

AGENDA

SPECIAL MEETING OF CITY COUNCIL

2009 06 12

12:00 NOON

COUNCIL CHAMBERS

1. **Infrastructure Stimulus Funding – West End Community Centre (WECC) Project**

- (a) A report of the Chief Administrative Officer is attached for the consideration of Council.

Mover - Councillor F. Manzo

Seconder - Councillor J. Caicco

Resolved that the report of the Chief Administrative Officer dated 2009 06 08 concerning Infrastructure Stimulus Funding - Next Round be accepted and the recommendation that Council authorize an allocation of up to \$415,000.00 to the architect firm of EPOH to carry out Phases I and II (Schematic Design - Programming and Design Development) for the West End Community Centre (WECC) project, said amount to come from those funds which have already been set aside as the municipal share for these projects, be approved.

- (b) A report of the Commissioner of Community Services is attached for the consideration of Council.

Mover - Councillor F. Manzo

Seconder - Councillor S. Butland

Resolved that the report of the Commissioner of Community Services dated 2009 06 12 concerning West End Community Centre be received as information.

- (c) A report of the Assistant City Solicitor is attached for the consideration of Council.

Mover - Councillor O. Grandinetti

Seconder - Councillor J. Caicco

Resolved that the report of the Assistant City Solicitor dated 2009 06 12 concerning Stimulus Funding Application be received as information.

2.

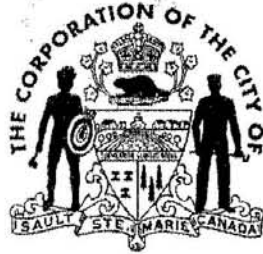
Adjournment

Mover - Councillor O. Grandinetti
Seconded - Councillor S. Butland
Resolved that this Council shall now adjourn.

MAYOR

CLERK

Joseph M. Fratesi, B.A., LL.B.,
Chief Administrative Officer



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2009 06 08

Mayor John Rowswell
Members of City Council

Re: Infrastructure Stimulus Funding – Next Round

On Friday, June 5, 2009, an announcement was made in Sault Ste. Marie for the City's successful projects under the Infrastructure Stimulus Funding. We are very pleased that the Algoma Public Health and the Hub Trail project submissions were approved. In addition to this announcement, we have been encouraged to proceed towards the next round of the stimulus funding for which the West End Community Centre (WECC) would qualify. This project would include an ice pad, 2 multi-use indoor turf fields, spectator seating, a branch library, administration offices and multi-use meeting rooms. With the recent announcement of the Canadian Adult Recreational Hockey Association (CARHA) coming to Sault Ste. Marie in 2012 with approximately 3,500 participants, a complex such as this would only serve to enhance the city's current recreational facilities.

It appears from the projects approved, that an important aspect of the criteria was having schematic design / programming / design development drawings in place. Staff has been in contact with the consulting architect (EPOH) to obtain an estimate with regards to preparing such drawings. At this point in time, it would appear the cost would be in the range of \$415,000. Council, at its June 22nd meeting will be hearing an application to rezone a 4.18 acre piece of property that was recently purchased to facilitate the construction of the planned WECC project.

Although we have yet to receive detailed criteria for the next round of funding, we are given to understand that the WECC would qualify. We expect that the timelines for the next round of funding to be announced within a month's time and it is important that we proceed with preparing drawings for this application as soon as possible.

1(a)

We see the WECC as an important contribution to the city and would rate this project with a #1 priority for submission, notwithstanding the fact we will be competing against other community projects (ie: YMCA) for funding. It is therefore, necessary for us to act on preparing drawings to supplement our application.

The consultant has identified five stages that are included under Architectural and Engineering fees as noted below, which represent an approximate total of \$1.7 Million. The fee is prorated per each stage as follows:

1. Schematic Design – Programming	15%
2. Design Development -	10%
3. Construction Documents	50%
4. Tender and Award	5%
5. Contract Administration	20%
Total	100% of fee

The first two stages are being recommended as part of the initial submission for funding and these stages would take approximately three (3) months to complete. This strategy would place the project in a good position to maintain course with the target completion date of March 31, 2011, as well would assist the City in leveraging approval of its project from the funders by reducing the gap between drawing completion and "shovel readiness".

Recommendation:

As Council is aware, it has allocated \$7.1 million towards its share of potential infrastructure projects under the Federal Provincial Stimulus Programs. As well, it is authorized to debenture for a further \$5 million amount, should it be required. Friday's announcement of approved projects will require only a small portion of that amount. It is therefore, recommended that Council approve an allocation of up to \$415,000 to the architect firm of EPOH to carry out Phases I and II (Schematic Design – Programming and Design Development) for the WECC project, said amount to come from those funds which have already been set aside as the municipal share for these projects.

Respectfully submitted,



Joseph M. Fratesi
Chief Administrative Officer

JMF:bb



June 12, 2009

Mayor John Rowswell
and Members of City Council

West End Community Centre

Although we anticipate receiving the maximum funding from the Federal and Provincial Government under their Infrastructure Stimulus Funding programs for this very exciting project, we need to be prudent in our planning and anticipate the possibility of adjustments in the funding.

In discussions with the architect it has been confirmed that the West End Community Centre can be designed so that it is phased in to take advantage of various levels of funding. The architects have stated that the Indoor Multi-use Centre can be constructed first and not interfere with the present arena – W. J. McMeeken Centre. The second phase that can be constructed without interfering with the present arena is the new arena. Thirdly the Library can be constructed; this would be accomplished after the existing arena is demolished.

This is respectfully provided as information to Council.

Nicholas J. Apostle
Commissioner of Community Services

jlaouncl/wco: june 12 special meeting

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

LORIE BOTTOS
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



**LEGAL
DEPARTMENT**

1(c)

REPORT TO: Mayor John Rowswell
and Members of Council

REPORT FROM: Nuala Kenny
Assistant City Solicitor

DATE: 2009 06 12

SUBJECT: STIMULUS FUNDING APPLICATION

PURPOSE

The purpose of this report is to provide City Council with an opinion regarding the process and procedure used in applying for the Stimulus Funding. At the regular open Council meeting of June 8, 2009 I indicated that the process employed by the City was legal. The purpose of this report is to expand on that opinion and indicate that beyond being legal the process employed is consistent with City's past practices and appropriate.

BACKGROUND

On April 14, 2008 City Council approved the selection of a Consultant team for the preparation of a feasibility and business plan relating to the Indoor Multi-Use Centre (see attached resolution). EPOH was one member of the Consultant team. Shortly thereafter the Stimulus Funding was announced. The package for the Stimulus program had to be put together very quickly in order to qualify for consideration. Staff requested permission to continue with EPOH for the preparation of a package to present to Council to be submitted as application for the Stimulus Funding. Staff sought the approval of the CAO to continue its engagement with EPOH for this purpose. Under the Purchasing by-law the CAO has the authority to authorize spending up to \$50,000. The costs with the initial design work did not exceed this amount. Accordingly approval was given and work continued with EPOH.

1(c)


- 2 -

APPROPRIATENESS OF PROCEDURE

Continuing to work with EPOH was legal, consistent with past practices and appropriate in the circumstances. The CAO's authorization was proper and in compliance with the terms of the Purchasing by-law. Moreover, past practice indicates that the City has single sourced in the past where the service provider is uniquely qualified or experienced. Most recently this was seen in the Elementa project. However, more routinely the City has continued a relationship with one provider in the case of the EMS building and regularly in the cases of Marina dredging.

Most importantly it should be noted that the Stimulus Funding application process is unprecedented. The City has not been provided with a clear set of rules which must be met in the hopes of approval. Rather we are encouraged to present the most complete package possible in a timely fashion in order to be considered for the funding. Given this sense of relative urgency coupled with EPOH's experience with the City it was and continues to be prudent to continue with EPOH. As the design work may cost more than CAO can authorize under the Purchasing by-law it is appropriate that staff advise Council and seek their approval to continue this relationship with EPOH with a view to submitting City's application for Stimulus Funding.

Yours truly,



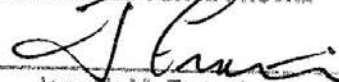
Nuala Kenny
Assistant City Solicitor
NK:on
Enclosure

Recommended for approval,



Lorie Bottos
City Solicitor

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer



CITY COUNCIL RESOLUTION

1(c)

Date: April 14, 2008

Agenda Item

MOVED BY
SECONDED BY

Councillor
Councillor

L. Turco
B. Hayes

Resolved that the report of the Commissioner of Community Services dated 2008 04 14 concerning Indoor Multi-Use Centre - Selection of Consultant for the Feasibility and Business Plan be endorsed and that the recommendation that Council approve the consultant team lead by BDO Dunwoody LLP proceeding with the first phase of the proposal, \$48,250.00 plus G.S.T., with the funds coming from the City's and SASA's share be approved.

Handwritten notes:
- *Ag*
- Copies to
- Mr. Hazelton
- Council file
VB

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| <input checked="" type="checkbox"/> CARRIED | <input type="checkbox"/> DEFEATED | <input type="checkbox"/> AMENDED | <input type="checkbox"/> DEFERRED |
| <input type="checkbox"/> REFERRED | <input type="checkbox"/> OFFICIALLY READ NOT DEALT WITH | | |

SIGNATURE

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| <input checked="" type="checkbox"/> C.A.O. | <input checked="" type="checkbox"/> Comm. Community Services | <input type="checkbox"/> Mayor |
| <input checked="" type="checkbox"/> City Solicitor | <input type="checkbox"/> Comm. P.W. & Transportation | <input type="checkbox"/> Dir. Libraries |
| <input checked="" type="checkbox"/> Comm. Finance/Treasurer | <input type="checkbox"/> City Clerk | <input type="checkbox"/> E.D.C. |
| <input checked="" type="checkbox"/> Comm. Eng. & Planning | <input type="checkbox"/> Fire Chief | <input type="checkbox"/> Cons. Authority |
| <input type="checkbox"/> Comm. Human Resources | <input type="checkbox"/> Police Chief | <input type="checkbox"/> |