



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

Ensuring Value for Money for Tree Maintenance Services - Update and Legal Advice - Supplementary Report

Date: July 27, 2020

To: City Council

From: City Solicitor and General Manager, Parks, Forestry and Recreation

Wards: All

REASON FOR CONFIDENTIAL INFORMATION

This report is about litigation or potential litigation that affects the City of Toronto.

The attachment to this report contains advice or communications that are subject to litigation and solicitor-client privilege.

SUMMARY

This report supplements the report from the City Solicitor and General Manager, Parks, Forestry and Recreation "Ensuring Value for Money for Tree Maintenance Services - Update and Legal Advice" dated June 24, 2020 being Item IE14.8. The Infrastructure and Environment Committee forwarded the report directly to Council, without recommendation.

This Supplementary Report and Item IE14.8 summarize the findings of Parks, Forestry and Recreation's review of work performed by tree maintenance vendors and provides related legal advice.

Parks, Forestry and Recreation continues to work with key partners to respond to Council's directions arising from Item AU2.4, adopted on May 14, 2019. Following the adoption of AU2.4, Parks, Forestry and Recreation engaged with the City's Internal Audit Office to undertake an external audit focused on tree maintenance contract management issues. The final report prepared by Pricewaterhouse Cooper identified and aligned with the recommendations on contract management highlighted by the Auditor General's April 2019 report.

A second status report responding to the recommendations contained in the Auditor General's April 2019 report will be provided through Audit Committee at its October

2020 meeting. An earlier status report was provided to Audit Committee in October 2019.

RECOMMENDATIONS

The General Manager, Parks, Forestry and Recreation and the City Solicitor recommend that:

1. City Council receive the information contained in Confidential Attachment 1 and direct that Confidential Attachment 1 remain confidential in its entirety as it contains advice which is subject to solicitor-client and litigation privilege.

FINANCIAL IMPACT

The financial impact of adopting this report is included in the Confidential Attachment.

DECISION HISTORY

On July 9, 2020 the Infrastructure and Environment Committee forwarded the report from the City Solicitor and General Manager, Parks, Forestry and Recreation "Ensuring Value for Money for Tree Maintenance Services - Update and Legal Advice" dated June 24, 2020, directly to Council, without recommendation. The following is a link to that decision:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.IE14.8>

COMMENTS

Parks, Forestry and Recreation (PFR) has conducted a review of the tree maintenance contracts referenced in the April 26, 2019 report from the Auditor General - Ensuring Value for Money for Tree Maintenance Services and, in consultation with Legal Services, has engaged the vendors in discussions on a confidential and without prejudice basis.

Confidential Attachment 1 provides further detail respecting the results of PFR's review and related legal advice. It is necessary to maintain confidentiality to protect the City's legal interests. The information contained in Confidential Attachment 1 is subject to both litigation and solicitor-client privilege.

CONTACT

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Supplementary Report for Action with Confidential Attachment - Supplemental Information and Legal Advice Relating to Urban Forestry's Review of Tree Maintenance Contracts

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SIGNATURE

Janie Romoff
General Manager
Parks, Forestry and Recreation

Wendy Walberg
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Legal Services

ATTACHMENTS

Confidential Attachment 1 - Confidential Information