

Government Management Committee

Meeting No.	18	Contact	Yvonne Davies, Committee Administrator
Meeting Date	Tuesday, October 21, 2008	Phone	416-392-7443
Start Time	9:30 AM	E-mail	ydavies@toronto.ca
Location	Committee Room 1, City Hall		

Attendance

Members of the Government Management Committee were present for some or all of the time periods indicated under the section headed “Meeting Sessions”, which appears at the end of the Minutes.

Councillor G. Lindsay Luby, Chair	x
Councillor P. Ainslie	x
Councillor D. Holyday	x
Councillor C. Jenkins	x
Councillor C. Palacio	x
Councillor B. Saundercook, Vice-Chair	x

Minutes

On motion by Councillor Saundercook, the Government Management Committee confirmed the minutes of its meeting held on September 17, 2008.

Communications/Reports

GM18.1	Information	Received		Ward: All
---------------	-------------	----------	--	-----------

Fair Wage Office - 2007 Annual Report

(October 1, 2008) Report from Manager, Fair Wage Office

Financial Impact

There are no financial implications from this report.

Summary

This report provides an overview of the activities of the Fair Wage Office for 2007.

Decision Advice and Other Information

The Government Management Committee received this report for information.

Motions

Motion to Receive Item moved by Councillor Paul Ainslie (Carried)

Links to Background Information

Report - Fair Wage Office - 2007 Annual Report

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16133.pdf>)

GM18.2	ACTION	Adopted		Ward: All
--------	--------	---------	--	-----------

Contract Amendments – Temporary IT Professional Services

(September 30, 2008) Report from Chief Information Officer, and Acting Director, Purchasing and Materials Management

Recommendations

The Chief Information Officer and the Acting Director, Purchasing and Materials Management recommend that the Government Management Committee grant authority to:

1. Increase the following contracts each by an additional \$1,000,000.00 net of GST for the period ending October 9, 2009 with an option to renew for an additional two (2) and separate one (1) year terms:
 - a. contract 47012769 with Bevertec CST. Inc. to a new total value of \$2,500,000.00 net of GST;
 - b. contract 47012478 with TekSystems (formerly Computer Horizons) to a new total value of \$2,000,000.00 net of GST;
 - c. contract 47012474 with Design Group Staffing Inc. (operating as INTEQNA) to a new total value of \$2,500,000.00 net of GST;
 - d. contract 47012477 with GSI International Consulting Group to a new total value of \$2,500,000.00 net of GST;
 - e. contract 47012476 with IT/Net Toronto to a new total value of \$2,500,000.00 net of GST;
 - f. contract 47013565 with Ian Martin Limited to a new total value of \$2,500,000.00 net of GST;
 - g. contract 47012475 with Procom Consultants Group Limited to a new total value of \$2,500,000.00 net of GST;

- h. contract 47012473 with TES Contract Solutions Inc. (operating as The Employment Solution) to a new total value of \$2,500,000.00 net of GST.
2. Authorize and direct the appropriate officials to take the necessary action to give effect thereto.

The overall total value of amendments identified in recommendation 1 above is \$8,000,000.00 net of GST.

Financial Impact

The recommended amendments to the eight (8) contracts as listed in the Recommendations for contracted IT professional services result in an increase of \$1,000,000.00 net of GST each to the maximum upset limits as specified.

Funds required for the acquisition of contracted IT Professional Services for various City Programs' and Divisions' IT Projects as required, are available in the appropriate City Programs' 2008 Capital and Operating Budgets, and requested in the City Programs' 2009 Capital and Operating Budgets submission.

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 authority to amend eight (8) contracts for the supply of temporary IT professional services.

The City of Toronto Municipal Code Chapter 71- Financial Control, states that if costs for a commitment exceed the original funding by more than \$500,000.00 excluding all taxes, approval must be obtained from the appropriate Standing Committee. The amendment is primarily to ensure continued processing of temporary IT professional services from various Programs and Divisions throughout the City.

Decision Advice and Other Information

The Government Management Committee:

1. Authorized the Chief Information Officer and the Acting Director, Purchasing and Materials Management, to increase the following contracts each by an additional \$1,000,000.00 net of GST for the period ending October 9, 2009 with an option to renew for an additional two (2) and separate one (1) year terms:
 - a. contract 47012769 with Bevertec CST. Inc. to a new total value of \$2,500,000.00 net of GST;
 - b. contract 47012478 with TekSystems (formerly Computer Horizons) to a new total value of \$2,000,000.00 net of GST;

- c. contract 47012474 with Design Group Staffing Inc. (operating as INTEQNA) to a new total value of \$2,500,000.00 net of GST;
 - d. contract 47012477 with GSI International Consulting Group to a new total value of \$2,500,000.00 net of GST;
 - e. contract 47012476 with IT/Net Toronto to a new total value of \$2,500,000.00 net of GST;
 - f. contract 47013565 with Ian Martin Limited to a new total value of \$2,500,000.00 net of GST;
 - g. contract 47012475 with Procom Consultants Group Limited to a new total value of \$2,500,000.00 net of GST;
 - h. contract 47012473 with TES Contract Solutions Inc. (operating as The Employment Solution) to a new total value of \$2,500,000.00 net of GST.
2. Authorized and directed the appropriate officials to take the necessary action to give effect thereto.

The overall total value of amendments identified in recommendation 1 above is \$8,000,000.00 net of GST.

Motions

Motion to Adopt Item moved by Councillor Paul Ainslie (Carried)

Links to Background Information

Report - Contract Amendments - Temporary IT Professional Services
<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16135.pdf>

GM18.3	Information	Received		Ward: All
--------	-------------	----------	--	-----------

Response to Employee Internet Usage Review

(September 29, 2008) Report from Dave Wallace, Chief Information Officer, I&T Division

Financial Impact

If the City is to implement proactive monitoring and reporting of employee Internet usage, it will have a \$200,000 per annum impact on the I&T Division's operating budget.

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

Summary

This report responds to Council's request to the Chief Information Officer, Information and Technology (I&T) Division on October 22 and 23, 2007 to conduct a feasibility assessment on the monitoring of employee Internet usage, as a result of recommendation 2 in the Auditor General's Report on Internet Usage Review.

Decision Advice and Other Information

The Government Management Committee received this report for information.

Motions

Motion to Receive Item moved by Councillor Cliff Jenkins (Carried)

Links to Background Information

Report - Response to Employee Internet Usage Review

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16136.pdf>)

GM18.4	ACTION	Amended		Ward: All
--------	--------	---------	--	-----------

Local Food Procurement Policy and Implementation Plan

(October 6, 2008) Report from Richard Butts, Deputy City Manager, and Nancy Matthews, General Manager, Children's Services Division

Recommendations

Deputy City Manager Richard Butts and the General Manager, Children's Services Division recommend that:

1. The Government Management Committee receive for information the report presented at its meeting of May 15, 2008 entitled, "Proposed Local and Sustainable Food Procurement Policy and Implementation Plan".
2. City Council adopt a Local Food Procurement Policy in order to reduce greenhouse gas and smog causing emissions generated by the import of food from outside of Ontario. The Local Food Procurement Policy will establish:
 - (i) that it is the policy of City Council to progressively increase the percentage of food being served at City owned facilities or purchased for City operations from local sources;
 - (ii) that "local" is defined as food that is grown in the Greater Toronto Area, the Greenbelt of Ontario and other regions of Ontario; and

- (iii) that a phased approach be used for the initial implementation of the Local Food Procurement Policy, with Phase I to be undertaken by Children's Services.
3. A new and enhanced budget request of \$15,000 be submitted by the General Manager of Children's Services as part of the 2009 Operating Budget process to pilot increasing the purchase of some locally produced foods in 2009.
4. The Director of the Toronto Environment Office and the General Manager of Children's Services report back prior to the 2010 budget process on the outcome of the 2009 implementation phase, including an evaluation of the approach and the potential financial implications of applying this model to other divisions in the City of Toronto.
5. The Director of the Toronto Environment Office report on the ongoing policy development work and an action plan for City-wide implementation of the Local Food Procurement Policy prior to the 2010 budget process.

Financial Impact

The 2009 impact of implementing the first phase of a Local Food Procurement Policy is a \$15,000 gross and net increase to Children's Services 2009 Operating Budget if the new and enhanced request by the General Manager, Children's Services is approved as part of the 2009 Operating Budget Process.

Options for expanding the implementation of the policy will have further financial implications, which will be reported as part of the implementation strategy.

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

Summary

On May 15, 2008 the Government Management Committee considered a staff report from the Deputy City Manager Richard Butts (report dated May 1, 2008) that recommended the establishment of a local and sustainable food procurement policy and implementation plan for the City of Toronto.

The staff report was submitted in response to Council's direction through the City's Climate Change, Clean Air and Sustainable Energy Action Plan to undertake a review of City procurement policies regarding the purchase of local food products. That direction was based on the premise that there is a reduction in greenhouse gas emissions when food is grown and consumed locally, as opposed to food imports that are transported greater distances from the field to the point of purchase.

The Government Management Committee deferred consideration of the item and requested a follow-up report that would provide additional information on certification procedures, identification protocols for local and non-local grown foods, and additional information on financial impacts.

This report responds to those requests from the Committee. It is recommended that the City embark on implementing a Local Food Procurement Policy in a phased manner in order to gain a better understanding and knowledge about the opportunities, financial implications and operational adjustments that may be required to incorporate a greater quantity of local food into its food service operations. The Toronto Environment Office will work with Children Services Division in piloting some specific strategies in 2009 to examine the implications of increasing the amount of locally grown food used in directly operated Childcare Centres where food is prepared on site.

Drawing from this experience, it is further recommended that the General Manager of Children's Services and the Director of the Toronto Environment Office report back prior to the 2010 budget process with an implementation strategy that provides further options for expanding the implementation to other centres and potentially other divisions in the City.

Communications

(October 16, 2008) submission from Jamie Kirkpatrick, Campaigner, Toronto Environmental Alliance (GM.New.GM18-4.1)

(<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-9038.pdf>)

(October 21, 2008) submission from Elbert van Donkersgoed, Executive Director, Greater Toronto Area Agricultural Action Committee (GM.New.GM18-4.2)

(<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-9039.pdf>)

(October 21, 2008) submission from Jamie Reaume, Executive Director, Holland Marsh Growers' Association (GM.New.GM18-4.3)

(<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-9040.pdf>)

(October 21, 2008) submission from Andreea Ionescu,

BetterDaycareFoodNetwork (GM.New.GM18-4.4)

(<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-9041.pdf>)

Speakers

Jamie Kirkpatrick, Toronto Environmental Alliance, (TEA) (Submission Filed)

Elena Quistini, Pasta Quistini

Elbert van Donkersgoed, Executive Director, Greater Toronto Area, Agricultural Action Committee (Submission Filed)

Jamie Reaume, Executive Director, Holland Marsh Growers Association (Submission Filed)

Andreea Ionescu, BetterDaycareFoodNetwork (Submission Filed)

Miguel van den Oever

Councillor Gord Perks

Committee Recommendations

The Government Management Committee recommended that:

1. City Council receive for information the report presented to the Government Management Committee at its meeting of May 15, 2008 entitled, "Proposed Local and Sustainable Food Procurement Policy and Implementation Plan".
2. City Council adopt a Local Food Procurement Policy in order to reduce greenhouse gas and smog causing emissions generated by the import of food from outside of Ontario. The Local Food Procurement Policy will establish:

- (i) that it is the policy of City Council to progressively increase the percentage of food being served at City owned facilities or purchased for City operations from local sources;
 - (ii) that “local” is defined as food that is grown in the Greater Toronto Area, the Greenbelt of Ontario and other regions of Ontario; and
 - (iii) that a phased approach be used for the initial implementation of the Local Food Procurement Policy, with Phase I to be undertaken by Children’s Services.
- 3 A new and enhanced budget request of \$15,000 be submitted by the General Manager of Children’s Services as part of the 2009 Operating Budget process to pilot increasing the purchase of some locally produced foods in 2009.
4. The Director of the Toronto Environment Office and the General Manager of Children’s Services report back to the Government Management Committee prior to the 2010 budget process on the outcome of the 2009 implementation phase, including an evaluation of the approach and the potential financial implications of applying this model to other divisions in the City of Toronto.
5. The Director of the Toronto Environment Office report on the ongoing policy development work and an action plan for City-wide implementation of the Local Food Procurement Policy prior to the 2010 budget process.

Motions

Motion to Amend Item moved by Councillor Doug Holyday (Lost)

Recommendation 3 be deleted.

Motion to Amend Item moved by Councillor Doug Holyday (Carried)

Recommendation 4 be amended to provide that staff report back to the Government Management Committee prior to the 2010 budget process.

Motion to Amend Item moved by Councillor Paul Ainslie (Lost)

That Council encourage the Provincial and Federal governments to adopt local food procurement policies (for example school lunch programs, military bases, federal prisons) which require some minimum percentage of government food to be purchased from producers located within 75 kilometres of institutions buying the food and create incentives for hospitals and universities receiving provincial and federal funds to buy fresh local produce.

Motion to Adopt Item moved by Councillor Cesar Palacio (Carried)

Motion to Adopt as Amended, which Carried on the following Recorded Vote:

- Unanimous

Links to Background Information

Report - Local Food Procurement Policy and Implementation Plan

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16137.pdf>

(Deferred from May 15, 2008 - 2008.GM14.3)**4a Proposed Local and Sustainable Food Procurement Policy and Implementation Plan**

(May 1, 2008) Report from Richard Butts, Deputy City Manager

Recommendations

The Deputy City Manager, Richard Butts recommends that:

1. City Council adopt the Local and Sustainable Food Procurement Policy as presented in Appendix A of this report, which establishes that it is the policy of City Council to progressively increase the percentage of food being served at City owned facilities or purchased for City operations from local farms and food that is grown in a sustainable manner; and

subject to the adoption of Recommendation (1), it is further recommended that:
 2. The Director of the Toronto Environment Office, the Director of Purchasing and Materials Management and the Division Heads of the five City Divisions (Children Services, Homes for the Aged, Facilities and Real Estate, Parks, Forestry and Recreation and Shelter, Support and Housing Administration) that have the greatest role in implementing this policy provide in May 2009 a report that: 1) establishes a benchmark as to what products currently being consumed are produced locally; 2) establishes annual targets for each Division for the purchase of locally produced and certified local and sustainable food; and 3) identifies estimated financial and operational implications.
 3. The Division Heads of the five City Divisions (Children Services, Homes for the Aged, Facilities and Real Estate, Parks, Forestry and Recreation and Shelter, Support and Housing Administration) that have the greatest role in implementing this policy include in their 2009 operating budget submissions, requests for funds to support implementation of the Local and Sustainable Food Procurement Policy.
 4. The Local and Sustainable Food Procurement Policy be applied on a go forward basis for upcoming RFPs and RFQs for food related procurement and that for existing contracts staff enter into discussions with the vendors to determine where and how the policy could be implemented within the context of existing contracts.
 5. The Province of Ontario be requested to partner with the City of Toronto in this effort and provide funding to help address any increases in operating costs that may occur in City operations that receive significant funds from the Province through implementation of this policy.
 6. The Director of the Toronto Environment Office on behalf of the City of Toronto be authorized, at no financial cost to the City, to enter into for a two-year period a Memorandum of Understanding with the non-profit organization Local Food Plus, in a form and content satisfactory to the City Solicitor, for the purpose of engaging Local

Food Plus in assisting the City in identifying food and products that are local and sustainable.

7. The Director of the Toronto Environment Office, with the assistance of the City Manager's Office, initiate work with the appropriate City's Agencies, Boards, Commissions and Corporations to develop a similar policy for their operations and report to the Executive Committee on this work in 2009.
8. The Director of the Toronto Environment Office be authorized to allocate funds up to \$100,000 in 2008 from the approved operating budget for the Live Green Toronto program to assist City Divisions in meeting any cost increases associated with implementation of the Local and Sustainable Food Procurement Policy in 2008.
9. The Budget Committee be requested to support potential operating budget increases that may be required to accommodate implementation of the Local and Sustainable Food Procurement Policy in subsequent years.

Financial Impact

In order to estimate the financial implications of adopting a local and sustainable food procurement policy, staff have drawn from the experience of the University of Toronto (U of T) which adopted a 10% local and sustainable procurement policy in 2006. The University found, on average, a 15% increase in the cost for procurement of food that is local and sustainable. This increase was only experienced on the percentage of the budget allocated to the purchase of local and sustainable food.

The U of T in its procurement policy set a target that 10% of the food would be certified as local and sustainable and they interpreted this as 10% of the food budget should be spent on these purchases. For example, if the total food budget was \$1 million, then \$100,000 should be allocated for local and sustainable food purchases. The average 15% cost increase would be on that \$100,000, representing a \$15,000 increase in the food budget.

If the City of Toronto were to follow a similar approach for its current \$11 million annual food budget it would result in an increase of \$165,000 in the required operating budget (10% of \$11 million equals \$1.1 million times 15% equals \$165,000).

The U of T example provides an indication of what might be the financial implications. However, City Operations are very different in terms of client groups, the amount of food being prepared on-site and food preparation operations. As the City gets more experience in implementing a local and sustainable food procurement policy it will be able to more accurately identify and quantify probable cost changes.

Estimating what the financial implications might be on contracts with vendors operating food concessions out of City facilities is also difficult at this time. There is a possibility that it may result in less revenue being generated for the City from these contracts because the vendor may have increased operating costs.

To address potential cost pressures in 2008, it is recommended that an amount up to a maximum of \$100,000 be allocated from the approved 2008 operating budget of the Toronto Environment Office for the Live Green Toronto program. This money would only be accessed to support any identified cost increases associated with the implementation of the local food procurement policy in 2008.

For 2009 and beyond the financial implications of implementing the Local and Sustainable Food Procurement policy should be identified and integrated into the operating budget submissions of the engaged Divisions and appropriate City Agencies, Boards and Commissions. The budget submissions should clearly articulate what is the local and sustainable food objective and the estimated cost comparison to alternative purchases.

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

Summary

In July 2007, Council unanimously adopted the Climate Change, Clean Air and Sustainable Energy Action Plan, the “Climate Change Action Plan”. Included in that plan are directions to take action to promote the production and consumption of locally grown food, including a review of the City’s own food procurement policy. This report offers recommendations for establishing and implementing a local and sustainable food procurement policy for all City operations.

With respect to local and sustainable food, “local” is being defined as food that is grown in the GTA, Greenbelt, and other regions in Ontario, “sustainable” is food produced by farmers who are utilizing food production and processing processes that are environmentally and socially responsible and which will guarantee the lands will be viable for agricultural production for future generations. “Food” includes fruits, vegetables, meats, poultry, dairy products, eggs, fish and seafood, grains, legumes, nuts, seed, beverages, oils, fats and sweeteners, as well as foods made from a combination of these ingredients.

There is well documented evidence that there is significant greenhouse gas and smog causing emissions associated with the growing, transportation, processing, packaging, and storage and preparation of food. One study in the United States found that of the energy used in the food system, 36% is for production, 24% for transportation and 40% for processing and packaging. In order to achieve the greenhouse gas emission reduction targets of the Climate Change Action Plan, action must be taken on all sources of emissions. A shift in consumption to food that is grown locally and in a sustainable manner will help reduce the emissions associated with food transportation and production.

Links to Background Information

Report - Proposed Local and Sustainable Food Procurement Policy and Implementation Plan (<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16134.pdf>)

GM18.5	Information	Received		Ward: All
--------	-------------	----------	--	-----------

Semi-annual Treasurer's Report on Activities of the Accounting Services and the Purchasing and Materials Management Divisions - June 30, 2008

(September 30, 2008) Report from Treasurer

Financial Impact

There are no financial implications as a result of 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 inform the Government Management Committee on activities of the Accounting Services (AS) and the Purchasing and Materials Management Divisions (PMMD).

This report provides a brief analysis of the performance indicators for AS and the PMMD for the first six months of 2008 with previous year comparisons, where applicable. Staff will continue to monitor these indicators in assessing the success of the improvement initiatives that are currently underway.

Decision Advice and Other Information

The Government Management Committee received this report for information.

Motions

Motion to Receive Item moved by Councillor Bill Saundercook (Carried)

Links to Background Information

Report - Semi-annual Treasurer's Report on Activities of the Accounting Services and the Purchasing & Materials Management Divisions - June 30, 2008
<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16139.pdf>

GM18.6	Information	Received		Ward: All
--------	-------------	----------	--	-----------

Contracts Awarded by the Bid Committee during the 2008 Summer Recess

(September 26, 2008) Report from Acting Director, Purchasing and Materials Management

Financial Impact

There is no financial implications included in this report.

Summary

The purpose of this report is to advise the Government Management Committee of contracts awarded by the Bid Committee during the 2008 Summer Recess Period in accordance with the requirements of the City of Toronto Municipal Code, Purchasing Chapter 195, Section 195-16.

Decision Advice and Other Information

The Government Management Committee received this report for information.

Motions

Motion to Receive Item moved by Councillor Paul Ainslie (Carried)

Links to Background Information

Report - Contracts Awarded by the Bid Committee during the 2008 Summer Recess
(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16140.pdf>)

(Deferred from September 17, 2008 - 2008.GM17.8 for public debate and consideration)

GM18.7	Information	Received		Ward: All
--------	-------------	----------	--	-----------

Largest Property Tax Debtors with Tax Arrears Greater than \$500,000 as at June 30, 2008**Confidential Attachment - 2 - Personal matters about an identifiable individual, including municipal or local board employees**

(August 26, 2008) Report from Treasurer

Financial Impact

There are no financial implications arising from this report.

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

Summary

To provide information on property tax accounts with outstanding receivables of \$500,000 or more as at June 30, 2008.

This report contains two attachments:

- a. Attachment 1 is public information, and lists properties owned by a corporation with tax arrears of \$500,000 or more.
- b. Attachment 2 is confidential, and lists properties owned by individuals with tax arrears of \$500,000 or more. The Municipal Freedom of Information and Protection of Privacy Act prevents the public disclosure of the information contained in Attachment 2.

The confidential information contained in Attachment 2 should remain confidential, as it relates to personal information about identifiable individual(s), and as such may not be disclosed under the provisions of the Municipal Freedom of Information and Protection of Privacy Act.

Decision Advice and Other Information

The Government Management Committee received this report for information.

Motions

Motion to Receive Item moved by Councillor Cliff Jenkins (Carried)

Links to Background Information

Report - Largest Property Tax Debtors with Tax Arrears Greater than \$500,000 as at June 30, 2008

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16103.pdf>)

Attachment 1 - Properties with Tax Arrears Greater than \$500,000 -Owned by a Corporation (GM18-7)

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16104.pdf>)

Confidential Attachment 2 - GM18-7

GM18.8	ACTION	Adopted		Ward: 2
--------	--------	---------	--	---------

23 Brydon Drive – Application by the Madresa Ashraful Uloom under the Madresa Ashraful Uloom Act, 2008

Confidential Attachment - 1 - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

(September 30, 2008) Report from Treasurer, and City Solicitor

Recommendations

The Treasurer and City Solicitor recommend that:

1. Council adopt the confidential instructions to staff contained in Attachment 1.
2. The confidential instructions adopted by City Council be released at the discretion of the City Solicitor.

Financial Impact

Financial impacts arising from the adoption of the recommendations are discussed in confidential Attachment 1 to this report.

Summary

This report provides information on a request made by the Madresa Ashraful Uloom (the Madresa), through its solicitors, to have City Council pass a resolution supporting the extension of time in which the Madresa may make an application to the Superior Court of Justice to determine whether the property at 23 Brydon Drive was incorrectly classified for assessment and taxation purposes for the 1994 to 2000 taxation years.

The confidential portion of this report contains information and confidential recommendations regarding the Madresa's request.

Communication

(October 20, 2008) submission from Phillip L. Sanford, McCarthy Tetrault LLP (GM.New.GM18-8.1)
(<http://www.toronto.ca/legdocs/mmis/2008/gm/comm/communicationfile-9042.pdf>)

Speakers

Phillip L. Sanford, McCarthy Tetrault LLP, on behalf of the Madresa Ashraful Uloom (Submission Filed)

Committee Recommendations

The Government Management Committee recommended that:

1. Council adopt the confidential instructions to staff contained in the confidential communication (October 22, 2008) from the Government Management Committee.
2. The confidential instructions adopted by City Council be released at the discretion of the City Solicitor.

Motions

Motion to Adopt Item moved by Councillor Doug Holyday (Carried)

Motion to Extend the Meeting moved by Councillor Doug Holyday (Carried)
Extend to complete business.

Links to Background Information

Report - 23 Brydon Drive - Application by the Madresa Ashraful Uloom under the Madresa Ashraful Uloom Act, 2008
(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16141.pdf>)
Confidential Attachment 1 - GM18-8

Confidential Minute GM18.8

(Confidential Letter: City Council; c. City Solicitor, Treasurer – October 22, 2008)

GM18.9	ACTION	Adopted		Ward: 27
--------	--------	---------	--	----------

481 University Avenue – New Lease with 481 University Avenue Inc. for the Operation of City Courtrooms

(September 29, 2008) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that Council:

1. Authorize entering into a Lease Agreement with 481 University Avenue Inc. (the “Landlord”) to use and occupy approximately 17,000 square feet of rentable area on the ground floor of the building known as 481 University Avenue (the “Premises”) for the operation of City court services, commencing on May 1st, 2009 and expiring on April 30th, 2019, substantially on the terms and conditions as set out in “Appendix A” and on such other terms and conditions as approved by the Chief Corporate Officer, or his or her designate, and in a form and content acceptable to the City Solicitor.
2. Authorize the City Solicitor to complete the lease, deliver any notices, pay expenses and amend the commencement and other dates to such earlier or later date(s), on such terms and conditions, as she may, from time to time, determine.
3. Authorize the Chief Corporate Officer to administer and manage the Lease Agreement including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

Financial Impact

The proposed Agreement is for a base rent of \$15.00 per square foot of rentable area (17,000 square feet) for the first five (5) years and \$18.00 per square foot of rentable area for the last five (5) years, commencing on May 1st, 2009. Throughout the term, the City will also be responsible for additional rent for operating and hydro costs, which are estimated at \$16.88 per square foot per annum. The resulting annual rents are outlined in the following chart:

Lease Term	Annual Net Rent	Additional Rent (Estimate)	Total Annual Rent	Total for the Term
Years 1-5	\$255,000	\$286,960	\$541,960	\$2,709,800
Years 6-10	\$306,000	\$289,960	\$595,960	\$2,979,800
Total For 10 Year Term	—	—	—	\$5,689,600

Leasehold Improvements must also be completed to the premises in accordance with the final floor plan approved by the City. The cost of the Leasehold Improvements will be determined

by both the Landlord and the City and the Landlord will contribute \$15 per square foot (\$255,000) towards the cost of these improvements. Any amount owing above this contribution will be amortized over the Lease Term at an annual rate of 9% and added to the annual net rent paid by the City. Early estimates indicate that total Leasehold Improvement costs will be approximately \$935,000. Considering the Landlords contribution, the City will be responsible for \$680,000 or an additional \$6.23 per square foot per year, resulting in annual lease improvement costs of approximately \$105,958. Therefore, the total cost for the term will be approximately \$6,749,180 (a total of \$5,689,600 towards rents plus \$1,059,580 for leasehold improvements).

The annual rent for any lease renewal will be subject to negotiations and based on the then fair market value of the Premises.

The total cost for leasing, operating costs and leasehold improvement is \$647,918 per year for the first five years. The first year funding requirements of \$647,918 are included in Courts Services' 2009 operating budget submission, as a new request. The new business case to increase court capacity has been included in the 2009 Court Services' 2009 operating budget submission. The increase to court capacity will require \$3.725 million in gross expenditures and is anticipated to yield \$4.430 million in additional revenues. The \$0.647 million for the additional leased space forms part of this request. The business case and funding requirements will be reviewed in conjunction with the 2009 operating budget process.

The Acting 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 obtain authority to enter into a new Lease Agreement with 481 University Avenue Inc. (Landlord) for 17,000 additional square feet of rentable area located on the ground floor of the building municipally known as 481 University Avenue. The proposed Agreement will commence on May 1st, 2009 and expire on April 30th, 2019.

Committee Recommendations

The Government Management Committee recommended that Council:

1. Authorize entering into a Lease Agreement with 481 University Avenue Inc. (the "Landlord") to use and occupy approximately 17,000 square feet of rentable area on the ground floor of the building known as 481 University Avenue (the "Premises") for the operation of City court services, commencing on May 1st, 2009 and expiring on April 30th, 2019, substantially on the terms and conditions as set out in "Appendix A" and on such other terms and conditions as approved by the Chief Corporate Officer, or his or her designate, and in a form and content acceptable to the City Solicitor.
2. Authorize the City Solicitor to complete the lease, deliver any notices, pay expenses and amend the commencement and other dates to such earlier or later date(s), on such terms and conditions, as she may, from time to time, determine.

3. Authorize the Chief Corporate Officer to administer and manage the Lease Agreement including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

Motions

Motion to Adopt Item moved by Councillor Paul Ainslie (Carried)

Links to Background Information

Report - 481 University Avenue - New Lease with 481 University Avenue Inc. for the Operation of City Courtrooms

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16286.pdf>

Appendix A - Major Terms and Conditions (GM18.9a)

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16287.pdf>

Appendix B - Location Map (GM18.9a)

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16288.pdf>

9a 481 University Avenue – New Lease with 481 University Avenue Inc. for the Operation of City Courtrooms

(October 6, 2008) Report from Chief Corporate Officer

Summary

The purpose of this report is to advise that a staff action report, “481 University Avenue – New Lease with 481 University Avenue Inc. for the Operation of City Courtrooms” will be on the Supplementary Agenda for the Government Management Committee meeting scheduled for October 21, 2008.

Links to Background Information

Item - 481 University Avenue - New Lease with 481 University Avenue Inc. for the Operation of City Courtrooms

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16143.pdf>

GM18.10	ACTION	Adopted		Ward: All
---------	--------	---------	--	-----------

Electricity Supply Arrangements

(October 2, 2008) Report from Chief Corporate Officer; and Acting Director of Purchasing and Materials Management

Recommendations

The Chief Corporate Officer and the Acting Director of Purchasing and Materials Management recommend that City Council grant authority to:

1. The Chief Corporate Officer or his designate be authorized to issue electricity pricing quotation requests and award hedging transaction contracts as described in this report in amounts representing financial commitments ranging up to \$50 million for forward terms not exceeding five years and for each year not exceeding the overall value of the City's annual electricity expenditures, from a roster of qualified counterparties, selected in consultation with the Director of Purchasing and Materials Management.
2. Renew the current roster of qualified counterparties for another five years to December 31, 2014 and a roster of eligible counterparties be established every five years thereafter in accordance with City purchasing policies and procedures.
3. The Chief Corporate Officer be authorized to execute new or amending electricity master agreements with counterparties governing the terms and conditions of contracts for differences effecting electricity price hedges that are:
 - a. satisfactory to the Chief Corporate Officer;
 - b. in compliance with the Statement of Policies and Goals previously adopted by Council; and
 - c. in a form that is satisfactory to the City Solicitor.
4. The Chief Corporate Officer be authorized to execute new or amended agency agreements with the Toronto Community Housing Corporation and the City's participating agencies, boards, commissions and corporations, all as required, on terms and conditions satisfactory to the Chief Corporate Officer and in form satisfactory to the City Solicitor; pursuant to these agreements all administrative costs, including any consulting costs, retailer consolidated billing fees and costs, and account enrolment costs be passed on proportionately to all City electricity end users participating in the program.
5. The Chief Corporate Officer be authorized to negotiate and execute a new amending retailer consolidated billing services agreement with Toronto Hydro Energy Services Inc. ("THESEI") or to extend the provision of services for a further five years on a sole-source basis on terms and conditions satisfactory to the Chief Corporate Officer and at a cost that is commercially reasonable in the opinion of the Chief Corporate Officer and otherwise in a form satisfactory to the City Solicitor.
6. Authorize and direct the appropriate City officials to take any action necessary to give effect thereto.

Financial Impact

The total estimated annual cost of electricity, for fiscal 2007, (based on current usage and market pricing) for the City and its Agencies, Boards, Commissions and Corporations, is estimated to be \$180 million (\$127 million for commodity costs and \$53 million for distribution and other charges), including \$87 million for the City alone (\$61 million for commodity and \$26 million for distribution and other charges). Electricity costs are included in the annual operating budgets of City Divisions, Agencies, Boards, Commissions and Corporations.

Allowing for electricity commodity price hedge transactions of up to \$50 million would enhance City staff's ability to better manage the City's overall electricity costs, along with its exposure to market risks. Approving the recommendations will also enable the City to continue paying and allocating electricity bill payments through an electronic, consolidated billing process.

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

Summary

The purpose of this report is to seek an amendment to existing authorities in order to permit improved management of the City's electricity price risk hedging arrangements by enhancing the diversification of the City's electricity price hedging portfolio.

Committee Recommendations

The Government Management Committee recommended that City Council grant authority to:

1. The Chief Corporate Officer or his designate to issue electricity pricing quotation requests and award hedging transaction contracts as described in this report in amounts representing financial commitments ranging up to \$50 million for forward terms not exceeding five years and for each year not exceeding the overall value of the City's annual electricity expenditures, from a roster of qualified counterparties, selected in consultation with the Director of Purchasing and Materials Management.
2. Renew the current roster of qualified counterparties for another five years to December 31, 2014 and a roster of eligible counterparties be established every five years thereafter in accordance with City purchasing policies and procedures.
3. The Chief Corporate Officer to execute new or amending electricity master agreements with counterparties governing the terms and conditions of contracts for differences effecting electricity price hedges that are:
 - a. satisfactory to the Chief Corporate Officer;
 - b. in compliance with the Statement of Policies and Goals previously adopted by Council; and
 - c. in a form that is satisfactory to the City Solicitor.
4. The Chief Corporate Officer to execute new or amended agency agreements with the Toronto Community Housing Corporation and the City's participating agencies, boards, commissions and corporations, all as required, on terms and conditions satisfactory to the Chief Corporate Officer and in form satisfactory to the City Solicitor; pursuant to these agreements all administrative costs, including any consulting costs, retailer consolidated billing fees and costs, and account enrolment costs be passed on proportionately to all City electricity end users participating in the program.

5. The Chief Corporate Officer to negotiate and execute a new amending retailer consolidated billing services agreement with Toronto Hydro Energy Services Inc. (“THESI”) or to extend the provision of services for a further five years on a sole-source basis on terms and conditions satisfactory to the Chief Corporate Officer and at a cost that is commercially reasonable in the opinion of the Chief Corporate Officer and otherwise in a form satisfactory to the City Solicitor.
6. The appropriate City officials to take any action necessary to give effect thereto.

Motions

Motion to Adopt Item moved by Councillor Bill Saundercook (Carried)

Links to Background Information

Report - Electricity Supply Arrangements

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16144.pdf>

GM18.11	ACTION	Adopted		Ward: 28
---------	--------	---------	--	----------

Renewal of Telecommunication License at First Canadian Place for Police and Emergency Services

(October 3, 2008) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that City Council:

1. Authorize the renewal of License agreement dated April 1, 1993, between Olympia & York Developments Limited, as Licensor and the Metropolitan Toronto Police Services Board, as Licensee, as renewed and amended, by a renewal agreement between First Place Tower Brookfield Properties Inc. as Licensor and the City, as Licensee, for a further 5 year term commencing as April 1, 2008 and expiring on March 31, 2013 and in accordance with the term set out in Appendix “A”, except that:
 - a. for the use of the Tower Space and roof space, an annual license fee of One Hundred and Eighty-Five Thousand, Eight Hundred and Ninety-Five Dollars (\$185,895.00), payable in equal monthly instalment of Fifteen Thousand, Four Hundred and Ninety-One Dollars and Twenty-Five Cents (\$15,491.25), each in advance, on the first day of each calendar month;
 - b. for the use of the Equipment Room, an annual license fee of Twenty-Nine Thousand, Seven Hundred and Forty Three Dollars and Twenty Cents (\$29,743.20), payable in equal monthly instalments of Two Thousand, Four Hundred and Seventy-Eight Dollars and Sixty Cents (\$2,478.60), each in advance on each calendar month; and

- c. a right to renew for a further 5 year term, upon the then prevailing market value of antenna space on the rooftop of First Canadian Place.
2. Authorize the Chief Corporate Officer to administer and manage the lease agreement including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

Financial Impact

The proposed renewal of this Licence agreement has already been approved in the current year's budget.

The annual financial impact for the Telecommunication Antenna and Equipment Room Rental are \$185,895.00 and \$29,743.20 respectively, totalling \$1,078,191.20 in rent for this five year renewal term.

Transaction Component	Annual Rate	5 Year Total Rent
Telecommunication Antenna	\$185,895.00	\$929,475.00
Equipment Room	\$29,743.20	\$148,716.00
Total	\$215,638.20	\$1,078,191.00

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

Summary

The purpose of this Report is to obtain City Council approval to renew a License Agreement for the City's telecommunications tower and equipment on the rooftop and in an equipment room at First Canadian Place, 100 King St. West for communication among the City's Emergency Services.

This renewal will permit the City's vital telecommunications infrastructure to continue at this central location for a further five year period expiring March 31, 2013.

Committee Recommendations

The Government Management Committee recommended that City Council:

1. Authorize the renewal of License agreement dated April 1, 1993, between Olympia & York Developments Limited, as Licensor and the Metropolitan Toronto Police Services Board, as Licensee, as renewed and amended, by a renewal agreement between First Place Tower Brookfield Properties Inc. as Licensor and the City, as Licensee, for a further 5 year term commencing as April 1, 2008 and expiring on March 31, 2013 and in accordance with the term set out in Appendix "A", except that:
 - a. for the use of the Tower Space and roof space, an annual license fee of One Hundred and Eighty-Five Thousand, Eight Hundred and Ninety-Five Dollars

(\$185,895.00), payable in equal monthly instalment of Fifteen Thousand, Four Hundred and Ninety-One Dollars and Twenty-Five Cents (\$15,491.25), each in advance, on the first day of each calendar month;

- b. for the use of the Equipment Room, an annual license fee of Twenty-Nine Thousand, Seven Hundred and Forty Three Dollars and Twenty Cents (\$29,743.20), payable in equal monthly instalments of Two Thousand, Four Hundred and Seventy-Eight Dollars and Sixty Cents (\$2,478.60), each in advance on each calendar month; and
 - c. a right to renew for a further 5 year term, upon the then prevailing market value of antenna space on the rooftop of First Canadian Place.
2. Authorize the Chief Corporate Officer to administer and manage the lease agreement including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.

Motions

Motion to Adopt Item moved by Councillor Doug Holyday (Carried)

Links to Background Information

Report - Renewal of Telecommunication License at First Canadian Place For Police and Emergency Services

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16145.pdf>)

GM18.12	ACTION	Adopted		Ward: 23
---------	--------	---------	--	----------

North York City Centre Service Road Acquisition

Confidential Attachment - 1 - A proposed or pending acquisition or sale of land for municipal or local board purposes

(September 26, 2008) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. City Council authorize the public release of the confidential information in Attachment 1, upon final settlement and completion of all property transactions and claims related to the North York City Service Road.
2. The Offer to Sell from Wayne Steven Browne to sell to the City the property known municipally as 2 Anndale Drive be accepted substantially on the terms outlined in Appendix "A" and Attachment 1 to this report and that each of the Chief Corporate

Officer and the Director of Real Estate Services be authorized severally to accept the Offer on behalf of the City.

3. 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.

Financial Impact

The total cost of this acquisition is listed in Attachment 1 and will be funded from the 2008 Approved Capital Budget for Transportation Services, Capital Account CTP800-8 (North York Centre).

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

Summary

Real Estate Services seeks authority for the City to acquire the property municipally known as 2 Anndale Drive. This property is required for the North York City Centre Service Road.

Negotiations with the owner of this property have been ongoing since November 2006. The owner has signed an irrevocable Offer to Sell his property to the City. Appendix “A” and Attachment 1 to this report describe the salient terms of this proposed acquisition, which are considered fair and reasonable.

Committee Recommendations

The Government Management Committee recommended that:

1. City Council authorize the public release of the confidential information in Attachment 1, upon final settlement and completion of all property transactions and claims related to the North York City Service Road.
2. The Offer to Sell from Wayne Steven Browne to sell to the City the property known municipally as 2 Anndale Drive be accepted substantially on the terms outlined in Appendix “A” and Attachment 1 to this report and that each of the Chief Corporate Officer and the Director of Real Estate Services be authorized severally to accept the Offer on behalf of the City.
3. 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.

Motions

Motion to Adopt Item moved by Councillor Cliff Jenkins (Carried)

Links to Background Information

Report - North York City Centre Service Road Acquisition

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16146.pdf>)

Site Map - GM18-12

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16147.pdf>)

Confidential Attachment 1 - GM18-12

GM18.13	ACTION	Adopted		Ward: 39, 41
---------	--------	---------	--	--------------

Real Estate Acquisitions – TTC Sheppard East LRT Project - Grade Separation at Agincourt GO Station and Widening of Sheppard Avenue East Between Highland Creek and Midland Avenue

(October 6, 2008) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. Subject to the TTC obtaining project cashflow and commitment funding in the TTC 2009-2013 Capital Program, City Council grant authority to negotiate to acquire and to initiate expropriation proceedings, if necessary, for the property requirements shown on the attached Appendix “A1” together with permanent easements required for maintenance (the “Required Property”), for the purposes of constructing the grade separation at the Agincourt GO Station and for the widening of Sheppard between Highland Creek and Midland Avenue in connection with the TTC Sheppard East LRT Project.
2. City Council grant authority to the Chief Corporate Officer to serve and publish Notices of Application for Approval to Expropriate the Required Property, to forward to the Chief Inquiry Officer any requests for hearing that are received, to attend the hearing to present the City’s position and to report the Inquiry Officer’s recommendations to City Council for its consideration.
3. City Council grant authority to terminate the leasehold interests on City-owned property shown on the attached Appendix “B1” in accordance with the terms of each lease.
4. Upon completion of the construction, the Chief Corporate Officer review the remaining lands to determine their future disposition.

Financial Impact

Under the Quick Wins initiative, the City received \$7.1 million from the Province to undertake environmental assessments for Transit City. However, funds have not yet been made available for any construction or for acquiring the Required Property.

All Transit City initiatives are included in the TTC’s 2009-2013 Capital Program as “below-the-line” items, all awaiting funding from Metrolinx which has just released its draft Regional

Transportation Plan. When the plan is finalized and based on Metrolinx's funding decisions for selected GTHA rapid transit initiatives, TTC staff will be seeking approval to negotiate commitments and cashflow requirements for special project expenditures for lines and facilities for 2009 and beyond. Although funds are not yet available for any construction or property acquisition, such funding will be identified prior to proceeding with any transactions.

Three properties required for temporary and permanent uses in the grade separation and the Sheppard widening construction are owned by the City and subject to a lease. The leases generate revenue in the amount of \$111,080.04 in net rent and \$19,613.36 in realty taxes annually. By terminating these leases the City will forgo revenue in the total amount of \$130,693.40 annually for a period of approximately two years. Upon completion of the proposed construction, the remaining land would be reviewed by the Chief Corporate Officer to determine their future disposition that is consistent with the City's broader economic, social and environmental goals.

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

Summary

In March 2007, the Toronto Transit Commission ("TTC") endorsed the *Toronto Transit City Light Rail Plan* ("Transit City"), as the basis and priority for rapid transit expansion in the City of Toronto ("City"). In June 2007, the Province of Ontario announced funding of \$17.5 billion for the implementation of the *MoveOntario 2002* rapid transit program in the Greater Toronto and Hamilton area ("GTHA") over the next twelve years. In December 2007, City Council approved funds in the amount of \$7.1 million in the TTC 2008-2012 Capital Program budget for Transit City environmental assessments. In March 2008, the Province of Ontario announced funding to cover the \$7.1 million, as part of *MoveOntario 2002* Quick Wins initiative. These funds have been received by the City.

In July 2008, City Council approved amending Map 5 of the Official Plan to extend a Transit Priority Segment on Sheppard Avenue East ("Sheppard") from McCowan Road to Meadowvale Road. City Council also approved the recommendations contained in the Sheppard East LRT Class Environmental Study to allow staff to begin the detailed design, as soon as possible, and be in a position to begin construction of the Sheppard East LRT (the "Line") in 2009. Further, the TTC was requested, during the detailed design phase, to consider options to minimize the amount of property expropriated for the widening of Sheppard.

The Line is one of seven rapid and environmentally sustainable light rail transit lines endorsed by the TTC and the Line is to extend from the Don Mills Station on the Sheppard Subway Line to Meadowvale Road.

The first stage in the construction of the Line is to build the grade separation at the Agincourt GO Station. This report addresses, and seeks authority to acquire the property requirements for the grade separation and for the road widening of Sheppard between Highland Creek and Midland Avenue which are necessary in order to meet the requirement of the Official Plan with respect to 36 metre wide transit corridors.

Committee Recommendations

The Government Management Committee recommended that:

1. Subject to the TTC obtaining project cashflow and commitment funding in the TTC 2009-2013 Capital Program, City Council grant authority to negotiate to acquire and to initiate expropriation proceedings, if necessary, for the property requirements shown on the attached Appendix “A1” together with permanent easements required for maintenance (the “Required Property”), for the purposes of constructing the grade separation at the Agincourt GO Station and for the widening of Sheppard between Highland Creek and Midland Avenue in connection with the TTC Sheppard East LRT Project.
2. City Council grant authority to the Chief Corporate Officer to serve and publish Notices of Application for Approval to Expropriate the Required Property, to forward to the Chief Inquiry Officer any requests for hearing that are received, to attend the hearing to present the City’s position and to report the Inquiry Officer’s recommendations to City Council for its consideration.
3. City Council grant authority to terminate the leasehold interests on City-owned property shown on the attached Appendix “B1” in accordance with the terms of each lease.
4. Upon completion of the construction, the Chief Corporate Officer review the remaining lands to determine their future disposition.

Motions

Motion to Adopt Item moved by Councillor Paul Ainslie (Carried)

Links to Background Information

Report - Real Estate Acquisitions - TTC Sheppard East LRT Project - Grade Separation at Agincourt GO Station and Widening of Sheppard Avenue East Between Highland Creek and Midland Avenue

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16149.pdf>

Appendix A2 - Site Maps GM18-13

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16150.pdf>

Appendix B2 - Site Maps GM18-13

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16151.pdf>

Appendix C - GM18-13

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16152.pdf>

GM18.14	ACTION	Adopted		Ward: 44
---------	--------	---------	--	----------

Release of City’s Interest in the Most Easterly Portion of the Untravelled Cherry Street Road Allowance and the Adjoining Lane

(October 3, 2008) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that:

1. The City release any right, title and interest it may have in the lane and the portion of Cherry Street shown as Parts 2, 3, 4, 5 and 6 on Sketch No. PS-2008-074 in favour of GO Transit, for nominal consideration, substantially on the terms set out in Appendix “A” and such other terms as may be satisfactory to the Chief Corporate Officer, in a form satisfactory to the City Solicitor.
2. The City accept a conveyance from GO Transit of the lands shown as Part 8 on Sketch No. PS-2008-074, for park purposes, and the lands shown as Parts 9, 10 and 11 on Sketch No. PS-2008-074, for the widening of Port Union Road and the construction of a roundabout at the foot of Port Union Road, for nominal consideration, substantially on the terms set out in Appendix “A” and such other terms as may be satisfactory to the Chief Corporate Officer, in a form satisfactory to the City Solicitor.
3. The City enter into a Subdivision Amending Agreement with GO Transit to amend the Subdivision Agreement for Plan 66M-2313, to confirm that the temporary road between Colinroy Avenue and Wynnecastle Road, shown as Part 1 on Sketch No. PS-2008-074, shall be a permanent road and the City shall be released from any obligation to reconvey these lands to GO Transit or its successors or assigns, in a form satisfactory to the City Solicitor.
4. The City enter into an Agreement with GO Transit giving GO Transit a right of passage over the one foot reserves at the east and west limits of Bridgend Street, for nominal consideration, substantially on the terms set out in Appendix “A” and such other terms as may be satisfactory to the Chief Corporate Officer, in a form satisfactory to the City Solicitor.
5. All taxes, legal and other fees up to \$2,000.00 resulting from the approval of recommendations in this report be paid from the Land Acquisition Reserve Fund (XR1012).
6. The City Solicitor be authorized to complete the transactions 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 as she considers reasonable.

Financial Impact

No revenue will be generated from the City’s release of its interest in the Disputed Lands. GO Transit will transfer Parts 8, 9, 10 and 11 on Sketch No. PS-2008-074 to the City for nominal consideration. The City’s estimated closing costs are \$2,000.00.

This transaction will result in conveyance of the land for Parks purposes as well as for the widening of Port Union Road and the construction of a roundabout at the foot of Port Union Road. The parcel of land for Parks purposes will be incorporated into the existing park and operated and maintained within the existing budget. The construction of a roundabout is anticipated for 2009 and estimated cost in the amount of \$200,000 have been included in the 2009 Capital Budget Submission for Transportation Services.

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

Summary

On July 31, 2008, GO Transit purchased the lands municipally known as 19 Port Union Road, 6 and 12 Duthie Street (the “Port Union/Duthie Site”) from Eden Oak (Cherry Street) Inc. (“Eden Oak”). GO Transit is proposing to construct an additional commuter parking lot for the Rouge Hill GO Station on these lands.

The Port Union/Duthie Site includes a lane and a portion of Cherry Street, shown as Parts 2, 3, 4, 5 and 6 on Sketch No. PS-2008-074 (the “Disputed Lands”), the ownership of which is uncertain.

This report seeks authority for the City to release any right, title and interest it may have in the Disputed Lands in favour of GO Transit, to accept a conveyance of certain lands from GO Transit for park and highway purposes and to enter into certain other Agreements with GO Transit, as detailed herein.

Committee Recommendations

The Government Management Committee recommended that:

1. The City release any right, title and interest it may have in the lane and the portion of Cherry Street shown as Parts 2, 3, 4, 5 and 6 on Sketch No. PS-2008-074 in favour of GO Transit, for nominal consideration, substantially on the terms set out in Appendix “A” and such other terms as may be satisfactory to the Chief Corporate Officer, in a form satisfactory to the City Solicitor.
2. The City accept a conveyance from GO Transit of the lands shown as Part 8 on Sketch No. PS-2008-074, for park purposes, and the lands shown as Parts 9, 10 and 11 on Sketch No. PS-2008-074, for the widening of Port Union Road and the construction of a roundabout at the foot of Port Union Road, for nominal consideration, substantially on the terms set out in Appendix “A” and such other terms as may be satisfactory to the Chief Corporate Officer, in a form satisfactory to the City Solicitor.
3. The City enter into a Subdivision Amending Agreement with GO Transit to amend the Subdivision Agreement for Plan 66M-2313, to confirm that the temporary road between Colinroy Avenue and Wynnecastle Road, shown as Part 1 on Sketch No. PS-2008-074, shall be a permanent road and the City shall be released from any obligation to reconvey these lands to GO Transit or its successors or assigns, in a form satisfactory to the City Solicitor.
4. The City enter into an Agreement with GO Transit giving GO Transit a right of passage over the one foot reserves at the east and west limits of Bridgend Street, for nominal consideration, substantially on the terms set out in Appendix “A” and such other terms as may be satisfactory to the Chief Corporate Officer, in a form satisfactory to the City Solicitor.

5. All taxes, legal and other fees up to \$2,000.00 resulting from the approval of recommendations in this report be paid from the Land Acquisition Reserve Fund (XR1012).
6. The City Solicitor be authorized to complete the transactions 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 as she considers reasonable.

Motions

Motion to Adopt Item moved by Councillor Paul Ainslie (Carried)

Links to Background Information

Report - Release of City's Interest in the most Easterly Portion of the Untravelled Cherry Street Road Allowance and the Adjoining Lane

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16153.pdf>

Appendix A - Terms and Conditions (GM18-14)

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16154.pdf>

Appendix B - Site Map and Sketch No. PS-2008-074 (GM18-14)

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16155.pdf>

GM18.15	ACTION	Deferred		Ward: 28
---------	--------	----------	--	----------

Union Station West Wing Lease

Confidential Attachment - 1 - A proposed or pending acquisition or sale of land for municipal or local board purposes

(October 3, 2008) Report from Chief Corporate Officer

Recommendations

The Chief Corporate Officer recommends that City Council:

1. Authorize the Chief Corporate Officer to negotiate and enter into a Lease (the “Lease”) with the proposed third party identified in confidential Attachment 1 to this report (the “Tenant”) for the use and occupancy by the Tenant of a portion of the first floor, the entire second, third and fourth floors of the west wing and the north side of the second, third and fourth floors of centre block of Union Station, comprising approximately 87,330 square feet of rentable area (the “Premises”), substantially on the terms set out in Attachment 1, and such other terms and conditions as may be acceptable to the Chief Corporate Officer, in a form satisfactory to the City Solicitor.
2. Authorize the public release of the confidential information in Attachment 1 once the Lease has been executed.

3. Authorize the Chief Corporate Officer to administer and manage the Lease including the provision of any consents, approvals, notices and notices of termination provided that the Chief Corporate Officer may, at any time, refer consideration of such matters (including their content) to City Council for its determination and direction.
4. Authorize the Chief Corporate Officer to extend the retainer for NORR Architects (“NORR”), with such sub-consultants as may be necessary, at a cost not to exceed \$1,935,000. plus GST, to enable NORR to secure the necessary heritage approvals from Parks Canada for the restoration of the west wing, complete the design and tender documents and provide all site supervision requirements to ensure completion of the City’s base building work for the Premises on or before January 1, 2012.
5. Amend the 2009 Recommended Capital Budget and 2010-2013 Capital Plan for Union Station to provide for increased base building improvements of \$16,600,000 (including Architect fees) with the costs associated with same to be recovered from Base Rent payments to be received from the Tenant, as set out in the Attachment 1.

Financial Impact

During the term of the Lease, the City will receive long term market net rental payments from the Tenant as set out in Attachment 1.

The City will complete, at its own cost and expense, all base building improvements to the Premises on or before January 1, 2012. In order to fulfill this requirement, NORR will need to commence the appropriate design work as soon as possible allowing for the construction tendering in the later part of 2009. The cost to complete the base building improvements of \$16,600,000 (including Architect fees) will be recovered from the rent payments to be received from the Tenant, as set out in Attachment 1. The remainder of the rent payment will be allocated to the Union Station project as part of the 2009 Budget process.

The Tenant will complete, at its own cost and expense, all renovations, installations and tenant improvements to the Premises, on or before December 31, 2013, subject to obtaining the prior approval of the City and Parks Canada.

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

Summary

At its meeting of December 11, 12 and 13, 2007, Council endorsed the Recommended Approach as the conceptual framework for the revitalization of Union Station. Among other things, recommendations in this report, authorized the Chief Corporate Officer to initiate negotiations with third parties to pursue development of the Recommended Approach.

A third party has expressed an interest in entering into a long-term office lease for the use of a portion of the first floor, the entire second, third and fourth floors of the west wing and the north side of the second, third and fourth floors of centre block of Union Station, consisting of approximately 87,330 square feet.

This report also seeks authority to extend the retainer for NORR Architects to enable the City to secure heritage approvals from Parks Canada and to complete certain base building improvements to the west wing of Union Station on or before January 1, 2012, as required pursuant to the proposed lease terms.

Decision Advice and Other Information

The Government Management Committee deferred consideration of this report to its next meeting on November 21, 2008.

Motions

Motion to Defer Item moved by Councillor Bill Saundercook (Carried)

Links to Background Information

Report - Union Station West Wing Lease

<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16156.pdf>

Confidential Attachment 1 - GM18-15

(Deferred from September 17, 2008 - 2008.GM17.10 for public debate and consideration)

GM18.16	Information	Received		Ward: All
----------------	-------------	----------	--	-----------

Green Fleet Plan 2008-2011 Interim Update 1

(September 3, 2008) Report from Chief Corporate Officer

Financial Impact

This report will have no financial impact beyond what has already been approved in the current year's budget.

Summary

This report provides the first interim update on the Green Fleet Plan 2008-2011, adopted by Council in March 2008. Led by Fleet Services Division, the plan sets out the measures that the City will take to reduce fuel use and emissions of greenhouse gases and smog pollutants from the Divisions' vehicles. This report provides an update on four areas of the plan:

1. lifecycle impacts of hybrid vehicles;
2. environmental implications of biofuels;
3. electric, low-speed vehicles and
4. an idle-reduction pilot project.

These updates were requested by Council and Government Management Committee.

Decision Advice and Other Information

The Government Management Committee received this report for information.

Motions

Motion to Receive Item moved by Councillor Cliff Jenkins (Carried)

Links to Background Information

Report - Green Fleet Plan 2008-2011 Interim Update 1

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16106.pdf>)

GM18.17	ACTION	Adopted		Ward: 36
---------	--------	---------	--	----------

Amendment to Right of Way Agreement - Toronto Parking Authority Carpark #701

(October 6, 2008) Report from President, Toronto Parking Authority

Recommendations

The Toronto Parking Authority recommends that:

1. City Council authorize amending the current Right of Way Agreement to incorporate a limiting distance easement in favour of Fallingbrook Developments Limited, the owner of 1210 Kingston Road.
2. The appropriate City Officials be authorized to take the actions necessary to give effect thereto.

Financial Impact

The TPA will receive a \$5,000 fee to be paid by the developer to grant this amendment to the Right of Way agreement.

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 obtain authority to amend the current Right of Way Agreement to incorporate a limiting distance easement in favour of Fallingbrook Developments Limited, the owner of 1210 Kingston Road as detailed in the body of this report.

Committee Recommendations

The Government Management Committee recommended that:

1. City Council authorize amending the current Right of Way Agreement to incorporate a limiting distance easement in favour of Fallingbrook Developments Limited, the owner of 1210 Kingston Road.

2. The appropriate City Officials be authorized to take the actions necessary to give effect thereto.

Motions

Motion to Adopt Item moved by Councillor Paul Ainslie (Carried)

Links to Background Information

Report - Amendment to Right of Way Agreement - Toronto Parking Authority Carpark #701

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16158.pdf>)

Site Location Map - GM18-17

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16159.pdf>)

Aerial Map & ROW Plan - GM18-17

(<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16179.pdf>)

GM18.18	ACTION	Deferred		Ward: All
----------------	--------	----------	--	-----------

Exhibition Place - Records Retention By-law Amendment

(September 5, 2008) Report from Chief Executive Officer, Exhibition Place

Recommendations

It is recommended that the City Council:

1. Approve the draft by-law set out in Appendix A to this report.
2. Approve the records retention schedule set out in Appendix B to this report.
3. Pass any necessary by-law substantially as set out in Appendix "A" and to establish the records retention schedules set out in Appendix "B".
4. Authorize and direct the appropriate Exhibition Place and City Officials to take the necessary action to give effect there.

Financial Impact

There are no financial implications resulting from the adoption of the recommendation in this report.

Summary

Under section 201 of the City of Toronto Act, 2006, a record of the City or of its Local Boards, other than a copy of the original record, may only be destroyed if the retention period for the record has expired, except as otherwise provided. In 2006, the City of Toronto approved By-Law No. 688-2006 which established a retention schedule for Exhibition Place.

When the Exhibition Place retention schedule was approved by City Council in 2006, there was an understanding that the schedule did not address all existing records series and that subsequent

by-law amendments would capture new record series. This report requests approval for a routine amendment to the Board's records retention by-law, Municipal Code c. 219, Records, Corporate (Local Boards).

These amendments revise the existing records retention schedule by adding new classes of records to the schedule, by amending existing record series descriptions, and by permitting the destruction of unusable records. The appendices containing the draft by-law amendment and the new records retention schedule were prepared by staff of the Records and Archives Unit of Exhibition Place and have been reviewed by the following Exhibition Place staff: the Chief Executive Officer, Corporate Secretary and Chief Financial Officer. They have also been reviewed by the City Legal, City Archivist and the external auditor. All concur that the retention schedules affected by this report are appropriate and in compliance with applicable standards and legislation.

Decision Advice and Other Information

The Government Management Committee deferred consideration of this report to its next meeting on November 21, 2008.

Motions

Motion to Defer Item moved by Councillor Paul Ainslie (Carried)

Links to Background Information

Report - Exhibition Place - Records Retention Bylaw Amendment
<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16160.pdf>

GM18.19	ACTION	Referred		Ward: 17
---------	--------	----------	--	----------

Apportionment of Taxes - Archgate Lane and Harvie Avenue

(September 30, 2008) Member Motion from Councillor Cesar Palacio, Ward 17 - Davenport

Recommendation

It is recommended that:

1. The Director of Revenue Services be requested to provide advice and information to the affected property owners of the Archgate Lane and Harvie Avenue development interested in seeking a re-opening of the Assessment Review Board Hearing Number 111130 and Decision Number 1910110 regarding the apportionment of taxes for the 2000 taxation year.

Summary

At its meeting held on February 1, 2 and 3, 2005, City Council authorized the Assessment Review Board to exercise its powers and functions section 2 of Ontario Regulation 399/03 respecting the apportionment of taxes for taxation years prior to 2003 (re: Administration Committee Report No. 1, Clause No. 7, "Establishing Processes for Hearing and Disposition of Certain Applications under Ontario Regulation 399/03 and the *Municipal Act, 2002*").

On October 11, 2007, the Assessment Review Board held a hearing (Hearing Number 131130) and rendered a decision (Decision Number 1910110) with respect to the apportionment of taxes for the year 2000 for certain properties located on Archgate Lane and Harvie Avenue.

Several affected property owners have informed the local City Councillor that they were not served with proper notice of the hearing by the Assessment Review Board. As a result many have been charged interest on property taxes owed many years before they even owned the property.

The local Councillor is therefore requesting that the Director of Revenue Services provide affected property owners of the Archgate Lane and Harvie Avenue development with information that may assist them in seeking a re-opening of this apportionment application.

Decision Advice and Other Information

The Government Management referred this report to the Director of Revenue Services, for action.

Motions

Motion to Refer Item moved by Councillor Bill Saundercook (Carried)

Links to Background Information

Member Motion - Apportionment of Taxes - Archgate Lane and Harvie Avenue
<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16161.pdf>

GM18.20	ACTION	Amended		Ward: All
---------	--------	---------	--	-----------

Request to re-consider Item GM17.11 - Security Video Surveillance Update Report

(October 8, 2008) Letter from Councillor Janet Davis, Ward 31 - Beaches-East York

Recommendations

It is requested by Councillor Janet Davis, that the Government Management Committee:

1. Reconsider item GM17.11 - Security Video Surveillance Update Report at this meeting.
2. Make Confidential Attachment 1(List of Video Surveillance Equipment Installed from January 2007 to August 2008) public before it considers the item.

Summary

At its September meeting, Government Management Committee considered the above-noted report. This report is the two-year review of the Security Video Surveillance Policy that was approved in July 25, 2006. I was a member of the Administration Committee when the

policy was first considered, and I have a continuing interest in this policy and its implementation.

I am writing to request that this report be reconsidered at your October meeting for the following reasons:

1. The report includes a confidential attachment which contains a list of video surveillance locations in the City. Corporate Access and Privacy Office believe that this document should have been public.
2. The report contains little analysis of the implementation of the policy and I believe it merits further questions and deliberation in public.

Speaker

Councillor Janet Davis

Decision Advice and Other Information

The Government Management Committee requested that:

1. The Chief Corporate Officer, in consultation with the Director, Corporate Access and Privacy (CAP), report back to the Government Management Committee for its meeting on January 14, 2009, on the implementation of the Toronto Video Surveillance Policy in accordance with the provisions of the Policy adopted in July 2006.
2. The Chief Corporate Officer report back to the Government Management Committee for its meeting on January 14, 2009, on security issues, including the Council Chamber.

Motions

Motion to Re-open Item moved by Councillor Paul Ainslie (Carried)

Re-opened Item GM17.11 of the Government Management Committee from its meeting held on September 17, 2008.

Motion to Amend Item moved by Councillor Gloria Lindsay Luby (Carried)

The Chief Corporate Officer report back to the Government Management Committee for its meeting on January 14, 2009, on security issues, including the Council Chamber.

Motion to Adopt Item moved by Councillor Cliff Jenkins (Lost)

Adopt the following Recommendation 2 contained in the letter (October 8, 2008) from Councillor Janet Davis:

"Make Confidential Attachment 1(List of Video Surveillance Equipment Installed from January 2007 to August 2008) public before it considers the item."

Motion to Amend Item moved by Councillor Cliff Jenkins (Carried)

That the Chief Corporate Officer, in consultation with CAP, report back to the Government Management Committee (to the January 2009 meeting) on the implementation of the Toronto Video Surveillance Policy in accordance with the provisions of the Policy adopted in July 2006.

Links to Background Information

Letter - Reconsideration of Item GM17.11 - Security Video Surveillance Update Report
<http://www.toronto.ca/legdocs/mmis/2008/gm/bgrd/backgroundfile-16171.pdf>

Meeting Sessions

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2008-10-21	Morning	9:35 AM	12:10 PM	Public
2008-10-21	Afternoon	12:15 PM	12:45 PM	Closed
2008-10-21	Afternoon	12:50 PM	1:00 PM	Public

Attendance

Date and Time	Quorum	Members
2008-10-21 9:35 AM - 12:10 PM (Public Session)	Present	<i>Present:</i> Ainslie, Holyday, Jenkins, Lindsay Luby, Palacio, Saundercook
2008-10-21 12:15 PM - 12:45 PM (Closed Session)	Present	<i>Present:</i> Ainslie, Holyday, Jenkins, Lindsay Luby, Palacio, Saundercook
2008-10-21 12:50 PM - 1:00 PM (Public Session)	Present	<i>Present:</i> Holyday, Jenkins, Lindsay Luby, Saundercook <i>Not Present:</i> Ainslie, Palacio

Chair