



INFORMATION REPORT

TO: Chair and Members Audit, Finance and Administration Committee	WARD(S) AFFECTED: CITY WIDE
COMMITTEE DATE: June 10, 2013	
SUBJECT/REPORT NO: Municipal Act Regulation 284/09 and Public Sector Accounting Board (PSAB) Standards (FCS13045) (City Wide)	
SUBMITTED BY: Mike Zegarac Acting General Manager Finance & Corporate Services	PREPARED BY: Tony Del Monaco ext. 3020
SIGNATURE:	

Council Direction:
 Not Applicable

Information:

On June 5th, 2009, the Provincial Government of Ontario approved Bill 162 - *An Act Respecting the Budget Measures and Other Matters* and Schedule 18 *Municipal Act, 2001*. On July 31st, 2009, Regulation 284/09 titled "*Budget Matters – Expenses*" was filed with the Ontario Registrar of Regulations.

Regulation 284/09, attached as Appendix "A" to Report FCS13045, states that municipal budgets may exclude from estimated expenses amortization expenses on tangible capital assets, post-employment benefits expenses and solid waste landfill closure and post-closure expenses.

The adoption of the full accrual basis of accounting in the accounting standards in the Canadian Institute of Chartered Accountants (CICA) Public Sector Accounting Board (PSAB) handbook by municipalities for the 2009 financial statements required the change to reporting of expenses instead of expenditures. Expenditures represent outlays of assets to purchase goods and services. Expenses represent the consumption of assets to provide goods, services and intangibles. Expenses include

SUBJECT: Municipal Act Regulation 284/09 and Public Sector Accounting Board (PSAB) Standards FCS13045 (City Wide) - Page 2 of 3

amortization of tangible capital assets over their useful lives, change in liabilities for post-employment benefits and change in liabilities for solid waste landfill closure and post-closure.

Financial:

The new accounting standards in the Public Sector Accounting Board Handbook, effective for 2009 financial statements, affect the City's accumulated surplus as certain expenses are included in the financial statement that are not included in the budget.

These excluded expenses include:

- Amortization expenses on tangible capital assets
- Post-employment benefits expenses
- Solid waste landfill closure and post-closure expenses

Table 1 of report FCS13045 illustrates the impact on the City's 2012 Accumulated Surplus, alternatively known as Municipal Financial Position, if these excluded expenses were not required by the PSAB standards.

Accumulated Surplus per Financial Report	
Accumulated Surplus at Jan 1st, 2012	\$4,680,979
2012 Annual Surplus	130,840
Accumulated Surplus at Dec 31st, 2012	<u>4,811,819</u>
Adjustments	
Amortization expenses on tangible capital assets	168,134
Post-employment benefits	18,521
Solid waste landfill closure and post closure	<u>(1,390)</u>
Total adjustments	185,265
Adjusted Accumulated Surplus at Dec 31st, 2012	<u>\$4,997,084</u>

1. Amortization Expenses on Tangible Capital Assets

Amortization expenses on tangible capital assets were recorded in the 2012 financial statements of \$168.1 million as required by the new PSAB standards. Amortization expenses represent the cost of tangible capital assets allocated to the 2012 financial period, based on the *original* cost of the assets when they were constructed or purchased. Although the City's 2012 Budget did not include amortization expenses on tangible capital assets, provisions were made in the 2012 Operating Budget for transfers to capital of \$114 million and transfer to capital reserves of \$16 million resulting in an infrastructure funding deficit estimated at \$38 million when compared to

**SUBJECT: Municipal Act Regulation 284/09 and Public Sector Accounting Board
(PSAB) Standards FCS13045 (City Wide) - Page 3 of 3**

the amortization expenses. However, information provided as part of the 2013 tax supported capital budget workshops estimates the infrastructure repair deficit to be approximately \$195 million in *today's* dollars. The City's tangible capital asset spending requirements, funding requirements and capital financing policies are presented annually during the budget process.

2. Post-Employment Benefits Expenses

The PSAB standards do not require liabilities associated with post-employment benefits to be fully funded by setting aside any portion of the accumulated surplus as reserves and reserve funds. The City's 2012 consolidated financial statements report liabilities of \$307.5 million and expenses of \$18.5 million while the City's budget includes expenses for expected payments for retirement benefit plans, sick leave benefit plans, long-term disability plans, *Workplace Safety and Insurance Act* benefits, vacation agreements and non-OMERS pension plans. The City has reserves associated with these liabilities of \$65.0 million which represent 21% funding for these liabilities. The future payments for these liabilities and expenditures for some transfers to reserves will continue to be included in the operating budget as these unfunded liabilities are addressed.

3. Solid Waste Landfill Closure and Post-Closure Expenses

The PSAB standards do not require liabilities associated with solid waste landfill closure and post-closure care activities to be fully funded by setting aside any portion of the accumulated surplus as reserves and reserve funds. The City's 2012 consolidated financial statements report liabilities of \$32.0 million and reduction in expenses of \$1.4 million for landfill closure and post-closure. The City has reserves associated with these liabilities of \$853,000 which represent 2.7% funding for these liabilities. Estimates for future contractual construction costs will continue to be included in the budget for these unfunded liabilities.

ONTARIO REGULATION 284/09

made under the

MUNICIPAL ACT, 2001

Made: July 31, 2009

Filed: July 31, 2009

Published on e-Laws: August 4, 2009

Printed in *The Ontario Gazette*: August 15, 2009

BUDGET MATTERS — EXPENSES

Exclusion

1. In preparing the budget for a year, a municipality or local board may exclude from the estimated expenses described in paragraph 3 of subsection 289 (2) and in paragraph 3 of subsection 290 (2) of the Act all or a portion of the following:

1. Amortization expenses.
2. Post-employment benefits expenses.
3. Solid waste landfill closure and post-closure expenses.

Report

2. (1) For 2011 and subsequent years, the municipality or local board shall, before adopting a budget for the year that excludes any of the expenses listed in section 1,

- (a) prepare a report about the excluded expenses; and
- (b) adopt the report by resolution.

(2) If a municipality or local board plans to adopt or has adopted a budget for 2010 that excludes any of the expenses listed in section 1, the municipality or local board shall, within 60 days after receiving its audited financial statements for 2009,

- (a) prepare a report about the excluded expenses; and
- (b) adopt the report by resolution.

Contents

3. A report under section 2 shall contain at least the following:

1. An estimate of the change in the accumulated surplus of the municipality or local board to the end of the year resulting from the exclusion of any of the expenses listed in section 1.
2. An analysis of the estimated impact of the exclusion of any of the expenses listed in section 1 on the future tangible capital asset funding requirements of the municipality or local board.

Review

4. The Ministry of Municipal Affairs and Housing shall initiate a review of this Regulation on or before December 31, 2012.

Commencement

5. This Regulation is deemed to have come into force on January 1, 2009.