



## **Relationship Framework <sup>1</sup>**

**for**

**The City of Toronto**

**and**

**The Boards of Management for**

**George Bell Arena**

**Larry Grossman Forest Hill Memorial Arena**

**Leaside Memorial Community Gardens Arena**

**McCormick Playground Arena**

**Moss Park Arena**

**North Toronto Memorial Arena**

**Ted Reeve Community Arena**

**William H. Bolton Arena**

*Note: This document has been updated to reflect Council decisions on or before February 2010 (see bolded text below for updated information):*

- *September 2007 (Item EX11.11) to the composition, qualifications and nominations process to appoint community members to serve on the Ted Reeve Arena Board of Management*
- *February 2010 (Item CD30.5) to the ice allocation practices in City arenas operated by arena boards of management*

---

<sup>1</sup> See:

- Item EX11.5 (2007) as adopted by City Council at its meeting held on September 26 and 27, 2007
- Item EX11.11 (2007) as adopted by City Council at its meeting held September 26 and 27, 2007
- Item CD30.5 (2010) as adopted by City Council at its meeting held February 22 and 23, 2010

## TABLE OF CONTENTS

ARTICLE 1: BACKGROUND AND PURPOSE .....	4
1.1 Background .....	4
1.2 Context .....	4
1.3 Definitions .....	5
1.4 Purpose of the Relationship Framework .....	6
1.5 Legislative Framework for Arena Boards .....	7
ARTICLE 2: MANDATE AND OPERATING PRINCIPLES .....	8
2.1 Mandate of the Arena Boards .....	8
2.2 Operating Principles .....	8
ARTICLE 3: DELEGATION OF AUTHORITY .....	9
3.1 Matters Requiring Council Approval .....	9
3.2 Matters Delegated to the Arena Boards .....	9
ARTICLE 4: BOARD OF MANAGEMENT .....	10
4.1 Composition of the Arena Boards .....	10
4.2 Core Qualifications of Members Appointed to Arena Boards .....	10
4.3 Selection Process .....	11
4.4 Term of Appointment .....	12
Vacancies .....	12
4.5 Remuneration .....	13
ARTICLE 5: MEETINGS OF THE BOARD .....	13
5.1 Procedural Guidelines .....	13
5.2 Open Meetings .....	14
5.3 Quorum .....	14
5.4 Meeting Schedules, Agendas and Minutes .....	14
ARTICLE 6: BOARD RESPONSIBILITIES .....	15
6.1 Responsibilities of the Board of Management .....	15
6.2 Facility Control and Responsibility .....	16
6.3 Arena Staff .....	17
ARTICLE 7: RESPONSIBILITIES OF THE CITY .....	18
7.1 Corporate Support .....	18
7.2 Governance Responsibilities of Council .....	18
ARTICLE 8: ACCESS TO RECORDS AND INFORMATION .....	19
8.1 Records and Information .....	19
8.2 Requests for Information .....	19
ARTICLE 9: POLICIES .....	20
9.1 Compliance with City Policies .....	20
9.2 Corporate Identity .....	21
9.3 Public Representation .....	21

ARTICLE 10: COMMUNICATION AND REPORTING.....	21
10.1 Designated City Liaisons .....	21
10.2 Financial Management and Budget .....	22
10.3 Annual Reporting.....	23
10.4 Audit and Reviews .....	24
ARTICLE 11 - ACCOUNTABILITY AND TRANSPARENCY.....	24
11.1 Integrity Commissioner .....	24
11.2 Ombudsman .....	24
11.3 Lobbyist Registry.....	25
11.4 Auditor General .....	25
ARTICLE 12: COMPLIANCE.....	25
12.1 Inconsistency or Conflict .....	25
ARTICLE 13: AMENDMENTS AND CHANGES .....	26
13.1 Amendments to the Relationship Framework.....	26
SCHEDULE 1 - GEORGE BELL ARENA .....	27
SCHEDULE 2 - LARRY GROSSMAN FOREST HILL MEMORIAL ARENA .....	28
SCHEDULE 3 - LEASIDE MEMORIAL COMMUNITY GARDENS ARENA .....	29
SCHEDULE 4 - McCORMICK PLAYGROUND ARENA .....	31
SCHEDULE 5 - MOSS PARK ARENA .....	32
SCHEDULE 6 - NORTH TORONTO MEMORIAL ARENA .....	33
SCHEDULE 7 - TED REEVE ARENA .....	34
SCHEDULE 8 - WILLIAM H. BOLTON ARENA .....	35
APPENDIX A – Public Appointments Policy.....	36
APPENDIX B – Remuneration and Expense Policies .....	36
APPENDIX C – Policy on Public Access and Involvement .....	36

## ARTICLE 1: BACKGROUND AND PURPOSE

### 1.1 Background

There are eight indoor ice arenas in the City of Toronto operated by a Board of Management. These Boards of Management were established by the former City of Toronto and the former Borough of East York under the authority of the former *Municipal Act*, the *Community Recreation Centres Act* and their predecessors. The seven arenas located in the former City of Toronto are:

- (a) George Bell Arena (215 Ryding Ave., established 1961);
- (b) Larry Grossman Forest Hill Memorial Arena (340 Chaplin Cres., established 1970);
- (c) McCormick Playground Arena (179 Brock Ave., established 1971);
- (d) Moss Park Arena (140 Sherbourne St., established 1974);
- (e) North Toronto Memorial Arena (174 Orchard View Blvd., established 1965);
- (f) Ted Reeve Community Arena (175 Main St., established 1954); and
- (g) William H. Bolton Arena (40 Rossmore Rd., established 1971); and

the arena located in the former Borough of East York is:

- (h) Leaside Memorial Community Gardens Arena (1073 Millwood Ave., established 1963).

The by-law which established and governs the seven arenas located in the former City of Toronto is found in *Chapter 25 of the former City of Toronto Municipal Code* while the Leaside Arena was established and is governed according to *By-law 1374 of the former Town of Leaside* which was amalgamated in 1967 with the former Borough of East York.

(note to reader – as part of the report to Council on the Relationship Framework a recommendation will also be made to delete these two former municipal bylaws and establish a Chapter (bylaw) in the current Toronto Municipal Code. The content of that bylaw will be based on the existing bylaws, the content of the Relationship Framework and changes required as a result of the *City of Toronto Act*.

### 1.2 Context

A consistent priority of City Council since amalgamation is an objective to engage the public in all aspects of civic life and decision making. This priority is reflected in documents, starting with Council's Strategic Plan developed in November 1999 to the term priorities of the 2004 – 2006 City Council.

The City of Toronto currently provides indoor ice recreational activities to City residents through almost 50 city-owned facilities. There are a variety of operational models for managing these facilities and creating the opportunity for local community engagement in the decision-making that affects these facilities. The former of City of Toronto and Borough of East York made a decision to utilize a Board of Management model, whereby it delegated the responsibilities for the day-to-day operation of eight indoor arenas to an appointed volunteer Board consisting of representatives of the local community and arena user groups. The mandate given to these Boards is, to operate the arena in a manner that meets local community needs and desires for indoor ice recreational activities while having regard to the objective of producing enough revenue from these uses to operate at the lowest reasonable cost to the City and its residents. Prior to and since amalgamation, the Board operated arenas have consistently delivered on their mandate.

The Board of Management operational model is one vehicle for engaging citizens in the decision-making about the recreational programs and activities available in their neighbourhood. It is a model that worked well prior to amalgamation in former Toronto and East York and has continued to work well since

amalgamation. It is also a business model that has consistently ensured that these eight indoor ice arenas are being operated at the lowest reasonable cost to the City and its residents.

This Relationship Framework recognizes the Board of Management model as one of the operational models the City will use for engaging the community in the management and delivery of indoor ice recreational programs. In the Board of Management operational model, the accountability for the successful operation of the facility and its programs is not the sole responsibility of any one party, but is shared between City Council, the appointed Board of Management, the Arena Staff and City Staff. The Relationship Framework documents the roles and responsibilities of each party and thereby the accountabilities of each party.

Although the Boards of Management for Arenas are independent of one another they share a similar relationship to the City. The Relationship Framework is structured to describe commonalities of the group of Arena Boards and the features distinct to individual Arenas are detailed in the attached schedules.

### **1.3 Definitions**

In this Document, the following terms have the meanings set out below:

“applicable laws” means all statutes, by-laws, regulations, orders, and requirements of government or other public authorities having jurisdiction at any time in force;

“Arena” means the arena and where applicable any associated recreational facilities, such as a banquet hall or community room;

“Arena Board” means the Board of Management of the Arena appointed by City Council;

“Arena Manager” means the individual employed by the Arena Board to manage and operate the facility;

“Auditor” means the external attest auditor who shall be appointed by the Auditor General to annually audit the accounts, transactions, and financial statements of the Arena Boards;

“By-law” means Chapter --, of the City of Toronto Municipal Code as amended or replaced from time to time;

“capital work” means major building repairs or improvements, which extend the life of the structure and meet the criteria for inclusion in the capital budget as set out in the Capital Policies included in the Budget Submission Guidelines and Instructions (currently generally defined as work valued at over \$50,000), as amended from time to time;

“Chair” means the Member elected as chair of the Arena Board by the members of the Arena Board;

“City” means the City of Toronto;

“City Auditor” means either or both of the City Internal Auditor and the City Auditor General or the persons designated to act in those respective capacities from time to time or their delegate;

“*City of Toronto Act*” means the *City of Toronto Act, 2006* as amended from time to time;

“City Manager” means the City Manager of the City of Toronto, formerly known as the Chief Administrative Officer, or the person designated to act in that capacity from time to time or his/her delegate;

“Community Council” is a committee of City Council that deals with local matters and consists of those members of Council who are elected with the Community Council’s geographic area.

“Council” means the Council of the City of Toronto;

“Deputy City Manager/CFO” means the Chief Financial Officer of the City or the person designated to act in that capacity from time to time or his/her delegate;

“equitable process” means, no individual or organization is excluded from serving on the Board of Management or from utilizing the facility for reasons of race, language, gender, age, sexual orientation, religion, ethnic origin, nationality or disability.

“financial statements” means, for any particular period, comprehensive financial statements consisting of not less than a statement of revenues and expenditures, and such other statements, reports, notes and information required by, and prepared in accordance with, generally accepted accounting principles for Canadian municipalities;

“liaison” means a key City staff person or persons who have been designated by the City Manager to be a key point of contact between the Arena Board and City staff.

“member” means member of the Board of Management;

“Municipal Act” means *Municipal Act, 2001*, as amended from time to time;

“Municipal Code” means The City of Toronto Municipal Code, as amended or replaced from time to time;

“proper notice” means either publishing an announcement in a local newspaper of general distribution in the local community, the posting of a notice in a visible and accessible location at the facility or the posting of the notice on the City’s or Agency website; and

“record” means information however recorded or stored, whether in printed form, on film, by electronic means or otherwise, and includes documents, financial statements, minutes, accounts, correspondence, memoranda, plans, maps, drawings, photographs and films.

## **1.4 Purpose of the Relationship Framework**

The purpose of this Relationship Framework is to:

- 1.4.1 Recognize the Arena Board’s authority to manage the business and affairs of the facility in accordance with this relationship framework and the relevant provisions of the City of Toronto Municipal Code;
- 1.4.2 Set out the conditions that promote an effective and collaborative relationship between the City and the Arena Boards;
- 1.4.3 Identify the types and levels of support provided by the City to Arena Boards and responsibilities and obligations of the Arena Boards;

- 1.4.4 Inform the Arena Board, City staff and the residents of Toronto regarding Council's direction on matters such as governance, applicable City rules and policies, reporting requirements and accountability;
- 1.4.5 Articulate City Council's delegation of authority, expectations and requirements for Arena Boards; and
- 1.4.6 Combine and update information from a variety of sources into one document including City policy, the Toronto Municipal Code and applicable provincial legislation.

## **1.5 Legislative Framework for Arena Boards**

- 1.5.1 Arena Boards are city boards established under sections 7, 8 and 141 of the *City of Toronto Act*, which permit Council to appoint a city board to manage the facility and provide for its administration. The eight Arenas are listed below with distinct features detailed in the attached schedules:
  - (a) George Bell Arena - Schedule 1;
  - (b) Larry Grossman Forest Hill Memorial Arena – Schedule 2;
  - (c) Leaside Memorial Community Gardens Arena – Schedule 3;
  - (d) McCormick Playground Arena – Schedule 4;
  - (e) Moss Park Arena – Schedule 5;
  - (f) North Toronto Memorial Arena – Schedule 6;
  - (g) Ted Reeve Community Arena - Schedule 7; and
  - (h) William H. Bolton Arena – Schedule 8.
- 1.5.2 The City's delegation of authority to the Arena Boards for the management of lands and buildings is found in Chapter --- of the Municipal Code<sup>2</sup>.
- 1.5.3 The Arena Boards are considered to be Program Operating Boards, aligned with the City's Parks, Forestry and Recreation Division, engaged in delivering primarily indoor ice recreational activities.

---

<sup>2</sup> Note: currently this is Chapter 25 of the former City of Toronto Municipal Code and Bylaw 1374 of the Town of Leaside. With the approval of Council, these two by-laws will be deleted and a new Chapter established in the current Toronto Municipal Code to govern all eight arenas. This by-law will reflect the content of the existing by-laws, the Relationship Framework and any legislative requirements that changed with the City of Toronto Act.

## **ARTICLE 2: MANDATE AND OPERATING PRINCIPLES**

### **2.1 Mandate of the Arena Boards**

The general mandate of Arenas operated through Boards of Management is:

- a) to provide safe, full and equitable access to high quality indoor ice sport recreational facilities and where applicable other recreational facilities (e.g. community rooms, banquet halls);
- b) to allocate use of the arena and other recreational facilities in a fair and equitable manner among neighbourhood citizens and organizations and arena user groups, with particular consideration given to addressing the needs of the local community;
- c) to operate in a manner that balances meeting the needs of the local community with the objective of generating sufficient revenue to operate the facilities at the lowest reasonable cost to the City of Toronto and its residents;
- d) to direct and control the administration and programming at the Arena, including the setting of user fees;
- e) to engage in accordance with City Council's policy on *Public Access and Involvement for City of Toronto ABCs* (attached as Appendix C), the local community in the decision-making of the Arena Board; and
- f) to assist the City in long range recreational planning by advising the City Manager or the General Manager of Parks, Forestry and Recreation of the changing recreational needs of the local neighbourhood and community.

### **2.2 Operating Principles**

- 2.2.1 The Arena Board will operate in compliance with all applicable laws, including but not limited to the *City of Toronto Act*, *Municipal Act*, *Municipal Conflict of Interest Act*, *Occupational Health and Safety Act*, *Ontario Human Rights Code*, City Council policy, and the Toronto Municipal Code.
- 2.2.2 The Arena Board will manage the facility in a fiscally responsible manner and in accordance with the annual operating budget as approved by City Council.
- 2.2.3 The Arena Board shall at all times endeavour to manage and control the facility in a reasonable and efficient manner, in accordance with standard good business practice.
- 2.2.4 The Arena Board will operate in a manner that is responsive to the local community and arena user groups.
- 2.2.5 The Arena Board, when requested, will provide non-confidential information (see article 5.2.2 for a definition of confidential matters) on the services, programs, policies, finances and user fees of the facility to city residents and arena user groups.



## **ARTICLE 3: DELEGATION OF AUTHORITY**

### **3.1 Matters Requiring Council Approval**

The following matters require approval from City Council:

- a) The appointment of Arena Board members as nominated by the Arena Board and appropriate Community Council;
- b) The annual operating budgets for the Arena;
- c) Allocations for capital activities, currently included in the Parks, Forestry and Parks Division Capital Budget;
- d) The audited annual financial statements of the Arenas;
- e) Establishment of new Arena Boards and cessation of existing Arena Boards;
- f) Leasing or contracting out the overall operation of the Arena to a third party; and
- g) A records retention bylaw or specific Council approval to destroy records.

### **3.2 Matters Delegated to the Arena Boards**

The following matters have been delegated to the Arena Boards in accordance with the provisions of the Relationship Framework:

- a) Develop operating plans for the Arena;
- b) Allocation of usage of the facility to residents, neighbourhood groups and user groups;
- c) The development, funding and management of Arena programs;
- d) Expend and manage operating expenditures and revenues in accordance with the Council approved budget and where applicable the City's financial policies;
- e) The management, operation and maintenance of the Arena, which includes the hiring and supervision of Arena Staff and establishment of wage rates and benefits for Arena Staff consistent with article 6.3.2 of this document; and
- f) The setting of fees for the use of Arena space and programs in accordance with Part IX of the *City of Toronto Act*.

**In February 2010 (Item CD30.5)<sup>3</sup>, City Council made a number of changes to ice allocation practices in City arenas operated by arena boards of management. Under these changes:**

- a. the General Manager, Parks Forestry and Recreation will forward to arena boards of management all applications for Ice at their locations together with the total hours each applicant is entitled to on a City-wide basis**
- b. arena boards are to develop proposed ice allocation schedules based on the applications received and consistent with the targets and requirements set-out in the City's Ice Allocation Policy and the objectives of the Relationship Framework**
- c. as appropriate, the boards shall negotiate with other board-operated arenas and City staff, and subject to informing and consulting with the applicants finalize their allocation schedules for submission for approval to the General Manager, Parks, Forestry and Recreation.**

---

<sup>3</sup> See Item CD30.5 approved by City Council on February 22 and 23, 2010:  
<http://www.toronto.ca/legdocs/mmis/2010/cd/reports/2010-02-03-cd30-cr.htm#CD30.5>

## **ARTICLE 4: BOARD OF MANAGEMENT**

### **4.1 Composition of the Arena Boards**

- 4.1.1 City Council [**or Community Council under delegated authority**]<sup>4</sup> appoints all members of the Arena Board on the recommendation of the Community Council in which the Arena is geographically located.
- 4.1.2 The number of Arena Board members for each Arena, including members of Council is defined by by-law in the City of Toronto Municipal Code and reflected in the Schedules attached to this document.
- 4.1.3 Arena Board members serve at the pleasure of City Council.
- 4.1.4 In accordance with the City of Toronto Municipal Code, the administrative head of the City of Toronto, currently the City Manager or his/her designated liaison(s), can attend and participate in all open and closed meetings of the Arena Board but can not vote on any matters before the Arena Board.
- 4.1.5 The City Manager will advise the Arena Board Chairperson, in writing, who is the designated liaison(s) of the City Manager.
- 4.1.6 All Arena Board members, both new and returning members, must be appointed by City Council at the beginning of the term of a new Council. By the first January of a new term of Council the City Manager's designated liaison will request the Arena Board to identify, in writing, returning members, recommended new members and any vacancies and the plan for filling those vacancies.
- 4.1.7 The Arena Board may, at anytime, make a request to City Council to change the number of members and which interest groups can nominate candidates. Requests of this nature will be submitted to the City Manager's designated liaison for preparation and transmittal to the appropriate committee of Council.

### **4.2 Core Qualifications of Members Appointed to Arena Boards**

- 4.2.1 Appointees on the Arena Boards must be residents of the City of Toronto for the term of office and at least 18 years old.
- 4.2.2 Board members should collectively:
  - a) possess an understanding of diverse neighbourhoods and communities served by the Arena;
  - b) have knowledge and understanding of community and public service;
  - c) possess good communication and decision making skills;
  - d) demonstrate a knowledge of the programs and activities of the Arena; and
  - e) possess appropriate skills to direct the financial and business management of the Arena.

---

<sup>4</sup> Under the Toronto Municipal Code, Chapter 27, Council Procedures, Community Councils have delegated authority to make final decisions on citizen appointments to arena boards of management providing such appointments are in compliance with City policies (includes the Public Appointments Policy). See § 27-152: [http://www.toronto.ca/legdocs/municode/1184\\_027.pdf](http://www.toronto.ca/legdocs/municode/1184_027.pdf)

### 4.3 Selection Process

**Note<sup>5</sup>: In September 2007, City Council approved specific requirements relating to the qualifications and selection process for appointing the 8 community members to serve on the Ted Reeve Arena Board (Item EX11.11).**

**City Council also authorized the City Manager to amend the Public Appointments Policy for Arena Boards to reflect the recommended changes for Ted Reeve Arena and directed the City Manager to work with other arena boards to revise their recruitment processes using the Ted Reeve process as a model.**

4.3.1 Appointments to the Arena Boards are governed broadly by Council's "*Public Appointments Policy*" as amended from time to time (attached as Appendix A). The key principle underlying this policy is that the selection process must be an open, competitive and equitable process and result in qualified and representative persons being recommended for appointment.

4.3.2 In September, prior to the end of the term of Council, and whenever vacancies occur the Arena Board shall follow, at a minimum, the following steps for selecting new members:

(a) advise the City Manager, through the designated liaison(s), that a vacancy has occurred and the timeframe for selecting and recommending a new member;

(b) within the general framework of section 4.2.2, identify the key qualifications, characteristics and skills that the Arena Board would like in new members;

(c) if the vacancy is a position where a neighbourhood organization or an arena user group has been granted the right to nominate a candidate, ask them to make a recommendation and go to step (g) below;

(d) in all other cases, appoint a Nominating Committee, consisting of at least two members of the Board to initiate a search for new members and if possible a former member of the Board or member who is about to complete their term and does not intend to continue;

(e) advertise the vacancy or vacancies within the local community by placing notices in visible and accessible locations of the Arena and when possible advertising in the local media or other means, such as posting a notice on the City's or the Arena Board's website;

(f) the Nominating Committee will review all candidate applications and recommend to the ~~full~~ Arena Board candidates to fill vacancies;

(g) the Arena Board will review the recommendation(s) of the Nominating Committee or the arena user group and prepare a recommendation for consideration of the Community Council within which the Arena is geographically located;

(h) the Arena Board will provide a letter, identifying the name of the person(s) completing their terms or no longer on the Board, the name of the recommended candidate(s) to fill the vacancy and a brief description of the selection process to the City Manager, through the designated liaison, for transmittal to the appropriate Community Council.

---

<sup>5</sup> See Item EX11.11: <http://www.toronto.ca/legdocs/mmis/2007/ex/reports/2007-09-04-ex11-cr.pdf>

- 4.3.3 The Community Council will consider the recommendation(s) of the Arena Board for Candidates and make a recommendation(s) to City Council **(or approve the appointment if it complies with the provisions of the Public Appointments Policy under delegated authority)**.

#### **4.4 Term of Appointment**

- 4.4.1 In accordance with Section 141 of the *City of Toronto Act* each Member shall hold office from the time of appointment until the expiration of the term of the Council that appointed him or her or until a successor Board is appointed by the new Council.

In accordance with Part III of Council's *Public Appointments Policy* (attached as Appendix A) all appointees to the Arena Boards, except those nominated by interest groups (for example nominees of arena user groups) as defined in Chapter -- of the Municipal Code, can serve for a total of two consecutive terms (a total of eight consecutive years).

In accordance with Part II of Council's *Public Appointments Policy* if an appointment is made to fill a vacancy during the last half of the term of Council (less than two years) this shall not count toward the maximum length of service on the Board for the appointee.

In accordance with Part III of Council's *Public Appointments Policy* (attached as Appendix A) incumbents who have reached the maximum length of service and wish to be appointed for another term, will be considered for reappointment when:

- The selection process as outlined in article 4.3.2 did not result in a sufficient number of qualified applicants; and
- The Arena Board would suffer from a lack of continuity if all or a large number of members are replaced at once.

The City Manager's designated liaison(s) will assist, if necessary, the Board in developing a recruitment and renewal process that reflects the principle behind Council's policy on term limits, which is engaging as many residents as possible and infusing new ideas and perspectives from time to time (see Part III of Council's *Public Appointments Policy*).

#### **Vacancies**

- 4.4.2 When an individual ceases to be a member of the Arena Board, a vacancy is created. Vacancies occur on the earliest of:

- a) the date of resignation;
- b) the date the member ceases to be qualified;
- c) the date the member is removed from the Board by City Council; or
- d) the date of death or other incapacitation.

- 4.4.3 Only City Council has the authority to remove an Arena Board member.

- 4.4.4 Board members may be considered for removal by City Council because:

- a) they have missed three Board meetings in a row without proper cause or notice; or
- b) two-thirds of the full Board members have recommended the removal of the Board member.

The City Manager's designated liaison will investigate these situations on the behalf of City Council.

- 4.4.5 If a member of the Board is being considered for removal, proper notice will be provided to that individual and opportunities provided for them to present their case to City Council.

#### **4.5 Remuneration**

- 4.5.1 There is no remuneration for Arena Board Members.
- 4.5.2 Arena Board Members can be reimbursed for travel and other reasonable expenses incurred while attending to authorized Board business in accordance with Arena Board's reimbursement policy, which must reflect Council's *Policy on Remuneration and Expense Reimbursement for City of Toronto Agencies, Boards, Commissions and Corporations*<sup>6</sup> (attached as Appendix B), as amended from time to time.
- 4.5.3 The Arena Board will forward, by mid-January of each year, to the City's Treasurer the amount of all reimbursement for expenses for Board members. In accordance with Section 223 of the *City of Toronto Act* the Treasurer must report, to Council by March 31 of every year, on the remuneration and expenses of all city board members.

### **ARTICLE 5: MEETINGS OF THE BOARD**

#### **5.1 Procedural Guidelines**

- 5.1.1 In accordance with Section 189 of the *City of Toronto Act*, each Arena Board shall pass a procedure by-law which governs the calling, place, proceedings of the Board's meetings including rules and procedures and other matters as deemed necessary. The procedure by-law must support the principles of transparency, accessibility, participation and civic engagement.

The City's designated liaison(s) can assist, if necessary, the Board in developing its procedure by-law.

- 5.1.2 A copy of the procedure by-law and any amendments or revisions must be filed with the City Manager's Office.
- 5.1.3 The Arena Board shall conduct its meetings in compliance with its procedure by-law.
- 5.1.4 Only Arena Board members may vote on matters before the Board. Representatives of Board members unable to attend may participate in meeting discussions, if the other members agree, but they can not vote on matters.
- 5.1.5 In accordance with Chapter --- of the Municipal Code, the Arena Board shall meet a minimum of six (6) times per year, with no more than three (3) months between meetings.

## **5.2 Open Meetings**

- 5.2.1 Meetings of the Arena Board must be open to the public, in accordance with Section 190 of the *City of Toronto Act*.
- 5.2.2 A Board meeting or part of a meeting may be closed to the public where the subject matter being considered is a matter set out in Section 190 of the City of Toronto Act, which states that the subject matter which can be dealt with in a closed meeting is limited to:
- The security of the property of the City or local board;
  - Personal matters about an identifiable individual, including a City or local board employee;
  - A proposed or pending acquisition or disposition of land by the City or local board;
  - Labour relations or employee negotiations;
  - Litigation or potential litigation, including matters before administrative tribunals, affecting the City or local board;
  - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
  - A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.

Before holding a meeting or part of a meeting that is to be closed to the public, the City or local board must adopt a resolution approving a closed meeting and the general nature of the matter to be considered at the closed meeting.

## **5.3 Quorum**

- 5.3.1 Fifty percent of the Council appointed citizen voting members of the Arena Board constitutes a quorum of the Board.
- 5.3.2 The member(s) of City Council appointed by Council to the Arena Boards will be counted to make up quorum, if they are present at the meeting.
- 5.3.3 A vacant position will not be counted to calculate quorum.
- 5.3.4 Representatives of absent Board members and non-voting board members can not be counted for the purpose of determining quorum.

## **5.4 Meeting Schedules, Agendas and Minutes**

- 5.4.1 Arena Board meeting schedules, current agendas and approved minutes (excluding confidential items as defined in Article 5.2.2) will be made available upon request to all interested parties.
- 5.4.2 In accordance with Council's Policy on *Public Access and Involvement for City of Toronto Agencies, Boards and Commissions* (attached as Appendix C) a schedule of regular Board meetings shall be determined on an annual basis and the schedule including date, time and location shall be posted in a public location in the facility and if applicable, on the Arena Board's website.

Any amendments or changes to that schedule shall be posted, as soon as possible to provide as much advance notice to the public of changes in the schedule.

- 5.4.3 In accordance with Chapter --- of the Municipal Code, proper notice of every regularly scheduled meeting shall be given to each member of the Arena Board, including the City Manager's designated liaison, not less than seven (7) days before the time when the meeting is to be held. In the event of special meetings or meetings rescheduled to accommodate unforeseen circumstances, the Board Secretary will provide at least 24 hours notice to each member of the Arena Board.
- 5.4.4 In accordance with Chapter --- of the Municipal Code, copies of all agendas, minutes, reports and information provided at Board meetings, including confidential materials shall be forwarded, as soon as possible after the meeting to all Arena Board members and to the City Manager's designated liaison.

## **ARTICLE 6: BOARD RESPONSIBILITIES**

### **6.1 Responsibilities of the Board of Management**

Subject to any matters that require Council approval under Chapter -- of the Municipal Code or other applicable laws, the Board shall manage the facility.

The Board may appoint an Arena Manager who shall be responsible for exercising general control and management of the affairs of the facility for the purpose of ensuring the efficient and effective operation and performing other administrative duties as delegated by the Board.

6.1.1 The responsibilities of the Board include the following specific matters:

- a) the overall management, operation and maintenance of the Arena, ensuring operations comply with all applicable legislation and City bylaws, policies and requirements;
- b) the overall development, funding and management of all Arena programs;
- c) the approval of an annual operating budget for recommendation to City Council;
- d) the approval of operating budget variance reports;
- e) the approval of all policies and guidelines for user fees and allocation of usage of the facility;
- f) the development of resources to support activities, programs and services of the Arena;
- g) the hiring and evaluation of the Arena Manager and Arena Staff; and
- h) the approval of the Arena's annual financial statements for audit purposes and receiving the report of the Auditor.

## **6.2 Facility Control and Responsibility**

- 6.2.1 In accordance with Chapter --- of the Municipal Code, the Arena Board is responsible for properly maintaining the building in a good state of repair and keeping the premises in a clean, safe and orderly condition satisfactory to the General Manager of Parks, Forestry and Recreation.
- 6.2.2 The Arena Board will ensure that building maintenance is conducted by licensed technicians where required and according to applicable legislation and regulatory requirements prescribed by various acts and codes such as the Ontario Fire Code and the Ontario Electrical Safety Code 23<sup>rd</sup> edition.

The City of Toronto's own *Facilities Maintenance Standards*, are provided as a guideline, which the Arena Boards can consult and use for assistance in developing maintenance programs.

- 6.2.3 The Arena Board shall not make or incur liability for any capital work without first obtaining approval of the General Manager of Parks, Forestry and Recreation. Capital work is defined as major building repairs or improvements, which extend the life of the structure and meet the criteria for inclusion in the capital budget as set out in the Capital Policies included in the Budget Submission Guidelines and Instructions (currently generally defined as work valued at over \$50,000), as amended from time to time.
- 6.2.4 In the event of an emergency situation, where the work would be defined as capital work, the Arena Board will request the support of the Parks, Forestry and Recreation division, which has a reserve for these situations.
- 6.2.5 The City is responsible for managing all capital work carried out in City owned arenas unless approved otherwise by City Council.
- 6.2.6 Development of the plan for all Capital Work at Board of Management operated arenas and implementation of that plan will be done in collaboration with the Arena Manager and Board.
- 6.2.7 In situations where the Arena Board is providing operating budget or other funds (e.g. money raised through fund-raising activities) toward the cost of the project a written agreement will be developed between the Arena Board and the General Manager of Parks, Forestry and Recreation.
- 6.2.8 The City and its employees, agents, contractors and representatives, with the authorization of the General Manager of Parks, Forestry and Recreation, shall have the right to enter the premises to complete facility inspections, building condition assessments or for any other reason as he/she deems necessary. To ensure disruptions to the operations of the Arena are kept to a minimum, when possible and feasible, notice of at least two days, will be provided to the Arena Manager.



- 6.2.9 In May/June of each year, an annual visual inspection of the Arena will be conducted jointly by a representative of the General Manager of Parks, Forestry and Recreation and the Arena Manager and if the Board wishes a representative of the Arena Board.

The purpose of this inspection is to:

- Identify any work that may be considered for inclusion in the Parks, Forestry and Recreation capital budget; and
- Identify any work that the Arena Board and Manager may consider for inclusion in the operating budget.

The Arena Manager will be informed by City Staff of which items were included in the capital budget and which items were approved by Council.

- 6.2.10 Every three or four years, a comprehensive building condition assessment will be done by the Parks, Forestry and Recreation Division with the Arena Manager. City Staff will work with the Arena Manager to schedule those assessments and identify who will be conducting the assessments. The purpose of the assessment is to inform the Parks, Forestry and Recreation Division's multi-year capital works program.

The Arena Board and Manager will be engaged in the development of the multi-year capital plan for the Arena. Changes made in that capital plan that occur because of factors, such as, the decisions of City Council or a change in corporate priorities, will be communicated and explained in a timely manner to the Arena Board.

### **6.3 Arena Staff**

- 6.3.1 Except for Leaside Memorial Community Garden Arena, Arena staff are employees of the Arena Board.
- 6.3.2 The Arena Board, except in the case of Leaside Memorial Community Garden Arena, sets all policy or practice that affects employee compensation including changes to salary ranges, job evaluation, performance pay, salary and benefits, as long as compensation and benefits are in line with industry standards and practices and existing City policy and collective agreements.
- 6.3.3 In the case of Leaside Memorial Community Garden Arena, the Arena Manager is employed by the Arena Board while the Arena staff are employees of the City of Toronto but Council has delegated authority to the Board to manage and direct Arena staff in accordance with the City's human resource policies and collective agreements.
- 6.3.4 Articles 6.3.2 and 6.3.3 only apply to the Leaside Memorial Community Garden Arena with respect to the Arena Manager and any other non-union employees.

## **ARTICLE 7: RESPONSIBILITIES OF THE CITY**

### **7.1 Corporate Support**

- 7.1.1 The Arena Board and staff can request assistance and information from the City at any time even in areas where Council has delegated responsibility to the Arena Board.
- 7.1.2 The Arena Board and staff, if required, can access the City's expertise available in labour relations, legal services, corporate access and privacy, board of management governance, marketing and communication services and financial services. A key contact in each of these areas is provided, updated and maintained on a regular basis by the City's designated liaison(s).
- 7.1.3 All Arenas are covered under the City's Liability and Property Insurance program. This coverage includes Automobile, Property, Boiler and Machinery, General Liability, and Public Officials Errors and Omissions (E&O) Liability insurance. E&O Liability insurance provides coverage for liability resulting from errors or omissions in the performance of professional duties and applies to a range of officials including Boards of Management of Arenas. Arenas are required to make an annual contribution to the City's Insurance Reserve Fund.
- 7.1.4 When the City contracts for bulk purchases of services, it will ensure the Arena Board has the opportunity to participate in that contract, according to information to be provided by the City's designated liaison(s). Depending upon the direction of City Council the Arena Board may be required to participate in the bulk purchase or may be given the option to participate.
- 7.1.5 From time to time, the City will engage in major facility management initiatives designed to achieve things, like cost savings or reduced energy consumption. The City, with the Arena Board, will assess the affect of these initiatives on the Arena operations and will determine an appropriate course of action that ensures the Arena Board can help achieve City Council's objectives. Depending upon the direction of City Council participation by the Arena Board may either be required or voluntary.

### **7.2 Governance Responsibilities of Council**

- 7.2.1 Council will consider for appointment persons to the Arena Board provided they were nominated following the requirements and process as outlined in Article 4 of this document.
- 7.2.2 Council shall give consideration to Arena Board requests to amend establishing by-laws, municipal codes, Council policies or changes in the existing governance structures. These requests will be submitted to the City Manager's designated liaison for transmittal to Council.
- 7.2.3 The member(s) of Council appointed to the Arena Board is a full member of the Board, who provides an essential link between the Board and Council such that Council positions can be conveyed to the Board and vice-versa.
- 7.2.4 The City Manager or his/her designated liaison(s) is a non-voting member of the Arena Board who provides an essential link between the Board and the Toronto Public Service so that working and governance relationship issues can be identified and addressed in a timely manner.

## **ARTICLE 8: ACCESS TO RECORDS AND INFORMATION**

### **8.1 Records and Information**

- 8.1.1 The Arena Board and staff are required to comply with the *Municipal Freedom of Information and Protection of Privacy Act*, which establishes requirements related to access to records and information. The Act provides individuals with the right to access general information and their own personal information maintained by municipal government, agencies, boards and commissions. The Act also includes guidelines related to the collection, use, disclosure and retention of personal information.
- 8.1.2 The City Clerk through the City's Corporate Access and Privacy Office will provide support and advice to the Arena Boards on matters related to the collection, use, disclosure and retention of personal information as required.
- 8.1.3 The Arena Board will retain and preserve records associated with the management and operation of the Arena, including minutes and records of every Arena Board meeting, in a secure and accessible manner, as required in subsection 200(2) of the *City of Toronto Act*.
- 8.1.4 The destruction of records of the Board must be approved by Council through (a) the approval of a records retention by-law or b) case by case approval of specific records proposed for destruction.
- 8.1.5 The City, through the City Manager's designated liaison(s) will assist the Arena Board, if necessary, in developing a records retention and management system.

### **8.2 Requests for Information**

- 8.2.1 The Arena Board, or the Arena Manager as its delegate, shall respond in a timely manner to requests for information related to the operations, business and affairs of the Arena made by City Council or the City Manager or his/her representatives.
- 8.2.2 The City when requesting information will communicate the purpose for the information request, how the information is to be used and what may be the implications for the Arena Board associated with this request.
- 8.2.3 When information requests are associated with any studies that involve an evaluation of the performance or operation of indoor ice arenas, the City commits to ensuring the Arena Boards are provided with the results of the study and that they will have the opportunity to comment on those results before presentation to City Council and the public.
- 8.2.4 The City is required by Provincial Legislation to report annually to the Province on its performance in a number of areas. One of those areas is the provision of recreational programs and services. The Arena Boards will provide all information possible to assist the City in meeting its provincially mandated reporting.
- 8.2.5 The City, in turn shall respond in a timely manner to requests for information made by the Arena Board required to assist in the operations, business and affairs of the facility.

## ARTICLE 9: POLICIES

### 9.1 Compliance with City Policies

9.1.1 In accordance with paragraph 6 of subsection 141(1) of the *City of Toronto Act*, City Council may require the Arena Board to follow rules, procedures and policies established by City Council and as amended from time to time.

9.1.2 Certain expectations regarding conduct apply to all City citizen appointments including the Arena Boards. It is understood that each member has agreed, at the time of appointment, to abide by the Act and policy:

- The Municipal Conflict of Interest Act<sup>7</sup>; and
- The Code of Conduct<sup>8</sup> for members of Council as amended from time to time.<sup>9</sup>

Note: Section 157 of the *City of Toronto Act* requires the City to establish codes of conduct for members of City Council and members of local boards.

9.1.3 In accordance with Section 212 of the *City of Toronto Act*, the Arena Board shall have appropriate policies for the hiring of employees and for the procurement of goods and services. A copy of these policies and any amendments or revisions must be filed with the City Manager's Office.

The City's designated liaison(s) will assist, if necessary, in the development of these policies.

9.1.4 The Arena Board is responsible for ensuring that Arena staff have implemented policies of the City that are deemed applicable. The applicability of City policies to the Arenas will be determined in consultation with the Arena Manager, the Board, the designated City liaison(s) and other City staff as appropriate.

9.1.5 The City will consult with the Arena Boards, whenever possible, regarding new policies or procedures that will affect the Arena Board or its staff.

---

<sup>7</sup> See Clause 20, Report No. 16 of the Administration Committee as adopted by City Council at its meeting of August 1 to 4, 2000.

<sup>8</sup> The provisions of the Code of Conduct for members of local boards (Restricted Definition) adopted by City Council at its meeting on July 15 and 16, 2008, apply to all members of the Board – Item EX22.6 (2008). See Code of Conduct: <http://www.toronto.ca/integrity/pdf/code-conduct-local-boards.pdf>

<sup>9</sup> See Clause 2, Report No. 5 of the Administration Committee as adopted by City Council at its meeting of September 28 and 29, 1999.

## **9.2 Corporate Identity**

- 9.2.1 The Arena Board is required to acknowledge in public materials such as web sites, publications, pamphlets and signage the relationship with the City (e.g. identification that the Arena Board is an agency of the City of Toronto).
- 9.2.2 The official City corporate logo or word mark must be used when the Arena Boards uses the City logo on any visual material, publications or pamphlets.

## **9.3 Public Representation**

- 9.3.1 The Arena Board or Arena Manager shall at all times in representing the Arena on the public record, respect privacy rights, security needs, and matters before the courts. They shall identify themselves as a representative of the Board or the Arena, not the City, when speaking on the public record.
- 9.3.2 The Arena Board, or the Arena Manager as its delegate, shall provide the City's designated liaison(s), for information purposes, with copies of materials released to the media.

# **ARTICLE 10: COMMUNICATION AND REPORTING**

## **10.1 Designated City Liaisons**

- 10.1.1 The City Manager or his/her designate(s) is a non-voting member of the Arena Boards and is the designated City liaison(s) responsible for Arena Board governance matters, the Relationship Framework and the Toronto Municipal Code.
- 10.1.2 City Council has directed that the Arena Boards be functionally aligned with the City's Parks, Forestry and Recreation Division<sup>10</sup>. Therefore the General Manager Parks, Forestry and Recreation or his/her designate(s) is the City liaison responsible for operational issues between the Arena Boards and the City.
- 10.1.3 The role of the City liaisons is facilitative and does not limit the autonomy or authority of the Board or preclude the Arena Boards to work with other City divisions, City Councillors or represent the Arena before Council and its committees in the normal course of business, as they deem appropriate.
- 10.1.4 The designated City liaisons will be responsible to:
  - a) act as a central access point for transmittal of reports to Council;
  - b) facilitate the administrative relationship between the Arena Board and the City including the provision of support through various corporate units;
  - c) ensure that the programs and services delivered through Arenas continue to be included in the City's overall strategic directions;
  - d) act as a resource and provide information; and
  - e) act as a program advocate on behalf of the Arenas, as appropriate.

---

<sup>10</sup> See Report No. 1 of the Audit Committee, February 1, 2005 meeting of City Council.

## **10.2 Financial Management and Budget**

- 10.2.1 The Financial Planning Division will provide support to the Arena Boards with respect to Financial Management and Budget matters, consulting with the designated City liaison(s) and other City staff as required.
- 10.2.2 The operating budget will be prepared and submitted to the Financial Planning Division on an annual basis in a format and within time lines prescribed by the City. The operating budget for Arena Boards is included in the City's operating budget as a separate program line. The Arena Boards will present the consolidated budget to the appropriate committees of Council. The Arena Managers should be available to answer questions and participate in the budget review process as required.
- 10.2.3 The operating budget shall include salary and benefit costs, facility and operation costs and any program delivery costs. This may include:
- all salary and benefit costs related to administration, program and volunteer co-ordination, secretarial and reception, and maintenance and security;
  - materials and supplies related to administration and maintenance;
  - furniture and equipment for general use of the facility;
  - purchased services such as, but not limited to utilities, printing, and auditing costs;
  - building repairs less than \$50,000 or below the current Capital policy threshold;
  - contributions to the Insurance Reserve Fund;
  - contributions to the Ice Resurfacers (Fleet) reserve as directed by Council in April 2004<sup>11</sup>; and
  - revenues to be received for the use of the facility and programs.

The annual budget submission shall also include:

- a program overview including common performance measurement information related to degree of achievement in that year;
  - projected objectives and major activities proposed for the coming year;
  - the annual budget request;
  - staffing overview;
  - organizational chart; and
  - other information as required by Council or the Deputy City Manager and Chief Financial Officer from time to time.
- 10.2.4 Any requests for additional funds necessary to cover operating deficits or implement new programs will be accompanied by a business case and be subject to approval by Council.
- 10.2.5 The Arena Board will not expend administrative funds or incur future year liabilities without the approval of Council through the annual budget process or through approval of an in-year budget adjustment.
- 10.2.6 The Arena Board shall contact the City liaison(s) and the designated Manager in the Financial Planning Division in the event of an unforeseen circumstance that may have budgetary implications.

---

<sup>11</sup> See Item HH of Clause No. 2 of Report No. 3 of the Policy and Finance Committee as adopted by Council at its meeting of April 19 to 28, 2004.

- 10.2.7 In the event of unforeseen circumstances, if the event is a Health and Safety risk or a significant operational issue the Arena Board has the authority to take all appropriate actions but must advise the designated City liaison(s) as soon as possible of the situation. In all other cases, remedial actions must first be approved by the City.
- 10.2.8 The Arena Board will be responsible for monitoring its approved operating budget and submitting variance reports on a quarterly basis or as requested by the Financial Planning Division to the City. Variance reports will include explanation and remedial action plans to address variances.
- 10.2.9 If the Arena Board generates a surplus in excess of its operating budget, it is payable to the City. Similarly, if the Arena Board incurs a deficit which was not provided for in its operating budget, it is recoverable from the City. These settlements are approved by Council.

### **10.3 Annual Reporting**

- 10.3.1 Annual audited financial statements will be prepared in accordance with Canadian generally accepted accounting principles for municipalities with actual current and prior years, budgeted figures, and notes of explanation. The financial audit, management letters if applicable and responses from management must be submitted on an annual basis to Audit Committee for consideration.

### **10.4 Audit and Reviews**

- 10.4.1 The Auditor General is responsible for selecting an external auditor to complete the annual audit of the Arena. The annual audit will be completed in consultation with the Board. This audit must satisfy the requirements of Section 139(1) of the *City of Toronto Act* which requires the City to appoint an auditor licensed under the *Public Accounting Act* to annually audit the accounts and transactions of its local boards and expressing an opinion on the financial statements of these bodies.
- 10.4.2 The Auditor General has right of access at all reasonable hours to all records of the Arena that he or she deems necessary to carry out the duties of an auditor as per section 179 of the *City of Toronto Act*. The Arena Boards and staff will provide the Auditor General or his/her delegates with reasonable access to the premises and records during regular business hours.
- 10.4.3 The City Manager and his/her representatives may review the financial records and other relevant records of the Arena. The Arena Boards and staff will provide the City Manager or his/her delegates with reasonable access to the premises and records during regular business hours. Such representatives shall treat all confidential information of the Arena with the same level of care and confidentiality as they treat confidential information of the City.
- 10.4.4 The Arena Boards will review and develop an action plan to address recommendations arising from any management letter received from the external auditor and a review by the Auditor General or the City Manager.

## ARTICLE 11 - ACCOUNTABILITY AND TRANSPARENCY

### 11.1 Integrity Commissioner

- 11.1.1 The City is required to appoint an Integrity Commissioner responsible for the application of the code of conduct for members of Council and the code of conduct for members of local boards<sup>12</sup> and the application of any procedures, rules and policies of the City and local boards governing the ethical behaviour of its members by section 158 of the *City of Toronto Act*.
- 11.1.2 Council, a member of Council, a member of the Board or a member of the public may request the Integrity Commissioner to conduct an inquiry with respect to whether a member of the Board has contravened the code of conduct applicable to the Board under section 160 of the *City of Toronto Act*.
- 11.1.3 The Integrity Commissioner is entitled to full access to all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property used by the Board that the Commissioner believes to be necessary for an inquiry. The Board will provide the Integrity Commissioner with such information as the Commissioner deems necessary as required by subsections 160(3) and (4) of the *City of Toronto Act*.
- 11.1.4 Council may reprimand a board member who has contravened the code of conduct for members of local boards under subsection 160(5) of the *City of Toronto Act*.
- 11.1.5 The Board may a reprimand a board member who has contravened the code of conduct for members of local boards if Council has not imposed a penalty on the member with regard to the same contravention under subsection 160(6) of the *City of Toronto Act*.
- 11.1.6 The Integrity Commissioner and every person acting under his or her instructions shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of his or her duties as required by subsection 161(1) of the *City of Toronto Act*.
- 11.1.7 Boards shall ensure that reports received from the Integrity Commissioner are made available to the public as required by subsection 162(3) of the *City of Toronto Act*.

### 11.2 Ombudsman

- 11.2.1 The City is required to appoint an Ombudsman, under section 170 of the *City of Toronto Act*, who has the function to investigate any decision or recommendation made or any act done or omitted in the course of the administration of the City, its local boards (restricted definition) and such city-controlled corporations as Council may specify and affecting any person or body of persons in his, her or its personal capacity.
- 11.2.2 The Boards will provide the Ombudsman with information related to any matter he or she is investigating upon request as required under subsection 19(1) of the *Ombudsman Act, R.S.O. 1990*.

---

<sup>12</sup> The provisions of the Code of Conduct for members of local boards (Restricted Definition) adopted by City Council at its meeting on July 15 and 16, 2008, apply to members of the Board – Item EX22.6 (2008).  
See Code of Conduct: <http://www.toronto.ca/integrity/pdf/code-conduct-local-boards.pdf>



- 11.2.3 The Ombudsman and every person acting under the instructions of the Ombudsman shall preserve secrecy with respect to all matters in the course of his or his duties as required under subsection 173(1) of the *City of Toronto Act*.

### **11.3 Lobbyist Registry**

- 11.3.1 The City is required to establish and maintain a Lobbyist Registry that retains information by persons who lobby public office holders by subsection 165(1) of the *City of Toronto Act*. Public office holders include members of the Boards, Board and community centre staff.
- 11.3.2 Persons or entities who lobby public office holders, including members of the Board, Board or community centre staff, will be required to comply with the City's Lobbyist Registry and any associated policies or codes as adopted by Council and as amended from time to time.
- 11.3.3 The City will endeavour to ensure that the implementation of the City's Lobbyist Registry does not unnecessarily impede the ability of the Boards to meet the arenas' purpose, mandate and strategic objectives as set out in the Relationship Framework.

### **11.4 Auditor General**

- 11.4.1 The City is required to appoint an Auditor General who is responsible for assisting Council in holding itself and city administrators accountable for the quality of stewardship over public funds and for achievement of value for money in city operations, under subsections 177(1) and 178(1) of the *City of Toronto Act*.
- 11.4.2 The Auditor General may exercise powers and shall perform the duties as may be assigned to him or her by Council in respect of the City, its local boards (restricted definition) and such city-controlled corporations and grant recipients as Council may specify, under subsection 178(3) of the *City of Toronto Act*.
- 11.4.3 The Boards will provide the Auditor General such information regarding their powers, duties, activities, organization, financial transactions and methods of business as the Auditor General believes to be necessary to perform his or her duties as required by subsection 179(1) of the *City of Toronto Act*.
- 11.4.4 The Auditor General is entitled to have free access to all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property belonging to or used by the Board that the Auditor General believes to be necessary to perform his or her duties as required by subsection 179(2) of the *City of Toronto Act*.
- 11.4.5 The Auditor General and every person acting under the instructions of the Auditor General shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of her or her duties under section 181 of the *City of Toronto Act*.

## **ARTICLE 12: COMPLIANCE**

### **12.1 Inconsistency or Conflict**

- 12.1.1 If there is any inconsistency or conflict between the provisions of the relationship framework and Municipal Code, Council's most recent decision regarding the Municipal Code shall prevail.

- 12.1.2 In the event of inconsistency or conflict between the provisions of the relationship framework, in the opinion of the City solicitor, and provincial or federal legislation, provincial or federal legislation shall prevail.

## **ARTICLE 13: AMENDMENTS AND CHANGES**

### **13.1 Amendments to the Relationship Framework**

- 13.1.1 From time to time Council, after consultation with the Arena Boards, may direct changes to this Relationship Framework and the Boards may request that Council consider changes.
- 13.1.2 The Arena Boards will submit requests for changes to the Relationship Framework to the City Manager for transmittal to City Council.

Adopted by the Council of the City of Toronto (Item EX11.5 of the Executive Committee) at its meeting held on September 26 and 27, 2007.

## **SCHEDULE 1 - GEORGE BELL ARENA (215 Ryding Avenue)**

### **A) Description of Premises**

The premises shall be the George Bell Arena building and the paved motor vehicle parking area adjacent to it in Runnymede Park, but excluding the change rooms attached to the east end of the Arena building.

### **B) Members of the Arena Board**

Subject to the City of Toronto Municipal Code, the George Bell Arena Board shall be composed as follows:

- 1) Total number of full members: eight (8).
- 2) Composition.
  - a) The member of Council for the Ward in which the George Bell Arena is geographically located.
  - b) Seven (7) persons who are appointed by Council at the beginning of each term.
  - c) The City Manager or his/her designate is a non-voting member.

### **C) Maintenance of the External Change Rooms**

Operation and maintenance of the external change rooms found on the east side of the Arena is the responsibility of the City. For emergency purposes only, the City will provide the Arena Manager with a key to those change rooms.

### **D) Maintenance of the Parking Lot**

The City through its Parks, Forestry and Recreation Division will develop an agreement with the George Bell Arena Board clarifying roles and responsibilities with respect to operation and maintenance of the parking lot.

## **SCHEDULE 2 - LARRY GROSSMAN FOREST HILL MEMORIAL ARENA (340 Chaplin Crescent)**

### **A) Description of Premises**

The premises shall be the Forest Hill Memorial Arena building and the paved motor vehicle parking area adjacent to the south of the building.

### **B) Members of the Arena Board**

Subject to the City of Toronto Municipal Code, the Larry Grossman Forest Hill Memorial Arena Board shall be composed as follows:

- 1) Total number of full members: seven (7).
- 2) Composition.
  - a) Two (2) members of Council, one (1) of whom is the member of Council for the Ward in which the Forest Hill Arena is geographically located.
  - b) Five (5) persons who are appointed by Council at the beginning of each term.
  - c) The City Manager or his/her designate is a non-voting member.

### **C) Maintenance of the External Change Rooms**

Operation and maintenance of the external change rooms found on the north side of the Arena is the responsibility of the City. For emergency purposes only, the City will provide the Arena Manager with a key to those change rooms.

### **D) Snow Management and Removal in the Parking Lot**

The Arena is responsible for plowing of snow in the parking lot and will ensure it is properly placed for removal and it is not placed in the gully behind private residences. The City through its Parks, Forestry and Recreation Division will remove the snow.

### **SCHEDULE 3 - LEASIDE MEMORIAL COMMUNITY GARDENS ARENA (1073 Millwood Avenue)**

#### **A) Description of Premises**

The premises shall be the Leaside Memorial Arena and the Banquet Hall buildings, the Pool and Parking Lot.

#### **B) Members of the Arena Board**

Subject to section 25-5 of the Toronto Municipal Code, the Leaside Memorial Community Gardens Arena Board shall be composed as follows:

- 1) Total number of full members: ten (10).
- 2) Composition.
  - a) The member of Council for the Ward in which the Leaside Arena is geographically located.
  - b) Nine (9) persons who are appointed by Council at the beginning of each term.
  - c) The City Manager or his/her designate is a non-voting member.

#### **C) Swimming Pool**

Operation and maintenance of the swimming pool and delivery of programming is governed by the agreement established between the Leaside Arena Board and the former Borough of East York in October 1995. Any negotiated changes in the current operation of the swimming pool will be in the form of an amendment to that agreement.

#### **D) Use of the Banquet Hall by the City**

The City, through its Parks, Forestry and Recreation Division will develop by ----- an agreement with the Leaside Arena Board reflecting the current unwritten agreement that the City can utilize the facility one day a week for programs and in return is responsible for maintaining the parking lot and cutting of grass.

#### **E) Staffing**

With the exception of the Arena Manager, the staff at the Leaside Arena are City staff and part of the collective agreements with CUPE Locals 79 and 416. The Arena Board, through its Arena Manager will ensure that all operations are in compliance with the collective agreements between the City and CUPE Locals 79 and 416. The City through its designated liaisons will ensure the Arena Board and Arena Manager receives, like all line management in the City, all communications with respect to human resource management and labour relations.

#### **F) Payroll Management**

The City's designated liaison will review the existing systems for payroll management for City staff dedicated to the Leaside Arena and facilitate a process to identify and implement improvements.

#### **G) Proposal by the Leaside Arena Board to move to Non-Profit Governance Model**

The City through its designated liaison(s) will explore and evaluate, with the Leaside Arena Board, this proposal and make a recommendation to City Council.

H) Proposal by the Leaside Arena Board to construct a Second Rink

The City through its designated liaison(s) will explore and evaluate, with the Leaside Arena Board, this proposal and make a recommendation to City Council.

#### **SCHEDULE 4 - McCORMICK PLAYGROUND ARENA (179 Brock Avenue)**

##### **A) Description of Premises**

The premises shall be the McCormick Playground Arena building.

##### **B) Members of the Arena Board**

Subject to section 25-5 of the Toronto Municipal Code, the McCormick Playground Arena Board shall be composed as follows:

- 1) Total number of full members: eleven (11).
- 2) Composition.
  - a) Two (2) members of Council, one (1) of whom is the member of Council for the Ward in which the McCormick Playground Arena is geographically located.
  - b) Nine (9) persons who are appointed by Council at the beginning of each term.
  - c) The City Manager or his/her designate is a non-voting member.

## **SCHEDULE 5 - MOSS PARK ARENA (140 Sherbourne Street)**

### **A) Description of Premises**

The premises shall be the Moss Park Arena building.

### **B) Members of the Arena Board**

Subject to section 25-5 of the Toronto Municipal Code, the Moss Park Arena Board shall be composed as follows:

- 1) Total number of full members: ten (10).
- 2) Composition.
  - a) The member of Council for the Ward in which the Moss Park Arena is geographically located.
  - b) Nine (9) persons who are appointed by Council at the beginning of each term, one (1) of whom may be nominated by the Moss Park Skating Club.
  - c) The City Manager or his/her designate is a non-voting member.

### **C) Snow Removal and Parking Lot Maintenance**

The City through its Parks, Forestry and Recreation Division will develop an agreement with the Moss Park Arena Board clarifying roles and responsibilities with respect to operation and maintenance of the parking lot and removal of snow dumped by the Arena's Ice Resurfacing machine.



## **SCHEDULE 6 - NORTH TORONTO MEMORIAL ARENA (174 Orchard View Boulevard)**

### **A) Description of Premises**

The premises shall be the North Toronto Memorial Arena building. Includes a community meeting room.

### **B) Members of the Arena Board**

Subject to section 25-5 of the Toronto Municipal Code, the North Toronto Memorial Arena Board shall be composed as follows:

- 1) Total number of full members: nine (9).
- 2) Composition.
  - a) Two (2) members of Council, one (1) of whom is the member of Council for the Ward in which the North Toronto Arena is geographically located.
  - b) Seven (7) persons who are appointed by Council at the beginning of each term, but three (3) may be nominated for consideration for appointment as follows: one (1) person by the North Toronto Skating Club; one (1) person by the North Toronto Hockey Association; and one (1) person by one on the adjacent ratepayers' association.
  - c) The City Manager or his/her designate is a non-voting member.

### **C) Outdoor Rink**

The City, through its Parks, Forestry and Recreation Division will develop by an agreement with the North Toronto Arena Board reflecting the current agreement that has been in place since August 1993 that the North Toronto Arena maintains and floods the neighbouring outdoor ice rinks in return for a fee, which is currently \$45,000 and which was set in 1993.

## **SCHEDULE 7 - TED REEVE ARENA (175 Main Street)**

### **A) Description of Premises**

The premises shall be the Ted Reeve Arena building and immediate grounds. Includes a 6,000 square foot community meeting room, which is partially finished.

### **B) Members of the Arena Board <sup>13</sup>**

Subject to section 25-5 of the Toronto Municipal Code, the Ted Reeve Arena Board shall be composed as follows:

- 1) Total number of full members: nine (9).
- 2) Composition.
  - a) the Ward 32 Councillor;
  - b) 8 community members;
  - c) 2 non-voting staff members from the local Police Services Division and Parks, Forestry and Recreation Division; and
  - d) 1 non-voting representative of the Sports Centre Design and Management Limited.

### **C) Agreement with the Toronto East Arena Gardens Incorporated**

Note: City Council through its adoption of a separate Item EX11.11 directed the City Solicitor give notice to the Toronto East Arena Gardens Incorporated of termination of the 1954 agreement with the City of Toronto and thank the membership for their long service and dedication to the arena.

### **D) Covered Outdoor Rink**

Operation and maintenance of the neighbouring covered outdoor rink and delivery of programming is governed by the agreement established in March 2003 between the Ted Reeve Arena Board, the City of Toronto and the private operator.

---

<sup>13</sup> The board composition and recruitment process for Ted Reeve Arena was amended by City Council through its adoption of a separate Item EX11.11 at its meeting held on September 26 and 27, 2007.  
See Item EX11.11: <http://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-6167.pdf>

## **SCHEDULE 8 - WILLIAM H. BOLTON ARENA (40 Rossmore Road)**

### **A) Description of Premises**

The premises shall be the William H. Bolton Arena building.

### **B) Members of the Arena Board**

Subject to section 25-5 of the Toronto Municipal Code, the William H. Bolton Arena Board shall be composed as follows:

- 1) Total number of full members: eleven (11).
- 2) Composition.
  - a) The member of Council for the Ward in which the Bolton Arena is geographically located.
  - b) Ten (10) persons who are appointed by Council at the beginning of each term.
  - c) The City Manager or his/her designate is a non-voting member.

### **C) Snow Removal from the Ice Resurfacing Machines**

The City, through its Parks, Forestry and Recreation Division will negotiate an agreement with Bill Bolton Arena for regular removal of snow that is placed in the park for the 2006-07 winter season. In 2007, snow melting pit will be built which should remove the need for ongoing snow removal.

## **APPENDIX A – Public Appointments Policy**

Public Appointments Policy (*see Clause No. 2, Report No. 7 of the Policy and Finance Committee, as adopted by Council at its meeting of September 25 to 28, 2006*).

## **APPENDIX B – Remuneration and Expense Policies**

Policy on Remuneration and Expense Reimbursement for City of Toronto Agencies, Boards, Commissions and Corporations (*see Clause No. 2, Report No. 1 of the Policy and Finance Committee, as adopted by Council at its meeting of January 31 to February 2, 2006*).

## **APPENDIX C – Policy on Public Access and Involvement**

Policy on Public Access and Involvement for City of Toronto ABCs (*see Clause No. 15, Report No. 9 of the Policy and Finance Committee, as adopted by Council at its meeting of September 22 to 25, 2003*).