

AGENDA ADDENDUM

REGULAR MEETING OF COUNCIL

Monday, June 9, 2014

7:00 p.m.

Council Chamber, Municipal Hall

355 West Queens Road,

North Vancouver, BC

Council Members:

Mayor Richard Walton

Councillor Roger Bassam

Councillor Robin Hicks

Councillor Mike Little

Councillor Doug MacKay-Dunn

Councillor Lisa Muri

Councillor Alan Nixon



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7:00 p.m.
Monday, June 9, 2014
Council Chamber, Municipal Hall
355 West Queens Road, North Vancouver

AGENDA ADDENDUM

THE FOLLOWING LATE ITEMS ARE ADDED TO THE PUBLISHED AGENDA

5. DELEGATIONS

- 5.1 Councillor Lorrie Williams, City of New Westminster
Re: Pattullo Bridge Replacement – New Westminster’s Perspective

9. REPORTS FROM COUNCIL OR STAFF

- 9.5 Bylaws 7987 & 7988: Establishment of the North Vancouver Recreation and Culture Commission
File No.

Recommendation:

THAT the "North Vancouver Recreation and Culture Commission Establishing Bylaw 7987, 2014" is given FIRST, SECOND and THIRD Readings.

THAT "North Vancouver Recreation and Culture Commission Delegation Bylaw 7988, 2014" is given FIRST, SECOND and THIRD Readings.

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DELEGATIONS

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NEW WESTMINSTER

A Reasonable Approach

A Perspective on the Pattullo Bridge



March 5th, 2014

Doc#466388

Executive Summary

TransLink has identified the need to rehabilitate or replace the Pattullo Bridge in order to respond to risks related to its vulnerability in an earthquake, its structural integrity and the effect of river currents on its foundations.

New Westminster has participated in TransLink's collaborative process which has examined numerous bridge options. New Westminster's position is that a **new tolled 4-lane bridge** best addresses the problem statement and meets all identified objectives.

Pattullo as "the free alternative" is significantly affecting the livability of New Westminster. Tolls on a new 4-lane bridge are needed not only to finance the new bridge, but also as **an essential measure to lower demand for car travel over the bridge**.

The new 4-lane bridge must be built to urban design standards with excellent pedestrian and bicycle facilities. There is a need to **respect New Westminster's established urban and historic context** in the design of any new facilities, including recognition of the highly compact, highly developed nature of the north side of the river and the need to fit in harmoniously with

it freeway-style on- and off-ramps are not an option in New Westminster's highly urbanized context.

An integral component to a new tolled 4-lane bridge is mitigation from regional truck traffic. A direct link is needed between the South Fraser Perimeter Road (SFPR) and the new Port Mann Bridge. This would optimize efficiencies by utilizing existing and new transportation corridors, promote regional truck traffic where significant investments have been made and recognize areas where service capacity is available. Without this, the management and mitigation of regional truck traffic will continue to be a significant ongoing challenge for New Westminster and affect the livability of the community.

New Westminster also supports a new 4-lane **bridge between Surrey and Coquitlam** combined with a 2- or 3-lane rehabilitation of the Pattullo Bridge. This option responds to a number of concerns within the community regarding through traffic, particularly truck traffic, but this option also adds additional capacity across the Fraser River, which would encourage more overall traffic. This option may be worthy of further consideration in the future if it can be shown to address the region's long-range regional goals, particularly for

northeast sector communities, including Coquitlam, Port Coquitlam and Port Moody.

After TransLink's initial proposal for a new 6-lane bridge having generated considerable controversy, TransLink invited the Cities of New Westminster and Surrey to participate in a Strategic Review of all options in an attempt to identify a solution that would have broad support. When the potential option of a new crossing from Surrey to Coquitlam was identified, Coquitlam was invited to participate in the process.

The first phase of the Strategic Review has been completed, and public consultation has revealed that there is substantial support for the problem statement, the policy-based objectives for the review and a short list of alternatives to be considered in the second consultation phase. The City of New Westminster has participated fully in the Strategic Review, guided by its adopted planning policies, which can be summarized as *“Work towards the principle of no new added capacity in the transportation system for vehicles passing through the City.”* Nothing has been found in the Strategic Review that would lead the City to depart from this policy and support additional capacity being provided on the Pattullo Bridge. In fact, the opposite is true - there are many reasons why the provision of

additional capacity would be an unwise investment. TransLink's Regional Transportation Strategy's two “headline targets” also support this approach: 1. limit growth in the number of car trips in the region; and 2. make half of all trips by walking, cycling and transit. Adding capacity for cars clearly supports neither of these overarching regional targets.

The Province's letter to the Mayors' Council on Regional Transportation dated February 6, 2014 outlined changes to TransLink governance, the requirement of a fully-costed, fully-funded transportation vision for the upcoming referendum and the commitment of provincial funding for major rapid transit projects and a Pattullo Bridge replacement. As the Pattullo Bridge is one of the key priorities for the region, TransLink postponed the Pattullo Bridge Strategic Review process to confirm with the Mayors' Council how options for this project would fit into the regional plan. Given the present uncertainties related to projects, priorities and funding in the vision, the City of New Westminster wishes to clearly articulate its perspective on Pattullo Bridge in order to inform the ongoing discussions on regional transportation priorities, including the Pattullo Bridge Strategic Review.

Additional capacity is not warranted as a response to identified needs. Traffic

volumes on the Pattullo Bridge had been stable for many years before the tolled Port Mann opened with the Pattullo Bridge serving as the “free alternative,” as required by provincial tolling policy. Between 2012 and 2013, volumes have increased from 69,900 to 75,700. Since 2008, 11 lanes of additional road capacity have been added across the Fraser River at other locations. Experience with rapid population growth in Richmond, for example, has shown that growth does not automatically necessitate additional road capacity across the river. Research has shown that the capacity of the street network is the main cause of congestion on the north side of the river, and projects that had been contemplated to provide additional street capacity are no longer under active consideration.

There are other reasons to question the case for additional capacity. Much of the justification of additional capacity has relied on model-driven travel forecasts, and it is now evident that **forecasting future travel is a major challenge** and may not provide a reliable basis for decision-making. In addition, **expanded capacity is not a regional priority** identified in any provincial, regional or local plans. Such an expansion would be contrary to key policies in the recently adopted Regional Transportation Strategy, which gives priority to walking,

cycling and transit over private automobile travel. The financial priority in this strategy is the continued expansion of transit infrastructure. Experience with the opening of the Alex Fraser Bridge shows that **new road capacity encourages low-density automobile-oriented development** by enabling people to settle in automobile-oriented developments more distant from their workplaces, taking advantage of the increased accessibility provided by a new road facility. Provision of expanded capacity is **not consistent with the Pattullo Bridge’s current role and function**, which is to connect North Surrey with New Westminster and parts of Burnaby. The need to invest in transportation to support the regional economy does not require anything more than 4 lanes of capacity across the Fraser River at this location. More capacity would exacerbate the serious problem created by the circuitous connection between the South Fraser Perimeter Road and Highway 1 in Surrey. This has led to a significant increase in trucks on the Pattullo Bridge and adjacent streets, which were not designed and are not appropriate for such traffic.

For all of these reasons, the City of New Westminster does not support additional capacity on the Pattullo Bridge, in particular the **5-lane and 6-lane alternatives** which

are proposed for further consideration in the Strategic Review.

The City's review of a **rehabilitated Pattullo Bridge – 3-lane** with a counter-flow operation similar to the Lions Gate Bridge indicated that the reduced capacity and the counter-flow operation would result in extensive additional queuing problems which would detract from local access, business viability and the quality of life in the City's neighbourhoods. In addition, it may increase exposure to air pollution resulting from the queued vehicles.

A **rehabilitated 4-lane Pattullo Bridge** at the existing location, if tolled, would respond fully to the problem statement and objectives. TransLink has, however, made it clear that they will not support a 4-lane rehabilitation option due to perceived safety issues. The City has concerns with this decision due to the capital cost increment of \$500 million or more between the rehabilitation option and the new 4 lane bridge option.

Notwithstanding the Province's commitment regarding funding for major rapid transit

projects and a Pattullo Bridge replacement, New Westminster's position is that unnecessary money spent on the bridge would restrict the ability to fund other much needed transit projects, such as Surrey's Light Rail Transit. **New Westminster is strongly supportive of re-allocating capital cost savings** from a new 4-lane bridge towards much needed rapid transit projects addressing the needs of the region.

Moreover, there is a need for other **key regional initiatives** to move forward to provide a context for the Pattullo Bridge in the future, including the Regional Transportation Strategy, a regional approach to tolling or road pricing and a regional goods movement strategy.

In conclusion, the City acknowledges the need to expeditiously address the risks TransLink has identified with the Pattullo Bridge and supports the Strategic Review process. The consultation process has confirmed broad support for the agreed problem statement and objectives. It is the City's view that the work conducted to date does not support the provision of increased capacity on this crossing.

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1 Introduction

In 2006, TransLink received technical information indicating that the Pattullo Bridge required urgent attention to address three issues:

1. The vulnerability of the bridge to damage in the event of an earthquake;
2. The structural integrity of the bridge; and
3. The effect of scouring by strong Fraser River currents on the bridge's foundations.

In 2008, the TransLink Board approved the following motion:

'That the TransLink Board of Directors approves:

- A. The development of a plan for the construction of a new tolled crossing and improvements to related infrastructure to expedite the replacement of the existing Pattullo Bridge; and*
- B. The exploration of partnership opportunities with affected local and senior governments and stakeholders that have an interest in the Pattullo corridor'.*

Although the foregoing resolutions did not specify a new 6-lane bridge, TransLink initiated a public consultation process in 2012 that sought public feedback on two replacement options: a 6-lane bridge upstream of the current location and a 6-lane bridge downstream of the existing location.

New Westminster City Council objected to the narrow range of options presented and to the assumption that a 6-lane bridge was warranted. It decided to hold its own consultation process in May 2012 in conjunction with the City's Master Transportation Plan project. This consultation, which involved two public meetings, online provision of information and opinion surveys conducted at meetings and online, demonstrated a significant level of community concern with the TransLink 6-lane bridge proposal and a desire to have a full range of options considered. City Council concurred with these views.

In June 2012, TransLink proposed that the cities of New Westminster and Surrey undertake with TransLink a "Strategic Review" of all options working on a consensus basis. This review is in three phases and it has been under way for more than a year and a half. The review was expected to continue in 2014, with the

results to be incorporated into TransLink's Regional Transportation Strategy for assessment in relation to other transportation priorities.

The Minister of Transportation and Infrastructure's letter dated February 6, 2014 to the Mayors' Council on Regional Transportation outlined changes to TransLink governance, the requirement of a fully-costed, fully-funded transportation plan for the upcoming referendum and the availability of provincial funding for major rapid transit projects and the Pattullo Bridge replacement. As the Pattullo Bridge is one

of the key priorities for the region, TransLink postponed the Pattullo Bridge Strategic Review process to confirm with the Mayors' Council how options for this project will fit into the regional plan. Given the present uncertainties related to projects, priorities and funding in the plan, the City of New Westminster wishes to clearly articulate its perspectives on Pattullo Bridge to inform the ongoing discussions on regional transportation priorities including the Pattullo Bridge review.

2 Strategic Review – Current Situation

2.1 Development of problem statement and objectives

The initial stage of the review produced three deliverables for public consultation:

1. A problem statement;
2. A list of objectives based on municipal, regional and other agencies planning objectives;
and
3. An initial screening of a complete list of alternatives to a smaller number for further evaluation.

The first two items are described below:

Problem Statement

The Pattullo Bridge may not survive a moderate earthquake or ship collision, the piers are at risk of being undermined by river scour and many bridge components have surpassed their useful lives.

Other Issues

When considering the best alternatives for the problem, it is an opportune time to establish the optimal roles for the crossing and also to address other issues with the current crossing, including:

1. The Pattullo Bridge does not meet current roadway design guidelines, including for lane widths and curvature, potentially contributing to collisions.
2. Pattullo Bridge facilities, such as sidewalks and barriers, and connections for pedestrians and cyclists, are inadequate and do not provide sufficient protection from traffic.
3. During rush hours, travel demand on the roads leading to the Pattullo Bridge results in queuing and unreliable travel times for the movement of people, goods and services.
4. Current traffic (including truck) volumes affect the liveability of adjacent communities due to air quality, noise and resulting health impacts, as well as due to neighbourhood traffic infiltration.

Objectives

The preferred alternative will meet transportation, environmental and health objectives, including:

1. Moves towards the regional goal that most trips will be by walking, cycling and transit.
2. Minimizes single-occupant vehicle use and vehicle kilometres travelled.
3. Minimizes emissions of greenhouse gases (GHGs) and pollutants.
4. Is capable of supporting neighbourhood liveability by minimizing and mitigating impacts, including during construction, and provides an aesthetically pleasing structure.
5. Supports local and regional land use plans and economic development.
6. Provides reliable access and predictable travel times for all modes, users, and for an appropriate level of goods movement.
7. Provides a safe crossing for all modes, is structurally sound and meets current standards for seismic and ship impacts.
8. Is cost-effective.

2.2 Alternatives recommended for further evaluation

The partners' initial screening was conducted on the basis that an alternative should be recommended to advance to the next phase if one or more of the agencies believed that further evaluation was required. Based on this approach, further consideration of the following six alternatives was recommended:

1. Rehabilitated Pattullo Bridge – 3-lane;
2. Rehabilitated Pattullo Bridge – 4-lane;
3. New 4-lane bridge at existing location;
4. New 5-lane bridge at existing location;

5. New 6-lane bridge at existing location; and
6. New 4-lane Surrey-Coquitlam Bridge, with a 2- or 3-lane rehabilitated Pattullo Bridge.

2.3 Results of public consultation

In June 2013, the partners conducted an extensive process of public consultation on these initial results. The Consultation Summary Report, published in September 2013, confirmed the following:

- There is broad agreement with the Problem Statement;

- There is broad support for the Objectives as the basis for the review; and
- There is agreement with the 6 alternatives proposed for further consideration as a result of the screening process.

Of the alternatives not proposed for further consideration, only one – a new Surrey-Coquitlam Bridge – attracted significant disagreement with the proposal to exclude it from further consideration. It had been ruled out because it conflicted with regional policy to maintain connectivity between regional city centres such as New Westminster and Surrey City Centre.

In summary, the public consultation on the first phase of the joint process confirmed the validity of the approach adopted by the partners, which focuses on the issues that gave rise to the proposal to replace or rehabilitate the bridge and is based upon objectives drawn from the official planning documents of all of the partners. There was also support for the results of the screening process to reduce the long list of alternatives to a shorter list that warrants further examination.

3 The City does not support expanded capacity on the Pattullo Bridge

To date, City staff has participated extensively and constructively in the review and in the related consultation activities. In general, the collaborative approach agreed to by the parties has been followed. The project is now entering the second phase, with more detailed evaluation of the remaining options. Based on the Phase 1 evaluation and public consultation, it is appropriate to introduce a City of New Westminster perspective on the project. While the City appreciates the progress being made, there has been the occasional tendency to focus on “capacity” and to overlook the fundamental issue to be addressed, which is the need to mitigate the seismic, structural and river scouring risks attendant to the present structure. Absent these risks, there would be no need to consider replacing the bridge.

The City’s adopted planning documents provide clear guidance to its position on the issue of capacity for a new or rehabilitated Pattullo Bridge. Simply put, the City wishes to *“Work towards the principle of no new added capacity in the transportation system*

for vehicles passing through the City.”

Similarly, there are no references to expansion of capacity on the Pattullo Bridge in the plans of the City of Surrey, TransLink, Metro Vancouver or the Ministry of Transportation and Infrastructure.

In fact, the Pattullo Bridge, originally a provincial facility, was transferred to TransLink in 1999 because it was considered superfluous to the provincial highway system. In addition to the policy direction provided by the City’s plans, there are other reasons why the provision of expanded capacity on the Pattullo Bridge should not proceed.

3.1 Expanded capacity is not warranted

3.1.1 Stable or declining Pattullo Bridge traffic volumes existed until the tolled Port Mann Bridge was opened

As Figure 1 shows, traffic volumes on the Pattullo Bridge have been stable or declining during the past 20 years in spite of substantial growth in the City of Surrey and the Corporation of Delta. The 1992 and 1996 data from GVRD indicated that Pattullo volumes have been as high as

74,878 ¹ vehicles/day and 73,670 ² vehicles/day respectively.

Pattullo Bridge traffic volume had been stable, in the order of approximately 65,000 vehicles/day, in the years before the opening of the tolled Port Mann Bridge in December 2012. Current data indicates that traffic volume is now gradually increasing to over 75,000 vehicles per day from 65,000 vehicles per day, is largely attributed to the Pattullo Bridge being used as a free alternative to the tolled Port Mann Bridge. In other words, Pattullo Bridge is experiencing 10-15% total traffic increase as a free alternative to the tolled Port Mann Bridge.

It should be noted that the full impact of traffic diverting to the Pattullo Bridge to avoid the tolled Port Mann facility will not be known until the results of terminating the reduced price tolls at the end of December 2013 can be fully assessed.

If tolls start to be applied more broadly in the region, as has been advocated by the Mayors' Council on Regional Transportation, the diversionary effects of

the Port Mann tolls would be reduced or eliminated, which again begs the question of whether there is a real need for adding more capacity at this crossing.

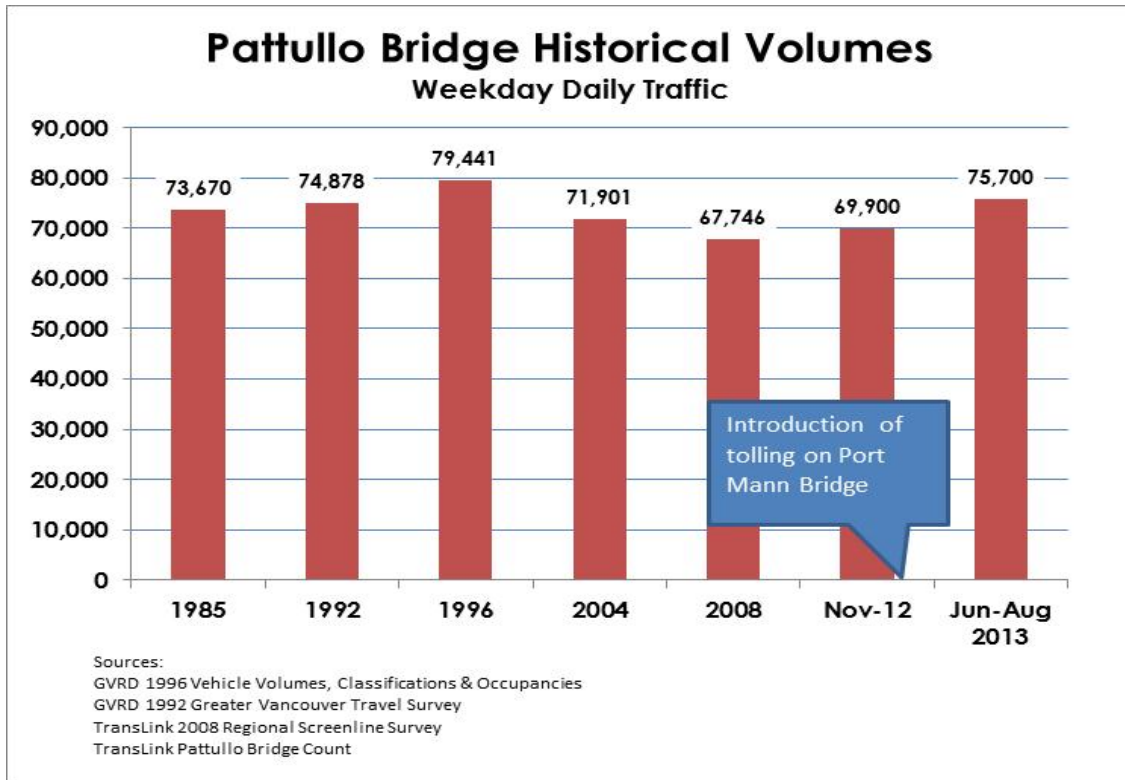
“

... Pattullo Bridge is experiencing 10-15% total traffic increase as a free alternative to the tolled Port Mann Bridge.

¹ 1992 Greater Vancouver Travel Survey – Vehicle and Transit Volumes, GVRD, MoTH, BC Transit

² 1996 Greater Vancouver Screenline Survey – Vehicle Volumes, Classifications and Occupancies, GVRD, MoTH, BC Transit

Figure 1 Historical Pattullo Bridge Daily Traffic

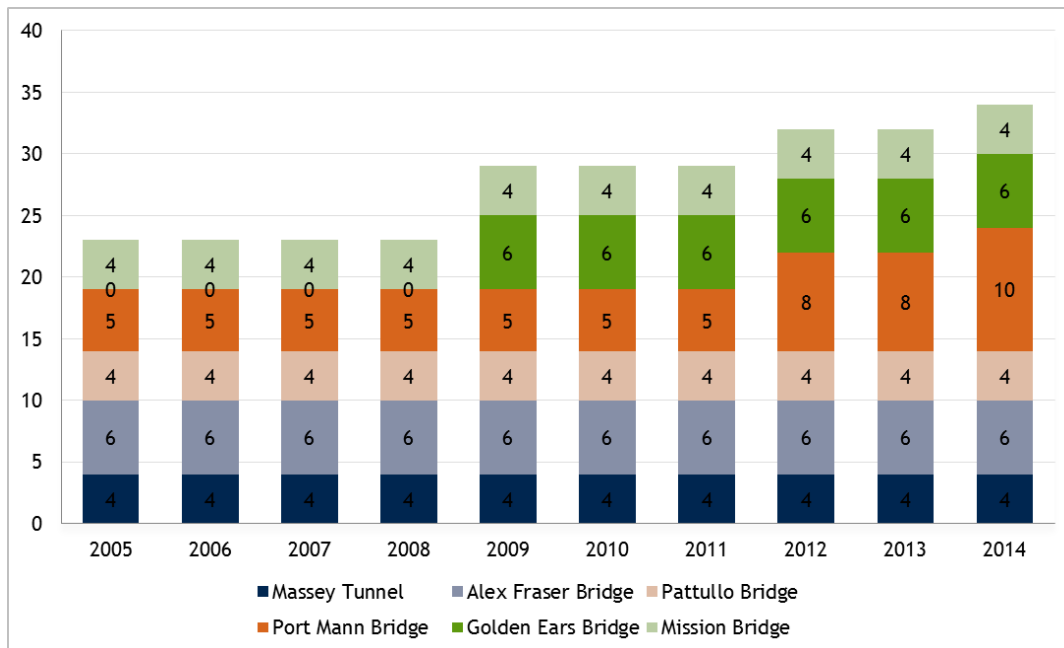


3.1.2 Significant capacity has been added at other crossings

Figure 2 shows that, between 2008 and 2014, 11 lanes of road capacity have been added across the Fraser River. The recent announcement by the Province that the Massey Tunnel will be replaced by a new bridge with additional lanes will likely result in a further addition to capacity.

“
11 traffic lanes have been added across the Fraser River since 2008.”

Figure 2³ Recent Expansion of Fraser River Crossing Lane Capacity



³ Steer Davies Gleave, “Forecasting Impacts of Tolling one Demand and Surrey Growth/Rapid Transit Implications,” Memorandum prepared for the City of New Westminster, June 24 2013. p. 2.

3.1.3 Population growth can be managed without increased capacity

The projected growth in population and employment in Surrey and New Westminster is often cited as a reason for increasing capacity on the Pattullo Bridge. Research⁴ prepared for the City of New Westminster suggests that “...*forecast land use changes and rapid transit decisions will have a limited impact on Pattullo Bridge demand.*”

An instructive example is right next door. Between 1991 and 2011, the City of Richmond’s population grew by 63,849, an increase of 50 per cent (see Figure 3).

The two municipalities on the north side of the North Arm of the Fraser River also had substantial growth, with Burnaby growing by 114,360 (71 per cent) and Vancouver by 131,658 (28 per cent). One might expect that additional bridge capacity across the North Arm would be warranted, especially considering the influx of traffic from Surrey and North Delta resulting from the opening of the Alex Fraser Bridge and Highway 91 in

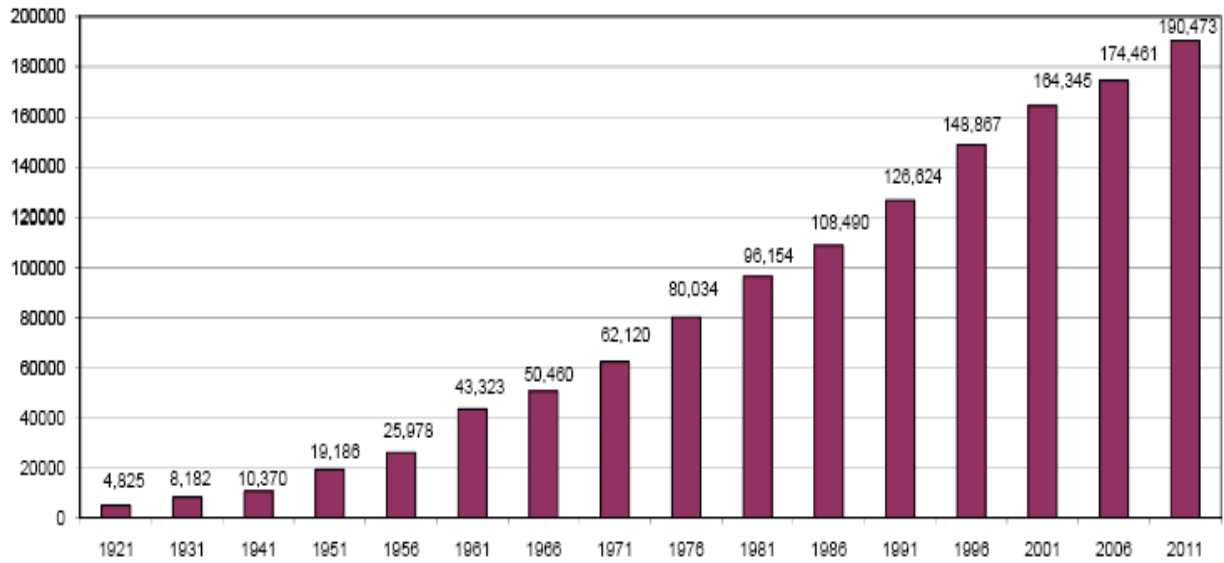
1986. Yet the only major transportation project that has been implemented there in recent years is the Canada Line.

The last major bridge upgrade was the Knight Street Bridge built in 1974 with only 4 lanes connecting Vancouver and Richmond. The older Oak Street Bridge, carrying Highway 99, is also a 4-lane bridge connecting to the urban environment in the City of Vancouver. Similarly, the Arthur Laing Bridge remains at 4 lanes despite the increase in traffic due to the No.2 Road Bridge being built and major expansion of YVR.

Still there are no plans to add more capacity to the North Arm crossings and traffic congestion at the North Arm does not appear to be a bigger issue than anywhere else in the region.

⁴ Steer Davies Gleave, “Forecasting Impacts of Tolling one Demand and Surrey Growth/Rapid Transit Implications,” Memorandum prepared for the City of New Westminster, June 24 2013. p. 9 and p. 11.

Figure 3 - Richmond Population Growth up to 1921-2011⁵



⁵ http://www.richmond.ca/_shared/assets/Population_Hot_Facts6248.pdf

3.1.4 New Westminster's street network is a major capacity limitation

New Westminster's historic street network was created 100 to 150 years ago. The City is completely built out with limited road rights-of-way. Expanding the City's road capacity not only undermines the regional goal of moving toward a compact urban area with sustainable transportation choices, it is not feasible given the dense, urban fabric of New Westminster. The City has instead focused on compact urban re-development supported by transit, walking and cycling networks.



Research⁶ was conducted for the City concerning access to the Pattullo Bridge on the New Westminster side, reflecting on the fact that road projects such as the United Boulevard Extension, North Fraser

⁶ Steer Davies Gleave, "Impacts of Design Standards," Memorandum prepared for the City of New Westminster, June 24 2013. p. 5

Perimeter Road and Stormont-McBride Connector are no longer under active consideration. The research concluded that *"...the main issue is the limited access capacity in the surrounding road network and no plans, or limited possibilities considering the urban environment, to expand in the future."*



A comparable example is the recent Highway 91A Border Infrastructure Improvement Project completed by the Ministry of Transportation and Infrastructure (MoTI). MoTI did not provide additional lane capacity on the Queensborough Bridge, recognizing the limited capacity of the adjacent road network such as 20th Street and Stewardson Way.

3.2 Forecasting future travel is a major challenge

As noted above, the challenge of forecasting should not be underestimated. Traditional approaches to travel forecasting use computer-based traffic models to simulate the operation of the transport network. These models all tend to assume that future vehicles will largely be the same, in terms of performance characteristics, as they are today. Clearly this approach cannot be assumed to be appropriate giving the coming revolution in vehicles themselves, such as the dramatic increase of carsharing and reduced levels of car ownership.

In addition, the forecasting models assume fixed land use patterns, something which is clearly not the case when major capacity increases are provided, as discussed later in this paper. Typically modelling also assumes that any travel time savings can and should be “monetized” and reported as a financial benefit. For example this may be undertaken by multiplying any perceived travel time savings by some percentage of average wages and presenting this as a “benefit.” This sort of approach is now facing significant questioning of its validity, with a number of transport planning

practitioners arguing that users simply use up any travel time saving to settle further away from the workplace and maintain the same travel time period, potentially adding to sprawl.

This was discussed in a 2011 World Bank report⁷ *“Going beyond travel-time savings: an expanded framework for evaluating urban transport projects.”* The report noted *“This paper challenges the widespread and often indiscriminate use of travel-time savings as a principal metric of economic benefits for evaluating urban transport projects. Time-budget theory and empirical evidence reveals that the benefits of a widened road or extended rail line often get expressed by more and longer trips to larger numbers of destinations and not by less time spent traveling...”*

Recent travel analysis conducted for the Strategic Review indicates that, while travel time savings could be realized under various Pattullo Bridge replacement options, these time savings have little to do with the capacity of a new structure. For example, the performance of a 6-lane bridge over a 4-

7

<http://documents.worldbank.org/curated/en/2011/01/16436614/going-beyond-travel-time-savings-expanded-framework-evaluating-urban-transport-projects>

lane bridge would account for only one or two minutes' savings on typical trips between Surrey City Centre and key destinations in Burnaby. The real significant travel time savings result from the effect of tolling on all potential replacement facilities due to the reduction in traffic on the road network with the introduction of tolls.



“

... time savings have little to do with the capacity of a new structure...The real significant travel time savings result from the effect of tolling...”

3.3 Expanded capacity is not a regional priority

Additional capacity on the Pattullo Bridge is not mentioned in any of the applicable plans at the local or regional levels. With a price tag of \$800 million to \$1.5 billion, such a facility would need to be considered in relation to other transportation priorities.

TransLink's recently adopted Regional Transportation Strategy sets two headline goals for 2041: **to make it possible for people to make half of all trips by walking, cycling and transit and to reduce the distance driven by one-third⁸**. Increasing capacity on the Pattullo Bridge

⁸ TransLink. *Regional Transportation Strategy: Draft Strategic Framework for Consultation*. June 10, 2013. Pp. 3-4.

would work directly against both of these goals by encouraging people to choose to live away from compact urban areas due to the perceived travel time savings resulting from new bridge capacity.

The Regional Transportation Strategy also commits to “*complete high-priority rapid transit projects including the Broadway-UBC Corridor [estimated cost \$1.1 billion to \$3 billion], Burnaby Mountain/SFU [estimated at \$0.114 billion], Expo line upgrades [estimated cost \$0.85 billion to \$1.1 billion] and Surrey (104th Avenue, Fraser Highway, and King George Blvd) [estimated cost \$0.9 billion to \$2.2 billion].*”⁹

Recently, the Minister of Transportation and Infrastructure¹⁰ included the Pattullo Bridge in a list of capital projects to which the Province is prepared to contribute one third of the funding. All of the other projects on the list are transit projects, and it would be a stretch to see how funding of works beyond the immediate need to respond to the seismic, structural and river scour issues could be seen as a higher priority than the

transit projects, given the scarce dollars available.

TransLink’s current base plan and the impending referendum on transportation funding underscore the financial pressures the region will face even in moving forward on its highest priorities for new infrastructure.

3.4 Discouraging low-density auto-oriented development

In the five years after the Alex Fraser Bridge opened, the residential population in the South Surrey/White Rock area increased 20 per cent. This appears to demonstrate the effect that additional road capacity may encourage people to settle in more distant suburbs and commute by car under the assumption that the new bridge capacity would provide perpetual travel time saving. The result is an increase in total kilometres driven and an increase in greenhouse gas emissions, contrary to widely accepted public policy objectives, including TransLink’s. This phenomenon is often called induced traffic or traffic that would otherwise not be generated.

⁹ TransLink. *Regional Transportation Strategy: Draft Strategic Framework for Consultation*. June 10, 2013. P.16.

¹⁰ Minister of Transportation and Infrastructure February 6, 2014 letter to Mayors’ Council on Regional Transportation

Figure 4, which is reproduced from a City of Burnaby report,¹¹ illustrates the induced traffic effect from new capacity. The typical daily volume on the Alex Fraser Bridge during the opening year of 1987 was 41,900 vehicles. The report notes that *“If volume had grown with regional population trends and associated projections, they would have increased by 15,600 vehicles by 2003. The remaining traffic growth to 2003 – the largest share at 48,400 vehicles – is the “induced” traffic. These are trips resulting mainly from surging development in the areas served by the Alex Fraser Bridge”*.¹²



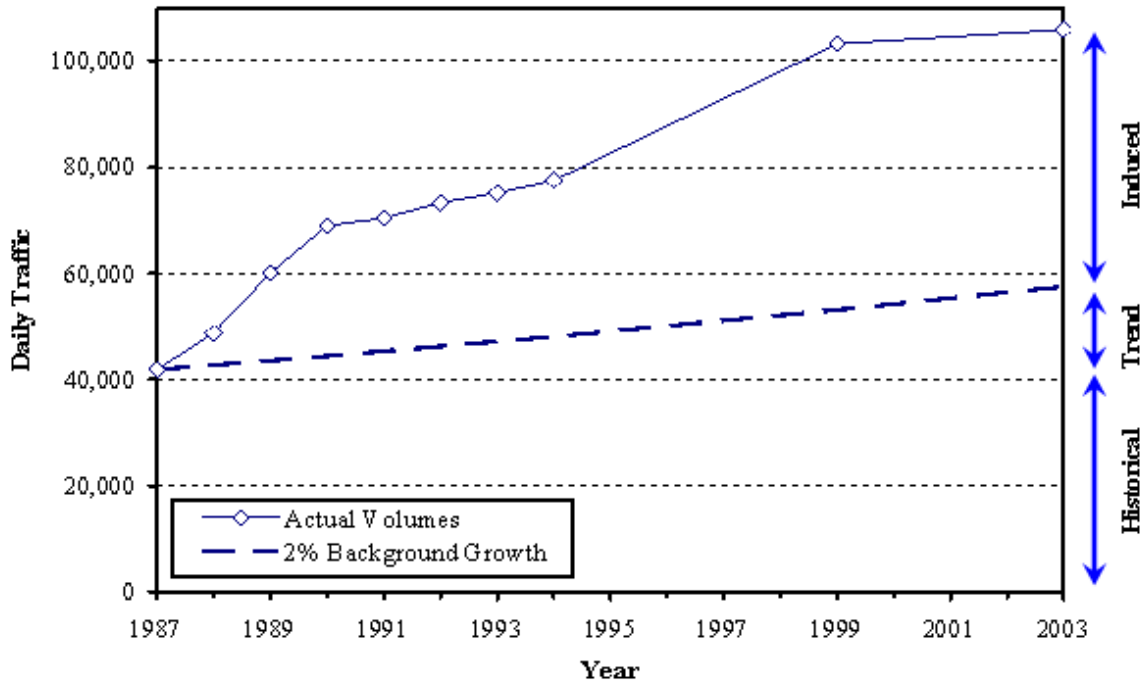
INDUCED TRAFFIC

The effect that additional road capacity has on encouraging people to settle in more distant suburbs and commute by car under the assumption of travel time savings resulting from the new bridge capacity.

¹¹ City of Burnaby Report to Council, *Port Mann/Highway 1 Project*, Planning & Building Department, August 22, 2007

¹² City of Burnaby Report to Council, *Port Mann/Highway 1 Project*, Planning & Building Department, August 22, 2007

Figure 4: Induced Traffic on the Alex Fraser Bridge



Some may argue that some of this development would have occurred even without the Alex Fraser Bridge. However, there are many other reports and research documents on the increased traffic induced by highway capacity projects. The induced effects are generally not adequately quantified by traditional transportation modelling tools.

On July 3, 2013 the Vancouver Sun, in an article noting a recent dip in region-wide house prices, presented the views of

Fraser Valley Real Estate Board President Ron Todson as follows: *"Things can vary significantly from one local market to another as different factors come together," Todson said. "I know of some Walnut Grove properties (in Langley) that are selling after being on the market for just five days." He said Langley, in particular, is benefiting from the new Port Mann Bridge and better bus service that has improved the commute to Vancouver.*¹³

¹³ <http://www.vancouversun.com/business/real-estate/Metro+Vancouver+housing+market+rema>

3.5 Maintain the Pattullo Bridge's existing role and function

Historically, the Pattullo Bridge was an important part of the provincial highway system. The then-tolled facility was the only road crossing of the Fraser River from the Burrard Peninsula to the Fraser Valley and the United States. Over time, this function was eclipsed by the construction of other crossings, to the point where the bridge was dropped from the provincial system when TransLink was formed in 1999.

Today, the role of the Pattullo Bridge is to connect two communities: Surrey's Metro Core and the New Westminster Regional City Centre, along with parts of Burnaby. It is not part of a major or significant transportation "corridor" or a link in any recognized planned system of through travel. The bridge and its approaches are not well suited for use by heavy trucks.

Any project to address the issues surrounding the Pattullo Bridge should be based on maintaining and improving this existing role and function rather than adding new functions which cannot be supported in

[ins+balanced/8611586/story.html#ixzz2aBYT9cOp](https://www.vancouver.ca/news+balanced/8611586/story.html#ixzz2aBYT9cOp)

a highly urbanized setting and constrained street network.

3.6 Invest in transportation to support the regional economy

No compelling business case has been made or has arisen from the consultation results that increasing capacity on the Pattullo Bridge would provide significant economic benefits. It is difficult, however, to determine the economic implications of the replacement options for the Pattullo Bridge because of the absence of a regional economic development strategy or regional economic development office that could provide reliable data and policy advice. There is a tendency to take the view that it is a self-evident truth that making truck movements easier is beneficial to the economy, but this is a questionable position in the absence of information on the nature of truck trips, the economic activity undertaken at each trip end, the time-sensitivity or value of the goods carried, etc.

Regionally, the conclusion has apparently been reached that the most economically beneficial investments are in improvements to transit services. Economic development – particularly goods movement – has been the rationale for significant investments in

road infrastructure by the provincial and federal governments in recent years. While these investments have left at least one significant gap, i.e., the connection between the South Fraser Perimeter Road and Highway 1, they do not appear to have contemplated a role for the Pattullo Bridge in this system.

There is an acknowledged need for a regional goods movement strategy as documented later in this paper. In the absence of such a strategy, it is difficult to see an economic role for the Pattullo Bridge that would not be served by continuing its existing function and addressing the seismic, structural, and river scour concerns.



“

No compelling business case has been made or has arisen from the consultation results that increasing capacity on the Pattullo Bridge would provide significant economic benefits

4 Review of options to rehabilitate or replace the Pattullo Bridge

4.1 Selection of options that are consistent with City policy

It is clear from the foregoing that the City of New Westminster has important and persuasive reasons for its opposition to increased capacity on the Pattullo Bridge. That said, the City acknowledges the urgency of dealing with the identified risks arising from seismic concerns, structural integrity and river scour.

The first phase of the consultation process identified 6 options for further consideration¹⁴. Recent transportation forecasting by TransLink provides a comparison of the performance and order of magnitude costs of the options:

TABLE 1 PATTULLO BRIDGE TRAFFIC FORECAST AND COSTS¹⁵

Options	Estimated Opening Day (weekday) Volume if in place today	Order of Magnitude Cost
Current 2013, untolled	76,000	
Rehabilitated 3- lane Bridge	44,500	\$250M
Rehabilitated 4- lane Bridge	44,500	\$250M
New 4-lane Bridge	49,000	\$850M
New 5-lane Bridge	51,500	\$1.45B plus
New 6-lane Bridge	52,000	\$1.5B plus
New 4-lane Surrey Coquitlam Bridge with rehabilitated 3-lane Pattullo Bridge	34,000 + 28,000	\$1.75B

TransLink forecast volumes dependent on model calibration accuracy and modelling limitations as discussed in Section 3.2. Forecasts are provided for comparative purposes of the options only.

¹⁴ TransLink *Pattullo Bridge Review Consultation* June 2013

¹⁵ TransLink *Pattullo Review – Delcan Traffic Forecasts*, January 2014

The above forecasting comparison indicates minimal benefits between the new 5- or 6-lane bridge and the new 4-lane bridge – a difference of 3,000 vehicle per day under today’s conditions. The City’s position in opposition to additional capacity renders it unable to support the following two options:

- New 5-lane bridge at the existing location; and
- New 6-lane bridge at the existing location.

The above two options would also require substantial capital investments to address capacity constraints of the existing street network and, more importantly, to enable any increase in crossing capacity to be operationally effective without major impacts on the City of New Westminster and its residents as well as neighbouring jurisdictions such as the City of Burnaby.

The sixth option, “New 4-lane Surrey-Coquitlam Bridge, with a 2- or 3-Lane Rehabilitated Pattullo Bridge,” is a possible, if somewhat indirect, response to the fundamental issues which gave rise to the project (seismic, structural, and river scour). It would entail the construction of a new 4-lane crossing of the river as well as new

connections to the existing street systems on both sides, which would increase the number of lanes over the Fraser River.

Such a project would require extensive further study and involvement of other parties (notably the City of Coquitlam, which has only recently become engaged in the Strategic Review). Given the limited amount of information available and the relatively high public interest in this option, the City believes it warrants further consideration, but is not the solution to the problem statement. The most important aspects of the current proposal from the City’s perspective would be the diversion of some general traffic from the Pattullo Bridge and the provision of a river crossing that is more suitable for heavy trucks, which might allow limitations or a ban on truck traffic on the Pattullo. The more direct impacts are similar to those for the “Rehabilitated Pattullo Bridge – 3-lane” option discussed below.

This left three options at the location of the existing bridge that lie within the scope of the City’s position and will be discussed in further detail below:

- Rehabilitated Pattullo Bridge – 3-lane;

- Rehabilitated Pattullo Bridge – 4-lane; and
- New 4-lane bridge at existing location.

4.2 Rehabilitated Pattullo Bridge – 3-lane

Under this option, the bridge would be rehabilitated to address the primary risk concerns, including the provision of three wider lanes, which would operate in a counter-flow configuration similar to the Lions Gate Bridge, plus improved facilities for pedestrians and cyclists. Such an approach would present significant challenges in the case of the Pattullo Bridge, because northbound and southbound travel is fairly evenly balanced at most times of the day including peak hours and the peak directional volume is in the range of 2,600 to 3,000 vehicles per hour (even prior to the tolling of Port Mann Bridge), well exceeding the capacity of a single lane. Consequently in this situation there would be extensive queuing for bridge access in both municipalities.

This aspect is the City's primary concern with this option, because the counter-flow operation and the reduction in capacity from

four lanes to three would seriously exacerbate the queuing conditions on City streets which would increase the exposure of residents to the health effects of vehicle emissions. However, this option has the lowest capital cost of the six options identified for further consideration and requires minimal changes to the existing street network.

4.3 Rehabilitated Pattullo Bridge – 4-lane

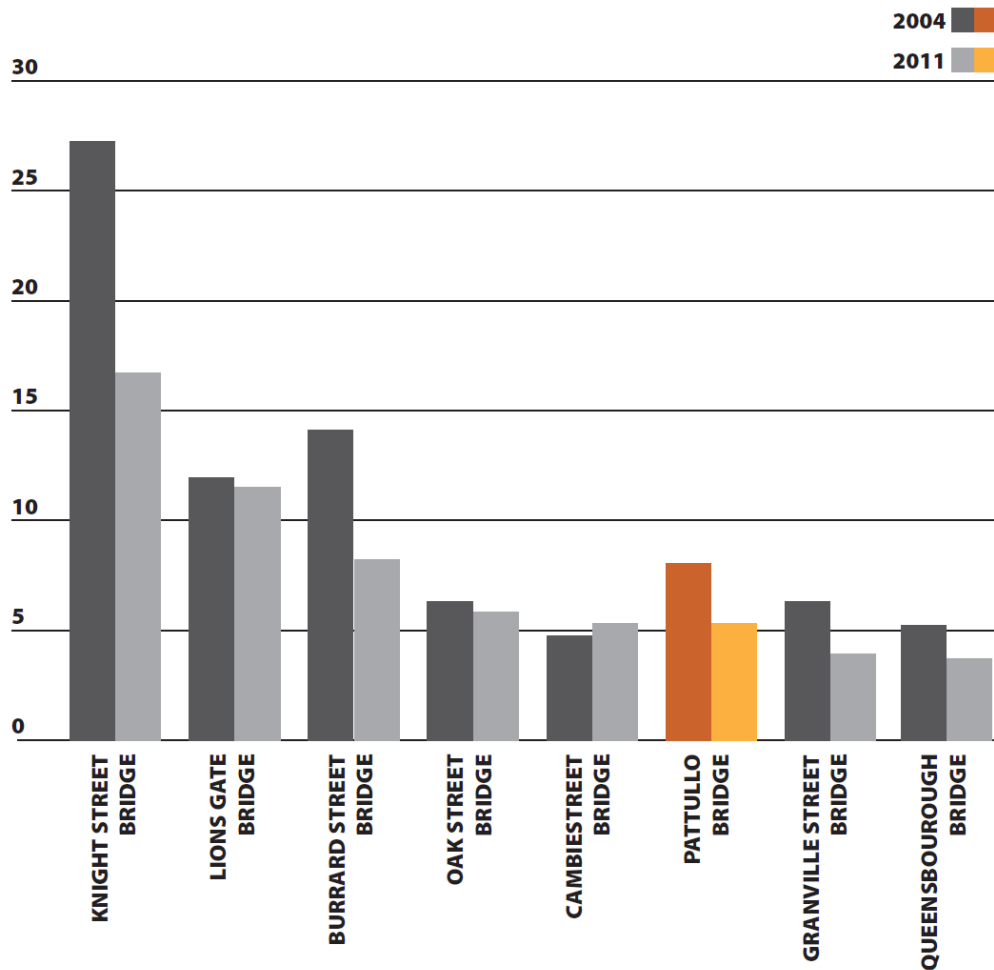
Under this option, the bridge would be rehabilitated to address, to the extent possible in a rehabilitation, the basic issues of seismic safety, structural integrity and river scour. Pedestrian and cycling facilities would be improved. This option has the second-lowest capital cost of the options identified for further consideration and requires minimal changes to the existing street network.

TransLink has rejected this option, due mainly to its inability to provide wider travel lanes, meeting today's Transport Association of Canada's Guidelines, through the bridge arch, with attendant risks of collisions. The City believes this aspect should be given further more detailed consideration, in the light of the fact that the

difference in capital cost between this option and the least expensive replacement option is likely to be more than \$500 million and that Pattullo Bridge collision statistics are currently at the lower end of the scale for regional crossings (Figure 5). Such a review could include a risk management approach

including measures to mitigate the primary cause of serious collisions on the present structure, which is driver behaviour, particularly excessive speed and driving impairments.

Figure 5 Comparison with Other Bridges¹⁶
(COLLISIONS PER MILLION VEHICLE TRIPS)



¹⁶ TransLink Pattullo Bridge Review – April 2013

4.4 New 4-lane bridge at existing location

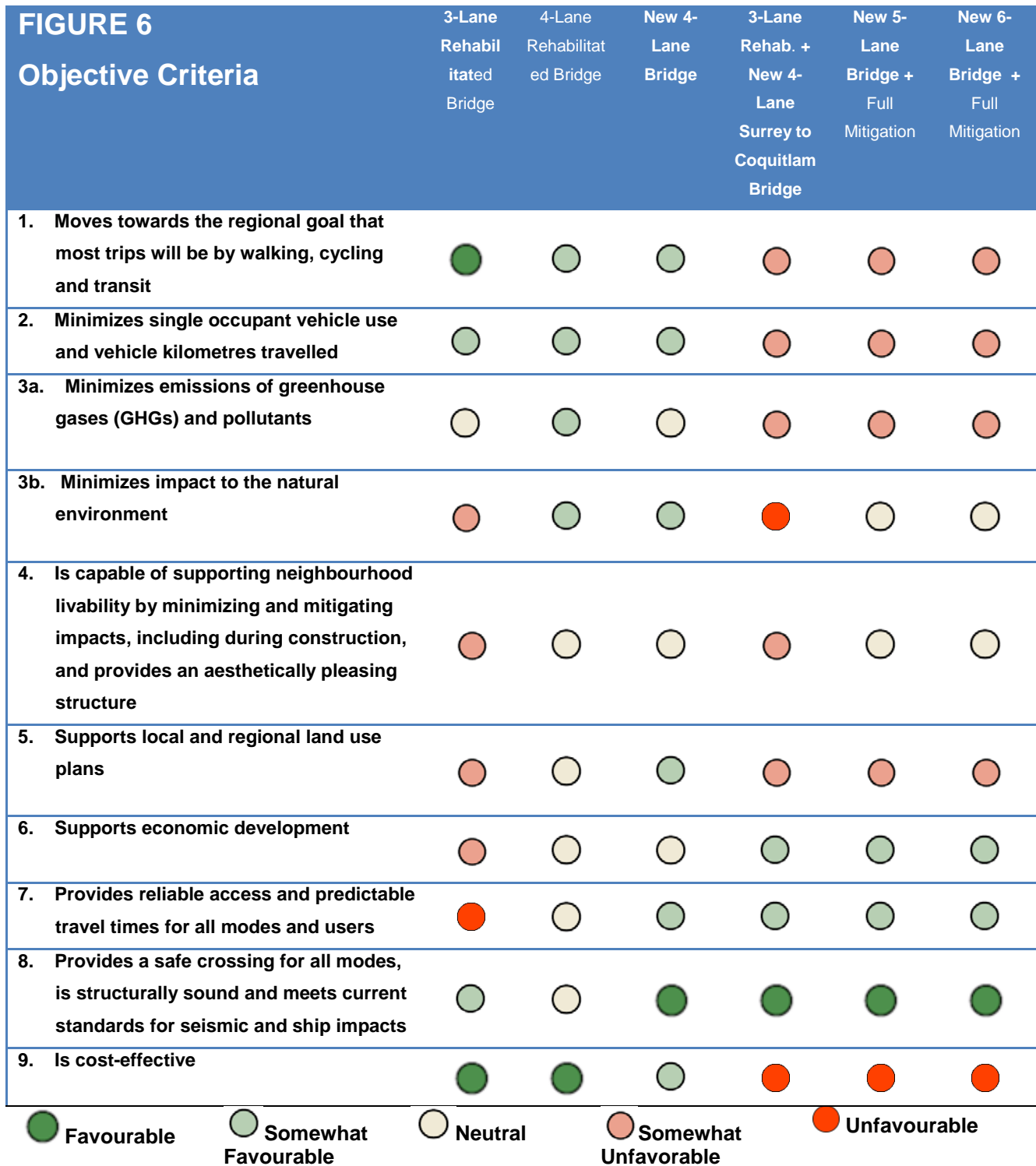
Under this option, a new tolled 4-lane bridge would be constructed, likely immediately upstream of the existing bridge's location, and the existing bridge would be demolished. This would provide a replacement that fully responds to the risk issues that prompted the initiation of the project as well as providing improved facilities for pedestrians and cyclists. Although the capital cost of this option is more than double the previous two, it is the third-lowest of the six options identified for further consideration.

4.5 City evaluation against the project objectives

Using the 9 agreed objectives developed in the collaborative review process, the City has conducted an evaluation of the six

shortlisted options from Phase 1 as shown on Figure 6. The findings suggest that the 4-lane rehabilitation option and the new 4-lane option provide better overall alignment with the established objectives.





5 The City's position on the options

The City's evaluation of the 6 options in the preceding section indicates that the rehabilitated 4-lane tolled bridge and the new 4-lane tolled bridge rank the highest in supporting the overall objectives. The City of New Westminster is prepared, subject to conditions identified below, to support a rehabilitated or new 4 – lane tolled bridge at the location of the current Pattullo Bridge as these two options are consistent with the City's and TransLink's policies and with a reasoned and prudent response to the basic issues and risks that TransLink and its municipal partners identified at the outset of the collaborative process.

As noted above, the City believes that the Surrey-Coquitlam crossing combined with a 3-lane rehabilitation of the Pattullo Bridge may warrants further consideration in the future due to its potential to support long range regional goals and the high level of public interest but, due to the limited amount of information available on this option, it is not a candidate to address the current problem statement.

The City of New Westminster is prepared to support either a rehabilitated tolled 4-lane bridge or a new tolled 4-lane bridge. The City is also supportive of consideration of a new tolled 4-lane Surrey-Coquitlam bridge as a potential connection in the future if it can be shown that this would support the region's long term land use and transportation goals.

“

The City of New Westminster is prepared to support:

- 1. Rehabilitated tolled 4-lane bridge**
- 2. New tolled 4-lane bridge**

A new tolled 4-lane Surrey-Coquitlam bridge could be considered in the future in the context of long range regional goals.

5.1 Critical Dependencies

The City's support for these options is conditional on agreement to respond to four areas of concern.

5.1.1 Development of an integrated tolling policy

The City strongly believes that the TransLink Board's original expectation that any new facility would be tolled should be respected. Tolling is important not only as a means of financing the works but also as a means of dampening demand for road use by private automobiles.

In the City's view, there is a fundamental inequity in the Province's position that there should be a "free alternative" to the newly-tolled Port Mann Bridge, when that alternative is provided at the expense of TransLink and local municipalities. This speaks to the need for a comprehensive regional tolling policy as advocated by the Mayors' Council on Regional Transportation.

5.1.2 Respect for the urban context

A new or rehabilitated Pattullo Bridge will always be a major part of New Westminster's identity as a city. Care should therefore be taken to ensure that it is attractive and fits well within the high-density urban setting on the north side of the river. On the south side, it will also be critical to ensure that the new crossing and associated road changes are compatible

with any long-term vision for King George Boulevard as it evolves from being a former Provincial highway into a new role not only as a traffic route but also as the main "front door" to Surrey and the ceremonial approach to the City Centre. Decisions taken today about the Pattullo Bridge and King George Boulevard will have a great influence on the future character, ambience and urbanity of the whole corridor from New Westminster, across the Fraser River to Surrey's City core.

5.1.2.1 Design of connections

Research¹⁷ conducted for the City on how the connections to a new or rehabilitated bridge in New Westminster has identified opportunities for intersection design and signalization that will reduce traffic speeds and create a safer "urban type" environment for pedestrians, cyclists and local motorists. The structure and connections should include excellent pedestrian and bicycle facilities that are well connected to sidewalks and bike routes on both sides of the river in support of the regional goals of most trips by walking, cycling and transit.

¹⁷ Steer Davies Gleave, "Impacts of Design Standards," Memorandum prepared for the City of New Westminster, June 24 2013. p. 7

5.1.2.2 Design of structures

If a new structure is to be built, it should be the subject of an architectural design competition in which the cities of Surrey and New Westminster are full participants. If a rehabilitation option is chosen, attention should be paid in the design and maintenance processes to improve significantly the present appearance of the bridge and incorporate safety features such as suicide prevention.

5.1.2.3 Repairing urban fabric

In more detailed planning of the replacement or rehabilitation project, consideration should be given to repairing some of the community severances caused by the current structure, including local connections across McBride Boulevard and improving access between the downtown and the waterfront.

5.1.3 Limitations on truck traffic

A key issue for the residents of New Westminster is the extent of heavy truck traffic through the City. City of New Westminster traffic surveys suggest that over 70 per cent of truck traffic in New Westminster is externally generated.

The City recommends that consideration be given to banning heavy trucks on the Pattullo Bridge altogether or at certain times of day which will also enhance the safety performance of the bridge. A comparison may be made with the North Shore with the port and railway facilities in North Vancouver. Trucks are not permitted on the Lions Gate Bridge and truck access is restricted to only one crossing – The Ironworkers Second Narrows Bridge.

It is of interest to note that on the other side of the Fraser River, the issues of truck traffic appear to have been substantially addressed. An article in BC Business, August 2013¹⁸, reporting observations made by Jim Cox, then-CEO, Surrey Development Corporation, noted “Cox gives full credit to Watts and her big-picture vision, such as changing the name of King George Highway to King George Boulevard, and creating South Fraser Perimeter Road to divert all that ugly truck traffic away from the heart of the city, making the streets walkable for the first time in Surrey’s car-loving history.” It is also worth noting that the costs of the South Fraser Perimeter Road have been covered by the Province.

¹⁸ <http://www.bcbusiness.ca/retail/surrey-the-startup-city?page=2>



5.1.4 A more direct connection from South Fraser Perimeter Road to Hwy 1

The City believes there is a missing link in the highway network being built by the Province that will significantly expand the pressure on the Pattullo Bridge for use by heavy trucks travelling from Surrey and Delta to the Northeast Sector. As Figure 5 shows, the intended means of access from the South Fraser Perimeter Road to Highway 1 westbound is via the 176th Street interchange, which involves a long extra

detour to access the tolled facility, rendering a shortcut across the untolled Pattullo Bridge very attractive. This situation was exacerbated when the western leg of the South Fraser Perimeter Road opened to traffic in late 2013.

Recently, the Ministry of Transportation and Highways, at the request of the City of New Westminster, undertook a study of the feasibility, costs and potential benefits of constructing such a connection. This information is being reviewed by staff in Surrey and New Westminster.

“

Truck traffic on the Pattullo Bridge increased 25% in January 2013 compared to January 2012.

Figure 7: Connection of South Fraser Perimeter Road to Highway 1/Port Mann



An effective alternative is to provide a direct link between the SFPR and the new Port Mann Bridge to encourage and to optimize goods movement along existing and new transportation corridors where significant investment has been made and service capacity is available.

6 Need for integrated regional approaches in key areas

One of the challenges the Pattullo Bridge project has faced is the absence of some important regional frameworks to provide guidance to the project level. The most important of these are as follows.

6.1 A comprehensive Regional Transportation Strategy

There is a critical need for a Regional Transportation Strategy that will set out the overall policies and priorities for development of not only regional facilities but provincial and local facilities. A partial version of such a document is adopted by TransLink and the outcome of the Pattullo Bridge project is expected to be incorporated in it. However, TransLink plans do not deal with provincial facilities or priorities.

6.2 A co-ordinated approach to tolling or road pricing

It is now well established that development and management of the transportation system will have to entail some form of user pay, which is currently being implemented

on an ad hoc basis by different authorities. Transportation in the Metro Vancouver region is a system, which needs to be planned and financed in a systematic way with all the key partners at the table.

6.3 A regional goods movement strategy

The need for a regional goods movement strategy has been identified in Metro Vancouver's Regional Growth Strategy and in TransLink's work program. Research¹⁹ commissioned by the City of New Westminster documents the successful efforts of other major regions such as London, UK and Long Beach, USA in making goods movement more efficient and less intrusive. Development of goods movement strategies at a regional scale in Metro Vancouver will facilitate rational planning and decision-making, particularly in places like New Westminster, which is at the hub of so much of the region's road and rail goods movement activity. For example, it is not clear that the current movement and storage of containers is coordinated at a regional level and may create unnecessary truck traffic all over the region.

¹⁹ Steer Davies Gleave, "Freight Partnerships," Memorandum prepared for the City of New Westminster, June 24 2013. pp. 4-10.

6.4 Prioritization of Scarce Transportation Funding

The Province's letter dated February 6, 2014 to the Mayors' Council on Regional Transportation outlined changes to TransLink governance, the requirement of a fully-costed, fully-funded transportation plan for the upcoming referendum and the provincial funding for major rapid transit projects and Pattullo Bridge replacement.

As the Pattullo Bridge Strategic Review indicated that the rehabilitated 4-lane option and the new 4-lane option can be self-funded through tolling, there is the question whether senior government funding is necessary if one of these options is selected. The reality is that public money that is spent on the bridge will restrict the ability to fund other much needed projects such as the Light Rail Transit (LRT) system within Surrey. The City is supportive of re-allocating capital cost saving from a rehabilitated 4-lane bridge project or a new 4-lane bridge project to the much needed rapid transit system in the City of Surrey.

7 Conclusion

The City of New Westminster acknowledges the need for TransLink to address the risks it has identified with the current Pattullo Bridge facility. The City has supported the comprehensive approach being undertaken by the parties to the Strategic Review process and it is encouraged to learn that the consultation process has confirmed broad support for an approach to address the risks that is based upon an agreed statement of the problem and a set of common objectives.

After review of the short list of alternatives identified for further consideration, it is the City's view that the work conducted to date does not support the provision of increased capacity on this crossing. The City would be prepared to consider a 4-lane rehabilitation or replacement option, provided that it is a tolled facility, it is designed to fit in with the City's urban context with appropriate connections and is combined with limitations on truck traffic through the City. The City would also support future consideration of a Surrey-Coquitlam crossing as a potential long term connection. The City is also supportive of allocating the capital cost savings of the

Pattullo Bridge to fund much needed expansion of Surrey's rapid transit system.

Any solution must also be accompanied by agreement by the affected authorities to address the need for a more direct connection between the South Fraser Perimeter Road and the Port Mann Bridge via Highway 1. There is also an urgent need for a complete Regional Transportation Strategy, a regional tolling policy and a regional goods movement strategy.



New 5-lane and 6-lane bridge

New Westminster believes that the two options that would increase capacity are not preferred – the options for a new five-lane or a new six-lane bridge. Table 1, illustrates the nominal service capacity³ benefits of a new 5 or 6 lane crossing compared to a new 4 lane crossing at a significantly higher capital cost.

Goods movement considerations

Finally, we believe that with the recent expansion of capacity on facilities that are suitable for truck traffic, consideration should be given to a partial or total ban on heavy trucks on the Pattullo Bridge and adjacent streets in New Westminster.

In particular, there needs to be a direct connection from the South Fraser Perimeter Road (SFPR) to Highway 1. The existing connection at 176 Street in Surrey is too circuitous.

Conclusion

The City acknowledges that TransLink must act in response to the risks of seismic safety, structural integrity and river scour associated with the Pattullo Bridge that have been identified. We believe that the response should be approached reasonably, with attention paid to demonstrated need, the policies and plans of the agencies involved and the need to conserve financial resources to enable the region to meet its priorities for transit infrastructure.

TABLE 1: PATTULLO BRIDGE TRAFFIC FORECAST AND COSTS³

OPTIONS	ESTIMATED OPENING DAY (WEEKDAY) VOLUME IF IN PLACE TODAY	ORDER OF MAGNITUDE COST
Current 2013, untolled	76,000	
Rehabilitated 3-lane Bridge	44,500	\$250M
Rehabilitated 4-lane Bridge	44,500	\$250M
New 4-lane Bridge	49,000	\$850M
New 5-lane Bridge	51,500	\$1.45B plus
New 6-lane Bridge	52,000	\$1.5B plus
New 4-lane Surrey Coquitlam Bridge with rehabilitated 3-lane Pattullo Bridge	34,000 + 28,000	\$1.75B

Source: TransLink forecast dependent on model calibration accuracy and modeling limitations. Forecast volumes are provided for comparative purposes of the options only.

³ TransLink Pattullo Review – Delcan Traffic Forecasts, January 2014

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NEW WESTMINSTER
BACKGROUNDER

**A Reasonable Approach:
New Westminster’s Perspective
on the Pattullo Bridge**

For more than 75 years, the Pattullo Bridge has been an integral part of New Westminster’s history and identity.

Originally constructed as a tolled facility by the provincial government as the only road connection between Vancouver and New Westminster, and the Fraser Valley, the U.S.A. and beyond, the Bridge and its function have been supplemented by other river crossings such as the Massey Tunnel, the Alex Fraser Bridge and the Port Mann Bridge. In 1999, the Pattullo Bridge was transferred to TransLink as part of a reorganization of regional transportation governance and funding. Now it serves primarily as a connection between Surrey and New Westminster and parts of Burnaby.

River in scouring out the Bridge’s foundations. In 2006, the TransLink Board responded to these risks by authorizing the preparation of a plan to replace the bridge with a new tolled facility. In the meantime, TransLink approved major expenditures on rehabilitation of the existing bridge to keep it in operation until a decision on a new crossing is made.



Traffic making its way through New Westminster, onto the Pattullo Bridge.



Rush hour traffic entering the City of New Westminster, over the Pattullo Bridge. The City’s road network simply cannot handle additional capacity.

Recently, TransLink has learned about some significant risks associated with the Pattullo Bridge as it stands today. These include its vulnerability in the event of an earthquake, the integrity of the structure and the effect of the Fraser

To many, it seems logical to provide expanded capacity if the bridge is to be replaced, in order to respond to past and forecasted growth within the communities on both sides of the river. This increase in capacity would also provide the opportunity for improvement to facilities for pedestrians and cyclists, and to address the perceived safety risks posed by the narrow lanes on the existing structure. A “no-brainer,” right?

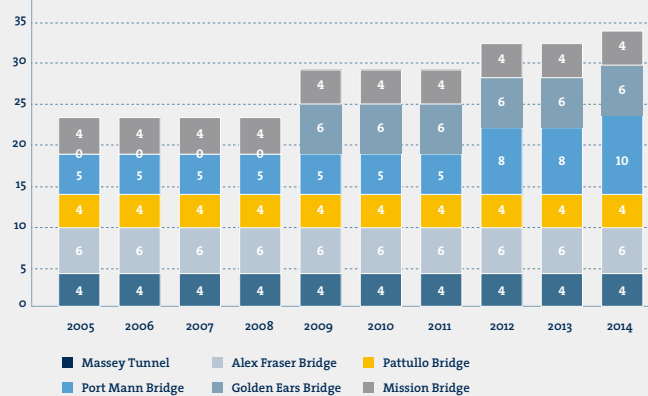
Not necessarily. As it turns out, a decision about the capacity of a new Pattullo Bridge has important implications for the quality of life in both Surrey and New Westminster. Provincial, regional and municipal plans need to be considered. Also, there is the question of financial priorities.

This a Regional Priority

In a region struggling to find funds to expand transit as its first priority, where would expenditures on additional capacity on the Pattullo Bridge sit?

Traffic on the existing Pattullo Bridge has been stable, at least until the opening of the tolled and expanded Port Mann Bridge. Since 2008, 11 lanes of additional road capacity across the Fraser River has been added at other locations (Figure 1). Rapid population growth in Richmond, Burnaby and Vancouver has not necessitated new road capacity across the river adjacent to those cities. Recent analysis indicates that smaller, smarter cars enable us to get more efficient use of the capacity we have. In addition, a closer look reveals that much of the congestion in and around the Pattullo Bridge is related to New Westminster's historic and built-out streetscape and road network with no physical ability to expand the roads.

FIGURE 1: RECENT EXPANSION OF FRASER RIVER CROSSING CAPACITY¹



Do the Regional Plans Call for More Pattullo Capacity?

The simple answer is no. Expanded capacity on the Pattullo Bridge is not mentioned in provincial, regional or local transportation plans.

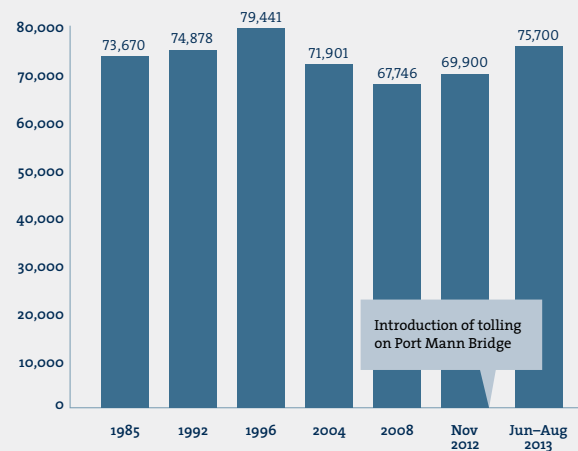
Expanded capacity for Pattullo is not contemplated in either the Official Community Plans for Surrey or New Westminster, nor in Metro Vancouver's Regional Growth Strategy. In fact, all

¹ Steer Davies Gleave, "Forecasting Impacts of Tolling on Demand and Surrey Growth/Rapid Transit Implications," Memorandum prepared for the City of New Westminster, June 24 2013, p. 2.

of these plans call for priority to be given to transit, walking and cycling over the private automobile. TransLink's recently adopted Regional Transportation Strategy highlights two of their target goals for 2045 as having more than half of the region's trips to be by means other than the private auto and for kilometres driven by auto to be reduced by one third. New Westminster's official policy is to "work towards the principle of no new added capacity in the transportation system for vehicles passing through the City". As shown in Figure 2 below, historical data indicates a declining or stable trend in daily traffic on the Pattullo Bridge over the last decade, until tolls were introduced to the Port Mann Bridge (Figure 2). Expanding capacity on the Pattullo Bridge would take us in the wrong direction.

Traffic – particularly truck traffic – travelling through New Westminster is a nightmare for our residents. It is now worse since the opening of the Port Mann Bridge as a tolled facility. This has been compounded by the failure of the Province to provide a time- and fuel-efficient access for trucks to Highway 1 and the Port Mann Bridge in Surrey, which has resulted in an incentive for trucks to cut across the Pattullo Bridge and through New Westminster to reach Highway 1 westbound without paying a toll. Expanding the capacity of the free alternative Pattullo Bridge would only worsen these problems, not only in the short term by attracting more of today's traffic, but also over the longer term by encouraging people to settle further away from their jobs.

FIGURE 2: HISTORICAL PATTULLO BRIDGE WEEKDAY DAILY TRAFFIC

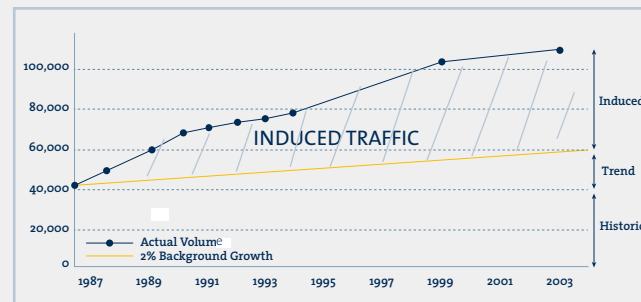


Sources: GVRD 1996 Vehicle Volumes, Classifications & Occupancies
GVRD 1992 Greater Vancouver Travel Survey;
TransLink 2008 Regional Screenline Survey
TransLink Pattullo Bridge Count

Inducing More Cars on the Road?

Adding bridge capacity without a clear demonstration of the need will induce more auto-dependent developments resulting in more vehicles on our streets. New road and bridge capacity encourages people to settle in more distant suburbs and commute by car under the assumption that travel-time savings will result from the new capacity. Figure 3 illustrates the effects of induced traffic from the Alex Fraser Bridge experience. The actual traffic on the bridge grew far beyond the regional population trend and associated projections. The largest share of traffic growth is from induced traffic from surging development in areas served by the Alex Fraser Bridge.²

FIGURE 3: INDUCED TRAFFIC ON THE ALEX FRASER BRIDGE



A Reasonable Approach

All of this brings us back to the original problem, which is how can TransLink deal most effectively with the existing structure's risks due to seismic vulnerability, lack of structural integrity and exposure to river scour?

There are 6 remaining options in TransLink's Strategic Review Process:

1. Rehabilitated Pattullo Bridge – 3 lanes;
2. Rehabilitated Pattullo Bridge – 4 lanes;
3. New 4-lane bridge at existing location;
4. New 5-lane bridge at existing location;
5. New 6-lane bridge at existing location; and
6. New 4-lane Surrey-Coquitlam Bridge, with a 2- or 3-lane rehabilitated Pattullo Bridge.

² City of Burnaby Report to Council, Port Mann/Highway 1 Project, Planning & Building Department, August 22, 2007

New Westminster's preferred option is a new tolled 4-lane bridge.

New Westminster will support a new tolled 4-lane bridge based on the following prerequisites. The first prerequisite is a toll. Tolling is not only a means of financing the project, but is also a critical measure of discouraging discretionary travel across the river. Secondly, that structures and connections will be designed to reflect New Westminster's urban context and dense, cohesive neighbourhoods, repairing some of the ugliness of the present facilities and approaches where possible. Direct highway style loop ramps connecting the South Fraser Perimeter Road to the Pattullo Bridge will not be supported since they would produce an unacceptable burden of truck traffic on the Pattullo Bridge and in New Westminster.

New 4-lane bridge between Surrey and Coquitlam combined with a 2- or 3-lane rehabilitation of the Pattullo Bridge

New Westminster could also support this option. This may respond to a number of concerns within the community about through traffic, particularly truck traffic, but this option also adds additional capacity across the Fraser River, which would encourage more traffic. This option may be worthy of further consideration on how it may address the region's long-range regional goals.

Rehabilitated 4-lane Pattullo Bridge

This option responds well to the problem statement and objectives. TransLink has, however, made it clear that they will not support a 4-lane rehabilitation option due to perceived safety issues. The City views this decision with some concern because of the capital cost increment of \$500 million or more between this option and options involving a new bridge.

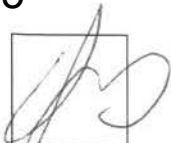
Rehabilitated 3-lane Bridge

While the option for a three-lane rehabilitated bridge would respond to the risks identified by TransLink, New Westminster is concerned that the proposed counterflow system (similar to the Lions Gate Bridge or the Massey Tunnel at rush hour) would produce unacceptable additional queuing and rat-running in our city.

REPORTS

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AGENDA INFORMATION	
<input type="checkbox"/> Regular Meeting	Date: _____
<input type="checkbox"/> Workshop (open to public)	Date: _____

_____ Dept. Manager	_____ GM/ Director	 _____ CAO
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The District of North Vancouver REPORT TO COUNCIL

June 5, 2014

File:

AUTHOR: Heather A. Turner, Director of Recreation

SUBJECT: **Bylaws Regarding Recreation and Culture Consolidation**

RECOMMENDATION:

THAT the "North Vancouver Recreation and Culture Commission Establishing Bylaw 7987, 2014" is given FIRST, SECOND and THIRD Readings; and

THAT "North Vancouver Recreation and Culture Commission Delegation Bylaw 7988, 2014" is given FIRST, SECOND and THIRD Readings.

BACKGROUND:

The attached bylaws are the agreements between the District and City to establish a Commission responsible for recreation and culture and to outline and delegate certain responsibilities and authority. The bylaws attached include the changes to the North Vancouver Recreation Commission bylaws as required to enable the consolidation of arts and cultural services into the North Vancouver Recreation Commission operation. Consensus has been reached and the approval of both Councils on the bylaw revisions is now requested in order to proceed with the consolidation.

EXISTING POLICY:

Bylaw changes require Council approval.

ANALYSIS:

Considerable work has been done to explore the implications of the consolidation. The questions and issues have been resolved to the satisfaction of all staff involved.

Benefits

The main benefits of consolidation are:

- Increased opportunities for the inclusion of culture in facility planning, project planning and recreation service delivery;
- Consolidation of municipal cultural services and expertise into one organization;

- Greater opportunities for collaboration with community arts and culture organizations in the planning and delivery of recreational culture services and community events;
- Synergies in marketing, communication and sponsorship resulting in greater exposure for culture and recreation messages;
- Culture area to benefit from systems, processes, administrative support, staff development programs, programming expertise, and public reach;
- Potential cost savings.

Governance

The Commission has been in existence for 42 years and has proven to be an effective bi-municipal model. The mandate, make-up and authority of the Commission are set by the two Councils and the Council and citizen appointees are selected and approved by the appropriate Council. The citizen members on the Commission are chosen from applicants to the applicable municipality and they do not represent specific interest groups nor require a specific expertise. At present, the citizen members are an experienced, broad-minded group that has various backgrounds in the community. There is no need to revise the make-up of the Commission to include a designated expertise in the cultural area. Councils will be able to consider gaps and needs when they are reviewing applications.

Bylaw Revisions

The attached bylaws include the following revisions:

- A name change from North Vancouver Recreation Commission to the "North Vancouver Recreation and Culture Commission" (as recommended by unanimous motion of the Commission on May 8, 2014). The word "culture" is preferred over "arts" to more appropriately reflect the breadth of services and to avoid confusion with community arts organizations such as the North Vancouver Community Arts Council;
- An expanded mandate to include all services and functions of the Office of Cultural Affairs ("Arts Office") in addition to the existing mandate of the Recreation Commission;
- Agreement to share the costs for the Arts Office (excluding the grant programs) effective in 2015 by the same formula as used for existing recreation services. Grant programs are recommended to stay at the existing funding formula (50/50) because they reflect some agreed upon allocations for facility costs where applicable and were agreed to by the City and District following a detailed assessment of the options.

Implementation

The name and mandate change of the Commission will require a rebranding which will occur in 2014. Funding is budgeted in order to enable the rebranding to be completed.

Concurrence:

The Commission and the staff of the Arts Office concur with the consolidation of recreation and culture and believe there are opportunities and efficiencies to be realized. Core funded arts/culture organizations were informally consulted and expressed support for this change.

Once decisions are made by the Councils, the rebranding of the Commission will occur and a communication strategy will be developed.

Financial Impacts:

The current funding split between the two municipalities is 50/50 for the arts (both for the grant programs and for the Arts Office costs) and 66.67% DNV / 33.33% CNV for recreation services. For 2014, the budget will remain as it is and in 2015, culture services will be part of the Commission budget and therefore fall under the same funding formula as is used for recreation (except for the Arts Grant programs which will remain at 50/50).

Respectfully submitted,



Heather A. Turner
Director of Recreation

REVIEWED WITH:		
<input type="checkbox"/> Sustainable Community Dev. _____	<input type="checkbox"/> Clerk's Office _____	External Agencies:
<input type="checkbox"/> Development Services _____	<input type="checkbox"/> Communications _____	<input type="checkbox"/> Library Board _____
<input type="checkbox"/> Utilities _____	<input type="checkbox"/> Finance _____	<input type="checkbox"/> NS Health _____
<input type="checkbox"/> Engineering Operations _____	<input type="checkbox"/> Fire Services _____	<input type="checkbox"/> RCMP _____
<input type="checkbox"/> Parks & Environment _____	<input type="checkbox"/> ITS _____	<input type="checkbox"/> Recreation Com. _____
<input type="checkbox"/> Economic Development _____	<input type="checkbox"/> Solicitor _____	<input type="checkbox"/> Museum & Arch. _____
<input type="checkbox"/> Human resources _____	<input type="checkbox"/> GIS _____	<input type="checkbox"/> Other: _____

The Corporation of the District of North Vancouver

Bylaw 7987

A bylaw to establish the North Vancouver Recreation and Culture Commission pursuant to sections 14 and 143 of the *Community Charter*

The Council for The Corporation of the District of North Vancouver enacts as follows:

1. Citation

This bylaw may be cited as "North Vancouver Recreation and Culture Commission Establishing Bylaw 7987, 2014"

2. Execution of Documents

The Mayor and Municipal Clerk are authorized to execute the agreement entitled North Vancouver Recreation and Culture Commission Agreement which is attached to this bylaw as Schedule "A".

3. North Vancouver Recreation and Culture Commission

Upon execution and delivery of the North Vancouver Recreation and Culture Commission Agreement the North Vancouver Recreation Commission is continued as the North Vancouver Recreation and Culture Commission.

READ a first time

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Schedule A to Bylaw 7987

NORTH VANCOUVER RECREATION AND CULTURE COMMISSION AGREEMENT

This Agreement, dated for reference the 31st day of May, 2014

BETWEEN:

THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER, 355 West
Queens Road, North Vancouver, British Columbia, V7N 4N5

(the "District")

AND:

THE CORPORATION OF THE CITY OF NORTH VANCOUVER, 141 West 14th Street,
North Vancouver, British Columbia, V7M 1H9

(the "City")

Witnesses that Whereas:

- A. The District and the City wish to establish the Commission for the purpose of providing intermunicipal recreation and arts services pursuant to section 14 of the *Community Charter*, SBC c. 26, 2003;
- B. The District and the City wish to delegate to the Commission the authority, on behalf of the District and the City, to plan, develop and conduct, within the approved funding of any budget year, comprehensive and balanced recreation and arts services in the District of North Vancouver and City of North Vancouver for people of all ages and abilities; and
- C. The District and the City are committed to the cooperative delivery of recreation and arts services to the residents of the District and the City and to the equitable sharing of the costs of delivery of those services as set out in this Agreement;

NOW THEREFORE the District and the City agree as follows:

PART 1

Definitions

- 1. In this Agreement, the following definitions apply:
 - (a) "Agreement" means this Agreement and all Attachments, which are deemed to be included as part of this Agreement;
 - (b) "Appointed Financial Officer" means either the Chief Financial Officer for the District or the Director of Finance for the City, whichever one has been appointed

to act in this capacity by the District and the City by mutual agreement in writing, and on the reference date of this Agreement means the District's Chief Financial Officer;

- (c) "Arts Grants" means municipal grants to not-for-profit organizations involved in arts and cultural activities in North Vancouver as set out in a formal written grants policy approved by the City Council and the District Council from time to time, subject to annual funding limits set out in the City and District budgets;
- (d) "Arts Services" means those arts and culture activities, programs and services that may be engaged in or offered by the Commission, as provided in the approved Commission budget from time to time, but does not include capital costs of the City and District public art programs;
- (e) "City" means the City of North Vancouver;
- (f) "City CAO" means the City's chief administrative officer;
- (g) "Commission" means the North Vancouver Recreation and Culture Commission;
- (h) "Commissioner" means a person duly appointed to the Commission pursuant to the terms hereof;
- (i) "Community Programs" means any community-oriented programs and services that are not included in the Recreation Services or the Arts Services, and that are or may be offered by a Service Provider through any Facility, and are not funded through Commission joint funding but rather are funded by the Facility Owner or by way of other funding sources;
- (j) "Core Facility" means any Facility, owned by the District or the City, that serves the residents of both the District and the City and is included in Appendix A hereto, as amended from time to time by the District and the City in accordance with section 19 herein;
- (k) "Director of Recreation and Culture" means the person hired by the Commission as director of the Commission under this Bylaw;
- (l) "District" means the District of North Vancouver;
- (m) "District CAO" means the District chief administrative officer;
- (n) "Facility" or "Facilities" means any facility in which Recreation Services, Arts Services, and Community Programs (if any), are provided to the residents of the District and/or the City;
- (o) "Facility Owner" means the District or City with respect to any Facility owned by, and located in, the District or the City, respectively;
- (p) "Partnering Agreement" has the meaning given to it under the *Community Charter*, SBC c. 26, 2003;

- (q) "Recreation Services" means those fitness, sport, social recreation, aquatic, arena and outdoor activity and other recreation programs and services that may be engaged in offered by the Commission, as provided in the approved Commission budget from time to time;
- (r) "Schedule of Facilities" means the list of Core Facilities attached hereto as Appendix "A", as may be amended from time to time by the District and the City in accordance with section 19 herein; and
- (s) "Service Provider" means any public, not-for profit, or private organization responsible for delivering Community Programs at any Facility, and, if applicable, responsible for delivering Recreation Services or Arts Services at any Facility.

PART 2

THE COMMISSION

Mandate

2. The District and the City are committed to the joint delivery of quality recreation and arts services to residents of both municipalities, and mandate the Commission, on behalf of the District and the City, to:
 - (a) plan, develop, evaluate, and jointly and seamlessly deliver, within the approved funding of any budget year, an appropriate array of quality Recreation Services and Arts Services in the District of North Vancouver and City of North Vancouver to meet the needs of District and City residents regardless of age, ability, gender or economic status. In carrying out this mandate, the Commission will act in the best interest of the District and the City and in the best interests of residents of both municipalities;
 - (b) implement the North Vancouver Cultural Plan adopted by the City and the District in 2002 (or subsequent plans related to arts and culture approved by the District Council and the City Council) and to undertake periodic reviews of the said North Vancouver Cultural Plan; and
 - (c) administer the Arts Grants.

Powers, Duties and Functions of Commission

3. The parties agree that the powers, duties and functions of the Commission are as set out in the District's and City's companion North Vancouver Recreation and Culture Commission Delegation Bylaws No. 7988, 2014 and No.8381, 2014, respectively, as amended from time to time.

North Vancouver Recreation and Culture Commission Delegation Bylaws

4. The City agrees that it will not adopt any bylaws to amend its Delegation Bylaw No. 8381, 2014 without first consulting with the District, and the District agrees that it will not adopt any bylaws to amend its Delegation Bylaw No. 7988, 2014 without first consulting with the City.

Director of Recreation and Culture

5. The District and the City agree that:
 - (a) the Commission is responsible for employing a person in the capacity of Director of Recreation and Culture in accordance with the District's and City's companion North Vancouver Recreation and Culture Commission Delegation Bylaws No. 7988, 2014 and No. 8381, 2014, respectively; and
 - (b) the powers, duties and functions of the Director of Recreation and Culture are as set out in the said Delegation Bylaws.

Composition of Commission

6. The Commission will consist of eleven (11) Commissioners.

Appointment of Commissioners

7. The District:
 - (a) at the first Council meeting in every December or as soon as practical thereafter,
 - (i) will appoint two (2) members of District Council to serve as Commissioners for a one-year term; and
 - (ii) may appoint one (1) alternate member of District Council who may, on behalf of an absent Commissioner appointed under 7(a)(i) above, take the place of, vote and generally act in all matters for the absent Commissioner; and
 - (b) at the inaugural meeting of Council following each municipal election, or as soon as practical thereafter, will appoint four (4) non-elected representatives to serve as Commissioners for a three-year term.
8. The City:
 - (a) at the first Council meeting in every December or as soon as practical thereafter,
 - (i) will appoint two (2) member of City Council to serve as Commissioners for a one-year term; and
 - (ii) may appoint one (1) alternate member of City Council who may, on behalf of an absent Commissioner appointed under 8(a)(i) above, take the place of, vote and generally act in all matters for the absent Commissioner; and
 - (b) at the inaugural meeting of Council following each municipal election, or as soon as practical thereafter, will appoint two (2) non-elected representatives to serve as Commissioners for a three-year term.
9. The Board of School District #44 will be requested to appoint one member of the Board

to serve as Commissioner for a one-year term.

10. For certainty, the term of any Commissioner appointed pursuant to Sections 7 to 9 above continues and will be deemed to be extended until the first meeting of the Commission following new appointments pursuant to those sections.

Term Limitation

11. No person appointed under sections 7(b) or 8(b) may serve more than two (2) consecutive 3-year terms as a Commissioner.

Qualifications

12. Subject to Section 13, a Commissioner appointed pursuant to section 7(a), 8(a) or 9 may hold office as a Commissioner only for such time as he or she holds office as a member of the Council or Board, respectively.
13. A Commissioner appointed pursuant to section 7(b) or 8(b) may only be appointed and hold office for such time as he or she is an elector in either the City or the District.

Conflict of Interest

14. The conflict of interest rules in Division 6 of Part 4 of the *Community Charter*, as amended or replaced from time to time, apply to all Commissioners.

Vacancy

15. In the event of a vacancy on the Commission due to death, resignation, loss of office, loss of qualifications or any other reason, the District, City or Board of School District #44 will, so soon as reasonably possible, make a replacement appointment pursuant to section 7(a), 7(b), 8(a), 8(b) or 9 as applicable.

Failure to Attend Meetings

16. A Commissioner, whether or not he or she is represented by an alternate appointed pursuant to sections 7(a)(ii) or 8(a)(ii), who fails to attend three consecutive regular meetings of the Commission is deemed to have resigned effective at the end of the third such meeting, unless the Chair deems the failure to attend to be acceptable and unavoidable.

PART 3

RECREATION FACILITIES

Construction of Facilities

17. The parties agree that the design and capital construction costs of each Facility are the sole responsibility of the Facility Owner.

New Facilities

18. Either the District or the City may create a new Facility but the Facility will not be a Core Facility unless the District and the City mutually agree that:
 - (a) the proposed Facility meets the standard of construction generally applicable to other Core Facilities;
 - (b) the anticipated operating costs of the Facility are appropriate; and
 - (c) the proposed Facility will serve the needs of residents of both the District and the City.
19. Each new Core Facility will be included in the Schedule of Facilities.

Closing Facilities

20. A Facility Owner may, in its sole discretion, close any Facility (including any Core Facility) that the Facility Owner determines is unsafe, requires significant capital improvements, renovations or repairs, no longer serves a useful function, or the operation of which is no longer in the public interest. For certainty, no Facility Owner will be obliged to replace any closed Facility.

Role of Facility Owner

21. For any Facility, the Facility Owner may
 - (a) direct the Commission to operate the Facility and provide Recreation Services and Arts Services within the Facility;
 - (b) approve a partnership agreement between the Commission and a Service Provider for the operation of the Facility, such agreement to be developed in accordance with any principles that may be established by agreement of the District and City;
 - (c) select Service Providers for the purpose of providing Community Programs in the Facility; and
 - (d) direct and control the delivery of Community Programs by the Service Provider in a Facility and determine the appropriate governance and reporting structure for the Service Provider.

Community Programs

22. The parties agree that all Community Programs offered through any Facility will not be jointly funded through the Commission but be wholly funded by the Facility Owner and/or others.

PART 4

COMMISSION FINANCES

Definitions

23. In this Part 4:

- (a) “Arts Office Services” means the services previously provided by the North Vancouver Office of Cultural Affairs pursuant to the North Shore Arts Commission Establishment Agreement, including the services set out and described in Appendix B hereto, but not including the capital costs of the City or District public art programs. For further certainty, this is a transitional term relevant only for the purpose of section 34(a) herein. This term is without prejudice to the definition of “Arts Services” in section 1;
- (b) “City Share” means City’s share of the total net operational funding contribution required in any budget year for Core Funding in any Facility or for any Program Funding determined in accordance with Sections 30 and 31;
- (c) “City Use” means the percentage use by City residents of any Facility in any budget year determined through the User Statistics Program;
- (d) “Core Funding” means the funding provided to the Commission for building maintenance and operation of a Core Facility and for Recreation Services and Arts Services offered at Core Facilities, including any plant, equipment, fixtures, fittings, off-street parking areas, walkways and landscaped grounds, and including capital upgrading and repair costs as required to maintain the Core Facility;
- (e) “District Share” means the District’s share of the total net operational funding contributions required in any budget year for any Core Funding in any Facility or for any Program Funding determined in accordance with Sections 30 and 31;
- (f) “District Use” means the percentage use by District residents of any Facility in any budget year determined through the User Statistics Program;
- (g) “Program Funding” means the funding provided by the Commission for Recreation Services and Arts Services offered at any locations other than at Core Facilities and included in operating financial plan approved by District and City Councils in accordance with this Agreement; and
- (h) “Special Projects” means any special operating program or additional maintenance or similar undertaking desired by a Facility Owner for a specific Facility; and
- (i) “User Statistics Program” means the program, as approved by the District and City, used by the Commission to measure and calculate the use by residents of the District and residents of the City, respectively, of Recreation Services and Arts Services in any Facility in any budget year.

Operating Financial Plan

24. The District and the City agree that the operating financial plan for the Recreation Services and the Arts Services must include:

- (a) the estimated operational expenditures for
 - (i) Core Funding for each Core Facility;
 - (ii) Program Funding;
 - (iii) other functions of the Commission; and
 - (iv) the Arts Grants;
 - (b) the anticipated revenues for each Facility;
 - (c) the difference between estimated revenues and operational expenditures for each Facility;
 - (d) the District Share and City Share required for Core Funding for each Facility and for Program Funding, as applicable;
 - (e) the contribution required by each of the District and the City for any District or City Special Projects, respectively; and
 - (f) the contribution required by each of the District and the City for estimated net operational expenditures not attributable to a Facility, calculated on the District Share and City Share formula.
25. For certainty, funding for Community Programs offered through any Facility is the sole responsibility of the Facility Owner and/or other Owner and is not to be included in the Commission's operating financial plan for any budget year.

Capital Plan

26. The parties agree that the capital financial plan for the Recreation Services and Arts Services must include:
- (a) the estimated capital expenditures for any new Facility or major addition to an existing Facility with separate amounts indicated for
 - (i) design and management,
 - (ii) construction, and
 - (iii) fittings, furnishings and equipment;
 - (b) the estimated capital expenditures for internal alterations and additions to any Facility;
 - (c) the estimated capital expenditures for the acquisition or replacement of equipment for each Facility;
 - (d) the estimated capital expenditures for the acquisition or replacement of equipment where such expenditures are not attributable to any particular Facility; and
 - (e) the estimated amount required to maintain an emergency capital replacement fund.

Operating Plan Approval

27. District and City Councils will each consider for approval (or for amendment and then approval) the operating financial plan provided by the Director of Recreation and Culture for the provision of the Recreation Services and the Arts Services.

Capital Plan Approval

28. District and City Councils will each consider for approval (or for amendment and then approval) the capital plan provided by the Director of Recreation and Culture for the Core Facilities and for jointly funded capital expenditures in relation to the provision of the Recreation Services and the Arts Services.

Operating and Capital Plan Amendments

29. The District and City agree that in considering, amending and approving the operating financial plan and the capital plan the District Council and the City Council will be governed by the following principles:
 - (a) the operating financial plan and the capital plan will be reasonable and made in good faith;
 - (b) the operating financial plan and the capital plan will endeavour to achieve an equitable allocation of operating and capital funds to programs and services in both District and City Facilities; and
 - (c) the operating financial plan and the capital plan will achieve a reasonable level of program and service quality.

Share Determination

30. The District Share and City Share have been determined by agreement of the District and City Directors of Finance every 3 years commencing in 2002 on the basis of the annual District Use and City Use percentages in the previous 3 year period, and the parties agree, subject to Section 33 and Section 34, to continue with this arrangement. The Directors of Finance will advise the Director of Recreation and Culture in advance of the preparation of the annual operating budget of any change to the District Share and City Share.
31. For each new Core Facility, the District Share and City Share in each of the first two years of the operation of the Facility will be determined on the basis of use estimates prepared by the Director of Recreation and Culture, after which the actual user statistics for the Facility will be used to modify, if necessary, the District Share and City Share determinations in Section 30.
32. The Appointed Financial Officer shall direct the administration of the User Statistics Program as required in respect of each Facility to determine the percentages of total annual use that represent District Use and City Use and report findings promptly to the District and City Directors of Finance, and to ensure that the User Statistics Program is properly conducted and audited to permit an equitable revision of the District Share and City Share as and when necessary.
33. The City and the District may, by mutual agreement in writing, modify the method of

determining the District Share and the City Share in respect of the Core Funding in any Facility or in respect of Program Funding.

34. Notwithstanding any other provision in this Agreement to the contrary, but subject always to any modifications made by mutual consent pursuant to section 44:
- (a) for the 2014 calendar year, the District and the City will share the costs of providing the Arts Office Services and the cost of administering and funding the Arts Grants on a 50/50 basis, provided that, unless otherwise agreed to in writing by the parties hereto, only costs that were attributed to the Arts Office Services and split 50/50 between the City and the District prior to the date of this Agreement will be included in the costs of the Arts Office Services and split 50/50 between the City and the District; and
 - (b) for the 2015 calendar year and for all years thereafter, the District and the City will share the costs of providing the Arts Services and administering the Arts Grants in accordance with section 30 herein, and the costs of funding the Arts Grants on a 50/50 basis.

Funding Contributions

35. The District will, upon approval by District Council and City Council of the Commission operating financial plan and capital plan, pay the following amounts:
- (a) The District Share for any applicable Facility;
 - (b) The District Share the amount calculated in the Commission's operating financial plan for estimated net operational expenditures not attributable to a Facility;
 - (c) 100% of the contribution calculated in the Commission's capital plan for any Facility owned by the District;
 - (d) The District Share of the amount calculated in the Commission's capital plan for any non-attributable capital expenditures; and
 - (e) The District Share of the contribution required to maintain an emergency capital replacement fund.
36. The City will, upon approval by District and City Council of the Commission operating financial plan and capital plan, pay the following amounts:
- (a) The City Share for any applicable Facility;
 - (b) The City Share of the amount calculated in the Commission's operating financial plan for estimated net operational expenditures not attributable to a Facility;
 - (c) 100% of the contribution calculated in the Commission's capital plan for any Facility owned by the City;
 - (d) The City Share of the contribution calculated in the Commission's capital plan for any non-attributable capital expenditures; and

- (e) The City Share of the contribution required to maintain the emergency capital replacement fund.

Fees and Rental Charges

- 37. The District and City Councils agree to each consider adopting the bylaw setting the agreed fees recommended by the Commission for the purpose of having consistent fees for the Recreation Services and Arts Services across all Facilities.

Financial Over-Sight and Annual Audit

- 38. The Appointed Financial Officer will be responsible for oversight of the Director of Recreation and Culture with respect to all matters relating to financial administration, including responsibility for ensuring compliance with all statutory financial requirements. The Appointed Financial Officer will also be responsible for the annual financial audit of the Commission.

Reimbursement of Costs

- 39. The anticipated cost of providing the financial administration services, including overhead costs, shall be included in the Commission's annual operating financial plan based on a detailed estimate from the District or the City, as the case may be. The District's or the City's actual costs of providing these services will be reimbursed by the Commission, with said reimbursement funded by the District and the City in accordance with the funding formula herein.

Examination of Records

- 40. Either the City or the District may conduct audits or examinations to obtain information or determine that adequate financial controls are being maintained by the Commission. The parties will cooperate with each other in the conduct of any such audits particularly in respect to access to financial records, user statistics and other information of the Commission.

Budget Year

- 41. The budget year of the Commission is that of the District and the City.

Ownership of Capital Assets

- 42. Each Facility and every capital asset utilized by the Commission from funds contributed pursuant to the capital plan and separately funded by either the District or the City remains the separate property of the District or City, as applicable.
- 43. Every capital asset that has been jointly funded under this Agreement, including without limitation any real or personal property, fixtures, chattels, vehicles, equipment, computer system software and proprietary information remains, at the termination of the Agreement, the joint property of the District and the City, and may
 - (a) be acquired by agreement by either the District or the City for exclusive use, on

payment to the other party of the applicable proportion of the other party's contribution to the asset at its then depreciated value in accordance with the Canada *Income Tax Act*;

- (b) be sold, if neither party wishes to acquire the asset for exclusive use; or
- (c) where both parties wish to acquire the asset for exclusive use, be acquired by either party following negotiations between the parties or if agreement is not reached, remain the joint property of the District and the City.

PART 5

MISCELLANEOUS

Amendments

44. The District and the City will, in good faith, negotiate any proposed amendment to this Agreement upon request of either party, all amendments to be in writing and executed by the parties. Without limiting the generality of the foregoing, the funding arrangements provided for in Part 4 herein may be amended by agreement of the parties in writing.

Dispute Resolution

45. The District and the City will submit any dispute arising out of the interpretation or application of this Agreement:
- (a) first, to the District CAO and City CAO to resolve the dispute, such resolution will be final and binding upon the parties;
 - (b) second, if the District CAO and City CAO are unable to resolve the dispute within 60 days, to the Councils of the District and the City in a joint meeting where, if a resolution is adopted by the majority vote of each Council, the resolution will be final and binding upon the parties; and
 - (c) third, if the Councils are unable to reach a resolution to resolve the dispute, to the Inspector of Municipalities, or at the election of the parties, a commercial arbitrator appointed by agreement or, failing agreement, appointed pursuant to the *Commercial Arbitration Act*, for final determination, and the determination of the Inspector or arbitrator as applicable will be final and binding upon the parties.

Term

46. This Agreement continues in effect until terminated by either party upon one year's written notice to the other party, or by agreement of both parties.

North Vancouver Recreation Commission Agreement

47. Upon execution and delivery of this Agreement, the North Vancouver Recreation Commission Agreement entered into between the District and the City and dated for reference June 30th 2009 and the North Shore Arts Commission Establishment Agreement entered into between the District and the City and dated July 26, 1989, and

all amendments thereto, shall terminate and be of no further force or effect.

IN WITNESS WHEREOF the District and the City have executed this Agreement on the date first above written.

THE CORPORATE SEAL of **THE**)
CORPORATION OF THE DISTRICT OF)
NORTH VANCOUVER was hereunto)
affixed in the presence of:)

Mayor)

C/S

Municipal Clerk)

THE CORPORATE SEAL of **THE**)
CORPORATION OF THE CITY OF)
NORTH VANCOUVER was hereunto)
affixed in the presence of:)

Mayor)

C/S

City Clerk)

Appendix A

Schedule of Facilities

Core Facilities

The following facilities are Core Facilities (Facility Owner):

- (a) Harry Jerome Community Recreation Centre (City)
- (b) William Griffin Community Recreation Centre (District)
- (c) Karen Magnussen Community Recreation Centre (District)
- (d) Ron Andrews Community Recreation Centre (District)
- (e) Delbrook Community Recreation Centre (District)
- (f) Seylynn Community Recreation Centre (District)
- (g) Lynn Valley Community Recreation Centre (District)
- (h) Mickey McDougall Community Recreation Centre (City)
- (i) Memorial Recreation Community Centre (City)
- (j) Centennial Theatre (City)
- (k) Parkgate Community Centre (District)
- (l) North Vancouver Tennis Centre (District)
- (m) John Braithwaite Community Centre (City)

Appendix B

Arts Services

1. Serving as a resource to City and District Council and staff in relation to arts and cultural planning and other related;
2. To create and recommend policy; and to manage, administrate the City's and District's individual Public Art Programs;
3. Providing recommendations to the District and the City regarding requests for Arts Grants;
4. Supporting, promoting, planning and coordinating arts and cultural activities for City and District residents;
5. To provide expert advice and recommendation to City and District Council on arts and cultural matters;
6. Receiving and responding to referrals from the City and the District regarding arts and cultural issues;
7. Engaging in dialogue with the community on current endeavours and future plans relating to the arts;
8. Facilitating North Vancouver arts projects and events;
9. Assisting North Vancouver arts and cultural organizations to fulfill their artistic objectives.

The Corporation of the District of North Vancouver

Bylaw 7988

A bylaw to delegate certain powers duties and functions relating to the provision of recreation and arts services in the District of North Vancouver to the North Vancouver Recreation and Culture Commission

WHEREAS pursuant to section 154 of the *Community Charter*, SBC c. 26, 2003, Council may, by bylaw, delegate its powers, duties and functions to a body established by Council;

AND WHEREAS Council, by Bylaw 7988 (2014) has established, jointly with the City of North Vancouver, the North Vancouver Recreation and Culture Commission for the intermunicipal provision of recreation and arts services, and, for that purpose, has entered into the North Vancouver Recreation and Culture Commission Agreement with the City of North Vancouver,

NOW THEREFORE the Council for the Corporation of the District of North Vancouver enacts the following:

Title

1. This bylaw may be cited as "North Vancouver Recreation and Culture Commission Delegation Bylaw 7988, 2014".

Definitions

2. In this Bylaw, the following definitions apply:
 - (a) "Annual Service Plan" means the service plan under section 4 herein;
 - (b) "Appointed Financial Officer" means either the Chief Financial Officer for the District or the Director of Finance for the City, whichever one has been appointed to act in this capacity by the District and the City by mutual agreement in writing, and on the reference date of this Agreement means the District's Chief Financial Officer;
 - (c) "Arts Grants" means municipal grants to not-for-profit organizations involved in arts, and cultural activities in North Vancouver as set out in a formal written grants policy approved by the City Council and the District Council from time to time, subject to annual funding limits set out in the City and District budgets;
 - (d) "Arts Services" means those arts and culture activities, programs and services that may be engaged in or offered by the Commission as

provided in the approved Commission budget from time to time, but does not include capital costs of the City and District public art programs;

- (e) “Budget Submission” means the draft capital plan and draft operating financial plan prepared by the Director of Recreation and Culture based on the Annual Service Plan and approved by the Commission in accordance with sub-section 5(h) and section 11;
- (f) “Capital Plan” means the annual capital plan approved by the Council’s of the District and the City;
- (g) “City” means the City of North Vancouver;
- (h) “City CAO” means the City’s chief administrative officer;
- (i) “Commission” means the North Vancouver Recreation and Culture Commission;
- (j) “Community Programs” means any community-oriented programs and services that are not included in the Recreation Services or the Arts Services, and that are or may be offered by a Service Provider through any Facility, and are not funded through Commission joint funding but rather are funded by the Facility Owner or by way of other funding sources;
- (k) “Core Facility” means any Facility, owned by the District or the City, that serves the residents of both the District and the City;
- (l) “Director of Recreation and Culture” means the person hired by the Commission as director of the Commission under this Bylaw;
- (m) “District” means the District of North Vancouver;
- (n) “District CAO” means the District chief administrative officer;
- (o) “Facility” or “Facilities” means any facility in which Recreation Services, Arts Services, and Community Programs (if any), are provided to the residents of the District and/or the City;
- (p) “Facility Owner” means the District or City with respect to any Facility owned by, and located in, the District or the City, respectively;
- (q) “North Vancouver Recreation and Culture Commission Agreement” means the agreement between the District and the City dated for reference May 31st, 2014;
- (r) “Operating Financial Plan” means the annual operating financial plan

approved by the Council's of the District and the City;

- (s) "Partnering Agreement" has the meaning given to it under the *Community Charter*, SBC c. 26, 2003;
- (t) "Recreation Services" means those fitness, sport, social recreation, aquatic, arena and outdoor activities and other recreation programs and services that may be engaged in or offered by the Commission as provided in the approved Commission budget from time to time;
- (u) "Schedule of Facilities" means the list of Core Facilities, as amended from time to time by the District and the City;
- (v) "Service Provider" means any public, not-for profit, or private organization responsible for delivering Community Programs at any Facility, and, if applicable, responsible for delivering Recreation Services or Arts Services at any Facility; and
- (w) "User Statistics Program" means the program, as approved by the District and City, used by the Commission to measure and calculate the use by residents of the District and residents of the City, respectively, of the Recreation Services and Arts Services in any Facility in any budget year.

General Mandate

3. Pursuant to the North Vancouver Recreation and Culture Commission Agreement, Council delegates to the Commission the authority, on behalf of the District and the City, to:
 - (a) plan, develop, evaluate, and jointly and seamlessly deliver, within the approved funding of any budget year, and in accordance with the terms, limitations and conditions set out in this Bylaw, an appropriate array of quality Recreation Services and Arts Services in the District of North Vancouver and City of North Vancouver to meet the needs of District and City residents regardless of age, ability, gender or economic status. In carrying out this mandate, the Commission will act in the best interest of the District and the City and in the best interests of residents of both municipalities;
 - (b) implement the North Vancouver Cultural Plan adopted by the City and the District in 2002 (or subsequent plans related to arts and culture approved by the District Council and the City Council) and to undertake periodic reviews of the said North Vancouver Cultural Plan; and
 - (c) administer the Arts Grants.

Annual Service Plan

4. The Commission will on an annual basis formulate a service plan for meeting its

mandate, which plan will be used as the basis for the preparation of the draft Operating Financial Plan and the draft Capital Plan for the next budget year.

Specific Powers, Duties and Functions of Commission

5. Council delegates to the Commission the following powers, duties and functions for the purpose of carrying out its general mandate:
 - (a) hiring, remuneration and termination of persons in the capacity of Director of Recreation and Culture and Acting Director of Recreation and Culture (during periods of extended absence by the Director of Recreation and Culture), provided that all decisions relating to hiring, remuneration and termination of the Director of Recreation and Culture and an acting director shall be made through a process, acceptable to the District and the City, that involves the District's CAO and the City CAO.
 - (b) making recommendations to the District Council and the City Council with respect to:
 - (i) requirements for additional grounds, Facilities or services associated with the provision of the Recreation Services and Arts Services;
 - (ii) requirements for capital expenditures in respect of existing recreation grounds, Facilities or services associated with the provision of the Recreation Services and Arts Services;
 - (iii) strategic direction and policy changes to meet recreation and arts needs of both District and City residents;
 - (iv) fees and charges for Recreation Services and Arts Services;
 - (v) opportunities for partnering arrangements; and
 - (vi) the Arts Grants.
 - (c) making decisions for:
 - (i) delivery of Recreation Services and Arts Services, either directly or through one or more Service Providers;
 - (ii) implementation of the recreation and arts policies of the District and the City;
 - (ii) coordination of the delivery of Recreation Services and Arts Services and Community Programs at each Facility;
 - (iii) cooperation with the Parks Departments of the District and the City

in the joint provision of Recreation and Arts Services at any playground, park, beach or other facility or grounds owned by or in the possession of the City or the District; and

- (iv) administration of the Arts Grants.
- (d) instructing the Director of Recreation and Culture to conduct surveys of participants or users of Facilities, parks, Recreation Services, Arts Services and other services as required;
- (e) setting policies under which Recreation Services and Arts Services will operate and rules under which the Facilities will be used for Recreation Services and Arts Services, subject to:
 - (i) any directions from the Facility Owner regarding any Facility; and
 - (ii) coordination with any rules established by the Facility Owner for the delivery of Community Programs in any Facility.
- (f) making recommendations to the City and the District regarding Partnering Agreements with Service Providers for the provision of Recreation Services and Arts Services at any Facility;
- (g) reporting to the Council of both the District and the City on any matter within the general mandate or specific powers, duties and functions of the Commission when requested to do so by either or both Councils, or when the Commission deems it necessary or advisable to report, and in any event at least once in every calendar year;
- (h) approve the Budget Submission as set out section 11;
- (i) ensuring effective communication among the Director of Recreation and Culture and the District's CAO and the City CAO respectively;
- (j) liaising with community sports and recreation groups and organizations, and with North Vancouver artists, and with arts and cultural organizations in North Vancouver; and
- (k) administering the Arts Grants.

Maintenance and Repair Duties

6. Subject to section 7, the Commission will maintain all Core Facilities, including all buildings, plant, equipment, fixtures, fittings, off-street parking areas, walkways and landscaped grounds, including capital upgrading, repair and cleaning costs and as required to ensure that all Core Facilities are appropriately maintained and safe for their intended purpose.

Use of Funds

7. The Commission may not make any expenditure that is not included for that year in the then-current Operating Financial Plan or Capital Plan approved by the District Council and the City Council, except that
 - (a) the Commission may make a further expenditure so long as the expenditure is not expressly prohibited by or under the *Community Charter* or another Act and provided that the expenditure is approved in advance by the District Council and the City Council;
 - (b) where revenues exceed the amount budgeted in respect of an item in the Operating Financial Plan or where expenditures are less than budgeted in respect of an item in the Operating Financial Plan the Commission may re-allocate the excess revenue or the savings, as the case may be, to another item in the Operating Financial Plan as reasonably required so long as the reallocated funds are used for an authorized expenditure under the then-current Operating Financial Plan and so long as the reallocation is not prohibited by or under the *Community Charter* or another Act. For greater certainty, funds shall not be reallocated for the purpose of funding new services, initiatives, studies, reviews, capital assets or other expenditures that have not been approved by the Councils of both the District and the City, and funds shall not be reallocated for the purpose of significantly enhancing existing Recreation Services, Arts Services, or Arts Grants unless the enhancement has been approved by the Councils of both the District and the City;
 - (c) the Director of Recreation and Culture may make an expenditure for the emergency replacement of a capital item essential for the continued operation of all or a part of any Facility from an emergency capital replacement fund established for that purpose; and
 - (d) surpluses are to be returned to the District and the City in proportion to the funding contribution of each.

Liabilities

8. Except as set out in sub-section 12(g), the Commission will not incur or cause to be incurred liabilities or indebtedness without the prior written consent of the District and City Directors of Finance. The Commission will not grant or cause to be granted any indemnities or releases without the prior written consent of the District and City Directors of Finance.

Budget Year

9. The budget year of the Commission is that of the District and the City.

Remuneration and Reimbursement

10. Commissioners and committee members will serve without remuneration, it being understood that

- (a) the admission of Commissioners to Facilities or Commission programs or services at a discount rate will not be considered a form of remuneration; and
- (b) by resolution of the Commission or pursuant to Commission policy, a Commissioner or committee member may be reimbursed for expenses properly incurred on behalf of or in respect to the business of the Commission or committee.

Annual Budget

11. The Commission's annual budget for each calendar year shall be determined in accordance with the following procedure:

- (a) the Commission will formulate the Annual Service Plan as set out in section 4;
- (b) the Director of Recreation and Culture will prepare, in accordance with sub-section 12(d), the Budget Submission based on the Annual Service Plan formulated by the Commission;
- (c) the Commission will review the Budget Submission and will approve it if it is consistent with the Annual Service Plan;
- (d) the Budget Submission, once approved by the Commission, will be submitted into the District's and the City's financial planning processes in accordance with sub-section 12(d); and
- (e) the annual budget for each calendar year shall be the Budget Submission after it has been adjusted as required by District and the City in accordance with their financial planning processes and after it has been approved by the Councils for the District and the City.

The annual budget will include an amount for Arts Grants and Arts Services, but will not include any amount for the City public art program or the District public art program, both of which programs will remain independent, and are to be funded separately by the City and the District respectively.

Other Powers, Duties and Functions of Director of Recreation and Culture

12. Subject always to the reporting requirements set out in section 14, the powers, duties and functions of the Director of Recreation and Culture are as follows:

- (a) supervise and manage the operation of the Recreation Services and Arts Services within the general mandate given to the Commission;
- (b) implement, over-see, administer and manage the Commission's decisions under sub-section 5(c) and its policies under sub-section 5(e);

- (c) implement and enforce the Commission's rules and regulations relating to the provision of Recreation Services and Arts Services;
- (d) each year when required by the District and the City prepare and submit into the District's and the City's financial planning processes the Budget Submission consisting of:
 - (i) a draft Operating Financial Plan for the following budget year based on the Commission's Annual Service Plan in a form and in such detail as required and directed by the District and City Directors of Finance; and
 - (ii) a draft Capital Plan for the following budget year based on the Commission's Annual Service Plan in a form and in such detail as required and directed by the District and City Directors of Finance.
- (e) make such adjustments to the Operating Financial Plan and Capital Plan as required by District and the City in accordance with their financial planning processes and in accordance with the North Vancouver Recreation and Culture Commission Agreement;
- (f) prepare annually, a five year operating financial model and a ten year capital financial model;
- (g) enter into agreements or contracts with third parties provided that:
 - (i) all expenditures associated with the agreement or contract are included in the approved budget;
 - (ii) the agreement complies with all requirements and limitations set out in the *Community Charter* or in the *Local Government Act*;
 - (iii) the prior approval of the District and City Directors of Finance is obtained for any contract where the annual cost of the contract exceeds or will exceed 2% of the Commission's gross operating budget in any budget year;
 - (iv) the agreement is not for more than 5 years or for a period that could exceed 5 years by exercising rights of renewal or extension; subject to compliance with all requirements and limitations set out in the *Community Charter* or in the *Local Government Act*;
 - (v) where applicable, the activity or program is supported by the current cultural plan; and
 - (vi) all required permits and insurance requirements are met.

- (h) negotiate, supervise and manage the agreements and contracts set out in sub-section 12(g);
- (i) accept and review applications for other Arts Grants (if any), and make recommendations to the District Council or the City Council, as applicable, regarding such Arts Grants (if any) according to criteria approved by the District Council or the City Council, as the case may be, and otherwise supervise and oversee the administration of the Arts Grants;
- (j) administer the District's public art program through a joint community committee and under direction from the District CAO and administer the City's public art program through a joint community committee under direction from the City CAO;
- (k) conduct surveys of participants or users of Facilities, parks, Recreation Services and Arts Services and other services as required;
- (l) hire, direct, determine compensation of, discipline and discharge such employees as are necessary for the administration, operation, maintenance and supervision of the Facilities and Recreation Services and Arts Services delivered therein and for effectively carrying out the powers duties and functions of the Director of Recreation and Culture;
- (m) collect and receive fees and charges as set by the District Council and the City Council and to receive any other monies paid to the Commission or for Recreation Services or Arts Services from any source;
- (n) comply with directions of the Appointed Financial Officer with respect to matters relating to financial administration;
- (o) ensure, in respect of the provision of the Recreation Services and Arts Services and the fulfillment of all powers, duties and functions set out in this Bylaw, that:
 - A. proper policies and procedures are in place to safeguard assets;
 - B. accounting functions are performed by qualified personnel;
 - C. all financial transactions comply with the requirements and conditions set out in this Bylaw; and
 - D. complete and accurate records are kept and are available at all times for review by the City and District Directors of Finance or by authorized third parties such as external auditors
- (p) co-operate with the Appointed Financial Officer in the administration of the User Statistics Program in accordance with the requirements set out in the North Vancouver Recreation and Culture Commission Agreement;

- (q) maintain an inventory itemizing the District's and the City's capital assets utilized by the Commission as directed by the District and the City from time to time;
- (r) provide the Chief Financial Officers of the District and the City with a detailed summary of expenditures from the emergency capital replacement fund at the end of each budget year;
- (s) negotiate, as and when required, a collective agreement with the bargaining unit representing employees of the Commission and execute such agreements;
- (t) act as a general professional and administrative resource for the District and the City; and
- (u) communicate and consult with the District CAO and the City CAO on all matters relating to the exercise of the powers, duties and functions of the Director of Recreation and Culture in accordance with procedures established by the District and the City from time to time.

Insurance

13. The Director of Recreation and Culture will obtain and maintain satisfactory levels of insurance for all liability perils, including

- (a) at a level recommended by the Municipal Insurance Association that is acceptable to the Directors of Finance for the District and City, but in any case not less than \$10,000,000 per event of public liability in respect of programs operated or sponsored by the Commission; and
- (b) replacement cost and property damage insurance for Facility physical plant and equipment, vehicles, goods, chattels, monies and securities in the care, custody and control of the Commission;

and copies of all insurance policies and changes thereto will be provided to the Directors of Finance of the District and the City.

Reporting Requirements of the Director of Recreation and Culture

14. The Director of Recreation and Culture shall report to and take direction from:

- (a) the Commission on all matters referred to in sub-sections 12(a) to (d) and sub-sections 12(f) to (m);
- (b) the Appointed Financial Officer on all matters referred to in sub-section 12(e) and sub-sections 12(n) to (r) and section 13; and
- (c) the District's CAO and the City CAO on all matters referred to in sub-sections 12(s), 12(t) and 12(u).

These reporting requirements do not in any way diminish the duty of the Director of Recreation and Culture to advise and keep informed the Commission of all appropriate matters regarding Recreation Services and Arts Services.

North Vancouver Recreation and Culture Commission Agreement

15. The Commission is subject always to the rules relating to composition, member qualifications, conflicts, organization, procedure and financial oversight set out in the North Vancouver Recreation and Culture Commission Agreement as may be amended from time to time by the District and the City. The North Vancouver Recreation and Culture Commission Agreement governs in the event of any inconsistency or perceived inconsistency between any provision in that Agreement and any provision in this Bylaw.

Rules of Procedure

16. In the conduct of its meetings the Commission will observe the rules of procedure set out in Schedule A.

Audit

17. The City and the District will be responsible for any and all audits involving the Commission. The Commission and the Director of Recreation and Culture will cooperate fully with any auditor appointed by the District and the City or by either of them or by the Appointed Financial Officer.

Severability

18. If any section or portion of this Bylaw is held to be invalid by a decision of a court of competent jurisdiction, such invalid section or portion shall be severed from the remainder of the Bylaw and shall not affect the validity of the remaining portions of the Bylaw.

Repeal

19. The North Vancouver Recreation Commission Delegation Bylaw No. 7784 (2009) is hereby repealed in its entirety. The North Vancouver Recreation Commission Agreement Bylaw No. 7283 (2002), which was repealed by Bylaw No. 7784 (2009), remains repealed in its entirety.

READ a first time

READ a second time

READ a third time

ADOPTED

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Schedule A to Bylaw 7988

Rules of Procedure

Election of Chair and Vice-Chair

1. The Director of Recreation and Culture will preside at the first meeting following the appointments of Commissioners, and the first order of business will be the election by the Commissioners of a Chair and Vice-Chair. Only non-elected Commissioners are eligible to be elected as Chair and Vice-Chair.

Vice-Chair

2. In the absence or incapacity of the Chair, the Vice-Chair has all the powers and is subject to the same rules as the Chair.

Regular Meetings

3. The Commission will, by resolution, set a schedule of regular meetings, and the Commission will hold meetings in accordance with the approved schedule unless another date for a meeting is fixed by the Chair at the previous meeting or with 24 hours notice to the Commissioners.

Quorum

4. A quorum of the Commission is five Commissioners.

5. An elected Commissioner appointed by the District and an elected Commissioner appointed by the City must be present at each meeting.

Inaugural Meeting Following Municipal Election

6. The Director of Recreation and Culture will call for the first meeting of the Commission as soon as is practical following the inaugural meeting of the District and City Councils.

Electronic Meetings

7. A Commissioner who is unable to attend any meeting in person, may attend and participate by telephone conference, video conference, or similar means, if the Commissioners have been provided with notice, an agenda and background material for the meeting.

8. The following rules apply in relation to a meeting referred to in section (7):

- (a) the electronic or other communication facilities must enable the meeting's participants to hear, or watch and hear, each other;
- (b) except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the participation of the member.

Notice

9. Notice of each regular meeting, together with an agenda for the meeting, will be delivered to each Commissioner with copies to the Clerks of the District and the City at least three days prior to each regular meeting. Notice of each special meeting, together with an agenda for the meeting, will be delivered to each Commissioner and to the Clerks of the District and the City at the earliest reasonable opportunity prior to the meeting.

Conduct of Meeting

10. The Chair will preside at all meetings of the Commission and will be guided by the following rules:

- (a) The order of business will be as set out in the agenda, except that an item may be added to or withdrawn from the agenda by the Chair, subject to a majority vote of the Commissioners present being required if a Commissioner objects;
- (b) All decisions of the Commission will be made by resolution and a resolution will be considered adopted by a majority vote of the Commissioners present. Each Commissioner, including the Chair, has one vote. If the votes of Commissioners present at the meeting at the time of the vote are equal for or against the motion, the motion is defeated;
- (c) All meetings of the Commission will be open to the public, except for resolutions and matters that may be considered in a closed meeting in accordance with the requirements in Part 4, Division 3 the *Community Charter*;
- (d) When an item dealt with at a closed meeting is no longer confidential, as resolved by the Commission, the minutes for that item shall be received without debate in a subsequent meeting; and
- (e) The Chair will maintain order by following these rules and any supplementary rules adopted by the Commission. In the absence of any rule or supplementary rule, the Chair may determine every other matter reserved to the presiding officer in accordance with *Roberts' Rules of Order*.

Supplementary Rules

11. The Commission may adopt any supplementary rules of order that do not conflict with those contained in this Agreement.

Minutes

12. Minutes of the proceedings of the Commission and any Commission committees must be

- (a) legibly recorded;
- (b) certified as correct by the secretary appointed by the Commission; and

- (c) signed by the Chair or other member presiding at the meeting or at the next meeting at which the minutes are adopted.

13. Minutes of all meetings, whether open or closed to the public, must be distributed as soon as possible after the meeting and in any event before the next regular meeting to the Commissioners and to the Clerks of the District and City and to others as directed by the City CAO or the District CAO.

Standing Committees

14. The Chair may appoint standing committees of Commissioners to review and make recommendations to the Commission on any matter. A standing committee will serve at the pleasure of the Commission, and the Director of Recreation and Culture, or the Director's delegate, may sit as a non-voting member. Minutes of the meetings of a standing committee will be kept and copies sent to all Commissioners. Standing committees may meet by telephone conference, video conference, or e-mail if convenient.

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