

	<b>Report Title</b>	Soccer Club Fence Funding Source Change
	<b>Report No.</b>	RCP 18-44
	<b>Author</b>	Rick Cox, Director of Recreation, Culture & Parks
	<b>Meeting Type</b>	Council Meeting
	<b>Council Date</b>	January 14, 2019
	<b>Attachments</b>	<ul style="list-style-type: none"> <li>• Letter to TMSC – November 2017</li> <li>• Reply from TMSC – February 2018</li> </ul>

## RECOMMENDATION

THAT Council receives Report RCP 18-44 – Soccer Club Fence Funding Source Change;

AND THAT Council authorize the balance of \$16,200 outstanding on the wayward ball fence installation project be funded from reserves instead of from a contribution from the Tillsonburg Minor Soccer Club.

## EXECUTIVE SUMMARY

The approved 2016 Budget included the expectation of a \$16,200 contribution from Tillsonburg Minor Soccer Club (TMSC) to match the contribution from Performance Communities Realty Inc. (PCRI) towards the cost of installing a wayward ball fence between the Tillsonburg Soccer Park and the Glendale West subdivision. Town Staff has been unable to negotiate any contribution from TMSC as the organization has never agreed to contribute anything towards the project. The \$16,200 receivable set up at the end of 2016 must be reversed and the project funding allocations adjusted to reflect \$16,200 from PCRI and the remainder added to the Town's contribution.

## BACKGROUND

In 2015 when the Glendale West subdivision plan was put forward, it was clear that a wayward ball fence would be required to minimize the number of soccer balls leaving the grounds of the soccer club and landing in the backyards in the adjacent development. Town staff carried out negotiations with the developer (PCRI) and TMSC to arrive at an appropriate solution.

From the beginning, Town staff maintained that all three parties should contribute financially to the cost. The TMSC executive indicated their position was that the problem was created by the Town and the developer so the club had no role to play in funding the solution, and in any case TMSC had no capacity to contribute.

The Town included \$50,000 in the 2015 budget as a contribution to reserves for the project, and the three parties continued to negotiate towards a solution acceptable to the developer and TMSC. Eventually a combination of chain link and elevated nylon mesh located along the property line augmented by a row of planted cedars on the housing side was agreed to by

everyone. At their meeting on October 26, 2015, Council approved the work to proceed by the following resolution:

Moved By: Councillor Hayes Seconded By: Councillor Rosehart

THAT Council receives report RCP 15-44 – Soccer Park Wayward Ball Fence Procurement Update for information;

AND THAT Council awards the supply and installation of a galvanized fence and seasonal mesh system at the Soccer Park to Simpson's Fence (London) at their tendered price of \$51,093.87 net of applicable taxes;

AND THAT Council awards the contract to bury the overhead hydro line on the Soccer Park property to Tillsonburg Hydro Inc. at their tendered price of \$30,278.69 net of applicable taxes;

AND THAT Council authorizes THI to install a load break switch as required by the Electrical Safety Authority at a cost not to exceed \$15,000;

AND THAT the \$101,372.56 combined cost for the wayward ball barrier and associated expenses is funded using the \$16,189.00 from Performance Communities Realty Inc, \$50,000.00 from reserves committed in the 2015 budget, and a further \$35,184.56 from reserves that will be replenished from a revenue source subject to 2016 budget approval.

Negotiations were continuing as the 2016 budget was being set, and the Town's position that all three parties should contribute was reflected in the funding allocations of \$69,000 from Town reserves and \$35,200 from others. PCRI agreed to contribute \$16,200 and made their payment before the end of 2015. Town staff communicated to the TMSC executive the expectation for the Club to match that amount, but the Club maintained they had no capacity or intention to contribute.

At the end of 2016, the contribution expected from TMSC was set up as a receivable on the Town's books. In late 2017, Town staff wrote to the new TMSC executive to reaffirm the Town's position (attached). In February 2018 TMSC responded, maintaining the Club's position that they had never agreed to contribute (attached).

As it is clear that this receivable will never be paid, the Town must write off the receivable.

## **FINANCIAL IMPACT/FUNDING SOURCE**

When the receivable was established in 2016, the reserve was replenished as directed by the resolution from Council. To write off the receivable, the amount transferred to the reserve must be reversed. The reserve balance will be reduced by \$16,200.

## **COMMUNITY STRATEGIC PLAN (CSP) IMPACT**

This report provides information in alignment with the following Objectives of the Community Strategic Plan:

- Objective 1 – Excellence in Local Government
- Objective 2 – Sustainable Economy
- Objective 4 – Culture & Community

## Report Approval Details

Document Title:	RCP 18-44 - Soccer Club Fence Funding Source Change.docx
Attachments:	- RCP 18-44 - ATT 01 - 2017-11-28 - C Kelly re TMSC contribution to wayward ball fence.pdf - RCP 18-44 - ATT 02 - TMSC-Fence2018.pdf
Final Approval Date:	Dec 3, 2018

This report and all of its attachments were approved and signed as outlined below:

**Dave Rushton - Dec 3, 2018 - 9:36 AM**



**David Calder - Dec 3, 2018 - 2:12 PM**

**Donna Wilson - Dec 3, 2018 - 2:15 PM**