

JANET DAVIS

October 26, 2020

EX 17.1 Towards Recovery and Building a New Toronto

This is a very important report and I would like to share my views with Council and staff. First, everyone involved in developing the reports and recommendations -- staff, experts, councillors and the public -- deserve to be commended for their excellent work.

The report by Dr. David Mowat and Mr. Saad Rafi is comprehensive, with depth and insight. It captures the conditions and aspirations of a city striving to be inclusive, equitable, prosperous and sustainable as it struggles to respond and recover from the pandemic.

The City Manager's report begins a process to strengthen the City's capacity to deliver on the path to recovery with an emphasis on intergovernmental solutions. Mr. Murray makes it very clear that Toronto needs other orders of government to help secure our current and future success as a City.

Although we can't go it alone – I believe we can and must lead the way.

Fundamental Change

It is time for fundamental change, and I am pleased to see that the City Manager's report makes intergovernmental strategy the central recommendation of his report. There is no doubt that, if we do not pursue a more focused, organized approach to intergovernmental relations, the City will not secure the resources it needs or achieve the recovery plan it envisions.

As a member of Council for over 15 years, I saw a variety of reports, strategies, budgets, by-laws – and intergovernmental approaches that tried to address the fundamental mismatch between Toronto's responsibilities, authorities and resources.

While the report's recommendations are sound, I believe they should go further. I believe it is time for a "whole of government" comprehensive "who does what" review. While such an endeavor is a daunting prospect, it is a necessary step to restructure and rebalance the responsibilities and financial capacity of municipal governments and school boards.

Real, fundamental change has to be the ultimate goal and included in the Intergovernmental Strategy (IGS.) A new re-alignment of jurisdictions must simplify and

clarify responsibilities, provide financial capacity to deliver the services governments are responsible for, and be accountable to the public in these roles. If we do not pursue greater authority, clarity of roles, and the ability to finance and deliver services ourselves, we will remain, forever, cap-in-hand begging for the resources we need.

Cooperative Federalism

The pandemic response over the past 7 months has demonstrated that governments at all levels can – and have – cooperated in the best interest of the people they serve. Now is the time to build on the momentum of crisis federalism – to create a new cooperative federalism with municipalities as formal partners.

The IGS will need short, medium and longer term strategies that withstand changes in administrations and governments at all levels. In the absence of immediate amendments to the constitution, new taxing powers or disentangling shared jurisdictions, we need to actively pursue a revitalized “cooperative federalism” that moves Toronto toward recognition as a legitimate order of government.

As the report recommends, Toronto must be treated as an order of government and be “at the table”. There must be a new “whole government” approach, a tri-lateral or multi-lateral model for inter-governmental relations and negotiations. Toronto must demand to be an active participant with other governments in “co-development to seek mutually beneficial outcomes.”

The City Manager recommends that an IGS report be brought back to Council in early 2021. Council must ensure that this IGS report will set out governance models, principles and processes for establishing negotiations parameters, decision-making authority, public accountability and resource needs for both internal and intergovernmental work.

There must also be a new commitment to collaboration between the Mayor, all councillors and communities. The strategy must include a process to determine City priorities – before engaging other governments. Transparency and accountability to full Council and the public is essential if we hope to build trust and cooperation – and success in our efforts.

Closed-door, executive-led, staff-supported negotiations with open-ended, delegated authority, ambiguous parameters and informal agreements, may lead to intermittent, positive results. But this approach is contrary to our desire for fundamental change, damaging to local democracy and vulnerable to political influences.

There have been different approaches to federal, provincial, municipal cooperation in the past; but changing governments and political priorities have often left Toronto frustrated and without a stable and predictable approach to shared-jurisdiction, policy

and financing. There is no doubt that the status and needs of municipalities are too often translated – or mutated – by provincial-federal politics.

But there are precedents. While they were not renewed the Canada-Ontario Immigration Agreement (and Toronto side-agreement), Toronto-Ontario Consultation and Cooperation Agreement and a variety of other specific agreements included Toronto as a party to the agreement, and as a recognized order of government.

Short term Strategy and Early Success

While Toronto needs a more focused and structured strategy for the medium and long-term, real work needs to happen now. But the short-term work cannot become the long-term strategy.

First priority: Council must demand and expect that Toronto will be at the table for any federal/provincial discussions that require municipal participation to deliver the services or projects that are the expected outcomes. Toronto has the expertise and capacity, and must have its voice formally recognized. We can't forget, they need us.

For the short term, Toronto's new strategy should start with the services that have shared-jurisdiction, high priority and outstanding (previous) commitments from all levels of government – and a chance for success. And we should push beyond the current form of negotiations to establish a more formal relationship.

Early learning and child care (ELCC)

ELCC can provide the model for a new inter-governmental, tri-lateral approach now. Why?

- In 2017, Council approved 2026 The Child Care Growth Strategy, and called for the City to work toward a tri-lateral agreement.
- ELCC is a priority for all governments to contribute to economic recovery and support equitable access to the labour market.
- There is a pre-existing federal policy framework and the Canada –Ontario bi-lateral agreement upon which to build. There has been an extension of the existing agreement and there is time to negotiate before 2021 budgets are approved.
- Toronto has the expertise, service plan and delivery capacity to achieve the service growth and affordability we need for the families we serve – but not without additional financing.
- Toronto needs to be at a structured, inter-governmental table to make our policy, service and funding needs understood and respected.

- Toronto Children’s Services (and Toronto families) need agreements that will stabilize service planning with predictable and stable multi-year funding, with Toronto as a signatory.

A new model of intergovernmental cooperation and tri-lateral approach for ELCC negotiations should be developed and taken to Council based on the previously-approved, up-dated Towards 2026 Growth Strategy.

An update report to Council must go to as soon as possible to clarify the intergovernmental asks. The report should set out the principles, process and parameters for negotiations and agreements. It should be supported with a policy and background document which will outline Toronto’s child care and early learning system, current challenges, future plans, legislative and financial needs.

The City should also engage School Boards in Toronto. Child care resides with the Ministry of Education, and school boards are mandated to provide before and after school programs. This joint approach is necessary to ensure that future directions and federal/provincial funding can be aligned.

With clarify in purpose and outcomes, the City should also engage women, child care providers, and the many communities affected by the lack of regulated child care options in Toronto.

Role of School Boards Overlooked in Reports

I was surprised and disappointed to see that School Boards and the important role they play in the lives of Toronto’s children, families and communities – and the City’s ability to achieve its aspirations for the future -- was virtually overlooked in the City Manager’s Report and the report of Dr. Mowat and Mr. Rafi.

The City of Toronto, in both its amalgamated and predecessor structures, has deep and long-standing interconnected relationships with our school boards. The City is involved with school boards in many ways: recreation, permits for community use, child care, afterschool recreation, swimming, shared-use facilities, shared infrastructure projects and community planning. The City shares common interests in relation to provincial policies and funding, such as tax policy, development charges. The City has attempted, often with mixed results, to work collaboratively and in common advocacy efforts with school boards.

School closures were the first casualty of the pandemic shutdown, causing a profound impact on families – parent’s ability to work, women’s return to the labour market, and most important, the physical and emotional well-being of our youngest residents.

School re-opening, the advisability and impact on community spread was a huge public health question, causing huge public interest and concern.

Schools and only appear in the report of Dr. Mowat and Mr. Raafi, in the recommendations related to COVID-19. There are two recommendations related to school boards: (16) that the Public Health continue to work with school boards when students return in September, and (19) that Public Health provide support and nurses to areas of highest need. Beyond this, there is no recognition that schools and school boards are, and must continue to be, critical partners in our recovery strategies.

In all of the sections of the report directed at economic recovery there is no mention of the role of the public education system. The report addresses Business Support; Climate Change & Resilience; Cultural Support; Digital Infrastructure; Mobility; Modernization; Municipal Finance; Public Space; Social and Community Supports.

The process of consultation included dialogue with post-secondary institutions; but it appears there was no engagement with school boards. This may have been an oversight, considering the immense workload and pressure school boards were experiencing at that time. But it is an oversight that needs to be considered and corrected.

The City Managers report also overlooks school boards. In the analysis of the history of jurisdictional and funding changes between the City and province, the report fails to recognize the changes to education funding that underpinned the eventual uploads and downloads at amalgamation. High, unequal, education business taxes in Toronto have had a negative impact on economic development in our city. Education finance, and the adequacy of the “funding formula” for our education system continues to be a common concern among families and educators, before and during the pandemic.

School Boards are another “order of government” – elected, accountable, and responsible for massive delivery of services; however, they too have a total misalignment of roles, authority, and capacity to deliver. With taxing powers removed from school boards in 1998, mandatory approvals and regular direction from the provincial government, they have truly been relegated to children of the province.

If Toronto is to engage with other levels of government to look at fundamental realignment of services, funding and accountabilities, School Boards must be involved. The current structure simply isn't working.

In the meantime, the City must involve School Boards as they look at developing an effective intergovernmental strategy. In Section 4 below, school boards and the education system is not mentioned once.

In Section 4: A Shared Commitment to Recovery with our Partners

- 4.1. Intergovernmental Cooperation During COVID-19
- 4.2. Collaborating Across Boundaries
- 4.3. Advancing the City's Intergovernmental Approach
- 4.4. Collaboration with our Community Partners
- 4.5. Access to Public Space

It is shocking that this Section, which is entirely devoted to partnerships, intergovernmental relations and the inadequacy of current arrangements, omits school boards, our other levels of local government,

The report, and its recommendations, must be reconsidered by staff with school boards as fundamental partners who share responsibility, and play a fundamental role in economic resilience and recovery.

City continues to collect education taxes, and supports thousands of the same residents as they move through this challenging period of recovery. The City can't turn its back to the needs and challenges faced by public education in its current structure and form.

Next Steps

In order to move this report forward expeditiously, and to influence 2021 federal and provincial budgets, there will be a need to focus immediately on a short list of priority items. Early Learning and Child Care should be one of those priorities. I would like to suggest that the following, or similar motions, be considered by Council.

Thank you for the opportunity to share my ideas and suggestions on this important report.

Recommendations:

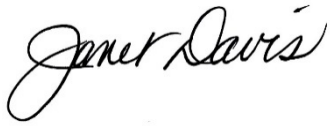
Council request:

1. The City Manager to bring forward to the January meeting of Executive Committee, a framework for a renewed Intergovernmental Strategy, with both short, medium and long term goals, governance, accountability mechanisms and community involvement; and include a specific process for engaging with other orders of government on immediate priorities, including early learning and child care;
2. The City Manager and Clerk post and circulate the draft report in advance of the normal one week notice date to allow for more public awareness and engagement;
3. Deputy City Manager, Community and Social Services, report to the December Economic and Community Development Committee with a background report and updated targets for the Child Care Growth Strategy for a multi-year plan and

financing needs to serve as the foundation for a trilateral agreement; in consultation with Community Planning, Recreation Services, as well as School Boards and child care advisory committees;

4. The City Manager develop a formal structure and process to engage School Board in the development of the City's Intergovernmental Strategy and framework for his January report.

Sincerely,

A handwritten signature in black ink that reads "Janet Davis". The signature is written in a cursive, flowing style.

Janet Davis