

TO: CITY MANAGER 1999 August 05

FROM: DIRECTOR PARKS, RECREATION AND CULTURAL SERVICES

SUBJECT: AGREEMENT BETWEEN THE BURNABY HORSEMEN'S ASSOCIATION AND THE CITY OF BURNABY

PURPOSE: To request approval for a lease agreement between the City of Burnaby and the Burnaby Horsemen's Association for the operation of the equestrian facilities at 9080 Avalon Avenue.

RECOMMENDATION:

1. THAT approval be given for a lease agreement between the City of Burnaby and the Burnaby Horsemen's Association for the operation of the equestrian facilities at 9080 Avalon Avenue.

REPORT

At its meeting of 1999 August 04, the Parks and Recreation Commission received the above noted report and adopted the recommendation contained therein.



Kate Friars, Director
PARKS, RECREATION
AND CULTURAL SERVICES

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cc: Director Finance
City Solicitor

SUBJECT: AGREEMENT BETWEEN THE BURNABY HORSEMEN'S ASSOCIATION AND THE CITY OF BURNABY

RECOMMENDATIONS:

1. THAT approval be given for a lease agreement between the City of Burnaby and the Burnaby Horsemen's Association for the operation of the equestrian facilities at 9080 Avalon Avenue.
2. THAT Council be requested to concur.
3. THAT a copy of this report be sent to the Burnaby Horsemen's Association.

REPORT

BACKGROUND:

The current agreement between the City and the Burnaby Horsemen's Association has been in place for almost twenty years, and expires September 30, 1999. This agreement sets out terms and conditions relative to the operation of two barns, and the licensing of individual stalls.

A further agreement dated March 1995, and expiring September 30, 1999 provides the terms and conditions for construction and operation of a riding arena and associated stalls.

Inherent in both agreements was the recognition that licensing of individual stalls would be carried out in such a manner as to allow the BHA to recover the cost of construction of barns and the indoor riding arena. These costs have now been recovered, and a different form of agreement is required to allow for the ongoing operation of the equestrian facilities.

Staff have held a series of meetings with a committee authorized by BHA to review options for management of the facilities. The primary interest expressed by the BHA were that the Association be given consideration to continue the operation of the equestrian facilities in Burnaby in such a manner that the care and upkeep of horses would continue to be affordable to the average citizen. Options that have been considered include such things as an on-site manager who would be an employee of the City or a full-time caretaker. Both options were considered to be too costly by the Committee.

PROPOSED TERMS AND CONDITIONS:

1. Agreement between the Burnaby Horsemen's Association and the City for operation of the entire equestrian facility including three barns, sawdust storage huts, horse wash stalls, tractor hut, indoor riding arena, three outdoor riding rings, manure bins and all fencing.
2. Initial term of five years, with options for two five year renewal terms; for an annual fee of \$1.00 per year.

3. BHA to be responsible for operation and maintenance of subject property and all buildings. Maintenance to include all ongoing and day-to-day such as cleaning and repainting, repair of fences, removal of trees which have fallen; and also attention to major structural issues such as re-roofing.
4. Stalls to be rented on a monthly basis, rates to be approved by the Director Parks, Recreation and Cultural Services.
5. Stall rental revenues will provide the operational funding required for the operation and maintenance of the facilities, any suggested security improvements such as monitored fire/burglar alarm system, and must also be set such that a building fund is established and maintained for major maintenance items such as re-roofing.
6. Stall rental preference will initially be provided to members of BHA, giving due consideration to stall licenses and occupiers of stalls. Thereafter, stalls will be rented on a first come, first served basis with preference given to Burnaby residents.
7. The BHA will make efforts to increase the percentage of Burnaby residents in the short term, and then must strive to retain a minimum of 50% Burnaby residents, and preferably 65% Burnaby residents. Tax exemption status will be lost if 50 % Burnaby residency requirement is not maintained.
8. Stalls may not be left vacant for a period greater than three consecutive months, and may not be sublet. If a stall has been left vacant for three consecutive months, it will be the responsibility of the BHA to rent the stall to a new tenant taken from a waiting list in order of priority, and recognizing priority of Burnaby residents.
9. The BHA will establish a dispute resolution committee, according to the BHA proposed terms, which will be separate from the BHA Board of Directors.

SUMMARY:

This report has been discussed with and is supported by the BHA Committee authorized to work with the City.

It is recommended that a new agreement be developed with the Burnaby Horsemen's Association, essentially putting in place a management agreement for Burnaby's equestrian facilities, according to the proposed terms and conditions outlined in this report.

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cc: Director Finance
City Solicitor

