



REGIONAL DISTRICT OF NORTH OKANAGAN

GREATER VERNON ADVISORY COMMITTEE MEETING

Thursday, April 24, 2014

8:00 am

SPECIAL AGENDA

A. APPROVAL OF AGENDA

1. Greater Vernon Advisory Committee – April 24, 2014

RECOMMENDATION 1

That the Agenda of the April 24, 2014 Greater Vernon Advisory Committee meeting be approved as presented.

B. ADOPTION OF MINUTES

1. Greater Vernon Advisory Committee – Special – March 26, 2014

RECOMMENDATION 2

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That the minutes of the March 26, 2014 Greater Vernon Advisory Committee Special meeting be adopted as circulated.

C. NEW BUSINESS

1. Greater Vernon Parks, Recreation and Culture Service Conversion and Service Establishment Bylaw No. 1648, 2000

- The structure of Arts, Youth and Culture under Bylaw 1648
- Culture Master Plan

FOR DISCUSSION

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D. ADJOURNMENT

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REGIONAL DISTRICT OF NORTH OKANAGAN

MINUTES of a **SPECIAL** meeting of the **GREATER VERNON ADVISORY COMMITTEE** of the **REGIONAL DISTRICT OF NORTH OKANAGAN** held in the Boardroom at the Regional District Office on Wednesday, March 26, 2014

Members:	Director J. Cunningham	City of Vernon	(Chair)
	Councillor G. Kiss	District of Coldstream	(Vice Chair)
	Director R. Sawatzky	City of Vernon	
	Alternate Director B. Spiers	City of Vernon	
	Alternate Director J. Garlick	District of Coldstream	
	Director B. Fleming	Electoral Area "B"	
	Director M. Macnabb	Electoral Area "C"	
Staff:	L. Mellott	General Manager, Electoral Area Administration	
	J. Byron	Corporate Officer / Human Resources Manager	
	R. Smailes	General Manager, Planning and Building	
	C. Elley	Clerk (taking minutes)	
Also Present:	Director R. Fairbairn	Electoral Area "D"	
	Director D. Dirk	District of Coldstream	
	Councillor M. Besso	District of Coldstream	
	Director M. O'Keefe	City of Vernon	

CALL MEETING TO ORDER

The meeting was called to order at 9:00 a.m.

APPROVAL OF AGENDA

Greater Vernon Advisory Committee – March 26, 2014

Moved and seconded by Directors Sawatzky and Macnabb

That the Agenda of the March 26, 2014 Greater Vernon Advisory Committee Special meeting be approved with the following amendments:

- Delegation from City of Vernon – Doug Ross, Director – Recreation Services

CARRIED

DELEGATIONS

Replacement Sheet of Ice

Doug Ross, Director - Recreation Services with the City of Vernon requested to appear as a delegation at the April 2, 2014 Board of Directors meeting to present information regarding the replacement sheet of ice.

Moved and Seconded by Alternate Director Spiers and Director Sawatzky
That it be recommended to the Board of Directors that the City of Vernon be allowed to appear as a delegation at the April 2, 2014 Board of Directors meeting to present a report and draft RFP for the Replacement Sheet of Ice Feasibility and Cost Analysis Report.

CARRIED

IN CAMERA

Moved and seconded by Alternate Director Garlick and Councillor Kiss
That, pursuant to Section 92 of the Community Charter, the special regular meeting of the Greater Vernon Advisory Committee convene In Camera to deal with matters deemed closed to the public in accordance with Section 90(1)(e) of the Community Charter.

CARRIED

The regular meeting of the Greater Vernon Advisory Committee adjourned to meet In Camera at 9:15 a.m.

The regular meeting of the Greater Vernon Advisory Committee reconvened at 10:35 a.m.

CARRIED

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:35 a.m.

CERTIFIED CORRECT

Chair
Juliette Cunningham

Corporate Officer
Jeanne Byron

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 1648

(Consolidated for Convenience Only – Refer to Original Bylaw)

A bylaw to convert the function of Community Parks and Recreational Programmes and Facilities to a service established by bylaw and to amend the service area to include only Designated Area No. 1 (City of Vernon, part of the District of Coldstream and Electoral Areas “B” and “C”)

WHEREAS by Supplementary Letters Patent dated March 31, 1976 the Regional District was granted the function of Community Parks and Recreational Programmes and Facilities (Div. XXVI) within the entire Regional District;

AND WHEREAS the *Local Government Act* authorizes the Regional District Board (the “Board”) to convert a function established by Supplementary Letters Patent to a service exercised under the authority of a bylaw establishing the service;

AND WHEREAS the Board wishes to convert the function of Community Parks and Recreational Programmes and Facilities (Div. XXVI) to an established service of Community Parks, Recreation and Culture;

AND WHEREAS the Board wishes to amend the service area established under the Letters Patent in order to establish a separate service area for each “Designated Area” as defined in Supplementary Letters Patent dated March 31, 1976 and the Board is considering five distinct bylaws for that purpose;

AND WHEREAS the Board wishes to amend the service area for the purpose of this Bylaw, to include only the City of Vernon, part of the District of Coldstream (Municipal Voting Division 1) and Electoral Areas “B” and “C”;

AND WHEREAS the Regional District, the City of Vernon and the District of Coldstream have entered into an agreement (a copy of which is attached as Appendix A, but which does not form part of this bylaw) concerning the Parks, Recreation and Culture service;

AND WHEREAS the Board has obtained the required consent of at least 2/3 of the participants of the original function pursuant to Section 802(1)(b) of the *Local Government Act*;

NOW THEREFORE, the Regional Board of the Regional District of North Okanagan, in open meeting assembled, ENACTS AS FOLLOWS:

TITLE

1. This Bylaw may be cited as the “*Greater Vernon Parks, Recreation and Culture Service Conversion and Service Establishment Bylaw No. 1648, 2000*”

CONVERSION and ESTABLISHMENT

2. The function of Division XXVI Community Parks and Recreational Programmes and Facilities as established by Supplementary Letters Patent dated March 31, 1976, is converted and established as the “*Greater Vernon Parks, Recreation and Culture Service*” with the service area as described in Section 5 of this bylaw.

SCOPE OF SERVICE

3. The service established by this bylaw is limited to:
 - (1) the operation of recreational programs and facilities;
 - (2) the acquisition, improvement and maintenance of land, buildings and other facilities for park and recreation purposes;
 - (3) the operation and maintenance of tertiary or regional parks that tend to draw users from outside the Service Area, including open space reserves and ecological reserves which address objectives beyond the traditional recreation park;
 - (4) operation and maintenance of those areas within secondary parks that contain recreational programs or services provided by the Service;
 - (5) Cultural services and/or grants related to:
 - (a) Museum;
 - (b) Art Gallery;
 - (c) Boys and Girls Club;
 - (d) Arts Council;
 - (e) Caetani House; and
 - (f) Cultural grants
 - (g) **Literacy and Youth Initiatives Society of the North Okanagan (Teen Junction) (B/L 2491)²**
4. It is the intention of the Board not to change the scope of the service without the unanimous consent of all participants.

SERVICE AREA

5. The service area for the service converted and established by Section 2 is the same as the former Designated Area No. 1, consisting of all of the City of Vernon, all of Electoral Areas "B" and "C", and ~~that part of the District of Coldstream being Municipal Voting Division 1 as defined in the "District of Coldstream Local Government Elections Procedures Bylaw No. 1233, 1996".~~ **all of the District of Coldstream."** (B/L 1893)¹

PARTICIPATING AREAS

6. The participating areas for the service are the City of Vernon, District of Coldstream, and Electoral Areas "B" and "C".

COST RECOVERY

7. The annual cost of providing the service, including debt charges on existing parks and recreational facilities within the service area, shall be recovered by either or both of the following:
 - (1) the requisition of money under Sections 805 and 806 of the *Local Government Act* to be collected as a property value tax to be levied on improvements only for regional hospital district purposes within the participating areas and collected in accordance with Sections 805.1 and 806.1 of the Act;
 - (2) the imposition of fees and other charges.
8. The annual cost of this service shall be apportioned amongst the participants on the basis of the converted value of improvements only for hospital purposes in those areas.

MAXIMUM REQUISITION

- 9. The maximum amount that may be requisitioned annually for this service shall not exceed the product of a levy of \$ 1.45 for each \$1,000 of net taxable value of land and improvements in the service area.

COMMITTEE

- 10. The administration and the operation of the service shall be carried out by a committee to be known as the “Greater Vernon Parks, Recreation and Culture Committee” (the “Committee”). The Committee’s powers, duties and limitations shall be established by a separate bylaw.
- 11. The Committee shall consist of three representatives appointed by the Council of the City of Vernon, one representative appointed by the Council of the District of Coldstream, and the Directors of Electoral Areas “B” and “C”. In addition, one representative appointed by School District No. 22 shall sit on the Committee (unless the School District declines to participate in the Committee), but that representative shall be limited to voting only on matters relating to the property of the School District and services or facilities funded by the School District.
- 12. Subject to Section 11, each member of the Committee shall have one vote on all matters decided by the Committee.

REGIONAL BOARD VOTING

- 13. In relation to resolutions and bylaws respecting the administration and operation of the service, including bylaws regulating the service, each director who represents a participant shall be entitled to one vote.

WITHDRAWAL FROM SERVICE

- 14. In addition to the withdrawal procedure under the *Local Government Act*, if the scope of the service as set out in Section 3 of this Bylaw is changed without the consent of a participant, that participant may withdraw from the service by giving notice in writing to the other participants, provided that the financial liabilities of the remaining participants are not increased by the withdrawal or the withdrawing participant makes arrangements that are accepted by the remaining participants, acting reasonably, to address the increased liabilities.

READ a FIRST, SECOND and THIRD TIME this 11th day of October , 2000

APPROVED by Inspector of Municipalities this 23rd day of January , 2001

Reconsidered and ADOPTED this 14th day of February , 2001

“S. Field”
Chair

“B. Gagnon”
Secretary

¹ Greater Vernon Parks, Recreation and Culture Service Amendment Bylaw No. 1893, 2003 (adopted August 3, 2004)

² Greater Vernon Parks, Recreation and Culture Service Amendment Bylaw No. 2491, 2011 (adopted May 18, 2011)

APPENDIX A

GREATER VERNON PARKS, RECREATION AND CULTURE FUNCTION

THIS AGREEMENT made the _____ day of _____, 2000

BETWEEN:

REGIONAL DISTRICT OF NORTH OKANAGAN

9848 Aberdeen Road
Vernon, B.C., V1B 2K9

(the "Regional District")

AND:

DISTRICT OF COLDSTREAM

9901 Kalamalka Road
Coldstream B.C., V1B 1L6

("Coldstream")

AND:

CITY OF VERNON

3400 - 30th Street
Vernon, B.C. V1T 5E6

("Vernon")

WHEREAS:

- A. Supplementary Letters Patent dated March 31, 1976 were issued to the Regional District to establish the function of Community Parks and Recreational Programs and Facilities.
- B. Pursuant to those letters patent, the Regional Board established the Greater Vernon Parks and Recreation District within Designated Area No. 1.
- C. The Regional District, Coldstream and Vernon (collectively, the "Parties") propose to restructure the Greater Vernon Parks and Recreation District and convert the function established by the Supplementary Letters Patent to a new service, pursuant to Section 774.1(3) of the *Local Government Act*, in accordance with the terms of this agreement. 2

D. The Parties are agreed that the scope of the new service shall be limited to the services which are currently set out in the service conversion bylaw, except with the unanimous agreement of all participants.

THEREFORE the Parties, in consideration of the payment of \$1.00 by each party to the other, agree as follows:

1.0 Conditions Precedent

1.1 The balance of this agreement, other than Section 1.2, shall not take effect until:

- (a) the Board of the Regional District has adopted a service conversion bylaw under Section 774.1(3) of the *Local Government Act* for the purposes of this agreement (the "Conversion Bylaw");
- (b) the Board of the Regional District has adopted a bylaw under Section 176(1)(e) of the *Local Government Act* to delegate powers, duties and functions to the Committee as described in this agreement; and
- (c) all participants in the current service (*i.e.*, all municipalities and electoral areas in the Regional District) have agreed in writing that they will take no objection to Coldstream having the Conversion Bylaw amended in future to place all of Coldstream's territorial area within one service area, subject to there being no negative financial impacts on the other participating areas.

1.2 If all three conditions precedent in Section 1.1 have not been satisfied by December 31, 2000, this agreement shall be nullified and the Parties shall have no further obligations to each other pursuant to this agreement.

2.0 Establishment of Services and Service Area

2.1 A new service of the Regional District, to be known as the Greater Vernon Parks, Recreation and Culture Service (the "Service") shall be established by the Board of the Regional District.

2.2 The Service Area for the Service shall include the territorial area within the City of Vernon, the western portion of the District of Coldstream and Electoral Areas "B" and "C" of the Regional District, all as outlined in black on the map attached as Schedule "A" to this agreement.

3.0 Conversion Bylaw

- 3.1 Adoption of the Conversion Bylaw to establish the Service shall require consent of two-thirds of the participants in the Community Parks and Recreational Programs and Facilities function.
- 3.2 If third reading is given to the Conversion Bylaw, the Minister of Municipal Affairs shall be requested not to order that the approval of the electors must be received prior to conversion.

4.0 Recreational Services

- 4.1 The Service shall include the operation of recreational programs and the acquisition, improvement and maintenance of land, buildings and other facilities for park and recreation purposes.
- 4.2 The objective of the Parties is that all recreational programs provided by the Service will be conducted on a self-funding basis, through user fees and rentals collected from program users.

5.0 Parkland

- 5.1 Planning, land acquisition, development and operation of parks shall be in accordance with the principles set out in Schedule "B" to this agreement.

6.0 Cultural Services

- 6.1 The Service shall be limited to operating and maintaining the following cultural facilities and services, provided that additional cultural facilities, services or grants may be provided with the unanimous consent of the Parties:

- (a) Museum;
- (b) Art Gallery;
- (c) Boys and Girls Club;
- (d) Arts Council;
- (e) Caetani House; and
- (f) cultural grants.

6.2 The objective of the Parties is that cultural programs shall be conducted only on a self-funding basis, through user fees and rentals collected from program users.

7.0 Governance

7.1 The Service will be administered by the Regional District, through a committee of the Regional Board (the "Committee"). The Committee will consist of:

- (a) three representatives from the Council of the City of Vernon;
- (b) one representative from the Council of the District of Coldstream;
- (c) the Director for Electoral Area "B";
- (d) the Director for Electoral Area "C"; and
- (e) one representative of School District No. 22 (unless the School District declines to participate in the Committee) who shall be limited to voting only on matters relating to the property of the School District and services or facilities funded by the School District.

7.2 Authority for the provision of the Service shall be delegated to the Committee by a bylaw enacted by the Regional District Board, to the maximum extent permitted.

7.3 After its adoption, the delegation bylaw enacted by the Regional Board shall only be amended or repealed with the consent of all of the Parties.

7.4 Each member of the Committee shall be entitled to one vote on all matters decided by the Committee.

8.0 Regional Board Voting

- 8.1 On all matters concerning the Service , the participants' votes concerning the Service at the Regional Board will be held on the basis that each director from the Service Area shall be entitled to one vote.

9.0 Operating Structure

- 9.1 Policies for the Service shall be developed by the Committee and all persons involved in policy development shall be Regional District staff or consultants reporting to the Regional District Administrator.
- 9.2 Operation of the Service shall be carried out by a contractor to the Regional District and all operating staff and subcontractors shall report to the contractor.

10.0 Reconsideration of Committee Decisions

- 10.1 Any member of the Committee may initiate a reconsideration of any decision by the Committee in accordance with the following process.
- 10.2 A member of the Committee who proposes a reconsideration shall advise the other members of the Committee of that intention at the same meeting that the decision is made by the Committee. The decision shall be tabled and no action shall be taken on the decision pending the proposed reconsideration.
- 10.3 A reconsideration initiated by a Committee member representing Vernon or Coldstream may only proceed if that member receives approval from their Council, at its next regular scheduled meeting, by a vote of at least two-thirds of all members of the Council.
- 10.4 A reconsideration initiated by an Electoral Area Director may only proceed if the Director receives approval from at least two-thirds of all members of the Regional Board at its next regular scheduled meeting.
- 10.5 If a Committee member receives approval from their Council or the Board to proceed with a reconsideration, the matter will be referred back to the Committee for a decision at its next regular meeting.

11.0 Financial

- 11.1 The costs of the Service shall be apportioned among the participants on the basis of converted assessment of improvements only.
- 11.2 Taxation for the Service shall not exceed \$1.45 per \$1,000.00 of assessment, without an amendment to the Conversion Bylaw.
- 11.3 In addition to property taxation, cost recovery will be achieved through user fees and facility rental charges.

12.0 Service Reviews and Withdrawal

A Party may initiate a service review or withdraw from the Service in accordance with the procedures in the *Local Government Act* and the Conversion Bylaw.

13.0 Transition

Staffing

- 13.1 The GVPRD review committee has agreed that the GVPRD reporting structure should be amended to ensure that there is a separation of policy which is developed by the GVPRD (NORD) and operating issues which are determined by the contractor (currently the City), such that all staff involved in policy development are NORD staff reporting to the NORD Administrator and that all sub-contractors and operating staff report to the contractor. The City of Vernon, District of Coldstream and Electoral Area Directors agree with this proposed structure.

Ownership/Title of Recreational Properties

- 13.2 The Parties have agreed that the ownership of regional facilities and related lands shall be transferred to the Regional District but will revert to the transferor if in the future they are not required for the present recreational use. It is recommended that ownership transfer occur as soon as is reasonably practical after the conversion process is complete.

14.0 General

14.1 Time is of the essence of this agreement.

14.2 Each Party confirms that it has taken the corporate measures necessary to authorize execution of this agreement.

The Corporate Seal of THE REGIONAL
DISTRICT OF NORTH OKANAGAN
was hereunto affixed in the presence of:

Chair) C/S

Secretary-Treasurer)

The Corporate Seal of THE DISTRICT
OF COLDSTREAM was hereunto affixed
in the presence of:

Mayor) C/S

Clerk)

The Corporate Seal of THE CITY OF
VERNON was hereunto affixed in the
presence of:

Mayor) C/S

Clerk)

SCHEDULE "A"
(Map of Service Area)