

Artwork Loan, Artifact Loan Renewal and Amended Delegations of Authority for Cultural Matters

Date:	April 12, 2011
To:	Economic Development Committee
From:	General Manager, Economic Development and Culture
Wards:	All
Reference Number:	P:/2011/Cluster A/EDC/ECON DEV/May/ed1105-013

SUMMARY

This report recommends that City Council approve the Winnipeg Art Gallery's request for the loan of the painting *The Dream of Mayor Crombie in Glen Stewart Ravine* (1974) by William Kurelek from the City's Fine Art Collection, and approve the Canadian Air & Space Museum's request to renew its loan of Lancaster Bomber FM104 from the City's Historical Collection. All costs associated with the loan and the loan renewal will be borne by the recipients.

City Council's approval is necessary because the value of the artwork and the artifact exceeds the General Manager's delegated signing authority.

This report also requests City Council approval for amendments to the delegation of approving authority and signing authority for matters relating to City museums and historic sites, art centres and galleries, and collections. For image licensing, the General Manager should have signing authority instead of approval authority. For all delegated matters, the net value of contracts and objects should be increased from \$50,000.00 to \$100,000.00.

RECOMMENDATIONS

The General Manager of Economic Development and Culture recommends that:

1. City Council approve the loan of the painting *The Dream of Mayor Crombie in Glen Stewart Ravine* (1974) by William Kurelek to the Winnipeg Art Gallery for one year (September 2011 – September 2012), subject to an agreement whereby

- all packing, shipping, conservation and other costs associated with the loan are borne by the Winnipeg Art Gallery.
2. City Council approve the renewal of its existing loan agreement for Lancaster Bomber FM104 with the Canadian Air & Space Museum (CASM) for 10 years (2009-19), generally on the terms of the original loan agreement, with CASM continuing to be responsible for all expenses incurred by it in caring for and restoring the airplane and having the ability to apply for a further 10-year renewal at the end of the loan term.
 3. City Council amend the conditions under which City Council approval is required for matters described in Attachment No. 1 which are otherwise delegated to the General Manager of Economic Development and Culture, or his designate, as follows:
 - (a) by giving the General Manager the authority to sign image licensing agreements; and
 - (b) by giving the General Manager the authority to sign matters in which the net value (i.e., excluding taxes, etc.) of the contract or object does not exceed \$100,000.00.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

In 1999, City Council approved a 10-year loan (with a 10-year renewable period) of Lancaster Bomber FM104 to what is now the Canadian Air & Space Museum in Downsview.

<http://www.toronto.ca/legdocs/1999/agendas/council/cc/cc990928/cofa.htm>

In 2003, City Council delegated approval authority and signing authority for various culture matters to the Commissioner of Economic Development, Culture and Tourism or his designate. For all matters delegated, the net value of the contract or object cannot exceed \$50,000.00.

<http://www.toronto.ca/legdocs/2003/agendas/council/cc030414/edp3rpt/cl010.pdf>

ISSUE BACKGROUND

Artwork Loan

The Dream of Mayor Crombie in Glen Stewart Ravine (1974) by William Kurelek is a very significant work by one of Canada's most acclaimed artists. This painting is quite interesting and unique in that it documents the promises made by Mayor Crombie during his inaugural address. This scholarly exhibit, organized by the Winnipeg Art Gallery in partnership with the Art Gallery of Hamilton and the Art Gallery of Greater Victoria will bring together over 80 works by William Kurelek. Accompanied by an illustrated catalogue, this exhibit will contribute to the advancement and understanding of Canada's rich cultural art history.

The Winnipeg Art Gallery has asked for a loan of *The Dream of Mayor Crombie in Glen Stewart Ravine*. As this artwork is currently appraised at \$85,000.00, this loan must be approved by Council.

Artifact Loan Renewal

Lancaster Bomber FM 104 was built at Malton in 1945. After being retired in 1964, the plane was donated to the City of Toronto and mounted on a plinth at Coronation Park as a war memorial. In 1999, the City entered into an agreement with what is now the Canadian Air & Space Museum (CASM). The Lancaster is currently on public display and is undergoing restoration at CASM's premises in Parc Downsview Park.

Under the terms of the 1999 agreement, the City agreed to loan the Lancaster to CASM for 10 years; at the end of this period, CASM could apply to renew the agreement for a further 10 years. CASM has now applied to renew the loan. As the Lancaster is currently appraised at \$225,000.00, this loan renewal must be approved by City Council.

Amended Delegations of Authority for Culture Matters

In 2003, City Council delegated the authority to sign or approve various permits, licence agreements and contracts relating to culture matters to the Commissioner of Economic Development, Culture and Tourism. This was done to relieve Committee and Council agendas of minor matters and to improve the efficiency of Divisional operations. The matters delegated and the conditions for delegation are listed in Attachment No. 1. This report recommends changes to the current delegations to improve administrative efficiency and public service.

COMMENTS

Artwork Loan

The Winnipeg Art Gallery, Art Gallery of Hamilton and Art Gallery of Greater Victoria meet all of the City's standards and requirements for exhibiting artwork. The loan of *The Dream of Mayor Crombie in Glen Stewart Ravine* (1974) by William Kurelek for one year (September 2011 – September 2012) is recommended, subject to an agreement whereby all packing, shipping, conservation and other costs associated with the loan are borne by the Gallery.

Artifact Loan Renewal

Lancaster Bomber FM 104 was in very poor condition when it was loaned to CASM in 1999. The plinth mounting technique had weakened the plane's structure and caused corrosion; exposure to lakeshore weather and ongoing vandalism also threatened the long-term survival of this historic aircraft. These conditions have been reversed over the past decade at CASM.

Substantial progress has been made on the Lancaster's restoration in recent years. Restoration activities are carried out indoors in front of the public and are a key educational experience at CASM. This work is undertaken by volunteers under the supervision of CASM staff and according to a restoration plan.

As CASM is not in default under any of the terms, covenants or conditions of the 1999 loan agreement, it is appropriate that the City renew the loan and enter into a new agreement with CASM. The new agreement will generally follow the terms of the 1999 agreement. It will clarify that CASM will continue to be responsible for all expenses incurred by it in caring for and restoring the Lancaster. Provisions for a further 10-year renewal at the end of the loan term (2019) will also be included.

Amended Delegations of Authority for Culture Matters

Under the current delegations of authority, matters otherwise delegated to the General Manager must be forwarded to Committee and Council for consideration if the net value of the contract or object in question exceeds \$50,000.00.

This limit impedes the efficient operation of the Cultural Services section. Many exhibits and in-loans that Arts Services and Museum Services wish to book have an insurance value greater than \$50,000.00. Cultural Services is also actively seeking to make the collections more accessible to the public through out-loans. Increasing the limit to \$100,000.00 would increase efficiency and reduce delays in implementing agreements of a routine nature at City museums and galleries. Committee and Council agendas would be relieved of minor items, and approval of proposed agreements would be expedited by reducing the time needed to process the documentation.

As well, the General Manager has been delegated approval authority but not signing authority for image licensing agreements relating to artworks and artifacts under his jurisdiction. These agreements are prepared frequently by Cultural Services staff and then sent to the City Clerk's Office for signing. Eliminating the latter step would reduce processing times and improve public service without risk to the City. City Legal, Strategic Communications and the City Clerk's Office have been consulted and agree with changing the General Manager's delegated authority from approval to signing.

CONTACT

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SIGNATURE

Michael H. Williams, General Manager
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ATTACHMENTS

Attachment No. 1: Matters and Conditions for Delegation

Matters and Conditions for Delegation

The following matters have been delegated to the General Manager of Economic Development and Culture, or his designate:

- 1) acquisition – signing authority;
- 2) deaccession – signing authority;
- 3) disposal – signing authority;
- 4) in-loans – signing authority;
- 5) out-loans – signing authority;
- 6) temporary deposits – signing authority;
- 7) applications to the Canadian Cultural Property Export Review Board – signing authority;
- 8) short-term permitting or rental of Cultural Services sites and facilities – signing authority;
- 9) image licensing – approval authority (signing authority is recommended in this report); and
- 10) site disposition agreements for the reinterment of impacted archaeological resources/cultural human remains found on City property in consultation with and subject to the approval of the appropriate City operating department – signing authority.

Matters otherwise delegated to the General Manager, Economic Development and Culture are being sent to Council for approval when:

- (a) the net value (i.e., excluding taxes, etc.) of the contract or object exceeds \$50,000.00 (a limit of \$100,000.00 is recommended in this report);
- (b) the permit length for the rental or use of Culture Division sites and facilities exceeds 14 days;
- (c) the commitment of unbudgeted City funds is required;
- (d) the matter is not addressed by any existing policy or procedure respecting City museums, galleries and collections;
- (e) Council approval is required as a result of any other City policy;
- (f) the matter is of special community interest; or
- (g) the matter is potentially controversial.