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These Minutes were confirmed by City Council on January 27, 2004

**MINUTES OF A SPECIAL MEETING
OF THE COUNCIL OF THE
CITY OF TORONTO**

WEDNESDAY, DECEMBER 3, 2003

City Council met in the Council Chamber, City Hall, Toronto.

S2.1 CALL TO ORDER - 9:37 A.M.

Mayor Miller took the Chair and called the Members to order.

The meeting opened with O Canada.

S2.2 NOTICE OF SPECIAL MEETING

Mayor Miller read the following Notice of Special Meeting:

“Pursuant to the authority granted under §27-5 of Chapter 27, Council Procedures, of the City of Toronto Municipal Code, Mayor David Miller has directed that a Special Meeting of City Council be held on Wednesday, December 3, 2003, in the Council Chamber, 100 Queen Street West, Toronto, at 9:30 a.m., for the following purposes:

- (a) to request City Council to endorse a resolution requesting the Federal Government and its agency, the Toronto Port Authority, to agree to amend the tripartite agreement so as to remove the provision for a fixed link to the Toronto City Centre Airport; and
- (b) consider and enact a Bill to confirm the proceedings of this Special Meeting.”

S2.3 DECLARATIONS OF INTEREST

There were no declarations of interest.

S2.4 Construction of a Fixed Link to the Toronto City Centre Airport.

City Council had before it, for consideration with Mayor Miller's Resolution, the following communications:

- (a) (November 24, 2003) from Victor Pappalardo, President and Anthony Pappalardo, Vice-President, Stolport Corporation, in response to a letter (November 14, 2003) from the Chief Administrative Officer, addressed to the Toronto Port Authority;
- (b) (November 27, 2003) from Victor Pappalardo, President and Anthony Pappalardo, Vice-President, Stolport Corporation, further to their letter of November 24, 2003;
- (c) (November 28, 2003) from Edward J.J. Scheck. C.A., Chair and M. Elyse Allan, President and Chief Executive Officer, The Toronto Board of Trade;
- (d) (December 1, 2003) from Anne Hansen;
- (e) (November 2, 2003) from J.C. Newell;
- (f) (December 1, 2003) from Iaiontech Shonten, Indigenous Site Preservation Committee; and
- (g) (November 26, 2003) from Community AIR.

Procedural Motion:

Councillor Minnan-Wong moved that the information, in written form, provided to Mayor Miller respecting the construction of a fixed link bridge to the Toronto City Centre Airport, be circulated to Members of Council.

Ruling by Mayor Miller:

Mayor Miller, having regard to the nature of the motion by Councillor Minnan-Wong, ruled such motion out of order.

Councillor Mammoliti challenged the ruling of the Mayor.

Vote to Uphold the Ruling of the Mayor:

Yes - 30 Mayor: Miller Councillors: Altobello, Ashton, Augimeri, Balkissoon, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Jenkins, Lindsay Luby, McConnell, Mihevc, Moscoe, Palacio, Pantalone, Pitfield, Rae, Saundercook, Thompson, Walker, Watson
No - 14 Councillors: Del Grande, Feldman, Ford, Hall, Holyday, Kelly, Li Preti, Mammoliti, Minnan-Wong, Nunziata, Ootes, Shiner, Soknacki, Stintz

Carried by a majority of 16.

Councillor Pantalone in the Chair.

Motions:

- (a) Mayor Miller moved that Council adopt the following Resolution:

“WHEREAS the future of Toronto’s waterfront and the building of a bridge to the Toronto City Centre Airport was an important election issue in the 2003 municipal elections; and

WHEREAS the Mayor and many Members of Council were elected on a mandate to stop the construction of the bridge; and

WHEREAS, in order for Council to do so, it needs to seek to amend the Tripartite Agreement so that the original prohibition against a bridge is reinstated;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the Council of the City of Toronto state that it does not support the construction of a bridge (fixed link) to the Toronto Island Airport; and
- (2) the Council of the City of Toronto request that the Federal Government and its agency, the Toronto Port Authority, agree to amend the Tripartite Agreement so as to remove the provision for a fixed link to the Toronto City Centre Airport.”

Extensions to Question:

Councillor Minnan-Wong, having questioned for a period of five minutes, Councillor Mammoliti, seconded by Councillor Holyday, moved that the necessary provisions of Chapter 27, Council Procedures, of the City of Toronto Municipal Code be waived and that Councillor Minnan-Wong be granted a further period of five minutes, in order to permit the conclusion of his questions, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Del Grande, having questioned for a period of five minutes, Councillor Mammoliti, seconded by Councillor Minnan-Wong, moved that the necessary provisions of Chapter 27, Council Procedures, of the City of Toronto Municipal Code be waived and that Councillor Del Grande be granted a further period of five minutes, in order to permit the conclusion of his questions, which carried, more than two-thirds of Members present having voted in the affirmative.

Councillor Kelly, having questioned for a period of five minutes, Councillor Mammoliti, seconded by Councillor Minnan-Wong, moved that the necessary provisions of Chapter 27, Council Procedures, of the City of Toronto Municipal Code be waived and that Councillor Kelly be granted a further period of five minutes, in order to permit the conclusion of his questions, which carried, more than two-thirds of Members present having voted in the affirmative.

Mayor Miller in the Chair.

Councillor Bussin in the Chair.

Mayor Miller in the Chair.

Motion:

- (b) Councillor Ootes moved that Council refer this matter to a special meeting of Council to be held, as soon as possible, to:
 - (1) resolve into Committee of the Whole to hear depositions from the public on the issue of the fixed link to the Island Airport; and
 - (2) give further consideration to the matter of the fixed link to the Island Airport.

Councillor Pantalone in the Chair.

Mayor Miller in the Chair.

Vote on Referral:

Adoption of motion (b) by Councillor Ootes:

Yes - 16 Councillors:	Augimeri, Balkissoon, Del Grande, Feldman, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Minnan-Wong, Nunziata, Ootes, Shiner, Soknacki, Stintz
No - 28 Mayor: Councillors:	Miller Altobello, Ashton, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Jenkins, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Pitfield, Rae, Saundercook, Thompson, Walker, Watson

Lost by a majority of 12.

Motions:

(c) Councillor Hall moved that Council adopt the following recommendation:

“It is further recommended that City Council request the Federal Government to legislate the prohibition present in the Tripartite Amendment Agreement relating to the NEF 25 noise exposure parameters, the ban on jets and any runway extensions.”

(d) Councillor Di Giorgio moved that Part (2) of motion (a) by Mayor Miller be amended by adding the following words:

“to reflect the wishes of the citizens of the City of Toronto, and the Federal Government be requested to respond as soon as possible but no later than three months”.

Councillor Feldman in the Chair.

Mayor Miller in the Chair.

- (e) Councillor Palacio moved that motion (a) by Mayor Miller be amended by adding the following new Part (3):
- “(3) the Chief Administrative Officer be requested to submit a report to City Council on a request that the Federal Government indemnify the City of Toronto against any legal costs or liabilities, pursued by third parties, that may arise from the amending of the Tripartite Agreement and, further, that this report be before City Council at the same time as the Federal Government response.”
- (f) Councillor Feldman moved that motion (a) by Mayor Miller be amended to provide that the City of Toronto’s request to amend the Tripartite Agreement be conditional on the Federal Government providing indemnification to the City against any legal action that may result from the City amending the Tripartite Agreement or any other action by the City to encourage the Federal Government or the Toronto Port Authority to stop the fixed link to the Toronto City Centre Airport.
- (g) Councillor Milczyn moved that Council adopt the following recommendation:
- “It is further recommended that, should the agreement of the Federal Government and the Toronto Port Authority not be secured to amend the Tripartite Agreement to remove approval for a fixed link, then the City of Toronto will take no further action to oppose the fixed link.”
- (h) Councillor Minnan-Wong moved that Council adopt the following recommendation:
- “It is further recommended that the Chief Administrative Officer be requested to report monthly to City Council, through the Economic Development and Parks Committee, on all expenditures and costs arising to the City of Toronto and its agencies, boards and commissions relating to amending the Tripartite Agreement, stopping construction of the fixed link to the Toronto City Centre Airport and the settlement with the Toronto Port Authority.”
- (i) Councillor Pantalone moved that motions (c), (f), (g) and (h), by Councillors Hall, Feldman, Milczyn and Minnan-Wong, respectively, be referred to the Chief Administrative Officer for report thereon to City Council at the same time as City Council considers the Federal Government’s response with respect to the fixed link to the Toronto City Centre Airport.
- (j) Councillor Shiner moved that motion (a) by Mayor Miller be amended to provide that City Council’s approval of the request to amend the Tripartite Agreement be conditional upon there being no costs in excess of the settlement approved by City

Council by its adoption of Clause No. 1 of Report No. 6 of The Policy and Finance Committee on June 24, 25 and 26, 2003.

- (k) Councillor Mihevc moved that motion (i) by Councillor Pantalone be amended to include the referral of motion (j) by Councillor Shiner.

Votes:

Adoption of motion (k) by Councillor Mihevc:

Yes - 26	
Mayor:	Miller
Councillors:	Altobello, Ashton, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Jenkins, McConnell, Mihevc, Moscoe, Pantalone, Pitfield, Rae, Saundercook, Thompson, Walker, Watson
No - 18	
Councillors:	Augimeri, Balkissoon, Del Grande, Feldman, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Palacio, Shiner, Soknacki, Stintz

Carried by a majority of 8.

Adoption of motion (i) by Councillor Pantalone, as amended:

Yes - 28	
Mayor:	Miller
Councillors:	Altobello, Ashton, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Jenkins, Lindsay Luby, McConnell, Mihevc, Moscoe, Palacio, Pantalone, Pitfield, Rae, Saundercook, Thompson, Walker, Watson
No - 16	
Councillors:	Augimeri, Balkissoon, Del Grande, Feldman, Hall, Holyday, Kelly, Li Preti, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Shiner, Soknacki, Stintz

Carried by a majority of 8.

Adoption of motion (d) by Councillor Di Giorgio:

Yes - 40	
Mayor:	Miller
Councillors:	Altobello, Ashton, Augimeri, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 4	
Councillors:	Balkissoon, De Baeremaeker, Mammoliti, Nunziata

Carried by a majority of 36.

Adoption of motion (e) by Councillor Palacio:

Yes - 43	
Mayor:	Miller
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Hall, Holyday, Jenkins, Kelly, Li Preti, Lindsay Luby, Mammoliti, McConnell, Mihevc, Milczyn, Minnan-Wong, Moscoe, Nunziata, Ootes, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Soknacki, Stintz, Thompson, Walker, Watson
No - 1	
Councillor:	Augimeri

Carried by a majority of 42.

Adoption of Part (1) of motion (a) by Mayor Miller:

Yes - 26 Mayor: Miller Councillors: Altobello, Ashton, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Filion, Fletcher, Giambrone, Grimes, Jenkins, McConnell, Mihevc, Moscoe, Palacio, Pantalone, Pitfield, Rae, Saundercook, Thompson, Walker, Watson
No - 18 Councillors: Augimeri, Balkissoon, Del Grande, Di Giorgio, Feldman, Hall, Holyday, Kelly, Li Preti, Lindsay Luby, Mammoliti, Milczyn, Minnan-Wong, Nunziata, Ootes, Shiner, Soknacki, Stintz

Carried by a majority of 8.

Adoption of Part (2) of motion (a) by Mayor Miller, as amended:

Yes - 32 Mayor: Miller Councillors: Altobello, Ashton, Balkissoon, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Del Grande, Di Giorgio, Filion, Fletcher, Giambrone, Grimes, Jenkins, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Pitfield, Rae, Saundercook, Stintz, Thompson, Walker, Watson
No - 12 Councillors: Augimeri, Feldman, Hall, Holyday, Kelly, Li Preti, Mammoliti, Minnan-Wong, Nunziata, Ootes, Shiner, Soknacki

Carried by a majority of 20.

In summary, City Council adopted the following recommendations:

“It is recommended that:

(a) the Resolution by Mayor Miller be adopted, subject to:

- (1) adding to Part (2), the words ‘to reflect the wishes of the citizens of the City of Toronto, and the Federal Government be requested to respond as soon as possible but no later than three months’; and

- (2) adding the following new Part (3):
- ‘(3) the Chief Administrative Officer be requested to submit a report to City Council on a request that the Federal Government indemnify the City of Toronto against any legal costs or liabilities, pursued by third parties, that may arise from the amending of the Tripartite Agreement and, further, that this report be before City Council at the same time as the Federal Government response.’,

so that the Resolution by Mayor Miller, as amended by City Council, shall now read as follows:

‘WHEREAS the future of Toronto’s waterfront and the building of a bridge to the Toronto City Centre Airport was an important election issue in the 2003 municipal elections; and

WHEREAS the Mayor and many Members of Council were elected on a mandate to stop the construction of the bridge; and

WHEREAS, in order for Council to do so, it needs to seek to amend the Tripartite Agreement so that the original prohibition against a bridge is reinstated;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the Council of the City of Toronto state that it does not support the construction of a bridge (fixed link) to the Toronto City Centre Airport;
- (2) the Council of the City of Toronto request that the Federal Government and its agency, the Toronto Port Authority, agree to amend the Tripartite Agreement so as to remove the provision for a fixed link to the Toronto City Centre Airport to reflect the wishes of the citizens of the City of Toronto, and the Federal Government be requested to respond as soon as possible but no later than three months; and

- (3) the Chief Administrative Officer be requested to submit a report to City Council on a request that the Federal Government indemnify the City of Toronto against any legal costs or liabilities, pursued by third parties, that may arise from the amending of the Tripartite Agreement and, further, that this report be before City Council at the same time as the Federal Government response.’; and
- (b) the following motions be referred to the Chief Administrative Officer for report thereon to City Council at the same time as City Council considers the Federal Government’s response with respect to the fixed link to the Toronto City Centre Airport:

Moved by Councillor Feldman:

‘That the Resolution by Mayor Miller be amended to provide that the City of Toronto’s request to amend the Tripartite Agreement be conditional on the Federal Government providing indemnification to the City against any legal action that may result from the City amending the Tripartite Agreement or any other action by the City to encourage the Federal Government or the Toronto Port Authority to stop the fixed link to the Toronto City Centre Airport.’

Moved by Councillor Hall:

‘It is further recommended that City Council request the Federal Government to legislate the prohibition present in the Tripartite Amendment Agreement relating to the NEF 25 noise exposure parameters, the ban on jets and any runway extensions.’

Moved by Councillor Milczyn:

‘It is further recommended that, should the agreement of the Federal Government and the Toronto Port Authority not be secured to amend the Tripartite Agreement to remove approval for a fixed link, then the City of Toronto will take no further action to oppose the fixed link.’

Moved by Councillor Minnan-Wong:

‘It is further recommended that the Chief Administrative Officer be requested to report monthly to City Council, through the Economic Development and Parks Committee, on all expenditures and costs arising to the City of Toronto and its agencies, boards and commissions relating to amending the Tripartite Agreement, stopping construction of the fixed link to the Toronto City Centre Airport and the settlement with the Toronto Port Authority.’

Moved by Councillor Shiner:

‘That the Resolution by Mayor Miller be amended to provide that City Council’s approval of the request to amend the Tripartite Agreement be conditional upon there being no costs in excess of the settlement approved by City Council by its adoption of Clause No. 1 of Report No. 6 of The Policy and Finance Committee on June 24, 25 and 26, 2003.’ ”

BILL AND BY-LAW

S2.5 On December 3, 2003, at 6:43 p.m., Councillor Moscoe, seconded by Councillor Soknacki, moved that leave be granted to introduce the following Bill, and that this Bill, prepared for this meeting of Council, be passed and hereby declared as a By-law:

Bill No. 19	By-law No. 2-2004	To confirm the proceedings of the Council at its Special Meeting held on the 3rd of day of December, 2003,
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the vote upon which was taken as follows:

Yes - 34	
Mayor:	Miller
Councillors:	Altobello, Ashton, Balkissoon, Bussin, Carroll, Cho, Chow, Cowbourne, Davis, De Baeremaeker, Di Giorgio, Feldman, Filion, Fletcher, Giambrone, Grimes, Holyday, Jenkins, Lindsay Luby, McConnell, Mihevc, Milczyn, Moscoe, Palacio, Pantalone, Pitfield, Rae, Saundercook, Shiner, Stintz, Thompson, Walker, Watson
No - 10	
Councillors:	Augimeri, Del Grande, Hall, Kelly, Li Preti, Mammoliti, Minnan-Wong, Nunziata, Ootes, Soknacki

Carried by a majority of 24.

OFFICIAL RECOGNITIONS:**S2.6 Condolence Motions**

Mayor Miller, seconded by Councillor Walker, moved that:

“WHEREAS the Members of City Council are very saddened to learn of the sudden passing of Mr. Tom Kneebone, a driving force in the theatrical community in Toronto and around the world; and

WHEREAS Tom Kneebone’s contributions ranged from classical to cabaret and, as an award winning performer, writer and director on the stage, in films, on TV and radio, he distinguished himself as one of our leading theatrical figures and, in so doing, injected his enthusiasm and love for the arts with audiences here and around the world; and

WHEREAS during his 16 years as the Artistic Director of The Smile Theatre Company, Tom Kneebone shared his passion for entertaining with over 75 special productions that brought smiles, tears and joy to seniors in nursing homes, hospitals and other care facilities; and

WHEREAS Tom Kneebone was a relentless booster of the theatrical community, involved with small, large and lavish productions and outstanding performances at the London Old Vic, The Stratford Festival, The Shaw Festival and many other venues world-wide; and

WHEREAS as an icon of the theatrical world, and, in recognition of his many memorable and outstanding achievements during a long and distinguished career, Tom Kneebone was rewarded with the Order of Ontario, the Order of Canada, the Queen’s Jubilee Medal and other prestigious awards; and

WHEREAS Tom will be forever remembered and his laughter etched in the hearts of his cousin Robert Gibson in Australia, his many devoted friends and audiences in Toronto and around the world;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to his cousin Robert Gibson.”

Mayor Miller, seconded by Councillor Pantalone, moved that:

“**WHEREAS** the Members of City Council are very saddened to learn of the sudden passing of Toronto artist Lynn Donoghue on November 22, 2003; and

WHEREAS Lynn was a nationally recognized painter whose strong luminous works can be found in galleries and museums across Canada and in private collections internationally; and

WHEREAS since her arrival in Toronto in the 1970’s, Lynn has been a major presence through her exceptional exhibitions at galleries, and also through her teaching and mentoring of young and upcoming artists; and

WHEREAS she was elected a member of the Royal Academy of Art in 1991; and

WHEREAS Lynn had recently expanded her interests to include volunteer service in the broader cultural and heritage programs of the City, including serving on the Board of Management for Spadina, Colborne Lodge and Mackenzie House; and

WHEREAS Lynn received the Queen’s Golden Jubilee Medal for outstanding service to the community in 2002; and

WHEREAS her presence will be missed in the City and in the hearts of the hundreds of people she touched in her short, vibrant life;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to her family and especially her son Luca.”

Councillor Balkissoon, seconded by Councillor Soknacki, moved that:

“**WHEREAS** the Members of City Council are deeply saddened to learn of the sudden passing of Pam Mahood on Wednesday, October 15, 2003; and

WHEREAS Pam Mahood was the loving wife of retired Toronto Councillor Doug Mahood and mother of former Council staff member Cheryl Mahood; and

WHEREAS Pam Mahood will be remembered for her kindness and devotion to her family and friends; and

WHEREAS Pam will be deeply missed by her many friends, family members and by patrons at the family marina on Kennisis Lake in Haliburton;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to her husband Doug and daughter Cheryl.”

Leave to introduce the foregoing Motions was granted and the Motions carried unanimously.

Council rose and observed a moment of silence in memory of the late Tom Kneebone, Lynn Donoghue and Pam Mahood.

Councillor Ashton, seconded by Councillor Kelly, moved that:

“**WHEREAS** the Members of Toronto City Council are saddened to learn of the passing of Shirley Eidt, a former Member of Scarborough Council who came out of retirement to fill a seat on the Council of the Municipality of Metropolitan Toronto for six months, following the death of Councillor Brian Harrison; and

WHEREAS Shirley Eidt will long be remembered as an enthusiast of public participation and worked tirelessly in the Scarborough community to promote participation in local government; and

WHEREAS Shirley Eidt was a Member of the Board of the Canadian Cancer Society and a long time fundraiser for The Heart and Stroke Foundation and volunteered a tremendous amount of time and energy working with developmentally handicapped kids at Golf Road School; and

WHEREAS Shirley Eidt exemplified the spirit of volunteerism through her involvement with various organizations and charities, who once said her goal was to help people with their problems and, through her vision, made our community a better and more caring society; and

WHEREAS it was a privilege to know her;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the members of Toronto City Council, our sincere sympathy to Shirley’s daughter Cathy Nash and her son Jim and his family.”

Leave to introduce the foregoing Motion was granted.

Motion:

Councillor Ashton moved that the Motion by Councillor Ashton, seconded by Councillor Kelly, be amended by adding thereto the following new Operative Paragraph:

“AND BE IT FURTHER RESOLVED THAT the Toronto East Community Council be requested to give consideration to an appropriate naming opportunity to recognize the tremendous contribution to the former City of Scarborough by Councillor Shirley Eidt.”

Votes:

The motion by Councillor Ashton carried.

The Motion by Councillor Ashton, seconded by Councillor Kelly, as amended, carried unanimously.

Council rose and observed a moment of silence in memory of the late Shirley Eidt.

Councillor Balkissoon, seconded by Councillor Altobello, moved that:

“WHEREAS the Members of City Council are deeply saddened by the tragic death of Mr. Derek Wah Yan on November 1, 2003; and

WHEREAS Mr. Derek Wah Yan was fatally wounded by a stray bullet as he sat in his home; and

WHEREAS this senseless and random act of violence has deprived a wife of her husband and two young sons of their father; and

WHEREAS the death of Derek Wah Yan is a great loss to his family, to his friends and to all members of his community;

NOW THEREFORE BE IT RESOLVED THAT the City Clerk be directed to convey, on behalf of the Members of City Council, our sincere sympathy to his wife, Kim Pheung and to his two sons, Andrew and Felix.”

Leave to introduce the foregoing Motion was granted and the Motion carried unanimously.

Council rose and observed a moment of silence in memory of the late Derek Wah Yan.

S2.7 MOTIONS TO VARY ORDER OR WAIVE PROCEDURE

Vary the order of proceedings of Council:

Councillor Holyday, at 9:45 a.m., moved that Council vary the order of its proceedings to now recess, in order to permit the Striking Committee to meet and report back to Council on the Appointment of Members of Council to the Standing Committees and other Committees, as per the normal order of business for the First meeting of City Council.

Ruling by Mayor Miller:

Mayor Miller, having regard to the nature of the motion by Councillor Holyday, ruled such motion out of order.

Waive the provisions of Chapter 27 of the City of Toronto Municipal Code related to meeting times:

Mayor Miller, at 12:30 p.m., with the permission of Council, moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, Council waive the requirement of the 12:30 p.m. recess, in order to permit Councillor Ootes to conclude his questions of City officials, which carried, more than two-thirds of Members present having voted in the affirmative.

S2.8 Presentations/Introductions/Announcements:

Elaine Baxter-Trahair, Project Director, Waterfront Secretariat, during the morning session of the Special meeting, gave a presentation to the Council on the Toronto Port Authority and the Fixed Link to the Toronto City Centre Airport.

The City Solicitor, during the morning session of the Special meeting, addressed the Council in regard to the legal issues pertaining to the Toronto Port Authority and the Fixed Link to the Toronto City Centre Airport.

S2.9 ATTENDANCE

December 3, 2003	9:30 a.m. to 12:35 p.m.*	2:09 p.m. to 6:50 p.m.*
Miller	x	x
Altobello	x	x
Ashton	x	x

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December 3, 2003	9:30 a.m. to 12:35 p.m.*	2:09 p.m. to 6:50 p.m.*
Augimeri	x	x
Balkissoon	x	x
Bussin	x	x
Carroll	x	x
Cho	x	x
Chow	x	x
Cowbourne	x	x
Davis	x	x
De Baeremaeker	x	x
Del Grande	x	x
Di Giorgio	x	x
Feldman	x	x
Filion	x	x
Fletcher	x	x
Ford	x	-
Giambrone	x	x
Grimes	x	x
Hall	x	x
Holyday	x	x
Jenkins	x	x
Kelly	x	x
Li Preti	x	x
Lindsay Luby	x	x
Mammoliti	x	x
McConnell	x	x
Mihevc	x	x
Milczyn	x	x
Minnan-Wong	x	x
Moscoe	x	x
Nunziata	x	x
Ootes	x	x

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December 3, 2003	9:30 a.m. to 12:35 p.m.*	2:09 p.m. to 6:50 p.m.*
Palacio	x	x
Pantalone	x	x
Pitfield	x	x
Rae	x	x
Saundercook	x	x
Shiner	x	x
Soknacki	x	x
Stintz	x	x
Thompson	x	x
Walker	x	x
Watson	x	x
Total	45	44

Council adjourned at 6:50 p.m.

**DAVID R. MILLER,
Mayor**

**ULLI S. WATKISS,
City Clerk**