

JOINT OPERATING AGREEMENT

THIS AGREEMENT made the 10th Day of May, 2000

BETWEEN:

THE HASTINGS PARK CONSERVANCY
(Hereinafter referred to as The Conservancy)

AND

THE BOARD OF PARKS AND RECREATION
(Hereinafter referred to as The Board)

Preamble

Both parties recognize that the care, custody and control of Hastings Park currently rests with City Council, and that these responsibilities will be transferred to The Board over a number of years as the Park develops.

Both parties also recognize that the PNE will be the principle operator of the site, under licence, until the end of 2002.

Both parties further recognize that the intent of this agreement is to describe a planning and communication relationship between the Park Board and The Conservancy, and that jurisdiction remains with City Council on many issues until they are devolved to The Board.

And finally, both parties agree that this agreement may require amendment, with mutual agreement, over time.

WHEREAS The Board and The Conservancy have expressed a desire to enter into a Joint Operating Agreement with regard to Hastings Park;

- To educate people and assist with the implementation of the vision for Hastings Park
- To contribute to the health and welfare of the residents of East Vancouver, Vancouver City and the Vancouver Region

AND WHEREAS The Board and The Conservancy wish to set out in writing their respective positions with regard to the joint operation of Hastings Park

NOW THEREFORE THE PARTIES HEREBY AGREE AS FOLLOWS:

1. The Conservancy will be responsible for organizing, encouraging and supporting special event programming at Hastings Park . The Conservancy will be responsible for all costs associated with events directly operated by The Conservancy, and may assess fees to recover such costs.
2. The Conservancy will organize community development, promotional and outreach activities that will increase the involvement of the community in the use and development of Hastings Park.
3. The Conservancy may assist with fund raising activities to raise funds for programming and park development purposes.
4. The Board and The Conservancy will jointly organize, promote and encourage program activities directed at the City and Region.

5. The Board and The Conservancy will jointly agree upon the allocation of space and management of the facilities on Hastings Park.
6. The Board and The Conservancy will jointly decide upon any changes to the principles of the Hastings Park Restoration Plan, described in The Greening of Hastings Park Restoration Program, approved by City Council in February 1996.
7. The Board and The Conservancy will jointly develop communication materials and engage in liaison activities that educate the public about the development and use of Hastings Park.
8. The Board will seek the advice of The Conservancy when making decisions about site development, schedules and activities.
9. The Board will seek the advice of The Conservancy on the allocation of capital and operating budgets for Hastings Park.
10. The Board will seek the advice of The Conservancy on the hiring of managerial, supervisory or program staff working in Hastings Park.
11. Disputes arising out of this Agreement or the interpretation thereof shall be:
 - 11.1 referred to and determined by the President of the Conservancy, the General Manager and the District Director and failing resolution by them;
 - 11.2 referred to an independent non-binding mediation process as agreed upon by the parties then;
 - 11.3 referred to The Board for their resolution.