

September 22, 2015

To: Levi Nilson
President,
The Students' Union,
University of Calgary
supres@ucalgary.ca

Re: Mac Hall

Thank you for your email of September 9, 2015.

As you stated, the University of Calgary and the Students' Union have worked together for nearly five decades, creating an enduring, strong relationship for the benefit of students and the broader University community. Both the University and the SU have historically been willing to set aside differences when they occur and focus on the issues that really matter to creating a great student experience on campus.

Because the existing 1999 License of Occupation, Operating and Management Agreement (the LOOMA) clearly refers to the University as the owner of Mac Hall, we were surprised that the SU raised ownership as an issue during the negotiations to replace the LOOMA. Although the issue of ownership appears to have been raised from time to time prior to 1981, the focus of discussions for several decades has been more on matters of mutual benefit. Over the years, the various agreements between the parties concerning the operation of Mac Hall have reflected the significant contributions made by both the University and the SU.

Given the historical context, the University is disappointed with the SU's starting position for negotiations this Fall and its threat of legal action. The University would like to refocus the discussion to allow the parties to work towards the sort of mutually beneficial arrangement they have had for nearly half a century. In particular, the University is prepared to continue working towards an Operating Agreement, which would replace the existing LOOMA and would continue to provide the SU with significant rights relating to Mac Hall.

As a gesture of good faith, the University is prepared to agree to an extension of the existing LOOMA to May 1, 2016 so that the parties can continue working towards a mutually beneficial Operating Agreement. If the SU chooses to take legal action relating to Mac Hall, the University would rescind the extension of the LOOMA. The SU would have the option to occupy its current space in Mac Hall for the purposes such space is currently used. The University would continue to work with the SU to support student programming through building revenues.

Following completion of the Operating Agreement, the University would invite the SU to work together to develop a fundraising campaign and plans for a future renovation and/or expansion of Mac Hall, for the benefit of future generations of students. This project would appropriately reflect the long-standing co-operation between the University and the SU in matters involving Mac Hall, including similar joint initiatives in the past to expand and/or renovate Mac Hall.

Once a new Operating Agreement is finalized, the University would also be prepared to discuss campus rights and external/third-party agreements with a view to formalizing a protocol on these matters. Given the fundamental importance of an Operating Agreement and the fact that significant progress has already been made in the negotiations for this agreement to date, the University would like to complete that process and then move on to the other issues instead of trying to deal with everything at once.

This approach is proposed in the spirit of co-operation that has characterized the decades-long relationship between the University and the SU. I look forward to hearing from you on this at your earliest convenience. As I have previously indicated, the University's negotiating team is prepared to set aside substantial blocks of time, including on weekends if necessary, for intensive efforts to conclude a new Operating Agreement. A new Operating Agreement would continue to provide the SU with significant rights relating to Mac Hall, for the benefit of current and future students.

Sincerely,



Dr. Dru Marshall
Provost and Vice-President (Academic),
University of Calgary

cc: Dr. Elizabeth Cannon, President and Vice-Chancellor, University of Calgary
Ms. Bonnie DuPont, Chair, Board of Governors, University of Calgary