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In reply please quote:
Ref.: 12-EX21.9

July 19, 2012

Ms. Jane Pyper
Chief Executive Officer and City Librarian
Toronto Public Library
789 Yonge Street
Toronto, Ontario
M4W 2G8

Dear Ms. Pyper:

Subject: Executive Committee Item 21.9
Policy Changes to Facilitate Councillor Office Operations (Ward All)

City Council on July 11, 12 and 13, 2012, adopted this Item as amended, and in so doing, has requested City agencies, including but not limited to the Toronto Public Library, the Toronto Parking Authority and the Toronto Transit Commission, to review the City's Policy on Councillor Use of Civic Space and adopt similar policies for facilities under their control.

A copy of the City's Policy on Councillor Use of City Space, as amended by City Council, is enclosed for your review.

For more information about this Policy, please call Winnie Li, Director, Council and Support Services at 416-392-8676.

Yours truly,

for City Clerk

M. Toft/sb

Attachment

Sent to: Integrity Commissioner
General Manager and Chief Executive Officer, Exhibition Place
President, Toronto Parking Authority
Chief Executive Officer and City Librarian, Toronto Public Library
Chief Executive Officer, Toronto Transit Commission
Chief Executive Officer, Sony Centre for the Performing Arts
General Manager, St. Lawrence Centre for the Arts
General Manager, Toronto Centre for the Arts
Chief Executive Officer, Toronto Zoo
Chair, Toronto Police Services Board
General Manager, Yonge-Dundas Square Board of Management
Executive Director, 519 Church Street Community Centre
Executive Director, Applegrove Community Complex
Executive Director, Cecil Street Community Centre
Executive Director, Central Eglinton Community Centre
Executive Director, Community Centre 55
Executive Director, Eastview Neighbourhood Community Centre
Executive Director, Harbourfront Community Centre
Executive Director, Ralph Thornton Community Centre
Executive Director, Scadding Court Community Centre
Executive Director, Swansea Town Hall Community Centre
Manager, George Bell Arena
General Manager, Larry Grossman Forest Hill Memorial Arena
Manager, Leaside Memorial Community Gardens Arena
Acting Manager, McCormick Playground Arena
Facility Manager, Moss Park Arena
Manager, North Toronto Memorial Arena
Manager, Ted Reeve Community Arena
Manager, William H. Bolton Arena

c. City Clerk



Policy on Councillor Use of Civic Space

As amended and adopted by City Council at its meeting on July 11, 2012

PURPOSE

The Policy on Councillor Use of Civic Space provides the parameters, fee structure and booking logistics whereby Councillors can book and use civic space for constituency and community events and meetings. This Policy is not for the purposes of conducting any election-related campaigns.

DEFINITIONS

"Civic Space" – means the following:

- City museums and cultural facilities managed by Economic Development and Culture
- community centres, arenas, parks and sports fields, and other purpose buildings managed by Parks, Forestry and Recreation
- City Hall, Metro Hall, civic centres and other buildings managed by Facilities Management

PRINCIPLES

City Councillors need to communicate with their constituents concerning the meetings and activities of City Council and its committees, as well as the business and services of the City.

City space should be made available for Councillor occasional use for special events and for regular Councillor meetings with constituents.

The health and safety of staff working at the facility or the safety and security of public users of the facility should not be adversely affected by the Councillor's usage of the space.

The ability of City divisions to deliver their programs and services at the facility should not be adversely affected by the Councillor's usage of the space.

SCOPE

This policy applies to facilities owned or leased and directly managed and operated by the following divisions:

- Economic Development and Culture
- Facilities Management



- Parks, Forestry and Recreation

The policy does not apply to buildings owned or managed by City agencies and corporations including the Toronto Public Library Board, the Toronto Transit Commission, the Toronto Police Services Board, the Toronto Parking Authority, Association of Community Centres and Arena Boards. These agencies and corporations, however, are being requested by City Council to adopt a similar policy for City Councillors.

This policy does not apply to Councillors' continuous lease of space for constituency offices. Constituency office leases are covered by a separate policy, *"Options for Constituency Offices and Reallocation of Vacant Second Floor Office Space at City Hall"* approved by City Council at its meeting of January, 30, 31 and February 1, 2001.

POLICY

- Meeting rooms, auditoriums, small offices and public foyers and similar space of City of Toronto civic facilities are available to City Councillors for occasional use for community events and for regular meetings with constituents.
- Parks and sports fields are available to City Councillors for occasional use for community events.
- Councillors should be considered priority users of civic space where the space is not already booked. Councillor booking cannot bump other previously booked meetings/events.
- The fee charged for the use of space shall be in accordance with the fee structure and booking limits described in the Fee section.
- Division Heads are responsible for implementing this policy for facilities under their control and management.
- Division Heads are responsible for implementing a streamlined booking system, centralised where possible, for facilities under their control and management.
- Councillors must abide by the regular permitting policy and procedures divisions have in place for the use of their space.



FEES AND BOOKING LIMITS

There are two categories of fees:

1. One-time constituency and community events and meetings:
 - Permit fee will be waived for 3 meetings/events per division each calendar year.
 - Regular permit fee rate applies after the 3 free meetings/events.
2. Regular meetings with constituents:
 - Access will be dependent on the availability of space at the facility.
 - Rental rate will be the regular rate for the space.
 - Where there is no divisional fee structure for space, the permit rate will be set at \$20 per hour.

The fee structure will be reviewed and updated per Divisional permit fee updates and communicated to Councillors as the need arises.

Additional costs related to a constituency or community meeting or event, including but not limited to overtime for staff, security, set-up and clean-up, equipment costs, will be charged at the regular rate and are applicable to all events and meetings, including the 3 free events.

Fees charged by Divisions must be signed off by a Councillor and administered through Council and Support Services, City Clerk's Office. Divisions must not directly charge against Councillor cost centres.

CONDITIONS OF USE

- All meetings/events must be related to City business and be hosted directly by a City Councillor.
- All meetings/events must be booked per normal permit timelines.
- No games of chance, including bingo and lotteries, are permitted.
- Charitable fund-raising is not permitted.
- Sales of goods are not permitted except sales of products by City divisions, such as water conservation kits.
- Councillors cannot book facilities on behalf of third parties.

- Councillors must remove all files, photographs, posters and any other materials at the end of their meetings or booking times.
- Councillors must comply with the health and safety requirements of the facility.
- Councillors must recognize that City staff must comply with the Policy on Use of City Resources during an Election.
- No permanent signage or display board will be permitted.
- Councillors should plan to bring their own equipment required for the meeting, e.g. computers and cell phones.
- Staff may provide basic furniture, e.g. table and chairs, that would be part of the regular set-up of the space. Special set-up requirements, if needed, may incur an additional fee.

DENIAL OF USE

- Should a Councillor contravene the use of facilities policy, the Division Head will discuss the correct use of the policy with the affected Councillor¹.

RESOLUTION OF ISSUE

- Councillors or City staff who encounter difficulties or issues with the use of civic space under this policy should resolve these issues first with the Division Head, and if no satisfactory solution is found, with the Deputy City Manager for the cluster and if no satisfactory solution is found, with the City Manager.

¹ Amended and adopted by City Council at its meeting on July 11, 2012.



TORONTO Committee Report

Report Item

Considered by City Council on
 July 11, 2012
 July 12, 2012
 July 13, 2012

Executive Committee

EX21.9		Amended		Ward:All
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Policy Changes to Facilitate Councillor Office Operations

City Council Decision

City Council on July 11, 12 and 13, 2012, adopted the following:

1. City Council change the name "Councillor Expense Policy" to "Constituency Services and Office Budget Policy".
2. City Council approve the changes and clarifications to the Constituency Services and Office Budget Policy that incorporates the recommendations set out in Attachment 6 of the report (May 29, 2012) from the Deputy Mayor and the City Clerk, as amended by the following, and authorize the City Clerk to make the corresponding updates to the Introduction Section of the Policy as required.
3. City Council direct that Councillor donations to community groups be an ineligible expense with the exception of donations to groups for use of space for a Town Hall meeting if the organization does not charge rent for their facility and Section 5 (Allowable Expenses) of the Constituency Services and Office Budget Policy dated May, 2012 (Attachment 6 of the report (May 29, 2012) from the Deputy Mayor and the City Clerk), be amended accordingly.
4. City Council direct that Councillors who are not Board or Committee members of the Federation of Canadian Municipalities and incur travel costs associated with attending the Annual Conference of the Federation of Canadian Municipalities may be reimbursed for these costs from the Council Business Travel Budget.
5. City Council approve the Furniture, Configuration and Equipment Standard for Councillor Offices set out in Attachment 1 of the report (May 29, 2012) from the Deputy Mayor and the City Clerk.
6. City Council approve the renaming of the Government Relations Reserve (XQ0009) to the Council Furniture and Equipment Reserve and change the purpose to receive, hold and be drawn on to provide for the state of good repair and replacement of furniture and offices of Members of Council at City Hall, or constituency offices at civic centres or other properties, as set out in Attachment 2 of the report (May 29, 2012) from the Deputy Mayor and the City Clerk.
7. City Council approve the renaming of the Councillors' Severance Reserve (XQ0010) to the Council Transition Reserve and change the purpose to receive, hold and be drawn

on to provide for the expenses required during Council transition, including but not limited to the payment of severance for Members of Council and their staff, the set-up of transition offices and payment of transition staff, and other transition-related expenses, as set out in Attachment 3 of the report (May 29, 2012) from the Deputy Mayor and the City Clerk.

8. City Council amend Municipal Code Chapter 227 (Reserve and Reserve Funds) as per Parts 6 and 7 above.
9. City Council approve the provision of BlackBerry smart phones and mobile tablets and associated voice and data plans to Councillors as standard equipment funded from the Council General Expense Budget.
10. City Council approve that expenses related to electronic equipment be charged to the global Council budget including any roaming charges provided the Councillor has notified the appropriate City staff and roaming plans have been set up for the Councillor, prior to leaving the City.
11. City Council approve the Policy for Councillor Use of Civic Space set out in Attachment 4 of the report (May 29, 2012) from the Deputy Mayor and the City Clerk, and direct the City Manager to implement the policy effective September 1, 2012, and amend divisional permit policies, procedures and rates accordingly, as amended by the following:
 - a. the provision of a constituency office, within a civic centre (including City Hall) or within the Councillors' respective Wards, to be funded from the General Council Account, and further, that staff develop appropriate parameters for these spaces.
 - b. by deleting the following bullet point under the heading "Denial of Use":

Bullet point to be deleted

Division Heads may deny Councillors' use of facilities under their control if Councillors have contravened this Policy.

and replacing it with the following new bullet point:

Should a Councillor contravene the use of facilities policy, the division head will discuss the correct use of the policy with the affected Councillor.

12. City Council request City agencies, including but not limited to the Toronto Public Library, the Toronto Parking Authority and the Toronto Transit Commission, to review the City's Policy on Councillor Use of Civic Space and adopt similar policies for facilities under their control.
13. City Council approve the Policy on Use of City Resources during an Election set out in Attachment 5 of the report (May 29, 2012) from the Deputy Mayor and the City Clerk, and direct the City Manager and the Accountability Officers to implement the policy effective immediately.

14. City Council request the City Manager to report on the application of the Policy on Use of City Resources during an Election to City agencies and corporations, for implementation for the 2014 Municipal Election.
15. City Council amend the last bullet of Section 5 (Allowable Expenses - Legal Fees) of the Constituency Services and Office Budget Policy dated May, 2012 (Attachment 6 to the report (May 29, 2012) from the Deputy Mayor and the City Clerk), by deleting "Fees related to first consultation for Code of Conduct investigations (limit \$500)" and inserting "Fees related to informal complaints (part A) and formal complaints (part B) of the Code of Conduct Complaint Protocol for Members of Council" so that it now reads as follows:

Fees related to informal complaints (part A) and formal complaints (part B) of the Code of Conduct Complaint Protocol for Members of Council [*per City Council decision at its meeting on July 15, 16 and 17, 2008, on the Integrity Commissioner's report titled "Report on Issues Arising Out of Operation of Members Code of Conduct and Complaint Protocol"*]

and City Council request the Integrity Commissioner to review and report to Council on suggested corresponding changes in the Code of Conduct Complaint Protocol for Members of Council.

16. City Council direct that the change in Part 15 above be retroactive to January 1, 2012.
17. City Council amend the Constituency Services and Office Budget Policy dated May, 2012 (Attachment 6 to the report (May 29, 2012) from the Deputy Mayor and the City Clerk) as follows:

- a. by adding to Section 2.4 (Introduction – Program Budget) the following new bullet point:

Office expense budgets are subject to an annual CPI increase.

- b. by amending the first bullet point in Section 4.7(b) (Councillor Expenses during an Election Year – Specific Limitations) by adding the words "after the nomination deadline" after the word "announced" so that it now reads as follows:

Once a Councillor has announced after the nomination deadline they are not seeking re-election and plan to retire from office at the end of the term, the Councillor will not be permitted to use City funds to:

Increase the salary of their staff
Buy furniture and equipment for the office
Attend conferences, seminars or undertake business travel
Trade furniture with other Councillors

- c. by deleting the word "basic" in the first and second bullet points in Section 5, Allowable Expenses (Internet Services) under the heading "Eligible Expenses" so they now read as follows:

High-speed internet connection for Constituency Office
High-speed internet connection for Home Office

- d. by moving the following bullet point from Section 5, Allowable Expenses (Internet Services) under the heading "Ineligible Expenses" to Section 5, Allowable Expenses (Internet Services) under the heading "Eligible Expenses":

Fees to enhance bandwidth and transmission speed
- 18. City Council amend the Constituency Services and Office Budget Policy dated May, 2012 (Attachment 6 to the report (May 29, 2012) from the Deputy Mayor and the City Clerk) as follows:
 - a. by adding to Appendix 1, Part 3 (Office Operations) and to Section 5, Allowable Expenses (Newsletters and Flyers) the following new bullet point:

Each Councillor be entitled to an amount equivalent to the cost of postage or delivery by other means of one newsletter to all households within the ward, based on the 2011 census information, and at a rate not to exceed the current Canada Post standard admail rate, paid for from the Council General Expense Budget.
- 19. City Council request the City Manager to report back to City Council on October 30, 2012 on the feasibility of providing additional funds to be applied to the office budgets of Councillors who have more than 60,000 constituents.

Committee Recommendations

The Executive Committee recommends that:

- 1. Councillor donations to community groups be an ineligible expense and Section 5 (Allowable Expenses) of the Councillor Expense Policy dated May, 2012 (Attachment 6 of the report (May 29, 2012) from the Deputy Mayor and the City Clerk), be amended by deleting Community Expense-Donations to Community Groups as an expense category.
- 2. Councillors who are not Board or Committee Members of the Federation of Canadian Municipalities (FCM) fund the attendance of the Annual Conference from their Office Expense Budget and that Section 5, Appendix 1 (Allowable Expenses - Resources Available/Allocated to Councillors) of the Councillor Expense Policy dated May, 2012 (Attachment 6 of the report (May 29, 2012) from the Deputy Mayor and the City Clerk), be amended so that the last bullet, which reads:

"Councillors who are not Board or Committee members of the Federation of Canadian Municipalities and incur travel costs associated with attending the Annual Conference of the Federation of Canadian Municipalities may be reimbursed for these costs from the Council Business Travel Budget"

is deleted and replaced with:

"Councillors who are not Board or Committee Members of the Federation of Canadian Municipalities and attend the Annual Conference will fund the cost for the conference from their Office Expense Budget."

3. City Council amend Section 4.7(b) Councillor Expenses during an Election Year, Specific Limitations of the Councillor Expense Policy dated May, 2012 (Attachment 6 of the report (May 29, 2012) from the Deputy Mayor and the City Clerk), by deleting "August 1" and replacing with "Labour Day".
4. City Council approve the Furniture, Configuration and Equipment Standard for Councillor Offices set out in Attachment 1 of the report (May 29, 2012) from the Deputy Mayor and the City Clerk.
5. City Council approve the renaming of the Government Relations Reserve (XQ0009) to the Council Furniture and Equipment Reserve and change the purpose to receive, hold and be drawn on to provide for the state of good repair and replacement of furniture and offices of Members of Council at City Hall, or constituency offices at civic centres or other properties, as set out in Attachment 2 of the report (May 29, 2012) from the Deputy Mayor and the City Clerk.
6. City Council approve the renaming of the Councillors' Severance Reserve (XQ0010) to the Council Transition Reserve and change the purpose to receive, hold and be drawn on to provide for the expenses required during Council transition, including but not limited to the payment of severance for Members of Council and their staff, the set-up of transition offices and payment of transition staff, and other transition-related expenses, as set out in Attachment 3 of the report (May 29, 2012) from the Deputy Mayor and the City Clerk.
7. City Council amend Municipal Code Chapter 227 (Reserve and Reserve Funds) as per Recommendations 5 and 6 above.
8. City Council approve the provision of BlackBerry smart phones and mobile tablets and associated voice and data plans to Councillors as standard equipment funded from the Council General Expense Budget.
9. City Council approve the Policy for Councillor Use of Civic Space set out in Attachment 4 of the report (May 29, 2012) from the Deputy Mayor and the City Clerk, and direct the City Manager to implement the policy effective September 1, 2012, and amend divisional permit policies, procedures and rates accordingly.
10. City Council request City agencies, including but not limited to the Toronto Public Library, the Toronto Parking Authority and the Toronto Transit Commission, to review the City's Policy on Councillor Use of Civic Space and adopt similar policies for facilities under their control.
11. City Council approve the Policy on Use of City Resources during an Election set out in Attachment 5 of the report (May 29, 2012) from the Deputy Mayor and the City Clerk, and direct the City Manager and the Accountability Officers to implement the policy effective immediately.

12. City Council request the City Manager to report on the application of the Policy on Use of City Resources during an Election to City agencies and corporations, for implementation for the 2014 Municipal Election.
13. City Council approve the changes and clarifications to the Councillor Expense Policy that incorporates the above recommendations set out in Attachment 6 of the report (May 29, 2012) from the Deputy Mayor and the City Clerk.

Origin

(May 29, 2012) Report from the Deputy Mayor and the City Clerk

Summary

This report outlines changes in City policies that have been identified by Councillors as necessary for the effective and efficient operation of their offices during consultations on the Councillor Expense Policy. An annotated Councillor Expense Policy incorporating these proposed policy changes and clarifying some expenses is included for reference. The report also includes a recommended separate Policy on Use of City Resources during an Election, so that policies guiding staff action are segregated from the provisions guiding Councillors in the Councillor Expense Policy.

Background Information (Committee)

(May 29, 2012) Report from the Deputy Mayor and the City Clerk on Policy Changes to Facilitate Councillor Office Operations

(<http://www.toronto.ca/legdocs/mmis/2012/ex/bqrd/backgroundfile-48022.pdf>)

Attachment 1 - Furniture, Configuration and Equipment Standard for Councillor Offices

(<http://www.toronto.ca/legdocs/mmis/2012/ex/bqrd/backgroundfile-48023.pdf>)

Attachment 2 - Council Furniture and Equipment Reserve

(<http://www.toronto.ca/legdocs/mmis/2012/ex/bqrd/backgroundfile-48024.pdf>)

Attachment 3 - Council Transition Reserve

(<http://www.toronto.ca/legdocs/mmis/2012/ex/bqrd/backgroundfile-48025.pdf>)

Attachment 4 - Policy on Councillor Use of Civic Space

(<http://www.toronto.ca/legdocs/mmis/2012/ex/bqrd/backgroundfile-48026.pdf>)

Attachment 5 - Policy on Use of City Resources during an Election

(<http://www.toronto.ca/legdocs/mmis/2012/ex/bqrd/backgroundfile-48027.pdf>)

Attachment 6 - Annotated revised Councillor Expense Policy

(<http://www.toronto.ca/legdocs/mmis/2012/ex/bqrd/backgroundfile-48028.pdf>)