

SPECIAL Parks and Recreation Advisory Committee Meeting

held via Zoom
Thursday, April 7, 2022
at 9:00 a.m.

Present: Isaac Gilbert, Chair
James Palanio*, Vice Chair
Andrew Drouin
Cameron Baughen
Drew Barnes
John Archer
Laura Harp
Robert (Sandy) Ross
Susan Fraser

Council Liaison: James Miller, Councillor

Staff: Anthony Haddad, General Manager of Community Services
Angela Campbell, Director of Finance and Administration
Sheri Raposo, Land Administrator
Kelsey Johnson, Manager of Recreation, Arts and Culture
Len Robson, Public Works Manager*
Rebecca Van Huizen, Legislative Assistant

Regrets: Joanne Grimaldi
Raymond Stassi
Tyson Bull

Guests: Marc Tougas, Penticton Yacht Club Commodore
Mark Mellisen, Penticton Boat Club and Wildstone Construction Group

* denotes partial attendance

1. **Call to Order**

The Special Parks and Recreation Advisory Committee was called to order by the Chair at 9:01 a.m.

2. **Adoption of Agenda**

It was MOVED and SECONDED

THAT the Parks and Recreation Advisory Committee adopt the agenda for the Special meeting held on April 7, 2022 as presented.

CARRIED UNANIMOUSLY

3. **Adoption of Minutes**

3.1 Minutes of the March 14, 2022 Parks and Recreation Advisory Committee Meeting

It was MOVED and SECONDED

THAT the Parks and Recreation Advisory Committee adopt the minutes of the March 14, 2022 meeting as presented.

CARRIED UNANIMOUSLY

4. **New Business**

4.1 Skaha Marina Management Operating Agreement

Committee Member James Palanio left the meeting due to technical difficulties at 9:05 a.m. but was able to periodically join throughout the meeting and provided comments.

The General Manager of Community Services presented a PowerPoint presentation outlining details on the proposed Skaha Marina Management Operating Agreement. The presentation also outlined the background details leading up to the Request for Proposal (RFP) and the community question that was asked by the public during the City of Penticton By-Election in 2021. Staff noted that the eventual proposal was awarded to the Penticton Yacht Club and provided to the Committee background details on the Penticton Yacht Club (PYC). Staff also provided the scope on the RFP document and the ultimate goals the City was looking to achieve through this agreement. The Committee was able to view the RFP in advance of it going to Council for endorsement. Went over what the City heard from the community as it related to the RFP as that was to ensure public ownership protected and the green space surrounding the marina was also enhanced and protected. Since the Penticton Yacht Club was awarded the RFP, both the City and the PYC over the last couple months have been working together to ensure that the final outcome is a great long term benefit for the community.

The Penticton Yacht Club was chosen for not only based on their experience but their understanding of the importance of the lands and through the agreement respecting and enhancing the surrounding greenspace.

Staff went through the order of the Agreement, starting with the definitions outlined. These were defined to ensure that there were no conflicts among the definitions. Included within the definitions was a range of general definitions and terms all the way to specific details about the future use of the development. The Management and Operations section of the agreement goes over roles and responsibilities, which does include the City. The Penticton yacht Club will oversee the resources to help manage the overall use of the location. The Agreement also ensured that during the term of the agreement services will remain available to the public. This section also provides details on collaboration opportunities with the Penticton Indian Band. The Agreement also states that the Penticton Yacht Club and their partners are in charge of future capital projects through the 25-year term. Staff provided details on the City's rights and obligations as it relates within the Agreement. This will also ensure public interest is still a priority through the 25-year term. The section also outlines that upon expiry of the Agreement, everything will revert back to the property of City. The Agreement will also include applicable life and safety inspections and monitoring that will need to be done through the 25-year term. There will also be annual reporting financial requirements that will need to be provided to the City through the term. Went over the details of any applicable building permits that will need to be applied for and the letters of credits

and bonding requirements that will be put in place to ensure work is completed satisfactory to the City. Briefly described the various schedules attached to the agreement being.

The Committee was informed that the negotiation process over the last couple months with the Penticton Yacht Club has seen a positive outlook and understanding for both sides. This is due to recognizing that the Penticton Yacht Club is highly respected in the community and are held to their commitment and the value of the long term agreement.

The floor was opened to the Committee Members for questions and comments.

A Committee Member raised a question regarding parking and if there will be adequate parking for the proposed restaurant. Noted that parking can be an issue around that area as it could push in to the park areas. Staff noted that as part of the Development Permit for the proposed restaurant, when it comes in, staff will be reviewing the square footage of the building and then review the appropriate parking requirements based on that. Staff anticipate that most of the existing customer base at the park would use the restaurant as well and as such will be already utilizing the area. The Committee Member asked if there is any future potential to charge for parking in the surrounding areas. Staff answered no, it has not been identified by the City. A question was raised on whether the foreshore lease has been finalized with the minister. Staff replied that they have been in discussion with the Province, noted that unfortunately the Province is far behind on paperwork but are working through trying to get it through. The goal is to get this as a lease agreement as opposed to a license of occupation.

A Committee Member inquired about the costs and revenues during the 25-year term noted in the Agreement and whether that is the potential revenue or where will that revenue be coming from. Staff noted the goal is that any major revenues generated at the Skaha Marina will be reinvested back into the marina. A Committee Member inquired on the expected footprint of the restaurant. Staff noted that the existing footprint and modifications will be within the existing building and this will be evaluated through the Development Permit process. A Committee Member inquired where the 25-year term time frame. Staff informed that the community's objectives, look up to a max of 25 years and that this is the first agreement of this type for the city. Long term sustainable investment, long term agreement needs to be in place. Marc Tougas, PYC, noted that it is very difficult to make investments with any short term agreement or license. This facility over 25 years will be operated in such a manner where all revenue over expenses go back into the facility.

A Committee Member inquired about the location of the off-site storage. Marc Tougas, PYC, noted that Mark Mell will be in charge of boat storage and the location will be in Penticton.

A Committee Member inquired whether the Committee will be involved with the five-year check-ins as well as any proposed changes. Staff responded that where appropriate, the Committee may be involved.

A Committee Member commented that they are supportive of the project because of the process and the people names with the project. Another Committee Member echoed the same sentiments and is happy that the Marina will be operated by local businesses.

A Committee Member commented that the security section is light and inquired about surveillance between the leased area and public park. Staff responded that various privacy laws are being met that are put in place. Marc Tougas, PYC, noted the need for different levels of security is recognized and that cameras have been implemented at the other yacht club. City has invested significant amount of money for cameras in that area.

A Committee Member inquired about the operations plan, specifically for food and beverage. Marc Tougas, PYC, noted that a short-term filling for the Café is needed from April 1 – October 1 as the current tenant is moving on. Staff commented that the marina need to remain affordable. Marc Tougas, PYC, commented that twice annually a cost comparison is undertaken and that typically we have been lower at most compared to other yacht clubs in the Okanagan area.

A Committee Member commented about transparency and inquired whether this agreement is similar to the SOEC. Staff responded that the agreement is available to everyone, however, propriety information to type of facility and competition does need to be confidential.

A Committee Member inquired whether a separate board from the PYC will be running the marina. Marc Tougas, PYC, responded that a strategic plan committee for Skaha moorage community will be created.

It was MOVED and SECONDED

THAT the Parks and Recreation Advisory Committee support the long-term Management Operating Agreement with Penticton Yacht Club as provided in Attachment A.

AND THAT the Parks and Recreation Advisory Committee recommend to City Council to take into consideration the concerns and recommendations from the Committee to update the long-term Management Operating Agreement with Penticton Yacht Club.

CARRIED UNANIMOUSLY

5. **Next Meeting**

The next Parks and Recreation Advisory Committee meeting is tentatively scheduled to be held on May 16, 2022 at 3:00 p.m.

6. **Public Question Period**

7. **Adjournment**

It was MOVED and SECONDED

THAT the Parks and Recreation Advisory Committee adjourn the Special meeting held on April 7, 2022 at 10:17 a.m.

CARRIED UNANIMOUSLY

Certified Correct:


for Rebecca Van Huizen
Legislative Assistant