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For Council - July 24, 2008

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CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Report Date: July 22, 2008
Contact: Graham Johnsen
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VanRIMS No.: 08-2000-20
Meeting Date: July 24, 2008

TO: Vancouver City Council
FROM: Director of Legal Services
SUBJECT: Vancouver Museum Commission

RECOMMENDATION

THAT Council approve the change in by-laws of the Vancouver Museum Commission (the "Commission") to those of the Vancouver Museum Society (the "Museum Society"), being an amalgamation of the Commission and the Vancouver Museum Association (the "Association").

CITY MANAGER'S COMMENTS

The City Manager recommends approval of the foregoing recommendation.

COUNCIL POLICY

There is no applicable Council Policy.

BACKGROUND

The Commission was incorporated in 1996 to operate the Vancouver Museum (the "Museum") and manage the City's collection. This was seen as a temporary structure to help the Museum transition through a challenging period and, that once established, the society running the Museum would revert to a more traditional membership-based society with directors nominated from the membership.

The Commission has 12 members, all appointed by Council.

This direct control of Council over the functioning of the Society is further reflected in section 86 of the Commission's By-laws, which states that Council must approve any change in the By-laws.

As part of articulating a new vision and identity, the Commission has been reviewing its governance structure through an internal committee. The Commission has concluded this review and is proposing an amalgamation with the Association to form the membership-based Vancouver Museum Society.

DISCUSSION

In last year's report to Council on the major exhibiting institutions (RTS#06749), Council directed staff to review with the Commission options to amend its By-laws relating to its governance structure, including the membership and nominations process, and report back with a recommendation this year. Staff believes that the rationale for the limited membership is no longer relevant and expanding community membership and governance participation would be beneficial to the Museum's operations.

The Commission's Board and the Association have approved a proposed amalgamation of the two societies and an adoption of the new Constitution and By-laws therefor.

Staff supports this amalgamation and the new Constitution and By-laws of the amalgamated Museum Society, as they reflect the appropriate new direction for the Museum's operator.

ISSUE

This proposed amalgamation will necessarily result in a change to the Commission's By-laws. Therefore, pursuant to section 86 of the Commission's By-laws, noted above, Council must approve this change.

GOVERNANCE

Should Council approve the amalgamation and the new by-laws, the City's direct control of the Museum Society and its Museum operations will necessarily lessen, but it is important for Council to note that the articulation of the City's interests will be set out in:

- (a) a Trust Agreement, which deals with the City's ownership of the Museum collection;
- (b) the Collections Policy, which deals with the management of the Museum collection; and
- (c) the lease to the Museum Society of the Museum premises.

FINANCIAL IMPLICATIONS

There are no financial implications.

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