



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 58-2006

To authorize execution of the Letter of Agreement
regarding the use of dedicated gas tax funds

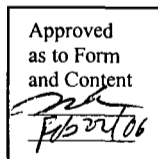
WHEREAS the Ministry of Transportation of the Province of Ontario has created the Dedicated Gas Tax Funds for Public Transportation Program;

AND WHEREAS the City wishes to receive funding under this Program;

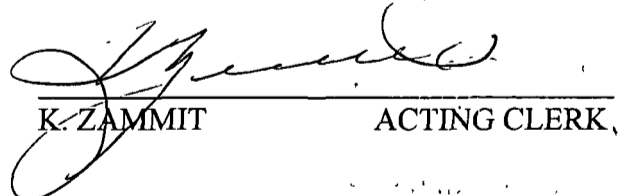
NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS AS FOLLOWS:

1. The Mayor and the City Treasurer are hereby authorized to execute, in a form approved by the City Solicitor, the Letter of Agreement related to funding provided by the Province of Ontario to the Municipality under the Dedicated Gas Tax Funds for Public Transportation Program, attached as Schedule A to this By-Law.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 27th day of February, 2006.




SUSAN FENNELL MAYOR


K. ZAMMIT ACTING CLERK

SCHEDULE A TO B/L 58-2006

Ministry of
Transportation

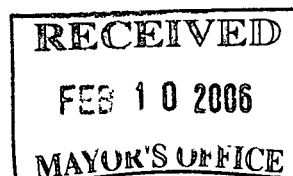
Office of the Minister

Ferguson Block, 3rd Floor
77 Wellesley St West
Toronto Ontario
M7A 1Z8
416 327-9200
www.mto.gov.on.ca

Ministère des
Transports

Bureau du ministre

Édifice Ferguson, 3^e étage
77, rue Wellesley ouest
Toronto (Ontario)
M7A 1Z8
416 327-9200
www.mto.gov.on.ca



Her Worship Susan Fennell
Mayor
The City of Brampton
2 Wellington Street West
Brampton, ON
L6Y 4R2

Dear Mayor Fennell:

RE: Letter of Agreement between Her Majesty the Queen in right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario (the "Ministry") and the City of Brampton (the "Municipality") Related to Funding Provided by the Province of Ontario (the "Province") to the Municipality under the Dedicated Gas Tax Funds for Public Transportation Program (this "Letter of Agreement")

This Letter of Agreement sets out the terms and conditions for the use of dedicated gas tax funds by municipalities for public transportation.

As the Province desires to increase public transportation ridership to support the development of strong communities, the Ministry has created the Dedicated Gas Tax Funds for Public Transportation Program (the "program") under which and over time two (2) cents of the existing provincial gas tax will be provided to municipalities for public transportation expenditures.

Any funding to the Municipality by the Ministry will be provided in accordance with the terms and conditions set out in this Letter of Agreement and the Dedicated Gas Tax Funds for Public Transportation Program – 2005/2006 Guidelines and Requirements (the "guidelines and requirements").

In consideration of the mutual covenants and agreements contained in this Letter of Agreement and the guidelines and requirements, which have been reviewed and are understood by the Municipality and are hereby incorporated by reference, the Ministry and the Municipality covenant and agree as follows:

1. To support increased public transportation ridership in the Municipality, and in recognition of the Municipality's need for predictable and sustainable funding to support investments in the renewal and expansion of public transportation systems, the Ministry agrees to provide funding to the Municipality under the program in the amount of \$4,653,436 in accordance with and subject to the terms set out in this Letter of Agreement and the guidelines and requirements, with \$2,326,718 payable on receipt of this signed letter of agreement and related authorizing municipal by-law, and quarterly payments thereafter beginning in May, 2006.
2. Despite Section 1, the Municipality understands and agrees that any amount payable under this Letter of Agreement may be subject, in the Minister's opinion, to adjustment to reflect final gas tax receipts and any other adjustments as set out in the guidelines and requirements.
3. If the Municipality is involved with other municipalities in jointly providing public transportation services, and the other municipalities have agreed to the Municipality collecting the dedicated gas tax funds on their behalf, the Municipality agrees that it shall provide, in compliance with the requirements set out in the guidelines and requirements, the applicable by-laws and legal agreement to the Ministry prior to the payment of any dedicated gas tax funds by the Ministry under this Letter of Agreement.
4. The Municipality agrees that the funds received under this Letter of Agreement are to be deposited by the Municipality in a dedicated gas tax funds reserve account, and are to be used only in accordance with the guidelines and requirements.
5. The Municipality agrees that it will adhere to the reporting and accountability measures set out in the guidelines and requirements, and shall provide all requested documents to the Ministry.
6. The Municipality understands and agrees that the funding provided under this Letter of Agreement represents the full extent of the Ministry's and Province's financial contribution under this Program and that no additional funds will be provided by either the Ministry or the Province for such purposes to the Municipality for the years 2005/2006.
7. The Municipality hereby consents to the execution by the Ministry of this Letter of Agreement by means of an electronic signature.

If the Municipality is satisfied with and accepts the terms and conditions of this Letter of Agreement, please secure the required signatures for the four enclosed copies of this Letter of Agreement and return two fully signed copies to the Transit Policy and Programs Office, 2nd Floor, Building B, 1201 Wilson Avenue, Downsview, ON, M3M 1J8 for the Ministry records.

Once the Ministry has received the signed copies together with a copy of the authorizing municipal by-law(s), the Ministry will make arrangements for the payment of the dedicated provincial gas tax funds to the Municipality.

Yours sincerely,

HS Takhar

Harinder S. Takhar
Minister of Transportation

I have read and understand the terms of this Letter of Agreement, as set out above, and by signing below I am signifying the Municipality's consent to be bound by these terms.

The Corporation of the City of Brampton

Per: *Richard Small*, Date: *Feb 27/06*
Mayor

Per: *Allan Ross*, Date: *Feb 27/06*
Chief Financial Officer/Treasurer

APPROVED
AS TO FORM
L. DEPT
BRAMPTON
[Signature]
ES 27/06