

RESOLUTION NO. 40 - 2004

**RESOLUTION APPROVING AND PROCEEDING WITH THE WEST CHESTER
COMMUNITY CENTER AS A TOWNSHIP PROJECT AND PUBLIC IMPROVEMENT AND
AUTHORIZING ANY OTHER ACTIONS AS MAY BE APPROPRIATE TO IMPLEMENT
THE ACTIONS OF THIS RESOLUTION**

WHEREAS, over the last twenty (20) years, successive West Chester Township Boards of Trustees have envisioned and implemented policy in creating an ideal Home Town community, focused on the future in an atmosphere of continuous improvement committed to the highest standards; and,

WHEREAS, the West Chester Township 2012 Vision Plan, adopted in 1993, became the foundation and sustenance for policy decisions affecting and strengthening community vision and identity, standards for development, and quality of life enrichment for all resident and corporate citizens; and,

WHEREAS, the 2012 Vision Plan preceded numerous strategy plans, recommended by a subsequent Task Force of residents and adopted by the Board of Trustees - the Central Business District Plan Recommendations and CBD zoning, the Sidewalk and Bikepath Plan Recommendations, the Parks Five (5) Year Capital Improvement Plan, the Utility Plan, the Storm Water Infrastructure Inventory, and the Community Center Plan Recommendations, to name a few; and,

WHEREAS, all said plans have recommended a community center facility to be a vital element of a West Chester downtown that would establish a sense of community and contribute to the vitality, energy, and community identity of West Chester; and,

WHEREAS, the Community Center Plan Recommendations, proposed by a resident Task Force and adopted by the Board of Trustees in December 1995, is a community feasibility study, proposing the location, design, construction, and implementation of a Township Community Center; and,

WHEREAS, from the Plan Recommendations, the Board of Trustees hired The Sports Management Group in February 1997 to elevate the Plan Recommendations to the next level and to identify specific programmatic, financial and operational goals for a community center that will enhance the quality of life of all residents by providing facilities that will serve the recreation and social needs and interests within the community; and,

WHEREAS, the Township Community Center Planning and Design Study was completed; however, the project to date has not been achieved because of fiscal constraints; and,

WHEREAS, due to successful commercial development, tax increment financing funds, and an affirmative bond validation opinion, appropriate and applicable capital funding is presently available to cover capital costs for the construction of a community center if the Board of Trustees wishes to prioritize and proceed with this project; and,

WHEREAS, the Board of Trustees, at their August 12, 2003 Trustee meeting, contracted with Messer Construction as the Project Manager to facilitate and coordinate a project team for Phase I for

the Community Center Preliminary Design and Feasibility Analysis and Community Engagement and hired Hastings and Chivetta, Ballard*King, McGill Smith Punshon, and Steed Hammond Paul to preliminary design and determine the feasibility of a financially self sufficient center; and,

WHEREAS, the project team has conducted and held many focus groups, public meetings, surveys, discussions, numerous presentations to local community oriented groups all designed to gain public input to the desire and design of a proposed Community Center for West Chester; and,

WHEREAS, in an effort to conduct due diligence, the Board of Trustees conducted several work sessions held on April 12, 2004, April 27, 2004, May 17, 2004, and June 2, 2004 where the project team presented final recommendations of the preliminary design and feasibility analysis/business plan; and,

WHEREAS, the Board of Trustees, at this time, is convinced that the Board has exhausted every effort to plan, study, and analyze the proposed design and operational costs of a Community Center and is confident that through and with efficient, effective, and solid management and administration of the proposed facility that the proposed facility can and will be financially self- sufficient and will not burden the general operating expenses of West Chester Township.

NOW THEREFORE BE IT RESOLVED that the West Chester Township Board of Trustees does hereby agree to proceed with the West Chester Community Center (the "Facility") as a Township project and public improvement and hereby authorizes and directs the Township Administrator or other appropriate staff of the Township to prepare for review and approval by the Township Board of Trustees all agreements and instruments, subject to the approval of the Township Board of Trustees, and to take any other actions as may be appropriate to implement this Resolution.

NOW THEREFORE, BE IT FURTHER RESOLVED, that the West Chester Township Board of Trustees does hereby agree to:

SECTION 1. Approve and proceed with the West Chester Community Center (the "Facility") as a Township project and public improvement.

SECTION 2. Authorize the Township Administrator or his designee to negotiate, finalize, and present for approval contracts with Messer Construction for construction management services and Hastings and Chivetta and McGill Smith Punshon (collectively the "Design Team") for architectural design and construction drawing services for the construction of the West Chester Community Center and if necessary, to negotiate and present for approval other essential contracts for ancillary services as they relate to the design and construction of the facility, including but not limited to HVAC system design, the indoor leisure, indoor competitive, and outdoor leisure pools component, etc.

SECTION 3. Authorize the Township Administrator or his designee to negotiate and present for approval a real property purchase contract with the owner of the preferred site for the facility.

SECTION 4. Authorize the Township Administrator or his designee to advertise a Request for Qualifications and/or a Request for Proposal, identifying the Township's minimum management and operation standards and soliciting third party entities interested in contracting for management and operation services for the facility.

SECTION 5. Authorize the Township Administrator or his designee to negotiate and present for approval a contract with a third party for managing and operating services for the facility.

SECTION 6. Authorize the Township Administrator to negotiate and present for approval a Use Agreement with an interested party for the competitive pool.

SECTION 7. Endorse the establishment of a West Chester Community Center Fund by an interested party with the West Chester/Liberty Community Foundation and authorize the Township Administrator or his designee to present for approval an Agreement for the management of the fund.

SECTION 8. Authorize the Township Administrator or his designee to advertise and request bids for construction of the facility.

SECTION 9. Authorize and direct the Township Administrator or his designee to prepare and sign all agreements and instruments, subject to the approval of the Township Board of Trustees, and to take any other actions as may be appropriate to implement this Resolution.

Adopted this 13th day of July, 2004.

<u>Catherine Stoker</u> Catherine Stoker, President	<u>YES</u> Yes / No
<u>Jose Alvarez</u> Jose Alvarez, Vice President	<u>YES</u> Yes / No
<u>George Lang</u> George Lang, Trustee	<u>YES</u> Yes / No

ATTEST:

Patricia Williams
Patricia Williams, Township Clerk

APPROVED AS TO FORM:

D. Crain
Donald L. Crain, Law Director

CERTIFICATE OF PUBLICATION

June 22, 2004	First Reading
Date	
	Emergency Reading
Date	
July 13, 2004	Second Reading
Date	
July 19, 2004 Journal News	First Publication (After Approval)
Date and Newspaper	
July 22, 2004 Pulse Journal	
July 26, 2004 Journal News	Second Publication (After Approval)
Date and Newspaper	
July 29, 2004 Pulse Journal	
<i>Patricia Williams</i> <i>12/28/04</i>	Certificate of Publication
Clerk Signature & Date	