

RESOLUTION NO. R20-21

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH THE BILLINGS FAMILY YMCA FOR THE OPERATION AND MANAGEMENT OF THE CITY OF LAUREL MUNICIPAL POOL.

BE IT RESOLVED by the City Council of the City of Laurel, Montana:

Section 1: Approval. The Contract between the City of Laurel and the YMCA for the operation and management of the Laurel City Pool, a copy attached hereto, is hereby approved.

Section 2: Execution. The Mayor and City Clerk of the City of Laurel are hereby given authority to execute said contract on behalf of the City.

Introduced at a regular meeting of the City Council on April 28, 2020, by Council Member _____.

PASSED and ADOPTED by the City Council of the City of Laurel, Montana, this 28th day of April 2020.

APPROVED by the Mayor this 28th day of April 2020.

CITY OF LAUREL

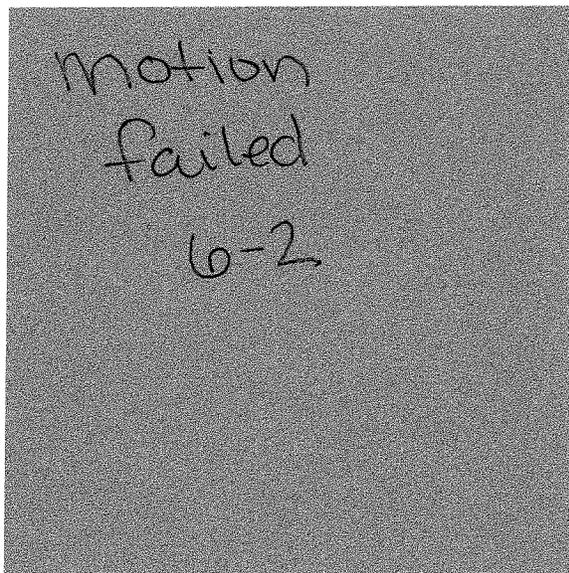
Thomas C. Nelson, Mayor

ATTEST:

Bethany Langve, Clerk-Treasurer

APPROVED AS TO FORM:

Sam Painter Civil City Attorney





May 4, 2020

TO: City of Laurel

RE: Proposal for Operation and Management of City of Laurel Municipal Pool

The Billings Family YMCA is proposing to provide operational management for the City of Laurel's municipal pool for the 2020 summer season, beginning June 1, 2020 and ending on August 14, 2020. The YMCA has the ability to offer a variety of aquatic programming to the community of Laurel as well as provide the staff necessary to manage day to day recreational swim opportunities.

YMCA Responsibilities:

The YMCA would develop, publish and implement a schedule of instructional opportunities, and recreational swimming activities that will be available to the community of Laurel. The YMCA is proposing to keep separate and remit all income from recreational, open, swimming to the City of Laurel at a daily rate established by the city. The YMCA would agree to deliver all monies collected to an established drop box at the close of business on a daily basis. The YMCA is also proposing to offer a variety of YMCA programming (see Appendix A) to the community in which any fees collected through a standard reduced rate Off-Site Membership practice, would remain with the YMCA. YMCA programming would be conducted either before or after the established open recreational swimming times.

Open recreational times in general would be conducted, but not limited to, Monday through Friday, 12:00pm to 5:00pm, Saturday and Sunday 1:00pm to 5:00pm. YMCA programming in general will be conducted, but not limited to, before and/or after open recreational swim times. The YMCA reserves the right to conduct programming during the open recreation times as bather load levels and traffic patterns permit.

The YMCA would use the pool during open recreational swim times for YMCA camp activities; however, participants would pay the established daily entrance fee. The YMCA would also agree to schedule these kinds of activities on a limited number of swimmers basis during lower load level and traffic patterns.

The YMCA would provide liability insurance of at least \$2,000,000.00 per occurrence during the term of this agreement. Such insurance would extend to both YMCA Officers and Directors and employees while they are operating and managing the swimming pool. The YMCA would also name the City of Laurel as an Additional Insured on said policy.

The YMCA would provide Workman's Compensation Insurance for all employees involved in the operation of the swimming pool in accordance with the laws of the State of Montana.

All personnel employed by the YMCA to supervise aquatic activities would have the following certifications:

Lifeguards: Current YMCA lifeguard or American Red Cross Lifeguard and BLS (Basic Life Support), First Aid, Oxygen administration, and AED Certified.

Instructors: Currently hold a minimum of one of the following: YMCA Swim Instructor, Principles of YMCA Aquatic Leadership, American Red Cross Water Safety Instructor.

All personnel required for the operation of the swimming pool would be employed by the YMCA.

All YMCA personnel will adhere to established aquatic code of conduct, workplace activity requirements.

YMCA staff would be responsible for conducting and recording water chemistry readings at least 3 times per day, or as necessary to comply with state regulation.

YMCA staff would be responsible for general janitorial maintenance of the deck areas and pool buildings, as well as vacuuming the pool.

YMCA staff would make the decision to operate, or not operate, the swimming pool during periods of inclement weather or during other conditions, which may present a hazard to the swimmers and/or employees. If weather or other conditions dictate closure of the pool, the YMCA would re-open the pool if at least 1 hour remains in the scheduled time.

The YMCA would establish policies regarding safety, security, employee and patron conduct on the premises of the pool, including current YMCA swim testing and age requirement protocol.

City of Laurel Responsibilities:

The City of Laurel would be responsible for managing water chemistry, chemical additions to pool, mechanical systems and maintenance of the swimming pool, structure and associated buildings and equipment.

The City of Laurel through the local law enforcement would be responsible for the security and protection of the swimming pool, including YMCA employees and patrons.

The City of Laurel would provide all necessary maintenance, water chemistry and janitorial supplies as well as provide a pool vacuum for Y staff use, for the operation of the pool.

The City of Laurel would provide and maintain necessary ADA Lift equipment.

The City of Laurel would provide wireless internet service to the pool building.

Management

As compensation for managing and operating the swimming pool, the City would agree to pay the YMCA a seasonal management fee for pool operations beginning June 1, 2020 through August 14, 2020. YMCA staff would need access to the facility several days before and after these dates for preparation, cleaning and equipment logistics. The YMCA proposes a total cost of \$47,100 for the 2020 summer season. The City would agree to remit 2 installments of \$16,500 on or before the 1st day of July, the 1st day of August and \$14,100 on the 1st day of September. Under this proposal, the pool would be open to the community for recreational, open swim, a maximum of 33 hours per week. The YMCA will offer aquatic programming including, but not limited to, swim lessons and lap swimming depending on community interest, either before or after the established recreational hours of 12 to 5pm Monday-Friday and 1-5pm Saturday and Sunday. The YMCA will exclude the July 4th Holiday from operation.

The YMCA and the City of Laurel would agree to meet on a regular basis, at least monthly, and additionally as the need arises, to discuss operational needs and patron feedback.

The YMCA Pool Manager, Aquatic Director, COO, CEO, in succession, will field patron feedback issues as necessary for resolution. The YMCA and the City of Laurel would agree to communicate any feedback either receives.

The YMCA's area of responsibility would be limited to the fenced pool area. The scope of general liability responsibility of the YMCA will begin when patrons enter the fenced pool area and ceases upon leaving the fenced pool area.

COVID 19

It is understood with the onset of COVID 19 and the limitations it presents, that the YMCA will only expect to operate the pool as allowed by government entities and would charge the City of Laurel on a prorated weekly basis only, once open. It is also understood that the YMCA's ability to hire and train qualified staff may be affected by COVID 19 and may produce delays in opening the pool. The YMCA will work to the best of its ability to staff the pool to the earliest convenience of both parties would charge the City of Laurel on the same prorated basis. If the COVID 19 situation creates an impossibility for either party to perform under this Agreement, the party shall notify the other party of such impossibility and the Agreement shall immediately terminate. Both parties shall be released from any further duty or responsibility under the Agreement.

Billings Family YMCA

Date _____

City of Laurel

Date _____

Appendix A Program Description

Swim Lessons

The YMCA Swim Lessons program helps participants develop a solid foundation of basic aquatic skills, helping them develop a lifelong appreciation for aquatic activities, including swimming and introducing them to a variety of aquatic sports, as well as water safety and lifeguarding.

The Swim Lessons Program begins at 3 years of age and is divided into several levels per age group:

- Level 1. Water Acclimation
- Level 2. Water Movement
- Level 3. Water Stamina
- Level 4. Stroke Introduction

Private lessons available

At each level, participants are involved in activities relating to six components:

1. Personal safety
2. Personal growth
3. Forward Motion
4. Water games and sports
5. Rescue
6. Core Values (Honesty, Caring, Respect, Responsibility)

Lap Swim

Lap swimming remains one the most beneficial fitness activities that can be enjoyed at any age, or as part of any physical fitness routine.

Appendix B
YMCA Pricing

The YMCA employs a pricing structure for programs that rewards membership to the YMCA by means of financial savings. The YMCA has a scholarship process available to anyone so that no one is turned away due to inability to pay. The YMCA has 3 categories of program registration based on membership type.

YMCA Member- Being a YMCA member offers many benefits for the entire family including access to all the services and amenities at the YMCA facility in Billings. It also offers the most economical pricing on all fee based programs. There are many non-fee based services and activities that go with membership, including free child watch, unlimited access to **over100** group exercise classes per week, both land and water, and access to open gym time and swimming activities.

Off-Site Member- Becoming a YMCA Off-Site member is an option for people who live outside the city of Billings to realize a financial savings on various programming offered throughout Yellowstone County. This type of membership does not allow access to the YMCA facility in Billings. This type of membership requires an annual \$55 fee, which then allows registration for any YMCA programs under the Off-Site member category where applicable.

Non-member - We encourage everyone, regardless of membership, to take advantage of the many opportunities and activities available through YMCA programming.

Laurel Aquatics Program Pricing

Swim Lessons are 2 weeks per session, M-Th)

Member	\$52
Off-Site Member	\$64
Non-Member	\$104

Lap Swimming, available on daily fee, punch card basis.

YMCA programming is subject to minimum participation number system.