

Authority: Notice of Motion J(18), moved by Councillor Soknacki, seconded by Councillor Layton, as adopted by City of Toronto Council on May 21, 22 and 23, 2002

Enacted by Council: June 20, 2002

CITY OF TORONTO

BY-LAW No. 544-2002

To change the composition of the Toronto Atmospheric Fund Board by removing City of Toronto employee members and replacing them with Council and citizen members and reducing the total number of members on the Toronto Atmospheric Fund Board.

WHEREAS the *Toronto Atmospheric Fund Act*, 1992 (the “Act”) creates a board of directors of the Toronto Atmospheric Fund (“TAF Board”) comprised of four members of the public appointed by the Council of the City of Toronto, three members of that Council appointed by Council, the City’s Commissioner of Finance, the City’s Medical Officer of Health and the City’s Commissioner of Public Works and the Environment; and

WHEREAS Section 210.4 of the *Municipal Act* provides that the council of a municipality may by by-law dissolve or make prescribed changes to a local board and further that the Minister may make regulations prescribing changes that may be made to a local board; and

WHEREAS despite Section 10 of the Act, Ontario Regulation 214/96 made under the *Municipal Act* provides that the Toronto Atmospheric Fund is a local board for the purposes of the regulation and that council may by by-law make changes to the local board with respect to membership on the board, including changes related to the number of members, their terms, their remuneration and the manner in which they become members; and

WHEREAS Council amended Section 3(1) of the Act by the enactment of By-law No. 389-2000 which increased the TAF Board from ten members to eleven members by designating the Commissioner of Economic Development, Culture and Tourism as a director of the TAF Board;

WHEREAS Council wishes to further amend Section 3(1) of the Act to remove all employee members of the TAF Board and to reduce the Board to ten members by changing the composition of the TAF Board to four members of Council and six citizen members, effective June 21, 2002;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Despite Section 3(1) of the Act as amended by By-law No. 389-2000, the TAF Board is decreased by one, for a total of ten.
2. Despite Section 3(1) of the Act and By-law No. 389-2000, the City employees holding positions on the TAF Board by virtue of being City of Toronto Medical Officer of Health, Director of Accounting Services of the City of Toronto (for the position allocated to the Commissioner of Finance), Commissioner of Works and Emergency Services (for the position allocated to the Commissioner of Public Works and the Environment) and Commissioner of Economic Development, Culture and Tourism are removed from the TAF Board.

3. Despite Section 3(1) of the Act and By-law No. 389-2000, these *ex officio* positions described in Section 2 of this By-law are deemed not to form part of the TAF Board.
4. Despite Section 3(1) of the Act, the number of Council members on the TAF Board is increased to four.
5. Despite Section 3(1) of the Act, the number of citizen members on the TAF Board is increased to six.
6. Quorum for the TAF Board, as established under By-law No. 389-2000, remains at two-fifths of the TAF Board.
7. Except for the amendments contained in this By-law, the provisions of Section 3 of the Act remain in full force and effect.
8. The changes to the TAF Board set out in this By-law are effective June 21, 2002.

ENACTED AND PASSED this 20th day of June, A.D. 2002.

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)