



Date: June 14, 2000

TO: Board Members - Parks and Recreation
FROM: General Manager - Parks and Recreation
SUBJECT: Joint Operating Agreement with the Hastings Park Conservancy

RECOMMENDATION

THAT the Board approve the attached Joint Operating Agreement between the Hastings Park Conservancy and the Board of Parks & Recreation, as negotiated by the Society and Park Board staff, subject to formal registration of the Society.

POLICY

The Draft Strategic Plan of the Vancouver Board of Parks and Recreation, "Vision for the Future", states under Policies that "Community Centres will be jointly operated by the Board and Community Associations." and "The Board will enter into agreements with other organizations to operate recreation facilities where it can be demonstrated that such arrangements are beneficial to the public good."

In January 1990, Council approved a general concept for the redevelopment of Hastings Park: "THAT the site be restored to dominant park use with abundant green space and trees, instead of asphalt and buildings". In February 1996, the Park Board and Council approved The Greening of Hastings Park Restoration Program as the basis for the development of a conceptual design plan.

BACKGROUND

After years of advocacy by Hastings-Sunrise residents for the recognition of Hastings Park's original park designation, the City acted on an opportunity to create a substantial greenspace for the benefit of future generations.

The Hastings Park Working Committee (HPWC), a group of citizens representing community residents, recreational interests, the Pacific Racing Association, community social and recreation agencies, environmental issues and arts and culture, worked in partnership with the Board in the development of a plan for the greening of Hastings Park. Hastings Park planning participants set about translating timeless community values such as appreciation for nature, recreation, celebration, entertainment and education into more contemporary programming that promises to offer great diversity of experience in a greener, public park setting, without actually erasing all physical

evidence of previous uses of the site.

As the plan is implemented and the park facilities become operational, the HPWC wishes to continue its partnership with the Board through the establishment of a Joint Operating Agreement. The HPWC is in the process of transforming itself into a registered society, to be called the Hastings Park Conservancy.

On November 1, 1999, the Park Board approved in principle to enter into a joint operating agreement with the Hastings Park Conservancy. The agreement is to include a description of the society's responsibilities. (See attached Board Report: Appendix 1) Upon approval of the recommendations in that report, a detailed Joint Operating Agreement was to be brought to the Board for approval at a future meeting.

DISCUSSION

Subsequent to the approval in principle to enter into a joint operating agreement, Vancouver East District staff prepared a draft joint operating agreement between the Park Board and the Hastings Park Conservancy. This document has been reviewed and amended by the Hastings Park Conservancy and Park Board staff. The Hastings Park Conservancy approved the Joint Operating Agreement at its June 7 meeting. (See attached Joint Operating Agreement) It should be noted that Clause 6 of the agreement would give the Hastings Park Conservancy increased decision making responsibility than was approved in the October 6, 1999 Board Report. The Conservancy would be given joint decision making on any changes to the principles upon which the Hastings Park Restoration Plan is founded.

CONCLUSION

The formation of the Hastings Park Conservancy and the development of a Joint Operating Agreement with this organization will insure that the local community and city-wide interests continue to be involved in the implementation of the park plan and the operation of the facilities and spaces on site.

Prepared by:
Vancouver East District Office
Board of Parks and Recreation
Vancouver, B.C.
RC

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;

AND WHEREAS the purposes of The Conservancy are :

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.



APPENDIX 1

Date: October 6, 1999

TO: Board Members - Parks and Recreation

FROM: General Manager - Parks and Recreation

SUBJECT: Joint Operating Agreement with the Society For Hastings Park

RECOMMENDATION

1. THAT the Board agree in principle to enter into a joint operation agreement with the Society For Hastings Park.
2. THAT the joint operating agreement include the following description of responsibilities:
 - A) Responsibilities delegated to the Society:
 - local on site programming
 - fund raising
 - community development, promotion and outreach.
 - B) Joint responsibilities with the Board
 - city wide programming
 - space allocation
 - stakeholder communication
 - parking and support services
 - C) Advisory responsibilities of the Society:
 - site development
 - financial planning and management

BACKGROUND

The Hastings Park Working Committee (HPWC), a group of citizens representing community residents, recreational interests, the Pacific Racing Association community social and recreation agencies, environmental issues and arts and culture, has been a close partner of the Board in the development of a plan for the greening of Hastings Park. As the plan is implemented and the park facilities become operational, the HPWC wishes to continue its partnership with the Board through

the establishment of a Joint Operating Agreement.

DISCUSSION

The HPWC is in the process of transforming itself into a registered society, to be called the Society for Hastings Park.. Work is currently underway to write a constitution and by-laws. The essential elements of this document are described in Appendix 1.

During the spring of 1999, the HPWC and Board staff met several times in workshops facilitated by John Talbot, to determine the nature of the joint relationship between a Hastings Park Stewardship Society and the Board. The following are the results of these workshops.

The Society will accomplish its responsibilities by relating to the Board in the following ways:

Delegated responsibilities

These are functions given by the Board to the Society as their sole responsibility. These function are:

- recreation programming organized by the society or other community organizations directed at the citizens of the Hastings Community.
- fund raising to support programming or park development
- community development, promotional and outreach activities that will increase the involvement of the community in the use and development of the park.

Joint Planning Responsibilities

These are functions whose responsibilities are shared equally between the Society and the Board. These functions are:

- recreation programing organized for citizens of the City and Region.
- decision making regarding the allocation of space to potential users of the facilities and spaces on site.
- development of communication materials and liaison activities that educate the public about the development and use of the park.

Advisory Responsibilities

These are functions about which the Board must seek the advice of the Society before final decisions are made. These functions are:

- Site development planning
- Planning and allocation of capital and operating budgets for the park.

Many of the responsibilities described above will be phased in over a number of years as the park develops and the park's jurisdiction is transferred from the City to the Park Board. During the next 3 years, the PNE will continue to be the principal operator of the site.

Upon approval by the Board of the recommendations in this report, work will begin on the development of a detailed Joint Operating Agreement which will be brought to the Board for approval at a future meeting.

CONCLUSION

The formation of a Society For Hastings Park and the development of a Joint Operating Agreement with this organization will insure that the local community and City-Wide interests continue to be involved in the implementation of the park plan and the operation of the facilities and spaces on site.

The division of responsibilities described in the report are similar to those contained in the standard joint operating agreements in place with the community center associations.

Prepared by:
Vancouver East District Office
Board of Parks and Recreation
Vancouver, B.C.
AA.