
Executive Committee

Meeting No.	31	Contact	Merle MacDonald, Committee Administrator
Meeting Date	Tuesday, April 7, 2009	Phone	416-392-7340
Start Time	9:30 AM	E-mail	exc@toronto.ca
Location	Committee Room 1, City Hall	Chair	Mayor David Miller

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.

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

Confirmation of Minutes - February 2, 2009 and March 24, 2009

Communications/Reports

EX31.1	ACTION			Ward: All
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A Policy Framework for Toronto's Accountability Officers

Public Notice

Origin

(March 20, 2009) Report from the City Manager

Recommendations

The City Manager recommends that:

1. City Council adopt the Policy Framework as summarized in Appendix 1 of this report;
2. The policy provisions related to fixed term, appointment, renewal and removal from office, and remuneration, come into effect for future accountability officer appointments, except where these provisions are already contractually in place for current permanent incumbents;
3. City Council establish a new Toronto Municipal Code Chapter for the accountability officers, reflecting the substance of provisions described in sections 2C and 2D and summarized in Appendix 1 of this report;
4. City Council move Article VI, Auditor General and Article XIII Ombudsperson from Municipal Code Chapter 169, City Officials, to the new Municipal Code Chapter, renaming Article XIII, Ombudsman, for consistency with the wording of the City of Toronto Act, 2006;
5. City Council repeal § 140-33A. and B (8) and (10) of Municipal Code Chapter 140, Lobbying, and replace them with the provisions described in section 2D of this report and summarized in Appendix 1;
6. City Council amend § 27-99 of Municipal Code Chapter 27, Council Procedures, to provide for a 2/3 vote of all Members of City Council respecting the appointment and removal of the accountability officers, and amend § 27-62B to enable the accountability

officers to submit reports directly to City Council in accordance with the provisions outlined in section 5 of Appendix 1;

7. City Council amend § 169-5 of Municipal Code Chapter 169, City Officials, to provide that the City Manager does not appoint, promote, demote, suspend and dismiss the officials named in Part V of the City of Toronto Act, 2006 or their staff; and amend § 169-7 to provide that the City Manager shall not recommend the appointment and dismissal to City Council of the officials named in Part V of the City of Toronto Act, 2006;
8. City Council amend Municipal Code Chapter 217, Corporate Records, by adding the words “Integrity Commissioner, Lobbyist Registrar, Ombudsman,” after the word “Solicitor” in Subsection (2) of the definition of Division Head in § 217-4A;
9. City Council authorize the City Solicitor to prepare and introduce in Council any bills required to enact the Policy Framework, generally in accordance with the report recommendations and policy provisions described in sections 2C and 2D of this report and summarized in Appendix 1;
10. City Council request the accountability officers, in consultation with the City Manager and City Solicitor, to develop a Conflict of Interest Policy and Code of Conduct for the accountability officers and their staff, for Council’s approval by the end of 2009; and require that the City’s Conflict of Interest Policy continue to apply until such time as a Conflict of Interest Policy and Code of Conduct for the accountability officers and their staff is approved by Council;
11. City Council authorize the City Manager, in consultation with the City Solicitor, to develop standard terms of employment for Toronto’s accountability officers consistent with the provisions outlined in section 2D of this report and summarized in Appendix 1, to give effect to Council’s decisions respecting future appointments of its accountability officers;
12. City Council authorize the City Manager, in consultation with the City Solicitor, to bring forward amendments to Council-approved policies as required in order to implement the Policy Framework; and
13. City Council authorize the City Manager and Deputy City Manager and Chief Financial Officer, in consultation with the accountability officers, to review and research best practices respecting setting aside a percentage of the City’s budget for Toronto’s accountability functions and report back to Executive Committee.

Summary

This report recommends a comprehensive policy framework for Toronto’s four accountability officers. The recommended framework breaks new ground in Canada. Based on characteristics of independence for comparable officers in other jurisdictions, the framework sets out their features of independence, accountability mechanisms, and the administrative and operational supports for their offices.

A separate Toronto Municipal Code chapter for the accountability officers is recommended to reinforce both their separation from the City administration and their independent status within the City's governance system.

The policy framework supports the appropriate balance of independence in the officers' decision making processes and accountability to Council for the management of their offices, and their performance in fulfilling their mandates.

Financial Impact

There are no financial implications.

Background Information

A Policy Framework for Toronto's Accountability Officers
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19953.pdf>)

EX31.2	ACTION			Ward: All
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Waste Disposal Agreements with the City of St. Thomas and County of Elgin - Green Lane Landfill

Origin

(March 20, 2009) Report from the General Manager, Solid Waste Management Services

Recommendations

The General Manager, Solid Waste Management Services recommends that:

1. Council authorize the execution of an agreement with the Corporation of the City of St. Thomas, on terms described in Attachment "A", during the time period and at the price set out in Attachment "A" and otherwise on terms and conditions satisfactory to the General Manager of Solid Waste Management Services and in a form satisfactory to the City Solicitor; and
2. Council authorize the execution of an agreement with the Corporation of the County of Elgin, on terms described in Attachment "B", during the time period and at the price set out in Attachment "B" and otherwise on terms and conditions satisfactory to the General Manager of Solid Waste Management Services and in a form satisfactory to the City Solicitor.

Summary

This report seeks authority to enter into two Waste Disposal Agreements with 1) the Corporation of the City of St. Thomas and; 2) the Corporation of the County of Elgin for the disposal of waste at the Green Lane landfill

Financial Impact

The execution of the two contracts with the separated City of St. Thomas and the County of Elgin will not have any immediate financial impact on the Solid Waste Management Services

Operating Budget. These contracts come into effect only when the County of Elgin and City of St. Thomas existing haulage and disposal agreements with the current service providers are terminated.

The only potential change in tonnages and revenue will be as a result of the municipalities of Bayham and Central Elgin opting to bring waste to the site. Staff anticipate that this would be approximately 1,800 tonnes and 3,400 tonnes of residential waste respectively on an annual basis with a corresponding potential annual revenue impact of approximately \$112,114 and \$211,770 respectively at the estimated 2009 rate. Future Recommended Operating Budgets for Green Lane will reflect any anticipated incremental cost and revenue as a result of initiation of either one of these contracts.

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

Background Information

Waste Disposal Agreements with the City of St. Thomas and County of Elgin - Green Lane Landfill

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19954.pdf>

EX31.3	ACTION			Ward: All
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Amendment of the Capital Plan for Green Lane Landfill to Accelerate Cell Excavation and Base Construction

Origin

(March 10, 2009) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve an amendment to the 10-Year Capital Plan and Forecast for Solid Waste Management Services as indicated in Appendix A of the report.
2. Subject to the adoption of Recommendation 1, new commitments totalling \$7.5 million including \$0.5 million in 2009 and \$7.0 million in 2010, funded from the Waste Management Reserve Fund, be approved to advance cell development at Green Lane(Capital Account CSW007-05-05 - Cell Excavation & Base Construction).

Summary

This report requests authority to reallocate funding to the 2009 Approved Green Lane Landfill Capital Budget within the Approved Green Lane Landfill 10-Year Capital Plan & Forecast and requests approval to commit the cashflow in 2009 and 2010 to more efficiently construct the required cells in order to accommodate the receipt of Toronto's waste beginning January 1, 2011. There is no net impact on the approved 10-Year Capital Plan & Forecast as a result of rescheduling this work.

Financial Impact

This report recommends that the 2009 Approved Capital Budget and future year commitments for Solid Waste Management Services be amended to include the excavation of an additional 2 cells at the Green Lane Landfill in 2009 and 2010 as outlined in Appendix A. The recommended changes in order to award the contract for cell development are as follows:

- i. advance and commit funding of \$3.5 million from the 10-year Capital Plan & Forecast to begin excavation of a second cell in 2009;
- ii. commit \$4.0 million in funding for 2010 included in the 5-year Capital Plan to facilitate the development of an additional third cell.

The increased cost is recommended to be funded from the Waste Management Reserve Fund. The reserve fund has a balance of \$21.153 million as of year-end 2008 and can accommodate these commitments.

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

Background Information

Amendment of the Capital Plan for Green Lane Landfill to Accelerate Cell Excavation and Base Construction

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19955.pdf>

EX31.4	ACTION			Ward: All
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Request for a Renewal of a Line of Credit Guarantee for the Lorraine Kimsa Theatre for Young People

Origin

(March 13, 2009) Report from the Deputy City Manager and Chief Financial Officer and the General Manager, Economic Development, Culture and Tourism

Recommendations

The Deputy City Manager and Chief Financial Officer and the General Manager, Economic Development, Culture and Tourism recommend that:

1.
 - a. The City provide, to LKTYP's financial institution, a further guarantee of LKTYP's line of credit in the amount of \$250,000.00 (inclusive of all interest costs payable by LKTYP), for a term commencing on May 1, 2009 until December 31, 2012.
 - b. In accordance with the City's Capital Loan and Line of Credit Guarantee Policy, the City enter into an agreement with LKTYP, and a tri-party agreement with both LKTYP and its financial institution, in respect of the recommended line of credit guarantee.

2. Such guarantee and all related agreements be on terms and conditions satisfactory to the City Solicitor, the Deputy City Manager and Chief Financial Officer as well as the General Manager, Economic Development, Culture & Tourism and that the Deputy City Manager and Chief Financial Officer be requested to negotiate appropriate and adequate safeguards, to the satisfaction of the City Solicitor.
3. LKTYP provide the Deputy City Manager and Chief Financial Officer with their 2009 to 2011 inclusive audited financial statements when they become available.
4. The line of credit guarantee be deemed to be in the interest of the municipality.

Summary

This report seeks Council approval for the City to renew a line of credit guarantee for the Lorraine Kimsa Theatre for Young People (LKTYP, formerly Young People's Theatre), in the amount of \$250,000.00.

Financial Impact

Issuance of a line of credit guarantee is considered to be a financial commitment of the City. However, there is no direct cost to the City for providing this guarantee unless the organization defaults on its obligation and the City cannot recover funds.

Background Information

Request for a Renewal of a Line of Credit Guarantee for the Lorraine Kimsa Theatre for Young People

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19956.pdf>)

EX31.5	ACTION			Ward: All
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Capital Loan and Grant from the Federation of Canadian Municipalities for the Artscape Wychwood Barns

Origin

(March 17, 2009) Report from the Deputy City Manager and Chief Financial Officer and the General Manager, Economic Development, Culture and Tourism

Recommendations

The Deputy City Manager and Chief Financial Officer and the General Manager, Economic Development, Culture and Tourism recommend that:

1. The City enter into a grant and loan agreement with Artscape to provide grant and loan funds to be received from FCM for the purposes of financing the eligible project costs of the Artscape Wychwood Barns project (the "Project") upon the terms and conditions detailed in the attached letter and application documentation.
2. The agreement be on terms and conditions satisfactory to the City Solicitor, the Deputy City Manager and Chief Financial Officer, the General Manager, Economic

Development, Culture and Tourism and that the Deputy City Manager and Chief Financial Officer be requested to negotiate appropriate and adequate safeguards, to the satisfaction of the City Solicitor, with the City being promptly advised in the event of default or delay in the payment of interest.

3. The Chief Financial Officer be authorized to sign an affidavit in favour of FCM, satisfactory in form and content to the City Solicitor, confirming that the funds were used for the Project.
4. Release of the funds to Artscape be conditional upon Artscape providing an affidavit to the City, confirming that the funds were used for the Project.
5. Once Artscape has provided the affidavit and signed the agreement with the City, the Chief Financial Officer be authorized to pay Artscape the full amount of the grant and loan as and when received from FCM.
6. The City retain the right to withhold a portion of outstanding grants that the City may provide to Artscape over the term of the loan if it is not retired or renegotiated by the maturity date.
7. The FCM loan be deemed to be in the interest of the municipality.

Summary

This report seeks Council approval for the City to enter into an agreement with Toronto Artscape Inc. (“Artscape”) to provide grant and loan funds to be received by the City from the Federation of Canadian Municipalities (“FCM”) for the purposes of financing the eligible project costs of the Artscape Wychwood Barns (formerly the Green Arts Barns) The associated debt charges will be recovered by the City from Artscape and paid to the FCM.

Financial Impact

The recommendations in this report will allow the City to receive a \$90,000 grant and \$600,000 loan on behalf of Artscape. The City would then transfer the funds to Artscape and enter into a loan agreement with FCM. There is no direct cost to the City since the loan is being taken out for Artscape, who will pay all of the associated debt charges to the City.

This loan will be a financial commitment of the City. If Artscape defaults on its obligation, then the City will withhold the amount of the default from any grants that would have been provided to Artscape.

Background Information

Capital Loan and Grant from the Federation of Canadian Municipalities for the Artscape Wychwood Barns

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19957.pdf>)

EX31.6	Information			Ward: All
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Benefits of Membership in the Association of Francophone Municipalities of Ontario (AFMO)

Origin

(February 9, 2009) Report from the City Manager

Summary

This report summarises the mandate of L'Association française des municipalités de l'Ontario/the Association of Francophone Municipalities of Ontario (AFMO) and identifies the benefits of the City of Toronto's membership in the organization.

Financial Impact

This report has no financial impact.

Background Information

Benefits of Membership in the Association of Francophone Municipalities of Ontario (AFMO)
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19958.pdf>

EX31.7	Information			Ward: All
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Remuneration and Expenses of Members of Council and of Council Appointees to Agencies, Boards, Commission, Corporations and Other Special Purpose Bodies for the year ended December 31, 2008

Origin

(March 17, 2009) Report from the Acting Treasurer and the City Clerk

Summary

This report is submitted for information purposes as required under Section 223 (1) of the City of Toronto Act 2006. It provides an itemized statement on Remuneration and Expenses of Members of Council and of Council Appointees to Agencies, Boards, Commission, Corporations (ABCCs) and other Special Purpose Bodies for the year ended December 31, 2008.

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.

Background Information

Remuneration and Expenses of Members of Council and of Council Appointees to Agencies, Boards, Commission, Corporations and Other Special Purpose Bodies for the year ended December 31, 2008

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19959.pdf>)

Remuneration and Expenses of Members of Council and of Council Appointees to Agencies, Boards, Commission, Corporations and Other Special Purpose Bodies for the year ended December 31, 2008 - Appendices A,B,C,D,E,F,G and H

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19960.pdf>)

EX31.8	Information			Ward: All
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Changes to Lobbyist Registry and Codes of Conduct

Origin

(March 23, 2009) Report from the Interim Integrity Commissioner and the Lobbyist Registrar

Summary

On January 5, 2009, the Executive Committee referred Councillor Suzan Hall's letter of November 6, 2008 entitled "Changes to the Lobbyist Registry" to the Lobbyist Registrar and the Integrity Commissioner with a request that they submit a report to the February 2, 2009, meeting of the Executive Committee with any recommendations for changes to the Lobbyist Registry and Code of Conduct By-laws to differentiate between correspondence and personal lobbying, and requisite Councillors' Code of Conduct obligations; and requested the Lobbyist Registrar and the Integrity Commissioner to hold a meeting for interested councillors to provide input into the development of the report.

The Lobbyist Registrar and Integrity Commissioner met with interested councillors on February 11, 2009, to obtain their views.

The Lobbyist Registrar and Interim Integrity Commissioner intend to issue a protocol addressing this issue, which will include the following provision:

"A member does not contravene this Article when a member (or the member's staff on the member's behalf) simply receives an unsolicited written or electronic communication. This exception applies if the member (or the member's staff acting on the member's behalf) does not read or respond to the communication. When this exception applies, there is no duty on the member to respond to the communication or to otherwise take further action under this Article."

As set out in this report, no changes are required to Article XIII, Conduct Respecting Lobbyists (Article XV for Adjudicate Boards) of the Codes of Conduct for members of Council or local boards. No changes are required to Municipal Code Chapter 140, Lobbying (the Lobbying By-law).

Financial Impact

This report has no financial impact.

Background Information

Changes to Lobbyist Registry and Codes of Conduct

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19961.pdf>)

EX31.9	Information			Ward: All
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Waterfront Toronto's Proactive Disclosure Initiative**Origin**

(March 23, 2009) Report from the Waterfront Project Director

Summary

This report responds to a direction from Executive Committee to outline actions taken by Waterfront Toronto (WT) in consultation with its government partners to improve its disclosure of information to the public on the Waterfront Revitalization Initiative.

Financial Impact

There is no financial impact resulting from this report.

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

Background Information

Waterfront Toronto's Proactive Disclosure Initiative

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19962.pdf>)

Appendix 1 - Public Organization Disclosure Models

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19963.pdf>)

EX31.10	ACTION			Ward: All
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2008 Sinking Fund Surplus**Origin**

(March 3, 2009) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee, for its meeting on April 7, 2009, that:

1. City Council approve payment of the tax-supported sinking fund surplus of \$3,400,591.19 as declared by the Sinking Fund Committee and that these funds be applied to the City's capital financing requirements.

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

Summary

This report requests Council approval for payment of the 2008 sinking fund surplus in order to fulfil the legislative requirements of the City of Toronto Act, 2006.

Financial Impact

The 2008 City's sinking fund surplus of \$3,400,591.19 for tax-supported functions will be applied to finance capital expenditures in 2009 if recommendation (1) of this report is approved by Council.

Background Information

2008 Sinking Fund Surplus

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19964.pdf>

EX31.11	ACTION			Ward: All
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Preliminary Capital Variance Report for the Year Ended December 31, 2008

Origin

(March 3, 2009) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee, for its meeting on April 7, 2009, that:

1. City Council approve the budget and technical adjustments to its 2008 Approved Capital Budget as detailed in Appendix 2 of the report.
2. The Deputy City Manager and Chief Financial Officer report back to the Budget Committee on any changes to the City of Toronto's 2008 year-end financial position after the 2008 financial statements are finalized.

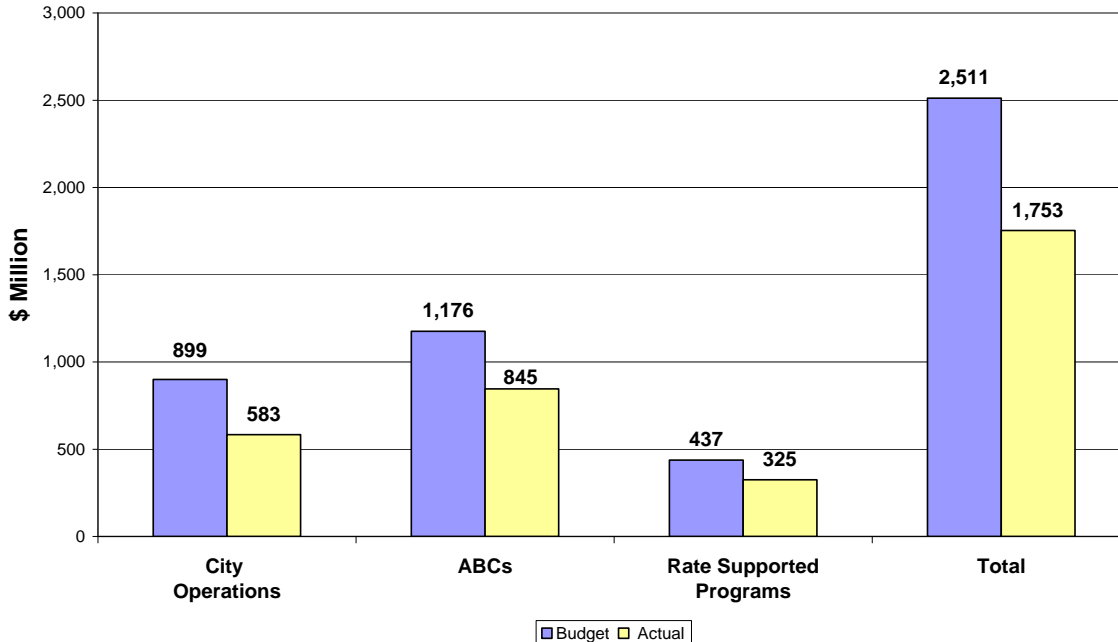
Summary

The purpose of this report is to provide the City of Toronto Preliminary Capital Variance Report for the year ended December 31, 2008, and to request Council's approval for budget adjustments which reallocate funds between projects with no incremental impact on its 2008 Approved Capital Budget. A report with any changes to the Preliminary year-end financial position will be submitted to Council following the completion of the external audit of the City's accounts and financial statements, if necessary.

Capital expenditures for the year ended December 31, 2008 totalled \$1.753 billion or 69.8% of the Approved Capital Budget of \$2.511 billion. The under-spending is primarily attributed to the inability to find or secure suitable sites in accordance with planned timeframes; the need to revise design plans; delays in securing funds from cost-sharing partners; unanticipated delays in construction start-up and deferral of work; unanticipated legal and environmental issues; challenges in hiring qualified staff; and delays in the delivery of equipment from manufacturers. In addition, several projects were completed under-budget. Unspent funds for incomplete projects will be carried forward to 2009 on an as required basis, in accordance with the City's Carry Forward Policy.

Capital expenditures for Tax Supported Programs for the year ended December 31, 2008 totalled \$1.427 billion, representing 68.8% of its 2008 Approved Capital Budget of \$2.074 billion being spent (see Appendix 1). City Operations spent \$582.779 million or 64.8% of its 2008 Approved Capital Budget of \$899.097 million; while Agencies, Boards and Commissions spent \$844.699 million or 71.9% of their collective 2008 Approved Capital Budget of \$1.176 billion. Rate Supported Programs spent \$325.049 million or 74.4% of its 2008 Approved Capital Budget of \$436.746 million (see Chart 1).

Chart 1
2008 Capital Budget Vs. Actual Expenditure



Contents

Topic	See page ...
Summary	1
Recommendations	3
Financial impact	3
Issue background	4
Comments	4
Capital Variance By Program / ABC	5
Capital Variance Rate Supported Programs	19
Technical & In-Year Budget Adjustments	19
Contact	20
Attachments	20

Financial Impact

As summarized in Table 1 below, for the year ended December 31, 2008, actual expenditures for Tax Supported Programs totalled \$1.427 billion or 68.8% of the City's 2008 Approved Capital Budget of \$2.074 billion. By comparison, these Programs spent 71.2% of their 2007 Approved Capital Budget during the same period in 2007.

Rate Supported Programs spent \$325.049 million or 74.4% of their 2008 Approved Capital Budget of \$436.746 million. By comparison, these Programs spent 59.1% of their 2007 Approved Capital Budget during the same period in 2007.

In compliance with prudent financial management practices, debt is issued only when needed to finance actual or committed capital expenditures. This strategy minimizes the incurrence of debt service costs and the resultant impact on the Operating Budget.

Background Information

Preliminary Capital Variance Report for the Year Ended December 31, 2008

Appendix 1 - Consolidated Capital Variance Report for the Year-Ending December 31, 2008
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19966.pdf>

Appendix 2 - Budget and Technical Adjustments

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19967.pdf>

EX31.12	ACTION			Ward: All
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Toronto Police Service 2009 - 2013 Capital Program Transfers

Origin

(March 10, 2009) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve a transfer of \$697,000 in 2009 from the Automated Fuel Management System project to the Renovation of the Intelligence and Special Investigation Facility Capital project.
2. City Council approve a transfer of \$487,000 in 2009 from the purchase of the Explosive Containment Vessel project to the Renovation of the Intelligence and Special Investigation Facility Capital project.
3. The Toronto Police Services request for the reinstatement of \$0.697 million in funding for the Automated Fuel Management System and \$0.487 million in funding for the Explosive Containment Vessel during the 2010 Capital Budget process be accommodated within the Services' established debt affordability guideline for 2010.

Summary

The purpose of this report is to request the City of Toronto Budget Committee to approve two transfers within the Toronto Police Service's 2009 – 2013 capital program.

Financial Impact

The transfer of \$1.184M (\$0.697M from the Automated Fuel Management System project and \$0.487M from the Explosive Containment Vessel project) will allow the Toronto Police Service to address anticipated increased costs in the Renovation of the Intelligence and Special Investigation Facility (Intelligence) project with no net impact on the approved 2009-2013 capital program. Funding for the two former projects will be requested again in the 2010-2014 capital program.

Background Information

Toronto Police Service: 2009 - 2013 Capital Program Transfers
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19968.pdf>)

EX31.13	ACTION			
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Facilities and Real Estate - 2009 Capital Budget Adjustments

Origin

(March 10, 2009) 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 2009 approved Facilities and Real Estate Capital Budget in the amount of \$1.856 million, as illustrated in Schedule “A” of the report, with zero gross and net impact.

Summary

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

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 2009 approved cash flows in the total amount of \$1.856 million, as illustrated in the schedule “A” attached. It will also authorize the spending in one previously approved capital project (for a zero net impact) which had no approved cash flows in 2009, but requires additional funding due to unforeseen circumstances (Schedule “A”, Part B).

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

Background Information

Facilities and Real Estate - 2009 Capital Budget Adjustments

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19969.pdf>

Schedule A - Facilities and Real Estate - 2009 Capital Budget Reallocations

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19970.pdf>

EX31.14	ACTION			Ward: All
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Scope Change: Inclusion of T1 Motor Casting Replacement in T1 Subway Car Overhaul

Origin

(March 10, 2009) Report from the Budget Committee

Recommendations

The Budget Committee:

1. Forwarded the item to the Executive Committee without recommendation; and
2. Requested the Toronto Transit Commission to report directly to the Executive Committee for its meeting on April 7, 2009, with an offset of \$2-Million within the

TTC 2009 Approved Budget.

Summary

The Budget Committee on March 10, 2009, considered a letter (February 19, 2009) from the General Secretary, Toronto Transit Commission, entitled “Scope Change: Inclusion of T1 Motor Casting Replacement in T1 Subway Car Overhaul”.

Background Information

Scope Change: Inclusion of T1 Motor Casting Replacement in T1 Subway Car Overhaul

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19971.pdf>

Appendix 1 - Toronto Transit Commission Report No. 4 (d)

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19972.pdf>

EX31.15	ACTION			Ward: All
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Long-Term Care System Challenges and Opportunities for the City of Toronto

Origin

(March 10, 2009) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council authorize the General Manager of the Long-Term Care Homes and Services Division to initiate an application for the redevelopment of Kipling Acres once the Ministry of Health and Long-Term Care invites applications in early 2009.
2. City Council approve a one-time withdrawal of \$2.0 million from the Homes for the Aged (HFA) Capital Reserve Fund to enable the Long-Term Care Homes and Services Division to begin planning and architectural design work on the Kipling Acres Redevelopment Project.
3. City Council amend the 2009 Approved Capital Budget for Long-Term Care Homes and Services to include a new project entitled “Redevelopment of Kipling Acres” with a 2009 cash flow of \$2.0 million funded from HFA Capital Reserve Fund.
4. City Council authorize the General Manager of the Long-Term Care Homes and Services Division to continue to advocate for expanded funding for the City’s homemakers and nurses services program, based on demonstrated community need.
5. City Council express to the Ministry of Health and Long-Term Care the urgent need to increase funding for long-term care homes as soon as is possible, based on the ever increasing acuity and complexity of care being provided in long-term care homes.
6. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Summary

The City of Toronto's Long-Term Care Homes and Services Division is committed to providing exemplary care and high calibre customer service while continuously implementing innovative economies into its operation. As leaders in long-term care, the Division contributes its knowledge, expertise and innovative programs to positively influence and improve the overall healthcare system. The City's high standards provide a qualitative comparator in the system and have indirectly served to favourably influence overall system quality. The public accountability and public vigilance present in the City's system are crucial elements in maintaining consumer confidence.

As the provider of a wide range of services to diverse communities, the Division is faced with several challenges in delivering services, including a changing long-term care environment; the introduction of new legislation; provincial funding limitations and a growing demand for long-term care services. In addition, the announced long-term care homes capital renewal strategy presents both a challenge and opportunity for the City.

The provincial long-term care home capital renewal program details and funding provisions were announced on November 26, 2008. Accordingly, this report recommends that authority be given to the General Manager, Long-Term Care Homes and Services to respond to a Ministry of Health and Long-Term Care request for proposals with an expression of interest to redevelop Kipling Acres. The redevelopment of Kipling Acres will not proceed as a capital project until City Council approves the Division's 2010-2019 Capital Program through the City's normal budget approval process in 2009. However, a draw of \$2.0 million from the Homes for the Aged (HFA) Capital Reserve Fund will enable the Division to begin planning and design work.

Financial Impact

This report recommends a one-time withdrawal of \$2.0 million from the HFA Capital Reserve Fund to begin planning and architectural design work for the proposed redevelopment of Kipling Acres. Once the planning work is completed, the General Manager of Long-Term Care and Homes Services will report to Committee on the costs to redevelop Kipling Acres and other Type B and C homes as mandated by the Province. The 2010-2019 Capital Plan and Forecast will be revised to reflect the outcome of the study and Council approval of the redevelopment model.

The HFA Capital Reserve Fund was established in 1998 with the express purpose of funding health and safety projects and/or minor capital upgrades. The HFA Capital Reserve has been entirely funded from the Ministry of Health & Long-Term Care (MOHLTC) for life safety and/or minor capital upgrades. The 2008 5-Year Capital Plan includes draws of \$23.7 million from the HFA Capital Reserve Fund. Based on current withdrawals from the Capital Reserve, the HFA Capital Reserve Fund will be depleted by the end of 2014. The projected balance of the HFA Capital Reserve Fund as of December 31, 2008 is \$16.4 million.

Estimated repairs and capital upgrades at Kipling Acres will be required totalling \$5.7 million that is not included within the Approved 5-year Capital Plan, for life safety systems, air handling systems, elevators, electrical and essential interior and exterior upgrades. Of this amount, \$3 million will not be required if the redevelopment proceeds in 2010. The nature of

these improvements require that they be demolished and provide the City with no further benefit once the new sites have been completed. The MOHLTC's capital renewal program for B and C long-term care homes will provide additional funding of approximately 50 percent of the construction cost of the redevelopment. Details will be reported once the redevelopment plan is finalized.

Background Information

Long-Term Care System Challenges and Opportunities for the City of Toronto
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19973.pdf>

EX31.16	ACTION			Ward: All
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Donation from Maple Leaf Sports and Entertainment for Arenas and Outdoor Ice Rinks

Origin

(March 10, 2009) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council's approval be granted to accept a donation of \$600,000 from Maple Leaf Sports and Entertainment for arena and rink refurbishment and enhancement projects in 2009 in accordance with the "Policy on Donations to the City for Community Benefits".
2. A new Rink and Arena Refurbishment Project be created in the 2009 Parks, Forestry and Recreation Capital Budget with revenues and expenses of \$550,000, funded from a donation received from Maple Leaf Sports and Entertainment and that approval be given to receive the funds into this project.
3. The 2009 Parks, Forestry and Recreation Operating Budget be amended to include support of \$50,000 for rink and arena improvements through volunteer events fully funded by a donation from Maple Leaf Sports and Entertainment.
4. City Council's approval be granted to receive donations of \$500,000 per year in 2010, 2011, and 2012, and to receive a donation of \$200,000 in 2013, for arena and rink refurbishment and enhancement projects in accordance with the "Policy on Donations to the City for Community Benefits".
5. The General Manager of Parks, Forestry and Recreation include projects and activities to reflect the donations from Maple Leaf Sports and Entertainment in the Capital and Operating Budget submissions over the 2010-2013 periods.
6. Authority be granted to the General Manager of Parks, Forestry and Recreation to negotiate and enter into a four (4) to ten (10) year Agreement commencing July 1, 2009, with Maple Leaf Sports and Entertainment to execute arena and outdoor rink refurbishment projects in each of the first four contract years and sustain project

recognition on-site for up to an additional six (6) years at each project location, all in a form and content satisfactory to the City Solicitor.

Summary

This report requests that Toronto City Council accept a donation of \$600,000 from Maple Leaf Sports and Entertainment (MLSE) for 2009 arena and outdoor artificial ice rink (AIR) refurbishment and enhancement projects, and to request Council authority to allow Parks, Forestry and Recreation (PFR) to negotiate and enter into an Agreement commencing July 1, 2009, between the City of Toronto and MLSE for further rink and arena refurbishment and enhancement projects.

On January 29, 2009, MLSE approved a proposal for them to enter into an agreement with the City of Toronto to contribute \$500,000 per fiscal year between July 1, 2009 and June 30, 2013, and an additional \$300,000 for Spring/Summer 2009 to support the refurbishment or enhancement of City of Toronto Artificial Ice Rinks (AIRs) and arenas. The total value of the contribution is \$2,300,000.

A list of priority projects would be developed by Parks, Forestry and Recreation (PFR) based on the capital State of Good Repair (SOGR), capital project list, and facility audit reports on an annual basis. MLSE would short list the options based on their criteria and preferences. The project list would be finalized in cooperation between MLSE and PFR.

A community event would be held at each facility to celebrate the upgrades and to engage the community in their newly refurbished space. These events may include a facility beautification component, including painting, building flower boxes, replacing bulletin boards and other minor improvements. These events will be fully funded through the donation from MLSE, administered through the PFR operating budget.

All capital projects would be fully funded by the donation from MLSE.

According to an amendment to the “Policy on Donations to the City for Community Benefits,” City Council approval is required to accept donations from any individual or organization whose cumulative value over the course of the fiscal year exceeds \$50,000. The value of this donation is \$600,000 in 2009, \$500,000 each year from 2010 to 2012, and \$200,000 in 2013.

Financial Impact

There will be no net financial impact as a result of this Agreement. Benefits will range from \$600,000 to \$200,000 over the 5 year period starting in 2009.

Parks, Forestry and Recreation 2009 Operating and Capital Budgets will be amended to reflect the donation from Maple Leaf and Sports and Entertainment and associated project. This project will be included in future years Operating and Capital Budget submissions for PFR as they are presented for consideration.

A summary of the projected benefits and their allocation to the Capital and Operating Budgets is shown below:

Fiscal Year	Capital	Operating	Total
2009	\$ 550,000	\$ 50,000	\$ 600,000
2010	\$ 450,000	\$ 50,000	\$ 500,000
2011	\$ 450,000	\$ 50,000	\$ 500,000
2012	\$ 450,000	\$ 50,000	\$ 500,000
2013	\$ 150,000	\$ 50,000	\$ 200,000
TOTAL	\$ 2,050,000	\$ 250,000	\$ 2,300,000

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

Background Information

Donation from Maple Leaf Sports and Entertainment for Arenas and Outdoor Ice Rinks
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19974.pdf>)

EX31.17	ACTION			Ward: All
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Amendments to Recycling Processing Fees Related to Residue Percentage

Origin

(February 19, 2009) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council approve an increase in the July 1, 2008 to December 31, 2008, processing fees for single stream recycling with Metro Municipal Recycling Services Inc. and Canada Fibers Ltd. as follows:
 - a. for single stream recycling processing with Metro Municipal Recycling Services Inc. by \$13.90 per tonne to \$90.91 per tonne which will result in retroactive compensation of \$760,000; and
 - b. for single stream recycling processing with Canada Fibers Ltd. by \$14.65 per tonne to \$91.15 per tonne which will result in retroactive compensation of \$367,670.

2. City Council approve the 2008 proposed rate schedule for additional residue rates between 14.01% and 28%, adjusted by Toronto All Items in Consumer Price Index changes effective January 1, 2009, for single stream recycling processing with Metro

Municipal Recycling Services Inc. and for Canada Fibers Ltd. as set out in Table 1 and 2, respectively, in the Financial Impact Section.

3. The 2009 Approved Operating Budget for Solid Waste Management Services be adjusted to increase expenditures in Cost Centre SW0742 (MRF: Single Stream – Scarborough) by \$1,283,976 and Cost Centre SW0751 (MRF: Single Stream – Dufferin) by \$338,692 and that these increased expenditures be offset by reducing the budgeted contribution to the Waste Management Reserve Fund in Cost Centre SW0762 (Multi Unit Waste Reduction Levy) by \$511,334 and by an increase in WDO funding of \$1,111,334 in Cost Centre SW0703 Waste Diversion and Planning.
4. City Council authorize the General Manager, Solid Waste Management Services, to enter into any necessary amending agreements with both Metro Municipal Recycling Services Inc. and Canada Fibers Ltd., on terms and conditions satisfactory to the General Manager, Solid Waste Management Services, to reflect Recommendations 1 and 2 and in a form satisfactory to the City Solicitor.

Summary

The purpose of this report is to request authority to amend the single stream recycling processing fees with Metro Municipal Recycling Services Inc. and Canada Fibers Ltd. to account for an increase in the percentage of residue in the single stream recycling mix.

Financial Impact

The 2008 Approved Operating Budget for Solid Waste Management Services for single stream processing costs at Metro Municipal Recycling Services Inc (MMRSI) was \$9,980,094 (Cost Centre SW0742-MRF: Single Stream – Scarborough) and at Canada Fibers Ltd. (CFL) was \$7,974,581 (Cost Centre SW0751-MRF: Single Stream – Dufferin) for a total of \$17,954,675. The actual processing fees for MMRSI is approximately \$7, 647,181 and at CFL is approximately \$6,335,935 for a total of \$13,983,116. The additional residue processing costs at MMRSI was \$760,000 and at CFL \$367,670 for a total of \$1,127,670. These additional costs have been accrued in 2008.

The 2009 Approved Operating Budget for Solid Waste Management Services for single stream processing costs at Metro Municipal Recycling Services Inc.(MMRSI) is \$8,010,060 (Cost Centre SW0742-MRF: Single Stream - Scarborough) and at Canada Fibers Ltd. (CFL) is \$6,290,595. (Cost Centre SW0751-MRF: Single Stream - Dufferin) for a total of \$14,300,655.

An additional \$2,222,668 is required to process residue based on % residue rates of 18.01-19%. These additional fees are eligible for reimbursement from the WDO Blue Box program for up to 50% (totalling (\$1,111,334) of operating costs related to residential blue box program. In addition, an estimated increase of \$600,000 for the higher residual impact has been included in the 2009 Approved Operating Budget for Solid Waste Management Services. Hence the net cost increase to the City is estimated to be \$511,334 (See Table 3a below).

It can also be noted that as reported in the October 29, 2008 staff report entitled “Amendment to Processing Fees Due to LCBO Deposit Return Program”; the Provincial implementation of a deposit-return program for wine and spirit containers sold through the LCBO contributed to a total increase in processing fees of \$882,099.10 in 2008 for both MMRSI and CFL, however the

deposit return program actually resulted in a net savings of \$381,126.00 due to reduced tonnages managed by the City. These savings should continue to be produced annually.

The recommended 2008 proposed rate schedule for additional residue rates between 14.01 and 28% is shown below in Table 1 for MMRSI and Table 2 for CFL.

TABLE 1: MMRSI Proposed Additional Residue Related Processing Fee Increases

Residue %										
Cost Category	14.01-15%	15.01-16%	16.01-17%	17.01-18%	18.01-19%	19.01-20%	20.01-21%	21.01-22%	22.01-23%	
Residue Premium Over 14%	\$7.02	\$8.58	\$10.92	\$13.92	\$16.39	\$17.68	\$20.26	\$21.63	\$24.33	
Residue %										
Cost Category	23.01-24%	24.01-25%	25.01-26%	26.01-27%	27.01-28%					
Residue Premium Over 14%	\$25.81	\$27.33	\$28.91	\$30.54	\$32.22					

Note: The above noted residue rates are subject to Toronto All Items in Consumer Price Index changes effective January 1, 2009.

TABLE 2: CFL Proposed Additional Residue Related Processing Fee Increases

Residue %										
Cost Category	14.01-15%	15.01-16%	16.01-17%	17.01-18%	18.01-19%	19.01-20%	20.01-21%	21.01-22%	22.01-23%	
Residue Premium Over 14%	\$4.20	\$5.19	\$6.21	\$7.25	\$8.31	\$9.40	\$10.52	\$11.67	\$14.65	
Residue %										
Cost Category	23.01-24%	24.01-25%	25.01-26%	26.01-27%	27.01-28%					
Residue Premium Over 14%	\$15.88	\$17.14	\$18.44	\$19.77	\$21.14					

Note: The above noted residue rates are subject to Toronto All Items in Consumer Price Index changes effective January 1, 2009.

The proposed estimated 2009 increase in processing fees based on 18.01-19% residue range will result in an estimated annual increase of \$1,635,216 for MMRSI and an increase of \$587,452

for CFL for a total annual estimated processing cost increase of \$2,222,668 as shown below in Table 3.

TABLE 3 -2009 Estimated Additional Costs of the Recommended Fees for 18.01 to 19% Residue

	2009 Fee Assumes 2% CPI Increase over 2008 Fee	2009 Recommended Fee Assumes 2% CPI Increase over 2008 Fee	Estimated Total Annual Increase
Metro Municipal	97,800 tonnes x \$78.53 = \$7,680,234	97,800 tonnes x \$95.25 = \$9,315,450	\$1,635, 216
CanadaFibers	69,275 tonnes x \$82.23 = \$5,696,483	69,275 tonnes x \$90.71 = \$6,283,935	\$587,452
Total	\$13,376,717	\$15,599,385	\$2,222,668

The proposed estimated 2009 increase in processing fees of \$2,222,668 is partially offset as follows:

TABLE 3a - 2009 Required Budget Adjustment

Contract	Estimated Total Annual Increase	Approved 2009 Budget Provision	Required Annual Increase
Metro Municipal	\$1,635,216	(\$351,240)	\$1,283,976
CanadaFibers	\$587,452	(\$248,760)	\$338,692
Total	\$2,222,668	(\$600,000)	\$1,622,668
Less: Waste Diversion Ontario Funding			(\$1,111,334)
Total			\$511,334

The additional fees at MMRSI are proposed to be between \$7.02 for residue in the range of 14.01-15% to \$32.22 for residue in the range of 27.01-28%. It is estimated that the 2009 residue rate at MMRSI will fall within the range of 18.01-19%, which equates to \$16.72. Therefore, the base rate of \$78.53 plus the residue range of 18.01-19% plus 2% CPI increase less the existing budget provision would result in a \$1,283,976 increase for MMRSI.

The additional fees at CFL are proposed to be between \$4.20 for residue in the range of 14.01-15% to \$21.14 for residue in the range of 27.01-28%. It is estimated that the 2009 residue rate at CFL will fall within the range of 18.01-19%, which equates to \$8.48. Therefore, the base rate of \$82.23 plus the residue range of 18.01-19% plus 2% CPI increase less the existing budget provision would result in \$338,692 increase for CFL.

The total required annual increase would be \$1,622,668 less anticipated WDO recoveries of \$1,111,334 resulting in a required increase of \$511,334. It is recommended that this impact be offset by reducing the budgeted contribution to the Waste Management Reserve Fund.

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

Background Information

Amendments to Recycling Processing Fees Related to Residue Percentage
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19975.pdf>)

EX31.18	ACTION			Ward: 23
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Acquisition of 283 Greenfield Avenue

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

Origin

(February 19, 2009) Report from the Budget Committee

Recommendations

The Budget Committee recommended to the Executive Committee that:

1. City Council adopt the confidential recommendations of staff in Confidential Attachment 1 of the report (October 20, 2008) from the Chief Corporate Officer and the General Manager, Parks, Forestry and Recreation.
2. City Council authorize the public release of the confidential information and recommendations in Attachment 1, once the transaction has closed.
3. The Offer to Sell from the owner of the property known as 283 Greenfield Avenue be accepted substantially on the terms outlined in Attachment 1 to the report, and that either the Chief Corporate Officer or the Director of Real Estate Services be authorized severally to accept the Offer on behalf of the City.
4. 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 he or she consider reasonable.
5. The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Summary

The purpose of this report is to seek authority for the City to acquire the property municipally known as 283 Greenfield Ave. This property is required to expand Greenfield Maplehurst Park.

Negotiations with the owner of this property have been ongoing since June 2007. The owner is awaiting approval from Government Management Committee, Executive Committee and Budget Committee as they have already signed an irrevocable Offer to Sell their property to the City. Appendix “A” to this report describes the salient terms of this proposed acquisition, which are considered fair and reasonable.

Financial Impact

The total cost of this transaction, which includes acquisition of land for parks purposes and demolition of the existing building, will be funded from Parkland Acquisition North York City Wide Reserve Fund (XR2039).

A further breakdown of all costs associated with this transaction is provided in Attachment 1.

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

Background Information

Acquisition of 283 Greenfield Avenue

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19976.pdf>

Appendix B - Proposed Greenfield Maplehurst Park

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19977.pdf>

EX31.19	ACTION			Ward: All
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Non-Union Compensation (2009)

Origin

(March 23, 2009) Report from the Employee and Labour Relations Committee

Recommendations

The Employee and Labour Relations Committee recommends to the Executive Committee that:

1. Recommendation 1 of the report from the City Manager be deleted.
2. The Executive Committee recommend that City Council amend the non-union compensation policy by:
 - a. setting the cost of living adjustments for 2009 and 2010 as 0% and 1%, respectively
 - b. cancelling the re-earnable performance-based lump-sum payments in 2009 and 2010 for non-union employees who have reached their respective maximum salary (job rate).

3. The Executive Committee recommend that City Council continue the performance-based pay policy in 2009 and 2010 for employees' progression through their respective grade salary ranges (minimum salary to maximum salary – job rate), which is based on non-union employees' 2008 and 2009 goals and performance.

Summary

The purpose of this report is to provide the Employee & Labour Relations Committee with information regarding non-union compensation for employees in the Toronto Public Service at the City of Toronto. This report also provides background information on the existing Council approved non-union compensation system and some key information regarding other compensation systems in the broader public sector.

Financial Impact

Each year City Council approves the annual budget for the City of Toronto which includes the compensation funding, as per the Council approved compensation policy, for all non-union staff in the Toronto Public Service.

Background Information

Non-Union Compensation (2009)

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19978.pdf>

EX31.19a

Cost Savings Measures - Operating Budget

Origin

(March 12, 2009) Letter from Councillor Suzan Hall

Recommendations

I am requesting that the Executive Committee recommend the:

1. Freezing of merit pay for all non-union employees for 2009; and that the Employee and Labour Relations Committee take into consideration the realities of the current economic crisis when further collective agreements for city divisions, agencies, boards and commissions are negotiated this year.

These concessions will demonstrate a commitment toward reducing the burden on the taxpaying public in these difficult economic times.

Summary

At the February 17th Operating Budget Consultations for City Councillors, there were repeated requests that essential cost-savings could be found in salaries and benefits.

We recognize that our employees are dedicated and deserve to be treated with dignity. At the same time, we have to realize that as a part of the social contract, concessions demonstrating prudent restraint need to be made when economic uncertainty overwhelms the taxpayers of Toronto.

Most people in Toronto do not have jobs that guarantee security through times of economic challenge. This is why I am asking that all employed by the City take this into consideration in their salary expectations for 2009.

Background Information

Cost Savings Measures - Operating Budget

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20043.pdf>)

EX31.20	ACTION			Ward: All
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Occupational Health and Safety Report - Third Quarter, 2008

Origin

(March 23, 2009) Report from the Employee and Labour Relations Committee

Recommendations

The Employee and Labour Relations Committee recommended to the Executive Committee that City Council receive the report entitled “Occupational Health and Safety Report, Third Quarter, 2008”.

Summary

This report provides information on the status of the City’s health and safety system, specifically on activities, priorities and performance during the first three quarters of 2008. There was a decrease of 13% in the number of lost time injuries relative to the same period in 2007. There was also a decrease of 9.4% in recurrence injuries and a decrease of 1.3% in injuries where health care only was sought. Information is provided where there have been significant changes in accident experience and costs within divisions, as well as specific actions being taken to improve health and safety performance.

New information about the Ministry of Labour’s Workplace Violence Prevention consultation is provided. The Occupational Health and Safety Coordinating Committee (OHSCC) forwarded a letter to the Ministry, supporting the consultation and providing a copy of the City’s Workplace Violence Prevention Policy. It is anticipated that the Ministry’s response to feedback from stakeholders during its consultation will inform future amendments, if any, to the City’s policy.

Financial Impact

There are no financial implications to this report beyond what have already been approved in the current year’s budget.

Background Information

Occupational Health and Safety Report - Third Quarter, 2008

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19980.pdf>)

Appendix A - WSIB Claims Data, by Division (January - September)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19981.pdf>)

Appendix B - LTI Frequency (up to End of Third Quarter)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19982.pdf>)

Appendix C - Summary of WSIB Costs for all Firm Numbers - 1st Three Quarters Comparison (2005-2008)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19983.pdf>)

Appendix D(i) - WSIB Invoiced Costs by Division - Cost to End of 3rd Quarter (2005-2008) (<\$100,000)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19984.pdf>)

Appendix D(ii) - WSIB Invoiced Costs by Division - Costs to End of 3rd Quarter (2005-2008) (>\$100,000)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19985.pdf>)

EX31.21	ACTION			Ward: All
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Occupational Health and Safety Report - End of Year, 2008

Origin

(March 23, 2009) Report from the Employee and Labour Relations Committee

Recommendations

The Employee and Labour Relations Committee recommended to the Executive Committee that City Council receive the report entitled “Occupational Health and Safety Report, End of Year, 2008”.

Summary

This report provides information on the status of the City’s health and safety system, specifically on activities, priorities and performance during 2008. There was a 12.9% decrease in the number of lost time injuries (LTIs) relative to 2007. There was also a 6.7 % decrease in the number of recurrence injuries (REOs) and a 2.7% decrease in the number of medical aid injuries (MAs)

The City’s injury frequency decreased from 9.19 to 7.98 in 2008.

The City set a 20% target for reduction in lost time injuries for the period 2004 to 2008. A number of large City divisions achieved the 20% reduction target, or greater. These included Children’s Services, Fire Services, Solid Waste Management Services, Shelter, Support and Housing Administration, Emergency Medical Services and Facilities and Real Estate. A number of smaller divisions with typically lower injury rates also achieved the 20% reduction target. The City overall achieved a 14.1% reduction in lost time injuries and a 33.3 % reduction in recurrence injuries

The Ministry of Labour continued to visit City workplaces in 2008. There was a significant reduction in the number of Ministry of Labour (MOL) orders issued to the City as a result of those visits relative to 2007: 36 orders in 2008 compared to 75 orders in 2007.

Although there was a reduction in the number of lost time injuries in 2008, the overall Workplace Safety and Insurance Board (WSIB) costs increased significantly as a result of firefighter cancer claims approved retroactively under the WSIB's presumptive legislation. Omitting fire fighter cancer claims, there was a reduction in the cost of injuries for 2008 relative to 2007.

Progress was made on all three key health and safety priority programs in 2008: Musculoskeletal Disorder (MSD) Prevention Policy implementation, Occupational Health and Safety Continuous Improvement Target Zero initiative, and Health and Safety Audit Phase 2. Additional information is provided in this report.

The focus of the Ministry of Labour (MOL) for 2008 was the implementation of the Safe at Work Ontario strategy, reducing MSDs and addressing workplace violence. This is consistent with the priorities established by the City over the last two years.

Financial Impact

There are no financial implications to this report beyond what have already been approved in the current year's budget.

Background Information

Occupational Health and Safety Report - End of Year, 2008

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19987.pdf>)

Appendix A - WSIB Claims Data, by Division (2004-2008)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19988.pdf>)

Appendix B - Lost Time Injury (LTI) Frequency - 2007 and 2008

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19989.pdf>)

Appendix C - Summary of WSIB Costs for all Firm Numbers (2005-2008)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19990.pdf>)

Appendix D(i) - WSIB Annual Invoiced Costs by Division (2005-2008) (Costs <\$100,000)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19991.pdf>)

Appendix D(ii) - WSIB Annual Invoiced Costs by Division (2005-2008) (Costs >\$100,000)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19992.pdf>)

EX31.22	ACTION			Ward: All
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Toronto's 2007 Performance Measurement and Benchmarking Report

Origin

(March 26, 2009) Report from the City Manager

Recommendations

The City Manager recommends that:

1. The Executive Committee receive this report for information.

Summary

This report and the accompanying Attachment A, entitled Toronto's 2007 Performance Measurement and Benchmarking Report, provide service/activity level and performance measurement results in 23 service areas. It includes up to eight years of Toronto's historical data to examine internal trends, and compares 2007 results externally to 14 other municipalities through the Ontario Municipal CAOs Benchmarking Initiative (OMBI).

In December 2008, the 15 OMBI member municipalities released a joint report entitled OMBI 2007 Performance Benchmarking Report (OMBI Joint Report), which is included as Attachment B. The OMBI Joint Report provides 2006 and 2007 summary data in 22 service areas. Municipal results for each performance measure are presented as information in alphabetical order. The report does not attempt to interpret or rank the results of municipalities in any way.

Toronto's 2007 Performance Measurement and Benchmarking Report, expands on the OMBI Joint Report by focusing on Toronto's results in terms of our internal year-over-year changes and longer term trends, and the ranking of Toronto's results in an external comparison to the other OMBI municipalities. It also includes one additional service area, more performance measures and service level indicators, identification of key factors influencing Toronto's results, and highlights Toronto initiatives that have, or will be implemented that are expected to further improve the efficiency and effectiveness of our operations.

Toronto is unique among Ontario municipalities because of its size and its role as the centre of business, culture, entertainment, sporting and provincial and international governance activities in the Greater Toronto Area. The most accurate comparison for Toronto is to examine our own year-over-year performance and longer-term historical trends. Toronto's 2007 Performance Measurement and Benchmarking Report includes up to eight years of historical data for 41 service/activity level indicators and 101 measures of efficiency, customer service and community impact.

Notwithstanding Toronto's unique place in Ontario, there is also value in comparing Toronto's 2007 results to those of other Ontario municipalities. Toronto's results have been ranked by quartile, in relation to other municipalities for 51 service/activity level indicators and 103 performance measures. Between Toronto's 2006 and 2007 Benchmarking Reports, there has been very little change in Toronto's quartile ranking for each of the indicators and measures in relation to other municipalities. Changes in Toronto's quartile ranking for individual measures are more likely to occur over a five-year or longer period.

Factors that make Toronto unique, such as our high population density, more developed urban form and older infrastructure, can have a significant influence on why Toronto's results are higher or lower in relation to other municipalities. To assist in understanding the impact these factors can have on Toronto's ranking, the attached report has grouped measures from across service areas based on these key influencing factors.

Toronto's 2007 Performance Measurement and Benchmarking Report also includes, in Appendices 1 and 2 to Attachment A, findings from supplementary reviews of:

1. Solid Waste Diversion where Toronto's cost per tonne is high in relation to other municipalities and it provides the reasons for this and describes the linkage between costs and diversion rates
2. Library Services where Toronto's library use per capita is very high and cost per use is low, and the review indicates how these very positive results have been achieved

Comparisons of Toronto's service delivery and quality of life should also go beyond Ontario and include results from other large Canadian and international cities.

One example of Toronto's efforts on this front is work staff have been doing first with the World Bank, and now with the Global City Indicators Facility (GCIF) to develop a standardized set city indicators that measure and monitor city performance and quality of life globally. Toronto staff have made a significant contribution to this work to date, such as the sharing of our experiences in benchmarking work done through OMBI and FCM's Quality of Life Initiative. Toronto has been recognized by staff of the World Bank and the GCIF as one of the world leaders in these areas.

Financial Impact

As this report deals with performance measurement results of prior years, there are no direct financial implications arising from this report. However, staff analysis of performance measurement results are utilized as part of the City's service reviews and continuous improvement initiatives.

Background Information

Toronto's 2007 Performance Measurement and Benchmarking Report

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20020.pdf>)

Attachment A - Part 1 - 2007 Performance Measurement and Benchmarking Report - Table of Contents and Pages i - xxv

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20021.pdf>)

Attachment A - Part 2 - 2007 Performance Measurement and Benchmarking Report - Consolidated Summary of Toronto's Results by Service Area - Pages 1 - 98

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20022.pdf>)

Attachment A - Part 3 - 2007 Performance Measurement and Benchmarking Report - Consolidated Summary of Toronto's Results by Service Area - Pages 99-217

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20023.pdf>)

Attachment A - Part 4 - 2007 Performance Measurement and Benchmarking Report - Appendices - Areas of Supplementary Review - Pages 221 to 247

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20024.pdf>)

Attachment B - OMBI 2007 Performance Benchmarking Report (OMBI Joint Report)

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-20025.pdf>)

EX31.23	ACTION			Ward: All
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Toronto Police Service: Execution of the Police Officers Recruitment Fund Grant Agreement

Origin

(February 19, 2009) Report from the Chair, Toronto Police Services Board

Recommendations

On behalf of the Toronto Police Services Board, the Chair of the Board, Alok Mukherjee, recommends that:

1. Toronto City Council authorize the City of Toronto to enter into the Police Officers Recruitment Fund Agreement with the Province and the Toronto Police Services Board, subject to approval as to form by the City Solicitor.

Summary

The purpose of this report is to request the Executive Committee to submit a recommendation to City Council to authorize the City of Toronto to enter into the Police Officers Recruitment Fund Agreement between the Province of Ontario, the City of Toronto and the Toronto Police Services Board covering the five-year period from April 1, 2008 to March 31, 2013. This Agreement, received in January, 2009, is retroactive to April 1, 2008.

Under the Police Officers Recruitment Fund (PORF), the Toronto Police Service (TPS) will receive grant funding of up to \$2.66 million annually to cover the salaries and benefits of up to 38 officers. Salary expenditures and offsetting revenue will be built into the TPS budget each year for this grant program. In order to maximize the amount of funding received, TPS must maintain its uniform staffing levels at a predetermined benchmark of at least 5,548 officers; 38 officers above the 5,510 officer benchmark that must currently be maintained for the Safer Communities – 1,000 Officers Partnership Program grant funding.

Financial Impact

There is no financial impact beyond what has already been presented in the 2009 operating budget request for the Toronto Police Service as the funds from the grant will cover the expenditures incurred for the additional 38 officers.

Background Information

Toronto Police Service: Execution of the Police Officers Recruitment Fund Grant Agreement (<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19993.pdf>)

EX31.24	Information			Ward: All
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Toronto Police Services Board: Aboriginal Policing - Statement of Commitment and Guiding Principles

Origin

(March 5, 2009) Report from the Chair, Toronto Police Services Board

Summary

The purpose of this report is to provide the Executive Committee with the Toronto Police Services Board's Aboriginal Policing - Statement of Commitment and Guiding Principles.

Financial Impact

There are no financial implications in regard to the receipt of this report.

Background Information

Toronto Police Services Board: Aboriginal Policing - Statement of Commitment and Guiding Principles

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19994.pdf>

EX31.25	Information			Ward: All
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Toronto Police Service: 2008 Annual Report on Parking Tag Issuance

Origin

(March 5, 2009) Report from the Chair, Toronto Police Services Board

Summary

The purpose of this report is to provide the Executive Committee with the Toronto Police Service's 2008 annual report on parking tag issuance.

Financial Impact

There are no financial implications in regard to the receipt of this report.

Background Information

Toronto Police Service: 2008 Annual Report of Parking Tag Issuance

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19995.pdf>

EX31.26	ACTION			
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Agreement for Operation of Outdoor Billboard Sign – Astral Media Outdoor L.P.

Confidential Attachment - The security of the property of the municipality or local board

Origin

(March 4, 2009) Report from the Chief Executive Officer, Exhibition Place

Recommendations

It is recommended that City Council:

1. Approve of The Board of Governors of Exhibition Place entering into an agreement with Astral on the terms and conditions outlined in this report and the Confidential Attachment I and such other terms and conditions as may be satisfactory to the Chief Executive Officer of the Board and the City Solicitor;
2. Direct that the confidential information in Attachment 1 not be released publicly in order to protect the competitive position and the future economic interests of Exhibition Place; and
3. Authorize and direct the appropriate Exhibition Place and City officials to take the necessary action to give effect thereto.

Summary

This report recommends that City Council approve of The Board of Governors of Exhibition Place (the “Board”) entering into a fifteen (15) year licence agreement with Astral Media Outdoor, L.P. (“Astral”) for the operation of an existing outdoor billboard sign. In 1998 City Council approved of the Board entering into a ten-year agreement with Omni Outdoor and Company (now Astral) for the operation of a pillar billboard presently located on the south side of the Gardiner Expressway near Dufferin Street, which agreement expired on December 31, 2008. The current agreement provides either party with the option to request an opportunity to attempt to negotiate an extension of the current agreement before the Board may pursue its option to purchase the sign and re-tender the opportunity to the market. Pursuant to the agreement, the Board gave notice to Astral to commence negotiations.

Given the special nature of the billboard industry, Exhibition Place engaged an industry consultant, Allvision Canada Company (“Allvision”) to provide expert advice to the Board, assist Exhibition Place with its negotiations with Astral and, if required, draft a request for proposals document. As proposed by Allvision, the expiration of the Astral term offered the Board an opportunity to generate revenues from two streams – one based on revenues on an up-front lump sum payment predicated on future cash flows taking into consideration the value of the asset and the second based on revenues from annual rent from the long term lease.

Based on the Allvision assessment, the Astral offer being recommended to City Council meets or exceeds all key market values. Furthermore, this negotiated agreement is more efficient than

pursuing the option to purchase the sign and re-tender the opportunity, especially in today's marketplace.

Financial Impact

Approval of the agreement between The Board of Governors of Exhibition Place and Astral will result in a positive income stream as detailed in Confidential Attachment 1.

Background Information

Agreement for Operation of Outdoor Billboard sign - Astral Media Outdoor L.P.
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19996.pdf>

EX31.27	ACTION			
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Agreement with Direct Energy Services Limited – Demand Response

Confidential Attachment - The security of the property of the municipality or local board

Origin

(March 4, 2009) Report from the Chief Executive Officer, Exhibition Place

Recommendations

It is recommended that City Council approve of the Board entering into an agreement with Direct Energy and CPower to jointly act as an “Aggregator” with respect the OPA’s DR3 on the terms and conditions set out in this report and such other terms and conditions as required by the City Solicitor and the CEO of the Board.

Summary

In 2007, the Ontario Power Authority (OPA) released its Demand Response 3 Program (DR3) which is designed to encourage companies/businesses to curtail electrical use during periods of high demand in Ontario through either the reduction in electrical load requirements or the self-generation of electricity through natural gas fired generators.

To encourage participation in DR3, the OPA will pay businesses an “availability” fee simply to commit to reduction and/or generation and be available to be called and in addition, OPA will pay a curtailment or utilization fee when the surplus electricity is called on. If the OPA calls for the power, failure to supply by businesses could lead to penalties being imposed by the OPA.

DR3 is open to Direct Participants which can provide a curtailment of at least 5.0 MW or to Aggregators capable of providing a curtailment of at least 25.0 MW. An Aggregator is a company which aggregates curtailment from more than one Contributor. Direct Energy Business Services Limited (Direct Energy) has an agreement with the OPA as does CPower, Inc. (CPower). These two companies, as joint venture partners, have put together an Aggregator proposal that is risk-free for Contributors protecting them from any exposure to the OPA’s performance set-off penalties and which also includes the development of a curtailment plan specific to each Contributor at no up-front cost to the Contributor.

Attachment I to this report is confidential as it involves the security of property belonging to the City of Toronto or one of its agencies, boards, and commissions and it is recommended that this information not be disclosed in order to protect the economic interests and competitive and legal position of The Board of Governors of Exhibition Place (the “Board”).

The trigeneration plant within the Direct Energy Centre easily falls within DR3 and therefore, it is recommended that the Board enter an agreement with Direct Energy and CPower as an Aggregator so that the Board can be qualified to receive payments as soon as possible. Following enrollment of the trigeneration plant, Direct Energy will complete a full engineering study to understand other DR3 opportunities across Exhibition Place.

Financial Impact

Participation in DR3 for the trigeneration plant alone has the potential of a positive cash-flow of \$360,000 to \$595,200 depending on the utilization by the OPA

Background Information

Agreement with Direct Energy Services Limited - Demand Response
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19997.pdf>

(Referred from City Council on January 27 and 28, 2009 - MM30.1)

EX31.28	ACTION			Ward: All
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2009 Salary Freeze for the Mayor and Toronto City Council

Origin

(January 29, 2009) Member Motion from City Council

Recommendations

Councillor Ootes, seconded by Councillor Stintz, recommends:

1. That Toronto City Council freeze the cost-of-living salary increase for 2009 for the Mayor and City Councillors as of January 1, 2009.

Summary

The City of Toronto has been impacted by the ongoing economic crisis that exists across Canada, the U.S., and the world. In times of this fiscal uncertainty it is important that the City of Toronto demonstrate restraint and prudent financial management to ensure the taxpayers of Toronto are not further burdened with increased costs and they are receiving the best value for their tax dollars.

Toronto City Council must follow the lead of the Federal Conservative and Provincial Liberal governments, as this is a non-partisan issue, by taking important steps to reduce discretionary spending wherever possible including putting a freeze on the salaries of the Mayor and City Councillors.

Therefore, the Mayor and Members of City Council should cancel the cost-of-living salary increase for 2009. In doing so, Toronto City Council will act as an example to other municipalities and to the residents of Toronto in these difficult financial times.

(Submitted to City Council on January 27 and 28, 2009 as MM30.1)

Background Information

Transmitted from City Council - Referral of Member Motion MM30.1

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19361.pdf>)

Fiscal Impact Statement (January 28, 2009) from the Acting Deputy City Manager and Chief Financial Officer

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19362.pdf>)

Communications

(January 29, 2009) letter from Dirk and Peta Velthuisen (EX.Main.EX31.22.1)

(Referred from City Council on February 23, 24 and 25, 2009 - MM31.12)

EX31.29	ACTION			Ward: All
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City of Toronto Support for the Provincial Green Energy Legislation

Origin

(February 26, 2009) Member Motion from City Council

Recommendations

Councillor Ainslie, seconded by Councillor Stintz, recommends:

1. That the City of Toronto establish a working group of interested Councillors, citizens and industry stakeholders to provide recommendations, through the Executive Committee to City Council and the Province of Ontario, on protocols for the approval of renewable energy projects.
2. That the City Manager report to the Executive Committee on a terms of reference for this working group.

Summary

The City of Toronto has built a reputation as a leader in environmental initiatives and a proponent of sustainable energy and development. Toronto Hydro has been a leader in implementing energy efficient programs that have had great benefit for the City's businesses and residents. The City of Toronto and Toronto Hydro have expertise that could benefit the Province as the standards for the Green Energy legislation are being developed.

The proposed new legislation seeks to streamline aspects of approvals at the Provincial level that may currently reside at the municipal level. The municipality has an interest to ensure the Provincial protocols adequately reflect municipal concerns.

(Submitted to City Council on February 23, 24 and 25, 2009 as MM31.12)

Background Information

Transmitted from City Council - Referral of Member Motion MM31.12
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19401.pdf>

(Referred from City Council on January 27 and 28, 2009 - MM30.18)

EX31.30	ACTION			Ward: All
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City of Toronto Support the Federal Government in Creating a National Securities Regulator

Origin

(January 29, 2009) Member Motion from City Council

Recommendations

Councillor Stintz, seconded by Councillor Jenkins, recommends:

1. The City of Toronto convey strong support to the Federal Government for the creation of a national securities regulator.

Summary

Canada is currently the only country in the over 180-member International Organization of Securities Commissions that does not have a common national securities regulator. Rather, Canadian securities regulation is subject to the rules of the thirteen different provincial and territorial securities regulators. This patchwork of regulations unfortunately hinders Canada's ability to compete with other countries for investment and makes it more expensive to do business in Canada. As a result, our financial centres bear the burden of our fragmented regulatory system. A common regulator would make Canadian markets more competitive and more efficient.

As the financial capital of Canada, Toronto should support the Federal Government in establishing a common securities regulator. Toronto's financial centre will be a major beneficiary of such an agreement and, as such, we should support the Federal Government bringing this forward as part of the upcoming budget deliberations.

Security Regulators play a number of important roles: they maintain confidence in the financial system, investigate complaints about the financial system, prosecute cases of market misconduct and license providers of financial services. This initiative is long overdue and Toronto can no longer afford the inefficient securities regulatory system we have in Canada.

(Submitted to City Council on January 27 and 28, 2009 as MM31.18)

Background Information

Transmitted from City Council - Referral of Member Motion MM30.18
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19370.pdf>

(Referred from City Council on January 27 and 28, 2009 - MM30.16)

EX31.31	ACTION			Ward: All
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Municipal Election Finance Reform – By-law to Prohibit Campaign Surplus Carry-Over

Origin

(January 29, 2009) Member Motion from City Council

Recommendations

Councillor Walker, seconded by Councillor Lee, recommends:

1. That City Council enact a by-law to prohibit the transfer of municipal election financial campaign surpluses by any candidate for Mayor and Councillor in the City of Toronto from the 2010 municipal election onwards.

Summary

City Council at its meeting of September 28, 29, 30 and October 1, 2004 adopted with amendment, by a vote of 35 to 8, the Toronto Election Finance Review Task Force recommendations package for reform of municipal election campaign finances in the City of Toronto. This package was then forwarded to our Provincial Minister of Municipal Affairs and Housing on October 6, 2004.

These reforms were adopted by City Council to improve electoral fiscal transparency and accountability, to reduce the influence of special interests and to mitigate the financial advantages of incumbency.

On October 31, 2005, by a vote of 29 to 3, City Council reaffirmed its support for these reforms by adopting a motion regarding the urgent implementation of the Toronto Election Finance Review Task Force recommendations.

The main recommendations of this reform package are:

1. Prohibit all corporate and trade union contributions to municipal election campaigns.
2. Disallow candidates from transferring financial surpluses from one campaign to the next.
3. Update spending limits and redefine rules with respect to excluded expenses.
4. Require Elections Ontario to be responsible for the monitoring and enforcement of the provisions of the Municipal Elections Act, 1996.

Since January 2008, the City of Toronto Election Services has been in discussion with the Ministry of Municipal Affairs and Housing regarding further amendments to the City of Toronto Act, 2006, and the Municipal Elections Act, 1996, which would implement further

reform of the City of Toronto municipal election process, including implementation of the remaining portions of the Toronto Election Finance Review Task Force recommendations. The formal portion of these discussions has concluded and the Ministry has promised to circulate draft amendments to the Provincial Cabinet later this year.

As shown by the previous City Council votes on this issue, there is significant support among Members of City Council for banning the transfer of a candidate's campaign surpluses to subsequent municipal elections. We have recently confirmed with the provincial Minister of Municipal Affairs and Housing, the Honourable Jim Watson, that Section 82.(5) of the Municipal Elections Act, 1996, allows a municipality to make all municipal election campaign surpluses the property of the municipality. The Minister has confirmed that the City of Toronto can enact a bylaw to this effect right now without any amendment to the Municipal Elections Act, 1996.

Now there is no reason to delay; City Council has the power under the Municipal Elections Act, 1996, to implement a bylaw prohibiting the transfer of financial campaign surpluses to subsequent municipal elections by candidates for Councillor and Mayor.

(Submitted to City Council on January 27 and 28, 2009 as MM31.16)

Background Information

Transmitted from City Council - Referral of Member Motion MM30.16
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19367.pdf>

(Referred from City Council on January 27 and 28, 2009 - MM30.15)

EX31.32	ACTION			Ward: All
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Municipal Election Finance Reform – Request Province of Ontario to Include Employer Compensation for Employees for Volunteer Work on Municipal Election Campaigns in the Definition of Contributions

Origin

(January 29, 2009) Member Motion from City Council

Recommendations

Councillor Walker, seconded by Councillor Jenkins, recommends:

1. That City Council request the Province of Ontario to amend the Municipal Elections Act, 1996, to include the compensation by employers of employees for volunteer work on municipal election campaigns in the definition of "contributions".

Summary

City Council at its meeting of September 28, 29, 30 and October 1, 2004 adopted with amendment, by a vote of 35 to 8, the Toronto Election Finance Review Task Force recommendations package for reform of municipal election campaign finances in the City of

Toronto. This package was then forwarded to our Provincial Minister of Municipal Affairs and Housing on October 6, 2004.

These reforms were adopted by City Council to improve electoral fiscal transparency and accountability, to reduce the influence of special interests and to mitigate the financial advantages of incumbency.

On October 31, 2005, by a vote of 29 to 3, City Council reaffirmed its support for these reforms by adopting a motion regarding the urgent implementation of the Toronto Election Finance Review Task Force recommendations.

In the spirit of the electoral reform package adopted by City Council, further investigation of the Municipal Election Act, 1996, has identified a loophole that is currently exploited by trade unions and corporations to influence the outcome of municipal elections.

We discovered that the Municipal Elections Act definition of "contribution" does not include the payment of an employee by an employer for work on a political campaign; this is a major issue in Toronto's elections with trade unions paying employees to volunteer (work) on various candidates' campaigns. Section 66.(2) 2.ii of the Municipal Elections Act, 1996, excludes "the value of services provided voluntarily, under the person's direction, by an employee whose compensation from all sources for providing them does not exceed the compensation the employee would normally receive for the period the services are provided" from the definition of "contribution" to a candidate's campaign for municipal election.

This section of the Act means a municipal election candidate's volunteers can take time off work and still be paid to work on a municipal election candidate's campaign; in effect, the payment of a volunteer is a contribution to a candidate's election campaign due to the corporation's or trade union's ability to provide volunteer workers to a specific candidate to further the interests of that corporation or trade union.

To close this loophole, "Section 66.(2) 2.ii" of the Municipal Elections Act, 1996, would need to be deleted and other amendments would need to be made to include this practice in the definition of "contribution" as an in-kind contribution, thereby allowing the City of Toronto to prohibit this practice with a by-law.

Since January 2008, the City of Toronto Election Services has been in discussion with the Ministry of Municipal Affairs and Housing regarding further amendments to the City of Toronto Act, 2006, and the Municipal Elections Act, 1996, which would implement further reform of the City of Toronto municipal election process, including implementation of the remaining portions of the Toronto Election Finance Review Task Force recommendations. The formal portion of these discussions has concluded and the Ministry is considering draft amendments to circulate to the Provincial Cabinet this year.

City Council needs the power to enact a by-law to prohibit the practice of corporations or trade unions providing paid volunteers to work on municipal election campaigns; the Province of Ontario needs to allow the City of Toronto to pass a bylaw to prohibit this practice.

(Submitted to City Council on January 27 and 28, 2009 as MM31.15)

Background Information

Transmitted from City Council - Referral of Member Motion MM30.15
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19366.pdf>

(Referred from City Council on January 27 and 28, 2009 - MM30.19)

EX31.33	ACTION			Ward: All
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Operational and Capital Financing for Regional Rapid Transit

Origin

(January 29, 2009) Member Motion from City Council

Recommendations

Councillor Stintz, seconded by Councillor Walker, recommends:

1. That City Council endorse the 25-Year Plan for Regional Rapid Transit as proposed by Metrolinx.
2. That City Council request that operational and capital funding be provided for through a regional transportation authority.
3. That City Council request that the regional transportation authority be responsible for managing and operating all lines on the Regional Rapid Transit plan.

Summary

Metrolinx is a provincial agency that has been charged with developing a regional transportation plan to promote the rapid movement of people throughout the Greater Toronto Area. The imperatives for Metrolinx are to:

- reduce demand on the transportation system;
- increase choices for travel;
- meet the needs of the traveller first;
- build communities that make travelling easier; and
- commit to continuous improvement.

The Metrolinx plan has identified a network of rapid transit lines in its 25-Year Plan for Regional Rapid Transit and the Provincial government has signaled a financial commitment of \$11.5 billion over 10 years for the capital component of the transit investment. However, there has been no corresponding commitment for operational funding. Operational funding and regional integration are critical factors for success of the transportation plan.

(Submitted to City Council on January 27 and 28, 2009 as MM31.19)

Background Information

Transmitted from City Council - Referral of Member Motion MM30.19
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19371.pdf>

(Referred from City Council on January 27 and 28, 2009 - MM30.8)

EX31.34	ACTION			Ward: All
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Personal Vehicle Tax Refund

Origin

(January 29, 2009) Member Motion from City Council

Recommendations

Councillor Del Grande, seconded by Councillor Palacio, recommends:

1. That City Council amend Section 13 of Municipal Code Chapter 765 "Taxation, Personal Vehicle Tax", to add that the City shall refund the pro-rated portion of the Personal Vehicle Tax to those who surrender their licence plates before the end of the renewal period.
2. That the City Solicitor submit the necessary bill to give effect to this amendment.

Summary

This motion asks that the Personal Vehicle Tax (PVT) align itself with the practices and policies of the Annual Ontario Vehicle Validation Sticker Renewal.

The reason for this motion is to address an inequality of the City's PVT with the Ontario Licence Renewal.

Effective September 1, 2008, residents of the City of Toronto who own or lease a personal vehicle need to pay PVT at the time they renew their licence plate. If residents pay for a two-year term, they pay \$120.00 in PVT, as well as the fees for two-year validation renewal to the Ontario government.

If, for example, residents surrender their plates before the licence validation expiry date, they get a pro-rated refund from the Province, but nothing from the PVT payment.

This practice is unfair and should be corrected. We should have a seamless approach that coincides with the Province's procedures.

(Submitted to City Council on January 27 and 28, 2009 as MM31.8)

Background Information

Transmitted from City Council - Referral of Member Motion MM30.8
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19364.pdf>

(Referred from City Council on January 27 and 28, 2009 - MM30.17)

EX31.35	ACTION			Ward: All
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Problems With Property Assessment In Toronto

Origin

(January 29, 2009) Member Motion from City Council

Recommendations

Councillor Walker, seconded by Councillor Thompson, recommends:

1. That City Council request the Province of Ontario to:
 - a. Delete 2009 property assessments which are based on January 1, 2008 values.
 - b. Reissue 2009 property assessments based on 2005 values increased only by the current rate of inflation.
 - c. Conduct a comprehensive review of the Current Value Assessment system as administered by the Municipal Property Assessment Corporation (MPAC) with attention to fairness, transparency, accountability and predictability for property owners in Ontario as compared to other property assessment systems employed by domestic and international governments to provide basis for property tax calculation.
2. That City Council request the Ombudsman of Ontario to conduct a follow-up report to his April 2006 report entitled "Getting It Right: Investigation into the Transparency of the Property Assessment Process and the Integrity and Efficiency of Decision-Making at the Municipal Property Assessment Corporation", to review the current situation and whether his 22 recommendations have been fully implemented.

Summary

In Ontario, property assessments are used by the municipal government to calculate property taxes: the more expensive the property, the bigger the share paid in property taxes. A property assessment increase does not necessarily mean a property tax increase unless the market value of the property increased at a higher rate than the average rate of increase in the municipality.

Under the Current Value Assessment (CVA) system, the provincial property assessment agency, the Municipal Property Assessment Corporation or MPAC, assesses each property every four years and phases in any assessment increase over four years. Since Current Value Assessment was forced on Ontario's municipalities by the Provincial government ten years ago, there has been never-ending instability and unpredictability in the property assessment system in Ontario; even the Ombudsman of Ontario has criticized MPAC for its lack of transparency and justification, and lack of recognizing actual sale values in their assessments. Now, with property assessments occurring every four years, it is even more difficult to reconcile the appropriateness of property assessments conducted by MPAC.

To compound this untenable situation, the downturn in the global economy over the last 6 months has caused Toronto's real estate market to collapse, resulting in significantly reduced property values as defined by actual real estate sales. The real estate market in Toronto is no longer increasing in value.

The current property assessments for property tax year 2009 are based upon January 1, 2008 property values – when Toronto's property values were at their peak; this is a problem because property values have dropped significantly since the beginning of 2008 and a property owner would not be able to sell a property for its 2009 assessed value. Due to this fact, there is no basis for the stale assessments delivered by MPAC and it would be unfair for any municipality to calculate property tax billing based on these unfounded property assessments.

(Submitted to City Council on January 27 and 28, 2009 as MM31.17)

Background Information

Transmitted from City Council - Referral of Member Motion MM30.17

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19368.pdf>)

Fiscal Impact Statement (January 28, 2009) from the Acting Deputy City Manager and Chief Financial Officer

(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19369.pdf>)

(Referred from City Council on January 27 and 28, 2009 - MM30.6)

EX31.36	ACTION			Ward: All
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Property Tax Exemption for LEED Certified Buildings

Origin

(January 29, 2009) Member Motion from City Council

Recommendations

Councillor Palacio, seconded by Councillor Jenkins, recommends:

1. That the Acting Deputy City Manager and Chief Financial Officer, in consultation with the Toronto Environment Office, be requested to report to an upcoming meeting of the Executive Committee on the feasibility of a property tax exemption program for LEED Certified buildings in the City of Toronto.

Summary

Toronto has a unique opportunity to lead on encouraging environmentally sustainable development through property tax exemptions for LEED standard buildings. Leadership in Energy and Environmental Design (LEED) is an emerging internationally recognized objective rating and certification system for green and sustainable building design. Architects and Builders who design their buildings to meet LEED criteria can have their building deemed LEED Certified, LEED Silver, LEED Gold or LEED Platinum.

Toronto does not have the authority to compel developers to comply with the LEED standard, but does have the ability to offer very valuable incentives to do so. Buildings produce 30% of Canada's greenhouse gas emissions.

LEED certification uses a points system that rewards a wide variety of environmentally friendly building design features such as cutting edge energy efficiency; solar panels and green roofs; water efficiency; efficient travel options for users such as bicycle storage, among many other environmentally friendly characteristics. The Canadian rating system is an adaptation of the US Green Building Council's (USGBC) LEED Green Building Rating System, tailored specifically for Canadian climates, construction practices and regulations. The rating system is adapted to the Canadian market through an inclusive process that engages stakeholders and experts representing the various sectors of the Canadian industry. City ABCs, including the Toronto Police Service have already committed to building to a LEED Silver standard.

Using reasonable tax incentives to encourage and promote LEED design would have an unprecedented positive impact not only on the interest in LEED design in Toronto's construction and design communities, but also on the City's desire to show leadership on climate change. Several U.S. and European jurisdictions have already implemented similar LEED property tax incentives. Ideally Toronto could take the boldest steps yet, buildings could enjoy a property tax exemption for a number of years once LEED Certified. This would apply to any new buildings built or retrofitted to a LEED standard.

(Submitted to City Council on January 27 and 28, 2009 as MM31.6)

Background Information

Transmitted from City Council - Referral of Member Motion MM30.6
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19363.pdf>

(Referred from City Council on February 23, 24 and 25, 2009 - MM31.1)

EX31.37	ACTION			Ward: All
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Request the Federal Government to Maintain Daycare Subsidy Funding in 2009 Federal Budget

Origin

(February 26, 2009) Member Motion from City Council

Recommendations

Councillor Walker, seconded by Councillor Thompson, recommends:

1. That City Council convey, in the strongest terms possible, to the Federal government that the childcare subsidy program is extremely important to the residents of the City of Toronto and request that the Federal government maintain subsidy funding for daycare/childcare at 2008 levels and to include this in the Federal government's 2009 Budget.

2. That City Council request the Federal government to create and implement a National Childcare Policy.
3. That City Council forward this resolution to the Prime Minister of Canada and the Leaders of all the Federal Opposition parties.

Summary

Our global economy is damaged worse than anyone has seen before. Canada lost 129,000 jobs in January. Toronto's rate of unemployment is 8.5 percent. Toronto's real estate market has fallen. The Federal governments of Canada and the United States have meddled by pouring billions of taxpayer dollars into a financial system no one fully understands. Confidence in the stock markets is fleeting and is ruined by short-term greed. We have not hit bottom yet; this downturn will not be over next year.

Our economy is inextricably linked to the ability of a family to function: whether parents can leave the home and generate income for the family by working at a job. Daycare/Childcare is immeasurably important to allowing parents to work while paying someone else less than the income they make while working. Some parents, single or otherwise, need help making this happen.

Until now the Federal government, through the Provincial government, has joined the City of Toronto in giving a financial subsidy to those parents who apply and qualify. Now, the Federal government has pulled out of the deal.

The Federal government did not mention subsidies for daycare/childcare in their 2009 Budget, delivered January 26, 2009. This is odd since daycare becomes all the more important for struggling families during times of economic recession when citizens are losing their jobs by the thousands.

In Toronto, we stand to lose approximately 6000 subsidized daycare spots. If we lose these spots, the fee charged for non-subsidy daycare spots will be raised to cover the lost revenue from the loss of the subsidy spots; operating costs of the daycare are not reduced when enrollment is reduced by the removal of the subsidy. So, parents who both do and do not rely on the Federal subsidy program will be significantly impacted by the loss of this funding.

Toronto's families cannot bear to lose these daycare spots. We, as City Council, must speak-up quickly so an amendment can be made to the Federal government's 2009 Budget; Budget deliberations are occurring right now.

This deep recession needs all the mitigation we can offer; the times are made much worse by poor conditions for families. The Federal government's daycare subsidy program is one of the cornerstones in a foundation that our families balance upon.

(Submitted to City Council on February 23 and 24, 2009 as MM31.1)

Background Information

Transmitted from City Council - Referral of Member Motion MM31.1
(<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19400.pdf>)

(Referred from City Council on January 27 and 28, 2009 - MM30.9)

EX31.38	ACTION			Ward: All
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Waive Litigation Cost Request on Community and Resident Public Interest Groups at Public Tribunals

Origin

(January 29, 2009) Member Motion from City Council

Recommendations

Councillor Del Grande, seconded by Councillor Palacio, recommends:

1. That the City Solicitor be requested to report to Council, through the Executive Committee, with respect to the City's policy on seeking litigation costs against community and resident public interest groups, after the City has successfully won the decision in public third-party tribunals.
2. That the City not request such litigation costs from these groups.

Summary

The purpose of this motion is to ask the City not to request litigation awards of cost against community and resident public interest groups, when the two parties enter into disputes which are resolved in public tribunals.

Community groups and resident organizations provide significant contributions to the City's policy development. They represent their community in public interest. Occasionally, the City enters into disputes and disagreements with these groups and/or individuals, which require decisions by third party tribunals. In order to promote civic involvement in our political process, the City should not request the other party to pay the City's litigation costs, after the City has successfully defended its positions.

On November 28, 2008, Ottawa City Councillor Rick Chiarelli introduced a similar motion to protect community groups and resident organizations.

(Submitted to City Council on January 27 and 28, 2009 as MM31.9)

Background Information

Transmitted from City Council - Referral of Member Motion MM30.9
<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19365.pdf>

EX31.39	ACTION			Ward: All
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Endorse Federal Government's Economic Stimulus for Renovation and Building of Social Housing in Toronto

Origin

(January 27, 2009) Member Motion from Councillor Walker, seconded by Councillor Stintz

Recommendations

Councillor Walker, seconded by Councillor Stintz, recommends that:

1. City Council endorse the proposed 2009 Federal Budget in so far as it pertains to social housing funding proposals and request that this funding be immediately applied to rebuilding the Toronto Community Housing Corporation's (TCHC) rental housing units in order to provide for tenants a reasonable expectation of quality of life today and attempt to address the current backlog for State of Good Repair (SOGR) maintenance in its housing stock, most particularly the 326 apartment units and 45 single-family homes the TCHC proposed to sell but recently deferred the sale of.

Summary

On January 26, 2009 the media announced some details of the stimulus package to be proposed by the Federal government in its 2009 Budget; the proposed Federal Budget will be fully disclosed on January 27, 2009.

Apparently, there are many potentially positive implications for the City of Toronto to be contained in this 2009 Federal Budget. In particular, the proposed Budget will include boosted funding for social housing: \$1 Billion in funding for renovating social housing; \$600 Million for on-reserve aboriginal housing; and \$400 Million for seniors' housing. The City of Toronto's share of this \$1 Billion in proposed funding for social housing would be approximately \$120 Million.

This proposed funding to refurbish and augment existing social housing is one of the best ways to inject budget stimulus funding into the economy since, after the funding is transferred, all that is needed to start such projects is for the building permit to be issued; the City of Toronto could issue building permits for the repair of Toronto's social housing easily and quickly; also, the housing sector has experienced a great decrease in activity over 2008 and this would provide jobs to those employees who have lost employment due to the decrease in activity in this sector.

In light of our current \$300 Million - \$350 Million backlog in repairs for our social housing portfolio, City Council needs to show its strong support for such funding in a timely manner. We, as a Council, need to endorse these proposals to provide much needed funding to renovate and repair Toronto's social housing stock.

Background Information

Endorse Federal Government's Economic Stimulus for Renovation and Building of Social Housing in Toronto

<http://www.toronto.ca/legdocs/mmis/2009/ex/bgrd/backgroundfile-19999.pdf>