Minute No. 261
Report - Standing Policy Committee on Protection and Community Services - February 5, 2007

Item No. 1 **Delegation of Authority to Approve Agreements for Library Fundraising and Sponsorship Programs**
File L-1

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Protection and Community Services and adopted the following:

1. That the Chief Administrative Officer be delegated the authority to approve and execute on behalf of the City, library fundraising and sponsorship agreements, not exceeding $50,000.00 in value (either money or gifts in kind, or combination thereof) per agreement, pursuant to the Council adopted Fundraising Policies for the Library Department, as outlined in Appendix "A" to the report from the Acting Director of Community Services dated November 23, 2006.

2. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary amendment to the Execution of Documents By-law No. 7367/99.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report - Standing Policy Committee on Protection and Community Services - February 5, 2007

DECISION MAKING HISTORY:

Moved by Councillor Steeves,

That the recommendation of the Standing Policy Committee on Protection and Community Services be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 14, 2007, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Protection and Community Services and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 5, 2007, the Standing Policy Committee on Protection and Community Services concurred in the administrative recommendation and submitted the matter to the Executive Policy Committee and Council.

RE: Delegation of Authority to Approve Agreements for Library Fundraising and Sponsorship Programs

FOR SUBMISSION TO: Standing Policy Committee on Protection and Community Services

ORIGINAL REPORT SIGNED BY: Clive Wightman, Acting Director Community Services Department

REPORT DATE: November 23, 2006

RECOMMENDATIONS:

1. That Council delegate authority to the Chief Administrative Officer to approve and execute on behalf of the City, library fundraising and sponsorship agreements, not exceeding $50,000 in value (either money or gifts in kind, or combination thereof) per agreement, pursuant to the Council adopted *Fundraising Policies for the Library Department* (see Appendix A).

2. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary amendment to the *Execution of Documents By-law No. 7367/99.*

3. That the proper officers of the City of Winnipeg be authorized to do all things necessary to implement the foregoing.

Report Summary

Key Issues:

- On December 17, 1993, Council approved the *Fundraising Policies for the Library Department*, now called the Community Services Department, Library Services Division.
- The *Fundraising Policies for the Library Department* allows the Library Services Division to solicit funds and initiate sponsorship agreements from a variety of sources to support library services and programs, but does not provide a mechanism for approval and execution of the related formal agreements.

- The Community Services Department, Library Services Division recommends that the authority to approve fundraising and sponsorship agreements, not exceeding $50,000 per agreement, pursuant to the Council approved *Fundraising Policies for the Library Department*, be delegated to the Chief Administrative Officer.

Implications of the Recommendation(s):

General Implications

(X) None

( ) For the organization overall and/or for other departments

( ) For the community and/or organizations external to the City

( ) Involves a multi-year contract

Comment(s):

Policy Implications

( ) No

(X) Yes

Comment(s): An amendment to the *Execution of Documents By-Law No*. 7367 is proposed.

Regulatory Implications

( ) None

(X) Eliminates or reduces regulatory impact

( ) Proposes regulatory impact

Comment(s): The recommendations contained herein would streamline the execution of Library fundraising and sponsorship agreements.

Environmental Implications

(X) No

( ) Yes

Comment(s):

Human Resources Implications

(X) No

( ) Yes

Comment(s):

Financial Implications

(X) Within approved current and/or capital budget

( ) Current and/or capital budget adjustment required

Comment(s): There are no financial implications associated with the adoption of this report.

Report

REASON FOR THE REPORT:

A resolution of Council is required to delegate the authority to approve agreements for library fundraising and sponsorship programs to the CAO. Council may delegate signing authority by by-law.

HISTORY:

On December 17, 1993, Council approved the "*Fundraising Policies for the Library Department*". This policy allows the Library Department to solicit funds and initiate sponsorships and relationships with corporations, foundations and individuals and to publicly recognize its donors. However, it does not provide a mechanism for approval and execution of the related formal agreements.

In recent years, the Library Services Division has been approached by, or has approached, various foundations, corporations, other levels of government and individuals interested in fundraising and sponsorship opportunities.

DISCUSSION:

Current Authority

In 1993, the former Library Department was granted authority (*Fundraising Policies for the Library Department)* by Council to solicit funds and establish sponsorships as a way of financially supplementing and supporting library services. The policy established guidelines that govern the fundraising and sponsorship efforts of the now Community Services Department, Library Services Division. Since the establishment of the policy, the Library has approached, or has been approached by, corporations, foundations, other levels of government and individuals.

However, the Legal Services Division has advised that Council has not delegated the authority to approve and execute formal fundraising and sponsorship agreements to the Administration.

The *Execution of Documents By-law No. 7367/99* is a By-law of the City of Winnipeg to delegate the execution of certain documents, instruments and agreements and to amend the Cemetery By-law No. 1996/78. The By-law states in part that, “The Chief Administrative Officer or delegate in writing is hereby designated and authorized for and on behalf of the City of Winnipeg to execute the following agreements and documents: (c) all documents, instruments and agreements required to formalize terms and conditions approved by the Chief Administrative Officer or designate pursuant to authority delegated by Council with respect to advertising at City Facilities, on City Equipment or in City publications as amended or replaced.”

However, the Legal Services Division has indicated that the *Execution of Documents By-law No. 7367/99* does not authorize the Chief Administrative Officer to sign the type of fundraising and sponsorship agreements outlined in this report, and accordingly the By-law needs to be amended to allow for this provision.

Reasons for Requesting Delegated Authority to Approve Library Agreements

The ability to seek out new partnerships and find new sources of funding for library services and programs is an important part of the mandate of the Library Services Division.

The Community Services Department, Library Services Division is being approached more frequently to work together with corporations, foundations, other levels of government and individuals in fundraising and sponsorship opportunities.

While the Library Services Division does have the authority under the *Fundraising Policies for the Library Department* to initiate sponsorship arrangements, apply for grants, and seek out fundraising and sponsorship agreements, it does not have the authority to approve and execute the formal agreements. This authority currently resides with Council.

Fundraising Examples

A bookmark advertising company in Alberta has approached the Library to participate in promotional/fundraising efforts that would see them develop bookmarks for the library to distribute in exchange for a small payment to the library ($500 per campaign). The free bookmarks would have library information on one side and government program information on the other. In order to participate in this type of agreement, a formal contract must be signed for each bookmark campaign. The current City policy would require the Library to seek political approval each time the Library is approached to participate in this program. Often the Library is approached, with short notice to participate and under the current system would not be able to participate, because of the political approval process required.

In another case, each summer, the TD Bank supports library summer reading programs across Canada in conjunction with the National Archives and Libraries of Canada, and the various provincial governments. This relationship provides the Library with access to posters, bookmarks and other promotional materials that enhance the Library's existing summer reading programs. There is no funding associated with this program, but a contract is required before promotional materials can be sent out. In this example, in order for the Library to participate in this annual program a separate report had to be prepared for Council approval.

The Community Services Department, Library Services Division is therefore recommending that the Chief Administrative Officer be delegated the authority to approve fundraising and sponsorship agreements not exceeding $50,000 each in value (either money or gifts in kind or a combination thereof).

Accountability Measures

The City Solicitor/Manager of Legal Services or her delegate will review and approve each contract "as to form" as required.

The Community Services Department, Library Services Division will evaluate each agreement individually to ensure that it is in keeping with the mandate of the Library Services Division, and to ensure that they are written in accordance with the City's values and standards, the Canadian Code of Advertising Standards, and the Gender Portrayal Guidelines.

The Community Services Department, Library Services Division would reserve the right to decline any fundraising or sponsorship agreement based on the proposed terms and conditions of the agreement.

The delegation of authority will enable the Community Services Department, Library Services Division to expedite potential fundraising and sponsorship agreements in a more efficient and timely manner. This streamlined process would also be consistent with the mandate outlined in the Council approved Final Report of the Mayor's Red Tape Commission.

Proposed Changes to the Execution of Documents By-Law No. 7367/99

It is proposed that the authority to execute library fundraising and sponsorship agreements for the City of Winnipeg be delegated by Council to the Chief Administrative Officer. In order to facilitate these changes, an amendment needs to be made to the City's *Execution of Documents By-law No. 7367/99.*

Financial Impact Statement Date: November 23, 2006

Project Name:

The Delegation of Authority to Approve Agreements for Library Fundraising and Sponsorship Programs

COMMENTS:

There is no financial impact associated with the delegation of authority to approve agreements for Library fundraising and sponsorship programs.

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

Corporate Services Department, Legal Services Division

External Consultation With:

THIS REPORT SUBMITTED BY:

Department Community Services
Division Library Services
Prepared by: Rick Walker, Manager of Library Services,
Arthur Cohen, Administrative Coordinator of Support Services
File No.

Appendix A

THE CITY OF WINNIPEG
VILLE DE WINNIPEG
CITY CLERK'S DEPARTMENT / BUREAU DU GREFFIER
510 Main Street • Winnipeg • Manitoba • R3B 1B9 • Fax: (204) 947-3452

DEC 21 1993

December 17, 1993

File L-1

Mr. T. Yauk
Commissioner of Planning
and Community Services
3rd Floor Admin. Bldg.

Mr. D. Weismiller
City Librarian
251 Donald Street

Council Meeting of December 15, 1993 - Adjourned to December 16, 1993 and December 17, 1993 - Fundraising Policies for The Library Department

I enclose for your attention, copy of Clause 8 of the Report of the Committee on Planning and Community Services dated November 23, 1993, which was adopted by Council at its reconvened meeting held on December 17, 1993.

If more information is required on this matter, please contact the Committee Clerk, Committee on Planning and Community Services at 986-2483.

Dorothy Browton

D. Browton
City Clerk

RSM/cc

Enclosure

c.c.: Mrs. A. Stark, 505 Dunrobin Avenue, Winnipeg, R2K 0V1

Report of the Committee on Planning and Community Services dated November 23, 1993

Fundraising Policies for The Library Department File L-1

8. Your Committee on Planning and Community Services, on January 28, 1993 directed "that the City Librarian, within six months, submit a report to the Committee on Planning and Community Services, as it relates to marketing/revenue options/corporate involvement."

The Library Department has advised that in view of declining resources and increasing demands for services, the department can no longer solely rely on traditional sources of funding, and therefore proposes to establish guidelines which will govern its fundraising efforts. The Library's fundraising strategies will concentrate on soliciting monetary donations from corporations, foundations, governments, and individuals. The Library will solicit monetary donations to supplement the materials, program, equipment, and facilities budgets.

1. Corporate Fundraising

   1.1 The Library will endeavour to establish long term relationships with corporations to the advantage of both parties.

   1.2 The Library will solicit corporate funding for projects which have a clear beginning and end.

   1.3 The Library will give large, high profile companies primary consideration for corporate sponsorships.

2. Foundations

   2.1 The Library will solicit funds from appropriate foundations.

3. Government Funding

   3.1 The Library will solicit funds in the form of grants from all levels of government.

   3.2 The Library will concentrate on grants which do not require matching funds.

4. Individuals

   4.1 The Library will actively seek monetary donations and bequests from individuals.

   4.2 The Community Relations Department of the Library will produce and distribute brochures soliciting funds from the public.

Report of the Committee on Planning and Community Services dated November 23, 1993

4.3 The City will issue income tax receipts for monetary donations.

5. Recognition

The Library may recognize its donors in any or all of the following ways:

5.1 The Library may publish the names of its donors in its publications.

5.2 The Library may inscribe donors' names in a "donors book" which will be displayed at the Centennial Library.

5.3 The Library may inscribe donors' names in bookplates which will be attached to the appropriate material.

5.4 The Library may inscribe donors' names on plaques when appropriate.

5.5 The Library will thank donors in a personalized letter.

5.6 The Library may hold media events for donors, when deemed appropriate.

5.7 The Library may hold receptions for its benefactors, when applicable.

5.8 The Library may include corporate logos in its publications, when appropriate.

Your Committee on Planning and Community Services recommends:

I. That the framework outlined herein be approved as the basis for Library Department fundraising.

II. That the Administration encourage citizen participation in these fundraising efforts.

ADOPTED BY COUNCIL DEC 17 1993