

THE CITY OF TORONTO

City Clerk's Division

Minutes of the Policy and Finance Committee

Meeting No. 3

Thursday, April 3, 2003

The Policy and Finance Committee met on Thursday, April 3, 2003, in Committee Room 1, 2nd Floor, City Hall, Toronto, commencing at 9:40 a.m.

Attendance

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

	9:40 a.m. to 11:36 a.m. (Including In Camera Session)
Mayor Mel Lastman, Chair	-
Councillor Sandra Bussin	X
Councillor Frank Di Giorgio	X
Councillor Norm Kelly	X
Councillor Pam McConnell	X
Councillor Ron Moeser	X
Councillor Frances Nunziata	X
Councillor Case Ootes, Vice Chair	X
Councillor Sherene Shaw	X
Councillor David Shiner	X

Deputy Mayor Case Ootes assumed the Chair in the absence of Mayor Mel Lastman.

Confirmation of Minutes.

On motion by Councillor Shiner, the Policy and Finance Committee confirmed the minutes of its meeting held on February 21, 2003.

**3-1. Designating Water and Wastewater Services
as a "Business Unit"**

The Policy and Finance Committee had before it a report (March 20, 2003) from the Chief Administrative Officer recommending that:

- (1) the Water and Wastewater Services Division of the Works and Emergency Services

Department be designated a “Business Unit” such that the Division would:

- (i) remain within the Works and Emergency Services Department (WES) and continue to report through the Commissioner of WES;
 - (ii) be eligible to be granted a greater degree of delegated financial and operational authority, as set out in this report;
 - (iii) have certain administrative policies and procedures tailored to serve its needs, as set out in this report;
 - (iv) have increased ability to determine support service levels;
 - (v) have Service Level Agreements with service providers for all centrally-provided services;
 - (vi) have greater control over its resources, including revenue streams; and
 - (vii) be subject to enhanced, results-oriented performance measurement and stringent reporting requirements;
- (2) to implement Council’s designation of Water and Wastewater Services as a “Business Unit”, the following actions be undertaken:
- (i) Chapter 71 of the Municipal Code (the Financial Control By-law) be amended to permit the Commissioner of Works and Emergency Services to delegate up to his/her full spending authority to the General Manager of Water and Wastewater, within the same constraints and controls;
 - (ii) Chapter 195 of the Municipal Code (the Purchasing By-law) be amended to permit the Commissioner of Works and Emergency Services to delegate up to his/her full purchasing authority to the General Manager of Water and Wastewater Services, within the same constraints and controls;
 - (iii) the City Policy for the Selection and Hiring of Consulting Services be amended to permit the Commissioner of Works and Emergency Services to delegate up to his/her full authority to engage consultants to the General Manager of Water and Wastewater Services, within the same constraints and controls;
 - (iv) the Commissioner of Works and Emergency Services and the City Solicitor jointly report back to Council prior to the end of the year on what, if any, amendments they recommend be made to any other City By-laws with respect to the “Business Unit” designation of Water and Wastewater;

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- (v) the position of General Manager of Water and Wastewater Services remain unchanged under the “Business Unit” designation;
- (vi) the Commissioner of Works and Emergency Services, in consultation with the General Manager of Water and Wastewater Services, develop and implement an enhanced system of results-oriented performance measures for Water and Wastewater Services vis-a-vis the increased delegated financial and operational authority which are recommended in this report;
- (vii) the General Manager of Water and Wastewater Services prepare the unit’s first annual Business Plan for submission to Council through the 2004 budget process, said Business Plan to include the multi-year implementation plan for and resource implications of developing greater capacity in:
 - (a) business planning;
 - (b) financial planning, control and reporting;
 - (c) implementation and monitoring of Service Level Agreements;
 - (d) project management;
 - (e) capital project planning, including tender preparation and evaluation;
 - (f) performance measurement and reporting; and
 - (g) research and policy development;
- (viii) the General Manager of Water and Wastewater Services and the Chief Financial Officer and Treasurer report jointly to Council prior to the end of each year with recommendations for the following year’s water and wastewater rate in the context of the Water and Wastewater Business Plan;
- (ix) the General Manager of Water and Wastewater Services and the Chief Financial Officer and Treasurer work together to develop an enhanced system of financial reporting for Water and Wastewater Services;
- (x) the Chief Financial Officer and Treasurer, when consulting on the use of reserve and reserve funds monies as stipulated by Section 227-4 of Chapter 227 of the Municipal Code (Reserves and Reserve Funds), consult with the General Manager of Water and Wastewater Services on the water and wastewater program area;
- (xi) the CAO ensure that the relevant Commissioners and heads of City agencies, boards and commissions develop Service Level Agreements with service providers and recipients for all services provided to and by Water and Wastewater Services, to be in place for the 2004 budget year; and

- (xii) the Commissioner of Works and Emergency Services enter into discussions with the other Commissioners and the heads of City agencies, boards and commissions to determine the appropriate recovery charges for water and wastewater services where they are not already in place, the results to be reported by the General Manager of Water and Wastewater Services to the Budget Advisory Committee and Council through the 2004 budget processes; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of any necessary bills in Council.

On motion by Councillor Shiner, the Policy and Finance Committee recommended to Council the adoption of the foregoing report (March 20, 2003) from the Chief Administrative Officer.

(Clause No. 1 - Report No. 3)

**3-2. City of Toronto Plan of Action for the
Elimination of Racism and Discrimination**

The Policy and Finance Committee had before it a report (March 20, 2003) from the Chief Administrative Officer recommending that:

- (1) the vision statement in the Final Report of the Task Force on Community Access and Equity adopted by Council in 1999 (Appendix 1) be re-affirmed as the City's vision on access, equity and diversity;
- (2) the Plan of Action for the Elimination of Racism and Discrimination (Appendix 2) along with its vision, goal, guiding principles and strategic directions (Appendix 3) be adopted; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Mr. John Doherty, Community Social Planning Council, appeared before the Policy and Finance Committee in connection with the foregoing matter.

On motion by Councillor Shaw, the Policy and Finance Committee recommended to Council the adoption of the foregoing report (March 20, 2003) from the Chief Administrative Officer; and further that the Chief Administrative Officer be requested to establish a community advisory group to assist in the preparation of the Terms of Reference and the ongoing development of the next study.

The following motions moved by Councillor Kelly were voted on and **lost**:

“That Councillor Shaw’s motion be amended by deleting from the Vision Statement references to self determination of Aboriginal communities and equality of outcomes.”

“That the proposed motions be referred to a special committee to study the census, the Orenstein report or any other statistics that groups may want to bring to the City’s attention.”

(Clause No. 3 - Report No. 3)

3-3. Provincial Policy for Secondary Uses in Hydro Corridors

The Policy and Finance Committee had before it a report (March 21, 2003) from the Chief Administrative Officer recommending that Council:

- (1) request the Province of Ontario to amend its policy on secondary uses in hydro corridors to provide lands to municipalities for park uses without imposing the property tax pass-through;
- (2) communicate this report to the Association of Municipalities of Ontario (AMO) and the municipalities represented on the AMO Hydro Corridors Working Group requesting their support for the request to the Province of Ontario; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Policy and Finance Committee recommended to Council the adoption of the foregoing report (March 21, 2003) from the Chief Administrative Officer.

(Clause No. 4 - Report No. 3)

3-4. Joint City of Toronto-International Council for Local Environmental Initiatives (ICLEI) Work Plan for 2003

The Policy and Finance Committee had before it a report (March 19, 2003) from the Chief Administrative Officer informing City Council about the joint work plan between the City of Toronto and the International Council for Local Environmental Initiatives (ICLEI) for 2003; advising that as part of the host agreement between the City of Toronto and ICLEI (2002-2006), both parties negotiate an annual work plan with specific projects to be

undertaken by ICLEI; that ICLEI provides the City of Toronto with knowledge and expertise in the area of sustainability as well as linkages to an international network of organizations working in this field; and recommending that this report be received for information.

The Policy and Finance Committee recommended to Council that the foregoing report (March 19, 2003) from the Chief Administrative Officer be received for information.

(Clause No. 18 - Report No. 3)

3-5. Chief Administrative Officer's Workplan

The Policy and Finance Committee had before it a report (March 25, 2003) from the Chief Administrative Officer updating the Policy and Finance Committee on the key Council approved initiatives currently being undertaken by the CAO during this term of Council; that the priorities of the Chief Administrative Officer's department reflect directions given by Council and this report highlights the major initiatives that will be before Council prior to the end of this term of Council; that the Chief Administrative Officer's Department, like all departments continues to strive for service excellence in terms of the efficiency, accountability, customer service and quality aspects of service delivery; that the Toronto Public Service is committed to upholding the highest standards of public sector values in serving the people of this City; that these standards are based on time-honoured traditions of fairness, equity and non-partisanship, accessibility and accountability; and recommending that this report be received for information.

The Chief Administrative Officer gave a presentation to the Policy and Finance Committee in connection with the foregoing matter.

The Policy and Finance Committee received the foregoing report, with thanks.

(Clause No. 19(a) - Report No. 3)

3-6. Finance Department Workplan – 2003 - All Wards

The Policy and Finance Committee had before it a report (March 27, 2003) from the Chief Financial Officer and Treasurer providing an update to the Policy and Finance Committee on the key Council approved initiatives currently being undertaken by the Finance Department until the end of the current term of Council; advising that the 2003 Work Plan for the Finance Department emphasizes the ongoing review and continuous improvements that are required to ensure the effective use of the Corporation's financial resources; that the 2003 workplan will focus on financial system co-ordination and enhanced reporting

capabilities; that their objective is to provide enhanced financial controls and innovative financial strategies while ensuring efficient and quality service is provided to Council and all of the City's customers; that the priorities of the Finance Department reflect the directions given by Council; that this report highlights the major initiatives that will be undertaken prior to the end of this term of Council; and recommending that this report be received for information.

The Chief Financial Officer and Treasurer gave a presentation to the Policy and Finance Committee in connection with the foregoing matter and filed a copy of his presentation material in regard thereto.

The Policy and Finance Committee received the foregoing report, with thanks.

(Clause No. 19(b) - Report No. 3)

3-7. Comparison of Benefit Coverage – City of Toronto and Toronto Police Service

The Policy and Finance Committee had before it a report (March 20, 2003) from the Chief Financial Officer and Treasurer providing information on the current benefit plans being provided to employees of the City of Toronto and the Toronto Police Service; advising that regardless of any improvement to benefit plans, costs associated with providing benefits increase significantly on an annual basis; that this is due to inflation and trend factors, as well as new and expensive products being approved for sale in Canada; that as both the City of Toronto and the Toronto Police Services are comprised of a highly unionized workforce, benefits are subject to changes as a result of the collective bargaining process; that staff must continue to focus on managing the benefit plans by working closely with the benefit carrier in reviewing claims utilization and trends as well as continue to monitor internal controls and work closely with Labour Relations during the collective bargaining process to ensure benefit strategies remain consistent for all employees; and recommending that this report be received for information.

The Policy and Finance Committee received the foregoing report.

(Clause No. 19(c) - Report No. 3)

3-8. Merging of Benefit Carriers – City of Toronto and Agencies, Boards and Commissions

The Policy and Finance Committee had before it a report (March 21, 2003) from the Chief Financial Officer and Treasurer providing information on the merging of benefit carriers from each of the former municipalities including the Agencies, Boards and Commissions which fall under the City of Toronto's benefits umbrella; advising that in the year 2000, the City switched from dealing with over 10 different benefit carriers to one carrier; that although savings and improved efficiencies were realized through the consolidation of benefit carriers, costs associated with providing benefit plans continue to increase on an annual basis due to benefits inflation; that staff continue to review benefits utilization and costs and work closely with Labour Relations in terms of ongoing negotiations with respect to level of coverage and the insurance carrier with respect to adjudication processes and best practices; and recommending that this report be received for information.

The Policy and Finance Committee received the foregoing report.

(Clause No. 19(d) - Report No. 3)

3-9. Temporary Media Signage for Canadian National Exhibition

The Policy and Finance Committee had before it a report (March 20, 2003) from the General Manager and CEO, Exhibition Place, recommending that:

- (1) a contract with a separate company incorporated by Seaman & Associates (S&A) for the sole purpose of constructing, installing, and removing annually media screens as described in Appendix "A" and on terms and conditions as specified in this report and such other terms and conditions as may be recommended by the City of Toronto solicitor and the General Manager of the CNEA and the General Manager & CEO of Exhibition Place; and
- (2) S&A be requested to submit an application to the City for any by-law amendment or variance required for the construction of the media screens, such application to be considered by City Council at its meeting in May, 2003.

The Policy and Finance Committee recommended to Council the adoption of the foregoing report (March 20, 2003) from the General Manager and CEO, Exhibition Place.

(Clause No. 5 - Report No. 3)

3-10. 2003 Caribana Festival (All Wards)

The Policy and Finance Committee had before it a communication (March 27, 2003) from the City Clerk advising that the Economic Development and Parks Committee at its meeting held on March 24, 2003, recommended to the Policy and Finance Committee, and Council, the adoption of the report (March 11, 2003) from the Commissioner of Economic Development, Culture and Tourism, subject to amending Recommendations Nos. (1) and (6) by adding thereto the words “which includes the Caribana Parade, the King and Queen Event and the two Junior Carnivals”, so that the amended Recommendations now read as follows:

- (1) Council confirm its support for the Caribbean Cultural Committee as the organizer, producer and owner of the Caribana Festival which includes the Caribana Parade, the King and Queen Event and the two Junior Carnivals;
- (2) Council express its appreciation to the Toronto Mas Bands Association for organizing the 2002 Festival Parade and associated events under difficult circumstances;
- (3) Council recognize that the outstanding grant conditions from 1998 through 2002 have been satisfied by the Caribbean Cultural Committee;
- (4) the Commissioner of Economic Development, Culture and Tourism be requested to report to the Economic Development and Parks Committee on the grant allocation to the Caribbean Cultural Committee for the 2003 Caribana Festival in the context of the report on the grants to the Major Cultural Organizations;
- (5) the Commissioner of Economic Development, Culture and Tourism be authorized to make monthly grant installment payments to the Caribbean Cultural Committee based on one twelfth of the previous year’s grant amount until such time as the 2003 grant allocation has been determined by Council and with any prior monthly installments deducted from the 2003 grant payments (2002 grant for Caribana was \$356,062.00);
- (6) the Commissioner of Economic Development, Culture and Tourism be directed to continue to provide grant funding to the Mas Bands, Steelbands and Calypsonians, subject to these groups having an agreement with the Caribbean Cultural Committee confirming their participation in the 2003 Caribana Festival which includes the Caribana Parade, the King and Queen Event and the two Junior Carnivals;

- (7) the Commissioner of Economic Development, Culture and Tourism be authorized to pay the Exhibition Place invoice relating to the 2002 Festival Parade and deduct this amount from any 2003 grant payments to the Mas Bands, Steelbands and Calypsonians; and
- (8) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Policy and Finance Committee recommended to Council the adoption of the recommendation of the Economic Development and Parks Committee embodied in the foregoing communication (March 27, 2003) from the City Clerk.

(Clause No. 6 - Report No. 3)

**3-11. Design Exchange (DX) Grant Annual Review
(Ward 28 – Toronto Centre-Rosedale)**

The Policy and Finance Committee had before it a communication (March 27, 2003) from the City Clerk advising that the Economic Development and Parks Committee at its meeting held on March 24, 2003, recommended to the Policy and Finance Committee, and Council, the adoption of the report (February 25, 2003) from the Commissioner of Economic Development, Culture and Tourism, wherein it is recommended that:

- (1) the Design Exchange (DX) be recognized for its work in the promotion of design as a strategic tool for business innovation in the City of Toronto;
- (2) the Design Exchange's grant request of \$500,000.00 plus interest accrued and less capital reserve deductions, be approved as per the terms of the City's grant agreement with the DX;
- (3) a technical adjustment be made to add \$500,000.00 gross, \$0 net, to the Economic Development Division budget to be funded from the XR3012 Reserve which was established for this purpose; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Policy and Finance Committee recommended to Council the adoption of the recommendation of the Economic Development and Parks Committee embodied in the foregoing communication (March 27, 2003) from the City Clerk.

(Clause No. 7 - Report No. 3)

**3-12. Additional Donation Funds - Wychwood TTC Barns Site
Phase I Park Improvements (Ward 21 - St. Paul's)**

The Policy and Finance Committee had before it a communication (March 27, 2003) from the City Clerk advising that the Economic Development and Parks Committee at its meeting held on March 24, 2003, recommended to the Policy and Finance Committee, and Council, the adoption of the report (March 11, 2003) from the Commissioner of Economic Development, Culture and Tourism, wherein it is recommended that:

- (1) the City of Toronto accept the donation of \$11,000.00 for the Wychwood TTC Barns Site – Phase 1 Park project;
- (2) the Wychwood TTC Barns Site – Phase 1 Park project be increased to \$141,000.00 gross, with no debt funding (CPR117-32-03);
- (3) the project scope be expanded to provide for additional green space and park amenities; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Shiner, the Policy and Finance Committee:

- (1) recommended to Council the adoption of the recommendation of the Economic Development and Parks Committee embodied in the communication (March 27, 2003) from the City Clerk; and
- (2) requested the Commissioner of Economic Development, Culture and Tourism to submit a report directly to Council for its meeting scheduled to be held on April 14, 2003, on the source of the \$11,000.00 donation.

(Clause No. 8 - Report No. 3)

3-13. Implementation of the Roundtable on Grant Making

The Policy and Finance Committee had before it a communication (January 22, 2003) from the City Clerk advising that the Grants Sub-Committee, at its meeting held on January 22, 2003, recommended to the Policy and Finance Committee the adoption of the joint report

(January 9, 2003) from the Commissioner of Community and Neighbourhood Services and the Commissioner of Economic Development, Culture and Tourism, wherein it is recommended that:

- (1) the Terms of Reference and Preliminary Workplan for the Roundtable on Grant Making be approved as described in Appendix 1 and 2 of this report; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Moeser, the Policy and Finance Committee recommended to Council the adoption of the recommendation of the Grants Sub-Committee embodied in the foregoing communication (January 22, 2003) from the City Clerk, with the proviso that the Roundtable on Grant-Making not have the responsibility of determining the budget for the City's grants programs.

(Clause No. 9 - Report No. 3)

3-14. St. Lawrence Centre for the Arts Board of Management

The Policy and Finance Committee had before it a communication (March 6, 2003) from the City Clerk advising that the ABC Ad Hoc Committee, at its meeting held on March 4, 2003:

- (1) received the communication dated February 14, 2003, from the General Manager of The Canadian Stage Company (CanStage); and
- (2) recommended to the Policy and Finance Committee, and Council, that the St. Lawrence Centre for the Arts Board of Management be requested to make available to the Canadian Stage Company (CanStage) all the financial and operational information to prepare a proposal on the management of the St. Lawrence Centre.

The Policy and Finance Committee recommended to Council the adoption of recommendation No. (2) of the ABC Ad Hoc Committee embodied in the foregoing communication (March 6, 2003) from the City Clerk, subject to adding the words "through the Chief Administrative Officer" after the word ("CanStage") so that the recommendation now reads as follows:

"The ABC Ad Hoc Committee:

- (2) recommended to the Policy and Finance Committee, and Council, that the St. Lawrence Centre for the Arts Board of Management be

requested to make available to the Canadian Stage Company (CanStage), through the Chief Administrative Officer, all the financial and operational information to prepare a proposal on the management of the St. Lawrence Centre.”

(Clause No. 10 - Report No. 3)

3-15. ABC Ad Hoc Committee Progress Report

The Policy and Finance Committee had before it a communication (March 6, 2003) from the City Clerk advising that the ABC Ad Hoc Committee, at its meeting held on March 4, 2003, recommended to the Policy and Finance Committee, and Council, the adoption of the report (February 24, 2003) from the Chief Administrative Officer respecting the ABC Ad Hoc Committee Progress Report wherein it is recommended that:

- (1) this report be forwarded to the Policy and Finance Committee for information;
- (2) the Policy and Finance Committee be advised that the ABC Ad Hoc Committee will be sending policies on governance issues, as they are recommended by the Ad Hoc Committee, to the Policy and Finance Committee for consideration;
- (3) the ABC Ad Hoc Committee provide a second progress report to the Policy and Finance Committee outlining a recommended course of action to address remaining governance issues prior to completion of this term of the ABC Ad Hoc Committee; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Policy and Finance Committee received the foregoing communication.

(Clause No. 19(e) - Report No. 3)

3-16. Governance Review of the Association of Community Centres (AOCCs)

The Policy and Finance Committee had before it a communication (March 6, 2003) from the City Clerk advising that the ABC Ad Hoc Committee, at its meeting held on March 4, 2003, recommended to the Policy and Finance Committee, and Council, the adoption of the

report (February 24, 2003) from the Chief Administrative Officer, respecting the Governance Review of the Association of Community Centres (AOCCs), subject to amending:

- (i) Recommendation No. (4), by deleting the words “and report back to the ABC Ad Hoc Committee to ensure that the form and content are consistent with the framework under development for all City agencies”; and
- (ii) Recommendation No. (5), by deleting the word “for” and inserting in lieu thereof the word “with”,

so that such recommendations now read as follows:

- “(4) the Commissioner of Community and Neighbourhood Services consult with the AOCC boards on the functional alignment of AOCCs with Community and Neighbourhood Services Department, including the development of operating principles and guidelines;
- (5) the City continue to provide core administration funding to AOCCs where the board is expected to operate within approved budgets, however, as with other City agencies, administrative surpluses are returned to the City and administrative deficits are funded, upon Council approval.”

Councillor David Soknacki, Scarborough East, appeared before the Policy and Finance Committee in connection with the foregoing matter.

The Policy and Finance Committee recommended to Council the adoption of the recommendation of the ABC Ad Hoc Committee embodied in the foregoing communication (March 6, 2003) from the City Clerk.

(Clause No. 11 - Report No. 3)

3-17. Toronto Library Board Composition

The Policy and Finance Committee had before it a communication (March 6, 2003) from the City Clerk advising that the ABC Ad Hoc Committee, at its meeting held on March 4, 2003, recommended to the Policy and Finance Committee, and Council, the adoption of the report (February 24, 2003) from the Chief Administrative Officer respecting the Toronto Library Board Composition, wherein it is recommended that:

- (1) effective December 1, 2003 the Toronto Public Library Board be composed of 13 members as follows:
 - (a) the Mayor, or a Councillor as Mayor’s designate;

- (b) 4 other Councillors; and
 - (c) 8 citizens;
- (2) a Library Board Recruitment Panel be constituted at the beginning of the new term of Council by the Striking Committee and be composed of the Mayor as Chair of the Panel, two (2) Councillors on the Library Board, and the Chair of the Community Services Committee to recruit, interview and recommend citizen appointees to the Library Board;
- (3) the following be approved as the qualifications required of citizen appointees to the Toronto Library Board:
- (a) up to three members with publicly recognized achievements in the disciplines of:
 - Literature and Literacy;
 - Arts and Culture;
 - Science and Technology; and
 - Business;
- and/ or
- five or more members with demonstrated skills, interest and experience in:
- Financial Management;
 - Philanthropy;
 - Public Sector Governance;
 - Community Service; and
 - Community Diversity;
- and all of the following qualifications,
- (b) independence of judgement;
 - (c) personal integrity;
 - (d) meets all requirements of the *Public Libraries Act*, as amended, for citizen appointees;
 - at least eighteen years of age;
 - a Canadian citizen;
 - a resident of Toronto; and
 - not be an employee of the City of Toronto or the Toronto Public Library Board;

- (4) the City CAO engage a facilitator to assist the Library Board Recruitment Panel in:
 - (a) identifying one to three high-profile candidates with publicly recognized achievements in disciplines outlined in the qualifications criteria;
 - (b) approaching potential nominees to ascertain interest and encourage participation;
 - (c) reviewing applications; and
 - (d) conducting candidate interviews;
- (5) the Toronto Public Library Board, the Toronto District Public School Board and the Toronto District Separate School Board be advised of the disposition of the recommendations of this report;
- (6) the Policy for Citizen Appointments through the Nominating Committee and other applicable procedures or By-Laws be amended to reflect the recommendations of this report;
- (7) this report be forwarded to the Policy and Finance Committee for consideration; and
- (8) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Moeser, the Policy and Finance Committee deferred consideration of the foregoing communication until its meeting scheduled to be held on May 8, 2003, to afford Councillor Ron Moeser an opportunity to meet with the Chief Librarian to discuss this issue.

(Clause No. 19(f) - Report No. 3)

**3-18. Semi-Annual Report: Toronto Police Service Parking Enforcement Unit
Absenteeism for the period between July and December, 2002**

The Policy and Finance Committee had before it a report (March 20, 2003) from the Chairman, Toronto Police Services Board, advising the Policy and Finance Committee of the level of absenteeism respecting the Toronto Police Service Parking Enforcement Unit for the period between July and December, 2002; and recommending that the Policy and Finance Committee receive this report.

The Policy and Finance Committee received the foregoing report.

(Clause No. 19(g) - Report No. 3)

**3-19. Toronto Police Service Parking Enforcement Unit –
2002 Final Operating Budget Variance Report**

The Policy and Finance Committee had before it report (March 24, 2003) from the Chairman, Toronto Police Services Board, providing the 2002 Final Operating Budget Variance Report for the Toronto Police Service, Parking Enforcement Unit; and recommending that the Policy and Finance Committee receive the report for information.

The Policy and Finance Committee received the foregoing report.

(Clause No. 19(h) - Report No. 3)

**3-20. Toronto Police Service – 2002 Operating Budget Variance
Report as at November 30, 2002**

The Policy and Finance Committee had before it a report (March 6, 2003) from the Chairman, Toronto Police Services Board, providing the 2002 Operating Budget variance report as at November 30, 2002, wherein it is noted that as at November 30, 2002, the total Service favourable variance is \$1.8M; that this variance consists of \$0.8M World Youth Day savings and \$1.0M in other savings; that given the Budget Advisory Committee's decision to return any World Youth Day savings to the City, only \$1.0M can be applied to the \$4.2M funding shortfall; that the Service will continue to control costs where possible and return any year-end surplus funds to the City to help offset the above variance; and recommending that this report be received for information.

The Policy and Finance Committee received the foregoing report.

(Clause No. 19(i) - Report No. 3)

3-21. Toronto Police Service – 2002 Final Operating Budget Variance Report

The Policy and Finance Committee had before it a report (March 24, 2003) from the Chairman, Toronto Police Services Board, providing the 2002 Final Operating Budget variance report; and recommending that the Policy and Finance Committee receive the report for information.

The Policy and Finance Committee received the foregoing report.

(Clause No. 19(j) - Report No. 3)

**3-22. 2003 Business Improvement Area Operating Budgets:
Report No. 2 (All Wards)**

The Policy and Finance Committee had before it a communication (February 13, 2003) from the City Clerk forwarding for information a copy of Clause No. 11 contained in Report No. 2 of the Economic Development and Parks Committee, headed "2003 Business Improvement Area Operating Budgets: Report No. 2 (All Wards)" which was adopted, without amendment, by City Council on February 4, 5 and 6, 2003.

The Policy and Finance Committee received the foregoing communication.

(Clause No. 19(k) - Report No. 3)

**3-23. City of Toronto 2003-2012 Recommended Capital Budget and Program
and City of Toronto 2003 Recommended Operating Budget**

The Policy and Finance Committee had before it a communication (March 10, 2003) from the City Clerk advising that City Council at its Special Meetings held on February 24, 25, 26, 27 and 28, 2003, and March 3, 2003, adopted, as amended, Clauses Nos. 1 and 2 contained in Report No. 2 of the Policy and Finance Committee, headed "City of Toronto 2003-2012 Recommended Capital Budget and Program" and "City of Toronto 2003 Recommended Operating Budget", and that in so doing Council adopted a recommendation that a number of motions contained in the communication be referred to the Policy and Finance Committee for its consideration.

The Policy and Finance Committee referred the foregoing communication to the Chief Financial Officer and Treasurer for report thereon to the Policy and Finance Committee.

(Clause No. 19(l) - Report No. 3)

**3-24. Request to Federal and Provincial Governments to
Introduce a Public Investment Income Tax Credit**

The Policy and Finance Committee had before it a communication (February 20, 2003) from the City Clerk advising that City Council, at its meeting held on February 4, 5 and 6, 2003, referred the following Motion to the Policy and Finance Committee:

- (22) Request to Federal and Provincial Governments to Introduce a Public Investment Income Tax Credit

Moved by: Councillor Di Giorgio

Seconded by: Councillor Li Preti

“WHEREAS there is general agreement among all levels of government that municipal governments are experiencing a funding crisis and require new sources of funds; and

WHEREAS urban centres that have restricted access to their property tax base are particularly relying on new sources of funds; and

WHEREAS tax cuts remain a priority for both the Provincial and Federal governments; and

WHEREAS a climate of tax cuts reduces the funds available to municipalities for investment in new infrastructure; and

WHEREAS municipal governments are now feeling the effects of continually delaying essential infrastructure projects because of insufficient funds; and

WHEREAS favourable income tax treatment of public capital expenditures can improve the ability of municipalities to generate tax revenues; and

WHEREAS it is possible to separate municipal and education taxes payable into two separate components, an operating portion and a public investment capital portion;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto strongly urge the Federal and Provincial governments to introduce a public investment income tax credit as a way of alleviating the funding crisis for municipalities;

AND BE IT FURTHER RESOLVED THAT the City of Toronto enlist the support of all proponents for a new deal for cities, in supporting a public investment income tax credit as a more productive and equitable component of government tax policy.”

The Policy and Finance Committee recommended to Council the adoption of the Notice of Motion embodied in the foregoing communication (February 20, 2003) from the City Clerk.

(Clause No. 17 - Report No. 3)

3-25. Falun Dafa (Falun Gong)

The Policy and Finance Committee had before it a communication (March 19, 2003) from Councillor Michael Walker, St. Paul's, submitting a Notice of Motion in support of Falun Dafa (Falun Gong) the operative part of which reads as follows:

“NOW THEREFORE BE IT RESOLVED THAT Toronto City Council request the Federal Government to request the Government of the People's Republic of China to cease its persecution of Falun Dafa practitioners and its representatives in Toronto, to cease their harassment of citizens and residents of Toronto who practice Falun Dafa and to cease their attempts to put pressure on officials of multiple levels of governments in Canada to refuse or withdraw support for Falun Dafa and its practitioners;

BE IT FURTHER RESOLVED THAT Toronto City Council and the Federal Government should use every appropriate public and private forum to urge the Government of the People's Republic of China:

- (a) to release from detention all Falun Dafa practitioners and put an end to the practices of torture and other cruel, inhumane, and degrading treatment against them and other prisoners of conscience; and
- (b) to abide by the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights by allowing Falun Dafa practitioners to pursue their beliefs;

BE IT FURTHER RESOLVED THAT Toronto City Council proclaims July 20, 2003 “*Falun Dafa Day*” in remembrance of those who have suffered government persecution for being practitioners of Falun Dafa in China since July 20, 1999;

BE IT FURTHER RESOLVED THAT Toronto City Council support those who practice Falun Dafa and feel that what they are teaching and what they are practising is a wonderful thing, and would like the Chinese government to look at Toronto and see what a good thing Falun Dafa has been to Toronto and to believe that just as there is room for everyone in this city, so there should be room for everyone in a large and increasingly prosperous country like China;

BE IT FURTHER RESOLVED THAT Toronto City Council request the Federal Government and its appropriate agencies to investigate allegations of illegal activities in Canada of the Government of the People's Republic of China and its representatives and agents, including allegations of unlawful harassment of

Canadian citizens and residents who practice Falun Dafa and of officials of Provincial and local governments in Canada who support Falun Dafa, and should take appropriate action, including but not limited to enforcement of the immigration laws, against any such representatives or agents who engage in such illegal activities;

AND NOW BE IT FURTHER RESOLVED THAT a certified copy of the resolution be forwarded to the Honourable Mr. Jean Chrétien, *Prime Minister of Canada*, the Honourable Mr. John Manley, *Minister of Foreign Affairs*, the Honourable Kofi Annan, *General-Secretary of the United Nations*, Mr. Hu Jintao, *President of China*, Mr. Wen Jiabao, *Prime Minister of China*, Mr. Jiang Zemin, *Chairman of China's Central Military Commission* and Mr. Ping Mei, *Chinese Ambassador in Canada*.

Councillor Michael Walker, St. Paul's, appeared before the Policy and Finance Committee in connection with the foregoing matter.

The Policy and Finance Committee deemed this matter to be ultra vires and ruled the foregoing motion out of order.

(Clause No. 19(m) - Report No. 3)

3-26. Business Tenants

The Policy and Finance Committee had before it a communication (March 20, 2003) from Councillor Norman Kelly advising that he has had many conversations with constituents that demonstrate clearly there is confusion in the small business community about the business taxes levied by the City; that business tenants in multi-unit business premises face privacy laws that do not allow them to gain access to a landlord's municipal tax bill to determine the appropriate apportionment of tax for their leased premises; that it is impossible for a business tenant to verify that the taxes the landlord is collecting is correct as to the total amount for the building as well as the portions assigned to the tenants; and recommending that the City produce a small booklet or pamphlet, written in plainest possible terms, explaining the municipal tax process and advising business tenants how they can determine the fairness of their tax liability and make it widely available to Toronto business; and that staff report on a possible amendment to the Act that the City could recommend to the province in order to bring transparency to the taxing process.

The Policy and Finance Committee referred the foregoing communication to the Chief Administrative Officer and the Chief Financial Officer and Treasurer for report thereon to the Policy and Finance Committee.

(Clause No. 19(n) - Report No. 3)

3-27. Settlement of the lawsuit between the former City of Scarborough and the former Metropolitan Separate School Board with respect to recount costs charged for the 1994 School Trustee election

The Policy and Finance Committee had before it a communication (March 25, 2003) from the City Clerk advising that the Administration Committee on March 25, 2003, recommended to the Policy and Finance Committee and Council, the adoption of the confidential report (March 10, 2003) from the City Solicitor, regarding a Settlement of the lawsuit between the former City of Scarborough and the former Metropolitan Separate School Board, which was forwarded to Members of Council under confidential cover; and further that in accordance with the Municipal Act, discussions pertaining thereto be held in-camera having regard that the subject matter relates to litigation or potential litigation matters.

On motion by Councillor Moeser, the Policy and Finance Committee recommended to Council the adoption of the recommendation of the Administration Committee embodied in the foregoing communication (March 25, 2003) from the City Clerk regarding a Settlement of the lawsuit between the former City of Scarborough and the former Metropolitan Separate School Board, which was forwarded to Members of Council under confidential cover; and further that in accordance with the Municipal Act, discussions pertaining thereto be held in-camera having regard that the subject matter relates to litigation or potential litigation matters.

(Clause No. 12 - Report No. 3)

3-28. Toronto Waterfront Revitalization Corporation's Chief Executive Officer

The Policy and Finance Committee had before it a confidential report (March 19, 2003) from the Commissioner of Urban Development Services respecting the Toronto Waterfront Revitalization Corporation's Chief Executive Officer, such report to be considered in camera having regard that the subject matter relates to personal matters about an identifiable individual.

The Policy and Finance Committee recommended to Council the adoption of the recommendations embodied in the confidential report (March 19, 2003) from the Commissioner of Urban Development Services respecting the Toronto Waterfront Revitalization Corporation's Chief Executive Officer, which was forwarded to Members of Council under confidential cover; and further that in accordance with the Municipal Act, discussions pertaining thereto to be held in-camera having regard that the subject matter relates to personal matters about an identifiable individual.

(Clause No. 2 - Report No. 3)

**3-29. 186 Bartley Drive – Extension of Remediation Date in Agreement
(Ward 34 – Don Valley East)**

The Policy and Finance Committee had before it a confidential joint report (March 20, 2003) from the Chief Financial Officer and Treasurer and the City Solicitor respecting 186 Bartley Drive, Extension of Remediation Date in Agreement, Ward 34 – Don Valley East, such report to be considered in-camera having regard that the subject matter relates to the security of the property of the municipality or local board.

Councillor Denzil Minnan-Wong, Don Valley East, appeared before the Policy and Finance Committee in connection with the foregoing matter.

The Policy and Finance Committee recommended to Council the adoption of the recommendations embodied in the joint confidential report (March 20, 2003) from the Chief Financial Officer and Treasurer and the City Solicitor respecting 186 Bartley Drive, Extension of Remediation Date in Agreement, Ward 34 – Don Valley, which was forwarded to Members of Council under confidential cover; and further that in accordance with the Municipal Act, discussions pertaining thereto to be held in-camera having regard that the subject matter relates to the security of the property of the municipality or local board.

(Clause No. 14 - Report No. 3)

**3-30. Requests for Funding for Legal Fees for Certain
Individuals who have Standing or Will be Called as
Witnesses at the Toronto Computer Leasing Inquiry
and the Toronto External Contracts Inquiry**

The Policy and Finance Committee had before it a joint report (March 31, 2003) from the Chief Administrative Officer and the City Solicitor recommending that City Council:

- (1) approve funding for legal representation for Jim Andrew who has standing at the Inquiry based on the terms set out in this report; and
- (2) confirm that funding for legal representation to City employees who will be called as witnesses will also be available to staff who leave their employment with the City before the completion of the Inquiry on the terms set out in this report.

On motion by Councillor Shiner, the Policy and Finance Committee recommended to Council:

- (1) the adoption of the foregoing joint report (March 31, 2003) from the Chief Administrative Officer and the City Solicitor;
- (2) that the City Solicitor be requested to ensure that any disbursements for photocopy charges are necessary and reasonable and that outside law firms not charge for copies that they can obtain from the Commission; and
- (3) that the costs for photocopying be itemised in future reports as to costs incurred at the Inquiry.

(Clause No. 15 - Report No. 3)

3-31. Revised Budgets for the Toronto Computer Leasing Inquiry and the Toronto External Contracts Inquiry

The Policy and Finance Committee had before it a joint report (March 31, 2003) from the Chief Administrative Officer and the City Solicitor advising the Policy and Finance Committee and City Council that the Commission for the Toronto Computer Leasing Inquiry and the Toronto External Contracts Inquiry has prepared a revised preliminary budget for the two inquiries of \$8,440,300.00, with a contingency of an additional \$1,500,000.00; that City staff will continue to monitor the budget estimates of the Inquiries and will continue to report to City Council on any developments or changes; and recommending that this report be received for information.

The Policy and Finance Committee recommended to Council that the foregoing joint report (March 31, 2003) from the Chief Administrative Officer and the City Solicitor be received for information.

(Clause No. 16 - Report No. 3)

On motion by Councillor Shiner, the Policy and Finance Committee met privately to discuss the following Item No. 3-32, having regard that the subject matter relates to personal matters about identifiable individuals.

3-32. Funding Source for Mandatory OMERS Liabilities at George Bell Arena

The Policy and Finance Committee had before it a communication (March 25, 2003) from the City Clerk advising that the Administration Committee on March 25, 2003, recommended to the Policy and Finance Committee and Council, the adoption of the confidential report (March 11, 2003) from the Chief Financial Officer and Treasurer regarding Funding Source for Mandatory OMERS Liabilities at George Bell Arena, which was forwarded to Members of Council under confidential cover; and further that in accordance with the Municipal Act, discussions pertaining thereto be held in-camera having regard that the subject matter relates to personal matters about identifiable individuals.

On motion by Councillor Shiner, the Policy and Finance Committee recommended to Council:

- (1) the adoption of the Recommendation of the Administration Committee embodied in the communication (March 25, 2003) from the City Clerk regarding Funding Source for Mandatory OMERS Liabilities at George Bell Arena, subject to the Board of Management of the George Bell Arena working to repay, over the 2003-2004 fiscal years, 50 percent of the imputed interest component as indicated in the communication (April 3, 2003) from Mr. David Neufeld to Ms. Judy Skinner;
- (2) that the Chief Financial Officer and Treasurer be requested to report on the aforementioned matter with the variance reports and during the 2004 and 2005 budget process; and
- (3) that in accordance with the Municipal Act, discussions pertaining to the aforementioned matter be held in-camera having regard that the subject matter relates to personal matters about identifiable individuals.

The foregoing motion was voted on in public and carried on the following recorded vote:

FOR: Di Giorgio, Kelly, Moeser, Ootes, Shiner

AGAINST: McConnell, Nunziata, Shaw

(Clause No. 13 - Report No. 3)

**3-33. Settlement of Lawsuit between the Toronto
Port Authority and the City of Toronto**

The Policy and Finance Committee had before it a communication (March 28, 2003) from Councillor Pam McConnell, Toronto Centre-Rosedale, requesting that an item be placed on the agenda regarding the settlement of the lawsuit between the Toronto Port Authority and the City of Toronto for the purpose of hearing deputations thereon

Councillor Walker, St. Paul's, who was present at the meeting requested that he be permitted to declare a Conflict of Interest as he is being sued personally in a litigation matter related to the Toronto Port Authority.

Councillor Denzil Minnan-Wong, Don Valley East, appeared before the Policy and Finance Committee in connection with the foregoing matter.

This matter was ruled by the Acting Chair to be out-of-order. The ruling of the Acting Chair was upheld on the following recorded vote:

FOR: Di Giorgio, Kelly, Moeser, Nunziata, Ootes, Shiner

AGAINST: McConnell, Bussin

The Policy and Finance Committee adjourned its meeting at 11:36 a.m.

Acting Chair.