
TO: CITY MANAGER **DATE:** 2011 December 15

FROM: DIRECTOR PARKS, RECREATION &
CULTURAL SERVICES

SUBJECT: LICENCE AGREEMENT – CLIFF AVENUE UNITED FOOTBALL CLUB

PURPOSE: To request approval for staff to enter into a new licence agreement with the Cliff Avenue United Football Club to operate the clubhouse portion of the facility at the Kensington Fieldhouse.

RECOMMENDATION:

1. **THAT** approval be given for staff to enter into a new licence agreement with the Cliff Avenue United Football Club to operate the clubhouse portion of the facility at the Kensington Fieldhouse with terms and conditions as outlined in the attached report.

REPORT

At its 'Open' meeting of 2011 December 14, the Parks, Recreation and Culture Commission received the attached report and adopted the three recommendations contained therein.

Dave Ellenwood
DIRECTOR PARKS, RECREATION & CULTURAL SERVICES

MC:tc

Attachment

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Copied to: City Solicitor
Director Finance
Risk Manager

TO: CHAIR AND MEMBERS
PARKS, RECREATION & CULTURE COMMISSION

FROM: DIRECTOR PARKS, RECREATION & CULTURAL SERVICES

SUBJECT: LICENCE AGREEMENT – CLIFF AVENUE UNITED FOOTBALL CLUB

RECOMMENDATIONS:

1. **THAT** approval be given for staff to enter into a new licence agreement with the Cliff Avenue United Football Club to operate the clubhouse portion of the facility at the Kensington Fieldhouse with terms and conditions as outlined in this report.
2. **THAT** Council be requested to concur.
3. **THAT** a copy of this report be sent to Ms. Karen Hum, Facility Administrator for the Club.

REPORT**INTRODUCTION**

Cliff Avenue United Football Club is the largest youth (boys and girls) soccer club in Burnaby. For the 2010/2011 season, there were over 1,800 registrants. Established in 1956, the Club currently occupies a clubhouse located at 6159 Curtis Street. This facility was constructed in 1995, and occupies the upper floor of the City owned facility. The floor plan in Attachment #1 shows the clubhouse portion which is the subject of the licence agreement. The facility is used by the Club to host regular meetings, coaching sessions and training along with team functions and tournaments. The facility is also rented out by the Club to the public for private and public functions. It is also used by other community youth groups such as Burnaby Karate. The modest rental program provides the Club a revenue source which contributes to the Club's operating budget, and helps to cover monthly operating expenses such as cleaning, heating and interior maintenance and improvements.

At the time of construction in 1995, the City of Burnaby had provided funding assistance for the construction of the clubhouse. This funding assistance was provided on the condition that the money be paid back to the City during the time that the club occupies and operates the facility. At this time all moneys have been paid back for the construction of the facility.

The City has had a licence agreement with the Cliff Avenue United Football Club, which sets out operating conditions for the clubhouse at Kensington Fieldhouse. The latest agreement expired on 2011 September 30. The Club has expressed interest in renewing the contract and has proposed to pay the City \$250.00 per month for the licence to occupy the facility, and requested that all other terms and conditions of the existing agreement remain. This fee represents a fair return for the use of the facility. A comparative analysis suggests that most soccer clubs in lower mainland municipalities are both permissively tax exempt, and pay annually either a nominal fee or no fee to the municipality for similar space.

Over the past five years, the Club has invested the extra revenue generated from rentals to update the interior of the hall by replacing flooring, window coverings, paint and appliances. If renewed and typical operating revenues can be generated, the Club plans on spending \$10,000 over the next 5 years to upgrade and maintain the interior of the facility. They have recently replaced the original tables and chairs at a cost of \$3,500. Other improvement plans include replacing the bathroom floors, purchase of a new microwave, cleaning the window coverings and refreshing the paint.

TERMS AND CONDITIONS FOR NEW AGREEMENT

The following summarizes the provisions to be included in a new agreement. All have been discussed in detail with the Club, who are in agreement:

1. Length of Term

- 5 years and one option to renew for a further 5 years.
- To be effective 2011 October 01.

2. Club responsibilities

- The Club is responsible for all janitorial, cleaning and sanitary conditions of licence area, as well as false alarm charges, as in the previous agreement.
- Interior improvements are the sole responsibility of the Club; approval to be granted by the Director for all improvements, with appropriate permits in place. All work to be completed in accordance with all legislation and bylaws.
- Insurance and indemnity provisions to be maintained in accordance with current City standards.
- The Club shall be responsible for all of the heat, electricity, gas, telephone and other utility costs for the clubhouse portion of the building.

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From: Director Parks, Recreation & Cultural Services
Re: Licence Agreement – Cliff Avenue Soccer Club

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- The Club shall permit the City to use the facility for its Parks and Recreation Department programs from 9:00 a.m. to 5:00 p.m. provided that the premises are not then being used or previously rented by the Club.

3. City responsibilities

- The City is responsible for maintaining the exterior, roof, windows, doors, graffiti removal, structural components, boilers, heating and ventilation systems, garbage removal, and water and sewer charges (it is important to note that the City is typically responsible for these items with City owned buildings in Parks). The City is also responsible for the landscaping surrounding the facility and has recently addressed some minor deficiencies.

In addition, the new agreement will continue to ensure that:

1. All rates for rental of the premises will be approved by the Director.
2. All net income received from operation of the premises shall continue be used to make improvements to the premises or to assist and encourage sports associated with the Cliff Avenue United Football Club.
3. The Licensor will provide annually to the City, a copy of its membership list, operating statement and balance sheet duly certified by an auditor.

SUMMARY

The Cliff Avenue United Football Club continues to provide a service to the community, and is a valued supporter and community partner. It is recommended that the terms and conditions for a new licence to operate the clubhouse portion of the facility at the Kensington Fieldhouse be approved as outlined in the report.



Dave Ellenwood
DIRECTOR PARKS, RECREATION & CULTURAL SERVICES

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Attach.

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