

Bill No. 270  
2015

By-law No. A-7291-217

A By-law to authorize an Agreement between The Corporation of the City of London and Donald Jones Management Services Inc., for the operation and management of Centennial Hall, and to authorize the execution the Agreement.

WHEREAS section 5(3) of the *Municipal Act, 2001* S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 23(1) of the *Municipal Act, 2001* authorizes the municipality to delegate its powers and duties to a person;

AND WHEREAS it is deemed expedient for The Corporation of the City of London (the "City") to enter into an Agreement with Donald Jones Management Services Inc. for the operation and management of Centennial Hall (the "Agreement");

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The Agreement substantially in the form attached as Schedule "A" to this By-law, being an Agreement with Donald Jones Management Services Inc. for the operation and management of Centennial Hall is hereby AUTHORIZED AND APPROVED.
2. The Mayor and City Clerk are hereby authorized to execute the Agreement authorized and approved under section 1 of this by-law.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on July 28, 2015.

Matt Brown  
Mayor

Catherine Saunders  
City Clerk

First reading - July 28, 2015  
Second reading – July 28, 2015  
Third reading – July 28, 2015

## **SCHEDULE 'A'**

This Agreement made this 28 day of July, 2015

THE CORPORATION OF THE CITY OF LONDON  
(hereinafter called the "Owner")

- AND -

DONALD JONES MANAGEMENT SERVICES INC.  
(hereinafter called the "Manager")

WHEREAS by an agreement dated the 1<sup>st</sup> day of January, 2006 (the "2006 Agreement"), the Owner engaged the Manager to operate and manage Centennial Hall at 550 Wellington Street in the City of London which is a multi-purpose public hall owned by the Owner;

AND WHEREAS by an agreement dated the 1<sup>st</sup> day of January, 2010 (the "2010 Agreement"), the Parties extended the term of engagement of the Manager to operate and manage the Hall for the Owner;

AND WHEREAS by an agreement dated the 17<sup>th</sup> day of September, 2012 (the "2012 Agreement"), the Parties extended the term of engagement of the Manager to operate and manage the Hall for the Owner;

AND WHEREAS the parties wish to extend the term of engagement of the Manager for an additional five (5) year period;

NOW THEREFORE in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, the Owner and the Manager agree as follows:

1. The term of engagement of the Manager shall be extended for an additional five (5) year period commencing on the 1<sup>st</sup> day of January, 2016 and ending on the 31<sup>st</sup> day of December, 2020, on the same terms and conditions as set out in the 2006 Agreement, as amended.
2. Schedule "B" – Centennial Hall Rates and Requirements of the 2006 Agreement is hereby deleted and replaced by the new Schedule "B" attached hereto.
3. Clause 6(a) of the 2006 Agreement is hereby amended by adding deleting the second paragraph thereof.
4. Paragraph 13 of the 2006 Agreement is hereby deleted and replaced by the following:
  13. The Manager shall furnish to the Owner, in writing, in accordance with the Owner's budget schedule, an estimated budget setting forth in a form prescribed or approved by the Owner, the Manager's best estimate of all expenses and revenues, as specified in Schedule "C", for the operation of the Hall for the budget period. For each calendar year, the Manager shall include in its budget estimates of personnel costs together with particulars of the number of staff, rate of pay, and hours of work. The Manager shall make itself available for consultation with the Owner for the purpose of establishing the budget. The Owner shall not be obliged to pay the Manager any amount not provided for in the approved budget (except the Manager's annual management fee as described in Clause 3 (f)) and any expenditures by the Manager in excess of the approved budget shall be the responsibility of the Manager and the Owner may offset such excess expenditures against the annual Management Fee. The Manager shall approve all invoices as payable under the budget and remit the same to the Owner for payment.

5. In all other respects, the parties confirm that the 2006 Agreement, as amended by the 2010 Agreement and the 2012 Agreement shall remain in full force and effect.

IN WITNESS WHEREOF the Owner and Manager have executed this Agreement as evidenced by the signatures of their authorized officers.

THE CORPORATION OF THE CITY OF LONDON

Per: \_\_\_\_\_  
Matt Brown, Mayor

Per: \_\_\_\_\_  
Catharine Saunders, City Clerk

DONALD JONES MANAGEMENT SERVICES INC.

Per: \_\_\_\_\_  
Donald Jones, President  
I have the authority to bind the corporation.

**SCHEDULE B**

<b><u>Centennial Hall - Various Fees and Charges By-law A-47</u></b>	<b>Last Date Revised</b>	<b>Fee</b>
i) Hall Rentals		
(a) Auditorium		
Theatre Style (Monday - Thursday, Sunday)	Mar. /11	\$2,500 or 10% gross gate to a maximum of \$4,000, whichever is greater
Banquet Style	2013	\$1,500
Banquet Style - June, July, August	2013	\$1,000
New Year's Eve	2008	\$2,500
Rehearsal Stage	2013	\$600
(b) Banquet Hall		
Monday through Friday	2013	\$1,000
Sunday, Saturday, Holidays	2013	\$1,000
New Year's Eve	2013	\$2,000
One-half Banquet Hall	2013	\$500
Trade Shows	2013	\$1,000
(c) Lounge	2013	\$250
(d) Lounge - After Events	2013	\$200
(e) Entire Building (Convention Rate)	2013	\$3,000
(f) Entire Building (Trade Show Rate)	2013	\$3,000
(g) Early/Late Access Charge (Prior to 8:00 a.m./after 1:00 p.m.)		\$50.00/hr.
(h) Move In/Move Out		50% of applicable rate
(i) Women's Canadian Club	Jan. /07	\$850
(j) Teen Dances or Pub Nights (Banquet Hall only)	Jan. /09	\$1,000
(k) Catering Surcharge	1996	7% of gross catering revenue or \$.70/person
ii) Bar Receipts		
Centennial Hall License - Rates		Market
iii) Canteen Receipts - Snacks	1992	Market
iv) Checkroom Receipts	1992	Market
v) Sundry Receipts		
vi) Chair Removal	1992	Market
vii) Catering Revenue		
Self Catering	1992	Market & 7% of admissions
viii) Ticket Surcharge	Aug. /05	\$1.00 per ticket