



**STAFF REPORT
ACTION REQUIRED
with Confidential Attachment**

**Agreement Amendment - Clarity Outdoor Media Inc. –
Strachan Outdoor Billboard Sign**

Date:	January 26, 2010
To:	City Council
From:	Dianne Young, Chief Executive Officer, Exhibition Place
Reason for Confidential Information:	This report involves the security of property belonging to the City or one of its agencies, boards, and commissions.
Reference Number:	

SUMMARY

The purpose of this report is to reflect recent discussions between Exhibition Place staff and Clarity for further amendments to the payment scheme as set out in my report (December 10, 2009) (Item EX39.3) currently before Council, as a result of a request by Clarity’s primary lender.

RECOMMENDATIONS

The Chief Executive Officer, Exhibition Place recommends that City Council approve of:

1. The recommendation contained in the attached Confidential Attachment I; and,
2. Direct that the confidential information in Attachment 1 not be released publicly in order to protect the competitive position and the future economic interests of Exhibition Place

Financial Impact

Approval of this proposed amendment to the agreement between the Board and Clarity will have no negative impact on the net present value of the financial return to the Board and results in a positive income stream to the Board as detailed in Confidential Attachment 1 and the previous report (December 10, 2009) .

DECISION HISTORY

At its meeting of May 29, 2009 the Board approved of Clarity as the successful proponent of the Billboard Sign (Strachan) RFP and the terms and conditions of the long-

term agreement with Clarity which was subsequently approved by City of Toronto Council on August 5, 2009.

ISSUE BACKGROUND

A Request for Proposals (RFP) was released through the City of Toronto Purchasing Division on March 27, 2009 and called for a qualified outdoor billboard operator to purchase, operate and maintain the existing Strachan Billboard for a period of 15 years commencing September 1, 2009. Proposals were received from three companies: Clarity Outdoor Media Inc, CBS Outdoor Ltd and Pattison Outdoor Advertising, with the Clarity offer being recommended to the Board as it substantially exceeded the next financial proposal received.

COMMENTS

Exhibition Place staff have now been advised by Clarity that the payment schedule as set out in the report (December 10, 2010) of the Chief Executive Officer respecting this matter requires further amendment as a result of the requirements of Clarity's lenders.

CONTACT

Dianne Young, Chief Executive Officer
Telephone 416-263-3611
Fax: 416-263-3640
Email: Dyoung@explace.on.ca

SIGNATURE

Dianne Young
Chief Executive Officer

ATTACHMENT - CONFIDENTIAL ATTACHMENT 1 – CLARITY OUTDOOR MEDIA INC. – FURTHER AMENDMENT - FINANCIAL TERMS