

BY-LAW 2011-293


**A BY-LAW OF THE CITY OF GREATER SUDBURY TO
AMEND BY-LAW 2009-267 BEING A BY-LAW OF THE CITY OF GREATER
SUDBURY TO ADOPT AN ARTS AND CULTURE CHARTER AND
AN ARTS AND CULTURE GRANT POLICY PROGRAM**

WHEREAS the Council of the City of Greater Sudbury has determined it is in order to update the Arts and Culture Grant Policy and Program previously adopted by Council;


**NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY
HEREBY ENACTS AS FOLLOWS:**

1. By-law 2009-267, A By-law of the City of Greater Sudbury to Adopt an Arts and Culture Charter and an Arts and Culture Grant policy and Program is hereby amended by repealing Schedule B, the Arts and Culture Grant Policy and Program and enacting in its place and stead, Schedule A attached hereto - Arts and Culture Grant Policy and Program.
2. This By-law shall come into force and effect upon final passage.

READ AND ENACTED IN OPEN COUNCIL this 14th day of December, 2011



Mayor



Clerk

SCHEDULE A

TO BY-LAW 2011-293

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Greater Sudbury Arts and Culture Grant Policy

In 2006, the City of Greater Sudbury developed an Arts and Culture Charter and an Arts and Culture Strategy. These two documents provide the City with a vision statement, guiding principles and goals, and recommendations for work that can be undertaken to foster the growth and development of the Arts and Culture sector in Greater Sudbury. The Arts & Culture Strategy also includes definitions pertinent to the arts and cultural sector and plays an important role in guiding staff and City Council on the arts and cultural services to be developed for our community. The broad goals of the Charter and Strategy are to create;

- A Community that is Committed and Supportive of Arts and Culture
- A Community Proud of its Character and Heritage
- A Community that Values the Economic Potential and Contribution of the Arts
- A Community that Nurtures Innovation and Creative Expression
- A Community that Promotes Strong Collaborations and Communication

Support of arts and culture is an investment in the quality of life for our community. The City of Greater Sudbury, therefore, commits to setting a long-range goal of increasing spending in the arts as a percentage of total annual spending.

The City of Greater Sudbury Arts and Culture Grant Program has been established to invest funds into the not-for-profit arts and cultural sector of the City of Greater Sudbury.

The program is intended to recognize the contribution of arts and cultural institutions, special events and projects to the quality of life in Greater Sudbury. It acknowledges that, while these institutions and organizations provide significant benefits to our community, they generally do not have the capability to be financially self-sustaining. In order to ensure their continuity and continuing benefit to the community, it is appropriate for the city to provide direct financial support and to encourage additional support from citizens, other levels of government, and the private sector.

It is anticipated that additional amendments to this policy and application forms may be required during the course of implementation to reflect organization needs and changing demand from the arts and culture sector.

Background

There have been significant changes to the process for the allocation of Arts and Culture Grants. For the 2011 grant allocation cycle, the Greater Sudbury Development Corporation (GSDC) board took responsibility for the allocation of Major Arts and Culture Grants and the newly formed Community Arts and Culture Grant Panel took responsibility for the allocation of Community Arts and Culture Grants.

As a subcommittee of the GSDC board, the Major Arts and Culture Grant Subcommittee has reviewed and approved changes to the Arts and Culture Grant Policy as laid out below.

It is therefore recommended that council adopts the proposed changes to the Greater Sudbury Arts and Culture Grant Policy as included below.

General description of changes:

Elimination of strict points-based grading criteria.

A more flexible approach to grading of funding applications has been supported by a best-practices review of policies in place elsewhere in Canada, with criteria shaped to reflect the subjective nature of artistic and cultural endeavors.

- a. Compulsory: Criteria relating to the applying organization's financial strength and capacity to manage its finances have been deemed 'Compulsory'. This means that an organization that cannot demonstrate sound financial management practices will not be eligible for funding.
- b. Informative: Criteria relating to the organization's artistic strengths have been classified as 'Informative'.

2) Generalization of the Policy – One policy applies to all grant streams

The policy has been made more general in how it relates to the individual funding streams. The edits make it possible to use this policy to regulate access to all Arts and Culture Grant streams, which include:

- a. Major Arts and Culture Grant – two streams: Multi-Year Funding and Annual Funding
- b. Community Arts and Culture Grant – two streams: Operational Funding and Projects and Special Events Funding

3) General Clarification of Policy Language

Based on feedback from the Advisory Panel and Subcommittee groups, language throughout the Policy has been updated in order to make certain aspects more user-friendly.

Eligibility Criteria for the Arts and Culture Grant Program

To be considered for a grant, Applicants must meet the following criteria:

1. Requests from arts and cultural organizations headquartered within the City of Greater Sudbury boundaries that serve the citizens of the City of Greater Sudbury will be received and considered for financial assistance.
2. Only one (1) request for financial assistance per year per applicant organization will be received and considered under the City of Greater Sudbury Arts and Culture Grant Program.
 - a) For organizations applying for a Community Arts and Culture Grant, requests for project or special event funding must be clearly stated within their application
3. The primary mandate and activities of the organization must be in the arts and culture sector, and consistent with the goals of the City of Greater Sudbury Arts and Culture Strategy.
4. Other not-for-profit organizations may be considered for a Project & Special Event grant if there is a significant arts and culture component that enhances community access or promotes the development of the arts and culture sector. Organizations are encouraged to consult with the Business Development Officer for Arts and Culture to discuss other funding opportunities directed towards special events.
5. Every group must have an active independent volunteer Board of Directors and hold regular meetings.
6. The applicant organization must demonstrate a financial need. Evidence such as letters of support and copies of applications to other funders is required of adequate effort to secure other financial support.
7. To be eligible for a Grant for over \$3,000, applicants must be incorporated not-for-profit organizations.
8. Requests from individuals and commercial/for profit enterprises will not be eligible.
9. Grants are not available:
 - As donations (including the waiving of fees and charges)
 - To groups raising funds for charitable causes other than for reinvestment in the arts and culture sector,
 - For banquets, trophies or entertainment not directly related to the public event for which funding was requested
 - Expenses for major capital projects.
10. Grants are not intended to support organizations that are primarily training or educational institutions.
11. Activities must take place within the calendar year for which the grant is provided.
12. The applicant organization must show evidence of value to the community. This is accomplished by indicating the impact of its particular activities on artistic or cultural development in the community, through factors such as:
 - the promotion of local talent and its expression;
 - the introduction of all ages to the arts or community culture;
 - the efforts and effects in encouraging an arts or community cultural career;
 - raising the profile of Greater Sudbury's arts community

13. The organization contributes to a high degree of artistic achievement and excellence in the cultural life of the community.
14. The applicant organization must demonstrate a willingness to co-operate with related groups in the community.
15. Grants are not available for programs, projects or services that duplicate support provided by the city directly
16. Organizations in arrears with the City of Greater Sudbury at the date of application are not eligible for funding through the Arts and Culture Grant Program.

Terms and Conditions

1. Grants shall only be used for the purposes outlined in the letter of approval and any attachments thereto. Changes in the proposal shall only be made with the City's written approval. Any unused portion of the Grant remains the property of the City of Greater Sudbury.
2. Applicants in default to the City due to failure to account in a satisfactory manner for previous Grants, or to refund Grant overpayments, will not be eligible for consideration.
3. Applicants must identify any funds for this project derived from the disposal of an asset previously purchased with assistance from City of Greater Sudbury funds. The Recipient shall not sell, lease or otherwise dispose of assets purchased in whole or part with City Funds, without the prior written consent of the City.
4. Groups obtaining grants for equipment must provide an undertaking that the equipment will become the property of the City of Greater Sudbury in the event that the groups disband.
5. The grant application must be complete to be considered.
6. All applicants must submit a Post Project report by December 30 of the same year the Grant was issued. Failure to provide a Post Project report will forfeit the ability to apply the following year.
7. All grant recipients must provide yearly financial statements. Audited statements are required if available.
8. The applicant organization shall submit any further pertinent information as may be required by the Arts and Culture Grant Advisory Panel and/or the City.
9. The City shall be entitled to impose additional terms and conditions in its letter of approval, at its discretion.
10. Granting of assistance in any one year or over several years is not to be interpreted as a commitment to future year's funding. Grants are not automatically awarded based on previous year's applications. Continuation of multiyear funding agreements is conditionally based on successful completion of deliverables laid out in the previous year's funding agreement.
11. Neither the Applicant nor the Recipient shall assign its application or Grant, respectively, without the prior written consent of the City.
12. Recipients must acknowledge the support of the City of Greater Sudbury by using the City of Greater Sudbury logo on all forms of communication related to the activity for which they were funded. This includes advertising, information documents, websites and other electronic communications.
13. The Recipient shall keep and maintain all records, invoices and other documents related to the Grant in a manner consistent with generally accepted accounting principles and clerical practices, and shall maintain records for a period of three (3) years. The Recipient authorizes the City and its agents at all reasonable times to inspect and copy any records, invoices and documents relating to the Grant, in the possession, or under the control, of the Recipient.

14. The Recipient agrees that the City shall not be liable for any damages including, but not limited to, general, incidental, indirect, special or consequential damages, injury or loss of use, revenue or profit of the Recipient arising out of or related to the organization or its activities, unless it was caused by the negligence or willful act of an employee of the City.
15. The Recipient shall, at the request of the City, repay to the City the whole or any portion of the Grant if the Recipient:
 - ceases operating;
 - has knowingly provided false information in this application;
 - uses the funds for purposes other than those detailed in the attachments thereto;
 - breaches any of the terms and conditions of this Agreement;
 - breaches any of the provisions of the Human Rights Code, in the operation of this project;
 - commences, or has commenced against them, any proceeding in bankruptcy.

Where required, the Grant shall be repaid by cheque, payable to the City of Greater Sudbury and mailed to;

Tourism and Culture Section

City of Greater Sudbury
PO Box 5000 Station A
200 Brady Street
Sudbury, Ontario
P3A 5P3

Definition of Terms

Applicant means the organization which submits this application to the City of Greater Sudbury.

City means the City of Greater Sudbury.

Recipient means the applicant organization which has submitted this application, has agreed to be bound by these terms and conditions, and has been awarded an Arts and Culture Grant by the City of Greater Sudbury.

Funding Agreement is an agreement entered into by the Applicant and the City at the time of grant dispersal which binds the Applicant to complete the activities as laid out in the application submitted and as agreed to in consultation with the city.

Arts and Cultural Organization is a not-for-profit group whose mandate is of an arts and cultural nature.

Arts encompasses the broad areas of visual arts including painting, drawing, sculpture and architecture, material arts and crafts such as ceramics, design carving and fiber arts, performing arts such as theatre, dance and music, literature such as fiction, poetry and dream, media arts such as photography, video and film and interdisciplinary arts.

Culture which consists of learned ways of acting, feeling and thinking is a term used to describe the way of life of a people. It includes all the traits and elements that distinguish a given society, its identity and its vision of the world. It includes our values, beliefs, customs, language, lifestyles and traditions.

Arts and Culture Industry refers to the relationship between culture and the economy.

Business Plan - A blueprint and communication tool for any organization. It is comprehensive in reflecting goals and objectives and how they are expected to be reached. It clearly outlines what and how and from where the resources to accomplish the goals and objectives will be acquired and utilized. It typically covers a period between three (3) and five (5) years.

Capital Costs - Money spent for replacing and improving business facilities.

Deadline and Application Policies

Check to make sure the application is complete, signed, accurate, legible and submitted in the correct order with the correct number of copies.

Submit your application on time. We will accept applications postmarked by Canada Post or a courier company no later than the deadline date. You may also hand deliver your application to the GSDC office at Tom Davies Square at 200 Brady Street Main floor before 4:30 PM on the deadline date.

Support Material

Along with a written application, supporting material is a significant part of your proposal and has a substantial impact on the assessment of your project's artistic and cultural quality. It can help explain or support the application. Send only material that relates to what you are proposing in your application. It includes any other material such as manuscripts, brochures, posters and programs that may be required along with the written sections of the application. Support material will not be returned.

Evaluation Methodology

Organizations will be evaluated based on their ability to meet the following evaluation criteria which measure the quality of the organization's programming, the ability to deliver and the outcome of the organizations project or plans. The evaluation also provides a method of identifying areas of weaknesses and strengths for guidance purposes.

Arts and Cultural Evaluation Criteria

Economic Impact: Compulsory Criteria

For Major Arts and Culture Grants, many of these criteria are informed by the financial information submitted through the CADAC (Canadian Arts Data / Données sur les arts au Canada) system.

- Revenue stream shows stability and growth
- There is a demonstrateable positive impact in the arts and culture community stimulating economic development and cultural tourism opportunities.
- There is an available market for the programs or events being offered.
- There is financial stability and accountability and the budget for the request for funding is reasonable and realistic.
- The Applicant demonstrates initiative and success in generating revenue other than municipal funding and encourages partnerships with a clear relationship between and among the partners.
- There is a clear mandate, competent administration and effective board governance.
- There is a demonstrated need for financial assistance from the City and the current proposal is well planned and achievable

Arts and Cultural Interest: Informative Criteria

- The Organization has demonstrated standards of artistic/cultural achievement and excellence in past activities.
- The Applicant demonstrates innovation and creativity in its programming and activities.
- The proposed project/activity is distinct and innovative in the context of comparable activities in the City of Greater Sudbury and there is a demonstrated need.
- The project/activity encourages and provides unique opportunities for artists, other arts and cultural organizations and the public.
- The Organization's artistic or cultural activities have an impact on group or individual artistic or cultural development in the community through factors such as; the promotion of local talent and its expression; the introduction of all ages to arts and culture; the efforts and effects in encouraging an arts or community career.
- Members of the arts and culture community are included in the planning of the project.
- There is a level of engagement with local arts organizations, artists and community groups.
- The project/activity meets the objectives of the City of Greater Sudbury's Arts and Culture Strategy.

Community Impact: Informative Criteria

- The Applicant's activities are directed to the improvement of the quality of life in the City of Greater Sudbury.
- Public access to the work is a priority including access to the City of Greater Sudbury's diverse communities
- The Organization has the appropriate marketing and publicity plan in place for its activities or work, reaching out to community audiences.
- There is substantial and/or growing public interest and attendance for the activities or work, stimulating wider appreciation of the City's arts and cultural heritage.
- The Applicant has a strong volunteer program and encourages membership in its Organization.

Grant Approval Process

Intake

Advertising to solicit applications for arts and culture funding based on the available budget will be placed in the local newspapers, the City website and other partner websites/outlets as appropriate.

Initial review/ Due Diligence

Tourism and Culture Section staff will review the applications to ensure completeness and to prepare evaluations for Arts and Culture Grant Advisory Panel members and members of the Major Arts and Culture Grant Subcommittee of the Greater Sudbury Development Corporation Board.

Panel members will review Post Project reports from previous year's funding applicants.

Review/Recommendation

Completed applications will be provided to either the Arts and Culture Grant Advisory Panel or the Major Arts and Culture Grant Subcommittee that will review each submission and make recommendations. City staff from the Tourism, Culture and Marketing Section provides administrative support and prepares evaluation sheet for the Arts and Culture Advisory Panel.

Allocation

Community Arts and Culture Grants:

Following budget approval, a report will go to Council from the Tourism and Culture Section for approval detailing the recommended amounts to the various applicants for Community Arts and Culture Grants.

Major Arts and Culture Grants:

Following budget approval, a report will go to the GSDC Board from the Tourism and Culture Section for approval detailing the recommended amounts to the various applicants for Major Arts and Culture Grants.

Finding Out About a Grant Decision

Letters informing you whether or not you have received a grant will be sent once decisions are approved by Council.

If you have been awarded an outright grant, your cheque will be included with the notification letter. Decisions in all project programs are final and cannot be appealed. However, if there is evidence that due process was not followed; the City of Greater Sudbury will investigate.

If You Get a Grant

You must send a post project report by the date identified in the letter. If you do not submit a satisfactory report by that date, the City of Greater Sudbury may require you to repay the grant.

Contact Information

If you have any questions or comments, please contact:

Stephen Caruso, Business Development Officer

Tourism and Culture Section

Tel: (705) 674-4455 ext. 4606

Fax: (705) 671-6767

Email: stephen.caruso@sudbury.ca