



# Corporate Report

Clerk's Files

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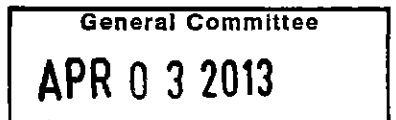
**DATE:** March 13, 2013

**TO:** Chair and Members of General Committee  
Meeting Date: April 3, 2013

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

**SUBJECT:** Port Credit Cultural Node Project Update

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- RECOMMENDATION:**
1. That the report dated March 13, 2013 from the Commissioner of Community Services entitled "Port Credit Cultural Node Project Update" be approved.
  2. That the existing encroachment agreements for the operation of outdoor patios within the Port Credit Cultural Node be amended to allow extended hours of operations for outdoor patios from 11:00 P.M. until the established closing time.
  3. That businesses entering into encroachment agreements with the City of Mississauga to operate outdoor patios within the Port Credit Cultural Node be approved to keep the patios open up to their established closing time of each business.

**REPORT  
HIGHLIGHTS:**

- Feedback for the 2012 Port Credit Culture Node Project shows 84% of the 235 respondents believe the new patios, art and displays make the area more vibrant.
- In 2012, three businesses operated outdoor patios with table service. Four more businesses have applied to do so in 2013.

- Staff support a request from local businesses to relax the restrictions in the outdoor patio encroachment agreements to allow extended hours of operations from 11:00 P.M. until their established closing time.
- The detailed specifications for temporary sidewalk platforms to allow pedestrians access around outdoor patios have been revised to improve safety, visibility and to create a more vibrant streetscape.

**BACKGROUND:**

In 2011, Council passed Resolutions 0072-2011 and 0152-2011, which approved the concept of the Cultural Node Project. The request originated from the Port Credit BIA and Ward 1 Councillor with staff support. The Culture Master Plan recommended establishing a culture node pilot project in an area with a concentration of cultural resources and activities to test the use of planning tools, incentives and partnerships to encourage a specific transformative outcomes. The Plan identified Port Credit as a logical area to pilot the program. Based on the success of this program, the updated Port Credit Local Area Plan identifies this area as containing “a concentration of facilities, buildings, properties and events which represent a cultural infrastructure cluster considered to be a cultural node.”

To date, the cultural node project has resulted in increased bicycle facilities and on-street parking to support the farmers market, and five year approval to allow outdoor displays and the operation of outdoor patios with table service. In addition, the use of on-street parking spaces was permitted through encroachment agreements with the City where it was required to maintain pedestrian access around outdoor patios.

**COMMENTS:**

In an effort to continually improve this initiative, staff conducted a survey of people visiting the area in fall 2012. Comments were also requested from the Port Credit BIA Board of Directors.

The Port Credit BIA Board of Directors and their members provided the following feedback:

- “The Board is thrilled with the project and look forward to more patios next summer”;

- The Shore Grill and Grotto indicated the patio along with other initiatives (renovation and adding lunch) helped increase their seasonal business by over 100%;
- Indian Cuisine by the Lake said that as a first year business they were not able to give a percentage increase, but the owner feels strongly that no other single initiative would have raised awareness of his new business; and
- Crooked Cue stated the patio increased their business by 30% and they received many compliments from their customers.

Feedback from 235 members of the public was received through a online survey and feedback cards during the fall of 2012. Highlights from the survey are below (see Appendix 1 for more detail):

- 84% said that the new patios, art and displays made Lakeshore Road more vibrant;
- 71% believe patios improved or greatly improved their experience of Lakeshore Road;
- 60% of those surveyed had visited one of the new sidewalk patios. Of respondents who visited a patio, 41% were first time customers; and
- 39% of those surveyed had purchased a product/service from a shop with an outdoor display. Of respondents who purchased a product/service from a shop with an outdoor display, 42% were first time customers.

In 2012 three businesses entered into encroachment agreements with the City to operate outdoor patios within the Culture Node area. For 2013, four additional businesses have applied for encroachment agreements to operate outdoor patios.

The Port Credit BIA and Ward 1 Councillor received feedback from the local restaurants requesting the hours of operation for outdoor patios be extended from 11:00 P.M. to their actual hours of operation. In some cases this may be until 2:00 A.M. In addition, they also requested consideration be given to allowing the use of gas heaters, recorded music, televisions and non-amplified live performances during these extended hours.

Staff, the BIA, and Ward Councillor all support the extension of the hours of operation for outdoor patios from 11:00 P.M. to the actual

established closing time of each business. It is expected that these extended hours will generally occur during weekends and the many festivals held in Port Credit.

Approval of extended patio hours for those businesses that already have an encroachment agreement with the City requires these agreements be amended to reflect the revised hours of operation. Staff recommend these amendments be approved. Furthermore, staff recommend all new encroachment agreements for outdoor patios within the Port Credit Cultural Node also be approved for the same hours of operations as established for their indoor business.

However, staff, the BIA, and the Ward Councillor do not support the request for the use of gas heaters, recorded music, televisions and non-amplified live performances during these extended hours. All believe the extended hours need to be tested in 2013 first before additional permissions are approved.

Based on feedback from local businesses, the public and staff observation, a review of the detailed specifications for temporary sidewalk platforms around outdoor patios was conducted earlier this year. In an effort to improve safety, visibility and to create a more vibrant streetscape, amendments were made to the existing guidelines. The updated specifications are attached as Appendix 2. A summary of these changes is listed below:

- Minimum fencing and railing height adjacent to the street will be lowered six inches, from 48" to 42";
- Heavy constructed planters are required at the end of the sidewalk platforms for the protection of pedestrians; and
- Businesses are permitted one sign with a maximum area of 0.56 m<sup>2</sup> (6 sq.ft.) identifying their business on the fencing, barrier or planter elements adjacent to the road.

**STRATEGIC PLAN:** The Cultural Node Project aligns with the Connect Pillar. Strategic goal states "Nurture Villages -- promote "village" main streets as destinations, not simply places to pass through".

**FINANCIAL IMPACT:** There is no financial impact to these recommendations.

**CONCLUSION:**

The Cultural Node Project contributes to creating an environment that supports and encourages a more vibrant main street and cultural district. It enhances the character of the area by allowing outdoor retail displays, street furniture and patios. It attracts a greater number of residents and visitors to the waterfront for shopping, dining, business activity and recreational enjoyment. These initiatives assist in achieving the City's strategic goals and implementing Culture Master Plan Recommendation 36.

**ATTACHMENTS:**

Appendix 1: Culture Node 2012 Survey Results

Appendix 2: Detailed Specifications for Temporary Sidewalk Platforms -- revised January 2013



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

*Prepared By: Helena Grdadolnik, BES, M.Arch., Cultural Planner,  
Culture Division*

## Port Credit Culture Node 2012 - survey results

### Priorities

What would you like to see more of?

- Patios (38%)
- Improved pedestrian space (37%)
- Public seating (27%)
- Plantings (22%)
- Artwork (16%)
- Bicycle parking (9%)

### Experience

The effect of the new patios, art and displays?

- More vibrant (84%), less vibrant (7%), unchanged (13%)
- Pedestrian space improved (46%), worsened (25%), unchanged (25%)

How did the patios change your experience of Lakeshore?

- no change (driving 75%, cycling 68%, parking 61%)
- worsened (parking 33%, walking 20%, cycling 19%, driving 15%)
- improved/greatly improved (**overall 71%**, sitting 63%, walking 48%)

How did the art and displays change your experience of Lakeshore?

- no change (driving 70%, cycling 70%, parking 73%, sitting 51%)
- worsened (parking 20%, driving 11%, overall 7%)
- improved/greatly improved (**overall 60%**, sitting 46%, walking 53%)

### Business

Did you visit one of the new sidewalk patios?

- 60% - Yes (of respondents who visited a patio, 41% were first time customers)
- 40% - No

Did you come specifically to Port Credit to visit one of the sidewalk patios

- Yes (16%)
- No (84%)

Did you purchase a product/service from a shop with an outdoor display?

- 39% - Yes (of the respondents who said yes, 42% were first time customers)
- 61% - No

Did you come specifically to Port Credit to visit the art installations?

- Yes (14%)
- No (86%)

### Parking

Do you use on-street parking in Port Credit?

- 37% - Often
- 48% - Seldom
- 15% - Never

Which municipal parking lots are you aware of?

- Front St N, north of Park St (49%)
- Stavebank Rd, south of Port St (70%)
- Elmwood Ave, north of Lakeshore Rd (48%)
- 80 Port St underground (35%)

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- 182 Lakeshore Rd W (32%)
- Cayuga Ave, north of Lakeshore Rd (22%)
- Hiawatha Parkway, south of Lakeshore Rd (26%)
- High Street, west of Stavebank, Port Credit Library (71%)
- None of the above (8%)

**Respondents**

235 people responded to either the online survey or feedback cards representing the following locations:

- Port Credit (45%)
- Other South Mississauga (33%)
- Other Mississauga (16%)
- Other GTA (5%)
- Beyond GTA (1%)

Also, 58% of respondents said they had never before participated in public meetings in the City of Mississauga.



## PORT CREDIT CULTURE NODE PROJECT

### Detailed Specifications for Temporary Sidewalk Platforms

**These detailed specifications apply when lay-by parallel parking is proposed to be used to accommodate pedestrian circulation around an outdoor patio.**

**Design of the temporary sidewalk platforms will be judged on its own design merit, however, it must adhere to the below noted detailed specifications.**

- The owner is to provide detailed site plans in accordance with the following design specifications as part of the Encroachment Agreement to be approved by the City.
- The site plans must also adhere to the Minimum Requirements for Encroachment Sketches (attached).
- A Professional Structural Engineer must certify the design and load-bearing capability of the temporary sidewalk platforms.
- Parking meters and pay-and-display machines, bicycle racks, light standards, hydrants, street trees, manholes and other site fixtures can not impede the access to the temporary sidewalk platforms.
- The platforms must not be placed on the concrete drainage swale leading to the catch basins along the street.
- The platforms must be designed to allow for drainage to the concrete drainage swale leading to the catch basins along the street.
- Each temporary sidewalk platform must be constructed flush with the permanent sidewalk to eliminate accessibility issues. Minor variations in surface heights are to be filled with suitable surface transition piece.
- No damage to City property, including drilling into sidewalks or roadways is permitted.
- Typical sidewalk platform dimensions:
  - 150mm typical height (6 inches) including top of platform surface to match curb height,
  - unobstructed minimum walkway width of 1.8 m (5.9 ft.) to be maintained at entry points and for the length of the temporary sidewalk (see sketch plans for all dimensions).
- The height of all fencing and railings adjacent to the street must be 1067 mm (42 in.). The design and materials for the fencing or railings must be able to withstand minor car accidents and vandalism and to ensure pedestrian safety and the longevity of the structure.

In addition, heavy constructed planters at the end of the sidewalk platforms would be required for protection of the pedestrians.

- The height of fencing and railings adjacent to the patio area must be either 914 mm (36 in.) or as specified by the AGCO, which is ever the greater. The design and materials for the fencing or railings must be able to withstand vandalism and to ensure pedestrian safety and the longevity of the structure.

- Platform surface material to be load-bearing and continuous without gaps, such as 2" x 6" cedar, pressure-treated wood or plastic wood **secured by screws**; tongue & groove (T&G); or butt-jointed without gaps, to ensure pedestrian safety and the longevity of the surface treatment.
- Platform surfaces are to be slip-resistant. Surfaces may be covered with a heavy rubber mat, or finished with a durable, non-slip coating.
- Integral planter elements, if constructed, must be properly sealed and/or drained in such a manner to avoid excessive seepage of water, loss of soil mixtures or other contamination of the site (see sketch plans for preferred planter dimensions). Planters must not impede or encroach on the minimum 1.8 m (5.9 ft.) walkway width.
- One (1) sign identifying the business will be permitted on the fencing, barrier or planter elements adjacent to the road. The signage must be made of metal, wood or plastic and must be secured by bolts. The maximum sign area for a business sign will be 0.56 m<sup>2</sup> (6 sq. ft.).
- Reflectors are required on the railings and planters facing the street and at the end of the platforms for night safety. Electrification or lighting is not permitted. Solar powered lighting may be permitted on the interior side of the platforms where cast lighting will not interfere with vehicular traffic.
- The applicant is responsible for the method of the assembly and disassembly of the structure for storage purposes or to access any utility manhole under the structure if required by a utility company.

Revised January 11, 2013

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### **MINIMUM REQUIREMENTS FOR ENCROACHMENT SKETCHES**

- Sketches must be on legal sized paper (8 ½" x 14").
- Must NOT be hand drawn and must be of professional quality (no hand renderings on drawing).
- Title the drawing "Schedule to Encroachment Agreement between the City of Mississauga and (insert registered property owner's name).
- Property lines must be shown and labelled.
- Property line dimensions must be shown.
- Include a Legend along one side of the sketch which includes;
  - the municipal address,
  - legal description of property,
  - include the total encroachment area,
  - PIN (Property Identification Number from the Land Registry Office) for the applicant's and the City's property, and
  - include a scale.
- The location and outline of existing buildings and permanent structures, aboveground utilities, underground utilities, underground municipal services, parking areas, walkways, driveways, curbing, loading areas, fences, retaining walls, patios, decks, vehicular access and egress points, easements or rights of ways affected by the encroachment.
- The location and dimensions of the encroachment(s) and the dimensions of the land/surface area required for the encroachment(s) (usually a footprint or perimeter of encroaching structures) and dimensions and area in square metres of both the encroachment and encroachment area.
- An inset drawing of the encroachment(s) or area required for encroachment(s) with the dimensions and area in square metres **IF**, as a result of the size of the property, size of encroachment(s) or scale of the drawing is such that the encroachments cannot be adequately illustrated. Inset drawings are required for sign encroachments.
- The encroachment(s) must be clearly indicated and labelled (hatched).

Should you have any questions regarding the Minimum Requirements for Encroachment Sketches, please contact:

Corporate Services Department  
Facility and Property Management Division  
Realty Services  
905 615-3200 ext 5428



# Corporate Report

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**DATE:** March 13, 2013

**TO:** Chair and Members of General Committee  
Meeting Date: April 3, 2013

General Committee  
**APR 03 2013**

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

**SUBJECT:** **Further Input – Graffiti Implement By-law**

**RECOMMENDATION:** 1. That the Corporate Report from the Commissioner, Transportation and Works, dated March 13, 2013 titled "Further Input – Graffiti Implement By-law" be received for information.

2. That Council not enact a by-law prohibiting the sale of graffiti implements to minors.

**REPORT  
HIGHLIGHTS:**

- This report responds to GC-0157-2012 and presents the results of staff consultation on the proposed Graffiti Implement By-law.

**BACKGROUND:** At its meeting of March 21, 2012 General Committee approved the following recommendation, which was subsequently adopted by Council on March 28, 2012:

"GC-0157-2012:

*That the report from the Commissioner of the Transportation and Works Department dated March 7, 2012 titled "Graffiti Implement By-law" be deferred and that staff meet with the Graffiti Committee of*

*Safe City Mississauga for further input and report back to General Committee."*

The purpose of this report is to provide the results of staff's consultation on the draft graffiti implement by-law.

**COMMENTS:**

A copy of the Corporate Report from the Commissioner, Transportation and Works, dated March 7, 2012 and titled "Graffiti Implement By-law" is attached as Appendix 1. In that report staff indicate the following:

*"The draft Graffiti Implement By-law could be enforced regarding the selling, exchanging, giving, loaning, furnishing, or causing to sell, exchange, give, loan, or furnish any graffiti implement to a minor unless the minor is accompanied by their parent or legal guardian. However, staff have a number of reservations regarding the effectiveness of these enforcement efforts in actually reducing graffiti, as outlined below:*

- *Graffiti implements are readily available at various retail outlets, including neighbourhood convenience stores.*
- *Minors are able to obtain graffiti implements from neighbouring municipalities which have not banned the sale of these products to them.*
- *Minors are able to obtain graffiti implements by acquiring them on-line through the internet.*
- *Minors may acquire graffiti implements by having someone 18 years of age or older acquire the implements for them.*
- *The prohibition of the sale of graffiti implements to minors will not prevent someone 18 years or older from obtaining graffiti implements and using them to place graffiti.*
- *Most art supply stores already keep expensive spray paints and markers in locked cabinets to prevent theft, which is common with minors engaging in the placement of graffiti.*

- *Minors often make their own homemade graffiti implements due to the expense of these products. The homemade ingredients include ink from pens, brake fluid and rubbing alcohol, which are all readily accessible."*

Staff reviewed the Corporate Report from the Commissioner, Transportation and Works, dated March 7, 2012 and titled "Graffiti Implement By-law" with the Integrated Municipal Enforcement Team (IMET) at its meeting of Tuesday, April 17, 2012. The IMET did not form an official position on the report as noted from the excerpt from the minutes of its meeting of April 17, 2012:

*"Mickey Frost, Director, Enforcement, for the City of Mississauga provided the group with background information on the Corporate Report that was brought before General Committee on March 21, 2012, and asked for some feedback from the group on this matter, specifically a written response from the team outlining their position on the report. Cst. Innes, 11 Division advised that there were going to be several arrests this week in relating to graffiti; Marcy Dunlop, City of Mississauga, Prosecutions questioned who would you charge if this by-law is enacted. It was her opinion that this by-law does nothing to deter the act of graffiti, as minors would still find a way to obtain graffiti implements. Although individual Team members provided their comments on the report, the Team did not form a position. Mickey thanked the group for the opportunity to present the report to them."*

Staff also reviewed the Corporate Report with the Counter-Act Graffiti Committee of Safe City Mississauga on Tuesday, April 17, 2012. In correspondence received by staff from the Counter-Act Graffiti Committee, dated April 23, 2012, the Committee indicates that it supports the recommendation in the Corporate Report of not enacting a by-law prohibiting the sale of graffiti implements to minors. A copy of the correspondence received from the Counter-Act Graffiti Committee is attached as Appendix 2.

On Thursday, May 10, 2012 staff attended a meeting of the Graffiti Co-ordinators Committee to review the Corporate Report. The Committee includes all of the Graffiti Co-ordinators from Peel Regional Police from across the various divisions in Mississauga.

In late 2012 staff from Peel Regional Police indicated that they will not be providing the City with an official position on the Corporate Report.

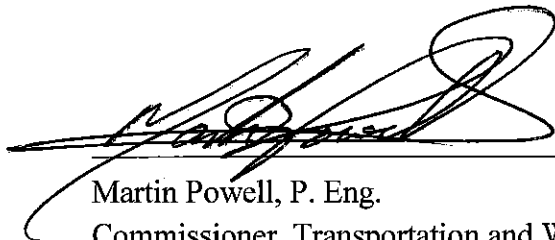
**FINANCIAL IMPACT:** Any level of enforcement of the draft Graffiti Implement By-law will require, at a minimum, one additional regular full-time Municipal Law Enforcement Officer (MLEO). The annual cost of an MLEO, including salary and benefits, is approximately \$92,000.

**CONCLUSION:** Staff recommend that the draft Graffiti Implement By-law not be enacted by Council for the following reasons:

- the draft Graffiti Implement By-law is not supported by the Counter-Act Graffiti Committee of Safe City Mississauga; and,
- the concerns raised in the Corporate Report from the Commissioner, Transportation and Works, dated March 7, 2012 regarding the effectiveness of enforcing the draft Graffiti Implement By-law, particularly given the additional resources required (and related costs).

**ATTACHMENTS:** Appendix 1: Corporate Report from the Commissioner of Transportation and Works, dated March 7, 2012 and titled Graffiti Implement By-law

Appendix 2: Correspondence dated April 23, 2012 from the Counter-Act Graffiti Committee of Safe City Mississauga



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

*Prepared By: Mickey Frost, Director, Enforcement*



# Corporate Report

Clerk's Files

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Files

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**DATE:** March 7, 2012

**TO:** Chair and Members of General Committee  
Meeting Date: March 21, 2012

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

**SUBJECT:** Graffiti Implement By-law

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- RECOMMENDATION:**
1. That the report from the Commissioner of the Transportation and Works Department dated March 7, 2012 titled "Graffiti Implement By-law" be received for information.
  2. That Council not enact a by-law prohibiting the sale of graffiti implements to minors.

**BACKGROUND:** The prevalence of graffiti in the City of Mississauga is an issue which greatly affects residents. The impact that graffiti has on a neighbourhood includes reduced property values and a perceived unsafe or non-social atmosphere. In addition, the placement of graffiti is detrimental to the health of individuals and others, and is an environmental hazard. Further, graffiti presents the City in an unfavourable light with residents, businesses and visitors.

This report presents a draft Graffiti Implement By-law for Council's consideration, which prohibits the sale of graffiti implements to minors; outlines staff's comments on the draft by-law; and provides information from other municipalities regarding the prohibition of graffiti implements to minors.

**PRESENT STATUS:**

The City of Mississauga does not presently have a by-law prohibiting the sale of graffiti implements to minors. Section 15 of the City of Mississauga's Property Standards By-law, 654-98, as amended, states:

"Graffiti:

*All property, including but not limited to, buildings, structures, fences or other objects shall be kept clean of graffiti at all times."*

As a result of the City's Property Standards By-law, it is the responsibility of the property owner to remove graffiti found on private property. Failure to remove the graffiti in a timely manner will result in the City arranging to have the graffiti removed with the cost of the graffiti removal recovered from the property owner. In most instances, property owners remove the graffiti in a timely manner.

The Compliance and Licensing Enforcement section of the Enforcement Division is responsible for the administration and enforcement of the Property Standards By-law. The by-law, including the provisions pertaining to graffiti, is enforced on a re-active basis in response to complaints, and also when Municipal Law Enforcement Officers (MLEO) from Compliance and Licensing Enforcement identify graffiti in the course of performing their regular duties.

MLEO's from Compliance and Licensing Enforcement address graffiti on private property through the Property Standards By-law, and report all graffiti found (public and private property) to Corporate Security.

As previously mentioned, all cases of graffiti found or brought to the attention of staff, whether on public or private property, are reported to Corporate Security. Corporate Security then generates a special occurrence report (SOR) for distribution among the City-wide stakeholders (Parks and Recreation, Facilities and Property Management, Engineering and Works, Transit, Peel Regional Police, and the Integrated Municipal Enforcement Team). If Corporate Security Mobile Officers find graffiti on City property during the course of their regular patrols, they conduct an investigation, take photographs and generate an SOR. The completed report and

photographs are then forwarded to the stakeholders for further action. Suspects found placing graffiti, or causing or permitting graffiti to be placed, can also be charged by Peel Regional Police under the Criminal Code of Canada (CCC). Section 430, Mischief, of the CCC makes it an offence to wilfully destroy or damage property; render property dangerous, useless, inoperative or ineffective; obstruct, interrupt or interfere with the lawful use, enjoyment or operation of property; or, obstruct, interrupt or interfere with any person in the lawful use, enjoyment or operation of property. If convicted, punishment can range from a summary conviction to imprisonment for a term not exceeding ten years, depending on the extent of the damage caused and the type of property damaged. In addition, the CCC states that anyone who commits mischief that causes actual danger to life is guilty of an indictable offence and liable to imprisonment for life.

**COMMENTS:**Actions of Other Municipalities:

Staff contacted representatives from the following municipalities: Ottawa, London, Hamilton, Burlington, Oakville, Brampton, Toronto, and Milton, to determine if they have a by-law which prohibits the sale of graffiti implements to minors, and if so, to obtain information on how the by-law is enforced and whether or not the by-law has proven effective in reducing graffiti.

Of the eight municipalities contacted, only the City of London has a by-law prohibiting the sale of graffiti implements to minors. The by-law is enforced through regular blitzes of retail stores with youth test shoppers. Representatives from the City of London could not confirm the effectiveness of the by-law in reducing the placement of graffiti.

Draft Graffiti By-law:

Attached, as Appendix 1, is a draft by-law prohibiting the selling, exchanging, giving, loaning, furnishing, or causing to sell, exchange, give, loan, or furnish any graffiti implement to a minor unless the minor is accompanied by their parent or legal guardian.

The by-law defines a "Graffiti Implement" as: *"any can of spray paint, broad tipped marker pen, paint pen, glass cutting tool, or glass*

*etching tool or instrument". "Broad Tipped Marker Pen", "Paint Pen", and "Spray Paint" are also defined in the by-law. A "Minor" is defined under the by-law as someone who has not attained the age of 18 years.*

It is proposed that the Compliance and Licensing Enforcement section of Enforcement Division be responsible for the administration and enforcement of this by-law if enacted. Any level of enforcement of this by-law will require at least one additional, regular full-time MLEO.

Should Council approve the draft Graffiti Implement By-law, staff recommend that the enforcement of the by-law be based on customer complaints and that regular undercover blitz-like operations by the City be used as well. These undercover blitzes would employ minors to purchase graffiti implements. This style of enforcement is used by the Region of Peel to enforce and charge persons under the Smoke-Fee By-law who sell tobacco products to persons under the age of 19.

Concerns with the Draft Graffiti By-law:

The draft Graffiti Implement By-law could be enforced regarding the selling, exchanging, giving, loaning, furnishing, or causing to sell, exchange, give, loan, or furnish any graffiti implement to a minor unless the minor is accompanied by their parent or legal guardian. However, staff have a number of reservations regarding the effectiveness of these enforcement efforts in actually reducing graffiti, as outlined below:

- Graffiti implements are readily available at various retail outlets, including neighbourhood convenience stores.
- Minors are able to obtain graffiti implements from neighbouring municipalities which have not banned the sale of these products to them.
- Minors are able to obtain graffiti implements by acquiring them on-line through the internet.

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- Minors may acquire graffiti implements by having someone 18 years of age or older acquire the implements for them.
- The prohibition of the sale of graffiti implements to minors will not prevent someone 18 years or older from obtaining graffiti implements and using them to place graffiti.
- Most art supply stores already keep expensive spray paints and markers in locked cabinets to prevent theft, which is common with minors engaging in the placement of graffiti.
- Minors often make their own homemade graffiti implements due to the expense of these products. The homemade ingredients include ink from pens, brake fluid and rubbing alcohol, which are all readily accessible.

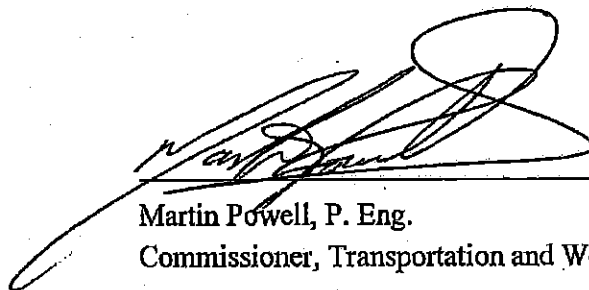
**FINANCIAL IMPACT:** As mentioned previously, any level of enforcement of the draft Graffiti Implement By-law will require, at a minimum, one additional regular full-time MLEO. The annual cost of an MLEO, including salary and benefits, is approximately \$88,000.

**CONCLUSION:** This report presents a draft Graffiti Implement By-law for Council's consideration; outlines comments from staff on the draft by-law; and, summarizes the results of research conducted with other municipalities related to by-laws prohibiting the sale of graffiti implements to minors.

Staff recommended that the draft Graffiti Implement By-law not be enacted by Council for the following reasons:

- The concerns raised in this report regarding the effectiveness of enforcing the draft Graffiti Implement By-law, particularly given the additional resources required (and related costs).
- The information provided by the City of London did not support that their by-law prohibiting the sale of graffiti implements to minors has had a measurable effect on the nature and incidences of graffiti in this municipality.

**ATTACHMENTS:**      Appendix 1: Draft Graffiti Implement By-law

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

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

*Prepared By: Mickey Frost, Director, Enforcement*

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APPENDIX 1

A by-law to prohibit the sale of  
graffiti implements to minors and to  
declare graffiti a matter of  
public nuisance

WHEREAS section 8 (1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (hereinafter the "*Municipal Act, 2001*") provides that the powers of a municipality under any act shall be interpreted broadly so as to confer broad authority on a municipality to enable it to govern its affairs as it considers appropriate;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 11(2) 5. of the *Municipal Act, 2001* provides that a local municipality may adopt by-laws for the economic, social and environmental well being of the municipality;

AND WHEREAS section 11(2) 8. of the *Municipal Act, 2001* provides that a local municipality may adopt by-laws for the protection of persons and property, including consumer protection;

AND WHEREAS section 11 (3) of the *Municipal Act, 2001* provides that a local municipality may pass by-laws in respect of certain matters including culture, parks, recreation and heritage and structures including fences and signs;

AND WHEREAS section 8 (3) of the *Municipal Act, 2001* provides that a by-law under section 11 respecting a matter may regulate or prohibit respecting the matter;

AND WHEREAS section 128 of the *Municipal Act, 2001* provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances;

AND WHEREAS section 128 of the *Municipal Act, 2001* provides that the opinion of Council made under that section of the Act is not subject to review by any court if it is arrived at in good faith;

AND WHEREAS the proliferation of graffiti on property within the City of Mississauga has a detrimental impact on property and property owners and neighbourhoods;

AND WHEREAS Council of the Corporation of the City of Mississauga ("Council") believes that graffiti is a matter which is or could become, or cause a public nuisance, and the sale of spray paint, broad tipped marker pens, paint pens, and glass cutting tools and glass etching tools or instruments ("Graffiti Implements") is a matter which in the opinion of Council could cause public nuisances;

AND WHEREAS Council, acting in good faith, has determined that the sale of Graffiti Implements should be prohibited and regulated in accordance with this by-law for the purpose of nuisance control;

NOW THEREFORE the Council of the Corporation of the City of Mississauga ENACTS as follows:

9K

## PART I - DEFINITIONS

1. For the purpose of this By-law:

"City" means The Corporation of the City of Mississauga or where the context requires the geographical jurisdiction of the City of Mississauga;

"Broad Tipped Marker Pen" means a felt-tip marker, or similar implement containing a fluid which is not water soluble with a tip that exceeds one-quarter (1/4) inch in width;

"Graffiti" means one or more letters, symbols or marks, howsoever made, that disfigure or deface a Property or object, but does not include a sign pursuant to the City's sign by-laws or a mural which has been authorized by the City;

"Graffiti Implement" means any can of Spray Paint, Broad Tipped Marker Pen, Paint Pen, glass cutting tool, or glass etching tool or instrument;

"Minor" means a person who has not attained the age of 18 years; and

"Paint Pen" means a tube, marker, or other pen-like instrument with a tip of one quarter (1/4) inch in diameter or less that contains paint or a similar fluid and an internal paint agitator;

"Property" means a building or structure or land or part of a building or structure or land, and includes all vehicles, mobile structures, outbuildings, fences, erections, sidewalks, pavements, and highways, thereon whether heretofore or hereafter erected; and any other things on the property;

"Spray Paint" means any aerosol container that is made or adapted for the purpose of applying paint or another similar substance;

## PART II - GENERAL PROHIBITIONS

2. No person may sell, exchange, give, loan, or in any other manner, furnish or cause to be sold, exchanged, given, loaned, or furnished any Graffiti Implement to a Minor, unless the Minor is accompanied by their parent or legal guardian. This section shall not apply to the parents or legal guardians, the employer, or the school teacher of the Minor.

## PART III - SIGNAGE

3. Every person who owns or operates a business selling Graffiti Implements shall place a sign in the direct view of persons responsible for accepting customer payment stating:  
SELLING SPRAY PAINT, BROAD TIPPED MARKER PENS, PAINT PENS, GLASS CUTTING TOOLS OR GLASS ETCHING TOOLS OR INSTRUMENTS TO PERSON UNDER 18 YEARS OF AGE WITHOUT PARENT/LEGAL GUARDIAN ACCOMPANIMENT IS AN OFFENCE. VIOLATORS MAY BE FINED UP TO \$5000.00.

## PART IV - PENALTY

4. Every Person who contravenes any provision of this By-law is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended and the *Municipal Act, 2001*, as each may be amended from time to time.

PART VI - VALIDITY AND INTERPRATATION

6. If a court of competent jurisdiction declares any provision or part of a provision of this By-law to be invalid or to be of no force and effect, it is the intention of Council in enacting this By-law that the remainder of this By-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.
7. All words importing the singular number shall include the plural, and words imparting the masculine gender shall include the feminine, and the converse of the foregoing also applies, unless the context of the By-law otherwise requires.

PART VII - SHORT TITLE

8. This By-law shall be known and may be cited as the "Graffiti Implement By-law".

ENACTED AND PASSED this                      day of                      , 2012.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

DRAFT

## Counter-Act Graffiti Committee

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**DATE:** April 23<sup>rd</sup>, 2012

**TO:** Mickey Frost, Director of Enforcement

**FROM:** Counter-Act Graffiti Committee

**SUBJECT:** Committee Position on 'Graffiti Implement By-Law'

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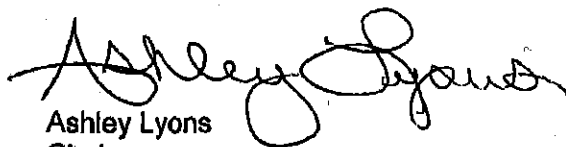
**BACKGROUND:**

A Corporate Report entitled 'Graffiti Implement By-Law' was prepared by Enforcement staff and submitted to General Committee at their March 21<sup>st</sup>, 2012 meeting. The members of the General Committee recommended that the Corporate Report be deferred and that Enforcement staff meet with our Committee (Counter-Act Graffiti Committee) to obtain our input and provide a position on the report. Following that they would then bring the report back to General Committee.

Mickey Frost, Director of Enforcement attended our Committee meeting on Tuesday April 17<sup>th</sup>, 2012 to discuss the aforementioned report to Committee Members as well as answer any questions pertaining to the Report.

**COMMITTEE POSITION:**

Following the discussion held and the full review of the Report, the Committee has concluded that its position is to support the Corporate Report's recommendation of not enacting a by-law prohibiting the sale of graffiti implements to minors. All concerns outlined in the Report, reflect the same concerns of the Committee, including the Financial Impact.



Ashley Lyons  
Chair  
Counter-Act Graffiti Committee



# Corporate Report

Clerk's Files

Originator's  
Files

MG.23.REP  
RT.10.Z-56

10.

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**DATE:** March 8, 2013

**TO:** Chair and Members of General Committee  
Meeting Date: April 3, 2013

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

**SUBJECT:** **Lower Driveway Boulevard Parking  
Edenwood Drive (Ward 9)**

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General Committee

**APR 03 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 east and west side of Edenwood Drive between Battleford Road and Tours Road.

**BACKGROUND:** The Transportation and Works Department received a completed petition from an area resident to implement lower driveway boulevard parking on Edenwood Drive between Battleford Road and Tours Road. A sidewalk is present on the east and west side of the road and lower driveway boulevard parking between the curb and sidewalk is currently prohibited. Three-hour parking is permitted on Edenwood Drive.

**COMMENTS:** An investigation by the Transportation and Works Department has concluded that the driveways will only support "Parallel Boulevard Parking" on Edenwood Drive. 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 Edenwood Drive between Battleford Road and Tours Road on February 6, 2013.

Seventy-six (76) questionnaires were delivered and 44 (58%) were returned; 33 (75%) supported the implementation of lower driveway boulevard parking and 11 (25%) were opposed.

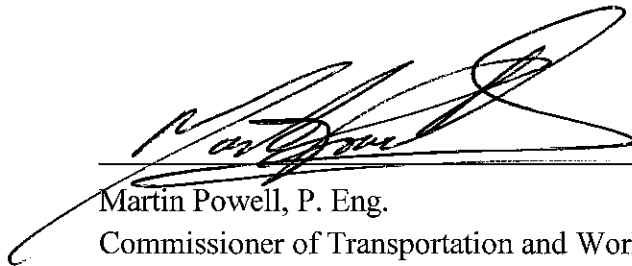
Since greater than 66% of the total respondents support lower driveway boulevard parking, the Transportation and Works Department recommends implementing lower driveway boulevard parking between the curb and sidewalk, at anytime, on the east and west side of Edenwood Drive between Battleford Road and Tours Road.

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 east and west side of Edenwood Drive between Battleford Road and Tours Road.

**ATTACHMENTS:** Appendix 1: Location Map: Lower Driveway Boulevard Parking Edenwood Drive (Ward 9)

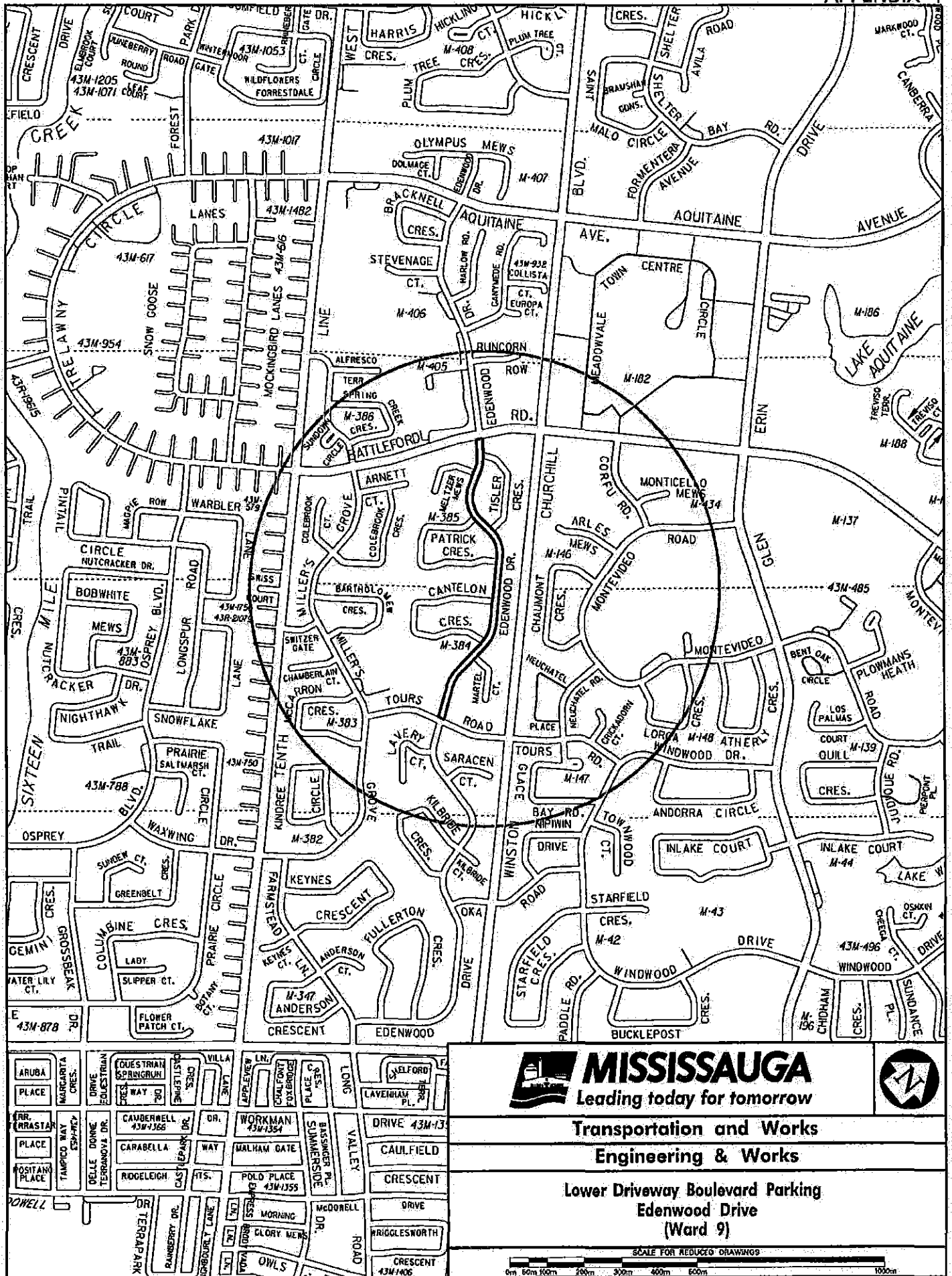


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Martin Powell, P. Eng.

Commissioner of Transportation and Works

*Prepared By: Alex Liya, Traffic Operations Technician*



**MISSISSAUGA**  
Leading today for tomorrow



**Transportation and Works  
Engineering & Works**

**Lower Driveway Boulevard Parking  
Edenwood Drive  
(Ward 9)**

SCALE FOR REDUCED DRAWING

0m 50m 100m 200m 300m 400m 500m 1000m



# Corporate Report

Clerk's Files

Originator's  
Files

MG.23.REP  
RT.10.Z-21

11.

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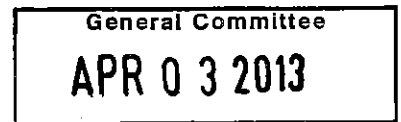
**DATE:** March 6, 2013

**TO:** Chair and Members of General Committee  
Meeting Date: April 3, 2013

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

**SUBJECT:** **Parking Prohibition**  
**Mikeboro Court (Ward 7)**

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**RECOMMENDATION:** That a by-law be enacted to amend By-law 555-2000, as amended, to implement a parking prohibition between 12:00 a.m. and 8:00 a.m., Monday to Friday, holidays excepted on Mikeboro Court.

**BACKGROUND:** Currently, parking is prohibited on Mikeboro Court from 7:00 p.m. to 7:00 a.m., Monday to Friday. This parking prohibition was approved by City Council and was implemented in 1986 (Recommendation OW-377-86).

**COMMENTS:** The Transportation and Works Department received a completed petition from an area resident to implement a parking prohibition on Mikeboro Court between 12:00 a.m. and 8:00 a.m., Monday to Friday, holidays excepted, in replacement of the existing parking prohibition. The results of the questionnaire indicated sufficient support for the requested regulation change.

Twenty-four (24) questionnaires were delivered and 10 (41%) were returned; 10 (100%) supported the implementation of a parking prohibition and 0 (0%) were opposed.

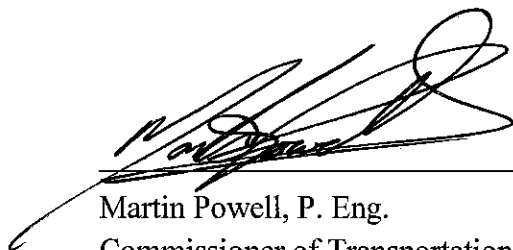
Since greater than 66% of the total respondents support the implementation of a parking prohibition, the Transportation and Works Department recommends implementing a parking prohibition between 12:00 a.m. and 8:00 a.m., Monday to Friday, holidays excepted on Mikeboro Court.

The Ward Councillor supports the parking change.

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

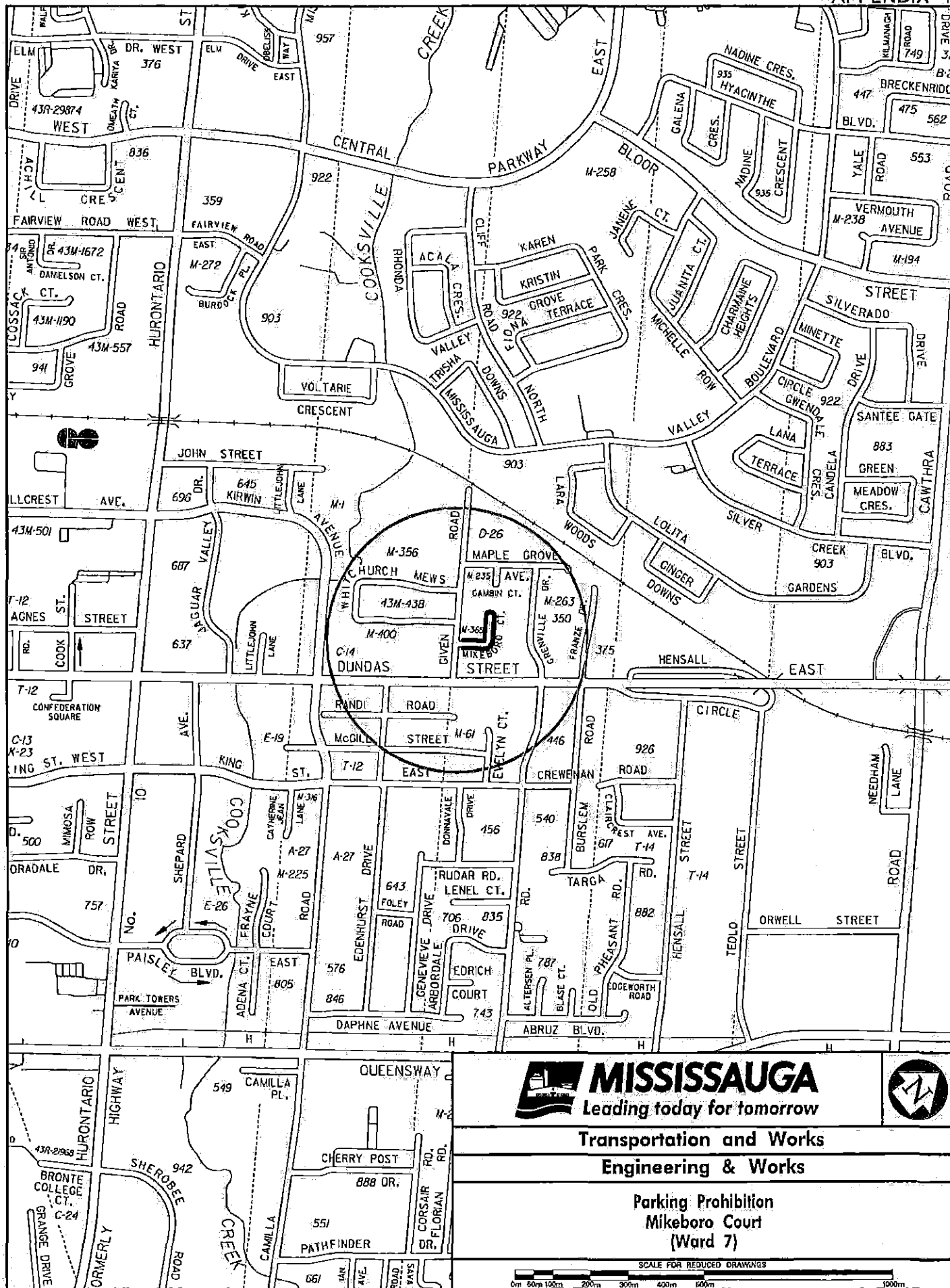
**CONCLUSION:** The Transportation and Works Department supports the implementation of a parking prohibition between 12:00 a.m. and 8:00 a.m., Monday to Friday, holidays excepted on Mikeboro Court.

**ATTACHMENTS:** Appendix 1: Location Map: Parking Prohibition  
Mikeboro Court (Ward 7)

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: Alex Liya, Traffic Operations Technician*





# Corporate Report

Clerk's Files

Originator's  
Files

12.

**DATE:** March 8, 2013

**TO:** Chair and Members of General Committee  
Meeting Date: April 3, 2013

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

General Committee

**APR 03 2013**

**SUBJECT:** **Corporate Policy – Procuring Performers for Mississauga Celebration Square**

- RECOMMENDATION:**
1. That the proposed Corporate Policy and Procedure - Procuring Performers for Mississauga Celebration Square, attached as Appendix 1 to the report dated March 8, 2013 from the Commissioner of Community Services, be approved.
  2. That a by-law be enacted to amend the Purchasing By-Law as outlined in the report dated March 8, 2013 from the Commissioner of Community Services entitled "Corporate Policy - Procuring Performers for Mississauga Celebration Square" be approved.
  3. That a by-law be enacted authorizing the Commissioner of Community Services, Director, Culture Division and Manager, Celebration Square to execute Performance Agreements on behalf of The Corporation of the City of Mississauga, in a form satisfactory to Legal Services between the City and each Performer it engages to perform on Mississauga Celebration Square during events produced by Mississauga Celebration Square Staff.

**BACKGROUND:** The procurement of performers is critical to the success of City produced events on Mississauga Celebration Square (MCS). The calibre of performers required to attract people to MCS is such that they are in demand and it is common that multiple venues are interested in hiring a performer for the same day. Furthermore, performers are selected based on qualities and attributes that are unique to the individual performer. This makes the procurement

process for these services unique from the standard practice utilized for most City services.

The industry practice for procuring performers is initiated by issuing an "Offer Sheet". If an "offer" is accepted, the "purchaser" then negotiates terms and conditions for the performance as part of a "Performer Agreement". Once terms and conditions are agreed upon, the Performer Agreement must be signed by a representative of the purchaser with the authority to "bind the Corporation". These steps are subject to short timelines that if not met can result in the performer accepting offers from other venues.

The current Purchasing By-law provides MCS staff with the authority to procure services within defined spending limits. However, it does not provide authority for staff to bind the Corporation when signing Performer Agreements.

**COMMENTS:**

A proposed new policy, Procuring Performers for Mississauga Celebration Square, attached as Appendix 1, outlines the processes to be followed by staff when procuring performers for events on the Square. The policy also outlines the signing authorities as to who can bind the Corporation to the terms of Performance Agreements.

Under the policy, Mississauga Celebration Square staff will be responsible for selecting, booking, management and payment of performers. Legal Services has developed a template for all performer agreements. When performers request significant changes to the agreement, MCS staff will consult with legal staff for assistance in negotiating these requests and revising the agreement as required.

The draft policy also provides signing authority limits for staff to bind the Corporation to all Performance Agreements as follows:

- Manager of Celebration Square signs contracts of less than \$10,000. The Manager cannot delegate his/her signing authority and in their absence, signing authority goes to the Director, Culture Division;
- Director, or his/her written designate, signs contracts of \$10,001 to \$50,000;
- Commissioner of Community Services, or his/her written designate, signs contracts of over \$50,000.

The draft policy was circulated to all directors and members of the Leadership Team and any feedback or concerns have been addressed.

Proposed Amendment to the Purchasing By-Law

The contracting of performers for Mississauga Celebration Square is not based on a competitive bid process. Performers are offered contracts based on their unique artistic and entertainment qualities. In addition popular artists are often sought by a number of venues for the same date and therefore the industry standard for negotiating contracts is very short.

In consultation with Materiel Management and Legal Services, staff recommends the procurement of performers for MCS be exempt from the Purchasing By-Law. The proposed policy will guide staff and ensure all aspects of the procurement process are managed appropriately and with assistance from staff in Legal Services when needed. An amendment to the Purchasing By-Law is required to reflect this change.

**FINANCIAL IMPACT:** There is no financial impact resulting from this policy

**CONCLUSION:** The new Procuring Performers for Mississauga Celebration Square policy outlines the process for procuring performers for City produced events on Mississauga Celebration Square and the signing authority for binding the Corporation to Performance Agreements. This policy provides a long-term solution to current gaps in performer agreement signing authorities and significantly improves the efficiency of the procurement process.

**ATTACHMENT:** Appendix 1: Proposed Draft Policy - Procuring Performers for Mississauga Celebration Square



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

*Prepared By: Susan Burt, Director, Culture Division*

# 12c Corporate Policy and Procedure



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Page 1 of 6  
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2013 02 14  
Supersedes

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TAB: PROPERTY AND FACILITIES

SECTION: CIVIC CENTRE

SUBJECT: PROCURING PERFORMERS FOR MISSISSAUGA  
CELEBRATION SQUARE

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**POLICY STATEMENT** The procurement of performers for City produced events on Mississauga Celebration Square is exempt from the City's Purchasing By-Law and must therefore be conducted in accordance with the processes outlined in this policy.

**PURPOSE** This policy outlines the processes to be followed by Mississauga Celebration Square staff when procuring performers for events on Mississauga Celebration Square and outlines the signing authority authorized to bind the Corporation to the terms of Performance Agreements.

**SCOPE** This policy applies only to those events produced by Mississauga Celebration Square staff.

**DEFINITIONS** For the purposes of this policy:  
"Corporation" means The Corporation of the City of Mississauga.

"Director" means the Director, Culture Division, Community Services Department or his or her designate, in writing.

"Manager" means the Manager, Celebration Square or his or her designate, in writing.

"MCS" means Mississauga Celebration Square.

"MCS Staff" means Mississauga Celebration Square staff assigned the task of selecting and booking Performers.

"Offer to Perform" or "Offer" means the invitation to the

# Corporate Policy and Procedure



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Effective Date Draft Only  
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Supersedes

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Performer setting out certain business terms related to the performance.

“Performer” means an entertainer (e.g. a professional singer, comedian, dancer etc.) or group thereof who performs for an audience. When referencing (i) the party with whom the City is entering into the Performance Agreement; and/or (ii) the party to whom payment is made/sent, “Performer” includes the Performer’s representative who has the authority to carry out the obligations contained in the Performance Agreement on behalf of itself and the Performer.

“Performance Agreement” means an agreement, approved as to form by Legal Services, which sets out all of the terms and conditions governing the City’s engagement of the Performer for one or more MCS events. The Offer forms part of the Performance Agreement.

## ACCOUNTABILITY

Commissioner of  
Community Services

The Commissioner of Community Services is responsible for signing Performance Agreements in accordance with the signing authority limits outlined in this policy.

Director

The Director is responsible for:

- ensuring all applicable City staff are aware of this policy and of any subsequent revisions;
- ensuring compliance with this policy; and
- signing Performance Agreements in accordance with the signing authority limits outlined in this policy.

Manager

The Manager is responsible for:

- ensuring applicable MCS Staff are trained on this policy and any related protocols, as well as any subsequent revisions, with respect to their specific job function;
- ensuring MCS Staff comply with this policy and follow any

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# Corporate Policy and Procedure



Policy No. Appendix 1  
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Supersedes

related protocols; and

- signing Performance Agreements in accordance with the signing authority limits outlined in this policy. (Note: the Manager cannot delegate his or her signing authority.)

Mississauga Celebration  
Square Staff

MCS Staff are responsible for:

- selecting and booking Performers;
- obtaining all relevant documents from Performers in accordance with the Performance Agreement, including insurance certificates;
- ensuring the accuracy of all Performance Agreements and any related documents, including the Offer;
- consulting with Legal Services for revisions to Offers and Performance Agreements, as required;
- processing payments for deposits/final payment to Performers in accordance with the Performance Agreement.

Legal Services

Legal Services is responsible for:

- reviewing and approving Offers and/or Performance Agreements as to form in circumstances where the Performer requests revisions to specific provisions predetermined by Legal Services; and
- revising standard Performance Agreement templates in consultation with the Manager, as required.

## SIGNING AUTHORITY

The following signing authority limits are required to bind the Corporation to all Performance Agreements:

- A. cost of \$10,000 or less – Manager. Manager cannot delegate his/her signing authority. In the absence of the Manager, signing authority would go to the Director
- B. cost of \$10,001 up to \$50,000 – Director or his/her written designate
- C. cost of \$50,001 and up – Commissioner of Community Services or his/her written designate.

# Corporate Policy and Procedure



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## PROCESS

The following process will apply once MCS Staff have selected a Performer.

### Performance Agreement Rejected

MCS Staff will send the Offer (e.g. emailed or faxed) to the Performer. The Offer includes certain business terms and attaches an unexecuted Performance Agreement. If the Performer rejects the Offer, MCS Staff may choose to renegotiate its terms and seek approval of a revised Offer, as outlined in the "Revisions to Offer or Performance Agreement Requested by Performer" section of this policy.

### Performance Agreement Accepted

If the Performer signs the Offer and Performance Agreement as is, the Performer must return both to the City by the date(s) specified. MCS Staff will arrange for the proper signatures to the Performance Agreement, in accordance with the signing authority limits outlined in this policy.

A final copy of the Performance Agreement with all signatures is sent to the Performer.

### Revisions to Offer or Performance Agreement Requested by Performer

If the Performer requests revisions to the Offer or the standard Performance Agreement, MCS Staff will review the request and may further revise it, except as set out below. The Performer will be informed if the City decides to end negotiations at this point.

In circumstances where the Performer requests revisions to specific provisions of the Offer and/or the Performance Agreement as identified by Legal Services, the Offer and/or Performance Agreement will be forwarded to Legal Services, who will assist in negotiating such requests. Legal Services will make the agreed upon revisions to the Offer and/or Performance Agreement and approve the revised document(s) as to form.

Revisions to provisions that do not require the involvement of Legal Services include:

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- a. Performer and type of performance (unless the performance involves the use of equipment other than standard musical instruments and video screens or involves acrobatics, for example: fireworks, fire, circus, and any other type of performance which may put the performer and/or audience at risk for personal injury and/or may increase the risk of property damage.
- b. Offer and Agreement effective dates and expiry dates
- c. Fees and Payment Terms
- d. performance date/duration
- e. Production Hospitality (except for the prohibition against alcohol on City property)
- f. equipment and crew (subject to a. above)
- g. form and content of marketing materials
- h. exclusivity of location of performance/radius clause

When revisions to the Performance Agreement, including the Offer, are complete, it is sent to the applicable signing authority and then to the Performer for their signatures. A final copy of the Performance Agreement with all signatures is sent to the Performer.

## PROOF OF INSURANCE

Final Payment will not be released without confirmation of insurance, as required by the Performance Agreement.

## PAYMENT

Following receipt of the fully signed Performance Agreement, MCS Staff will make payment arrangements in accordance with its terms. Final payment is made to the Performer on the day of the MCS event, following the performance.

## RECORDS

A copy of the final signed Performance Agreement and all supporting documentation are retained by MCS Staff. Final Performance Agreements are entered into all applicable electronic record management systems. Copies of the Performance Agreement are sent to the Performer and to Legal Services (in

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Appendix 1

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cases where Legal Services have made revisions). For additional information on retaining City records refer to Corporate Policy and Procedure – Corporate Records Management Program.

REFERENCE:

LAST REVIEW DATE:

CONTACT:

For more information on procuring Performers for MCS, contact the Manager, Celebration Square.

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# Corporate Report

Clerk's Files

Originator's  
Files

13.

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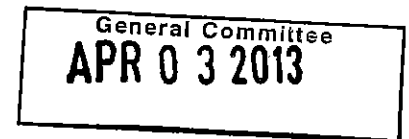
**DATE:** March 11, 2013

**TO:** Chair and Members of General Committee  
Meeting Date: April 3, 2013

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

**SUBJECT:** Corporate Policy – City Acquired Art

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- RECOMMENDATION:**
1. That the proposed Corporate Policy and Procedure – City Acquired Art, attached as Appendix 1 to the report dated March 11, 2013 from the Commissioner of Community Services, be approved and all necessary by-laws be enacted.
  2. That Corporate Policy and Procedure – Corporate Art, 05-02-05 be rescinded.
  3. That the revised Corporate Policy and Procedure - Donations of Assets to the City of Mississauga, 05-07-01, attached as Appendix 3 to the report dated March 11, 2013 from the Commissioner of Community Services, be approved and all necessary by-laws be enacted.
  4. That a by-law be enacted to amend the Purchasing By-Law as outlined in the report dated March 11, 2013 from the Commissioner of Community Services entitled “Corporate Policy – City Acquired Art”.

**BACKGROUND:** Corporate Policy and Procedure 05-02-05, Corporate Art, requires updating. The existing policy is managed by Facility and Property Management as it was established prior to the creation of the Culture Division. This policy does not address the acquisition of Art through commissioning or the location of public and memorial art. Culture

Division staff also recommend expanding the criteria and guidelines for acquiring Art to ensure adherence to established artistic standards.

Donations of Art are not included in the existing Corporate Art policy, but instead are addressed in the Corporate Policy and Procedure - Donations of Assets to the City of Mississauga, 05-07-01.

**COMMENTS:**

The proposed new policy unifies all aspects of the acquisition of Art into one clear document. The new policy proposes all acquisitions of Art be conducted in consultation with the Culture Division and requires the Director, Culture Division, to be responsible for managing the City's Art. The draft policy is attached as Appendix 1. The new policy was circulated to all directors and the Leadership Team for feedback and all comments were addressed.

As all relevant aspects of the existing 05-02-05 Corporate Art policy, attached as Appendix 2, are included in the new draft policy, staff recommend this policy be rescinded.

The guidelines for acquiring Art through donations is now included in the proposed new policy. Consequently, references to donations of Art in the existing policy 05-07-01, Donations of Art and Other Assets to the City of Mississauga, can be removed. The revised policy is attached as Appendix 3. The only other substantive change proposed to this policy is the addition of delegated authority for directors and commissioners to sign agreements to accept donations. These changes have been made in consultation with the Director, Facilities & Property Management and Legal Services. Legal Services will ensure creation of the applicable by-law.

Attached as Appendix 4 is a comparison chart showing the elements that were moved from the Donations of Art and Other Assets policy for inclusion in the new City Acquired Art policy. The chart also indicates the elements of the Corporate Art policy that are contained in the new draft policy.

Proposed Amendment to the Purchasing By-Law

The purchase of Art is not based on a competitive bid process, but rather through the selection process based on evaluation criteria, such as the artistic quality of the work, stature of the artist, relevance of the Art to the City and its residents, its intended location, etc. Art valued over \$10,000 is accessed against the criteria by a selection committee established in accordance with the City Acquired Art policy.

In consultation with Materiel Management and Legal Services, staff recommend the acquisition of Art be exempt from the Purchasing By-Law. The proposed policy City Acquired Art will guide staff and ensure all aspects of City Art are managed in a consistent manner. This requires the Purchasing By-Law be amended to reflect this change.

**FINANCIAL IMPACT:** Not applicable.

**CONCLUSION:** In order to consolidate the two existing policies that address the acquisition of Art, expand on the process for acquiring Art and transfer responsibility for this program from Facilities and Property Management to the Culture Division, a new policy, City Acquired Art, is proposed.

As a result it is recommended the existing policy 05-02-05 Corporate Art be rescinded and 05-07-01, Donations of Art and Other Assets to the City of Mississauga, be revised to remove references to donations of Art and delegate authority to accept donations other than art.

The purchase of Art is not based on the competitive bid process but on a selection process based on criteria that reflect the artistic merit of the work. Staff recommend the Purchasing By-Law be amended to exclude the purchasing of Art. In its place the City Acquired Art policy will direct staff in regards to these purchases.

**ATTACHMENTS:**

- Appendix 1: Proposed Corporate Policy – City Acquired Art
- Appendix 2: Corporate Art Policy – 05-02-05
- Appendix 3: Proposed Revised Policy 05-07-01, Donations of Art and Other Assets to the City of Mississauga
- Appendix 4: Comparison of Corporate Art and Donations of Art and Other Assets to the City of Mississauga to the Draft City Acquired Art Policy



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

*Prepared By: Susan Burt, Director, Culture Division*

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# Corporate Policy and Procedure



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Supersedes

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TAB: PROPERTY AND FACILITIES  
SECTION: FACILITY PLANNING  
SUBJECT: CITY ACQUIRED ART

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## POLICY STATEMENT

Art is acquired by the City in several ways and installed throughout City facilities to enhance public spaces and office areas. The acquisition of Art is exempt from the City's Purchasing By-Law and must therefore be conducted in accordance with the processes outlined in this policy.

## PURPOSE

The Corporation must ensure that Art, whether corporately-owned through acquisition or donation, or on temporary loan, is managed appropriately. This Corporate Policy and Procedure establishes suitable locations for various types of Art and identifies responsibilities for managing the Corporation's Art, including:

- acquisition;
- installation;
- inventory;
- maintenance; and
- de-accessioning and disposal.

## SCOPE

This policy applies to all City facilities, excluding facilities which are leased or licenced to another party. Art that is located in facilities that are excluded from this policy, such as the Art Gallery of Mississauga, is the responsibility of the organization leasing/licensing the facility.

This policy does not apply to:

- monetary donations or archaeological materials. For information on monetary donations refer to Corporate Policy and Procedure – Fund-Raising Campaigns and Monetary Donations to the City of Mississauga. Donations of archaeological or historical materials should be referred to

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Museums of Mississauga;

- art that is part of a beautification or community art project;
- art that is associated with or derived from school programs or art programs that are offered at City facilities;
- personal works of art, prints or certificates installed by City staff in their office areas; and
- donations of a tree or bench to a City park as a tribute to an individual or organization. Refer to Corporate Policy and Procedure – Tree and Bench Donation Program.

## DEFINITIONS

For the purposes of this policy:

“Art” means cultural objects and artistic items such as, but not limited to, prints, fine art posters, sculpture, fine art photography or paintings acquired by the Corporation through commission, purchase, donation, loan or lease.

“Corporation” means The Corporation of the City of Mississauga.

“Corporate Art” means Art that can be utilized or displayed in more than one area. Corporate Art includes Art that may be intended for use by a particular division.

“Director” means the Director, Culture Division, Community Services Department.

“Donation” means a gift of Art which has been given voluntarily and without compensation or non-monetary consideration (e.g. advertising, promotion, services, etc.) Donations may be classified as Corporate Art, Memorial Art or Public Art.

“Memorial Art” means Art that is designed to honour a particular individual or to commemorate a particular event and is created by a professional artist and acquired by a process administered by the City.

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“Public Art” means site-specific Art created by a professional artist for a specific public space and acquired through a process administered by the City.

## ADMINISTRATION

The Director is responsible for managing the City’s Art in accordance with this policy. Culture staff may seek the advice of the Art Gallery of Mississauga (AGM) staff; City staff and/or outside experts having expertise in a particular area (e.g. artistic merit, design, acquisition, maintenance, conservation, restoration, installation, etc.).

## ACQUISITION OF ART

Art may be acquired through any of five methods: commission; purchase; donation; loan; and lease. All agreements and/or releases for the acquisition of Art must be in a form approved by Legal Services. The same principles noted below will apply to each of the five acquisition methods.

Divisions or elected officials wishing to acquire a piece of Corporate Art must forward a written request to the Director for consideration.

All acquisitions are conducted in consultation with the Culture Division and the requisitioner and will be evaluated on the following criteria:

- artistic quality of the work(s);
- stature of the artist and/or artistic merit;
- relevance to the City and its residents and its intended location;
- relationship of the artist with the City;
- the artwork does not minimize and/or detract from the image of the City;
- in light of generally prevailing community standards, the artwork is not likely to cause deep or widespread offence;
- artwork must not pose any safety hazard to the public;
- authenticity and provenance, (i.e. documentary evidence that

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the Art is authentic and that the Corporation may acquire clear title to the work);

- physical condition of the work and its long-term maintenance or conservation requirements;
- the City's ability to display or store the work appropriately; and
- cost and value to the City.

The Culture Division is responsible for ensuring that the logistical aspects of each acquisition are handled appropriately (e.g. shipping and handling, import charges, contractual agreements, etc.). Access for research, reproduction, and/or loan must be co-ordinated through the Culture Division.

All acquisitions are reported to the Manager, Risk Management, who is responsible for determining appropriate insurance requirements, where applicable.

All documentation related to acquisitions of all types (ownership records, certificates of authenticity, appraisals, etc.) is filed in the Corporate Records vault. It is the responsibility of Culture staff to ensure that all files are complete and are transferred to the vault.

## COMMISSIONING ART

The budget for Art commissioned by the City is approved through Council as appropriate for the value of the commission and the nature of the project, and in consultation with relevant departments and other stakeholders. The selection process, evaluation criteria, schedule, budget, technical requirements, the art objectives unique to the circumstances, site characteristics and context are outlined in the request.

An Art selection committee is established by the Director for each Art project over \$10,000 in value. The Art selection committee is responsible for selecting the final artist. The selection committee

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will include one or more representatives from the Culture Division and may include representatives from the following, as applicable:

- one or more representatives from the project team (internal staff and/or design consultants);
- one or more art and design professional(s) and/or community member(s) with relevant expertise and interest; and
- City staff or external advisors selected for specific technical or cultural expertise.

Culture staff will manage the artist contract from concept to completion, including the approvals process, for Corporate Art and Public Art. Some or all of the Art selection committee members may also be involved in reviewing the development of the artwork at key stages.

## PURCHASE OF ART

### Purchase of Corporate Art

Each work of Corporate Art considered for purchase will be evaluated by the Director and the appropriate Culture Division staff, based on available budget. The City will purchase Art in accordance with the Acquisition of Art section of this policy. All visual arts mediums will be considered. Purchased Art, as part of the City's Corporate Art collection, may be installed in City offices and other public spaces and/or exhibited digitally on-line.

### Purchase of Memorial Art

A person or event will not be memorialized without Council's pre-approval. Recognition through Memorial Art for individuals should be made posthumously only, although proposals to honour living individuals will be considered. Prior to seeking Council approval, Culture staff will work with relevant City staff to review all proposals for Memorial Art.

The Director will ensure that a report from applicable City staff is presented to Council with a recommendation regarding approval of the person or event prior to the acquisition. Any proposals for

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Memorial Art must include:

- background and historical/cultural significance of the individual/event to be honoured;
- rationale for honouring the individual/event;
- evidence that the proposal meets the criteria outlined in this policy;
- commitment of funds; and
- maintenance plan.

In addition to the criteria listed in the "Acquisition of Art" section of this policy, Memorial Art will be reviewed in consideration of the following:

- the values of the community should be represented; each memorial must be compatible with the diverse spectrum of perspectives, cultural heritage, traditions, and moral values of the City's residents;
- timeless aspect of the memorial, recognizing future generations;
- the designer must be a qualified professional in the field; and
- if the memorial is honouring an individual, consideration is given to:
  - the individual's contribution to the City of Mississauga, which should be extraordinary and merit the honour of a public memorial. (Where the individual's contribution does not merit a public memorial, consideration may be given to another form of recognition. Refer to Corporate Policy and Procedure – Civic Recognition Program for more information.)
  - the nature and record of the individual's public service and/or philanthropic acts (e.g. donations or volunteer service to the community);
  - the inspirational qualities characterized by the individual or the legacy which has or will be left to future generations; and

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- any achievements that have brought a national or international focus to the City of Mississauga.

## DONATIONS

The Corporation recognizes that individuals or organizations may wish to make Donations to the Corporation and that those Donations should be acknowledged appropriately.

Note: Sponsorship does not qualify as a Donation.

### Receiving Donations

All Donations are to be referred to the Director for evaluation. Donations having a value of \$2,000 or more must be reviewed by the Commissioner, Community Services.

Proposals for Donations of future art work (i.e. works in progress) may be given conditional approval by the Director, in consultation with the appropriate divisional director(s), where applicable, for a period of no longer than two years, after which the proposed Donation will be re-evaluated.

The Mayor and Members of Council will be advised of all decisions to accept or decline Donations having a value of \$2,000 or more in a memo to Council. The Director is responsible for notifying the individual or organization proposing the Donation of the Corporation's decision to accept or decline the Donation.

The Director is responsible for advising the Manager, Risk Management of accepted Donations in order to make arrangements for insurance, where appropriate.

### Donation Receipts for Income Tax Purposes

Where requested by the donor, the Director is responsible for obtaining an official receipt for income tax purposes from the Manager, Corporate Financial Services, and must provide all relevant documentation. Official receipts for accepted Donations having a fair market value of \$20 or more can be issued only when the Manager, Corporate Financial Services, determines that the Donation qualifies under Canada Revenue Agency (CRA)

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guidelines. If the Donation qualifies, the receipt will be provided to the Director for forwarding to the donor.

If an official receipt for income tax purposes is being issued, the Donation receipt must include the following information in accordance with CRA guidelines:

- the day on which the Donation was received;
- a brief description of the property transferred to the qualified donor;
- the name and address of the appraiser, if applicable; and
- the fair market value of the property at the time the Donation was made.

## Appraisals of Donated Art

If a tax receipt is required, the Donation must be appraised at the time of donation to establish the fair market value to be shown on the official tax receipt. If the Donation is valued at \$1,000 or less, the item may be appraised by a City staff person qualified to make the appraisal. If the Donation is valued at more than \$1,000 an outside professional appraisal is required, unless there is a ready market for the Donation from which the fair market value can be readily ascertained. It is the donor's responsibility to have the item appraised.

## Release of Donated Art

When Art is donated, the donor will be asked to sign a release, in a form approved by Legal Services.

Any documents pertaining to the ownership of the Donation must be transferred to the Corporation. The Director is responsible for ensuring that all documentation is filed appropriately.

As property of the Corporation, the Donation will be used at the discretion of the City. The Donation may be stored, exhibited, loaned to galleries or de-accessioned and disposed of at the discretion of the Corporation.

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## Associated Donation Costs

While not an exhaustive list, the donor may be responsible for any of the following costs, at the discretion of the Director. The Director will make this determination based on such factors as the value of the Art and the complexity of the installation.

- transporting the item;
- appraisal or evaluation by a certified specialist;
- photographs for inventory and insurance purposes;
- for permanent Public Art, 10% of the value of the Art for future maintenance and conservation, in the form of a certified cheque; and
- for Public Art, the costs associated with the engineering, site planning and preparation and installation of the artwork.

## ART ON LOAN/LEASED ART

Requests for Art on loan or lease must be forwarded in writing to the Director for consideration. The condition of Art on loan or lease will be assessed and any damage recorded and acknowledged by the owner or lessor. A current appraisal, if deemed necessary by the Culture Division, must accompany the work.

At the discretion of the Director, the owner of Art on loan may be responsible for costs associated with the loan, such as transportation and conservation treatment, if required.

## LOCATIONS FOR ART

To maximize the potential for members of the public to enjoy Art, accessible exterior and interior public areas are given priority when selecting appropriate locations. Art may be re-located at the sole discretion of the Culture Division, in accordance with this policy.

Art may be installed in the following areas, as required, and as pieces become available:

- public areas in City office buildings, community centres, and libraries;

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- parks and public spaces; and
- office areas of elected officials and senior staff (i.e. City Manager, commissioners, directors).

In selecting locations for the placement of Art, Culture staff with appropriate skills will consider the basic conservation elements of the effects of light, air quality, temperature and accessibility on the subject Art piece.

Locations for Public Art and Memorial Art will be selected in consideration of the following additional requirements:

- there is geographic justification for the location choice (i.e. the artwork has a connection to the history or current use of the site and/or the site is identified as a potential site for Public Art in City of Mississauga planning documents such as the Framework for a Public Art Program and the Culture Master Plan);
- the quality, scale and character of the Public Art and Memorial Art must be suitable for the location and the expected audience;
- the Public Art and Memorial Art must not interfere with existing and proposed artwork, buildings or structures in the vicinity;
- the location must be physically and/or visually accessible to the public;
- the location should be in an area that has, or is proposed to generate, a high degree of public use or activity; and
- factors such as environmental conditions, safety, site servicing, and whether the site may have reached a saturation point, making it necessary to close off future installations in that location

## Installation and Removal

Culture staff are responsible for ensuring that the installation or removal of Art is conducted in an appropriate manner. No Art may be removed from an exhibit space by any person unless

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approved by the Director, who may consult with applicable divisional directors.

## INVENTORY

The Culture Division maintains full inventories of all Art, including Art on loan or lease. The inventory includes information such as:

- method and cost of acquisition
- the name of the artist and the title of the piece;
- art medium (e.g. painting, sculpture) and description of the piece, including size;
- provenance (ownership history);
- appraised value of the Art, if applicable;
- photo of the piece;
- condition status, including maintenance plan.

## MAINTENANCE

Periodically, Art owned by the City of Mississauga must be repaired, cleaned and conserved. Monitoring the condition of Art, and the continued maintenance of the artwork, is the responsibility of the Culture Division. Staff who notice that repairs are necessary should contact the Culture Division immediately.

If there is no immediate, appropriate location for the Art, it is stored with regard to curatorial standards and conservation practices.

## DE-ACCESSIONING AND DISPOSAL

The de-accessioning and disposal of a work of Art is the two-step process of first discharging the work from the City's inventory, including the transfer of all electronic and hard copy records into a de-accession file, and then determining the appropriate means of disposal.

Works of Art may be de-accessioned for any of the following reasons:

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- lack of aesthetic or artistic quality of the work, as determined by an applicable Art expert;
- works that endanger public safety;
- beyond restoration;
- copies, forgeries etc. or reproductions lacking authenticity/archival value (intentional discard);
- accidental loss (theft, fire);
- possibility of up-grading through exchange;
- artwork integrated into City property which is subject to redevelopment by the City where the Art is not salvageable; or
- no appropriate location for exhibition of the work.

Disposal may be by donation, sale or transfer of Art to a third party, with consideration given to what is in the best interest of the City of Mississauga. The Director will bring a report to Council for approval prior to authorizing disposal of the Art. When it is determined that Art is of little or no value, or Council has given direction with respect to the disposal of valuable Art, the actual disposal method will be determined by the Director.

All proceeds from the sale or auction of Art will be allocated to the Arts Reserve, with the exception of Art that was purchased by a specific division. Proceeds from division specific Art will be returned to that division.

REFERENCE:  
LAST REVIEW DATE:  
CONTACT:

For more information on Art, contact the Culture Division, Community Services Department.

For more information on receipts for income tax purposes, contact Financial Services, Finance Division, Corporate Services Department.

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TAB: PROPERTY AND FACILITIES  
 SECTION: FACILITY PLANNING  
 SUBJECT: CORPORATE ART

## POLICY STATEMENT

Art is installed to enhance public and office spaces in Corporate facilities. In addition, Corporate facilities can provide a suitable venue for the display of works on loan, on a temporary basis.

## PURPOSE

The Corporation must ensure that art, whether corporately-owned or on loan, is managed appropriately. This procedure establishes appropriate locations for various types of art; and identifies responsibilities for managing the Corporation's art, including:

- acquisition;
- installation;
- inventory;
- maintenance; and
- de-accessioning and disposal.

## SCOPE

This procedure applies to all City facilities, excluding museums, art galleries, theatres, and facilities which are leased to another party. Art in facilities which are excluded from this procedure is the responsibility of the department responsible for the operation of the facility, or the organization occupying the facility.

"Art" includes but is not limited to prints, posters, sculpture, photography or paintings acquired by the Corporation through purchase, donation, loan or lease.

"Memorial art" is art that is designed to honour a particular individual or to commemorate a particular event.

"Director" means the Director of Facilities and Property Management.

Art which is associated with or derived from art programs offered at City facilities is not subject to this procedure. Any such art is the responsibility of the person administering the program.

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Archaeological materials are not subject to this procedure.  
Donations of such materials will be referred to museum staff.

Personal works of art, prints or certificates installed by City staff in their office areas are not covered by this procedure, and are the responsibility of the individual employee.

All acquisitions and disposals are carried out in accordance with the City's by-law, policies and procedures governing the acquisition and disposal of goods and services.

## ADMINISTRATION

A team of City staff, including Facilities and Property Management staff and the Manager of the Arts Unit, and with the Director as chair, is responsible for managing the Corporation's art. The team seeks the advice of Mississauga Art Gallery staff, and other City staff and outside sources having expertise in any particular area (i.e. artistic merit, design, acquisitions, maintenance, installation, etc.)

## LOCATIONS FOR ART

Original art may be installed in the following areas, as required and as pieces become available:

- office areas of elected officials and senior staff (i.e. City Manager, commissioners, directors);
- public areas in City office buildings, community centres, and libraries;
- parks.

To maximize the potential for members of the public to enjoy original works of art, public areas are given priority when selecting appropriate locations.

Original pieces of art may be re-located at the sole discretion of the team.

In selecting locations for the placement of art, the team will consider the basic conservation elements of the effects of light, air quality, temperature, and accessibility on the subject art piece. Locations for memorial art will be selected in consideration of the following additional requirements:

- the location must be appropriate for the memorial – there should be some geographic justification for the location;

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- the quality, scale and character of the memorial must be at a level consistent with the location;
- the memorial must not interfere with existing and future circulation and use patterns;
- location must be accessible;
- any particular location may reach a saturation point, making it necessary to close off installations in that location

Offices which are not eligible for original pieces of art will be supplied with a selection of prints. Prints are for the enjoyment of all employees, and are not the property of any individual employee. Facilities and Property Management will periodically update art selections for office areas.

## ACQUISITION OF ART

Art may be acquired through any of four methods: purchase; donation; loan; and lease.

Departments or elected officials wishing to acquire a piece of art must forward a written request to the Director for consideration by the team.

All acquisitions are conducted in consultation with the requisitioner and Materiel Management, and in compliance with the City's purchasing by-law. Materiel Management is responsible for ensuring that the logistical aspects of each acquisition are handled appropriately (i.e. shipping and handling, import charges, insurance requirements, contractual agreements, etc.).

All acquisitions are reported to the Risk and Insurance Manager, who is responsible for all insurance requirements.

All documentation related to acquisitions of all types (ownership records, certificates of authenticity, appraisals, etc.) is filed in the Corporate Records vault. It is the responsibility of Facilities and Property Management staff to ensure that all files are complete, and transferred to the vault.

### Purchase

Each work of art considered for purchase will be evaluated by the team, the requisitioner, and Materiel Management on the following criteria:

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- potential to increase in value;
- quality of the work(s);
- relevance to the City or the corporate image;
- authenticity and provenance;
- physical condition of the work;
- cost;
- ethical and legal suitability for acquisition (evidence that the Corporation may acquire clear title to the work must be available);
- compatibility with the City's ability to provide proper care and conservation.

## Purchase of Memorial Art

Memorial art will be reviewed in consideration of the following, in addition to the criteria listed above:

- Memorials should represent the values of the community – each memorial must be compatible with the diverse spectrum of perspectives, cultural heritage, traditions, and moral values of the City's residents.
- Memorials should be timeless – recognizing future generations.
- The memorial should be designed by a qualified professional in the field.
- Where the memorial is honouring an individual, the person honoured must be deemed to have made a contribution to the City of Mississauga which is extraordinary and which merits the honour of a permanent, public, visible memorial. Where the individual's contribution does not merit a public memorial, consideration may be given to another form of recognition (see Corporate Policy and Procedure – Civic Recognition Program).

Staff will review all proposals for memorial art honouring an individual on a case-by-case basis to evaluate the nature of the individual's contribution to the City of Mississauga. Recognition through memorial art should be made posthumously only. However, staff will consider proposals to honour living individuals. Factors which will be considered

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include, but are not limited to:

- the individual's overall stature in the community;
- the nature and record of the individual's public service;
- philanthropic acts (donations or volunteer service to the community) on the part of the individual;
- the inspirational qualities characterized by the individual, which will live on through the memorial;
- the legacy which has or will be left by the individual to future generations;
- any achievements that have brought a national or international focus to the City of Mississauga;
- the historical significance of the individual to the City of Mississauga.

Memorial art will not be acquired without the pre-approval of Council. Any proposals for memorial art must include:

- background on the individual/event to be honoured;
- importance of singling out the individual/event to be honoured;
- historical and cultural significance of the individual/event;
- commitment of funds.

With respect to memorial art, the Director will ensure that a report is made to Council with a recommendation regarding approval, prior to the acquisition.

## Donation

The process for accepting donations of art is outlined in Corporate Policy and Procedure – Donations of Art and Other Assets to the City of Mississauga. The criteria for accepting the donation is the same as that for a purchase of art, as outlined above.

## Works on Loan

Works on loan will be assessed as to their condition and inventoried when they come into the City's possession. A current appraisal must accompany the work. Any damage will be recorded and acknowledged by the owner. A list of the pieces will be sent to Communications for information.

At the discretion of the Director, the owner may be responsible for costs associated with the loan, such as transportation, photographs for insurance purposes, and conservation treatment if required.

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From time to time, Facilities and Property Management may lease art. Selection criteria is the same as that for purchases. All pieces will be inspected when they come into the City's possession. Any damage will be recorded and acknowledged by the lessor.

## INSTALLATION

Facilities and Property Management staff are responsible for ensuring that the installation or removal of art is conducted in an appropriate manner. The installation of all art pieces will have regard for the location of the art piece in relationship to the effects of light, air quality, temperature and accessibility.

All proposed locations must be reviewed prior to the installation of an exhibit, to ensure that the locations meet public safety and building infrastructure requirements. All original works of art in public areas must be security mounted to prevent theft.

No works may be removed from their exhibit space, by any person, unless approved by Facilities and Property Management. Facilities and Property Management is responsible for advising Security of pieces which are to be removed.

## INVENTORY

Full computerized inventories utilizing bar-code technology are maintained of all leased pieces, works on loan, and corporately-owned pieces (posters and originals). All original pieces owned by the City will be appraised and insured at their current market value. Re-appraisal will occur periodically, or as necessary. Facilities and Property Management is responsible for providing an updated inventory to Finance, Security and Communications whenever the inventory changes.

The inventory includes information such as:

- the name of the artist and the name of the piece;
- medium and description of the piece, including size;
- history;
- photo of the piece;
- conservation reports.

In addition to the inventory, Facilities and Property Management retains details on many artists' backgrounds, should information be required for future exhibits or purchase of art for a civic building.

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## MAINTENANCE

Periodically, the original pieces of art owned by the City of Mississauga must be repaired, cleaned and conserved. Monitoring the condition of art, and the continued maintenance of the artwork, is the responsibility of Facilities and Property Management. Staff who notice that repairs are necessary should contact the Director of Facilities and Property Management, immediately.

If there is no immediate, appropriate location for the art, it is stored with regard to curatorial standards and conservation practices.

## DE-ACCESSIONING / DISPOSAL

The de-accessioning of a work of art is the process of discharging the work from the inventory. Any particular work of art may be de-accessioned for any of the following reasons:

- poor quality;
- beyond restoration;
- copies, forgeries etc. or reproductions of no documentary/archival value (intentional discard);
- accidental loss (disappearance, theft, fire); or
- possibility of up-grading through exchange.

Disposal is the method by which the Corporation donates or sells the piece. Art will be disposed of in a manner which is in the best interest of the City of Mississauga. All proceeds from the sale or auction of works will be allocated to the general revenue account.

## REFERENCE:

GC-0014-2006 – 2006 01 18

## CONTACT:

For more information, contact Facilities and Property Management, Corporate Services Department.

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TAB: PROPERTY AND FACILITIES  
SECTION: DONATIONS  
SUBJECT: DONATIONS OF ~~ART AND OTHER~~ ASSETS TO THE CITY OF MISSISSAUGA

POLICY STATEMENT The City of Mississauga accepts and acknowledges Donations of ~~art and other~~ assets from members of the public, on behalf of the citizens of Mississauga.

PURPOSE The Corporation recognizes that individuals or organizations may wish to make Donations to the community, and that those Donations should be acknowledged appropriately. This policy establishes a method for accepting and acknowledging Donations of ~~art and other assets to the City~~.

SCOPE This policy applies to Donations of assets such as ~~art~~, books, furniture, equipment, materials of historical interest, ~~shrubs/trees~~, etc. and does not apply to monetary donations ~~or donations of art~~. For information on monetary donations refer to Corporate Policy and Procedure - Fund-Raising Campaigns and Monetary Donations to the City of Mississauga. ~~For information on donations of art refer to Corporate Policy and Procedure - City Acquired Art~~

For information on making a contribution ~~of a single tree~~ to a City park as a tribute to an individual or organization, refer to Corporate Policy and Procedure - Tree and Bench Donation Program.

Sponsorship does not qualify as a Donation. This policy does not apply to sponsorships.

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Contributions of skills or time through volunteer service may be accepted as a donation, but do not qualify as donations for the purpose of income tax receipts.

## DEFINITIONS

For the purposes of this policy:

“Corporate Donation” means a Donation of items that are not ~~Program Division~~-Specific, but can be utilized or displayed in more than one area (such as ~~art, furniture and furnishings, equipment~~ etc.).

“Director” means the head of any division receiving Donations, or his or her designate. When referring to Donations that are not ~~Program Division~~-Specific, “Director” means the Director of Facilities and Property Management, ~~or his or her designate.~~

“~~Program Division~~-Specific Donation” means a Donation of equipment or materials that are intended for use in a particular program or to assist in delivering a particular service (such as books for the Library, supplies for a recreation program, etc.)

“Donation” means a gift which has been given voluntarily and without compensation or non-monetary consideration (e.g. advertising, promotion, services, etc.)

~~“Manager, Financial Services” means the Manager of Financial Services, Finance Division, Corporate Services Department.~~

## RECEIVING DONATIONS

~~Program Division~~-Specific Donations are to be referred to the Director of the operating area responsible for the program or service. ~~Program Division~~-Specific Donations having a value in excess of \$1,000 ~~\$2,000~~ must be reviewed by the Commissioner responsible for the department to which the Donation is offered.

Corporate Donations are to be referred to the Director of Facilities

**Comment [CoM1]:** The amount of \$2,000 aligns with the recently revised Fundraising Campaigns and Monetary Donations to the City policy 04-01-06.

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and Property Management. Corporate Donations having a value in excess of \$1,000 ~~\$2,000~~ must be reviewed by the Commissioner of Corporate Services.

The Director will ensure that the proposed Donation is considered by the appropriate staff. The City reserves the right to decline any Donation. ~~Once accepted~~ As City property, the item will be used at the discretion of the City.

The Mayor and Members of Council ~~are copied on all correspondence~~ will be advised of all decisions to accept or decline accepting or declining Donations having a value of \$1,000 ~~\$2,000~~ or more ~~in a memo to Council~~.

The Director is responsible for notifying the individual or organization proposing the Donation of the Corporation's decision to accept or decline a Donation, and may invite the donor to present the Donation at a meeting of Council. The attendance of a City of Mississauga official at a function to present the Donation may be requested through the Director.

The Director is responsible for ensuring that the Manager, ~~Financial Services~~, is advised of all accepted Donations having a value of \$20 or more ~~to issue receipts for income tax purposes~~; and that the Manager, Risk Management is advised, where appropriate, to make arrangements for insurance.

## APPRAISALS

All donated items will be appraised at the time of donation and, if necessary or appropriate, re-appraised periodically.

### ~~Items other than Art~~

All donated items, ~~other than art~~, must be appraised to establish the fair market value to be shown on the official ~~tax~~ receipt. If the item is valued at \$1,000 or less, the item may be appraised by a staff person qualified to make the appraisal. If the item is

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valued at more than \$1,000 an outside professional appraisal is required, unless there is a ready market for the item from which the fair market value can be readily ascertained.

## Art

~~All Donations of art should come with a certificate of authenticity, an appraised value at the time of donation, and evidence that the owner has legal title to the work. Facilities and Property Management staff will confirm the value of the item either directly or through a qualified appraiser.~~

## RELEASE AGREEMENT

~~When an item is donated an agreement between the City and the donor will be asked to sign a release may be appropriate to effect transfer in a form approved by the Office of the City Solicitor, indicating exchange of ownership and copyright. (If the copyright is held by another person, the laws of copyright will apply.) The applicable Director should consult with Legal Services to determine the appropriate form of agreement to be used. As City property, the item will be used at the discretion of the City. Further, with respect to art, the item will be stored, exhibited, loaned to galleries, disposed of or deaccessioned at the discretion of the Corporation.~~

## Signing Authority

~~The following staff are authorized to accept donations and to sign appropriate agreements and/or other relevant documents, in a form acceptable to Legal Services. For Donations with a:  
A. value of \$2,000 or less - Director of the applicable division;  
B. value of \$2,001 to \$10,000 - the applicable commissioner~~

~~For Donations with a value over \$10,000, Council authority is required.~~

Any documents pertaining to the ownership of the item must be transferred to the City. Where the City maintains an inventory of the same or similar items, the Director is responsible for ensuring

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that the inventory is updated, and that all documentation is filed appropriately.

## Associated Costs

At the discretion of the Director, the donor may be responsible for any of the following costs (where applicable):

- transporting the item;
- appraisal or evaluation by a certified agency;
- photographs for inventory and insurance purposes;
- conservation treatment, if required; and
- annual maintenance costs.

## ACKNOWLEDGEMENT

Once the donor has signed the ~~release form~~ appropriate agreement and all applicable certificates have been received by the Corporation, the donor will receive written acceptance of the item from the Director.

~~The donor of art on display in City facilities will be identified on a plaque placed on or near the item. The placement and size of the plaque is determined by the Director of Facilities and Property Management.~~

## RECEIPTS FOR INCOME TAX PURPOSES

Official receipts for income tax purposes, ~~can be issued by the Manager, Financial Services, can only be issued~~ when the Donation qualifies under Canada Revenue Agency (CRA) guidelines and the donated item has a fair market value of \$20.00 or more. ~~The Director may elect to issue receipts for income tax purposes for all Donations having a value of \$20.00 or more, or only on request.~~

The Director is responsible for requesting an official receipt for income tax purposes from the Manager, Financial Services, when requested by the donor and must provide all relevant documentation. The Manager, Financial Services will determine

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whether the Donation qualifies for a ~~tax~~ receipt. If the Donation qualifies, the ~~tax~~ receipt will be provided to the Director, for forwarding to the donor.

If an official receipt for income tax purposes is being issued the Donation receipt must include the following information in accordance with CRA guidelines:

- the day on which the Donation was received;
- a brief description of the property transferred to the qualified donor;
- the name and address of the appraiser, if applicable; and
- the fair market value of the property at the time the gift was made.

## REFERENCE:

GC-0561-2006 (2) – 2006 10 11  
GC-0803-2008 – amended to exclude Donations of real property.  
LT - 2012 04 09 – Administrative revision approved to add CRA Guideline information and other minor housekeeping changes.

## LAST REVIEW DATE:

February, 2013

## CONTACT:

For more information on making a Donation to the City of Mississauga, contact the particular operating area, or Facilities and Property Management, Corporate Services Department.

For more information on receipts for income tax purposes, contact Financial Services, Finance Division, Corporate Services Department.

Comparison of Current and Proposed Policy – City Acquired Art (combined Corporate Art policy and art information from Donations of Art and Other Assets to the City)

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<b>Additions and deletions from Current Policy.</b> <b>Highlighted areas represent text that has been added to the policy; strikeouts indicate the text has been removed</b>	<b>Proposed Policy as it will appear.</b>	<b>Rationale</b>
<p><b>POLICY STATEMENT</b></p> <p>Art is <u>acquired by the City in several ways and installed throughout City facilities to enhance public spaces and office spaces areas in Corporate facilities.</u> <del>In addition, Corporate facilities can provide a suitable venue for the display of works on loan, on a temporary basis.</del> The acquisition of Art is exempt from the City's Purchasing By-Law and must therefore be conducted in accordance with the processes outlined in this policy.</p>	<p><b>POLICY STATEMENT</b></p> <p>Art is acquired by the City in several ways and installed throughout City facilities to enhance public spaces and office areas. The acquisition of Art is exempt from the City's Purchasing By-Law and must therefore be conducted in accordance with the processes outlined in this policy.</p>	<p>Expanded on policy statement to include the act of acquiring art, not just installing. The reference to works on loan in the Policy Statement is redundant. Included statement that acquiring City art is exempt from the Purchasing By-Law.</p>
<p><b>PURPOSE</b></p> <p>The Corporation must ensure that Art, whether corporately-owned or <u>through acquisition or donation, or on temporary loan,</u> is managed appropriately. This <u>Corporate Policy and Procedure</u> establishes <del>appropriate</del> suitable locations for various types of Art and identifies responsibilities for managing the Corporation's art, including:</p> <ul style="list-style-type: none"> <li>• acquisition;</li> <li>• installation;</li> <li>• inventory;</li> <li>• maintenance; and</li> <li>• de-accessioning and disposal.</li> </ul>	<p><b>PURPOSE</b></p> <p>The Corporation must ensure that Art, whether corporately-owned through acquisition or donation, or on temporary loan, is managed appropriately. This Corporate Policy and Procedure establishes suitable locations for various types of Art and identifies responsibilities for managing the Corporation's Art, including:</p> <ul style="list-style-type: none"> <li>• acquisition;</li> <li>• installation;</li> <li>• inventory;</li> <li>• maintenance; and</li> <li>• de-accessioning and disposal.</li> </ul>	<p>Included reference to donated Art as the information pertaining to Art has been removed from the Donations of Art and Other Assets to the City policy (renamed Donations of Assets to the City) and incorporated into the City Art policy. .</p>

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<p><i>Additions and deletions from Current Policy. Highlighted areas represent text that has been added to the policy; strikeouts indicate the text has been removed</i></p>	<p><i>Proposed Policy as it will appear.</i></p>	<p><i>Rationale</i></p>
<p><b>SCOPE</b> This <del>policy procedure</del> applies to all City facilities, excluding <del>museums, art galleries, theatres, and</del> facilities which are leased or <del>licenced</del> to another party. Art <del>that is located in facilities that are excluded from this policy, such as the Art Gallery of Mississauga, procedure is the responsibility of the department responsible for the operation of the facility, or the organization occupying</del> <del>leasing/licensing</del> the facility.</p>	<p><b>SCOPE</b> This policy applies to all City facilities, excluding facilities which are leased or licensed to another party. Art that is located in facilities that are excluded from this policy, such as the Art Gallery of Mississauga, is the responsibility of the organization leasing/licensing the facility.</p>	<p>Minor wording changes. No change to intent.</p>
<p>This policy does not apply to:</p> <ul style="list-style-type: none"> <li>• <del>monetary donations or archaeological materials are not subject to this procedure. For information on monetary donations refer to Corporate Policy and Procedure – Fund-Raising Campaigns and Monetary Donations to the City of Mississauga. Donations of such archaeological materials will</del> should be referred to Museums of Mississauga staff;</li> <li>• <del>art that is part of a beautification or community art project;</del></li> <li>• <del>art that is associated with or derived from school programs or art programs that are offered at City facilities is not subject to this procedure. Any such art is the responsibility of the person</del></li> </ul>	<p>This policy does not apply to:</p> <ul style="list-style-type: none"> <li>• monetary donations or archaeological materials. For information on monetary donations refer to Corporate Policy and Procedure – Fund-Raising Campaigns and Monetary Donations to the City of Mississauga. Donations of archaeological or historical materials should be referred to Museums of Mississauga;</li> <li>• art that is part of a beautification or community art project;</li> <li>• art that is associated with or derived from school programs or art programs that are offered at City facilities;</li> <li>• personal works of art, prints or certificates</li> </ul>	<p>Included reference to other Corporate Policies with respect to monetary donations and tree and bench donations as Donations are now part of the City Art policy.</p>

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<b>Additions and deletions from Current Policy.</b> <b>Highlighted areas represent text that has been added to the policy; strikeouts indicate the text has been removed</b>	<b>Proposed Policy as it will appear.</b>	<b>Rationale</b>
<p>administering the program;</p> <ul style="list-style-type: none"> <li>personal works of art, prints or certificates installed by City staff in their office areas <del>are not covered by this procedure, and are the responsibility of the individual employee;</del> and</li> <li>donations of a tree or bench to a City park as a tribute to an individual or organization. Refer to Corporate Policy and Procedure – Tree and Bench Donation Program.</li> </ul>	<p>installed by City staff in their office areas; and</p> <ul style="list-style-type: none"> <li>donations of a tree or bench to a City park as a tribute to an individual or organization. Refer to Corporate Policy and Procedure – Tree and Bench Donation Program.</li> </ul>	
<b>DEFINITIONS</b> For the purposes of this policy:	<b>DEFINITIONS</b> For the purposes of this policy:	
<p>“Art” <del>includes means</del> cultural objects and artistic items such as but not limited to prints, fine art posters, sculpture, fine art photography or paintings acquired by the Corporation through commission, purchase, donation, loan or lease.</p>	<p>“Art” means cultural objects and artistic items such as, but not limited to, prints, fine art posters, sculpture, fine art photography or paintings acquired by the Corporation through commission, purchase, donation, loan or lease.</p>	<p>Aligned definition with the Scope of the policy.</p>
<p>“Corporation” means The Corporation of the City of Mississauga.</p>	<p>“Corporation” means The Corporation of the City of Mississauga.</p>	<p>New definition.</p>
<p>“Corporate Art” means Art that can be utilized or displayed in more than one area. Corporate Art includes Art that may be intended for use by a particular division.</p>	<p>“Corporate Art” means Art that can be utilized or displayed in more than one area. Corporate Art includes Art that may be intended for use by a particular division.</p>	<p>New definition to for clarity.</p>

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“Director” means the Director of <del>Facilities and Property Management</del> Culture Division, Community Services Department.	“Director” means the Director, Culture Division, Community Services Department.	Art is the responsibility of the Director of Culture, unless otherwise specified in the policy.
“Donation” means a gift of Art which has been given voluntarily and without compensation or non-monetary consideration (e.g. advertising, promotion, services, etc.). Donations may be classified as Corporate Art, Memorial Art or Public Art.	“Donation” means a gift of Art which has been given voluntarily and without compensation or non-monetary consideration (e.g. advertising, promotion, services, etc.) Donations may be classified as Corporate Art, Memorial Art or Public Art.	This definition is revised from the definition in the previously named Donations of Art and Other Assets policy.
“Memorial Art” <del>is means</del> Art that is designed to honour a particular individual or to commemorate a particular event and is created by a professional artist and acquired by a process administered by the City.	“Memorial Art” means Art that is designed to honour a particular individual or to commemorate a particular event and is created by a professional artist and acquired by a process administered by the City.	Wording revised to clarify the distinction of Memorial Art from Corporate Art.
“Public Art” means site-specific Art created by a professional artist for a specific public space and acquired through a process administered by the City.	“Public Art” means site-specific Art created by a professional artist for a specific public space and acquired through a process administered by the City.	New definition to clarify the distinction of Public Art from Corporate Art.
<b>ADMINISTRATION</b> <del>A team of City staff, including Facilities and Property Management staff and the Manager of the Arts Unit, and with The Director as chair, is</del>	<b>ADMINISTRATION</b>	The responsibility for Art, as defined in this policy, now rests with the Director of Culture. Other minor wording changes for

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<p>responsible for managing the <del>Corporation's</del> City's Art in accordance with this policy. <del>The team</del> Culture staff may seek the advice of <del>Mississauga the Art Gallery of Mississauga (AGM) staff, and other</del> City staff and/or outside sources experts having expertise in any particular area (i.e. artistic merit, design, acquisitions, maintenance, conservation, restoration, installation, etc.)</p> <p><del>All acquisitions and disposals are carried out in accordance with the City's by-law, policies and procedures governing the acquisition and disposal of goods and services.</del></p>	<p>The Director is responsible for managing the City's Art in accordance with this policy. Culture staff may seek the advice of the Art Gallery of Mississauga (AGM) staff, City staff and/or outside experts having expertise in a particular area (e.g. artistic merit, design, acquisition, maintenance, conservation, restoration, installation, etc.).</p>	<p>clarity.</p> <p>The acquisition of Corporate Art is now exempt from the Purchasing By-Law. Provision has been made in a new by-law to delegate the required authority to the Director, Culture for acquisitions (loans, purchases, etc.) of Art.</p>
<p><b>ACQUISITION OF ART</b></p> <p>Art may be acquired through any of <del>four</del> five methods: commission, purchase; donation; loan; and lease. All agreements and/or releases for the acquisition of Art must be in a form approved by Legal Services. The same principles noted below will apply to each of the five acquisition methods.</p> <p><del>Departments</del> Divisions or elected officials wishing to acquire a piece of Corporate Art must forward a written request to the Director for consideration by the team.</p>	<p><b>ACQUISITION OF ART</b></p> <p>Art may be acquired through any of five methods: commission; purchase; donation; loan; and lease. All agreements and/or releases for the acquisition of Art must be in a form approved by Legal Services. The same principles noted below will apply to each of the five acquisition methods.</p> <p>Divisions or elected officials wishing to acquire a piece of Corporate Art must forward a written request to the Director for consideration.</p>	<p>Added the commission of Art. Legal Services is working with the Culture Division to ensure all acquisitions are completed properly.</p> <p>Requests from Divisions must be sent to the Director, Culture</p>

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<p>All acquisitions are conducted in consultation with the Culture Division, the requisitioner and <del>Materiel Management</del> will be evaluated on the following criteria:</p> <ul style="list-style-type: none"> <li>• <del>potential to increase in value;</del></li> <li>• artistic quality of the work(s);</li> <li>• stature of the artist and/or artistic merit;</li> <li>• relevance to the City <del>or the corporate image and its residents and its intended location;</del></li> <li>• relationship of the artist with the City;</li> <li>• the artwork does not minimize and/or detract from the image of the City;</li> <li>• in light of generally prevailing community standards, the artwork is not likely to cause deep or widespread offence;</li> <li>• artwork must not pose any safety hazard to the public;</li> <li>• authenticity and provenance, (i.e. <del>ethical and legal suitability</del> documentary evidence that the Art is authentic and that the Corporation may acquire clear title to the work <del>must be available</del>);</li> <li>• physical condition of the work and its long-term maintenance or conservation requirements</li> <li>• the City's ability to display or store the work appropriately; and</li> </ul>	<p>All acquisitions are conducted in consultation with the Culture Division and the requisitioner and will be evaluated on the following criteria:</p> <ul style="list-style-type: none"> <li>• artistic quality of the work(s);</li> <li>• stature of the artist and/or artistic merit;</li> <li>• relevance to the City and its residents and its intended location;</li> <li>• relationship of the artist with the City;</li> <li>• the artwork does not minimize and/or detract from the image of the City;</li> <li>• in light of generally prevailing community standards, the artwork is not likely to cause deep or widespread offence;</li> <li>• artwork must not pose any safety hazard to the public;</li> <li>• authenticity and provenance, (i.e. documentary evidence that the Art is authentic and that the Corporation may acquire clear title to the work);</li> <li>• physical condition of the work and its long-term maintenance or conservation requirements;</li> <li>• the City's ability to display or store the work appropriately; and</li> </ul>	<p>The bullets have been moved from the Purchase of Art section and revised to outline the current criteria used when acquiring Art through all five acquisition types. Consultation with Materiel Management has been removed since the purchase of Art is exempt from the Purchasing By-law. Staff may still consult with MM for their expertise if required.</p>

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<ul style="list-style-type: none"> <li>• cost and value to the City.</li> <li>• <del>compatibility with the City's ability to provide proper care and conservation.</del></li> </ul> <p><del>in compliance with the City's purchasing by-law.</del>  <b>Material Management</b> The Culture Division is responsible for ensuring that the logistical aspects of each acquisition are handled appropriately (e.g. shipping and handling, import charges, <del>insurance requirements</del>, contractual agreements, etc.). <del>Access for research, reproduction, and/or loan must be co-ordinated through the Culture Division.</del></p> <p>All acquisitions are reported to the <b>Manager, Risk Management and Insurance Manager</b>, who is responsible for <del>all determining appropriate insurance requirements, where applicable.</del></p> <p>All documentation related to acquisitions of all types (ownership records, certificates of authenticity, appraisals, etc.) is filed in the Corporate Records vault. It is the responsibility of <del>Facilities and Property Management</del> <b>Culture</b> staff to ensure that all files are complete and transferred to the vault.</p>	<ul style="list-style-type: none"> <li>• cost and value to the City.</li> </ul> <p>The Culture Division is responsible for ensuring that the logistical aspects of each acquisition are handled appropriately (e.g. shipping and handling, import charges, contractual agreements, etc.). Access for research, reproduction, and/or loan must be co-ordinated through the Culture Division.</p> <p>All acquisitions are reported to the Manager, Risk Management, who is responsible for determining appropriate insurance requirements, where applicable.</p> <p>All documentation related to acquisitions of all types (ownership records, certificates of authenticity, appraisals, etc.) is filed in the Corporate Records vault. It is the responsibility of Culture staff to ensure that all files are complete and are transferred to the vault.</p>	<p>Reference to the Purchasing By-law deleted. The Culture Division oversees the logistical aspects acquisitions and access to Art.</p> <p>Minor wording changes. No change to intent.</p> <p>Change to Culture Division from FPM.</p>
<p><b>COMMISSIONING ART</b></p>	<p><b>COMMISSIONING ART</b></p>	

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<p>The budget for Art commissioned by the City is approved through Council as appropriate for the value of the commission and the nature of the project, and in consultation with relevant departments and other stakeholders. The selection process, evaluation criteria, schedule, budget, technical requirements, and the art objectives unique to the circumstances, site characteristics and context are outlined in the request.</p>	<p>The budget for Art commissioned by the City is approved through Council as appropriate for the value of the commission and the nature of the project, and in consultation with relevant departments and other stakeholders. The selection process, evaluation criteria, schedule, budget, technical requirements, and the art objectives unique to the circumstances, site characteristics and context are outlined in the request.</p>	<p>New section to outline the process for the commissioning of Art, which was not previously included in any Corporate Policy, but is part of the Culture Master Plan.</p>
<p>An Art selection committee is established by the Director for each Art project over \$10,000 in value. The Art selection committee is responsible for selecting the final artist. The selection committee will include one or more representatives from the Culture Division and may include representatives from the following, as applicable:</p> <ul style="list-style-type: none"> <li>• one or more representatives from the project team (internal staff and/or design consultants);</li> <li>• one or more art and design professional(s) and/or community member(s) with relevant expertise and interest; and</li> <li>• City staff or external advisors selected for specific technical or cultural expertise.</li> </ul>	<p>An Art selection committee is established by the Director for each Art project over \$10,000 in value. The Art selection committee is responsible for selecting the final artist. The selection committee will include one or more representatives from the Culture Division and may include representatives from the following, as applicable:</p> <ul style="list-style-type: none"> <li>• one or more representatives from the project team (internal staff and/or design consultants);</li> <li>• one or more art and design professional(s) and/or community member(s) with relevant expertise and interest; and</li> <li>• City staff or external advisors selected for specific technical or cultural expertise.</li> </ul>	<p>The committee members will be selected for each project to ensure staff with an understanding of the project are involved.</p>

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<p>Culture staff will manage the artist contract from concept to completion, including the approvals process, for Corporate Art and Public Art. Some or all of the Art selection committee members may also be involved in reviewing the development of the artwork at key stages.</p>	<p>Culture staff will manage the artist contract from concept to completion, including the approvals process, for Corporate Art and Public Art. Some or all of the Art selection committee members may also be involved in reviewing the development of the artwork at key stages.</p>	
<p><b>PURCHASE OF ART</b>  <b>Purchase of Corporate Art</b>  Each work of Corporate Art considered for purchase will be evaluated by the team, the requisitioner, and Materiel Management, on the following criteria: Director and the appropriate Culture staff, based on available budget. The City will purchase Art in accordance with the Acquisition of Art section of this policy. All visual arts mediums will be considered. Purchased Art, as part of the City's Corporate Art collection, may be installed in City offices and other public spaces and/or exhibited digitally on-line.</p> <ul style="list-style-type: none"> <li>• potential to increase in value;</li> <li>• quality of the work(s);</li> <li>• relevance to the City or the corporate image;</li> <li>• authenticity and provenance;</li> <li>• physical condition of the work;</li> <li>• cost;</li> </ul>	<p><b>PURCHASE OF ART</b>  <b>Purchase of Corporate Art</b>  Each work of Corporate Art considered for purchase will be evaluated by the Director and the appropriate Culture Division staff, based on available budget. The City will purchase Art in accordance with the Acquisition of Art section of this policy. All visual arts mediums will be considered. Purchased Art, as part of the City's Corporate Art collection, may be installed in City offices and other public spaces and/or exhibited digitally on-line.</p>	<p>Revised to reflect Culture staff's role in evaluation. Bullets revised and moved to the Acquisition of Art section, above.</p>

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<p><i>Additions and deletions from Current Policy.</i>  <i>Highlighted areas represent text that has been added to the policy; strikeouts indicate the text has been removed</i></p>	<p><i>Proposed Policy as it will appear.</i></p>	<p><i>Rationale</i></p>
<ul style="list-style-type: none"> <li>• <del>ethical and legal suitability for acquisition (evidence that the Corporation may acquire clear title to the work must be available);</del></li> <li>• <del>compatibility with the City's ability to provide proper care and conservation.</del></li> </ul>		
<p><b>Purchase of Memorial Art</b>  <del>Memorial art will not be acquired. A person or event will not be memorialized without the Council's pre-approval of Council. Recognition through Memorial Art for individuals should be made posthumously only, although proposals to honour living individuals will be considered. Prior to seeking Council approval, Culture staff will work with relevant City staff to review all proposals for Memorial Art.</del></p> <p><del>With respect to memorial art,</del> The Director will ensure that a report from applicable City staff is <del>made</del> presented to Council with a recommendation regarding approval of the person or event prior to the acquisition. Any proposals for Memorial Art must include:</p> <ul style="list-style-type: none"> <li>• <del>background on and historical/cultural significance of the individual/event to be honoured;</del></li> <li>• <del>importance of singling out rationale for</del></li> </ul>	<p><b>Purchase of Memorial Art</b>  A person or event will not be memorialized without Council's pre-approval. Recognition through Memorial Art for individuals should be made posthumously only, although proposals to honour living individuals will be considered. Prior to seeking Council approval, Culture staff will work with relevant City staff to review all proposals for Memorial Art.</p> <p>The Director will ensure that a report from applicable City staff is presented to Council with a recommendation regarding approval of the person or event prior to the acquisition. Any proposals for Memorial Art must include:</p> <ul style="list-style-type: none"> <li>• background and historical/cultural significance of the individual/event to be honoured;</li> <li>• rationale for honouring the individual/event;</li> </ul>	<p>The section was reorganized for ease of reading. The wording is revised to clarify that Council is approving the person or event to be memorialized, not the subsequent Art that will be purchased.</p> <p>Word-smithing only, no change to intent. The bullets have been revised to outline the current criteria used when acquiring Memorial Art.</p>

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<p>honouring the individual/event <del>to be honoured</del>;</p> <ul style="list-style-type: none"> <li>• evidence that the proposal meets the criteria outlined in this policy;</li> <li>• <del>historical and cultural significance of the individual/event;</del></li> <li>• commitment of funds; and</li> <li>• maintenance plan.</li> </ul>	<ul style="list-style-type: none"> <li>• evidence that the proposal meets the criteria outlined in this policy;</li> <li>• commitment of funds; and</li> <li>• maintenance plan.</li> </ul>	
<p>In addition to the criteria listed in the “Acquisition of Art” section of this policy, Memorial Art will be reviewed in consideration of the following, <del>in addition to the criteria listed above:</del></p> <ul style="list-style-type: none"> <li>• <del>Memorials</del> the values of the community should be represented <del>the values of the community</del>; each memorial must be compatible with the diverse spectrum of perspectives, cultural heritage, traditions, and moral values of the City’s residents.</li> <li>• <del>Memorials should be</del> timeless aspect of the memorial, recognizing future generations.</li> <li>• the memorial designer must should be designed by a qualified professional in the field; and</li> <li>• <del>Where if</del> the memorial is honouring an individual, consideration is given to: <ul style="list-style-type: none"> <li>- the person honoured must be deemed to have made a individual’s contribution to</li> </ul> </li> </ul>	<p>In addition to the criteria listed in the “Acquisition of Art” section of this policy, Memorial Art will be reviewed in consideration of the following:</p> <ul style="list-style-type: none"> <li>• the values of the community should be represented; each memorial must be compatible with the diverse spectrum of perspectives, cultural heritage, traditions, and moral values of the City’s residents;</li> <li>• timeless aspect of the memorial, recognizing future generations;</li> <li>• the designer must be a qualified professional in the field; and</li> <li>• if the memorial is honouring an individual, consideration is given to: <ul style="list-style-type: none"> <li>– the individual’s contribution to the City of Mississauga, which should be extraordinary and merit the honour of</li> </ul> </li> </ul>	<p>Minor revisions for clarity, no change to intent. Clarified the designer must be a professional in their field, as this is stipulated in the definition of Memorial Art. Additional bullets have been added to reflect the criteria currently being used to evaluate Memorial Art.</p>

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<p>the City of Mississauga which <del>is</del> should be extraordinary and which merit the honour of a permanent, public, visible memorial. (Where the individual's contribution does not merit a public memorial, consideration may be given to another form of recognition. Refer to Corporate Policy and Procedure – Civic Recognition Program for more information.)</p> <ul style="list-style-type: none"> <li>– the nature and record of the individual's public service and/or philanthropic acts (e.g. donations or volunteer service to the community);</li> <li>– the inspirational qualities characterized by the individual or the legacy which has or will be left to future generations; and</li> <li>– any achievements that have brought a national or international focus to the City of Mississauga.</li> </ul> <p>Staff will review all proposals for memorial art honouring an individual on a case-by-case basis to evaluate the nature of the individual's contribution to the City of Mississauga.</p>	<p>a public memorial. (Where the individual's contribution does not merit a public memorial, consideration may be given to another form of recognition. Refer to Corporate Policy and Procedure – Civic Recognition Program for more information.)</p> <ul style="list-style-type: none"> <li>– the nature and record of the individual's public service and/or philanthropic acts (e.g. donations or volunteer service to the community);</li> <li>– the inspirational qualities characterized by the individual or the legacy which has or will be left to future generations; and</li> <li>– any achievements that have brought a national or international focus to the City of Mississauga.</li> </ul>	<p>Information has been revised for clarity and reconfigured/incorporated into the sections above.</p>

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<p>Recognition through Memorial Art should be made posthumously only. However, staff will consider proposals to honour living individuals. Factors which will be considered include, but are not limited to:</p> <ul style="list-style-type: none"> <li>— the individual's overall stature in the community;</li> <li>— the nature and record of the individual's public service;</li> <li>— philanthropic acts (donations or volunteer service to the community) on the part of the individual;</li> <li>— the inspirational qualities characterized by the individual, which will live on through the memorial;</li> <li>— the legacy which has or will be left by the individual to future generations;</li> <li>— any achievements that have brought a national or international focus to the City of Mississauga;</li> <li>— the historical significance of the individual to the City of Mississauga.</li> </ul>		
<p><b>Donations</b>  The process for accepting donations of art is outlined in Corporate Policy and Procedure— Donations of Art and Other Assets to the City of</p>	<p><b>Donations</b></p>	<p>The policies are now combined.</p>

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<p>Mississauga. The criteria for accepting the donation is the same as that for a purchase of art, as outlined above.</p> <p>The Corporation recognizes that individuals or organizations may wish to make Donations to the <del>community</del> Corporation and that those Donations should be acknowledged appropriately. <del>This policy establishes a method for accepting and acknowledging Donations of art and other assets.</del></p> <p><del>Note: Sponsorship does not qualify as a Donation. This policy does not apply to sponsorships. Contributions of skills or time through volunteer service may be accepted as a Donation, but do not qualify as donations for the purpose of income tax receipts.</del></p>	<p>The Corporation recognizes that individuals or organizations may wish to make Donations to the Corporation and that those Donations should be acknowledged appropriately.</p> <p>Note: Sponsorship does not qualify as a Donation.</p>	<p>The text in this section was taken from the previously named Donations of Art and Other Assets to the City of Mississauga policy. Redundant text referencing “this policy” and pertaining to donations other than Art have been deleted.</p>
<p><b>Receiving Donations</b></p> <p><del>Program-Specific</del> All Donations are to be referred to the Director for evaluation of the operating area responsible for the program or service. <del>Program-Specific</del> Donations having a value in excess of \$1,000 <del>\$2,000</del> or more must be reviewed by the Commissioner, <del>Community Services</del> responsible for the department to which the Donation is offered.</p> <p>Corporate Donations are to be referred to the</p>	<p><b>Receiving Donations</b></p> <p>All Donations are to be referred to the Director for evaluation. Donations having a value of \$2,000 or more must be reviewed by the Commissioner, Community Services.</p>	<p>Revised to reflect the current processes under the Culture Division. The Fundraising and Monetary Donations policy was recently revised to put the value of Donations that must be referred to department heads at \$2,000 and above.</p>

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<p>Director of Facilities and Property Management.  Corporate Donations having a value in excess of \$1,000 must be reviewed by the Commissioner of Corporate Services.</p> <p>The Director will ensure that the proposed Donation is considered by the appropriate staff. The City reserves the right to decline any Donation.</p>		
<p>Proposals for Donations of future art work (i.e. works in progress) may be given conditional approval by the Director, in consultation with the appropriate divisional director(s), where applicable, for a period of no longer than two years, after which the proposed Donation will be re-evaluated.</p> <p>The Mayor and Members of Council <del>are copied on all correspondence</del> will be advised of all decisions to accept or decline Donations having a value of <del>\$1,000</del>\$2,000 or more in a memo to Council. The Director is responsible for ensuring that the Manager is advised of all accepted Donations having a value of \$20 or more, to issue receipts for income tax purposes; and that the Manager, Risk Management is advised to make arrangements for insurance, where appropriate, notifying the individual or</p>	<p>Proposals for Donations of future art work (i.e. works in progress) may be given conditional approval by the Director, in consultation with the appropriate divisional director(s), where applicable, for a period of no longer than two years, after which the proposed Donation will be re-evaluated.</p> <p>The Mayor and Members of Council will be advised of all decisions to accept or decline Donations having a value of \$2,000 or more in a memo to Council. The Director is responsible for notifying the individual or organization proposing the Donation of the Corporation's decision to accept or decline the Donation.</p>	<p>This paragraph addresses instances when the creation of a piece of art takes several years. Over time the suitability of a proposed Donation may change.</p> <p>It is being recommended that the Mayor and Members of Council are only advised of those Donations valued in excess of \$2,000. This aligns with the Fundraising Campaigns and Monetary Donations to the City policy. The Mayor and Council will be advised by means of a memo and not copied on direct correspondence with the donor in order to protect the privacy of personal information related to individuals</p>

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<p>organization proposing the Donation of the Corporation's decision to accept or decline the Donation and may invite the donor to present the Donation at a meeting of Council. The attendance of a City of Mississauga official at a function to present the Donation may be requested through the Director.</p> <p>The Director is responsible for advising the Manager, Risk Management of accepted Donations in order to make arrangements for insurance, where appropriate.</p>	<p>The Director is responsible for advising the Manager, Risk Management of accepted Donations in order to make arrangements for insurance, where appropriate.</p>	<p>submitting donations.  The deleted text regarding tax receipts has been moved to the next section and the question of insurance is now a stand-alone paragraph. Presentations of donations at Council may still occur but this is outside of the Scope of the policy.</p>
<p><b>Donation Receipts for Income Tax Purposes</b>  Where requested by the donor, the Director is responsible for requesting obtaining an official receipt for income tax purposes from the Manager, Corporate Financial Services, and must provide all relevant documentation. The Manager will determine whether the Donation qualifies for a receipt. If the Donation qualifies, the receipt will be provided to the Director, for forwarding to the donor. Official receipts for accepted Donations having a fair market value of \$20 or more income tax purposes can be issued by the Manager only when the Manager, Corporate Financial Services, determines that the Donation qualifies under Canada Revenue Agency (CRA) guidelines, and the donated</p>	<p><b>Donation Receipts for Income Tax Purposes</b>  Where requested by the donor, the Director is responsible for obtaining an official receipt for income tax purposes from the Manager, Corporate Financial Services, and must provide all relevant documentation. Official receipts for accepted Donations having a fair market value of \$20 or more can be issued only when the Manager, Corporate Financial Services, determines that the Donation qualifies under Canada Revenue Agency (CRA) guidelines. If the Donation qualifies, the receipt will be provided to the Director for forwarding to the donor.</p>	<p>Reorganized information for ease of reading and understanding. No change to intent. The deleted text appears in the next paragraph.</p> <p>Clarified who is issuing the tax receipt.</p>

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<p>item has a fair market value of \$20.00 or more. If the Donation qualifies, the receipt will be provided to the Director for forwarding to the donor.</p> <p>If an official receipt for income tax purposes is being issued, the Donation receipt must include the following information in accordance with CRA guidelines:</p> <ul style="list-style-type: none"> <li>the day on which the Donation was received;</li> <li>a brief description of the property transferred to the qualified donor;</li> <li>the name and address of the appraiser, if applicable; and</li> <li>the fair market value of the property at the time the Donation was made.</li> </ul>	<p>No Change</p>	
<p><b>Appraisals of Donated Art</b>  <del>All donated items will be appraised at the time of donation and, if necessary or appropriate, re-appraised periodically.</del>  <del>All</del> If a tax receipt is required, the Donation donated <del>item other than art</del>, must be appraised at the time of donation to establish the fair market value to be shown on the official tax receipt. If the <del>item</del> Donation is valued at \$1,000 or less, the item may be appraised by a City staff person qualified to make</p>	<p><b>Appraisals of Donated Art</b></p> <p>If a tax receipt is required, the Donation must be appraised at the time of donation to establish the fair market value to be shown on the official tax receipt. If the Donation is valued at \$1,000 or less, the item may be appraised by a City staff person qualified to make the appraisal. If the</p>	<p>Reappraisals are not carried out unless there is a specific reason (e.g. sale of the item).</p>

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<p>the appraisal. If the item <del>Donation</del> is valued at more than \$1,000 an outside professional appraisal is required, unless there is a ready market for the item <del>Donation</del> from which the fair market value can be readily ascertained. It is the donor's responsibility to have the item appraised.</p> <p><del>All Donations of art should come with a certificate of authenticity, an appraised value at the time of donation, and evidence that the owner has legal title to the work. Facilities and Property Management staff will confirm the value of the item either directly or through a qualified appraiser.</del></p>	<p>Donation is valued at more than \$1,000 an outside professional appraisal is required, unless there is a ready market for the Donation from which the fair market value can be readily ascertained. It is the donor's responsibility to have the item appraised.</p>	<p>Included information that the donor is responsible for an initial appraisal.</p> <p>This information is captured in the criteria for acquiring Art.</p>
<p><b>Release of Donated Art</b> When an item <del>Art</del> is donated, the donor will be asked to sign a release, in a form approved by the <del>Office of the City Solicitor</del> <b>Legal Services</b>, indicating exchange of ownership and copyright. (If the copyright is held by another person, the laws of copyright will apply.)</p> <p>Any documents pertaining to the ownership of the item <del>Donation</del> must be transferred to the City Corporation. <del>Where the City maintains an inventory of the same or similar items,</del> The Director is responsible for ensuring that the inventory is</p>	<p><b>Release of Donated Art</b> When Art is donated, the donor will be asked to sign a release, in a form approved by Legal Services.</p> <p>Any documents pertaining to the ownership of the Donation must be transferred to the Corporation. The Director is responsible for ensuring that all documentation is filed appropriately.</p>	<p>Legal Services will work with the Culture Division to ensure accurate language in all agreements with respect to copyrights, ownership, etc.</p> <p>Inventory is now a separate section, below.</p>

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<p>updated, and that all documentation is filed appropriately.</p> <p>As City property of the Corporation, the item will be used at the discretion of the City. Further, with respect to art, The item will may be stored, exhibited, loaned to galleries, disposed of or de-accessioned and disposed of at the discretion of the Corporation.</p>	<p>As property of the Corporation, the item will be used at the discretion of the City. The item may be stored, exhibited, loaned to galleries or de-accessioned and disposed of at the discretion of the Corporation.</p>	<p>Minor wording changes, no change to intent.</p>
<p><b>Associated Donation Costs</b></p> <p>While not an exhaustive list, the donor may be responsible for any of the following costs, at the discretion of the Director. <del>The donor may be responsible for any of the following costs (where applicable).</del> The Director will make this determination based on such factors as the value of the Art and the complexity of the installation.</p> <ul style="list-style-type: none"> <li>• transporting the item;</li> <li>• appraisal or evaluation by a certified <del>agency</del> specialist;</li> <li>• photographs for inventory and insurance purposes;</li> <li>• <del>conservation treatment, if required.</del></li> <li>• for permanent Public Art, 10% of the value of the Art for future maintenance and conservation.</li> </ul>	<p><b>Associated Donation Costs</b></p> <p>While not an exhaustive list, the donor may be responsible for any of the following costs, at the discretion of the Director. The Director will make this determination based on such factors as the value of the Art and the complexity of the installation.</p> <ul style="list-style-type: none"> <li>• transporting the item;</li> <li>• appraisal or evaluation by a certified specialist;</li> <li>• photographs for inventory and insurance purposes;</li> <li>• for permanent Public Art, 10% of the value of the Art for future maintenance and conservation, in the form of a certified cheque; and</li> </ul>	<p>Added some of the criteria that might be considered when determining costs to the donor.</p> <p>Deleted bullet is captured here. Added additional costs that reflect current practices.</p>

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<p>in the form of a certified cheque; and</p> <ul style="list-style-type: none"> <li>for Public Art, the costs associated with the engineering, site planning and preparation and installation of the artwork.</li> </ul>	<ul style="list-style-type: none"> <li>for Public Art, the costs associated with the engineering, site planning and preparation and installation of the artwork.</li> </ul>	
<p><b>Acknowledgement</b>  Once the donor has signed the release form and all applicable certificates have been received by the Corporation, the donor will receive written acceptance of the item from the Director.</p> <p>The donor of art on display in City facilities will be identified on a plaque placed on or near the item. The placement and size of the plaque is determined by the Director of Facilities and Property Management.</p>		<p>This level of detail is beyond the Scope of the policy. Culture staff do acknowledge donations as appropriate on a case-by-case basis.</p>
<p><b>WORKS ON ART ON LOAN/LEASED ART</b>  Requests for Art on loan or lease must be forwarded in writing to the Director for consideration. The condition of Art Works on loan or lease will be assessed as to their condition and inventoried when they come into the City's possession. A current appraisal must accompany the work and any damage will be recorded and acknowledged by the owner or lessor. A current appraisal, if deemed necessary by</p>	<p><b>ART ON LOAN/LEASED ART</b>  Requests for Art on loan or lease must be forwarded in writing to the Director for consideration. The condition of Art on loan or lease will be assessed and any damage recorded and acknowledged by the owner or lessor. A current appraisal, if deemed necessary by the Culture Division, must accompany the work.</p>	<p>Clarified that all requests for loan or lease must go through the Director, Culture. Combined the sections on Art on loan and leased Art as many aspects of the process for both are the same.</p>

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<p>the Culture Division, must accompany the work.  <del>A list of the pieces will be sent to Communications for information.</del></p> <p>At the discretion of the Director, the owner of Art on loan may be responsible for costs associated with the loan, such as transportation, <del>photographs for insurance purposes</del> and conservation treatment, if required.</p> <p><del>From time to time, Facilities and Property Management may lease art. Selection criteria is the same as that for purchases. All pieces will be inspected when they come into the City's possession. Any damage will be recorded and acknowledged by the lessor.</del></p>	<p>At the discretion of the Director, the owner of Art on loan may be responsible for costs associated with the loan, such as transportation and conservation treatment, if required.</p>	<p>The issue of photographs or evidence for insurance purposes is covered in the section above: "The condition of Art on loan or lease will be assessed and any damage recorded and acknowledged by the owner or lessor."</p>
<p><b>LOCATIONS FOR ART</b>          To maximize the potential for members of the public to enjoy <del>original works of Art</del>, accessible exterior and interior public areas are given priority when selecting appropriate locations. <del>Original pieces of Art may be re-located at the sole discretion of the team Culture Division, in accordance with this policy.</del></p> <p><del>Original</del> Art may be installed in the following areas,</p>	<p><b>LOCATIONS FOR ART</b>          To maximize the potential for members of the public to enjoy Art, accessible exterior and interior public areas are given priority when selecting appropriate locations. Art may be re-located at the sole discretion of the Culture Division, in accordance with this policy.</p> <p>Art may be installed in the following areas, as</p>	<p>Reorganized the paragraphs and bullets for clarity. No change to intent.</p>

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<p>as required and as pieces become available:</p> <ul style="list-style-type: none"> <li>public areas in City office buildings, community centres, and libraries;</li> <li>parks and public spaces</li> <li>office areas of elected officials and senior staff (i.e. City Manager, commissioners, directors).</li> </ul> <p>In selecting locations for the placement of Art, the team Culture staff with appropriate skills will consider the basic conservation elements of the effects of light, air quality, temperature, and accessibility on the subject Art piece.</p>	<p>required, and as pieces become available:</p> <ul style="list-style-type: none"> <li>public areas in City office buildings, community centres, and libraries;</li> <li>parks and public spaces; and</li> <li>office areas of elected officials and senior staff (i.e. City Manager, commissioners, directors).</li> </ul> <p>In selecting locations for the placement of Art, Culture staff with appropriate skills will consider the basic conservation elements of the effects of light, air quality, temperature and accessibility on the subject Art piece.</p>	<p>Added “public spaces” to align with the Culture Master Plan.</p> <p>Clarified Culture staff responsibility.</p>
<p>Locations for Public Art and Memorial Art will be selected in consideration of the following additional requirements:</p> <ul style="list-style-type: none"> <li><del>the location must be appropriate for the memorial— there should be some</del> geographic justification for the location (i.e. the artwork has a connection to the history or current use of the site and/or the site is identified as a potential site for Public Art in City of Mississauga planning documents such as the Framework for a Public Art Program and the Culture Master Plan);</li> <li>the quality, scale and character of the Public Art</li> </ul>	<p>Locations for Public Art and Memorial Art will be selected in consideration of the following additional requirements:</p> <ul style="list-style-type: none"> <li>there is geographic justification for the location choice (i.e. the artwork has a connection to the history or current use of the site and/or the site is identified as a potential site for Public Art in City of Mississauga planning documents such as the Framework for a Public Art Program and the Culture Master Plan);</li> <li>the quality, scale and character of the Public</li> </ul>	<p>Added language to reference the City’s planning documents and location criteria expressed in them. Other minor revisions for clarity.</p>

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<p>and Memorial Art must be at a level consistent with suitable for the location and the expected audience;</p> <ul style="list-style-type: none"> <li>the Public Art and Memorial Art must not interfere with existing and future circulation and use patterns proposed artwork, buildings or structures in the vicinity;</li> <li>the location must be physically and/or visually accessible to the public;</li> <li>the location should be in an area that has, or is proposed to generate, a high degree of use or public activity; and</li> <li>the location must have the capacity to facilitate and sustain a Public Artwork. Considerations may include factors such as environmental conditions, safety, site servicing, and whether the site any particular location may have reached a saturation point, making it necessary to close off future installations in that location</li> </ul> <p>Culture staff are responsible for ensuring that the installation or removal of Art is conducted in an appropriate manner. No works Art may be removed from an exhibit space by any person unless approved by Facilities and Property Management. Facilities and Property Management is responsible for advising Security of pieces which are to be removed</p>	<p>Art and Memorial Art must be suitable for the location and the expected audience;</p> <ul style="list-style-type: none"> <li>the Public Art and Memorial Art must not interfere with existing and proposed artwork, buildings or structures in the vicinity;</li> <li>the location must be physically and/or visually accessible to the public;</li> <li>the location should be in an area that has, or is proposed to generate, a high degree of public use or activity; and</li> <li>factors such as environmental conditions, safety, site servicing, and whether the site may have reached a saturation point, making it necessary to close off future installations in that location.</li> </ul> <p>Culture staff are responsible for ensuring that the installation or removal of Art is conducted in an appropriate manner. No Art may be removed from an exhibit space by any person unless approved by the Director, who may consult with applicable divisional directors.</p>	<p>Moved installation and removal of art to Locations of Art section. Revised to reflect current responsibilities.</p>

Comparison of Current and Proposed Policy – City Acquired Art (combined Corporate Art policy and art information from Donations of Art and Other Assets to the City)

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<p>the Director, who may consult with applicable divisional directors.</p> <p>Offices which are not eligible for original pieces of art will be supplied with a selection of prints. Prints are for the enjoyment of all employees, and are not the property of any individual employee. Facilities and Property Management will periodically update art selections for office areas.</p>		<p>Relevant information included in the Locations for Art section, above.</p>
<p><b>INSTALLATION</b></p> <p>Facilities and Property Management staff are responsible for ensuring that the installation or removal of Art is conducted in an appropriate manner. The installation of all art pieces will have regard for the location of the art piece in relationship to the effects of light, air quality, temperature and accessibility.</p> <p>All proposed locations must be reviewed prior to the installation of an exhibit, to ensure that the location meets public safety and building infrastructure requirements. All original works of Art located in public areas must be security mounted to prevent theft.</p>		<p>The deleted information is included in the Locations of Art section, above.</p>

Comparison of Current and Proposed Policy – City Acquired Art (combined Corporate Art policy and art information from Donations of Art and Other Assets to the City)

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<p><b>INVENTORY</b>  <del>The Culture Division maintains full computerized inventories utilizing bar code technology are maintained of all Art, including Art on loan or lease pieces, works on loan, and corporately owned pieces (posters and originals). All original pieces owned by the City will be appraised and insured at their current market value. Re-appraisal will occur periodically, or as necessary. Facilities and Property Management is responsible for providing an updated inventory to Finance, Security and Communications whenever the inventory changes. The inventory includes information such as:</del></p> <ul style="list-style-type: none"> <li>• <del>method and cost of acquisition</del></li> <li>• <del>the name of the artist and the name title of the piece;</del></li> <li>• <del>art medium (e.g. painting, sculpture) and description of the piece, including size;</del></li> <li>• <del>history provenance (ownership history);</del></li> <li>• <del>appraised value of the Art, if applicable;</del></li> <li>• <del>photo of the piece;</del></li> <li>• <del>condition status, including maintenance plan.</del></li> <li>• <del>conservation reports.</del></li> </ul> <p><del>In addition to the inventory, Facilities and Property Management retains details on many artists'</del></p>	<p><b>INVENTORY</b>  The Culture Division maintains full inventories of all Art, including Art on loan or lease. The inventory includes information such as:</p> <ul style="list-style-type: none"> <li>• method and cost of acquisition</li> <li>• the name of the artist and the title of the piece;</li> <li>• art medium (e.g. painting, sculpture) and description of the piece, including size;</li> <li>• provenance (ownership history);</li> <li>• appraised value of the Art, if applicable;</li> <li>• photo of the piece;</li> <li>• condition status, including maintenance plan.</li> </ul>	<p>Updated information to reflect current practices and responsibilities.</p> <p>Incorporated into the bullets, above.</p>

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<p><del>backgrounds, should information be required for future exhibits or purchase of art for a civic building</del></p>		
<p><b>MAINTENANCE</b>  Periodically, <del>the original pieces of</del> Art owned by the City of Mississauga must be repaired, cleaned and conserved. Monitoring the condition of Art, and the continued maintenance of the artwork, is the responsibility of <del>Facilities and Property Management</del> <b>Culture Division</b>. Staff who notice that repairs are necessary should contact the <del>Director of Facilities and Property Management</del> <b>Culture Division</b>, immediately.</p> <p>If there is no immediate, appropriate location for the Art, it is stored with regard to curatorial standards and conservation practices.</p>	<p><b>MAINTENANCE</b>  Periodically, Art owned by the City of Mississauga must be repaired, cleaned and conserved. Monitoring the condition of Art, and the continued maintenance of the artwork, is the responsibility of the Culture Division. Staff who notice that repairs are necessary should contact the Culture Division immediately.</p> <p>No Change.</p>	<p>Updated information to reflect current responsibilities. Maintenance applies to all Art, not just original pieces of Art.</p>
<p><b>DE-ACCESSIONING AND DISPOSAL</b>  The de-accessioning and disposal of a work of Art is the <del>two-step</del> process of first discharging the work from the City's inventory, including the transfer of all electronic and hard copy records into a de-accession file, and then determining the appropriate means of disposal.</p> <p><del>Any particular</del> Works of art may be de-accessioned</p>	<p><b>DE-ACCESSIONING AND DISPOSAL</b>  The de-accessioning and disposal of a work of Art is the two-step process of first discharging the work from the City's inventory, including the transfer of all electronic and hard copy records into a de-accession file, and then determining the appropriate means of disposal.</p> <p>Works of Art may be de-accessioned for any of</p>	<p>Provided additional detail for clarity; combined de-accessioning and disposal; outlined as a two-step process to first de-accession a piece and then determine the proper means of disposal.</p>

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<p>for any of the following reasons:</p> <ul style="list-style-type: none"> <li>• <del>poor</del> lack of aesthetic or artistic quality of the work, as determined by an applicable Art expert;</li> <li>• <del>works that endanger public safety;</del></li> <li>• beyond restoration;</li> <li>• copies, forgeries etc. or reproductions of <del>no</del> <del>documentary</del> lacking authenticity/archival value (intentional discard);</li> <li>• accidental loss (<del>disappearance</del>, theft, fire);</li> <li>• possibility of up-grading through exchange;</li> <li>• artwork integrated into City property which is subject to redevelopment by the City where the Art is not salvageable; or</li> <li>• <del>no appropriate location for exhibition of the work.</del></li> </ul> <p>Disposal <del>is the method by which the Corporation donates or sells the piece. Art will be disposed of in a manner which may be by donation, sale or transfer of Art to a third party, with consideration given to what is in the best interest of the City of Mississauga. The Director will bring a report to Council for approval prior to authorizing disposal of the Art. When it is determined that Art is of little or no value, or Council has given direction with respect</del></p>	<p>the following reasons:</p> <ul style="list-style-type: none"> <li>• lack of aesthetic or artistic quality of the work, as determined by an applicable Art expert;</li> <li>• works that endanger public safety;</li> <li>• beyond restoration;</li> <li>• copies, forgeries etc. or reproductions lacking authenticity/ archival value (intentional discard);</li> <li>• accidental loss (theft, fire);</li> <li>• possibility of up-grading through exchange;</li> <li>• artwork integrated into City property which is subject to redevelopment by the City where the Art is not salvageable; or</li> <li>• no appropriate location for exhibition of the work.</li> </ul> <p>Disposal may be by donation, sale or transfer of Art to a third party, with consideration given to what is in the best interest of the City of Mississauga. The Director will bring a report to Council for approval prior to authorizing disposal of the Art. When it is determined that Art is of little or no value, or Council has given direction with respect to the disposal of valuable Art, the actual disposal method will be determined by the</p>	<p>Provided detail of how Art may be disposed of and the responsibility of the Director, Culture.</p>

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<p>to the disposal of valuable Art, the actual disposal method will be determined by the Director.</p> <p>All proceeds from the sale or auction of <del>Corporate Art works</del> will be allocated to the <del>general revenue account</del> Arts Reserve, with the exception of Art that was purchased by a specific division. Proceeds from division specific Art will be returned to that division.</p>	<p>Director.</p> <p>All proceeds from the sale or auction of Art will be allocated to the Arts Reserve, with the exception of Art that was purchased by a specific division. Proceeds from division specific Art will be returned to that division.</p>	<p>Finance has confirmed that, providing the Policy is approved by Council, the proceeds can be transferred to the Arts Reserve, if not division specific.</p>



# Corporate Report

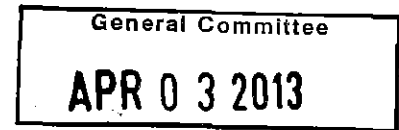
Clerk's Files

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**DATE:** March 14, 2013

**TO:** Chair and Members of General Committee  
Meeting Date: April 3, 2013

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



**SUBJECT:** **Fire Station # 119-6375 Airport Road**  
**Design and Development Memorandum of Understanding with**  
**Region of Peel and Increase in Construction Budget (Ward 5)**

- RECOMMENDATION:**
1. That a by-law be enacted authorizing the Commissioner of Community Services and the City Clerk to execute and affix the Corporate Seal to a Memorandum of Understanding ("MOU") station design and for development, between the Regional Municipality of Peel ("Region") and The Corporation of the City of Mississauga ("City") including such ancillary documents, lease agreement and amending agreements as may be required to give further effect to the intended relationship of the parties herein, all of which must be in form and content satisfactory to the City Solicitor, for the co-location of Fire Station #119 and a Peel Regional Paramedic Services (PRPS) Satellite Station at 6375 Airport Road (Ward 5).
  2. That a contribution of \$1,700,000 for the Region of Peel's share of the joint facility be added to the Design and Construction of Station #119 project (PN12-268) increasing the proposed gross budget to \$2,990,000.

3. That the Construction of Station #119 project, (PN13-268) be combined with the Design and Construction of Station #119 project (PN12-268).
4. That additional funding in the amount of \$1,500,000 from the Capital Reserve Fund (Account 33121), be added to the forecast funding in the 2013-2022 capital budget as additional \$860,000 in 2014 and \$640,000 in 2015 and the project multi-year funding be approved to a maximum cost to the City of \$4,200,000 over the period of 2012 to 2015.
5. That Realty Services be directed to undertake all steps necessary to declare surplus the property identified as "Vacant Lands" on Schedule "B" in the attached Memorandum of Understanding (Appendix 1) pursuant to the City's Acquisition and Disposition of Real Property Policy for the purpose of immediate disposition.
6. That all necessary By-laws be enacted.

**REPORT  
HIGHLIGHTS:**

- MFES and PRPS have identified a co-location opportunity at the site of new Fire Station #119, 6375 Airport Road, (Ward 5) and are seeking approval of a MOU to support this project. The Regional contribution for PRPS costs will be \$1,700,000.
- The current Fire Station #119 is on GTAA property on a short term lease expiring in November, 2014.
- Construction costs have increased requiring an additional \$1,500,000 spread over 2014 and 2015 for the construction of Station #119. This is independent of whether a co-location project is approved.
- The front portion of 6375 Airport Road may be sold off for approximately \$700,000 and permission to begin this process is being sought.

**BACKGROUND:**

The current Fire Station #119 is under short term lease on federally owned property administered by the Greater Toronto Airports Authority (GTAA). Though an extension is being sought, the lease

currently stands to expire in November, 2014.

In August, 2011 the City purchased a property of approximately .9 hectares (2.22 acres) at 6375 Airport Road to replace the current Fire Station #119.

It is anticipated that only the rear portion of the property will be required for station construction as indicated by the shaded portion of Schedule "B" in the attached Memorandum of Understanding (Appendix 1). It is further anticipated that the front portion of the property indicated as 'Vacant Land' on Schedule "B" could be severed off and sold for approximately \$700,000.

Land sale proceeds would go back to the Capital Reserve Fund. Sale would most likely not occur until project completion.

On July 1, 2012 the City entered into a Memorandum of Agreement with the Avion Motel Limited, the adjoining property owner, to allow the construction of a joint driveway accessing Airport Road. Signalized access to Airport Road is being pursued through Region of Peel traffic management staff.

A request for proposal process has been completed for an architectural consultant for design and construction administration of this project. Initial project estimates include a 2 bay fire station and a 2 bay drive through ambulance satellite station comprised of approximately 7,500 square feet (697 square meters) and 3,000 square feet (279 square meters) respectively.

Independent of any arrangement that may be made with PRPS, estimated costs for the construction of a Fire Station at this site have increased from \$2,700,000 to \$4,200,000.

## **COMMENTS:**

### **1. Memorandum of Understanding – Design and Development**

Over the course of 2012 detailed discussions were held with Peel Regional Paramedic Services (PRPS) personnel regarding the suitability of this location for a co-located Fire/Paramedic Station and a memorandum of understanding has been completed for this purpose.

Principal elements of the Memorandum of Understanding are as follow:

- The City and the Region agree to co-locate a 2 bay Paramedic Station with a 2 bay Fire Station on the project lands at this address
- Project costs will be allocated roughly based on gross floor areas of the respective usage of the building
- Cost of items exclusive to one party will be the responsibility of that party
- The Parties agree to cooperate to obtain efficient use of the project lands
- The parties acknowledge that the front portion of the property may be disposed of at the sole discretion of the City of Mississauga
- The design of the project will be to Leadership in Energy and Environmental Design (LEED) silver standards
- The City of Mississauga will manage the project by way of a stipulated sum contract with regular cost recovery invoicing to the Region
- A Design and Development agreement and a Lease agreement similar to other co-located stations will be completed
- Pending a final Design and Development agreement, the Region expects to commit \$1,700,000 to the project plus a 20% allowance for contingencies

Regional staff will bring this agreement to Regional Council when the City has approved the MOU and total project funding.

## **2. Construction Costs, Fire Station #119**

Through the business planning process in 2010 and 2011, budget for Fire Station #119 construction had been set at \$2,700,000.

Based on recently completed fire stations in the GTA including Fire Station #106 at 1355 Winding Trail (Ward 3), it is now believed this budget should be increased to \$4,200,000 to account for escalation of construction costs and for some unique site conditions. This increase is not related to the proposed co-location with PRPS.

Site specific considerations include the long driveway as noted on the attached plan, potential decontamination costs for the property as well as additional costs for the intersection required at the common driveway on Airport Road. This leads to a revised budget estimate of \$4,200,000 for the City portion of Fire Station #119.

As it is also now proposed that the Station #119 project move forward as a co-locate venture, the project will also encompass \$1,700,000 for the PRPS portion of the building, recoverable from the Region of Peel.

### **FINANCIAL IMPACT: 1. Memorandum of Understanding**

The total proposed gross cost for Fire Station #119/Peel Paramedic Satellite Station is \$5,900,000. Of this amount \$1,700,000 plus contingencies would be committed by the Region of Peel and \$4,200,000 by the City.

### **2. Construction Costs, Fire Station #119**

Funding for the City's portion of the project is proposed to be increased to \$4,200,000 with an additional funding of \$1,500,000 from the Capital Reserve Fund to cover increased construction costs unrelated to the proposed co-colocation with PRPS.

Based on project cash flow projections, the additional funding of \$1,500,000 is being added to forecast funding for 2014 and 2015. In addition it is recommended the City's portion be multi-year funded and be approved to a maximum cost of \$4,200,000 over 2012 to 2015

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as the project will commence prior to full funding being allocated.

#### Funding for Fire Station #119 and Addition of /PRPS Satellite Station

	Approved Budget	Forecast 2014	Forecast 2015	Total
PN12-268	540,000			540,000
PN13-268	750,000			750,000
2013-2022 Capital Budget & Forecast		750,000	660,000	1,410,000
Total Current City Funding	1,290,000	750,000	660,000	2,700,000
<b>Proposed Cost Based Increase</b>		<b>860,000</b>	<b>640,000</b>	<b>1,500,000</b>
Total Proposed City Funding	1,290,000	1,610,000	1,300,000	4,200,000
<b>Region of Peel Commitment per Proposed MOU</b>	<b>1,700,000</b>			<b>1,700,000</b>
Total Proposed Funding	2,990,000	1,610,000	1,300,000	5,900,000

The portion of the land that is not required for station construction is identified as "Vacant Land" on Schedule "B". It is recommended that all steps necessary to dispose of this property be completed as soon as possible. This section of property has an estimated value of approximately \$700,000 and land sale proceeds would reduce the financial impact of the \$1,500,000 additional construction costs.

#### CONCLUSION:

The property at 6375 Airport Road (Ward 5) is a suitable location for new Fire Station #119 co-located with a Paramedic Station per the attached memorandum of understanding. Building finishes will be of normal standards in the fire service. The building is of equivalent size to the existing Fire Station #119. Increased cost estimates for this building are based on recently completed projects and additional circumstances associated with developing this site. A full review of potential costs of other potential Fire Master Plan land purchases and buildings is currently underway.

**ATTACHMENTS:** Appendix 1: Memorandum of Understanding ("MOU") between the Corporation of the City of Mississauga and the Regional Municipality of Peel



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

*Prepared By: Kevin Duffy, Deputy Chief*

**MEMORANDUM OF UNDERSTANDING ("MOU")**

Between:

**THE CORPORATION OF THE CITY OF MISSISSAUGA**  
(hereinafter called the "City")

and

**THE REGIONAL MUNICIPALITY OF PEEL**  
(hereinafter called the "Region")

**WHEREAS** the City is the Owner of certain lands and premises located at 6375 Airport Road in the City of Mississauga, Province of Ontario and legally described as Part of Lot 7, Concession 7, East of Hurontario Street, City of Mississauga, Regional Municipality of Peel, designated as Parts 3 & 5 on Reference Plan 43R-32158, as shown on Schedule "A" attached hereto comprising approximately 2.224 acres (the "City Lands");

**AND WHEREAS** the City plans to construct a new Fire Station on the City Lands (hereinafter called the "Fire Station");

**AND WHEREAS** the Region desires to build a paramedic satellite station on the City Lands (the "Paramedic Station");

**AND WHEREAS** the Region and the City have agreed to co-locate the Paramedic Station with the Fire Station on a portion of the City Lands as shown hatch-marked on Schedule "B" attached hereto (hereinafter called the "Project Lands") by building the Fire Station and the Paramedic Station as a joined facility on a portion of the City Lands, and including associated landscaping, driveway, parking and site services (the "Project");

**AND WHEREAS** the City and the Region (the "Parties") have agreed to pursue the Project;

**AND WHEREAS** the City and Region intend to reduce the overall cost of providing essential emergency services by implementing the Project;

**AND WHEREAS** the City and Region have agreed on certain basic principles that will form the basis for the Project;

**NOW THEREFORE** in consideration of the exchange of Two Dollars (\$2.00) between the Parties, it is hereby agreed as follows:

1. The Parties have agreed that upon the Project Lands there will be built the Fire Station and the Paramedic Station including associated landscaping, driveway, parking and site

services ("the Project"). Each Party shall pay its proportionate percentage share of the costs associated with the Project, based on the percentage of the gross area of the building that each Party occupies. Common areas such as generator room, electrical room, garbage storage, to be shared in similar ratio. Items which are exclusive to one Party, for example vehicle exhaust capturing system, BAS, underfloor heating, etc. are to be paid by the Party requesting the item.

2. The need for a collaborative approach between the Parties to attain efficient use of municipal lands and overall cost savings in construction, operation and maintenance of the Fire Station and Paramedic Station has driven the need for the Project. The Parties agree to cooperate to attain efficient use of the Project Lands and overall cost savings in construction, operation and maintenance of the Fire Station and Paramedic Station.
3. The Parties acknowledge that approximately 1.2 acres of City Lands will be utilized for the Project. The final site area for the Project will be determined by the architect/consultant for the Project and as reflected on the final approved site plan.
4. The Parties acknowledge that the use or disposition of any remaining City Lands following the determination of the final site area of the Project Lands will be at the sole discretion of the City.
5. The Parties agree that satisfying the following requirements is necessary to ensure effective use of the Project Lands by Mississauga Fire Emergency Services and Peel Regional Paramedic Services:
  - a. Left turn access onto Airport Road
  - b. Controlled intersection capable of being independently operated from both the Fire Station and the Paramedic Station, in accordance with applicable laws
  - c. Traffic review of vehicle patterns required for proper design of access for Avion Motel visitors, acceptable by both Parties.
6. In reference to clause 5 above, if one or more of the requirements are not satisfactory to the Parties, either Party may terminate this MOU in writing prior to the completion of schematic design for the Project. In the event of such termination, the Parties shall pay their proportionate share of costs incurred to complete the schematic design drawings. For greater clarity, once the schematic design drawings for the Project are completed and where neither Party has received a notice of termination, all requirements are deemed to be satisfactory to the Parties.
7. In the event that removal of contaminated soil from the Project Lands is a requirement before the Project can proceed, the Parties agree that their proportionate percentage share of the Project costs will be used in order to apportion between themselves the soil remediation costs for the Project lands on which will be built the Fire Station and the Paramedic Station (including the driveway and the parking lot).

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8. The Paramedic Station will consist of a two (2) bay station and shall be designed to accommodate two (2) drive through ambulance bays and associated staff and personnel and parking to a maximum of two (2) dedicated spots. The Region shall remain solely responsible for payment of all expenses, costs and charges related to the Paramedic Station.
  9. The Fire Station will have two (2) drive through apparatus bay entry points and shall be designed to accommodate up to two (2) trucks, associated staffing and personnel and parking. The City shall remain solely responsible for payment of all expenses, costs and charges related to the Fire Station.
  10. The Parties have both obtained budget approval from their respective Councils for the design phase of the Project.
  11. The City intends to deliver the Project by way of a stipulated sum contract (a modified form of CCDC2 as amended by the City of Mississauga's supplementary additions).
  12. The design of the Project is intended to be evaluated using LEED silver standards but will not necessarily be certified LEED silver. The Parties will together determine the feasibility of LEED silver standard design and may choose to build some or a portion of the Project to LEED silver standard if mutually agreed.
  13. The City shall manage the planning, design, site plan, permitting, construction and commissioning of the Project.
  14. The City shall provide the Region with a schedule setting out the key milestones and time table for the Project (the "Project Schedule") and the Region shall make every reasonable effort possible to support the Project Schedule, where required.
  15. The City shall enter into any and all necessary agreements with both the architectural consultant and construction contractor as required to facilitate the Project.
  16. The Region will provide the City and the City's architect with the Region's functional program and technical specifications for the Paramedic Station in accordance with the Project Schedule and budget requirements as determined at periodic intervals by the City and its architect.
  17. The Parties acknowledge that the Project is anticipated to break ground in 2013.
  18. The City will communicate with the Region at key milestones and the City and the Region shall:

- a. meet regularly regarding the Project and the Region must provide timely comments to conform with the Project Schedule; and
- b. adhere to the Project Schedule to ensure timely completion of the Project and to minimize the risk of construction delay claims and to ensure maximum funding availability.

It is the intention of the Parties that the Region shall have an active participation in decision making in relation to the Project and the Region will be afforded the opportunity to review and comment and be consulted in the process to determine that Regional needs are being met.

19. The Region shall have the right to be consulted, review and comment on and approve while in draft form where applicable:

- a. RFP document for retaining consultant;
- b. If time permits, evaluation of RFP submission for retaining consultant;
- c. Site plan approval application and terms of site plan agreement with the City of Mississauga;
- d. Building schematic design;
- e. Building detail design with cost estimates;
- f. Tender document for construction;
- g. Evaluation of tender submission for construction;
- h. Attendance of construction site meetings;
- i. Change orders related to the Region's portion of the Project;
- j. Building commissioning and operation training;
- k. Substantial completion inspection and list of deficiencies; and
- l. Final completion inspection.

20. The Parties expect that each one will seek all necessary approvals from their respective Councils to ensure Project milestones are met including commissioning and operations. For greater clarity, the parties will provide each other with advance copies of their reports to Council for this project only for information purposes, save and except for any in-camera Reports.

21. Each Party hereby agrees to appoint a primary point of contact for Project management. The City of Mississauga Fire Chief is the City's project sponsor. Rajiv Chugh is the City's primary point of contact. The Region's Director of Paramedic Services is the Region's project sponsor. Mark Centrone is the Region's primary point of contact. Any primary point of contact may appoint a further point of contact provided there is always a primary point of contact in place throughout the term of the Project. The Parties agree to meet as required in order to achieve the guiding principles and scheduling as provided

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herein.

22. Agreements must be negotiated and presented for approval to both Councils, as required, dealing with arrangements for design and tender, construction costs sharing (approvals, billing and documentation), commissioning and acceptance, operational issues, maintenance and capital cost sharing and operating based on occupancy and usage. To this end, the Parties contemplate entering into both a Design and Development Agreement and a Lease Agreement including such further and other agreements as may be necessary to give effect to the guiding principles provided herein.
23. The Region shall pay to the City all costs associated with the design and construction of the Paramedic Station as defined in the Design and Development Agreement (to be executed by the Parties at a later date). In the interim, as the Parties negotiate and finalize the Design and Development Agreement, based upon Regional Council's budget approval for the overall Paramedic Station requirements, the Region shall use its best efforts to obtain a purchase order and provide funding for the Region's design and construction costs for the Paramedic Station to be paid to the City based upon periodic invoicing from the City for work completed. It is intended that the amount of the purchase order shall be in the approximate amount of One Million Seven Hundred Thousand (\$1,700,000.00) Dollars with the ability to increase the purchase order by up to twenty percent (20%) to allow for contingencies.
24. In general, it is the intention of the Parties that the Region will make payments to the City based upon invoices for work completed and approved by the Region's primary point of contact. The Parties shall agree on the form of the invoice to be provided. The City shall provide to the Region a copy of the original invoice from the architect together with the City's invoice.
25. Neither Party shall assign or transfer this Memorandum of Understanding.
26. This Memorandum of Understanding shall be binding and be governed, construed and enforced according to the laws of the Province of Ontario.
27. No waiver of any provision of this Memorandum of Understanding shall be deemed to constitute a waiver of any other provision, whether or not similar, nor shall such waiver constitute a continuing waiver unless otherwise expressly provided.
28. The City and the Region each shall and will make its best and timely effort upon the reasonable request of the other to make, to execute, or cause to be made, done or executed, all such further and other lawful acts, deeds, things, devices and assurances whatsoever necessary to give effect to this Memorandum of Understanding and the terms and conditions contained therein.

29. The Parties disclaim any intention to create a partnership or to constitute either of them the agent of the other. Nothing in this Memorandum of Understanding shall bind the Parties or either of them, as partners or agents nor, except as expressly provided in this Memorandum of Understanding, constitute either of them the agent of the other Party.

30. The Parties acknowledge and agree that nothing in this Memorandum of Understanding shall be deemed to fetter or interfere with either Parties' responsibility and rights of municipal bodies to grant regulatory approval such that approval (request) as provided for in this Memorandum of Understanding is not meant to reflect the responsibilities of either Party as a municipality.

IN WITNESS WHEREOF the City of Mississauga has on this \_\_\_\_\_ day of \_\_\_\_\_, 2013 affixed its name and corporate seal under the hand of its signing officer on that behalf.

**THE CORPORATION OF THE CITY OF  
MISSISSAUGA**

Per \_\_\_\_\_

Name: **Paul Mitcham**

Title: **Commissioner, Community Services**

Per \_\_\_\_\_

Name: **Crystal Greer**

Title: **City Clerk**

*Authorized Through Mississauga By-law No.*

\_\_\_\_\_

IN WITNESS WHEREOF the Regional Municipality of Peel has on this \_\_\_\_\_ day of \_\_\_\_\_, 2013 affixed its name and corporate seal under the hand of its signing officer on that behalf.

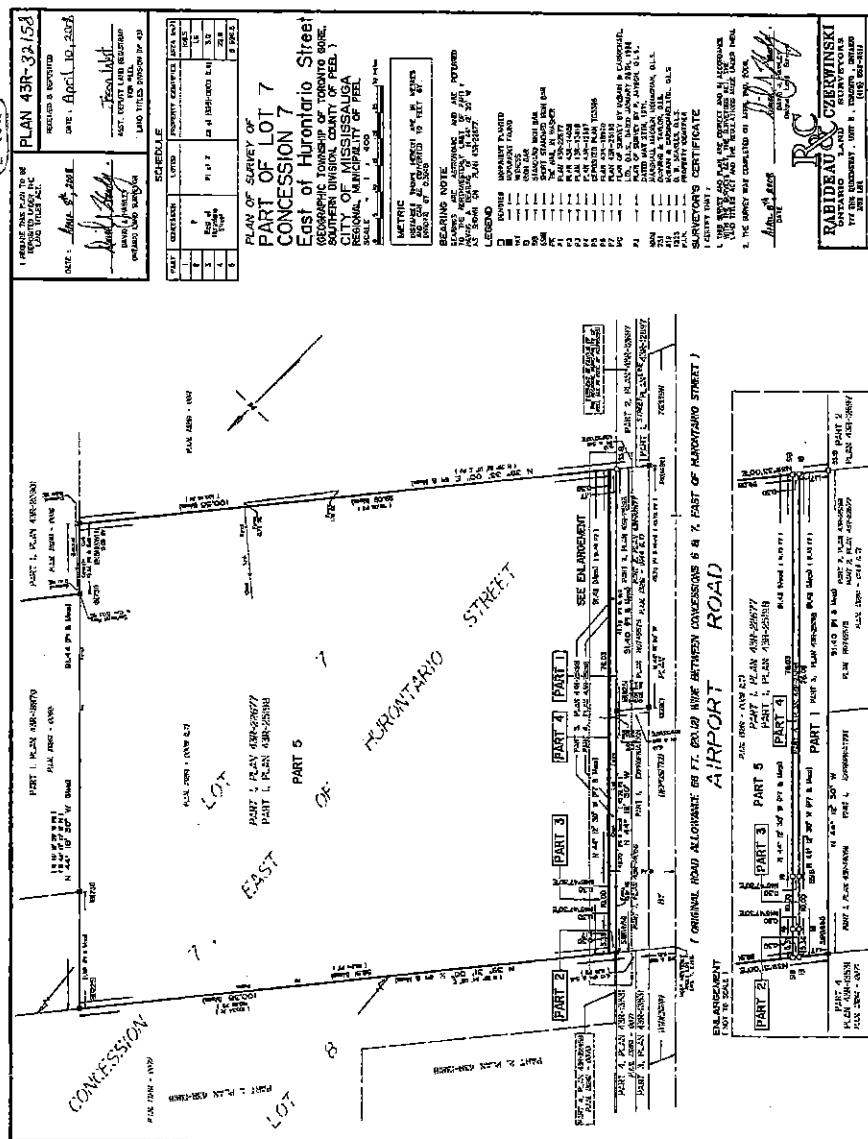
**THE REGIONAL MUNICIPALITY OF PEEL**

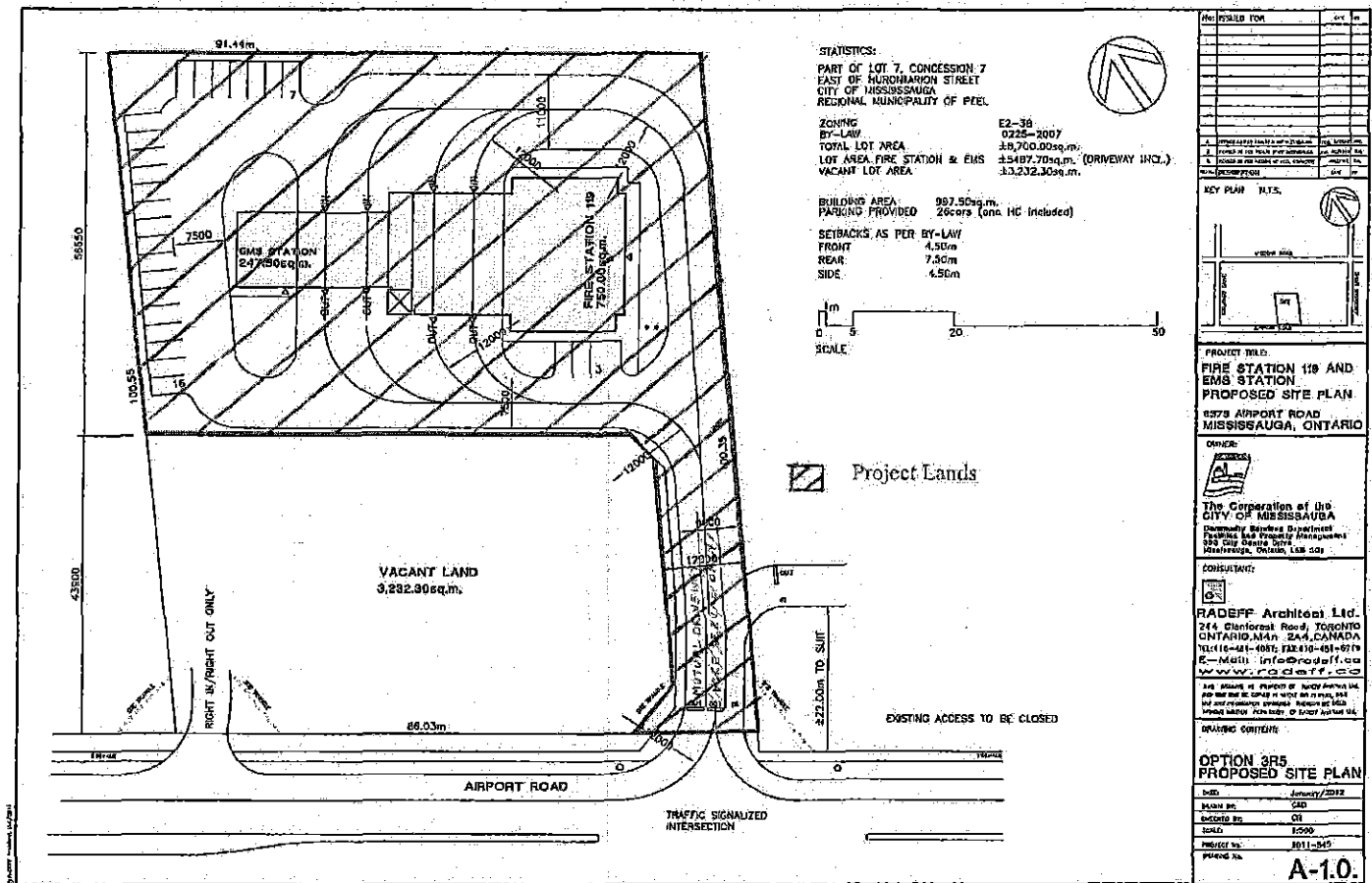
Per \_\_\_\_\_

Name: **Janette Smith**

Title: **Commissioner of Health Services**

*I have authority to bind the Corporation.*





The Project Lands

SCHEDULE "B"



# Corporate Report

Clerk's Files

Originator's  
Files

**DATE:** March 15, 2013

**TO:** Chair and Members of General Committee  
Meeting Date: April 3, 2013

General Committee

**APR 03 2013**

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

**SUBJECT:** Security Incidents in City Facilities, 2011-2012 Annual Summary

**RECOMMENDATION:** That the Corporate Report entitled Security Incidents in City Facilities, 2011-2012 Annual Summary, from the Commissioner of Corporate Services and Treasurer dated March 15, 2013, be received for information.

**REPORT  
HIGHLIGHTS:**

- A summary of 2012 security related incidents compared with 2011 by type of occurrence is provided.
- Overall, the number of security incidents in 2012 increased by 14% as compared with 2011. The number of incidents rose from 9,325 in 2011 to 10,608 in 2012.

**COMMENTS:**

All incidences responded to by Corporate Security are documented as Special Occurrence Reports (SOR), for the purposes of providing a written account of events. SORs document potential evidence and identify potential dangers, hazards, and liabilities to City staff and patrons. Corporate Security reports these security incidents to Council on an annual basis.

Appendix 1 provides a comparison of security incidents between 2011 and 2012.

Appendix 2 outlines the number and reason for the bans imposed under the *Trespass to Property Act* for the same period.

Appendix 3 provides a list of Corporate Security occurrence definitions that are used to assist the front line Security Officers categorize incidents being reported for consistency and ease of comparisons.

Overall, the number of reported incidents in 2012 increased by 14% or by 1,283 incidents from 9,325 in 2011 to 10,608 in 2012. An increase is noted in the following occurrence types; Arrest, Accident, General, Prohibited Activity, and Alcohol and Drugs.

In the category of Arrest, there was a significant increase of 267% in incidents in 2012 compared with 2011 (from 9 to 33 incidents). Much of this increase occurred in the Ward 4 area and can be attributed to: the rise in population in the surrounding area of the Civic Centre precinct and the increase in popularity of the Celebration Square.

In the category of Accident, there was a significant increase of 81% in incidents in 2012 compared with 2011 (from 142 to 257 incidents). Much of this increase occurred in the Ward 5 area and can be attributed to the rise in sports related accidents occurring and being reported at Iceland Arena and the Hershey Centre and Sports Complex.

In the General category, there was a significant increase of 63% in the number of incidents in 2012 compared with 2011 (from 406 to 660 incidents). The increase is partially a reflection of the reclassification of incidents involving intoxicated persons found on a bus. Such incidents are now being handled a general patron assist rather than as a disturbance. It is considered a societal safety improvement for drunken individuals to take the Transit rather than drive their personal vehicles home. While their behaviour on the system does cause challenges, Transit Enforcement endeavours to keep these problems to a minimum.

In the category of Prohibited Activity, there was a 40% increase in incidents in 2012 compared to 2011 (from 880 to 1,231 incidents). This increase is mostly related to the after hours activity on the Celebration Square, the Jubilee Garden, and the Amphitheatre.

In the category of Alcohol and Drugs, there was a 31% increase in incidents in 2012 compared to 2011 (from 227 to 298 incidents). Ward 4 represented the largest increase (from 96 to 164 incidents). The majority of these occurred on the Celebration Square. The numbers in this category tend to rise when an area is popular for large groups to gather, often for extended periods of time.

The following is a notable decrease in reported incidents:

In category of Transit Offence, there was a 29% decrease in incidents in 2012 compared to 2011 (from 451 to 321 incidents). The most significant sub-category decrease was in Bring Unauthorized Vehicle on Transit Property which went from 218 incidents in 2011 to 126 incidents in 2012. Transit Enforcement Officers conducted regular patrols of these areas and attempted to educate the general public in the hazards of this activity. These actions, along with the improvements to signage in the area, and the completion of the reconstruction to the north parking lot at Square One, have made it easier for vehicles to navigate the entrance to the mall and have resulted in a reduction in the number of incidents on the transit terminal property.

Appendix 2 shows bans imposed under the *Trespass to Property Act*. It is important to note that bans involving youth are handled somewhat differently than those where adults are involved. Corporate Security Officers makes every attempt to contact the parent or guardian of the youth on or about the time when the ban is issued. The 2011-2012 comparison identifies a 181% increase in the number of bans issued. Bans in relation to Drugs experienced the highest increase. There were 285 incidents in 2012 found by Celebration Square security patrols along with the Sheridan College Police Foundation Safety Volunteer Program.

**FINANCIAL IMPACT:** Not applicable.

**CONCLUSION:** Monitoring and analysis of incident data is undertaken to identify and assist in the allocation of security resources in an efficient and effective manner to address security related concerns.

Corporate Security will continue to rely on the partnerships established inter-departmentally and with the local police to ensure that the safety, security and well being of staff and patrons are maintained at all times.

**ATTACHMENTS:** Appendix 1: Corporate Security Reports, 2011 and 2012 Occurrences Comparison

Appendix 2: 2011, 2012 Banning Comparison

Appendix 3: Corporate Security Occurrence Definitions



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

*Prepared By: Cathie Evans, Security Area Manager, Central  
Facilities & Property Management*

# Corporate Security Reports

## 2011 and 2012 Occurrences Comparison

Appendix 1

	Ward 1		Ward 2		Ward 3		Ward 4		Ward 5		Ward 6		Ward 7		Ward 8		Ward 9		Ward 10		Ward 11		Buses		Other		Total 2011	Total 2012	% Change
	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	
<b>1. ACCESS</b>	3	18	6	9	11	4	112	90	11	7	30	26	13	8	5	2	2	0	0	2	6	5	0	0	1	0	200	171	-15
<b>2. ACCIDENT</b>	5	3	2	4	4	3	37	85	40	126	28	15	2	4	2	0	4	5	3	2	4	1	2	0	9	9	142	257	81
Personal Injury (Non-EMS)	3	0	2	3	0	0	19	63	32	119	2	1	0	1	1	0	1	1	1	0	0	0	0	0	0	0	61	188	208
Vehicle (Personal Injury)	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	1	0	4	0	-100
Vehicle (Property Damage)	1	0	0	1	3	3	15	22	5	7	17	12	2	2	1	0	2	2	2	2	1	1	0	0	3	4	52	56	8
Property Damage	1	3	0	0	1	0	3	0	2	0	9	2	0	1	0	0	0	2	0	0	3	0	1	0	5	5	25	13	-48
<b>3. ALARMS</b>	231	201	197	146	120	130	258	331	232	291	241	235	111	337	49	34	53	63	10	74	57	95	0	1	33	60	1592	1998	26
<b>4. ALCOHOL &amp; DRUGS</b>	15	20	9	9	10	8	96	164	29	30	9	4	2	17	4	6	4	5	5	4	9	23	22	4	13	4	227	298	31
Liquor Offence	12	15	9	4	8	6	20	47	21	17	6	2	0	5	3	1	1	2	2	0	3	6	1	1	2	0	88	106	20
Drunkenness	2	0	0	2	1	1	25	7	2	3	2	1	1	2	1	3	3	0	1	0	1	2	18	3	11	4	68	28	-59
Drug Use	1	3	0	3	1	1	47	87	5	7	1	1	1	5	0	2	0	2	1	2	4	13	2	0	0	0	63	126	100
Drug Possession	0	2	0	0	0	0	4	23	1	3	0	0	0	5	0	0	0	1	1	2	1	2	1	0	0	0	8	38	375
<b>5. ARREST</b>	1	1	0	0	0	0	6	21	0	7	0	1	1	0	0	1	1	1	0	0	0	0	0	0	0	1	9	33	267
Assault	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	n/a
Disturbance	0	0	0	0	0	0	0	5	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	7	700
Theft	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	n/a
Trespass	1	1	0	0	0	0	5	16	0	6	0	1	0	0	0	1	1	1	0	0	0	0	0	0	0	0	7	26	271
<b>6. COMPLAINT</b>	13	5	14	3	13	6	46	24	16	9	10	7	15	3	9	7	15	6	13	3	13	4	1	0	1	1	179	78	-56
Facilities	0	0	1	0	1	0	30	13	2	3	3	0	0	0	0	1	2	0	1	0	3	0	0	0	0	0	43	17	-60
Parks	12	5	13	3	11	4	8	7	11	5	7	5	10	3	8	6	11	5	12	3	9	4	0	0	0	0	112	50	-55
Public	1	0	0	0	1	2	8	4	3	1	0	2	5	0	1	0	2	1	0	0	1	0	1	0	1	1	24	11	-54
<b>7. DISTURBANCE</b>	7	6	7	14	3	7	85	84	51	54	2	6	5	4	24	20	4	5	0	1	1	2	8	4	23	26	220	233	6
Counterfeit Currency	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	n/a
Forced Entry	0	0	4	11	1	1	5	4	0	2	1	2	2	0	0	0	1	0	0	1	0	0	0	0	0	0	14	21	50
Loitering	0	0	0	0	0	0	1	1	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0	2	2	0



	Ward 1		Ward 2		Ward 3		Ward 4		Ward 5		Ward 6		Ward 7		Ward 8		Ward 9		Ward 10		Ward 11		Buses		Other		Total 2011	Total 2012	% Change
	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	Total 2011	Total 2012	% Change
Confidential Information	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	n/a
14. LOST OR FOUND PERSON	1	0	0	1	0	1	8	10	7	4	0	1	0	0	2	1	0	1	0	0	0	0	1	2	3	2	22	23	5
Lost Person	1	0	0	1	0	1	4	7	6	2	0	1	0	0	0	1	0	1	0	0	0	0	1	2	3	2	15	18	20
Found Person(s)	0	0	0	0	0	0	4	3	1	2	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	7	5	-29
15. LOST & FOUND PROPERTY	1	19	3	9	3	2	264	421	23	38	6	87	2	1	3	22	1	12	1	0	4	2	1	83	2	18	314	714	127
16. MAINTENANCE	54	47	41	33	33	21	693	639	80	80	92	79	84	55	18	12	26	18	7	15	21	21	1	0	44	29	1194	1049	-12
17. MISCHIEF	2	4	5	2	3	2	8	8	4	4	2	1	3	3	5	5	3	3	1	2	0	0	26	20	11	3	73	57	-22
Mischief Endanger Life	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	22	15	6	1	28	17	-39	
Mischief Interfere with Property	0	0	1	0	1	0	1	1	0	1	1	1	1	1	1	2	1	1	0	0	0	2	0	1	2	10	9	-10	
Mischief Under \$5000	2	4	4	2	2	2	6	6	3	3	1	0	2	2	4	3	2	2	1	2	0	0	2	5	4	0	33	31	-6
Mischief Over \$5000	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	-100
18. MOTOR VEHICLE	27	19	16	38	4	3	37	44	17	19	41	35	13	8	8	3	5	10	10	5	11	7	3	4	9	3	201	198	-1
Abandoned	0	2	0	0	0	0	0	0	0	1	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	2	3	50
Dangerous Operation	0	0	2	1	0	0	2	3	0	2	5	0	0	1	1	0	0	0	1	0	0	1	0	0	4	0	15	8	-47
General Assist	1	0	1	0	0	0	0	0	0	0	0	2	1	0	0	0	0	1	0	0	0	0	0	0	2	1	5	4	-20
Parking	16	11	6	33	1	0	26	23	13	9	24	30	6	5	5	1	4	6	4	3	6	6	1	2	2	2	114	131	15
Suspicious	0	5	0	4	1	0	1	6	3	0	3	1	2	0	1	1	0	2	2	0	0	0	2	2	0	0	15	21	40
Unauthorized	10	1	7	0	2	3	8	12	1	7	8	2	3	2	1	1	1	1	3	2	5	0	0	0	1	0	50	31	-38
19. PHYSICAL/VERBAL ALTERCATION	3	6	4	9	2	7	45	36	23	33	5	2	1	1	8	7	7	6	0	1	1	0	53	31	4	8	156	147	-6
Assault Bodily	0	0	0	0	0	1	6	6	2	5	1	0	0	1	0	3	1	1	0	0	0	0	11	10	0	2	21	29	38
Assault Common	2	0	1	2	1	1	5	3	5	8	1	0	0	0	1	1	2	1	0	0	1	0	16	7	1	1	36	24	-33
Assault Sexual	0	1	0	0	0	0	2	0	1	0	1	1	0	0	0	0	0	0	0	0	0	0	3	2	0	1	7	5	-29
Assault Weapons	0	0	0	1	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	0
Fighting	1	1	2	6	0	4	23	20	14	14	1	0	0	0	4	1	2	4	0	1	0	0	11	9	2	1	60	61	2
Uttering Threats	0	4	1	0	1	0	7	7	1	6	1	1	1	0	3	2	2	0	0	0	0	0	12	3	1	3	30	26	-13
20. PROHIBITED ACTIVITY	89	130	47	58	43	62	189	348	92	136	86	87	38	61	43	50	45	65	54	50	61	62	83	110	10	12	880	1231	40
Prohibited Activity	79	124	45	54	34	53	154	296	69	115	83	82	33	59	37	44	35	58	46	45	59	55	78	105	10	12	762	1102	45
Noise	7	5	0	3	7	9	24	21	7	12	3	2	5	1	5	4	9	4	7	4	2	6	5	5	0	0	81	76	-6
Violation of Facility Rules	3	1	2	1	2	0	11	31	16	9	0	3	0	1	1	2	1	3	1	1	0	1	0	0	0	0	37	53	43
21. SUSPICIOUS ACTIVITY	12	21	8	15	10	10	176	182	29	37	23	27	12	13	29	22	17	21	2	9	11	10	104	84	28	29	461	480	4

15

691

	Ward 1		Ward 2		Ward 3		Ward 4		Ward 5		Ward 6		Ward 7		Ward 8		Ward 9		Ward 10		Ward 11		Buses		Other		Total 2011	Total 2012	% Change
	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012	2011	2012			

Activity	6	11	2	8	4	6	55	100	13	18	11	18	7	7	9	11	8	13	2	6	4	7	27	13	6	6	154	224	45
Person	6	10	6	7	6	3	115	77	16	18	11	9	5	6	19	11	9	8	0	3	7	3	77	69	21	22	298	246	-17
Item	0	0	0	0	0	1	6	5	0	1	1	0	0	0	1	0	0	0	0	0	0	0	0	2	1	1	9	10	11

22. THEFT	14	18	12	13	13	14	76	74	77	63	56	34	14	13	23	24	11	20	10	2	3	6	11	8	5	4	325	293	-10
Attempted	1	0	0	0	2	0	1	1	0	3	4	1	0	0	1	0	1	0	0	0	0	0	0	3	0	0	10	8	-20
Fraud	0	0	1	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	1	-50
Possible	1	3	2	2	0	2	23	12	3	3	3	4	1	0	3	1	0	3	4	0	0	2	1	0	0	0	41	32	-22
Robbery	0	0	0	0	1	0	6	4	3	2	0	0	0	0	2	1	0	1	0	0	0	0	0	3	2	1	14	12	-14
Under \$5000	7	7	4	6	6	9	35	39	35	30	11	5	4	3	11	8	5	8	3	2	3	4	10	2	3	3	137	126	-8
Over \$5000	0	1	0	2	0	0	1	1	0	2	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	2	6	200
Locker	4	6	5	3	3	2	5	8	30	14	33	22	7	8	4	13	5	7	0	0	0	0	0	0	0	0	96	83	-14
Bicycle	1	1	0	0	1	1	5	9	4	1	5	1	1	2	2	1	0	0	3	0	0	0	0	0	0	0	22	16	-27
Motor Vehicle	0	0	0	0	0	0	0	0	1	7	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	9	800

<b>23. TRANSIT OFFENCE</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>268</b>	<b>160</b>	<b>5</b>	<b>7</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>50</b>	<b>39</b>	<b>2</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>99</b>	<b>82</b>	<b>23</b>	<b>21</b>	<b>451</b>	<b>321</b>	<b>-29</b>
Bus Operation	0	0	0	0	0	0	3	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	2	1	0	0	6	2	-67
Fare Offence	2	0	2	0	0	0	46	39	5	5	0	1	0	0	15	10	1	3	0	0	0	0	61	41	15	12	147	111	-24
Public Nuisance	0	2	0	0	0	0	18	20	0	0	0	0	0	0	7	4	0	3	0	0	0	0	19	26	7	7	51	62	22
Bring Unauthorized Vehicle on Transit Property	0	0	0	0	0	0	193	95	0	2	0	1	0	0	25	24	0	1	0	0	0	0	0	1	0	2	218	126	-42
Obstruction	0	0	0	0	0	0	8	5	0	0	0	0	0	0	2	1	1	1	0	0	0	0	17	13	1	0	29	20	-31

<b>24. TRESPASS</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>5</b>	<b>1</b>	<b>2</b>	<b>26</b>	<b>21</b>	<b>0</b>	<b>18</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>39</b>	<b>56</b>	<b>44</b>
Caution Issued	0	2	1	1	0	0	5	9	0	10	1	2	0	1	0	0	0	0	1	0	0	0	0	0	0	0	8	25	213
Trespasser on Site	0	1	0	4	1	2	21	12	0	8	0	0	0	0	1	2	1	1	5	0	0	1	0	0	2	0	31	31	0

<b>25. VANDALISM</b>	<b>17</b>	<b>22</b>	<b>16</b>	<b>19</b>	<b>4</b>	<b>5</b>	<b>42</b>	<b>62</b>	<b>7</b>	<b>20</b>	<b>16</b>	<b>23</b>	<b>24</b>	<b>16</b>	<b>15</b>	<b>7</b>	<b>9</b>	<b>12</b>	<b>11</b>	<b>12</b>	<b>12</b>	<b>13</b>	<b>12</b>	<b>3</b>	<b>41</b>	<b>72</b>	<b>226</b>	<b>286</b>	<b>27</b>
City Property Damage	8	14	13	14	2	2	21	43	1	9	5	9	17	11	11	5	5	7	6	11	7	8	12	3	38	69	146	205	40
Non City Property Damage	4	0	3	1	0	0	7	3	0	3	2	3	1	0	3	0	2	2	1	0	2	0	0	0	3	0	28	12	-57
Motor Vehicle	0	1	0	1	1	0	5	2	2	4	6	4	5	2	1	1	1	0	0	0	0	1	0	0	0	1	21	17	-19
Litter	5	7	0	3	1	3	9	14	4	4	3	7	1	3	0	1	1	3	4	1	3	4	0	0	0	2	31	52	68

<b>26. WEAPONS</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>4</b>	<b>33</b>
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<b>Annual Totals</b>	<b>9325</b>	<b>10608</b>	<b>14</b>
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## Corporate Security Reports 2011 and 2012 Ban Comparison

Cause of Ban	Description	2011 Under 18	Total 2011	2012 Under 18	Total 2012	% Change
Alcohol	Unauthorized possession, consumption of an alcoholic beverage, under the influence, disorderly	7	53	23	162	206
Assault	Violent physical or verbal attack	3	17	2	15	-12
Disturbance	Cause commotion, scuffle, detracting from normal use and enjoyment of the property	6	28	1	21	-25
Drugs	Possessing illegal substance under the Ontario "Controlled Drugs and Substance Act"	14	46	92	285	520
Fare Offence	Failure to present proper bus fare	0	0	0	0	0
Fighting	Engaging in an intensive verbal dispute or physical conflict between two or more people	13	23	14	33	43
Indecent Behaviour	A public act, activity or gesture considered offensive to established public standards of decency	3	3	2	6	100
Loitering	Linger aimlessly with suspected criminal intent e.g. gang activities, soliciting drugs, prostitution, etc	1	4	0	0	-100
Mischief	Activity, or conduct which renders City property useless, interferes with the use of property	1	2	2	4	100
Noise	Sound that is loud, unpleasant, unexpected, or undesired	6	12	5	10	-17
Prohibited Activity	Conduct which contravenes City facility/park rules and regulations	21	118	106	400	239
Skateboarding	The act of riding on a skateboard in an area where the activity is not allowed	2	3	0	1	-67
Soliciting	Making requests or pleas by attempting to draw somebody into purchasing or participating in an illegal or unauthorized act.	1	9	1	4	-56
Suspicious Activity	Unusual behaviour leading to a belief that an unlawful activity is about to be committed	0	6	1	9	50
Trespass	Entry where entry prohibited, fail to leave when directed	6	20	20	56	180
Theft	Unlawful taking, removing, carrying away property of another	5	8	4	8	0
Threats	Communicated intent to inflict harm or damage to a person or City property	0	9	0	4	-56
Vandalism	Wilful or malicious act which damages, defaces, alters, or destroys City property	0	1	1	4	300
Weapons	Any instrument designed to be used in causing death or injury to any person; or for threatening	3	3	1	3	0
<b>Total</b>		<b>92</b>	<b>365</b>	<b>275</b>	<b>1025</b>	<b>181</b>

# Corporate Security Reports

## Corporate Security Occurrence Definitions

### **1. Access to Property:**

Entry and use of property without a mandatory permit.

### **2. Accident:**

#### **Personal Injury (Non-EMS)**

Injury that does not require emergency medical services.

#### **Vehicle (Personal Injury)**

A motor vehicle accident in which a personal injury is sustained.

#### **Vehicle (Property Damage)**

Property damage caused by a non-city vehicle.

#### **Property Damage**

Accident resulting in city property damage.

### **3. Alarms:**

Any device or sensor when activated that sends an alert notification. (ie. Ammonia, CO2 Detector, Door Contact, Duress, Emergency Pull Station, Fire, Forced open, Flood Detector, Local Audible, Motion Detector, Trouble Signal, Node Missing, Glass Break, Tamper, A/C Power Fail, Passcard, Pool Filter, Window Contact.)

### **4. Alcohol and Drugs:**

#### **Liquor Offence**

Found consuming alcohol on city property.

#### **Drunkenness**

Drunken Person(s).

#### **Drug Use**

Found using narcotics.

#### **Drug Possession**

Found in possession of illicit drugs.

### **5. Arrest:**

#### **Assault**

Violent physical or verbal attack.

#### **Disturbance**

Cause commotion, scuffle, detracting from normal use and enjoyment of the property.

#### **Theft**

Unlawful taking of property.

#### **Trespass**

Enter unlawfully on city property and fail to leave when directed to do so in accordance with the Trespass to Property Act.

### **6. Complaint:**

#### **Facilities**

Complaint concerning city facilities.

#### **Parks**

Complaint concerning city parks.

#### **Public**

Complaints concerning patrons violating bylaws.

### **7. Disturbance:**

#### **Forced Entry**

A secure facility that has been forcibly entered.

#### **Loitering bylaw infraction**

Linger aimlessly or with suspected criminal intent.

#### **Harassment**

Individual found disturbing others persistently.

#### **Soliciting**

Making requests or pleas, attempting to draw somebody into purchasing or participating in an illegal or unauthorized act.

#### **Skateboarding bylaw infraction**

Skateboarding where prohibited.

#### **Counterfeit Currency**

The discovery of counterfeit money.

### **8. Emergency:**

#### **Bomb Threat**

Threat of a bomb on city property.

#### **Report Fire/Smoke**

The discovery of smoke or a fire.

#### **Gas Leak**

A natural gas leak found at facility.

#### **Fire Watch**

Mandatory physical patrol of a property when the automated fire suppression system is compromised.

#### **Power Failure**

Power surge or outage that causes the shutdown of a system.

#### **911 Calls**

Any call to 911 requiring immediate emergency response.

### **9. General:**

#### **Assist**

Aiding or assisting the public.

#### **Unauthorized Use of Computer**

Individual found using a computer without authorization.

#### **Security Suggestion**

Suggestions made by security staff to increase the efficiency and quality of operations.

#### **Information**

General information regarding security operations.

### **10. Graffiti:**

Words, markings or drawings etched, scratched or painted on a surface.

### **11. Hazards:**

#### **Health**

Situation or item that poses a level of threat to health.

#### **Safety**

Situation or item that poses a level of threat to safety.

#### **Dangerous Materials**

Someone found in possession of an explosive, flammable or toxic item.

15K

**12. Indecent Behaviour:**

Behaviour that is not keeping with acceptable or appropriate standards.

**13. Insecure Property:**

**Cash**

Cash observed left insecure and accessible.

**Door(s)**

Door(s) observed left insecure and accessible.

**Gate**

Gate observed left insecure and accessible.

**Vehicle**

City vehicle observed left insecure and accessible.

**Display Cabinet**

Display cabinet left insecure and accessible.

**Computer Equipment**

Computer equipment left insecure and accessible.

**Roof Hatch**

Roof Hatch left insecure and accessible.

**Window/ Skylight**

Window or skylight left insecure and accessible.

**Confidential Information**

Confidential Information left insecure and accessible.

**14. Lost or Found Person:**

**Lost Person**

Missing person reported.

**Found Person**

Missing person located.

**15. Lost or Found Property:**

Any item that is reported missing or recovered.

**16. Maintenance:**

Any equipment or structure that requires servicing.

**17. Mischief:**

**Mischief Endanger Life**

Reckless activity or conduct which endangers life.

**Mischief Interfere with Property**

Reckless activity, or conduct which renders City property useless, interferes with the use of property.

**Mischief Under \$5000**

Reckless activity or conduct which results in city property damage under \$5000.

**Mischief Over \$5000**

Reckless activity or conduct which results in city property damage over \$5000.

**18. Motor Vehicle:****Abandoned Motor Vehicle**

Abandoned motor vehicle found on city property.

**Dangerous Operation**

Reckless and hazardous operation of motor vehicle on city property.

**General Assist**

General motor vehicle assistance (Jump start, gasoline).

**Parking**

A Motor vehicle parking infraction (over night parking, handicapped parking without permit).

**Suspicious**

A vehicle found on city property with a suspicious presence.

**Unauthorized**

Motor vehicle found in prohibited area.

**19. Physical/ Verbal Altercation:****Assault Bodily**

Assault causing bodily harm.

**Assault Common**

Assault where no serious injury is evident.

**Assault Sexual**

Physical assault of a sexual nature on another person.

**Assault Weapons**

Assault with a firearm, sharp object or blunt object.

**Fighting**

Consensual altercation between two or more individuals.

**Uttering Threats**

Display of intent to cause physical harm.

**20. Prohibited Activity:****Prohibited Activity**

Conduct which contravenes City facility/park rules and regulations.

**Violation of Facility Rules**

An infringement of facility/park rules.

**Noise**

Excessive sound causing a disturbance to others.

**21. Suspicious Activity:****Activity**

Unusual behaviour leading to a belief that an unlawful activity is about to be committed.

**Person**

Individual without a clear purpose on the site.

**Item/Package**

An item/package with unknown contents found on city property.

15m

**22. Theft:**

**Attempted**

Failed attempt at theft.

**Fraud**

False identity or Counterfeit passes/money.

**Possible**

Item reported as likely stolen.

**Robbery**

Theft with a threat to cause physical harm.

**Under \$5000**

Theft of any property under \$5000 in value.

**Over \$5000**

Theft of any property over \$5000 in value.

**Locker**

Theft from a locker.

**Bicycle**

Theft of a bicycle.

**Motor Vehicle**

Motor Vehicle Theft.

**23. Transit Offence:**

**Bus Operation**

Incident deterring from regular bus operation.

**Fare Offence**

Failure to present proper fare.

**Public Nuisance**

Nuisance deterring the public from use of transit system.

**Bring unauthorized vehicle on transit property**

Drive non-transit motor vehicle onto transit-only property.

**Obstruction**

Interfering with the operation, an Operator or an Operator's directive on a bus.

**24. Trespass:**

**Caution Issued**

One or more Individuals issued a warning or ban to one or more city facilities.

**Trespasser on site**

Banned individual observed on facility property.

**25. Vandalism:**

**City Property Damage**

Damage of property belonging to the city.

**Litter**

Objects strewn or scattered about.

**Non-city Property Damage**

Damage of property not belonging to the city.

**Motor Vehicle**

Vandalism in which a motor vehicle is damaged or defaced.

**26. Weapons:**

**Possession of Weapon**

Possession of any weapon restricted by the law or object that could be used as a weapon.

REPORT 2-2013

General Committee

APR 03 2013

TO: MEMBERS OF GENERAL COMMITTEE

The Heritage Advisory Committee presents its second report for 2013 and recommends:

## HAC-0014-2013

That the email messages dated February 6, 2013 from Dave Cook, President, Applewood Acres Homeowners' Association and Applewood Acres and Ward 1 resident, and Virlana Kardash, Applewood Acres and Ward 1 resident, with respect to the proposed heritage designation of Applewood Acres be received.

Ward 1

(HAC-0014-2013)

## HAC-0015-2013

That the email message dated March 18, 2013 from Karston Chong, Land Development Coordinator, Dunsire Developments Inc., requesting deferral of Item 4 (a letter dated February 7, 2013 from James P. Holmes, Chairman, Meadowvale Village Community Association, with respect to the Meadowvale Village Heritage Conservation District Plan, 2012) on the Heritage Advisory Committee's March 19, 2013 agenda be received.

Ward 11

(HAC-0015-2013)

## HAC-0016-2013

That the letter dated February 7, 2013 from James P. Holmes, Chairman, Meadowvale Village Community Association, with respect to the Meadowvale Village Heritage Conservation District Plan, 2012 be received.

Ward 11

(HAC-0016-2013)

## HAC-0017-2013

That the letter dated March 14, 2013 from James P. Holmes, Chairman, Meadowvale Village Community Association, with respect to the Vintages Development located at 7235 Second Line West in Meadowvale Village be received.

Ward 11

(HAC-0017-2013)

## HAC-0018-2013

That Saint Apostle Andrew Romanian Orthodox Church, located at 4030 Dixie Road, be designated under the *Ontario Heritage Act* for its design/physical, historical/associative, and contextual value and that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Ward 3

(HAC-0018-2013)

## HAC-0019-2013

That the property at 44 and 46 Queen Street South, which is listed on the City's Heritage Register, is not worthy of designation, and consequently, that the owner's request to demolish proceed through the applicable process.

Ward 11

(HAC-0019-2013)

## HAC-0020-2013

1. That the correspondence dated February 12, 2013 from Laurie Bruce, Consultant Project Manager, Arup Canada Inc., with respect to the Ninth Line Class Environmental Assessment be received; and
2. That the Legislative Coordinator advise Laurie Bruce, Consultant Project Manager, Arup Canada Inc., of the Heritage Advisory Committee's request to remain on the contact list with respect to the Ninth Line Class Environmental Assessment.

Wards 9 and 10

(HAC-0020-2013)

## HAC-0021-2013

That the email message dated February 27, 2013 from the Heritage Resources Centre with respect to the Heritage Resources Centre – Annual General Meeting and four day Heritage Planning Workshop on May 4-5, 2013 and May 25-26, 2013 in Waterloo, Ontario be received.

(HAC-0021-2013)

## HAC-0022-2013

1. That the correspondence with respect to the Ontario Heritage Conference 2013 on June 6-9, 2013 in Midland, Ontario and Penetanguishene, Ontario be received; and
2. That up to two Heritage Advisory Committee Citizen Members be authorized to attend the Ontario Heritage Conference 2013 on June 6-9, 2013 in Midland, Ontario and Penetanguishene, Ontario and that funds be allocated in the Heritage Advisory Committee's 2013 budget (Account #28609) to cover approximately \$670 for registration fees, approximately \$500 for mileage, approximately \$800 for accommodations, and approximately \$240 for per diem allowances.

(HAC-0022-2013)

## HAC-0023-2013

That the property at 1077 North Service Road be removed from the City's Heritage Register and that the following three conditions which were outlined in Council Resolution 0085-2012 (adopted on April 25, 2012) regarding this property be removed:

- (i) Application OZ 10/03 is approved;
- (ii) The applicant retains a grocery store on the property; and
- (iii) Through the Site Plan process, the applicant is encouraged to incorporate the existing façade into the new development.

Ward 1

(HAC-0023-2013)

HAC-0024-2013

That the chart dated March 19, 2013 from Julie Lavertu, Legislative Coordinator, Heritage Advisory Committee, with respect to the status of outstanding issues from the Heritage Advisory Committee be received.

(HAC-0024-2013)

HAC-0025-2013

That the correspondence dated March 6, 2013 from Bert Duclos, Heritage Outreach Consultant, Ministry of Tourism, Culture and Sport, with respect to a Letter of Authority regarding the waiving of normal tariff fees at Land Registry Offices for Municipal Heritage Committee members and their assistants be received.

(HAC-0025-2013)

**MISSISSAUGA CYCLING  
ADVISORY COMMITTEE**

**March 20, 2013**

REPORT 3-2013

General Committee

**APR 03 2013**

TO: CHAIR AND MEMBERS OF GENERAL COMMITTEE

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

MCAC-0015-2013

That the deputation to the Mississauga Cycling Advisory Committee by Keagan Gartz regarding Cycle Toronto – Bike Month be received.

(MCAC-0015-2013)

MCAC-0016-2013

That staff in the Clerk's Office and the ECity Store be authorized to sell the new supply of the 2013 Tour de Mississauga cycling t-shirts at a cost of \$15.00 (taxes included).

(MCAC-0016-2013)

MCAC-0017-2013

That the draft letter regarding the McLaughlin Road Environmental Assessment be received and amended to incorporate Mississauga Cycling Advisory Committee preferred design considerations.

(MCAC-0017-2013)

MCAC-0018-2013

That the 2013 Calendar of Events regarding Mississauga cycling related events in 2013 be received as amended.

(MCAC-0018-2013)

MCAC-0019-2013

That the 2013 Mississauga Cycling Advisory Committee Action List be received as amended.

(MCAC-0019-2013)

MCAC-0020-2013

That the following information items be received for information:

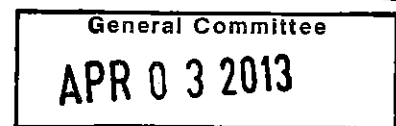
- a) Resignation email dated February 28, 2013 from Ghada Hamouda, of Mississauga Cycling Advisory Committee (MCAC) Citizen Member advising her resignation from MCAC.
- b) Share The Road March 2013 Newsletter.

**MISSISSAUGA CYCLING  
ADVISORY COMMITTEE****March 20, 2013**

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- c) Poster regarding Communities on the Move – Malton Roundtable – Thursday March 14, 2013.
- c) Poster regarding Communities on the Move – Cooksville Public Library – March 28, 2013.
- d) Corporate Report dated February 7, 2013 Regarding 2013 Sidewalk and Multi-Use Trail Construction Programs (Wards 3,4,5,9,11)  
(MCAC-0020-2013)

REPORT 1-2013



TO: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Museums of Mississauga Advisory Committee presents its first report for 2013 and recommends:

**MOMAC-0001-2013**

That the Museums of Mississauga's Collecting Mission has a specific focus on 1939 to the present to represent the modern development of our City. We will also continue to collect unique artifacts related to all aspects of Mississauga's history.

(MOMAC-0001-2013)

**MOMAC-0002-2013**

That the Reports from the November 6, 2012 and February 5, 2013, and the Draft Report from the March 5, 2013 meetings of the Collections and Storage Subcommittee (CASS), be received.

(MOMAC-0002-2013)

**MOMAC-0003-2013**

That the Museum Manager's Report, dated March 18, 2013, from Annemarie Hagan, Museums Manager, be received.

(MOMAC-0003-2013)

**MOMAC-0004-2013**

That the Capital Projects Report, dated March 18, 2013, from Annemarie Hagan, Museums and Traditions Manager, be received.

(MOMAC-0004-2013)

**MOMAC-0005-2013**

That the following Items for Information be received:

1. Letter from Chair to Governance Committee on Committees of Council Review – MOMAC
2. Mississauga News Article on The Peel Museum of Ontario Media Launch dated March 8, 2013
3. Toronto Star Article on Historical Letters not wanted at Library and Archives Canada dated March 10, 2013
4. Hills Strategies Research Inc. Report dated February 13, 2013 on Arts and Heritage in Canada: Access and Availability Survey 2012
5. Article entitled Peel Museum a Cultural and Business Boost for Mississauga dated March 15, 2013
6. Letter dated March 8, 2013 from Charles Sousa, MPP congratulating Museums & Traditions staff on the display at Queen's Park

(MOMAC-0005-2013)

**MOMAC-0006-2013**

That staff be directed to update the 2008 Museums of Mississauga Collections Communications Strategy for the June 17, 2013 MOMAC Meeting.

(MOMAC-0006-2013)

**MOMAC-0007-2013**

That the Collections and Storage Subcommittee meeting scheduled for Tuesday, April 2, 2013 be cancelled.

(MOMAC-0007-2013)

REPORT 1-2013

General Committee

APR 03 2013

TO: CHAIR AND MEMBERS OF GENERAL COMMITTEE

The Public Vehicle Advisory Committee presents its first report for 2013 and recommends:

PVAC-0001-2013

That Councillor Iannicca, Councillor Starr, Al Cormier, Nabil A. Nassar, Paramvir Singh Nijjar, Karam Punian be appointed to the Public Vehicle Advisory Subcommittee to discuss the matter of issuance of taxicab plates, including both regular and accessible.

PVAC-0001-2013

PVAC-0002-2013

1. That the report from the Commissioner, Transportation and Works, dated March 4, 2013 titled Amendments to the Public Vehicle Licensing By-law 420-04, as amended, for the Licensing of Taxi Drivers, be received.
2. That staff incorporate comments received from the Public Vehicle Advisory Committee and prepare a report to be considered by General Committee on the recommended changes to the requirements for the licensing of taxi drivers.

(PVAC-0002-2013)

PVAC-0003-2013

1. That a by-law be enacted to amend Section 29 of the Public Vehicle Licensing By-law 420-04, as amended, to include the requirement for an original copy of the insurance certificate to be filed with the Vehicle Licensing Section or an option to permit the insurance broker or insurance company to file an electronic insurance certificate with the Vehicle Licensing Section by secure e-mail.
2. That Section 29 of the Public Vehicle Licensing By-law 420-04, as amended, be repealed and replaced with the following:

*Every licensed owner shall file an original insurance certificate or policy with the Licence Manager at least five (5) days prior to the expiry date of the current insurance policy or renewal. The insurance certificate will be delivered by hand, delivered by mail, or filed as an electronic document by the insurance broker or insurance company via secure e-mail.*

(PVAC-0003-2013)

PVAC-0004-2013

That the emails dated March 11, 2013 from Al Cormier with respect to taxi insurance be received.  
(PVAC-0004-2013)

PVAC-0005-2013

That the fax dated February 20, 2013 from Gurvel Singh, Broker Representative with respect to hotel shuttles operating as unlicensed taxis be received.  
(PVAC-0005-2013)

PVAC-0006-2013

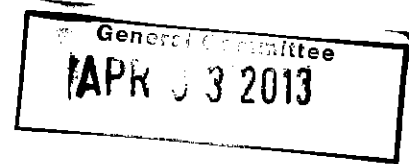
That the e-mail dated January 22, 2013 from Harsimar Sethi with respect to age of taxis vehicles be referred back to staff to prepare a Corporate Report for a later meeting date.  
(PVAC-0006-2013)

PVAC-0007-2013

That he email dated January 30, 2013 from Peter D. Pellier with respect to taxi stands at BRT stations and memo dated March 15, 2013 from Geoff Wright, Director, Transportation Project Office & Business Services with respect to Mississauga BRT Project – Taxi Stands be received.  
(PVAC-0007-2013)

PVAC-0008-2013

That the Action List of the meeting held on November 13, 2012 provided to the Committee to update on the status of initiatives raised at prior meetings be received.  
(PVAC-0008-2013)

**REPORT 2 - 2013**

**TO: CHAIR AND MEMBERS OF GENERAL COMMITTEE**

The Traffic Safety Council presents its second report for 2013 and recommends:

**TSC-0041-2013**

That the memorandum dated March 7, 2013 from the Manager of Parking Enforcement with respect to parking enforcement in school zones be received for information.

(TSC-0041-2013)

**TSC-0042-2013**

That Traffic Safety Council send a donation of \$510.00 from the 2013 Traffic Safety Council budget to the Peel Children's Safety Village to cover the costs for 3 Mississauga students to attend Camp Samac from July 16<sup>th</sup> to July 19<sup>th</sup>, 2013 as part of the 2012-2013 School Safety Patroller Program.

(TSC-0042-2013)

**TSC-0043-2013**

That the Commissioner of Planning and Building be advised that with respect to the Site Plan Approval for Brookmeade Public School, that Traffic Safety Council has reviewed the site plan and is satisfied with the plan as marked at the Site Plan Review Subcommittee of Traffic Safety Council at its meeting on March 15, 2013.

(TSC-0043-2013)

**TSC-0044-2013**

1. That the request for a crossing guard at the intersections of Black Willow Trail and Scotch Pine Gate and Black Walnut Trail and Smoke Tree Road be denied as the warrants have not been met.
2. That Transportation and Works be requested to install a No Stopping sign on the west side of Black Walnut Trail, south of the walkway in the vicinity of Black Walnut Trail and Smoke Tree Road.
3. That Parking Enforcement be requested to enforce the parking infractions at the intersection of Black Walnut Trail and Smoke Tree Road between 3:00 pm – 3:40 pm once the No Stopping signage is installed.

(TSC-0044-2013)

**TSC-0045-2013**

1. That the request for a crossing guard at the intersection of Rupert's Gate and the catwalk south of Middlebury Drive for the students attending Divine Mercy Catholic School be denied as the warrants have not been met and that the Site Inspection Subcommittee of Traffic Safety Council be requested to re-inspect the warrants for a crossing guard at the intersection of Rupert's Gate and Duncairn Drive in April 2013.

2. That Transportation and Works be requested to review the feasibility of placing signage at the entrance to the catwalk at Rupert's Gate south of Middlebury Road.  
(TSC-0045-2013)

TSC-0046-2013

That the request for a crossing guard at the intersection of Perran Drive and Thorn Lodge Drive for the students attending Sheridan Park Public School be denied as the warrants have not been met.  
(TSC-0046-2013)

TSC-0047-2013

That the Site Inspection Report dated March 26, 2013 to review the walking route to Ridgewood Public School be received for information.  
(TSC-0047-2013)

TSC-0048-2013

That the Action Items List from the Transportation and Works Department for the months of January and February 2013 be received for information.  
(TSC-0048-2013)

TSC-0049-2013

That the matter to review the Traffic Safety Council Terms of Reference be deferred until the recommendations from the City Committees of Council Structure Review by the Governance Committee have been approved by Council.  
(TSC-0049-2013)