

Tri-partite License Agreement with Boyle Street Community League

Recommendation:

That Executive Committee recommend to City Council:

That the Tri-partite License Agreement, which was initially entered into on May 4, 2001, and subsequently renewed on June 7, 2004, and again on January 29, 2010, pursuant to Article 6(a) of the license agreement, between the City of Edmonton, Boyle Street Community League and the Edmonton Federation of Community Leagues, be terminated.

Report Summary

Termination of the Tri-partite License Agreement with Boyle Street Community League is needed to establish a firm date for Boyle Renaissance Phase I construction start up.

Report

Background on the Boyle Renaissance Initiative

- In February 2008, City Council approved the Boyle Renaissance Initiative. This initiative works towards Council strategic goals of liveability, revitalization and increasing density.
- Phase 1 includes a new community centre (to be operated by the Boyle Street Community League), and a YMCA Welcome Village. The Village includes 150 housing units (operated by Capital Region Housing

Corporation), a registered child care facility and a family resource centre. This phase of the project is in the advanced planning and design stages. The Provincial Government, the City of Edmonton and the YMCA have approved funds for Phase 1.

- The Edmonton Oilers Community Foundation and the Inner City Youth Development Association were originally part of the Boyle Renaissance Phase 1 to develop a new high school for inner city youth. In March 2010, they withdrew from the Boyle Renaissance initiative.

Community League Building

- The Boyle Street Community League building has been the home of the Inner City Youth Development Association School for the past 17 years. Inner City Youth Development Association uses the building under an agreement with the Community League.
- As is the case with all Community Leagues in the city, a Tri-partite License Agreement between the City, the Edmonton Federation of Community Leagues and each League provides a formal agreement for Community Leagues to use the land on which the building exists.
- The existing Community League building is planned to be demolished and rebuilt consistent with the previous two years of public consultation and the Master Plan approved by the Boyle Renaissance Advisory Committee II.
- It is imperative the Inner City Youth Development Association vacate the existing Community League building so that the existing Community League building can be demolished

and other buildings proposed as part of Phase I can proceed.

Steps Taken to Relocate Inner City Youth Development Association

- The City has worked with the Inner City Youth Development Association for the past one-and-a-half years to assist in finding a permanent new or transitional location for the 2010/2011 school year. To date 14 locations have been considered by the school.
- Inner City Youth Development Association and the Oilers Foundation are in the final stages of acquiring a permanent new home for the school, but at this time negotiations have not been finalized to purchase this facility. As the new location has not yet been confirmed, the school is reluctant to vacate from the existing Community League building.
- Administration continues to work with and assist the Inner City Youth Development Association to support their relocation efforts. However, given the thorough interdepartmental efforts to date to find alternate permanent or temporary space, it is unlikely that other sites will be found in the near future.
- At the time of writing this report, the Inner City Youth Development Association will not commit to a “back up strategy” for transitioning the school to a temporary location if the need arises. A back up strategy is essential in case the purchase negotiations fail or in the event that the school can not occupy the new location this fall.
- In the absence of a back up plan, and if the new location is not ready

for fall 2010 occupancy, the Inner City Youth Development Association will likely want to stay at the existing location well into 2011. The impacts of this will result in significantly increased project costs and could jeopardize the implementation of the YMCA Housing Program and the Community Hub.

Timing

- The Phase 1 project timeline originally proposed the demolition of the existing Community League building to begin in August 2010. To achieve this timeline, the school was proposed to vacate the building during the summer of 2010.
- The school has requested to stay in the existing Community League building until October/November 2010 and possibly beyond that date if the need arose.
- With options available to the school to transition to other space for a temporary period of time, Administration cannot support the ongoing uncertainty of not having the school commit to a hard timeline to vacate the existing Community League building. A commitment on the part of the school to a back up plan, endorsed by the Inner City Youth Development Association Board would significantly ease tensions around this issue.
- City Council’s termination of the Tri-partite License Agreement is a strategy of last resort and will confirm construction can begin no later than six months following the date Council make’s its decision. A definitive date is essential to plan for the completion of detailed designs, engineering and construction start-

up. Considerable further work on the parts of all Phase I partners and their respective Boards hinges on understanding this timeline.

- Costs are being incurred through contracts awarded to complete architectural design, site design, eco-components, municipal infrastructure and roads. These efforts will confirm project costs prior to construction start.
- Administration does not support another meeting of the Community League's membership to again try to ratify the Community League Executive's motion to voluntarily cancel the Tri-partite Agreement. A decision is required to avoid construction delays. Contracts already awarded and associated expenditures are based on a construction start date before the end of this year. If the worst case scenario unfolded this project timeline is already compromised.

Tri-partite License Agreement

- City Council's termination of the agreement will initiate the notification to the Community League and any sub-tenants (Inner City Youth Development Association) that the licensed area must be vacated within 6 months after Council's approval.
- Administration has committed to continue to work with the Boyle Street Neighbourhood Community League and all of the partners in Phase 1 and do its best to ensure their needs are met in both the short and longer-term.
- The Edmonton Federation of Community Leagues has been updated throughout the process by

both the City and the Community League.

Public Consultation

- Since early 2008 Administration has worked extensively with the community. In particular, the Boyle Street Community League and the Inner City Youth Development Association have been involved since the launch of the Boyle Renaissance Initiative.
- There has been extensive dialogue and communication regarding the Memorandum of Understanding and the cancellation of the Tri-partite License Agreement. Some discussions have been led by Administration and some led by the Community League. The League has been fully engaged at all times and has consistently supported the overall project.
- The Boyle Street Community League hosted three general meetings on this project to ensure area residents could participate in the ongoing planning and decision making.
- At the June 17, 2009, League special meeting, the League invited speakers from the Boyle Renaissance Advisory Committee to speak. This meeting provided updates from all partners in the project. It also included a facilitated workshop by Community Services Department to gather feedback from community residents on the project and to record their needs for a new community hub.
- At the October 14, 2009, Boyle Street Community League general meeting, two motions were passed to support the project.
- In February 2010, the Boyle Street Community League Board moved a

Letter of Intent to cancel their Tri-partite License Agreement with condition of an approved Memorandum of Understanding with the City outlining the future operating agreement for the Community Centre. The City and Edmonton Federation of Community Leagues received this correspondence.

- In May 2010, the Boyle Street Community League Executive supported the negotiated Memorandum of Understanding which would cancel their License with the City and Edmonton Federation of Community Leagues effective July 31, 2010.
- The League required their membership to ratify the motion to voluntarily cancel the License. This would allow the City to obtain possession of the building and move the Phase I project forward. The League hosted a general meeting on June 9, 2010, with the expectation that given previous League support, goodwill and resident involvement was that the broader community membership would approve Executive's motion.
- The meeting became emotionally charged and many students spoke out against the project in fear of losing the school program. The meeting facilitator ended discussion before the final vote could be considered.
- Administration will continue to do its best to support the needs of the Inner City Youth Development Association to help them transition their school to another location that meets the needs of their students and the school curriculum. To date a significant number of potential buildings have been considered in

concert with the Oilers Community Foundation and the Inner City Youth Development Association. Analysis of the locations with the best potential is ongoing.

- The absence of a back up transition plan for the school to a temporary location places Boyle Renaissance Phase I timelines and costs at risk.

Budget/Financial Implications

- Prior to construction start, Administration will bring forward a status report to City Council (Fall 2010) to share, final designs, costs, and timelines. Significant work remains to complete this.

Policy

This report relates to the Strategic Goals of:

- Sustainable Urban Form
- Complete, Healthy and Livable Communities
- Urban Design

as identified in *The Way We Grow – Municipal Development Plan*.

The Boyle Renaissance project is aligned with the principles of the Great Neighbourhoods initiative.

Focus Area

This report relates to the Principles of:

- Integration
- Sustainability
- Liveability
- Innovation

as identified in *The Way Ahead – City of Edmonton Strategic Plan 2009 – 2018*.

Justification of Recommendation

Termination of the Tri-partite License Agreement by City Council is required as the Community League membership would not approve the motion of the Boyle Street Community League Executive to terminate the agreement and time now is of the essence.

Others Approving

- L. Cochrane, General Manager, Community Services Department
- L. Brenneis, Acting General Manager, Asset Management and Public Works Department