



**STAFF REPORT  
ACTION REQUIRED  
with Confidential Attachments**

**Submission by the Board of Directors of the Hummingbird (Sony) Centre for the Performing Arts of Confidential Information in Response to City Council's Request in Member Motion MM48.31**

<b>Date:</b>	May 5, 2014
<b>To:</b>	City Council
<b>From:</b>	City Manager
<b>Wards:</b>	City-Wide
<b>Ref. Number:</b>	

**SUMMARY**

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The Board of Directors of the Hummingbird (Sony) Centre for the Performing Arts (the "Board") met on May 1, 2014, to consider the Sony Centre's search for a new Chief Executive Officer (CEO) and Member Motion MM48.31. As a result, the Chair is now submitting confidential information on behalf of the Board to City Council through the City Manager in response to City Council's request in MM48.31.

The submission by the Chair is contained in two communications dated respectively April 15, 2014 and May 5, 2014. The communications outline the Board's CEO recruitment and selection process and reference the Theatres Working Group and the City's theatres study initiatives and outline terms and conditions that the Board will include in the employment contract with the CEO. The communications include confidential information that relates to personnel matters and includes personal information about parties to the Board's process.

This item is urgent for the following reasons:

- the Board is in the final stages of its CEO search process and the Board will shortly be entering into the employment contract negotiation stage; and
- MM48.31 requests the Chair to submit information to City Council prior to concluding its selection of the CEO and execution of an employment contract.

## **RECOMMENDATIONS**

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The City Manager recommends that:

1. City Council receive for information the submission from the Chair of the Board, on behalf of the Board of Directors of the Hummingbird (Sony) Centre for the Performing Arts, regarding the Sony CEO search in response to City Council's request in Member Motion MM48.31, as set out in two parts as attachments to this Report in Confidential Attachments 1 and 2; and
2. City Council direct that Confidential Attachments 1 and 2 to this report remain confidential in their entirety because they deal with personnel matters and contain third-party personal information.

## **FINANCIAL IMPACT**

There is no financial impact arising from the receipt of this report.

Subject to the negotiations and timing of any new CEO appointment, the Board of Directors of the Hummingbird (Sony) Centre for the Performing Arts will have to respond to any in-year cost-pressures to its 2014 Operating Budget arising from the appointment.

The Deputy City Manager & Chief Financial officer has reviewed this report and agrees with the financial impact information.

## **DECISION HISTORY**

The Sony Board in the Fall of 2013 initiated a CEO search process in response to the retirement of the current CEO at the end of June 2014.

City Council at its meeting in December 2013 endorsed the Theatres Working Group initiative that had been endorsed by each of the three theatre boards.

City Council at its meeting in February 2014 adopted Member Motion MM48.31 requesting the Chair of the Sony Board to provide confidential information to City Council through the City Manager regarding the selection process, including informing candidates of the Theatres Working Group and the City's theatres study initiatives, and ensuring flexible terms and conditions are included in the Board's employment contract with the CEO, prior to concluding its selection of the CEO and execution of an employment contract.

## **CONTACTS**

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## **SIGNATURE**

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Joseph P. Pennachetti,  
City Manager

## **ATTACHMENTS**

- Confidential Attachment 1: Letter from Chair, Board of Directors, Sony Centre for the Performing Arts, April 15, 2014
- Confidential Attachment 2: Letter from Chair, Board of Directors, Sony Centre for the Performing Arts, May 5, 2014