

TORONTO STAFF REPORT

December 20, 2002

To: Economic Development and Parks Committee
Works Committee

From: Barry H. Gutteridge, Commissioner Works and Emergency Services

Subject: Security measures required at Toronto's Water and Wastewater Facilities for
Filming and the potential impacts on the Film Industry.

Purpose:

To report further on the impact of enhanced security at our Water and Wastewater facilities and the effects on the Film Industry in Toronto, report on the discussions with the Film Liaison Industry Committee (FLIC) and the recommendations put forward by the Commissioner of Works and Emergency Services.

Financial Implications and Impact Statement:

The cost of the enhanced day-to-day security is, or will be covered by the Water and Wastewater capital program where applicable. Additional security costs associated with any filming at Water or Wastewater Sites will be the responsibility of the Filming Company.

Recommendations:

It is recommended that in the interest of Public Health and Safety that:

- (1) the new procedure for filming at Water and Wastewater Facilities (as attached) be adopted;
- (2) the Commissioner of Works and Emergency Services be authorized to amend the procedure for filming at Water and Wastewater facilities as and when required to protect the facilities, public health and safety;
- (3) the Commissioner of Works and Emergency Services be authorized to prepare and provide site-specific and event-specific procedures for each film shoot based on the new procedure for filming at Water and Wastewater Facilities; and

- (4) appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Background:

At its meeting held on December 4, 5 and 6, 2001, City Council adopted a report dated November 1, 2001 (Report No. 12, Clause No. 6 the Economic Development and Parks Committee) from the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Works and Emergency Services, and recommended that a sub-committee of the Film Liaison Industry Committee (FLIC) meet with City staff, the local Councillors and industry participants to discuss what accommodations can be made for future filming at Water and Wastewater Facilities.

Since the event of September 11, 2001, the Water and Wastewater Division has steadily increased the level of security at all of its facilities. The Division has 55 sites that are manned either full-time (24-7) or during a normal eight-hour work day. The Division has hundreds of remote sites that range from water towers and reservoirs to pumping stations and valve chambers. All of these facilities provide access to varying degrees to our water distribution or sewer collection systems.

One of the early steps taken was the cancellation of all public tours through the four water treatment and four sewage treatment plants. Without costly and time-consuming security controls being installed inside the buildings it was more efficient to keep people outside the facilities or buildings. Technical tours are undertaken with key management staff present plus security when appropriate.

Historically the R.C. Harris Filtration Plant was frequently used for location filming purposes. In 2001 this facility was used by a total of 16 productions, including feature films. The decision to ban filming at all Water and Wastewater facilities across the City in 2001 was done solely for security reasons, to protect the facilities and the water supply. After reviewing a variety of material the General Manager of Water and Wastewater made the decision not to allow any further film permits to be issued that require people, props, vehicles or equipment to be in the buildings or on the grounds of the Water and Wastewater facilities. This ban has been in effect until June of 2002, when new interim procedures were introduced to allow applications for filming on the grounds of Water and Wastewater Facilities. These procedures were developed in partnership with Corporate Security, Insurance and Risk Management, Legal Services and Senior Staff from the Water and Wastewater Sections following meetings with representatives from FLIC.

Comments:

The Treasury and Financial Service's Insurance and Risk Management section, Corporate Security and Water and Wastewater senior staff suggested further investigation was required to determine the feasibility of allowing third parties access inside the facilities. The Treasury and Financial Service's Insurance and Risk Management section in partnership with the Water

Supply Section of the Water and Wastewater Division retained Marsh Canada Limited (the City's insurance broker as authorized by City Council at its December 4, 5 and 6, 2001 meeting) to undertake a risk evaluation study to identify potential exposures generated by third party access to water treatment facilities.

Loss Control Engineers from Marsh Canada Limited have provided a confidential report called Critical Risk Evaluation Project, City of Toronto, and Third Party Access to Water Treatment Facilities dated November 2002. The report summarizes the findings of an evaluation of risks associated with providing access to the water treatment facilities to third parties – primarily for use in filming and for tours. While the primary focus of the report was on filming activity, exposure analysis to identify circumstances that jeopardize the security of the facility by all public access was examined. The risk evaluation process was based on failure mode and effect methodology. R.C. Harris plant staff, City Security, Insurance and Risk Management, Toronto Film and Television Office and WES public information staff provided input to this report.

In addition to identifying the risks, the engineers also provided comments on basic conditions that must be met prior to any consideration of any future public access. The confidential report describes the variety of potential risks generated by third party use and the impacts that could result to the public, the property and the environment. The report reviews the risks associated with water treatment plant operations and the security of the facilities. The Corporate Access and Privacy office has confirmed that it must be treated as confidential and exempt from release under sections 6, 8 and 13 of the Municipal Freedom of Information and Privacy Act.

At this time, no filming will be allowed inside of any of the facility buildings belonging to the Water and Wastewater Division of the City of Toronto until Works and Emergency Services staff have had the opportunity to complete an individual site assessment to determine the feasibility of inside shoots. The assessment will take into consideration both existing and introduced risks.

Corporate Finance and Real Estate will define the security requirements for any film shoots at the Water and Wastewater Facilities.

FLIC have expressed concern over the requirement for all shoot personnel to have a criminal background check completed within six months of the shoot. Corporate Security are of the opinion that the Water and Wastewater Division have an obligation to take every precaution to protect the water supply it manages. In requesting film companies to have criminal background checks completed on all staff associated with proposed film shoots at Water and Wastewater Facilities, Corporate Security will be in a position to identify any potential security risk individuals and refuse those individuals access to the facilities. The Water and Wastewater Division and Corporate Security are working together in an effort to further enhance security procedures at the facilities which includes reviewing access of all third parties.

To date no Film Company has proceeded with an application and it is felt there is a need to work through a few film shoot applications to get a better understanding of the real rather than perceived issues.

We have (as of December 2002) established a procedure guiding the use of Water and Wastewater facilities by the film industry. While this procedure is for Water and Wastewater facilities, it is suggested that similar procedures be in place for other City owned facilities.

Conclusions:

In order to protect public health and safety, the infrastructure and integrity of the Water and Wastewater facilities, the attached procedures for filming at Water and Wastewater facilities should be adopted.

Future requests for filming will be reviewed on their own merit and in relation to the facility involved, therefore it is recommended that the Commissioner of Works and Emergency Services must be authorized to prepare and provide site-specific and event-specific requirements/procedures.

The Chief Financial Officer and Treasurer concurs with this report.

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Application for Filming at Water and Wastewater Facilities

No filming will be allowed inside any of the facility buildings belonging to the Water and Wastewater Division of the City of Toronto.

The following steps should be taken in relation to any film shoot on the exterior or grounds of any of the facilities belonging to the Water and Wastewater division:

1. When a request is received for filming at a Water and Wastewater facility, the Toronto Film and Television Office (TFTO) will forward a copy of this request to a designated contact in the City's Corporate Security Unit. The City's Water or Wastewater facilities require at least ten (10) business days notice in advance of the proposed filming. It is noted that it may not be feasible in all cases to prepare the Health and Safety/Risk Management plans now required for filming at Water and Wastewater Treatment facilities in as little, as ten days, therefore this time may be adjusted.

Once received, the Corporate Security Representative will schedule a meeting at the requested filming location. At this meeting there will be a representative(s) present from the Corporate Security Unit, Water and Wastewater Division, TFTO Staff, and the requesting Film Company. The representative from the Film Company will outline the area that they are requesting for the film shoot and all activities in relation to this film shoot. In turn, the representatives from Corporate Security, TFTO staff, and the Water and Wastewater Division will outline all of their concerns that will need to be addressed by the Film Company and a Health and Safety and Risk Management plans will be discussed and verbally agreed to by all parties. The representatives from the City of Toronto will also outline what staff from the Water and Wastewater Division, Corporate Security Unit, and others as may be determined, should be present during the actual filming and determine the estimated charge-back amounts.

2. The Film Company will confirm the understanding reached at the site meeting by preparing and submitting written Health and Safety, and Risk Management Plans to the Corporate Security Unit. The Corporate Security Unit and Water/Wastewater Division will both sign off on the document if they are satisfied with the contents, or will send it back identifying where additions or changes are required. The Film Company will present a list of all their staff that will be on site for the film shoot. In addition, verification is required that all film shoot personnel/staff have had a criminal background check done within six months of the start of the film shoot and that these checks came back without any records of offences. Based on the list of staff provided to Corporate Security by the Film Company, self-expiring identification badges will be issued by Corporate Security for every person on the list. This identification badge must be worn at all times while on the property. The cost for these badges will be charged back to the Film Company.
3. If the film crew is not in compliance with all aspects of the Film Permit, Health and Safety Plan, Risk Management Plan, or should an unforeseen emergency situation develop, the film

permit will be revoked and filming will be terminated immediately. Any representative from the City's Corporate Security or Water and Wastewater Division and or TFTO has the right to exercise this option.

4. All filming at Water and Wastewater facilities in the City of Toronto must be given special considerations. All filming must be negotiated on a case-by-case basis with the appropriate representatives from the Water and Wastewater Division and Corporate Security Unit.