



SUBJECT: Lease Agreement with Burlington Public Library for the use of space in city facilities

TO: Committee of the Whole

FROM: Parks & Recreation Department

Report Number: PR-06-19

Wards Affected: All

File Numbers: 925-01

Date to Committee: June 10, 2019

Date to Council: June 17, 2019

Recommendation:

Approve a Lease Agreement with the Burlington Public Library Board for the use of facility space at Brant Hills and Tansley Woods Community Centres as outlined in Report PR-06-19, Appendix A; and

Authorize the Director of Parks and Recreation to sign the Lease Agreement and any other documentation required, subject to the satisfaction of the City Solicitor; and

Delegate the authority to the Director of Parks and Recreation to authorize any changes to existing and future shared use Lease Agreements between the City of Burlington and the Burlington Public Library Board.

Purpose:

Formalization of a lease agreement between the City of Burlington (“the City”) and Burlington Public Library Board (“Library”) at Brant Hills and Tansley Woods Community Centres provides assurances and predictability for both parties. This agreement supports sustainable, community-based delivery of library services to the residents of Burlington through the shared use of City facilities.

- A City that Grows
 - Provision of library services in Recreation centres keeps these services affordable and available to everyone, centrally located in neighbourhoods and on transit routes.

- An Engaging City – Good Governance
 - Through a shared cost agreement, the City and Library balance service delivery with the need to be responsible with tax dollars.

Background and Discussion:

The Library has dedicated spaces at Haber Community Centre, Central Park, Brant Hills Community Centre, and Tansley Woods Community Centre. The Library uses the dedicated spaces along with common areas such as lobbies and washrooms within these facilities to provide services to residents.

At Haber, the City and Library have a Lease agreement with the Halton District School Board and all parties are guided by a Joint Operations and Maintenance Agreement. Both agreements were executed in 2011, prior to the construction of Haber. They have duration periods of 50 years.

At Central Park, a lease agreement with a duration period of 99 years has been in place since 1970. Pending the outcome of this report, staff from the Library and the City propose adding an appendix formalizing the operating model at this location as well, bringing it into alignment with the other locations.

At Brant Hills and Tansley Woods, the City and the Library have worked together to support each other's operation. Currently, the parties utilize an agreed to charge back schedule that represents costs incurred for common area use, any repairs and maintenance, as well as capital improvements that the City has completed that impacts the exclusive area.

In 2017, through conversation with the City and the Library, it was agreed that staff would formalize the operations of the exclusive and common areas at both Tansley Woods and Brant Hills through a lease agreement similar to the one developed for the Haber Community Centre. The scope of work was to define the operating relationship between the City and the Library. Some of the areas that were reviewed were:

- General repair and maintenance costs for the building envelope, grounds, and shared areas
- Utilities based on square foot for the library's dedicated space and common areas
- Cost sharing for signage
- Capital renewal roles, responsibilities, and financial obligation
- Roles and responsibilities for Fire and Emergency plans
- Roles and responsibilities for grounds maintenance and snow removal

Staff from the Library and the City agreed at the outset that the Agreement would address future costs only and that neither party would seek retroactive adjustments.

The proposed Agreement has a 10-year duration, with the option to renew for an additional 10 years.

Strategy/process

A series of meetings was held between representatives for the City and the Library with the group reaching consensus on the Lease Agreement for recommendation to City Council and the Library Board.

The group sought to leverage the experience of the most recent agreement at Haber and City staff consulted with the City's Legal department throughout the process.

Capital Works was also engaged to assist with confirming the square footage of both locations, and the charge back schedules were adjusted to reflect current state.

Options considered

- Continue to operate as current state
- Revise the charge back schedules based on updated square footage information and current state of operations but do not create a lease agreement.
- Revise the charge back schedules based on updated square footage and current state of operations. Draft and sign a lease agreement between the City and the Library for Brant Hills and Tansley Woods clarifying costs and responsibilities for operation and renewal of the leased area and common spaces.

Financial Matters:

The Library shall pay to the City one dollar (\$1.00) for rent, however the Library shall pay 100% of the costs for utilities and all operating costs associated with the dedicated library space for Brant Hills and Tansley Woods. With regards to the common areas at Brant Hills and Tansley Woods, the Library shall pay a certain percentage of the operating costs, as agreed upon by the parties. Chargebacks for utilities and maintenance for common spaces such as lobbies, washrooms, hallways and outdoor areas represent recoveries for the City of approximately \$37,500 annually.

Connections:

Burlington Public Library Board

Conclusion:

Formalization of the relationship between the City and the Library at Tansley Woods and Brant Hills Community Centre provides assurances and predictability for both parties. It is recommended that the delegation of authority be provided to the Director of Parks and Recreation to approve and sign the attached lease agreement, and to authorize any changes to existing and future shared use agreements between the City and the Library, to the satisfaction of the City Solicitor.

Respectfully submitted,

Emily Beijes

Supervisor of Business Services

x. 7717

Appendices:

- A. Lease Agreement for the City of Burlington and Burlington Public Library Board for Tansley Woods and Brant Hills Community Centres.

Notifications:

Lita Barrie, Burlington Public Library CEO

Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.