CUPE LOCAL 500

PRESENTATION TO

CITY OF WINNIPEG

EXECUTIVE POLICY COMMITTEE

March 14, 2007



Assiniboine Park Governance … *the Community Option*

Introduction

We appreciate the opportunity to present our views on the proposed change in governance for Assiniboine Park.

As we have said before, we want to work with City officials and voluntary groups to assure the long term viability of the Park as a dynamic community resource. Though Council instructed City officials in July[1] to include CUPE in consultations regarding the future of the Park, we must note that we were not consulted at all since then. Regardless, the members of the Canadian Union of Public Employees (CUPE) Local 500 remain prepared to play a fundamental role in the future of the Park.

As the union representing City workers involved in various aspects of the Park's maintenance and services, we are obviously interested in the labour management aspects of the proposed changes to the Park's governance. However, as a union **we have been an important part of the community for over 50 years and we want to play a part in assuring public services remain available and attractive for Winnipeggers**.

We are **here today to propose a more viable option for the City**. We are here to suggest how another governance model can be used to assure the Park remains a sustained public service and asset. Our model is based on a governance structure for the Park that is securely based on the mandate and authority of the City administration, and a rejuvenated Winnipeg Parks Board. This structure provides the most efficient operational support, funding potential, and volunteer and community input.

The Community Option, revolves around a Winnipeg Parks Board which could take on primary responsibility for general coordination of Assiniboine and other city Parks. In particular, it would assure ongoing public input via City Council, which would work to the advantage of all partners involved in the functions of the Park. And a Parks Board would give donors confidence in assuring the best use of their contributions.



Reorganization of city departments into a Parks Department could maintain efficiencies while assuring quality support for all Winnipeg Parks. Such a readjustment could improve the operational capacity to support volunteers and encourage use of the park by the general public and specific groups (for weddings, socials, sports events, fundraising and different cultural activities). There is more to be done to coordinate and streamline departmental responsibilities and then operations, but this can be done.

In our opinion, the administration's **proposal to create an independent not-for-profit Corporation will undermine the ability of the City to provide policy and operational support**. If the Park governance is given to a Corporation, the City will not have the same ability to assure financial and operational controls. Though City officials claim this option would give the voluntary groups flexibility in implementing their mandates, we believe that the security of operations would be undermined to the detriment of the voluntary partners and of potential funders. In other words, none of the current and future partners would benefit from this option.

Very simply, what **Assiniboine Park needs is the political will and commitment to keep it a major part of Winnipeg's cultural and economic landscape**. Your vision, funding and support can bring together the changes and resources needed. Giving away the administration to an independent Corporation will undermine the existence of the Park, jeopardizing its role in keeping Winnipeg a wonderful place to live.

Inadequacy of the Corporation Option

For more than a hundred years, City officials and workers, as well as public supporters have maintained Winnipeg's most popular attraction, Assiniboine Park. Each year, thousands of Winnipeggers and their guests visit the Zoo, Botanical Gardens and the Conservatory. We walk the paths, skate on the ponds, fly kites and share relaxing moments with friends and family on the spacious lawns.

City officials want to create a not-for-profit Corporation to run the Park. City Council had decided to seriously consider creating an independent agency, 'Assiniboine Park Conservancy', which according to the Free Press "will have representatives from the city, province and all three non-profit agencies that currently operate within the park: Friends of the Conservatory, the Manitoba Zoological Society and Partners In The Park, which looks after the park's Pavilion and Lyric Theatre."[2]



There are serious financial and legal issues that City Councillors should resolve before agreeing to create the Corporation. The Friends of the Conservatory asked important questions last year that the Councillors should answer. For example,

- What will be the commitment of the City to fund ongoing operations?
- What will be the administrative and monitoring costs for the City to assure the new agency carries out its mandate in the best interests of residents?
- How will the City assure that the land and assets are kept accessible to the public – or as the Free Press says "assure the park remains public property" (editorial of July 19, 2006)
- If the Park has an independent administration, will it be required to pay taxes like other organizations?
- Who will be responsible when there is a deficit, when emergency funding is required or where there are major unexpected operational needs?[3]

- Interestingly, none of these issues are mentioned when The Friends of the Conservatory wrote to their members of the proposed change in governance. In their newsletter, *The Leaflet*, they do not mention why the change is taking place either. And they make only vague references to public consultation and interest in the park, without any reference to how this will happen and be assured.[4]



Critically missing from any description of the proposed Corporation, is a reference to adherence to public policy and city principles. It would appear that the Corporation would not be required to follow City regulations and plans as it would be an "independent body." This means it would not be subject to city policies and practice that strive to maintain access to public facilities for people with disabilities that encourage aboriginal people to apply for and get jobs, nor comply with City health and safety standards.

Furthermore, a Corporation will be forced to seek funds in ways that could limit access to the Park by Winnipeggers. When the cost of operations is added to the capital development responsibilities of the Corporation, we predict there will be a move to create and increase admission fees and add extra concession charges. There will be more pressure to sell or lease land to condo developers or to take on new commercial ventures, for example, that will cost the public eventually.

As part of the mandate of the Corporation, it is expected to "develop new revenue opportunities within the Park"[5]. **It is logical to expect that activities at the Park that generate revenue will have priority over free access to the Park.** This may mean the Park loses its winter access to joggers, walkers and skaters. It may mean we, the public,

pay for parking and groups who use Park green and sports space will be required to pay more. And if the Corporation fails to maintain the Park, the partner agencies merely walk away.



The current proposal to set up the Corporation, and then gather the information to do the analysis needed to prepare a Management Agreement, exposes how the City Council is **rushing into a governance arrangement without all the ramifications fully understood.**

According to the February 7, 2007 Administration Report to the Standing Policy Committee on Protection and Community Services, "the Corporation could ultimately assume responsibility under a Management Agreement with the City of Winnipeg for overall management, development and operations in Assiniboine Park."[6] Before doing so, the Board will want to examine in detail:

- current and potential park operations;
- government funding commitments and mechanisms;
- fundraising and charitable status potential;
- human resource and Collective Agreement implications; and
- other critical considerations to be weighed

before the Board determines a timeframe, future role and commitment for assuming Park operations.

"This information, as well as information that may be provided by Park partner organizations and civic unions will be essential to the Corporation's Board considering options for how, when and under what conditions it could proceed to undertake park operations and re-development successfully."

In other words, the cart is before the horse, and the city is even willing to invest $100,000 to assure an empty cart leads the horse.

Benefits of a Community Model

We believe that City control of the Park assures a foundation for investment, a clear vision for park development (as defined in the Framework Plan – note the attached), the checks and balances on vested interests, and ultimately assure the long term sustainability of the Park. We believe the Park should stay public, in order to keep the Park's most important resource involved - Winnipeggers.

We have heard a lot about how a new Corporation will involve three or four organizations, but they are not the only people concerned about the Park and integral to its life. There are many other organizations that contribute to the Park and its vibrancy. For example, each year the Royal Winnipeg Ballet, the Association for Assisted Living, sporting associations, cultural groups, companies and many others sponsor activities that bring entertainment and excitement to the Park.

There are the city staff who work behind the scenes to make sure the Park functions year round. These are the people who look after the animals and the plants. Others prune the trees, clear the walks, and repair the fences, so that we can use the Park for a 6am jog in January or a 6pm stroll in July. They put their concern and commitment into their Park which goes far beyond what their job descriptions require.

And most importantly, there is the public itself, who use the Park and keep it alive. Every Winnipegger has been to the Park at one time in their lives, either to visit one of the facilities, to enjoy special events or just to walk through the Park. Without their appreciation of the Park, it would not exist.

We strongly encourage the City to adopt a City-wide governance model that assures Assiniboine Park (and all others) remains a public service and asset. A Civic structure that builds volunteer and community input will be able to access other Government and philanthropic funding. It will also capitalize on committed and experienced city staff, and will keep a balance that is needed to maintain this important community asset.



Optimum Use of Resources

We believe that Assiniboine Park has the potential to remain a strong community attribute and asset. We believe that current financial and operational issues can be dealt with if the City builds on the Park's strengths, rather than concentrating on its limitations. Therefore, we are proposing a governance structure that incorporates visionary leadership, experienced city workers, passionate volunteers and a supportive public. Key to a community based approach, is a strong foundation of city run operations and maintenance for the Park, on which voluntary groups can build and expand support through a Winnipeg Parks Board.

City monitoring and supervision of a Parks Department and Parks Board could therefore lead to security for investment, a clear vision for park development as defined in the Framework Plan[7] as well as other developments, equipment use efficiencies, checks and balances on vested interests, to assure the long term viability of the park.

Currently, Public Works, Community Services and Property, Planning and Development Departments are responsible for operations and infrastructure of the Park. These units should be and could be incorporated into one Parks Department. The different departments largely work together now, but being organized under one roof would make coordination more efficient, effective and economic. For example, staff and equipment could be deployed more effectively in other city parks and areas when needed, as they are currently, thus maximizing investment, application and maintenance returns.

The support staff have consistently provided quality assistance that has sustained the many functions of the Park. There has not been any indication that the services provided by City Staff are not up to expectation and the performance standards necessary for a world-class public facility.



It is worth noting, that many of the issues identified as **problematic in the Assiniboine Park Governance Study**[8] **were the result of a restructuring of Park services less than 10 years ago**. Until 1997, Parks operation was under the auspices of one single City of Winnipeg Department. Parks and Recreation had been responsible for all city parks for 104 years. In October of that year, Winnipeg City Council approved an amended version of the 'Cuff Report'[9] which recommended the restructuring of the operations of the City of Winnipeg. This had a dramatic effect on parks operations in terms of planning, programming and maintenance. All three of these functions were transferred partially or wholly to the different line departments that we see today: Community Services, Planning Property and Development and Public Works.

In 1997, one of the justifications for the restructuring was the lack of funding for the former Parks and Recreation Department. It was thought that by streamlining the operation more, dollars could be directed to front line services. Of course this has been proven a falsehood as no such efficiencies emerged, and in fact, there has been less real dollars directed to the Park over this past eight years.

Extremely important, the **staff also provides supports beyond the strict definitions of their jobs**, especially at times of financial or organizational stress. There have been a number of examples of individuals working beyond the expectations of their supervisors, as they are committed to assuring the completion of specific tasks or the quality of work

required. For example, when an equipment storage shed was destroyed by fire in 2005, the workers continued their work with personal tools they brought from home until the City's equipment was replaced.

A central responsibility for the Parks Board would be fundraising for the much needed capital improvements for the Park. We have many local examples of how Winnipeggers have banded together, across cultural, economic and political boundaries to support local institutions. The United Way is the best example that has brought business, labour and community groups together. The funding of the Winnipeg Centennial Library expansion is an excellent example of where the strengths and advantages of public, voluntary and private interests are able to collaborate to not only maintain an important public service, but to expand it. The capital funding initiatives of the Library Foundation, working in concert with City Library administration, was able to raise the millions of dollars needed to bring the Centennial Library into the 21st century. This proven example has a far greater potential to raise funds for the Park than a select group who represents only unique interests.

The mandate of the Winnipeg Parks Board would be to:

- Plan major developments and consult the public to assure appropriate support and resources;
- Monitor policy and program compliance, to assure public oversight for Winnipeg's parks and green space;
- Integrate Park activities with City social, sporting and cultural activities to maximize coordination; and
- Raise capital for new developments or work with groups capable of raising funds for specific projects in the Parks.

The mandate of the Parks Department would be to:

- Coordinate and streamline operations for all City Parks, to maximize the use of city staff and equipment;

- Monitor policy and program compliance, to assure public oversight for Winnipeg's parks and green space;
- Integrate Park activities with City social, sporting and cultural activities to maximize coordination; and

Canadian Examples

To support community input to the Park, there are much better ways than the Corporation model. **Reinstating a Winnipeg Parks Board would be a more effective means of assuring effective overall management of Assiniboine and all City Parks.** A Parks Board could coordinate the input of a number of civic resources, the ongoing capital funding requirements and the very important volunteer support.

The Cities of Vancouver and Burnaby have dynamic Parks Boards that have a reputation for leadership, stewardship and sound business management. These examples provide us with far better role models than the New York Central Park approach that has been posited by the consultants in the Assiniboine Park Governance Study.

The Burnaby Parks, Recreation and Culture Commission has 16% of the city's budget, is integrated into all City functions and is a major player in Burnaby's social and economic life. The Commission members (7 community and 2 Councilors) are able to raise external funds and are responsible for the 25% of Burnaby that is Park. According to the Mayor, Derrick Corrigan, integration of the Parks into all city functions, enhances operational efficiencies and benefits to the city, of an asset that "is the best face of what we do. The public use these facilities every day and they realize what the City is doing for them."

In Burnaby, there has also been experience with public facilities managed by private organizations. The Art Gallery was given to a non-profit and after five years it was returned to City authority. A local museum shifted back to the City after ten years.

The Calgary Zoo was run by a relatively successful partnership of City and Zoological Society between 1981 and 1999. In that year, the Zoological Society argued for and got greater control of the Zoo, much on the same premise that the three groups are promoting the Assiniboine Park Corporation. This change led to huge conflicts and problems for the City of Calgary that have been addressed only through the active intervention of the Mayor.

One of the underlying concerns with non-profit organizations, is the ability of Boards to manage resources and represent public interests. While community members can bring a great deal to their Board responsibilities, they also need support and resources of public institutions. As Frances Russell articulates so well, "More and more we're using third parties outside government to deliver programs but we haven't invented sound accountability mechanisms for them. This leaves the public interest and the taxpayer's dollars in the hands of board of directors, frequently 'enlightened amateurs' at best, Thomas (Professor Paul Thomas of the University of Manitoba) continues. Mostly they end up relying on the executives. Boards of Directors are often the weak link in this chain of accountability."[10] (Winnipeg Free Press, March 7th, 2007)

Specific Union Issues with the Proposed Governance Structure

It is very important to the city employees represented by CUPE, to see the clear commitment to respect the 'current labour agreement'. We think it is important, and constructive to examining **how a change will be implemented** for the Park governance, to clarify other aspects of how city workers will be affected.

First, we think it wise to assure respect for current and **future labour agreements** with the unions involved. It would raise confidence in the unions if we knew that union representation will be maintained beyond the current agreement.

Second, there are both **management and human resource issues** that will need to be clarified to make the governance structure work, and to assure union support. We

disagree strongly with the Administration Report, that there are no Human Resource (or Environmental) implications to the proposed creation of a Corporation. To reflect how we would approach the proposed changes in governance, some of the issues or questions the support employees are asking in this regard would include:

- who will be responsible for supervision and daily management of operations of the Park, within a new Corporation;
- how will employee performance be measured and treated where they are required to perform duties for and outside the Park;
- how will management functions be kept in check to avoid bloated administrative costs (some Parks noted in the Governance Study have developed large bureaucracies which we do not believe are needed in Winnipeg);
- if there is an independent Board, will it be constituted as a new and separate 'employer' (and therefore requiring a separate union certification);
- will there be job losses with the change and a new administration; and
- how to redeploy staff who choose to stay with the City and not move to the new Assiniboine Park Corporation;
- who will be responsible and able to recruit, hire and fire support staff?

While some of the above are policy and structural in nature, other details of how these aspects of the Park's administration will be redefined will be worked out practically. We think the **workers should be involved** in these more detailed discussions of how these issues will be implemented. In other words, our members are able and willing to contribute to planning how integration or cross-functional coordination will be done.



Recommendations

In our opinion, **a Winnipeg Parks Board governance structure offers the greatest potential to meet the varied needs of the Park.** The structural option that involves a balance of official and voluntary supports would give both partners the assistance and assets needed to maintain the park as a valued and sustained public facility.

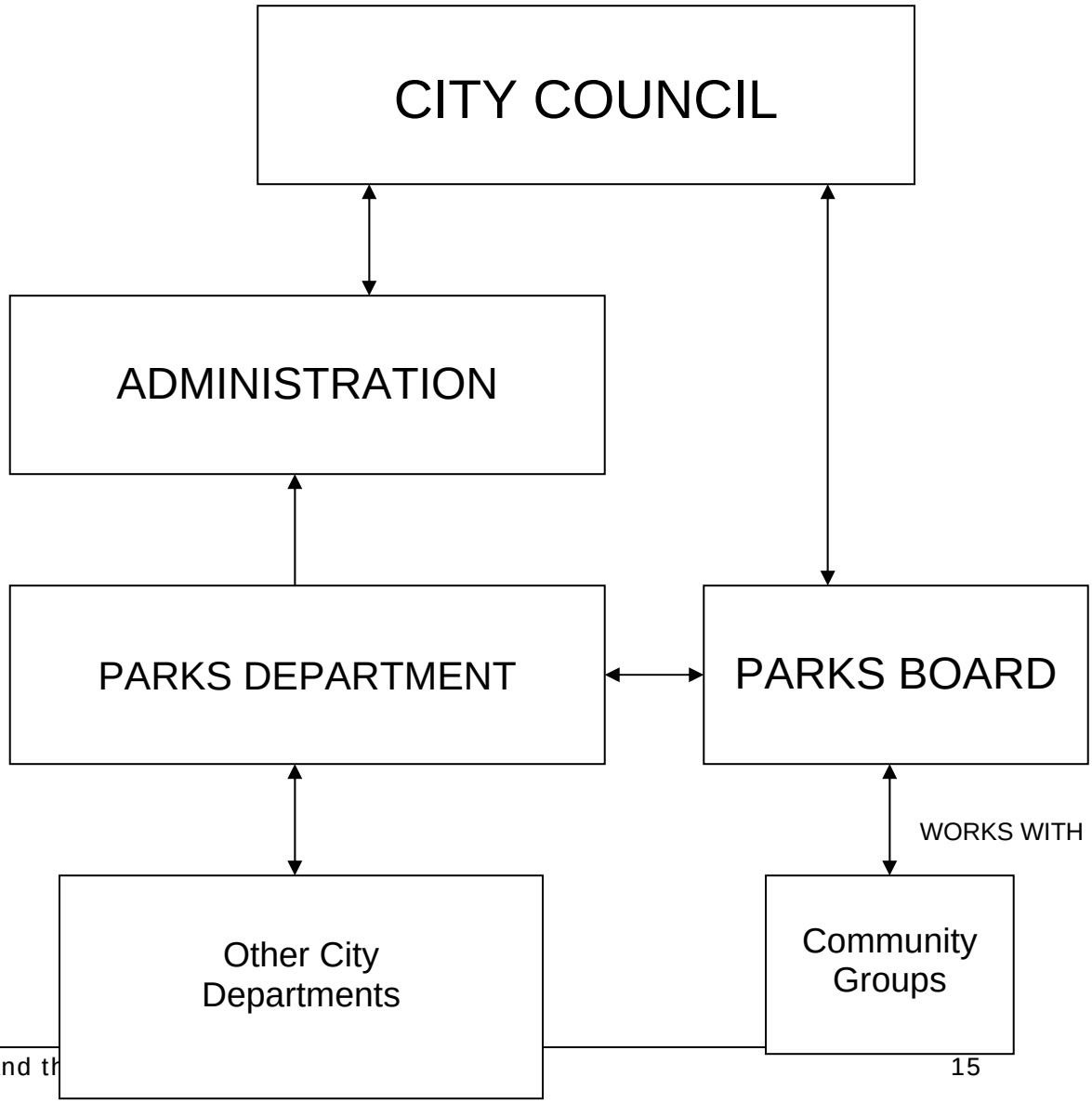
What is also needed, is an operational structure within the City, to **assure the ongoing input of city management, staff and resources through a Parks Department**, which would work to the advantage of all partners involved in the functions of the Park. There is more to be done to coordinate and streamline these city departmental responsibilities and then operations, but this can and will be done.

We do not agree that a Corporation is the preferred governance structure. **This option, we believe, goes too far to propose an independence that will undermine the ability of the City to provide operational support.** If the Park is given to an independent Corporation, the City will not have the same ability to assure financial and operational controls. Though the Governance Study indicated that this option would give the voluntary groups greater flexibility in implementing their mandates, we believe that the security of operations would be undermined to the detriment of the voluntary agency partners. In other words, none of the current partners would benefit from this option.

The fact that the City is planning this move without public consultation and awareness is indicative of how the Corporation is going to operate. While the option of changing the administrative structure for the Park has been discussed at City Hall for over two years, there has been no effort to inform the public who use the Park, and no effort to determine their willingness to endorse this change.
Therefore, we would encourage the City to adopt a governance model that assures the Park remains a public service and asset. **The governance of the Park should be clearly kept within the mandate and authority of the City administration**.

Creating a Parks Department and Winnipeg Parks Board are the most viable means of assuring the Park is a sustained resource for Winnipeggers. We think this structure will encourage volunteer and community input, within a structure that provides the most efficient operational support that will keep Assiniboine Park, and other city Parks, the important asset the public wants and needs.

ASSINIBOINE PARK



[1] City Council record, July 4, 2006
[2] Winnipeg Free Press, July 19, 2006
[3] Friends of the Conservatory, Letter to Assiniboine Park Enterprise, April 19, 2006
[4] Friends of the Conservatory, The Leaflet, "Future Governance of Assiniboine Park", January 2007
[5] Administration Report to the Standing Policy Committee on Protection and Community Services, February 7, 2007
[6] Administration Report to the Standing Policy Committee on Protection and Community Services, February 7, 2007
[7] Assiniboine Park Framework Plan, May 2004 – City of Winnipeg Assiniboine Park Enterprise
[8] Assiniboine Park Governance Study, February 2006, The Acumen Group
[9] The Cuff Report, 1997
[10] Winnipeg Free Press, March 7, 2007