

STAFF REPORT

THE CORPORATION OF THE TOWN OF COBOURG



Report to:	Mayor and Council Members	Priority:	<input checked="" type="checkbox"/> High <input type="checkbox"/> Low
Submitted by:	Ian D. Davey, BBA CPA CA Treasurer / Director of Corporate Services idavey@cobourg.ca	Meeting Type:	Open Session <input checked="" type="checkbox"/> Closed Session <input type="checkbox"/>
Meeting Date:	November 1, 2021		
Report No.:	Corporate Services-142-21		
Submit comments to Council			

Subject/Title: Art Gallery of Northumberland – Draft MOU and Lease Agreements

RECOMMENDATION:

THAT Council receive the draft Memorandum of Understanding and the Lease Agreement between the Town of Cobourg and the Art Gallery of Northumberland (AGN); and

FURTHER THAT Council authorize the Mayor and Municipal Clerk to execute these agreements with the Art Gallery of Northumberland.

1. STRATEGIC PLAN

Pillar – Programs – Action #5 – Review and Assess the appropriateness of agreements with facility user groups.

2. PUBLIC ENGAGEMENT

N/A

3. PURPOSE

The purpose of this report is to provide Council with the draft copies of the MOU and Lease agreements which set out the terms and conditions of these agreements between the Town of Cobourg as the owner of Victoria Hall and the Art Gallery of Northumberland which has been a long-standing occupant of space within Victoria Hall and a valued community partner providing cultural content to both visitors and residents of the Town of Cobourg and surrounding area.

4. ORIGIN AND LEGISLATION

As requested by the AGN and authorized by the Cobourg Municipal Council, a working group was established to develop a MOU to clearly define the roles, responsibilities and relationship between the Town of Cobourg and the AGN.

While working on the MOU document it became apparent to the working group that a review of the Lease Agreement should be undertaken as well as part of this process and that the two documents should work together moving forward.

5. BACKGROUND

The AGN occupies space within Victoria Hall in accordance with the terms of a current lease agreement which would expire December 31, 2022. A more detailed description of the history of the AGN and their relationship with the Town of Cobourg and be found on page 1 of the MOU document.

It was the feeling of the working group that it was important that all matters dealing with the lease of space within Victoria Hall should be dealt with in the Lease agreement and that matters relating to the working relationship between the Town and the AGN should be covered in the MOU document and as much as possible there should be no duplication within the documents.

It was also decided that the two documents should be for the same term. For this reason both the MOU and the Lease cover the period from January 1, 2022 through to December 31, 2026.

6. ANALYSIS

The proposed terms of both agreements cover a five year period from January 1, 2022 through December 31, 2026.

The MOU and the Lease have been received and approved by the Board of the Art Gallery of Northumberland.

It is the intention that these documents will clearly define the roles, responsibilities and expectations of both the AGN and the Town over the next five years and that the terms and conditions contained within these documents will allow the public to have a better understanding of the working relationship between these two partners in the delivery of cultural programming to our community.

7. FINANCIAL IMPLICATIONS/BUDGET IMPACTS

The MOU document details the process that will be followed with respect to the annual Municipal Budget and any requests for funding made by the AGN.

In terms of the lease of space, the annual rental shall be \$1 plus a proportionate share of utility costs which have been set at \$16,500 for the initial term of the lease agreement.

8. CONCLUSION

The draft MOU and Lease between the Town of Cobourg and the Art Gallery of Northumberland are being provided to Council for your review and consideration.

These documents are intended to work together to define the working relationship between the parties during the next five years and the draft agreements are the outcome of several meetings of the working group over the past year.

Both agreements have been approved by the Art Gallery of Northumberland Board of Directors and if Council provides approval then the documents can be executed to be effective January 1, 2022.

Report Approval Details

Document Title:	Art Gallery of Northumberland - Draft MOU and Lease - Corporate Services-142-21.docx
Attachments:	- doc26709220211103140327.pdf - doc26709320211103140349.pdf
Final Approval Date:	Nov 3, 2021

This report and all of its attachments were approved and signed as outlined below:

Tracey Vaughan, Chief Administrative Officer - Nov 3, 2021 - 7:03 PM