

NO: **R209**

COUNCIL DATE: **November 28, 2011**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **November 21, 2011**

FROM: **City Manager**

FILE: **MV Authority**

SUBJECT: **Metro Vancouver Proposed “Pan-Municipal Affairs Service Establishment Bylaw”**

RECOMMENDATION

The City Manager’s Department recommends that Council:

1. Receive this report as information;
2. Adopt the following resolution:

“The Council of the City of Surrey consents on behalf of the electors to the adoption of The Greater Vancouver Regional District Pan-Municipal Affairs Service Establishment Bylaw No. 1157, 2011.”

; and

3. Authorize the City Clerk to forward to Metro Vancouver a copy of this report and a certified copy of Council’s resolution related to this report.

INTENT

The purpose of this report to seek Council support for the adoption by Metro Vancouver (MV) of a Service Establishment Bylaw that will permit MV to establish dialogues, public outreach and consultations and to retain legal, policy and/or technical experts on behalf of the MV member municipalities relating policing, culture and ports and to lobby other orders of government on issues of common interest to member municipalities all within financial limits set out in the Bylaw.

BACKGROUND

At its Regular meeting on October 28, 2011, the MV Board introduced *The Greater Vancouver Regional District Pan-Municipal Affairs Service Establishment Bylaw No. 1157, 2011* (the “Bylaw”). This By-law when adopted will permit MV to provide various services of pan-municipal interest for member municipalities. The Bylaw provides for two types of services; these being Pan-Municipal Affairs Services and Special Projects Services.

A letter from the Chair of the MV Board, which is attached as Appendix “A” to this report, provides additional details about the Bylaw and the request for the Council of each local government within the Region to adopt a resolution in support of adoption of the Bylaw. A copy of the proposed Bylaw is attached to the letter.

DISCUSSION

Appendix “B” attached to this report contains additional information in the form of Questions and Answers about the Bylaw and how adoption of such a Bylaw will affect member municipalities within MV including the City of Surrey.

Funding Implications:

Based on the proposed Bylaw MV cannot exceed a total budget of \$450,000 in any year (i.e., \$200,000 for Pan Municipal Services and \$250,000 for Special Projects).

The annual net costs of the Pan-Municipal Affairs Service budget and the Special Projects Service budget would be apportioned among all of the MV members on the basis of the proportion that the net taxable assessment of each member bears in relation to the total net taxable assessment of all members. On this basis, the maximum annual costs for which the City of Surrey would be responsible based on 2011 assessment values would be 13.4% or approximately \$60,000.

CONCLUSION

Based on the above discussion, it is recommended that Council:

- Adopt the following resolution:

“The Council of the City of Surrey consents on behalf of the electors to the adoption of The Greater Vancouver Regional District Pan-Municipal Affairs Service Establishment Bylaw No. 1157, 2011.”

; and

- Authorize the City Clerk to forward to Metro Vancouver a copy of this report and a certified copy of Council’s resolution related to this report.

Murray Dinwoodie
City Manager

MDD/mc

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MC 11/24/11 11:41 AM

Appendix “A”: Letter, Re: Pan-Municipal Affairs Service Establishment Bylaw, from the Chair,
Metro Vancouver Board

Appendix “B”: Pan-Municipal Affairs Service Establishment Bylaw Frequently Asked Questions



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Greater Vancouver Regional District • Greater Vancouver Water District

Greater Vancouver Sewerage and Drainage District • Metro Vancouver Housing Corporation

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Office of the Chair
Tel. 604 432-6215 Fax 604 451-6614

File: CR-07-01

«Title» «First_Name» «Last_Name» and Council
«Municipality»
«Municipal_Address»
«City», BC «PC»

Dear «Title» «Last_Name» and Council:

Re: Pan-Municipal Affairs Service Establishment Bylaw

The Metro Vancouver Board of Directors introduced *The Greater Vancouver Regional District Pan-Municipal Affairs Service Establishment Bylaw No. 1157, 2011*, at its October 28, 2011 meeting. This *Bylaw* was adopted to permit the Regional District to provide various services of pan-municipal interest. The *Bylaw* provides for two types of services: Pan-Municipal Affairs Services and Special Projects Services.

The Pan-Municipal Affairs Services provisions will permit the regional district to convene dialogues, public outreach and consultations on matters of mutual interest to its members. It will also permit the regional district to use that information as well as information obtained from additional research to provide policy papers and reports to members on issues of interest to its members.

The Special Projects Services provisions will permit the regional district to retain, (within the financial limits set out in the *Bylaw*), legal, policy or technical experts to advise on special projects relating to policing, culture and ports within the region. In addition, (within the financial limits set out in the *Bylaw*), the *Bylaw* provides the regional district with authority to lobby other levels of government on issues of common interest to the members.


Before the *Bylaw* can be finally adopted the electors of those members who wish to obtain these services, must provide participating area approval pursuant to section 802.3 of the *Local Government Act*. An alternative to elector approval is provided for by section 801.4 of the *Act*. That section states that a council may give participating area approval by consenting on behalf of the electors to the adoption of the bylaw. Such a resolution would state:

“The council of the Municipality of _____ consents on behalf of the electors to the adoption of *The Greater Vancouver Regional District Pan-Municipal Affairs Service Establishment Bylaw No. 1157, 2011*.”

We respectfully request that you include this item on the agenda of your next council meeting. Following receipt of all members' consents the *Bylaw* must be forwarded to the Inspector of Municipalities for approval before it is sent back to the GVRD Board for final adoption on November 25, 2011.

All council consents should be forwarded to Paulette Vetleson, Corporate Secretary, at Paulette.Vetleson@metrovancover.org or via facsimile to 604-451-6686.

Respectfully I remain,


Lois E. Jackson
Chair, Metro Vancouver Board

LEF/DL/tb

cc: Municipal Clerks, Metro Vancouver municipalities

Attachment: Municipal Affairs Service Establishment Bylaw No. 1157, 2011

GREATER VANCOUVER REGIONAL DISTRICT

PAN-MUNICIPAL AFFAIRS SERVICE ESTABLISHMENT BYLAW No. 1157, 2011

A Bylaw to Establish Services related to Pan-Municipal Affairs

WHEREAS:

- A. A regional district may, under section 796(1) of the *Local Government Act*, operate any service that the board considers necessary or desirable for all or part of the regional district, subject to certain limitations and conditions;
- B. Under section 800(1) of the *Local Government Act*, in order to operate a service, the board of a regional district must first adopt an establishing bylaw for the service;
- C. The board of the Greater Vancouver Regional District (the "Board") considers it desirable to provide services to its member municipalities, Tsawwassen First Nation and Electoral Area A (the "**Members**") in relation to issues of general interest to the Members;
- D. The Board has obtained participating area approval for the entire service area by way of an alternative approval process pursuant to sections 801(2)(b), 801(4) and 801.3 of the *Local Government Act* to establish this services described in this Bylaw;

NOW THEREFORE the Board in open meeting assembled enacts as follows:

PAN-MUNICIPAL AFFAIRS SERVICE

- 1. The pan-municipal affairs service consists of the following:
 - a) providing a forum for discussions between the Members;
 - b) organizing public outreach events;
 - c) undertaking research on behalf of Members;
 - d) providing expertise to Members; and
 - e) drafting policy and preparing reports for Members,on issues of general interest to the Members ("**Pan-Municipal Affairs Service**").
- 2. The Board hereby establishes the Pan-Municipal Affairs Service.

Participating Areas

- 3. Electoral Area 'A', Tsawwassen First Nation and each member municipality of the Greater Vancouver Regional District, excluding the City of Abbotsford, is a participating area for the purposes of the Pan-Municipal Affairs Service (each a "**Participating Area**").

Service Area

4. The service area for the Pan-Municipal Affairs Service is the area within the boundaries of all of the Participating Areas (the "**Service Area**").

Cost Recovery

5. The annual costs for the Pan-Municipal Affairs Service shall be recovered by property value taxes imposed in accordance with Division 4.3 of the *Local Government Act*.

Cost Apportionment

6. The costs of the Pan-Municipal Affairs Service after deducting the revenues (if any) raised or received under subsections 1(b), (c) and (d) above, shall be apportioned among all of the Participating Areas on the basis of the proportion that the net taxable assessment of each participating member bears to the total net taxable assessment of all participating members.

Maximum Requisition

7. The maximum amount that may be requisitioned for the Pan-Municipal Affairs Service is \$200,000 dollars.

SPECIAL PROJECTS SERVICE

8. The Special Projects Service consists of taking action including undertaking consultation, conducting polls, researching, engaging experts to provide legal, policy or technical advice on behalf of Members when requested to do so by the Board on the following issues, up to the financial limits specified (the "**Special Projects Service**"):
 - a) policing within the region, expenditures not to exceed \$50,000 per calendar year;
 - b) promoting culture within the region, expenditures not to exceed \$50,000 per calendar year;
 - c) ports within the region, expenditures not to exceed \$100,000 per calendar year;
 - d) lobbying other levels of government on issues of common interest to the members, expenditures not to exceed \$50,000 per calendar year.

Participating Area

9. Electoral Area 'A', Tsawwassen First Nation and each member municipality of the Greater Vancouver Regional District, excluding the City of Abbotsford, is a participating area for the purposes of the Special Projects Service (each a "**Participating Area**").

Service Area

10. The service area for the Special Projects Service is the area within the boundaries of all of the Participating Areas (the "**Service Area**").

Cost Recovery

11. The annual costs for the Special Projects Service shall be recovered by property value taxes imposed in accordance with Division 4.3 of the *Local Government Act*.

Cost Apportionment

12. The costs of the Special Projects Service after deducting the revenues (if any) raised or received under subsections 8(b), (c) and (d) above, shall be apportioned among all of the Participating Areas on the basis of the proportion that the net taxable assessment of each participating member bears to the total net taxable assessment of all participating members.

Maximum Requisition

13. The maximum amount that may be requisitioned for the Special Projects Service is \$250,000 dollars.

Citation

14. This Bylaw may be cited as the "Greater Vancouver Regional District Pan-Municipal Affairs Service Establishment Bylaw No. 1157, 2011".

READ A FIRST TIME this _____ day of _____, 2011.

READ A SECOND TIME this _____ day of _____, 2011.

READ A THIRD TIME this _____ day of _____, 2011.

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this _____ day of _____, 2011.

RECONSIDERED, PASSED AND FINALLY ADOPTED by an affirmative vote this _____ day of _____, 2011.

Paulette A. Vetleson
Secretary

Lois E. Jackson
Chair



Pan-Municipal Affairs Service Establishment Bylaw FREQUENTLY ASKED QUESTIONS

Q: Why does the Board want the regional district to provide Pan-Municipal Services for member municipalities?

A: Collaboration by member municipalities in the provision of regional services is the hallmark of Metro Vancouver. Legislation, some of it originating early in the last century, provides authority for many of the region's functions and activities. However, member municipalities have found it useful to collectively discuss pan-municipal issues such as policing, ports and regional culture and wish to be able to do so with a limited amount of supporting activities such as undertaking research and obtaining professional advice. To continue to do this requires a service establishment bylaw.

Q: Will the bylaw result in a significant expansion of service provided by Metro Vancouver?

A: No. The Board's intention is to encourage more discussion of issues of regional interest, as it did during the June, 2011 Sustainability Congress, without a significant expansion of services. Metro Vancouver's core services, provided principally to municipalities, will still be drinking water, sewerage and drainage, and solid waste management.

Q: What services are permitted under this bylaw?

A: This bylaw permits Metro Vancouver to convene discussions and lobby other levels of government on matters of common interest to its members and to undertake special projects related to policing, culture and ports within the region.

Q: Are there spending limits for these activities?

A: Yes. The bylaw sets out limits for each of these activities and in total this cannot exceed \$450,000 per year. The regional district does not have to budget or spend all or any of this amount.

Q: What is needed to establish a Pan-Municipal Service?

A: Under provisions of the B.C. *Local Government Act*, regional districts have limited authority to engage in services that have not been approved by regional district members. In order to operate a service on an ongoing basis, the Board must adopt an establishing bylaw for the service.

Q: Doesn't Metro Vancouver already convene public dialogues or meetings now and do advocacy work?

A: Yes, Metro Vancouver convenes dialogues and consultation meetings about many subjects related to its core utility services – drinking water, wastewater treatment and solid waste management. For example, the Zero Waste Challenge campaign encourages residents and business to reduce, reuse and recycle. These existing public outreach activities would not be impacted or limited by the new bylaw.

Q: Do member municipalities have to approve the Bylaw?

A: Yes. Before the bylaw can be adopted by the board, the *Local Government Act* requires that local governments in the participating area must consent to a bylaw for services. The provincial Inspector of Municipalities must also approve the bylaw.