

May 5, 2008

EXECUTIVE COMMITTEE:

City Council on April 28 and 29, 2008, referred the following Motion to the Executive Committee:

M20.11 Protecting Transparency And Accountability To Balance The Concentration of Executive Power
Moved by Councillor Thompson, seconded by Councillor Del Grande

SUMMARY:

The City of Toronto Act, 2006 proclaimed on January 1, 2007 gives the City of Toronto broad new powers. Among these powers are the ability to establish new taxes, and the allocation to the Mayor of the authority to concentrate substantial power by establishing an executive committee and appointing its members, along with the Chairs of Standing Committees.

The Mayor's Fiscal Review Panel has suggested that the Mayor be given additional powers to govern the City, and the Mayor has acknowledged that he has had private discussions with the Province of Ontario about increasing his power without consulting City Council and the public.

In his April 26, 2006 "*Presentation to the Standing Committee on General Government Bill 53, Stronger City of Toronto for a Stronger Ontario Act*" the Mayor said:

"However we need to recognize that important changes inevitably raise concerns, particularly when at this stage we can't definitively say how Council will use its new powers. Toronto's government is the most open, consultative and responsive order of government - with a proud tradition of transparency and accountability. I want to assure this Committee and the people of Toronto that the City will continue to use its careful policy development process to prepare for the new authorities and ensure that new authorities are used wisely."

In the spirit of Mayor Miller's frequently stated commitment to open governance, it is important that certain actions be taken to ensure that the transparency of our democratic system remains in place and checks and balances are not compromised.

RECOMMENDATIONS:

1. The City institute city-wide public consultations where the nature and scope of the power sought by the Mayor can be openly debated and public feedback obtained. As increasing Mayoral power removes the traditional checks and balances provided by Council, these consultations would examine:
 - a. The powers requested.
 - b. The implications of these powers, including increased secrecy and decreased transparency in the establishment of City policy and strategy.
 - c. The implications of enabling the Mayor unilateral and unchecked authority to hire and fire key City staff.
 - d. The advisability of establishing municipal political parties in the City of Toronto to counterbalance concentrated power.
2. Toronto City Council shall convene a session to debate the further concentration of powers in the Mayor's office and the resulting diminishment of the powers of Council.
3. Consultations and debates will be held and reports completed, published, publicly released and submitted to the Province prior to the review of the City of Toronto Act in January, 2009.
4. As the public has not had an opportunity to vote for a Mayor with such elevated powers, no action should be taken to further increase the concentration of power in the Mayor's office until after the next municipal election in 2010.

Council also considered a Fiscal Impact Statement (April 28, 2008) from the Deputy City Manager and Chief Financial Officer.

for City Clerk

M. Toft/cd

Attach.