

Item No. 1

MINUTES
THE BOARD OF GOVERNORS OF EXHIBITION PLACE
Allstream Centre – Room 206-A - Exhibition Place
Wednesday, September 10, 2014 – 9:00 a.m.

The Board of Governors of Exhibition Place met in Allstream Centre – Room 206-A - Exhibition Place on Wednesday, September 10, 2014 at 9:00 a.m.

PRESENT: Mark Grimes, Chair
Wayne Copeland, Michael Layton, Gloria Lindsay Luby, Hugh Mansfield, Gord Perks

APOLOGIES: Connie Dejak, Giorgio Mammoliti

STAFF: Dianne Young, Chief Executive Officer
Fatima Scagnol, Corporate Secretary
Alison Fowles/Solicitor, City Legal
Arlene Campbell, General Manager/Sales & Events Management
Mark Goss, General Manager/Operations
Francesca Colussi, Director/Security & Parking Services
Frank Martindale, Director/Operations
Laura Purdy, Director/Sales & Marketing
Danny Chui, Manager/Capital Works
Linda Cobon, Manager/Records & Archives
Peter Church, General Manager/BMO Field

GUESTS:
City of Toronto Walker Young - Senior Project Manager, Shared Services
Lynda Macdonald, Manager-West Section, Community Planning-Toronto & East York District

NORR Limited Greg Haist, Valdemar Nickel

ERA Architects Sydney Martin

Mark Grimes presided and Fatima Scagnol acted as Secretary to the meeting. The meeting was called to order at 9:05 a.m.

The Chair noted the following for the Board's information.

1. Report No. 20 entitled "Coca-Cola Sponsorship Agreement" was revised and copy distributed to the members.
2. A communication from Councillor Layton with respect to the Garden of the Greek Gods was distributed to the members.
3. A communication from Sally Fogel with respect to the Garden of the Greek Gods was distributed to the members.
4. Kathy Sutton and Jeff Duns would address the Board with respect to the Garden of the Greek Gods.
5. A short power-point presentation with respect the Sales Update would be provided to the Board in closed session as part of the 2015 Operating Budget.
6. An amendment to recommendation #4 within Report No. 16 entitled "Proposed 2015 Capital Works Budget as part of the Ten-Year (2015 – 2024) Program City Submission", required an amendment, wherein the dollar figure of \$91.0M is to be changed to \$110,810M.

Before proceeding with the regular business of the meeting, the Chair requested members to indicate the report on the public agenda wherein they have an interest, together with the nature of the interest. No interests were declared.

COMMUNICATIONS

a) Sean Webster

Upon the question of the adoption of Communication C (a) dated August 14, 2014 from Sean Webster with respect to his resignation from the Board, it was **RECEIVED**.

b) Jennifer Barrett

Upon the question of the adoption of Communication C (b) dated May 17, 2014 from Jennifer Barrett with respect to the Garden of the Greek Gods, it was **RECEIVED**.

c) Loretta Ryan

Upon the question of the adoption of Communication C (c) dated May 19, 2014 from Loretta Ryan with respect to the Garden of the Greek Gods, it was **RECEIVED**.

d) Kathy Sutton

Upon the question of the adoption of Communication C (d) dated May 20, 2014 from Kathy Sutton with respect to the Garden of the Greek Gods, it was **RECEIVED**.

e) Joe Bengiovanni

Upon the question of the adoption of Communication C (e) dated May 21, 2014 from Joe Bengiovanni with respect to the Garden of the Greek Gods, it was **RECEIVED**.

f) Tarah Aylward

Upon the question of the adoption of Communication C (f) dated May 29, 2014 from Tarah Aylward with respect to the Garden of the Greek Gods, it was **RECEIVED**.

g) Kathy Sutton

Upon the question of the adoption of Communication C (g) dated June 10, 2014 from Kathy Sutton with respect to the Garden of the Greek Gods, it was **RECEIVED**.

h) Lorna Tomassoni

Upon the question of the adoption of Communication C (h) dated June 20, 2014 from Lorna Tomassoni with respect to the Garden of the Greek Gods, it was **RECEIVED**.

i) Sherry Stoneman

Upon the question of the adoption of Communication C (i) dated July 3, 2014 from Sherry Stoneman with respect to the Garden of the Greek Gods, it was **RECEIVED**.

j) Lucy Hart

Upon the question of the adoption of Communication C (j) dated July 29, 2014 from Lucy Hart with respect to the Garden of the Greek Gods, it was **RECEIVED**.

k) Elizabeth Harlow

Upon the question of the adoption of Communication C (k) dated July 30, 2014 from Elizabeth Harlow with respect to the Garden of the Greek Gods, it was **RECEIVED**.

l) Isabelle Jackson

Upon the question of the adoption of Communication C (l) dated July 30, 2014 from Isabelle Jackson with respect to the Garden of the Greek Gods, it was **RECEIVED**.

m) Ruth Douglas

Upon the question of the adoption of Communication C (m) dated July 31, 2014 from Ruth Douglas with respect to the Garden of the Greek Gods, it was **RECEIVED**.

n) Melanie Nielsen

Upon the question of the adoption of Communication C (n) dated July 31, 2014 from Melanie Nielsen with respect to the Garden of the Greek Gods, it was **RECEIVED**.

o) Pam Noxon

Upon the question of the adoption of Communication C (o) dated August 1, 2014 from Pam Noxon with respect to the Garden of the Greek Gods, it was **RECEIVED**.

p) Alison Smith

Upon the question of the adoption of Communication C (p) dated August 4, 2014 from Alison Smith with respect to the Garden of the Greek Gods, it was **RECEIVED**.

q) Lee Hausmann

Upon the question of the adoption of Communication C (q) dated August 4, 2014 from Lee Hausmann with respect to the Garden of the Greek Gods, it was **RECEIVED**.

r) Debbie Austin

Upon the question of the adoption of Communication C (r) dated August 4, 2014 from Debbie Austin with respect to the Garden of the Greek Gods, it was **RECEIVED**.

s) Loretta Ryan

Upon the question of the adoption of Communication C (s) dated August 6, 2014 from Loretta Ryan with respect to the Garden of the Greek Gods, it was **RECEIVED**.

t) Catherine Stefan

Upon the question of the adoption of Communication C (t) dated August 15, 2014 from Catherine Stefan with respect to the Garden of the Greek Gods, it was **RECEIVED**.

u) Susan Kawa

Upon the question of the adoption of Communication C (u) dated August 30, 2014 from Susan Kawa with respect to the Garden of the Greek Gods, it was **RECEIVED**.

v) Kathy Sutton

Upon the question of the adoption of Communication C (v) dated September 4, 2014 from Kathy Sutton with respect to the Garden of the Greek Gods, it was **RECEIVED**.

w) Councillor Michael Layton

Upon the question of the adoption of Communication C (w) dated September 5, 2014 from Councillor Michael Layton, which was distributed at the meeting, with respect to the Garden of the Greek Gods, it was **RECEIVED**.

x) Sally Fogel

Upon the question of the adoption of Communication C (x) dated September 9, 2014 from Sally Fogel, which was distributed at the meeting, with respect to the Garden of the Greek Gods, it was **RECEIVED**.

1. MINUTES OF PREVIOUS MEETINGS

- a) On motion duly made by Gloria Lindsay-Luby, seconded and **CARRIED**, it was **RESOLVED** that the Minutes of the Meeting of the Board of Governors held on Friday, June 25, 2014, be **VERIFIED** in the form distributed to the members.

- b) On motion duly made by Gloria Lindsay-Luby, seconded and **CARRIED**, it was **RESOLVED** that the Minutes of the Meeting of the Board of Governors held on Thursday, August 14, 2014, be **VERIFIED** in the form distributed to the members.

CONSIDERATION OF REPORTS

The Chair proposed that the Board proceed through the reports on the agenda with members indicating those reports, by number, on which they wish to speak; that the Board then proceed with the adoption of the remaining reports; and then give consideration to those reports held for discussion at the request of the members, not necessarily in the order that they appear on the agenda. The Board concurred with the following.

2. 2014 CAPITAL WORKS PROGRAM – AUGUST PROGRESS REPORT

Upon the question of the adoption of Report No. 3 dated August, 2014 from the Chief Executive Officer with respect to the 2014 Capital Works Program – August Progress Report, it was received for **INFORMATION**.

3. CAPITAL TENDER FOR FIRE ALARM REPLACEMENT - DEC

Upon the question of the adoption of Report No. 4 dated August 21, 2014 from the Chief Executive Officer with respect to the Fire Alarm Replacement in Direct Energy Centre, it was **APPROVED**.

4. CAPITAL TENDER FOR PAGING SYSTEM RETROFIT – COLISEUM COMPLEX

Upon the question of the adoption of Report No. 5 dated August 21, 2014 from the Chief Executive Officer with respect to the Paging System Retrofit in the Coliseum Complex, it was **APPROVED**.

5. BMO MANAGEMENT REPORT – MAY 2014

Upon the question of the adoption of Report No. 6 dated May 2014 from the General Manager/BMO Field with respect to the BMO Management Report for May 2014, it was received for **INFORMATION**.

6. BMO MANAGEMENT REPORT – JUNE 2014

Upon the question of the adoption of Report No. 7 dated June 2014 from the General Manager/BMO Field with respect to the BMO Management Report for June 2014, it was received for **INFORMATION**.

7. EXHIBITION PLACE MANAGEMENT REPORT – JULY 2014

Upon the question of the adoption of Report No. 8 dated July 31, 2014 from the Chief Executive Officer and the General Manager / Sales & Events Management with respect to the Exhibition Place Management Report for July 2014, it was received for **INFORMATION**.

8. OCCUPATIONAL HEALTH & SAFETY REPORT – 2ND QUARTER 2014

Upon the question of the adoption of Report No. 9 dated August 27, 2014 from the Chief Executive Officer with respect to the Occupational Health & Safety Report for the 2nd Quarter 2014, it was received for **INFORMATION**.

**9. STRENGTHENING PUBLIC SERVICE GOVERNANCE
A PUBLIC SERVICE BY-LAW FOR TORONTO**

Upon the question of the adoption of Report No. 10 dated August 29, 2014 from the Corporate Secretary with respect to the Strengthening Public Service Governance – A Public Service By-Law for Toronto, it was received for **INFORMATION**.

10. CITY COUNCIL MOTION – ELECTRONIC DANCE MUSIC CONCERTS

Upon the question of the adoption of Communication No. 11 dated July 22, 2014 from the City Clerk addressed to the Chief Executive Officer with respect to the City Council Motion related to Electronic Dance Music Concerts, it was received for **INFORMATION**.

11. CITY COUNCIL MOTION – PROPOSED BASKETBALL TRAINING CENTRE

Upon the question of the adoption of City Council Motion (EX44.3) noted as Report No. 12 dated August 25, 2014 with respect to the Proposed Basketball Training Centre at Exhibition Place, it was received for **INFORMATION**.

12. ACCESSIBILITY FOR ONTARIANS WITH DISABILITIES ACT

Upon the question of the adoption of Report No. 13 dated August 28, 2014 from the Chief Executive Officer with respect to Exhibition Place's framework with respect to the Accessibility for Ontarians with Disabilities Act, it was received for **INFORMATION**.

**13. ACCOUNTS RECEIVABLES – DIRECT ENERGY CENTRE,
ALLSTREAM CENTRE & EXHIBITION PLACE AS AT JULY 31, 2014**

Upon the question of the adoption of Report No. 19 dated August 27, 2014, and the Confidential Attachment 1 to subject report, from the Chief Executive Officer with respect to the Accounts Receivables for Direct Energy Centre, Allstream Centre and Exhibition Place as at July 31, 2014, be **APPROVED**.

The Chair proposed that the Board give consideration to those reports held for discussion at the request of the members.

14. CITY OF TORONTO – SHARED SERVICES PROJECT

The Chair welcomed and acknowledged Mr. Walker Young, Senior Project Manager, Shared Services who provided a detailed power-point presentation which is appended to the official minutes of this meeting. Following the presentation Mr. Young was thanked for attending the meeting and providing the Board with an overview of the Shared Services Project.

On motion duly made by Gloria Lindsay-Luby, seconded and **CARRIED**, it was **RESOLVED** that the Executive Committee Motion (EX43.21) noted as Report No. 2 with respect to the City of Toronto – Shared Services Project, be received for **INFORMATION**.

**15. GARDEN OF THE GREEK GODS AND OTHER
COLLECTIONS AT EXHIBITION PLACE**

The Chair welcomed and acknowledged Ms. Kathy Sutton, daughter of the artist of the Garden of the Greek Gods sculptures who provided the following oral presentation.

“Councillor Grimes, as Chair of the Exhibition Place Board of Governors, I assume it is your duty to provide leadership to the Board, as well as direction to the CEO and staff of

Exhibition Place. Surely one of the responsibilities of this Board is to safeguard the assets at Exhibition Place - including a large and impressive collection of City-owned public art, as noted in the inventory prepared by your staff.

I fully support the motion made by Councillor Layton regarding the need for a policy that applies to the entire collection of public art at Exhibition Place, and I support the formation of a committee to draft this policy.

The Garden of the Greek Gods was added to the collection of public art at Exhibition Place in 1979. For almost 30 years, it was enjoyed by the people of Toronto. Then, in 2003, the Board found a tenant for the Horticulture building and its south lawn and granted a 20-year lease. Councillors Grimes and Lindsay Luby were members of the Board at the time the lease was granted.

Unfortunately, for some reason, the Board of Governors did not take action to move the sculpture garden at that time. The lease was discussed and approved by Toronto City Council at its June 2003 meeting; I have requested documentation from that meeting, as I just can't believe that Council would have approved a lease that did not address the need to move the art!

As we all know, the tenant proceeded to make building improvements and build a small patio that encompassed 3 or 4 of the sculptures. At that time, when my sister and I were at the CNE, we innocently assumed that Exhibition Place was finally doing some landscaping to enhance the garden.

Nobody can deny that the time to move the collection - all 20 pieces - was before the lease was granted. But the Board did not act to do so. Instead, the art was simply left in place. And this past spring, when the patio was hugely expanded to take over the entire sculpture garden, once again, the Board did not act. Further, as noted in Dianne Young's report of June 12, 2014, "pursuing a relocation option now would require negotiation with the tenant an amendment to the lease." I am not sure why an amendment would be required, unless the art was included in the lease.

For all intents and purposes, this valuable collection of public art is now under the complete control of the tenant. No longer can it be enjoyed by families, picnicking with their children; by art lovers; by school tours; or by seniors strolling through the grounds. Instead, it is being used as poolside decor for the clientele of an establishment that is all about partying and drinking. Some of the sculptures have been damaged due to the tenant's construction process. And most of the sculptures are at high risk of further deterioration due to the sand and gravel and mulch around them - as well as the aggressive "cleaning" that has obviously been done to the works around the patio.

I appreciate the efforts of Councillor Layton in bringing my concerns to the Board. I also recognize that the Board and its staff mean well when they talk about developing a website or a video on the sculpture. However, I can't believe that anyone here could claim that this is an acceptable way for people to enjoy a sculpture garden. Outdoor sculpture in stone is meant to be walked around, climbed on, leaned against, and viewed in a garden setting.

The Garden of the Greek Gods is probably the biggest sculpture garden by a single artist in all of Canada or possibly North America! It simply must NOT remain the de facto property of a private club. It is public art.

Surely this Board can muster the political will and relatively small amount of money needed to move the art. There are multiple places on the Exhibition Place lands where a beautiful sculpture garden could be located. I have also received suggestions that both Ontario Place and Queen's Park could be wonderful places for relocation.

Councillor Grimes, as you know, there has been a considerable amount of interest from the media in the fate of Toronto's Greek Gods. Councillors have received letters, emails and phone calls from concerned and outraged citizens. An online petition has been signed by almost 500 people. And support for our "Free the Greek Gods" campaign continues to grow.

If this Board could agree that the art must be moved, ensure that it's safely stored before winter, and resolves to create a new sculpture garden in Spring 2015, surely this would be a good-news story for everyone. The Councillors on the Board will look good in the eyes of their constituents, the art-loving public will be pleased, and the media will doubtless report that the right thing has been done. So why not just make this decision!

If I was running the show (and I know I'm not), this is what I would do:

- 1) Strike a committee to determine a new location for the sculpture garden. Include representatives from arts organizations and the family of the artist.
- 2) Ask the committee to suggest 3 or 4 appropriate locations. Obtain public input.
- 3) Meanwhile, once the tenant's patio is closed this fall, move the art into storage.
- 4) In the spring, prepare the new site and install the art.
- 5) Hold a ceremony and ribbon-cutting for the new Garden of the Greek Gods.

I would also develop an "Exhibition Place Art Walk" and promote it through public events and tourism organizations. Why not show off the vast treasure of public art on these grounds! It's here, it's paid for, it's impressive; it simply needs to be promoted. What a positive thing that would be.

Further: if you are not aware that in Canada, the moral rights of artists are protected under the Copyright Act of Canada, you might want to ask your legal counsel to look into the landmark case of Michael Snow vs the Eaton Centre. My family - which has inherited Mr. Cox's moral rights to his art - will not hesitate to retain legal advice regarding how we can get an injunction ordering the Garden of the Greek Gods to be removed from the tenant's patio.

Councillor Grimes, you and your Board of Governors are in a position to show some leadership in the area of public art. Torontonians who support the arts are counting on you to do so. We want you to protect this sculpture, promote it, and ensure that the public can enjoy all the wonderful art at Exhibition Place. Surely it is your wish, as well as your mandate, to do the right thing - and see that the Garden of the Greek Gods is moved where it can once again be enjoyed by all. Thank you for the opportunity to speak."

On a question from Michael Layton with respect to the moral rights of the artist being violated and will the Cox Family seek an injunction, Kathy Sutton responded that the family will seek an injunction if necessary.

The Chair welcomed and acknowledged Mr. Jeff Duns of Ingram Gallery who provided who provided the following oral presentation with respect to the Condition of the Garden of the Greek Gods.

"As soon as we arrived on-site on August 8, 2014, I was quick to note the concerning condition of the sculptures and the obvious aggressive 'cleaning' that had recently occurred.

Clear to the eye is damage to these limestone works in the form of cracks, scrapes, stains and most notably, the surface condition of those that have been 'cleaned'.

The sculptures on the patio are clearly damaged by said 'cleaning'. There is a stark contrast between the sculptures located in the patio area versus those that are off to the side and

along the fences. The sculptures on the patio area have been excessively 'cleaned', while those few along the fences have not been "cleaned". With limestone being a porous stone, the surface is sensitive to high pressure water, scrubbing and acidic chemicals.

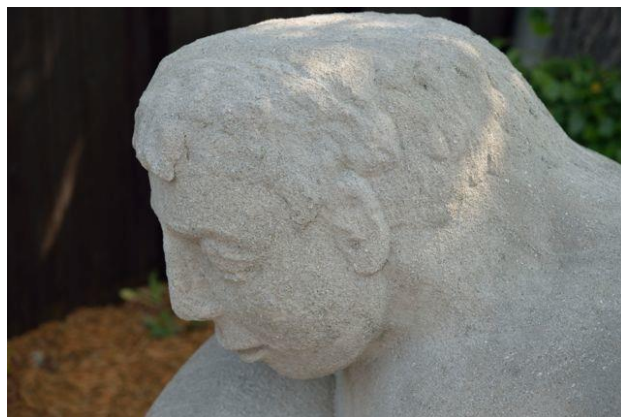
This leads to serious concern as to the cleaning technique used. There are three suitable treatments for the proper care/cleaning of limestone. Whether 'Wet', 'Dry', or 'Chemical' -- each technique requires a professional with the right tools and understanding of the process, as well as the unique variations within the stone itself. The slightest disregard for the proper approach when cleaning will result in damage to the surface and thinning of the artist's lines, as well as jeopardizing the overall integrity of the stone.

In addition to our concerns about the proper care and cleaning of Cox's limestone sculptures, the recent 'cleaning' has removed 30+ years of natural patina -- a highly valued and desirable historic time stamp, which gives the art life and character. Now they are pristine white and we are going to be starting the process all over again. There is nothing we can do to get that back and I don't think anyone had any idea what they were doing when they cleaned these pieces of art. A patina develops a beautiful natural feel to it, lines are accentuated, grooves are accentuated and the sculpture takes on a magical appearance that it has been part of that space and there for many years".

Note: Jeff Duns runs Ingram Gallery, which handles Cox's work. The above report is based on Mr. Duns' observations on the art during the "public tour" of the Muzik nightclub patio on August 8, 2014. Comparisons are made between photographs taken on August 8 and those taken before the tenant assumed control of the sculpture. These photos are examples only, for the purpose of illustrating the damage, and do not constitute a comprehensive report of all damage.

Mr. Duns added that if he were to move the sculptures the cost would be approximately \$50,000 and does not understand where Exhibition Place obtained the quote of \$500,000 to move the sculptures.





The above photographs of The Triton (above) and Pan (below) illustrate the damage caused by over-cleaning.

The photos at the left show the sculpture before it was enclosed by the nightclub fences and built into their patio. The photos at the right show the sculpture as of August 8, 2014.

The photo at the right (Typhon, close-up) illustrates the loss of detail due to over-cleaning.

The Board entered into a brief question/response session wherein the following was noted.

On a question from Wayne Copeland with respect to Mr. Dunn inspecting the sculptures in years gone by, Mr. Dunn responded that he represents E.B. Cox's work and has not been engaged to do inspections but has an interest and visited the works over the years.

On a question from Wayne Copeland with respect to the time period of deterioration to the sculptures, Mr. Dunn responded that it has been 30 years and the sculptures have been outside during that period. Mr. Dunn further added that his concern is the cleaning of the sculptures that took place recently and the damages caused to the sculptures by the Muzik construction.

On a question from Hugh Mansfield with respect to the moving of the sculptures at a cost of \$50,000 and the distance they would be moved to, Mr. Dunn responded that the distance would be a one kilometer radius and that there would be additional costs for landscaping.

On a question from Hugh Mansfield with respect to an assessment of the sculptures and the winter months, Mr. Dunn responded that there would be more damage to the sculptures in winter due to the wood chips, currently surrounding the sculptures, and the ice/thaw cycle. Mr. Dunn further added that the sculptures should be moved in storage until a new outside location is determined and reiterated his cost of \$50,000 to move the sculptures.

Dianne Young spoke to the comments noted in her Report No. 14 and advised the Board that a Stone Conservator is required to be engaged, however as the City does not have as part of its consultant pool this type of consultant, an RFP will need to be issued by Exhibition Place. Once a Stone Conservator is engaged, the following items will be undertaken:

- 1) Review & report on the general condition of the Greek Gods;
- 2) Recommend repairs to the Greek Gods – pricing, timing, method for each specific repair;
- 3) Break down repairs to damage that appears to be done in the last 6 years & ongoing SOGR damage;
- 4) Pricing to move the Greek Gods detailing method of moving, costing, parameters of the relocation site (i.e. size, grass, trees etc.);
- 5) Detailed recommendations on care of the Greek Gods in the interim until they can be moved; and
- 6) This project involves moving all 21 sculptures and it is not desirable to separate the sculptures of this art installation and therefore, it is a very large project.

Dianne Young further noted the following:

- 1) A City Project Team has been established to draft a plan and policy related to all the public art at Exhibition Place which will be submitted to the Board;
- 2) A series of virtual tours will focus on all the public art at Exhibition Place will be developed for our website with Garden of the Greek Gods as the first one to focus on; and
- 3) An assessment of all public art will be conducted in 2015 similar to the building assessments which will allow Exhibition Place to develop a 10-year SOGR budget.

On a question from Michael Layton with respect to who undertook to do the cleaning of the sculptures and the method of same, Dianne Young responded she is not aware the sculptures were cleaned and will pose the question to the tenant.

On a question from Michael Layton with respect to when a Stone Conservator would be engaged, Dianne Young responded that the RFP still has to be written and sent out.

On a question from Michael Layton with respect to why a Stone Conservator was not engaged before, Dianne Young responded that it was only in the final report by the City Conservator that recommended that a Stone Conservator be engaged and Exhibition Place started discussions with Mr. Trevor Gillingwater, who was recommended by the City Conservator. However most recently Exhibition Place learned that Mr. Gillingwater is not a listed City Consultant as the City does not have specific speciality consultants but engages them through an RFP, however, the Board can certainly sole source Mr. Gillingwater as the Stone Conservator for this project.

On a question from Michael Layton with respect to the plan of moving the sculptures on the lawn of Allstream Centre, Dianne Young responded that there was no plan to move the sculptures to Allstream Centre and that staff were only looking at possible locations if the statues were to move; and that given the sculptures should not be under trees this location may not be suitable and the possibility of the new Stanley Barracks Park was also considered.

On a question from Gloria Lindsay-Luby with respect to sourcing information from the Art Gallery of Ontario, Dianne Young responded that the City and outside clients have worked with the proposed Stone Conservator, Mr. Trevor Gillingwater and he comes highly recommended.

On a question from Hugh Mansfield with respect to an inside storage location for the sculptures, Dianne Young responded there is no available inside storage.

On a question from Michael Layton with respect to the tenant's lease and the sculptures, Alison Fowles responded that an amendment to the lease would have to be negotiated.

On a question from Michael Layton with respect to City Legal being aware of the moral rights copyright law, Alison Fowles responded that City Legal are aware of the moral rights copyright law, however she would have to further investigate this issue and report back to the Board.

Michael Layton indicated he had questions of staff and would require to do them during the in-camera session, hence the Chair suggested the Board consider the items held.

RESOLUTION RE CLOSED SESSION

On motion duly made by Hugh Mansfield, seconded and **CARRIED**, it was **RESOLVED** that the Board go into Closed Session for the purposes of dealing with items of a proprietary, personnel and of a contractual nature.

The Board members Mark Grimes/Chair, Wayne Copeland, Michael Layton, Gloria Lindsay Luby, Hugh Mansfield, and Gord Perks reconvened in public session at 10:55 a.m. and concurred with the following proposal.

16. PROPOSED 2015 CAPITAL WORKS BUDGET AS PART OF THE TEN-YEAR (2015 – 2024) PROGRAM CITY SUBMISSION

The Chair reminded the Board that the figure of \$91.0M noted in recommendation 4 of subject report, should be amended to read \$110,810.0M.

On motion duly made by Michael Layton, seconded and **CARRIED**, it was **RESOLVED** that the Proposed 2015 Capital Works Budget as part of the Ten-Year (2015 – 2024) Program City Submission, attached to Report No. 16 dated August 15, 2014 from the Finance & Audit Committee, be **amended**, be **APPROVED**.

17. 2015 OPERATING BUDGET

Hugh Mansfield requested that staff schedule a meeting with him to review the Sales Update, which was part of the 2015 Operating Budget, given there wouldn't be enough time for the presentation during the in-camera session.

On motion duly made by Hugh Mansfield, seconded and **CARRIED**, it was **RESOLVED** that the 2015 Operating Budget attached to Report No. 17 dated August 15, 2014 from the Finance & Audit Committee, be **APPROVED**.

18. LICENSE AGREEMENT – 2014 SCREAMERS INC.

On motion duly made by Michael Layton, seconded and **CARRIED**, it was **RESOLVED** Report No. 21 dated September 9, 2014, and the Confidential Attachment 1 to subject report, from the Chief Executive Officer, which was distributed at the meeting, with respect to the a License Agreement for the 2014 Screemers Inc., be **APPROVED**.

19. INTERIM AGREEMENT OF COCA-COLA REFRESHMENTS SPONSORSHIP

On motion duly made by Gloria Lindsay-Luby, seconded and **CARRIED**, it was **RESOLVED** that the Report No. 20 dated September 8, 2014, and the Confidential Attachment 1 to subject report, from the Chief Executive Officer, which was distributed at the meeting, with respect to and Interim Agreement of Coca-Cola Refreshments Sponsorship, be **APPROVED**.

20. SEAN WEBSTER ACKNOWLEDGEMENT

The Chair requested that the Board adopt a motion recognizing Sean Webster for his commitment and service to the Board.

It was duly moved by Mark Grimes that Sean Webster be acknowledged and recognized for his commitment and service to the Board.

Upon the question of the adoption of the foregoing motion, it was unanimously **APPROVED**.

The Chair indicated he had to excuse himself from the meeting given he was late for another commitment, and advised he was in agreement with the motions related to the Garden of the Greek Gods and Other Collections at Exhibition Place proposed by Councillor Layton but that he couldn't take part in any discussions related to said motion given he had to excuse himself from the meeting at 11:10 a.m. and requested that Gloria Lindsay Luby acted as Chair.

21. GARDEN OF THE GREEK GODS AND OTHER COLLECTIONS AT EXHIBITION PLACE

On motion duly made by Michael Layton, seconded and **CARRIED**, it was **RESOLVED** that Report No. 14 dated August 26, 2014 from the Chief Executive Officer with respect to the Garden of the Greek Gods and Other Collections at Exhibition Place, be received for **INFORMATION**; and **FURTHER** that the Board:

- 1) Establish a working group to evaluate options for the relocation of the Garden of the Greek Gods sculptures on the Exhibition Place grounds including any landscaping required, including members of the E.B. Cox family, any experts required, and appropriate Exhibition Place and City staff;
- 2) Exhibition Place staff enter into appropriate discussions with any tenants impacted by the relocation of the sculptures;

- 3) Evaluate any necessary steps to take to immediately protect the sculptures for the winter, including storage indoors;
- 4) Evaluate any legal implications relating to the sculptures, the lease agreements, and copyright laws;
- 5) Prepare as part of the 2015 capital budget submission, a request for funds to move the sculptures, including any parks levy monies available in proximity to the site, for submission to the Board; and
- 6) Report back to the Board at its October meeting.

A recorded vote of the foregoing motion was requested wherein the vote was **unanimous 6 in favour** (Wayne Copeland, Mark Grimes, Michael Layton, Gloria Lindsay Luby, Hugh Mansfield, and Gord Perks).

It was further moved by Michael Layton that the Chief Executive Officer be authorized to enter into an agreement with Trevor Gillingwater to act as the Stone Conservator for the Garden of the Greek Gods sculptures project

Upon the question of the adoption of the foregoing motion, it was unanimously **APPROVED**.

22. STRATEGY FOR EXHIBITION PLACE/ONTARIO PLACE WORKING GROUP

Hugh Mansfield noted that his primary concern with respect to subject report was that it did not note working towards a master plan and moving in this direction.

Dianne Young indicated that Mr. Mansfield could move a motion to direct the City Team to move in this direction.

On motion duly made by Michael Layton, seconded and **CARRIED**, it was **RESOLVED** that Report No. 15 from the Chief Executive Officer with respect to the Strategy for Exhibition Place/Ontario Place Working Group, be received for **INFORMATION**; and **FURTHER** that the Board urge the City of Toronto to immediately work with Ontario Place on the creation a master plan with respect to both Exhibition Place and Ontario Place properties and that Exhibition Place be key party at those discussions.

23. COVERED PEDESTRIAN CONNECTION BETWEEN HOTEL X AND ALLSTREAM CENTRE

Hugh Mansfield noted that the Board needs to understand the financial benefits of installing the covered pedestrian connection before abandoning this project and continue to explore other options.

Lynda Macdonald noted that the issue of the pedestrian connection was raised late in the process, and connecting the hotel to a designated building would require an alteration report to the City Heritage Committee for subsequent approval by City Council. She further added that the Hotel Developer would have to submit a site plan amendment to the City.

On a question from Gord Perks with respect to compelling the Hotel Developer to submit a site plan amendment, Dianne Young responded that the Hotel Developer is very supportive of the connecting bridge. However, as the bridge would be an Exhibition Place project, Exhibition Place could submit its own site plan application.

It was duly moved by Hugh Mansfield to defer Report No. 18 dated August 29, 2014 from the Chief Executive Officer with respect to the Covered Pedestrian Connection Between Hotel X and Allstream Centre and that staff provide a cost benefit analysis with respect to installing the connection between Hotel X and Allstream Centre.

Gord Perks noted he was in opposition to Hugh Mansfield's motion given that the Hotel Site Plan has already been approved and by the time the necessary site plan amendments were submitted and the approval processes, it would delay the completion of the hotel construction.

Upon the question of the adoption of Hugh Mansfield's motion to defer Report No. 18 dated August 29, 2014 from the Chief Executive Officer with respect to the Covered Pedestrian Connection Between Hotel X and Allstream Centre and that staff provide a cost benefit analysis with respect to installing the connection between Hotel X and Allstream Centre, it was **APPROVED**.

A recorded vote of the foregoing motion was requested wherein the vote was 3 in favour (Wayne Copeland, Gloria Lindsay Luby, Hugh Mansfield) and 2 against, hence the motion **CARRIED**.

24. DATE OF NEXT MEETING

The next regular meeting of the Board is scheduled to be held on **Friday, October, 2014 at 8:30 a.m. with the understanding that only essential items be considered by the Board.**

25. RESOLUTION RE ABSENTEEISM

On motion duly made by Wayne Copeland, seconded and **CARRIED**, it was **RESOLVED** that Connie Dejak and Giorgio Mammoliti having notified the Corporate Secretary of their unavailability to attend this meeting of the Board, be **EXCUSED**.

ADJOURNMENT

There being no further business, the Chair adjourned the meeting at 11:30 a.m.

(Copies of the communications, reports and other documents referred to in the minutes of this meeting have been distributed to the members and copies thereof inserted as schedules to the official minutes of the proceedings of this meeting of the Board.)

Corporate Secretary

Chair

VERIFIED at a meeting of the Board of Governors of Exhibition Place held on the ____ day of _____, 2014.

Chair