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COUNCIL MEETING AGENDA

MONDAY, APRIL 6, 2009 - 6:00 P.M.

1. ADOPTION OF MINUTES

- a) of the regular meeting of Council held March 16, 2009 - Pages 1 to 5

Recommendation: THAT the minutes of the regular meeting of Council held March 16, 2009 be adopted.

2. APPROVAL OF AGENDA

3. PRESENTATIONS

4. DELEGATIONS

- a) Ronda Murdock - Arrowsmith Parks and Land-Use Council - Page 6
To present the importance of riparian protection for our drinking water source, the Englishman River watershed.
- b) Blain Sepos - Oceanside Tourism Association - Pages 7 to 12
OTA's annual report to Council.
- c) Kevin Thomson - BC Bike Race - Page 13
BC Bike Race is requesting permission to pitch 150 to 250 camping tents for bike racers to sleep overnight in the Parksville Community Park on Monday June 29 to Tuesday June 30, 2009.

5. UNFINISHED BUSINESS

6. CORRESPONDENCE

- a) Dr. Rachel Carson - Kidney Disease and Kidney Dialysis Units - Pages 14 to 15

Recommendation: THAT the correspondence received March 17, 2009 from Dr. Rachel Carson regarding kidney disease and kidney dialysis units, be received for information.

- b) BC Bottle Depot Association - Bottle/Recycling Depot System - Pages 16 to 28

Recommendation: *THAT the correspondence from the BC Bottle Depot Association received March 25, 2009 requesting support for their campaign regarding the Used Beverage Container and Electronics Stewardship Program, and the Voluntary Milk Program, be received for information.*

7. DISCUSSION RELATED TO DELEGATIONS OR CORRESPONDENCE

8. REPORTS

- a) Committee of the Whole - March 30, 2009 - Page 29 to 30

- 1) Director of Community Planning - Development Permit to Permit the Layout for a Master Planned Development [422 Church Road & Renz Road Properties]

On July 4, 2008, the City received a development permit application from Keith Brown Associates Ltd. on behalf of the owners of the property. The 33.514 acre site is located southwest of the intersection of Renz Road and Humphrey Road. The applicant is requesting the issuance of a development permit to authorize the layout for a master planned development. The subject property is within Development Permit Area No. 16 – COMPREHENSIVE DEVELOPMENT AREAS. The development permit designation is under the Form and Character, Protection of the Natural Environment, Protection of Development from Hazardous Conditions categories.

Recommendation: *THAT the report from the Director of Community Planning dated March 12, 2009 for the issuance of a development permit at 422 Church Road and Renz Road properties be received;*

AND THAT a development permit be issued to Cedar Ridge Estates Inc., Inc. No. 617,113 to permit the layout for a master planned development with a requested variance to relax the RS-1 front yard setback from 7.5 metres to 4.5 metres on Lot 13, District Lot 21, Nanoose District, Plan 1902, except part in Plan VIP74752; Lot 1, District Lot 21, Nanoose District, Plan 34970, except part in Plan 45297; Lot "A", District Lot 21, Nanoose District, Plan 45297 (422 Church Road and Renz Road Properties);

AND THAT tree removal operations shall be limited to those works necessary for RS-1 zoned lots and that they be done on a phase by phase basis;

AND FURTHER THAT a landscaping letter of credit in the amount of \$175,000.00 be received prior to the issuance of the permit, for the purpose of assuring the completion of the linear trail and agricultural buffer.

- 2) Director of Community Planning - Proposed Amendment to the Bridgewater Development Permit to add a Tree Management Regime

Council requested that Staff work with the Bridgewater Strata and its neighbours to achieve a collective recommendation regarding a new tree management regime. This report addresses the efforts made to do this and the results. Ultimately it was not possible to achieve consensus.

Recommendation: *THAT the report from the Director of Community Planning dated March 23, 2009 for the amendment of the development permit to add a tree management regime on the Bridgewater development be received;*

AND THAT Council deny an amendment to Development Permit No. 98-01 to the Bridgewater Strata Plan VIS4529 to amend the development permit and direct Staff to maintain the status quo with respect to tree retention on Strata Lots 1 – 30, District Lots 13 and 97, Nanoose District, Strata Plan VIS4529 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1 (59, 61, 63, 65, 67, 69, 71, 73, 74, 75, 76, 77, 79, 80, 81, 82, 83, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97 Bridgewater Lane).

- 3) Director of Community Planning - Proposal from the Mid Vancouver Island Habitat Enhancement Society Regarding a Rain Garden near the Parksville Elementary School

The goal of this report is to provide Council with a review of the feasibility of a rain garden project near the Parksville Elementary School.

Recommendation: THAT the report from the Director of Community Planning dated February 20, 2009 proposal from the Mid Vancouver Island Habitat Enhancement Society regarding a rain garden near the Parksville Elementary School be received for information;

AND THAT Council support in principle the rain garden concept.

- 4) Director of Community Planning - Renewal of the Advisory Design Panel

The Advisory Design Panel is an advisory committee established by Council. Members are appointed for a term specified at the time of appointment, but not to exceed the term of Council. The Advisory Design Panel membership requires a renewed Council mandate and formal re-appointment to continue in an advisory capacity.

Recommendation: THAT the report from the Director of Community Planning dated March 23, 2009 regarding the renewal of the Advisory Design Panel be received;

AND THAT the Advisory Design Panel mandate be renewed based on the current terms of reference for the current term of Council;

AND THAT Manley Lafoy MAIBC, Ruben Galdames, Lindsay H. Locke MAIBC, and Larrie Taylor MAIBC, be re-appointed to the Advisory Design Panel for the current term of Council;

AND FURTHER THAT Staff be directed to re-advertise for one new candidate to fill the current Advisory Design Panel vacancy.

- b) Deputy Corporate Administrator - 2008 Local Government Elections and Duty to File Campaign Financing Disclosure Statements - Pages 31 to 32

Section 90 of the Local Government Act requires each candidate and each elector organization to file a Campaign Financing Disclosure Statement. Section 92.2 requires a report to be presented to an open meeting of the local government in which the election was held advising of the name of any candidate, or elector organization, for whom a disclosure statement is not filed within the 120 day time period. All fourteen candidates in the November 15, 2008 local government election have filed their Campaign Financing Disclosure Statements by the March 16, 2009 deadline. There were no elector organizations supporting a candidate in the 2008 elections.

Recommendation: THAT the report from the Deputy Chief Election Officer, dated March 23, 2009, advising all of the candidates nominated for either Mayor or Councillor in the November 15, 2008 local government elections have filed their disclosure statements prior to the March 16, 2009 deadline, be received for information.

- c) Chief Administrative Officer - BC Bike Race – Monday, June 29, 2009 - Pages 33 to 35
Under provisions of the City's Special Events Policy organizations proposing to hold an event on municipal property, streets or parks are required to apply for a special events permit. All events covered in the policy must be approved by Council and event organizers must fulfill the requirements outlined in the policy. The BC Bike race has submitted an application for use of the portions of the Community Park, Curling Rink and parking facilities and public roadways on afternoon/evening of June 29, 2009 and the morning of June 30, 2009.

**Recommendation: THAT the report dated March 23, 2009 from the Chief Administrative Officer regarding the BC Bike Race be received;
AND THAT the Special Events application dated January 16, 2009 submitted by the BC Bike Race for permission to use City Streets and portions of the Parksville Community Park for the finish of Day 2 of the "BC Bike Race" on June 29, 2009 as indicated on the Event Application Form attached to the Report from the Chief Administrative Officer Dated February 27, 2009 be approved;
AND THAT Council provide direction to Staff in addressing the request from the BC Bike Race to allow overnight camping in the Community Park by amending City of Parksville Bylaw, 1999, No. 1327, a Bylaw to Regulate Parks in the Municipality.**

- d) Chief Administrative Officer - 2009 Parcel Tax Review Panel - Pages 36 to 37
Set the date and time for the Parcel Tax Review Panel to authenticate the 2009 parcel tax rolls for water, sewer and regional parks as required under the Community Charter.

**Recommendation: THAT the Parcel Tax Review Panel Hearing be scheduled for Monday, April 20, 2009 at 5:45 p.m. in the Civic and Technology Centre, 100 E. Jensen Avenue, Parksville, BC;
AND THAT advance notice of the time and location of the Parcel Tax Review Panel Hearing be published in accordance with Section 204 of the Community Charter.**

- e) Chief Administrative Officer - Parksville Downtown Business Association 2009 Budget - Pages 38 to 56
Under the terms of the City's "Downtown Business Improvement Area Establishment Bylaw, 2007, No. 1420" no grant funds may be forwarded to the Parksville Downtown Business Association unless the Association submits an annual budget, the audited financial statements, and proof of insurance by March 15 in each year of the term of the bylaw. The bylaw provides that the Association's budget be submitted to Council for approval consideration.

Recommendation: THAT the Parksville Downtown Business Association 2009 Budget attached to the report from the Chief Administrative Officer dated March 19, 2009 entitled Parksville Downtown Business Association 2009 Budget be approved.

- f) Chief Administrative Officer - Parksville & District Chamber of Commerce 2009 Fee for Services Agreement - Pages 57 to 61
The purpose of the Fee for services Contract is to formalize requirements the City establishes for performance by the Chamber, provides for a means of evaluating the efforts of the Chamber and confirms amounts and timing for payments made by the City.

Recommendation: THAT the Mayor and Corporate Administrator be authorized to execute the 2009 Fee for Services Agreement with the Parksville and District Chamber of Commerce for the annual amount of \$75,887.00.

9. **BYLAWS**

10. **NEW BUSINESS**

11. **NOTICE OF MOTION**

- a) Councillor Lefebvre - Accessibility Standards - From March 16, 2009 Regular Meeting of Council

Recommendation: THAT the City of Parksville adopt accessibility standards in its building bylaw that ensures access to all residential, tourist and commercial buildings to include minimum standards for facility of movement (ramps, door handles, wall bars, counter heights) within building interiors and washroom facilities on ground floors.

- b) Councillor Lefebvre - Potential Financial Incentives - From March 16, 2009 Regular Meeting of Council

Recommendation: THAT staff submit for Council's consideration, potential financial incentives to assist owners in addressing accessibility standards for new buildings as well as retrofitting existing buildings.

- c) Councillor Powell - Paperless Meetings - From March 16, 2009 Regular Meeting of Council

Recommendation: THAT Council consider moving towards paperless meetings; AND THAT staff prepare a report with a cost comparison between the current cost of Council meetings and the cost of utilizing laptop computers for Council meetings.

12. **SPECIAL BUSINESS (Closed/In Camera)**

13. **ADJOURNMENT**

ooOOoo

TO BE ADOPTED

AGENDA
COUNCIL

APR 06 2009

DATE

4589

CITY OF PARKSVILLE

March 16, 2009

Minutes of the regular meeting of Council held in the Civic and Technology Centre, 100 E. Jensen Avenue, Parksville, BC, on Monday, March 16, 2009 at 6:00 p.m.

PRESENT: His Worship Mayor E. F. Mayne

Councillors: C. R. Burger
A. R. Greir
M. Lefebvre
T. C. Patterson
S. E. Powell
C. J. Powell-Davidson

Staff: F. Manson, Chief Administrative Officer
G. Jackson, Director of Community Planning
A. Haywood, Recording Secretary
D. Banks, Fire Chief

1. ADOPTION OF MINUTES

09-061 Patterson - Lefebvre
THAT the minutes of the regular meeting of Council held March 2, 2009 be adopted. CARRIED.

2. APPROVAL OF AGENDA

09-062 Powell-Davidson - Lefebvre
THAT the March 16, 2009 Council meeting agenda be approved. CARRIED.

3. PRESENTATIONS

The Fire Chief presented certificates to members of the Fire Department

4. DELEGATIONS

- a) Marc Lefebvre from the Measuring Up Committee officially launched the Parksville Measuring Up Committee's Accessibility Booklet which completes the 2010 Legacies Funding Grant.
- b) Detlef (Joe) Friede - German JuJutsu Systems (GJJS) spoke to Council regarding their lease/rental extension application of 183 McVickers Street, a building upgrade application, and discussed a program proposal regarding decreasing violence, crime and vandalism in Oceanside.

5. UNFINISHED BUSINESS - Nil

6. CORRESPONDENCE - Nil

PAGE

1

7. DISCUSSION RELATED TO DELEGATIONS OR CORRESPONDENCE

09-063 Greir - Powell
THAT staff be directed to extend the lease for 183 McVickers between the City of Parksville and Joe Friede for a further 3 years at the current rate of 500 per month;
AND THAT the City appoint a Council liaison to the Board of the Ripple Effect program;
AND FURTHER THAT as long as the Ripple Effect program is in operation the month lease payment be waived. CARRIED.

09-064 Lefebvre - Powell
THAT Councillor A. R. Greir be designated as the Council liaison for the Ripple Effect program;
AND THAT Councillor S. E. Powell be designated as alternate. CARRIED.

8. REPORTS

a) **Committee of the Whole – March 9, 2009**

09-065 THAT the report of the Committee of the Whole meeting held March 9, 2009 be received and the following recommendations considered:

1) **Director of Community Planning - Identification Signage for City Hall**

Powell - Lefebvre
THAT the report from the Director of Community Planning dated February 24, 2009 regarding the identification of signage for City Hall be received;
AND THAT staff add informational way finding signs on the Island Highway, Alberni Highway and adjacent streets to direct residents and visitors to "City Hall". CARRIED.

2) **Director of Community Planning - Consideration of Recommendation Regarding "The Alphabet Walk" Project**

Lefebvre - Powell-Davidson
THAT the report from the Director of Community Planning dated February 26, 2009 regarding the "Alphabet Walk" project be received;
AND THAT the City continue to support the program in principal and ask that the Chamber provide more detailed information regarding the exact involvement of all parties so that the project can be brought from the concept to the project readiness stage with sufficient information for the City to know its exact involvement and be able to commit to specific tasks. CARRIED.

3) **Director of Community Planning - Consideration of City Position for a Change of Hours to a 'Liquor-Primary' Liquor Licence for Aaronco Holdings Inc. DBA Ocean Lounge [491 Island Highway East]**

Burger - Lefebvre
THAT the report from the Director of Community Planning dated February 26, 2009 for consideration of the City's position with respect to a

proposed permanent change of hours to the 'Liquor-Primary' liquor licence for the Ocean Lounge be received;

AND THAT Council direct Staff to advertise an opportunity for receiving written comment regarding the liquor-primary licence permanent change of hours application for Lot B, District Lot 4, Nanoose District, Plan 23567 (491 Island Highway East);

AND FURTHER THAT the written comment be received prior to deliberation on the application. CARRIED.

b) **Executive Assistant - 2009 Spring Grant-In-Aid Applications**

09-066 Burger - Powell-Davidson
THAT a Grant-In-Aid Select Committee be appointed to review and recommend back to Council on the allocation of the \$2,500.00 budgeted funds for the submissions received for the period ending March 1, 2009;
AND THAT the Grant-In-Aid Select Committee be comprised of the Chief Administrative Officer and two Councillors appointed by the Mayor.

09-066 Mayne - Lefebvre
THAT a Grant-In-Aid Select Committee be appointed to review and recommend back to Council on the allocation of the \$2,500.00 budgeted funds for the submissions received for the period ending March 1, 2009;
AND THAT the Grant-In-Aid Select Committee be comprised of the Chief Administrative Officer and three Councillors appointed by the Mayor. CARRIED.

Councillor Powell-Davidson and Councillor Patterson both declared a conflict of interest and left the meeting at 6:59 p.m.

c) **Executive Assistant - 2009 Canada Day Celebrations and Parade**

09-067 Lefebvre - Greir
THAT the Rotary Club of Parksville be permitted to hold the Canada Day Celebrations on Wednesday, July 1, 2009 between the hours of 7:00 a.m. and midnight, utilizing the Community Park as indicated on the map attached to Park Use Application Form (1) signed and dated March 2, 2009;
AND THAT the Rotary Club of Parksville be permitted to hold the Canada Day Parade on Wednesday, July 1, 2009 between the hours of 10:00 a.m. and 12:00 p.m. following a designated route through City streets as indicated on the attached Event Application Form (1B) signed and dated February 25, 2009;
AND THAT the approvals be granted on condition that the organizers adhere to the signed Terms and Conditions forms attached to the report from the Executive Assistant dated March 10, 2009 entitled "2009 Canada Day Celebrations and Parade". CARRIED.

Councillor Powell-Davidson and Councillor Patterson returned to the meeting at 7:03 p.m.

d) **Chief Administrative Officer - BC Bike Race – Monday, June 29**

09-068 Powell-Davidson - Patterson
THAT the Special Events application dated January 16, 2009 submitted by the BC Bike Race for permission to use City streets and portions of the Parksville Community Park for the finish of Day 2 of their race event be approved;
AND THAT the request from the BC Bike Race to allow for overnight camping of the competitors and support staff in the Community Park over the evening of June 29, 2009 be denied.

09-068 Powell-Davidson - Lefebvre
THAT the Special Events application dated January 16, 2009 submitted by the BC Bike Race for permission to use City streets and portions of the Parksville Community Park for the finish of Day 2 of their race event be approved;
AND THAT the request from the BC Bike Race to allow for overnight camping of the competitors and support staff in the Community Park over the evening of June 29, 2009 be tabled. CARRIED.

9. BYLAWS

a) **"Water Service System Amendment Bylaw, 2009, No. 1320.14"**

09-069 Lefebvre - Powell
THAT "Water Service System Amendment Bylaw, 2009, No. 1320.14" be adopted. CARRIED.

b) **"Development Cost Charges Reserve Funds Expenditure Bylaw, 2008, No. 1454"**

09-070 Greir - Lefebvre
THAT "Development Cost Charges Reserve Funds Expenditure Bylaw, 2008, No. 1454" be adopted. CARRIED.

10. NEW BUSINESS

Councillor Burger and Councillor Lefebvre gave updates on the Arrowsmith Water Services meeting they attended on Thursday, March 12, 2009.

11. NOTICE OF MOTION

a) **Councillor Lefebvre - Accessibility Standards**

Councillor Lefebvre gave notice that he will be bringing forward a motion at the April 6, 2009 Council meeting regarding accessibility standards that ensures access to all residential, tourist and commercial buildings.

b) **Councillor Lefebvre - Potential Financial Incentives**

Councillor Lefebvre gave notice that he will be bringing forward a motion at the April 6, 2009 Council meeting regarding potential funding incentives to assist

owners in addressing accessibility standards for new buildings as well as retrofitting existing buildings.

c) **Councillor Powell - Paperless Meetings**

Councillor Powell gave notice that she will be bringing forward a motion at the April 6, 2009 Council meeting for the consideration of going to paperless meetings.

12. SPECIAL BUSINESS - Nil

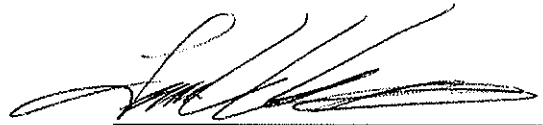
13. ADJOURNMENT

It was moved by Councillor Burger and seconded by Councillor Lefebvre that the meeting adjourn. CARRIED.

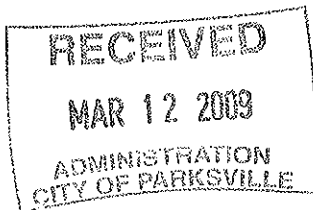
The meeting adjourned at 7:33 p.m.

Certified Correct.

Mayor



Director of Administrative Services



REQUEST TO APPEAR AS A DELEGATION

TO BE HELD Monday - April 6 2009, AT 6:00 P.M.
Day Date

NAME OF PERSON MAKING PRESENTATION: Ronda Murdock

NAME OF APPLICANT IF OTHER THAN ABOVE: Ronda Murdock

NAME OF ORGANIZATION [if applicable]: Arrowsmith Parks and Land-Use Council

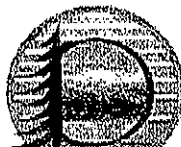
Mailing address: 215 Chestnut Street Parkville Phone: 250-248-3667

Fax: _____
[Business] [Home]

DETAILS: [Please provide complete information on the nature of your presentation. If applicable, provide one set of submission documents in letter sized format for photocopying purposes. All requests and documentation must be received by the Administration Department by twelve noon on the Tuesday prior to the meeting date for consideration. Delegation requests that do not meet the criteria of *Delegations and/or Presentations to Council or Committee Policy 2.22* will not be processed.]

As per the invitation by Mayor Ed Mayne at the February 16th Parkville City Council meeting, the Arrowsmith Parks and Land Use Committee would like to present a delegation with regards to the importance of riparian protection for our drinking water source, the Englishman River watershed.

NOTE: Any personal information on this form is collected for the purpose of administering the meetings of Council as noted in Section 26(c) of the *Freedom of Information and Protection of Privacy Act*.



City of PARKSVILLE

REQUEST TO APPEAR AS A DELEGATION

TO BE HELD Monday - April 6, 2009 AT 6 P.M.
Day DateNAME OF PERSON MAKING PRESENTATION: Blain Sepos
[Please print]NAME OF APPLICANT IF OTHER THAN ABOVE: _____
[Please print]NAME OF ORGANIZATION [if applicable]: Oceanside Tourism AssocMailing address: Po Box 239, Parksville, V9P 2G4Phone: 250 248 6300 - _____ Fax: 248-6308
[Business] [Home]

DETAILS: [Please provide complete information on the nature of your presentation. If applicable, provide one set of submission documents in letter sized format for photocopying purposes. All requests and documentation must be received by the Administration Department by twelve noon on the Tuesday prior to the meeting date for consideration. Delegation requests that do not meet the criteria of *Delegations and/or Presentations to Council or Committee Policy 2.22* will not be processed.]

- OTA annual report to Council
- written report emailed to Amanda Haywood.
(attached)

NOTE: Any personal information on this form is collected for the purpose of administering the meetings of Council as noted in Section 26(c) of the *Freedom of Information and Protection of Privacy Act*.

PARKSVILLE AND QUALICUM BEACH

Vancouver Island's Oceanside Region

TO: Mayor and Council, City of Parksville
FROM: Blain Sepos, Executive Director, Oceanside Tourism Association (OTA)
RE: OTA Annual Report
DATE: April 1, 2009

.....

OTA welcomes the opportunity to present its successes in 2008 and our plans for 2009. Please see OTA's annual report that is included in your information package.

In order to appreciate OTA's current success fully, it is important to understand the history of the organization. OTA was established formally in 1997 originally as the Parksville-Qualicum Beach Tourism Association and changed its name shortly afterwards to address the fact that the organization represents more than just Parksville and Qualicum Beach.

The Oceanside Tourism Association (OTA) is a membership-based non-profit destination marketing organization that serves the City of Parksville, the Town of Qualicum Beach, and the Regional District of Nanaimo communities of Nanoose Bay, Coombs, Errington, Hilliers, Whiskey Creek, French Creek, Qualicum Bay, Bowser, and Deep Bay.

As OTA's mandate is strictly external marketing, it is complemented by the Parksville and District as well as the Qualicum Beach Chambers of Commerce who operate the local visitor information centres.

The following are OTA's Vision and Mission statements:

Vision

To promote and enhance Oceanside as a world renowned all season tourism destination.

Mission

Oceanside Tourism shall successfully market the region externally to strengthen economic viability for the members and the communities we serve.

OTA's founders recognized that, in order to properly develop and implement a professional and successful regional marketing plan, the organization would need stable, long term financing. OTA was also aware that our local governments, due to the high percentage of their revenues from the residential tax base were, unlike other jurisdictions on the Island, unable to financially support tourism marketing in some direct form.

The result was OTA's "Fair Funding Formula" that is a model for many jurisdictions throughout British Columbia. This formula consists of membership dues, cooperative marketing revenue, implementation of an Additional Hotel Room Tax (AHRT), and a \$20 business license surcharge in Parksville and Qualicum Beach.

The accommodation sector showed its faith in OTA's plans by agreeing to what was originally a 1% AHRT. The AHRT has been in place in the City of Parksville and the Town of Qualicum Beach since 2000 and, as of February 1, 2005, it was raised in these jurisdictions to 2%, the maximum allowed under the Provincial Act. The 2% AHRT was also implemented in November, 2005 in Electoral Areas E, F, G and H of the Regional District of Nanaimo.

The accommodation sector, when initially considering application of the additional hotel room tax (AHRT) proposal, indicated a strong sense that they were carrying an unfair portion of the cost of external tourism promotion. The accommodation sector pays the highest level of OTA membership dues and collects the AHRT while over 75-80% of every visitor dollar is spent elsewhere in the community. Accommodators felt that every business should be contributing in some way as all benefit from OTA's external marketing success.

To answer these concerns and deliver on the promise of a fair funding formula, OTA approached the respective business communities with the idea of a \$20 increase to their business license specifically for external tourism promotion. They strongly supported the idea and it was instituted in 1998.

The AHRT was approved locally and by the Provincial Government in 2000. Approval of the AHRT, established all aspects of the Fair Funding Formula as existing revenue sources. All existing revenue sources are required by the Ministry to remain intact and dedicated to the original purpose in order for the region to continue collecting the AHRT.

With the support of its municipal and regional district partners, OTA applied for and was successful in receiving "eligible entity" status under the Hotel Tax Act. Eligible Entity status will allow OTA to receive AHRT funding directly from the Province rather than flowing through the municipalities and regional district as of May 1, 2009.

OCEANSIDE TOURISM ASSOCIATION

Message From The Acting-Chair

It is with regret that Al Tully, Chair of Oceanside Tourism Association for the past three years, has resigned his position from the Board to concentrate on recent health issues. Al has been involved with OTA for many years and has played an integral role in what it is today and the many accomplishments of the association in bringing business to our wonderful area. Thank you Al for all of the great years of uncompromising sacrifice and your many, many contributions to Oceanside!

It was in last year's message that we spoke about continued positive revenue growth from the AHRT and that we felt we had, to that date, dodged the downturn in the economic times that were looming. Since the summer months of 2008, the still spiraling plunge of both the US and Canadian economies has been felt in our area. OTA's income has seen a steep decline over the last five months of 2008. While our annual revenues grew by 1% over 2007, it was 6.5% lower from August through December than in 2007. From discussions with others in the hotel, resort and tourism sectors, this business trend is continuing through the first quarter of this year. More than ever, it is critical that we focus on OTA's mandate and vision to concentrate on 'external marketing' to ensure OTA is doing all it can to bring leisure and business groups into our area, and do so with less dollars.

In February, we received positive confirmation on OTA's application for Eligible Entities Status. Thank you to all of the AHRT collectors, the City of Parksville, Town of Qualicum Beach and Regional District of Nanaimo for your support in this process. Many other DMO's around the province have used Oceanside Tourism Association as an extremely successful model to gauge their own successes by and this reputation aided in the limited time it took the Ministry to approve our application. This streamlines OTA receiving the Hotel Tax by allowing direct payment from the Province alleviating the communities from the responsibility of being the 'middle man' and perceived accountability for OTA's spending.

Accolades must be given to Blain, Janice and Luba for the outstanding job they have done over the past year in terms of marketing, communicating and media exposure. During a recent review of the Community Tourism Foundations study that was finalized two years ago, we have acted on the majority of the findings and suggestions outlined in the study through Blain and the staff's initiatives.

We are in a terrific position moving forward with new enthusiasm from our members to join the OTA Board. We look forward to the challenge of the year ahead and the positive prospects of exposing Oceanside to the world with the 2010 Winter Olympics less than a year away.

Yours in hospitality,

Paul Drummond

Acting-Chair, Oceanside Tourism Association

Accommodation Revenue Remains Strong

*2008
Best Year
On Record,
Again*

For the third year in a row, combined accommodation revenue from Parksville, Qualicum Beach, and the RDN broke all time records. Room revenue increased 1% in 2008 to \$20,713,897.

OTA's forecast for 2009 is a very conservative 6% decrease in accommodation revenue. Although OTA remains cautiously optimistic on how 2009 revenues will shape-up, it needs to ensure that it does not over-extend itself based on inflated revenue forecasts.

Membership Grows to All-Time High

OTA membership topped 300 members in 2008 for the first time ever!

*OTA
Membership
Tops 300*

OTA's "Weekly Insider" e-newsletter kept members current. Now referred to as the "Insider", this e-newsletter is distributed on a regular basis. Another valuable info source is OTA's new Members website that features timely information, marketing calendars, resources, newsletter archives, and much more to keep our members informed about the organization and the opportunities it offers.

There was a great networking mixer held at Milner Gardens in May. This was in part a 'send-off' for Dorothy Mansell who was OTA's Manager of Membership and Administration for six years. Dorothy moved to Toronto with her husband and the position was filled by Janice Holden.

OTA hosted a very successful "Tourism Speed Dating" event that saw 10 exhibitors visited by 20 front-line staff people from various service industries. Overall review was that it was a worthwhile event that will only get better as we get more exhibitors and attendees and a larger venue in May 2009.

This fall OTA launched a new campaign, known internally as "mini-seasons" to attract more visitors to our region in the shoulder and off-seasons. OTA held three packaging workshops that were facilitated by Sandra Petryk of Marketing Tactics and covered all the basics and take-away materials needed to make the most of OTA's package promotions. Sandra then followed up with every workshop participant to provide personal, hands-on support to help build packages and special offers.

Media Relations Team Breaks Hosting Record

The most notable media relations success of 2008 was the 33 media visitors that were hosted – up 10 from 2007.

Over 80 printed articles featured our region in 2008.

Television coverage included numerous features on CHEK, A Channel, and GlobalBC. The region was also featured at the Beijing Olympics through the BC Pavilion. The value of this exposure is in the millions.

*Media
Hosting Up
By 43%*

OTA's media relations team is always pitching story ideas and receiving requests from writers looking for what is new. OTA encourages members to capitalize on this and the rest of our media work by providing news and updates no matter how big or small.

The media relations challenges that lie ahead include fluctuations within media networks as editors and publishers are vanishing from their positions. OTA views the community papers as important and to date they remain more stable.

Luba thanks OTA members for supporting media visits. OTA's media relations efforts would not be as successful without this generous support.

Hotel Tax Eligible Entity Status

*Hotel Tax
Flows to OTA
Directly*

In 2008 OTA embarked on an application process to be recognized as an "Eligible Entity" under the Hotel Room Tax Act. Eligible Entity status allows the Additional Hotel Room Tax (AHRT) proceeds to be forwarded directly to the OTA. On March 9, 2009, OTA was informed that its application was successful.

OTA and its municipal and regional district partners believed this to be more efficient than having the proceeds flow through them and then on to OTA. Efficiencies will also be realized as it allows for a single application / re-application rather than three separate applications for the RDN, City of Parksville, and Town of Qualicum Beach. OTA will also be responsible for AHRT reporting only to the Ministry rather than three sets of reports to our municipal/regional district partners.

OTA thanks its accommodation members and municipal/regional district partners for supporting this process. AHRT funds will flow directly to OTA beginning in May and must be re-applied for in 2014.

Community Tourism Opportunities Opens Doors

Launched in 2008, Tourism British Columbia's Community Tourism Opportunities (CTO) program provides co-operative funding for eligible tourism activities in communities throughout BC. Province-wide more than \$1 million in support funding will be available through the CTO program annually, and distribution among regions will vary according to specific community needs.

With the support of Tourism Vancouver Island, OTA accessed over \$20,000 from this program to market our shoulder / off-season "mini-seasons" program. Activities included creation of online virtual guides, video and audio podcasts, and photography along with development of campaign content, package development, web articlesyndication, and web advertising.

*Tourism BC
Supports*

The following are some results of OTA's '08 CTO program:

OTA Marketing

- OTA's online specials grew from a handful to nearly 80. This section of OTA's website received 40,000 page views from the beginning September to the end of December.
- Google Adwords received nearly 700,000 impressions resulting in 6,000 click-throughs to OTA's specials section.

Website Presence Grows

Website visitation increased by 34% in 2008. The new design implemented in 2007 and ongoing content improvements encouraged visitors to drastically increase the page views and time they spent per visit to our site. Top pages are consistently our "Travel Directory" and "Events", followed by the upwardly mobile "Specials" sections of our website. The Parksville Beach and Qualicum Beach webcams and the new "Blogs" section make-up the website's top content.

Other internet-related initiatives include extensive search engine optimization work, online PR through syndicated press releases, Google Adwords campaigns, and a Parksville/Qualicum Beach YouTube channel.

*Web visits
increased
34%*

Meetings and Conferences On A Roll

The OTA began development of our meetings and conferences marketing strategy in 2005 as a result of increasing the AHRT from 1% to 2%.

2008 was the second year of OTA's partnership with Braidwood Hospitality Management, our Vancouver-based group sales team. Through direct sales, advertising, and exhibiting at trade shows, Braidwood has developed 76 leads from primarily the association market. These leads have generated nearly \$300,000 in sales for OTA members. This is a strong number when one considers that most group business can be booked years in advance and OTA is only two years into proactive selling.

2008 was also the second year the "Meeting and Event Planners' Guide" was published as the primary information and lure piece for this market.

OTA prints 3,000 copies of this guide that are distributed through a targeted direct mail campaign and in response to inquiries. The guide is also available for download from our website.

*OTA
sales team
generates over
\$300,000*

OTA launched the new "Group Travel Assistance Fund" (GTAF) in 2008 to capitalize on the opening of the new Vancouver Island Conference Centre. The GTAF offers meeting planners financial support to offset transportation costs between Nanaimo and accommodations in the Oceanside region. Although the GTAF has not yet been accessed by any groups, it has been very well received and proves Oceanside's commitment to growing the meetings/conferences business in the mid-Island region.



REQUEST TO APPEAR AS A DELEGATION

TO BE HELD Monday - April 6, 2009 AT 6:00 P.M.
Day Date

NAME OF PERSON MAKING PRESENTATION: Kevin Thomson
[Please print]

NAME OF APPLICANT IF OTHER THAN ABOVE: _____
[Please print]

NAME OF ORGANIZATION [if applicable]: BC Bike Race

Mailing address: 4111 Fraser Street, Vancouver BC V5V 4E9

Phone: 604 - 816 - 1731 - Fax: 604 - 676 - 2528
[Business] [Home]

DETAILS: [Please provide complete information on the nature of your presentation. If applicable, provide one set of submission documents in letter sized format for photocopying purposes. All requests and documentation must be received by the Administration Department by twelve noon on the Tuesday prior to the meeting date for consideration. Delegation requests that do not meet the criteria of *Delegations and/or Presentations to Council or Committee Policy 2.22* will not be processed.]

BC Bike Race is requesting permission to hold a special event on Parksville Community Park

Property on the dates of Monday, June 29 to Tuesday, June 30.

We are requesting permission to pitch 4-person camping tents for racers to sleep overnight.

These hold 2 racers per tent so between 150 to 250 tents are desired to be pitched on Kite

Park making Parksville base camp the most beautiful base camp in the entire race. You got

it, so let's show it off to the world!

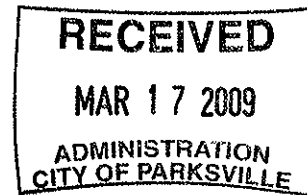
NOTE: Any personal information on this form is collected for the purpose of administering the meetings of Council as noted in Section 26(c) of the *Freedom of Information and Protection of Privacy Act*.



Dr. Rachel Carson MD FRCP(C)
Nephrology and Internal Medicine
24-1515 Dufferin Crescent
Nanaimo, BC V9S 2B8
(250) 753-2446
Fax (250)753-9686



Ed Mayne
Mayor, City of Parksville
100 East Jensen Avenue
PO Box 1390
Parksville, BC V9P 2H3



March 12, 2009

Dear Mayor Mayne,

Today is World Kidney Day. I am a nephrologist (a doctor specializing in kidney disease), and I am writing to request your help and involvement in bringing appropriate, local care to people in Parksville suffering from kidney failure (also known as renal failure). The mid and north Vancouver Island population of more than 300,000 people deserve to have access to a properly equipped regional hospital so that they don't have to travel to Victoria for care that should be available locally. Unfortunately, the mid-Island has the dubious distinction of being the only community of its size in Canada without an in-hospital kidney dialysis unit (please see the attached graph).

As you may know, eighteen months ago in October 2007, VIHA announced that it had included funding in its capital budget to construct a dialysis unit on the first floor of the newly built Perinatal wing of the Nanaimo General Hospital. However, the full project was not given final approval by the Ministry of Health and has stalled. \$4.5 million dollars has already been spent on a half-finished space that sits empty and unused. This is a "shovel-ready" project perfect for government stimulus spending.

From the BC Government's own BC Provincial Renal Agency Guidelines: "Planning for a Full Service Renal Program should be undertaken when the population of Chronic Kidney Disease (CKD) patients in a region reaches a critical mass that would (a) permit efficient use of resources and (b) provide sufficient volume of care (approximately 65 - 75 patients) to support a nephrologist". There are currently >190 dialysis patients and >1000 CKD patients living in or north of Nanaimo. I am one of two fellowship-qualified nephrologists hired by VIHA to work in Nanaimo, waiting for a dialysis unit to open.

The VIHA Executive and PHSA's Provincial Renal Agency both support the expansion of dialysis services to Nanaimo Regional General Hospital. I was very pleased when the Nanaimo Regional District approved its share of the capital funding last fall. We have consensus from the healthcare professionals, the PHSA and the Health Authority. I ask that you bring this issue to the attention of the Parksville City Council and our provincially elected representatives. With a provincial election only 8 weeks away, I believe it is essential that our community put this issue on the political agenda.

I hope I will be able to speak to you on the phone regarding this issue over the next few weeks. Please don't hesitate to contact my office or email me with any questions.

With thanks of behalf of my patients,

Dr. Rachel Carson MD FRCP(C)

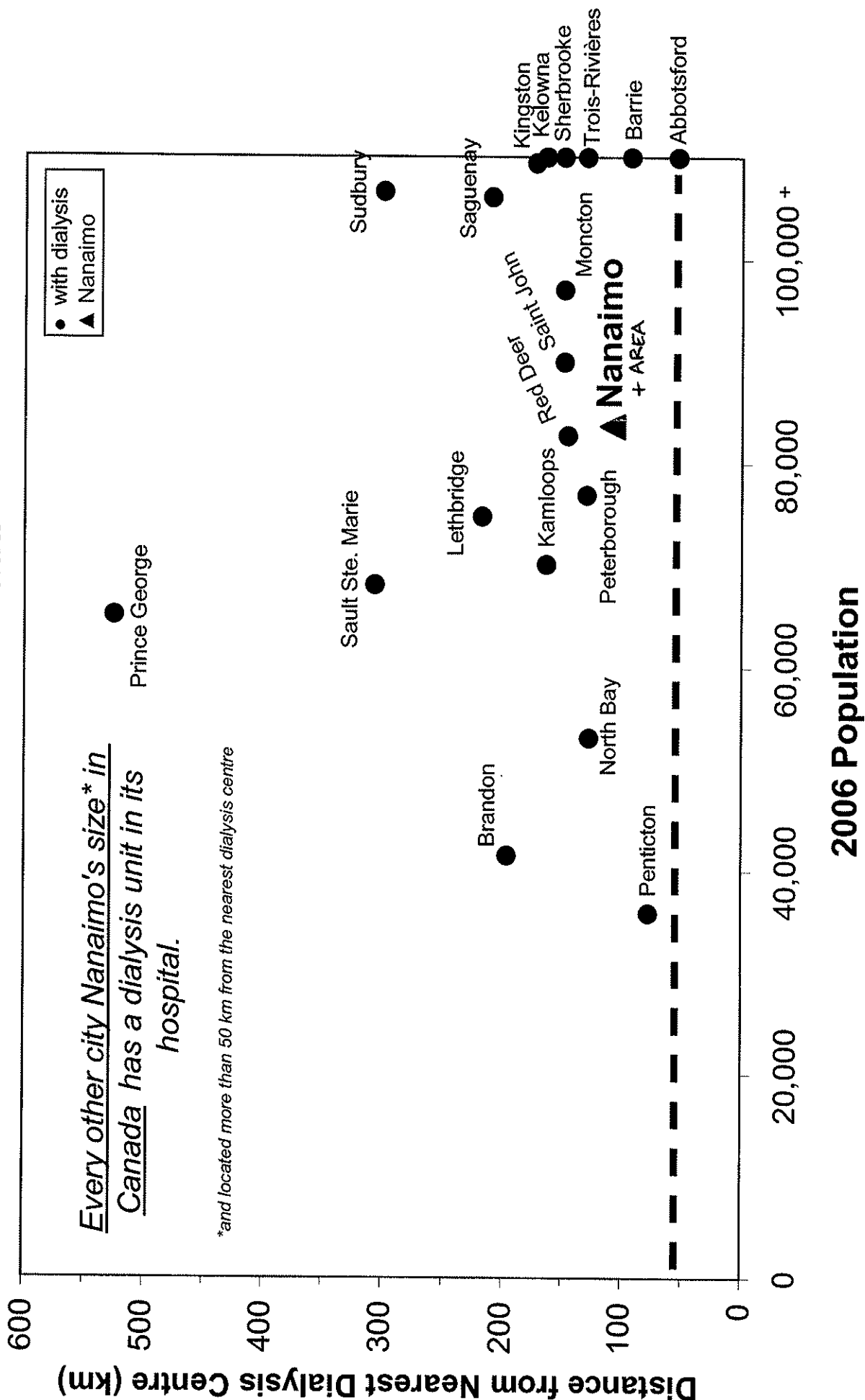
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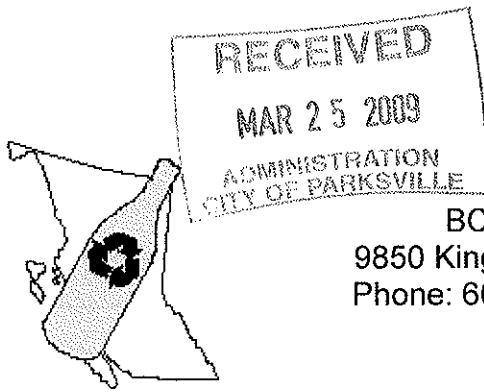
14

rcarson@viha.ca

How Far is Too Far To Go for Dialysis?

Data for all of Canada





BC Bottle Depot Association
9850 King George Hwy, Surrey, V3T 4Y3
Phone: 604-930-0003 Fax: 604-930-0060
Email bcbda@telus.net

March 25th 2009

Open letter to all BC Municipal Councils

Dear Mayor and Council

This letter is being sent with an attached "Open Letter to the Honourable Minister Penner, Minister of the Environment and Minister Responsible for Climate Action." The letter was delivered to Minister Penner last week and describes the current situation within the recycling industry in particular the Used Beverage Container and Electronics Stewardship Programs and the voluntary milk program. The BC Bottle Depot Association (BCBDA) is sending this letter to all municipal councils in hopes that each council will support the initiative outlined below and in the letter to Minister Penner and / or take the appropriate actions to protect their communities, taxpayers and their local environments.

The BCBDA is a voluntary, membership based non-profit organisation (since 1997) that represents a large number of depots across BC. The BCBDA has taken the initiative to demand that the Ministry of the Environment take appropriate steps to create a governing agency to manage all monies generated within stewardship plans and include the voluntary milk recycling plan to ensure that the recycling industry as we know it does not fail or become eroded to the point of collapse. Failure of the collection facilities would place the burden of recycling on the back of taxpayers - your taxpayers. With the Electronic Stewardship program scheduled to be expanded this year to include more items and will in the next two years include large items such as fridges and stoves and a provincial election happening soon it is imperative that action be taken now. The Electronic stewardship Plan consultation invitation is also attached to this email.

Encorp Pacific (Canada) currently manages the Used Beverage Container Stewardship Plan, the Electronics Stewardship Plan (as a management contract to Electronic Stewardship Association of BC (ESABC)) and the Voluntary Milk Container Program all of which have failed to reach their recovery targets. The current system allows for the unredeemed deposits, eco fees and advanced disposal fees to be kept by the steward (Encorp). These fees are collected province wide from consumers and are supposed to be used for the cost of recycling the discards. Currently there are a large number of communities in the province (almost 70% for electronics) that have no collection facility for these

products and the local government is burdened with the cost of recycling or land filling these items or paying for the shipment of these items to communities that have collection facilities or landfills while the steward (Encorp) keeps the money. Encorp does not share any of the collected deposits, eco fees or advanced disposal fees with the municipalities. In the majority of communities that do not have collection facilities the reason is only because Encorp does not offer enough compensation to depots or other collectors to pay for the cost of accepting the goods.

The BCBDA has grown weary as have many municipalities (see motion from Quesnel City Council included in the letter to Minister Penner) of trying to make Encorp and the Ministry of Environment understand the inequities of the product stewardship recycling system and we are asking for your help in the creation of a new governing agency much like the Beverage Container Management Board (BCMB) in Alberta in order to make these recycling programs fair and sustainable.

We ask all Municipal Councils to read the Open Letter to Minister Penner, include that letter, this cover letter and the Electronics consultation invitation on your council agenda and if council determines that your community is underserved by any of these or other stewarded recycling programs (tires, paint, medications, used oil), please respond to the BCBDA. We hope you are willing to assist this initiative by putting pressure on the Provincial Government and the Ministry of Environment for the creation of the governing agency as described in the letter to Minister Penner. This important initiative will help stabilize the future of recycling and assist the preservation of our environment. Please advise the BCBDA of your decision.

I look forward to your reply and anticipated support in regards to this initiative. Please contact me if you require more information.

Yours truly,



Corinne Atwood
Executive Director
BC Bottle Depot Association



BC Bottle Depot Association
9850 King George Hwy, Surrey, V3T 4Y3
Phone: 604-930-0003 Fax: 604-930-0060
Email bcbda@telus.net

March 13th 2009

An open letter to the Honourable Barry Penner
Minister of the Environment and
Minister Responsible Climate Action
Room 112
Parliament Buildings
Victoria BC
V8V 1X4

By Email env.minister@gov.bc.ca

Dear Minister Penner

This letter is to bring to your attention the concerns of the BC Bottle Depot Association (BCBDA) and its members that the recycling industry, in particular the viability of the bottle / recycling depot system in BC are in jeopardy. As you may be aware, privately owned and operated bottle depots in BC form a network across the province that provide collection points for used beverage containers and other recyclables when zoning and feasibility permit. The current drop in commodity values of other recyclables and the unlevel playing field that bottle depots and the associated collection agencies for recyclables must operate on have made it more difficult for independently owned businesses to survive.

For the purpose of this letter I will focus on the steward of the Used Beverage Container Stewardship Plan, Encorp Pacific (Canada) mostly because Encorp Pacific (Canada) is the steward that bottle depots and the BCBDA have the most exposure to and Encorp is the only steward that publicizes its activities by way of an annual report albeit flawed. The other stewardship plans in the Province of BC operate under similar guidelines.

Approximately one in four (25% or greater depending on the container type) containers sold with a beverage in British Columbia is not returned to a bottle depot or other collection area. The unredeemed containers end up in landfills at the taxpayer's expense. The unredeemed deposits paid by consumers on those containers are kept by Encorp and are supposed to be used for the purpose of managing the used beverage container stewardship plan.

Encorp Pacific Canada is a federally registered not for profit agency that was created by beverage manufacturers to manage their used beverage containers as per the Recycling Regulation. Encorp Pacific Canada's Board of Directors consists of major beverage producers and retailers such as Coke and Pepsi, the Dairy Council, fruit beverages and

bottled water. Encorp's mandate is to serve their producer / brand owners best interests by managing the Used Beverage Container Stewardship Plan to their advantage.

Extended Producer Responsibility (EPR) programs as described by the Ministry of the Environment in the BC Recycling Regulation demand that the producer / brand owners of certain products such as used beverage containers including wine, spirits and beer, paint, electronics, used oil, tires and medicines submit a stewardship plan that expresses how the producer will recover and manage the waste associated with their products. Producers or agencies created to represent producers must reach designated recovery rates and take responsibility for the management of collection of their product or risk being penalized by the Ministry of the Environment.

If one reviews Encorp's 2007 Annual Report and compares units sold (1,305,303,765) to units recovered (993,100,883) over 312 million (312,202.872) containers were not recovered (equal to 17.3 million dollars in unredeemed deposits). This would be enough containers to sustain approximately 50 or more depots of average size. These unrecovered containers went to landfill at the taxpayer's expense. The Ministry of Environment's Recycling Regulation states that the cost of recycling and disposal is to be born by the producer and the consumer, not the taxpayer.

Encorp boasts a network of depots but in fact has no ownership of any of depot. They do however operate as a monopoly in the collection and management of the used beverage container system and have the power to grant or withhold Depot License Agreements (DLA) and try to impose their standards on the depot. Bottle depots existed as independently owned and operated businesses well before the introduction of Extended Producer Responsibility (EPR) by the Ministry of the Environment through the waste management and recycling regulation, and continue to be independently owned and operated. The difference being that as per the recycling regulations depots must now only sell their containers to Encorp.

The BCBDA representing its member depots and related recycling partners are concerned that Encorp and the other stewards-agencies and / or producers entrusted with the stewardship of waste products also manage unredeemed deposits, container recycling fees, advanced disposal fees and eco fees generated within the system and paid by consumers. Giving the monies to the very producers (and / or their agents) that produce the waste and allowing them to use the monies freely rewards the producer / stewards and therefore there is little incentive for the stewards to reach recovery rates. The more waste recovered, the less money kept by the producer / steward in unredeemed deposits and fees. This system also takes away incentive for producers to design their containers for recyclability. The producer can choose to use the cheapest containers available or the container that best captures the public eye to house their products, not necessarily the most environmentally friendly.

According to Encorp's 2007 Annual Report (online version), on page 18 a pie chart indicates \$58.8 million dollars in revenue from unredeemed deposits and assorted other sources and 70.5 million dollars in expenses. In that same 2007 report on page 21 Encorp reports revenues of 130.8 million dollars and expenses of 142.5 million dollars. It is unknown why Encorp's revenues over expenses vary so drastically between pages of the same report but one thing is clear, that Encorp is not a humble not-for-profit agency. There are millions of dollars at stake. The other product stewards have access to large

sums of money generated by the recycling programs although it is believed that Encorp's revenues far exceed the revenue of other stewardship programs especially when Encorp also manages the voluntary milk program and holds the advanced disposal fees collected under the electronics program.

The BC Bottle Depot Association (BCBDA) was formed by depot operators after the Used Beverage Container Plan was approved with Encorp as the lone steward. It was felt by depot owners that they needed a collective voice to address their concerns. The BCBDA is the only provincially and federally recognized negotiating body for bottle depot across BC and works on behalf of depots to see that they are properly compensated for the work they perform and that depots have representation in the event that a dispute arises between depot and steward. The BCBDA also serves as an independent watchdog and stakeholder group for the used beverage container and other stewardship plan programs.

The BCBDA and Encorp entered into a Recognition Agreement in 2001 whereas Encorp recognized the BCBDA as the official representative of bottle depots licensed by Encorp. Both parties worked together to develop and implement programs to improve the bottle depot collections facilities. Encorp cancelled the Recognition Agreement between Encorp and the BCBDA in 2006 when the BCBDA started to question the activities and motives of Encorp after a three year negotiation process for an increase in handling fees for depots failed. Encorp has since stricken the BCBDA from the Advisory Committee it uses as stakeholder consultation to the Ministry of the Environment.

Concerns Regarding True Recovery Rates

In the fall of 2008 the BCBDA wrote to the Ministry of the Environment staff about the recovery rates posted by Encorp in their Annual Reports for all years but in particular for the period 2001-2004 when a large fraud occurred. The news of this fraud was found in an article published in the Vancouver Sun June 23rd 2008. The Supreme Court Action BCSC779 was filed in 2005 by Encorp and continued until 2008 before being settled in Encorp's favour. Questions arose and details were released of the fraud through the Judges Reasons. The Supreme Court awarded Encorp 2.4 million dollars from the depot as it was found to be over remitting containers and accepting deposits and handling fees on the inflated amounts. The fact that this fraud continued for at least 4 years under Encorp's nose before being discovered is of major concern.

If one calculates that \$2.4 million to represent the lowest deposit and handling fee rate, that award represents more than 30 million containers that were allowed to fall through cracks in the system or mysteriously enter the system. If one reads the Judges Reasons for the award they will see that the fraud was for far more than 30 million containers. The Judges Reasons are available electronically from the BCBDA at bcbda@telus.net. The monies paid to this depot would likely be from the unredeemed consumer deposits held by Encorp for the operation of the used beverage container system. Unredeemed deposits were never intended to be used to pay out frauds. It is unknown how many dollars were spent by Encorp in legal fees and court costs to obtain this award. These legal costs would also be paid for with unredeemed deposits and other monies generated within the used beverage container collection system.

As part of the Depot License Agreement (DLA), Encorp is to perform audits of shipments of containers from depots. The BCBDA receives complaints from its members on a regular basis about the Encorp auditing process. Depot operators often complain that they are audited to the point of harassment. It is unclear if regular audits were ever performed on shipments from this depot. The amount of containers involved in this fraud would have sustained business for 5 or 6 average size depots. The table below summarizes the one container type that was the basis for the fraud. The award does not speak to other container types that may have also been fraudulently remitted.

Year	Stated Remitted sku2025 Containers to Encorp by Rocky Mountain Bottle Depot	Containers Delivered to Processor of sku2025	Containers Sold in the Province of BC of sku2025
2001	7.93 million	3.35 million	No data
2002	19.73 million	3.74 million	7 million
2003	27.67 million	2.15 million	7.29 million
2004	11.84 million	2.70 million	8.2 million

The inflated recovery rates that were the basis of the fraud are believed to have been used by Encorp to inflate the recovery rates in their annual reports of the years 2001-2004 and may have been used to secure Encorp's renewal of their Used Beverage Container Stewardship Plan in 2007. Of particular note was the year 2003 when the depot in question submitted more than 27 million containers of one container type when only slightly more than 7 million of that same type was sold across the province. Encorp as agent for the beverage producer/ manufacturer has records of sales of all beverages in BC and should have been able to detect the fraud. Encorp claims that the average size depot collects 5 -7 million mixed containers annually. How could this overage of submitted containers in one container type have gone undetected?

The depot owner involved sold the depot before this case was awarded and Encorp has little hope of collecting on the award. Personal properties of the depot operator were seized but in the end the consumer and taxpayer will absorb the costs of this award. This misrepresentation of container recovery volumes and Encorp's failure to catch the fraud over a four year period led the BCBDA to ask the Stewardship Programs Officer of the Ministry of Environment (with Cc to yourself) in a letter dated September 4th 2008 to fully review the recovery rates that were submitted by Encorp in their Annual Reports in 2001-2004. In light of the award it would make sense that the recovery rates stated in those reports are inaccurate. In that same request letter the BCBDA Executive Director asked if the Ministry of Environment staff were aware of this Supreme Court Action before or at the time they approved the Encorp Used Beverage Container Stewardship Plan in 2007.

No solid answers have been given by the Ministry of Environment to verify if the recovery rates on any of the containers in the Encorp Used Beverage Container Stewardship Plan or if any of the target recovery rates have truly been achieved, or if the product steward (Encorp) has every been penalized for not reaching recovery rate targets. The Ministry's reply to BCBDA did not address the question of knowledge of the fraud but stated that the Ministry would not get involved in contractual issues. This has nothing to do with contractual affairs. This is about the unmonitored use of millions of consumer dollars. Meanwhile millions of taxpayer dollars continue to be spent on the disposal of used beverage containers at landfills at no cost to Encorp.

The disappointing reply letter from Ministry of environment staff has left no other avenue for the BCBDA but to take our concerns to the provincial government arena. The BCBDA has asked depots to visit their MLA's and ask for their support and insist that Ministry of the Environment be directed to create a governing agency much like the BCMB described below that will consist of representatives from government, industry, advocacy, BCBDA members and non member depots, product stewards and the public. This new agency needs to be given the necessary authorities to monitor the stewardship programs and would also be responsible for the management of funds generated by the systems. The BCBDA insists on being consulted and included in the process of creating such a governing agency

The Alberta Beverage Container Management Board

It was not so long ago that the BC system of recycling used beverage containers mimicked the Alberta System but with the demise of the BC Beverage Container Management Board (BCMB) and lack of a separate governing agency to control the use of the unredeemed deposits and advanced disposal fees, our system in BC has slipped backwards in some regards while Alberta's remains protected for now.

The Alberta BCMB (Beverage Container Management Board) www.bcmb.ab.ca has authority to manage the monies that are generated within the used beverage container system, license the depots, determine handling fees for depots and service providers and hire and monitor the collection agencies. Manufacturers participate in the system by sitting on the BCMB board of directors as one of many stakeholders. This has created a more level playing field for all service providers in the used beverage container industry.

In BC the sister organization BCMB withered and died on the vine from what is understood largely to be apathy and frustration as the BCMB board felt they had "no authoritative teeth" and served mostly as an advisory committee. The BC BCMB had not been granted the authority needed to monitor the recycling programs, nor was it given the responsibility of managing the funds generated by stewardship plans. Management of the unredeemed deposits is crucial to fair play. If the manufacturers hold the funds and can use them freely there is no incentive for them to improve the system as the more containers unredeemed the more money the manufacturers have for unrestricted revenue.

Dispute Resolutions

Since the demise of the BC Beverage Container Management Board, bottle depots and the BCBDA must work directly with the product stewards. At times this has left depots and the BCBDA in conflict with Encorp. A dispute resolution is included in each Depot License Agreement as included in the Ministry of Environment's Recycling regulations. Historically individual or group attempts to resolve disputes with Encorp have been blocked by Encorp and the disputes have ended when the party opposing Encorp has met with bankruptcy or near bankruptcy. Encorp only address the need to have a dispute resolution process in place for one group of service provider contractors, the bottle depots. The implication is that Encorp never has had or will have a dispute with the other service providers or producers over contracts or rates of payment. If a dispute occurs between the transporters, processors or other service providers and Encorp, and an agreement can't be reached, Encorp can very easily fire them and hire new contractors.

This is not an acceptable dispute resolution process, and it gives Encorp total control, without consideration for fairness or reasonableness.

By virtue of the Depot License Agreement and the BC Bottle Depot Association, most of the bottle depots cannot be bullied into submission, (nor can they withhold providing service to the public) this protection is not currently, available to most other service providers. Many of the other service providers have Encorp as their only source of income, and are not represented by an association and do not have the financial ability to protect themselves from possible unfair business practices.

In August of 2006 the BCBDA attempted to bring Encorp to arbitration for handling fee increases and Encorp fought the effort to arbitrate vigorously. Prior to the commencement of the arbitration, the arbitrator was asked by Encorp to determine if the BCBDA could arbitrate on behalf of its members even though at the time the arbitration was filed the BCBDA was recognized by Encorp through a Recognition Agreement as the official representative of depots. In a previous arbitration in 1998-1999 Encorp had brought the BCBDA to arbitration. That arbitration concluded in BCBDA's favour and the original Depot License Agreement (DLA) was born.

The arbitrator at that August 2006 preliminary hearing ruled the BCBDA was not able to arbitrate on behalf of its members and then awarded Encorp the costs of the arbitration that did not happen. The BCBDA was eventually able to negotiate a new contract and handling fee schedule with Encorp in the fall of 2007. Encorp then gave all depots, (members and non members) the increases negotiated by the BCBDA. If not for the BCBDA a large number depots in BC would never have received handling fee increases or a new contract.

In September of 2006 BCBDA representatives met with Ministry of Environment staff to address concerns with the Used Beverage Container Stewardship Plan and its anticipated renewal. The BCBDA (after being denied an arbitration) strongly believed there was a lack of a **feasible** dispute resolution in the original DLA and the Amended DLA. The BCBDA also raised concern that there was no depot in the province known to be able to afford to arbitrate under the dispute resolutions. If Encorp chooses to block the arbitration and drag out proceedings at the expense of the other party who could afford to fund a dispute?

Fair dispute resolutions are not just contractual issues. They are included in Recycling Regulations and are to be included in service provider contracts for everyone's protection. The Ministry of the Environment is obligated to ensure that fair dispute resolutions are in place in all contracts. Below is the excerpt from the regulation.

Approval of Stewardship Plan Section 5 (vi)

"A dispute resolution procedure for disputes that arise between a producer and person providing services related to the collection and management of the product during implementation the plan or operation of the product stewardship program.

Last year an individual depot tried to bring Encorp to arbitration after the two parties could not come to agreement on handling fees. The depot spent tens of thousands of dollars out of their pocket (almost 100,000), only to be denied the right to arbitrate even though the DLA included arbitration as a form of dispute resolution. The dispute was never heard. That depot was denied the right to arbitration as Encorp argued two issues:

- That the DLA did not speak to arbitration of handling fees and therefore handling fees could not be arbitrated and
- That as the depot was a member of the BCBDA, the BCBDA would have to arbitrate for them. The rulings of one action are never allowed to be brought forward in other actions so the arbitrators in either case were never made aware of past arbitrations.

Encorp has submitted costs of approximately \$70,000 for the arbitration that did not happen between Encorp and the BCBDA and has recently submitted additional costs to increase the award to \$90,000. Part of the original arbitrator's award stated that each item Encorp is claiming cost for must be approved by Supreme Court Assessment. It has yet to be determined how much of that amount they will receive. It's one thing to lose arbitration and be made to pay the costs, it's another to be blocked from arbitration and be made to pay costs of an arbitration that never happened. This has now happened on two separate occasions.

Increased Deposit Rates

An equally important issue I would like to address is why has BC not raised the deposit rates and included milk containers into the deposit system as they have recently done in Alberta? Encorp is spending millions of dollars on advertising and promotions which increase the over all recycling costs without increasing the recovery rate. Years ago the larger used beverage containers in BC had a deposit of 30 cents per container and BC took a step back and reduced the deposit to 20 cents to match Alberta's system in order to keep both systems synchronized. Keeping deposits and eligible containers the same in the BC and Alberta system is crucial to the sustainability of the recycling system in both provinces.

Encorp has not kept pace with what motivates our society today. A consumer earning \$5.00 / hr and paying .25 cents a litre of fuel, 10 years ago, was more motivated to return 10 cans for 50 cents. That same consumer today, who is earning \$15 -20.00 / hr is more motivated to garbage the 10 cans than pay 90 cents to \$1.10 per litre of fuel to go to a depot for the \$.50 deposit. Society can only be motivated to do the "right thing" for so long, and then money must be used to increase motivation.

Currently containers sold in BC can be brought to Alberta to benefit from the higher deposit rates and it is rumoured that people are stockpiling milk containers to bring them to Alberta in June when they enter the deposit system there. Not only will this practice strain the revenues of the Alberta system, it will remove supplies of recyclable materials from BC. The reasons for Encorp not to be working toward higher deposit rates may be the unredeemed deposits as mentioned at the beginning of this letter. Higher deposit rates will mean higher recovery rates and less unredeemed deposit being kept by the stewards of the Used Beverage Containers Plan. Meanwhile Alberta's system will be damaged by paying out possibly 100% or more in deposits.

Encorp charges each brand owner a Container Recycling Fee (CRF) on a container type basis to pay the cost of recycling that isn't paid for by unredeemed deposits and commodity sales. The Brand Owners charge this back to the consumer as a separate line item on the Retailers till receipt. The Regulation does allow for this. Encorp justifies this method saying that it allows the cost of recycling to pass to the consumer without mark-up by the wholesaler or retailer.

This is misleading to the point of being false as no where in the Regulation is there a restriction on what the wholesaler can charge the retailer or what the retailer charges the consumer as a CRF, if Encorp has a \$.02 CRF on a container type the wholesaler or retailer can charge \$.03 if they so choose. Another justification used by Encorp in listing the CRF as a separate item on the sales receipt, is the consumers right to know the cost of recycling. Again this is misleading, as the CRF only represents (the cost of recycling not paid for by the unredeemed deposits and sale of alum etc.) part of the total cost.

This practice puts the bottle depots in the unpleasant position of having to explain to an angry customer that they are not being ripped off, and that the \$.07 they paid represents the \$.05 deposit that they get back and the other \$.02 is a non-refundable fee. The customer usually thinks it is another type of tax by the Government. When it is explained that the CRF pays for part of the recycling costs, then they produce an identical container that held an alcohol cooler (2l plastic) and ask why doesn't it cost to recycle this one referring to the Liquor Distribution Branch (LDB) and Brewers Distributing Ltd. (BDL) that do not have CRF's shown separately on the till receipt. Having the CRF included in the wholesale cost would give a producer a competitive advantage if they were to re-design their container to increase the sustainability and recyclability after its end of life.

All manufacturers of all beverage products have regulated costs, WCB, EI, and CPP to name a few and they are included in the wholesale costs of the products. The concept of Extended Producer Responsibility (EPR) is that the Producer / Brand Owner is responsible for the recycling and can share the associated costs, with the consumer. With Encorp's encouragement to pass the CRF cost to the consumer at the retail level, the Producer / Brand Owners have NO COST.

Most bottle depots operate below capacity and could easily manage addition volume should the deposit rates increase. Instead of increasing the deposit rates Encorp has taken it upon them selves to create opportunities for new depots to open close to existing depots without consulting the existing depots owners to determine if they can handle addition volume. Encorp has been offering these new depot locations to depot operators of their choosing at times refusing to accept proposals from existing depots or to take into consideration the effect these new depots will have on the existing ones. Having more depots will not encourage people to bring in their containers. People can bring in their containers in limited amounts to retail stores that are located everywhere. Increased deposit rates will motivate the consumer to bring in their larger orders such as bottle drives and other fundraisers to the existing bottle depots where they can redeem unlimited amounts. Opening more depots without considering the existing depots will only deplete resources for all depots and could result in business failure for some depots.

The Electronics Stewardship and the Voluntary Milk Plans

Encorp also manages the Electronic Stewardship Plan for ESABC. Encorp provided start-up funds for ESABC and therefore was awarded the agency for the electronic stewardship plan. This has created a loyalty between parties whereas Encorp is given free reign in their activities. Almost 70% of communities in BC currently do not have an electronic collection facility. This product is considered hazardous and has been banned from most landfills and the communities left without a collection site have incurred the additional costs for disposal of the electronic products.

Encorp collects environmental handling fees for new electronic purchase from persons living in these communities without supplying services. The realisation of this has led communities such as Quesnel who have grown weary of trying to obtain collection services for electronics and other stewarded products to take affirmative action and in our opinion make bold moves in the right direction.

Quesnel City Council meeting of February 23rd 2009

Council discussed environmental fees charged on the sale of new electronics such as televisions, computers, fax machines and desktop printers. Encorp is funded by these fees however, Quesnel does not receive Encorp electronic recycling services and those items are shipped to Williams Lake at additional cost.

Environmental Handling Fees on Sale of New Electronics

09-06-117 MOVED Councillor Cave, Seconded Councillor Thapar and resolved: THAT Council approves submitting the following resolution to NCMA:

WHEREAS THE Encorp Return-It Electronics recycling program is funded through the collection of Environmental Handling Fees paid by consumers at the time of purchase of new electronics;

AND WHEREAS many smaller municipalities in B. C. are not served by Encorp Return-It facilities that receive recyclable electronics and must bear the additional costs of collecting and disposing of end-of-life electronics;

THEREFORE BE IT RESOLVED THAT the North Central Municipal Association lobbies the Provincial Government to return the environmental handling fees to municipalities that are not served by the Return-It Electronics program in order to assist with costs to properly collect and dispose of end-of-life electronics.

CARRIED

The BCBDA supports this bold move as many of our member depots have been denied the opportunity to service these areas or have refused to participate in the electronic program as the payment for services under electronics program are negative revenue.

Milk

Encorp is the management agency for the voluntary milk program now into its third year. The amount of handling fees given to depots to handle these containers is almost 75% less than the depot would receive for handling plastic beverage containers of the same size. Depots accepted the program anticipating that large volumes of containers would offset the poor handling fees. This program has been a dismal failure as there is no monetary incentive for the public to bring back their containers.

The province of Alberta recently included milk containers in their deposit system and will charge a 25 cent deposit on the containers and offer more than 5 times the handling fee to depots to accept the containers. Discussions with our Alberta counterparts indicate that they are expected large recovery rates on the milk containers. Alberta has also had to go to the additional expense of creating an identification system as they are anticipating a large quantity of milk and used beverage containers to be brought in from BC as our deposit system has not been synchronized with theirs.

Summary

The BCBDA feels that there is enough reason as outlined in this letter to request that you as Minister of the Environment direct staff to start the process of creating a governing agency to manage the monies generated by stewardship plans starting with the used beverage containers stewardship electronics stewardship plan and that this agency will eventually monitor and manage the monies generated by all stewardship plans. The BCBDA feels that the Ministry of Environment can if willing develop and implement constructive legislation to create such an agency. A time line needs to be determined so that this endeavour is carried out to fruition in the near future.

In addition the BCBDA ask that you as the Minister of the Environment to respond to the BCBDA with answers to the questions the BCBDA asked in the letter September 4th 2008 and new questions listed on the next page of this letter.

Questions from September 4th 2008

- 1) Will the Ministry of Environment conduct a review into the recovery rates that were submitted by Encorp in their Annual Reports in 2001-2004 that are now known to be inaccurate?
- 2) Was the Ministry of Environment aware of the Supreme Court Action BCSC779 at the time they approved the Encorp Used Beverage Container Stewardship Plan in 2007?
- 3) Has the Ministry of Environment ever penalized Encorp for not reaching recovery rate targets?

New Questions

- 4) Will the Ministry of the Environment review the operating and administration costs posted by Encorp and determine how much of the consumer's monies have been spent on legal actions and administrative bonuses over the course of Encorp's stewardship of the used beverage containers?

5) What action will the Ministry of the Environment take to guarantee that all service providers in the Used Beverage Container Stewardship Plan will have access to feasible dispute resolutions?

I look forward to your reply
Yours truly,

Corinne Atwood
Executive Director
BC Bottle Depot Association

Cc Premier Gordon Campbell
Senior Staff of the Ministry of the Environment
BC MLA's
All Interested parties

April 1, 2009



REPORT TO: MAYOR AND COUNCIL

FROM: COMMITTEE OF THE WHOLE

SUBJECT: MARCH 30, 2009 MEETING RECOMMENDATION

The following item was considered by the Committee of the Whole at its special meeting held Monday, March 30, 2009:

RECOMMENDATIONS

1) Director of Community Planning - Development Permit to Permit the Layout for a Master Planned Development [422 Church Road & Renz Road Properties]

THAT the report from the Director of Community Planning dated March 12, 2009 for the issuance of a development permit at 422 Church Road and Renz Road properties be received;

AND THAT a development permit be issued to Cedar Ridge Estates Inc., Inc. No. 617,113 to permit the layout for a master planned development with a requested variance to relax the RS-1 front yard setback from 7.5 metres to 4.5 metres on Lot 13, District Lot 21, Nanoose District, Plan 1902, except part in Plan VIP74752; Lot 1, District Lot 21, Nanoose District, Plan 34970, except part in Plan 45297; Lot "A", District Lot 21, Nanoose District, Plan 45297 (422 Church Road and Renz Road Properties);

AND THAT tree removal operations shall be limited to those works necessary for RS-1 zoned lots and that they be done on a phase by phase basis;

AND FURTHER THAT a landscaping letter of credit in the amount of \$175,000.00 be received prior to the issuance of the permit, for the purpose of assuring the completion of the linear trail and agricultural buffer.

2) Director of Community Planning - Proposed Amendment to the Bridgewater Development Permit to add a Tree Management Regime

THAT the report from the Director of Community Planning dated March 23, 2009 for the amendment of the development permit to add a tree management regime on the Bridgewater development be received;

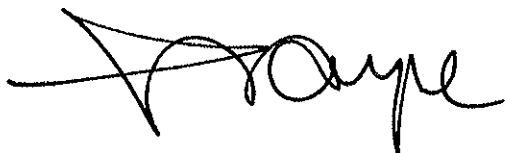
AND THAT Council deny an amendment to Development Permit No. 98-01 to the Bridgewater Strata Plan VIS4529 to amend the development permit and direct Staff to maintain the status quo with respect to tree retention on Strata Lots 1 – 30, District Lots 13 and 97, Nanoose District, Strata Plan VIS4529 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1 (59, 61, 63, 65, 67, 69, 71, 73, 74, 75, 76, 77, 79, 80, 81, 82, 83, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97 Bridgewater Lane).

3) **Director of Community Planning - Proposal from the Mid Vancouver Island Habitat Enhancement Society Regarding a Rain Garden Near the Parksville Elementary School**

THAT the report from the Director of Community Planning dated February 20, 2009 proposal from the Mid Vancouver Island Habitat Enhancement Society regarding a rain garden near the Parksville Elementary School be received for information;
AND THAT Council support in principle the rain garden concept.

4) **Director of Community Planning - Renewal of the Advisory Design Panel**

THAT the report from the Director of Community Planning dated March 23, 2009 regarding the renewal of the Advisory Design Panel be received;
AND THAT the Advisory Design Panel mandate be renewed based on the current terms of reference for the current term of Council;
AND THAT Manley Lafoy MAIBC, Ruben Galdames, Lindsay H. Locke MAIBC, and Larrie Taylor MAIBC, be re-appointed to the Advisory Design Panel for the current term of Council;
AND FURTHER THAT Staff be directed to re-advertise for one new candidate to fill the current Advisory Design Panel vacancy.



MAYOR ED MAYNE, Chair
COMMITTEE OF THE WHOLE

March 23, 2009



MEMO TO: F. C. MANSON, CHIEF ADMINISTRATIVE OFFICER

FROM: L. KITCHEN, DEPUTY CORPORATE ADMINISTRATOR/
DEPUTY CHIEF ELECTION OFFICER

SUBJECT: 2008 LOCAL GOVERNMENT ELECTIONS AND DUTY TO FILE CAMPAIGN
FINANCING DISCLOSURE STATEMENTS

ISSUE

Duty to file Campaign Financing Disclosure Statements.

REFERENCE

Local Government Act Sections 90 to 93 inclusive.

Four candidates for the office of Mayor and ten candidates for the office of Councillor in the November 15, 2008 local government elections.

BACKGROUND

Section 90 of the *Local Government Act* requires each candidate and each elector organization to file a Campaign Financing Disclosure Statement with the designated local government officer in accordance with the Section within 120 days after general voting day for an election [March 16, 2009]. A disclosure statement is required even if the candidate receives no campaign contributions, incurs no election expenses, is acclaimed, withdraws from the election, or is declared by a court to no longer be a candidate.

If the Disclosure Statement is not filed by March 16, 2009 and is filed within 30 days after March 16, 2009, the candidate must pay to the City a late filing penalty of \$500.00. If the Disclosure Statement is not filed within 30 days after the March 16, 2009 extension deadline [the 30 days time period lapses on April 15, 2009], the candidate is disqualified from being nominated for, elected to or hold office on any local government body, the Vancouver City Council, a Board of School Trustees or as a local Trustee of the Islands Trust, until after the next local government elections in the Province of British Columbia.

All Campaign Disclosure Statements and declarations must be available for public inspection during regular office hours from the time of filing until seven years after general voting day for the election to which they relate.

Section 92.2 requires a report to be presented to an open meeting of the local government in which the election was held advising of the name of any candidate, or elector organization, for whom a disclosure statement is not filed within the 120 day time period [March 16, 2009; or filed within 30 days after March 16, 2009 and subject to the \$500.00 late filing penalty and those that were not filed after the initial 30 day time period]. Following the presentation of the report to an open Council meeting, the list of the individuals and organizations identified in the report not complying with the requirements must be forwarded to the Inspector of Municipalities for public inspection.

COMMENTS

All fourteen candidates in the November 15, 2008 local government election have filed their Campaign Financing Disclosure Statements by the March 16, 2009 deadline. There were no elector organizations supporting a candidate in the 2008 elections.

RECOMMENDATION

That the report from the Deputy Chief Election Officer, dated March 23, 2009, advising all of the candidates nominated for either Mayor or Councillor in the November 15, 2008 local government elections have filed their disclosure statements prior to the March 16, 2009 deadline, be received for information.



LYNN KITCHEN
Deputy Corporate Administrator

CHIEF ADMINISTRATIVE OFFICER



FRED C. MANSON, CGA

March 23, 2009

MEMO TO: HIS WORSHIP THE MAYOR AND MEMBERS OF COUNCIL

FROM: FRED MANSON, CHIEF ADMINISTRATIVE OFFICER

**SUBJECT: SPECIAL EVENTS APPLICATION, BC BIKE RACE - MONDAY,
JUNE 29, 2009 - OUR FILE: 8100-01**

ISSUE:

BC Bike Race Special Events request.

EXECUTIVE SUMMARY:

Under provisions of the City's Special Events Policy organizations proposing to hold an event on municipal property, streets or parks are required to apply for a special events permit. All events covered in the policy must be approved by Council and event organizers must fulfill the requirements outlined in the policy. The BC Bike race has submitted an application for use of the portions of the Community Park, Curling Rink and parking facilities and public roadways on afternoon/evening of June 29, 2009 and the morning of June 30, 2009.

REFERENCE:

Report from the Chief Administrative Officer dated February 27, 2009.

BACKGROUND:

This topic was discussed by Council at the March 16, 2009 regular meeting of Council. The issue was deferred to the April 6, 2009 regular Council meeting after Council requested additional information regarding several options for alternatives to the request for camping in the Park.

Staff has subsequently been in contact with the race organizers. The options of using either or both of the Curling Club and the Parkville Community and Conference Centre as overnight accommodation as well as several other facilities including the possible use of a local school and its associated grounds were all discussed.

As a result of these discussions staff has determined that the **real motivation** for the request for "camping" in the park is that the "camping experience" for the racers is an integral part of the "7 Day Mountain Bike Adventure Race".

The organizers are focusing on Parkville for the finish of Stage 2 of their race simply because the curling club could provide a warm dry place to feed the racers and for the racers to have a place out of any inclement weather while the community park could provide the space for the outdoor camping "experience".

The organizers have stated that if outdoor camping in very close proximity to the Curling Club is not available; this stage of the race will be moved to another location outside of Parkville.

City of Parksville Park Regulation Bylaw, 1999, No. 1327 states under "Prohibited Acts" that "No person other than a City employee in the performance of his duty shall do any of the following things in a park". Item 5 in the list of Prohibited Acts continues the statement with: "Undertake by any method or means overnight accommodation except for security measures during City sanctioned special events."

OPTIONS:

1. Amend City of Parksville Park Regulation Bylaw, 1999, No.1327 to allow "overnight accommodation" when authorized by Council.
2. Deny the request for camping in accordance with City of Parksville Park Regulation Bylaw, 1999, No.1327, Part II, Prohibited Acts, Item 5.

ANALYSIS:

Option 1

City of Parksville Park Regulation Bylaw, 1999, No.1327 could be amended to allow overnight accommodation in a number of ways including but not limited to:

- a. Adding after "special events" in Prohibited Acts Item 5: "or when authorized by the City."
- b. Rewriting Item 5 to read "undertake overnight accommodation by any method or means, aside from security measures during City Sanctioned special events except when authorized by the City."

Option 2

As mentioned in the "Background" of this report, this option would likely mean that the organizers would move the event to another location outside of the City.

RECOMMENDATION:

THAT the report dated March 23, 2009 from the Chief Administrative Officer regarding the BC Bike Race be received;

AND THAT the Special Events application dated January 16, 2009 submitted by the BC Bike Race for permission to use City Streets and portions of the Parksville Community Park for the finish of Day 2 of the "BC Bike Race" on June 29, 2009 as indicated on the Event Application Form attached to the Report from the Chief Administrative Officer Dated February 27, 2009 be approved;

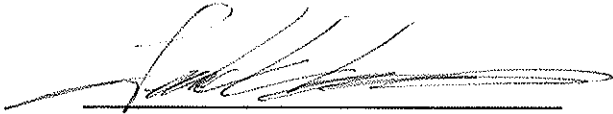
Option 1

AND THAT staff be directed to amend City of Parksville Bylaw Park Regulation Bylaw, 1999, No. 1327, by deleting the current wording in "Prohibited Acts, Item 5" and replacing it with, "Undertake overnight accommodation by any method or means, aside from security measures during City Sanctioned special events except when authorized by the City."

Option 2

AND THAT the request to allow overnight camping in the Community Park by amending City of Parksville Bylaw, 1999, No. 1327, a Bylaw to Regulate Parks in the Municipality be denied.

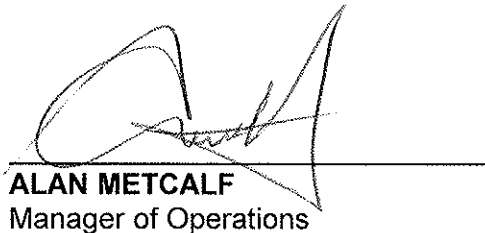
Respectfully submitted,



FRED C. MANSON
Chief Administrative Office

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OPERATIONS COMMENTS:



ALAN METCALF
Manager of Operations

March 30, 2009

Report to Council

MEMO TO: HIS WORSHIP THE MAYOR AND MEMBERS OF COUNCIL
FROM: FRED MANSON, CHIEF ADMINISTRATIVE OFFICER
SUBJECT: 2009 Parcel Tax Review Panel

ISSUE:

Review of 2009 parcel tax rolls

EXECUTIVE SUMMARY

Set the date and time for the Parcel Tax Review Panel to authenticate the 2009 parcel tax rolls for water, sewer and regional parks as required under the *Community Charter*.

REFERENCES:

Community Charter s. 204 to 206

Council resolution 08-349 December 8, 2008 appointing all members of Council to 2009 Parcel Tax Review Panel

BACKGROUND:

Under the provisions of the *Community Charter* before a parcel tax is imposed for the first time, a Parcel Tax Roll Review Panel must authenticate the roll. This pertains not only to entirely new parcel taxes being imposed but also to individual rolls being added to an existing parcel tax roll for the first time. The legislation requires that the time and place for the Parcel Tax Review Panel to hear complaints and review and correct the parcel tax rolls be set by Council resolution.

The City currently has three parcel tax rolls:

Water Parcel Tax:	\$244.20 per parcel
Sewer Parcel Tax:	\$ 95.00 per parcel
RDN Parks Parcel Tax	\$ 7.50 per parcel

At least 14 days before the Review Panel Meeting notices must be mailed to the owner of every new parcel that will be subject to the parcel tax. Staff expect that approximately 12 properties will be added to the 2009 Water and Sewer Assessment Rolls and 115 properties will be added to the 2009 Regional Parks and Trails Parcel Tax Assessment Roll. In order for a complaint to be heard it must be received by the City at least 48 hours prior to the meeting.

For Council's information a person may only make a complaint to the Parcel Tax Review Panel on one or more of the following grounds:

- a) the name and mailing address of the owner are incorrect
- b) there is an error or omission respecting the inclusion of a parcel on the roll
- c) an exemption has been improperly allowed or disallowed.

OPTIONS:

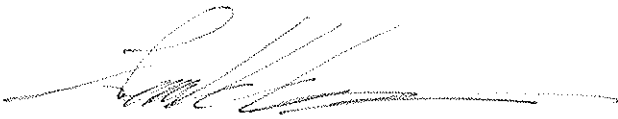
The *Community Charter* requires that a Parcel Tax Review Panel be established, and the conditions and authority of the Panel. All Local Governments must comply with the requirements.

STAFF RECOMMENDATION:

THAT the Parcel Tax Review Panel Hearing be scheduled for Monday, April 20, 2009 at 5:45 p.m. in the Civic and Technology Centre, 100 E. Jensen Avenue, Parksville, BC;

AND THAT advance notice of the time and place be published in accordance with Section 204 of the *Community Charter*.

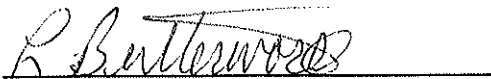
Respectfully submitted,



FRED MANSON

Chief Administrative Officer

DIRECTOR OF FINANCE'S COMMENTS:



G.L. BUTTERWORTH

Director of Finance

March 19, 2009

MEMO TO: HIS WORSHIP THE MAYOR AND MEMBERS OF COUNCIL

FROM: FRED MANSON, CHIEF ADMINISTRATIVE OFFICER

SUBJECT: Parksville Downtown Business Association 2009 Budget

ISSUE

Parksville Downtown Business Association 2009 Budget

EXECUTIVE SUMMARY

Under the terms of the City's "Downtown Business Improvement Area Establishment Bylaw, 2007, No. 1420" no grant funds may be forwarded to the Parksville Downtown Business Association unless the Association submits an annual budget, the audited financial statements, and proof of insurance by March 15 in each year of the term of the bylaw. The bylaw provides that the Association's budget be submitted to Council for approval consideration.

REFERENCES

Community Charter s. 211 through 215
BIA Bylaw No. 1420

BACKGROUND:

The Parksville Downtown Business Association has submitted their 2009 budget, the 2008 audited financial statements, and proof of their liability insurance as required under the bylaw. They have also provided a copy of their 2009 Workplan. The bylaw provides that the 2009 grant in the amount of \$141,000 must be paid to the Association by August 1. Once Council approves the budget the monies can be released to the association. The monies paid to the association are recovered by means of a tax levy on all business land and improvements within the business improvement area.

The bylaw provides that the grant monies shall be spent on the following Business Promotion Scheme:

- (a) Marketing and promotions, events, advertising, holiday lighting, communication with downtown business owners and tenants on issues and opportunities;
- (b) Improving or beautifying sidewalks, public art structures, murals, seating areas, flowers, banners in the business improvement area;
- (c) The removal of graffiti from buildings and other structures, creation or support of anti-litter and anti-vandalism projects in the business improvement area; and
- (d) Encouraging business in the business improvement area

OPTIONS

1. Approve the 2009 Parkville Downtown Business Association Budget
2. Not approve the budget and ask the Association to make changes to it

ANALYSIS

As the projects identified within the budget fall within the Business Promotion Scheme outlined in the bylaw staff recommends approval of the budget.

SUSTAINABILITY/ENVIRONMENTAL IMPLICATIONS

None

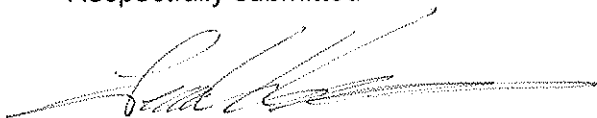
FINANCIAL IMPLICATIONS

The grant money paid out is recovered through a special tax levy on the businesses within the business improvement area so there is no financial impact on the City's budget.

RECOMMENDATION

THAT the Parkville Downtown Business Association 2009 Budget attached to the report from the Chief Administrative Officer dated March 19, 2009 entitled Parkville Downtown Business Association 2009 Budget be approved.

Respectfully submitted



FRED MANSON

Chief Administrative Officer

Attach. (5)



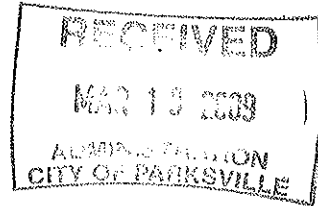
**DOWNTOWN
BUSINESS
ASSOCIATION**

T . 250.248.8079
F . 250.248.6308
E . info@parkvillebia.com

Box 275
#4 - 125 McCarter Street
Parksville, BC V9P 2G4

March 4, 2009

City of Parksville
Box 1390
Parksville, BC V9P 2H3



Attn: Mayor and Council

Dear Mayor and Council:

As per the City of Parksville Bylaw 4020, Section 5, the Parksville Downtown Business Association is pleased to present to you the following documents for the Society's year ending December, 2008.

- a) Minutes of Annual General Meeting held February 26, 2009
- b) Copies of the 2009 Budget and Workplan-approved by the membership
- c) Audited Financial Report for 2008
- d) Copy of the PDBA Annual Reporting under the Societies Act
- e) 2009 proof of insurance

As you will see from our audited financial report, the Business Improvement Area funds have been expended appropriately and in keeping with the work plan approved by the members.

We feel that this has been a very successful year for the BIA. We appreciate the support we have received from the City of Parksville and look forward to continuing our working relationship, as we complete our final year of this BIA mandate and move forward to request a further five year mandate of our members.

At this time, having met our obligations under Bylaw 4020, we would like to make a formal request for release of funds in the amount of \$35,000.00 which will allow this organization to begin work on projects for 2009. We understand that the regular installment of funds will be paid in August 2009.

Sincerely,

Marilyn Hahn
President

Parksville Downtown Business Association

ANNUAL GENERAL MEETING

February 26, 2009

Minutes

Attendance:

**Marilyn Hahn....Associate Member
Carol Ormiston...Home Hardware
Bill Ormiston.....Home Hardware
Michelle Jones....Timberlake Jones Engineering
Ruth Statham.....Good Earth Clothing
Gary Statham.....NIWR
Rhianon Cosgrave....Synergy Day Spa
Anthony Veselin.....The PQB News
John Bishop.....Benchmark Security
Irene Mark.....IT Mark
David Johnston.....Coastal Credit Union
Neil Watson.....Dundee Wealth Management
Al Grier.....Councillor, City of Parksville
Sandy Herle.....Close to You
Ann Cameron.....PDBA Executive Director - Recording**

Sufficient number of members were present to determine a quorum (as per section 5-20(3) of the Society's bylaws)

Notice of AGM was mailed to property owners on December 16, 2008 and notices to business owners were hand delivered prior to December 25th, 2007. Notice was sent by e.mail to the business contact list twice prior to the meeting.

Opening Remarks:

Marilyn Hahn, President, called the meeting to order at 7 pm in the Cedar Room of the Parksville Community and Conference Centre. She welcomed everyone to the meeting, thanked Mayor Mayne for his attendance at the Wine and Cheese event prior to the meeting and asked Councillor Grier to say a few words.

President Hahn, then spoke of the ongoing work of the PDBA and explained that this being the last year of a three year mandate, the organization would be starting the re-petitioning process in March. Petitioning Process Timeline document was attached to the AGM package. Marilyn expressed how important it was that the business owners relay their positive feelings about the BIA and the work of the PDBA to their landlords, as voting rights are only given to the property owners.

Approval of Minutes:

Michelle Jones moved to accept the Minutes of the Annual General Meeting held February 21, 2008. Neil Watson seconded the motion. APPROVED.

Year End Financial/Audit Report:

Irene Mark of IT Mark and Company presented the audited year end financial and Audit report. She explained the audit is required under the City of Parksville Bylaw 4020.

Michelle Jones moved to accept the audited financial report for 2008. David Johnston seconded the motion. APPROVED.

Michelle Jones moved that Irene Mark be appointed Auditor for the year 2009. Ruth Statham seconded the motion. APPROVED.

Committee Reports:

Beautification:

Carol Ormiston spoke to this committee's many successes in 2008:

- Contract with Association for Community Living to pick up litter
- Spring Clean-up campaign (one ton of litter and garden waste pick up)
- Gardener's in Paradise – Volunteer gardening program
- New gardens at the foot of Craig Street and corner of Middleton and Craig
- Hanging Basket program
- PDBA representative on the Communities in Bloom Committee
- Increased City's inventory of waste receptacles and planters
- Christmas Lighting program
- Graffiti removal
- Survey of downtown merchants re: alternate garbage pick-up.
- Provided funding for re-design of Town Clock Square

Public Art:

Ann Cameron presented report on behalf of Greg Sabo. Accomplishments in 2008:

- Seasonal Banners commissioned in Spring and Fall of 2008
- Partnership with Art Speak youth group to create artwork in the downtown core
- Commissioned artist Jeff King to create unique scenes on the traffic control boxes on the Island Hwy.
- Presently working on developing of bronze sculpture for the downtown core
- City of Parksville has requested that we work with them on a Public Art Policy

Safety and Security:

David Johnston presented Committee report and highlighted the following:

- Security Survey conducted which led to the hiring of security patrols for the summer months
- Commissioned Security Assessment of the downtown core
- Working with the RCMP Consultative Group
- In 2009 will be developing grant program to assist merchants with the purchase of motion detector lighting

Marketing and Communications:

Michelle Jones highlighted the following successes for 2008:

- Branding the PDBA – new logo along with marketing plan developed
- Working on two brochures for the PDBA – the first will be used in the re-petitioning process to explain the BIA and the many successes of the PDBA. This will be ready to deliver in March along with membership decals.
- The second brochure will market the downtown core. This will be placed on BC Ferries and in many of the visitor centres on the Island as well as in the downtown businesses. It will contain a map of the downtown and a business directory with all members listed.
- In 2009 the work of the Marketing Committee will concentrate on marketing vs. the Beautification projects that have taken place over the last year and a half.
- Promotions and Events will also be taken care of by the Marketing Committee. This year the PDBA will work with the Chamber of Commerce on the Alphabet Walk project and the Christmas Light-Up. As well we will co-sponsor the Theatre under the Stars event. A special event/festival is being planned for September.

Members questions were entertained by Committee Chairs. Many good ideas were discussed.

2009 Budget:

Michelle Jones, Treasurer presented the 2009 Budget for discussion and approval.

Sandy Herle moved to adopt the 2009 Budget as presented. Seconded by Neil Watson. APPROVED.

Election of Officers:

Ann Cameron chaired the election process. Officers will be elected for a term not exceeding the next AGM, which will occur in late February, 2010.

Executive Officers were elected separately. There were no nominations from the floor. The following were acclaimed:

President – Marilyn Hahn

Vice-President – Greg Sabo

Secretary/Treasurer – Michelle Jones

The following Directors at Large were acclaimed.

David Johnston

Shawna Brockhuisen

Carol Ormiston

Jill Watt

Neil Watson

Kevin Clayton

Rhiannon Cogrove

Anthony Veselin

There being no nominations from the floor, one position remains open.

This being the last piece of business required for the AGM, Michelle Jones moved to adjourn the meeting. Time: 9pm

Parksville Downtown Business Association

Budget 2009

Revenue:

Tax Levy.....\$141,000

Administration:

Co-ordinator (fee for service).....	\$25,000	
Rent.....	5,000	
Phone.....	1,200	
Insurance (Liability).....	3,000	
Bookkeeping.....	600	
Office Expenses.....	2,400	
Financial Audit.....	1,500	
BIABC Conference.....	1,500	
BIABC membership.....	300	
Annual General Meeting.....	<u>500</u>	\$41,000

Marketing:

BIA New Mandate (re-petitioning process)..... 2,000

Projects which will market Downtown Businesses
(Vacation draw, business treasure hunt, Buskers
and Baskets, Partnership with Bard to Broadway
and Sandcastles in the City)..... 50,000

Safety and Security:

Grants to Businesses to purchase
Motion Detector lighting for their buildings..... 20,000

Public Art:

Seed funding for sculptural pieces..... 28,000

Total..... \$141,000

Parksville Downtown Business Association
Business Improvement Area
Workplan 2009

	Project	Method	Details
1st Qtr. (January - March)	Promotions and Marketing	Beautification Litter/Graffiti removal	Clean up the Downtown Core Campaign: Continue to contract out Litter pick-up and graffiti removal. Develop spring clean up campaign
	Public Art	Banners	Create new seasonal banners as a means of attracting people to the downtown core. Work with City to install
	Public Art	Sculpture	Develop prototypes of sculpture to be placed in the downtown core. Work with City to develop Public Art policy
	Promotions and Marketing	Beautification	Volunteer Gardeners begin Spring clean up of beds in the downtown core.
	Promotions and Marketing	Ambassador Program	Develop program – seek partnerships
	Safety/Security	Motion Detector Lights	Develop grant specifications
	Promotions and Marketing	Promotional Events	Plan and organize promotional events which will highlight business in the downtown core: i.e. Vacation draw, Business Treasure Hunt, Buskers, Music and Film Fests (to be determined)
	PDBA Board	Society Business	Hold Annual General Meeting Wine and Cheese event with keynote speakers
	PDBA Board	Society Business	Begin re-petitioning of members to support new mandate for 2010-2015
	Promotions and Marketing	Member Services	Launch new Logo, Member Decal and Brochure, website and newsletter
2nd Qtr (April-June)	Promotions and Marketing	Beautification	Volunteer gardeners continue to maintain Craig Street Beds and other downtown locations
	Promotions and Marketing	Litter/Graffiti removal	Continue program
	Promotions and Marketing	Beautification	Hanging basket program in conjunction with local business (no cost to PDBA)
	Promotions and Marketing	Business is Blooming	Partner with Chamber, provide BIA award

	Promotions and Marketing	Business promotion	Events developed around Spring clean-up, Beachfest and July 1st promotions and partner FilmFest with Economic Development Office
	Promotions and Marketing	Member services	Website Newsletter
	Public Art		Launch Sculpture program in downtown core
	PDBA Board	Society Business	Continue re-petitioning process
3rd Qtr (July - September)	Public Art	Banners	Seasonal banners to be installed (re-use 2008 banners – city to install)
	Promotions and Marketing	Beautification	Volunteer Gardeners Seasonal maintenance of garden beds
	Promotions and Marketing	Christmas Light Up and Santa Parade	Co-sponsor with Chamber of Commerce as in 2008
		Litter/Graffiti removal	Work ongoing
	Safety/Security	Security programs	ongoing
	Promotions and Marketing	Member Services	Website updates
		Website updates	
	PDBA Board	Society Business	Petitions sent to Council requesting new mandate
4th Qtr October - December	Promotions and Marketing		Christmas Promotions Ongoing work of committees – preparation for spring events.
		Member Services	Website updates
	PDBA Board	Society Business	Prepare to begin new mandate in January 2010

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Parksville BC V9P 2H1 Qualicum Beach BC V9K 2H5
Ph: (250) 248-3229 Ph: (250) 752-6961
Fx: (250) 249-9162 Fx: (250) 752-6206

CONFIRMATION OF INSURANCE

To: Whom it May Concern

This will certify that at the request of, and acting as the broker for the client(s) named below, we have effected the following insurance coverage(s) with:

Insurer(s): AXA Pacific Insurance Company

Policy # : 1260215

Name of Insured(s): Parksville Downtown Business Association
Additional Insured: City of Parksville

Mailing Address: P.O. Box 275, Parksville, B.C. V9P 2G4

Term from: 2009/03/15 to 2010/03/15; 12:01am Standard Time

Description	Limits of Insurance	Special Conditions, Limitations, Addit Info.
COMPREHENSIVE GENERAL LIABILITY \$5,000,000		

AGREEMENT TO BIND: In consideration of a premium to be earned hereunder and the stipulations contained herein, the Company(s) agree(s) to bind the kinds of insurance herein described on behalf of the interests shown above. This document is intended for use as evidence that Insurance described above has been effected against which Underwriters' certificate or policy will be duly issued whereupon this Confirmation of Insurance is automatically terminated. Immediate advice must be given of any discrepancies or necessary changes.

Dated at Parksville, B.C. March 5, 2009

Per: 

Ref: V61336

THIS POLICY CONTAINS A CLAUSE THAT MAY LIMIT THE AMOUNT PAYABLE

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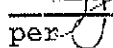
PROVISOS UNDER WHICH THIS CONFIRMATION HAS BEEN ISSUED

(PLEASE READ CAREFULLY)

1. This confirmation is subject to all terms and conditions of the policy to be issued by the Insurer(s) referred to on Page 1 and is intended solely as evidence that Insurance as outlined has been effected.
2. In the event of loss or claim occurring prior to the delivery of the formal policy documentation, the terms and conditions of the policy to be issued shall have full force and effect and shall supercede the summary or outline of coverage(s) contained herein.

delivery of the formal policy documentation, the terms and conditions of the policy to be issued shall have full force and effect and shall supercede the summary or outline of coverage(s) contained herein.
3. This confirmation shall become null and void upon delivery of more current documentation covering the items referenced herein.
4. This confirmation and the policy to be issued contains a clause(s) that may limit the amount payable.

Thwaites/Norris Insurancentre


per-

March 5, 2009

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PARKSVILLE DOWNTOWN BUSINESS ASSOCIATION

Financial Statements

December 31, 2008

AUDITOR'S REPORT

STATEMENT OF FINANCIAL ACTIVITIES

STATEMENT 1

STATEMENT OF

STATEMENT 2

STATEMENT OF CHANGES IN FINANCIAL POSITION

STATEMENT 3

STATEMENT OF FINANCIAL POSITION

STATEMENT 4

NOTES TO THE FINANCIAL STATEMENTS

I.T. MARK & CO. INC.
Certified General Accountant

Irene T. Mark, CGA

141 E. Jensen Avenue
Box 580
Parksville, B.C.
V9P 2G6

Tel: (250) 248-3522
Fax: (250) 248-3520

Email: itmark@telus.net


AUDITOR'S REPORT

PARKSVILLE DOWNTOWN BUSINESS ASSOCIATION

I have audited the statement of financial position of PARKSVILLE DOWNTOWN BUSINESS ASSOCIATION as at December 31, 2008 and the statements of earnings, cash flows for the year then ended. These financial statements are the responsibility of the Association's management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the Association as at December 31, 2008 and the results of its operations and the changes in its financial position for the year then ended in accordance with Canadian generally accepted accounting principles.


I.T. MARK & CO. INC.
CERTIFIED GENERAL ACCOUNTANT

Parksville, BC
February 19, 2009

PARKSVILLE DOWNTOWN BUSINESS ASSOCIATION

STATEMENT 1

STATEMENT OF FINANCIAL ACTIVITIES

Year ended December 31, 2008

	2008	2007
Revenue		
Levy revenue	\$ 85,271	\$ 64,395
Grant revenue	2,000	2,000
Donations	-	200
	87,271	66,595
Expenses		
Accounting and legal	2,142	1,840
Advertising	2,302	-
Beautification projects	40,918	26,464
Capital equipment	-	1,303
Co-ordinator	24,309	24,720
Donations	100	-
Dues and licences	344	335
Event sponsorship	1,082	-
Insurance	2,718	2,080
Office	4,941	2,483
Rent	5,387	3,100
Repairs and maintenance	-	136
Safety projects	1,239	2,934
Telephone and utilities	1,158	927
Travel	916	355
	87,556	66,677
	(285)	(82)
Interest income	285	82
Net earnings for the year	\$ -	\$ -

The accompanying notes are an integral part of these financial statements.

PARKSVILLE DOWNTOWN BUSINESS ASSOCIATION

STATEMENT 2

STATEMENT OF MEMBERS' EQUITY

Year ended December 31, 2008

	2008	2007
MEMBERS' EQUITY		
Members' equity, beginning of year	\$ -	\$ -
Net earnings for the year	-	-
Members' equity, end of year	\$ -	\$ -

INVESTMENT IN CAPITAL ASSETS

Investment in capital assets, beginning of year	\$ 1,303	\$ -
Additions in the year	-	1,303
Investments in capital assets, end of year	\$ 1,303	\$ 1,303

The accompanying notes are an integral part of these financial statements.

PARKSVILLE DOWNTOWN BUSINESS ASSOCIATION

STATEMENT 3

STATEMENT OF CHANGES IN FINANCIAL POSITION

Year ended December 31, 2008

	2008	2007
Cash provided by (used for)		
Operations:		
Earnings from operations	\$ -	\$ -
Net change in non-cash working capital balances from operations	51,793	70,878
	51,793	70,878
Financing:		
Investment in capital assets	-	1,303
	-	1,303
Investments:		
Purchases of capital assets	-	(1,303)
	-	(1,303)
Increase in cash	51,793	70,878
Cash, beginning of year	70,878	-
Cash, end of year	\$ 122,671	\$ 70,878

The accompanying notes are an integral part of these financial statements.

PARKSVILLE DOWNTOWN BUSINESS ASSOCIATION

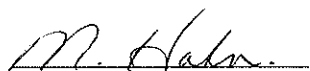
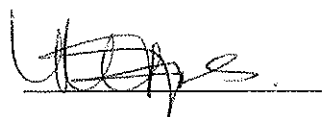
STATEMENT 4

STATEMENT OF FINANCIAL POSITION

December 31, 2008

	2008	2007
ASSETS		
Current:		
Cash	\$ 122,671	\$ 70,878
Accounts receivable	-	15
Government agencies receivable	1,473	975
Prepaid expenses	993	571
	125,137	72,439
Capital assets - note 2	1,303	1,303
	\$ 126,440	\$ 73,742
LIABILITIES AND MEMBERS' EQUITY		
Current:		
Accounts payable	\$ 1,803	\$ 1,834
Deferred contributions	123,334	70,605
	125,137	72,439
	125,137	72,439
Members' Equity		
Investment in capital assets	1,303	1,303
	1,303	1,303
	\$ 126,440	\$ 73,742

On behalf of the Board

 Director Director

The accompanying notes are an integral part of these financial statements.

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PARKSVILLE DOWNTOWN BUSINESS ASSOCIATION

NOTES TO THE FINANCIAL STATEMENTS

December 31, 2008

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The accounting policies of the Company are in accordance with generally accepted accounting principles applied on a basis consistent with that of the preceding year. Outlined below are those policies considered particularly significant.

Accounts Receivable

Accounts receivable are shown net of allowance for doubtful accounts.

Capital Assets and Amortization

Capital assets are recorded at cost. Amortization is provided annually at rates calculated to write-off the assets over their estimated useful lives as follows except in the year of acquisition when one half of the rate is used.

Computer hardware	30%	Declining balance
-------------------	-----	-------------------

2. CAPITAL ASSETS

	2008		2007	
	Cost	Accumulated Amortization	Net Book Value	Net Book Value
Computer equipment	\$ 1,303	\$ -	\$ 1,303	\$ 1,303
	\$ 1,303	\$ -	\$ 1,303	\$ 1,303

3. PRIMARY FUNDING

At this time, the Association receives funding from the City of Parksville pursuant to Bylaw 1420 - grants that will not exceed the following amounts:

2007	\$135,000
2008	\$138,000
2009	\$141,000

4. INSURANCE

The Association has complied with City of Parksville Bylaw 1420 and has secured comprehensive general liability insurance coverage in the amount of \$5,000,000.

April 2, 2009

MEMO TO: HIS WORSHIP THE MAYOR AND MEMBERS OF COUNCIL

FROM: FRED MANSON, CHIEF ADMINISTRATIVE OFFICER

SUBJECT: PARKSVILLE & DISTRICT CHAMBER OF COMMERCE 2009 FEE FOR SERVICES AGREEMENT

ISSUE

Renewal of the Chamber of Commerce Fee for Services Agreement.

REFERENCE

2009 Fee for Service Agreement

BACKGROUND

The City and the Chamber of Commerce negotiate an annual Fee for Services Contract. The purpose of the document is to formalize requirements the City establishes for performance by the Chamber, provides for a means of evaluating the efforts of the Chamber, and confirms amounts and timing for payments made by the City.

Staff has been negotiating the 2009 Fee for Service Agreement with the Chamber's Executive Director. The new Fee for Service Agreement only includes operation of the Business/Visitor Information Centre and provisions for the rent associated with the Joint Economic Development Office.

In comparison to the 2008 Agreement, other than house keeping and changes to the rates and applicable date for payments, joint meetings and required presentations, the only changes are the removal of all the old Schedule A items (which related to the chamber Executive Director supplying a limited amount of support to the City Economic Development Officer) and adding the City share of the Economic Development Joint office base rent to this agreement.

With the elimination of the "Schedule A" items the overall cost of the agreement have been reduced from \$79,932.00 to \$75,887 (2008 Business Visitor Center \$68,624 + 2008 Schedule A \$5,066 + 2008 Base Rent \$6242 = \$79,932, 2009 Business Visitor Center \$68,624 + 2009 Base Rent \$7263 = \$75,887).

OPTIONS

Council may:

1. Accept the Agreement as negotiated with the fees requested by the Chamber.
2. Provide staff with specific direction for continued negotiations.

ANALYSIS

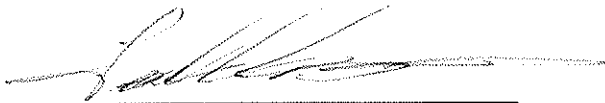
The contract as currently presented was negotiated as per Council's direction to include only measurable items that are specifically identifiable. The 2008 agreement included the operation of the Tourist Information Center in the main body of the agreement and under "Schedule A" a limited amount of "support" by the Chamber Executive Director to the City's Economic Development Function. What was considered "support" was not readily identifiable and has now been eliminated. In previous years the City's commitment to the Economic Development Officers share to the Joint Economic Development Office costs has been informal, including the base rent into this agreement formalizes this obligation.

BUDGET IMPLICATIONS

The 2009 provisional budget includes \$78,000 for the Chamber Fee for Service Agreement and a further \$7,300 for the City's share of the Joint Economic Development Office Rent. The agreement as currently presented represents a decrease of \$9,376 from the current budgeted amount.

RECOMMENDATION

That the Mayor and Corporate Administrator be authorized to execute the 2009 Fee for Services Agreement with the Parksville and District Chamber of Commerce for the annual amount of \$75,887.00.



FRED C. MANSON
Chief Administrative Officer

Attachment

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THIS AGREEMENT made the

BETWEEN:

**THE CITY OF PARKSVILLE
PO BOX 1390
PARKSVILLE, BC V9P 2H3**

(hereinafter called the "City")
OF THE FIRST PART

AND

**THE PARKSVILLE AND DISTRICT CHAMBER OF COMMERCE
PO BOX 99
PARKSVILLE, BC V9P 2G3**

(hereinafter called the "Chamber")
OF THE SECOND PART

WHEREAS the City and the Chamber share a common goal to promote and improve trade and commerce as well as to improve the economic and civic welfare of the community;

AND WHEREAS the Chamber has in past years provided services to the City in operating a tourist information service in the Business/Visitor Centre situated on the Island Highway and in handling the organization and promotion of community events;

AND WHEREAS the parties hereto desire to formally establish the terms and conditions and the dates for the advances of portions of the said Fee for Service;

NOW THEREFORE THIS AGREEMENT WITNESSETH that for and in consideration of the City resolving to make the Fee for Service Contract with the Chamber, as hereinbefore recited and in consideration of the mutual promises hereinafter appearing, the parties hereto covenant and agree each with the other as follows:

The Chamber shall:

1. (a) Open and appropriately staff the Business/Visitor Centre for the benefit of the public to the extent it determines necessary and affordable. Notwithstanding the above, except for statutory holidays, as a general guide the Business/Visitor Centre shall be open:
 - January 1 to March 31, six days a week, Monday to Friday, 9am to 5pm and Saturday, 10am to 4pm
 - April 1 to June 30, seven days a week, 9am to 5pm
 - July 1 to August 31, seven days a week, 9am to 6pm
 - September 1 to September 14, seven days a week, 9am to 5pm
 - September 15 to September 30, seven days a week, Monday to Friday, 9am to 5pm, Saturday & Sunday, 10am to 4pm
 - October 1 to November 30, 6 days a week, Monday to Friday, 9am to 5 pm and Saturday, 10am to 4pm
 - December 1 to December 31, 5 days a week, Monday to Friday, 9am to 5pm
- (b) Arrange for the Chamber Board to meet with City Council to discuss contractual obligations and matters of mutual concern (schedule below), and at other times deemed necessary to address issues of a more urgent nature;

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Chamber of Commerce
2009 Service Agreement

-2-

Thursday, February 12, 2009	Open Discussion Pre-meeting	4:00pm – place TBA
Thursday, February 20, 2009	Open Discussion Meeting	7:00pm - PCTC
Thursday, June 11, 2009	Open Discussion Pre-meeting	4:00pm - place TBA
Thursday, June 18, 2009	Open Discussion Meeting	7:00pm – PCTC
Thursday, October 8, 2009	Open Discussion Pre-meeting	4:00pm - place TBA
Thursday, October 15, 2009	Open Discussion Meeting	7:00pm – PCTC

- (c) Ensure that the President of the Chamber presents an evaluation of the past year's activities and presents the future year's programs and budgets to the whole City Council prior to January 30, 2010;
- (d) Not without the written consent of the City incur any expense for which the City shall be required to reimburse the Chamber or for which the City in any other way shall become liable to any other person, company or governmental agency;

The City shall:

- 2. (a) In consideration for the Chamber operating the Business/Visitor Centre as outlined in Section 1(a) , the City hereby agrees to pay to the Chamber the sum of SEVENTY FIVE THOUSAND, EIGHT HUNDRED AND EIGHTY SEVEN DOLLARS (\$75,887.00) plus GST payable on the following dates:

February 1, 2009	\$18,971.75 + GST
April 1, 2009	18,971.75 + GST
July 1, 2009	18,971.75 + GST
October 1, 2009	18,971.75 + GST

provided always, however, that nothing herein shall or be deemed to require the City to make any payments pursuant to the Fee for Service Contract which in the aggregate will exceed the sum of SEVENTY FIVE THOUSAND, EIGHT HUNDRED AND EIGHTY SEVEN DOLLARS (\$75,887.00) plus GST for the year. The Chamber has the exclusive authority to determine the most suitable ways to expend the City Funds.

- 2. This Agreement shall remain in force only during the calendar year 2009. Future agreements shall be subject to results of an annual review by the municipality.
- 3. The Chamber Executive Director and the Chief Administrative Officer shall exchange information on a regular basis concerning current issues.
- 4. The City and the Chamber agree that the provisions of this Agreement shall be given such reasonable interpretation as will facilitate a proper carrying out of the aforementioned services.

Chamber of Commerce
2009 Service Agreement

-2-

IN WITNESS WHEREOF the parties have hereunto caused their presents to be executed under the hands of their proper officers duly authorized in that behalf.

**SIGNED ON BEHALF OF THE PARKSVILLE
AND DISTRICT CHAMBER OF COMMERCE**)

Authorized Signatory

Authorized Signatory

**SIGNED ON BEHALF OF THE
CITY OF PARKSVILLE**

Mayor

Corporate Administrator)

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