



To: Parks, Recreation and Cultural Services Committee **Date:** August 11, 2004
From: Kate Sparrow, Director, Recreation & Cultural Services **File:** 8060-20-7812
Andrew Nazareth, Director, Finance
Re: Creation of Leisure Facilities Statutory Reserve Fund

Staff Recommendation

That Bylaw No. 7812, which creates a new statutory reserve fund for Leisure Facilities, be introduced and given first, second and third readings.

K Sparrow

Kate Sparrow
Director, Recreation & Cultural Services
(4129)

per J-N

Andrew Nazareth
Director, Finance
(4365)

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|-----------------------------------|--|---------------------------------------|----------------------------|---|--|
| ROUTED TO: | | CONCURRENCE | | CONCURRENCE OF GENERAL MANAGER | |
| Law | | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> | <i>K Sparrow</i> | |
| City Clerk | | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> | | |
| REVIEWED BY TAG | | YES | NO | REVIEWED BY CAO | |
| <i>per</i> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <i>per</i> | |
| | | | | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | |

Staff Report

Origin

At the Public Hearing on December 15, 2003, Council adopted Official Community Plan Amendment Bylaw No. 7591 which amended the Indoor and Outdoor Amenity Space Guidelines and adopted the "Cash In Lieu of Indoor Amenity Space" Policy. However, there is no existing reserve fund designation for recreation and culture public buildings and support facilities to which funds collected under the policy can be credited.

Analysis

Based on the above, staff recommend the creation of a Leisure Facility Reserve Fund, under which two sub-funds would be created:

i) Leisure Facility Development Fund

This sub-fund would accept the Cash In Lieu of Amenity Space funds contributed by developers instead of providing indoor amenity space on-site. These funds are designated for the building of additional recreation and cultural facilities within the City.

ii) City Centre Facility Development Fund

This sub-fund would accept the proceeds from the sale of the Aberdeen Community Space and any other contributions received for the development of recreation and cultural facilities in City Centre.

Spending of funds in Reserve Accounts is subject to Council approval in accordance with City policies. This bylaw will create a specific reserve to house and expend funds for recreation and culture public buildings and support facilities.

Process

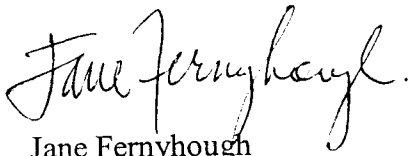
On May 2nd, 2002 Council rationalized the multitude of previous reserve funds under a new Statutory Reserve Fund Establishment Bylaw, No. 7361. This Bylaw was created in order to simplify and administratively streamline the existing reserve funds as well as create new reserve funds to meet the changing needs of the City. At the direction of the Law Department and the City Clerk, rather than amending this bylaw to add the proposed Leisure Facilities Reserve Fund, because Bylaw No. 7361 was adopted under the *Local Government Act*, the opportunity has been taken at this time to present a new bylaw (No. 7812) which is compliant with the *Community Charter*. In summary this new bylaw is identical to the bylaw being repealed, except for the addition of the proposed Leisure Facilities Reserve Fund (identified as clause (g) of subsection 1.1.1).

Financial Impact

There is no financial impact since the bylaw does not effect the Statutory Reserve balances.

Conclusion

The addition of a new Statutory Reserve for Leisure Facility Development under the Reserve Fund Establishment Bylaw provides a reserve fund for monies collected from the Cash In Lieu of Amenity Space, as well as other contributions to community facility development.



Jane Fernyhough
Manager of Heritage and Cultural Services
(4288)

JF:jf



Statutory Reserve Fund Establishment Bylaw No. 7812

The Council of the City of Richmond enacts as follows:

PART ONE: RESERVE FUNDS

1.1 Categories of Reserve Funds

1.1.1 In accordance with the provisions of Section 188 of the *Community Charter*, separate **reserve funds** for the following purposes are established:

- (a) Affordable Housing;
- (b) Capital Reserve;
- (c) Capital Building and Infrastructure;
- (d) Child Care Development;
- (e) Drainage Improvement
- (f) Equipment Replacement;
- (g) Leisure Facilities;
- (h) Local Improvements.
- (i) Neighbourhood Improvement;
- (j) Public Art Program;
- (k) Sanitary Sewer;
- (l) Steveston Off-Street Parking;
- (m) Steveston Road Ends;
- (n) Waterfront Improvement; and
- (o) Watermain Replacement.

PART TWO: DISPOSITION OF FUNDS

2.1 Separation and Sole Purpose of, and Expenditures from, Each Fund

2.1.1 Each **reserve fund** established under Part One must be accounted for separately by the **City**, and any money in any of the **reserve funds** must only:

- (a) be used for the purpose for which it was intended; and
- (b) be expended in accordance with the requirements of the *Community Charter*.

PART THREE: INTERPRETATION

3.1 In this bylaw, unless the context requires otherwise:

CITY means the City of Richmond.

RESERVE FUND means a reserve fund established under Part One of this Bylaw.

PART FOUR: PREVIOUS BYLAW REPEAL

4.1 Reserve Fund Establishment Bylaw No. 7361 (adopted May 27th, 2002) is repealed.

PART FIVE: SEVERABILITY AND CITATION

5.1 If any section, subsection, paragraph, clause or phrase of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

5.2 This bylaw is cited as “Reserve Fund Establishment Bylaw No. 7812”.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

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| CITY OF RICHMOND |
| APPROVED for content by originating dept. |
| APPROVED for legality by Solicitor |

MAYOR

CITY CLERK