



ADMINISTRATION

MEMORANDUM

DATE: MARCH 05, 2010

TO: JIM MONTAIN DIRECTOR OF OPERATIONS

FROM: ERNEST JACK SURVEYOR OF TAXES

RE: LOCAL REVENUE LAW 10-LRL-01

BACKGROUND

Please find attached the following documents; a draft of Local Revenue Law 10-LRL-01; Posted notice for Local Revenue Law 10-LRL-01. This Local Revenue Law 10-LRL-01 has been reviewed by WFN Council Secretariat.

This Local Revenue Law empowers Westbank First Nation to expend Stabilization Funds up to \$20,000.00 for the purpose of making a contribution to the sponsorship/recognition fund to build the Westbank Centre Water Park.

A draft of this Law was sent to the Advisory Council via email on February 05, 2010 for their perusal and input at the Advisory Council meeting February 10, 2010. Local Revenue Law 10-LRL-01 received first reading on February 22, 2010 and notice was posted on February 26, 2010 as per section 63.2 of the Westbank First Nation Constitution, which requires the final draft law shall be posted at least 10 days before the Chief and Council meeting in a public area of the Westbank administration building.

RECOMMENDATION

That Westbank First Nation Chief and Council give third and final reading, to Westbank First Nation Local Revenue Law 10-LRL-01.

WESTBANK FIRST NATION
LOCAL REVENUE LAW 10-LRL-01

A Local Revenue Law providing for the expenditure of Stabilization funds to make a contribution to the sponsorship/recognition fund to build the Westbank Centre Water Park.

WHEREAS: Pursuant to Section 83(1) of the *Indian Act* and the Westbank First Nation's inherent right to self-government, Westbank First Nation has enacted the Westbank First Nation Property Taxation By-Law, 95-TX-08 (the "**Taxation By-Law**");

AND WHEREAS: In accordance with section 4.4 of the Westbank First Nation Expenditure By-Law, 1995, all surplus monies remaining in the Taxation Fund at the end of the Fiscal Year specified in the Expenditure bylaw Annual Budget Schedule may be transferred into the Stabilization Fund and may be applied towards the operation and administration costs for the next Fiscal Year, overruns on existing capital projects or for any other contingencies, (the "**Stabilization Fund**");

AND WHEREAS: Westbank First Nation has decided to contribute to the Westbank Centre Water Park (the "Westbank Centre Water Park Project");

AND WHEREAS: Westbank First Nation has, by Local Revenue Law 10-LRL-01, provided that a portion of the cost of the Westbank Centre Park Project, to a maximum of \$20,000.00 twenty thousand dollars, will be funded from the Stabilization Fund (the "**Stabilization Fund**");

AND WHEREAS: Through this Local Revenue Law, Westbank First Nation wishes to authorize the expenditure of Stabilization Fund;

NOW THEREFORE the Council of Westbank First Nation hereby enacts the following Local Revenue Law:

1. The Council of the Westbank First Nation hereby enacts the following Local Revenue Law:
2. This Local Revenue Law comes into full force and effect upon enactment in accordance with section 63.3(a) of the Westbank First Nation Constitution;

FINAL

Westbank First Nation Local Revenue Law 10-LRL-01: Mar 08, 2010

BE IT HEREBY RESOLVED AND AGREED that this Law, entitled "*Westbank First Nation Local Revenue Law 10-LRL-01*" is hereby:

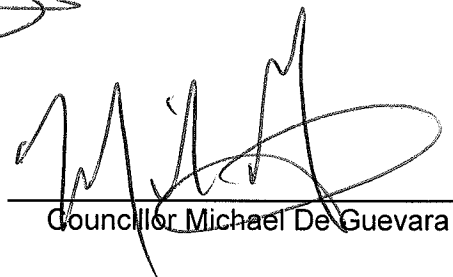
Read a first time by the Council of Westbank First Nation at a duly convened meeting held on the 22nd day of February, 2010.

Exempt from a second reading pursuant to section 60.9 of the Westbank First Nation Constitution.


Read a third time, and enacted as a Westbank Law, by Council of the Westbank First Nation at a duly convened meeting held on the 08th day of March 2010.


Chief Robert Louie


Councillor Larry Derrickson


Councillor Michael De Guevara


Councillor Loretta Swite


Councillor Brian Eli

FINAL

Westbank First Nation Local Revenue Law 10-LRL-01: Mar 08, 2010



WESTBANK FIRST NATION

#301, 515 Hwy. 97 South, Kelowna, BC V1Z 3J2
Telephone: (250) 769-4999 – Fax: (250) 769-4377

WESTBANK FIRST NATION Council Meeting

Date: Monday, March 08, 2010
Time: 8:30 AM
Location: Board Room, Lindley Building
#310-515 Hwy. 97 South

AT THIS MEETING, THE FINAL DRAFT OF THE LOCAL REVENUE LAW 10-LRL-01 WILL BE READ AND CONSIDERED FOR ENACTMENT.

SUMMARY OF THE LOCAL REVENUE LAW 10-LRL-01

Under *Westbank First Nation Expenditure Law 1995*; in accordance with section 4.4 of the Westbank First Nation Expenditure Bylaw, all surplus monies remaining in the Taxation Fund at the end of the Fiscal Year specified in the Expenditure bylaw Annual Budget Schedule may be transferred into the Stabilization Fund and may be applied towards the operation and administration costs for the next Fiscal Year, overruns on existing capital projects or for any other contingencies, (the “**Stabilization Fund**”).

Under *Local Revenue Law 10-LRL-01*, WFN will be empowered to expend Stabilization Funds up to \$20,000.00 to contribution to the sponsorship/recognition fund to build the Westbank Centre Water Park. (the “**Westbank Centre Water Park Project**”).

First reading of the draft *Law 10-LRL-01* was given by Council February 22, 2010, third and final reading will be given on March 08, 2010. A Local Revenue Law is exempted from second reading by section 60.9 of the *WFN Constitution*.

A COPY OF THE FINAL DRAFT LAW CAN BE OBTAINED IN THE DEPARTMENT OF TAXATION AT WFN ADMINISTRATION OFFICE AT 515 HWY 97 SOUTH, WESTBANK, BC.