



December 1st, 2011

Mike Del Grande
Chair, Budget Committee, City of Toronto
10th floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Chair Del Grande,

Re: Negotiations between the City of Toronto and Toronto District School Board (TDSB)/Toronto Lands Corporation (TLC) on the Renewal of City Use of 33 TDSB Pools

The purpose of this letter is to express my deep disappointment with the City in the handling of the above noted negotiations. Specifically, I am writing in response to the proposed cuts in programming to 7 of 33 Toronto District School Board (TDSB) school pools, outlined in the City of Toronto Capital and Operations Budget, 2012, prepared and presented by City staff on Monday, November 28, 2011.

A chronology of commitments regarding these negotiations is outlined below:

- August 25, 2010 - City Council authorized the General Manager of Parks Forestry and Recreation to enter into discussions with the TDSB regarding the continued use of School pools beyond the term of the current agreement.
- September 7, 2010 - TDSB authorized the Toronto Lands Corporation (TLC) to lead discussions with the City on a new agreement for its use of school pools. Discussions between City, TLC and TDSB staff commenced immediately, to map out a process that would lead to a successful agreement. It was agreed the negotiations would be directed by a Steering Committee chaired by the General Manager of Parks, Forestry and Recreation. Other members of the steering committee include the Chair of the TLC, the Chief Executive Officer (CEO) of the TLC, as well as the Chief Facilities Officer of the TDSB. A staff working group chaired by the CEO of the TLC was established to review the operating costs of pools.
- The Committee was guided by a set of common principles for negotiations adopted at its first meeting in December 2010. The principles also stipulated that the process consider a third-party review, similar to the process undertaken by the Aquatics Working Group (AWG) in 2008-09 in relation to the 31 pools currently managed by the TLC. These principles would enable public participation, including the Aquatic Working Group, in the negotiations, when it was jointly deemed feasible and suitable to do so; and in addition, ensure the City was responsive to the needs of all those affected.
- The staff working group developed an analysis of the comparative costs of pool operations and maintenance.

- A draft pools agreement was forwarded to S. Hoy, TLC, and A. Bacopoulos, TDSB, from the General Manager of Parks, Forestry and Recreation on October 20, 2011. We began discussions on the operating implications on some of the terms proposed by the City.
- November 24, 2011 – staff met to review the draft proposal. At that meeting, TLC and TDSB staff were informed that the elimination of a number of TDSB pools would be part of the City's Budget launch on November 28, 2011. City staff was not in a position to specify the quantity or name the pools affected.

This unilateral abrupt rupture of the agreed upon process, only serves to weaken the attainment of a solution that is thoughtful, well-understood and supported by the community. I recognize that a savings target was assigned to this program (\$0.979M); however, the process used to determine which pools are impacted subverts any meaningful input and participation by community partners; including swim organizations, parent groups, and residents interested in aquatic programming in the City.

The TLC's recent experience with a review of 39 other TDSB pools, is worthy of your consideration. All community partners were engaged through the forming of an Aquatic Working Group. It resulted in 31 pools remaining operational and commitment of \$15.8 million from the province, in the form of a capital repairs and improvements program. Moreover, within two years our community partners have significantly increased users and permit revenues; revenues that have more than doubled with public involvement. These are the virtues of an open and transparent participatory process. Ultimately, public participation constitutes a fundamental balancing mechanism to limit the influence of single actors, thus securing the integrity of the democratic process. The public is not an adversary; it is an ally in collectively achieving public goals.

I write today with the hope that you will share my disappointment and concern regarding what has transpired. I would encourage you to revisit this item with your staff team and seek our support and involvement in bringing an appropriate solution to City Council collectively.

I look forward to a response to this very urgent item and would appreciate meeting with you to discuss the matter.

Sincerely,



David Crombie
Chair, Toronto Lands Corporation

- c. Joe Pennachetti, City Manager, City of Toronto
Brenda Patterson, Assistant Deputy Manager, City of Toronto
Jim Hart, General Manager, Parks Forestry and Recreation
Shirley Hoy, CEO, TLC
Chris Bolton, Chair, TDSB
Angelos Bacopoulos, Chief Facilities Officer, TDSB
Members of Council, City of Toronto
Aquatic Working Group