

Date: 2023-02-23

Subject: **Amendment to Administrative Authority By-law 216-2017 - Execution of Performing Arts Agreements**

Contact: Peter Fay, City Clerk, Legislative Services
 Taylor Shannon, Coordinator, Performing Arts Administration,
 Community Services

Report Number: Legislative Services-2023-212

Recommendations:

1. That the report from Peter Fay, City Clerk, Legislative Services, and Taylor Shannon, Coordinator, Performing Arts Administration, Community Services, to the Committee of Council Meeting of March 29, 2023, re: **Amendment to Administrative Authority By-law 216-2017 - Execution of Performing Arts Agreements** be received.
2. That a by-law be adopted, substantially in a form as set out in Appendix 1 to this report, to amend Administrative Authority By-law 216-2017, as amended, to update Schedule A – Delegation of Powers and Duties, to revise the delegated authority to execute performing arts agreements to be the following:

| # | Delegation | Delegate | Limitation |
|---|------------------------------------|--|--|
| 7 | Execute performing arts agreements | (a) Executive Artistic Director, Performing Arts, or, (b) Senior Manager, Cultural Services | (a) Total contract value is \$100,000 or less (b) Total contract value is more than \$100,000 |

Overview:

- A housekeeping amendment to [Administrative Authority By-law 216-2017](#), as amended, is required to update approval authority for performing arts agreements executed by the Executive Artistic Director, Performing Arts, to remove the Director, Economic Development Office, which was previously included due to an outdated organizational reporting structure.

Background:

[Administrative Authority By-law 216-2017](#), as amended, sets out delegated authorities to various City positions for administrative matters, as authorized under the Municipal Act, 2001, and other legislation. The by-law is amended from time to time, as necessary and deemed appropriate by Council, to allow for the effective and efficient operation of the municipality.

Schedule A to the by-law currently includes a delegated authority to staff regarding the execution of performing arts agreements as follows:

| # | Delegation | Delegate | Limitation |
|---|---|--|--|
| 7 | Execute performing arts agreements and marketing invoices | (a) Artistic Director, Rose Theatre, or (b) Director, EDC | (a) Total contract value is \$10,000 or less (b) Total contract value is more than \$10,000 |

The current delegation reflects a previous organizational structure (approval authority for the Director, Economic Development Office) which no longer applies with the separation of functions between performing arts and economic development. A housekeeping update to the delegated authority is required to reflect current operational functional responsibilities and position titles. The purpose of this report is to recommend an appropriate amendment to the Administrative Authority By-law to reflect current operational requirements.

Current Situation:

The current delegated authority reflected an organizational structure in place at the City in 2017, at the time of by-law adoption, where the Director, Economic Development Office, had some functional responsibility for the City's performing arts program, including executing agreements over a certain value. Although the organizational structure and position accountability has changed with the evolution and maturity of the City's performing arts program and operational responsibility through the Executive Artistic Director, Performing Arts, agreements greater than \$10,000 still require approval from the Director, Economic Development Office, as required by the Administrative Authority By-law. A housekeeping amendment to the by-law is required to reflect the

current operational responsibility and functional accountability of the performing arts program.

It is recommended that a by-law be adopted, substantially in a form as set out in Appendix 1 to this report, to amend Administrative Authority By-law 216-2017, as amended, to update Schedule A – Delegation of Powers and Duties, to revise the delegated authority to execute performing arts agreements to be the following:

| # | Delegation | Delegate | Limitation |
|---|------------------------------------|--|--|
| 7 | Execute performing arts agreements | (a) Executive Artistic Director, Performing Arts, or, (b) Senior Manager, Cultural Services | (a) Total contract value is \$100,000 or less (b) Total contract value is more than \$100,000 |

Corporate Implications:

Financial Implications:

There are no direct financial implications. All performing arts agreements will continue to be executed by the City, through the updated delegated authority, in keeping with existing City policy and procedures.

Other Implications:

Legal Implications – nil

Purchasing Implications – nil

Communications Implications – nil

Term of Council Priorities:

The recommended amendment to the Administrative Authority By-law furthers the current strategic priority of a Well-Run City, by ensuring effective and efficient administrative controls are in place for the operation of the municipality.

Conclusion:

The current Administrative Authority by-law is out of date in regard to the delegated authority for executing performing arts agreements for the City. A housekeeping amendment is proposed to update the by-law to reflect the existing operational responsibility and functional accountability of the performing arts program.

Authored by:

Peter Fay, City Clerk
Legislative Services, and
Taylor Shannon, Coordinator,
Performing Arts Administration,
Community Services

Reviewed by:

Kelly Stahl, Senior Manager, Cultural
Services,
Community Services

Approved by:

Bill Boyes, Commissioner,
Community Services

Approved by:

Marlon Kallideen,
Chief Administrative Officer

Attachments:

- Appendix 1 – Draft By-law to Amend Administrative Authority By-law 216-2017