

Policy Changes to Facilitate Councillor Office Operations

Date:	May 29, 2012
To:	Executive Committee
From:	Deputy Mayor and City Clerk
Wards:	All
Reference Number:	

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.

RECOMMENDATIONS

The Deputy Mayor and the City Clerk recommend that City Council:

- 1) Approve the Furniture, Configuration and Equipment Standard for Councillor Offices in Attachment 1.
- 2) 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 in Attachment 2.

- 3) 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 in Attachment 3.
- 4) Amend Municipal Code Chapter 227 (Reserve and Reserve Funds) as per recommendations 2 and 3 above.
- 5) 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.
- 6) Approve the Policy for Councillor Use of Civic Space in Attachment 4, and direct the City Manager to implement the policy effective September 1, 2012, and amend divisional permit policies, procedures and rates accordingly.
- 7) 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.
- 8) Approve the Policy on Use of City Resources during an Election in Attachment 5 and direct the City Manager and the Accountability Officers to implement the policy effective immediately.
- 9) Direct 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.
- 10) Approve the changes and clarifications to the Councillor Expense Policy that incorporates the above recommendations in Attachment 6.

Financial Impact

There are no financial impacts associated with this report. The contribution and withdrawal of funds from the two renamed Reserves will be considered as part of the operating budget process.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

At its meeting on July 15, 16 and 17, 2008, Toronto City Council approved Item EX22.7: "The Councillor Expense Policy" which replaced previous reports and policies related to councillor expenses. See:

<http://www.toronto.ca/legdocs/mmis/2008/ex/reports/2008-06-26-ex22-cr.pdf>

At its meeting on December 16, 2010, Toronto City Council reduced the Councillor Office Expenses Budget to \$30,000, and requested the Deputy Mayor and the City Clerk, in consultation with Councillors, to review the Councillor Expense Policy and report back to Council through the April Executive Committee. City Council also referred a number of motions put forward by Councillors at Executive Committee to this review.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.EX1.5>

At its meeting on April 20, 2011, Executive Committee deferred consideration of report EX5.4, Councillor Expense Policy Review, pending further consultation with Councillors and consideration by the Deputy Mayor and the City Clerk.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.EX5.4>

At its meeting on November 29, 2011, City Council adopted Member Motion MM14.2, titled "Usage of Councillor Staff Salary Budget to Pay for Constituency Office Lease Expenses" allowing Councillors to use up to \$6,666.67 of their 2011 Staff Salary Budget to pay for constituency office lease expenses in 2011.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.MM14.2>

At its meeting on April 16, 2012, Executive Committee received for information EX19.3, "Remuneration and Expenses of Members of Council and of Council Appointees to Agencies, Boards, Commission, Corporations, Other Special Purpose and External Bodies for the year ended December 31, 2011."

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.EX19.3>

COMMENTS

This report summarizes the results of consultation with Councillors on the Councillor Expense Policy and outlines policy changes that have been identified as necessary to facilitate the operation of Councillor offices.

Consultation with Councillors and 2011 Experience

The Deputy Mayor and the City Clerk held one-on-one and group meetings with Councillors in 2011. In total, 23 Councillors provided comments and feedback concerning the Councillor Expense Policy. Most Councillors felt that they can work within the current Councillor Expense Policy to meet the \$30,000 office budget envelope. However, Councillors were concerned about the support from City divisions in several areas and

expressed that changes are required if they are to operate their offices effectively and efficiently.

Councillors also requested that the provisions in the Councillor Expense Policy be clarified so as to reflect clearer language, better describe the intent of the policy, correct grammatical errors and incorporate updated names and titles.

Councillors also expressed that certain expense categories should be amended so that expenses that could be deemed as personal expenses are clearly identified as ineligible expenses as follows:

- Events, the primary purpose of which is a farewell, or a celebration of the Councillor's term or year or to celebrate a personal milestone occasion;
- Conferences, seminars and business travel for Councillors who have announced that they are not returning to Council, or who are not returning to Council after a municipal election;
- Event tickets for Councillors' spouses; and
- Fine art purchase or rental for the Councillor's office.

City Clerk's Office consulted with stakeholder divisions, including Facilities Management, and Parks, Forestry and Recreation Divisions to address these concerns. The resulting proposed policies and standards are described in this report. In addition, Legal Services, Economic Development and Culture, Strategic Communications, Financial Planning and Information and Technology Divisions were also consulted and reviewed the proposed policies in this report.

2011 was the first year of the implementation of the \$30,000 Office Expense Budget and the experience was successful. The expenditures from the Office Expense Budget are outlined in the 2011 annual remuneration report EX19.3, received by Executive Committee at its meeting on April 16, 2012.

As a result of the 2011 success in maintaining office expenses within the \$30,000 budget envelope and the feedback provided by Councillors, the Deputy Mayor and the City Clerk are not recommending major changes to the Councillor Expense Policy, other than clarifications that reflect Councillor comments during consultation.

The Deputy Mayor and City Clerk recommend that Council approve the changes and clarifications to the Councillor Expense Policy which incorporates the recommended policy changes to facilitate Councillor Office Operations, as outlined in Attachment 6.

An annotated complete Councillor Expense Policy accompanies Attachment 6 for reference.

Furniture, Configuration and Equipment Standard for Councillor Offices

During the consultation with City Councillors on the Councillor Expense Policy, Councillors provided widespread feedback on the lack of furniture, space and maintenance standards for Councillors' Office Suites. While new Councillors can have their offices painted when they arrive, returning Councillors have not had any repainting done in their offices for many terms, some since amalgamation. Councillors were also dissatisfied that they have to pay for the repair of broken furniture just to maintain their offices in a state of good repair.

Councillors pointed out that it was unclear what costs are borne by the Office Expense Budgets, and what should be paid for by City resources, whether from program budgets or from the Council General Expense Budget.

In response to Councillors' comments, an inter-divisional staff team comprised of City Clerk's Office and Facilities Management staff met over 2011 and 2012 to develop a Furniture, Configuration and Equipment Standard for Councillor Offices, included as Attachment 1.

The purpose of the standard is to:

- Provide for a uniform and consistent look and state of good repair among Councillors' Offices.
- Allow for a pro-active health and safety program to replace Councillor office furniture when it reaches the end of its life cycle.
- Facilitate regular maintenance of Councillor office furniture and replacement if required.
- Provide for greater flexibility and the ability to combine furniture from different suites to furnish a Councillor's Office during Council transition.

Adopting such a standard would be similar to the Furniture and Equipment Entitlements established by the Legislative Assembly of Ontario for Offices of Members of Provincial Parliament.

Renaming and Repurposing of Reserves

In order to fund the financial implications of the Furniture, Configuration and Equipment Standard for Councillor Offices, the Deputy Mayor and the City Clerk recommend that two existing Reserves be renamed and repurposed.

The Government Relations Reserve (XQ0009) was set up in 2005. The purpose of the Government Relations Reserve is no longer required as Invest Toronto has picked up the membership fee for the Greater Toronto Marketing Alliance that used to be funded from this reserve. The Deputy Mayor and City Clerk recommend renaming this reserve to the Council Furniture and Equipment Reserve. Withdrawal from the Reserve will be used 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.

The Council Severance Reserve (XQ0010) was set up in 2007 to fund the cost of severance for Members of Council and staff at the end of the term. In addition, during a Council transition year, funding is provided from the Non-Program corporate account to fund Council transition expenses. The Deputy Mayor and the City Clerk recommend renaming the Council Severance Reserve to the Council Transition Reserve. Withdrawal from the Reserve during a Council Transition year will be used to provide for the expenses required during 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.

Contribution to both Reserves will be from the annual surplus of the Council operating budget, at levels to be determined by the Deputy City Manager and Chief Financial Officer.

The details of these Reserves are included as Attachment 2 and Attachment 3 of the report. The level of contribution to and withdrawal from the two Reserves will be determined through the operating budget process.

BlackBerry and Mobile Tablets as Standard Equipment for Councillors

Many Councillors expressed concerns that while social media, wireless communications and mobile technology have become the norm in modern society and amongst their constituents, the equipment provided to Councillors for the operation of their offices has remained stuck in old technology. Equipment like BlackBerry smart phones are essential for the operation of Councillor offices but are not considered standard equipment and Councillors have to pay for these from their Office Expense Budget.

In the Legislative Assembly of Ontario, Members of Provincial Parliament receive a BlackBerry with a basic voice and data plan as communications equipment provided by the Assembly.

Recognizing the increasing popularity of mobile technology, beginning December 2011, City Clerk's Office staff partnered with Information and Technology Division and introduced a pilot project among a test group of Councillors to test using mobile tablets to access the City's Council and Committee information as well as their constituency management systems. This pilot is ongoing and will provide Councillor feedback on features, user friendliness and capability of the three tested platforms (Apple iPad, Microsoft Android and BlackBerry Playbook).

The Deputy Mayor and City Clerk recommend that 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.

Implementation of the provision of BlackBerry smart phones will begin September 1, 2012. Implementation of the provision of mobile tablets will begin in 2013 after the completion of the pilot project.

Councillors who choose to provide BlackBerry smart phones or mobile tablets to their staff will continue to pay for these from their Office Expense Budget.

Councillor Use of Civic Space

One of the major complaints of Councillors is their inability to easily use City space to meet with constituents and the charges Councillors have to pay for constituency or community meetings or events at City facilities.

City Clerk's Office staff consulted with the General Manager of Parks, Forestry and Recreation and the Executive Director of Facilities Management in the development of the proposed Policy on Councillor Use of Civic Space in Attachment 4.

The policy aims to:

- Allow Councillors to use City space for one-off constituency and community meetings and events free of permit charge, e.g. using a park for a special community event.
- Enable Councillors to book City space for regular meetings with constituents at a City facility and provide a fee structure for such meetings.
- Facilitate Councillors to permit City facilities through a streamlined and where possible, centralized booking process.

The Deputy Mayor and City Clerk recommend that City Council approve the Policy for Councillor Use of Civic Space in Attachment 4 and direct the City Manager to implement the policy effective September 1, 2012, and amend divisional permit policies, procedures and rates accordingly.

Space managed by City agencies and corporations

The Toronto Public Library Board already has an approved policy, titled "Auditorium, Meeting Room and Theatre Rental", which guides room rental procedures, priorities and fees. Councillors call a central booking number to book rooms at any of the library branches. The current policy waives room rental fees for one-off Councillor meetings. The Library Board allows Councillors to book a meeting room regularly for meeting with constituents. One Councillor has such an arrangement with a rental fee of \$20 per hour, the non-profit organization rate. The Library Board is considering formalizing such arrangements for Councillors.

The Deputy Mayor and the City Clerk recommend that 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.

Use of City Resources during an Election

Section 4.7 of the Councillor Expense Policy is an amalgam of two sets of policies – those which govern Councillor expenses in an election year and those which guide the actions of City Divisions and staff during an election.

The Deputy Mayor and City Clerk recommend a 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.

The Policy on the Use of City Resources during an Election is included as Attachment 5. The Policy will guide the actions of City Divisions and the Offices of the Accountability Officers on the use of City resources during a municipal, school board, provincial and federal election, or a question on the ballot. In both the Councillor Expense Policy and the Policy on Use of City Resources during an Election, City staff will discontinue certain activities for Members of Council after August 1.

The City Manager, Division Heads and the Accountability Officers will have primary responsibility for ensuring their employees are aware of and trained on the policy.

Currently, it is not clear how the Policy on the Use of City Resources during an Election should apply to City agencies and corporations. The City Manager should review and report back on the application of the Policy to City agencies and corporations. This report should be submitted in time for implementation for the 2014 municipal election.

Other Items raised at Executive Committee

The April 2011 Executive Committee meeting also approved a number of other motions. These items are addressed as follows:

Request to the Federal Government for free postage for Councillors

The City Clerk will assist the Mayor's Office in preparing a letter from the Mayor to Canada Post to request the granting of free postage for Councillors, similar to the waiver of postage for Members of Parliament. If Canada Post agrees to this request, the high costs of postage required to communicate with constituents, especially those in highrise apartments and condominiums, can be eliminated.

CPI Increase of Office Expense Budget

The 2011 Annual Remuneration Report demonstrated that Councillors have been able to manage within their Office Expense Budget envelope of \$30,000. A CPI increase is not being recommended at this point.

Emergency Notification and Support to Councillors

The Deputy City Manager of Cluster B and the Emergency Management Office have developed a formal process on Councillor Notifications and Roles during an Emergency. This table was presented to the Toronto Emergency Management Program Committee for final approval in November 2011 and was circulated to Members of Council on January 16, 2012.

http://insideto.toronto.ca/oem/pdf/councillors_emergency.pdf

CONCLUSION

This report outlines policy changes that address issues that Councillors have identified as barriers to the effective and efficient operation of their offices. These include furniture and maintenance standards, proper state of good repair funding, provision of wireless and mobile tablets as standard equipment, and Councillor's ability to use civic space. The proposed Policy on Use of City Resources during an Election will provide clear guidance to City staff on their actions during municipal, school board, provincial and federal elections or a question on the ballot in an election. The annotated Councillor Expense Policy reflects the recommended policy changes and incorporates clarifications on Councillor expenses.

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ATTACHMENTS

Attachment 1 Furniture, Configuration and Equipment Standard for Councillor Offices

Attachment 2	Council Furniture and Equipment Reserve
Attachment 3	Council Transition Reserve
Attachment 4	Policy on Councillor Use of Civic Space
Attachment 5	Policy on Use of City Resources during an Election
Attachment 6	Annotated revised Councillor Expense Policy