



## STAFF REPORT

THE CORPORATION OF THE TOWN OF COBOURG

# Community Services, Protection, and Economic Development Standing Committee

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Report to: Mayor, Deputy Mayor, and Councillors  
From: Brian Geerts; Director, Community Services  
Adam Giddings; Director, Corporate Services & Treasurer  
Standing Committee Date: November 27, 2024  
Report Number: COMM-2024-025  
Council Meeting Date: December 18, 2024  
Subject: **Art Gallery of Northumberland - Agreement**

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### 1. Recommendation:

WHEREAS the Committee adopt the following recommendation and refer to Regular Council for final approval.

NOW THEREFORE BE IT RESOLVED THAT Council receives this report for information purposes; and

FURTHER THAT Council commends the Art Gallery of Northumberland (AGN) for its delivery of cultural services and experiences that benefit the residents of Cobourg; and

FURTHER THAT Council commends the Board of the AGN for its creative thinking in this updated shared-service delivery model that clarifies the role of the AGN and the Town in supporting a vibrant arts and culture community while maintaining clear deliverables for each organization; and

FURTHER THAT Council authorizes the Mayor and Clerk to execute the attached agreement as approved by the Board of the AGN, recognizing the

financial amounts related to the agreement will be reviewed and approved through the municipal budget process annually.

## **2. Executive Summary:**

The Art Gallery of Northumberland promotes and provides access to art and related programs as a community gallery for the enjoyment and education of the people of Cobourg, Northumberland County, and beyond. The Art Gallery of Northumberland operates within Victoria Hall under a long-term lease related to the spaces the AGN requires. Traditionally, the details of service delivery have been outlined within a Memorandum of Understanding. Staff of both organizations have expanded and clarified the document into a Shared Services Agreement to improve the scope and deliverables, and to add missing components typical to such agreements such as severability and dispute resolution. The new agreement provides a great deal of clarity as to the roles of each organization and the purpose of the agreement.

## **3. Background**

The Art Gallery of Northumberland (AGN) is the County's largest collecting public art gallery, exhibiting historical, modern, and contemporary Canadian art and is a vital cultural hub for artists. The AGN presents intellectually stimulating exhibitions that spark conversations, inspire creativity, and enlighten the minds of all ages. More details are available here:

[AGN Online – Art Gallery of Northumberland](#)

The AGN promotes and provides access to art and related programs as a community gallery for the enjoyment and education of the people of Cobourg and Northumberland County. They exist to serve all the people as a public gallery, including various media including visual arts, lectures, films, workshops, artist talks, tours, and shows. Student educational programs are provided both in the Gallery and in the classroom.

The AGN has been operating since 1960, at the time 1 of 10 public galleries in Ontario. The first paintings were purchased in 1961, by the late Sir Frank Brangwyn, R.A. and Paavo Airola, first instructor of the Cobourg Art Club. In 1977, the gallery moved to its present location on the 3<sup>rd</sup> floor of Victoria Hall. Since that time the gallery has invested directly in the facility through capital and operating grants from various local sources including the Rotary Club of Cobourg.

The current collection includes over 1000 works of local, regional, national, and international significance, predominantly by Canadian artists.

#### 4. Discussion:

The Town of Cobourg and the AGN have traditionally outlined the operating and legal details using two tools: a lease & a memorandum of understanding. The current lease is in effect and requires no updates before the end of term.

During staff review of the MOU, it became apparent that several sections were unclear and/or poorly defined. In addition, a memorandum of understanding may not be legally enforceable, so the strength and utility of the agreement was not clear to both parties. Despite the mechanical flaws, the day-to-day operations of the AGN and Town continue to be a strong and complimentary relationship. Staff from both organizations determined that an updated version of the MOU under an agreement structure would maintain the current strengths of the agreement and provide better structure, expectations, and deliverables for both parties. The additional detail also supports provincial legislation regarding asset management plans and financial practices.

#### Culture Master Plan

The Culture Master Plan reflects the current shared-service model of delivery; the Town recognizes the great value in partnerships and shared service delivery and a mixed model of direct investment, fundraising, and partnerships. More detail is available here:

[Town of Cobourg Cultural Master Plan - October 04 2019 PDF.pdf](#)

The plan supports the following actions:

- 1.4 – Invest in cultural facilities as anchors for cultural development in Cobourg.
- 2.1 – Build sector capacity through partnerships and mentorship
- 2.2 – Explore and foster collaborative opportunities for cultural development
- 3.1 – Promote cultural heritage resource conservation
- 4.1 – Support the cultural sector with funding, grant, and training opportunities
- 5.1 – Implement actions to attract cultural tourism investments
- 5.2 – Strengthen the delivery of festivals and events programming
- 6.1 – Foster opportunities for cultural expression and experiences for Cobourg's youth
- 6.2 – Engage and support culturally related volunteerism.

#### Agreement Details – Summary

The reader who wishes to review the entire agreement in full can read the attached document. The following list provides a change summary as an alternative:

- The title and format are changed to a “Shared Services Agreement”
- The boundaries between the Lease & Agreement are better defined.
- Term: updated to 5 years, 2025-2029

- Greatly expanded the requirements for the AGN, see section 6.3) including regular inspections, cleaning, conservation, restoration, documentation, protective measures, community engagement, funding/budgeting, collaboration with artists, preventative conservation, security measures, policy development, legal compliance, and public feedback.
- Minor updates to cost recovery, reporting relationships, and communications
- Cost recovery – updated to reflect user fee bylaw instead of rates within agreement.
- Asset Management – clarified that the AGN will comply with O.Reg 588/17 as amended.
- Budget submission timing, detail, format, and payment periods updated to reflect current practices.
- Policy link to public art policy, should Council wish to update the policy to fill the current policy void from the Committee for Art in Public Spaces (CAPS), including the AGNs role as arbiter of public art.
- Severability, dispute resolution, and governing law articles added.

## 5. Financial Impact and Budget

While the attached agreement details the operational working requirements and responsibilities of both parties, it is recognized that enshrining specific financial details in a multi-year agreement can be limiting for both parties as they need to adapt to ever-changing community priorities and outside forces.

As outlined in the agreement, the financial details will be approved by the AGN Board and Town Council annually through their respective budget processes.

**The operational elements of the agreement are scalable to respond to desired increases or decreases in service level.** The new dispute resolution mechanisms add an appropriate path to resolve any future disagreements, should they arise.

## 6. Relationship to Council’s Strategic Plan Priorities 2023 to 2027 and beyond:

Thriving Community

Invest in programs and services that encourage active lifestyles for all age groups

Service Excellence

Develop and implement key performance indicators and continuous improvement plans for municipal programs and services to measure customer satisfaction, community impact, and efficiency.

Sustainability

Preserve and promote the heritage, history, and culture of Cobourg to sustain it as a vibrant and appealing destination.

## **7. Public Engagement:**

This report was posted publicly as part of the updated governance model and Council processes. In addition, the Culture Master Plan was developed with thorough community input.

## **8. Attachments:**

AGN Agreement: 2025-2029

**Report Approval Details**

Document Title:	AGN Update.docx
Attachments:	- Shared Service Agreement AGN ToC 1124.pdf
Final Approval Date:	Nov 20, 2024

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

**Tracey Vaughan, Chief Administrative Officer - Nov 20, 2024 - 3:52 PM**