



Date: May 31, 2005

TO: Board Members - Parks and Recreation
FROM: General Manager - Parks and Recreation
SUBJECT: Joint Operating Agreement Task Force Final Report

RECOMMENDATION

- A.** *THAT, subject to the conditions set out in Recommendation B, the Board approve the recommendations contained in the Final Report of the Joint Operating Agreement Task Force as a framework for staff to negotiate new agreements with the 20 not-for-profit Community Associations listed in the report.*
- B.** *THAT the Board:*
- i) Establish a joint Park Board/Association committee to develop and undertake the details of the Core Service Review, including issues of core funding and equity, for future integration into the new agreements and report back with recommendations in one year;*
 - ii) Revise the Task Force recommendation 3.2.1. Partnership Review such that the review be undertaken at least once per 5 year term, with additional annual meetings and that the review use the Partnership Review list as a guideline;*
 - iii) Request that the Associations work with staff to develop a system which accommodates public access to programs and services at Community Centres, including membership structures within 18 months;*
 - iv) Request that the Associations work with staff to identify one common 12 month Community Association fiscal reporting period for services under this agreement, which may be different than December 31, and outline a transition plan and completion date for Associations to adjust to the agreed upon new date;*
 - v) Include a dispute resolution mechanism for operating issues in individual agreements.*
- C.** *THAT the General Manager develop an implementation plan and allocate the necessary Park Board resources to support the Park Boards' role in negotiations, transition and implementation of the new agreements.*
- D.** *THAT once the form of the agreements has been approved by the General Manager and Directors of Legal Services and Risk Management, the General Manager is authorized to execute the document on behalf of the Board.*

POLICY

The Vancouver Charter, Part XXIII outlines that the Park Board has the exclusive possession of, and exclusive jurisdiction and control of areas designated as permanent public parks including uses, fees, rental charges, improvements, buildings, activities, admittance fees, closures and, under section 489, “Recreational Programs (r) organizing and conducting, and contracting with others to organize and conduct, recreational programs of all kinds, either in parks or in such other locations as may be approved by the board or any of its employees designated for this purpose, and for fixing and collecting fees for such programs”.

The Parks Control By-Law provides for the control, regulation, protection and government of parks and places within the Jurisdiction of the Board and of Persons who may be therein including Recreational Facilities.

BACKGROUND

In 2001, a Task Force was initiated by the Community Associations and jointly supported by the Park Board to make recommendations to the Park Board and Associations to result in the development of new agreements and associated tools to strengthen the partnership between the Park Board and each of 20 Community Associations involved in delivering community and recreation services in Community Centres throughout the City. The 20 agreements are related to the following major facilities:

20 Agreements	
Champlain Heights Centre and Community School	Marpole-Oakridge Centre
Coal Harbour and West End Centres	Mount Pleasant Centre
Douglas Park Centre	Roundhouse Arts Centre
Dunbar Centre	Renfrew Park Centre
False Creek Centre	Riley Park Centre
Hastings Centre	Strathcona Centre
Kensington Centre	Sunset Centre
Kerrisdale Centre	Thunderbird Centre
Killarney Centre	Trout Lake Centre
Kitsilano War Memorial Centre	West Point Grey Centre

The Task Force was comprised of six representatives from various Community Associations and six representatives from Park Board staff. Over a three year period, the Task Force undertook research, consultation, analysis, reporting out and dialogue, developing options, further consultation and concluding with a Final Report tabled with both the Associations and Park Board at the Regular Meeting of the Park Board on November 30, 2004. The Final Report is titled “Vancouver’s Community Centres, Renewing the Partnership, Final Report from the Joint Operating Agreement Task Force” (JOA Final Report). The Park Board and Associations have been studying and discussing the recommendations outlined in the JOA Final Report between December and May, including a number of scheduled meetings and workshops sessions with staff, Associations and labour/management groups:

- Recreation staff meeting December 3/04
- Park Board special meeting of the Culture & Recreation Committee February 16/05

- Park Board regular meeting of the Culture & Recreation Committee February 24/05
- Community Association Presidents Meeting April 2/05
- Park Board Workshop April 9/05
- Recreation staff workshop April 29/05
- Park Board special meeting of Culture & Recreation Committee May 18/05

At the special meeting of the Culture and Recreation Committee on May 18th, the Committee approved a motion directing staff to prepare a report for the Board outlining recommendations as described in recommendations A, B and C in this staff report.

DISCUSSION

Significant investment of knowledge, experience and engagement over an extended period of time has resulted in a broad range of recommendations outlined in the JOA Final Report. The recommendations reflect the interests and issues of the Associations, the Park Board, staff, unions, other partners, and most importantly, the public-at-large. The recommendations are grounded in an appreciation of our collective history of successfully working together over a long period including our strengths and weaknesses, current facts and trends, and best practises.

The recommendations are organized into 5 key areas:

- Shared Vision of Partnership
- Serving Community Needs
- Effective Alliances
- Maximizing Resources
- Moving Forward

Fundamental to the recommendations in the JOA Final Report is an outline of a shared mission, vision and values for Community Centres operated in partnership with Community Associations. This is appended to this report as Appendix I.

Key Operating Principles

Key principles are evident throughout the JOA Final Report and consultation process which speaks to the principles which should guide the operation and management of the Community Centres operated in partnership with Community Associations. These are described in Appendix 2 and include:

- Quality Recreation
- Collaboration and Co-ordination
- Equity
- Results
- Accountability
- Community Focus
- Communication
- Independence
- Celebrate Success
- Continuous Learning and Growth

Consultation Results

Through a series of meetings and workshops, as well as presentations and written submissions, a range of feedback has been received by the Board from all the key stakeholder groups including the community at large, recreation program participants, Community Associations, Park Board staff at all levels, CUPE 15 and CUPE 1004. Appendix 3 provides a summary of the feedback the Park Board has received regarding the various recommendations outlined in the JOA Final Report. A link to the JOA Final Report is attached as Appendix 4 and includes the details on the Task Force recommendations.

Overall, there is strong support and momentum to proceed. Of the thirty main recommendations outlined in the JOA Final Report, there is strong support for twenty five. In four areas (Membership - 2.2, Partnership Review – a portion of 3.2, Operational Dispute Resolution – 3.5 and Common Year End – a portion of 4.1) there is general support and further work or changes are needed on the details of the recommendation. In one area, the Equity Fund (4.2), there is limited support and significant concern. Strategies can be designed to address these issues without delaying negotiation of new agreements and any delays would be seen as having a negative effect on what is clearly a strong mandate from stakeholders to proceed. Staff is recommending general approval of the recommendations in the JOA Final Report subject to approval of strategies to address these five areas. Following is a discussion of the five issues and strategies.

i) Equity Fund and Core Service Review

There is strong consensus and commitment to provide for equity across the system by all stakeholders and this issue is referred to in many sections of the JOA Final Report:

Page 12 under Need for Renewal under Finance Issues

Page 30 – 2.4 Core Service

Page 42 – 4.2 Equity Fund

Page 42 – 4.3 Park Board Budget

There appears to be balanced interest in exploring more options on how to redistribute both revenues and expenses of both the Associations and Park Board in order to redress historic inequities across the system. At the same time, there is sensitivity to the idea that any redistribution of either revenues or expenses could negatively impact centres that would be seen as giving something up. As well, the results of a core service review may suggest that some valued services that some centres provide may need to be reduced to address the needs for basic services at another centre. Feedback expressed limited support for the creation of the Equity Fund and strong support for the Core Service Review. Some suggested that the Core Service Review should be completed before new agreements are in place.

In evaluating the feedback on this issue, staff recommend that further work be undertaken by a joint committee comprised of representatives from staff and Association. Their mandate is to develop detailed recommendations specifically related to the redistribution of revenues and expenses of the Park Board and Community Associations related specifically to the operation of Community Centre services, and report back in one year. A common understanding of “equity” as a focused set of principles and measures to improve the outcomes for people experiencing barriers will be important in this work. This is very different from the idea of things being “equal”. As well, “core” will need to be defined and a focus on redistributing existing resources

rather than projecting for additional resources. The work of this joint committee should not delay moving forward with new agreements as additional terms can be added as amendments to any agreements in the future, and likely, full implementation of any measure to address equity would be implemented once all new agreements are in place.

ii) Partnership Review

There is consistent support for evaluating the effectiveness of the partnership relationship and JOA Final Report recommendation 3.2.1 Partnership Review is seen as a useful tool. Feedback suggested that an annual review would be too onerous on both staff and the Associations and that another schedule, such as at least once per 5 year term, would be more appropriate. Feedback suggested that this formal review should be supplemented by annual review meetings including review of business plans by both partners. Ongoing communication is critical. Support was expressed for the list of the items to be included in the Partnership Review but feedback suggested that it should be a guideline and not prescribed. Staff recommends that these changes be approved by the Board. These changes do not compromise the intent of the JOA final Report recommendation, which was to regularly review the effectiveness of the partnership at a local level and propose ways it can be improved. It also allows any group to review on a more frequent basis if desired or necessary.

iii) Membership

In Vancouver, Community Association membership of participants in Community Centre services is viewed as being a valuable element as it builds a sense of belonging within the community, provides opportunities for leadership development and community development and produces revenues for Associations. Membership is also seen as confusing and expensive for the public, some of whom only become members because Association policies establish it as a requirement in order to participate in a program offered through the Community Centre. These individuals may hold memberships at many centres and not realize their Association membership status, benefits and obligations. Different Associations have designed different approaches to deal with membership and reciprocal agreements exist between some Associations. It is the bylaws of the individual societies, incorporated under the British Columbia Society Act (RSBC 1996 Chapter 433), that provides for the admission of members, their rights and obligations and when they cease to be in good standing. The Society Act does not require that members are participants or clients of the activities of the society.

The Task Force recommended (Reciprocal Membership – 2.2.1) and staff support the requirement for a membership system that provides universal access for all Vancouver residents to the benefits of recreation programs and services at all Community Centres across the system. Since membership is an Association matter, staff recommends that the Associations work with staff to design and implement a new Association membership structure within 18 months. This will provide time for the Associations to study a complex matter and develop an approach which will achieve the purpose of providing public access to services in public Community Centre facilities. One option may be that residents receive their membership at one centre, which is the Association where they have full membership and can vote at the Association AGM for example, and this membership is recognized for the purpose of participation in all Community Centre programs across the city. Financial matters regarding fee structures for various membership options will be important considerations for the Community Associations in this work.

iv) Common Fiscal Year

There is support for a common fiscal year for Community Associations but not necessarily that it coincide with the Park Board fiscal year of December 31st. It was seen that this year end may drive up costs for auditing fees since this is a common year end date and fees for accounting services can be at a premium during this period. There was also sensitivity expressed that a common year end would place demands on Park Board Commissioner liaisons having to attend AGMs all organized within a short period. The Society Act is specific in its provisions on this topic, stating, under sections 64 and 65 for both reporting and not reporting societies, that final statements must be for the period ending not more than six months before the annual general meeting. This is seen as providing ample time for the coordination of Annual General Meetings to allow participation of Park Board Commissioners. Staff are recommending that a different common date would serve the same purpose as intended in the JOA Final Report and this date be established by the Associations working with staff, as well as a transition plan and completion date be set. Acknowledgement is given that the transition period will need to go over at least 2 fiscal years before all Associations can be harmonized.

v) Dispute Resolution for Operating Issues

Strong support was received in the feedback regarding the JOA Final Report recommendation for a Dispute Resolution Mechanism for Agreement (3.1.4) as well as general support for the recommendation on Operational Dispute Resolution (3.5). In the Operational Dispute Resolution recommendation, the JOA Final Report suggests that the different nature of partnerships across the Community Centre system precludes a simple specific mechanism for settling disputes arising from day to day operations for every Community Centre. On this point there is strong agreement. The JOA Final Report further suggests that disputes on day-to-day operational issues could effectively be dealt with as part of the annual Partnership Review and effective communications between the respective parties. Feedback on this approach suggested that a specific dispute resolution mechanism for day-to-day operational issues should be developed for each individual agreement. Staff recommends that this be developed and included in each individual agreement. This is particularly relevant considering the recommended change in the Partnership Review being undertaken at least once per five year term, rather than on an annual basis.

Implementation

With approval of recommendations A and B outlined in this staff report, a detailed implementation plan is required in order to effectively move forward. Over the next several months, staff will consider the requirements, including what resources will be necessary to support the negotiations, transition and implementation of the new agreements. The process should be clear and easily understood by all. The Implementation Plan will need to include such matters as:

- Developing the tools and resources as outlined in the JOA Final Report, including catchment areas, standard financial reporting, orientation manuals, standard program evaluation and program reporting tools;
- Terms of Reference for further work teams including the Core Service Review Joint Committee

- Critical timelines
- Two negotiation phases, a first group of 8 – 10 Associations, followed by the balance of the 20 Associations

Staff recommend that the General Manager develop the implementation plan and allocate the resources to support the negotiations, transition and implementation of the new agreements.

Consistent with other Park Board agreements, the General Manager will work with City of Vancouver Legal Services and Risk Management on the drafting of the final agreements. Staff recommends that once the form of the agreements have been approved by the General Manager and Directors of Legal Services and Risk Management, the General Manager be authorized to execute the documents on behalf of the Board.

CONCLUSION

This staff report recommends endorsement of the recommendations contained in the Final Report from the Joint Operating Agreement Task Force, titled “Renewing the Partnership”, with specific recommendations on how they can be strengthened and implemented based on the feedback received over the 6 month period since the final report was tabled.

The content and recommendations contained in “Renewing the Partnership” are broad and have positive implications for the future of Community Centres across the city. The recommendations focus on putting citizens first, make community building and accountability a priority and suggest new ways of working together as citizens, staff, volunteers and government. Based on significant consultation, research and analysis, the recommendations contained in the Final Report have the potential to set the stage for a new way of thinking, working and acting differently in a partnership relationship between the public and community not-for-profit sector in the delivery of recreation services.

Prepared by:

**Vancouver East District
Vancouver Board of Parks & Recreation
Vancouver, BC**

Appendix 1

Shared Mission and Vision for Community Centres

Jointly Operated by Vancouver Park Board and a Local Community Association

MISSION

- ✦ Working together, we provide local community and city-wide public recreation and community programs and facilities that improve people's lives thru shared opportunities for personal and community enrichment.

VISION

- ✦ All residents thrive through access to a wide range of physical, social, cultural, skill development and creative opportunities for self expression, development and fulfillment.
- ✦ Our quality environments are welcoming, respect diversity and support people of all interests and abilities.
- ✦ Our community centres serve as the hub of Vancouver neighbourhoods and link residents together with resources to maximize the benefits of recreation and community programs in a cost efficient manner.

VALUES

- ✦ Vancouver is celebrated for its quality of life and values that respect community identity, diversity, dignity, equity and healthy active living;
- ✦ Recreation is valued as a vital component in developing strong communities and developing healthy citizens;
- ✦ Local Community Centres are important community assets that demonstrate our collective priority to achieve our potential as individuals, neighbourhoods, communities and as a vibrant and healthy city;
- ✦ We place the community first in all decision making. We focus on outcomes as well as process and achieve results that benefit the public;
- ✦ We believe in maintaining a high level of public trust and confidence and demonstrate accountability in decision making;
- ✦ We respect the different roles and capacity that each party brings to the partnership in the joint operation of the centre and depend on each other to fulfill our respective roles;
- ✦ We strive to identify and address areas of greatest need within our community and balance these priorities with other needs and opportunities;
- ✦ We are flexible and optimistic in our approach and welcome change as an opportunity;
- ✦ We collaborate and coordinate with other service providers to maximize opportunities, address gaps in service and avoid duplication.

Appendix 2

KEY OPERATING PRINCIPLES FOR COMMUNITY CENTRES

Jointly Operated by Vancouver Park Board and a Local Community Association

Quality Recreation - Recreation is an important fundamental public service. The public should expect the same quality standards of recreation service across the city.

Collaboration and Co-ordination - Duplication and competition between service providers is to be avoided through a coordinated approach to service delivery and harmonization of Community Centre policies.

Equity - Principles of equity should be considered in balancing demands and resources across the entire system.

Results Oriented - Participation rates and program effectiveness should be measurable across the system in a standardized way utilizing performance measures including both outputs and outcomes.

Accountability - Each partner assumes the responsibilities, risks and rewards of their mandate, including the areas of risk management, human resources and finance. The Park Board, as a government body, is bound by legislation, accountable for public assets and is required to satisfy a high standard of public trust.

Community Focus - Focus on community-based service delivery, using a community development approach. Plan services based on a thorough understanding of the needs of local neighbourhood residents with the needs of broader communities of interest and the public as a whole.

Communication - Demonstrate open, direct and timely communication between the partners and externally.

Independence - The Park Board and each Community Association are separate and independent entities with exclusive and distinctive roles and responsibilities for Community Centre services. Each partner also has a scope of interests and responsibilities outside of Community Centre services.

Celebrate Success - Recognize and celebrate good work.

Continuous Learning and Growth - Perform to the best of our abilities through continuous learning, innovation and ongoing efforts.

Appendix 3

SUMMARY OF FEEDBACK ON THE FINAL REPORT FROM THE JOINT OPERATING AGREEMENT TASK FORCE

Recommendation	Strong Support	General Support, Further work or changes needed	Limited Support, Significant Concerns	Notes
1-Shared Vision 1.1 Mission, Vision & Values 1.2 Framework	yes			-Suggestions to move quickly on vision piece -Support for the flexible framework. -A range of interests in where different Associations would like to see themselves in the future across the whole spectrum of the continuum. -CUPE 15 expressed concerns with Model A
2-Serving Community Needs 2.1 Programming	yes			-Suggestions to look at what others have done on standard measures so we don't "reinvent the wheel". -Comments that the Park Board needs to assist in needs assessments -The public wants more consistent quality standards for the same program offered at different centres and they don't understand why fees for the same program are different centre to centre.
2.2 Membership		yes		-A variety of different points of view on how to implement and whether there would be an impact on Association revenues. -Recognition that the membership issue needs to be worked out by Associations working together. -The public doesn't support having to buy memberships to different centres when all centres all funded through tax dollars
2.3 Catchment Areas	yes			-Concerns expressed on how to implement
2.4 Core Service	yes			-Frequent comment that this is critical. -Needs to specifically include review of the allocation of Park Board staff. -Staff comment that this should be "fast tracked" but should not hold up new agreement. -Staff comment that transparent information, accountability and decision-making can start to address core service standard.
3 - Effective Alliances 3.1 - Agreement Management	yes			-Reminders to not make it overly "legalistic". -Concern expressed that the dispute resolution for Agreement (3.1.4) includes the potential for arbitration if mediation fails and could represent a cost. -Support for 3 rd parties in resolution process as a good idea.
3.2 - Governance and Accountability		yes		-Strong support for Partnership Review but it should not be required on an annual basis
3.3 Communications	yes			
3.4 Reporting	yes			
3.5 Operational dispute Resolution		yes		-Strong support with desire that it be included in individual agreements as an alternative to discussions as part of the annual Partnership Review
3.6 Association Collective	yes			
3.7 Conflict of Interest	yes			
3.8 Recognition	yes			
4 - Maximizing Resources		yes		-A variety of different points of view on whether the Jan - Dec fiscal period is the best for Associations. -Comments on the costs of providing audited financial statements.

4.1 - Consistency and Reporting				-Association concern expressed that books could be "shuffled".
4.2 Equity Fund			yes	-Strong support for providing equity across the system but different points of view of whether this should be through the distribution of revenues as described in the Equity Fund and/or distribution of Park Board budgets.
4.3 Park Board Budget	yes			-Expression that this is the appropriate role for government but concern that there is not enough money and that no centres will think they can do with less. -Suggestion that Park Board get new money to balance historical inequities.
4.4 Reserve and Surplus Funds	yes			-Concern expressed about others having access to the financial information of the Association -Comment from Associations about not giving another party any say in how Association dollars are used.
4.5 Fundraising	yes			-Not all Associations are interested in fundraising
4.6 Human Resources	yes			-Concerns about how to implement. -Staff comments that it is important for Association to continue to pay for staff training.
4.7 Human Resources - Training and Development				-CUPE 15 comments that any changes need to give protection of collective agreements, clear roles for scheduling, directing and supervising staff for both partners, knowledgeable, consistent, fair and equitable hiring, training and supervision of staff and clear mechanisms for dealing with staffing issues.
4.8 Facility space Allocation	yes			-Expressed that all Community Associations programs should have priority over other community recreation programs
4.9 Facility Rental	yes			
4.10 Parks and Other Facilities	yes			-Staff comments that other groups also need to be involved -Associations want to continue to have a role in park issues in their communities
4.11 Facility Maintenance	yes			
4.12 Equipment and Supplies	yes			
4.13 Insurance and Indemnity	yes			-Clarification on what the Associations need to protect themselves will be important
4.14 Policies and Procedures	yes			
4.15 Records and Information Management	yes			
5 - Moving Forward	yes			-Expression from some to "get on with it". -Comments that the Core Service Review and details about implementation need to be done first.
5.1 Transition, Negotiation and Implementation				-CUPE 15 interested in actively participating in the development and implementation of this process. -Staff CRC's want to be involved during negotiations but not directly in the negotiations. -Input from staff at the facility level should be included prior to any new model being recommended.
GENERAL				
- Roles				-CRCs have a key role in the success of the partnership
- Definitions				Recreation defined in broad, progressive terms
- Change Management				-Training and support needed on dealing with change
- Kudos				-True example of a community consultation process -Interested that the work was entered into with good spirit on both sides -Report thorough and comprehensive, thoughtful yet in places provocative, respectful of history yet future oriented -Extensive research and consultations -Well conceived -Congratulations to Task Force and all participants in process

Appendix 4

FINAL REPORT FROM THE JOINT OPERATING AGREEMENT TASK FORCE – NOVEMBER 2004 VANCOUVER'S COMMUNITY CENTRES – RENEWING THE PARTNERSHIP

[Download the FINAL REPORT](#) (PDF, 1.45Mb)

<http://www.vancouver.ca/parks/info/joa/joa.shtml>