
New Joint Use Agreement – Key Terms and Conditions

Recommendation

That the Standing Policy Committee on Planning Development and Community Services recommend to City Council:

1. That the proposed terms of the new Master Joint Use Agreement, as outlined in this report, be approved;
2. That the Solicitor's Office be authorized to prepare the appropriate agreement for the Master Joint Use Agreement in collaboration with the two School Divisions; and that His Worship the Mayor and the City Clerk be authorized to execute the agreement under the Corporate Seal; and
3. That a one-time allocation of up to \$52,000 from existing reserves, as outlined in this report, to support the implementation of the new Joint Use Agreement, be approved.

Topic and Purpose

The purpose of this report is to present an update on the proposed terms of a renegotiated Joint Use Agreement with the Saskatoon Public Schools and the Greater Saskatoon Catholic Schools, and to bring forward a new Master Joint Use Agreement which will be signed by the three parties.

The report includes information on a proposed supporting Operational Joint Use Agreement, with delegated authority to Administration to address the day-to-day operations and processes of applying the key terms of the Master Joint Use Agreement. The report provides a summary of the key terms and conditions that will be incorporated into a new Joint Use Agreement. The new agreement also introduces the concept of subsidized rental rates for community associations to access elementary school facilities.

Report Highlights

1. The Joint Use Agreement is based on the principle that all parties are working to maximize the use of their respective facilities during non-peak periods, to recognize that these facilities are a resource to serve the community, and to respond to the fact that the cost of operating these facilities is largely paid by the same taxpayer.
2. The new Master Joint Use Agreement (Master Agreement) will provide the overview of the foundational principles and key terms of access to each party's facilities. There will be one master agreement to include key terms and be signed by all three parties.
3. The supporting Operational Agreement will include details related to the conditions and protocols for addressing the day-to-day operational considerations.

4. The terms and conditions for the new Master Agreement will need to be approved by City Council and the Board of Education for the two School Divisions. If approved the new agreement would come into effect September 2018.

Strategic Goal

Under the City of Saskatoon's (City) Strategic Goal of Quality of Life, this report relates to the long-term strategies of supporting community building through direct investment, as well as ensuring existing and future leisure centres and other recreational facilities are accessible, physically and financially, and meet community needs.

Background

A Joint Use Agreement is a signed contract between the City, and each of the School Divisions that was originally established to ensure the best use of each organization's facilities and resources by making time available in schools for community use, and to also provide affordable access to civic recreation facilities and sport fields for elementary and high school students.

The City has had a separate agreement with the Greater Saskatoon Catholic School Division since 1993, and with the Saskatoon Public Schools since 2004. The City entered into these agreements on behalf of the volunteer-run Community Associations operating in neighbourhoods across Saskatoon, and to ensure access to schools for the City's summer playground program.

After many years of operating under the current Joint Use Agreements, in mid-2017, it was identified by the two School Divisions there was a desire to open discussions on the Joint Use Agreements and consider formulating the terms for a new single agreement to be signed by all 3 parties.

Report

Joint Use Foundational Principles

Schools are a vital, accessible community hub for recreational, cultural and social activity at the heart of many neighbourhoods in Saskatoon.

The City of Saskatoon, the Saskatoon Public and Greater Saskatoon Catholic School Divisions are committed to providing shared access to facilities that serve both the students and the community.

The Joint Use Agreement is based on the principle that all parties are working to maximize the use of their respective facilities during non-peak periods, to recognize that these facilities are a resource to serve the community, and to respond to the fact that the cost of operating these facilities is largely paid by the same taxpayer. In this foundation, the City will not charge a rental fee to the School Divisions for their programs when they occur in specified civic recreation facilities during school hours. In return, the School Divisions will not charge a rental fee to the community associations to use their neighbourhood schools during evenings on school days. The current

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agreements also indicate that the cost of extra staff to accommodate either party's program shall be recovered from the other party.

Key Terms of the New Joint Use Agreement

The new Master Agreement will provide the overview of the foundational principles and key terms of access to each party's facilities. There will be one master agreement to include key terms and be signed by all three parties. The key terms and conditions of the Master Agreement include:

- a) that it will be managed by a Steering Committee comprised of representatives from each of the parties. The Steering Committee maintains a strategic leadership role, advocating the principles of the agreement and recommending policy to the Directors of Education for the school divisions and the City Manager. To meet a minimum of one time per year;
- b) the Steering Committee supports and coordinates the activities of the subcommittee, referred to as the Facilities/Operations Management Committee. Operational matters are delegated to the subcommittee;
- c) will provide reference to play structures in and around the school grounds and adjacent park space, to describe who is considered to own, maintain, and be responsible to replace;
- d) will embed foundational booking principles including protocols for pre-season booking, in-season booking and cancellations;
- e) will include base understanding of access to program equipment by Community Associations in Schools;
- f) will indicate the additional fees as subsidized associated rental costs, being assessed by the School Divisions and the City to work towards recovering some of the growing out of pocket expenses each party is incurring. Specifically, the School Divisions will see additional charges related to lifeguarding costs while the City will cover a portion of the expenses incurred by the schools to support after-hour use by community associations; and
- g) will recommend a limit on the Master Agreement to have an Administrative review every 5 years to validate and update, as required. The current agreements were written in perpetuity.

Supporting Operational Agreement

The supporting Operational Agreement will include details related to the conditions and protocols for addressing the day to day operational considerations. The Operational Agreement will include:

- a) hours of access to each party's facilities, equipment access, and which facilities are to be included;
- b) will include a common rental rate schedule for each parties facilities;

- c) delegated authority such that this agreement can be changed administratively without opening the Master Agreement;
- d) reference to inclusion of access for Home School students and process for access to City facilities;
- e) Greater Saskatoon Catholic Schools, access for schools outside Saskatoon – specifically Warman and Martensville requesting access to the Forestry Farm Park and Zoo only;
- f) terms of reference for the Operations/Facilities Committee, and a requirement to meet a minimum of two times per year; and
- g) reference to inclusion for associate schools with the Saskatoon Public School Division that will be included within the agreement.

Approvals and Implementation Plans

The terms and conditions for the new Master Agreement requires approval by City Council and the Board of Education for each of the School Divisions. Once the new Agreement is ratified, the Operations/Facilities Committee will work to develop supporting resource handbooks to ensure staff from all three parties, and the Community Association Executives, have consistent and transparent information and understanding of the details of the new Joint Use Agreement. Three handbooks will be developed for:

- a) school user of City Facilities;
- b) Community Associations using schools; and
- c) school Principals and Custodians.

Options to the Recommendation

Committee could choose to not approve some or all of the recommendations of this report in which case Administration would require further direction on negotiations for a new Joint Use Agreement with the School Divisions.

Public and/or Stakeholder Involvement

The City, the Greater Saskatoon Catholic School Division and the Saskatoon Public School Divisions have collaborated on the development of this new Master Joint Use Agreement.

Communication Plan

A joint communication on key messages has been developed by the parties and is being made available to the Community Associations, staff at civic facilities, and the staff at elementary schools.

Financial Implications

The financial implications of this report is a resulting increase of \$126,000 total in funding support for Community Associations to help address the new subsidized cost assessed for community association programs hosted in elementary schools. This

amount is based on historical hours of program bookings and a provision has been included in the 2019 budget as part of the inflationary increases.

Given the offsetting timing of the Community Association's program year and the School Division's fiscal year, there has been a request to consider implementing the new subsidized rental fee as of September 2018. Administration has been able to identify two grant reserves which have a purpose that is consistent with the types of programs being provided by the Community Associations and that currently have sufficient balances that could be accessed to support this request. It is estimated that for the period of September to December 2018, approximately \$52,000 in grant funding would be required.

Administration is recommending a one-time contribution of up to \$31,200 from the Sport Participation Grant Reserve and a one-time contribution of up to \$20,000 from the Community Support Grant Reserve. The current balance for the Sport Participation Grant Reserve is \$114,660 and the current balance for the Community Support Grant Reserve is \$101,627.

Policy Implications

Under the current criteria outlined in Policy No. C03-003, Reserve for Future Expenditures, the recommendation to provide one-time funding from the Sport Participation Grant Reserve and the Community Support Grant reserve would be as an exception to policy.

Other Considerations/Implications

There are no environmental, privacy, or CPTED implications with this report.

Due Date for Follow-up and/or Project Completion

Pending approval by City Council and the School Divisions, the Administration will work with the two School Divisions to finalize the New Master Joint Use Agreement and Supporting Operational Agreement for execution. It is anticipated this will be completed this summer to be in full effect for the fall 2018 school season.

Once the new Agreement is ratified, Community Associations, School Principals, and applicable City Administration will receive a newly developed handbook that details the new Joint Use Agreement.

Public Notice

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

Report Approval

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