



VILLAGE OF HARRISON HOT SPRINGS NOTICE OF MEETING AND AGENDA

REGULAR COUNCIL MEETING

Date: Monday, March 2, 2009
Time: 7:00 p.m.
Location: Council Chambers, Harrison Hot Springs, British Columbia

1. CALL TO ORDER			
	(a)	Meeting called to order by Mayor Becotte	
2. INTRODUCTION OF LATE ITEMS			
3. APPROVAL OF AGENDA			
4. ADOPTION AND RECEIPT OF MINUTES			
<input type="checkbox"/> Regular Council Meeting Minutes – February 16, 2009		THAT the minutes of the Regular Council Meeting of February 16, 2009 be adopted.	Item 4.1 Page 1
<input type="checkbox"/> Special Council Meeting Minutes – February 23, 2009		THAT the minutes of the Special Council Meeting of February 23, 2009 be adopted.	Item 4.2 Page 11
5. BUSINESS ARISING FROM THE MINUTES			
6. PUBLIC AND STATUTORY HEARINGS			
7. DELEGATIONS AND PETITIONS			
8. CORRESPONDENCE			
<input type="checkbox"/> Visitor Centre Statistics for December 1 – 31, 2008 and January 1 – 31, 2009			Item 8.1 Page 15
<input type="checkbox"/> Letter dated February 10, 2009 from Fraser Health re West Nile Virus			Item 8.2 Page 17
<input type="checkbox"/> Memo dated February 12, 2009 from UBCM re Consulting Engineers of BC - TILMA Implementation			Item 8.3 Page 21

<input type="checkbox"/> Letter dated February 18, 2009 from City of Burnaby re Burnaby School Lands	Item 8.4 Page 31	
<input type="checkbox"/> Notice dated February 29, 2009 from UBCM re Grant Opportunities and Upcoming Deadlines	Item 8.5 Page 41	
<input type="checkbox"/> Letter dated February 24, 2009 from Ministry of Community Development re TILMA	Item 8.6 Page 43	
<input type="checkbox"/> Notice dated February 24, 2009 from UBCM re West Nile Virus Reduction Funding	Item 8.7 Page 47	
9. BUSINESS ARISING FROM CORRESPONDENCE		
10. REPORTS OF COMMITTEES, COMMITTEE OF THE WHOLE AND COMMISSIONS		
Appointment of Committees and Commissions		
11. REPORTS FROM MAYOR		
12. REPORTS FROM COUNCILLORS		
D. Harris - verbal D. Kenyon - verbal A. Jackson - verbal B. Perry – verbal		
13. REPORTS FROM STAFF		
<input type="checkbox"/> Strategic Community Investment Funds Agreement – February 26, 2009	Report of Director of Finance – February 26, 2009 Re: Strategic Community Investment Funds Agreement Recommendation: THAT Council authorizes the Village to enter into the Strategic Community Investment Funds Agreement with the Province of BC.	Item 13.1 Page 49
<input type="checkbox"/> Revision of Policy for event, function or activity on Public Property or lands owned or leased by the Village	Report of Chief Administrative Officer – February 27, 2009 Re: Revision of Policy for event, function or activity on Public Property or lands owned or leased by the Village Recommendation: THAT Council approves the creation of a new policy to approve an event, function or activity on public property or lands owned or leased by the Village; and	Item 13.2 Page 55

<p><input type="checkbox"/> Business Licence and Regulations Bylaw Proposed Changes – February 27, 2009</p> <p><input type="checkbox"/> LGMA – CAO Conference (Verbal) – March 2, 2009</p>	<p>THAT Council approves rescinding of current policies 4.1, 4.5, 4.10 and 5.1 that contradict or are irrelevant due to past practices and changes to bylaws in the past.</p> <p>Report of Chief Administrative Officer – February 27, 2009 Re: Business Licence, Regulations Bylaw Proposed Changes</p> <p>Report of Chief Administrative Officer – March 2, 2009 Re: LGMA – CAO Conference (Verbal)</p>	<p>Item 13.3 Page 61</p>
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14. BYLAWS

<p><input type="checkbox"/> Bylaw 905 Kent Sewer Line Temporary Borrowing Bylaw</p>	<p>THAT Kent Sewer Line Temporary Borrowing Bylaw No. 905 be adopted</p>	<p>Item 14.1 Page 69</p>
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15. QUESTIONS FROM THE PUBLIC

16. ADJOURNMENT

<p> </p>



Larry Burk
Chief Administrative Officer

VILLAGE OF HARRISON HOT SPRINGS
MINUTES OF THE REGULAR MEETING OF COUNCIL

DATE: February 16, 2009
TIME: 7:00 p.m.
PLACE: Council Chambers

IN ATTENDANCE: Mayor Ken Becotte
Councillor Dave Harris
Councillor Allan Jackson
Councillor Dave Kenyon
Councillor Bob Perry

Chief Administrative Officer, Larry Burk

ABSENT: Recording Secretary, Debra Key

1. CALL TO ORDER

The Mayor called the meeting to order at 7:02 p.m.

2. INTRODUCTION OF LATE ITEMS

Report of Chief Administrative Officer
Re: Janitorial Contract Award -2009

Report of Chief Administrative Officer
Re: Remuneration of Public Advisory Committee to FVRD

Committees and Commissions update

3. APPROVAL OF AGENDA

Moved by Councillor Harris
Seconded by Councillor Kenyon

THAT the agenda be approved as amended.

CARRIED

4. ADOPTION AND RECEIPT OF MINUTES

Regular Council Meeting
Minutes – January 19, 2009

Moved by Councillor Kenyon
Seconded by Councillor Harris

THAT the minutes of the Regular Council Meeting of January 19,
2009 be adopted.

CARRIED

Special Council Meeting
Minutes – January 15, 2009

Moved by Councillor Jackson
Seconded by Councillor Perry

THAT the minutes of the Special Council Meeting of January 15, 2009 be adopted.

CARRIED

5. **BUSINESS ARISING FROM THE MINUTES**

None

6. **PUBLIC AND STATUTORY HEARINGS**

None

7. **DELEGATIONS**

8. **CORRESPONDENCE**

- Strategic Review of Transit in the Fraser Valley – Information Update January 2009
- Email dated January 5, 2009 from HealthLinkBC, Emergency and Health Services Commission
- Letter dated January 19, 2009 from Honours and Awards Secretariat re Order of British Columbia Nominations for 2009
- Letter dated January 19, 2009 from Fraser Valley Regional Library (Agassiz Branch) re donation to Spirit of BC activities
- Email dated January 23, 2009 from Office of Housing and Construction Standards re Building Code Provisions
- Fax dated January 23, 2009 from UBCM re news release on accelerated infrastructure funding
- News Release of UBCM - response to Federal Budget 2009
- News Release dated January 29, 2009 re Province Funds New Bridge in Harrison Hot Springs
- News Release dated January 29, 2009 re New Webcam Helps Prepare Drivers
- Notice dated January 29, 2009 from UBCM Secretariat re Proposed Fire/Rescue System Model
- Letter dated January 19, 2009 from the Public Works Association of BC
- Letter dated January 30, 2009 from Community Social Services

Moved by Councillor Perry
Seconded by Councillor Kenyon

THAT the correspondence be received.

CARRIED

9.

BUSINESS ARISING OUT OF CORRESPONDENCE

Councillor Harris asked that staff review the Village's building bylaw and determine if changes to the new 6 story wood frame construction provisions in the BC Building Code can either be simply incorporated or are other changes required that require the building bylaw to be revised and report back to Council.

Moved by Councillor Perry
Seconded by Councillor Harris

THAT Council approve a donation of \$250.00 to the Spirit of BC Committee for the upcoming Spirit of BC activities.

CARRIED

Moved by Mayor Becotte
Seconded by Councillor Harris

THAT Phyllis Stenson be nominated for the Order of British Columbia.

CARRIED

10.

REPORTS OF COMMITTEES, COMMITTEE OF THE WHOLE AND COMMISSIONS

The Mayor reported on the status of the Committee and Commission positions.

The Mayor asked Council for support to establish two Select Committees.

Moved by Mayor Becotte
Seconded by Councillor Harris

THAT Council approve a select committee for Heritage Advisory.

CARRIED

Moved by Mayor Becotte
Seconded by Councillor Kenyon

THAT Council approve a select committee to coordinate the Canada Day Celebrations.

CARRIED**OPPOSED BY COUNCILLOR JACKSON**

11. Mayor's Report

REPORTS FROM MAYOR

The Mayor reported that he had met with Sgt. McCarthy of the RCMP to discuss policing issues. There will be an RCMP officer specifically designated for Harrison Hot Springs for the summer months. There was also discussion about the prospect of establishing a community policing office in the Esplanade Avenue area. Due to the number of activities occurring on the west and east lakeshore areas, the police are researching the possibility of establishing a task group to look at solutions for the concerns. The Mayor stated they would also be looking at having community involvement to join the group and asked for interested persons in the Village to come forward for a recommendation to participate.

The Mayor reported that he had met with the Executive Director of Chilliwack Health Services to discuss health issues and the level of care needed for the area. The Director is looking to develop a full health care community plan for the Agassiz-Harrison area.

The Mayor also indicated he had received an invitation to the RCMP Spring Ball on April 18, 2009 at the Harrison Hot Springs Resort and Spa and expressed that the rest of Council consider responding affirmatively to the invitation as they wished.

The Mayor accompanied by Councilor Harris attended a short meeting with the Secretary Treasurer of School District #78 and discussed ongoing potential for joint venturing in a building which would include the School Board office along with a new Village office and other potential facilities in a central civic centre. In the past the Minister of Education has indicated strong support in developing a business plan combining a multi-function building in the Village. The Mayor stated that he would like Council to rejuvenate this concept begun earlier, including further community involvement and consultation. Stay tuned for more follow up in the next month or so.

Received an invitation to attend the Chilliwack Plowing Society match on April 4, 2009 on McSween Road in Chilliwack at 12:00 noon to participate in the Mayor's class event. The Society will supply the equipment and asked if Councillors would like to attend as he will be absent.

The Mayor reported that he received an invitation from the Harrison Hot Springs hiking group for a 20th anniversary party April 1, 2009 at Memorial and asked if Councilor Harris would like to attend due to the Mayor's absence at that time.

The Village received a plaque commemorating the 2010 Olympic and Paralympic Games and asked staff to mount it at a conspicuous location possibly the foyer of the Memorial Hall.

The Mayor reported that he had met with Patricia Ross, Chairperson for the Fraser Valley Regional District. She is visiting various municipalities to familiarize herself with each municipality and how the Regional District might provide or offer support. Ms. Ross offered full support in seeking more financial support from both the Federal and Provincial governments for the Kent Harrison Sewer Connection project. In connection with that the Mayor reported that he had met with Mayor Fisher of the District of Kent and together will lobby both the Federal and Provincial government Ministries to try to secure a better commitment for funding

Moved by Councillor Harris

Seconded by Councillor Kenyon

THAT the Mayor's report be received.

CARRIED

REPORTS FROM COUNCILLORS

Councillor Harris

February 4, 2009 attended a meeting with School District #78 with Mayor Becotte. Councillor Harris stated that the cost of building a joint facility is approximately 1.8 million dollars but is still worth researching.

February 4, 2009 attended the Show Kids You Care meeting.

February 4, 2009 attended the Chamber of Commerce's Parking Committee meeting and reviewed results of the beach survey. A copy has been distributed to Council.

February 11, 2009 attended Joint PEP Committee meeting with District of Kent and indicated that plans are to go forward with an emergency "table top" exercise later in March.

Attended Local Government Leadership Academy training session. Enjoyed session with Gerry Berry.

Mayor Becotte added at this time that Gerry Berry will be attending the CAO's Annual Conference next week at the Harrison Hot Springs Resort and has agreed to provide a working session Feb 19, 2009 at 9:00 a.m. in the Rainbow Room. The Mayor also extended invitation to the public and staff and Directors of Tourism Harrison, Chamber of Commerce and Council.

Councillor Harris continued his report with information that the Committees in Bloom made application for a Community Garden for the Village and has received a grant for \$4500.00. The project was originally designed and sponsored to provide recognition and help in managing diabetes by providing space and assistance in helping people to grow healthy food. Community Services is the sponsor and champion of this project and will manage the project also. Councillor Harris put forward a recommendation that the Village indicate their support to Community Services in the potential hiring of Gerry Nootebos as their Coordinator. The recommended site for the Community Garden is on Village owned property on the old well site at the corner of Chestnut and McCombs Drive. Council concurred with the recommendation.

Councillor Kenyon Attended the Leadership Academy and found it to be very informative.

Attended the FVTAC meeting with Councillor Jackson.

Attended the monthly meeting with the Chamber of Commerce; and a thank you to the CAO for his notes and responses to his emails and voice messages.

Councillor Jackson Attended FVTAC January 27, 2009. 58 First Nations are currently in the treaty process with \$398 million already spent since 1993 on the negotiations.

Councillor Jackson suggested hosting a Community to Community forum session with a First Nations representative. The Mayor stated that staff is currently working on a funding application. The Mayor also reported that the Harrison Resort has received the final report from their consultants and is interested in moving forward with next steps in the development of the hot springs source plan which should involve members of First Nations.

Attended Harrison Tourism Society on January 29, 2009. The new 2009 "Here's Harrison" magazine and brochure is now available.

Councillor Perry Reported that James Atebe, the Mayor of Mission has been nominated for "top immigrant to Canada" and a very deserving honour as far as he is concerned.

Attended the Leadership Academy, but believes this session should be restricted to brand new elected officials.

Attended Speedwatch meeting in Agassiz. Members will be providing more support for Harrison Hot Springs.

On February 11, 2009 attended Fraser Health Municipal Government Advisory Committee meeting. Fraser Health will be providing Dr. Campbell with additional funding. Dr. Murray reported that Vancouver and the Fraser Valley will be sharing health services.

Moved by Councillor Harris
Seconded by Councillor Jackson

THAT the Councillors' reports be received.

CARRIED

REPORTS FROM STAFF

☐ Water Treatment
Evaluation Proposal –
January 22, 2009

Moved by Councillor Kenyon
Seconded by Councillor Perry

THAT the report from the Chief Administrative Officer dated January 22, 2009 re: Water Treatment Evaluation Proposal be received; and

THAT Council approves option 3 in the report, that is: approve the proposal from Dayton and Knight in the amount of \$XX,XXX.00 provided that successful application for Planning Grant funding is received.

CARRIED

☐ 2009 Fraser Valley
Regional Library Budget for
Harrison Hot Springs
Assessment - January 29,
2009

Moved by Councillor Perry
Seconded by Councillor Jackson

THAT the report from the Director of Finance dated January 29 re: 2009 Fraser Valley Regional Library Budget for Harrison Hot Springs Assessment be approved.

CARRIED

☐ Janitorial Contract Award
2009

Moved by Councillor Harris
Seconded by Councillor Jackson

THAT the report from the Chief Administrative Officer dated February 5, 2009 recommending that the janitorial contract for janitorial services to all Village buildings and facilities be awarded to Hatt's Services.

CARRIED

13.

BYLAWS

Bylaw 904 Revenue Anticipation Borrowing Bylaw

Moved by Councillor Kenyon
Seconded by Councillor Jackson

THAT Revenue Anticipation Borrowing Bylaw No. 904, 2009 be adopted.

CARRIED

Bylaw 905 Kent Sewer Line Temporary Borrowing Bylaw

Moved by Councillor Perry
Seconded by Councillor Harris

THAT Kent Sewer Line Temporary Borrowing Bylaw No. 905 be received for first reading;

CARRIED

Moved by Councillor Perry
Seconded by Councillor Harris

THAT Kent Sewer Line Temporary Borrowing Bylaw No. 905 be received for second reading;

CARRIED

Moved by Councillor Perry
Seconded by Councillor Harris

THAT Kent Sewer Line Temporary Borrowing Bylaw No. 905 be received for third reading.

CARRIED

15.

QUESTIONS FROM THE PUBLIC

M. Doman asked if the Community Garden ad was advertised in the Observer. Councillor Harris stated that the Agassiz Harrison Community Services were responsible for the ad.

M. Doman asked what kind of construction was happening at the end of Cottonwood Road. The CAO stated future water and sewer connections were going in for the Juneau property. M. Doman asked if this had been brought to Council for approval. The CAO explained that these new connections simply provide service to enable the Juneaus to connect in the future. The property will be included in the Village frontage tax and user fees will be paid at such time as they connect to the services. The CAO stated that should Council consider a report be necessary, he would provide one as requested.

The Mayor stated that policies referred to will have to be amended regarding the proposed sewer main extensions which will eventually connect to the District of Kent treatment plant.

L. Facio asked when the presentation by Gerry Berry was being held at the Resort.

Response by the Mayor that it was 9am at the Rainbow Room on Thursday.

L. Facio asked if Council could lobby Canada Post to voice concerns about returned mail by the post office and the possibility of installation of residential street boxes. The Mayor stated he would bring the topic to his meeting with MP Chuck Strahl.

G. Guimont asked who was on the parking committee and when are recommendations coming out? Councillor Harris stated R. Reyerse, T. Nootebos, E. Stenson, F. Peters, D. Wright, L. Lees, and himself as Council liaison.

G. Guimont asked if there was work underway to develop a capital plan for infrastructure development over the next 3 years. The Mayor stated this will be dealt with in the financial plan. He stated they will also be working on an integrated infrastructure management plan. G. Guimont asked what the anticipated timeline would be. The CAO stated Council will be reviewing and prioritizing the most important infrastructure issues at a strategic planning meeting which will be put forward for inclusion with this years budget issues. G. Guimont asked if the Village is in a position to apply for more infrastructure funding.

The Mayor stated although we have opportunity to apply for funding, we most often do not have the resources to be "shovel ready". The CAO stated there are "intake" processes and dates at which times we do our best to complete as time and resources dictate.

14.

ADJOURNMENT

Moved by Councillor Perry

Seconded by Councillor Jackson

THAT pursuant to Section 90(1) (2) and (3) of the *Community Charter* the meeting be adjourned at 8:39 p.m.

CARRIED

Certified a true and correct copy of the minutes of the Regular Meeting of Council held February 16, 2009 in the Council Chambers, Village of Harrison Hot Springs, BC

Ken Becotte
Mayor

Larry Burk
Chief Administrative Officer

**VILLAGE OF HARRISON HOT SPRINGS MINUTES
OF THE SPECIAL COUNCIL MEETING**

DATE: February 23, 2009
TIME: 10:00 a.m.
PLACE: Council Chambers
 Harrison Hot Springs, B. C.

IN ATTENDANCE: Mayor K. Becotte
 Councillor B. Perry
 Councillor D. Harris
 Councillor A. Jackson

Larry Burk, Chief Administrative Officer
 Dale Courtice, Director of Finance
 Ken Fleckenstein, P.W. Superintendant

Recording Secretary, E. Heistad

ABSENT: Councillor D. Kenyon

1. CALL TO ORDER

Mayor Becotte called the meeting to order at 10:03 a.m.

2. ADOPTION AND RECEIPT OF MINUTES

None

3. LATE ITEMS

None

4. ITEMS FOR DISCUSSION

2009 Financial Plan

Council gathered to discuss strategic priorities for further discussion during budget deliberations. The following issues were brought forward:

1. Sewer system – I & I report with recommendations for planning repairs / replacement.
2. Drainage – problem areas that need to be identified, recommendations for repairs from the Drainage Plan of last year.
3. Water main repairs and extensions and a long term plan.
4. Ground well water source exploration.
5. Water filtration system to meet 2010 health standards.
6. Joint facility – discussion and planning.
7. Landscape plan for Rendall Park improvements.
8. Clean up north side of Lillooet between Maple and four way stop.

VILLAGE OF HARRISON HOT SPRINGS MINUTES OF THE
SPECIAL COUNCIL MEETING

February 23, 2009

PAGE (2)

9. Cross Walk on Lillooet on the East side of Maple.
10. Delineate parking stalls on north side of Lillooet.
11. Cross walk on Lillooet to connect to Spring Park.
12. Streets cleaned more often.
13. Landscaping to dress up the Village.
14. West Nile virus relevant to standing water in the Village.
15. Green Waste and Recycling area improvements.
16. Relocation of Public Works Yard planning & program.
17. Beach erosion.
18. Block 1 – improvements to coordinate with new Spirit Square.
19. McCombs bridges and pathway.
20. Memorial Hall renovations
21. Trail Development – along greenway and East Sector
22. Rendall and Spring Parks need sprucing up, plus addition of amenities.
23. Operational point of Hotel pumping the pool water through WWTP – in concert to Kent Harrison connection.

The CAO will put a cost to these projects for the next budget / priority setting meeting.

Moved by Councillor Jackson
Seconded by Councillor Perry

THAT Council consider changing In Camera Meetings to “before the regular meetings” or “on another day; perhaps Mondays between Council Meetings”;

AND THAT the CAO bring a report describing cons to this potential change.

CARRIED

VILLAGE OF HARRISON HOT SPRINGS MINUTES OF THE
SPECIAL COUNCIL MEETING
February 23, 2009
PAGE (3)

5. ADJOURNMENT

Moved by Councillor Perry
Seconded by Councillor Jackson

THAT the meeting be adjourned at 11:57 a.m.

CARRIED

Certified a true and correct copy of the minutes of the Special
Council Meeting held February 23, 2009 in the Council
Chambers, Village of Harrison Hot Springs, BC.

Ken Becotte
Mayor

Larry Burk
Chief Administrative Officer

Visitor Centre Network Statistics Program 2009

HARRISON HOT SPRINGS

Start Date: 01/12/2008

End Date: 31/12/2008

MONTHLY TOTAL	Dec-08	TOTAL
Administration Parties/Hour	0.63	0.63
# of hours	66.50	66.50
# of phone calls	32	32
# of mail/fax/email enquiries	22	22
# of parties	42	42
# of visitors	62	62
# of buses	0	0
Visitor Origin	37	37
Local Resident	6	6
BC	26	26
Alberta	1	1
Other Canada	1	1
Washington	0	0
California	0	0
Other US/Mexico	0	0
Europe	2	2
Asia/Australia	1	1
Other	0	0
Nights in Community	29	29
Same day	15	15
1	8	8
2	5	5
3	0	0
4-6 (1 week)	1	1
7-13 (2 weeks)	0	0
14+	0	0
Information Requested	43	43
Accommodation	5	5
Adventure Recreation	3	3
Attractions	17	17
Events / Conferences	0	0
Food / Beverage	6	6
Transportation	0	0
Shopping	1	1
Parks	0	0
First Nations	0	0
Community Services	2	2
Investment/Moving	2	2
Site Facilities (e.g. Washrooms)	2	2
Other	5	5

Visitor Centre Network Statistics Program 2009
HARRISON HOT SPRINGS
 Start Date: 01/01/2009
 End Date: 31/01/2009

RECEIVED
 FEB 12 2009

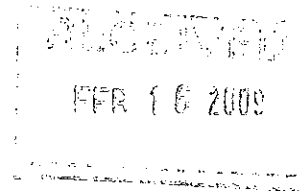
MONTHLY TOTAL	Jan-09	TOTAL
Administration Parties/Hour	0.68	0.68
# of hours	119.00	119.00
# of phone calls	34	34
# of mail/fax/email enquiries	14	14
# of parties	81	81
# of visitors	152	152
# of buses	0	0
Visitor Origin	68	68
Local Resident	12	12
BC	37	37
Alberta	1	1
Other Canada	3	3
Washington	5	5
California	0	0
Other US/Mexico	1	1
Europe	8	8
Asia/Australia	1	1
Other	0	0
Nights in Community	56	56
Same day	29	29
1	17	17
2	7	7
3	1	1
4-6 (1 week)	1	1
7-13 (2 weeks)	0	0
14+	1	1
Information Requested	110	110
Accommodation	13	13
Adventure Recreation	6	6
Attractions	41	41
Events / Conferences	3	3
Food / Beverage	11	11
Transportation	1	1
Shopping	1	1
Parks	1	1
First Nations	0	0
Community Services	6	6
Investment/Moving	3	3
Site Facilities (e.g. Washrooms)	6	6
Other	18	18

2240-20-58

FILE #	DATE
10900	FEB 13 2009
<input checked="" type="checkbox"/> GAO	<input type="checkbox"/> ACCTS P/R
<input type="checkbox"/> DCAO	<input type="checkbox"/> ADMIN
<input type="checkbox"/> DIR F	<input type="checkbox"/> B/L ENF
<input type="checkbox"/> SUP P/W	<input checked="" type="checkbox"/> MAYOR
<input type="checkbox"/> PAYROLL/TAX	<input checked="" type="checkbox"/> COUNCIL
ITEM	A B C
COUNCIL AGENDA	
DATE <u>MAR 2</u>	
INITIAL <u>L</u>	
(ITEMS: A - REQ. ACTION; B - INFO - W/RESP; C - INFO ONLY)	

February 10, 2009

Mr. Larry Burk
Chief Administrative Officer
Village of Harrison Hot Springs
P.O. Box 160
Harrison Hot Springs, BC V0M 1K0



Dear Mr. Burk:

Re: West Nile virus (WNV) – Updated Strategy and Recommendations for 2009

This letter contains important information about:

1. Fall Strategy Session and Strategic Program Direction Changes.
2. WNV Program Components Left Unchanged for 2009.
3. WNV Funding Process and PROTOcol for 2009.
4. WNV Response Plan Process for 2009.

In keeping with our commitment to review 2008 local, provincial, and North American West Nile virus surveillance information in a timely manner, the Regional Health Authorities, the BC Center for Disease Control, and the Provincial Government participated in a strategy meeting on November 19th, 2008. The intent of this meeting was to review available surveillance information, reach consensus on an appropriate Provincial WNV strategy for 2009, and communicate any strategic changes to stakeholders in a timeframe sensitive to local fiscal planning. Your local WNV contact was sent a preliminary strategy update shortly after this meeting.

1. Fall Strategy Session and Strategic Program Direction Changes for 2009.

The movement of WNV north through the States neighbouring British Columbia is not progressing as rapidly as expected. It is not known why this is the case. However, until such time that the movement of WNV in the Pacific Northwest increases the potential threat to British Columbia residents it is unlikely Fraser Health will recommend active larval mosquito control on Village of Harrison Hot Springs lands.

Accordingly, the decisions reached at this meeting that affect local WNV planning and response are as follows:

1. Preemptive larval mosquito control to Catch basins and surface waters in Fraser Health areas will not be recommended in 2009. Should local governments wish to continue this activity, it is unlikely they will receive financial support from monies available through the Union of B.C. Municipalities (UBCM) West Nile Reduction Funding; and
2. The systematic monitoring of mosquito larvae in catch basins and surface waters in Fraser Health areas will not be recommended in 2009. Should local governments wish to continue this activity, it is unlikely they will receive financial support from monies available through the UBCM West Nile Reduction Funding.

2. WNV Program Components Left Unchanged for 2009.

1. Initiatives involving source reduction and habitat modification to potential WNV vector mosquito development habitat will be supported in 2009.
2. Educational initiatives with respect to WNV will remain supported in 2009, including that to staff and council as well as to the public. Specific messages may need minor adjustments to better align with the above directional changes, but such details can be discussed closer to the 2009 surveillance season.
3. The identification and mapping of mosquito development habitat not previously documented for potential larvaciding programs will be supported in 2009.
4. The continued mapping of sensitive habitat for rapid identification in anticipation of an Adult Mosquito Control spray event will again be supported in 2009.
5. The appointment or confirmation of members for the WNV Adult Mosquito Control Local Advisory Committee – established to advise the Medical Health Officer in a situation where increased mosquito control may be indicated for the purpose of preventing human disease should again be detailed for 2009.

3. WNV Funding Process and Protocol for 2009.

Funding, by application through the Union of BC Municipalities (UBCM), will again be available in 2009 to support local initiatives. The money will consist of unused funding dollars from the 2008 Provincial WNV funding stream. It is again expected to be based on a per capita formula, but since there is unlikely to be a “top up” from the Province to match 2008 dollars, the formula will probably change. Details will be forthcoming from the Ministry of Healthy Living and Sport.

4. WNV Response Plan Process for 2009.

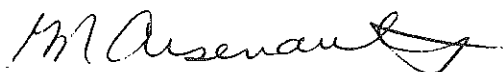
Due to the program contractions outlined in section 1 and above, Fraser Health will not be requesting WNV Response Plans for 2009 from local governments. Instead, planned activities can be noted in the UBCM WNV funding application and detailed in supplementary attachments as part of the application package.

The 2009 West Nile virus Risk Reduction Initiative Program and Application Guide is available through your Union of British Columbia Municipalities contact or on-line at www.civicnet.bc.ca/siteengine/activepage.asp?PageID=223&bhcp=1.

The Medical Health Officers in Fraser Health would like to express appreciation to you and your staff for your partnership in the development of a cooperative, region-wide approach to West Nile virus preparedness. If you would like to discuss any of the issues in this letter, please call Randy Heilbron, Fraser Health WNV Coordinator at 604-587-7647 (Fax: 604-587-7615). Please send all correspondence to:

Randy Heilbron, West Nile Coordinator
Fraser Health Authority
#350 – 9801 King George Highway
Surrey BC V3T 5H5 randy.heilbron@fraserhealth.ca

Sincerely,



Gillian Arsenault, MD, FRCPC
Medical Health Officer

5.280-01

FILE #	DATE
05/27/76	Feb 16/78
<input type="checkbox"/> C/P	<input type="checkbox"/> ACCTS P/R
<input type="checkbox"/> DCAO	<input type="checkbox"/> ADMIN
<input type="checkbox"/> DIR F	<input type="checkbox"/> SA/ENF
<input type="checkbox"/> SUP P/W	<input checked="" type="checkbox"/> MAYOR
<input type="checkbox"/> PAYROLL TAX	<input checked="" type="checkbox"/> COUNCIL
ITEM	A (B) (C)
COUNCIL AGENDA	
DATE	MAR 2
	INITIAL <i>OK</i>
(ITEMS: A - REQ. ACTION; B - INFO - W RESP; C - INFO ONLY)	

KB - DECIDE WHO SHOULD RTTEN

UNION OF
BRITISH
COLUMBIA
MUNICIPALITIES

TO: UBCM Members
FROM: UBCM Secretariat
DATE: February 12, 2009
RE: Consulting Engineers of BC - TILMA Implementation

Suite 60
10551 Shellbridge Way
Richmond
British Columbia
Canada V6X 2W9
604.270.8226
Fax 604.270.9116
ubcm@civicnet.bc.ca

At the December 2008 Executive Meeting, the Presidents Committee received the attached material from the Consulting Engineers of BC (CEBC) regarding procuring engineering consulting services under TILMA.

CEBC has been working with their counterpart association in Alberta to look at how to effectively implement the new procurement provisions that will come in effect April 1, 2009 under TILMA. The attached discussion paper was shared with our Presidents Committee and CEBC asked if would circulate the paper to our membership for feedback and discussion. The Committee agreed that the information would be of interest to the membership and may assist when local governments are considering contracting engineering services in the future.

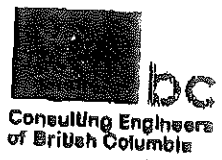
We would ask that if you do have questions or comments on the discussion paper, please contact Ms. Glenn Martin, CEBC Executive Director at 604.687.2811 or at info@cebc.org. As well it would be most appreciated if you could please copy UBCM, c/o Marie Crawford (email: mcrawford@civicnet.bc.ca) with your feedback so we are also aware of your comments.

Thank you in advance for your assistance.

Atts - 1 letter and discussion paper (8 pages)

925/002/CEBC-TILMA Impl

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<input type="checkbox"/> SUP PWV	<input checked="" type="checkbox"/> MAYOR
<input type="checkbox"/> PAYROLL TAX	<input checked="" type="checkbox"/> COUNCIL
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COUNCIL AGENDA	
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(ITEMS: A - REQ, ACTION; B - INFO - W RESP; C - INFO ONLY)	



February 6, 2009

Mr. Robert Hobson
President
UBCM
60 - 10551 Shellbridge Way
Richmond, BC V6X 2W9

Dear Mr. Hobson:

Re: Implementation of TILMA agreement with respect to engineering services

As you are undoubtedly aware, the governments of British Columbia and Alberta have each passed new legislation titled the Trade, Investment and Labour Mobility Agreement (TILMA). The purpose of TILMA is to break down provincial barriers which may impede the flow of labour, capital and commerce between our two provinces.

The Consulting Engineers of British Columbia (CEBC) supports TILMA. The purpose of this letter is to familiarize you with some of its provisions as they relate to the procurement of engineering services in BC and in Alberta by organizations such as yours. In this regard, we attach our discussion paper "Toward Timely and Effective Implementation of TILMA in BC/Alberta Consulting Engineering Services," which you may find helpful.

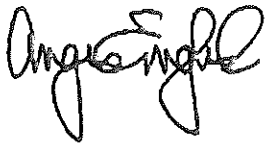
CEBC and our sister organization in Alberta, the Consulting Engineers of Alberta (CEA) are equally concerned that TILMA be implemented in good faith, efficiently and effectively. CEA and CEBC are working together to facilitate the implementation process.

Our associations represent all of the most important engineering firms that provide consulting services to local governments throughout BC and Alberta, ranging in size from small specialized firms to large multinational corporations. Our member firms employ over 14,000 staff, including professional engineers, technologists and support staff. They contribute over \$1 billion annually in gross revenues to the BC and Alberta economies.

TILMA rules governing the procurement of engineering services by government entities will come into effect April 1st, 2009. Depending on your current procurement practices, these provisions will probably require you to significantly change the way in which you engage consulting engineering firms for projects with fees in excess of \$75,000.

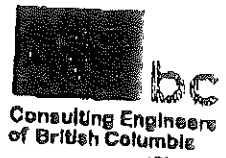
The attached discussion paper outlines issues which may arise in the implementation of TILMA, and may assist you in sorting out how to proceed under this new legal regime. CEBC and its members stand ready to discuss any aspects concerning the effective implementation of TILMA with you; CEBC would like to extend an offer to work with your organization with respect to the procurement of professional service under TILMA. In order to do so, you may call Ms. Glenn Martin, CEBC Executive Director at 604-687-2811 and we will do our best to serve you.

Yours truly,



Angus English, P.Eng.
President
Consulting Engineers of BC

Cc: Naseem Bashir
President
Consulting Engineers of Alberta



February 6, 2009

Toward the Timely and Effective Implementation of TILMA in the Procurement of Consulting Engineering Services

A Discussion Paper by the
Consulting Engineers of British Columbia

For many years, Canadian public policy analysts have decried the absence of a true common market for goods and services in this country. Various provincial governments have been inclined to erect barriers favouring the local supply of goods and services, impeding the free flow of capital, and reducing competition – particularly from out-of-province entities. In a world characterized by globalization, transnational corporations, and free trade agreements, it is often suggested that Canada thereby handicaps its own productivity, efficiency and competitiveness.

TILMA, an agreement reached between two of the more competitive-minded governments in Canada, Alberta and British Columbia, is designed to wipe out such barriers as may exist between them, across a broad base of goods, services, investments and labour.

Engineering services are one such service to which TILMA will now apply.

The provisions of TILMA that govern the procurement of engineering services by government entities (including municipalities, regional districts, crown corporations and government itself) will come into effect 1st April, 2009. Depending on current procurement practices in effect, these new TILMA provisions may require such entities to change the way in which they engage consulting engineering firms for any project with engineering fees in excess of \$75,000.

The Consulting Engineers of British Columbia, working with its sister organization, the Consulting Engineers of Alberta, have adopted the goal of ensuring the effective implementation of TILMA. While drafters of this agreement believe these new rules will expand choice and competition and stimulate greater value and higher efficiencies, consulting engineers have an obligation to ensure that such goals are indeed realized. It is important that negative consequences such as declining efficiencies or reduced value are not the outcome.

Combined Impact of AIT and TILMA

Purchasers of engineering service in British Columbia and Alberta should be aware of the combined impact of two agreements: AIT and TILMA. AIT was an earlier attempt, lead by the Government of Canada, to facilitate interprovincial trade.

The Agreement on Internal Trade (AIT) between the Canadian government, provinces and territories is designed to reduce and eliminate barriers to the free movement of persons, goods, services and investments within Canada. It has been in existence since 1995, and has been modified from time to time. AIT specifically excludes engineering services from its provisions on procurement. One may view the AIT document at http://strategis.ic.gc.ca/epic/site/ait-aci.nsf/en/h_000034e.html

The Trade, Investment and Labour Mobility Agreement (TILMA) between British Columbia and Alberta is intended to strengthen AIT by providing wider coverage, greater clarity and improved dispute resolution. It was executed in April, 2006. Under TILMA the exclusion of engineering from the procurement provisions of AIT is removed. However, professional services provided by engineers are identified by TILMA as transitional. This means that, unless TILMA is amended, engineering services will become subject to the full provisions of both TILMA and AIT on April 1, 2009. One may view the TILMA document at <http://www.tilma.ca/>

TILMA, when read in conjunction with Article 506 of AIT prescribes specific procurement procedures, with the purpose of removing regional bias in the procurement selection process. It specifies the new procurement regime that impacts consulting engineers and purchasers of consulting engineering services. For the remainder of this discussion paper the acronym TILMA will be used to refer to the combined effect of TILMA read in conjunction with AIT.

Three areas deserve special comment: (1.) the qualifying of engineering organizations; (2.) notification and advertising of engineering contracts, and (3.) source selection and the cost of compliance for government organizations and others procuring engineering services.

1. The Qualifying of Engineering Organizations

The media from time to time report the tragic consequences which can accrue through poor engineering design and insufficient construction supervision. Collapsing bridges and parking garages do occur occasionally, and geotechnical failures are more common than they should be -- but these are merely the most visible manifestation of selecting the wrong engineer for the wrong job. More common outcomes of the failure to select engineering firms on the basis of quality, qualifications and capacity are a reduction in innovative design, and an increase in the lifecycle cost of construction and maintenance. In this day of specialization not all engineers are qualified to do all engineering work -- although some service providers may be reluctant to concede that point.

In other words, having "P.Eng." appended to one's name, does not guarantee competence, quality and innovation in all things. Screening and qualification are therefore required.

The professional colleges of engineering registration in these two provinces, as elsewhere, have as a primary goal the protection of the public. Recently, the Association of Professional Engineers and Geoscientists of B.C. (APEGBC) commenced requiring every registrant to annually attest to practicing only in fields in which he or she is competent. CEBC vigorously supports this requirement.

CEBC also advocates the procurement of engineering services in the manner prescribed by the National Guide to Sustainable Municipal Infrastructure (InfraGuide) Best Practice document entitled "Selecting a Professional Consultant", published in 2006. This independently produced Guide recommends qualifications-based competition for selection of engineering services, requiring clients to select the engineering firm for an assignment, based on the firm's expertise, before entering fee negotiations. Qualifications-based competition for government-funded engineering services is mandated by law in 47 states in the United States, and most recently by legislations in the Province of Quebec, because it has been demonstrated to provide the best ultimate value to the taxpayer over the life-cycle of a public facility.

2. Notification and Advertising of Engineering Contracts

An important goal of the TILMA agreement is to broaden the dissemination of information about what engineering contracts are available. Achievement of this goal depends on the *process* of procurement.

With the exception of dollar thresholds, TILMA does not differentiate between the procurement of professional services and the procurement of any standard commodity, such as road salt or diesel fuel. Under TILMA, any firm in BC and Alberta must be given the opportunity to respond to any "call for tenders" over \$75,000 in value for which it is qualified. If and when TILMA is adopted by additional provinces -- as appears possible -- this opportunity must be extended to any firm in those additional provinces too.

In CEBC's opinion, this TILMA stipulation leaves procurement officials with three main options when engaging professional engineering consultants:

- a) Advertise each engineering assignment over \$75,000 in a manner accessible to all BC and Alberta firms, and accept an unlimited number of Proposals.

CEBC advises strongly against this approach, which at the extreme might create a deluge of applications, particularly to smaller organizations advertising smaller jobs. In our view, such an outcome would be the antithesis of the National Guide to Sustainable Municipal Infrastructure (InfraGuide) in their "Best Practice for Selecting a Professional Consultant" as referenced above. This scenario could sometimes lead to more money being spent on the preparation and the evaluation of a multitude of Proposals, than the actual value of the engineering assignment itself, which could thwart the higher efficiency, higher value philosophy espoused.

- b) Advertise each assignment in a manner accessible to all BC and Alberta firms, and accept an unlimited number of Expressions of Interest. Then prepare a shortlist of the best qualified firms (we would suggest three 3 firms) from which to invite a detailed Proposal.
- c) Advertise annually in a manner accessible to all BC and Alberta firms, and compile a database of firms that are, in your judgment, qualified for various types of work. Then, for each assignment, invite only qualified firms to submit Expressions of Interest, then prepare a short-list, and invite Proposals.

CEBC is also of the view that the purchaser of engineering services is under no obligation to engage in correspondence or any detailed explanation with unsuccessful bidders, beyond a simple notification. However, files should be kept in anticipation of possible audits and complaints under TILMA – and we would suggest for 7-10 years similar to other legislative requirements.

3. Source Selection and Cost of Compliance

CEBC has engaged in discussions with the BC government representatives responsible for TILMA who have declared that a "rotational" system of contract awards, or even to invoke previous relationships, must not in and of themselves be used to select a firm or prepare a short-list. They have, however, indicated that "familiarity with similar conditions as the project site" might be acceptable as selection criteria, provided the motivation is not simply to grant preference to local firms.

Nothing in TILMA prevents the evaluation of Proposals using, among other criteria, competence or experience. Neither does TILMA mandate or prohibit the use of price as a differentiator. Nevertheless, TILMA severely limits the ways in which you can disqualify or differentiate between responding firms. In particular, you may not use any differentiator that relates to the geographic location of the firm.

In addition, purchasers may not bias technical specifications, the specification of quantities or delivery schedules, or the timing of events in such a way as to favour a particular supplier of services, or group of suppliers. However, this does not mean that one cannot specify deadlines or schedules to be followed.

Whichever option (or combination of options (a.), (b.) or (c.) as cited above) that one chooses to pursue, the selection process must be transparent, documented, and made clear in advance to bidders. This is a necessary precaution in the event of an appeal against any procurement decision, under the provisions of TILMA.

If sufficient interest is expressed, then CEBC and the Master Municipal Contract Documents Association (MMCD) may develop a standard, legally vetted, procurement practice code. Notification of vendors of one's adherence to such a suggested code may be one efficient means (for smaller procurement entities in particular) to efficiently spell out the ground rules followed.

Possible Implications of Adopting TILMA

CEBC concludes that among the possible implications of adopting TILMA may be the following:

- The adoption of TILMA rules will require thoughtful consideration by procurement entities. Unless careful and transparent rules for procurement are adopted, it is possible that public sector entities such as Municipalities and Regional Districts could find themselves expending more resources and effort, with higher costs and requiring more lead time, in comparison with the status quo. This would not be consistent with TILMA objectives.
- The focus of engineering expertise may shift somewhat. Local engineering firms could conceivably find the volume of their strictly local engineering work may decline, as non-local services are procured with greater frequency. Some engineering firms may be less inclined to maintain branch offices in smaller communities.
- A short term consequence could conceivably be the consulting industry as a whole preparing more Expressions of Interest and Proposals to win the same amount of work. This would have the twin effect of a greater demand on the public sector clients' administrative resources, and higher consulting firm costs being passed on to the clients. Such costs would have to be traded off against the hoped-for increases in value and decreases in project life-cycle costs resulting from more competition.

Recommendations

CEBC would like feedback from public sector clients and the Union of B.C. Municipalities (UBCM) concerning their views on this preliminary discussion paper.

The effective implementation of TILMA will best be accomplished by the consulting engineering industry working with public sector clients and the UBCM to find optimal ways to achieve TILMA compliance, while employing procurement procedures that are cost effective, practical and produce the best value – all the while ensuring public safety and the public interest.

CEBC proposes to develop suggested standard codes of practice, for the implementation of TILMA, for the guidance of public sector engineering service purchasers. Some approaches which we have considered could include:

- Jointly developing standard templates for Expressions of Interest and Requests for Proposals, and documenting simple, transparent procedures for selection of engineering consultants;
- Maintaining contact with the BC and Alberta governments as TILMA implementation proceeds and suggesting modifications as experience may dictate.

It has become clear that, on its own, CEBC is unlikely to be able to devise optimal ways and means of implementing TILMA. A cooperative approach is required. That is why this discussion paper is being circulated. CEBC would like to hear from you.

CONTACT:
Ms. Glenn Martin
Executive Director
Consulting Engineers of British Columbia
Ph: 604-687-2811 Email: info@cebc.org

Date: February 6, 2009



8.4

RECEIVED
FEB 25 2009

CITY OF BURNABY
OFFICE OF THE MAYOR
DEREK R. CORRIGAN
MAYOR

FILE #	DATE
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(ITEMS: A - REQ, ACTION; B - INFO - V/RESP; C - INFO ONLY)	

2009 February 18

Mayor and Councillors
Village of Harrison Hot Springs
P.O. Box 160
Harrison Hot Springs, BC V0M 1K0

Dear Mayor and Councillors:

SUBJECT: Burnaby School Lands
Item 01, Manager's Report, Council 2009 January 12

Burnaby City Council, at the Open Council meeting held on 2009 January 12, received the *enclosed* Burnaby School Lands report from the Director Planning & Building with regard to a Ministry of Education Order titled "*Disposal of Lands or Improvements Order*".


Council acknowledges that subsequent to the preparation of this report, the original and cited "*Disposal of Lands or Improvements Order*", referred in the report, was revised by the Minister of Education. However, we believe that the new Order and related policies continue to present the potential for conflict or disagreement amongst local municipal governments, School Districts and the Provincial Government. The concerns are primarily related to recognition of municipal government and community financial and other interests in school lands, and the potential for conflicting interests regarding local community plans and zoning on disposition of school assets. The recommendations adopted by Council as part of the Burnaby School Lands report on 2009 January 12, reflect the concerns of this Council, and the requests for further consultation with local governments and amendment of the *Disposal of Lands or Improvements Order* remain applicable.

Burnaby City Council adopted the following recommendations contained within the staff report:

1. **“THAT** Council, through the Office of the Mayor, write to the Provincial Government through the Minister of Education to request amendment of the Ministerial Order titled "*Disposal of Lands or Improvements Order*", as outlined in this report, to:
 - a) require consultation with and agreement of local government for school lands and facilities to be listed as surplus to school and community needs;

- b) make all surplus lands and facilities available for purchase by the local government prior to making the properties available for Provincial uses;
 - c) seek local government agreement to proposed future uses of surplus school lands prior to the sale, disposal or transfer of the school lands to the Province or other interested private parties;
 - d) require consultation with the local government to determine and document local government and community contributions made towards the creation of school land and facility assets considered for disposal;
 - e) ensure that the proceeds from disposals attributable to local taxpayers are either vested directly in new local school lands and facilities, as originally intended, or returned to the local government;
 - f) recognize lands contributed to School Districts 'in trust' for school purposes, and maintain those lands for school purposes or return the lands to the local government as appropriate; and
 - g) remove the discretion for the Minister to arbitrarily allocate funds generated from the sale of school assets to the Provincial Government.
2. **THAT** Council authorize staff to pursue implementation of the actions outlined in Section 4.0 of this report to protect the City's financial, legal and Community Plan interests in Burnaby School lands.
 3. **THAT** Council authorize staff to draft a UBCM resolution regarding the protection of local Municipal interests in school lands and assets for consideration at the 2009 UBCM convention.
 4. **THAT** a copy of this report be sent to:
 - the Burnaby Board of Education, School District #41
 - the LANDS Group (Attn: Jessica Van der Veen, 2465 Hamiota Street, Victoria, BC V8R 2N1)
 - Burnaby MLA's
 - The Minister responsible for Labour and Citizens Services (ARES)
 - The Minister of Education
 - All Members of the Union of B.C. Municipalities.”

Very truly yours,


Derek R. Corrigan
MAYOR



Item.....
Meeting..... 2009 January 12

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2009 January 06
FROM: DIRECTOR PLANNING & BUILDING **FILE:** 2165-11
Reference: Burnaby School District
SUBJECT: BURNABY SCHOOL LANDS

PURPOSE: To advise Council of the historical ownership, acquisition and inventory of School lands in Burnaby and outline the potential implications of the Ministry of Education "*Disposal of Lands or Improvement Order*".

RECOMMENDATIONS:

1. **THAT** Council, through the Office of the Mayor, write to the Provincial Government through the Minister of Education to request amendment of the Ministerial Order titled "*Disposal of Lands or Improvement Order*", as outlined in this report, to:
 - a) require consultation with and agreement of local government for school lands and facilities to be listed as surplus to school and community needs;
 - b) make all surplus lands and facilities available for purchase by the local government prior to making the properties available for Provincial uses;
 - c) seek local government agreement to proposed future uses of surplus school lands prior to the sale, disposal or transfer of the school lands to the Province or other interested private parties;
 - d) require consultation with the local government to determine and document local government and community contributions made towards the creation of school land and facility assets considered for disposal;
 - e) ensure that the proceeds from disposals attributable to local taxpayers are either vested directly in new local school lands and facilities, as originally intended, or returned to the local government;
 - f) recognize lands contributed to School Districts 'in trust' for school purposes, and maintain those lands for school purposes or return the lands to the local government as appropriate; and
 - g) remove the discretion for the Minister to arbitrarily allocate funds generated from the sale of school assets to the Provincial Government.

an integral part of the planning and development of the City. Additionally, this report provides the outcome of a detailed inventory of the City's school sites and the history of school site acquisition and ownership. Through this research, it has been concluded that Burnaby school lands have been acquired and secured through significant financial and land contributions made by Burnaby residents through various City and School District initiatives to support the educational, park and open space and neighbourhood planning interests of the community.

In light of the significant role of local residents and the City in contributing to the acquisition of its school lands, this report raises a number of significant concerns with the Ministerial Order that calls for the disposal of surplus school lands and facilities without adequate consultation with or recognition of the interests of local governments. In response, this report calls for amendments to the Ministerial Order to recognize local government investment and interests in school lands, proposes initiatives to protect Burnaby's interests, and recommends preparation of a UBCM Resolution on the matter.

2.0 PROVINCIAL MINISTERIAL ORDER

The B.C. Ministry of Education issued a Ministerial Order in 2007 outlining new regulations for the disposal of surplus lands or improvements by local Boards of Education. The Order applies to all school lands (other than those acquired through Crown Grant) and improvements that are deemed as not being required for future educational purposes, and establishes procedures and policies for disposal of the assets either through sale or lease for more than five years. Key components of the Ministerial Order include:

- ***Inventory of Surplus School Properties:*** Each year, a Board of Education is required to provide the Ministry of Education with an inventory of any surplus property available for disposition. The inventory must state whether the Board has decided to retain or dispose of the surplus property listed.
- ***Assessment of Contribution:*** For each property or asset identified for disposal, the Board of Education must determine the share of the property sale proceeds to be allocated to the Board and the Province based on its historical records of the capital fund sharing arrangement between the Province and the Board for site acquisition and any improvements.
- ***Allocation of Proceeds:*** The proceeds from the disposition of a capital asset may be allocated in the proportion of 25 percent to the local Board of Education and 75 percent to the Minister where contributions to the original capital expenditure cannot be determined or where the original capital expenditure by the Board of Education is known to be equal to or less than 25 percent. Notwithstanding this default allocation, the Minister may determine the allocation of the generated funds from a sale in any circumstance where the Board cannot determine the original contributions or where the allocation is determined to be inappropriate.
- ***Use of Proceeds:*** The funds generated by any sale and allocated to the School District must be used for new school capital projects with the Minister's approval.

To: City Manager
From: Director Planning & Building
Re: Burnaby School Lands
2009 January 06 Page 5

the appropriate future land use or zoning designation of assets identified for disposal. For example, school lands could be sold directly to the Provincial Government or agency for a government determined use that may be contrary to the community plan prepared by the local government, or incompatible with land uses adjacent to the school site.

Within Burnaby, the City and the School District have a century-old partnership which has created a public legacy for an integrated framework for school; park and open space sites intended to meet the long-term educational, community facility, and park and open space needs of Burnaby residents. As requested by Council staff have pursued the completion of a report outlining the historical context of both provincial legislation and the legal and administrative relationship of the City of Burnaby and School District #41. This background report titled: *The Contextual History of the Planning and Acquisition of Burnaby School Lands*, has been provided to Council under separate cover to supplement the information which has been provided in this report.¹ The documented contextual history demonstrates that the City has maintained strong and continuing legal, financial and administrative interests in the planning and creation of school sites within the context of the City's community plans, and direct involvement in decisions for any re-designation or exchange of school lands for other purposes. The salient points in the contextual document have been incorporated into this report.

Currently, Burnaby's school lands comprise 53 school sites, an administration office site and works yard encompassing approximately 434 acres (see *Attachments 1 & 2*). These Burnaby school lands form an integral part of the City's Official Community Plan (OCP) which defines school sites to serve existing and future residential neighbourhoods, incorporates school sites into the City's park and open space framework, and recognizes the importance of these sites and associated facilities for the provision of educational and other community services. The importance of school lands to the City's community and land use plans is evident in that school lands not only form part of the City's commitment to meet the long-term educational needs, but also provide for our neighbourhood park and open space needs. In addition, school facilities, such as playfield space, gyms and other shared recreation and community facilities are a key resource in meeting cultural, recreational and other social needs of the community. As such, these school and park resources are integral to Burnaby's planning direction in order to achieve a defined and acceptable standard of liveability for our citizens in every neighbourhood.

Given the importance of Burnaby school lands in meeting current and long-term educational and park and open space needs in the community, and the direct linkage of these sites to our residential development frameworks, the City and the School District have a well-established relationship which provides for the review and analysis of the need and role of school lands from a broader community perspective. As outlined in *The Contextual History of the Planning and Acquisition of Burnaby School Lands* this relationship has allowed the City and the School District to:

¹ *The Contextual History of the Planning and Acquisition of Burnaby School Lands* (City of Burnaby Planning Department, 2008) is available from the Burnaby Planning Department and on the City's website: www.city.burnaby.bc.ca

- seek local government agreement to proposed future uses of surplus school lands prior to the sale, disposal or transfer of the school lands to the Province or other private parties.

3.2 Financial Contributions by Local Government and Resident Taxpayers

As noted, the Ministerial Order also fails to acknowledge or appropriately account for the historical financial contribution made to school assets by local governments, the City and resident taxpayers. Specifically, the Order does not contain a mechanism for local governments or communities to document their financial interests in school lands and facilities prior to their disposition; to ensure that the proceeds attributable to local taxpayers are either vested directly in new local school lands and facilities, as originally intended; or to ensure that lands contributed to School Districts "in trust" for school purposes by local government are maintained for school purposes or returned to the local government, as appropriate.

The City of Burnaby and local taxpayers have played a substantial role in providing for direct financial contributions toward the acquisition and development of School District land and facility assets. However, as it is currently structured, the Ministerial Order establishes a 'default' allocation for revenues received from the sale of surplus lands of 25% for the local School District, and 75% to the Province. This allocation of revenues may vary where the School District is able to document greater School District investment in the property being disposed, or at the discretion of the Minister. This default allocation appears to have been established without any regard to, or due consideration of, the historic contributions of local governments and resident taxpayers to school lands and facilities.

As structured, the Order may result in the loss of local government and resident taxpayer contributions to the school asset being made available for disposal. Specifically, the order does not require a School District to consult with local government to determine and report on a local community's historic 'financial contributions' towards the creation of the asset being made available for disposal. Particularly for Burnaby, local municipal financial and land contributions have substantially contributed to the land base and assets currently held by Burnaby School District #41.

Key examples of local government financial contributions, identified in the *The Contextual History of the Planning and Acquisition of Burnaby School Lands*, which were made to local school assets in Burnaby include:

- *Burnaby School Loan Bylaws*: Between 1906 and 1950, funds for the purchase of school sites and the construction of schools, in the order of \$2.09 million at that time, was raised through local taxation.
- *Burnaby Tax Sale Monies Bylaws*: Between 1948 and 1953, City revenues from Tax Sales of property were used to purchase land and construct schools and substantially supplement taxpayer funded School Loan Bylaws. Funds expended utilizing this B.C. Statute provision were in the order of \$590,000.

To: City Manager
From: Director Planning & Building
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2009 January 06..... Page 9

purposes.” Therefore, at the time of these various land transfers, Burnaby Council and its citizens were reasonably assured that that all municipal lands that were required to be transferred to the School District were vested in the ownership of the community for school purposes. Should the use of the lands transferred in trust cease to be required for school purposes by the School District, the City would expect that these lands would be managed to protect and provide for future local educational and community needs.

- *Burnaby School Site Acquisition Charge:* This new funding initiative was implemented in 2002 to assist with the capital cost of securing new school site and facilities. The acquisition charge represents a tax on local development, which to date, has raised over \$6,000,000 for school land purchases.
- *Ongoing Acquisitions:* The City also continues to pursue property acquisitions and other land exchanges to assist in the protection and development of potential future school sites. A number of future school sites remain in the City’s ownership, with the City continuing to pursue additional acquisitions in line with adopted community plans.

In summary, the complex history of Burnaby’s school lands and their creation through investment, taxation, property transfers and acquisition, by the City and School Board, has resulted in a legacy of overlapping financial, legal and civic interests in the existing 55 sites administered by the Board of Education in the City. It should be noted that the historical contributions may appear small, in contrast with modern monetary values, but these expenditures account for a significant number of the modern-day assets acquired through bylaw funds to finance Burnaby’s school lands and buildings.

In response to Council’s original request a comprehensive property inventory, with corresponding preliminary land title document and municipal bylaw research, of all Burnaby school lands was completed by Planning Department staff. *Attachment 1* provides a summary of the outcome of this site specific research that identifies some of the legal and financial interests held by the City in these school land assets.

This land inventory and preliminary documentary research clearly demonstrates the significant local contributions made by Burnaby and resident taxpayers to the creation of its school lands. It should be noted, that following the completion of the recommended detailed archival and document research for each land parcel, the findings of the legal status of each school site may be subject to change. The Ministerial Order, however, as structured, does not account for or appropriately protect local government and resident taxpayer investments in school lands. The overall approach generally excludes consideration of local government financial interests and contributions by:

- not defining an approach to account for local government equity in lands being considered for disposal;
- not establishing a process for involvement or notification of local government in determining historic financial contributions or legal interests in these lands; and

Staff would propose to review these lands with the School District in order to establish appropriate lease agreements to reflect and protect the City's interest in lands used for school purposes.

Staff would proposed to complete the review and discussions with the School District as to ongoing needs for use of these City lands for school purposes, and would prepare a subsequent report to Council on the appropriate and recommended lease arrangements.

- ***Recognition of City Financial Contributions to School Lands and Facilities***

As outlined above, and in the referenced *The Contextual History of the Planning and Acquisition of Burnaby School Lands*, over its history, the City has made a considerable investment in school lands and facilities through a number of mechanisms including property transfers in trust, transfer of tax-sale lands, and expenditure of City taxpayer funds.

To protect and provide for legal recognition of the City's interests, staff would propose to undertake the further research to document City contributions within the school lands inventory. This inventory would include full historic land title and bylaw research in order to determine the historic transfer of City properties to the School District. This research will also determine whether or not any of the City's legal interests in the lands could be further protected through legal covenants or other means. On completion of this further research, staff would prepare the required report to seek Council's concurrence for any arising actions.

- ***Registration of Existing Park Dedication and Reservation Bylaws***

The inventory identified five school sites, in whole or part, which were protected by Park Dedication and Reservation Bylaws prior to being conveyed to the ownership of the School District for school purposes by the City. Generally, these bylaws establish legal restrictions on the subject properties that would require local government approval and/or public referendum to allow for their disposition from public ownership or for its conversion to any other purpose.

To ensure that information on Park Dedication Bylaws is appropriately referenced, staff would propose to add this information from the inventory to the City property databases, and to explore the feasibility of registering the City's bylaw references on title through the Land Titles Office.


With Council adoption of the recommendations of this report, staff would pursue these and other measures, as appropriate, to further protect the City's financial and community plan interests in the City's school lands. Further reports on specific actions would be prepared for Council consideration as appropriate. In addition, staff would consult with and involve the Burnaby School District as further research, initiatives and specific actions are pursued.

To: City Manager
From: Director Planning & Building
Re: Burnaby School Lands
2009 January 06 Page 13

protect and use the building and land assets for the benefit of the community has long been acknowledged. Burnaby schools and sites form a critical part of Burnaby's social infrastructure that provide a substantial contribution to the well-being of every neighbourhood and citizen. The planning and stewardship of the historic legacy of our school sites to meet the needs of future generations has remained as a constant principle for the City and School District to guide the management of these public land assets.

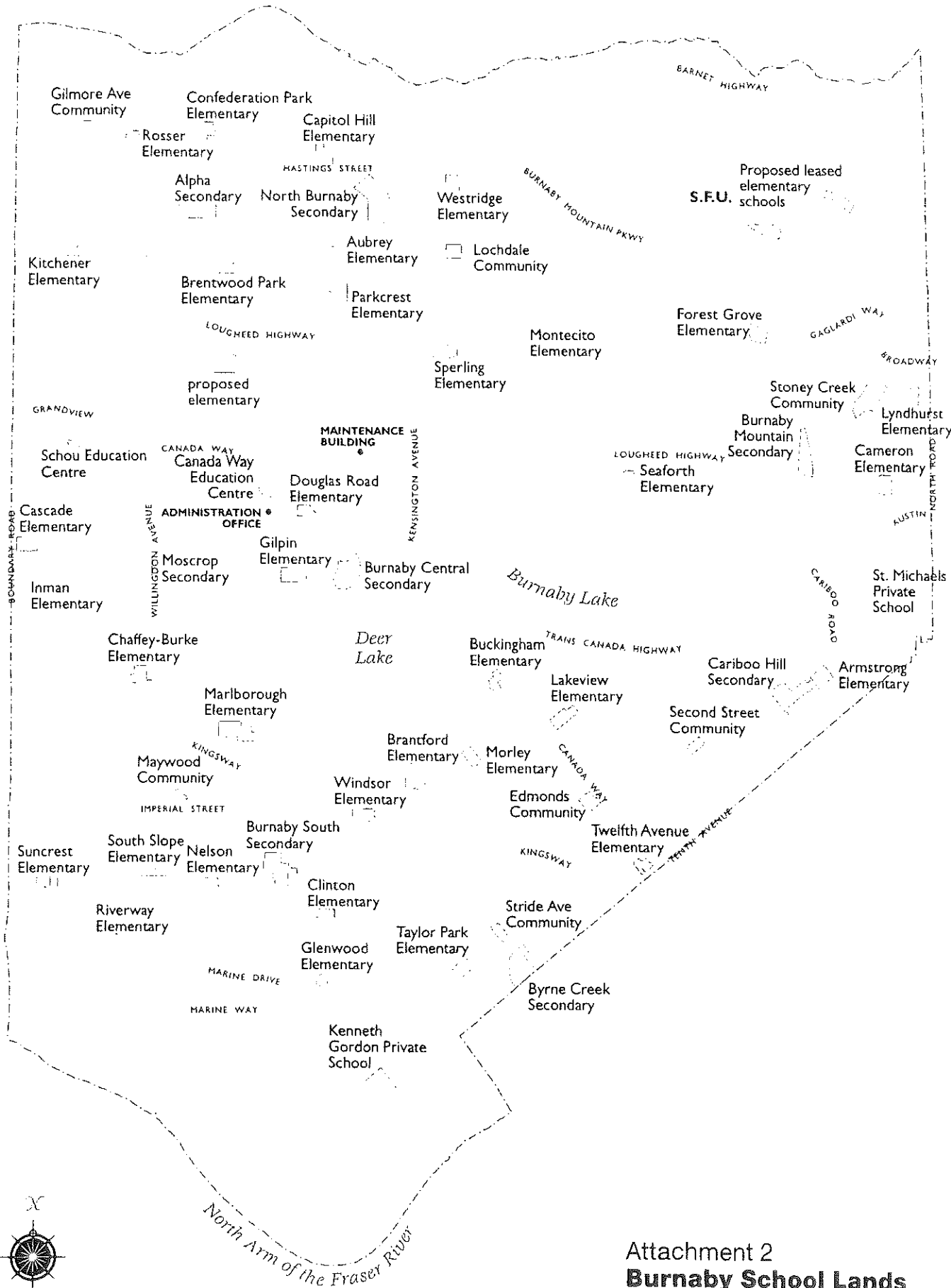
There are several specific requirements of the new Provincial Government's Ministerial Order that raise concerns for the City of Burnaby with respect to the City's legal title interests, historic financial contributions, and the protection of school lands for community purposes. As such it is recommended that Council, through the Office of the Mayor, write to the Province through the Minister of Education to request amendment of the Ministerial Order regarding the disposition of school lands and assets, as outlined in this report. In light of the implications of the Order, with Council adoption of the recommendations of this report, staff will also proceed to ensure that all steps are taken to protect the financial and legal interests of the City in existing school lands with the appropriate School District consultation and approval of Council, as necessary. Further, staff would prepare a resolution to the UBCM for Council's consideration to seek support from other affected local governments for its concerns regarding the Ministerial Order's potential impacts.

It is further recommended that copies of this report be sent to the Burnaby Board of Education, School District #41; the LANDS Group (Attn: Jessica Van der Veen, 2465 Hamiota Street, Victoria, BC V8R 2N1); Burnaby MLA's; The Minister responsible for Labour and Citizens Services (ARES); The Minister of Education; and All Members of the Union of B.C. Municipalities.


B. Luksun, Director
PLANNING AND BUILDING

JW/LP/sa/tn
Attachments (2)

cc: Deputy City Manager
Director Finance
City Solicitor
Director Parks, Recreation and Cultural Services
Director Engineering
City Clerk
Superintendent of Schools – School District #41



Attachment 2
Burnaby School Lands

1840-01
8.5

UNION OF
BRITISH
COLUMBIA
MUNICIPALITIES

IMPORTANT REMINDER FOR LOCAL GOVERNMENTS

Grant Opportunities & Upcoming Deadlines

To: Mayors, Chairs, and Administrators
From: Local Government Program Services, UBCM
Date: February 19, 2009

RECEIVED
FEB 20 2009

UPCOMING APPLICATION DEADLINES

- School Community Connections 2008 Program – March 31, 2009.
- Healthy Food & Beverage Sales – Phase 3 – May 1, 2009.

COMING SOON!

We expect to announce application deadlines for the following programs soon:

- 2009/10 Regional Community to Community Forum (pending funding)
- 2009 West Nile Virus Risk Reduction
- Age-friendly Community Planning (Round 2)

OTHER PROGRAMS NOW ACCEPTING APPLICATIONS

The following programs are now available to members:

- Building Governance Capacity – on-going.
- Newly Elected Community to Community Forum – on-going until June 2009.
- Strategic Wildfire Protection – on-going
- Supporting Treaty Implementation – on-going

FILE #	DATE
1840-01	FEB 20 2009
<input type="checkbox"/> DCAO	<input type="checkbox"/> ACCTS P/R
<input type="checkbox"/> DCAO	<input type="checkbox"/> ADMIN
<input checked="" type="checkbox"/> DIR F	<input type="checkbox"/> B/L ENF
<input type="checkbox"/> SUP P/W	<input checked="" type="checkbox"/> MAYOR
<input type="checkbox"/> PAYROLL	<input checked="" type="checkbox"/> COUNCIL
ITEM - A B C	
COUNCIL AGENDA	
DATE <u>Mar 2/09</u>	
	INITIAL <input type="checkbox"/>
(ITEMS: A - REQ, ACTION; B - INFO - W RESP; C - INFO ONLY)	

For more information on any of these programs please visit www.civicnet.bc.ca (Under 'Programs & Services'- 'Local Government Program Services') or call (250) 356-5134.

Please circulate and distribute to Council/Board Members & Staff

8.6



RECEIVED
FEB 26 2009

Ref: 132099

February 24, 2009

COPY

Larry Burk
Chief Administrative Officer
Village of Harrison Hot Springs
PO Box 160
Harrison Hot Springs, BC V0M 1K0

Dear Larry Burk:

The Trade, Investment and Labour Mobility Agreement (TILMA) will apply to local governments on April 1, 2009.

Enclosed please find a bulletin that explains the full implementation of the procurement provisions under TILMA, as they apply to local governments.

If you have any questions regarding the enclosed bulletin or regarding TILMA, please contact:

Mr. Guy Gensey
Acting Director, Trade Initiatives
Ministry of Small Business, Technology and Economic Development
Telephone: 250 952-0453
Email: Guy.Gensey@gov.bc.ca

Yours truly,

Mike Furey
Assistant Deputy Minister

Enclosure

FILE #	DATE
485-03	FEB 26 2009
<input type="checkbox"/> DCAO	<input type="checkbox"/> ACCTS P/R
<input type="checkbox"/> DCAO	<input type="checkbox"/> ADMIN
<input type="checkbox"/> DIR F	<input type="checkbox"/> B/L ENF
<input type="checkbox"/> SUP P/W	<input type="checkbox"/> MAYOR
<input type="checkbox"/> PAYROLL TAX	<input type="checkbox"/> COUNCIL
ITEM	A B C
COUNCIL AGENDA	
DATE	Jan 26 09
	INITIAL <input type="checkbox"/>
(ITEMS: A - REQ, ACTION; B - INFO - W RESP; C - INFO ONLY)	



February 2009

Full Implementation of Procurement Provisions of the British Columbia – Alberta Trade, Investment, and Labour Mobility Agreement (TILMA)

RE: The TILMA will apply to local governments on April 1, 2009.

TILMA is the latest in a series of agreements between B.C. and Alberta that began with the October 2003 Alberta – B.C. Protocol of Cooperation. TILMA's final provisions are the result of extensive consultations with the Union of BC Municipalities (UBCM) and all local governments that accepted our offer to consult directly with them on TILMA. Broader consultations also included local governments, professional purchasing groups, ministries, regulatory bodies, and business groups. Other provinces, territories and the federal government were advised; country-wide consultations were initiated by the Agreement on Internal Trade (AIT) Ministerial Committee of Ministers on Internal Trade. Within the B.C. government, the Procurement Council was consulted regarding the procurement implications of TILMA.

TILMA is a comprehensive domestic trade agreement that applies to government activities such as legislation, regulations, standards, policies, procedures and guidelines that affect trade, investment and labour mobility. Procurement is one of the areas affected; therefore changes may be required to the purchasing policies of your organization.

Key Messages:

These changes are effective 1 April 2009:

1. As under the AIT, advertising must be posted on BC Bid or any other electronic system. Thresholds for advertising of goods, services and construction solicitations have been reduced under TILMA:

	AIT	TILMA
Goods	\$100,000	\$75,000
Services	\$100,000	\$75,000
Construction	\$250,000	\$200,000

Procurement opportunity notices requiring national responses must still be advertised nationally using existing AIT procurement thresholds. Those requiring Alberta-only responses must be advertised using new TILMA thresholds. Other

- From non-profits
- Only one supplier meets requirements
- Unforeseeable situation of urgency
- Confidentiality
- Lawyers/notaries services

Which procurement tools are still allowed under TILMA?

So long as they are non-discriminatory:

- Pre-qualified lists of suppliers
- Purchasing co-ops, buying groups
- Long-term supply contracts
- Specifications for service (e.g., time, maintenance)

A copy of the complete TILMA agreement and other supporting documents can be accessed at:

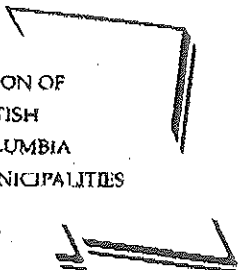
www.tilma.ca and on the Ministry of Small Business, Technology and Economic Development's website at <http://www.gov.bc.ca/tted/>

Contact:

If you have questions regarding this bulletin, please contact:

Guy Gensey
A/ Director, Trade Initiatives
Ministry of Small Business, Technology and Economic Development
(250) 952-0453
guy.gensey@gov.bc.ca

8.7



UNION OF
BRITISH
COLUMBIA
MUNICIPALITIES

Important Information for Local Governments

To: Local Government Mayors, Chairs, and Administrators

From: UBCM Local Government Program Services

Date: February 24, 2009

RE: WEST NILE VIRUS REDUCTION FUNDING NOW AVAILABLE FOR LOCAL GOVERNMENTS AND FIRST NATIONS

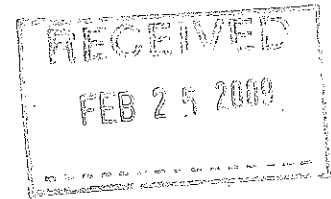
Under agreement with the Ministry of Healthy Living and Sport, the UBCM is again administering the West Nile Virus Reduction funding initiative. Its purpose is to assist local governments and First Nations communities in taking a proactive approach to mosquito control with the intent of reducing the risk of occurrence of West Nile Virus.

The program is designed to assist communities in control mosquito populations in and around local government and First Nations communities. Allocations are available for planning activities, and larvicide application where applicable. Funds for mosquito control initiatives on crown land adjacent will be made available as funding permits.

The program is intended to complement existing programs or to implement new mosquito control initiatives. A cooperative approach to mosquito control is preferred, and regional wide applications between regional districts, municipalities and First Nations are encouraged. When a Regional District is not making application on behalf of a municipal government or First Nation, or a joint application between neighbouring communities is not being considered, then an individual application will be considered.

A full application package, which includes funding formulas and application guidelines is now available on the UBCM website at www.civicnet.bc.ca. Go to "Programs and Services", then "Local Government Program Services", then "West Nile Virus".

Please make copies of this circular & distribute to staff responsible for mosquito control initiatives within your organization



February 25, 2009

To: All Municipal and Regional District Financial Administrators

Re: Strategic Community Investment Funds

The Province of British Columbia (Province) and the Union of British Columbia Municipalities acknowledge that we are facing a global economic crisis and that strategic spending by British Columbia communities can help stimulate local economies, encourage growth, create local jobs and help offset the effects of the economic downturn.

In recognition of this, the Province is restructuring key local government transfers, to provide Strategic Community Investment Funds (Funds) over the next two years. The Funds will temporarily replace the annual payments of small community, regional district and traffic fine revenue sharing grants for the 2009/10 and 2010/11 fiscal years.

Under the Funds arrangement the Province agrees to pay British Columbia local governments \$232.4 million by July 31, 2010. Payments will be made in three instalments. These will include an immediate one-time grant, along with a second instalment in July 2009 and a third instalment in July of 2010. Details of individual local government payment amounts are included in the attached Strategic Community Investment Funds Agreement (Funds Agreement). The Province will be asking the Legislative Assembly to approve funding for the first two instalments in spring 2009. The third instalment will be part of the 2010/11 budget, subject to the approval of the Legislature of that budget.

As the Funds are intended to support investments in local government services for smaller communities and regional districts as well as investments in policing and community safety, it is important to report to residents on how the funds are used. Local governments receiving funds agree to:

1. develop a plan that sets out the intended uses and performance targets for those Funds; and,
2. report publicly on that plan and progress made toward achieving the performance targets.

Both of these requirements can be accommodated within the legislated financial planning and annual reporting requirements, with only minor modifications to those reports.

In order to access the Funds, please sign the attached Funds Agreement to indicate your acceptance of the terms and conditions within and return to the Ministry of Community Development as soon as possible, and **no later than March 13, 2009.**

The Province cannot ensure payment of Funds to local governments submitting signed Funds Agreements after March 13, 2009.

In recognition of the short timeframe to sign and deliver the Funds Agreements, local governments can e-mail an electronic version of their signed Agreement and then follow this up by a hard copy original by mail.

Electronic copies of a signed Funds Agreements may be emailed to:

Jennifer.Richardson@gov.bc.ca

Hard copy original signed Funds Agreements, along with the Council/Board resolution authorizing entering into the Agreement, may then be sent to:

Mailing Address

Ministry of Community Development
Local Government Infrastructure and Finance Division
PO Box 9838 Stn Prov Govt
Victoria, BC V8W 9T1

If you have any questions, please contact Jennifer Richardson at (250) 356-9609 or by e-mail at Jennifer.Richardson@gov.bc.ca.

STRATEGIC COMMUNITY INVESTMENT FUNDS AGREEMENT

This Agreement made as of _____, 2009,

BETWEEN:

Village of Harrison Hot Springs (Local Government)

AND:

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA represented by the Deputy Minister of the Ministry of Community Development (the Province).

WHEREAS:

- A. The Province and the Local Government acknowledge that they are facing a global economic crisis and that faster, strategic spending by British Columbia communities can help stimulate local economies, encourage growth, create local jobs and help offset the effects of the economic downturn.
- B. The Province agrees to strengthen its commitment to local governments by restructuring small community, regional district and traffic fine revenue sharing grants by providing Strategic Community Investment Funds (Funds) over the next two years.
- C. The Funds are intended to achieve the objectives of supporting local government efforts to stimulate local economies and providing local governments with increased financial certainty in uncertain economic times while continuing to support investments in community safety for which traffic fine revenue sharing grants are intended.
- D. The Province and the Local Government acknowledge the importance of reporting to residents on how the Funds are used.
- E. The Funds will be provided using a flexible, objective based approach to enable the money to flow quickly to communities, while ensuring a strong accountability and reporting framework

NOW THEREFORE, in consideration of the mutual promises herein, the Local Government and the Province agree as follows:

1. PAYMENTS TO THE LOCAL GOVERNMENT FROM THE PROVINCE

Provided the Local Government agrees to comply with this Agreement, the Province will pay the Funds in the following amounts, for the purposes identified, on or before the date indicated.

Assured Funds	Use	Date	Amount
SC Grants	local government services	March 2009	\$413,573
		July 2009	\$148,296
		July 2010	\$89,214
TFRS Grants	defray the cost of local police enforcement	March 2009	
		July 2009	
		July 2010	

2. CONDITIONS RELATING TO PAYMENTS BY THE PROVINCE

Notwithstanding any other provision of this Agreement, the payment of money, or incurrence of an obligation or commitment, by the Province pursuant to this Agreement is subject to:

- (a) there being sufficient monies available in an appropriation, as defined in the *Financial Administration Act* (R.S.B.C. 1996, c. 138) (the "FAA"), to enable British Columbia in any fiscal year or part thereof when any such payment may be required, to make that payment; and
- (b) Treasury Board, as defined in the FAA, not having controlled or limited, pursuant to the FAA, expenditure under any appropriation referred to in section 2(a).

3. ACCOUNTABILITY AND REPORTING TO RESIDENTS

- (a) Local Governments receiving Funds will develop a plan that sets out the intended uses and performance targets for those Funds.
- (b) By June 30, 2010 and by June 30, 2011 the Local Government will report publicly on the plan under section 3(a) and progress made toward achieving performance targets for those Funds.

4. TERM

This Agreement shall commence on the date that it is fully executed by both of the Parties and shall expire on July 31, 2011.

SIGNATURES

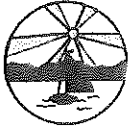
This Agreement has been executed on behalf of the Local Government by the duly authorized Corporate Officer pursuant to a resolution of the Council or Board, and on behalf of the Province, by the Deputy Minister, Ministry of Community Development.

Village of Harrison Hot Springs

HER MAJESTY THE QUEEN IN RIGHT
OF THE PROVINCE OF
BRITISH COLUMBIA

Corporate Officer

Deputy Minister
Ministry of Community Development



VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COUNCIL

TO: Mayor and Council **DATE:** Feb 27, 2009
FROM: Larry Burk, Chief Administrative Officer **FILE:** 0110
SUBJECT: Revision of Policy for event, function or activity on Public property or lands owned or leased by the Village

RECOMMENDATION:

THAT Council approves the creation of a new policy to approve an event, function or activity on public property or lands owned or leased by the Village; and

THAT Council approves rescinding of current policies 4.1, 4.5, 4.10 and 5.1 that contradict or are irrelevant due to past practices and changes to bylaws in the past.

BACKGROUND:

In the past virtually all events, functions or activities of any kind required specific approval of Council. To do so for each event, function or activity required administrative time for preparation of reports as well as delayed ultimate approval awaiting Council approval which was most times a "rubber stamp" process due to following of the specific policy of the day.

DISCUSSION:

Staff is recommending that this practice is inefficient and time consuming. With a set policy in place the approval of permits for these events etc. can be provided by the CAO or designate in a timely, administratively efficient manner.

If necessary, any deviation from the policy can be brought by the applicant before the Parks and Recreation Commission for appropriate and specific recommendation to Council.

At a future regular meeting of Council a new *Fees and Charges Bylaw* will be presented for appropriate readings which staff will also demonstrate as streamlining the administrative and processing function.

This new policy consists of an application process and once approved an actual permit will be provided which will demonstrate evidence on site that all requirements and processes have been appropriately vetted and approved (see attached).

BUDGETARY CONSIDERATIONS:

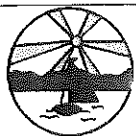
No impacts to existing or future budgetary considerations are relevant. Being a streamlined process will save some administrative time.

POLICY CONSIDERATIONS:

All new policies require resolution of Council.

Respectfully submitted for your
consideration;

Larry Burk
Chief Administrative Officer



VILLAGE OF HARRISON HOT SPRINGS

POLICY

SUBJECT	POLICY NUMBER	4.1
USE OF PUBLIC PROPERTY OR FACILITY FOR EVENTS, FUNCTIONS OR ACTIVITIES	DATE ADOPTED	

Any individual, group or organization wishing to use any public areas, facilities or lands owned, operated or leased by the Village for any event, function or activity shall first obtain a USE OF PUBLIC PROPERTY OR FACILITY PERMIT.

All functions or events shall be protected by appropriate liability insurance naming the Village as an additional insured party. Appropriate levels of insurance shall be set by the Village based upon a description of the proposed event, function or activity.

Applications for a permit shall:

- Be made at least six weeks prior to the event;
- Be accompanied by applicable non-refundable fee(s) (*see Fees and Charges Bylaw No. XXX*);
- Be accompanied by a map indicating all areas on which the function or event will occur;
- Be accompanied by a full description of the function including sponsor participation, approximate associated attendance numbers, approximate public attendance draw anticipated, catering or food and beverages provided if applicable, length of time of the function from beginning of preparation or set up to final clean up.

A separate application is required for any proposed changes to existing parking and traffic patterns on public roads, sidewalks and parking areas.

Prior to approval of the permit:

- A refundable damage deposit shall be submitted to the Village;
- Proof of Liability insurance shall be submitted to the Village; and
- Any other permits, licenses or requirements of outside agencies associated with the event or function shall be submitted to the Village.

Within 48 hours following the event, all areas used shall be thoroughly cleaned and returned to a condition equal to or better than before the event or the damage deposit shall be forfeited.

APPROVED BY:

DATE:



USE OF PUBLIC PROPERTY OR FACILITY PERMIT

TO: _____

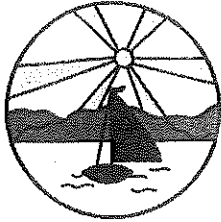
DATE: _____ FROM: _____ TO: _____

LOCATION OF ACTIVITY: _____

DATE: _____

APPROVED BY: _____

THIS PERMIT SHALL BE POSTED IN A PROMINENT LOCATION SUCH THAT IT IS AT ALL TIMES CONSPICUOUS FROM THE NEAREST FRONTING PUBLIC ROAD OR BOUNDARY OF AREA USE AND SHALL ALSO BE POSTED FROM COMMENCEMENT TO END OF THE FUNCTION, EVENT OR ACTIVITY.



**VILLAGE OF HARRSION HOT SPRINGS
SPECIAL EVENT PARK / FACILITY USE
PERMIT APPLICATION**

Name of Applicant: _____

On behalf of: _____

Address of Applicant: _____

Phone Number: _____ E-mail: _____

Fax Number: _____

Event:

- Wedding Family Reunion Memorial Hall
 Race / Competition Festival Other _____

***Note – please provide map of race route / layout of event on beach front, include any necessary road closures and plan for event.**

Estimated number of participants: _____

Location of event: _____

Additional Information: _____

In consideration of the issuance of this Permit, the Applicant agrees that the terms and conditions set out on the following rules and regulations, and that the Applicant agrees to fully comply with and be bound by these terms and conditions.

_____ Date: _____

Applicants Signature

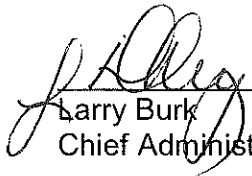
FOR OFFICE USE ONLY	
_____	Date: _____
CAO, Village of Harrison Hot Springs	

Village. The Fees and Charges Bylaw will be presented at the next regular Council meeting for consideration.

POLICY CONSIDERATIONS:

Any changes to current policy as a result of this bylaw change will be presented with the final draft of the bylaw once we receive information or feedback from Council.

Respectfully submitted for your consideration;



Larry Burk
Chief Administrative Officer

U:\Reception\Council Reports\2009\Bylaw 867 report to Council Feb 27-09.doc

VILLAGE OF HARRISON HOT SPRINGS

BYLAW NO.

A Bylaw to Govern the Licencing and Regulation of Businesses in the Village

WHEREAS pursuant to Section 8(6) and 60 of the **Community Charter** the Village is empowered to enact a Bylaw to require an owner or operator of a business to hold a valid and subsisting licence, and to fix and impose fees for licencing within the Village of Harrison Hot Springs,

NOW THEREFORE the Council of the Village of Harrison Hot Springs, in open meeting assembled, enacts the following:

1. **CITATION**

This Bylaw may be cited for all purposes as the “Village of Harrison Hot Springs Business Licence Bylaw No. _____.”

2. **REPEAL**

a) The “Village of Harrison Hot Springs Business Licence Bylaw No. 867, 2006” is hereby repealed.

3. **DEFINITIONS**

3.1 For the purposes of this Bylaw, the following definitions shall apply:

“**Business**” means :

- a) carrying on a commercial or industrial undertaking of any kind from within the boundaries of the Village, or
- b) providing professional, personal, or other services from within the boundaries of the Village for the purpose of gain or profit, but does not include an activity carried on by the Provincial Government, its agencies or corporations owned by the Provincial Government.

“Bylaw Enforcement Officer” means any person appointed from time to time by Village Council

“**Council**” means the Council of the Village of Harrison Hot Springs.

“**Licence Inspector**” means the Licence Inspector appointed under Section 6.1.

“Home Based Business” means a business carried on in a residential dwelling and only by a resident of that dwelling.

~~“Street Event” means any form of race, contest, gathering, activity, procession display or other organized event in which participants gather, process, walk, run, cycle, ride or drive vehicles along, on or across a highway and occupy or use any public place and, without limiting the generality of the foregoing, includes a walk, walk-a-thon, marathon, triathlon, bicycle race or motor vehicle race.~~

“Village” means the Village of Harrison Hot Springs.

“Watercraft” means a vehicle, vessel or craft designed to move across (or through) water for pleasure, recreation, physical exercise, commerce and transport.

4. APPLICATION OF BYLAW

No person shall carry on, within the Village, any *business* unless they are the holder of a valid and subsisting business licence issued to them by the *Licence Inspector* pursuant to this Bylaw, and shall pay to the *Licence Inspector*, the fees specified in the Fees & Charges Bylaw. It shall be incumbent upon each person to renew such business licence prior to the beginning of each licence period as long as such *business* is being carried on.

5. GENERAL PROVISIONS

5.1 The *Licence Inspector* shall have the power to grant, suspend, revoke, or transfer business licences and permits as hereinafter provided, subject to the provisions in the **Community Charter** and as outlined in Section 6.

5.2 Licence Application

The application for a business licence including appropriate fees shall be submitted in the form or forms prescribed from time to time by Council. The application shall be signed by the owner of the business or their duly authorized agent. In the case of partnerships or multiple owners, any one of such owners or partners may apply and such owner or partner applying shall be deemed to be the duly authorized agent of all the owners and partners.

5.3 A satisfactory inspection for fire safety completed by the *Fire Inspector* is required as a condition of the issuance of any licence to carry on a **business** that will occupy real property in the Village.

- 5.4 Where applicable every licence application shall be accompanied by approvals from other regulatory agencies that provide approvals for the business, such as the Health Inspector or the Liquor Licencing Board.
- 5.5 Every licence application for a *Home Based Business* where the public must access the property to obtain the service, shall obtain a fire safety inspection report, completed by the *Fire Inspector*.
- 5.6 No person shall carry on a *business* at two or more premises at the same time, under one Business Licence.
- 5.7 Where a *business*, which holds a valid and subsisting business licence, changes the ownership or changes the location of its business premises ~~an application is required as prescribed in Section 5.2, and shall be accompanied by the Transfer fee specified in Schedule "A", of Fee Schedule Bylaw No. 866~~ a new Business Licence per section 5.2 is required.
- 5.8 Where a non resident contractor, business or party is doing business in the village on a part time, single project or short duration basis the non-resident contractor, business or party shall provide proof of holding a Business Licence within their respective home or office jurisdiction.
- 5.9 A Business Licence must be posted in a conspicuous place in the premises of the business for which it was issued.
- 5.10 A Non-Resident Business Licence holder must have the licence with him at all times when conducting business in the Village.

6. LICENCE INSPECTOR'S AUTHORITY

- 6.1 Council shall duly appoint a Licence Inspector, or a person who may lawfully act in that capacity.
- 6.2 Every business licence holder under this Bylaw shall permit reasonable access to the Licence Inspector ~~from time to time, to the Licence Inspector to the premises at which the licenced business is being carried on,~~ for the purpose of ensuring that the requirements of this Bylaw and the *Community Charter* are being fulfilled.
- 6.3 Before issuing a business licence in respect of any premises, the Licence Inspector may, at his discretion, require that the premises be approved by the Medical Health Officer, Local Assistant to the Fire Commissioner or the Municipal Building Inspector.

6.4 The Licence Inspector may refuse an application for a business licence in any specific case. However, an application shall not be unreasonably refused and the Licence Inspector must provide reasons for any refusal.

6.5 The Licence Inspector shall have the power to suspend or cancel business licences subject to the provisions of Section 60 of the Community Charter.

6.6 If the Licence Inspector refuses, suspends or cancels a business licence he must notify the applicant or holder of the right to a re-consideration by Council.

7. LICENCE FEES

7.1 All Licence fees are outlined in the Fees & Charges Bylaw.

7.2 All fees collected by the Licence Inspector under this Bylaw shall be paid forthwith to the Director of Finance of the Village, who shall deal with the said fees in the manner provided in the *Community Charter*.

7.3 Business licences shall be issued so as to terminate on the 31st day of December in each calendar year. A 50% reduction shall be made if the person commences operation of a new business after July 31st in any calendar year.

7.4 Section 7.3 does not apply to business licences issued for special events, or 5.10.

8. PENALTY AND ENACTMENT

Except where the penalty is otherwise provided for in the Community Charter, every person who offends against any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention or violation of the provisions of this Bylaw, or neglects to do or refrains from doing anything required to be done by this Bylaw, shall be deemed to have committed an offence under this Bylaw and shall be liable, ~~upon summary conviction to a fine not exceeding Two Thousand Dollars (\$2,000)~~ upon summary conviction to a fine not exceeding Two Thousand Dollars (\$2,000) to fines specified under the BNEB Bylaw No. ____ .

9. SEVERABILITY

If any section or lesser portion of this Bylaw is held invalid by a Court of Law, such invalidity shall not affect the remaining portions of the Bylaw.

10. READINGS AND ADOPTION

READ A FIRST TIME THIS _____ DAY OF MARCH, 2009.

READ A SECOND TIME THIS _____ DAY OF MARCH, 2009.

READ A THIRD TIME THIS _____ DAY OF MARCH, 2009.

ADOPTED THIS _____ DAY OF MARCH, 2009.

Ken Becotte
Mayor

Larry Burk
Corporate Officer

VILLAGE OF HARRISON HOT SPRINGS

KENT SEWER LINE TEMPORARY BORROWING BYLAW NO. 905

Being a bylaw to authorize temporary borrowing pending the sale of debentures

WHEREAS: it is provided by Section 181 of the *Community Charter* that the Council may, where it has adopted a loan authorization bylaw, without further assents or approvals, borrow temporarily from any person under the conditions therein set out;

AND WHEREAS: the Council has adopted Bylaw No 887, cited as A Loan Authorization Bylaw authorizing the construction of a new sewer line to the District of Kent’s wastewater treatment plant, in the amount of three million one hundred thousand dollars (\$3,100,000.00);

AND WHEREAS: the sale of debentures has been temporarily deferred:

NOW THEREFORE: the Council of the Village of Harrison Hot Springs in open meeting lawfully assembled, enacts as follows:

1. The Council is hereby authorized and empowered to borrow an amount or amounts not exceeding the sum of three million one hundred thousand (\$3,100,000.00), as the same may be required.
2. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the Mayor and the Director of Finance.
3. The money so borrowed shall be used solely for the purposes set out in said Bylaw No.887.
4. The proceeds from the sale of the debentures or so much thereof as may be necessary shall be used to repay the money so borrowed.
5. This bylaw may be cited as “Kent Sewer Line Temporary Borrowing Bylaw No. 905”.

READ A FIRST TIME THIS 16th DAY OF FEBRUARY, 2009

READ A SECOND TIME THIS 16th DAY OF FEBRUARY, 2009

READ A THIRD TIME THIS 16TH DAY OF FEBRUARY, 2009

ADOPTED THIS 2nd DAY OF MARCH, 2009

Ken Becotte
Mayor

Larry Burk
Corporate Officer

**Village of Harrison Hot Springs
Committee & Commission Appointments**

Committee / Commission	Applicant	Appointed Y/N	Date
Communities In Bloom Select Committee	Laura Hooper	✓	
Communities In Bloom Select Committee	Gail Guimont	✓	
Communities In Bloom Select Committee	Carolyn Harris	✓	
Advisory Planning Commission	Lorne Lees	✓	
Advisory Planning Commission	Leo Facio	✓	
Advisory Planning Commission	Raymond Hooper	✓	
Economic Development Commission	Karl Dopf	✓	
Economic Development Commission	Phyllis Stenson	✓	
Economic Development Commission	Danny Crowell	✓	
Economic Development Commission	Robert Reyerse	✓	
Economic Development Commission	Frank Peters	✓	
Economic Development Commission	Fred Gornall	✓	
Parks & Recreation Commission	Ed Stenson	✓	
Parks & Recreation Commission	Donna Cooney	✓	
Parks & Recreation Commission	Janne Perrin	✓	
Parks & Recreation Commission	Delphine Gornall	✓	
Harrison Lake Harbour Commission	Tony Nootebos	✓	
Harrison Lake Harbour Commission	Brian Ogden	✓	
Harrison Lake Harbour Commission	Bill Hopkins	✓	

2/2/09

