

COMMITTEE OF THE WHOLE - MARCH 25, 2008

ONTARIO CONFEDERATION OF SICILY AGREEMENT

Recommendation

Councillor Bernie DiVona recommends:

1. That the City of Vaughan City receive this report.
2. That Senior Management be directed to conduct a review of matters contained herein, to include and not limited to : Vaughan Council's September 2003 approval to provide space at Chancellor Community Centre (attachment #1) with the Ontario Confederation of Sicily (OCS); the administration, management and reporting of the City of Vaughan Council's decision from September 2003 to date as outlined in this report; and bring forth any draft agreement or recommendation to finalize the direction of Vaughan Council.
3. That Senior Management take any/all actions deemed necessary to bring back a report and address issues raised by their review within the next 30 days.
4. That Council direction be provided as to the role Councillor Bernie DiVona is permitted to take with respect to this matter given the request by both the OCS and Recreation Department to resolve this matter.

Economic Impact

Purpose

The City of Vaughan Council is being requested to direct the City of Vaughan staff to finalize and execute the City of Vaughan Council's September 2, 2003 with the OCS (see appendix 1).

The City of Vaughan Council's decision:

1. ***"That the City of Vaughan enter into an agreement with the Ontario Confederation of Sicily for the use of space at the Chancellor Community Centre."***

The OCS has not been provided any draft agreement from September 2003 to the present. The OCS gained use and access of the space at Chancellor Community Centre in 2005. The economic impact is dependant now upon the commencement date of the "agreement" and the rate to be applied. The anticipated economic impact cannot be determined at this time.

2. ***"That a By Law be enacted to authorize the execution of a license agreement upon the City of Vaughan Solicitor being satisfied with the terms of the said agreement":***

The City of Vaughan provided the "keys" and removed from circulation two rooms at Chancellor Community Centre in 2005, in exchange for a "license agreement" to include a "library/cultural Centre" as per the report by the Commissioner of Community Services of February and September 2003. To date, the OCS has advised they have not entered into any negotiations with The Recreation Department. The economic impact is dependant on what can be negotiated and the result of the "use of space" that has not been finalized.

3. "That any renovations to the facility to accommodate the Confederation be at their cost."

The City of Vaughan Council's approval was subject to full cost recovery by OCS. In 2004 and 2005 the Building and Facilities Department incurred \$17,000 costs at Chancellor Community Centre to accommodate OCS. The OCS have advised they had no knowledge of this condition, and now refuse to pay these costs. There is an economic impact as to the "renovations" that had been incurred. The OCS has requested that I intervene to eliminate this cost. I advised I am unable to violate Council direction, but would have to obtain direction.

4. Provide the taxpayers of Vaughan an "exchange value" or benefits for the loss of space.

Chancellor Community Centre has limited available general public uses with additional programming and other user requests. Recreation space availability:

Rooms

- Youth Room (pre determined and at capacity)
- Senior Room (pre determined and at capacity)
- Program Room (pre determined and at capacity)
- Meeting Room (available for meetings save and except Monday and Friday)
- OSC Room (removed from circulation and subject to this report)

Recreation Facility

- Bocce Courts operate with two bocce clubs and at capacity;
- Gym booked regularly and at capacity
- Pool coordinated by a separate co-ordinator

The OCS had promised/committed to provide a "library/cultural" centre with books to be made available to the East Woodbridge Seniors and other members of the community. Their deputation of Feb 2003 included the expressed desire to invite youth to attend their centre for the purpose of enhancing their culture and language. To date, there remains no formal request from the City of Vaughan Recreation Department to commence or advance these goals or programs. The City of Vaughan provided the keys to the OCS in the fall of 2005. (the taxpayer's of Vaughan have a right to these benefits as we have carried out our commitment with the OCS.)

Background - Analysis and Options

The Ontario Confederation of Sicily (OCS) had been looking for space in Vaughan to house their proposed "library/cultural centre" since their meetings with senior management and members of council in 2002.

In February 2003, the OCS made a deputation to request space at Vellore School, Blue Willow Senior Building and lastly, Chancellor Community Centre (attachment #2). Staff were directed to work with OCS to work out the details and particulars of their need and request.

In September 2003, the City of Vaughan Council gave our approval to the OCS, (appendix 1) "that **the City of Vaughan enter into an agreement with the OCS for the use of space at the Chancellor Community Centre**". Further, the City of Vaughan Council's approval was subject to a condition "any **renovations to the facility to accommodate the Confederation be at their cost.**" Further an enacting bylaw was to be passed upon the satisfactory approval of the terms of the agreement.

On October 26, 2003, the City of Vaughan Recreation Department holds a community meeting to discuss the expansion of Chancellor Community Centre for the "fall of 2004". The OSC decision is announced to the public and the East Woodbridge Seniors lends their support.

On May 16, 2004, the City of Vaughan Recreation Department holds a community meeting to show a revised chancellor community centre plan and that there will be a delayed opening to the "spring of 2005".

On June 4, 2004, the OSC provides the City of Vaughan with their revised plans and requests a change in the room with a fire rated steel door to be installed between their two rooms.

The City of Vaughan expanded Chancellor Community Centre during 2004 and 2005 and again met with the OCS to determine their needs for "space". The City of Vaughan Building and Facilities met the property needs of the OCS and in the fall of 2005 provided the OCS keys to their rooms. Vaughan Council approval was subject to these costs to be absorbed by the OCS. The Recreation Department did not enter into any agreement nor bill the OCS as per Council's direction at any time.

The OCS had an "official opening" on Jan 21, 2006, concurrent with the expansion celebration of Chancellor Community Centre. The OCS has not entered into any agreement or rental fees, nor has any draft agreement been provided to the OCS. (The City of Vaughan has lease agreements with other city owned buildings and heritage homes. It is inappropriate for Members of Council to officiate at any event when there are issues with permits or agreements. This was not made known by staff to Members of Council prior to or during the official opening celebration of the OCS Chancellor Centre.)

In May 2007, the Recreation Department Area West Supervisor sent the OCS a notice of change in the rental fees reflecting the current approved rental rate notwithstanding Vaughan Council's direction that an "agreement be entered" into. The OCS objected to the notice of rental fee change as they feel that the terms of the use should remain -- "free" use and they should not be subject to the normal market rate. (They were given the keys in 2005 and there is no record of any agreement, any request for an agreement, any rate negotiations, or request for monies from the OCS by the City of Vaughan).

In May 2007, the OCS and Recreation Department request my intervention and assistance.

In June and July 2007, I requested a copy of the agreement and any information our staff have with any of the issues. The Recreation Department provide a copy of Council's decision so there was full knowledge of Council's decision, but Recreation management at Chancellor and Area Supervisor did not have any information or any information with any "agreement" or "bylaw" as required by Vaughan Council's decision. (I had been working with both the Area West Supervisor and Director of Recreation. The Commissioner of Community Services was copied on all emails.)

In July 2007 I requested the "agreement" and when I was unable to receive any information from the Recreation Department Area Supervisor and Director of Recreation, I requested directly from the Legal Department a copy of the "agreement" and the "bylaw" to enact the agreement as per Council's September 2003 decision. The Legal Department had advised they have "no record of any agreement, no assistance has been requested" by the Recreation Department with the OCS September 2003 decision. The Area Supervisor and Director both advise that they have no further information to provide.

In July 2007 a meeting is held with 4 representatives from the OSC, Director-Recreation, Area West Supervisor and myself. It is resolved that the Area West Supervisor is to finalize the agreement with the OSC and establish the "library/cultural" centre at Chancellor Community Centre. The Director was to look at opportunities to waive or provide consideration for the "renovation costs". I advised that I cannot knowingly breach any Council approval, but would be prepared to work with the groups.

August 2007, the Recreation Department provides the OSC with a "CSO application" and requests they apply for CSO status. CSO status would provide the lower CSO rate and it would not take into consideration any of the additional benefits we are to receive through a "library and cultural centre". The OSC objects to the City of Vaughan's desire to make them qualify to enter into an agreement. The Recreation Department rejects the OSC as they are not a CSO. The OSC is a "federation" and therefore they have member agencies rather than a list of specific members so they would NOT QUALIFY as a CSO. (Council did not direct, suggest or imply that a CSO rate be applied vs. an agreement. In fact, an "agreement" and a "license agreement" were to be negotiated.)

On August 15, 2007 I met with Director of Recreation and requested we finalize the agreement with the OSC and that CSO status is not appropriate given the type of organization "federation". Once again, the Area West Supervisor was directed to work with the OSC.

On September 24, 2007, I request an update and advised that the Recreation Department is awaiting a response for "additional information" from OSC. The OSC has advised both the Area West Supervisor and myself that they refuse to provide or release confidential information as membership lists belong to the member associations and not the Federation. Further, the Recreation Department has asked for financial statements of the OSC and member agencies. The OSC is unwilling to provide financial statement of their member associations or clubs. The City of Vaughan Council had approved of the organization and the financial statements would not reflect the OSC.

On October 10, 2007 the OSC advises they will be undergoing a change in governance but would like to have this matter resolved and to hold an event at Chancellor. Staff advise that they can continue to use the facility.

On November 27, 2007, I requested a draft copy of the agreement. I am advised by the Area West Supervisor there is no agreement and that he felt the Director was working on it. As the Director had submitted her resignation, and as the Area West Supervisor was assigned the matter on July 25, 2007, I had requested a copy of all correspondence with any issues. Further, none of the correspondence that had been initiated re the CSO or additional information by the Recreation Department had been subject to any follow-up.

On November 27, 2007, I drafted an item to be brought forward for an 'in camera' to be held on December 3, 2007. City Manager pulls the item and advises it can best be handled by management without this matter coming to Council. I agree to support the City Manager and Commissioner of Community Services subject to having this matter resolved with the OSC.

On January 16, 2008, I write again to the Commissioner of Community Services, Area West Supervisor and Chancellor Supervisor "I request you review council direction and your own response ..." Area West Supervisor writes, **"regarding the Sicilian group, I do not know what draft agreement you refer to. Paul."** There is only one "agreement" that Vaughan Council had approved with the "Sicilian group" and only one agreement that was outstanding, and only one agreement that has been subject to overwhelming efforts.

On January 16, 2008 Area West Supervisor writes, "the final word from the meeting last summer that you, I and Diane attended was that Diane was going to work something out and follow-up with them. To my knowledge, nothing was "worked out" Are you suggesting that I proceed to apply the approved rates for leasing office space and permitting meeting rooms? ..." This is contrary to the written notice he had provided, communication with them for CSO status that had gone nowhere, nor any negotiations of the library and cultural centre programming that was directed to be put into place by Vaughan Council. Absolutely nothing has happened since the September 2003 decision while Chancellor Community Centre is under his direct control and authority. (Only after the Director has departed by several months was there any expression that

it was the fault of the former Director while the Area West Supervisor provided the September 2003 Council decision to all parties during the July 2007 meeting. As a result, all parties were fully aware of the decision and requirements.)

In February 2008, I am advised by the OCS that there is a trip to Delia and have expressed they would like all matters with the September 2003 decision to be finalized. I contact the Area West Supervisor to once again request the status of the agreement and he advises that he has been unable since August 2007 to obtain information regarding their CSO application. Regrettably, the decision in no meaningful manner has advanced.

In March 2008, I am requested to meet with the OCS and senior management to discuss the "agreement" and cancel the meeting as I have no evidence of any terms being negotiated, any development of any of the programming or any determination of any costs or uses.

4. Review and take the necessary administrative and/or operational changes as a result of their review and information contained herein.

The City of Vaughan Council has initiated a policy in which Council approved items are to be tracked, deadlines are established and included within an "outstanding items" report. The City of Vaughan September 2003 decision has been removed from the "outstanding items" report thereby preventing any information or knowledge by Council.

Vaughan Council does not receive agreements so there is no mechanism by which we can understand the "terms" that are negotiated or the status of agreements.

The City of Vaughan has instituted in 2007 a policy, to ensure timely response to inquiries. The City of Vaughan Council September 2003 decision is fully outstanding.

Relationship to Vaughan Vision 2007

This report reflects the strategic goal of service excellence and in particular the strategic objective to preserve our heritage and support diversity, arts and culture.

Conclusion

This report is requesting a full review of the matters contained in this report with the management, operations, and execution of the City of Vaughan's Council September 2003 decision with the hope and expectation that we can resolve all matters and initiate the library and cultural centre. I want to repair the relationship with the OCS and their member clubs and associations.

Attachments

Extract from Council Meeting Minutes September 8, 2003.

Extract from Council Meeting Minutes June 9, 2003.

Additional emails and correspondence available for review by management.

Report prepared by:

Councillor Bernie DiVona

Respectfully submitted,

Bernie DiVona
Councillor – Ward 3

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 8, 2003

Item 2, Report No. 61, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 8, 2003.

2

ONTARIO CONFEDERATION OF SICILY – REQUEST FOR SPACE

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Community Services, dated September 2, 2003:

Recommendation

The Commissioner of Community Services recommends:

That the City of Vaughan enter into an agreement with the Ontario Confederation of Sicily for the use of space at the Chancellor Community Centre; and

That a By-Law be enacted to authorize the execution of a license agreement upon the City Solicitor being satisfied with the terms of said agreement;

That any renovations to the facility to accommodate the Confederation be at their cost.

Purpose

The purpose of this report is to obtain Council authority to enter into an agreement with the Ontario Federation of Sicily for the exclusive use of space at the Chancellor Community Centre.

Background - Analysis and Options

The Ontario Confederation of Sicily has been looking for space in Vaughan to house their proposed library/cultural centre. At the Council meeting of June 9, 2003 staff were directed to provide "a report addressing the space requirements and cost implications, prior to allocating the space".

After considering various options, staff in consultation with representatives from the Confederation has determined that the best location is the Chancellor Community Centre. This Centre is a good location as a large expansion is planned for the Centre, and will be undertaken next year. Once the expansion is complete some space in the existing facility could be freed up for the Confederation.

The proposed space for their library is a room, which is currently being used as a youth drop-in centre. The youth area will be moved to a larger room, once the expansion is completed. In addition there is a smaller adjoining room, which could be used as an office/ boardroom area. Staff is proposing that these two rooms be given to the Confederation under a license agreement. The Confederation would pay the City the operating costs of their space, in addition to any renovation costs.

The Confederation is satisfied that this space will meet their needs at this time.

Conclusion

The Confederation of Sicily, which has a large Vaughan membership, is anxious to have a site confirmed as soon as possible.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 8, 2003

Item 2. CW Report No. 61 – Page 2

Attachments

None

Report prepared by:

G. Doris Haas
Commissioner, Community Services

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 9, 2003

Item 22, Report No. 45, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 9, 2003.

22 ONTARIO CONFEDERATION OF SICILY – REQUEST FOR SPACE

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Community Services, dated June 2, 2003, be approved;
- 2) That space be provided at the location identified as the former C.M.H.C. Blue Willow site; and
- 3) That prior to allocating the space, that a report be provided addressing the space requirements and the cost implications.

Recommendation

The Commissioner of Community Services recommends:

That the following report be received for information.

Purpose

The purpose of this report is to update Council on the request by the Ontario Confederation of Sicily for City of Vaughan space for the purposes of a Cultural Centre.

Background - Analysis and Options

Representatives from the Ontario Confederation of Sicily appeared before Committee of the Whole on February 17, 2003 to request the use of Vellore School for a Cultural Centre and Library. The group also provide a written submission in which they outlined the Cultural Centre program to include cultural events, art exhibits, conferences, meetings and gatherings for Italian Canadians of Sicilian origin.

Staff has investigated the feasibility of providing Vellore School to the Sicilian Federation. Presently the school is being used by a number of community organizations as well the City of Vaughan for activities including: pre-school programs, art classes, family programs, ballroom dancing, religious services, staff training, and social events. In light of these activities, it was determined that the historic Vellore School was not an appropriate site to turn over to the Federation.

Staff have investigated other alternatives, in particular the proposed Seniors Housing and Wellness centre to be built in partnership with the Region of York in the Blue Willow area, or as part of the addition to the Chancellor Community Centre. Staff is waiting to hear back from the Sicilian Federation as to their precise space requirements prior to finalizing any proposal.

Once the requirements are known, and the implications of providing the space at either of the two locations are calculated, staff will provide a further report to Council for approval.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 9, 2003

Item 22, CW Report No. 45 – Page 2

Conclusion

The Ontario Federation of Sicily is anxious to find a home in Vaughan for their proposed Cultural Centre/Library. Staff is continuing to work on this request, however have not as yet been able to finalize the location.

Attachments

None.
