

Date: July 13, 2006



TO: Board Members – Vancouver Park Board
FROM: General Manager – Parks and Recreation
SUBJECT: Memorandum of Understanding with Conseil Scolaire Francophone for Oak and 37th St. Park Site

RECOMMENDATION

THAT the Board approve:

- A. The terms of a Memorandum of Understanding (MOU) between the Board of Directors of the Conseil Scolaire Francophone and the Vancouver Board of Parks and Recreation for the development, maintenance and long term use of the playfield and perimeter trail at the Oak & 37th Avenue Park site;*
- B. That subject to the satisfaction of the Director of Legal Services of the City of Vancouver, the General Manager be authorized to sign a subsequent license agreement with the Conseil Scolaire Francophone as per the terms and conditions identified in the MOU.*

BACKGROUND

The Conseil Scolaire Francophone (CSF) will be constructing a High School on a parcel of land at Willow Street and 37th Avenue adjacent to the park site at Oak Street and 37th Avenue. During the planning for the park site discussions on a partnership with CSF to permit use of some park amenities in exchange for contribution toward initial construction and ongoing maintenance began. These discussions have now been successfully concluded.

The Board approved the design of the park site on May 15, 2006 and the intent of an agreement with CSF on July 5, 2006. Staff committed to bring back a report on the terms of the Memorandum of Understanding for the Board's approval.

DISCUSSION

The Memorandum of Understanding (MOU) between the parties includes the following key terms:

- CSF will be given a 20 year license beginning July 1, 2008 to use the sports field exclusively on school days from 7:00 a.m. – 5:00 p.m. They may also apply for, and the Park Board will consider, up to six permits for special school events during the year. The Park Board will permit the sports field to other users outside

of school hours, the first permit to be issued to the Vancouver Ultimate League Society.

- The Park Board will construct an irrigated A standard soccer field (sufficiently sized to accommodate 2 ultimate fields) and a trail around the park site to be completed and available for use by CSF before September 2008. Based on specifications and cost estimates reviewed with CSF, the CSF's share of costs represents 65% of the total capital construction for the park.
- CSF will pay 100% of the construction costs of the sports field and 50% of perimeter trail plus proportionate soft costs and a 5% construction contingency allowance. The payments for the capital contribution will be in installments:
 - 25% on the execution date of the MOU
 - 25% when the construction of the sports field and trail is fifty percent complete
 - 50% on the execution date of the License Agreement.
- CSF will also, beginning on July 1, 2008, contribute 50% of the annual maintenance costs (inflated by 2% each year) of the sports field and trail according to a schedule to be attached to the MOU.
- CSF will also contribute \$45,759 toward the cost of renovating the play field in year 10 - on July 1, 2018.
- CSF will be offered a five year extension to the license agreement subject to payment of \$27,890 for field renovation in year 20 and annual maintenance contributions during the term as per the schedule of payments.
- The Park Board will have the ability to close the sports field for regular maintenance with notice and reasonable efforts to minimize school program disruption and, for emergencies and/or adverse weather conditions.
- A representative of CSF will participate on a Sports Field Stewardship Committee and CSF will pay for any repairs of major damage to the park attributed to school use.
- Either party may cancel this agreement in the event of funding difficulties in connection with the initial construction of the field and other park improvements.

A number of other clauses covering such areas as field specifications, insurance provisions and legal agreement development are also included and will form part of the final license agreement. Other general clauses may be added to satisfy the Director of Legal Services.

SUMMARY

The terms of the MOU outlined above describe the partnership arrangement with CSF for contribution toward the construction and maintenance of a sports field in exchange for use of the field predominately during the school year. This partnership benefits both organizations and the public.

The MOU will form the basis of the final license agreement to be signed and is being recommended by staff and the representatives of the Conseil Scolaire Francophone.

Prepared by:

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