Minutes – Executive Policy Committee – May 22, 2024

Report – Standing Policy Committee on Community Services – May 8, 2024

Item No. 6 Pan Am/Swim Natation Manitoba Agreement – Terms and Conditions

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Community Services and submitted the following to Council:

1. That the Council decision of December 14, 2023, be amended as follows:

    A. That Recommendation 1, as approved by Council, be replaced with the following:

        "1. That the Winnipeg Public Service be directed to negotiate the terms and conditions with Swim Natation Manitoba for a 20-year user agreement effective as of September 2024, upon successful conclusion of negotiations, for near exclusive use of the Training Tank located within the Pan Am Pool ("the Tank") with rates increasing annually, with the intent to accommodate as much as possible, but also reflecting the historic capital and operating contributions made by Swim Natation Manitoba to the facility."

    B. That Recommendation 2, as approved by Council, be replaced with the following:

        "2. That terms and conditions relating to the operation of the canteen operated by Swim Natation Manitoba, from time to time, be formalized in the agreement for the purpose to secure use and operation of the canteen to assist the organization and to promote the Tank."

2. That the Winnipeg Public Service be directed to report back to the Standing Policy Committee on Community Services in 120 days.

3. That the Proper Officers of the City be authorized to do all things necessary to fulfill the intent of the foregoing.

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DECISION MAKING HISTORY:

Moved by Councillor Duncan,

That the recommendation of the Standing Policy Committee on Community Services be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On May 8, 2024, the Standing Policy Committee on Community Services submitted the following to the Executive Policy Committee and Council.

1. That the Council decision of December 14, 2023, be amended as follows:

    A. That Recommendation 1, as approved by Council, be replaced with the following:

        "1. That the Winnipeg Public Service be directed to negotiate the terms and conditions with Swim Natation Manitoba for a 20-year user agreement effective as of September 2024, upon successful conclusion of negotiations, for near exclusive use of the Training Tank located within the Pan Am Pool ("the Tank") with rates increasing annually, with the intent to accommodate as much as possible, but also reflecting the historic capital and operating contributions made by Swim Natation Manitoba to the facility."

    B. That Recommendation 2, as approved by Council, be replaced with the following:

        "2. That terms and conditions relating to the operation of the canteen operated by Swim Natation Manitoba, from time to time, be formalized in the agreement for the purpose to secure use and operation of the canteen to assist the organization and to promote the Tank."

2. That the Winnipeg Public Service be directed to report back to the Standing Policy Committee on Community Services in 120 days.

3. That the Proper Officers of the City be authorized to do all things necessary to fulfill the intent of the foregoing.

Report – Standing Policy Committee on Community Services – May 8, 2024

DECISION MAKING HISTORY (continued):

STANDING COMMITTEE RECOMMENDATION (continued):

On April 10, 2024, the Standing Policy Committee on Community Services concurred in the recommendation of the Winnipeg Public Service, as amended, and granted an extension of time of 30 days for the Winnipeg Public Service to report back on the following:

1. That the Winnipeg Public Service be directed to negotiate the terms and conditions with Swim Natation Manitoba for a 20-year agreement effective as of 2023 for near exclusive use of the facility with rates increasing by CPI, plus a phased in approach over 20 years to bring fees in line with the Council approved Fees and Charges Schedule, with the intent to accommodate as much as possible, but also reflecting the historic capital and operating contributions made by Swim Natation Manitoba to the facility.

COUNCIL DECISION:

On December 14, 2023, Council concurred in the recommendation of the Standing Policy Committee on Community Services and adopted the following:

1. That the Winnipeg Public Service be directed to negotiate the terms and conditions with Swim Natation Manitoba for a 20-year agreement effective as of 2023 for near exclusive use of the facility with rates increasing by CPI, plus a phased in approach over 20 years to bring fees in line with the Council approved Fees and Charges Schedule, with the intent to accommodate as much as possible, but also reflecting the historic capital and operating contributions made by Swim Natation Manitoba to the facility.

2. That the canteen operated by Swim Natation Manitoba, from time to time, be formalized in the agreement for the purpose to secure use and operation of the canteen to assist the organization and to promote the facility.

3. That Swim Natation shall retain scheduling abilities to facilitate their own operations.

4. That the agreement contain assurances that the City of Winnipeg receive branding opportunities at international swim meets, including the Olympics.

5. That the Winnipeg Public Service report back to the Standing Policy Committee on Community Services with the terms and conditions of the agreement in 120 days.

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DECISION MAKING HISTORY (continued):

COUNCIL DECISION (continued):

6. That the Proper Officers of the City be authorized to do all things necessary to fulfill the intent of the foregoing.

NOTICE OF EXTENSION REQUEST

Title: Pan Am/Swim Natation Manitoba Agreement – Terms and Conditions

Critical Path: SPC Community Services

AUTHORIZATION

Author	Department Head

RECOMMENDATION

The Public Service requests that an extension of up to 120 days be granted to report back on the following:

1. That the Winnipeg Public Service be directed to negotiate the terms and conditions with Swim Natation Manitoba for a 20-year agreement effective as of 2023 for near exclusive use of the facility with rates increasing by CPI, plus a phased in approach over 20 years to bring fees in line with the Council approved Fees and Charges Schedule, with the intent to accommodate as much as possible, but also reflecting the historic capital and operating contributions made by Swim Natation Manitoba to the facility.

REASON

Community Services needs to confirm the Standing Policy Committee disposition expectations and then it requires more time to continue negotiating the terms and conditions of an agreement with Swim Natation with that shared understanding.

The Public Service is actively negotiating with Swim Natation Manitoba for near exclusive use of the Training Tank located within the Pan Am Pool. The updated Pan Am Pool Training Tank User Agreement from 1993 will reflect a period of 20 years, beginning September 1, 2024 until August 31, 2044.

In order to bring the facility rates charged to Swim Natation for the use of the Pan Am Pool Training Tank up to Council approved rates by Year 20, inclusive of annual CPI increases, there will be a phased-in, gradual increase of the Council approved Aquatic-Medium Pool-Non-Profit fee over the new 20-year agreement.

The historic capital and operating contributions made by Swim Natation Manitoba will be acknowledged by the gradual incremental increase each year up to 100% of that rate over 20 years by September 1, 2043. This is in addition to the original acknowledgement of their historic capital and operating contributions in the 1993 Pan Am Pool Training Tank Agreement, plus the extension of the agreement from 2013 until present day for a combined total of over 50 years in recognition.

DECISION MAKING HISTORY

At its April 10, 2024, meeting the Standing Policy Committee on Community Services concurred in the recommendation of the Winnipeg Public Service, as amended, and granted an extension of time of 30 days for the Winnipeg Public Service to report back on the following:

1. *That the Winnipeg Public Service be directed to negotiate the terms and conditions with Swim Natation Manitoba for a 20-year agreement effective as of 2023 for near exclusive use of the facility with rates increasing by CPI, plus a phased in approach over 20 years to bring fees in line with the Council approved Fees and Charges Schedule, with the intent to accommodate as much as possible, but also reflecting the historic capital and operating contributions made by Swim Natation Manitoba to the facility.*

At its December 14, 2023, meeting Council concurred in the recommendation of the Standing Policy Committee on Community Services and adopted the following:

2. *That the Winnipeg Public Service be directed to negotiate the terms and conditions with Swim Natation Manitoba for a 20-year agreement effective as of 2023 for near exclusive use of the facility with rates increasing by CPI, plus a phased in approach over 20 years to bring fees in line with the Council approved Fees and Charges Schedule, with the intent to accommodate as much as possible, but also reflecting the historic capital and operating contributions made by Swim Natation Manitoba to the facility.*

3. *That the canteen operated by Swim Natation Manitoba, from time to time, be formalized in the agreement for the purpose to secure use and operation of the canteen to assist the organization and to promote the facility.*

4. *That Swim Natation shall retain scheduling abilities to facilitate their own operations.*

5. *That the agreement contain assurances that the City of Winnipeg receive branding opportunities at international swim meets, including the Olympics.*

6. *That the Winnipeg Public Service report back to the Standing Policy Committee on Community Services with the terms and conditions of the agreement in 120 days.*