



WESTBANK FIRST NATION STAFF REPORT TO COUNCIL

DATE PREPARED: August 23, 2017

DATE OF GENERAL COUNCIL MEETING: August 28, 2017

PREPARED BY: Ernest M Jack Surveyor of Taxes

DEPARTMENT: Finance/Tax

Third Reading
Capital Expenditure Local Revenue Law 17-LRL-02
IR No.09 Community Core Sports Court Construction Project

ISSUE: The Third Reading of Local Revenue Law 17-LRL-02.

RECOMMENDATION: **Option #1** That Westbank First Nation Council to gives third and final reading to 17-LRL-02 for the expenditure of funds (\$200,000.00) for IR No.09 Community Core Sports Court construction Capital Expenditure Local Revenue Law 17-LRL-02.

NOTIFIED FINANCE DEPT <input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required	NOTIFIED OTHER WFN DEPT <input type="checkbox"/> Required <input type="checkbox"/> Not Required
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RESOLUTION (if required):

THAT Council hereby approves and gives third and final reading to Community Core Sports Court Capital Expenditure Local Revenue Law 17-LRL-02 in the amount of \$200,000.00.

BACKGROUND: Local Revenue Law 17-LRL-02, provides for the cost of the IR No.09 Community Core Sports Courts project, to a maximum of Two Hundred Thousand Dollars (\$200,000.00) which will be funded from IR No.09 Parks Development Cost Charges Reserve Fund. This "LRL" was given first reading on August 14, 2017; it was approved by the Advisory Council on August 08, 2017. Legal posting was made on August 18, 2017 as required by Law.

OPTIONS: **Option #1** – That Council gives third and final reading to 17-LRL-02 for the expenditure of funds (\$200,000.00) for IR No.09 Community Core Sports Court construction Capital Expenditure Local Revenue Law 17-LRL-02.

Option #2 – That Council choses a different course of action.

Approved by Manager: _____ <i>[Signature]</i>	Date: <u>Aug 24, 2017</u>
Reviewed by Council Secretariat: _____	Date: _____
Approved by Director of Operations: _____	Date: _____

WESTBANK FIRST NATION
LOCAL REVENUE LAW 17-LRL-02

A Local Revenue Law providing for the expenditure of IR No.09 Parks Development Cost Charges Reserve Fund to fund the construction of Community Core Sports Court.

WHEREAS: Westbank First Nation ("WFN") has enacted the *Westbank First Nation Subdivision Development and Servicing Law 2005-15* (the "the Law");

AND WHEREAS: Pursuant to the WFN Subdivision, Development and Servicing Law, may levy Development Cost Charges ("DCC's") are intended to pay the cost of off site infrastructure services that are required to accommodate growth and development in accordance with the Community Plan;

AND WHEREAS: WFN Council has decided to fund the construction of Community Core Sports Court and wishes to expend an amount not exceeding \$200,000.00 acquired from IR No.09 Parks Development Cost Charges Reserves for that purpose (the "Project Funds");

NOW THEREFORE

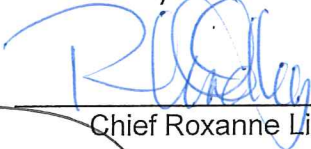
The Council of Westbank First Nation is hereby authorizing the expenditure of the Project Funds Project.

BE IT HEREBY RESOLVED AND AGREED that this Law, entitled "*Westbank First Nation Local Revenue Law 17-LRL-02*" is hereby:

Read a first time by the Council of Westbank First Nation at a duly convened meeting held on the 14th of August 2017.

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 28th day of August, 2017.



Chief Roxanne Lindley




Councillor Christopher Derickson



Councillor Thomas Konek

Councillor Brian Eli



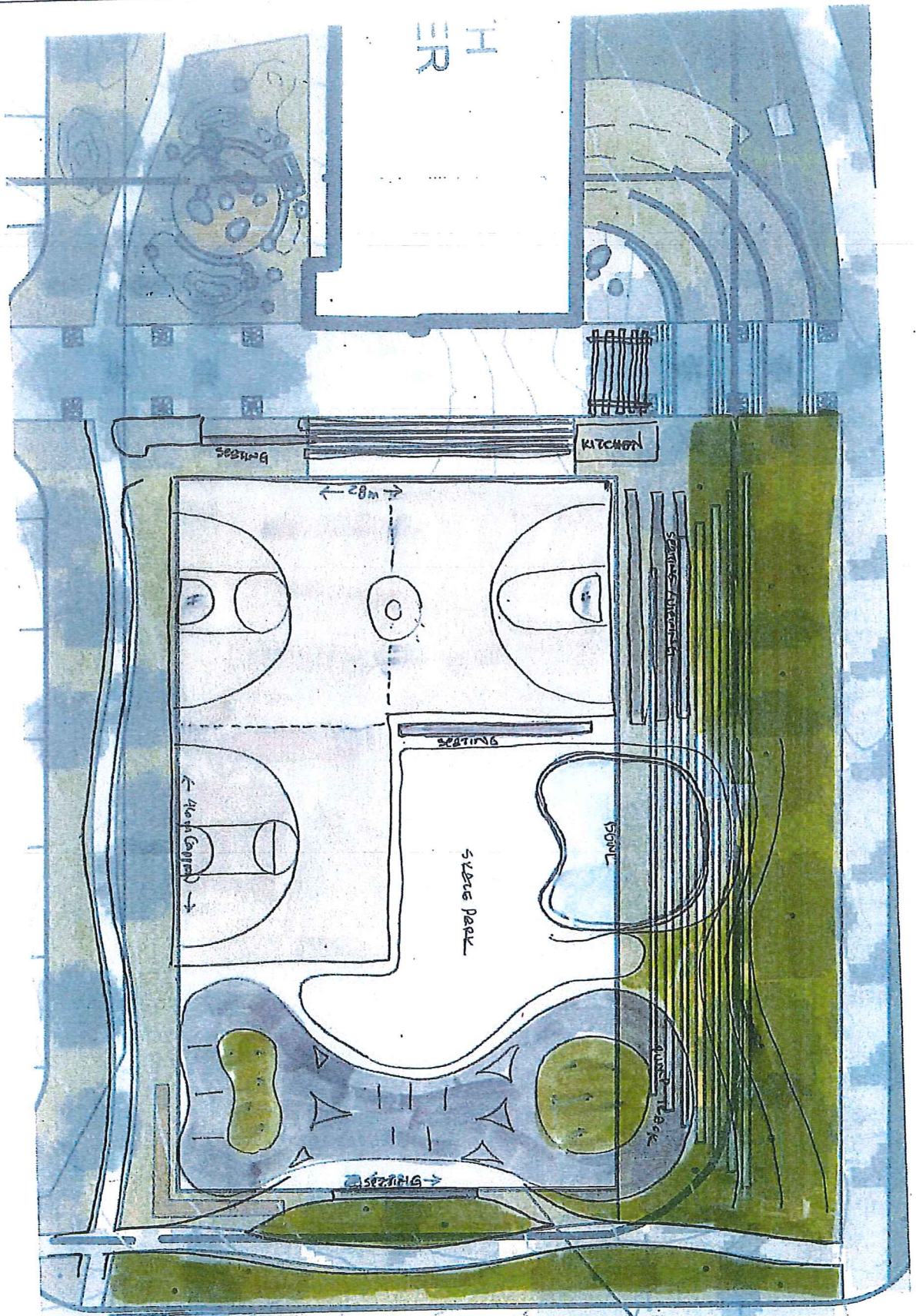
Councillor Fernanda Alexander

SCHEDULE "A"

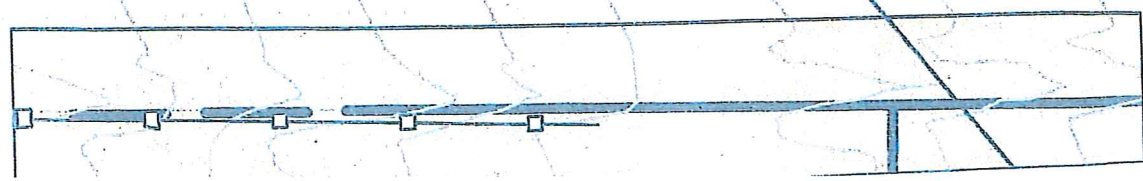
**BUDGET FOR COMMUNITY CORE SPORTS COURT PROJECT
WFN BY-LOCAL REVENUE LAW 17-LRL-02**

ITEM	COST	FUNDING SOURCE
Civil Engineering	\$ 90,000.00	WFN, Local Government Services (LGS) All Work to be completed in 2017/18
Electrical	\$ 54,000.00	
Sports Court (600m2)	\$ 95,000.00	
Pump Track (650m2)	\$110,000.00	
Skate Park (450m2)	\$200,000.00	
Landscape (800m2)	\$ 100,000.00	
Sub-Total	\$649,000.00	
Total Cost Of Project	\$700,000.00	WFN, LGS IR 9 Parks DCC
(28.57%) of total cost	TOTAL \$200,000.00	WFN, LGS

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	<p><u>First Reading, WFN Community Core Sports Court, Capital Expenditure Bylaw 17-TX-06 and First Reading, Capital Expenditure Local Revenue Law 17-LRL-02</u></p> <p>Staff Reports from E. Jack are attached to these minutes as Exhibits "C." and "D." Draft Sports Court Design Plan is attached to these minutes as Exhibit "E."</p>
Staff Entered:	E. Jack entered the meeting at 9:32 a.m.
Staff Entered:	D. Corning entered the meeting at 9:35 a.m.
E. Jack	Overviewed the staff reports with the Advisory Council.
D. Corning	We have reviewed the proposed sports court with various design teams to determine prospective costs and identify an appropriate design. There will be two more consultation workshops for engagement with community members and this will be followed by a request for final approval for the project. Today staff is requesting that the Advisory Council provide initial approval to pursue this initiative as the contract with the designer will need to be in place before we can initiate the project.
G. Couch	My only concern is the sum of money being requested for this project. There is a strong relationship and trust between the Advisory Council and staff involved with this project however this is a large sum of money. My preference would be to have the funds come from DCCs before taxation dollars are used as this is the purpose of these funds.
D. Corning	In response to L. Teichgraber clarified that the design build process will allow for ongoing conversations with the community to ensure that the design meets the appropriate costs and funding provisions. Further clarified that there will be two more engagement sessions to identify the best uses of the court by all residents.
	<p>Various comments from Advisory Council members included:</p> <ul style="list-style-type: none"> • Prospects of incorporating a swimming pool or a wet zone into the area; • Potential for parking concerns due to limited space; • Clarification for the engagement process to identify best uses for the area; • Suggestion to incorporate adult specific sports and



WESTBANK FIRST NATION

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WESTBANK FIRST NATION Council Meeting

Date: Monday, August 28, 2017
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 17-LRL-02 WILL BE READ AND CONSIDERED FOR ENACTMENT.

SUMMARY OF THE LOCAL REVENUE LAW 17-LRL-02

Under *Westbank First Nation Subdivision Development and Servicing Law 2005-15*, “WFN” may levy Development Cost Charges (DCC’s) against a parcel of land to be developed; which DCC’s are intended to pay the cost of off-site infrastructure services that are required to accommodate growth.

Under *Local Revenue Law 17-LRL-02*, WFN will be empowered to expend up to \$200,000.00 of the IR No.09 Parks Development Cost Charges Projects Reserve Funds, to fund the construction of the Community Core Sport Court Project on the Tsinstikeptum Indian Reserve No.09.

First reading of the draft *Law 17-LRL-02* was given by Council August 14, 2017; third and final reading will be given on August 28th 2017. 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.