

REPORT OF THE UTC ADVISORY GROUP TO UTC EXECUTIVE

Date

June 16 2008

Objective

Provide advice to UTC Executive regarding UWTC proposal.

Members of Advisory Group

Sandra Edwards, current UTC President
David Spisak, current UTC Vice-President
Peter Budreo, prior UTC President
Joan Dougall, prior UTC Director
Harry Eaglesham, prior UTC President
Joan Henry, prior UTC Director
Deb Inrig, prior UTC President
Mark Wakefield, prior UTC President

Activities

- Reviewed the proposal
- Met as a group to discuss approach
- Prepared written questions and preliminary observations for UWTC
- Met with principals of UWTC to review answers to questions and better understand the proposal
- Prepared report to Executive

Note

Answers to many questions put to UWTC are not clear at this point. This is either due to the detailed nature of the question (and the proposal is not at a detailed technical stage) or they are subject to negotiation between the Town/UTC/UWTC. The UWTC has shown great flexibility on such items in principle. It is understandable that they do not wish to do detailed preparations before UTC, the residents and the Town have shown support for the concept.

Major impacts of UWTC proposal on UTC membership

Pros:

1. Access to a convenient, reasonable cost winter tennis facility. This would be of strong interest to some UTC members and of little or no interest to others. **UTC Executive should consider a membership survey to determine the level of interest.**
2. Potentially reduced annual maintenance costs due to cost sharing with UWTC. **UTC Executive should prepare a five year estimate of annual maintenance costs in order for UWTC to have an estimate of its share of such costs (on a usage basis. For example 7 months UWTC, 5 months UTC)**
3. Potential access to either a winterized clubhouse or a new clubhouse and a modular reception building.

Cons:

1. Probably reduced season (2 weeks in spring, 2 weeks in fall). Can probably be negotiated shorter as well as negotiated access to Bubbled courts in lost period.
2. Potential physical impacts of reduced level of lighting and reduced playing surface due to grade beams. Also there are aesthetic impacts with the grade beams, lighting, modular reception and possibly other items. Needs further definition.
3. Extended disruption (shortened season) for initial construction. One time only but should be quantified.
4. Potential disruption/distraction/financial risk if UWTC fails at some later date. **UTC Executive should identify potential costs associated with a UWTC failure and negotiate an amount to be held in trust in the event of such a failure.**
5. Potential change in the financial arrangement with the Town of Markham. **UTC Executive should obtain a written commitment from the Town that the Town's current cost sharing formula with UTC shall be reverted to if UWTC fails after a new formula has been created for all three parties (UTC/UWTC/the Town) as a result of the UWTC proposal.**

Recommendations

A. The UTC Executive advise UWTC that it requires its written agreement in principle on the following terms:

1. UTC should not incur any costs due to the proposed winter facility although it may decide to share some costs that benefit UTC.
2. A cost sharing formula to cover maintenance of the courts and the clubhouse, sharing of storage facilities for summer and winter equipment and usage of any shared equipment.
3. Agreed opening and closing dates (together with consideration to UTC members for any unavailable outside court usage).
4. UWTC to agree on setting up a Trust Fund payable to UTC in the event of a failure by UWTC. This will include responsibilities for the return of UTC's facilities back to acceptable (to UTC) standards and a return to the cost sharing formula that exists today between the Town and UTC.
5. Changes in Lighting to be approved by UTC based on the findings of an independent consultant. No significant decrease in Lighting quality.
6. Completion of the grade beam construction in such a way as to minimize interference with the current playing surface.
7. Any Clubhouse modifications to be approved by UTC.
8. UWTC to provide a sketch of the proposed alterations to UTC facility.

B. If UWTC agrees in principle to the points in item A above and provides a sketch per item#8 above, then UTC would follow these steps:

1. Conduct a membership survey to determine the level of member interest in the proposal.
2. If the survey shows that 60% or more of the members are supportive in general, then UTC will convene a Special General Meeting where it will update the members of its investigations regarding the UWTC proposal and will seek approval in principle by a two thirds majority of the members of UTC.
3. UTC will advise the Town of the results of its investigations, membership survey and Special General Meeting.