

**WESTBANK FIRST NATION
STAFF REPORT TO COUNCIL**

DATE PREPARED: May 17, 2012

DATE OF COUNCIL MEETING: May 22, 2012

PREPARED BY: B Conner on behalf of Ernest Jack

DEPARTMENT: Finance and Taxation

Local Revenue Law 12-LRL-01 Pine Stadium Improvements, \$85,000

ISSUE:

Third and final reading of *Local Revenue Laws 12-LRL-01* for the expenditure of up to \$85,000 from taxation reserves for renovations to Pine Stadium.

RECOMMENDATION:

Council gives third reading to LRL 12-LRL-01 to authorize the expenditure up to \$85,000 for renovations to Pine stadium as per the schedule attached from Wibco.

RESOLUTION:

Council hereby gives third and final reading to Local Revenue Law 12-LRL-01 to authorize the expenditure of up to \$85,000 for the Pine Stadium renovation project.

BACKGROUND:

First reading was given to the Local Revenue Law 12-LRL-01 on May 7, 2012. WFN Advisory Council reviewed and recommended approval of the law at their meeting on May 8, 2012. Public posting occurred May 11, 2012 providing the required minimum 10 days public posting to permit 3rd reading.

Staff reports must be submitted to the Council Secretariat by noon on the Wednesday preceding the date of the upcoming Council Committee day.

Approved by Manager:  _____ **Date:** May 17, 2012

Reviewed by Council Secretariat: _____ **Date:** _____

Approved by Director of Operations: _____ **Date:** _____

WESTBANK FIRST NATION
LOCAL REVENUE LAW 12-LRL-01

A Local Revenue Law providing for the expenditure of Local Government Services Surplus Reserve Fund to fund the Pine Stadium Washroom and Concession Renovation Project on the Tsinstikeptum Indian Reserve No.9.

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 By-Law 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 existing capital projects or for any other contingencies, (the "**Stabilization Fund**");

AND WHEREAS: Westbank First Nation has decided to renovate Pine Stadium Renovation Project on Tsinstikeptum Indian Reserve No.9 (the "**IR No.09 Pine Stadium Renovation Project**");

AND WHEREAS: Westbank First Nation has, by Westbank First Nation Local Revenue Law No. 12-LRL-01, provided that the cost of the IR No.9 Pine Stadium Renovation Project, to a maximum of \$85,000 eighty five thousand dollars, will be funded from the Local Government Services Reserve Fund (the "Local Government Services Reserve Projects Reserve Fund Expenditure");

AND WHEREAS: Through this Local Revenue Law 12-LRL-01, Westbank First Nation wishes to authorize the expenditure of Local Government Services Reserve Funds.

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

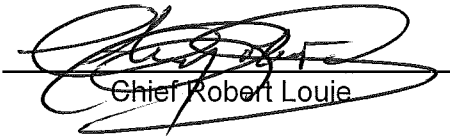
1. Westbank First Nation Council hereby authorizes the expenditure of the Project Funds for the Tsinstikeptum Indian Reserve No.9 Pine Stadium Renovation Project.
2. This Local Revenue Law comes into full force and effect upon enactment in accordance with section 63.3(a) of the Westbank First Nation Constitution;

BE IT HEREBY RESOLVED AND AGREED that this Law, entitled "*Westbank First Nation Local Revenue Law 12-LRL-01*" is hereby:

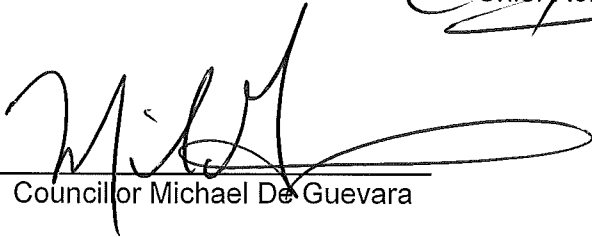
Read a first time by the Council of Westbank First Nation at a duly convened meeting held on the 7th day of May, 2012.

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 22 day of May, 2012.



Chief Robert Louje



Councilor Michael De Guevara



Councilor Loretta Swite-Ghostkeeper



Councilor Mickey Werstuik



Councilor Lorrie Hogaboam



WESTBANK FIRST NATION

WESTBANK FIRST NATION Council Meeting

Date: Monday, May 22nd, 2012
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 ON TSINSTIKEPTUM IR NO.09 LOCAL REVENUE LAW 12-LRL-01 WILL BE READ AND CONSIDERED FOR ENACTMENT.

SUMMARY OF THE IR No.9 PINE STADIUM RENOVATION PROJECT LOCAL REVENUE LAW 12-LRL-01

Under the Westbank First Nation Expenditure Bylaw 1995 and subsequent amendments (the "Expenditure Bylaw") Westbank First Nation "WFN" is authorized to expend moneys raised pursuant to the Westbank First Nation Property Taxation Bylaw 95-TX-08 (the "Taxation Bylaw") for local purposes, including the provision of local services on Reserve and capital projects.

Under *Bylaw 12-LRL-01*, WFN will be empowered to expend Local Government Services Surplus Funds up to \$85,000 to renovate pine stadium washrooms and concession stand (the "**Pine Stadium Washroom and Concession Stand Renovation Project**").

First reading of the *local revenue law 12-LRL-01* was given by Council May 07th, 2012; the Advisory Council reviewed this Local Revenue Law May 08, 2012 and recommended approval. A Local Revenue Law is exempted from second reading by section 60.9 of the *WFN Constitution*. Third and final reading will be given on May 22, 2012.

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.