



CITY OF VAUGHAN

TASK FORCE ON ADVISORY COMMITTEES

AGENDA

Committee Room 245
Vaughan City Hall
2141 Major Mackenzie Drive
Vaughan, Ontario

Wednesday, March 16, 2011

9:30 a.m.

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1. CONFIRMATION OF AGENDA
 2. DISCLOSURE OF INTEREST
 3. COMMUNICATIONS
 4. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION
 5. ADJOURNMENT

ALL APPENDICES ARE AVAILABLE FROM THE CITY CLERK'S DEPARTMENT

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TASK FORCE ON ADVISORY COMMITTEES – MARCH 16, 2011

ITEM

1. **SPECIFIED TERMS OF REFERENCE FOR AD HOC COMMITTEES UNDER CONSIDERATION**

Information requested by the Task Force to be provided by staff at the meeting.

2. **V.A.C.E (VAUGHAN ARTS CENTRE OF EXCELLENCE)**

(Deferred Item)

Information requested by the Task Force to be provided by the Director of Recreation and Culture at the meeting.

1.

TASK FORCE ON ADVISORY COMMITTEES - MARCH 16, 2011

SPECIFIED TERMS OF REFERENCE FOR AD HOC COMMITTEES UNDER CONSIDERATION

Information requested by the Task Force to be provided by staff at the meeting.

2.1

TASK FORCE ON ADVISORY COMMITTEES - MARCH 16, 2011

V.A.C.E (VAUGHAN ARTS CENTRE OF EXCELLENCE)

(Deferred Item)

Information requested by the Task Force to be provided by the Director of Recreation and Culture at the meeting.

Attachments

1. Memorandum of the Commissioner of Community Services and the Commissioner of Legal and Administrative Services/City Solicitor, dated February 10, 2011.



2.2

Attachment # 1

DATE: February 23, 2011

TO: Members of Council's Task Force on Advisory Committees

FROM: Marlon Kallideen, Commissioner of Community Services &
Janice Atwood-Petkovski, Commissioner of Legal and Administrative
Services/City Solicitor

RE: Request for Staff Report –
Correspondence Received from Secretary of Vaughan Arts Centre of
Excellence (V.A.C.E.)

At the February 8, 2011 Committee of the Whole (Working Session), staff was directed to provide a report to the Task Force on Advisory Committees with regard to correspondence received from the not-for-profit organization identified as - Vaughan Arts Centre of Excellence (V.A.C.E.). Staff was asked to report back on the following requests outlined in the correspondence:

- Assume all the ad hoc functions undertaken by the former City of Vaughan Arts Advisory Committee, including the RAVE awards and bursary program.
- The feasibility to transfer the function currently undertaken by the civic administration to V.A.C.E. including the responsibility of events and activities of the former City of Vaughan Arts Advisory Committee and have staff assist the organization as needed.

The correspondence lists the organization's mandate as follows:

1. To receive funds and maintain funds to be used as bursaries to those involved in the arts.
2. To educate and increase the public's understanding and appreciation of the arts and culture by providing performances of an artistic or cultural nature in public places, senior citizens' homes, churches, community centres and educational institutions and providing seminars on topics relating to such performances.
3. To provide instructional seminars on topics related to the performing literacy, visual arts and culture.
4. To provide performing arts and cultural venues for the purposes of education and advancing the public's understanding and appreciation of performing arts and culture and to educate artists through participation in such venues and related workshops.

City of Vaughan Arts Advisory Committee

The former City of Vaughan Arts Advisory Committee had terms of reference that included a mandate to provide input on matters relating to community arts in Vaughan. The following goals were part of the Committee's terms of reference:

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1. To contribute to the Vaughan community by promoting and facilitating artistic and creative opportunities and experiences.
2. To create a better awareness and appreciation of the arts in the community.
3. To provide information on community arts-related resources.
4. To facilitate, promote and secure funding to help carry out arts related activities, exhibitions and special events in the community.
5. To facilitate creative development by encouraging opportunities for community engagement, sustainability, development and partnerships.

Staff in consultation and guidance from the City of Vaughan Arts Advisory Committee the past term developed a number of initiatives which were successfully implemented by staff as follows:

- *Recognizing Arts Vaughan Excellence Awards (RAVE)* – Awards to Vaughan residents that have helped promote the arts in various genres.
- *Vaughan Bursary Awards* –fundraised monies to assist students pursuing an education in the arts.
- *Vaughan of a Kind Arts and Craft Show* – an arts and craft show showcasing local artisans.
- *Vaughan Juried Arts Exhibition* – an art exhibition of selected entries from Vaughan and GTA artists.
- *Cultural Plan and Map* – helped facilitate with a consultant the development of a cultural plan and mapping exercise approved by Council in June 2010.

*It should be noted that the above list does not constitute the entire range of arts and culture programs and services provided by the City.

Observations

In reviewing the request, staff submit the following observations for consideration from various departments:

- The City's Vaughan Vision strategic plan supports the development of arts and culture within the municipality. Through their endorsement of the Vaughan Accord, Members of Council have also committed to "inspire cultural growth by promoting sports, the arts, music, theatre and architectural excellence." Arts and culture programs and services are within the current mandate of the Recreation and Culture department. The City's administration ensures equitable practices in arts and culture programming to Vaughan citizens including the use of public spaces for arts and culture initiatives. It is beneficial that the City supports the development of arts and

culture within the municipality and helps engage all citizens and community organizations.

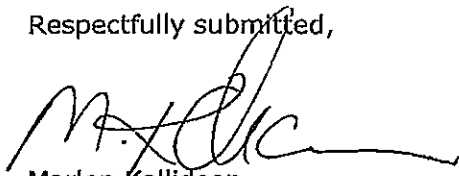
- The role of Council and that the interaction with V.A.C.E. is engaged in delivering their mandate is an issue not considered in this report. However, Council may decide to delegate responsibility for arts promotion to an arm's length entity, but the suggested arrangement with any entity so closely related to City staff and Members of Council may be viewed as inappropriate.
- The endorsement of the request could be perceived as preferential treatment being given to an organization with close ties to Council. (is chaired by a local Councillor and has a founding board consisting of a second council member and City staff). This close relationship may also be confusing to the public.
- It is unclear whether Councillors on the board are there representing the City's interests, or V.A.C.E.'s interests. So long as these are perfectly aligned, there is no issue. However, the potential for conflicting interests exists.
- In regard to delegating or transferring a City mandate to a third party organization, it should be noted it may be unprecedented. There is no on-going opportunity for public input, monitoring of meetings or deliberations of V.A.C.E. decisions. The public might perceive there to be a lack of accountability and transparency.
- The City staff who work on the entire arts portfolio consist of one full-time unionized and one part-time non-unionized employee. As it relates to both RAVE awards and the bursary program, these projects involve approximately 35% of these employees' workload. It should be noted, however, that once a program is established and a template developed, the time spent on a specific project is reduced.
- Should Council see it advantageous to transfer the arts portfolio to V.A.C.E., this may result in a saving as it relates to staff time. In June 2010, Council approved the "Creative Together" Cultural Plan that outlines a number of action items aimed at the development of culture in Vaughan over the course of the next ten years. In absence of an arts advisory committee and arts events, arts staff will be realigned to help implement the action items identified in the Cultural Plan. A Cultural Coordinator position (Additional Resource Request) has been submitted in the 2012 Operation budget for this purpose. Since the transfer will reduce staff's time, that time could be spent on the implementation of the cultural plan, eliminating the need for an additional staff position.
- The transfer of the Art's portfolio has to be without city staff. Transferring "unionized" work to an outside organization is contrary to the Collective Agreement.
- The job description for the Recreation and Culture's arts coordinator's position states the main function of the job is to "recommend, develop and implement short and long-range goals and objectives for arts activities, programs, exhibits, workshops, research, educational resources, municipal policies and procedures for arts programs and special events.." for the municipality. They are also responsible for "representing the municipality by consulting, facilitating and or participating in the

development of collaborative arts resources, programs and services amongst interest groups, other levels of government and external agencies during meetings..." The intent for the position is to assist groups through consultation and not actually implement programs or be directed by outside groups. There is a concern here as it relates to the adherence to an employee's job duties and the employee's right to refuse work outside of their scope of responsibility.

- With respect to staff sitting on the board, even if they volunteer, it may place them in a potential conflict of interest under the Employee Code of Conduct. It may also be inferred that they felt obligated to do so, given their employment. Also, given their employment with the City, they may at any time assert claims for compensation (overtime, etc) under the Employment Standards Act.
- V.A.C.E. has not provided any information on what it has achieved to date or information on how it would support and sustain the initiatives (outside of requesting staff resources for its organization). If it were desirable to transfer any City arts programs to the organization a plan should first be presented to Council on how it will sustain itself.

In summary, the proposed wholesale delegation of mandate is unprecedented; if it is done, it would have to be without City staff. The City needs to be satisfied of the financial sustainability of the model. In addition, Council should consider concerns about lack of accountability and transparency of the decision-making process.

Respectfully submitted,



Marlon Kallideen
Commissioner of Community Services



Janice Atwood- Petkovski
Commissioner of Legal and Administrative
Services/ City Solicitor