

RESOLUTION NO. R14-13

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 March 18, 2014, by Council Member Eaton.

PASSED and ADOPTED by the City Council of the City of Laurel, Montana, this 18th day of March, 2014.


APPROVED by the Mayor this 18th day of March, 2014.

CITY OF LAUREL



Mark A. Mace, Mayor

ATTEST:



Shirley Ewan, Clerk/Treasurer

Approved as to forms:



Sam S. Painter, Civil City Attorney



March 12, 2014

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 2014 summer, (3 month) season. 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, water aerobics programs 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 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 agree to deliver all monies collected to an established drop box at the close of business on a daily basis.

The YMCA would provide liability insurance of at least \$2,000,000.00 per occurrence, or more, 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 CPR for the Professional Rescuer, 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, and YMCA Water Fitness 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, 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.

Management

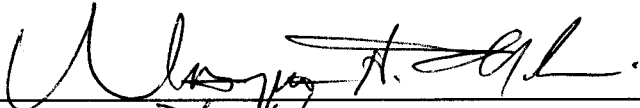
As compensation for managing and operating the swimming pool, the City would agree to pay the YMCA a seasonal management fee of \$44,825 per 2014 summer season. Under this proposal, the pool would be open to the community for recreational, open swim, a maximum of 33 hours per week. The YMCA will offer aquatic programming including, but not limited to, swim lessons, water exercise, and lap swimming, dependant 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, Associate Executive Director, 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.

Billings Family YMCA


Date 3/14/14

City of Laurel


Date 3/18/2014

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 6 months of age and is divided into several levels:

6 months to 3yrs old:

1. Parent Child

3-5 yrs old

1. Pike (beginner)
2. EEL (intermediate)
3. Rayfish/Starfish(intermediate advanced)

6 yrs old and up

1. Polliwog(beginner)
2. Guppy(intermediate)
3. Minnow(advanced)
4. Fish/Flying Fish(more advanced)

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

1. Personal safety
2. Personal growth
3. Stroke development
4. Water games and sports
5. Rescue

Water Fitness

The YMCA's Water Fitness program encourages people of all ages to use the buoyant qualities of water to enhance their physical fitness through exercise. It is an ideal form of exercise for all ages and increases physical strength and endurance without putting stress and strain on joints, as in land-based exercise. Swimmers and non-swimmers alike can take part in this type of exercise to reduce emotional stress and tension, improve health, and encourage and improve feelings of well-being and self esteem.

There are numerous classes available requiring varying levels of physical fitness from beginner to advanced that range from very low intensity to very high.

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 over 100 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 \$50 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 per session (1 month sessions meeting 2 times per week)

Member	\$45
Program Member	\$55
Non-Member	\$75

Water Fitness Classes (1 month sessions, classes meet 2 to 3 times per week)

Member	\$15
Program Member	\$20
Non-Member	\$35

Lap Swimming (1 month sessions, lap swimming available on daily fee, punch card basis)

YMCA programming is subject to minimum participation number system.

Laurel Pool Proposal**3 Month/ Summer 2013**Open Rec 33hrs a week M-F Noon to 5pm Sat-Sun 1pm - 5pm**Salaries and Wages:**

Manager - 40+ hrs

20/hr (plus taxes/insurance/benefits)	3500/mo	10,500
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5 Lifeguards - 33hrs/week - 3 on deck, 1 desk, 1 floater/breaks

11/hr (avg 10/hr plus taxes/insurance/benefits)	7900/mo	23,700
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Open and closing duties(3 gds, 7 hrs/wk)	925/mo	2,775
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Monthly inservice/trainings (7-10 guards)	200/mo	600
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Total		37,575
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Operating Expenses:

Signage (hours, Y rules/code of conduct/safety signs)		1500
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Lifeguard Equip

Tube and Hip Pack Replacement		250
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Deck Side Basketball Hoop		1000
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First Aid/Whistles/Misc. Supplies		250
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Basketballs/Volleyballs/Floatable Net		100
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Lifeguard Uniforms		100
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Phillips HeartStart AED		1200
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Swim Test Bands		250
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YMCA Cell phone		150
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Marketing/Hiring/Advertisement		1200
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Admin costs, travel		250
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Miscellaneous expenses/overhead (1-2%)		1000
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Total		44,825
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Lessons, Lap Swim, Aerobics, 1 -2 Lifeguards on plus manager- Program revenue

POOL RULES & REGULATIONS

For the Safety of all Swimmers:

- All Children under the age of 12 will be swim tested.
- Children 0-9 years of age must be accompanied by a parent or an adult 16 years old or older.
- Children 10-11 years of age that pass the swim test may swim unattended.
- Children that cannot pass the swim test must remain in the shallow end and have a parent or an adult (16 years or older) on the pool deck.
- Children 12 years of age and older may swim unattended.
- Swim suits are required-no cutoff jeans or other casual wear.
- For health reasons, you must shower before entering the pool.
- No swimming unless there is a lifeguard on deck and you must obey the lifeguards at all times. Report any injuries to the lifeguard immediately.
- Pool Drains must be clearly visible from guard chair for pool operation.
- No running on the pool deck.
- No glass bottles, food or gum is allowed in the pool area.
- No Band-Aids allowed in the pool.
- Absolutely no horse play or inappropriate behavior (Public Display of Affection) is allowed. No yelling, screaming, or inappropriate language.
- Please be considerate and health conscious. No open sores or infectious diseases (ringworm, athlete's foot, pink eye, etc.) allowed in the pool.
- Diving is allowed from the deepest end of the deep pool only. Diving from pool side is not allowed. No diving in the shallow end. No back dives, flips, jumping in backwards or twisting.
- No outside toys or floatation devices other than a coast guard approved life jacket. Marshmallows are a teaching aid only.
- Balls, noodles, sinking rings, toys, and lifejackets are provided for use during open swim. Water Exercise equipment is for Water Exercise only, it is not to be used during open swim.
- Face masks are not allowed during swim lessons. We recommend that you do not use face masks at any time due to potential safety risks.

*If you fail to abide by these rules and regulations, you may be asked to leave.