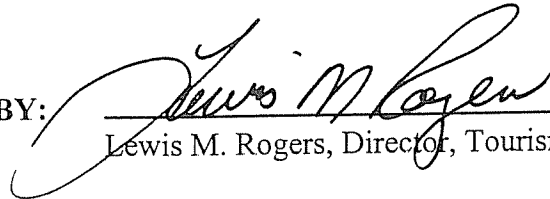


Halifax Regional Council  
June 25, 2002

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:



Lewis M. Rogers, Director, Tourism, Culture & Heritage

DATE: June 17, 2002

SUBJECT: Theodore Tugboat

## INFORMATION REPORT

### ORIGIN

June 11, 2002 - Motion of Regional Council to establish a broad community group to determine a future presence, use and home for Theodore Tugboat in HRM and to enable the establishment of a Foundation/Not-For-Profit Society for its acquisition/operation.

### BACKGROUND

At its meeting held on June 11, 2002, Regional Council considered the issue of the bankruptcy of Cochrane Entertainment and the resulting sale of Theodore Tugboat and its potential loss from the Halifax waterfront.

Council passed a motion designed to support an effort to gather community expertise in order to ensure a continued presence for Theodore Tugboat on the Halifax Waterfront as well as the right to display his identity (intellectual property).

*Council Motion:*

*That Council establish a Foundation/Not-For-Profit Society to undertake the complexities of the bankruptcy process and to address the issue of intellectual property rights, as well as, ownership, home and use; and that HRM, the Port and the Province support the activities of this group; and further that the Foundation seek and be the recipient of existing and future bequests from contributing citizens and businesses.*

**DISCUSSION**

It is recognized that specific skills are required in order to meet the challenge of the bankruptcy process and satisfy the issues of a final home, use and resourcing of Theodore Tugboat as reflected in the Council Motion. To that end, work has been undertaken to identify specific HRM residents whose affiliations and or skills would be appropriate to the tasks set out for them.

It is further recognized that this group will remain in place for a maximum of 120 days and may request an extension until such time a final determination is made on the end state of Theodore Tugboat and the rights to use the Theodore image. Work to establish a Foundation or Not-For-Profit Society would be undertaken in a time frame and manner with the work of this committee.

Unless otherwise directed by Council, the following will be considered as the appointees to move forward with the Terms of Reference (attachment #1).

**Participants:****Council:**

Mayor Kelly or designate  
Councillor Hines  
Councillor Sloane  
Councillor Cunningham  
Councillor Goucher

**Community:**

Bruce Smith - Halifax/Dartmouth Bridge Commission  
Brian Lugar - Waterfront Development Corporation  
Karen Oldfield - Halifax Port Authority  
Rick Hattin - Chair - Former Bedford Waterfront Development Corporation  
Dick Miller - Clayton Developments  
Colin MacDonald - Clearwater Fine Foods  
Fred Smithers - Secunda Marine  
George Buckrell - Retired Banker (tentative)  
Bernard G. Smith - Consultant

**Staff Resource:**

George McLellan - CAO

Wayne Anstey - Solicitor

Mike Eddy - HRM Fire Services

Lew Rogers - HRM Tourism, Culture & Heritage

**BUDGET IMPLICATIONS**

It is anticipated there would be no impact on the HRM operating or capital budgets.

**FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

This report complies with Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

**ATTACHMENTS:**

1. Terms of Reference

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Lewis, M. Rogers, Director

TERMS OF REFERENCE

1. The Committee shall prepare a business plan for the ownership, use, and ongoing maintenance and support of Theodore Tugboat including any necessary approved funding sources to support the plan. The business plan shall not assume the use HRM funds for acquisition and operation.
2. Present the same to Halifax Regional Council for approval before any bid for acquisition and/or ownership is made.
3. In accordance with the approved business plan, take steps to secure the identified funding.
4. Establish any necessary corporate entity to own and manage Theodore Tugboat.
5. In accordance with the approved business plan, undertake to secure on behalf of the on-going corporate entity Theodore Tugboat and the intellectual property rights to display his image.