, through the Budget Committee, adjustments to the fee as required to provide for full cost recovery, taking into account COLA adjustments and reasonable administrative costs.

4. The Fire Chief be authorized to instruct the City Solicitor to submit bills required to amend Toronto Municipal Code Chapter 441, Fees and Charges, to implement any fee adjustments resulting from a review conducted in accordance with Recommendation 3.

Financial Impact

All inspections and paid duty, for example, training programs provided to other organizations and attending special events by Fire staff, under special request, are performed outside of normal business hours at overtime rates. The proposed fees charge for services on a full cost recovery basis at 2008 rates including COLA adjustments, being $67.00 per hour for

Firefighters/Inspectors, $81.00 per hour for Captains, and $93.00 per hour for District Chiefs, which represents salaries and fringe benefit costs at time and one half per hour. Additional charges would include a seven (7) percent administration/processing charge on total personnel fees per work order plus applicable G.S.T.

Assuming the same chargeable hours of 1,140 as in 2006 the rate change would impact revenue favourably by $5,000.00. It should be noted, however, that since the last rate increase change report, the volume of hours charged has declined (to approximately 850 hours in 2007) as more inspections have been accommodated within normal working hours. The result is that, as of July 31, 2008, there is an unfavourable revenue variance, which is projected to continue to year-end, of approximately ($70,000.00). The 2009 Operating Budget for Inspection revenue will be adjusted for the net impact of the rate change increase of $5,000.00 and the revenue shortfall of ($70,000.00) for a net revenue decrease of ($65,000.00). These rate changes will maintain a full cost recovery rate basis notwithstanding the current decrease in volume of requests.

The Deputy City Manager/Chief Financial Officer has reviewed this report and agrees with the financial impact statement.

Summary

This report amends Section 441-1 of the Municipal Code to charge for the full cost of Fire Services’personnel conducting services after normal business hours based on the current wage settlements.

Background Information

Amendment for Special Request Services Labour Rates for Toronto Fire Servicesý Personnel for Services after Normal Business Hours
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15950.pdf)

EX24.22	ACTION			

Facilities and Real Estate - 2008 Capital Budget and 2009-2012 Capital Plan Adjustments

(September 22, 2008) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council authorize the reallocation of funds in the 2008 Approved Facilities and Real Estate Capital Budget in the amount of $1.4171 million, as illustrated in schedule “A”, Part A, attached to the report, with a zero gross and net impact.

2. City Council amend the 2008 Approved Facilities and Real Estate Capital Budget and 2009-2012 Capital Plan by adding 1 new subproject for a total cash flow of

$0.150 million in 2009, with funding provided by reallocations from within the Approved 2008 Capital Budget and 2009-2012 Capital Plan, as illustrated in schedule “A”, Part B, attached to the report.

3. City Council authorize deferral and acceleration of funds in the 2008 Approved Facilities and Real Estate Capital Budget and 2009-2012 Capital Plan in the amount of $1.474 million as illustrated in Schedule “B” attached to the report, with a zero gross and net impact.

Financial Impact

There are no additional costs to the City as a result of approval of this report.

The approval of this report will result in the reallocation of 2008 approved cash flows in the total amount of $1.5671 million and add one new subproject to the Facilities and Real Estate 2008 Approved Capital Budget (Schedule “A”, Part A and B). It will also authorize the deferral and acceleration of funds in the 2008 Approved F&RE Capital Budget and 2009-2012 Capital Plan in the total amount of $1.474 million, as illustrated in Schedule “B” attached.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Summary

This report requests Council’s authority to amend the Facilities and Real Estate Division (F&RE) 2008 Approved Capital Budget and 2009-2012 Capital Plan by reallocating funds within the budget and plan, and by adding one new subproject to the F&RE capital plan. The adjustment of funds will have a zero net impact corporately and will better align 2008 and future cash flows with Facilities and Real Estate’s program requirements.

Background Information

Facilities and Real Estate - 2008 Capital Budget and 2009-2012 Capital Plan Adjustments
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15951.pdf)

EX24.23	ACTION			

Procurement Authorization Amendment – Option to Purchase 120 Forty-Foot Hybrid Low Floor City Buses

(September 19, 2008) Report from the Budget Committee

Recommendations

That the Executive Committee give consideration to the report (August 28, 2008) from the General Secretary, Toronto Transit Commission, entitled “Procurement Authorization Amendment - Option to Purchase 120 Forty-Foot Hybrid Low Floor City Buses”, which was forwarded to the Executive Committee without recommendation, by the Budget Committee.

Summary

Letter (September 19, 2008) from the Budget Committee advising that the Budget Committee on September 19, 2008:

1. forwarded the report (August 28, 2008) from the General Secretary, Toronto Transit Commission, entitled "Procurement Authorization Amendment - Option to Purchase 120 Forty-Foot Hybrid Low Floor City Buses", to the Executive Committee without recommendation; and

2. requested the Toronto Transit Commission and Financial Planning staff to provide a report to the Executive Committee outlining the financial request of the City and the exact impact on the Toronto Transit Commission's five-year Capital Plan.

Background Information

Procurement Authorization Amendment ý Option to Purchase 120 Forty-Foot Hybrid Low Floor City Buses
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15952.pdf)

EX24.24	ACTION			

Amendment to the Terms of Reference for the Agnes Macphail Community Selection Committee

(September 22, 2008) Letter from Councillor Janet Davis

Recommendations

That:

1. the Terms of Reference for the Agnes Macphail Selection Committee be amended by deleting:

   a. one East York citizen who is a current or former member of a Council-appointed board or committee - to be appointed by the East York Community Council; and

   b. one former member of the Borough of East York Council - to be appointed by the East York Community Council.

Summary

The Agnes Macphail Recognition Committee is responsible for the Agnes Macphail Award, which is awarded annually to a person from East York who has made outstanding contributions in the area of equality rights and social justice and who has exemplified and continued Macphail's tradition of leadership.

Each year, a special selection committee is struck to select the recipient from amongst the nominees. The selection committee, which is distinct from the Award's organizing committee, consists of all the past recipients and two representatives appointed by Council. These two council appointees are required to be a former Borough of East York Councillor and a member of an East York board or committee.

These appointees were valuable in the early days of the award to ensure a diversity of perspectives and voices on the committee. However, my office provides support to the committee, and I am confident that as the committee has grown, the process is fair, robust, and can continue without the Council appointments.

Background Information

Amendments to the Terms of Reference for the Agnes Macphail Community Selection Committee
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15953.pdf)
Terms of Reference for the Community Selection Committee of the Agnes Macphail Award
(http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15954.pdf)

EX24.25	ACTION			

Toronto-Paris Seniors Project

(September 17, 2008) Letter from the President, City of Toronto, French Committee

Recommendations

That approval be given to open a special account to create a reserve fund for the visit of 22 seniors to Paris, and the permission to allocate $10,000 from this year and next year French Committee budget to the Seniors Toronto-Paris Project; and that the City assist with the logistic of this event and consider it as an Hospitality Project from the Mayor's Office.

Summary

Letter (September 17, 2008) from Mr. Dan Brignoli, President, City of Toronto, French Committee, Comite Francais De La Ville De Toronto, advising that Forty four low income seniors will participate in the Seniors Toronto-Paris project in 2009. Twenty two Toronto seniors will go to Paris in May and twenty two Paris seniors will come to Toronto in October 2009.

The purpose of this project is to build new friendships between Toronto and Paris and to improve services provided to low income seniors. A report will be presented at the end of this project.

This project, which will take place in 2009, is led by Les Centres d'Accueil Héritage de Toronto, Les Petits Frères des Pauvres de Paris EST in partnership with the French Committee of the City of Toronto.

That the City of Paris is a partner in this project. It will cover all the expenses of Toronto seniors during their stay in Paris, (food, city transportation, cultural and recreational activities).

That this will be an ideal opportunity to recognize the French Heritage (the 260 anniversary of Fort Rouillé, the 400th anniversary of the City of Québec, the upcoming Francophone Summit in Québec City - the Francophonie involves 200 million people world over) and the 175th anniversary of the incorporation of the City of Toronto.

Communications

(September 17, 2008) letter from the President, City of Toronto, French Committee (EX.Main)
(http://www.toronto.ca/legdocs/mmis/2008/ex/comm/communicationfile-8572.pdf)

EX24.26	ACTION			

Terms of Reference and Membership– Aboriginal Affairs Committee

(September 25, 2008) Letter from the Chair, Aboriginal Affairs Committee

Recommendations

That the Executive Committee recommend that City Council:

1. adopt the Terms of Reference attached as Appendix A for the Aboriginal Affairs Committee; and,

2. that those organizations with no named representatives and those organizations that have not attended any meeting since inception be eliminated, but be invited to attend the meetings. These organizations are listed on Appendix B.

Summary

At its meeting on September 23, 2008, the Aboriginal Affairs Committee recommended amendments to its Terms of Reference. These amendments are highlighted in gray. The Aboriginal Affairs Committee also made a recommendation regarding members organizations of the Aboriginal Affairs Committee. The recommendation is noted above.

Communications

(September 25, 2008) letter from the Chair, Aboriginal Affairs Committee (EX.Main)
(http://www.toronto.ca/legdocs/mmis/2008/ex/comm/communicationfile-8571.pdf)