

CITY OF HAMILTON  
COMMUNITY SERVICES DEPARTMENT  
Recreation Division

| TO: | Chair and Members  
Emergency & Community Services Committee |
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<td>WARD(S) AFFECTED:</td>
<td>WARD 6</td>
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<td>COMMITTEE DATE:</td>
<td>February 17, 2010</td>
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<tr>
<td>SUBJECT/REPORT NO:</td>
<td>Mount Hamilton Youth Soccer Club Renovations of the Existing Club House at Macassa Park Field House – 9 Dallas Avenue, Hamilton (Ward 6) (CS10009)</td>
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| SUBMITTED BY: | Joe-Anne Priel  
General Manager,  
Community Services Department |
| PREPARED BY: | Coralee Secore  
905-546-2424 Ext. 4689 |
| SIGNATURE: | |

**RECOMMENDATION:**

(a) That the request, submitted by the Mount Hamilton Youth Soccer Club to renovate, construct, fully fund and operate the existing clubhouse, located at 9 Dallas Avenue, Hamilton (known as Macassa Field) (attached as Appendix A to Report CS10009), be approved.

(b) That the Key Terms and Conditions (attached as Appendix B to Report CS10009), for the renovation, construction and operation of the existing clubhouse, located at 9 Dallas Avenue, Hamilton (known as Macassa Field), be approved.

(c) That the Mayor and City Clerk be authorized and directed to execute the Construction and Operation Agreement between the City of Hamilton and the Mount Hamilton Youth Soccer Club, for the renovation, construction and operation of the clubhouse located at 9 Dallas Avenue, Hamilton (known as Macassa Field), in accordance with the Key Terms and Conditions, (attached as Appendix B to Report CS10009), and any further agreements or documents, as may be required for this project, in a form satisfactory to the City Solicitor.
EXECUTIVE SUMMARY

Staff from the Recreation Division and the Environmental Services Section met with the Mount Hamilton Youth Soccer Club (MHYSC) executive on November 4, 2009 with respect to renovating the existing clubhouse at Macassa Park. The proposed renovated clubhouse will be more energy efficient with new lighting, wall insulation, improved duct work as well as the addition of a small washroom and kitchenette. The Recreation Division received correspondence from Mount Hamilton Youth Soccer Club (MHYSC), dated December 11, 2009 (attached as Appendix A to Report CS10009), confirming their request to renovate the existing field house located at 9 Dallas Avenue in Hamilton.

The City of Hamilton approvals include a Construction and Operation Agreement between the City of Hamilton and MHYSC for renovation of the clubhouse.

Total estimated cost for design and construction of the renovated clubhouse is between $40,000 and $50,000, which will be fully funded by MHYSC with no financial impact on the City of Hamilton. The funding for the renovated clubhouse was approved at the MHYSC Board of Directors meeting on December 1, 2009. In addition, the MHYSC executive met with the Carpenters’ Union, Local 18; whereby, the Union agreed to waive the General Contractor provisions for this project and will work with the MHYSC to complete the renovated clubhouse. M&M Associates Professional Engineers have been hired to complete the final drawings, which will be submitted to the Building Services Division for permits.

Based on the information received, staff is satisfied that the MHYSC is in a position to move the project forward and are recommending that this project be approved, based on the Key Terms and Conditions for the clubhouse construction & operation between the City of Hamilton and Mount Hamilton Youth Soccer Club (attached as Appendix B to Report CS10009).

Alternatives for Consideration – None.

FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial:

The total estimated cost for the new clubhouse is $40,000 to $50,000. Mount Hamilton Youth Soccer Club has agreed to pay 100% of all the building permit fees and construction costs associated with the clubhouse renovations. The ongoing maintenance costs for the clubhouse after the construction period will continue to be the responsibility of Mount Hamilton Youth Soccer Club.
Staffing:

There are no staffing implications associated with Report CS10009.

Legal:

Legal Services will be involved in the development of the Construction and Operation Agreement between the City of Hamilton and MHYSC, prior to the construction of the clubhouse in a form satisfactory to the City Solicitor.

HISTORICAL BACKGROUND

MHYSC’s executive requested that the City explore approval of a capital renovation project (clubhouse located in the Macassa Park). MHYSC seeks the necessary approval to renovate the existing clubhouse, which they are prepared to fully fund.

Upon approval, the City Solicitor will prepare a Construction and Operation Agreement with MHYSC to renovate the clubhouse along with terms for the clubhouse use. The Construction and Operation Agreement would be for a five-year term; expiring December 31, 2015, and would permit the MHYSC to continue its primary use of the building for storage and office administration, following the renovations. The Construction and Operation Agreement is required before any renovation work can be undertaken. Consultation with the Carpenters’ Union, Local 18 was undertaken and support was received from the Carpenters’ Union for the work to be done by MHYSC.

The newly renovated clubhouse will be more energy efficient with new lighting, properly insulated walls along with heating duct work improvements. The renovations will reduce energy costs and will provide the improved administration space necessary to operate the largest soccer association in the City of Hamilton.

POLICY IMPLICATIONS

N/A

RELEVANT CONSULTATION

- Corporate Services Department, Legal Services Division
- Public Works Department, Operations and Waste Management Division, Environmental Services Section
Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.

Values: Honest, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork

- Carpenters’ Union, Local 18

**ANALYSIS / RATIONALE FOR RECOMMENDATION**

The Recreation Division received the requested correspondence from the executive of MHYSC, which provided the following:

**Confirmation of Funding Commitment** – a financial accounting of both gift-in-kind and cash commitments towards the project. Total estimated cost for design and construction of the renovated clubhouse is $40,000 to $50,000 to be fully covered by MHYSC (attached as Appendix B to Report CS10009).

**Project Timeline** – a schedule that will see completion of the new clubhouse by the Spring of 2010, prior to the summer soccer season.

**Minutes of the Mount Hamilton Youth Soccer Club Executive reconfirming their Support for the Clubhouse Project** - at a MHYSC meeting, a motion was approved on December 1, 2009 confirming support for the construction of the renovated clubhouse.

**Contractor Information** – 1262307 Ontario Limited operating business as Pro Construction will oversee the renovation and construction of the new clubhouse.

**Confirmation of Insurance** – a letter from State Farm Insurance confirming that the insurance includes $2,000,000 Business Liability with a $4,000,000 General Aggregate, plus $4,000,000 Property and Casualty Occurrence (PCO) Aggregate.

With the information provided by MHYSC, staff is now satisfied that the organization is in a position to move the project forward and are recommending that the Mayor and City Clerk be authorized and directed to execute a Construction and Operations Agreement with the Mount Hamilton Youth Soccer Club, in accordance with the Key Terms and Conditions (attached as appendix B to Report CS10009), and any further agreement or documents, as may be required in a form satisfactory to the City Solicitor.

**ALTERNATIVES FOR CONSIDERATION:**

None.
CORPORATE STRATEGIC PLAN

Skilled, Innovative & Respectful Organization

- A culture of excellence
- More innovation, greater teamwork, better client focus
- Council and SMT are recognized for their leadership and integrity
- The project is a collaborative effort between the sports community, labour, business, and the City of Hamilton.

Financial Sustainability

- Delivery of municipal services and management capital assets/liabilities in a sustainable, innovative and cost effective manner
- Enhanced operations and community benefit with no financial implications.

Intergovernmental Relationships

- Maintain effective relationships with other public agencies
- Working in partnership with community sport volunteers.

Growing Our Economy

- An improved customer service
- Improved servicing to members of Mount Hamilton Youth Soccer Club.

Social Development

- Residents in need have access to adequate support services
- Mount Hamilton Youth Soccer Club has made an on-going commitment to subsidize and to make the sport of soccer accessible.

Environmental Stewardship

- Reduced impact of City activities on the environment
- Energy efficient improvements.

Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.

Values: Honest, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork
Healthy Community

• An engaged Citizenry
• Empowering volunteers to undertake the responsibility of capital costs.

APPENDICES / SCHEDULES


Appendix B – Key Terms & Conditions for the Construction and Operation Agreement between the City of Hamilton and Mount Hamilton Youth Soccer Club.
December 11, 2009

Reference: Mount Hamilton Youth Soccer Club - Renovations to Field house

Greg Maychak
City of Hamilton

Dear Greg Maychak,

Field House Renovations

Please accept this letter as confirmation that the Mount Hamilton Youth Soccer Club (MHYSC) intends to renovate the existing field house located at 9 Dallas Avenue in Hamilton (Macassa Park). The field house serves as both an office building and a storage facility for the MHYSC.

The MHYSC Board convened a special meeting on Monday December 07th 2009 and unanimously approved the proposal to renovate the field house as well as the financial budget put forth by the renovation sub-committee. Additionally, the MHYSC board awarded the construction contract to Pro Construction.

Further, the MHYSC Board has secured the services of M & M Associates to provide the Mechanical and Electrical drawings. M & M Associates will work alongside with DeFelipes Design, who will be providing the Architectural and Structural design / stamped drawings.

Please also note that on December 11th 2009, members of the MHYSC Board met with Matthew Creary (representing the Carpenter’s Union). Mr. Creary provided his full support for the renovation project and his approval to source the work as indicated above. Mr. Creary indicated he would send a letter confirming the above to you.

In sum, we trust that the information provided to you will suffice for your presentation to City Council on behalf of the MHYSC in January as discussed previously. We look forward to hearing from you with City approval so that we may begin our renovation project with proper authorization / permits.

Sincerely,

Anthony Odoardi
Anthony Odoardi
Vice President – MHYSC and
Chair - Renovation Project
KEY TERMS & CONDITIONS TO AN AGREEMENT

BETWEEN

THE CITY OF HAMILTON

AND

MOUNT HAMILTON YOUTH SOCCER CLUB

FOR THE CONSTRUCTION & OPERATION OF A CLUBHOUSE AT
MOUNT HAMILTON YOUTH SOCCER CLUB

The Agreement will define the relationship between the City of Hamilton and the Mount Hamilton Youth Soccer Club throughout the planning, design, construction and the operation of the clubhouse at 9 Dallas Avenue, Hamilton for the Mount Hamilton Youth Soccer Club. The key terms and conditions are as follows:

Mount Hamilton Youth Soccer Club shall:

- renovate the clubhouse at its sole cost by May 2010 and thereafter operate the clubhouse at its sole cost during the term of the Agreement;
- comply with and incorporate any design requirements that the City may identify as being required in a public building located on City property;
- abide by all Provincial and Federal laws and regulations and all Municipal by-laws, policies and procedures affecting the construction and use of the premises or activities thereon;
- obtain, at its own cost, all approvals and permits necessary to carry out the construction of the clubhouse;
- own the clubhouse during the term of the construction and License Agreement(s). Upon termination of the construction and License Agreement(s) for any reason, ownership of the clubhouse shall be transferred to the City;
- manage and operate the clubhouse and ensure that its use is in keeping with the not-for-profit objectives of Mount Hamilton Youth Soccer Club, including ensuring that not-for-profit trade or business is carried on at the clubhouse;
- be responsible for all costs of maintenance, utilities, damages, taxes, or similar that may be incurred relating to the clubhouse;
- maintain, clean and repair the clubhouse as may be required and to act upon any reasonable request of the City to do so;
- indemnify the City from any claims arising pursuant to the Construction Lien Act and discharge any such liabilities in respect of the premises;
- any alterations to the clubhouse must be approved in writing by the City of Hamilton;
- indemnify the City against any and all loss, costs, charges, damages, expenses, claims and demands whatsoever to which the City may be put or, which the City
may suffer or sustain, or for which the City may be liable for reason of anything
done or omitted to be done arising from Mount Hamilton Youth Soccer Club
construction or operation of the clubhouse, such indemnification to be in wording
satisfactory to the City’s Risk Management Division;
• maintain insurance satisfactory to the City’s Risk Management Division, and
furnish proof of such insurance upon request at any time during the term of the
License Agreement and any renewals thereof;
• not sell the building or pledge it for security; and,
• provide any further covenants to the City and enter into any further Agreements
as the City may deem necessary to give effect to the foregoing, in a form
satisfactory to the City Solicitor.

The City shall:

• enter into an Agreement with Mount Hamilton Youth Soccer Club to permit the
renovation of a clubhouse building for Mount Hamilton Youth Soccer Club, on
Macassa Park, City-owned property;
• provide for the term of the Agreement to be for a period of five years, expiring
December 31, 2015; and,
• permit the Mount Hamilton Youth Soccer Club to have primary occupation of the
clubhouse during the term of the Agreement.