



REPORT TO THE LIBRARY BOARD

Meeting Date: August 10, 2010

Session:	Public Session
Subject:	North London Community Recreation Centre, YMCA and Library
Prepared By:	Susanna Hubbard Krimmer
Presented By:	Susanna Hubbard Krimmer
Purpose of Report:	Approval <input checked="" type="checkbox"/>

Recommendation

It is recommended that:

- The London Public Library (LPL) Board submit the position of LPL CEO & Chief Librarian for appointment by the City of London as the Library representative to the Joint Venture Management Committee for the *North London Community Recreation Centre, YMCA and Library*.

Issue/Opportunity

Per the Joint Venture Agreement between The Corporation of the City of London and the YMCA of Western Ontario (YMCA), overall executive control of the Joint Venture for the *North London Community Recreation Centre, YMCA and Library* shall lie with the Management Committee. This Committee will provide executive oversight for all aspects of the Joint Venture and facility. It is not expected to become involved in daily operations.

The Management Committee shall be comprised of six (6) persons, three (3) of whom shall be appointed by the City of London and three (3) of whom shall be appointed by the YMCA. Two (2) of the City appointees shall be from City Administration. One (1) of the appointees of the City shall be a representative of the Library designated by the City.

Next Steps

The submission of the position of LPL CEO & Chief Librarian as the Library representative on the Joint Venture Management Committee will be made to Ross Fair for inclusion in the next steps of the process of establishing the Management Committee.

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TO:	CHAIR AND MEMBERS BOARD OF CONTROL MEETING ON JULY 21, 2010
FROM:	ROSS L. FAIR GENERAL MANAGER OF COMMUNITY SERVICES
SUBJECT	NORTH LONDON COMMUNITY CENTRE -YMCA-PUBLIC LIBRARY APPOINTMENT OF CITY OFFICIALS TO JOINT VENTURE MANAGEMENT COMMITTEE

RECOMMENDATION

That, on the recommendation of the General Manager of Community Services, the following actions **BE TAKEN** relative to the management and operation of the North London Community Centre-YMCA-Public Library and the City's Joint Venture Agreement with the YMCA of Western Ontario:

- a) the By-Law attached hereto as Appendix A, **BE INTRODUCED** at the July 26th 2010 meeting of City Council to appoint City and London Library Board officials to sit on the Management Committee and Working Committee of the Joint Venture for the North London Community Centre;
- b) The General Manager of Community Services and the Chief Financial Officer and City Treasurer **BE INSTRUCTED** to provide regular reports on the performance of the Joint Venture to City Council.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

Council - Parks and Recreation Master Plan, 2003
 CPSC - Partnership Proposal for a new community centre facility in north London -April, 2006
 Board of Control - City Acquisition of Land for Future North London Community Centre - May 30,2006
 Board of Control - Amendments to the Agreement for the Purchase and Sale of Land for the Future North London Community Centre - March 21, 2007
 Planning Committee Report - Seeking Official Plan and Zoning Amendments - May 28,2007
 Board of Control - Architect to Act as the Prime Consultant for the New Community Recreation Centre and Library - October 11, 2007.
 Board of Control - Memorandum of Understanding - Joint Venture between the City of London and the YMCA - March 19,2008.
 Board of Control - Construction Managed General Contractor Services - April 23, 2008.
 Board of Control - The "New" North London Recreation Centre and Library Subtrade Tender Process - March 25,2009.Community and Protective Services Committee
 Board of Control - North London Community and Recreation Facility - April 29, 2009.
 Board of Control - North London Community Centre - Consent Agreement for Leasehold Mortgage - June 14, 2010

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BACKGROUND

City Council, at its meeting May 4, 2009, approved the following resolution:

That, on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, with the concurrence of the General Manager of Community Services, on the advice of outside legal counsel, a by-law BE INTRODUCED at the Municipal Council Meeting on May 4, 2009 to authorize the Mayor and City Clerk, to execute a Joint Venture Agreement, Lease Agreement and User Agreement in connection with a City of London and YMCA of Western Ontario Multi-Use Community Facility in North London subject to confirmation that the YMCAs financing terms are in keeping with the agreements; it being noted that the Civic Administration was requested to include a provision for discussions to occur between the YMCA and the City of London, for continued use of the facility upon conclusion of the lease agreement in 40 years time.

The Community Centre-YMCA-Public Library

The construction of the North London Community Centre is nearing completion with a late Fall 2010 anticipated opening. This unique Community Centre is actually three components in one.

- 1) Firstly, it will serve as focal point for community life for the new north end of the City, where some 60,000 new residents will reside in homes north of Fanshawe Park Road. The Centre will be the place where these and other area residents will look for community meeting space and access to Spectrum recreation programs, including swim lessons, sports programs, and creative programs. Up to 50% of the program spaces will be reserved for Spectrum program registrants.
- 2) Residents will also find a full service YMCA located in the building, thereby, providing a second opportunity for residents to access recreation programs. By choosing to become a member of the Y, residents will be able to have full access to the Y –exclusive segment of the centre. As well, the remaining 50% of Spectrum program spaces will be reserved for Y members.
- 3) Finally, the Centre will also be home to a full service Public Library, with all of the services and programs residents have come to expect from our Public Libraries.

(A copy of the current newsletter will be distributed to members of the Board at the meeting.)

Joint Venture and Other Agreements

There are four agreements.

- 1) The Joint Venture Agreement laid out the details of the capital and operating arrangements for the Community Centre.
- 2) The Lease Agreement between the Joint Venture and the YMCA articulates usage arrangements and obligations of the parties, including the centre management role to be assumed by the Y.
- 3) The City User Agreement spells out the details of the arrangement whereby the Y will deliver City Spectrum programming and management of the community spaces in the centre.
- 4) The fourth agreement is between the Joint Venture and the London Public Library. This agreement spells out the occupancy and maintenance arrangements. This agreement has not yet been finalized for execution.

The YMCA will assume day to day management, cleaning, repair and maintenance as well as long term capital conservation of the Centre. It will also deliver Spectrum programs on behalf of the City. It will be responsible for all operating costs, including an annual contribution to a capital reserve fund. It will, in turn, retain all revenues including an annual payment from the Library for common area costs and an annual contribution to the replacement reserve fund.



In addition, the YMCA will be responsible for submitting an annual budget and business plan to the Management Committee of the Joint Venture for review and approval.

It should be noted that in passing this By-Law, City Council will be delegating authority to senior staff to fulfil the City's functions and responsibilities as articulated in the Joint Venture and User Agreements. More details follow in the next section.

This arrangement is very similar to the City's Joint Venture Agreement with the Western Fair, one that has produced very favourable outcomes.

The Management Committee:

Under the Joint Venture Agreement, the Centre is to be managed by a Management Committee consisting of three YMCA officials, one London Public Library official and two City officials.

Duties of the Management Committee are:

- a) Approval of the Annual Business Plan
- b) Approval of any expenditures outside of those approved in the Annual Business Plan that are in excess of Five per cent (5%) of the approved annual operating budget
- c) Approval of contracts for third party material service providers or Concessions for terms in excess of three (3) years.
- d) Recommending to the City and the YMCA for consideration any sale or disposition of the Facility or a material portion of it which would include the subletting of the entire Facility or a significant portion thereof, to a third party.
- e) Approval of any material exterior addition to the Facility. Such approval shall be required in addition to the reference of such addition in the Annual Business Plan.
- f) Monitoring of the maintenance standards of the Facility.
- g) The addition of any other participant in the Joint Venture
- h) Approving any debt of the Joint Venture. It is hereby understood that any such debt shall be incurred solely for the purposes of the Facility; and
- i) Approval of any activity in the Facility that does not represent a traditional utilization of a multi-use recreational facility.

The London Public Library Board has passed the following resolution:

"That the London Public Library (LPL) Board submit the position of LPL CEO & Chief Librarian for appointment by the City of London as the Library representative to the Joint Venture Management Committee for The North London Community Recreation Centre, YMCA and Library".

It is being recommended that the Director of Neighbourhood and Children's Services and the Director of Parks and Recreation, from the Community Services Department serve as the City officials on the Management Committee. The former is accountable for all non-aquatic Spectrum programming while the latter oversees the aquatics function.

The Working Committee

The User Agreement between the City and Y calls for the formation of a Working Committee with an equal number of representatives from both parties. This Committee is responsible for establishing program delivery standards and monitoring the delivery of programs in accordance with community needs and the Agreement.

It is being recommended that the Manager of East Area Recreation Services and the Manager of Aquatics serve on the Working Committee.

Reporting to City Council:

In order to ensure that City Council is kept apprised of the progress of the Joint Venture, it is being recommended that the General Manager of Community Services and the Chief Financial Officer and City Treasurer provide regular reports on the performance of the Joint Venture. In the early period of operation they are envisioning quarterly reports, which will likely evolve into annual reports over time, tied to the Business Planning/Budget Cycle of the City.

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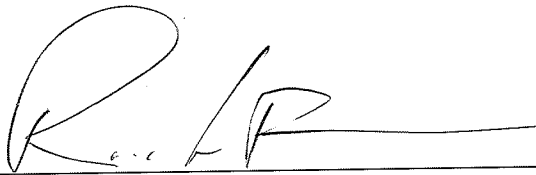
FINANCIAL IMPACT

As per the Joint Agreement, all operating cost impacts are to be borne by the YMCA of Western Ontario, although the Agreement calls for a review of the financial arrangements at the end to two years of operation of the Community Centre.

Acknowledgements:

This Report has been reviewed by outside legal counsel Mr. Don Bryant from MacKenzie-Lake who has served in that capacity for the City in connection with the Joint Venture.

RECOMMENDED BY:



**ROSS L. FAIR
GENERAL MANAGER OF COMMUNITY SERVICES**

cc: Shaun Elliott, CEO YMCA of Western Ontario
Susanna Hubbard-Krimmer, CEO and Chief Librarian, London Public Library
Martin Hayward, CFO and City Treasurer
Don Bryant, MacKenzie-Lake