

**MINUTES**

**PUBLIC SESSION**

**THE BOARD OF GOVERNORS OF EXHIBITION PLACE**

**Friday, April 25, 2003**

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**MINUTES**  
**THE BOARD OF GOVERNORS OF EXHIBITION PLACE**  
**Fountain Dining Room- Queen Elizabeth Building - Exhibition Place**  
**Friday, April 25, 2003 – 9:30 a.m.**

The Board of Governors of Exhibition Place met in the Fountain Dining Room, Queen Elizabeth Building on Friday, April 25, 2003.

**PRESENT:** Mario Silva, Chairman  
Fernando Do Rio, George Friedmann, Doug Holyday, Chris Korwin-Kuczynski Gloria Lindsay Luby, Sherene Shaw (joined at 11:00 am), Sam Sniderman, Debbie Woodman

**APOLOGIES:** John Downing, Ron Moeser, Andre Tellier, Sean Webster,

**ATTENDING:** Dianne Young, General Manager & CEO/Exhibition Place  
Paul Egli, Director of Finance  
Kathryn Reed-Garrett, Director/Business Development  
Fatima Scagnol, Corporate Secretary  
Leo Lauro, Interim Director of Operations  
Danny Chui, Manager/Capital Works  
Sito Mungcal, Administrative Assistant/General Manager & CEO  
David Bednar, General Manager/CNE  
Ron Taylor, O&Y/SMG Canada  
Arlene Campbell, O&Y/SMG Canada/Associate General Manager  
& Director of Finance/NTC  
Laura Purdy, O&Y/SMG Canada/Director of Marketing  
Ward Earle, Solicitor/City of Toronto  
Berardo Mascioli, Executive Assistant/Councillor Silva  
Issie Berger, City of Toronto/Labour Relations  
Ross Coyles, Consultant/Hay Group  
Lynda MacDonald, City of Toronto/Planning

Mario Silva presided and Fatima Scagnol acted as Secretary to the meeting. The meeting was called to order at 9:40 a.m.

Before proceeding with the regular business of the meeting, the Chairman requested members to indicate the report on the public agenda wherein they have an interest, together with the nature of the interest. None were declared.

**Acknowledgement to Staff re Labour Disruption**

On motion duly made by Mario Silva, seconded by Gloria Lindsay Luby, and **unanimously CARRIED**, it was **RESOLVED** that all those Exhibition Place staff (within the three program areas -- CNE, Exhibition Place Administration/Operations, and NTC) who readily and willingly took on additional duties during the Local 506 strike be commended for their excellent work and dedication.

### BOMA Award

Arlene Campbell presented that Chairman with the "Building Owners and Managers Association" award recognizing the certificate of excellence regarding the National Trade Centre. This award signifies facility expertise in the areas of building management, operations, environmental management, design, tenant and community relations, and tenant satisfaction.

#### 1. MINUTES OF PREVIOUS MEETINGS

On motion duly made by Chris Korwin-Kuczynski, seconded by Gloria Lindsay Luby, and **CARRIED**, it was **RESOLVED** that the Minutes of Meeting of the Board of Governors held on March 7<sup>th</sup>, March 20<sup>th</sup>, March 21<sup>st</sup> and March 28, 2003, be **VERIFIED** in the form distributed to the members.

### CONSIDERATION OF REPORTS

The Chairman 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 proposal.

#### 2. 2002 CONSOLIDATED FINANCIAL STATEMENTS FOR EXHIBITION PLACE

Upon the question of the adoption of Report No. 2 dated April 17, 2003 from the Finance & Audit Committee entitled "2002 Consolidated Financial Statements for Exhibition Place", it was **APPROVED**.

#### 3. AUDIT RESULTS, YEAR ENDED DECEMBER 31, 2002

Upon the question of the adoption of Report No. 3 dated April 17, 2003 from the Finance & Audit Committee entitled "Audit Results, Year Ended December 31, 2002", it was received for **INFORMATION**.

#### 4. ACCOUNTS PAYABLE - JANUARY, FEBRUARY & MARCH 2003

Upon the question of the adoption of Report Nos. 5 (a), (b) and (c) dated April 10, 2003 from the General Manager & CEO entitled "Accounts Payable for January; Accounts Payable for February; and Accounts Payable for March - 2003", they were received for **INFORMATION**.

#### 5. 2002 CAPITAL WORKS PROGRAM YEAR-END REPORT

Upon the question of the adoption of Report No. 6 dated April 7, 2003 from the Manager/Capital Works entitled "2002 Capital Works Program Year-End Report", it was received for **INFORMATION**.

6. **2003 CAPITAL WORKS PROGRAM APRIL PROGRESS REPORT**

Upon the question of the adoption of Report No. 7 dated April 11, 2003 from the Manager/Capital Works entitled "2003 Capital Works Program April Progress Report", it was received for **INFORMATION**.

7. **NTC MANAGEMENT REPORT - MARCH 31, 2003**

Upon the question of the adoption of Report No. 8 dated March 31, 2003 from the General Manager/NTC entitled "NTC Management Report Quarter Ending March 31, 2003", it was received for **INFORMATION**.

8. **FUEL CELL DEMONSTRATION PROJECT UPDATE**

Upon the question of the adoption of Report No. 10 dated April 17, 2003 from the General Manager & CEO entitled "Fuel Cell Demonstration Project Update", it was received for **INFORMATION**.

9. **TRIGENERATION PROJECT UPDATE**

Upon the question of the adoption of Report No. 12 dated April 3, 2002 from the General Manager & CEO entitled "Trigeneration Project Update", it was received for **INFORMATION**.

10. **STAFF PROFESSIONAL DEVELOPMENT**

Upon the question of the adoption of Report No. 13 dated April 4, 2003 from the General Manager & CEO entitled "Staff Professional Development", it was **APPROVED**.

11. **LEASE WITH IMMERSION STUDIOS - MUSIC BUILDING**

Upon the question of the adoption of Report No. 17 dated April 8, 2003 from the General Manager & CEO entitled "Lease with Immersion Studios - Music Building", it was **APPROVED**.

The Chairman proposed that the Board give consideration to those reports held for discussion at the request of the members. The Board concurred with this proposal.

12. **CHIN PICNIC 2003**

Mr. Lenny Lombardi made a deputation with respect to the additional direct cost of \$4,000 for a Concessions Coordinator to be paid by CHIN Radio.

On a question from Councillor Silva with respect to the status of the "Johnny Lombardi Memorial" at Exhibition Place, Mr. Lombardi responded that the CHIN Board is in the process of finalizing a memorial to be placed at College and Grace Streets and would advise the Board at a later date with respect to a suggested memorial at Exhibition Place.

On motion duly made by Chris Korwin-Kuczynski, seconded by Sam Sniderman, and **CARRIED**, it was **RESOLVED** that Report No. 15 dated April 25, 2003 from the General Manager & CEO, be **amended**, thereby waiving the additional direct cost of \$4,000 for a Concessions Coordinator, and that report, as amended, be **APPROVED**, thereby authorizing a one-year license agreement with CHIN Radio-TV International for the 2003 CHIN Picnic; and **FURTHER** that, Exhibition Place apply to the City of Toronto to recoup the \$4,000, and should the City of Toronto deny such a request, the Board absorb the cost.

Mr. Lenny Lombardi thanked the members and excused himself from the meeting.

13. **UNION AGREEMENTS**

(a) **CARPENTERS & ALLIED WORKERS, LOCAL 27**

On motion duly made by Chris Korwin-Kuczynski, seconded by Fernando Do Rio, and **CARRIED**, it was **RESOLVED** that Report No. 4(a) dated April 16, 2003 from the General Manager & CEO be **APPROVED**, thereby authorizing the Collective Agreement for The Carpenters & Allied Workers, Local Union 27, based on the conditions outlined in subject report.

(b) **CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 2840**

On motion duly made by Chris Korwin-Kuczynski, seconded by Fernando Do Rio, and **CARRIED**, it was **RESOLVED** that Report No. 4(b) dated April 14, 2003 from the General Manager & CEO be **APPROVED**, thereby authorizing the Collective Agreement for The Canadian Union of Public Employees, Local Union 2840, based on the conditions outlined in subject report.

(c) **INTERNATIONAL ALLIANCE OF THEATRICAL STAGE  
EMPLOYEES & MOVING PICTURE MACHINE OPERATORS  
OF THE UNITED STATES & CANADA, LOCAL 58**

On motion duly made by Chris Korwin-Kuczynski, seconded by Fernando Do Rio, and **CARRIED**, it was **RESOLVED** that Report No. 4(c) dated April 16, 2003 from the General Manager & CEO be **APPROVED**, thereby authorizing the Collective Agreement for The International Alliance of Theatrical Stage Employees & Moving Picture Machine Operators of the United States & Canada, Local Union 58, based on the conditions outlined in subject report.

(d) **INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, LOCAL 353**

On motion duly made by Chris Korwin-Kuczynski, seconded by Fernando Do Rio, and **CARRIED**, it was **RESOLVED** that Report No. 4(d) dated April 14, 2003 from the General Manager & CEO be **APPROVED**, thereby authorizing the Collective Agreement for The International Brotherhood of Electrical Workers, Local Union 353, based on the conditions outlined in subject report.

(e) **LABOURERS' INTERNATIONAL UNION  
OF NORTH AMERICA, LOCAL 506**

Councillor Korwin-Kuczynski expressed his concern with respect to Board members not being contacted regarding the final negotiations with Local 506. Mario Silva apologized for this, and indicated that he didn't feel it appropriate contacting members late Friday evening (after midnight) when a decision had to be made within a specific time frame.

Councillor Korwin-Kuczynski reiterated that an attempt should have been made in reaching Board members.

On motion duly made by Chris Korwin-Kuczynski, seconded by Fernando Do Rio, and **CARRIED**, it was **RESOLVED** that Report No. 4(e) dated April 14, 2003 from the General Manager & CEO be **APPROVED**, thereby authorizing the Collective Agreement for The Labourers' International Union of North America, Local Union 506, based on the conditions outlined in subject report.

Issie Berger was thanked for his attendance and excused himself from the meeting at 10:00 a.m.

14. **COLISEUM ARENA PROJECT - APRIL UPDATE**

On motion duly made by Chris Korwin-Kuczynski, seconded by George Friedmann, and **CARRIED**, it was **RESOLVED** that Report No. 9 dated April 12, 2003 from the General Manager & CEO with respect to the Coliseum Arena Project - April Update, it was received for **INFORMATION**; and **FURTHER** that, Councillors Korwin-Kuczynski and Holyday meet with CRC to develop a Community Hockey Program and report back to the Board; and **FURTHER** that, the Director of Marketing for the NTC, Laura Purdy, coordinate the meeting and act as the lead for this project.

15. **EDUCATIONAL/OUTREACH PROGRAM FOR THE WIND TURBINE**

On motion duly made by Chris Korwin-Kuczynski, seconded by Sam Sniderman, and **CARRIED**, it was **RESOLVED** that Report No. 11 dated April 12, 2003 from the General Manager & CEO with respect to the Educational/Outreach Program for the Wind Turbine, be received for **INFORMATION**; and **FURTHER** that, the Toronto Renewable Energy Co-operative group be asked to install a sign outside the Dufferin Gates advertising the Wind Turbine to community residents.

16. **PARKING OPERATIONS AT LOTS "J" AND "K"**

On motion duly made by Debbie Woodman, seconded by Doug Holyday, and **CARRIED**, it was **RESOLVED** that Report No. 14 dated April 14, 2003 from the General Manager & CEO, be **amended**, thereby adding the words "**subject to the rights of the Molson Indy and CNE**", and that the report, as amended, be **APPROVED**, thereby authorizing a three-year agreement with Liberty Grand and Medieval Times to designate Lots "J" and "K" for the use of the Tenants' patrons and staff who attend events and attractions held in these facilities, subject to the Board's rights and all policies and procedures respecting parking operations at Exhibition Place.



17. **2003 CARIBANA PARADE & EVENTS**

On motion duly made by Chris Korwin-Kuczynski, seconded by Sam Sniderman, and **CARRIED**, it was **RESOLVED** that Report No. 16 dated April 14, 2003 from the General Manager & CEO, be **amended**, thereby waiving any additional direct cost for a Concessions Coordinator, and that report, as amended, be **APPROVED**, thereby authorizing a one-year license agreement with the City of Toronto and Caribbean Cultural Committee for the 2003 Parade and Events; and **FURTHER** that, Exhibition Place apply to the City of Toronto to recoup the Concession Coordinator cost, and should the City of Toronto deny such a request, the Board absorb the cost.

18. **DATE OF NEXT MEETING**

The next meeting of the Board is scheduled for **Friday, May 30, 2003 at 9:30 a.m.**

19. **RESOLUTION RE ABSENTEEISM**

On motion duly made by Sam Sniderman, seconded by Fernando Do Rio, and **CARRIED**, it was **RESOLVED** that John Downing, Ron Moeser, Andre Tellier and Sean Webster having notified the Corporate Secretary of their unavailability to attend this meeting of the Board, be **EXCUSED**.

20. **DEPUTATIONS**

At 10:30 a.m., the Board received a deputation from Messrs. Zlatco Starkovski and Ted Ljoko with respect to three clauses contained in a Letter of Intent related to the Bandshell Re-development Opportunity - Horticulture Building. A copy of the proponents "Marketing Plan" was distributed to the members and a copy is appended to the official minutes of this meeting.

Fernando Do Rio excused himself from the meeting at 11:00 a.m. and Sherene Shaw joined the meeting at 11:00 a.m.

At 11:00 a.m., the Board received a deputation from Mr. Joe Dominelli with respect to two clauses contained in a Letter of Intent related to the Bandshell Re-development Opportunity - Bandshell Restaurant. A revised schedule of payment dated April 25, 2003 was distributed to the members and a copy is appended to the official minutes of this meeting.

21. **RESOLUTION RE CLOSED SESSION**

On motion duly made by George Friedmann, seconded by Debbie Woodman, 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 (Mario Silva/Chairman, George Friedmann, Doug Holyday, Chris Korwin-Kuczynski, Gloria Lindsay Luby, Sherene Shaw, Sam Sniderman and Debbie Woodman) reconvened in public session at 2:00 p.m. and concurred with the following.

22. **NEW COMPENSATION PLAN FOR EXHIBITION PLACE MANAGEMENT/EXEMPT STAFF**

On motion duly made by Sam Sniderman, seconded by Gloria Lindsay Luby, and **CARRIED**, it was **RESOLVED** that the recommendations outlined in In-Camera Report No. 22 dated April 23, 2003 from the General Manager & CEO with respect to the New Compensation Plan for Exhibition Place Management/Exempt Staff, be **APPROVED**.

23. **CLOSED SESSION MINUTES**

On motion duly made by Doug Holyday, seconded by George Friedmann, and **CARRIED**, it was **RESOLVED** that the Closed Session Minutes of the Board held on March 28, 2003, be **VERIFIED** in the form distributed to the members. \_

24. **PIZZA NOVA SPONSORSHIP AGREEMENT**

On motion duly made by Debbie Woodman, seconded by Doug Holyday, and **CARRIED**, it was **RESOLVED** that In-Camera Report No. 24 dated April 15, 2003 from the General Manager & CEO be **APPROVED**, thereby authorizing a three-year (2003, 2004 and 2005) sponsorship agreement between the CNEA and Pizza Nova, based on the terms and conditions outlined in subject report.

25. **ACCOUNTS RECEIVABLE - AS AT MARCH 31, 2003**

On motion duly made by Doug Holyday, seconded by Sam Sniderman, and **CARRIED**, it was **RESOLVED** that In-Camera Report No. 25 dated April 8, 2003 from the General Manager & CEO be received for **INFORMATION**; and **FURTHER** that:

- (a) Letter dated April 24, 2003 from Mr. Nick Di Donato requesting relief from interest on the outstanding accounts for Liberty Grand Entertainment Group be received for **information**; and
- (b) Staff send a letter to the City of Toronto Public Health, Liberty Grand and Molstar Entertainment indicating that the Board has instructed the Chairman, Councillor Korwin-Kuczynski and staff to meet with each client to address their respective "over 90-day" outstanding account with Exhibition Place, with a report back to the Board.

26. **NTC ACCOUNTS RECEIVABLE - AS AT MARCH 31, 2003**

On motion duly made by Sherene Shaw, seconded by Sam Sniderman, and **CARRIED**, it was **RESOLVED** that In-Camera Report No. 26 dated April 15, 2003 from the General Manager/NTC with respect to the NTC Accounts as at March 31, 2003, be received for **INFORMATION**.

27. **SPONSORSHIP AGREEMENT WITH RICOH CANADA INC.**

On motion duly made by Chris Korwin-Kuczynski, seconded by Sam Sniderman, and **CARRIED**, it was **RESOLVED** that In-Camera Report No. 27 dated April 4, 2003 from the General Manager & CEO with respect to the sponsorship agreement with Ricoh Canada Inc., be received for **INFORMATION**.

28. **DEVELOPMENT OF A STADIUM BY TORONTO ARGONAUTS**

On motion duly made by Doug Holyday, seconded by Debbie Woodman, and **CARRIED**, it was **RESOLVED** that In-Camera Report No. 28 dated April 12, 2003 from the General Manager & CEO with respect to the Development of a Stadium by Toronto Argonauts, be received for **INFORMATION**.

29. **LEASE FOR QUEEN ELIZABETH THEATRE**

On motion duly made by Gloria Lindsay Luby, seconded by George Friedmann, and **CARRIED**, it was **RESOLVED** that In-Camera Report No. 29 dated April 12, 2003 from the Business Development Committee be **APPROVED**, thereby authorizing a three-year (June 1, 2003 to May 31, 2006) lease agreement with Peacock Circus Inc. for the Queen Elizabeth Theatre, based on the terms and conditions outlined in subject report.

30. **LEASE FOR RIDING SCHOOL IN HORSE PALACE**

On motion duly made by Debbie Woodman, seconded by Doug Holyday, and **CARRIED**, it was **RESOLVED** that In-Camera Report No. 30 dated April 12, 2003 from the Business Development Committee be **APPROVED**, thereby authorizing a three-year (June 1, 2003 to May 31, 2006) lease agreement with Sunnybrook Stables Inc. for the operation of an equestrian riding school in the Horse Palace, based on the terms and conditions outlined in subject report.

31. **BANDSHELL PARK RE-DEVELOPMENT  
OPPORTUNITY - BANDSHELL STAGE/PARK**

On motion duly made by Chris Korwin-Kuczynski, seconded by Sam Sniderman, and **CARRIED**, it was **RESOLVED** that In-Camera Report No. 31 dated April 14, 2003 from the General Manager & CEO with respect to the Bandshell Park Re-development Opportunity - **Bandshell Stage/Park**, be received for **INFORMATION**.

32. **BANDSHELL PARK RE-DEVELOPMENT  
OPPORTUNITY - BACKGROUND INFORMATION**

On motion duly made by Chris Korwin-Kuczynski, seconded by Sam Sniderman, and **CARRIED**, it was **RESOLVED** that In-Camera Report No. 32 dated April 14, 2003 from the General Manager & CEO with respect to the Bandshell Park Re-development Opportunity - **Background Information**, be received for **INFORMATION**.

33. **BANDSHELL PARK RE-DEVELOPMENT  
OPPORTUNITY - BANDSHELL RESTAURANT**

On motion duly made by Sam Sniderman, seconded by Gloria Lindsay Luby, and **CARRIED** it was **RESOLVED** that the recommendations outlined In-Camera Report No. 33 dated April 15, 2003 from the Business Development Committee with respect to a 20-year lease with BC Partnership for the Bandshell Restaurant, be **amended** as follows:

- (a) that the words "with no abatement of rent" relating to the complete closure of the Bandshell Restaurant for the purposes of the Olympics and Worlds Fair, be replaced with the words "with abatement of rent";
- (b) that the lease contain an "operating clause" outlining that the Bandshell Restaurant shall be in operation for at least 5 days;
- (c) that the lease contain a "demolition clause" wherein the Board has the right to terminate the lease agreement, if necessary, for the purposes of demolition of the Bandshell Stage, anytime after Year 10 of the agreement without the payment of compensation;
- (d) on request from the tenant of a assignment of the lease, the Board may unreasonably and arbitrarily withhold its consent to such assignment;
- (e) that prior to subject report being forwarded to the City Policy and Finance Committee, the General Manager & CEO consult with the City Solicitor and the Executive Director, Waterfront Secretariat, to amend the "waterfront clause" contained in the terms and conditions so that such clause meets the requirements of the Council policies related to the City Waterfront initiatives and further consider an amendment to a similar clause contained within the Liberty Grand lease; and

that the report, as amended, be **APPROVED**.

34. **BANDSHELL RE-DEVELOPMENT  
OPPORTUNITY-HORTICULTURE BUILDING**

On motion duly made by Chris Korwin-Kuczynski, seconded Sam Sniderman, and **CARRIED** it was **RESOLVED** that the recommendations outlined In-Camera Report No. 34 dated April 15, 2003 from the Business Development Committee with respect to a 20-year lease with Concert Hall Productions for the Horticulture Building, be **amended** as follows:

- (a) that the words "with no abatement of rent" relating to the complete closure of the Horticulture Building for the purposes of the Olympics and Worlds Fair, be replaced with the words "with abatement of rent";
- (b) that "3,000 persons" be changed to "2,999" within clause (c) of the terms and conditions;

- (c) on request from the tenant of a assignment of the lease, the Board may unreasonably and arbitrarily withhold its consent to such assignment;
- (d) that prior to subject report being forwarded to the City Policy and Finance Committee, the General Manager & CEO consult with the City Solicitor and the Executive Director, Waterfront Secretariat, to amend the "waterfront clause" contained in the terms and conditions so that such clause meets the requirements of the Council policies related to the City Waterfront initiatives and further consider an amendment to a similar clause contained within the Liberty Grand lease; and

that the report, as amended, be **APPROVED**.

A recorded vote on the foregoing motion was requested.

**YEAS** - Chris Korwin-Kuczynski, Gloria Lindsay Luby, Sherene Shaw, Mario Silva and Sam Sniderman

**NAYS** - Doug Holyday, George Friedmann and Debbie Woodman

35. **BETTER LIVING CENTRE REDEVELOPMENT**

On motion duly made by Chris Korwin-Kuczynski, seconded by Debbie Woodman, and **CARRIED**, it was **RESOLVED** that In-Camera Report No. 35 dated April 14, 2003 from the Business Development Committee with respect to the Better Living Centre Development, be **DEFERRED** to a future meeting of the Board.

36. **LONG TERM LEASE AGREEMENTS - LEGAL RISKS OF DEFAULT**

On motion duly made by Debbie Woodman, seconded by Sherene Shaw, and **CARRIED**, it was **RESOLVED** that In-Camera Report No. 36 dated April 23, 2003 from the City Solicitor with respect to Long Term Lease Agreements and the Legal Risks of Default, be received for **INFORMATION**.

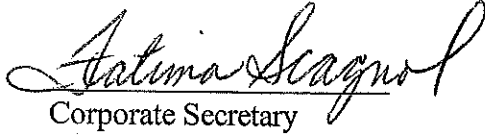
37. **SARS IMPACT ON NTC EVENTS**

On motion duly made by Gloria Lindsay Luby, seconded by George Friedmann, and **CARRIED**, it was **RESOLVED** that In-Camera Report No. 37 dated April 24, 2003 from the General Manager & CEO, which was distributed at the meeting, with respect to SARS and the impact on NTC Events, be received for **INFORMATION**; and **FURTHER** that, staff submit to the City of Toronto SARS Task Force any updates on the impact of SARS at Exhibition Place.

**ADJOURNMENT**

There being no further business, the Chairman adjourned the meeting at 2:15 p.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

\_\_\_\_\_  
Chairman

**VERIFIED** at a meeting of the Board of Governors of Exhibition Place held on the \_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
Chairman