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May 15, 2022

City Council
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Update on LaSalle Park Community Marina RC-10-22

Dear Council,

Again, we get a report with no information to comment on. Another verbal report to council with no opportunity for public input.

I will be making a delegation to Council but I want to address the Staff Direction and the Report in more detail than can be done in the 5 minutes that are allowed to delegate at Council.

I've pointed some of this out in an email that I sent following the committee meeting on May 5th. As a matter of engagement on that email which was addressed to each of the Councillors I received two automatic replies saying the email was received but there has been no follow up. I thank Councillor Sharman for sending an actual reply and for passing on my request for a meeting with the City Manager.

As a matter of engagement shouldn't the City Managers contact information be on the website? An email address such as "Mailbox, Office of City Manager" like is done for the Mayor would be appropriate. I've checked a few other city websites and some follow that style of contact information. I didn't try to contact the city manager by phone using the telephone directory as my experience with the City Staff is that you can leave voice mails and they never return the call. Prior to my meeting with the City Manager, I did test the phone system to see if you could get through to his office and I am pleased to report that it is possible. I didn't leave a message as I was already scheduled to talk with him, so I don't know if he returns his calls. The previous city manager never did.

Continuing with engagement matters. I submitted a request for copies to the JV's for the LPMA and BS&BC to the Legal Department who I assumed would have the information. I received a response from CRM services on May 9 assigning me Case Number CAS-138207-B2W5M9 and letting me know that the case was assigned to "Committee". Following up by phone on May 11 I was told the case had been assigned to Recreation, Community and Culture. I still haven't received a response answering my question. This isn't a complicated request it shouldn't take this long to get an answer.

In the report the Item Under Engagement Matters is:
"Staff will meet with both LPMA and BS&BC to get a better understanding of the Marina operation and address the items in the staff direction"

Does the Staff realize that LPMA and BS&BC aren't the only stakeholders? This has been an issue ever since I have been delegating to council. Staff frequently ignores the rest of the community.

I guess I should make it clear that by Staff I mean the Recreation, Community and Culture Department. I've had great service from the Clerks office and Finance. On Thursday for instance, I contacted the Finance Department asking for the revenue from the Parking at LaSalle Park. I spoke with Jason McDonough at around 3:30 and got the answer at 5:40. The answer is \$12,500. That means 625 large boats used the Public Launch Ramp and paid to park. Actual usage of the public boat ramp may be higher but there has never previously been any information at all.

I've said this many times and I am sure I will be repeating it in the near future when the report on the Lease expiring comes to Council. City Staff need to have a Master Plan for LaSalle Park. I didn't come up with the idea on my own I'm repeating what many other people have said at committee and council in the many meetings on the issue that I have been delegating at since 2016.

Enough about engagement on to the Staff Direction.

As the Mayor pointed out to me nothing actually gets decided at Committee. Something she should actually have pointed out to the BS&BC delegate who was expecting a decision at the Committee meeting and that the Staff would be hiring a Marina Manager before the Council meeting. The staff direction doesn't take effect until after the Council meeting on the 17th. That doesn't leave much time to organize the operation of a Marina. The bit in the staff direction about reporting at the Council meeting on the 17th is absurd as the direction doesn't mean anything until after it is approved on the 17th. Someone should have been looking more carefully at the language that was added.

You have asked staff to report back to the Committee on June 9. But nothing discussed there can be passed until June 21. That means you miss the June 15 launch date. The Legal department requested Council Direction. That can't happen until the June 21 meeting. The City Manager mentioned the potential need for special meetings to deal with the issue. I believe he is correct.

Now to the Principles and Requirements.

1. How can you assure no incremental cost to taxpayers without seeing a report and approving a budget for the Interim Management? How did no net cost to tax payers work out on the tree bylaw? I also think that you are deluding yourselves that this is an interim measure. LPMA is effectively out of business. I doubt that they will be able to get insurance even in 5 years.
2. I applaud the seeking of expressions of interest for the operation of the Marina. I would point out that the current operation doesn't fit the model of a community partnership. The LPMA is a licensee and operator, not a partner.
3. You don't buy insurance as part of due diligence. You only make sure that all the conditions are in place for you to be able to get the insurance. You have a lot of hoops to go through to demonstrate to the insurer that you are actually capable of running the marina.
4. So part of the due diligence is for staff to familiarize themselves with what is actually required to run the Marina under the city's control. Steep learning curve.
5. How can the LPMA actually meet its' financial obligations, they have no source of income. Won't the people wanting to rent slips have to pay the City as operator of the marina and sign liability waivers with the City? Isn't that what Item 6 says? Transition all administrative and financial aspects to the City.

6. I believe this only applies to BS&BC.

The BS&BC representative stated that it's a turn key operation once the insurance is in place. That may be true but doesn't the City need to hire a marine engineer to ensure the docks are properly installed?

I was down at the marina yesterday and people are walking on the docks at the public boat ramps. Whose insurance covers any claims that might result from a slip and fall? Who is checking the condition of those docks? Does the city have a caretaker overseeing the docks?

There were also two boats docked in the marina whose insurance covers them?

People were working on their boats in the storage area. Are they covered by BS&BC insurance?

I would like to conclude by asking what's Plan B? Staff is pursuing only one solution. What happens if they can't do it in time? What's the contingency plan to get boats in the water so they can move to other marinas?

In my presentation I will be recommending that the direction be extended to say that Staff needs to report on a permanent solution with no cost to the taxpayer by September. If no solution is forthcoming then the boats don't go back into storage. The next council shouldn't have to deal with boats on the pier.

This council chose the operating model that has failed so spectacularly. I believe you need to fix it before the next council takes office.

Regards

Jim Thomson
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