

Continuation of Appointed Public Member as Chair of the Benefit Fund Committee of the Toronto Fire Department Superannuation and Benefit Fund

Date: March 27, 2025

To: Civic Appointments Committee

From: Executive Director, Finance Shared Services

Wards: All

REASON FOR CONFIDENTIAL INFORMATION

This report deals with personal matters about an identifiable individual who is being considered for appointment as Chair of the Benefit Fund Committee of the Toronto Fire Department Superannuation and Benefit Fund.

SUMMARY

This report recommends that City Council extend the appointment of William Chinery as Chair of the Benefit Fund Committee of the Toronto Fire Department Superannuation and Benefit Fund to the end of the current Council term of November 14, 2026 in order to align the appointment term with the Council term, in accordance with the provisions of By-law 10649 governing the Toronto Fire Department Superannuation and Benefit Fund (“the Fund By-law”).

RECOMMENDATIONS

The Executive Director, Finance Shared Services recommends that:

1. City Council extend the appointment of William Chinery as Chair of the Benefit Fund Committee of the Toronto Fire Department Superannuation and Benefit Fund, at the pleasure of Council, to November 14, 2026, or until a successor is appointed.

2. City Council direct that Confidential Attachment 1 remain confidential in its entirety as it relates to personal matters about an identifiable individual being considered for continued appointment as Chair of the Benefit Fund Committee of the Toronto Fire Department Superannuation and Benefit Fund.

FINANCIAL IMPACT

There is no financial impact to the City as a result from this report.

For information only, the Chair of the Committee receives an annual honorarium of \$15,000, which is paid out by the Benefit Fund and not by the City.

The honorarium is provided for in the Fund By-law and is in accordance with Policy and Finance Committee Report 1, Clause 2 titled "Remuneration for Civic Appointments to Agencies, Boards, Commissions & Corporations" which was adopted, amended, by City Council at its meeting held on January 31, February 1 and 2, 2006.

<https://www.toronto.ca/legdocs/2006/agendas/council/cc060131/pof1rpt/cl002.pdf>

On December 18, 2024, by By-law 1364-2024, the honorarium amount for the Chair as set out in the Fund By-law was increased from \$7,500 to the current \$15,000.

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

DECISION HISTORY

At its meeting held on November 25 and 26, 2020, City Council appointed William Chinery as Chair of the Benefit Fund Committee:

<https://secure.toronto.ca/council/agenda-item.do?item=2020.CA15.2>

Previous public members had been appointed in 2015, 2011, and 2007:

Agenda Item History - 2015.CA10.1

<https://secure.toronto.ca/council/agenda-item.do?item=2015.CA10.1>

Agenda Item History - 2011.CA11.2

<https://secure.toronto.ca/council/agenda-item.do?item=2011.CA11.2>

Toronto City Council Decision Document - 2007-06-19

<https://www.toronto.ca/legdocs/mmis/2007/cc/decisions/2007-06-19-cc10-dd.pdf>

COMMENTS

The City of Toronto is the sponsor of one pre-OMERS pension plan, the Toronto Fire Department Superannuation and Benefit Fund, which is managed and administered by a Committee in accordance with the *Ontario Pension Benefits Act* ("PBA") and with the Fund By-law.

Continuation of Appointed Public Member as Chair of the Fire Benefit Fund Committee

The Fund benefits are paid to qualifying retirees who were hired prior to July 1, 1968, to the Fire Department of the pre-amalgamation City of Toronto, and to their survivors, as defined under the Fund By-law.

The Fund is managed by its own Committee, which under the *PBA* is the administrator of the pension plan (“Fire Pension Committee”).

The Fire Pension Committee is composed of City and pensioner representatives, in accordance with the requirements of the *PBA* and the Fund By-law.

The Fund By-law provides for City Council to appoint to the Fire Pension Committee a public member who is nominated by the Committee, who may serve as Chair of the Fire Pension Committee.

The Council appointment is made in accordance with the City's Public Appointments Policy Governing Appointments to City Agencies, Board, Commissions and Corporations and Nominations to External Special Purpose Bodies, adopted by Council in September 2006 and revised in 2015.

William Chinery was appointed by Council on November 25 and 26, 2020, for a four-year term ending on December 31, 2024, and has served as Chair of the Fire Pension Committee since December 9, 2020.

Public member appointment terms are generally four years in length. Under the Public Appointments Policy, public members may only serve two consecutive four-year terms on the same board, though public members serve until their successors are appointed. The service of a member beyond the appointed term shall not count toward the calculation of the limit on length of service if that extension is less than half the length of a term.

Under the Fund By-law, the term of the public member appointed by Council shall be the same as the Council term, except that the public member may continue to hold office after the expiry of the Council term until the new Council appoints a successor. Please see extracts from the Fund By-law in Attachment 1.

Despite this By-law provision, the term of the public members appointment by Council in 2007, 2011, 2015, and 2019, did not align with the Council term. The historical basis for this anomaly is not known to current staff.

At its meeting on December 11, 2024, the Fire Pension Committee endorsed the extension of the Chair's term to November 14, 2026, to align with the Council term, as required by the Fund By-law.

William Chinery is agreeable to continue as Chair until November 14, 2026, or such time as Council appoints his successor.

The alternative to extending the current Chair's appointment for the balance of the Council term, is to seek a new public member for this same time period. Undertaking a Continuation of Appointed Public Member as Chair of the Fire Benefit Fund Committee

new search at this time for a public member appointee to the Committee for the balance of the Council term may be of limited utility given the shortened appointment term. The nature of this Committee requires specialized knowledge appropriate to the governance of pension plans, which may result in a limited candidate pool. Moreover, the search, interview, and selection process requires both time and human resources and must also go to Council for approval.

For these reasons, the recommended option is to extend the current Chair's appointment.

CONTACT

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SIGNATURE

David McIsaac
Executive Director, Finance Shared Services

ATTACHMENTS

Attachment 1 – Extracts of By-Law No. 10649 for the Toronto Fire Department Superannuation and Benefit Fund.

Confidential Attachment 1 – Current Chair's qualifications and confidential diversity information summary shared in original application for appointment to the Toronto Fire Department Superannuation and Benefit Fund.