



ACTION REQUIRED
with Confidential Attachment

Amendments to the Cieslok Media Limited Agreement

Date:	October 2, 2015
To:	Executive Committee
From:	Chief Executive Officer, Exhibition Place
Wards:	N/A
Reason for Confidential Information	This report involves the security of the property belonging to the City or one of its agencies, boards and commissions

SUMMARY

This report recommends that City Council authorize the Board of Governors of Exhibition Place (the "Board") to amend the agreement (the "Agreement") between the Board and Cieslok Media Ltd. ("Cieslok") to permit Cieslok to modify both the existing east and west facing sides of the sign facing the Gardiner and located at 2 Strachan Avenue on the Exhibition Place grounds (the "Sign"). Cieslok has the ownership and management of the Sign for a term ending June 30, 2025 at which date ownership reverts to the Board. The Agreement does not permit the modifications proposed by Cieslok without amendment.

Any approval of this proposal by City Council is only approval of an amendment to the business terms of the Agreement and only allows Cieslok to then make application to the City for any approvals, permits or by-law amendments, including any site specific amendment pursuant to Municipal Code Chapter 694 Signs, General, to permit the proposed modifications.

The current configuration of the various sign faces on the east and west sides of the Sign are shown in Appendices "A" and "B" respectively, and the proposed configuration for both sides is shown in Appendix "C" and described in Appendix "D". Replacing the existing trivisions/video with digital will result in the harmonization of both sides of the Sign; changing the Sign to one specific type of sign format/sign manufacturer rather than two will reduce the constant malfunctions; brightness levels will be addressed; clutter is reduced; and the Sign will be more aesthetic while providing more displays and result in additional income to the Board.

RECOMMENDATIONS

It is recommended that City Council:

- 1) Authorize the Board of Governors of Exhibition Place to amend the agreement with Cieslok Media Inc. for the sign located at 2 Strachan, subject to Cieslok obtaining all required permissions, including any amendments to Municipal Code Chapter 694, Signs, as follows:
 - a) Amend Section 2.0 to replace the general specifications, display areas and height of the sign with the those specifications, display areas and height set out in Option B of Appendix "D";
 - b) Add as a new Schedule "A - 1" substantially in accordance with Appendix "D" of this report to permit the proposed configuration for the Sign shown as Option B in Appendix "D";
 - c) Amend Section 5.0 to require Cieslok provide the Board, without charge, with the use of ten percent of all available hours of operation on all sign faces;
 - d) Add a new section to the Agreement to provide for in-kind advertising opportunities on an annual basis on Cieslok digital inventory in Toronto as outlined in Confidential Attachment 1.
 - e) Permit Cieslok to make application to the City for the necessary approvals, including, but not limited to, any By-law amendments or permits, including a site-specific amendment to Municipal Code Chapter 694 Signs, General, required to permit the proposed modifications to the sign as more particularly set out in Option B of Appendix "D"; and
 - f) All other terms and conditions remain in full force and effect.
- 2) Direct that the Confidential Attachment 1 remain confidential as it pertains to the security of the property belonging to the City or one of its agencies, boards and commissions.

DECISION HISTORY

At its meeting of September 4, 2015, the Board approved, subject to the approval of City Council, Report No. 16 dated July 17, 2015, from the Chief Executive Officer with respect to Amending the Agreement between the Board and Cieslok Media Ltd.

<http://www.explace.on.ca/database/rte/files/Item%2016-Cieslok%20Outdoor%20Agreement%20Amendment%20Final.pdf>

At its meeting of May 23, 2014, the Board approved the assignment of the Agreement to Cieslok Media Ltd. from Clarity Outdoor Media Inc. ("Clarity").

[http://www.explace.on.ca/database/rte/files/Item%2021-Clarity\(2\).pdf](http://www.explace.on.ca/database/rte/files/Item%2021-Clarity(2).pdf)

At its meeting of June 16, 2013, City Council adopted Item PG25.3 to enact a site specific by-law amendment to Chapter 694 Signs, General to permit the erection of a sign located at 2 Strachan with up to six sign faces, as more particularly set out in the report.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG25.3>

At its meeting of October 2, 2012, City Council adopted Item PG17.2 to enact a site specific by-law amendment to Chapter 694 Signs, General to permit the erection of a sign located at 2 Strachan with up to five sign faces as more particularly set out in the report.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PG17.2>

At its meeting of May 25, 2012, the Board approved of amendments to the Agreement to permit modifications to the east and west sides of the sign which amendments were approved by City Council Item EX 21.32 at its meeting of July 11, 2012.

[http://www.explace.on.ca/database/rte/files/Item%2024-Clarity\(1\).pdf](http://www.explace.on.ca/database/rte/files/Item%2024-Clarity(1).pdf)
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.EX21.32>

At its meeting of May 29, 2009, the Board approved entering into a 15-year agreement with Clarity for the Strachan Billboard which Agreement was approved by City Council (EX 33.50) at its meeting of August 5, 2009. Subsequently, amendments to the agreement were approved by the Board and Council in January 2010 (EX 39.3) and in August 2010 (EX 46.52).

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.EX33.50>

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.EX46.52>

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.TE32.82>

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.EX39.3>

ISSUE BACKGROUND

The Agreement sets out explicit specifications for the Sign permitted to be operated by Cieslok as detailed below. Therefore, without approval of the proposed amendment to the specifications set out in the Agreement, Cieslok would not have any authority to make an application pursuant to Municipal Code Chapter 694 Signs, General By-law for permission to operate the sign as proposed in this report.

Detailed below and in the Appendices attached are the existing configurations of the East and West facing sides of the Sign; the multiple functionality issues with the existing Sign; the proposed new configurations; and other changes to the Sign which would bring it in line with the new City standard.

COMMENTS

East Side Faces (Appendix "A"):

The current east side face configuration is a Prismaflex trivision in the top upper left hand corner (16 X 27.1); the full lower portion of the side is all MRI trivision (20 X 59.10); with a LED Board in the top right hand corner (32 X 16) for an overall configuration of 2,128 sf. Cieslok is proposing to replace the east side faces with one 30' X 60' digital double-sided display with an overall configuration of 1,800 sf which is 328 sf smaller or a 15% reduction.

The east side faces are now end of life and because of the multiple sign products displayed on this side which are not compatible, the system has many points of failure and fails often. By replacing all areas of the east side with digital, there will be a more aesthetic appearance. It will also enable Cieslok to offer its customers full equal time on the Sign (a "site domination" position) which typically results in a higher price from the customer and longer contracts periods.

West Side Faces (Appendix "B"):

The current west side face configuration is a PrismaTronics LED Board in the top left hand corner (18.11 X 29.5); a large Prismaflex trivision on the right hand side (29.2 X 37.6); and a small Prismaflex trivision on the lower left portion of the sign (9.2 X 29.5). The current overall dimension measures 1,914 sf. Cieslok is proposing to replace the west side faces with one 30' X 60' digital double-sided display with an overall configuration of 1,800 sf which is 114 sf smaller or a 6% reduction.

Other Modifications / Improvements being Proposed:

- Currently the west side has permission to operate 24 hours per day and the east side for 16 hours. Cieslok is proposing that both sides will be totally shut down and not operate between 11pm to 7am daily.
- Cieslok has also indicated that the new faces on both sides will have light emitting sensors to sense darkness and therefore reduce the illumination level once it gets gradually dark to 300 nits before 11pm which is less than the current City standards of 500 nits.
- Cieslok will also be reducing the lights' illumination to conform to the City's new illumination regulations (night-time standard reduced from 500 nits to 300). Currently, Cieslok is permitted to illuminate at 500 nits at night and 5,000 nits in the daytime.
- Cieslok is proposing to have the new digital signs transition from image to image gradually (1.5 seconds) and with a gradual fade rather than a quick flash.
- The new signs will also have an optical down-angle LED, which will position the lights to shine towards the street rather than into the sky. The new technology allows for a better image without light intensity.
- The digital signs will not be damaged by the high winds in this area which cause damage on a daily basis to the trivision louvres requiring repair and replacement.
- The digital illuminations of the Sign will be powered using Bullfrog Power which electricity comes from a blend of wind and low-impact hydro power sourced from Canadian renewable energy facilities.
- Converting to digital will decrease vinyl and additional maintenance – environmental friendly change overs thus decreasing overall carbon footprint.
- Exhibition Place will continue to have a 10 second spot (run once approximately every 2 minutes on both sides) available at no cost on these new digital signs. The Exhibition Place ads will now be provided with an enhanced visual impression and a cleaner visual due to the bigger signage face compared to previously using one-third of the sign faces for display.

Cieslok has already met and consulted with the Councillor for Ward 19 and the surrounding community to address any potential issues and concerns. Following the initial meeting, Cieslok did an actual site demonstration to the public on the grounds with a 10 X 20 foot screen to show various illuminations level.

CONTACT

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ATTACHMENTS

Appendix "A" – Sign – East Side Faces – Existing Configuration
Appendix "B" – Sign -West Side Faces - Existing Configuration
Appendix "C" - Visual of Configuration on both East Side & West Side After Changes
Appendix "D" – Current Specifications and Proposed Modifications
Confidential Attachment 1

Appendix "A"
East Side Faces - Existing Configuration



- The current east side configuration is a Prismaflex trivision in the top upper left hand corner (16'h X 27.1'w), the full lower portion of the sign is all MRI trivision (20'h X 59.10'w) and LED Board in the top right hand corner (32'h X 16'w) for an overall configuration of 2,128 sf.
- The proposal is to replace the existing boards with one 30' X 60' digital double-sided Sign with an overall configuration of 1,800 sf. which is a 328 sf reduction or smaller by 15%.
- The existing LED board/screen is manufactured by Daktronics, and was installed about 4 years ago. The LED is controlled by web based player software called Visiconn.
- Synchronization of this sign face is not possible because the Visiconn software does not support RS232 commands in a playlist and the 2 trivisions are made by different manufacturers,
- This multimedia system of the east side has many points of failure and fails often.
- The trivisions can never seem to be timed perfectly timed with the digital switches.
- All problems have led to poor performance and reduced sales in spite of the many upgrades that Cieslok has invested in over the last years.

Appendix "B"
West Side Faces - Existing Configuration



- The current west side configuration is a PrismaTronics LED Board in the top left hand corner (18.11'h X 29.5'w), Large Prismaflex trivision on the right hand side (29.2'h X 37.6w), and small Prismaflex trivision on the lower left portion of the sign (9.2'h X 29.5'w). These two portions are separated by a cat-walk which impairs the sight lines of customers' creative messaging. The current overall dimension measures 1,914 sf.
- The synchronization on the west side works fine, as the trivisions are made by the same manufacturer and the LED has the RS232 control which properly informs the visions to work in unison with the LED.
- Cieslok is now proposing to replace the sign with one 30' X 60' digital double-sided Sign with an overall configuration of 1,800 sf which is a 114 sf. reduction or smaller by 6%.
- The Navori software platform is used to synchronize the LED screen with the two Trivision signs; however the Navori software suffers from a memory leak caused by the file size and format of the video, resulting in a history of crashing multiple times per week leading to the LED screen becoming black and freezing the Trivision panels. A patch recommended by PrismaFlex is in place to address the memory leakage and smaller MP4 files are used, this has helped currently with the crashing. The digital quality of the picture also has problems. The brightness level for the LED sign was also high and the colour calibration was not proper and Cieslok has undertaken a manual fix to correct the brightness and colour problems.

Appendix "C"
Visual of Configuration on both East Side & West Side After Changes



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Appendix "D"

Option A: Current Specifications	Option B: Proposed Modifications
<p>East Face – Sign Components:</p> <ol style="list-style-type: none"> 1) Upper Left -Mechanical Copy (Prismaflex Trivision: 16’h X 27.1’w) 2) Upper Right -Electronic Moving (Copy (LED): 32’h X 16’w) 3) Lower Bottom -Mechanical Copy (MRI Trivision: 20’h X 59.10’w) <p>Total Sign Area = 2,128 sf</p>	<ol style="list-style-type: none"> 1) 30 x 60 digital sign <p>Total Sign Area = 1,800 sf</p>
<p>West Face – Sign Components:</p> <ol style="list-style-type: none"> 1) Upper Left -Electronic Moving (Copy (LED): 18.11’h X 29.5’w) 2) Right Side -Mechanical Copy (Trivision: 29.2’h x 37.6’w) 3) Lower Left -Mechanical Copy (Trivision 9.2’h x 29.5’w) <p>Total Sign Area = 1,914 sf</p>	<ol style="list-style-type: none"> 1) 30 x 60 digital sign <p>Total Sign Area = 1,800 sf</p>
<p>Other Changes to be Implemented with the Proposed Modifications in Option B</p>	
<ul style="list-style-type: none"> • Both the East and West Faces will be totally shut down and not operate between 11pm to 7am daily • New digital signs will have light emitting sensors to sense darkness and reduce the illumination level once it gets gradually dark to 300 nits before 11pm • Light illumination will be reduced to conform to the City’s new illumination regulations (night-time standard reduced from 500 nits to 300) • Digital signs will transition from image to image gradually (1.5 seconds) with a gradual fade rather than a quick flash • The Sign will have an optical down-angle LED which will position the lights to shine towards the street rather than into the sky • The Sign will be powered using Bullfrog Power • Exhibition Place will continue to have a 10 second spot (run once approximately every 2 minutes on both sides) available at no cost on the digital signs 	