



AGENDA

GENERAL COMMITTEE

THE CORPORATION OF THE CITY OF MISSISSAUGA

www.mississauga.ca

WEDNESDAY, APRIL 17, 2013 – 9:00 A.M.

COUNCIL CHAMBER – 2nd FLOOR – CIVIC CENTRE
300 CITY CENTRE DRIVE, MISSISSAUGA, ONTARIO, L5B 3C1

Members

Mayor Hazel McCallion	
Councillor Jim Tovey	Ward 1
Councillor Pat Mullin	Ward 2
Councillor Chris Fonseca	Ward 3
Councillor Frank Dale	Ward 4
Councillor Bonnie Crombie	Ward 5
Councillor Ron Starr	Ward 6
Councillor Nando Iannicca	Ward 7 (Chair)
Councillor Katie Mahoney	Ward 8
Councillor Pat Saito	Ward 9
Councillor Sue McFadden	Ward 10
Councillor George Carlson	Ward 11

Contact:

Sacha Smith, Legislative Coordinator, Office of the City Clerk
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sacha.smith@mississauga.ca

INDEX – GENERAL COMMITTEE – APRIL 17, 2013

CALL TO ORDER

DECLARATIONS OF DIRECT (OR INDIRECT) PECUNIARY INTEREST

APPROVAL OF THE AGENDA

PRESENTATIONS

DEPUTATIONS

- A. Crystal Greer, Director, Legislative Services and City Clerk, Ivana Di Millo, Director, Communications with respect to Rogers Partnership to stream General Committee meetings live.

MATTERS TO BE CONSIDERED

Unfinished Business

1. Councillors' Office Budgets and Newsletter Expenses

New Business

2. 2013 Services Agreement between the City of Mississauga and the Greater Toronto Marketing Alliance
3. Ministry of Consumer Services Consultation Package for the Ontario Underground Infrastructure Notification System Act, 2012
4. 2013 Noise Attenuation Barrier Replacement Program (Wards 4, 5, 6, 7 and 11)
5. Lower Driveway Boulevard Parking – Ewing Crescent (Ward 11)
6. High Five Accreditation Project for Children's Recreation Programs
7. Public Art for Erindale GO Station – Cost Sharing Agreement with Metrolinx (Ward 6)

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8. 2012 Year-End Operating Financial Results
9. Surplus Land Declaration – portion of the closed out road allowance of Bellevue Street
(Ward 11)

ADVISORY COMMITTEE REPORTS

COUNCILLORS' ENQUIRIES

CLOSED SESSION

(Pursuant to Subsection 239 (2) of the *Municipal Act, 2001*)

ADJOURNMENT

CALL TO ORDER

DECLARATIONS OF DIRECT (OR INDIRECT) PECUNIARY INTEREST

APPROVAL OF THE AGENDA

PRESENTATIONS

DEPUTATIONS

- A. Crystal Greer, Director, Legislative Services and City Clerk, Ivana Di Millo, Director, Communications with respect to Rogers Partnership to stream General Committee meetings live.

MATTERS TO BE CONSIDERED

Unfinished Business

1. Councillors' Office Budgets and Newsletter Expenses

Extracts of Budget Committee Minutes for the meeting dates on October 17, 2012, November 27, 2012, December 4, 2012, December 5, 2012 and December 12, 2012, related agenda material and handouts with respect to Councillors' office budgets and newsletter expenses.

This matter was deferred for discussion at General Committee as per recommendation GC-0094-2013 adopted by Council on March 6, 2013.

New Business

2. 2013 Services Agreement between the City of Mississauga and the Greater Toronto Marketing Alliance

Corporate Report dated March 25, 2013 from the City Manager and Chief Administrative Officer with respect to the 2013 Services Agreement with the Greater Toronto Marketing Alliance.

(2.)

RECOMMENDATION

That a by-law be enacted to authorize the Mayor and City Clerk to execute a Services Agreement between the City of Mississauga and the Greater Toronto Marketing Alliance (GTMA), substantially in the form attached, (Appendix 1) and as described in the City Manager and Chief Administrative Officer's report dated March 25, 2013.

3. Ministry of Consumer Services Consultation Package for the Ontario Underground Infrastructure Notification System Act, 2012

Corporate Report dated April 5, 2013 from the Commissioner of Transportation and Works with respect to the Ministry of Consumer Services Consultation Package for the Ontario Underground Infrastructure Notification System Act, 2012.

RECOMMENDATION

That the preliminary comments submitted on April 4, 2013 from the Commissioner of Transportation and Works to the Ministry of Consumer Services included as Appendix 1 to the General Committee report dated April 5, 2013 in response to the "Proposals for the Implementation of the *Ontario Underground Infrastructure Notification System Act, 2012*" consultation package and included as Appendix 2, be endorsed.

4. 2013 Noise Attenuation Barrier Replacement Program (Wards 4, 5, 6, 7 and 11)

Corporate Report dated March 27, 2013 from the Commissioner of Transportation and Works with respect to the 2013 Noise Attenuation Barrier Replacement Program.

RECOMMENDATION

That the proposed 2013 Noise Attenuation Barrier Replacement Program, as outlined in the report from the Commissioner of Transportation and Works dated April 17, 2013, be approved.

5. Lower Driveway Boulevard Parking – Ewing Crescent (Ward 11)

Corporate Report dated March 26, 2013 from the Commissioner of Transportation and Works with respect to lower driveway boulevard parking on Ewing Crescent.

RECOMMENDATION

That a by-law be enacted to amend By-law 555-2000, as amended, to implement lower driveway boulevard parking between the curb and sidewalk, at anytime, on the north, west and south side (outer circle) of Ewing Crescent.

6. High Five Accreditation Project for Children's Recreation Programs

Corporate Report dated March 27, 2013 from the Commissioner of Community Services with respect to the High Five Accreditation Project for Children's Recreation Programs.

RECOMMENDATION

1. That the Corporate Report dated March 27, 2013 from the Commissioner of Community Services entitled "High Five Accreditation Project for Children's Recreation Programs" be approved.
2. That a by-law be enacted to authorize the Commissioner of Community Services and the City Clerk to enter into a grant agreement or any other ancillary documents, subject to confirmation of funding, with the Ontario Sport and Recreation Communities Fund (OSRCF) to implement Mississauga's High Five Accreditation Project in a form satisfactory to the City Solicitor.

7. Public Art for Erindale GO Station – Cost Sharing Agreement with Metrolinx (Ward 6)

Corporate Report dated March 27, 2013 from the Commissioner of Community Services with respect to public art for Erindale GO Station.

RECOMMENDATION

That a by-law be enacted to authorize the Commissioner of Community Services to execute a cost sharing agreement between Metrolinx and The Corporation of the City of Mississauga regarding the acquisition of public art at Erindale GO Station, in a form acceptable to the City Solicitor and subject to the conditions outlined in the Corporate report dated March 27, 2013 from the Commissioner of Community Services.

8. 2012 Year-End Operating Financial Results

Corporate Report dated April 4, 2013 from the Commissioner of Corporate Services and Treasurer with respect to the 2012 year-end operating financial results.

RECOMMENDATION

1. That the 2012 Year-End Operating Financial Results, as outlined in the Corporate Report dated April 4, 2013 from the Commissioner of Corporate Services and Treasurer entitled "2012 Year-End Operating Financial Results" be received for information.
2. That the sum of \$1,413,800 be transferred to the Development Charges Library (Account # 31325) from Meadowvale Community Centre and Library Renovation - Design (PN09-430) to accommodate the funding source change, and that the sum of \$1,413,800 be transferred from the Capital Reserve Fund (Account#33121) to Meadowvale Community Centre and Library Renovation - Design (PN09-430) to accommodate the funding source change.
3. That all necessary by-laws be enacted.

9. Surplus Land Declaration – portion of the closed out road allowance of Bellevue Street (Ward 11)

Corporate Report dated March 27, 2013 from the Commissioner of Corporate Services and Treasurer with respect to a surplus land declaration on Bellevue Street.

RECOMMENDATION

That Council rescind, in its entirety, General Committee Recommendation GC-0552-2007 of June 27, 2007 approved by Council on July 4, 2007, and approve the following recommendations:

1. That a portion of the closed out road allowance of Bellevue Street, containing an area of approximately 650 square metres (6,996 square feet) be declared surplus to the City's requirements. The subject lands are legally described as Part of Lot 24 Registered Plan STR-1, Bellevue Street (dedicated by By-law 891) (closed by By-law 536-93), more specifically described as Parts 15, 16, 17, and 23 on the draft Reference Plan prepared by Land Survey Group (LSG) dated October 4, 2012, City of Mississauga, Regional Municipality of Peel, in Ward 11.

(9.)

2. That all steps necessary to comply with the requirements of Section 2.(1) of City Notice By-law 215-2008 be taken, including giving notice to the public by posting a notice on the City of Mississauga's website for at least three weeks prior to the execution of an agreement for the sale of the subject land under Delegated Authority.

ADVISORY COMMITTEE REPORTS

Mississauga Cycling Advisory Committee Report 4-2013 – April 9, 2013
(Recommendation MCAC-0021-2013 to MCAC-0026-2013)

COUNCILLORS' ENQUIRIES

CLOSED SESSION

(Pursuant to Subsection 239 (2) of the Municipal Act, 2001)

ADJOURNMENT

BUDGET COMMITTEE MINUTES EXTRACT
MEETING ON OCTOBER 17, 2012

General Committee

FEB 27 2013

11. 2013 Council Ward Budgets

Memorandum dated October 2, 2012 from the Commissioner of Corporate Services and Treasurer with respect to 2013 Council ward budgets.

General Committee

APR 17 2013

Committee members raised various issues including:

- The advantages and disadvantages of allocating Councillors' expenses budgets based on population, businesses, and/or taxes generated per ward;
- The possibility of Members of Council reducing their individual budgets by 1 percent for a total of \$25,500;
- The higher newsletter expenses incurred by some Councillors with larger populations and the possibility of these individual Councillors approaching Council on a case-by-case basis to secure additional newsletter funding;
- The possible reductions to Councillors' expenses budgets on Appendices 1 and 2;
- The different ways that Councillors manage their expenses budgets, run their offices, and deal with their newsletters;
- The need for Members of Council to communicate with businesses more effectively, as discussed at a recent business roundtable meeting, and to ascertain the views and get the support of businesses on issues like infrastructure funding;
- The Mayor's limited communications budget;
- The possibility of Councillors combining their City and Regional communications to streamline messaging to residents regarding issues such as the total tax bill;
- The challenges for Councillors' expenses budgets throughout the years;
- The advantages and disadvantages of hard copy newsletters as a means of communicating with residents and businesses and the need to consider other methods of communication (e.g., email, Twitter, etc.) that may be more effective;
- The possibility of reviewing how Members of Council in other municipalities communicate with residents and businesses via newsletters and other means; and
- The possibility of Councillors meeting in small groups and/or forming an ad hoc/information subcommittee to further discuss Councillors' expenses budgets, newsletter expenses, and options for funding communications-related expenses.

Ms. Baker responded to the Committee's above-noted comments and questions. She stated that Ivana Di Millo, Director, Communications, could provide a refresher to the Committee on the feedback received from the Communications Master Plan which would deal with the corporate side, rather than with the ward communications by Councillors.

Received (P. Saito)

Recommendation BC-0036-2012

BC-0036-2012

That the Memorandum dated October 2, 2012 from the Commissioner of Corporate Services and Treasurer entitled "2013 Council Ward Budgets" be received.

Memorandum



BUDGET COMMITTEE

OCT 17 2012

TO: Mayor and Members of Council

FROM: Brenda R. Breault, CMA, MBA
Commissioner of Corporate Services and Treasurer

DATE: October 2, 2012

SUBJECT: 2013 Council Ward Budgets

The City Clerk sought feedback from Members of Council with respect to a proposed reduction in the Council Support Staff budget which was identified in response to the City Manager's direction that all service areas submit a 2013 base budget that included a 1% reduction from 2012. The total reduction proposed in the Council Support Staff budget is \$25,500.

In addition, Members of Council were asked for their input with regard to any changes they would like Council to consider for 2013 in the individual Councillor's expenses budget. These budgets, allocated for Councillor specific expenses, including newsletters and Ward related communications, are currently \$26,800 per Ward.

In response to this inquiry, Members of Council indicated support for reduction in the Council Support Staff budget, which is primarily a cut to the office supplies budget. Based on a review of expenditures over the past few years, these funds have not been spent and the reduction is not expected to have any impact on service provision.

With respect to the request for feedback on changes to the Councillor's expenses budget, a number of comments were received and are summarized below.

- It was suggested that Members of Council reduce their individual expenses budgets by 1%.
- It was suggested that \$22,000 from the proposed decrease in the Council Support Staff budget be allocated to pay honorariums to student volunteers who work in the Councillors' offices (The suggestion was to provide \$2,000 for a summer student for each Ward). Some members of Council indicated that this honorarium should be an allowable expense under the Elected Officials' Expense policy, but should be paid from the existing Councillor's expenses budget.

Council

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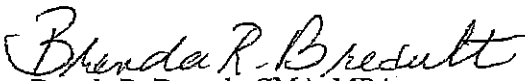
October 2, 2012

- It was suggested that the reduction in the Council Support Staff budget be redirected to the Councillor's expenses budgets to allow for increased resident contact and communication through a second newsletter. (If the total amount proposed to be cut from the Council Support Staff budget were reallocated to the 11 Wards, each Ward would receive an additional \$2,318 for communication with their residents.)
- It was suggested that the total budget provided for Councillor's Expenses be allocated to the Wards based on population, eligible voters or businesses located in each Ward.

With respect to the suggestion that Councillor Expense's budgets be allocated based on population, eligible voters or businesses, staff have provided some analysis of the implications. The attached appendices provide two scenarios. In both scenarios, the total funding for Councillor's expenses has been distributed on the basis of combined population and businesses.

Appendix 1 shows the distribution of funds by Ward assuming the total Councillor's Expenses budget remains unchanged at \$294,800. Appendix 2 is similar but is based on redirecting the Council Support Staff budget savings to the Councillor's Expenses budget (ie the total budget distributed increases by \$25,500 to \$320,300).

In order to obtain Council's direction with regard to these suggestions for the 2013 Budget, this memo will be included in the agenda for the October 17, 2012 Budget Committee. Please let me know if you require any additional information in order to assist in this regard.



Brenda R. Breault, CMA, MBA
Commissioner of Corporate Services and Treasurer

Attachments

- c. Janice Baker, City Manager
Crystal Greer, City Clerk

Appendix 1

Allocation of Total Current Councillors' Expenses Budget Based On Population And Businesses Per Ward

2012 Total Expenses Budget \$294,800

Population in Mississauga 713,443
 Number of Businesses in Mississauga 21,010
 Total Population and Businesses 734,453

Allocation per person and business \$0.40
 (\$294,800 divided by 734,453)

Ward	Population	Businesses	Total Population and Businesses	Allocation Based On Population and Businesses (rounded to hundred) (\$)	2012 Budget (\$)	Change (\$)
Ward 1	42,672	1958	44,630	17,900	26,800	-8,900
Ward 2	48,198	861	49,059	19,700	26,800	-7,100
Ward 3	59,854	1370	61,224	24,600	26,800	-2,200
Ward 4	67,741	1248	68,989	27,700	26,800	900
Ward 5	79,356	8966	88,322	35,400	26,800	8,600
Ward 6	78,503	893	79,396	32,000	26,800	5,200
Ward 7	79,900	1562	81,462	32,700	26,800	5,900
Ward 8	68,970	1594	70,564	28,300	26,800	1,500
Ward 9	58,822	1240	60,062	24,100	26,800	-2,700
Ward 10	69,934	186	70,120	28,100	26,800	1,300
Ward 11	59,493	1132	60,625	24,300	26,800	-2,500
TOTAL	713,443	21,010	734,453	294,800	294,800	0

Note:

Population source:

2011 Statistics Canada population with estimation split by Planning and Building to align with Municipal Ward Boundaries

Businesses source:

2011 Planning and Building employment survey excluding home based businesses.

Appendix 2

Allocation of Total Current Councillors' Expenses Budget Plus Council Support Staff Budget Reduction Based on Population and Businesses Per Ward

2012 Total Expenses Budget	\$294,800
Add Councillor Support Staff Budget Reduction	\$25,500
	<u>\$320,300</u>

Population in Mississauga	713,443
Number of Businesses in Mississauga	21,010
Total Population and Businesses	<u>734,453</u>

Allocation per person and business
(\$320,300 divided by 734,453)

\$0.44

Ward	Population	Businesses	Total Population and Businesses	Allocation Based on Population and Businesses (rounded to nearest \$100)	2012 Budget (\$)	Change (\$)
Ward 1	42,672	1,958	44,630	19,500	26,800	-7,300
Ward 2	48,198	861	49,059	21,400	26,800	-5,400
Ward 3	59,854	1,370	61,224	26,700	26,800	-100
Ward 4	67,741	1,248	68,989	30,100	26,800	3,300
Ward 5	79,356	8,966	88,322	38,500	26,800	11,700
Ward 6	78,503	893	79,396	34,600	26,800	7,800
Ward 7	79,900	1,562	81,462	35,500	26,800	8,700
Ward 8	68,970	1,594	70,564	30,800	26,800	4,000
Ward 9	58,822	1,240	60,062	26,200	26,800	-600
Ward 10	69,934	186	70,120	30,600	26,800	3,800
Ward 11	59,493	1,132	60,625	26,400	26,800	-400
TOTAL	713,443	21,010	734,453	320,300	294,800	25,500

Note:

Population source:

2011 Statistics Canada population with estimation split by Planning and Building to align with Municipal Ward Boundaries

Businesses source:

2011 Planning and Building employment survey excluding home based businesses.

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BUDGET COMMITTEE MINUTES EXTRACT
MEETING ON NOVEMBER 27, 2012

2013 Council Ward Budgets

Committee members raised various issues including:

- The higher newsletter expenses incurred by some Councillors with larger populations and the possibility of increasing such funding or individual Councillors seeking additional funding for Council on a case-by-case basis; and
- The advantages and disadvantages of allocating Councillors' expenses budgets based on population, businesses, and/or other measurements per ward.

Ms. Breault and Ms. Baker responded to the Committee's above-noted comments and questions. Ms. Breault said that staff were currently researching the newsletter practices for Members of Council in other municipalities and would have this benchmarking information prepared for consideration at the Committee's next meeting.

BUDGET COMMITTEE MINUTES EXTRACT
MEETING ON DECEMBER 4, 2012

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8. Councillor Newsletters Survey

Memorandum dated November 28, 2012 from Commissioner of Corporate Services and Treasurer with respect to the councillor newsletters survey.

Committee members raised various issues including:

- The higher newsletter expenses incurred by Councillors with larger populations and the possibility of increasing funding for postage and printing costs, allocating funding per capita/household/municipal address, or according to other measures, individual Councillors seeking additional funding from Council on a case-by-case basis, or Councillors combining their City and Regional budgets for newsletters;
- The advantages and disadvantages of allocating Councillors' office budgets based on population, businesses, and/or other measurements per ward;
- The challenges and changes to Councillors' office budgets throughout the years;
- The advantages and disadvantages of hard copy newsletters as a means of communicating with residents and businesses and the need to consider other methods of communication (e.g., Twitter) that may be more effective; and
- The different ways that Councillors manage their budgets, run their offices, deal with their newsletters, and communicate with their constituents.

In response to a request from the Chair, Mr. Sajecki said that he would provide the Committee with the number of households per ward at the Committee's next meeting.

Memorandum

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Re. Item 8
(distributed at meeting)
Budget Committee Agenda –
December 3, 4, and 5, 2012

BUDGET COMMITTEE

DEC 03 2012

TO: Mayor and Members of Council

FROM: Brenda R. Breault, CMA, MBA
Commissioner of Corporate Services and Treasurer

DATE: November 28, 2012

SUBJECT: Councillor Newsletters Survey

Communications staff surveyed a number of municipalities to obtain information on Councillors' newsletters – in particular how they are funded and co-ordinated.

The following provides an overview of the survey findings.

Staff surveyed 11 municipalities/regions.

- 8 out of 11 produce a printed councillor newsletter.
- 5 of the 8 who produce newsletters coordinate them via the Councillor/Mayor's Office and the remaining 3 are produced by Communications.

Key Findings:

- Most produced one or two newsletters per year with distribution primarily to residents; some sent to businesses.
- Funding for newsletter production and distribution came from either the Corporate Communications budget or from the Councillor's expense budget.
- Funding for newsletters is not based on ward size, although in municipalities where newsletters are corporately funded, there is no set allocation by ward.
- There was no set standard look and feel for newsletters produced by councillors for the cities identified.

Other Highlights:

- Brampton and Burlington's newsletters were produced by Communications. They send out a newsletter/magazine to all residents and allocate councillor content/pages, in addition to the corporate content.

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- Vaughan councillors do not produce printed newsletters. They do however send out e-newsletters. Vaughan was the only city surveyed that had a councillor expense budget formula based on ward. This council budget formula was adopted January 31, 2012 and includes a discretionary component of each budget be based on a rate of \$0.70 per resident in each ward, plus a rate of \$1.25 per business in each ward.
- Oakville produces a magazine that is mailed to all residents, coordinated by the mayor's office. Councillors are allotted one page for ward specific content.
- Waterloo did not have a regular distribution cycle as they produce newsletters based on issues. Spending is based on need. They are relying on e-newsletters more and more.

The complete survey results are provided in the attached chart. As can be seen, there is no consistent approach amongst municipalities in the way in which Councillor newsletters are managed or funded.



Brenda R. Breault, CMA, MBA
Commissioner of Corporate Services and Treasurer

Attachment:

Councillor Newsletter – Research conducted November 2012

c: Leadership Team

Ivana Di Millo, Director Communications

Crystal Greer, Director Legislative Services & Clerk

Councillor Newsletter - Research Conducted November 2012												
Municipality Contacted	Mississauga	Brampton	Burlington	Caledon	Kitchener	London	Oakville	Region of Peel	Region of York	Toronto	Vaughan	Waterloo
Inquiry												
Do they produce councillors' newsletters?	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	No	Yes
If so, who coordinates? Communications, councillors' office?	Councillor's EA writes messages and asks Communications for corporate articles and City staff for ward specific articles. Communications supports councillor by providing corporate articles, editing and creative services,	Communications	Communications	Office of the CAO produces coordinates. Communications provides layout and design, editing and deliver to printer. Some councillors produce their own newsletter.		Councillors' office	Mayor's office	Communications in partnership with councillors.		Councillor's office. Each councillor office drafts and produces their own newsletter.	Councillors send out e-newsletters	Councillors' Office
How many are produced a year? What is the distribution? Homes/businesses?	Mostly residential. Distribution is set by the councillor.	Twice a year/residents	Three times a year/residents	Communications manager new to this role. One newsletter has been produced in the past six months. Distributed in the local newspaper to 20,000 residents.		Frequency depends on ward issues/residents	Twice a year/residents.	One regional newsletter is produced per year. Varies/residents and businesses		Councillor newsletters are distributed to residents in their ward, using either private distributors, staff or Canada Post admail.	Residents, some businesses	Only 2 of the 6 councillors produce
Who pays for the newsletter? Council budget – expense account. Corporate budget.	Councillor's expense budget. Communications services are at no cost - editing, coordination and creative services. Councillor pays for the printing and Canada Post costs.	Corporate budget/Communications	Corporate budget/Communications	Councillors have a budget allocated for communications with constituents.		Councillor's expense budget	Town budget	Corporate budget with in-house design/outsource printing.		Councillors can choose to use their office budget (\$30,000 per year) for design, printing and distribution for newsletter. They also receive a newsletter distribution entitlement from a Council General Expenses Budget. This is about \$2,000 per councillor.	Council budget	Councillor's expense budget
How is the budget allocated? Same amount for all. Or maximum amount. Is there a funding formula based ward size?	Budget is the same amount for all. For 2012, \$26,800 for all, includes the \$7,000 newsletter cost transferred in. No cap on amount they can spend on newsletters.	n/a	n/a	Each councillor has the same amount regardless of ward size.		Councillors all have the same amount in their expense accounts. No cap on the amount that they can spend on Communications.	Max \$75,000 per year for all newsletters.	Don't cap the spending - what ever it costs to produce. Yes. Bigger ward sizes are taken into consideration when budgeting.		The Constituency Services and Office budget for each councillor is \$30,000, irrespective of size of ward. The newsletter distribution entitlement is dependent on the number of households in each ward.	Based on ward pop size. Reference Council Office Expenditure Budgets 2013-2016 - City of Vaughan	Spending is based on need. While some wards may contain larger populations or size than others, the spending is based on issues. One ward may have issues going on that warrant more communication than another ward in any given year.
Guidelines/policies to follow.	Corporate Policy and Procedure - 04-05-04 Elected Officials' Expenses	n/a	n/a	Councillors are encouraged to run content through senior staff to ensure content is correct.		Would just have to follow the code of conduct (Section 5 30) and ensuring that (during an election year) the "contents of any communication material...hosted or distributed by the City, is not directly election related	Mayor's office staff produce the newsletter, mayor's message, town news and councillor is allocated one page to include ward specific news.	n/a		Link to Constituency Services and Office Expense Policy which guides councillor expenses http://www.toronto.ca/city_council/pdf/office-budget-policy.pdf		n/a

Councillor Newsletter - Research Conducted November 2012												
Municipality Contacted	Mississauga	Brampton	Burlington	Caledon	Kitchener	London	Oakville	Region of Peel	Region of York	Toronto	Vaughan	Waterloo
Corporate/Communications budget – Does the budget cover newsletter production and distribution?		Production and distribution costs are covered by Communications.	Communications budget includes printing, design, photography and distribution.	This budget does not cover specific councillor communications.				Budget covers cost of production and distribution.				
Communications coordinates – same look and feel/size?	Size dependant on content 4-8 pages. Standard masthead offered. Some councillors have requested their own masthead. We are currently surveying the councillors on new masthead options.	8 page newsletter produced, 2 page councillor content 6 pages corporate content.	One magazine produced by Communications, mayor allocated two pages and each councillor is allocated two pages for their message.	Looking to move to a template look/feel to ensure equitable communications.								
Corporate/Council budget – Does the municipality fund the cost to produce and distribute the newsletter regardless of size? Are there any limitations?	Councillors can choice to use their expense account to produce their newsletters. Some will produce one regional newsletter and one City newsletter per year.			There is a budget limit.		Councillors can use their expense account (expense accounts allocated from City funds, equal amount available to each councillor) to fund newsletter - there are no limitations on how money is spent.	Same newsletter to all residents. Councillors are allocated one page per ward for their message to residents.			Councillor can choose to produce and distribute newsletters, using their office expense budget.	Follow up e-mails sent Nov. 8 and 12 for information on funding formula. November 13 voice message.	Funds come out of town hall budget. One budget line to be used for all. Spending is based on need. Postage comes out of town hall budget but e-newsletters are being relied upon more and more.

BUDGET COMMITTEE MINUTES EXTRACT
MEETING ON DECEMBER 5, 2012

8. Councillor Newsletters Survey

Memorandum dated November 28, 2012 from Commissioner of Corporate Services and Treasurer with respect to the councillor newsletters survey.

Mr. Sajecki discussed information from the 2006 and 2011 Censuses that was distributed to the Committee and said that staff had asked Statistics Canada staff for the number of households per ward based on 2011 Census data.

Committee members raised various issues including:

- The number of households per ward according to the 2006 and 2011 Censuses versus the Canada Post figures and the accuracy of these respective figures;
- The higher newsletter expenses incurred by Councillors with larger populations and the possibility of increasing funding for postage, allocating and calculating funding per capita/household or according to other measures, and/or individual Councillors seeking additional funding from Council on a case-by-case basis;
- Current funding for Councillors' office budgets and the possibility of reallocating budgets based on population, households, and/or other measures per ward;
- The different ways that Councillors manage their budgets, deal with ward-specific issues, hold public meetings, run their offices, and deal with their newsletters;
- The advantages and disadvantages of hard copy newsletters as a means of communicating with residents and businesses and the need to consider newer methods of communication (e.g., Twitter) that may be more effective.

Mr. Sajecki, Mr. Czajka, Ms. Breault, and Ms. Baker responded to the Committee's above-noted comments and questions.

Received/Direction (R. Starr)
Recommendation BC-0062-2012
BC-0062-2012

1. That the Memorandum dated November 28, 2012 from the Commissioner of Corporate Services and Treasurer entitled "Councillor Newsletters Survey" be received; and
2. That the City Manager and Chief Administrative Officer be directed to prepare information for consideration at the next Budget Committee meeting regarding the possibility of calculating the portion of Councillors' budgets for newsletters on a per household basis.

At this point, Councillor Saito raised a Point of Order and requested clarification on the vote count regarding the above-noted recommendation. Councillor Carlson clarified that he abstained from the vote and Ms. Greer confirmed that an abstention is a negative vote. The Chair said that she broke the tie and voted in support of the recommendation.

Ward	Population	Occupied Dwellings
1	42,672	17,870
2	48,198	16,930
3	59,854	21,500
4	67,741	24,250
5	79,356	23,340
6	78,503	22,060
7	79,900	30,320
8	68,970	22,340
9	58,822	19,620
10	69,934	19,040
11	59,493	17,300
Total	713,443	234,570

Estimates based on 2011 Census.

BUDGET COMMITTEE

DEC 03 2012

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2006 Census		
	Total Population	Number of Households
Ward 1	41,765	17,170
Ward 2	47,360	16,280
Ward 3	59,485	20,750
Ward 4	60,175	20,670
Ward 5	75,415	21,740
Ward 6	75,970	21,005
Ward 7	71,880	26,555
Ward 8	68,295	21,265
Ward 9	58,895	19,115
Ward 10	52,915	14,635
Ward 11	53,495	15,725
Total	665,650	214,910

BUDGET COMMITTEE MINUTES EXTRACT
MEETING ON DECEMBER 12, 2012

- *Councillors' Office Budgets*

Committee members raised various issues including:

- The possibility of deferring the above-noted matter until a General Committee meeting in January 2013 due to the small amount of money involved and to accommodate the two Members of Council absent at today's Committee meeting;
- The importance of all Members of Council being present for the discussion regarding the above-noted matter;
- The possibility of Clerk's Office staff surveying all Members of Council on their availability to ensure that everyone is present for future discussions at a General Committee meeting regarding the above-noted matter; and
- The inclusion of the above-noted matter on today's Committee agenda and whether the two Committee members absent at today's Committee meeting had requested that this matter be deferred prior to the meeting.

Deferred (K. Mahoney)

Recommendation BC-0064-2012

BC-0064-2012

That the matter of Councillors' office budgets and newsletter expenses be deferred to a General Committee meeting date in early 2013 and that Clerk's Office staff survey Members of Council to ensure that all Members will be present at the General Committee meeting, prior to listing the matter on a General Committee agenda.

Julie Lavertu

From: Brenda Breault
Sent: 2012/12/11 9:34 AM
To: MC
Cc: LT; Crystal Greer; Patti Elliott-Spencer; Julie Lavertu
Subject: REVISED: Councillor's Expense Budget Revision
Attachments: Revised Councillor Newsletter Allocation 2012.pdf

BUDGET COMMITTEE

DEC 12 2012

Good Morning,

Please note the information below provided to you yesterday has been corrected as has the chart showing Councillor's expense budgets using ward population as the basis for distributing the newsletter component of the budget. The correction was changing the current amount in the Councillor's expense budget, excluding the newsletter provision, to \$19,800 not \$19,000 as shown in the previous analysis.

Brenda

From: Brenda Breault
Sent: December 10, 2012 10:19 AM
To: MC
Cc: Crystal Greer; Patti Elliott-Spencer; LT
Subject: Re: Councillor's Expense Budget Revision

Good Morning Madame Mayor and Members of Council,

At the Budget Committee meeting of December 5, 2012, staff were requested to recalculate each Councillor's expense budget allocation by allocating the newsletter component of the expense budget based on households in the Ward.

The per household newsletter amount was determined by dividing the historic \$7,000 newsletter funding provision included in the each Councillor's expense budget by the number of households in the Ward with the fewest households (using 2011 household data provided by the Planning & Building Department). Based on this calculation, the newsletter provision is 41.35 cents per household. This amount was multiplied by the number of households in a Ward to determine that Ward's newsletter funding allocation. The revised amount, rounded to the nearest \$100, was then added to the balance of the Councillor's expense budget of \$19,800 to determine the total Councillor expense budget for each Ward.

The attached schedule shows the revised Councillor expense budgets by Ward. The revised budgets range from \$26,800 (current expense budget allocation for each Councillor) to \$32,300 and results in an overall \$20,000 increase in the total budget.

It should be noted that although the newsletter allocation has been separated out for the purpose of this calculation, Councillors are able to allocate their total expense budget allocation as they deem appropriate to best meet the needs of their Ward, subject to the Elected Officials' Expense policy provisions.

Brenda

1p

Allocation of Councillor Newsletter Provision by Households

(Revised)

Ward	Households*	Revised Newsletter Portion of Budget (\$)	Total Expense Budget (\$)	Change from Existing Budget (\$)
1	17,870	7,400	27,200	+400
2	16,930	7,000	26,800	-
3	21,500	8,900	28,700	+1,900
4	24,250	10,000	29,800	+3,000
5	23,340	9,700	29,500	+2,700
6	22,060	9,100	28,900	+2,100
7	30,320	12,500	32,300	+5,500
8	22,340	9,200	29,000	+2,200
9	19,620	8,100	27,900	+1,100
10	19,040	7,900	27,700	+900
11	17,300	7,200	27,000	+200
Total	234,570	97,000	314,800	20,000

* 2011 household data as provided by Planning & Building Department

Households Analysis (Global Budget)							Household Analysis (Newsletter) Brenda Breault				
Ward	Households	Current Budget	Expenditure per Household	Total Expense Budget using Ward 2 expedniture per HH (\$1.58)	Change from Current Budget	Average expenditure per HH (\$1.25) X total number of HHs per ward	Change from Current Budget	Current Newsletter Budget	Revised Newsletter Portion of the Budget using HH expenditure per Ward (\$4135)	Change from current budget	Total Revised Budget
1	17870	\$26,800.00	\$1.50	\$28,288.01	\$1,488.01	\$22,337.50	-\$4,462.50	\$7,000.00	\$7,389.25	\$389.25	\$27,189.25
2	16930	\$26,800.00	\$1.58	\$26,800.00	\$0.00	\$21,162.50	-\$5,637.50	\$7,000.00	\$7,000.56	\$0.55	\$26,800.56
3	21500	\$26,800.00	\$1.25	\$34,034.26	\$7,234.26	\$26,875.00	\$75.00	\$7,000.00	\$8,890.25	\$1,890.25	\$28,690.25
4	24250	\$26,800.00	\$1.11	\$38,387.48	\$11,587.48	\$30,312.50	\$3,512.50	\$7,000.00	\$10,027.38	\$3,027.38	\$29,827.38
5	23340	\$26,800.00	\$1.15	\$36,946.96	\$10,146.96	\$29,175.00	\$2,375.00	\$7,000.00	\$9,651.09	\$2,651.09	\$29,451.09
6	22060	\$26,800.00	\$1.21	\$34,900.00	\$8,100.00	\$27,575.00	\$775.00	\$7,000.00	\$9,121.81	\$2,121.81	\$28,921.81
7	30320	\$26,800.00	\$0.88	\$47,996.22	\$21,196.22	\$37,900.00	\$11,100.00	\$7,000.00	\$12,537.32	\$5,537.32	\$32,337.32
8	22340	\$26,800.00	\$1.20	\$35,363.97	\$8,563.97	\$27,925.00	\$1,125.00	\$7,000.00	\$9,237.59	\$2,237.59	\$29,037.59
9	19620	\$26,800.00	\$1.37	\$31,058.24	\$4,258.24	\$24,525.00	-\$2,275.00	\$7,000.00	\$8,112.87	\$1,112.87	\$27,912.87
10	19040	\$26,800.00	\$1.41	\$30,140.11	\$3,340.11	\$23,800.00	-\$3,000.00	\$7,000.00	\$7,873.04	\$873.04	\$27,673.04
11	17300	\$26,800.00	\$1.55	\$27,385.71	\$585.71	\$21,625.00	-\$5,175.00	\$7,000.00	\$7,153.55	\$153.55	\$26,953.55
TOTAL	234570	\$294,800.00	\$1.25 (Average)	\$371,300.95	\$76,500.95	\$293,212.50	-\$1,587.50	\$77,000.00	\$96,994.70	\$19,994.70	\$314,794.70
DIFFERENCE FROM CURRENT BUDGET				\$76,500.95		-\$1,587.50					\$19,994.70

Re. Item 1 (distributed at meeting by Councillor Bonnie Crombie, Ward 5)
Budget Committee Agenda – December 12, 2012

BUDGET COMMITTEE
DEC 12 2012

Per Capita Analysis (Global Budget)							Per Capita Analysis (Newsletter) Clr McFadden				
Ward	Residents	Current Budget	Per Capita Expenditure	Total budget using Ward 1 per capita amount (\$0.63)	\$ 0.50	Average expenditure per resident (\$0.43) X total number of residents per Ward	Current Newsletter Budget	Per capita expenditure for newsletters	Per capita expenditure equalized to Ward 1 (\$0.16)	Difference from current newsletter budget	
1	42,672	\$26,800.00	\$0.63	\$26,883.00	\$ 21,336.00	\$ 18,348.96	\$7,000	\$ 0.16	\$ 7,000.00	\$ -	
2	48,198	\$26,800.00	\$0.56	\$30,270.58	\$ 24,099.00	\$ 20,725.14	\$7,000	\$ 0.15	\$ 7,906.50	\$ 906.50	
3	59,854	\$26,800.00	\$0.45	\$37,591.09	\$ 29,927.00	\$ 25,737.22	\$7,000	\$ 0.12	\$ 9,818.57	\$ 2,818.57	
4	67,741	\$26,800.00	\$0.40	\$42,544.50	\$ 33,870.50	\$ 29,128.63	\$7,000	\$ 0.10	\$ 11,112.37	\$ 4,112.37	
5	79,356	\$26,800.00	\$0.34	\$49,839.26	\$ 39,678.00	\$ 34,123.08	\$7,000	\$ 0.09	\$ 13,017.72	\$ 6,017.72	
6	78,503	\$26,800.00	\$0.34	\$49,303.53	\$ 39,251.50	\$ 33,756.29	\$7,000	\$ 0.09	\$ 12,877.79	\$ 5,877.79	
7	79,900	\$26,800.00	\$0.34	\$50,180.91	\$ 39,950.00	\$ 34,357.00	\$7,000	\$ 0.09	\$ 13,106.96	\$ 6,106.96	
8	68,970	\$26,800.00	\$0.39	\$43,316.37	\$ 34,485.00	\$ 29,657.10	\$7,000	\$ 0.10	\$ 11,313.98	\$ 4,313.98	
9	58,822	\$26,800.00	\$0.46	\$36,942.95	\$ 29,411.00	\$ 25,293.46	\$7,000	\$ 0.12	\$ 9,649.28	\$ 2,649.28	
10	69,934	\$26,800.00	\$0.38	\$43,921.80	\$ 34,967.00	\$ 30,071.62	\$7,000	\$ 0.10	\$ 11,472.11	\$ 4,472.11	
11	59,493	\$26,800.00	\$0.45	\$37,364.37	\$ 29,746.50	\$ 25,581.99	\$7,000	\$ 0.12	\$ 9,759.35	\$ 2,759.35	
TOTAL	713,443	\$294,800.00	\$0.43 (Average)	\$448,158.37	\$ 356,722.00	\$ 306,780.49	\$77,000		\$ 117,034.61	\$ 40,034.61	
DIFFERENCE FROM CURRENT BUDGET				\$153,358.37	\$61,922.00	\$11,980.49			\$ 40,034.61		



Corporate Report

Clerk's Files

Originator's
Files

2.

DATE: March 25, 2013

TO: Chair and Members of General Committee
Meeting Date: April 17, 2013

General Committee

APR 17 2013

FROM: Janice M. Baker, FCA
City Manager and Chief Administrative Officer

SUBJECT: 2013 Services Agreement between the City of Mississauga and the
Greater Toronto Marketing Alliance

RECOMMENDATION: That a by-law be enacted to authorize the Mayor and City Clerk to execute a Services Agreement between the City of Mississauga and the Greater Toronto Marketing Alliance (GTMA), substantially in the form attached, (Appendix 1) and as described in the City Manager and Chief Administrative Officer's report dated March 25, 2013.

BACKGROUND: The GTMA is a not-for-profit corporation that was established in 1997 by the GTA Mayors and Chairs initiative as a public-private partnership for the purpose of enhancing the international marketing of the Greater Toronto Area (GTA) for foreign direct investment (FDI).

The GTMA serves as a key point of contact for foreign businesses exploring business location opportunities in the GTA. It works collaboratively with the 29 GTA Regional and local municipalities, the governments of Ontario and Canada, several not-for-profit organizations and a broad cross section of private sector corporations.

The City of Mississauga's Economic Development Office (EDO) works closely with the GTMA and is one of the core municipal funding partners who provide an annual contribution totalling \$500,000 to the GTMA for its investment marketing activities. The municipal funding partners include the City of Toronto and the four regional areas in the GTA.

As the Region of Peel does not have an economic development mandate, the GTMA contribution comes from the local municipalities. The total annual municipal contributions to the GTMA are as follows:

• Region of Durham	\$100,000
• City of Toronto	\$100,000
• Region of York	\$100,000
• Region of Halton	\$100,000
• City of Mississauga	\$ 56,250
• City of Brampton	\$ 37,500
• Town of Caledon	\$ 6,250

COMMENTS:

The GTMA is a valuable resource to the City of Mississauga Economic Development Office. Among its services and accomplishments, the GTMA has led numerous international business missions and delegations and has assisted in attracting 100 companies and 4,640 new direct jobs to the GTA. Many of these companies have located in Mississauga. The attached (Appendix 2) is an outline of new investments assisted by the GTMA in 2012.

The Services Agreement was created in partnership with the above-referenced municipal funding partners and sets out a number of key deliverables that the GTMA is expected to achieve. As an overview, the deliverables include the following:

- Develop and maintain GTA data and a GTMA website.
- Undertake GTA-based international marketing initiatives in line with local economic development strategies.
- Develop and coordinate GTA investment leads.
- Develop and coordinate GTA business investment missions.
- Consult with and report annually to municipal funding partners.

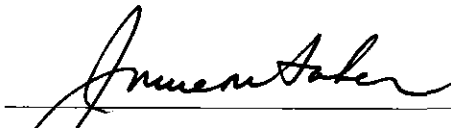
This funding contribution and agreement has not changed over a number of years. Currently a review of the GTMA is being undertaken to recommend a restructured agency that can more effectively capture FDI opportunities for the GTA. Given that any changes to mandates or funding may be considered in this review, it is recommended that all partners maintain their current funding levels for 2013.

STRATEGIC PLAN: The relationship between the City and the GTMA helps to achieve the "Prosper" pillar of the City Strategic Plan. In addition, it is directly aligned with the approved Economic Development Strategy for Mississauga which includes the goal of being a "Global Business Magnet".

FINANCIAL IMPACT: In 2013, the City of Mississauga would provide a financial contribution in the amount of \$56,250 to the GTMA. This amount can be accommodated within the 2011-2014 Corporate Business Plan and Budget.

CONCLUSION: From an economic development perspective, the GTMA is a beneficial partner and provides good value that fosters foreign direct investment and international marketing benefits for the City. As such, the proposed Services Agreement between the City of Mississauga and the GTMA is supported.

ATTACHMENTS: Appendix 1: Services Agreement
Appendix 2: 2012 New Investments Assisted by the GTMA



Janice M. Baker, FCPA, FCA
City Manager and Chief Administrative Officer

*Prepared By: Susan Amring, Ec.D., Director, Economic
Development*

International Marketing Services Agreement

This Agreement made this ____ day of ____ 2013

Between:

The City of Mississauga

- And -

Greater Toronto Marketing Alliance Inc.
(the "GTMA")

This Agreement outlines the key understandings the GTMA has with The City of Mississauga to promote the Greater Toronto Area ("GTA") as a location of choice for foreign direct investment.

WHEREAS:

The GTMA was incorporated in 1997 as a not-for-profit corporation and established as a public-private partnership. The GTMA was founded for the purpose of enhancing the international marketing of the GTA as a location of choice for foreign direct investment.

In order to attract new or expanding companies with operations headquartered elsewhere in Canada, the United States and internationally to invest in the GTA, a unified marketing approach for the GTA is required to compete with other regions around the world.

The City of Mississauga recognizes that the GTMA is beneficial to all residents and businesses in the GTA, and endorses the GTMA's international marketing of the GTA in an effort to increase its economic growth.

The GTMA's Board of Directors seeks to implement an annual program of initiatives guided by the GTMA 2011-2014 Corporate Strategic Plan which includes the:

Vision:

"To contribute to the growth of the economy as a leader in facilitating foreign direct investment into the Greater Toronto Area"

Mission:

"The GTMA acts as an investment gateway, working collaboratively with its public and private sector partners across the GTA to connect them with international investors"

The GTMA's efforts are not meant to replace the marketing efforts of individual GTA municipalities, but rather to leverage and coordinate international aspects of the GTA

municipalities' marketing activities by providing Leads and Prospects for their benefit. The GTMA's cooperative marketing effort is designed to attract potential foreign direct investors and showcase the business advantages of the GTA.

1.0 DEFINITIONS

Contact(s) – is a person's name, address, corporate or organizational affiliation, and phone or email for any Leads, Prospects, or Intermediaries.

Greater Toronto Economic Development Partnership (the "GTAEDP") - means the group of municipal staff providing economic development services from the twenty-five (25) local municipalities and four (4) regional municipalities in the GTA who meet regularly to discuss issues.

GTA - means the full geographic area comprising of the Municipal Partners. The GTMA and the Municipal Partners agree that this geographic area is to be referred to as Greater Toronto, the Toronto Region, the Greater Toronto Area or the initials GTA, all with the same meaning, and to be represented by the GTMA as such.

GTMA Board of Directors – is composed of twenty-one (21) (and up to twenty-four (24)) persons including the following;

- one (1) position for the Chair of the GTMA;
- one (1) position for the President and Chief Executive Officer (CEO) of the GTMA;
- one (1) position for an elected official (mayor, deputy mayor or councillor) nominated from each of the following municipalities: The City of Toronto or Invest Toronto, The Regional Municipality of Durham, The Regional Municipality of Halton, and The Regional Municipality of York;
- one (1) position for an elected official (mayor, deputy mayor, or councillor) nominated from the three (3) municipalities of: The City of Brampton, The City of Mississauga, and The Town of Caledon;
- two (2) positions nominated from the GTAEDP; and
- up to fifteen (15) positions nominated by the GTMA Board of Directors.

Investment Intermediaries ("Intermediary(s)") – are persons and/or organizations which have the potential to refer Leads and Prospects to the GTMA, including officials in government and real estate who are involved in foreign direct investment site selection.

Investment Leads ("Lead(s)") – are either potential foreign direct investors identified through pre-qualified lead generation reports or referrals to the GTMA and who meet with the GTMA in market; or foreign direct investment inquiries that come to the GTMA through its website, email, phone, in writing or in person.

Investment Prospects ("Prospect(s)") – are qualified Leads who have visited the GTA and their key location decision-makers have received a substantial amount of direct servicing, including having attended meetings with the GTMA and its Municipal Partners. Only when

meetings between qualified Leads and both the GTMA and its Municipal Partners occur, will such qualified Leads be considered Prospects.

Municipal Partners or Municipal Funding Partners - means the GTA local and regional municipalities as follows:

The Regional Municipality of Halton, The Regional Municipality of Durham, The City of Toronto or Invest Toronto, The Regional Municipality of York, The City of Brampton, The City of Mississauga, and The Town of Caledon.

The Municipal Partners will work collaboratively with the GTMA on international marketing initiatives benefiting the GTA, and will provide annual funding to the GTMA for international marketing services and the attraction of foreign direct investment to the GTA.

The term "Municipal Partners" is **not** intended to imply any legal commitment among the municipalities regarding the formation of a legal "partnership" and does not imply that each municipality is a partner pursuant to the *Limited Partnerships Act*, R.S.O. 1990, c. L.16, and/or the *Partnerships Act*, R.S.O. 1990, c. P.5, and its regulations, as amended. Further, the term is not intended to imply that any municipality has a legal liability for any other municipalities' actions or omissions. The use of the terms "partners" and "partnership" throughout the Agreement is intended to be descriptive only of the relationship.

New Investments ("Investments") – are Prospects who have made a foreign direct investment in the GTA through the establishment of a new office, facility or other non-residential development, which creates jobs and non-residential assessment.

Private Sector Partner(s) - means any for profit business person or corporation contributing funding or unpaid services to the GTMA.

Term – means the period of time commencing on January 1, 2013 to December 31, 2013 in which this Agreement is in full force and effect.

Unique Visitor(s) – means the number of persons who visit the GTMA's website with a singular Internet Protocol address at least once during the Term of this Agreement. For clarity, each Unique Visitor is only counted once, and if the same Internet Protocol address accesses the GTMA's website numerous times it will still be counted as one Unique Visitor to the website.

2.0 ROLES

- 2.1 The parties to this Agreement are committed to a partnership characterized by ongoing reciprocal communication and a mutual commitment to work together to ensure plans and activities are complementary and focused on the needs of Leads and Prospects to attract New Investments and jobs to the GTA for the betterment of all its citizens.

3.0 COMMITMENTS OF THE GTMA

- 3.1 The GTMA is committed to applying The City of Mississauga's funding with anticipated funding from other Municipal Partners to international marketing services activities during the Term including:

GTMA ANNUAL MARKETING PROGRAM

- a) To develop a GTMA annual marketing program, including the GTMA's geographic and key sector focus in collaboration with The City of Mississauga and the Municipal Partners targeted at attracting foreign direct investment to the GTA. The annual marketing program will include objectives, performance measures and indicate the delivery components and sources of funding.
- b) The GTMA will collaborate with The City of Mississauga and the Municipal Partners to develop the annual marketing program as described above in Section 3.1(a); this will be achieved by both conference calls and meetings, as follows:
 - (i) The GTMA will initiate conference calls as needed with The City of Mississauga and the Municipal Partners' economic development staff; and
 - (ii) The GTMA will initiate twice yearly meetings with the GTAEDP.
- c) The GTMA will undertake its annual marketing program and the lead generation activities described below in 3.1(i) with a "GTA First" approach to development and activity prioritization.

BUSINESS SALES TRIP

- d) As part of the GTMA's annual marketing program, the GTMA shall, following consultation with the Municipal Funding Partners organize annually one business sales trip focused on pre-qualified meetings with potential foreign direct investors to the GTA in a foreign location on behalf of and with the agreement of the majority of the Municipal Funding Partners. If there is no agreement among the Municipal Funding Partners as to a location, the GTMA may proceed to allocate the associated budget to other aspects of this Agreement.

The location shall be selected in consultation with the Canadian Trade Commissioner Service and provincial economic development ministries. The location's decision will be confirmed prior to June 30 in any given year.

The cost of the business sales trip can be provided from Municipal Partner funding (excluding travel, personal meals and accommodation costs) and/or private sector funding or other sources that do not require additional funding from The City of Mississauga or other Municipal Partners.

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The GTMA will provide the opportunity within the scope of the business sales trip, for up to fifteen (15) representatives to join this trip at the sole discretion of the Municipal Partners as follows:

The Regional Municipality of Halton, three (3) representatives;
The Regional Municipality of Durham, three (3) representatives;
The Regional Municipality of York, three (3) representatives;
The City of Toronto or Invest Toronto, three (3) representatives; and
Together, The City of Mississauga, The City of Brampton, The Town of Caledon, three (3) representatives.

If additional municipal representatives (staff or elected officials) wish to participate their fee will be based on full program cost-recovery.

GTMA'S WEBSITE

- e) To develop and maintain the GTMA's website providing up to date, comprehensive information and contacts for potential investors with links to the websites of The City of Mississauga, the websites of the other Municipal Partners and the local municipalities in the GTA. The GTMA will also maintain, on a password-protected section of its website, a catalogue of non-confidential GTA marketing initiatives in accordance with a protocol agreed upon by the Municipal Partners. Provincial and federal government partners may join this password protected area so that joint activities can be coordinated. The website's content will be updated by the GTMA as needed, but at a minimum it will be updated at least once each calendar year.
- f) To ensure The City of Mississauga, the Municipal Partners, the local municipalities in the GTA and the Private Sector Partners' logos and branding appear prominently on the GTMA's website and printed materials.

DATA AND CUSTOMER RELATIONSHIP MANAGEMENT

- g) To provide current GTA-wide economic data and information, including growth statistics such as industrial, commercial and institutional development growth, employment and key sector profiles to assist potential Leads and Prospects.
- h) To maintain the quality and integrity of the GTMA's customer relationship management system which houses the GTMA's accumulated Leads, Prospects and Intermediaries; and other Contacts.

LEAD GENERATION

- i) To undertake country market and sector sales research and/or engage with external organizations to develop pre-qualified lead generation reports, to undertake targeted marketing, including but not limited to in-person meetings with potential foreign direct investors, to undertake email marketing and advertising targeted to Leads,

Prospects and Intermediaries and to engage the Municipal Partners wherever possible directly in these activities.

LEAD SERVICING

- j) To provide new GTA marketing information and newsletter content, and to catalogue this information on the website's publicly accessible archives.
- k) To provide customized information to Leads and Prospects.
- l) To coordinate and manage the servicing and tracking of GTMA Leads and Prospects, and to provide servicing information to its Municipal Partners and the GTAEDP, as needed.

REPORTING

- m) To provide a quarterly report to its Municipal Partners and the GTAEDP summarizing the GTMA's Leads, Prospects and New Investments for the preceding quarter, including a summary of the country of origin, sector and initial source for each category. Further, the GTMA shall provide a business description for each identified Prospect, and the location within the GTA and approximate number of jobs for any announced New Investments in the preceding quarter.
- n) To provide The City of Mississauga and the Municipal Partners with an annual estimate for the number of GTMA staff engaged in international investment marketing activities and the percentage of their time devoted to these activities as set out in Section 3.0.
- o) To submit annually a report by April 30 to The City of Mississauga's Council or appropriate Council standing committee on the prior year's activities. This report will be both a written communication and a presentation on the status of the commitments of the GTMA as outlined in Section 3.0, and the most recent audited GTMA annual financial statement. This report shall include the requirements outlined in Section 5.0.

4.0 COMMITMENTS OF THE CITY OF MISSISSAUGA

4.1 The City of Mississauga agrees to:

- a) Advise and collaborate with the GTMA regarding The City of Mississauga's international marketing plans and to provide assistance with the development of the GTMA's annual marketing program.
- b) Engage and inform economic development staff at The City of Mississauga about related GTMA matters.

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- c) Provide information and data to the GTMA which could be used in the preparation of reports, research and promotional materials for marketing to potential foreign direct investors, Leads and Intermediaries and for servicing Prospects.
- d) Pay its annual fees to the GTMA by May 31 of each calendar year.
- e) In cooperation with the Municipal Partners, provide annually to the GTMA a list of GTAEDP staff who have international marketing and/or site selection servicing as part of their work program responsibilities.

5.0 DELIVERABLES

5.1 The GTMA shall undertake, monitor and report to The City of Mississauga and its Municipal Partners on the following deliverables:

a) **Partnerships and Revenue**

The GTMA shall provide annually the following information:

- (i) An audited annual financial statement, including a notation of The City of Mississauga and the total Municipal Partners' funding;
- (ii) A listing of all of the GTMA's funding partners by category and funding level; and
- (iii) A description of what the Municipal Partner funding may be used for during the Term of this Agreement and what the funding was used for in the prior year.

b) **Marketing and Website Activities**

The GTMA shall provide annually the following information:

- (i) Web page views (counted pages viewed) and Unique Visitors for the prior year. The target for 2013 is a 20% increase over 2010 numbers for both web page views and Unique Visitors, and annually a 10% increase thereafter relative to the 2010 base year.
- (ii) A list of web content updates, advertisements, newsletters and any other electronic or printed material developed and/or distributed during the prior year. The target for newsletter distribution in 2013 is a 20% increase to non-GTA Contacts over 2010, and annually a 10% increase thereafter relative to the 2010 base year.

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c) Lead, Prospect and Intermediary Contact Lists

The GTMA shall provide the following:

- (i) Contact lists respecting the GTMA's Leads, Prospects and Intermediaries to be delivered by email on a quarterly basis to The City of Mississauga and the Municipal Partners.
- (ii) The Contact lists shall include a classification by initial source, including Leads and Prospects which were provided directly to the GTMA from a government source (including, but not limited to the Ontario Ministry of Economic Development and Innovation, Ministry of Agriculture, Food and Rural Affairs, Federal Department of Foreign Affairs and International Trade Canada including Canadian Embassies and Consulates); Leads and Prospects provided by Private Sector Partner sources, Leads and Prospects generated by the GTMA itself and Leads and Prospects that approached the GTMA directly.
- (iii) The annual Contact list target for 2013 is a 20% increase for Leads, Prospects and Intermediaries over 2010, and annually a 10% increase thereafter relative to the 2010 base year.

- d) The GTMA will annually update key sector profiles and related value propositions on its website and presentation materials.

6.0 THE CITY OF MISSISSAUGA'S FUNDING

- 6.1 The City of Mississauga shall provide funding to the GTMA in the aggregate amount of Fifty-Six Thousand, Two Hundred, Fifty (\$56,250), for the Term of this Agreement.

- 6.2 The Municipal Partners will provide funding to the GTMA in the following amounts for the calendar year:

The Regional Municipality of Durham	\$100,000
The Regional Municipality of Halton	\$100,000
The City of Toronto or Invest Toronto	\$100,000
The Regional Municipality of York	\$100,000
The City of Brampton	\$ 37,500
The Town of Caledon	\$ 6,250

- 6.3 The GTMA will advise The City of Mississauga by June 30, if any Municipal Partner has not paid their dues for the current calendar year.

- 6.4 The City of Mississauga agrees to assess the need for an annual funding increase in any subsequent Agreement based on the GTMA's measurable performance.

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- 6.5 The City of Mississauga shall pay its annual funding obligation to the GTMA no later than May 31st of each calendar year.

7.0 ADDITIONAL FUNDING

- 7.1 The GTMA has the right, without restriction or limitation, to enter into other funding agreements with third parties to support the delivery of complementary programming benefitting the Municipal Partners, in accordance with the provisions of Sections 3.0 and 5.0 of this Agreement.

8.0 MUNICIPAL REPRESENTATION ON THE GTMA BOARD OF DIRECTORS AND GTMA EXECUTIVE COMMITTEE

- 8.1 It is the intention of the parties to work together to do the following:
- a) Increase Municipal Partners' representation on the Board of Directors and the GTMA Executive Committee;
 - b) Obtain full voting rights for Municipal Partners on the Executive Committee; and
 - c) Balance the Board and Executive Committees' representation between the Municipal Partners and the Private Sector Partners.

9.0 TERM OF AGREEMENT & PROVISIONS FOR AMENDMENT AND TERMINATION

- 9.1 This Agreement commences on January 1, 2013, and continues in full force and effect until December 31, 2013 (the "**Term**").
- 9.2 The parties will endeavor to create a subsequent annual agreement with a term commencing on January 1 and ending December 31, to ensure the continuation of international marketing efforts.
- 9.3 The GTMA agrees that no later than July 31, it will initiate a review of this Agreement through correspondence to The City of Mississauga's Council, attaching a draft agreement and requesting a subsequent agreement. Amendments to this draft agreement responding to trends and changes in international marketing will be considered at this time.
- 9.4 This Agreement will terminate on December 31, 2013.

10.0 NOTICE

- 10.1 The parties to this Agreement shall give written notice of the nature of any default of any of the obligations under this Agreement. Such notice shall be made in a manner specified in Section 10.2 and delivered not less than three (3) months prior to December 31. Any party to this Agreement may wish to remedy such default within sixty (60) days and provide written notice of such remedy to the other parties not less than (1) month prior to December 31. Failure to remedy a default will be a factor in the drafting and consideration of any subsequent agreement.
- 10.2 Unless otherwise provided in this Agreement, any notice provided for under this Agreement shall be in writing and shall be sufficiently given if delivered personally, or if transmitted by facsimile with an original signed copy delivered personally within twenty-four (24) hours thereafter, or mailed by prepaid registered post addressed to the party or parties, whichever the case, at their respective addresses set forth below or at such other then current address as is specified by notice.

If to The City of Mississauga:

The City of Mississauga
300 City Centre Drive, 3rd Floor
Mississauga, ON L5B 3C1
Attention: Ms. Crystal Greer, City Clerk
Fax Number: (905) 615-4181

If to the GTMA:

The Greater Toronto Marketing Alliance
350 Bay Street, Suite 1200
Toronto, Ontario M5H 2S6
Attention: Mr. George Hanus, President and CEO
Fax Number: (416) 360-7331

- 10.3 The parties acknowledge that this Agreement describes a subsequent agreement being negotiated for the following calendar year. If The City of Mississauga anticipates its termination of this Agreement for the following calendar year, the notice provisions in section 10.2 must be initiated not less than three (3) months prior to December 31 or after The City of Mississauga's receipt of the GTMA Agreement for its review.

11.0 LIABILITY

- 11.1 The City of Mississauga shall only be liable for claims resulting from its actions, omissions or failures under this Agreement. If found liable The City of Mississauga shall only pay for its proportionate share of damages or costs resulting from its actions, omissions or failures, and in no event shall such a share exceed Fifty-Six Thousand, Two Hundred, Fifty Dollars (\$56,250), being The City of Mississauga's contribution pursuant to this Agreement.

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- 11.2 The GTMA shall indemnify and save harmless The City of Mississauga from and against all claims, actions, losses, expenses, costs or damages of every nature and kind whatsoever which The City of Mississauga, its employees, officers or agents may suffer as a result of the negligence of the GTMA, its employees, officers or agents in the performance of this Agreement.
- 11.3 The GTMA, at its sole cost and expense, shall take out and maintain the following forms of insurance:
- Commercial general liability insurance including advertising liability, personal injury, broad form contractual liability, owners' and contractors protective, completed operations, and non-owned automobile liability in an amount of not less than five million dollars (\$5,000,000) for claims arising out of one occurrence. The City of Mississauga will be named as an additional insured to this policy.
- Certificates of insurance evidencing such coverage shall be provided upon request.
- 11.4 The parties acknowledge and agree that this Agreement does not constitute a legal partnership as defined in the *Limited Partnerships Act*, R.S.O. 1990, c. L.16, and the *Partnerships Act*, R.S.O. 1990, c. P.5, and its regulations, as amended.
- 11.5 The parties acknowledge and agree that this Agreement does not constitute a joint venture.

The remainder of this page is left blank intentionally.

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12.0 GENERAL

12.1 This Agreement shall ensure to the benefit of and be binding upon the parties hereto, their respective heirs, successors and assigns.

The parties have affixed their corporate seals attested by their respective proper signing officers in that behalf duly authorized.

Dated the _____ day of _____, 2013

Greater Toronto Marketing Alliance Inc.

George Hanus, President and CEO

I have the authority to bind the corporation.

Dated the _____ day of _____, 2013

The City of Mississauga

Hazel McCallion, Mayor

Crystal Greer, City Clerk

We have the authority to bind the corporation.

2012 New Investments Assisted by the GTMA

COMPANY	GTA LOCATION	SECTOR	ORIGIN	INITIAL JOBS	LEAD YEAR
Almirall	Mississauga	Life Science – Pharmaceutical	Spain	3	2012
BBA	Toronto	Business Services – Engineering	Canada	10	2011
Brand Networks	Toronto	ICT – Software Client Solutions	USA	6	2012
BRE Group	Toronto	EN2 – Building Consultancy	United Kingdom	2	2009
Corp Events	Toronto	Business Services – Event Management	France	1	2012
IDOM	Toronto	Business Services – Engineering	Spain	3	2011
Mastek	Toronto	ICT – Software Development	India	3	2006
Newgen	Mississauga	ICT – Software Development	India	4	2011
Oak Systems International	Toronto	ICT – Software Development	United Kingdom	2	2009
Return Path	Toronto	ICT – E-mail Intelligence	USA	5	2010
Sumitomo	Mississauga	Aerospace/MRO	Japan	54	2011
Tem International	Mississauga	Life Science – Medical Devices	Germany	3	2012



Corporate Report

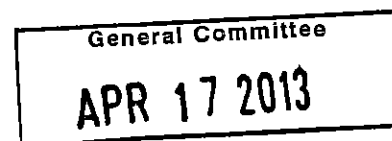
Clerk's Files

Originator's
Files

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DATE: April 5, 2013

TO: Chair and Members of General Committee
Meeting Date: April 17, 2013.



FROM: Martin Powell, P.Eng.
Commissioner of Transportation and Works

SUBJECT: **Ministry of Consumer Services Consultation Package for the
*Ontario Underground Infrastructure Notification System Act, 2012***

RECOMMENDATION: That the preliminary comments submitted on April 4, 2013 from the Commissioner of Transportation and Works to the Ministry of Consumer Services included as Appendix 1 to the General Committee report dated April 5, 2013 in response to the "Proposals for the Implementation of the *Ontario Underground Infrastructure Notification System Act, 2012*" consultation package and included as Appendix 2, be endorsed.

**REPORT
HIGHLIGHTS:**

- The *Ontario Underground Infrastructure Notification System Act, 2012* came into force June 14, 2012 with no regulations. The Ministry of Consumer Services (MCS), was assigned the responsibility of oversight, and has made a consultation package available for comment regarding the implementation of the Act.
- The objective of the Act is to reduce strikes and damage to underground infrastructure by establishing Ontario One Call ("ON1Call"), a not-for-profit corporation, as the single organization to route all underground utility locate requests in Ontario. The Act deems all Underground Infrastructure Owners as members of ON1Call with private stakeholders deemed as members by June 19, 2013 and municipalities by June 19, 2014.

The Act requires members to complete the requirements of a locate request within five days and permits a maximum fine per occurrence of \$10,000.

- The Consultation Package focuses on three key topics: Compliance, Fee Setting, and Reporting Requirements. The Commissioner of Transportation and Works, submitted preliminary comments to the MCS on April 4, 2013.
- In brief, the submitted comments to the MCS addresses the following: the consultation package prematurely focuses on monetary penalties before the implementation details are known, the absence of any mention of an appeal process, no indication that a first offense wouldn't be forgiven or a reduced fine rather than the maximum fine of \$10,000 allowed under the Act per occurrence, the inadequate number of directors representing municipalities, a lack of clear definition of an "emergency" locate request, to provide a fee schedule for municipalities that looks beyond December 31, 2014, how the Act will affect privately owned or un-assumed infrastructure, and includes a short summary of the financial burden the Act will have on our storm sewer and appurtenances.
- The Region of Peel has similar concerns and has also made a submission to the MCS.
- There are financial implications, as a result of the *Ontario Underground Infrastructure Notification System Act, 2012*. The Transportation and Works infrastructure that will be affected by the Act include Traffic Signals, Street Lights, and Storm Sewers and Appurtenances.

BACKGROUND:

The *Ontario Underground Infrastructure Notification System Act, 2012*, (the "Act") was introduced on November 24, 2011 and passed by the Ontario Legislature on June 14, 2012.

The objective of the Act is to reduce strikes and damage to underground infrastructure by establishing Ontario One Call ("ON1Call"), a not-for-profit corporation, as the single organization to route all underground utility locate requests in Ontario. ON1Call was first established in 1996 as a for-profit corporation by its then

shareholders: Bell, Union Gas and Enbridge Gas. In 2011, it became a not-for-profit corporation, with members from various municipalities, electrical, telecommunication, and oil and gas/pipeline sectors. With the Act, ON1Call became a statutory not-for-profit corporation, thus deriving its powers of the legislation and any corresponding regulations.

Excavators must call ON1Call to request the location of all underground infrastructure that may be affected by a planned excavation. In addition, the Act establishes a number of requirements for underground infrastructure owners. Further, membership is no longer voluntary, with every municipality in Ontario and other specified underground infrastructure owners becoming a member.

For municipalities (such as the City) that are not currently a member, they will become a member on June 19, 2014; two years after the Act came into force. For non-municipal owners (such as Hydro One, Ontario Power Generation, gas distributors and transmitters, electrical distribution systems, persons or entities regulated under the Oil, Gas, and Salt Resources Act, and every person/entity that owns or operates underground infrastructure crossing a public right-of-way or is in the vicinity of a public right-of-way), they will become members as of June 19, 2013.

The Act came into force without any regulations. The Ministry of Consumer Services (MCS) has been assigned the responsibility for the Act, which includes policy and regulatory development, and oversight of ON1Calls performance.

On February 7, 2013, the MCS released a consultation package for comment regarding the implementation of the Act, to be submitted in writing.

On April 4, 2013, the City responded to the consultation package provided by the MCS with our preliminary concerns. Our concerns are largely aligned with the Region of Peel's submission.

COMMENTS:

The Act requires all members that receive a notification from ON1Call of excavation in the vicinity of its infrastructure to provide locates by marking the ground and providing the excavator with written

documentation that identifies the location of the underground infrastructure. If the member does not have any infrastructure in the vicinity of the excavation, the member must confirm in writing that its infrastructure will not be affected.

The Act requires members to make all reasonable attempts to respond to a notification within five (5) business days. There are some exceptions to this time limit, for example, if the excavator and the member agree to different time limits.

The Consultation Package

A consultation package released by the MCS focused on three key topics that must be addressed for the effective implementation, administration and oversight of the Act.

The three key topics are:

- i) Compliance
- ii) Fee Setting
- iii) Reporting Requirements

The Commissioner of Transportation and Works has reviewed and submitted preliminary comments to the Ministry of Consumer Services on April 4, 2013 with regards to;

Compliance

The MCS proposes to provide ON1Call with a range of enforcement tools to promote compliance with the Act by enabling a by-law enforcement model which will bind all ON1Calls members to penalties for non-compliance, and to establish fines under the Act.

According to the proposal, a Compliance Committee will be formed which is responsible for the enforcement obligations and will pursue non-judicial, civil and criminal remedies against its members, including the proposed upper limit of financial sanctions of up to \$10,000 per occurrence. At this time, there is no reduced fine for a first offence. With an estimated 15,000 locate requests from ON1call to one of the locate services the City provides, a \$10,000 fine per occurrence could be viewed as unreasonable. The \$10,000 maximum fine per occurrence will also dramatically raise future bid prices as we must impose this responsibility on our contractors that currently perform our traffic signal locates.

It is also unclear how the Committee will exercise by-law enforcement under this regime, especially as the by-law enforcement model is imposed internally against its members and not as an externally governing mechanism. There is no comment on the recourse a member may have when disputing a claim. There is no mention of investigation techniques and fees that could be imposed on members in the event of a claim. In a bylaw enforcement model, due process is afforded to those being charged with an infraction and who wants to dispute it – either through a formal established process (e.g. appeal before a tribunal or council), or through the court system. In this case, the mechanism under which a member may be levied a fine, or how a member may dispute the fine levied, is unclear. We requested that a proposal for an appeal process be available for comment.

Fee Setting

The MCS proposes the requirement of ON1Call to establish a fee setting process. Currently ON1Call is proposing not to charge municipalities until December 31, 2014. It is unclear what the charge for municipal members will be after that date. We requested that a fee schedule that looks beyond December 31, 2014 for municipal is required or there should be confirmation that the current fee schedule will not change.

Reporting Requirements

The MCS proposes that members are to notify ON1Call of the date and time that locates have been completed and to report to ON1Call any damages to underground infrastructure due to excavation. There has been no expressed timelines when ON1Call requires the transfer of such information.

When The Corporation of the City of Mississauga is deemed to be a member of ON1Call under the Act, the City will be subject to proposed Terms and Conditions of Membership.

ON1Calls Terms and Conditions (Proposed By-law)

It is important to note that the Act and the Terms and Conditions of On1Call stand separate; however as a legislated member of ON1Call, the City will be required to adopt their Terms and Conditions.

The Act does not provide the authority to ON1Call to enforce its proposed bylaws (currently Terms and Conditions of Membership). It is our understanding that the MCS will seek to grant regulatory powers to ON1Call to enforce the proposed bylaws, including imposing fines on its members. A major amendment to the legislation would thus be required which we are not prepared to support.

The Region of Peel has similar concerns and has also made a submission to the MCS.

FINANCIAL IMPACT: The financial implications, as a result of the *Ontario Underground Infrastructure Notification System Act, 2012*, remain to be determined. A full review of the City's storm sewers and appurtenances, and the traffic signals and street lighting practices will need to be conducted by the Transportation and Works Department. City staff are working closely with ON1Call to set up business rules and collect data during the months of April and May in 2013. During this period, an in-depth analysis of the financial impact to the City will be conducted.

Traffic Signals

Utility locates for traffic signals; are currently outsourced to the City's traffic signals Maintenance contractor. On average, approximately 1,000 locate requests are received from stakeholders at an average cost of \$70,000 per annum. Early estimates shows that membership with ON1Call will increase the amount of locate requests to approximately 2,500 per year with a projected cost of \$125,000 per annum.

Street Lights

Utility locates for street lighting is currently outsourced to Enersource Mississauga Hydro Services Inc. (EHMS) through a Street Lighting Services Agreement. No corresponding utility locate adjustment is expected to the annual operating and maintenance service fees paid to the EHMS.

Storm Sewers and Appurtenances

Utility locates for storm sewers and appurtenances, are currently undertaken by staff. Approximately 1,500 locate requests per year are received. Preliminary estimates show, membership with ON1Call will increase the amount of locate requests to approximately 15,000 per year, a significant increase that will require a proportionately equal

increase in either staff and equipment levels or the pursuit of other options as we are currently not able to handle that volume of locate requests. *The Ontario Underground Infrastructure Notification System Act, 2012* will cause an annual budget pressure to the storm sewers and appurtenances unit of at least \$450,000 in labour and \$80,000 in 2014 for equipment, plus the possible future fees associated with ON1Calls service.

CONCLUSION:

As result of the passing of the *Ontario Undergrounds Infrastructure Notification System Act, 2012*, the City of Mississauga will be a deemed member of ON1Call as of June 14, 2014. There are key benefits that are associated with becoming a member of ON1Call, including improved public service and safety, and risk management, and infrastructure protection, but the regime currently proposed is unclear and creates a lot of uncertainty on the City's obligations. We have submitted our preliminary concerns to the Province, and will play a more active role in advocating our interests, and ask for more information on the three key topics of the consultation package in the areas of compliance, fee setting, and reporting requirements.

ATTACHMENTS:

Appendix 1: Ontario Underground Infrastructure Notification System Act, 2012, Request for Consultation

Appendix 2: Proposals for the Implementation of the *Ontario Underground Infrastructure Notification System Act, 2012*



Martin Powell, P.Eng.

Commissioner of Transportation and Works

Prepared By: Jevito Marchese

*PUCC/Permit Technologist, Maintenance Standards
and Permits*

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Martin Powell, P. Eng.
Commissioner, Transportation
and Works Department

City of Mississauga
201 City Centre Drive, Suite 800
MISSISSAUGA ON L5B 2T4

Tel: 905-615-3200 ext. 5112
FAX: 905-615-3405
martin.powell@mississauga.ca



Leading today for tomorrow

April 4, 2013

Ms. Vanessa Rae
Senior Policy Advisor
Ministry of Consumer Services
Office of the Deputy Minister
6th Floor, Mowat Block
900 Bay Street
Toronto, ON M7A 1L2

Dear Ms. Rae:

**Re: Ontario Underground Infrastructure Notification System Act, 2012,
Request for Consultation**

This letter provides the City of Mississauga's preliminary comments related to the "Proposal for the Implementation of the Ontario Underground Infrastructure Notification System Act, 2012 – Ontario Ministry of Consumer Services February 7, 2013".

These preliminary comments will be considered by our General Committee on April 17, 2013. You will be advised of any changes after Council considers on April 24, 2013.

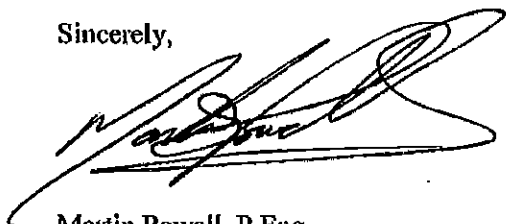
- I. We believe that the consultation package pre-maturely focuses on monetary penalties before the implementation details are properly addressed. The Act does not provide the authority to ON1Call to enforce its proposed bylaws (currently term and conditions of membership). It is our understanding that the MCS will seek to grant regulatory powers to ON1Call to enforce the proposed bylaws, including imposing fines on its members. A major amendment to the legislation would thus be required which we are not prepared to support. Can the Ministry point to other similar legislation that grants a private entity equal self-regulating abilities that imposes a provincial offences type regime on its members but does not speak to due process, as contained in the present proposal?

2. It is unclear how the Committee will exercise its bylaw enforcement under this regime, especially as the bylaw enforcement model is imposed internally against its members and not as an externally governing mechanism. There is no comment on the recourse a member may have when disputing a claim. There is no mention of investigation techniques and fees that could be imposed on members in the event of a claim. In a bylaw enforcement model, due process is afforded to those being charged with an infraction and who wants to dispute it – either through a formal established process (e.g. appeal before a tribunal or council), or through the court system. In this case, the mechanism under which a member may be levied a fine, or how a member may dispute the fine levied, is unclear. We request that a proposal for an appeal process be available for comment.
3. The maximum fine under the Act and the proposed bylaws of \$10,000 is unacceptable if this is to apply to a first offence. The City of Mississauga's traffic infrastructure is tendered out to a contractor. Introducing a maximum fine of \$10,000 per occurrence will greatly affect future bid prices, with the expectation that they will go up as we impose this responsibility on contractors. This added financial burden on the City is not acceptable.
4. It is proposed that ON1Call will be comprised of 15 Directors, of which only 3 will be municipal directors. This gives municipalities only 1/5 of voting power, which is unfair and does not allow sufficient representation from a major sector of the membership. Municipalities have specific issues that are different from other sectors, as the majority of utilities are found on publically owned land, and particularly given the uncertainty on the regime that is being created; we respectfully request that municipalities have stronger representation on the committees. We would also insist to have equal representation on the compliance committee.
5. The "Emergency Locate Request" under the proposed by-law would require "a locate response by Members within two (2) hours". This is not acceptable. Perhaps the standard "a locate response as soon as practicable" is more palatable and in line with other legislated municipal standards, such as Ontario Regulation 239/02 (Minimum Maintenance Standards). The vague definition of an emergency as being "a loss of an essential service" should also be further defined or eliminated as it is much too broad. It should only apply to services provided by a utility that are essential. A potentially more acceptable definition may be simply, "an imminent safety hazard".
6. Currently ON1Call is proposing not to charge municipalities until December 31, 2014. It is unclear what the charge for municipal members will be after that date. A fee schedule that looks beyond December 31, 2014 for municipal members is required or there should be confirmation that the current fee schedule will not change.

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7. Currently the City of Mississauga is not generally responsible for conducting locates for un-assumed underground infrastructure. Under Section 5 of the Act the City could become liable for private infrastructure. As such, we recommend that a regulation be implemented that would limit the responsibility of municipalities only to infrastructure situated within a designated road allowance that has been declared a public highway within its jurisdiction.
 8. Currently the City of Mississauga receives approximately 1,500 storm sewer locate requests per year. Early estimates created jointly with ONI Call will see that number of locates requests rise to 15,000 per year. We are currently not able to handle that volume of locate requests. The Ontario Underground Infrastructure Notification System Act, 2012, will cause an annual budget pressure to the City of at least \$450,000 in labour alone. To add the imposition, fee's, fines, and the detailed requirements of the response time etc. would just further aggravate the financial burden on municipalities.

We expect new information to be released from this consultation. We would ask for another consultation period to review the new data before any legislation is introduced to grant ONI Call enforcement authority.

Sincerely,



Martin Powell, P.Eng.
Commissioner, Transportation and Works

- c. Joe Pitushka, Director, Engineering and Works
Jevito Marchese, Engineering and Works

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**PROPOSALS FOR THE IMPLEMENTATION OF THE
ONTARIO UNDERGROUND INFRASTRUCTURE NOTIFICATION
SYSTEM ACT, 2012**

FOR COMMENT

**Ontario Ministry of Consumer Services
February 7, 2013**

Purpose of this consultation

The Ministry of Consumer Services (MCS), in cooperation with Ontario One Call (ON1Call), is seeking input on proposals related to the implementation of the *Ontario Underground Infrastructure Notification System Act, 2012* (the Act). The purpose of this consultation paper is to invite comments from all stakeholders, including excavators and underground infrastructure owners and operators, on key implementation issues related to administration and oversight.

You are invited to comment on this paper and/or propose alternative suggestions for consideration. We encourage you to explain, in detail, any proposals you suggest, as this will help MCS to assess feedback and develop recommendations.

More information about how to provide input is provided at the end of this paper. Responses must be received no later than March 25, 2013 in order to receive full consideration.

Context

The Act:

The Act was introduced on November 24, 2011 and passed by the Ontario Legislature on June 14, 2012. It came into force on June 19, 2012.

The Act's objective is to reduce strikes and damage to underground infrastructure by establishing a single organization to route all underground utility locate requests in Ontario. Excavators must call ON1Call to request the location of all underground infrastructure that may be affected by a planned excavation. The Act, which converted ON1Call into a statutory not-for-profit corporation, requires underground infrastructure owners and operators to become members of ON1Call within specific time frames.

The Act applies to ON1Call, underground infrastructure owners and excavators. MCS has been assigned responsibility for the Act, which includes policy and regulatory development, and oversight of ON1Call's performance. To support appropriate

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oversight, MCS and ON1Call will enter into an accountability agreement which will elaborate on their respective roles and responsibilities and include setting performance expectations and monitoring/reporting requirements.

ON1Call

ON1Call is responsible for day-to-day administration of the Act, including:

- operating a call system to receive excavator requests for the location of underground infrastructure in Ontario;
- identifying (for excavators) whether infrastructure is located in the vicinity of a proposed excavation or dig site;
- notifying a member of proposed excavations or digs that may affect the member's infrastructure;
- raising public awareness of ON1Call and the need for safe digging; and
- establishing a call centre in Northern Ontario.

Related legislation

The Act is complementary to three other Ontario pieces of legislation that require excavators to obtain locates prior to excavation:

- 1) *Electricity Act, 1998*, Electrical Distribution Safety Regulation 22/04, Section 10 (3) and (4), requires that before excavating an excavator shall ascertain from the distributor the location of any distribution line that may be interfered with;
- 2) *Technical Standards and Safety Act*, Oil and Gas Pipeline Systems Regulation 210/01 Section 9 and 10, requires that no person shall excavate without first ascertaining from the license holder the location of any pipelines; and
- 3) *Occupational Health and Safety Act*, Construction Projects Regulation 213/91 Section 228, requires that an employer shall ensure services in the area of the excavation are located and marked.

Requirements of the Act

The Act sets out a number of requirements for underground infrastructure owners and excavators. As noted, it establishes that specified underground infrastructure owners become members of ON1Call within specific timelines:

- Non-municipal infrastructure owners are deemed to become members on June 19, 2013. These include operators of electrical distribution systems, Hydro One Inc., Ontario Power Generation Inc., gas distributors and transmitters, persons or entities regulated under the Oil, Gas, and Salt Resources Act, and every person or entity that owns or operates underground infrastructure that crosses a public right of way or is in the vicinity of a public right of way.

- Municipalities that own or operate underground infrastructure are deemed to become members on June 19, 2014. All members are required to provide ON1Call with information about the location of their underground infrastructure when they become a member.

A member who receives a notification from ON1Call that there will be excavation in the vicinity of its infrastructure is required by the Act to provide locates by marking the ground and providing the excavator with written documentation that identifies the location of the underground infrastructure. If the member does not have infrastructure in the vicinity of the excavation, the member must confirm, in writing, that its underground infrastructure will not be affected by the excavation.

The Act requires members to make all reasonable attempts to respond to a notification within five (5) business days, provided that the excavation is reasonably expected to start within 30 days. There are some exceptions to this time limit, for example if the member and excavator have agreed to a different time limit or if regulations set out a different time limit in specified circumstances.

The Act defines an excavator as “any individual, partnership, corporation, public agency or other person or entity that digs, bores, trenches, grades, excavates, moves or breaks earth, rock or the materials in the ground”. Excavators are required to contact ON1Call to request locates before an excavation and are not to excavate until locates have been properly provided.

The Act also places a general duty on an excavator to not excavate or dig in a manner that the excavator knows or ought to know would damage or interfere with any underground infrastructure.

Why is MCS considering regulations?

Although the Act is in effect now without any regulations, it is necessary to consider what regulations may be advisable to effectively implement and administer the requirements of the Act. MCS is therefore considering areas that may require regulations to support ON1Call’s effective administration of the Act and MCS’s oversight of the Act and ON1Call. Depending on feedback received through this consultation, regulations may be necessary to achieve one or more of the objectives outlined below. As well, MCS is open to receiving feedback on any other issues of interest to stakeholders which could impact implementation, administration and oversight.

ON1Call’s governance model

ON1Call was established in 1996 as a for-profit corporation by its then three shareholders, Bell, Union Gas and Enbridge Gas. In August 2011, ON1Call became a not-for-profit corporation. A list of its current members can be found on its website at www.on1call.com. In June 2012, ON1Call elected a board of 12 directors who represent

municipal, electrical, telecommunication and oil and gas/pipeline sectors.

With the passage of the Act, ON1Call was converted into a not-for-profit statutory corporation. Consequently, ON1Call reviewed its governance model in light of the requirements of the Act. The description below outlines the new governance model ON1Call intends to implement in coordination with potential regulations. Additional information about ON1Call's intended governance model can be found on its website at <http://on1call.com/index.php/resource-centre/latest-news>.

Open governance model

In order to strengthen transparency and accountability to its new members, ON1Call's board of directors has approved changing ON1Call's current corporate governance model from restricted membership (i.e., where the board of directors are the only voting members) to an "open" membership model. This will make each member of ON1Call a voting member.

Under ON1Call's open governance model, members will identify a sector category to which they belong and will be entitled to vote for board candidates within that category (e.g., municipal members would vote for municipal representatives to the board of directors).

Member rights

The member rights regarding ON1Call as a corporation will include:

- (a) statutory rights under the present *Corporations Act* (Ontario) and the *Not-for-profit Corporations Act* should it come into effect;
- (b) the right to elect the board of directors;
- (c) the right to appoint auditors;
- (d) the right to approve by-law changes;
- (e) the right to approve fundamental changes as permitted at law;
- (f) the right to attend annual meetings and to call special general meetings if required; and
- (g) the right to review financial statements.

ON1Call has a Member's Bill of Rights which includes many of the above rights and outlines its commitment to addressing specific questions, comments, suggestions and complaints from members which is available online at <http://on1call.com/index.php/resource-centre/latest-news>. ON1Call will maintain an updated Member's Bill of Rights as it updates its by-laws.

ON1Call also intends to create advisory councils made up of representatives from stakeholder groups who will provide information and advice to ON1Call staff and the board.

Board of directors

Under the new governance model ON1Call will increase its current board from the current 12 directors to 15 by June 2014. Members will elect directors to represent them in the following five sectors:

- 1) Electrical
- 2) Oil and Gas/Pipelines
- 3) Telecommunications
- 4) Municipalities
- 5) Other non-utility infrastructure owners

ON1Call currently has one-year terms for directors. They can be re-elected. If re-elected, directors can serve multiple terms, up to a limit of six (6) years in total, provided they continue to meet the criteria established in the by-laws which are set by ON1Call's board. This will continue to be the case under the new model.

ON1Call's officers (i.e., Chair, Vice-Chair and Treasurer) are and will continue to be elected by the board, not by the general membership. The board's Chair and Vice-Chair positions will be held in rotation by Bell, Union Gas and Enbridge Gas until 2015-2016. After 2015-2016, these positions could be held by a director representing any sector, and will be elected by the board annually.

Overview of Key Topics

Three key topic areas must be addressed for the effective implementation, administration and oversight of the Act. Proposals are provided for each topic.

1. Compliance
2. Fee Setting
3. Reporting Requirements

1. Compliance

Objective: To promote compliance with the requirements of the Act, using appropriate compliance tools.

Proposal: Provide ON1Call with a range of enforcement tools to promote compliance with the Act by:

- a) enabling a by-law enforcement model which is binding on ON1Call's members and subject to penalties for non-compliance; and
- b) establishing fines under the Act.

a) By-law enforcement model

ON1Call is proposing to establish a by-law enforcement model and a Compliance Committee to promote compliance with the Act's requirements.

Prior to the Act's passage, if a member did not comply with the requirements set out in the service agreement with ON1Call, ON1Call could withhold delivery of its services in routing locate requests. Now that membership is mandatory under the Act and ON1Call must provide routing locate request services to members, ON1Call cannot withhold services to enforce compliance.

Under the by-law enforcement model, the Compliance Committee would be authorized to enforce ON1Call's by-laws against its members, and financial sanctions would exist for members who do not meet the requirements of the by-laws.

Key features of the proposed by-law include the need for members to provide ON1Call with current and accurate information about the member's infrastructure and service area, to pay ON1Call for services rendered, and to provide locates within specified timeframes. A copy of proposed member terms and conditions under the proposed by-law is attached in Appendix A.

ON1Call proposes that the Compliance Committee would include a number of board directors who represent different sectors, representatives from the general membership who meet established competency criteria, and subject matter experts. The Compliance Committee will also include excavator representation to enable all entities affected by the operation of the Act to be represented.

ON1Call's proposed by-laws would also establish a financial sanction that would be imposed on members for breaches of the terms and conditions under the by-laws. The proposed by-law would authorize the Compliance Committee to exercise discretion regarding the amount of the financial sanction. There would be an upper limit or maximum amount that the Compliance Committee could impose of \$10,000 per infraction.

The by-laws would also establish that the Compliance Committee could consider alternatives to a financial sanction such as requiring the member to complete safety training, or staff training.

b) Establishing fines under the Act

The Act provides for enforcement of some of the Act's requirements through prosecution. It is proposed that fines be established under the Act to enable ON1Call to promote compliance. It should be noted that the Compliance Committee model described above is limited to action against members who do not comply with by-laws.

Section 8 of the Act provides that a person commits an offence if they fail to comply with

sections 5, 6 or 7. Sections 5, 6, and 7 set out membership requirements, member responses to notification requests by ON1Call and provision of locates, and excavator duties, respectively. Section 8 applies to members of ON1Call as well as any other person or entity that fails to comply with those sections.

If no fine amount is prescribed, an offence under the Act cannot be established. In order to ensure that ON1Call has the appropriate enforcement tools to implement the Act, MCS is seeking input on the amount of the maximum fine.

In considering the maximum amount of fines that could be imposed by a court of law, it is useful to consider fines found in similar legislation of other jurisdictions. In Alberta, a jurisdiction which requires every pipeline operator licensee to register with Alberta One-Call service, the Pipeline Act sets out potential fines of up to \$10,000 for a corporation and \$5,000 for an individual. Depending on whether it is an individual or a corporation, a person who is found guilty of a continuing offence, may be subject to additional fines of between \$2,500 and \$5,000 for each subsequent day during which the offence continues. In the United States, Virginia may impose a civil penalty not exceeding \$2,500 for each violation.

Setting the total fine amounts under the legislation is an expression of legislative intent that reflects the seriousness of the offence. However, imposing a fine for an offence under the Act would ultimately be decided by a sentencing court, and each sentence would be addressed by the court on its own facts. Generally speaking, courts would look at a number of mitigating and aggravating factors to arrive at a just sentence (i.e., a fine) and would generally reserve the highest fine amounts for the most egregious cases.

The following are proposed as the fine amounts for particular offences:

- 1) An offence under Section 5 of the Act involves failure of a member to provide ON1Call with certain information necessary to fulfill its objects. The maximum fine amount proposed for an offence under Section 5 is \$10,000.
- 2) An offence under Section 6 involves failure of a member to provide a locate within the timeframes established in the Act (i.e. within five (5) days unless an exception to that time period applies), or failure to state in writing that infrastructure will not be affected by an excavation. The maximum proposed fine for an offence under Section 6 is \$10,000.

- 3) Section 7 creates obligations on persons who are not members of ON1Call and involves duties placed on excavators to commence an excavation or dig only after a locate has been requested. Once a locate has been provided by the infrastructure owner, the excavator must also first ensure that the locate markings do not conflict with the written information provided by the infrastructure owner. In addition, Section 7 creates a general obligation to not excavate or dig in a manner that the excavator knows, or ought to know, would damage or interfere with underground infrastructure.

Unlike the offence provisions noted in relation to sections 5 and 6, the duties on excavators under Section 7 are similar to existing provincial legal requirements. The Technical Standards and Safety Act provides a maximum fine amount of \$50,000 for individuals and up to \$1,000,000 for a corporation. Part VIII of the Electricity Act, provides a maximum fine amount in the same amounts. The Occupational Health and Safety Act provides that an individual is subject to a maximum fine amount of \$25,000 and that a corporation can be subject to a maximum fine of \$500,000. In light of these comparators, the maximum fine amount proposed for an offence under Section 7 of the Act is \$1,000,000.

ON1Call will be responsible for the investigation of alleged offences under the Act, and for bringing any regulatory offence proceeding under the Act where appropriate.

Your input will assist MCS in considering the maximum amount of a fine that should be established by regulation.

2. Fee Setting

Objective: To ensure that members have input into the fees set by ON1Call through an open consultation process.

Proposal: To require ON1Call to establish a fee-setting process.

ON1Call does not and will not receive any provincial government funding. Under the Act, ON1Call is completely funded by its members and cannot charge excavators for locate requests. It must be financially viable based on the revenue derived from its members. Similar to the approach of other not-for-profit statutory corporations, it is appropriate that ON1Call, rather than MCS, set its fee amounts in consultation with its members. ON1Call's current pricing schedule is attached as Appendix B.

As part of its role in overseeing the Act and ON1Call, it is proposed that ON1Call establish a clear fee-setting process that is understood by all stakeholders. This process would require ON1Call to consult all members about any fee changes and give members advance notice of all fee changes approved by the board.

3. Reporting Requirements

Objective: To promote compliance and monitor the effectiveness of the Act.

Proposal: To require members to:

- a) notify ON1Call of the date and time that locates have been completed; and,
- b) report to ON1Call any damages to underground infrastructure due to excavation.

a) Completion of locates

It is proposed that members must advise ON1Call, either electronically or by telephone, of a completed locate, with the date and time of its completion.

This information is necessary so that ON1Call can monitor and enforce compliance. Under the Act, locates must be performed within a set time (i.e., generally within five (5) days unless an exception to that time period applies). This information is also necessary for ON1Call to measure and report to the public that the requirements of the Act have been met.

b) Damage-reporting by members

There is no comprehensive baseline data currently available regarding the number and cause of strikes, and the resulting damage to Ontario's underground infrastructure.

The Ontario Regional Common Ground Alliance (ORCGA) publishes an annual Damage Information Reporting Tool (DIRT) report which gathers, on a voluntary basis, strike data from some, but not all, infrastructure owners. It is a useful tool which reports on the root cause of how damage occurs, but it does not provide a complete picture of damage occurrence in Ontario.

The Act's primary objective is to reduce strikes to underground infrastructure. It is necessary to have an established baseline and annual tabulation of strikes and infrastructure damage, to assess whether the Act met this objective.

It is proposed that members be required to report strike data to ON1Call on damage to their underground infrastructure. This requirement would not replace any other obligations (under other legislation) that infrastructure owners may have to report damage. For example, provincially regulated gas companies would continue to be required to report pipeline strikes to the Technical Standards and Safety Authority.

Will MCS be considering regulations in any other areas than those described in this paper?

There are other areas in which MCS has regulation-making authority as set out in the Act including establishing what underground infrastructure crosses, or is "in the vicinity of a public right of way" and establishing shorter or longer time limits for locates. The

Government of Ontario may consider regulations under the Act in these areas. This would occur after any necessary further consultation with impacted stakeholders.

MCS welcomes comment on any stakeholder issues which may be addressed by the regulation-making authority outlined in Section 9 of the Act.

Your advice is important to us

Please provide the Ministry of Consumer Services with your comments no later than March 25, 2013.

Please e-mail your response with "One Call to Dig Consultation" in the subject line to:

onecalltodig@ontario.ca

You may also mail a response to:

One Call to Dig Consultation
Public Safety Branch
Ministry of Consumer Services
5th Floor, 777 Bay Street
Toronto, ON M7A 2J3

Thank you for taking the time to review these proposals. We look forward to your feedback.

Appendix A - ON1Call Member Terms and Conditions
Appendix B - ON1Call's Pricing Schedule

Privacy Statement

Please note that unless requested and agreed otherwise by the Ministry of Consumer Services, all materials or comments received from organizations in response to this consultation will be considered public information and may be used and disclosed by the ministry to assist the ministry in evaluating and revising the proposed regulatory amendments. This may involve disclosing materials or comments, or summaries of them, to other interested parties during and after the request for public comment process.

An individual who provides materials or comments and who indicates an affiliation with an organization will be considered to have submitted those comments or materials on behalf of the organization so identified. Materials or comments received from individuals who do not indicate an affiliation with an organization will not be considered public information unless expressly stated otherwise by the individual. However, materials or comments by individuals may be used and disclosed by the ministry to assist in evaluating and revising the proposed regulatory amendments.

Personal information of those who do not specify an organizational affiliation, such as an individual's name and contact details, will not be disclosed by the ministry without the individual's consent unless required by law. If you have any questions about the collection of this information, please contact vanessa.rae@ontario.ca.

French translation:

Veillez noter que, à moins qu'une demande ne soit formulée au ministère des Services aux consommateurs et acceptée, tout le matériel et tous les commentaires reçus des organisations en réponse à cette consultation seront considérés comme de l'information publique et pourront être utilisés et divulgués par le Ministère pour aider celui-ci à évaluer et réviser les propositions de modifications de la réglementation. Ceci pourrait comprendre la divulgation de matériel ou de commentaires ou de sommaires de ceux-ci à d'autres parties intéressées pendant ou après la demande pour un processus de commentaires publics.

Un individu qui fournit du matériel et des commentaires et qui indique son affiliation avec une organisation sera considéré comme ayant soumis ces commentaires ou ce matériel au nom de l'organisation mentionnée. Le matériel ou les commentaires reçus d'individus qui n'indiquent pas d'affiliation avec une organisation ne seront pas considérés comme de l'information publique à moins que l'individu n'indique expressément le contraire. Cependant, le matériel ou les commentaires des individus pourront être utilisés et être divulgués par le Ministère pour aider à évaluer et réviser les propositions de modifications de la réglementation.

Les renseignements personnels de ceux qui ne mentionnent pas une affiliation organisationnelle, comme le nom d'un individu ou des coordonnées, ne seront pas divulgués par le Ministère sans le consentement de l'individu, à moins que la loi ne l'exige. Si vous avez des questions quant à la collecte de ces renseignements, veuillez communiquer avec vanessa.rae@ontario.ca.

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Appendix A

EXPLANATORY NOTE: This is a draft schedule to the proposed by-law which sets out the terms and conditions of membership and the proposed financial sanctions for members who do not comply with these terms.

Terms and Conditions

**Being Schedule A, to By-Law No. [●] of
Ontario One Call (the "Corporation")**

Definitions

2. In these by-laws,

"Act" means the *Ontario Underground Infrastructure Notification System Act, 2012*, S.O. 2012, Chapter 4;

"By-laws" means By-law No. [●] of the Corporation enacted ●, 2013;

"Call Centre" means the call centre operated by the Corporation, for the purpose of transmitting Locate Requests from excavators to Members, capable of providing service to all areas within the Province of Ontario and designated adjacent municipalities in Quebec;

"Corporation" means Ontario One Call, continued pursuant to subsection 2(1) of the Act;

"Excavator" is to be broadly interpreted and its meaning shall include, but not be limited to, a person, an individual company or corporation, a municipal corporation, trust, government agency or department, Crown corporation, utility, unincorporated association, partnership, limited partnership, or other entity known at law who intends to do or has begun the Proposed Work;

"Excavator Locate Request" means notification by an Excavator of Proposed Work to the Call Centre, to be by way of facsimile, telephone, hand delivery, electronic transmission by computer, or such other means as the Corporation and the Member may agree upon from time to time;

"Member" means any person or entity described in section 5 of the Act and admitted as a Member pursuant to the By-laws;

"Member's Plant" means the Member's underground facilities in existence at any time;

"Notification of Locate Request" means the communication to the Member of an Excavator Locate Request received by the Call Centre;

"Primary Telephone Number" means the telephone number designated by the Corporation from time to time to enable an Excavator to make an Excavator Locate Request by telephone, facsimile or such other means of communication which requires the use of a telephone number;

"Proposed Work" means any actual or intended excavation, demolition, drilling, blasting and includes, without limitation, any disturbance of the surface and/or subsurface of the earth by an Excavator;

"Service" means the Call Centre's receipt, processing and recording of an Excavator Locate Request and communication of a related Notification of Locate Request to the Member for the Member's Service Area;

"Service Area" means the geographical area in which a Member operates;

"The Specifications" means the Corporation's performance standards and specifications, which shall be delivered by the Corporation to the Member along with these terms and conditions.

Application

3. These terms and conditions shall apply to all Members.

Limitation of Liability

4. Each Member shall be solely responsible for the accuracy and adequacy of their locates, and any information provided by it to the Corporation.
5. The Corporation shall not be responsible for ensuring the accuracy of locates, nor shall be held liable for any injury or damage as a result of excavation performed using a locate provided by any Member or any Member's contractor or subcontractor.
6. The Corporation shall not be liable to the Member for any special, indirect or consequential damages, including but not limited to, loss of profit, loss of revenue, failure to realize expected savings or other commercial or economic losses or damages of any kind caused by the Member's failure to meet the obligations as set forth in this Schedule, the By-laws, and the Act.

Categories of Locate Requests

7. Locate Requests shall be defined as being one of the following levels of priority:
 - (a) Emergency Locate Request, is defined as a loss of essential service by a utility and an excavator work crew is on site or has been dispatched, or there is an imminent safety hazard requiring a locate response by Members within two (2) hours. Emergency Locate Requests are transmitted to the Member within fifteen (15) minutes of completion by the Call Centre's staff;
 - (b) Priority Locate Request, is defined as an emergent situation and a locate is required to be completed in less than five (5) business days. Priority Locate Requests are transmitted to the Member within twelve (12) hours of completion by the Call Centre's staff;
 - (c) Standard Locate Request, is defined as planned work and a locate is required to be completed with a minimum notification period of five (5) business days. Standard Locate Requests are transmitted to the Member within twenty-four (24) hours of completion by the Call Centre's staff.

Mapping and Notification Requirements

8. Each Member shall at all times provide the Corporation with accurate up-to-date information as required in order to determine and map each Member's Service Area information.
9. Each Member shall provide the Corporation with the Member's Plant location information necessary to maintain and complete the Corporation's mapping system. Each Member shall be solely responsible for maintaining the accuracy of its Plant location information.
10. Each Member shall provide the Corporation with instructions in writing as to how each Member will receive notification of Locate Requests, and update such instructions when necessary or periodically.
11. Each Member shall provide the Corporation with the telephone number(s) of the Member's receiving location or locations to direct and verify notification of Locate Requests to the Member and for verbal transmission in the event of a failure of the Corporation's equipment. Each member shall update this information upon the Corporation's request, or when otherwise necessary or appropriate.

Equipment Specification and Requirements

12. Each member shall supply and maintain, at the Member's sole cost and expense, receiving equipment as required by the Corporation for the transmission of Locate Requests from the Call Centres, including:
 - (a) Paying the cost of installing communication lines of the Member's premises to ensure supply and maintenance of compatible receiving equipment;
 - (b) Paying all costs associated with dedicated communication lines to receive notifications of Locate Requests, if the member so chooses to install such facilities; and
 - (c) Maintain adequate equipment to receive an alarm by the Corporation if an Emergency Locate Request must be transmitted, either through receiving equipment compatible with the Call Centre's software system, or by telephone
13. Each member shall promptly notify the Corporation of any proposed or actual actions to relocate, move or disconnect any of the Member's receiving equipment.
14. In order to improve the quality of service, the Corporation shall be permitted to make updates and changes to its equipment, software, rules of operation and any other procedure. Each Member shall be required to make any necessary changes or modifications in order to comply with such changes or updates.

Care of Property

15. Each Member and the Corporation shall take proper care of any and all property owned by the other which may be in the custody, care, or control of the other party, and shall be responsible for any loss or, or damage to any such property until it is returned to the custody, care, or control of its rightful owner.

Confidentiality

16. Each Member and the Corporation shall keep any information relating to the business affairs of any Member and the Corporation, obtained as a result of Membership, which is of a confidential nature and not publicly available in the strictest confidence. Each Member shall be responsible for ensuring any representative, affiliate, director, officer, employee or agent of the Member or Corporation hold all such information in the strictest confidence.
17. Each Member and the Corporation shall not use any confidential information except as is required for each to perform its legislated requirements.

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18. Each Member shall keep all information relating to the Corporation and its services, programs, manuals, procedures, and any documentation relating thereto, strictly confidential unless compelled to disclose by law, in which case the Member shall notify the Corporation and permit it the opportunity to prevent or limit such disclosure.
19. Each Member shall recognize that any breach of the above confidentiality provisions would cause irreparable harm which could not be adequately compensated for with damages, and in the event of a breach, each Member consents to an injunction being issued to prevent disclosure of confidential information.

Insurance

20. Each Member shall maintain a policy of comprehensive general liability insurance with a minimum coverage against bodily injury and property damage caused by the negligence of the Member in an amount of not less than two million dollars (\$2,000,000.00) per occurrence. The Member shall, at the Corporation's request, furnish forthwith to the Corporation a Memorandum of Insurance or an Insurance Certificate setting out the terms and conditions of each policy maintained by the Member in order to satisfy the requirements of this section.

Excusable Delays

21. Neither the Corporation nor the Member shall be responsible for delays or failures to perform resulting from acts beyond its reasonable control. The dates and times for performance (other than for the payment of money) shall, in conformity herewith, be postponed to the extent and for the period of time that the Corporation or the Member, as the case may be, is prevented from meeting them by reason of the above-mentioned causes.

If a party relies on this Section 21 to excuse its delay or failure to perform any of its obligations under these terms and conditions, it shall use commercially reasonable efforts to remedy the situation or remove so far as possible with reasonable dispatch the cause of its delay or inability to perform any of its obligations under these terms and conditions. No party may rely upon this Section 21 to excuse its delay or failure to perform with any of its obligations under these terms and conditions and such reliance continues for a period of more than one (1) day, or for more than three (3) days in aggregate in any period of one hundred eighty (180) successive days.

Notwithstanding the foregoing or any other provision in these terms and conditions, the performance of the parties' respective obligations hereunder shall be subject to force majeure, including, but not limited to, insurrections, riots, wars and warlike operations, explosions, governmental acts, epidemics, failure of contractors and subcontractors to perform, strikes, fires, accidents, acts of any public enemy, inability to obtain required materials, qualified labour or

transportation, or any similar occurrence beyond the reasonable control of the party affected ("**Force Majeure**"). Should either party be temporarily excused from performance hereunder by any such circumstances it shall use its best efforts to avoid, remove or cure such circumstances and shall resume performance with utmost dispatch when such circumstances are removed or cured. Where either the Member or the Corporation claims Force Majeure as an excuse for delay in performance, that party so claiming Force Majeure shall give prompt written notice thereof to the other party.

22. Pursuant to S. ● of the By-laws, a Member who fails to comply with these terms and conditions set out in Schedule A to the By-laws may face financial sanctions to be imposed by the Corporation up to a maximum for each such failure of \$10,000.

Pricing

23. Prices to be paid for services to be provided to Members by the Corporation are set out in schedule B to the By-laws.

Billing and Invoicing

24. The Corporation shall invoice the Member for the Service provided during the previous month, on a monthly basis. The Member shall pay the amount set forth in the invoice in full within thirty (30) days from date of receipt of the particular invoice (hereinafter the "**invoice period**"). If there are corrections or inaccuracies in the invoice, it is the obligation of the Member to contact the Corporation.
25. Interest shall be charged and payable by the Member on all amounts remaining unpaid after the invoice period and interest shall be calculated monthly at the rate of 1.5% per month, which is equivalent to an effective annual rate of 19.56% per annum or maximum permitted by law.

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Appendix B

Pricing Schedule

**Being Schedule B to By-Law No. [•]
of Ontario One Call (the "Corporation")**

The following shall be the pricing schedule for all non-municipal Members:

Cost per Notification	\$1.60
Cost per Suppression	\$1.60
Additional cost per notification for a follow-up	
Additional Telephone call notification (where requested by Member)	\$2.75
Cost per "All Clear" (screened/cleared through Selective Sending or Depth Selective Sending or other filtering options) provided by Ontario One Call to the Excavator on behalf of the Member	\$2.10
One Time Set-up Fee	\$1,000.00 + Applicable Taxes
4 hours/year Mapping	FREE
Additional hours	\$65.00 /hour
Customized Reporting	\$55/hour (minimum 1 hour)

The following shall be the pricing schedule for all municipal Members until December 31, 2014:

- (a) All standard service costs are free of charge to municipal Members. The only costs incurred will be for set-up, as indicated below, and any mapping related labour exceeding the 4 hour annual allowance.

Cost per notification	\$0.00
Cost per suppression	\$0.00
Additional cost per notification for a follow-up telephone call notification (where requested by Member)	\$0.00
Cost per "All Clear" (screened/cleared through Selective Sending or Depth Selective Sending or other filtering options) provided by Ontario One Call to the excavator on behalf of the Member	\$0.00
One Time Set-up Fee:	\$0.00
4 hours/year Mapping	FREE
Additional hours	\$65.00/hour
Customized Reporting	\$55/hour (minimum 1 hour)

NB: The above prices do not include applicable sales taxes, which the Member is responsible for paying in addition.

NB: the Corporation may change the Pricing Schedule at any time, so as to continue to recover the full costs of fulfilling the Corporation's objectives and obligations as defined in: the *Ontario Underground Information Notification System Act, 2012* (The "Act"); the Accountability Agreement between the Corporation and the Province of Ontario; all regulations applicable to the Act; all governing federal and provincial Statutes; and the Corporation's bylaws.



Corporate Report

Clerk's Files

Originator's
Files

MG.23.REP

DATE: March 27, 2013

TO: Chair and Members of General Committee
Meeting Date: April 17, 2013

FROM: Martin Powell, P. Eng.
Commissioner of Transportation and Works

SUBJECT: **2013 Noise Attenuation Barrier Replacement Program**
Wards 4, 5, 6, 7 and 11

RECOMMENDATION: That the proposed 2013 Noise Attenuation Barrier Replacement Program, as outlined in the report from the Commissioner of Transportation and Works dated April 17, 2013, be approved.

REPORT HIGHLIGHTS:

- This report identifies the deteriorated noise attenuation barriers to be replaced in 2013, as well as a provisional list of locations.
- Should the City receive beneficial tender pricing and all necessary easements are acquired, staff will consider advancing the provisional locations on a priority basis and within available budget.
- The most pressing (NOW needs) noise barrier locations continue to be addressed. An updated program is being developed in conjunction with this year's budget and business plan refresh.

BACKGROUND:

The noise barrier replacement program has advanced significantly over the past four years. The most pressing locations (NOW needs) continue to be addressed. The inventory conducted in 2011 identified 56 kilometres (35 miles) of existing noise barriers of which four kilometres (2.49 miles) will require replacement over the next four

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years. While the projected funding contained in the existing capital budget forecast is sufficient to do this work at a rate of about 1 kilometre per year (0.62 miles per year), an update to the condition inventory is underway and when completed, the 2014-2023 Capital Budget forecast will be updated to reflect the findings.

The Transportation and Works Department has reviewed and prioritized the replacement timing for the noise attenuation barriers which need to be addressed. In accordance with current City Policy 09-03-03, Noise Attenuation Barriers on Major Roadways, existing noise barriers in a deteriorated condition are replaced at 100% City cost. These barriers will be relocated from private property to municipal right-of-way where possible, and maintained by the City.

COMMENTS:

Candidates for the 2013 Noise Attenuation Barrier Replacement Program have been assessed based upon their existing condition and safety considerations. This year's program is focused on those walls which are in the poorest condition and crumbling or falling down (NOW needs). In some situations, residents have already replaced portions of walls that have fallen down with a variety of fencing or have provided some type of shoring to stabilize the walls.

The following provides a description of the priority locations for the 2013 noise attenuation barriers replacement program. Seven locations identified with an asterisk (*) are provisional locations that were identified in the 2012 Noise Barrier Replacement Program.

Appendix	Ward	Description
1	4	RATHBURN ROAD WEST (north side) - From Elora Drive (west leg) to 4186 Hazineh Court
1	4	RATHBURN ROAD WEST (north side) - From 4194 Schneider Court to 4181 Hazineh Court
1	4	RATHBURN ROAD WEST (north side) - From 4214 Via Russo Court to 4193 Schneider Court
1	4	RATHBURN ROAD WEST (north side) - From Elora Drive (east leg) to 4217 Via Russo Court

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Appendix	Ward	Description
1	4	RATHBURN ROAD WEST (north side) - From Elora Drive (east leg) to 4356 Elora Drive
2	5	*MCLAUGHLIN ROAD (east side) - Beside 441 Silverthorne Crescent
2	5	*MCLAUGHLIN ROAD (east side)- From beside 445 Searles Court to beside 434 Ceremonial Drive
2	5	*MCLAUGHLIN ROAD (east side)- From 5243 Micmac Crescent to 471 Baggetta Crescent
2	5	*MCLAUGHLIN ROAD (east side)- Beside 441 Baggetta Crescent
3	6	*EGLINTON AVENUE WEST (south side)- From Inverness Boulevard to Hewicks Lane
4	6	CREDITVIEW ROAD (west side) - From Highbrook Avenue to 5853 Evenstarr Court
4	6	CREDITVIEW ROAD (west side) - From 5902 Evenstarr Court to 1538 Astrella Crescent
4	6	CREDITVIEW ROAD (west side) - Beside 1496 Astrella Crescent
5	6	CREDITVIEW ROAD (west side) - From 1659 Moongate Crescent to 1509 Willow Way
5	6	CREDITVIEW ROAD (west side) - From Beside 1593 Moongate Crescent to 1627 Meadowfield Crescent
5	6	CREDITVIEW ROAD (west side) – From 1599 Meadowfield Crescent to Highbrook Avenue
6	6	CREDITVIEW ROAD (west side) - 1512 Kirkrow Crescent
6	6	CREDITVIEW ROAD (west side) – From 1468 Kirkrow Crescent to 1506 Evenside Crescent
6	6	CREDITVIEW ROAD (west side) - From Willow Way to 1470 Evenside Crescent
7	6	CREDITVIEW ROAD (west side) - 1500 Manorbrook Court
7	6	CREDITVIEW ROAD (west side) - 1503 Manorbrook Court
8	11	CREDITVIEW ROAD (west side) - From Britannia Road West to Sir Monty's Drive
8	11	CREDITVIEW ROAD (west side) - From Sir Monty's Drive to behind 1523 Hollywell Avenue

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Site drawings showing the proposed locations for each noise attenuation barrier replacement are attached as Appendices 1 to 10.

In addition to the above list, Transportation and Works staff will be monitoring the following locations:

Appendix	Ward	Description
9	5	* HURONTARIO STREET (east side) - Beside 5334 Ferret Court
10	7	* DUNDAS STREET WEST (south side) From beside 1465 Credit Woodlands Court to behind 1445 Credit Woodlands Court

The Hurontario Street and Dundas Street West locations require easements from the property owners. It is expected that Capital Works staff will be pursuing negotiations this year. Should funds be made available as a result of beneficial tender pricing and the easements are secured, staff will consider advancing the locations identified above on a priority basis, within the available budget. These locations will be included as provisional items in this year's tender for noise attenuation barrier replacements. Unit costs for noise barriers have been stabilizing and in some cases the City has received pricing lower than forecasted; however, at this time there is no expectation that these additional sites will be constructed this year.

STRATEGIC PLAN: N/A

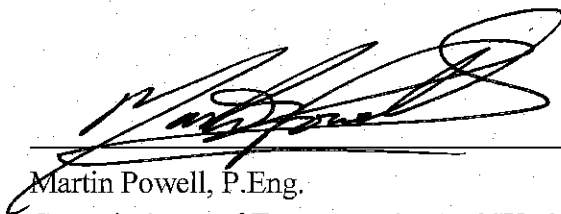
FINANCIAL IMPACT: The total budget amount of \$1,205,000 approved under PN13-161 in the 2013 Capital Budget for noise attenuation barrier replacements is sufficient to cover these works.

CONCLUSION: The proposed 2013 Noise Attenuation Barrier Replacement Program addresses all urgent noise barrier replacement needs in accordance with the 2011 City's noise wall condition survey.

4d

ATTACHMENTS:

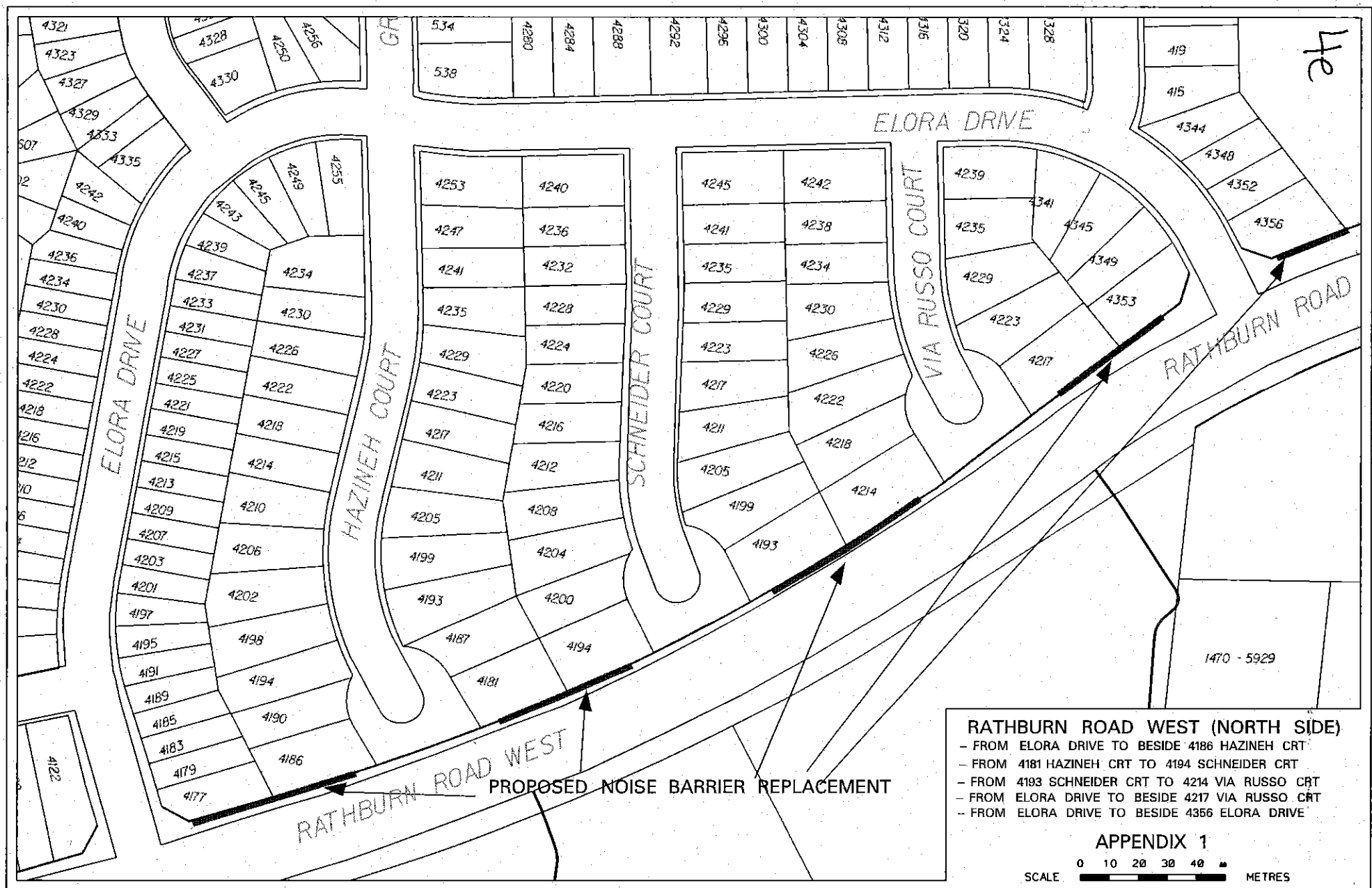
- Appendix 1: Rathburn Road West- north side (Ward 4) Noise Barriers
- Appendix 2: McLaughlin Road- east side (Ward 5) Noise Barriers
- Appendix 3: Eglinton Avenue West-south side (Ward 6) Noise Barriers
- Appendix 4: Creditview Road- west side (Ward 6) Noise Barriers
- Appendix 5: Creditview Road- west side (Ward 6) Noise Barriers
- Appendix 6: Creditview Road- west side (Ward 6) Noise Barriers
- Appendix 7: Creditview Road- west side (Ward 6) Noise Barriers
- Appendix 8: Creditview Road- west side (Ward 11) Noise Barriers
- Appendix 9: Hurontario Street- east side (Ward 5) Noise Barriers
- Appendix 10: Dundas Street West- south side (Ward 7) Noise Barriers

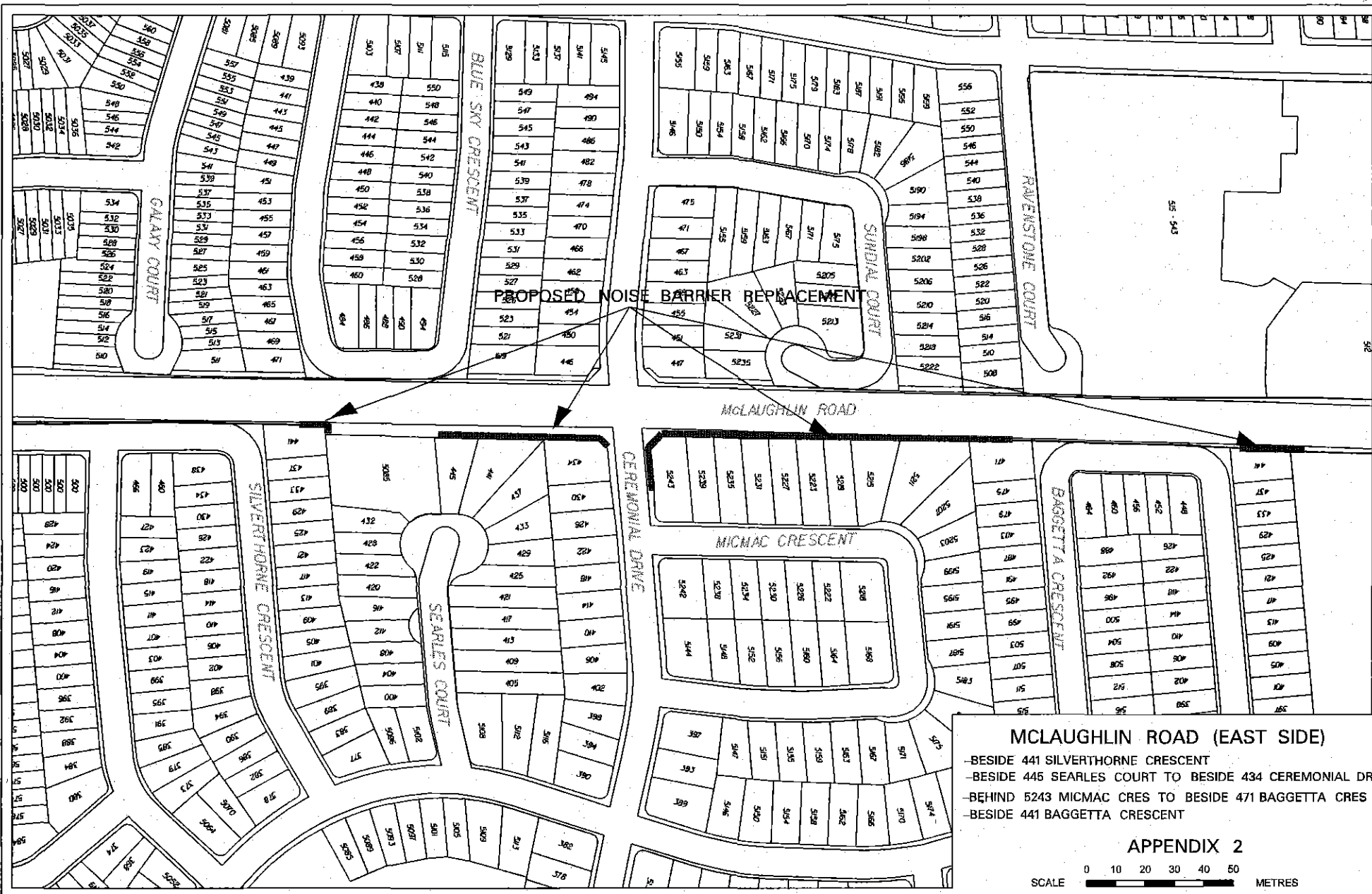


Martin Powell, P.Eng.

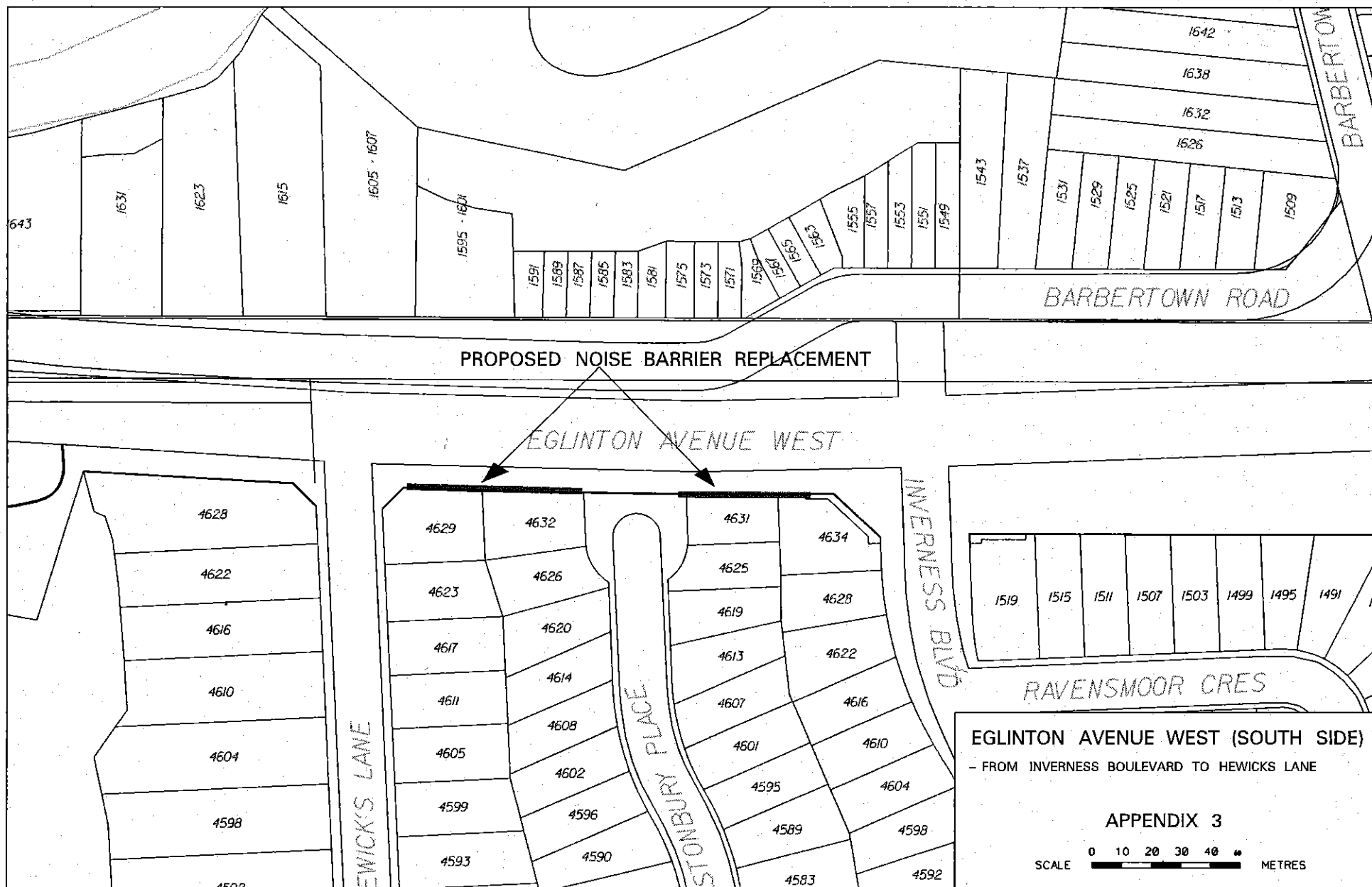
Commissioner of Transportation and Works

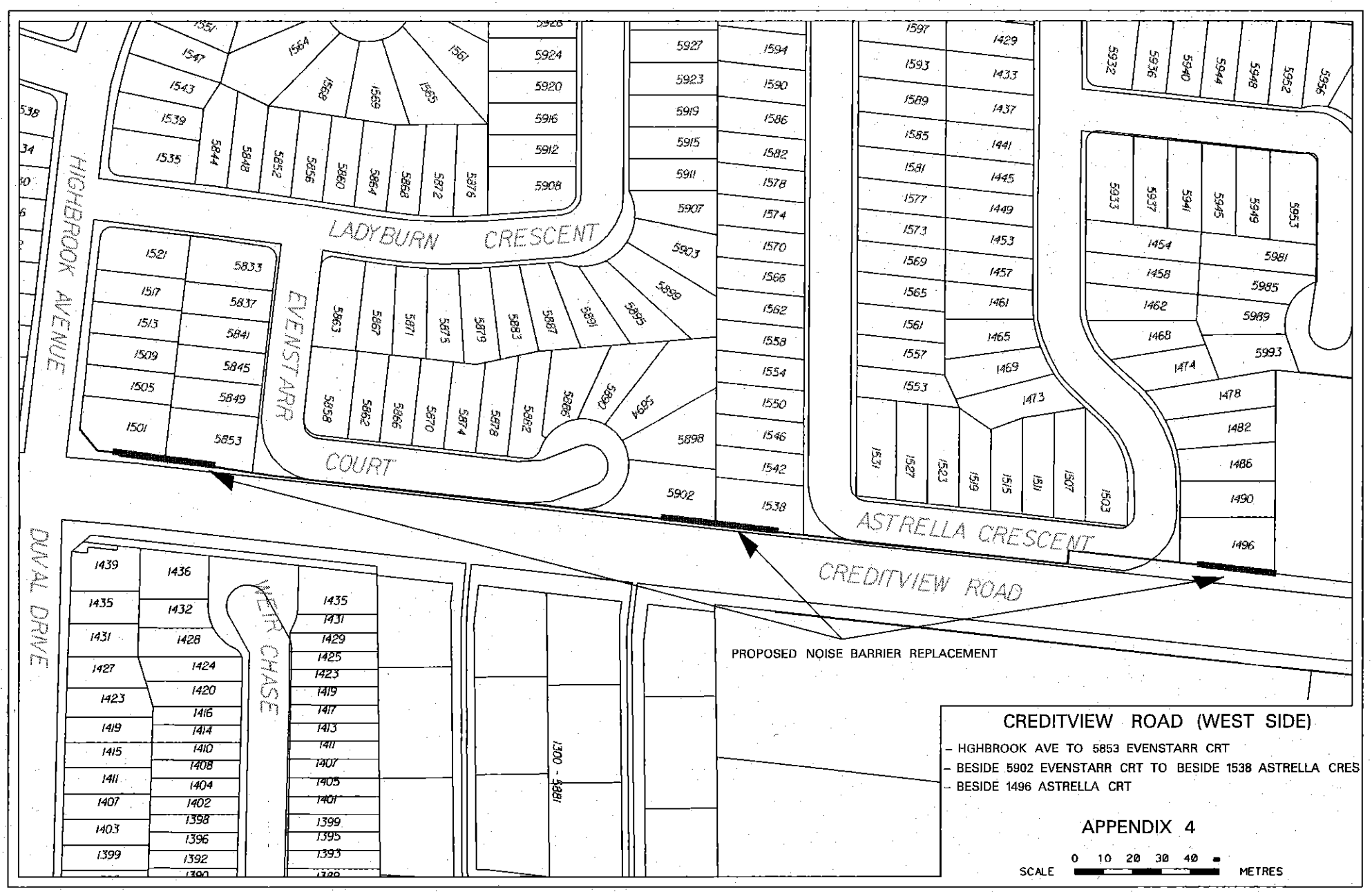
*Prepared By: Loudel Uy, Roadway Programming Technologist,
Transportation Asset Management*



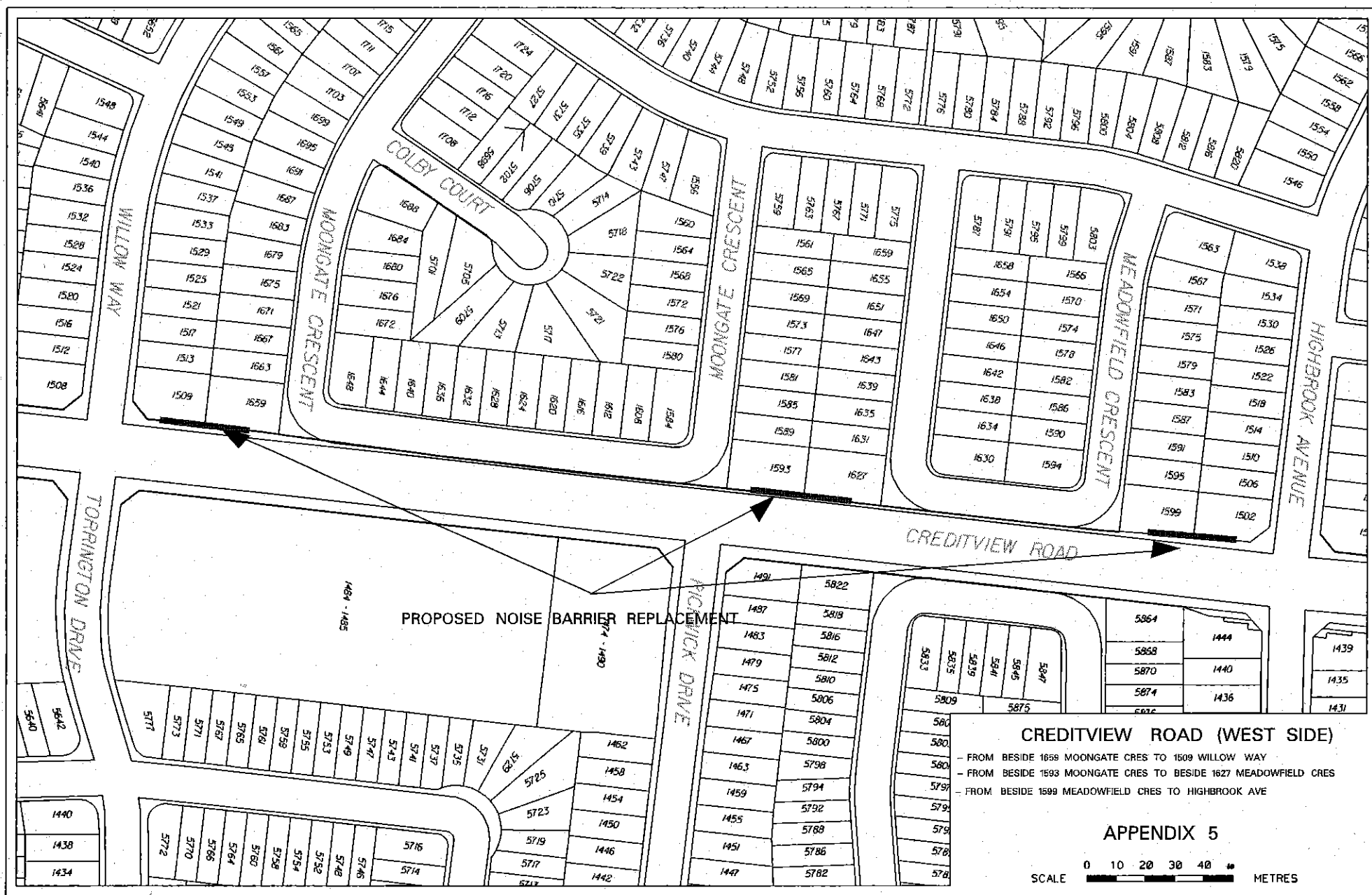


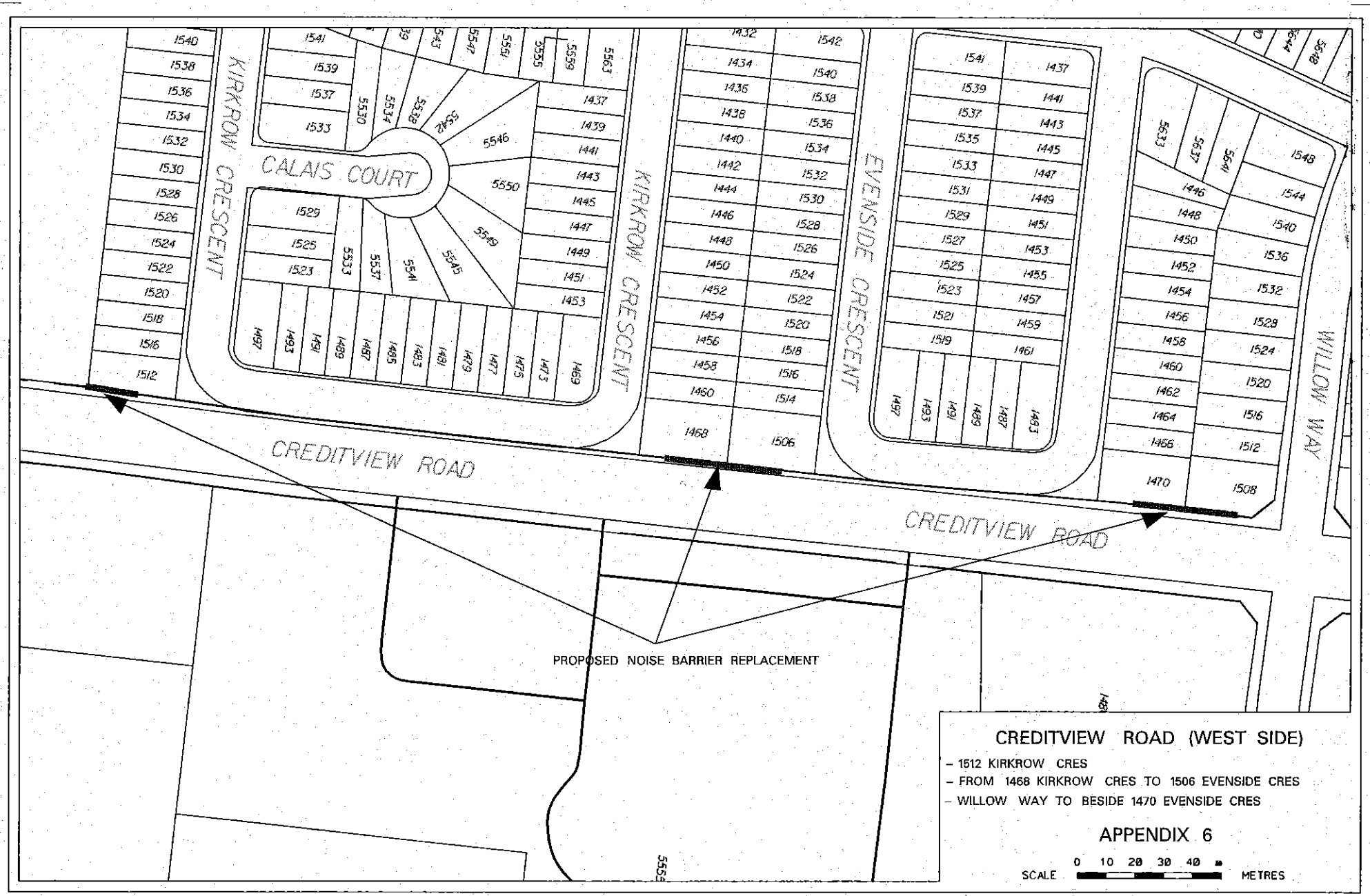
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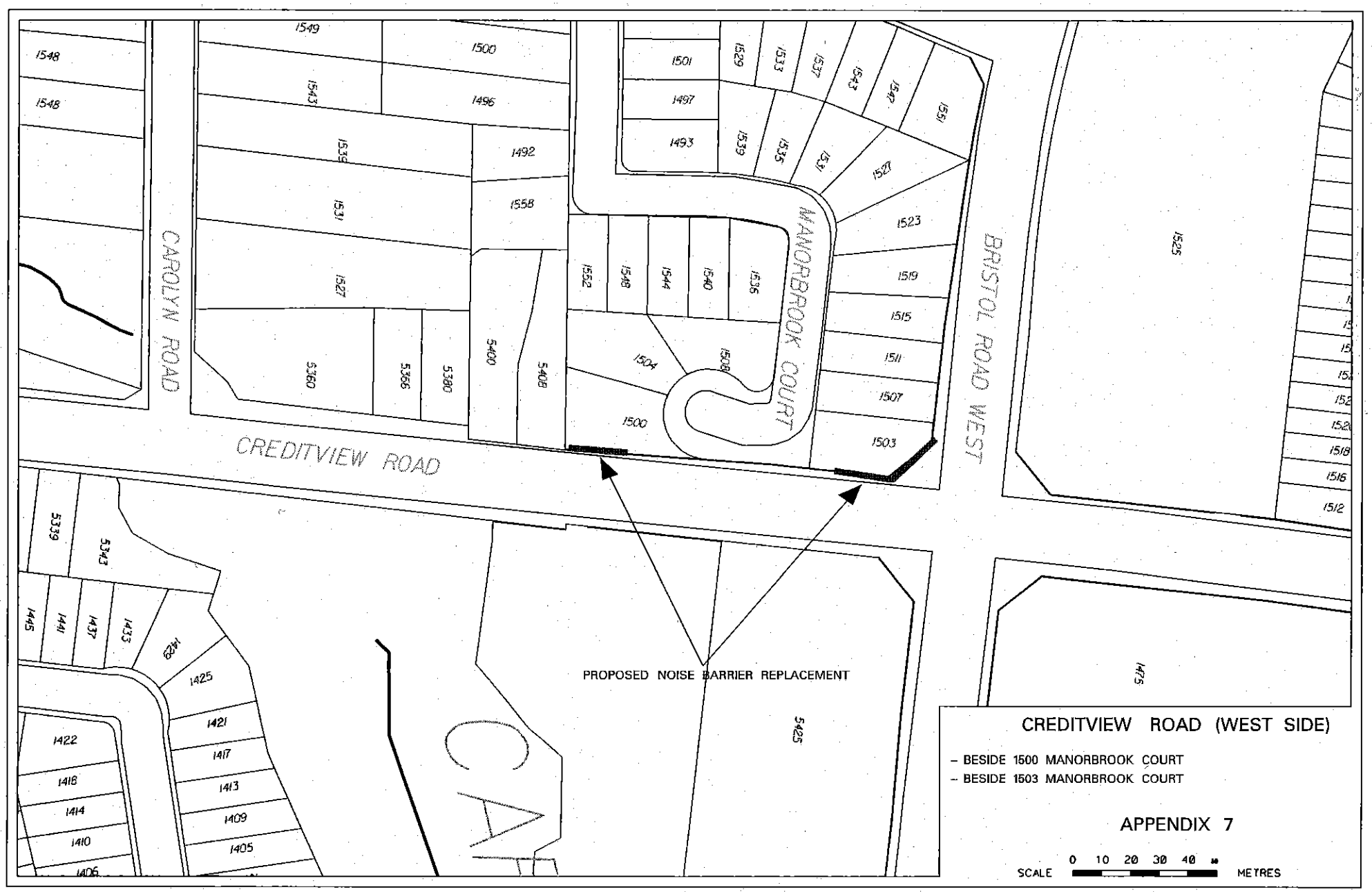


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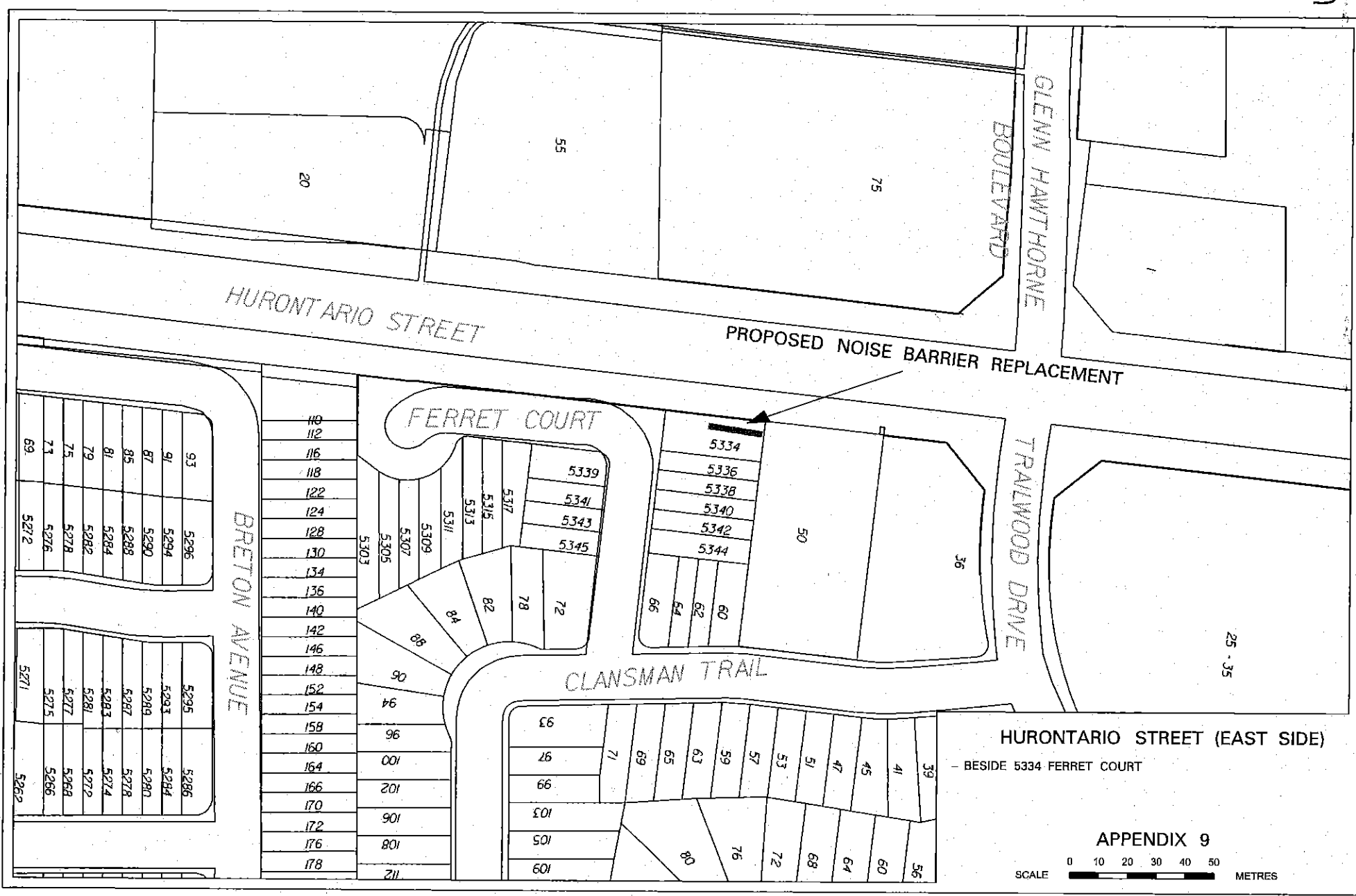


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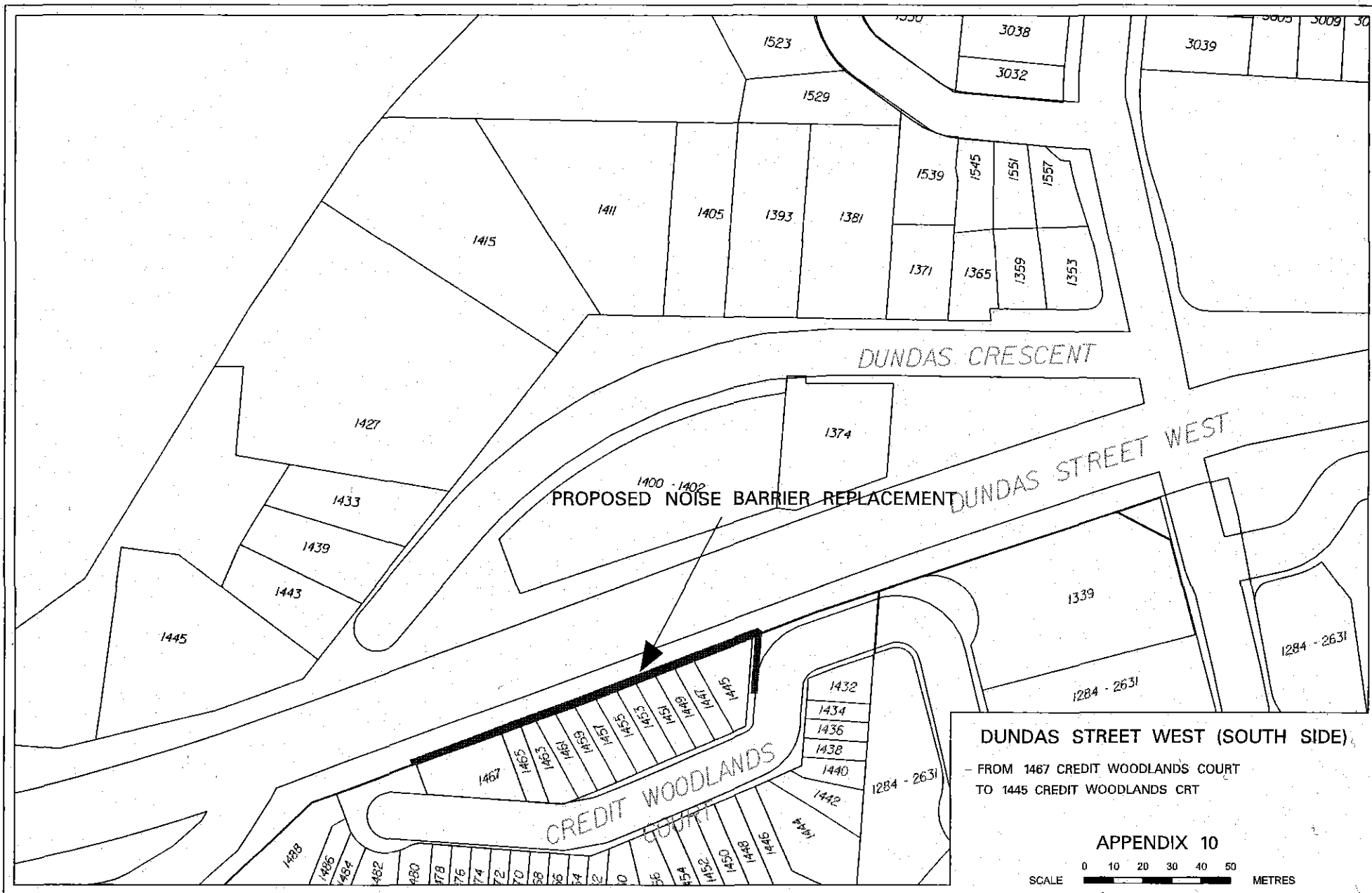
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93	5296	5295	5286
91	5294	5293	5284
87	5290	5289	5280
85	5288	5287	5278
81	5284	5283	5274
79	5282	5281	5272
75	5278	5277	5268
71	5276	5275	5266
69	5272	5271	5262

110	5303	212
112	5305	210
116	5307	208
118	5309	206
122	5311	204
124	5313	202
128	5315	200
130	5317	198
134	5319	196
136	5321	194
140	5323	192
142	5325	190
146	5327	188
148	5329	186
152	5331	184
154	5333	182
158	5335	180
160	5337	178
164	5339	176
166	5341	174
170	5343	172
172	5345	170
176	5347	168
178	5349	166

39	56	72
41	60	70
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47	68	66
51	72	64
53	76	62
57	80	60
59	84	58
63	88	56
65	92	54
69	96	52
71	100	50
73	104	48
75	108	46
77	112	44
79	116	42
81	120	40
83	124	38
85	128	36
87	132	34
89	136	32
91	140	30
93	144	28
95	148	26
97	152	24
99	156	22
101	160	20
103	164	18
105	168	16
107	172	14
109	176	12
111	180	10
113	184	8
115	188	6
117	192	4
119	196	2



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5.

DATE: March 26, 2013

TO: Chair and Members of General Committee
Meeting Date: April 17, 2013

FROM: Martin Powell, P. Eng.
Commissioner of Transportation and Works

SUBJECT: **Lower Driveway Boulevard Parking
Ewing Crescent (Ward 11)**

General Committee

APR 17 2013

RECOMMENDATION: That a by-law be enacted to amend By-law 555-2000, as amended, to implement lower driveway boulevard parking between the curb and sidewalk, at anytime, on the north, west and south side (outer circle) of Ewing Crescent.

BACKGROUND: The Transportation and Works Department has received a completed petition from an area resident to implement lower driveway boulevard parking on Ewing Crescent. A sidewalk is present on the north, west and south side (outer circle) of the road and lower driveway boulevard parking between the curb and sidewalk is currently prohibited. Three-hour parking is permitted on Ewing Crescent.

COMMENTS: To determine the level of support for lower driveway boulevard parking between the curb and sidewalk, a parking questionnaire was distributed to the residents of Ewing Crescent.

Since greater than 66% of the total respondents support lower driveway boulevard parking, the Transportation and Works Department recommends implementing lower driveway boulevard

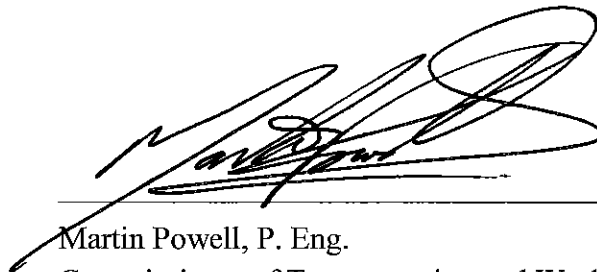
parking between the curb and sidewalk, at anytime, on the north, west and east side (outer circle) of Ewing Crescent.

The Ward Councillor supports the proposal for lower driveway boulevard parking. The existing three-hour on-street parking will be maintained.

FINANCIAL IMPACT: Costs for the sign installations can be accommodated in the 2013 Current Budget.

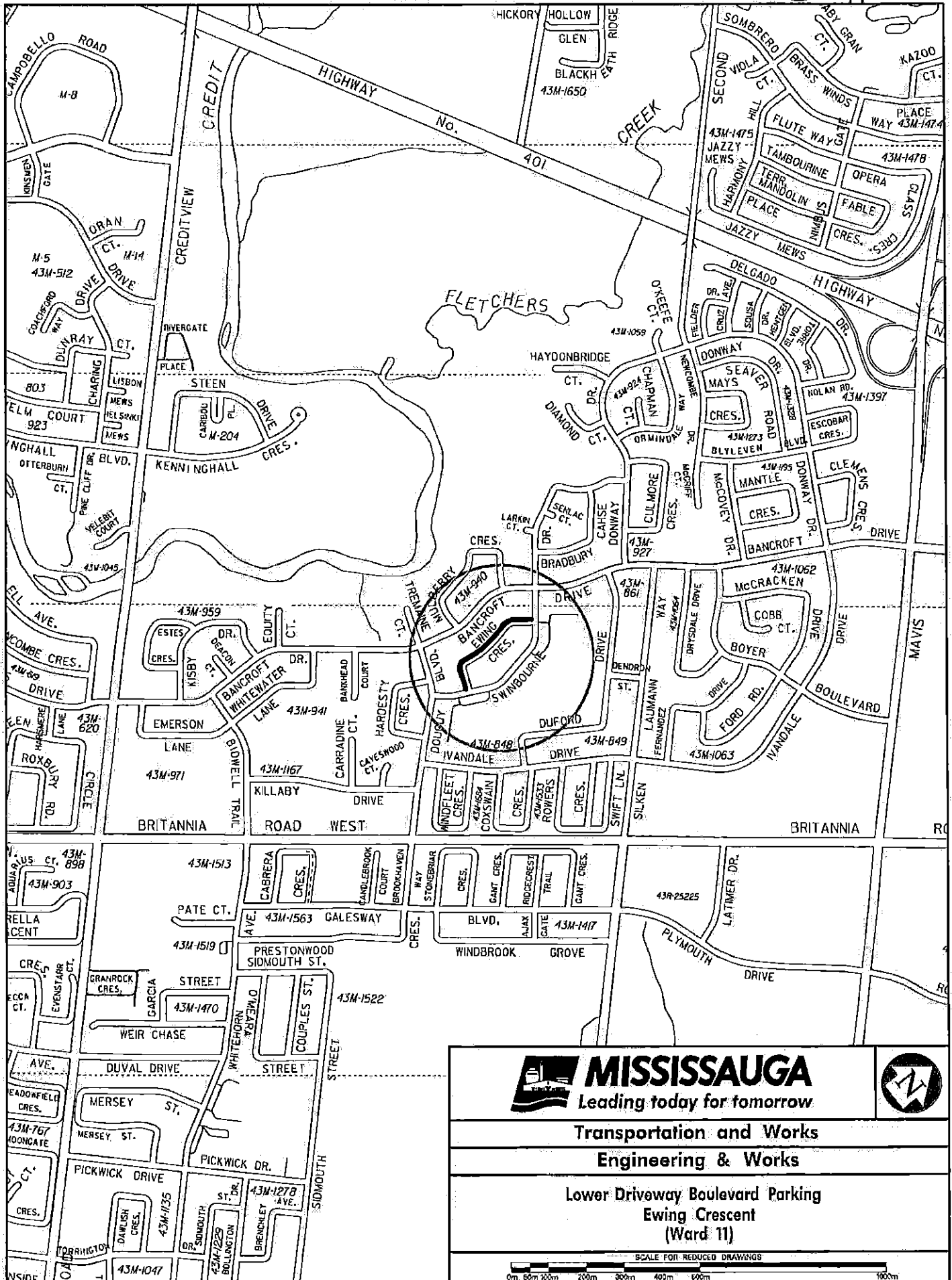
CONCLUSION: Based on the results of the questionnaire, the Transportation and Works Department supports lower driveway boulevard parking between the curb and sidewalk, at anytime, on the north, west and east side (outer circle) of Ewing Crescent.

ATTACHMENTS: Appendix 1: Location Map: Lower Driveway Boulevard Parking Ewing Crescent (Ward 11)

A handwritten signature in black ink, appearing to read 'Martin Powell', is written over a horizontal line.

Martin Powell, P. Eng.
Commissioner of Transportation and Works

Prepared By: Magda Kolat, Traffic Operations Technician



MISSISSAUGA
Leading today for tomorrow



Transportation and Works

Engineering & Works

Lower Driveway Boulevard Parking
Ewing Crescent
(Ward 11)

SCALE FOR REDUCED DRAWINGS

0m 50m 100m 200m 300m 400m 500m 600m 700m 800m 900m 1000m



Corporate Report

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6.

DATE: March 27, 2013

TO: Chair and Members of General Committee
Meeting Date: April 17, 2013

General Committee

APR 17 2013

FROM: Paul A. Mitcham, P.Eng., MBA
Commissioner of Community Services

SUBJECT: **High Five Accreditation Project for Children's Recreation
Programs**

- RECOMMENDATIONS:**
1. That the Corporate Report dated March 27, 2013 from the Commissioner of Community Services entitled "High Five Accreditation Project for Children's Recreation Programs" be approved.
 2. That a By-law be enacted to authorize the Commissioner of Community Services and the City Clerk to enter into a grant agreement or any other ancillary documents, subject to confirmation of funding, with the Ontario Sport and Recreation Communities Fund (OSRCF) to implement Mississauga's High Five Accreditation Project in a form satisfactory to the City Solicitor.

**REPORT
HIGHLIGHTS:**

- HIGH FIVE (HF) Quality Assurance Framework is a national quality standard for organizations providing recreation and sports programs to children aged 6 to 12.
- It is designed to support the safety, well-being and healthy development of all children in recreation and sport programs.

- The Recreation Division submitted an application for grant funding to the new OSRCF to offset costs of implementing the HF Accreditation Project for children's recreation programs.

BACKGROUND:**HF Quality Assurance Framework**

HIGH FIVE (HF) is a national accreditation framework for quality children's sport and recreation, founded by Parks and Recreation Ontario. It is Canada's only comprehensive accreditation system for organizations providing recreation and sports programs to children aged 6 to 12. This quality framework seeks to ensure all children experience healthy development from their participation in quality recreation and sport programs.

HF is used in 11 of 13 Provinces and Territories. Neighbouring municipalities such as the Town of Oakville, the Town of Milton, Town of Halton Hills, and the City of Toronto are all working towards accreditation. HF is also included as core curriculum in most recreation and leisure programs at colleges and universities in Ontario; students now graduate with full certification in the HF program.

The HF Framework identifies four areas of organizational effectiveness that are essential to the delivery of quality programs for children and lays out specific goals to track an organization's progression throughout the accreditation process. These are:

- Training and Development: comprehensive training for all staff levels in the area of healthy child development – from front line instructors working with children to supervisors and managers responsible for staff supervision and procedures and policy development respectively;
- Program Assessments – tools and practices to observe, assess, and support front line instructor's interactions with children in recreation programs;
- Policies and Procedures – continuous improvement systems that support the implementation of nationally recognised quality assurance practices leading to accreditation.

- Branding and Promotion - to parents about the organization's pursuit and attainment of nationally recognized accreditation for providing quality children's recreation programs.

Current Status: Existing Program Standards

The Recreation Division completed a comprehensive update of existing recreation programs standards that impact quality and participant safety in 2009. These standards are used to:

- ensure a consistent level of service is provided across the City;
- ensure uniform safety procedures are in place; and to
- ensure appropriate allocation of internal supplies and resources that are necessary to deliver recreation programs.

The HF accreditation framework will incorporate the Division's existing program standards as well as introduce new standards related to creating and constantly improving the quality of the experience a child has when participating in a recreation program.

COMMENTS:**Mississauga's HF Accreditation Project**

The objective of the HF Accreditation Project is to achieve accreditation within three years. Key deliverables include:

- providing training to 3,600 front line instructors in the principles of healthy child development, including all lifeguards and swimming instructors;
- providing training to 50 full-time supervisors and managers;
- assessing approximately 5,000 existing, unique programs offered over a 12 month period; and
- reviewing and developing processes, procedures and policies.

Implementation of the HF Accreditation project requires an investment of staff time and resources. While these costs and work plans can be managed within existing budgets and modest one-time requests, an opportunity to obtain funding to advance the implementation of the project has been presented.

Ontario Sport and Recreation Communities Fund

On January 15, 2013 the Province of Ontario launched the Ontario Sport and Recreation Communities Fund to support the Ministry of Tourism, Culture and Sport's vision of getting and keeping Ontarians active in quality community sport, recreation and physical activity. The Fund supports projects of one or two years in length on a 60:40, funder:recipient cost-share basis.

Implementing quality assurance frameworks is specifically identified by the Fund as a target theme. As such, the Recreation Division submitted a grant application on March 19, 2013 to request approximately \$170,000 in funding for the HF Accreditation Project.

If successful, the grant funding will assist the Recreation Division to:

- offset the direct cost of providing training to front line instructors as well as full-time staff supervisors and managers within two-years versus a longer period that would be required without grant funding;
- access future provincial funding - the Province of Ontario has recently required municipalities and other recreation service providers to adopt HF as a condition of eligibility for some provincial grant funding; and
- pursue purchase of service agreements with third-party service providers to accommodate children eligible for subsidized childcare programming in Mississauga's recreation and camp programs. Provincial regulations require service providers that receive direct funding from the Province to be HF accredited.

As the grant application forms the funding agreement, it is necessary that Council provides approval of the recommended bylaw to authorize the Commissioner to execute the funding agreement.

STRATEGIC PLAN: The HF Accreditation Project advances the City's Strategic Pillar of "Belong" by promoting the benefits that children gain through participation in quality recreation programs.

FINANCIAL IMPACT: Successful OSRCF Application

Grant eligible, one-time direct project costs (mainly due to staff training and certification experiences) to implement the HF Accreditation Project are estimated at \$170,000 over two years. Consequently, the Recreation Division's submitted an OSRCF grant application for this amount.

The balance of estimated expenses to implement the HF Accreditation Project (mainly project management and training coordinating labour) would be managed with existing resources.

Unsuccessful OSRCF Application

If unsuccessful, staff will look to other cost recovery methods to offset \$100,000 of the \$170,000 total direct costs to implement the HF Accreditation Project, including training and certification fees for some part-time staff and sponsorship. Staff will also extend the implementation period by one year to three years total.

The balance of \$70,000 necessary to implement the Project will be requested through the Corporate Business Planning in the amounts of: (2014: \$40,000), (2015: \$15,000), and (2016: \$15,000).

Ongoing Financial Considerations

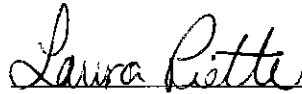
The annual membership fee to access HF training and quality assurance resources is \$4,400. This cost will be managed within existing training budget resources and anticipated revenue from training programs.

HF accreditation at the end of year three brings potential for a cost recovery model for the Division by the start of year four, achievable by charging course fees for HF certification courses for front-line instructors and aquatic program leaders that will be required for employment with the City's Recreation Division.

Future part-time and full-time employees in the Recreation Division will be required to provide HF training certification documents as a condition of employment, minimizing the cost of training and certification for the City.

CONCLUSION:

HF is built on the premise that all children enjoy quality recreation experiences that support healthy child development. The Recreation Division's accreditation as a HF provider would set us apart from other providers demonstrating a commitment to assuring quality recreation experiences for Mississauga's children.



Paul A. Mitcham, P. Eng., MBA
Commissioner of Community Services

*Prepared By: Michael Cleland, RPP, MCIP, Manager Recreation
Services*



Corporate Report

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7.

DATE: March 27, 2013

TO: Chair and Members of General Committee
Meeting Date: April 17, 2013

General Committee

APR 17 2013

FROM: Paul A. Mitcham, P. Eng., MBA
Commissioner of Community Services

SUBJECT: Public Art for Erindale GO Station – Cost Sharing Agreement
with Metrolinx (Ward 6)

RECOMMENDATION: That a by-law be enacted to authorize the Commissioner of Community Services to execute a cost sharing agreement between Metrolinx and The Corporation of the City of Mississauga regarding the acquisition of public art at Erindale GO Station, in a form acceptable to the City Solicitor and subject to the conditions outlined in the Corporate report dated March 27, 2013 from the Commissioner of Community Services.

**REPORT
HIGHLIGHTS:**

- The City of Mississauga is committed to development of a Public Art Program.
- The proposed cost-sharing agreement between the City and Metrolinx will serve as a useful tool to increase the support for public art and encourage future partnerships at other stations.
- The successful artist will be selected through a jury process to create a design and deliver the artwork.
- The selection committee will award the commission to the artist whose work is environmentally sustainable, engaging to GO users and residents, and one which encourages the larger community to visit the site as well as the City itself.

BACKGROUND:

Public art plays a valuable role in the City's development as an identity building mechanism and a way to create significant landmarks which encourage tourism. The importance of public art is referenced in the Arts Review Task Force Report, the Strategic Plan, the Culture Master Plan, the Framework for a Public Art Program and the Mississauga Official Plan.

Public art can contribute to other elements of the built environment and it is with this in mind that Metrolinx approached the City. An opportunity was identified for partnering on a public art project at the redeveloped Erindale GO Station. Following preliminary discussions, Metrolinx confirmed their contribution of at least \$50,000 for the project, based on a matching contribution from the City. Both Parties agree the City should manage the art selection process and delivery of the artwork due to staff expertise. Both Parties will be involved in the selection jury.

The project requires both the City and Metrolinx to enter into a cost sharing agreement. The agreement will clearly outline the funding, project management and maintenance obligations for both Parties. It will also serve as a way to encourage future partnerships by enabling the City to leverage its existing budget with funding from external partners in order to produce more examples of high-quality public art throughout the city.

COMMENTS:

In consultation with Legal Services staff, the key terms and conditions recommended for inclusion in the proposed cost-sharing agreement are:

- Ownership of the artwork;
- Duration of the agreement;
- Location of the artwork;
- Responsibility for costs;
- Responsibility for installation and maintenance; and
- Terms for relocation, de-accession and/or resale of the artwork.

Ownership of the Artwork

Staff propose the artwork be jointly owned by the City of Mississauga and Metrolinx.

Duration of the Agreement

The cost-sharing agreement is proposed to expire upon transfer of one Party's portion of ownership to the other Party, or upon joint agreement to de-access the art, whichever comes first.

Location of the Artwork

The artwork will be installed at the Erindale GO Station located on Rathburn Road West at Creditview Road in Mississauga. This station is also highly visible from Burnhamthorpe Road West.

The City and Metrolinx propose three options for the location of the artwork as follows:

- a) Burnhamthorpe retaining wall;
- b) Public Concourse (center of bus loop) adjacent to the new station; or
- c) Public (pedestrian) Plaza facing the newly constructed multi-level parking facility.

The artwork can be realized in a variety of materials and/or media and take the form of a stand-alone piece or be a series of art pieces creating a visual narrative.

Responsibility for Costs

The total budget for all expenses related to this project is valued at approximately \$100,000, including contingencies. Metrolinx and the City will each contribute half of the total cost. Metrolinx will transfer its portion of the project funding directly to the City at the time of signing the cost-sharing agreement. The City will be responsible for payments to the Artist.

Responsibility for Installation and Maintenance

Metrolinx will prepare the site as required for the installation of the art. The budget for site preparation is separate from the overall project budget and will be funded entirely by Metrolinx and/or its contractor. The Party upon whose property the art will be installed is responsible for its future maintenance and repair.

Terms for Relocation, De-Accession and/or Resale of the Artwork

In the event the owner of the property on which the art is located wishes to relocate the work to another area on its site, that owner will be responsible for all costs associated with the move.

If in the future one Party wishes to dispose or sell the artwork, it will be required to provide the other Party the right of first refusal to have the artwork's ownership transferred to it at no charge. The City will be required to follow the new City Acquired Art Policy.

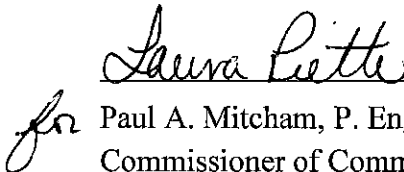
STRATEGIC PLAN: The Public Art planned for Erindale GO Station will contribute to the Strategic Plan, most directly to the pillar "Connect" where public art will assist in realizing the following strategic goal:

"Create Great Public Spaces" - Public art can be used to give places identity, as a way-finding device and can be a tourist draw.

Also, the number of public art installations is one of the Cool Indicators in the Strategic Plan and is also reflected in Recommendations 40 and 41 of the Culture Master Plan.

FINANCIAL IMPACT: The estimated contract value is \$100,000. Half of the cost to deliver the design development, fabrication and installation of the artwork for Erindale GO Station is included in the Public Art budget (PN 12-497), and the remaining portion will be funded by Metrolinx.

CONCLUSION: The proposed cost-sharing agreement with Metrolinx will enable the City to contribute to the Strategic and Culture Master Plans through creating an Artful Public Realm. It will also serve as a great promotional tool for building the City's Public Art Program and as a way to encourage future partnerships of its kind.



Paul A. Mitcham, P. Eng., MBA
Commissioner of Community Services

Prepared By: Yvonne Koscielak, Public Art Coordinator, Culture Division



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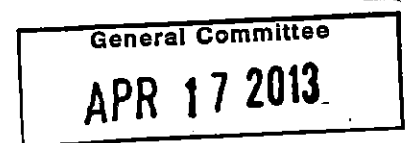
8.

DATE: April 4, 2013

TO: Chair and Members of General Committee
Meeting Date: April 17, 2013

FROM: Brenda R. Breault, MBA, CMA
Commissioner of Corporate Services and Treasurer

SUBJECT: 2012 Year-End Operating Financial Results



- RECOMMENDATION:**
1. That the 2012 Year-End Operating Financial Results, as outlined in the Corporate Report dated April 4, 2013 from the Commissioner of Corporate Services and Treasurer entitled "2012 Year-End Operating Financial Results" be received for information.
 2. That the sum of \$1,413,800 be transferred to the Development Charges Library (Account # 31325) from Meadowvale Community Centre and Library Renovation - Design (PN09-430) to accommodate the funding source change, and that the sum of \$1,413,800 be transferred from the Capital Reserve Fund (Account#33121) to Meadowvale Community Centre and Library Renovation - Design (PN09-430) to accommodate the funding source change.
 3. That all necessary by-laws be enacted.

REPORT**HIGHLIGHTS:**

- At the end of 2012 the City had a year-end surplus of \$17.8 million based on the actual operating results as of December 31, 2012.
- The year-end surplus is comprised of the following:
 - Revenue surplus of \$6.1 million mainly driven by increased Transit ridership and Enersource dividend.
 - Other Operating Expense surplus of \$2.1 million mainly attributable to the winter maintenance savings.
 - Labour savings of \$9.6 million resulting from staff turnover and vacancies.
- In accordance with recommendation (a) approved by Council on December 5, 2012 in the report on the 2012 Year-End Operating Financial Forecast, \$14.8 million of the year-end surplus has been allocated to the Capital Reserve Fund and \$3.0 million to the General Contingency Fund, respectively.

BACKGROUND:

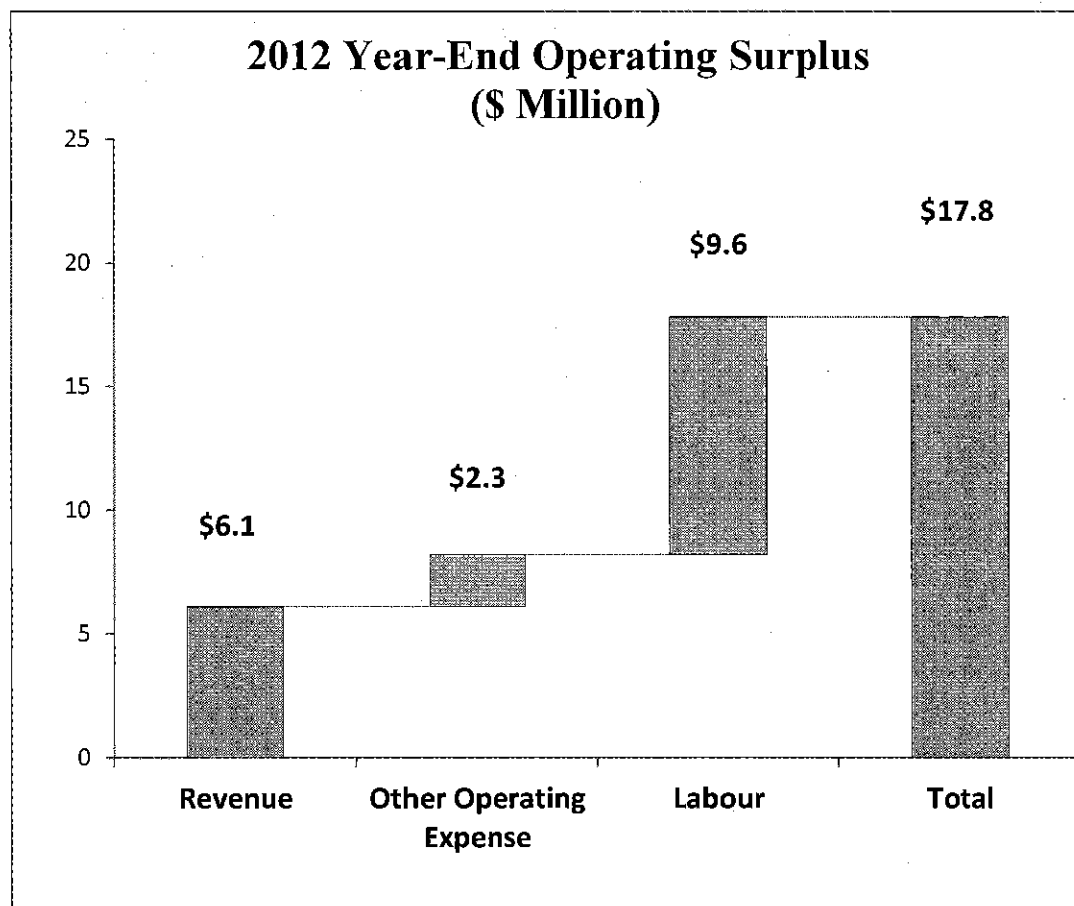
In accordance with the Reserve and Reserve Fund and Budget Control By-laws the Finance Division of the Corporate Services Department provides Council with a corporate operating financial overview a minimum of two times per year. Staff normally provides the report three times per year based on results at the end of June, end of September and the end of December. These reports provide Council with information related to the Operating Program and Reserves and Reserve Funds, as well as providing recommendations for reallocation of funds, if necessary. Separate reports are provided on the status of capital work-in-progress two times per year.

COMMENTS:

This report summarizes the status of the City's operating budget results for the year ended on December 31, 2012. Part I of the report discusses year-end financial results along with highlights. Part II contains a summary of reserve and reserve fund transfers. Part III includes report on long term lease financing agreements. Part IV presents Recreation facilities financial performance. Part V contains housekeeping items and uncollectible write-offs and returned checks write-offs.

Part I: Year-End Financial Results as of December 31, 2012

Based on actual results for 2012, the City ended the year with a surplus of \$17.8 million or 5.2% of the budget. The surplus is comprised of \$6.1 million or 2.3% of budget in Revenue, \$2.1 million or 1.1% of budget in Other Operating savings and \$9.6 million or 2.3% of budget in Labour related savings. The key items contributing to the surplus are favourable variances in Transit farebox revenue, Enersource dividend, Winter Maintenance costs and Labour costs.



The following chart is the operating summary by service area. Greater detail can be found in Appendix 1: Key Factors Contributing to the Variances by Service Area and Appendix 2: Operating Forecasts Details by Service Area.

Service Area (in \$ Millions)	2012 Net Budget	2012 Year-End Actuals	Year-End Variance	
			\$ Fav/(Unfav)	% of Budget
Fire and Emergency Services	86.6	84.7	2.0	2.3%
Roads, Storm Drainage and Watercourses	67.3	62.3	5.0	7.4%
Mississauga Transit	51.8	48.0	3.8	7.4%
Parks and Forestry	29.6	28.4	1.2	4.2%
Mississauga Library	24.6	24.2	0.3	1.4%
Business Services	22.1	21.0	1.1	5.0%
Facility and Property Management	19.7	19.0	0.7	3.3%
Recreation	19.4	20.2	(0.8)	(4.2%)
Information Technology	17.3	16.6	0.8	4.3%
Strategic Policy	10.7	11.2	(0.5)	(4.6%)
Land Development Services	6.7	5.5	1.2	18.0%
Arts and Culture	6.1	6.0	0.1	2.0%
Mayor & Council	4.2	4.1	0.0	1.0%
Regulatory Services	1.4	2.1	(0.6)	(45.4%)
Legislative Services	(2.6)	(2.9)	0.3	12.3%
Financial Transactions	(19.5)	(22.7)	3.2	16.2%
City	345.4	327.7	17.8	5.1%

Note: Numbers may not balance due to rounding.

Year-End Highlights: The major areas of variance from budget are highlighted below:

Revenue: An Enersource Dividend of \$12.3 million was received at the end of 2012, which is \$3.3 million higher than the budget of \$9.0 million. The 2013 dividend budget is set at \$10.3 million in consultation with Enersource.

The transit favourable farebox revenue variance of \$3.2 million is primarily a result of a 4% increase in ridership. This variance is offset

by reduction of \$3.3 million in the transfer from the provincial gas tax reserve fund. There is also a \$1.0 million favourable variance from the bus shelter advertising contract due to a significant increase in guaranteed monthly revenues for the July, 2012 to June 2013 contract year.

Tax Interest and Penalties revenue has exceeded budget by \$1.9 million attributable to the economic climate. The 2013 budget includes an increase of \$1.0 million to reflect the increased revenue.

Transfers From Reserves and Reserve Funds exceeded budget by \$1.9 million primarily for Assessment Appeals, Sick Leave, and WSIB.

Roads, Storm Drainage and Watercourses has a favourable variance of \$1.0 million primarily attributable to a significant increase in recoverable contractors' work and a \$0.3 million surplus due to higher than budgeted revenue from off-street parking facilities in the City Centre.

Overall, Land Development Services has met the 2012 revenue budget. Building Permit revenues are \$9.4 million or \$0.9 million below the 2012 budget of \$10.3 million. The 2013 budget for Building Permits has been decreased to better reflect ongoing levels of building activity. The 2012 Building Permit revenues of \$9.4 million are however, higher than the \$6.5 million realized in 2011, the \$6.1 million realized in 2010 and the \$5.1 million realized in 2009. Building Permit fee increases introduced earlier in 2012 contribute to the revenue increase year over year. Significant increases in Regional Development Charges also resulted in a larger number of applications being issued in advance of rate increases.

Development Application revenues exceed budget by \$1.0 million based on a 2012 budget of \$1.3 million. This favourable variance is partially due to fee increases introduced earlier in 2012 to improve cost recovery. Significant increases in Regional Development Charges contributed to a larger number of applications being received in advance of rate increases. As a result of these increased revenues, the 2013 budget for Development Application revenues has been increased, and offsets the decrease to the 2013 budget for Building Permits.

A number of set parking fines in Regulatory Services were approved by Council to take effect in November 2011 but did not get approved by the Attorney General's Office until early June 2012. This, together with an overall decrease in tickets issued, is the main contributor to the shortfall of \$0.8 million in Regulatory Services.

A shortfall in Supplementary Tax revenues of \$1.6 million in 2012 is attributed to growth in the property tax base being less than budgeted. The 2013 budget includes a reduction of \$1.0 million to reflect the estimated future property tax base growth.

The Recreation user fee revenue shortfall of \$1.7 million is primarily due to a one time user fees shortfall of \$0.6 million for dome field usage as a result of construction delay; ice rental revenue shortfall of \$0.6 million due to demographic changes; and meeting room rental revenue shortfall of \$0.3 million.

Other Operating:

Roads has a favourable winter maintenance variance of \$3.4 million due to below average winter maintenance related activities in 2012.

The Transit Services diesel fuel unfavourable variance of \$1.8 million is mainly the result of the differential between the 2012 average price per litre of \$1.01 and budgeted price of \$0.94 per litre, a difference of \$0.07 per litre. This over expenditure is partially offset by a saving of \$0.5 million for Equipment Cost and Maintenance Agreements, \$0.5 million due lower natural gas consumption as a result of warmer than normal weather and lower commodity prices, and \$0.4 million for Advertising & Promotions.

Business Services has a favourable variance of \$0.3 million mainly due to lower professional/contractor services costs in Finance and Human Resources.

Information Technology achieved savings of \$0.3 million in maintenance / licenses and telecommunications expenses.

A deficit of \$1.0 million in Legal Services professional services is due to various legal issues. The City and Region Official Plan OMB hearings required a significant amount of preparation time, attending hearings and negotiating settlements for most appeals. A number of BRT construction issues were encountered which required external

counsel. Labour and employment issues related professional services are higher than budgeted primarily due to a few large matters that reached hearing stage, including the firefighter's interest arbitration and human rights matters. Also, external counsel was obtained to consult on several environmental issues.

Labour:

Most of the Service Areas have experienced labour savings due to labour gapping from staff turnover and time required to fill vacancies.

Transit Services has labour gapping savings of \$3.4 million, approximately 3.1% of a \$110.0 million budget, which is largely due to staff turnover and vacant positions in the service area.

Fire and Emergency Services has labour savings of \$2.1 million from maternity leave, salary differential for replacement hires at the end of the year and more retirements due to the implementation of Bill 181. Outstanding labour settlements for Fire and Emergency Services may impact future forecasted labour costs.

Financial Transactions labour has a favourable variance of \$1.2 million due primarily to benefit costs for 2012 being lower than budgeted.

Mississauga Library has \$0.5 million favourable variance in Labour cost mainly due to the holding of vacant positions in preparation for the implementation of self-serve technology.

Land Development Services has a favourable variance of \$0.4 million as a result of labour gapping throughout the year, due to positions being filled at lower pay rates, as well as vacant positions being held in 2012 and deleted in 2013.

**Year End Surplus
Compared with Third
Quarter Forecast:**

In the third quarter financial report, a year-end surplus of \$15.1 million was forecasted. The difference from the surplus of \$17.8 million is \$2.7 million which was mainly due to additional Labour savings while Other Operating savings were lower.

Part II: Reserve and Reserve Fund Transfers

Funds are placed in reserves and reserve funds to provide for long term liabilities and to smooth fluctuating expenses. Reserves have been established to offset shortfalls and for any over expenditure.

The \$17.8 million surplus, which equates to 5.2% of the total operating budget, has been transferred to reserves in accordance to the Reserves and Reserve Fund policy and recommendations approved by General Committee at its meeting on December 5, 2012.

The surplus was allocated as follows:

Transfers to Reserve & Reserve Funds	\$ Million
Capital Reserve Fund	14.8
General Contingency Reserve	3.0
Total Year End Transfers	\$17.8

Following approval of 2013 Capital programs, Council approved two capital projects under the Community Infrastructure Improvement Fund with funding of \$5.2 million to be allocated from the Capital Reserve Fund. In addition, the dredging project for the Port Credit Harbour requires a \$0.6 million funding from the Capital Reserve Fund. The 2012 year-end surplus allocated to the Capital Reserve Fund will be partially used to offset these capital projects funding.

Part III: Long-Term Lease Financing Agreements

The City's Leases policy requires an annual reporting to Council in respect to lease financing agreements that extend beyond the term of Council.

The City makes annual payments in respect to lease financing agreements that extend beyond the existing term of Council totalling approximately \$2.3 million. These outstanding leases primarily relate to leasing of facilities or office space such as 201 City Centre Drive or Meadowvale Library. This amount also includes any leases associated with land such as parking lots, open space or park facilities on hydro corridors.

As part of the annual reporting a description is required to be provided to Council in respect to the estimated proportion of the total financing arrangements that is undertaken through lease financing agreements to the total long term debt of a municipality. Also required to be reported is a description of the change, if any, in the estimated proportion since the previous year.

The net present value of the various outstanding lease financing agreements is approximately \$11.6 million. As at the end of December 2012 the City had no outstanding long term debenture obligations. Therefore the proportion of lease financing agreements to long term debt is 100% as the only long-term financial commitments of the City arise from the outstanding lease financing agreements. Further, there is no change in the proportion of lease financing agreements to total long term debt in 2011 over 2012.

Part IV: Financial Performance of Recreation Facilities

Appendix 3: 2012 Year End Financial Results of Recreation Facilities provides details for the net cost / net revenue of each facility. A summary is provided below.

Recreation Facilities (\$ Million's)	2012 Budget Net Cost/(Revenue)	2012 Actual Net Cost/(Revenue)	Variance \$ Fav/ (Unfav)
Lakeview Golf Course	(1.0)	(0.9)	(0.1)
Braeburn Golf Course	(0.1)	0.1	(0.2)
Mississauga Celebration Square	1.1	1.0	0.0
Community Centres	12.4	12.4	(0.0)
Stand Alone Arenas	(0.2)	(0.6)	0.3
Civic Food Service	(0.0)	0.1	(0.1)
Credit Village Marina	(0.1)	(0.1)	(0.1)
Lakefront Promenade Marina	(0.4)	(0.4)	0.0
Hershey Sports Zone	(0.9)	(0.3)	(0.5)
Hershey Bowl	0.2	(0.1)	0.3
Hershey Rinks	(0.2)	0.1	(0.3)
Hershey Sports Complex	(0.9)	(0.3)	(0.6)

Number may not balance due to rounding.

Part V: Housekeeping and Uncollectible Write Offs

The Capital Works-in-Progress Status Report normally scheduled at year end has been deferred to Spring 2013 due to the implementation of a new capital budgeting and monitoring system. The Meadowvale Community Centre and Library Renovation - Design (PN09-430) requires a funding increase from the Capital Reserve Fund (Account #33121) and a corresponding funding decrease from the Development Charges Library (Account #31325) in the sum of \$1.4 million with no

net increase in project funding.

Accounts Receivable Invoicing and Collection Policy 04-07-02 gives the Commissioner, Corporate Services and Treasurer the authority to write off uncollectible invoices and bad checks under \$25,000 and requires the amount of invoices and bounced back checks written off to be reported to Council annually. In 2012, a total number of 4,059 invoices totalling \$29,832,497.60 were issued, of which \$132,399.97 or 0.4% was written off as uncollectible. Invoices are only written off after all avenues for collection have been exhausted including adding invoices to the tax roll for collection where authorized under legislation and/or by-laws, assigning to collection agencies and/or taking legal action. In addition, there is no write off for non-sufficient fund checks returned.

CONCLUSION:

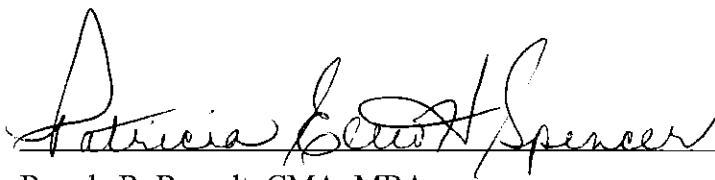
The City generated a year-end operating surplus of \$17.8 million, which represents 5.2% of the City's net budget of \$345.4 million.

ATTACHMENTS:

Appendix 1: Key Factors Contributing to the Variances by Service Area

Appendix 2: Operating Results Details by Service Area

Appendix 3: 2012 Year End Financial Results of Recreation Facilities


for Brenda R. Breault, CMA, MBA,
Commissioner of Corporate Services and Treasurer

Prepared By: Jim Cirello, Acting Manager of Financial Planning and Policy

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Key Factors Contributing to the Variances by Service Area:

Service Area (in \$Millions)	Items	2012 Net Budget	2012 Year-End Actuals	Year-End Variance	
				\$ Fav/ (Unfav)	% of Budget
Revenues					
Financial Transactions	Enersource Dividend	(9.0)	(12.3)	3.3	36.5%
Mississauga Transit	Transit Farebox Revenues	(65.8)	(69.0)	3.2	4.9%
Financial Transactions	Tax Interest & Penalties	(7.0)	(8.9)	1.9	27.8%
Financial Transactions	Transfers from Reserves and Reserve Funds to mainly fund Assessment Appeals, Sick Leave and WSIB	(6.2)	(8.0)	1.9	30.0%
Mississauga Transit	Bus Shelter & On-Bus Advertising Revenues	(4.6)	(5.6)	1.0	22.6%
Roads, Storm Drainage and Watercourses	Recoverable Contractors' Work	(5.5)	(6.6)	1.0	18.3%
Land Development	Development Application Fees	(1.3)	(2.3)	1.0	73.9%
Financial Transactions	Excess Gas Fund Returned from Gas Agent	0.0	(0.6)	0.6	0.0%
Roads, Storm Drainage and Watercourses	City Centre Parking Fees	(0.4)	(0.7)	0.3	64.2%
Land Development	Building Permit Fees	(10.3)	(9.4)	(0.9)	(9.1%)
Regulatory	Parking Fines, License & Permits	(11.8)	(10.7)	(1.1)	(9.2%)
Financial Transactions	Supplementary Tax	(3.7)	(2.0)	(1.6)	(44.5%)
Recreation	User Fees	(43.8)	(42.2)	(1.6)	(3.7%)
Mississauga Transit	Transfer From Reserve/Provincial Gas Tax	(21.2)	(17.9)	(3.3)	(15.6%)
Multiple Service Areas	Miscellaneous	(70.9)	(71.4)	0.5	0.8%
All	Revenues	(261.6)	(267.7)	6.1	2.3%

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Key Factors Contributing to the Variances by Service Area:

Service Area (in \$Millions)	Items	2012 Net Budget	2012 Year-End Actuals	Year-End Variance	
				\$ Fav/ (Unfav)	% of Budget
Other Operating Expenses					
Roads, Storm Drainage and Watercourses	Winter Maintenance	20.0	16.6	3.4	16.9%
Mississauga Transit	Utilities	2.5	2.0	0.5	21.2%
Mississauga Transit	Equipment Cost and Maintenance Agreements	1.2	0.8	0.5	36.5%
Mississauga Transit	Advertising & Promotions	0.7	0.3	0.4	56.0%
Information Technology	Maintenance/Licenses and Telecommunications	4.5	4.2	0.3	7.6%
Business Services	Professional Services	0.9	0.6	0.3	29.0%
Strategic Policy	Legal Professional Services	0.9	1.9	(1.0)	(116.0%)
Mississauga Transit	Transit Diesel Fuel	15.6	17.4	(1.8)	(11.8%)
Multiple Service Areas	Miscellaneous	146.4	146.8	(0.4)	(0.3%)
All	Other Operating Expenses	192.7	190.6	2.1	1.1%
Labour Costs					
Mississauga Transit	Labour	110.9	107.5	3.4	3.1%
Fire and Emergency	Labour	83.9	81.8	2.1	2.5%
Financial Transactions	Fringe Benefit	1.8	0.5	1.2	69.4%
Parks and Forestry	Labour	22.4	21.7	0.7	3.2%
Business Services	Labour	22.3	21.8	0.6	2.5%
Information Technology	Labour	13.3	12.9	0.5	3.4%
Mississauga Library	Labour	21.2	20.7	0.5	2.3%
Facility and Property Management	Labour	12.8	12.4	0.4	3.3%
Land Development	Labour	14.7	14.3	0.4	2.6%
Roads, Storm Drainage and Watercourses	Labour	27.4	28.0	(0.6)	(2.2%)
Multiple Service Areas	Labour	83.9	83.4	0.5	0.6%
All	Labour Costs	414.4	404.8	9.6	2.3%
Total		345.4	327.6	17.8	5.2%

Operating Forecasts Details by Service Area:

Fire & Emergency Services

Item	2012 Budget	2012 Year-End Actuals	Year-End Variance		Comments and Action Plan
			\$ Fav/ (Unfav)	% of Budget	
Total Revenues	(1.3)	(1.6)	0.2	16.3%	Favourable variance due to increase of false alarms fees and elevator calls.
Other Operating Expenses	3.5	3.9	(0.4)	(12.0%)	Communication fees of \$0.1M paid to Brampton, offset by labour savings. Increased lease payments of \$0.1M for Station 119. Increased cost of \$0.1M to service portable radios. Increased cost to recertify training instructors incurred every two years, and external legal fees to resolve grievances.
Labour Costs	83.9	81.8	2.1	2.5%	Labour Gapping is mainly due to mandatory retirement, maternity leave and salary differential for replacement hires replaced at the end of the year.
Total Net Cost before Administrative and Support Costs	86.1	84.2	1.9	2.2%	
Administrative and Support Costs	0.6	0.5	0.1	17.9%	
Total Net Cost	86.6	84.7	2.0	2.3%	

Roads, Storm Drainage and Watercourses

Item	2012 Budget	2012 Year-End Actuals	Year-End Variance		Comments and Action Plan
			\$ Fav/ (Unfav)	% of Budget	
Total Revenues	(8.9)	(10.6)	1.7	19.5%	Favourable variance is primarily attributable to the following: \$1.0M surplus related to a significant increase in recoverable contractor work, \$0.3M surplus due to higher than planned sales in off-street parking facilities, \$0.2M surplus due to an increase in the Region's reimbursement rate for leaf collection to \$122.44 per tonne (vs. \$119.80 in 2011) and an increase in total tonnage collected.
Other Operating Expenses	46.7	43.1	3.6	7.7%	Favourable variance of \$3.4M due to below average winter maintenance related activities in 2012.
Labour Costs	27.4	28.0	(0.6)	(2.2%)	Unfavourable variance is primarily attributable to lower labour chargebacks to capital projects. Budget reductions are planned for 2014/15 to better align with actuals.
Total Net Cost before Administrative and Support Costs	65.2	60.5	4.7	7.2%	
Administrative and Support Costs	2.1	1.8	0.2	11.7%	
Total Net Cost	67.3	62.3	5.0	7.4%	

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Operating Forecasts Details by Service Area:

Mississauga Transit

Item	2012 Budget	2012 Year-End Actuals	Year-End Variance		Comments and Action Plan
			\$ Fav/ (Unfav)	% of Budget	
Total Revenues	(92.6)	(93.3)	0.7	0.7%	Farebox revenues year end surplus of \$3.2M is primarily a result of a 4% increase in ridership. This surplus was offset by a reduction of \$3.3M in the transfer from the provincial gas tax reserve fund. There was also a \$1.0M surplus from the bus shelter advertising contract due to a significant increase in guaranteed monthly revenues for the July, 2012 to June 2013 contract year.
Other Operating Expenses	31.0	31.3	(0.4)	(1.1%)	Diesel fuel unfavourable variance of \$1.83M is mainly the result of the differential between the 2012 average price/litre of \$1.01 and budgeted price of \$0.94/litre, a difference of \$0.07/litre. This variance is partially offset by the following surpluses: \$0.5M due lower natural gas consumption related to warmer than normal weather and lower commodity prices, \$0.4M in advertising and promotions and \$0.5M related to Presto and cellular fees not materializing as expected due to implementation delays.
Labour Costs	110.9	107.5	3.4	3.1%	Labour gapping savings of \$3.4M are primarily attributable to staff turnover and vacant positions in the service area.
Total Net Cost before Administrative and Support Costs	49.3	45.6	3.7	7.5%	
Administrative and Support Costs	2.6	2.4	0.1	4.6%	
Total Net Cost	51.8	48.0	3.8	7.4%	

Parks and Forestry

Item	2012 Budget	2012 Year-End Actuals	Year-End Variance		Comments and Action Plan
			\$ Fav/ (Unfav)	% of Budget	
Total Revenues	(3.6)	(4.0)	0.4	10.6%	Favourable subdivision and site plan fees of \$0.2M. Favourable filming and grants of \$0.1M. Additional cemetery interment of \$0.1M.
Other Operating Expenses	9.8	9.7	0.1	0.9%	
Labour Costs	22.4	21.7	0.7	3.2%	Favourable variance in labour is due to vacancies and positions held pending remodelling for the future.
Total Net Cost before Administrative and Support Costs	28.6	27.4	1.2	4.2%	
Administrative and Support Costs	1.0	1.0	0.0	4.5%	
Total Net Cost	29.6	28.4	1.2	4.2%	

Operating Forecasts Details by Service Area:**Mississauga Library**

Item	2012 Budget	2012 Year-End Actuals	Year-End Variance		Comments and Action Plan
			\$ Fav/ (Unfav)	% of Budget	
Total Revenues	(2.5)	(2.2)	(0.3)	(10.2%)	Revenue shortfall is mainly due to continuing decline of fine revenues and fees & service charges.
Other Operating Expenses	5.1	5.1	0.1	1.6%	Favourable other operating expenses are primarily a result of lower utility costs.
Labour Costs	21.2	20.7	0.5	2.3%	Labour savings is a result of normal gapping, and positions held pending implementation of self serve check-out.
Total Net Cost before Administrative and Support Costs	23.8	23.5	0.3	1.3%	
Administrative and Support Costs	0.8	0.7	0.0	4.6%	
Total Net Cost	24.6	24.2	0.3	1.4%	

Business Services

Item	2012 Budget	2012 Year-End Actuals	Year-End Variance		Comments and Action Plan
			\$ Fav/ (Unfav)	% of Budget	
Total Revenues	(1.9)	(1.8)	(0.0)	(0.9%)	
Other Operating Expenses	2.7	2.1	0.6	22.4%	Favourable variance mainly due to lower professional/contractor services costs in Finance and Human Resources.
Labour Costs	22.3	21.8	0.6	2.5%	Favourable variance due to staff vacancies.
Total Net Cost before Administrative and Support Costs	23.1	22.0	1.1	4.9%	
Administrative and Support Costs	(1.0)	(1.0)	(0.0)	(2.5%)	
Total Net Cost	22.1	21.0	1.1	5.0%	

Facility and Property Management

Item	2012 Budget	2012 Year-End Actuals	Year-End Variance		Comments and Action Plan
			\$ Fav/ (Unfav)	% of Budget	
Total Revenues	(0.4)	(0.5)	0.1	23.2%	
Other Operating Expenses	7.9	7.8	0.1	1.7%	
Labour Costs	12.8	12.4	0.4	3.3%	Favourable variance due to staff vacancies.
Total Net Cost before Administrative and Support Costs	20.4	19.7	0.6	3.2%	
Administrative and Support Costs	(0.7)	(0.7)	0.0	2.0%	
Total Net Cost	19.7	19.0	0.7	3.3%	

Operating Forecasts Details by Service Area:

Recreation

Item	2012 Budget	2012 Year-End Actuals	Year-End Variance		Comments and Action Plan
			\$ Fav/ (Unfav)	% of Budget	
Total Revenues	(44.8)	(43.4)	(1.4)	(3.2%)	One time revenue shortfall of \$0.6M for dome field due to construction delay; Ice rental shortfall of \$0.6M due to demographic change. Unfavourable revenue performance in meeting rooms of \$0.3M and golf of \$0.3M partially offset by \$0.4M favourable performance in aquatics and community programs.
Other Operating Expenses	21.9	21.1	0.9	3.9%	Favourable other operating expenses are primarily a result of lower utility costs.
Labour Costs	41.2	41.4	(0.2)	(0.5%)	
Total Net Cost before Administrative and Support Costs	18.2	19.0	(0.8)	(4.2%)	
Administrative and Support Costs	1.1	1.2	(0.0)	(4.2%)	
Total Net Cost	19.4	20.2	(0.8)	(4.2%)	

Information Technology

Item	2012 Budget	2012 Year-End Actuals	Year-End Variance		Comments and Action Plan
			\$ Fav/ (Unfav)	% of Budget	
Total Revenues	(0.5)	(0.5)	(0.0)	97.7%	
Other Operating Expenses	5.1	4.8	0.3	94.1%	Favourable variance due to lower maintenance and telecommunications expenses.
Labour Costs	13.3	12.9	0.5	96.6%	Favourable variance due to staff vacancies.
Total Net Cost before Administrative and Support Costs	17.9	17.1	0.7	95.8%	
Administrative and Support Costs	(0.5)	(0.6)	0.0	101.9%	
Total Net Cost	17.3	16.6	0.8	95.7%	

Strategic Policy

Item	2012 Budget	2012 Year-End Actuals	Year-End Variance		Comments and Action Plan
			\$ Fav/ (Unfav)	% of Budget	
Total Revenues	(1.2)	(1.0)	(0.2)	(13.7%)	Various transfers from reserves were not required.
Other Operating Expenses	2.4	2.8	(0.4)	(16.7%)	The unfavourable variance is due to various Legal issues. City and Region Official Plan OMB hearings required a significant amount preparation time, attending hearings and negotiating settlements for most appeals. A number of BRT construction issues were encountered which required outside counsel. Labour and employment expenditures were higher than budgeted primarily due to a few large matters that reached hearing stage, including the firefighter's interest arbitration and human rights matters. Also external counsel was needed to consult on several environmental issues.
Labour Costs	9.5	9.4	0.1	0.6%	Labour savings due to retirement and vacancies throughout the service area.
Total Net Cost	10.7	11.2	(0.5)	(4.6%)	

Operating Forecasts Details by Service Area:

Land Development Services

Item	2012 Budget	2012 Year-End Actuals	Year-End Variance		Comments and Action Plan
			\$ Fav/ (Unfav)	% of Budget	
Total Revenues	(13.2)	(12.3)	(0.8)	(6.4%)	Overall, Land Development Services has met the 2012 revenue from user charges budget. The reason for the unfavourable variance is the Transfer From Reserves being less than planned due to projects being carried forward to the 2013 budget. Building Permit revenues were under budget by \$0.9 million based on a 2012 budget of \$10.3 million. The 2012 Building Permit revenues of \$9.4 million were however, higher than the \$6.5 million realized in 2011. Development Application revenues exceeded budget by \$1.0 million based on a 2012 budget of \$1.3 million. All revenue increases were partially due to fee increases introduced earlier in 2012 to improve cost recovery. Significant increases in Regional Development Charges contributed to a larger number of applications being received in advance of rate increases.
Other Operating Expenses	2.3	0.7	1.6	71.1%	Other Operating expenses were favourable overall. Some projects have been carried forward to the 2013 budget resulting in lower Contractor and Professional Services cost. Funds from the Operating Budget for some items not fully spent in 2012 were returned to the Operating Reserve.
Labour Costs	14.7	14.3	0.4	2.6%	Labour had a favourable variance of \$0.4 million as a result of labour gapping throughout the year, due to positions being filled at lower pay rates, as well as vacant positions being held in 2012 and deleted in 2013.
Total Net Cost before Administrative and Support Costs	3.8	2.6	1.2	30.6%	
Administrative and Support Costs	2.9	2.9	0.0	1.7%	
Total Net Cost	6.7	5.5	1.2	18.0%	

Arts & Culture

Item	2012 Budget	2012 Year-End Actuals	Year-End Variance		Comments and Action Plan
			\$ Fav/ (Unfav)	% of Budget	
Total Revenues	(1.8)	(1.6)	(0.2)	(9.7%)	Revenue shortfalls are mainly due to decline enrolment in pre-registered arts and culture programs in community centres and unrealized programs at Meadowvale theatre, offset by reduced expenditures.
Other Operating Expenses	3.6	3.2	0.3	9.1%	Reduced other operating costs associated with decline in revenues.
Labour Costs	4.1	4.2	(0.0)	(0.8%)	
Total Net Cost before Administrative and Support Costs	5.9	5.8	0.1	1.9%	
Administrative and Support Costs	0.2	0.2	0.0	3.3%	
Total Net Cost	6.1	6.0	0.1	2.0%	

Operating Forecasts Details by Service Area:

Mayor & Council

Item	2012 Budget	2012 Year-End Actuals	Year-End Variance		Comments and Action Plan
			\$ Fav/ (Unfav)	% of Budget	
Total Revenues	0.0	0.0	0.0	0.0%	
Other Operating Expenses	0.6	0.5	0.1	18.0%	
Labour Costs	3.6	3.6	(0.1)	(2.0%)	
Total Net Cost before Administrative and Support Costs	4.2	4.1	0.0	1.0%	
Administrative and Support Costs	0.0	0.0	0.0	0.0%	
Total Net Cost	4.2	4.1	0.0	1.0%	

Regulatory Services

Item	2012 Budget	2012 Year-End Actuals	Year-End Variance		Comments and Action Plan
			\$ Fav/ (Unfav)	% of Budget	
Total Revenues	(11.8)	(10.7)	(1.1)	(9.2%)	The majority of the variance is due to a shortfall in parking fine revenues. Select parking fine increases approved by Council to take effect in November 2011 did not get approved by the Attorney General's Office until early June 2012. This, together with an overall decrease in tickets issued contributed to a \$0.8M shortfall. Staffing changes made in 2012 and early 2013 are aimed at addressing this budget shortfall. Unfavourable bingo license revenues of \$0.2M are due to the closing of the International Centre Bingo Hall.
Other Operating Expenses	1.9	1.7	0.2	12.4%	
Labour Costs	10.7	10.6	0.2	1.6%	Labour gapping savings of \$0.2M is primarily attributed to staff turnover and vacant positions in the service area.
Total Net Cost before Administrative and Support Costs	0.9	1.5	(0.7)	(79.3%)	
Administrative and Support Costs	0.5	0.5	0.0	7.9%	
Total Net Cost	1.4	2.1	(0.6)	(45.4%)	

Legislative Services

Item	2012 Budget	2012 Year-End Actuals	Year-End Variance		Comments and Action Plan
			\$ Fav/ (Unfav)	% of Budget	
Total Revenues	(9.7)	(9.7)	0.0	0.4%	
Other Operating Expenses	1.3	1.1	0.1	9.9%	
Labour Costs	5.7	5.6	0.2	2.7%	
Total Net Cost before Administrative and Support Costs	(2.7)	(3.1)	0.3	11.7%	
Administrative and Support Costs	0.1	0.1	0.0	0.3%	
Total Net Cost	(2.6)	(2.9)	0.3	12.3%	

Operating Forecasts Details by Service Area:

Financial Transactions

Item	2012 Budget	2012 Year-End Actuals	Year-End Variance		Comments and Action Plan
			\$ Fav/ (Unfav)	% of Budget	
Total Revenues	(67.2)	(74.1)	6.9	10.3%	Favourable revenue variance is due to Enersource Dividend received being \$3.3M over its budgeted \$9.0M; \$1.9M Tax Penalties & Interest revenue over its budgeted \$7.0M, attributed to the state of the economy and taxpayer's willingness and ability to pay; Transfers From Reserves, primarily Assessment Appeals, exceeded budget by \$1.0M, and Transfers From Reserve Funds for Sick Leave and WSIB, exceeded their budgets by \$0.9M in total; \$0.6M excess gas fund returned from gas agent and \$0.3M from Sale of Assets; and \$0.4M over-budget of \$24.6M Payment in Lieu of Taxation; offset by a \$1.6M shortfall in revenue from Supplementary Taxes, also attributed to the economic climate.
Other Operating Expenses	45.9	50.9	(5.0)	(10.9%)	Main contributors to the unfavourable variance were: over-budget expenditures of \$2.7M for Liability Insurance claims and \$2.1M for Assessment Appeal payments.
Labour Costs	1.8	0.5	1.2	69.4%	Favourable variance is primarily due to \$2.8M of Sun Life benefit liability surplus offsetting over-expenditures of \$0.7M for Sick Leave Payments and \$0.3M for City-paid portion of retiree benefits rising in response to the increase of eligible retiree population.
Total Net Cost before Administrative and Support Costs	(19.5)	(22.7)	3.2	16.2%	
Administrative and Support Costs	0.0	0.0	0.0	0.0%	
Total Net Cost	(19.5)	(22.7)	3.2	16.2%	
City Grand Total Net Cost	345.4	327.7	17.8	5.4%	

Lakeview Golf Course**2012 Year End Financial
Results**

	2012 Budget \$ 000's	2012 Actual \$ \$ 000's
Revenues	(2,727)	(2,548)
Cost		
Labour	1,185	1,171
Contract services	3	8
Utility Costs	120	102
Materials, Supplies & Other	449	378
Total Cost	1,756	1,659
Net Cost / (Net Revenue)	(970)	(890)

Notes:

Favourable overall net revenue of (\$890k).

Unfavourable performance to budget by \$80k due to lower number of golf rounds.

St

BraeBen Golf Course**2012 Year End Financial Results**

	2012 Budget \$ 000's	2012 Actual \$ \$ 000's
Revenues	(3,020)	(2,889)
Cost		
Labour	1,798	1,764
Contract services	110	228
Utility Costs	135	232
Materials, Supplies & Other	900	754
Total Cost	2,943	2,978
Net Cost / (Net Revenue)	(77)	89

Notes:

Unfavourable performance to budget by \$166k.

Net cost actuals of \$89k.

Number of golf rounds below expectation.

Golf market has peaked with weak demand among woman and youth.

Demand at BraeBen affected by characteristics of the course, with 75% of golfers using a power cart creating a relatively high price point.

Staff are piloting price point changes in 2013 to increase demand and developing plans to reduce base operating costs.

8u

Mississauga Celebration Square**2012 Year End Financial Results**

	2012 Budget \$ 000's	2012 Actual \$ 000's
Revenues	(590)	(650)
Cost		
Labour	652	792
Contract services	133	184
Utility Costs	62	155
Materials, Supplies & Other	797	542
Total Cost	1,644	1,674
Net Cost / (Net Revenue)	1,054	1,023

Notes:

Favourable performance to budget by \$31k.

Net cost actual of \$1.02 million

206 event days in 2012.

More than one million visitors in first (12) months of operation.

Community Centres**2012 Year End Financial Results**

	2012 Budget \$ 000's	2012 Actual \$ \$ 000's
Revenues	(30,402)	(29,858)
Cost		
Labour	32,067	32,068
Contract services	715	771
Utility Costs	4,966	4,579
Materials, Supplies & Other	5,004	4,799
Total Cost	42,752	42,216
Net Cost / (Net Revenue)	12,350	12,358

Notes:

Includes 11 Community Centres, 5 Ice Pads, 11 Indoor Pools,
7 Outdoor Pools and Concessions operations at 16 locations.
Performance to budget on par.
Net cost actual of \$12.36 million.

8w

Stand Alone Arenas

2012 Year End Financial Results

	2012 Budget \$ 000's	2012 Actual \$ \$ 000's
Revenues	(8,626)	(8,045)
Cost		
Labour	4,926	4,618
Contract services	186	92
Utility Costs	2,041	1,631
Materials, Supplies & Other	1,240	1,143
Total Cost	8,393	7,484
Net Cost / (Net Revenue)	(233)	(561)

Notes:

Stand Alone Arena's include Malton, Tomken, Erin Mills,
Meadowvale Four Rinks, Port Credit and Iceland representing
(14) ice pads
Favourable performance to budget by \$328k.
Net revenue actual of (\$561k).
Unfavourable revenue due to changes in demographics.
Revenue reductions to the 2013 budget of \$400k.

Civic Food Services**2012 Year End Financial Results**

	2012 Budget \$ 000's	2012 Actual \$ \$ 000's
Revenues	(606)	(582)
Cost		
Labour	305	382
Contract services		
Utility Costs	4	4
Materials, Supplies & Other	289	280
Total Cost	597	665
Net Cost / (Net Revenue)	(9)	83

Notes:

Unfavourable performance to budget by \$92k.

Net cost actual of \$83k.

Opening of C Cafe delayed due to construction.

84

Credit Village Marina**2012 Year End Financial Results**

	2012 Budget \$ 000's	2012 Actual \$ 000's
Revenues	(356)	(328)
Cost		
Labour	159	159
Contract services	5	7
Utility Costs	20	19
Materials, Supplies & Other	29	89
Total Cost	213	274
Net Cost / (Net Revenue)	(142)	(54)

Notes:

Unfavourable performance to budget by \$88k.

Net revenue actual of (\$54k).

Revenue shortfall due to lower water levels affecting access to dockage.

Lakefront Promenade Marina**2012 Year End Financial Results**

	2012 Budget \$ 000's	2012 Actual \$ 000's
Revenues	(1,122)	(1,037)
Cost		
Labour	186	173
Contract services	13	14
Utility Costs	34	30
Materials, Supplies & Other	498	386
Total Cost	732	602
Net Cost / (Net Revenue)	(391)	(435)

Notes:

Favourable performance to budget by \$44k.

Net revenue actual of (\$435k).

Lower fuel prices for sale have decrease revenues offset by savings in the purchase price of fuel for resale.

Hershey Sports Zone**2012 Year End Financial Results**

	2012 Budget \$ 000's	2012 Actual \$ 000's
Revenues	(12,542)	(11,446)
Cost		
Labour	2,501	2,473
Contract services	4,385	4,292
Utility Costs	2,186	1,736
Materials, Supplies & Other	2,604	2,622
Total Cost	11,676	11,123
Net Cost / (Net Revenue)	(866)	(323)

Notes:

Includes Hershey Bowl, Community Rinks including Iceland, the Sports Complex and outdoor Sport Fields at Hershey and Iceland.

Unfavourable performance to budget by \$543k.

Net revenue actual of (\$323k).

Unfavourable revenue due to one-time user fees shortfall for dome field due to construction delay and ice rental shortfall on community rinks and at Iceland due to demographic changes.

Hershey Bowl**2012 Year End Financial Results**

	2012 Budget \$ 000's	2012 Actual \$ 000's
Revenues	(2,453)	(2,891)
Cost		
Labour	0	0
Contract services	1,407	1,427
Utility Costs	343	264
Materials, Supplies & Other	926	1,102
Total Cost	2,676	2,793
Net Cost / (Net Revenue)	223	(98)

Notes:

Favourable performance to budget by \$321k.

Net revenue actual of (\$98).

Favourable performance on events and concessions.

Hershey Rinks**2012 Year End Financial Results**

	2012 Budget \$ 000's	2012 Actual \$ 000's
Revenues	(5,455)	(4,782)
Cost		
Labour	1,797	1,815
Contract services	1,156	1,023
Utility Costs	1,301	1,044
Materials, Supplies & Other	988	953
Total Cost	5,242	4,835
Net Cost / (Net Revenue)	(213)	53

Notes:

Community Rinks and Iceland only, representing (7) ice pads.

Unfavourable performance to budget by \$266k.

Net cost actual of \$53k.

Unfavourable ice rental revenue due to demographic changes.

Hershey Sports Complex**2012 Year End Financial Results**

	2012 Budget \$ 000's	2012 Actual \$ 000's
Revenues	(4,634)	(3,773)
Cost		
Labour	704	658
Contract services	1,822	1,842
Utility Costs	542	428
Materials, Supplies & Other	690	567
Total Cost	3,758	3,495
Net Cost / (Net Revenue)	(876)	(278)

Notes:

Sports Complex including Air Supported Building and outdoor Sport Fields at Hershey & Iceland.

Unfavourable performance to budget by \$598k.

Net revenue actual of (\$278).

Unfavourable revenue due to one-time user fees shortfall for dome field due to construction delay.



Corporate Report

Clerk's Files

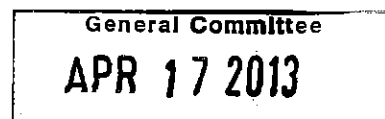
Originator's
Files

PO.11.BEL

9.

DATE: March 27, 2013

TO: Chair and Members of General Committee
Meeting Date: April 17, 2013



FROM: Brenda R. Breault, CMA, MBA
Commissioner of Corporate Services and Treasurer

SUBJECT: **Surplus Land Declaration – portion of the closed out road
allowance of Bellevue Street (Ward 11)**

RECOMMENDATION: That Council rescind, in its entirety, General Committee Recommendation GC-0552-2007 of June 27, 2007 approved by Council on July 4, 2007, and approve the following recommendations:

1. That a portion of the closed out road allowance of Bellevue Street, containing an area of approximately 650 square metres (6,996 square feet) be declared surplus to the City's requirements. The subject lands are legally described as Part of Lot 24 Registered Plan STR-1, Bellevue Street (dedicated by By-law 891) (closed by By-law 536-93), more specifically described as Parts 15, 16, 17, and 23 on the draft Reference Plan prepared by Land Survey Group (LSG) dated October 4, 2012, City of Mississauga, Regional Municipality of Peel, in Ward 11.
2. That all steps necessary to comply with the requirements of Section 2.(1) of City Notice By-law 215-2008 be taken, including giving notice to the public by posting a notice on the City of Mississauga's website for at least three weeks prior to the execution of an agreement for the sale of the subject land under Delegated Authority.

9a

BACKGROUND:

City Council, at its meeting on April 28, 1993, authorized the undertaking of the necessary steps to close out all of Bellevue Street for the purpose of allowing a portion of the closed out road allowance to be sold to the adjoining property owners for incorporation into their proposed multi-residential development. Accordingly, Bellevue Street was closed by By-law 536-93 enacted and passed on October 27, 1993 and registered in the Land Registry Office as Instrument No. LT 1459487.

The original development proposal for the adjoining lands did not proceed until a development plan was made under Draft Plan of Subdivision T-M03003 W11 by Forest Green Homes, and was subsequently approved on October 27, 2005. As a portion of the former Bellevue Street road allowance would not be required for the future road under the draft plan of subdivision, these lands were surplus to the City's requirements and could be incorporated into the proposed development. Subsequently, Part 3 on Reference Plan 43R-31641, having an area of 617.8 square meters (6,650.2 square feet) was declared surplus on July 4, 2007 when City Council adopted recommendation GC-0522-2007. Arrangements were never made with the City to transfer the surplus lands at that time, as the developer ultimately did not pursue the development proposal and the draft plan of subdivision was never finalized.

On July 18, 2012 new site plan applications, SP 12/143 W11 and SP 12/144 W11, were submitted by Forest Green Homes for their adjoining lands. Under the new site plan applications, additional lands of the former Bellevue Street road allowance have been identified as no longer being required for future road purposes due to the design change and realignment of the future municipal road pattern, and are therefore surplus. Consequently, this report is being brought forward for Council's consideration to rescind the former decision declaring surplus those lands described as Part 3 on Reference Plan 43R-31641, and declare surplus those land of the former Bellevue Street road allowance, described as Parts 15, 16, 17, and 23 on the draft Reference Plan prepared by Land Survey Group (LSG) dated October 4, 2012. The newly identified surplus lands have a total area of approximately 650 square metres (6,996 square feet).

COMMENTS:

Corporate Services, Community Services, Planning and Building and Transportation and Works staff have no objections to the lands set out herein being declared surplus for the purpose of the sale of these lands to the abutting developer for incorporation into the proposed multi-residential development.

Prior to completion of this proposed transaction under Delegated Authority, public notice will have been given by the posting of a notice of proposed sale on the City of Mississauga's website for a two week period, where the expiry of the two week period will be at least one week before the execution of the agreement for the sale of the said lands, as per the requirements of the City Notice By-law 0215-2008, as amended by By-law 0376-2008.

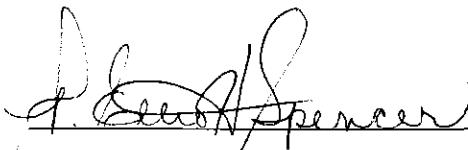
FINANCIAL IMPACT: Not applicable.

CONCLUSION:

It is reasonable to declare the subject lands surplus to the City's requirements and sell the surplus lands at fair market value to Forest Green Homes. The sale of the subject Lands will be subject to any easement protection that may be required.

ATTACHMENTS:

- Appendix 1: Approximate location of the closed out portion of Bellevue Street to be declared surplus, north of Tannery Street, west of Queen Street South (Ward 11)
- Appendix 2: Draft Reference Plan showing lands to be declared surplus as Part 15, 16, 17, and 23, prepared by Land Survey Group (LSG).
- Appendix 3: Reference Plan showing previously declared surplus lands as Part 3 on 43R-31641.


for Brenda R. Breault, CMA, MBA
Commissioner of Corporate Services and Treasurer

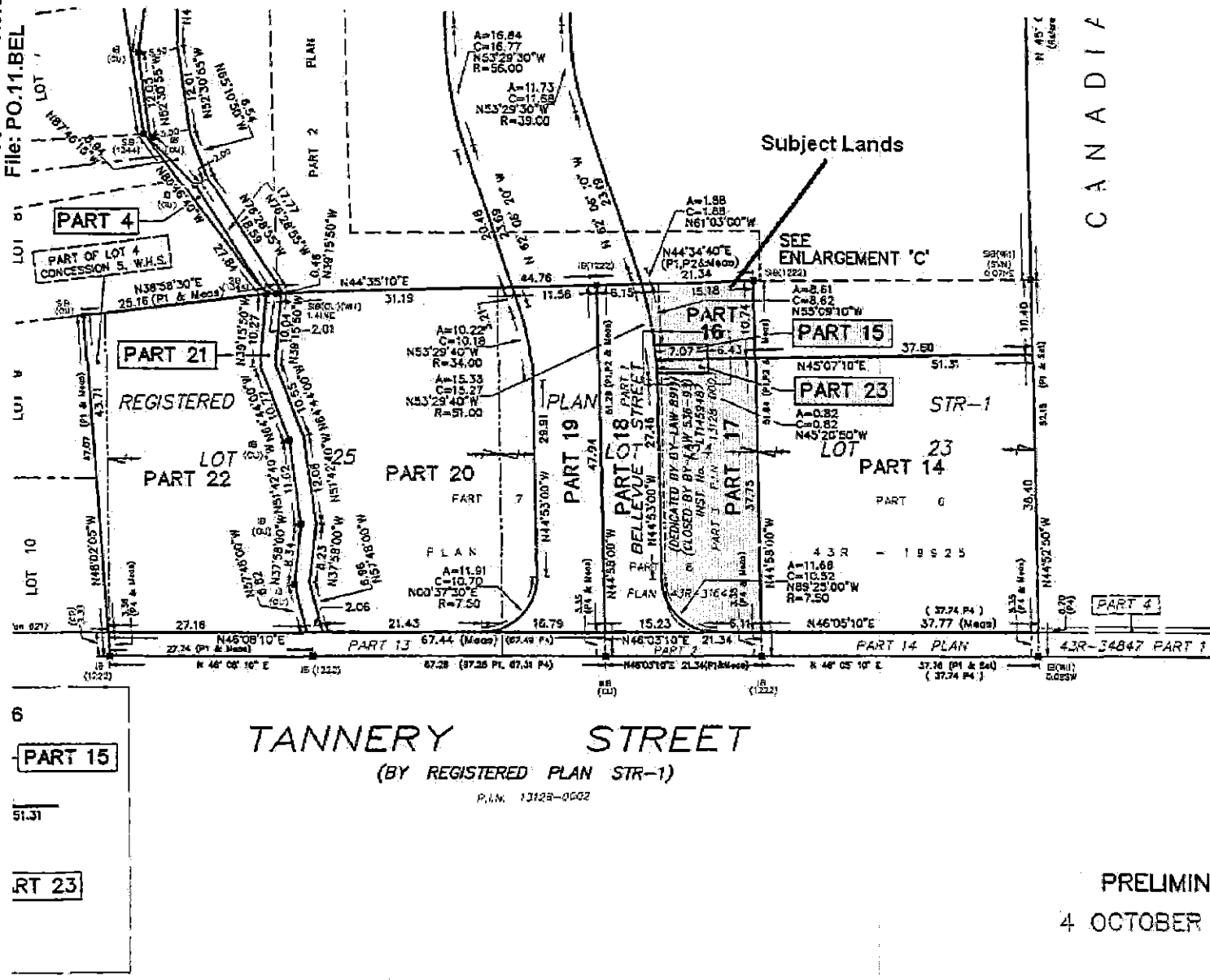
Prepared By: Erny Ferreira, Real Estate Analyst-Appraiser

9c



 MISSISSAUGA Leading today for tomorrow	
Corporate Services	
Realty Services	
PO.11.BEL - Appendix 1 location of the closed out portion of Bellevue Street Ward 11	
SCALE FOR REDUCED DRAWINGS 0m 13m 25m 50m 75m 100m 125m 250m	

ad



CANADA

CO-ORDINATE TABLE

OBSERVED REFERENCE POINTS: UTM ZONE 17 NAD
COORDINATES TO URBAN ACCURACY PER SEC 14 (2)

POINT	NORTHING
A	X
B	X
C	X
X	X
X	X
X	X

COORDINATES CANNOT, IN THEMSELVES, BE
RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN

LEGEND

□	DENOTES	MONUMENT P.
■	MONUMENT FC	
WAT	WITNESS	
CC	CUT CROSS	
IB	IRON BAR	
IRB	ROUND IRON	
SR	STANDARD IR	
RSB	ROUND STAKE	
SSB	SHORT STAND	
P1	PLAN 43R-18	
P2	PLAN 43R-31	
P3	PLAN 43R-32	
P4	PLAN 43R-34	
SVN	SPEIGHT & V.	
CD/1222	C. E. DOTTER	
CP	C. FEAT. O.L.	
1344	P. C. WYMAN	
OU	ORIGIN UNKNOWN	
UP	UTILITY POLE	
P.L.N.	PROPERTY ID	

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CONFORMANT WITH THE SURVEYS ACT, THE SURVEY AND MAPPING ACT AND THE REGULATION.
 - THE SURVEY WAS COMPLETED ON

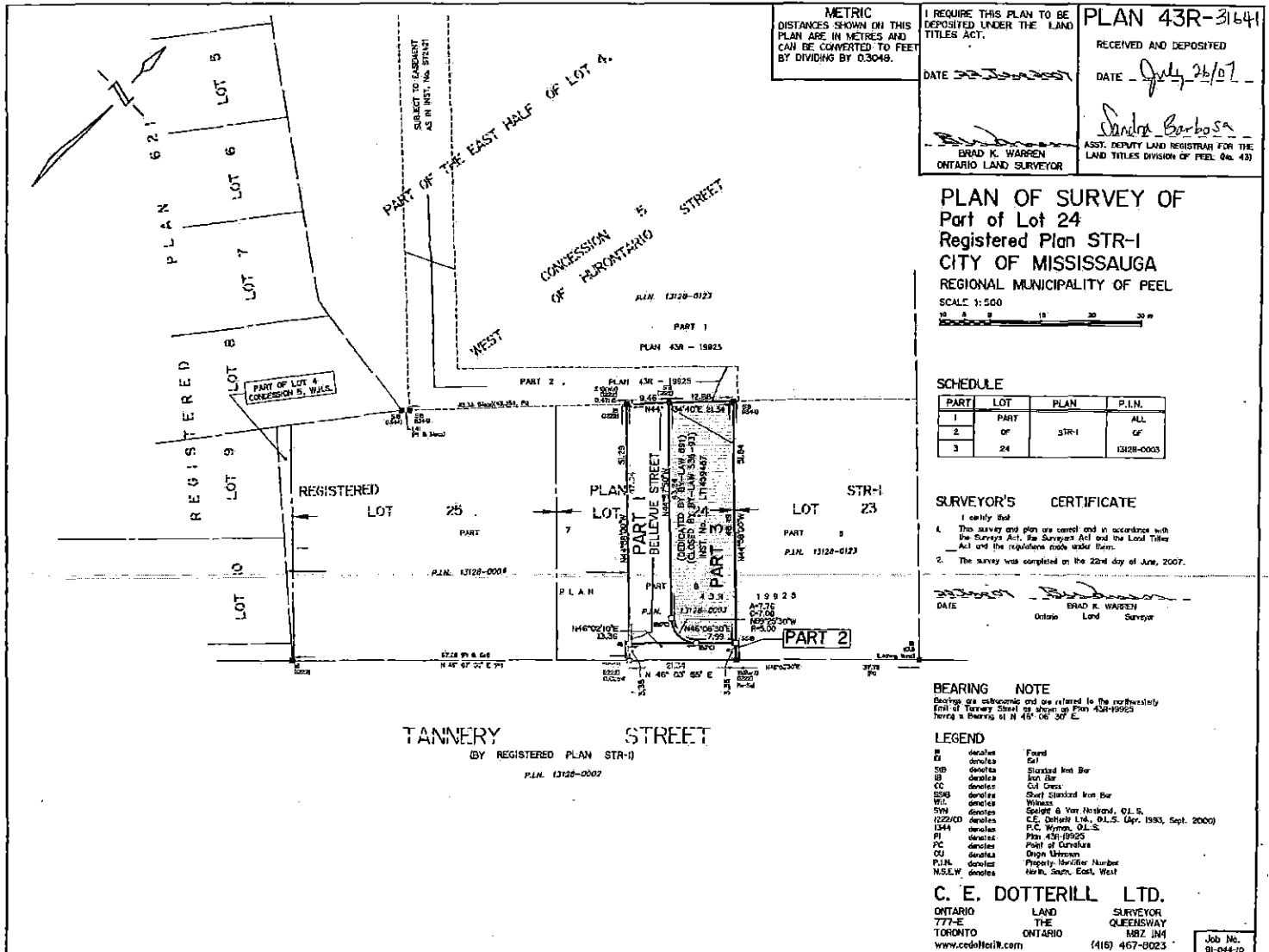
DATE

PRELIMINARY
4 OCTOBER 2012

LSC LAND SURVEYORS ONTARIO
277 THE QUEENSWAY, UNIT 1, F
TOR 416-252-2511 416-467-6
DRAWN: J. H. MOHR CHECKED:

9e

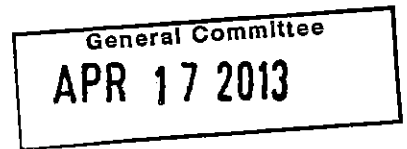
2-39 E



**MISSISSAUGA CYCLING
ADVISORY COMMITTEE**

April 9, 2013

REPORT 4-2013



TO: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Mississauga Cycling Advisory Committee presents its fourth report for 2013 and recommends:

MCAC-0021-2013

That the deputation to the Mississauga Cycling Advisory Committee from Matthew Williams, Project Leader regarding the Hurontario-Main LRT project be received.
(MCAC-0021-2013)

MCAC-0022-2013

That the memorandum from Jacquelyn Hayward Gulati, Manager, Cycling Office dated April 3, 2013 regarding the Quarterly Update on the Proposed 2013 Cycling Network Program be received.
(MCAC-0022-2013)

MCAC-0023-2013

That the draft letter regarding the McLaughlin Road Environmental Assessment be received as amended.
(MCAC-0023-2013)

MCAC-0024-2013

That the 2013 Calendar of Events regarding Mississauga cycling related events in 2013 be received as amended.
(MCAC-0024-2013)

MCAC-0025-2013

That the 2013 Mississauga Cycling Advisory Committee Action List be received as amended.
(MCAC-0025-2013)

MCAC-0026-2013

That the letter dated March 25, 2013 from Councillor Chris Fonseca, regarding Municipal Walkway (Ward 3) be received.
(MCAC-0026-2013)