Local Government Awareness Week: May 15-21, 2011


This week is held in conjunction with National Public Works Week to generate awareness and educate the public about the roles and responsibilities of local government, and encourage the public to participate in local government processes, including voting in local elections.

Our theme for 2011 is Be Heard. This theme was chosen to reflect the upcoming local government elections. Visit our website at www.lgaw.ca for an interactive quiz and other resources to get you started with your 2011 Local Government Awareness Week planning.

Remember that UBCM has added a category to the Excellence Awards for Best Practices, Best Civic Engagement. If your local government plans to participate in Awareness Week, this category is for you! We want to hear what you did and how you engaged your community. Look for the Excellence Awards application package on the UBCM website in early June.

UBCM Wins Green Building Award

The Victoria Real Estate Board recognized UBCM’s Local Government House in its 19th Annual Commercial Building Awards. The award winners in each category were chosen for the buildings’ sensitivity to the environment, aesthetic appeal and ability to address developmental concerns within the community. As the winner of the Green Award, Local Government House was chosen for its innovative climate control system, use of recycled materials, on-site storm water management system and extensive use of BC wood.

2010 - 2011 UBCM EXECUTIVE

BACK ROW (left to right): Mayor Christopher Causton, AV ICC Representative; Mayor Barry Janyk, Director at Large; Councillor Murry Krause, Director at Large; Councillor Sav Dhaliwal, LMLGA Representative; Councillor Tim Stevenson; Vancouver Representative; Chair Al Richmond; Electoral Area Representative; Mayor James Atebe, Director at Large; Councillor Kevin Flynn, SILGA Representative; Councillor W esly Graham, AKB LG Representative; Mayor Mike Bernier, NCLGA Representative.

FRONT ROW (seated left to right): Councillor Galina Durant, Small Community Representative; Chair Harry Nyce, Past President; Director Rhona Martin, Third Vice-President; Director Heath Slee, First Vice-President; Councillor Barbara Steele, President; Mayor Mary Sjostrom, Second Vice-President; Mayor Greg Moore, Metro Vancouver Representative; Mayor Sharon Gaetz, Director at Large; Councillor Jerrilyn Schembri, Director at Large.
2011 Speech from the Throne and Provincial Budget

The Third Session of the Thirty-Ninth Parliament opened on February 14th with the reading of the Speech from the Throne. In the speech, British Columbia’s Lieutenant-Governor, the Honourable Steven L. Point, touched on the legacy of 2010 Olympic and Paralympics Winter Games and the priorities of the Government over the past decade. The speech also noted that the Government would seek approval from the House for an interim budget.

Budget 2011 was presented to the House on February 15th, 2011. The provincial budget is largely a status quo budget, which provides some decision making flexibility for the future.

Premier. With projected deficits of $925 million in 2011/12, $440 million in 2012/13, and a surplus of $175 million in 2013/14, the budget re-affirms the government’s commitment of returning to a balanced budget by 2013/2014. The budget forecasts the 2010/11 deficit at $1.265 billion, which is over 25 percent lower than the $1.715 billion forecast in Budget 2010.

Of interest to local governments, the budget provides:

- following the completion of the Strategic Community Investment Fund program, a reinstatement of the Traffic Fine Revenue Sharing Grant and Small Community Grant to 2008/09 levels;
- continued funding of the 2010 Sports and Art Legacy initiative, with $40 million over the next two years;
- continued funding of $80 million over the next two years for Climate Action and Clean Energy initiatives; and
- an overall reduction in the Ministry of Community, Sport and Cultural Development’ operating budget due to the winding down of stimulus infrastructure, stimulus top-up, and Towns For Tomorrow programs.

UBCM notes that this is the first budget that reflects the newly re-organized Ministry of Community, Sport and Cultural Development’s (MCSGD) priorities, and that the budget does not adversely impact MCSGD’s full time equivalent staff (FTE).
HIGHLIGHTS 2011 LGLA LEADERSHIP FORUM

The Local Government Leadership Academy (the “LGLA”) hosted another successful forum in Richmond, BC. The theme of this year's Forum was “Reflections on Leadership”. One hundred and forty one elected officials and senior staff from around the province had the opportunity to consider and discuss various aspects of leadership in a local government context.

Mayor Naheed Nenshi of the City of Calgary was the opening keynote speaker on Wednesday afternoon. He shared with the audience his experience running for Mayor, and the way in which he used social media as a means of interacting with the public during the election. Mayor Nenshi talked about the political landscape of Calgary and the desire for Calgarians to become engaged in the political process at a local level. A panel consisting of Mayor Christopher Causton, Chair Al Richmond and Mayor Paul Ives followed Mayor Nenshi's presentation. They reviewed specific case studies which demonstrated how strong intergovernmental relations can be an essential component to achieving community success.

Elected officials attended various concurrent sessions throughout the day on Thursday. These concurrent sessions focused on themes such as working relationships with others, leadership from a personal perspective and using technology to communicate with the public. In the morning, individual speakers gave presentations on topics such as interest based negotiations, examining your leadership style and senior staff member provided real life examples on issues such as contingent leadership, leading well and using social media. Thursday night’s plenary session featured Kevin Brown who spoke about getting your message across.

On the final day of the forum, Minister Stephanie Cadieux for Community, Sport and Cultural Development brought greetings from the Province. Then Minister Cadieux and Mayor Mary Sjostrom, Chair of the LGLA, presented certificates to eighteen elected officials representing five municipalities and six regional districts. These certificates are the very first certificates to be awarded by the LGLA pursuant the certificate program that it introduced at the 2010 Forum. The final session of the Forum examined the upcoming changes in legislation for local government elections. Gary Mackasac of the UBCM and Nicola Marotz of the Ministry gave the latest update on the proposed changes to the legislation. Then a panel of elected officials, consisting of Councillor Barbara Steele, Mayor Mary Sjostrom, Director Rhona Martin, Mayor Barry Janjky, and Councillor Murry Krause, gave their views on how the proposed legislation would have an impact on the election process.

The LGLA is now getting ready for the Newly Elected Officials seminars to be held around the province in January and February 2012. More information will be available soon.

UBCM Establishes Ferry Fares Advisory Committee

At the November 2010 Executive meeting, the Executive agreed to support UBCM involvement in the process presently underway by the Province and the independent BC Ferry Commissioner to establish ferry fares for the 2012-2016 cycle.

In order to effectively make representation, the President has appointed a committee that will seek to put forward the interests of communities on this matter. The following individuals comprise the new Ferry Fares Advisory Committee:

- Councillor Barbara Steele, Chair
- Mayor Barry Janjky, Gibson
- Mayor Christopher Causton, Oak Bay, AVICC rep.
- Mayor James Abbey, Mission, LMGRA rep.
- Tony Law, Chair, Coastal Ferry Advisory Committee

The Committee had their first meeting on January 19th and met again on February 22nd. Members reviewed the timeline that has been established for determining the price caps for ferry fares in the coming 2012-2016 cycle. The Committee also discussed the issues and concerns facing coastal communities dependent on ferry service; the challenges associated with increasing fares and the potential impact on communities, businesses and individuals if fares are dramatically increased. Based on the tight timeline and small window of opportunity for providing input the Committee will be undertaking research, meeting with affected parties and preparing a submission on behalf of the membership.

Sled Dog Task Force Underway

A Task Force announced by Premier Gordon Campbell to investigate regulation and oversights for the dog sledding industry is underway. Premier Campbell announced the Task Force on February 2, 2011, with the requirement that a report on its findings be provided to the Ministry of Agriculture within 45 days. MLA Terry Lake is chairing the Task Force, and is joined by UBCM President Barbara Steele and Mr. Craig Daniell, CEO of the BCSPCA. UBCM is participating in the work of the Task Force out of respect for the common involvement of local governments in zoning and regulatory issues relating to dogs.

The Premier announced the wake of media reports of the mass killing of dogs by a dog sledding company located outside of Whistler. Concurrent investigations into this matter are underway involving the RCMP and BCSPCA.

YOUNG ANDERSON
Dedicated to providing competent, ethical, legal assistance for municipalities and regional districts throughout British Columbia.

UBCM NEWS MARCH 2011
UBCM Resolutions

THE ABC’S OF THE RESOLUTIONS PROCESS

Sections

UBCM resolutions are divided into three sections as follows:

Section A resolutions address issues of high priority for local government.

Section B is divided into three parts:
• Part I: resolutions in keeping with established UBCM policy
• Part II: resolutions on new issues, or those considered previously but not endorsed
• Part III: resolutions addressing matters outside the jurisdiction of local government

Section C resolutions are covered in policy papers or by similar Section A or B resolutions. Section C is also divided into three parts:
• Part I: resolutions referred to policy papers or special Convention sessions
• Part II: resolutions referred to similar resolutions in Section A or B
• Part III: resolutions on regional issues not of province wide interest – these are referred to Area Associations

Order of Debate

Section A and B resolutions are introduced for debate in the order in which they appear in the Annual Report & Resolutions Book. Section A and some Section B resolutions are considered individually.

Section B – Part I and selected Part II resolutions are considered as a block, and in the event of time constraints, the Chair may also introduce a motion to adopt the recommendations for Section B – Part III resolutions as a block. In all cases, voting delegates have the option to withdraw resolutions from a block for individual consideration.

Section C resolutions are not admitted for debate.

Other Types of Resolutions

Two other types of resolutions may also be dealt with at Convention. Late resolutions are those submitted to UBCM after June 30 and before noon on Friday, September 23, 2011. These are printed in the “Report on Resolutions Received After the Deadline”, which is distributed at Convention to all voting delegates. Resolutions in this report that address urgent issues arising after June 30 may be recommended for emergency consideration at Convention. All others will be entered automatically into the resolutions cycle for 2012.

A resolution arising after noon on September 23 may only be presented to the 2011 Convention as a resolution off the floor. Any voting delegate may introduce such a resolution, which requires the assent of three-fifths majority of the delegates present in order to be admitted for debate. Sponsors of these resolutions must be prepared to distribute print copies to the plenary.

For information about any part of the resolutions process, contact:

Reiko Tagami
Information & Resolutions Coordinator
Email: rtagami@ubcm.ca / Tel: 604.270.8226 ext. 115

Electronic Voting at Convention

In an effort to continually improve the Convention experience for UBCM delegates, the Executive has directed staff to investigate options for introducing electronic voting for the resolutions sessions at the upcoming 2011 Convention.

Over the next few months, UBCM will test and possibly purchase an electronic voting system, determine if bylaw amendments are necessary to introduce electronic voting, consider options for offsetting the costs of the system, and discuss onsite logistics for implementing electronic voting at Convention.

As we move forward with this, we will be providing updates for members. So please keep an eye out for further information regarding electronic voting at the 2011 Convention.
**WRITING EFFECTIVE RESOLUTIONS**

**Use the Template**

Write your resolutions to match the following template. Note the maximum two “WHEREAS” and “BE IT RESOLVED” clauses, specific punctuation, and sentence structure. Craft your resolution to be as readable as possible within these guidelines.

**RESOLUTION TEMPLATE**

SHORT TITLE  
Sponsor’s Name

WHEREAS the quick brown fox jumped over the lazy dog;

WHEREAS the lazy dog does not enjoy games of leapfrog;

THEREFORE BE IT RESOLVED that the quick brown fox will refrain from jumping over the lazy dog;

[A second “enactment” clause, if it is absolutely required:] AND BE IT FURTHER RESOLVED that the quick brown fox will in future invite a different partner for games of leapfrog, such as the hopping kangaroo or the flying squirrel.

**Problem – Cause – Solution**

A resolution should answer the following questions:

- What is the problem?
- What is causing the problem?
- What is the best way to solve the problem?

**Title**

Make the title clear and short, no more than three or four words. UBCM may revise long titles for clarity and brevity to print in the Annual Report and Resolutions Book.

**Preamble**

The preamble consists of one or two “WHEREAS” clauses, each a single sentence about the nature of the problem or the reason for the request. If explaining the problem requires more than two sentences, then provide supporting documents to describe the problem more fully. Do not add extra clauses.

**Enactment**

The enactment, or “THEREFORE BE IT RESOLVED”, clause must convey the resolution’s intent in a single sentence, and should propose a specific action by UBCM. Keep it short, and clearly describe the action being requested. The wording should leave no doubt about the proposed action.

**Tips**

- address one subject in the text of the resolution
- construct a brief, descriptive title
- use simple, action-oriented language and avoid ambiguous terms
- provide factual background information
- check legislative references for accuracy
- focus on issues that are province-wide

For further guidance, please refer to the 2010 Gold Star and Honourable Mention Resolutions, and consult the Gold Star Resolutions Criteria, both available at www.ubcm.ca under:

Resolutions & Policy / Resolutions / Gold Star Resolutions.
Community Safety

Alberta Law Enforcement – New Direction

In December 2010 the Alberta government released a new framework for the management of law enforcement. The document was entitled “Law Enforcement Framework – Government of Alberta”. In the report the Alberta government attempts to examine a number of challenging problems regarding the delivery and financing of police services. The issues examined were:

• Role and responsibility of the province and local governments;
• Accountability - How can local communities have input into the police services provided?;
• Equitable distribution of policing costs.

The new policy was guided by five principles:

• Collaboration amongst law enforcement partners – Public safety should be enhanced through better coordination among law enforcement organizations to maximize efficiency and effectiveness.
• Balance allocation of law enforcement resources – Law enforcement resources should be effectively organized and deployed to maximize community-based approaches to local policing, while ensuring the ability of police to handle complex investigations.
• Efficient deployment of services – Policing services should be delivered with minimal duplication, with functions placed with those personnel who are best suited in terms of training and authority.
• Role of Government – It is the Government of Alberta’s role to set the direction, strategic framework, performance expectations and accountability mechanisms within which law enforcement should be delivered.
• Equitable cost distribution for policing services – The cost of policing services in Alberta should be shared in an equitable manner among Albertan and Alberta communities.

Roles And Responsibilities

The paper looked at the role the Alberta government and local government should play in the delivery of police services and proposed the following model:

• Alberta Government – set the direction, strategic framework, performance expectations and accountability mechanisms within which law enforcement is delivered.
• Municipal Government – focus on community-based front-line police services.

Accountability Measures

The policy paper pointed out that in order to maintain “public support and confidence, existing gaps in accountability and governance need to be addressed”. The report suggested that each community needed to have the flexibility “to establish mechanisms that meet the unique needs and expectations of local residents”.

Under the new framework the Alberta government proposed to work with police agencies and municipalities to establish a level of oversight and municipalities to establish a level of oversight.

RCMP Contract – What is the Current Status?

The current focus of the negotiations is on cost base issues (i.e. medical costs, pension costs, member benefits, legal costs etc.). These are some of the key cost drivers underlying the agreement and the goal is to contain these costs in any future agreement.

In general, reasonable progress has been made in negotiations to date in relation to the local government issues and concerns regarding the development of a partnership and new governance and accountability measures, such as a 5 year financial plan for staffing, accommodation and equipment programs to identify local priorities, and a graduated dispute mechanism.

Currently the negotiations are focused on new cost containment measures. Given the financial pressures that the federal government is experiencing, negotiations in this area have been challenging. However, there has been some recent progress in this area. If the federal government agrees to a Provincial/Territorial proposal to cap costs in some areas, such as supernumeration contributions and overall pay, it will be a major step in containing future costs.

The Contract Renewal Process is being managed in three phases. The first phase was the “information-gathering” phase. This phase was completed in early 2010. The second phase, which is currently underway, is the “negotiation” phase. It is anticipated that an agreement-in-principle will be concluded between the federal and provincial/territorial governments in 2011. The third phase, which is the provincial-municipal phase of the contract renewal process will begin, once an agreement-in-principle has been concluded.

The Province will prepare and forward a draft of a proposed MPUA agreement and a related Companion Document (that provides more information regarding the interpretation of each of the clauses in the MPUA agreement) to the UBCM Local Government Working Group for initial review and comments with a view to finalizing the MPUA. This process will include communication with local governments who ultimately enter into a MPUA with the Province for the continued delivery of local government police services by way of the RCMP.

The Province and the UBCM have agreed that a Contract Management Committee should be established as soon as possible. This will be a permanent Committee to address concerns related to the RCMP Contract and to the ongoing delivery of local government police services by the RCMP. UBCM will be working with the Province on the development of a Terms of Reference for the Provincial RCMP Contract Management Committee and on the membership on the Committee, which would include both Provincial and local government representatives. UBCM is looking for local government input into this process and would appreciate your views and suggestions on the development of such a Committee.

Keep of Prisoner Costs

Currently under the Keep of Prisoner (KOP) program the provincial government provides local government with funding to look after prisoners in municipal jails who are charged with a provincial offense. However the funding is not intended to cover the actual costs of keeping a prisoner in a municipal jail (i.e. wage costs, meal costs, cleaning and maintenance etc.).

The keep of prisoner program (KOP) was implemented by the provincial government in 2002 and was part of a serious of provincial cutbacks introduced at that time. The Ministry of Public Safety and Solicitor General stated that the province was moving from a fee for service rate to a provincial prisoner rate, based on budget constraints. The intent was to establish an hourly or per diem reimbursement rate for all provincial prisoners once the information was available. The province undertook to collect data for the purposes of determining the actual cost of keeping a prisoner in a municipal jail.

The KOP rate is based on the total provincial prisoner hours per fiscal quarter divided into one quarter of the provincial prisoner budget. The Ministry of Public Safety and Solicitor General, Corrections Branch Operating Budget is allocated a fixed amount for housing provincial police prisoners in municipal lockups. Also included in the budgetary allocation is a fixed amount (historical average) from the provincial police budget to pay for housing provincial police prisoners in municipal lockups who were arrested outside municipal boundaries by provincial police force members.

The payments under the Keep of Prisoner program also include reimbursement for federal

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Policing: Comparing Alberta and British Columbia

In Alberta and British Columbia the province provides policing services to municipalities covered under a Provincial Police Service Agreement (PPSA) – the costs are shared between Alberta/British Columbia (70%) and the federal government (30%) for RCMP policing services. In Alberta there is no direct cost to those municipalities. (e.g. towns, villages and summer villages) with populations no greater than 5,000 and all municipal districts. In British Columbia all local governments contribute to police costs, there is a police tax in all municipalities with populations no greater than 5,000 and rural areas.

In both provinces, municipalities with populations greater than 5,000 are responsible for providing police services in their communities. Municipalities may choose to contract for RCMP services or establish their own stand-alone police force. Municipalities that choose to contract with the RCMP are covered by a cost-sharing agreement with the federal government – Municipal Police Agreement (MPA) – municipalities with a population less than 15,000 are responsible for 70% and the federal government 30%; municipalities with a population greater than 15,000 are responsible for 90% and the federal government 10%).

Financing of Police Services

One of the biggest differences between Alberta and British Columbia is in the direct financial assistance provided for policing. The Alberta government provides a Municipal Policing Assistance Grant (MPAG) to municipalities with populations greater than 5,000 to help them meet the costs of policing services, there is no comparable grant in British Columbia. Financial assistance under the Alberta MPAG is based on the following criteria:

- Towns and cities with a population between 5,001 and 20,000 are eligible to receive a base payment of $200,000, plus $8.00 per capita;
- Cities and urban service areas with a population between 20,001 and 50,000, are eligible to receive a base grant of $100,000, plus $14.00 per capita;
- Cities and urban service areas, with a population greater than 50,000 are eligible to receive $16.00 per capita.

The Alberta grant provided an average of $17.3 per capita in 2008 and $17.8 per capita in 2009 to support municipal police services; it represented almost 7% of the average cost of providing police services in these municipalities and approximately 1.4% of total municipal tax revenues for these municipalities.

New Direction

Continued from page 6

which is equivalent to that provided by Policing Committees, in Alberta a municipality that engages in contract policing has the option of forming a Policing Committee to provide input and direction regarding policing priorities and strategies, and build on existing practices such as citizen advisory committees. The goal is to ensure that there is a consistent level of accountability in communities throughout the province and “that law enforcement organizations have a forum in place that facilitate meaningful community input into local policing needs and priorities”.

Equitable Financing

In looking at whether or not there is the equitable distribution of police costs in the province, the report concluded that “Alberta communities are diverse. Differences in population, fiscal capacity, remoteness and other local circumstances mean that the cost of policing cannot realistically be shared equally by all Albertans across the province.”

The Alberta government, rather than focus on the equitable distribution of police costs, looked at how it can assist local communities to address the policing issues they face and to allow them to focus on their core responsibility of providing community-based front-line policing services. The focus of the new framework is on the Alberta government financing enhanced specialized police services - Alberta Combined Special Enforcement Units, Sheriff Support Teams, gang units, drug enforcement units, case investigators, canine units, and trained surveillance units etc. (for details on how Alberta finances police services see the article on Policing: Comparing Alberta and BC).

Comparison of Police Costs and Services

A comparison of the police services and costs between Alberta and British Columbia is outlined below:

The number of municipalities responsible for their own policing costs:
- Alberta municipalities account for 40 municipalities
- British Columbia municipalities account for 60 municipalities

Standing Alone Policing – 6 municipalities
- Alberta Standing Alone Policing – 12 municipalities

Summary of the police officers employed:
- Alberta municipalities have 1,257 officers
- British Columbia municipalities have 1,354 officers

The financial contribution to policing:
- Alberta municipalities contribute 25% of the cost of policing
- British Columbia municipalities contribute 30% of the cost of policing

In comparing Alberta and British Columbia it highlights the fact that British Columbia is more dependent than Alberta on the RCMP for police services. For example, in British Columbia the majority of large urban communities are policed by the RCMP whereas in Alberta the majority of large urban communities have their own police force, this accounts for a major difference in the number of municipalities and the number of RCMP officers.

Prisoner Costs

Continued from page 6

prisoners housed in municipal facilities. The rate paid by the federal government for reimbursement will vary depending on the classification of the prisoner (i.e. immigration or corrections etc.). The rates paid by the province under Keep of Prisoner have changed in 2004 in varied from $9.52 to $9.89 per hour. The reimbursement rate paid by the province for the KOP program between 2007 and 2010 varied from $5.91 to $6.38. The federal rate for reimbursement of prisoners between 2007 and 2010 varied from $6.70 to $7.81.
Environment Policy

ENVIRONMENT POLICY IN BRIEF

Canada Water Week

Under the banner of Healthy Rivers, Living Lakes, the inaugural Canada Water Week is set to run starting March 14 and culminate with World Water Day on March 22. The Province is a partner and supporter of Canada Water Week activities, while the Walter and Duncan Gordon Foundation, WWF-Canada and Living Lakes Network Canada are organizing national efforts jointly.

Canada Water Week will exercise the positive power of arts and culture to encourage people to embrace and appreciate water in order to protect it. The BC Government is working with provincial/territorial and non-government partners across Canada to celebrate water from coast-to-coast-to-coast. British Columbia will be profiling Living Water Smart and progress toward modernizing our Water Act. The Province will also showcase water champions and partnerships in action. Local governments play a significant role in advancing water champions and partnerships in action. Local governments have provided UBCM with signed copies of the Climate Action Charter.

For further information on the process for signing the charter, please contact Jared Wright, Senior Policy Analyst by email at jwright@ubcm.ca, or by phone at 604.270.8226 ext.113.

Cleaner Gasoline Regulation

The BC Cleaner Gasoline Regulation has been amended. The amendment pertains to vapour pressure requirements for ethanol blended gasoline, and is effective as of December 3rd, 2010. The approved amendment follows the Ministry’s stated intentions (as posted in the Intentional Federal on the Utilities) with two exceptions. The first exception is that the 7kPa waiver will be retained beyond January 1st, 2013 for the Lower Fraser Valley for the period of July to October 2013. The second exception is that the Province was unable to incorporate by reference the new CGSB standard for E85 until this standard has been published by the CGSB. However, the Province intends to go forward with another amendment once it is published, to recognize E85, and allow its distribution in BC. For a copy of the amendment, BC Cleaner Gasoline Regulation 498/95, please visit the BC Laws website.

Species at Risk

In June 2010, the Province announced the members of a task force that will provide recommendations for the protection and recovery of species at risk in British Columbia. The task force arose from a commitment made in February of 2011. The Ministry of Environment and the Department of Fisheries and Oceans have been working on a protocol to deal with variances to the Streamside Protection and Enhancement Area (SPEA) setbacks. The protocol is focused on managing the siting and size of residences and residential footprints and do not deal with whether the residential use is permitted. Some local governments have requested this guidance to manage residential uses in farming areas.

Climate Action

In the summer of 2007, UBCM and the Province developed a non-binding Climate Action Charter aimed at fostering collaborative relations for reducing greenhouse gases. The Charter commits local government signatories to: becoming carbon neutral in their operations by 2012; measuring and reporting on their GHG emissions profile; and creating complete, compact, more energy efficient communities. To date, 179 local governments have provided UBCM with signed copies of the Climate Action Charter.

For further information on the process for signing the charter, please contact Mark Robbins, Regional Agrologist, Ministry of Agriculture at 604-556-3086 or Mark.Robbins@gov.bc.ca.

Riparian Areas Regulation

The Ministry of Environment and the Department of Fisheries and Oceans have been working on a protocol to deal with variances to the Streamside Protection and Enhancement Area (SPEA) setbacks. The protocol is focused on managing the siting and size of residences and residential footprints and do not deal with whether the residential use is permitted. Some local governments have requested this guidance to manage residential uses in farming areas.

Residential Uses Standards

The BC Ministry of Agriculture has developed a discussion paper that contains a draft set of criteria for developing local government bylaws regarding residential uses in the Agricultural Land Reserve. The criteria are focused on managing the siting and size of residences and residential footprints and do not deal with whether the residential use is permitted. Some local governments have requested this guidance to manage residential uses in farming areas.

For further information on the project, please contact Jennifer Heron, Invertebrate Specialist, Ministry of Environment, at Jennifer.Heron@gov.bc.ca or Jared Wright, Senior Policy Analyst at UBCM at jwright@ubcm.ca.
Since 1980 our firm has restricted its practice to acting for local government and providing advice concerning municipal law to other clients.
surrey - continued from page 9

Determined on proposed construction projects during the planning approval stage.

Providing cost-effective solutions that are aimed at regulating the polluter
Prior to the implementation of the program in 2007, it is estimated that the direct cost associated with cleaning sediment from 3 nodes on the City's drainage system could be estimated at close to $700,000. The other costs of cleaning pipes, attending to blocked catchbasins and cleaning streets of tracked sediment were unavailable for, as they became incidental cost absorbed into a tens of millions of dollars operating budget.

The ESC By-law passes the responsibility for controlling the release of sediment from the construction sites back to the source. Historically, in an effort to maximise profits, construction sites would forego providing the required planning and implementation of erosion and sediment control best management practices. While erosion and sediment control was perceived as a requirement, without a regulatory and enforcement mechanism, it was a cost that could be slashed with no repercussion.

The City's ESC policy established under the By-law develops such a regulatory and enforcement mechanism:

- Setting a mandatory maximum allowable discharge limit of 75 mg/L of total suspended solids. This limit was established in association with the Department of Fisheries and Oceans Canada to ensure that the City did not overstep the requirements under the Fisheries Act.
- Establishing mandatory/uniform site management requirements dependant on a two-tiered system. Standard BMP's for low risk sites categorized by sites that encompass a construction area no greater than 2000m², and a detailed permitting system that requires construction on areas over this criteria to adequately plan and monitor their site to ensure due diligence is demonstrated during construction from the planning phase right through to project completion.
- Establishing enforcement protocols and penalties that remove the impetus to proceed outside of the set criteria.

Through the implementation of this strategy, the City is shifting the cost of cleaning up after poor construction practices from the taxpayer. The resources required to manage, implement and enforce the program are easily dwarfed by the true cost of allowing the problem to go unchecked.

Improved public accountability and awareness of local government by showing both industry and citizens that as a regulatory authority, the City is actively engaged in delivering:

- Its Sustainability Charter goals
- A commitment to protecting the community and environment by not allowing poor development practices
- A program that allocates funding to address the drain to funding caused by unregulated, poor construction practices
- Enforcement policies to follow-up on citizen concerns when residents can see the damage being done to civic infrastructure and the environment
- A mechanism that protects the City from prosecution under the Federal Fisheries Act for allowing the City's drainage system to convey deleterious substances to fish bearing watercourses.

CITY OF QUESNEL - Honourable Mention Winner
Bulk Water Distribution Plant

In the past, bulk water haulers were able to connect directly to City of Quesnel fire hydrants to access City water in large volumes. Private companies were able to source City water and turn around and sell it, at a profit, to the people who do not contribute towards the cost of maintaining the City’s water supply.

Quesnel City Council approved a bulk water distribution plant concept that was proposed by the City-owned, arms-length Quesnel Community and Economic Development Corporation. The City advanced the project for a number of reasons, including safety of the water system, cost recovery and user convenience.

The plant was designed for use by those hauling City water in large volumes (anything more than a standard 18-litre bottle). Water costs $5 per cubic metre (or half a cent per litre). Filling the tank truck with a capacity of 11,000 litres (2,400 gallons) costs $55. A pickup truck with a 450-litre tank (100 gallons) in the back costs $2.25 to fill.

Has the program/project saved the community money and/or resources? In June 2010, the City sold 2,215 m3 of water, outperforming initial projections. At a rate of $5 per m3, revenues for the month totaled just over $11,000. At this rate the capital aspect of the project will be repaid within six years. In addition, we now know how much water is leaving our water system, important information especially for future planning and development.

What makes this project innovative and creative? The fact that there are very few of these types of facilities in B.C. makes this project innovative. The thought of selling water seems to contradict Canadian values, but the fact is that sourcing and supplying water requires financial resources; any method by which the City can recoup that funding is welcome. It also created a need to shift a community’s paradigm of thinking around water supply and availability. We moved away from a thought process suggesting “we have an unlimited supply” to “water is a valuable resource that we should value and protect.”

What sets it apart as a winning idea? A thorough communications campaign ensured that those who needed to know the details were made aware of the plan well in advance. Also, communications materials aimed at the City’s residents and businesses made it clear that the City was actively engaged in pursuing alternative sources of revenues to offset water utility rate increases while protecting public safety. This win-win was well received by the community.

Bull, Houser & Tupper - Local Government Practice Group

Bull, Houser & Tupper LLP is pleased to announce that Kathleen Higgins and Olga Rivkin have joined our Local Government Practice Group as Associate Counsel and Associate respectively, making our team of local government lawyers one of the most experienced in the province. We are known for providing strategic, creative and practical legal advice in the areas of municipal, regulatory, real estate, environmental, Aboriginal and litigation.

KATHLEEN HIGGINS has over 20 years’ experience focusing on local government, real estate, expropriation and Aboriginal law. She has extensive real estate development experience and has advised on expropriation matters and First Nations issues. She has conducted bylaw prosecutions, injunctions and defences to bylaw challenges in British Columbia’s Provincial, Supreme and Appeal Courts.

Prior to joining BHT, Kathleen Higgins practiced as a real estate lawyer at the Real Estate Group focusing on local government law. Her experience includes advising clients on zoning, planning and building issues, development in urban areas and compensation for expropriated property. Olga has also advised First Nations on development and local government related issues.
CITY OF PORT COQUITLAM - Best Practices Honourable Mention

Coquitlam Optical Network Corporation - QNET

Project Summary
Leveraging its investment in over 50 kilometres of fibre optic infrastructure, the City of Coquitlam is enabling the delivery of competitive, high-speed telecommunications (telecom) services to business and residential consumers throughout the community. Established as a local government corporation in November of 2008, the Coquitlam Optical Network Corporation (QNet) leases fibre optic cables to telecom companies, connecting their services to businesses and high-density residential complexes. A key enabler of business and economic development in the new global economy, access to competitive high-speed telecom services fosters job creation, enables home based businesses and supports virtual workplaces (i.e. working from home). In turn, this reduces demands on the transportation system and the resulting CO2 emissions. The elimination of long commute times to and from work significantly improves the quality of life for residents and families in the community.

Improved Community Services
Coquitlam is rapidly becoming the home of one of the most competitive telecom industries in the country. Since incorporation, QNet has signed contracts with Bell Canada, MTS Allstream, Rogers Communications and Uniserve Communications. Rogers Communications is leasing fibre optic cables from QNet in order to improve its wireless network for Coquitlam consumers. Bell and Allstream are providing smaller competitive telecom companies with access to Coquitlam’s fibre optic network and Uniserve (operating as QConnect in Coquitlam) is providing high speed internet and telephone services to business and residential consumers at very competitive prices.

Cost Reductions and Revenue Generation
With the installation of the fibre optic network in 2003-04, the City realized savings of $302,000 per year (starting in 2004) due to reduced ICT costs. As a result of the competition enabled by QNet, the City realized additional savings of $55,000 per year (starting in 2010) for total annual operating savings of $357,000 per year to date. With the estimated life of the underground infrastructure at 80 to 100 years and the fibre optics at 25 to 50 years, these savings will pay for the original investment several times over.

In its first full year of operations (2009) QNet generated $64,000 of revenue and is expected to be profitable (approx. $250,000 per year) by 2013. Start up financing for the company is approximately $4,000,000 which will be repaid from profits over a 10 year period after 2013. In the long term, QNet is expected to generate over $1,000,000 per year in non-tax revenue for the City.

Providing a Template for other Communities
While there have been a number of municipal telecom projects in BC and Canada, few have been commercially successful. In developing the QNet business plan, Coquitlam had to look to Europe and Asia for examples of successful public sector telecom business models resulting in the first municipal dark fibre leasing company in the City. Having demonstrated the “art of the possible”, Coquitlam has many lessons it can share with other BC municipalities. These include business modelling, financial planning and technology expertise.

Innovation
Being the first municipal dark fibre leasing company in Canada is in itself, extremely innovative. Working with the City’s engineering department and contractors, QNet has pioneered new fibre inlay technologies that meet the requirements of the City’s engineering department for not impacting future public works while reducing the cost of fibre installation from approximately $250 per metre to $60 per metre.

What Sets QNet Apart
QNet provides Coquitlam with a significant asset for business and economic development. By enhancing job creation opportunities in the community and by helping small and home-based business compete in the new global economy, QNET is providing a significant benefit to its residents. If families are able to spend more time together, the future benefits to society will be immeasurable.

Is Agriculture in Your Community’s Future?

We Can Help You Plan For It!
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UBCM NEWS MARCH 2011 11

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Healthy Communities Committee Update

The Regional Hospital District Working Group met on February 8, 2011 to discuss the progress of implementation on the recommendations in the 2008 RHD Cost Sharing Review. Updates on recommendations 1, 4, 5, and 11 were presented by Kevin Brewster from the Ministry of Health Services, and updates on recommendations 6, 7, 8, 9, and 10 were presented by Chris Sullivan from Vancouver Island Health Authority.

The group’s goal is to implement all of the recommendations in the 2008 RHD Cost Sharing Review by September 2011 at the UBCM Convention. The only exception is recommendation 11, as it asks the Ministry of Health Services to update the legislation to reflect a new definition of capital. Legislative amendments will not be in place by September and could take up to 18 months to complete. Another RHD working group meeting is scheduled for the end of February.

The Committee continues to support age-friendly initiatives and received a delegation from Lauren Syverson from the Seniors’ Living Healthy Secretariat, Ministry of Health Services at their last meeting. Ms. Syverson provided an update on the Age Friendly Communities Initiative, and reviewed an evaluation of the Initiative from 2007 – 2010. This evaluation identified key factors for success in communities and recommendations for the Ministry to build on accomplishments to date. For more information, you can download the document from the Seniors BC website: http://www.seniorsbc.ca/documents/pdf/afbc_evaluation_report.pdf.

The Healthy Communities Committee is requesting member input on the implementation of the Public Health Act & local government/health authority relationships.

A new Public Health Act (PHA) was introduced in 2008 and brought into force in 2009. The PHA updated roles for local governments with respect to public health, including revised responsibilities for addressing health hazards and health impediments, exchanging information, and designating a local government liaison to the regional health authority.

A survey was sent to members in February to help the Committee determine if local governments are taking action around implementing sections of the Act, how the Act has affected local government operations, and to gain a better understanding of the relationship between local governments and health authorities with respect to public health. The information provided will help the Committee determine future actions on behalf of the membership.

CAOs are asked to fill out the following survey, on behalf of their local government, by March 25, 2011. The survey can be found here: http://ubcmsurveys.com/Survey/TakeSurvey.asp?SurveyID=3K165402p9GC.

Profile of an Emergency Medical Assistants Education Fund Recipient

Since 2007, the Healthy Communities Committee has been assisting in the distribution of a $5 million bursary program that works to increase the number of primary care and advanced care paramedics working in rural and remote communities in BC.

The bursary was established by the Ministry of Health Services and provides awards of $5,000 for students who have applied to or have been accepted to a Primary Care Paramedic program (PCP) in BC or $15,000 for students who have previously, I have an interest in anatomy and physiology. During my studies at BCIT I found that I was always excited about the science courses, as Zoology and was in BC, the Healthy Communities Committee is participating on the Community Advisory Board for the project Walk the Talk: Transforming the Built Environment to Enhance Mobility in Seniors.

This project is a six-year University of British Columbia study on seniors’ mobility that has recently been funded by the Canadian Institutes of Health Research. British Columbia already has a reputation as a leading Canadian province in the prevention of falls and the promotion of active living for seniors. Building on this expertise, researchers will address how communities are designed and structured, influences seniors’ mobility, health, quality of life and health care utilization. The research will link the walkability and accessibility of communities to senior mobility and ultimately, to their ability to live independently for as long as possible.

“Our projects address two fundamental issues related to mobility of older adults,” said Dr. Heather McKay. “First, Dr. Larry Frank will develop a new ‘walkability/accessibility’ tool that can better-inform decision making around community design at the local government level. Secondly, we will link community design with the health and mobility of older adults. The lattice that binds these parts together is community planning – thus we will continue to build avenues to support greater cohesion among our research team and the larger community including seniors, city staff and policy makers, all of whom are key partners in this research.” Dr. McKay underscored the team’s ultimate goal – to improve seniors’ health and quality of life. “A focus on mobility is a practical first step along the health continuum.”

For more information about this project, please contact Dr. Joanie Sims-Gould at jamsg@interchange.ubc.ca.

I would thrive in this type of employment. Besides the thrill of Veterinary medicine (where I worked previously), I have an undeniable curiosity for anatomy and physiology. During my studies at RCIT I found that I was excelling in classes such as Zoology and was always excited about the certificate courses being offered; which included...
**2011 UBCM CONVENTION**

Rethink, Replace & Rejuvenate: The New 3 R’s

There is absolutely nothing to be said in favour of growing old.
There ought to be legislation against it. - Patrick Moore

Whether or not we embrace it, this is one of life’s truths – we are getting older. And as the workforce tips the scale toward retirement, local governments must adjust to accommodate this shift.

Local governments currently face increasing challenges with respect to aging populations, workforces and infrastructure. Emerging trends are presenting new challenges, and our ability to anticipate these challenges may determine our capacity to grow and adapt our communities, long-term.

The dynamics of our communities are changing. Concepts that we have long understood - retirement, volunteerism, and community involvement, among others – are being rethought. By engaging these shifts, we can create stronger local governments with deep roots throughout the province.

Now is the ideal time to take a renewed look at our environments, policies and procedures, and rethink the way we serve our communities. There will inevitably be gaps that need to be filled, and facilities in need of repair. But despite shifting demographics, there are also ample opportunities to tap into the potential within our communities.

This week, we will develop the policies that will shape our actions over the coming year, and beyond. We will also take time to expand and hone our knowledge base, and develop approaches for anticipating change and building momentum. And as always, we will rely on one another to share strategies and successes.

At the 2011 UBCM Convention in Vancouver, let us develop a proactive approach to the challenges we face, and turn trends into progress.

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**Profile of an EMAEF Recipient**

Continued from page 12

Occupational First Aid with Transportation Endorsement, 5-100 Fire Suppression and Safety, Wilderness Survival, Swift Water Rescue, and Bear and Wildlife Safety. This was when I was sure that I wanted to gain the skills to react and assist in all types of situations. Following this realization I researched the PCP program, pursued the prerequisites, and now, as a licensed EMR, I am even more excited about a career as a paramedic.

I value a job that is physically demanding, offers variety, excitement, responsibility, friendships and requires nothing less than my personal best. I feel that the Primary Care Paramedic program will provide the knowledge and training in order to accomplish a career that fulfills all of these values.

**How did the Emergency Medical Assistants Education Fund bursary help you?**

Being a student in the PCP program is life-consuming to say the least. I was accepted into the course in Nov. for the Jan intake and since Dec of 2010 it has been all I do. I often joke with family and friends that my school uniform and my pyjamas are the only things I take out of my closet.

I spend many hours outside of class time either reading or practicing for the program, which does not leave much time for employment. I had considered this option, which I see now, would have been a hugely detrimental to my studies! Living within one’s means would be ideal...but not always realistic and without funding it would not have been possible for me to return to the Justice Institute to fulfill my goals of becoming a paramedic.

I am one of the lucky recipients of an EMA award. I was granted $5000 towards my education, and I can honestly say that if I had not received this funding my dreams of entering this course would have remained as such....a dream. I was issued a government student loan of $3000 which falls short of covering my rent alone for the duration of the program. Not to mention other expenses and tuition itself. I am very thankful to have financial support, as it allows me to fully focus on my studies and substantially reduces my stresses and concerns regarding living costs while attend this 4 month program.

**Where do you think you will practice as a PCP?**

As for where I’ll end up, well that is negotiable. The places previously mentioned are some of my desired spots to reside, but I am open to exploring almost anywhere in BC or the Yukon.

Thank you Rhianna!
Community Economic Development

BC Hydro Prepares Integrated Resource Plan

Last spring, the Clean Energy Act was given royal assent. Under the Act, BC Hydro is required to prepare a long-term Integrated Resource Plan (IRP) for submission to the Ministry of Energy by November 2011, after which the government will review the Plan and decide whether to approve it. The IRP will “establish BC Hydro’s plan for conservation and set its course for acquiring sufficient generation and transmission resources to reliably and cost-effectively meet customers’ anticipated future electricity needs over the coming decades.”

The schedule for development of the IRP is as follows:

- **September – December 2010:** focused on gathering key pieces of technical data necessary for the development of an IRP as well as seeking input from First Nations and stakeholders regarding the design of BC Hydro’s consultation process.
- **March – April 2011:** analyzing the technical data that was gathered with a goal of determining the need for and types of resources that can best meet future electricity needs and associated clean energy objectives.
- **BC Hydro will be asking British Columbians to consider topics being addressed in the Integrated Resource Plan (IRP).** These topics include conservation options, electricity generation options, long-range transmission options, the potential for electrification (switching from other fuel sources to electricity, such as may happen in the transportation sector), and the potential market opportunity to export power.

In considering the resource options in various combinations, BC Hydro is examining the Site C Clean Energy Project, a potential third dam and hydroelectric generating station on the Peace River in northeastern B.C. Input received through consultation will be considered along with technical, financial, environmental and economic development input as BC Hydro evaluates options and drafts recommended actions in the IRP.

As well BC Hydro will be hosting a series of public open house events throughout the province. For a complete listing of dates and locations please go to: www.bchydro.com/planning_regulatory/irp/get_involved/spring2011.html

Please contact the Integrated Resource Plan project team if you have questions, comments and/or requests for information:

**Integrated Resource Plan**  
P.O. Box 2850  
Vancouver, BC V6B 3X2  
Email: integrated.resource.planning@bchydro.com

Governments reach Agreement on Aquaculture

On December 10, 2010 the provincial and federal governments announced that they had reached an agreement on aquaculture management. Members will recall that in February 9, 2009, the Supreme Court ruled that the federal government – not the provinces – has constitutional powers over the ocean. As a result, discussions should regulate fish farms, because it is the federal government that has exclusive jurisdiction over the oceans. This decision was a response from both the provincial and federal governments to both the provincial and federal governments’ expressed concerns and implications of the Agreement on local governments.

Our correspondence requests the Ministers to identify the impact and implications of the Agreement on local governments. Specifically, the following questions were posed:

- Will the Province continue to issue tenures in the same manner as it has previously?
- Will consultation with local governments occur prior to the approval of tenures? And, if a local government is not supportive of an aquaculture operation being sited in a specific area, will that decision be respected by senior government?
- What changes, if any, for local governments based on the Agreement that is now in place, will the federal government follow if a request comes forward for a tenure on what is deemed to be federal jurisdiction?
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City of North Vancouver Becomes the First BC Municipality to Use Density Provisions for Building Energy Performance Across the City

Since 1967, most medium and high density developments in the City of North Vancouver used to receive density bonuses in return for the provision of extra parking and additional community scale developments received cellar floor area exclusions. However, doing anything to “earn” the exclusion. These policies actually had the effect of increasing energy consumption and greenhouse gas emissions. With assistance from BC Hydro the City has taken a unprecedented bold move to adopt existing and previous density bonus policy with an entirely new approach aimed at increasing energy efficiency and reducing GHGs.

Effective January 1, 2011, developers must meet the more stringent ASHRAE (American Society of Heating, Refrigerating and Air Conditioning Engineers) 90.1 2007 energy performance over a base threshold for new industrial, commercial, and institutional buildings, as well as residential buildings over four stories. For all residential buildings four stores and under developers are required to achieve the EnerGuide 80 rating to earn their density bonuses.

“Through this policy the City is establishing a strategic program to encourage a greener community,” says Mayor Darrell Mussatto. “The energy used by buildings for heating, lighting and cooling has a significant impact on the environment, and requires an aggressive approach by government, developers and individuals. This new policy moves the City further in its goal to reduce energy emissions by 15% by 2020.”

The new density-linked energy performance requirements do not require the allowable density. Rather, the new Zoning Bylaw permits additional floor area for a base threshold of permitted density, up to the maximum densities allowed by the official community plan. “This has the potential of being a very effective policy that local governments create such a significant spread between base density and maximum OCP density, that these zoning amendments will impact 95% - 100% of all new construction in the City.” BC Hydro supported the City with identifying and setting the new energy performance thresholds. The new requirements are not only more stringent than the current BC Building Code, but are also performance-based, rather than just prescriptive. Performance path encourages innovation and enables developers to come up with building-specific energy solutions.

“This has the potential of being a very effective policy that local governments can implement to reduce energy use and GHG emissions in new buildings and homes,” says Toby Lau, Manager of Policies, Codes and Standards, BC Hydro. Typically, local governments (except the City of Vancouver) cannot require higher energy performance for buildings, since this is in the scope of provincial jurisdiction. However, the new density provisions adopted by the City of North Vancouver create such a significant spread between base density and maximum OCP density, that these zoning amendments will limit 95% – 100% of all new construction in the City.

City of North Vancouver density provisions or developing a similar policy, visit: www.cnv.org/server.aspx?c=3&i=661 or contact Gary Penway, Deputy Director, Community Development at gpenway@cnv.org or 604-983-7382 or Katherine Rossokha, Business Strategy Advisor, Policies, Codes and Standards, BC Hydro 604-453-6465 or katherine.rossokha@bchydro.com

For more information about BC Hydro’s Commercial New Construction and New Home Programs, visit www.bchydro.com/powersmart/builders_developers.html

R.A. Beauchamp & Associates Ltd.
Building Energy Evaluation Services
140-11188 20th Avenue
Surrey BC V3S 4B6

Organization Audits
Strategic Planning
GIS Mapping
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First Nations Relations Update

Relationship Building Resources for Local Governments and First Nations

Aboriginal Awareness Guide

Indian and Northern Affairs Canada, BC Region
Available upon request, free of charge at Infopubs@inac-ainc.gc.ca
This document provides basic information regarding sensitivity and cultural awareness when working with Aboriginal people. Tips on communication, stories, and a pronunciation guide for all First Nations in British Columbia are included.

The First Nations – Municipal Community Infrastructure Partnership Program

www.fcm.ca
The First Nations – Municipal Community Infrastructure Partnership Program (CIPP) is a joint project, between the Federation of Canadian Municipalities and INAC, that is focused on fostering partnerships and mutually beneficial service agreements between municipal governments and adjacent First Nations. The partnership is focused on improving joint service agreements on water and wastewater infrastructure and other related services such as fire protection and solid waste management. CIPP is currently researching existing service agreements between First Nations and municipal governments and building a toolkit that will be used during a series of partnership training workshops.

CivicinfoBC

www.civicinfo.bc.ca
The CivicinfoBC website maintains a list of agreements between local governments and First Nations in BC, such as servicing agreements, MOUs and protocols.

Building Relations with First Nations: A Handbook for Local Governments

www.lmtac.com
This handbook provides a concise summary of reference papers, reports and examples that explore new and innovative approaches to establish positive intergovernmental relations between neighbouring First Nations and local governments.

Sliammon First Nation and City of Powell River: Sharing Best Practices in Intergovernmental Relations and Planning

www.bctreaty.net/files/issues_landres.php
This report is a case study of an effective intergovernmental relationship between the City of Powell River and Sliammon First Nation. It attempts to share the challenges and successes the parties experienced, summarize the key agreements and principles they committed to and identify the lessons they learned.

Building Bridges Together: A Resource Guide for Intercultural Work between Aboriginal and Non-Aboriginal Peoples

www.sparc.bc.ca
This publication offers tips for addressing racism and stereotyping in intercultural relationships. Tools and questions to help better understand how these issues affect relationships are presented throughout the document. A number of case studies regarding overcoming obstacles in relationship building are showcased.

First Nations Relations Update

Non-Treaty Agreements

In 2008, UBCM signed an MOU with the Ministry of Aboriginal Relations and Reconciliation, in which the Province commits to consulting with local governments on non-treaty negotiations that may impact local government jurisdiction. Over the last several months, UBCM has been in discussions with the Province regarding the implementation of the MOU and the role of local governments in these non-treaty negotiations.
In order to enhance our knowledge of the First Nations issues facing local governments outside the treaty process and to better understand what is happening on the ground, UBCM will research and produce a report, which will include case studies of local government experiences.

First Nations Tax Commission

The First Nations Tax Commission has approached UBCM to do a joint report on servicing agreements between local governments and First Nations that would include a snapshot of what is happening on the ground. UBCM is considering local government interests in this research and is working with the Commission on developing a draft terms of reference.

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Choosing a Gas Tax Project

With the wind down of programs like the Infrastructure Stimulus Fund and the Recreational Infrastructure Canada Program, it is more important than ever for communities to maximize the value of the Gas Tax Fund. Over the coming months, the UBCM News will be running a series to provide examples of the range of capital and planning investments that are possible through the Gas Tax Fund. The series will highlight some of the common questions that have been posed to the program administrator over the years, with a particular focus on the challenges faced by smaller communities and rural areas.

The Basics

The Gas Tax Fund provides funding for B.C. local governments and other eligible recipients for a variety of capital and planning projects. Project categories that are eligible for funding include: Public Transit, Local Roads, Bridges and Tunnels; Active Transportation; Community Energy; Solid Waste; Water and Wastewater; and Capacity Building / Integrated Community Sustainability Planning. While these categories provide a broad range of possibilities for local governments, there are limits to the types of projects that can be undertaken with the funds.

In general, there are four steps to consider when assessing whether or not a capital project is eligible for Gas Tax funding:

1. Does the project match one of the eligible project sub-categories listed in Schedule A of the agreement?
2. Are the costs of the project eligible?
3. Will the project lead to reduced greenhouse gas emissions, cleaner air or cleaner water? And
4. Will the project result in a tangible capital asset?

For planning projects, only the first two of the above steps need to be considered.

Providing Funds to Other Eligible Recipients

In this issue, we will look at some of the considerations that come into play when local governments allocate funds to another eligible recipient. The Gas Tax Fund was designed with a number of features to provide flexibility for funding recipients. One of these features is the ability of local governments to direct allocated funds to a non-local government project of a non-local government entity, such as a P3, a non-governmental organization or not-for-profit organization. When providing funds to a non-local government entity, the local government retains responsibility for the funds and their use, including the eligibility of the project itself.

The rule of thumb for local governments to consider when providing funds to a non-local government entity is whether the project will contribute to the overall system of community infrastructure. For instance, many local governments have provided funds for retrofit community halls that are owned and maintained by not-for-profit societies to improve energy efficiency (an eligible project under the “Community Energy” category). In these cases, the community halls are understood as fulfilling the requirement to use the funds towards “municipal infrastructure”, since the buildings provide a function commonly provided by local government facilities and are for public use or benefit.

In a similar way, a local government may provide funds to a not-for-profit to replace a vehicle that is used to transport members of the community for social, health and recreational opportunities. In smaller communities, which may lack a Handy Dart service as part of its public transit system, the vehicle may be understood as providing a service akin to a Handy Dart, and would be eligible under the Public Transit category of the agreement. Once again, the project satisfies the requirement for “municipal infrastructure” that is for public use or benefit.

If you have questions about the eligibility of a project you are considering, you can contact us at 250-356-2938. For more details on the Gas Tax Agreement, see our website www.ubcm.ca.

New Water System Ends Longstanding Advisory

The completion of upgrades to the Timber Ridge water system has led to the lifting of a water advisory that has been in place for over four years. The $1.45 million system upgrade, which received support from Gas Tax and Building Canada funds, retrofitted the water distribution system to receive treated water from a private utility and installed water meters on all connections.

“We are grateful for the funding we received on this project, all of which helped make this upgrade more affordable for the community,” said RDEK Chair Scott Manjuk. The Chair also praised the support provided by the Timber Ridge Utility Advisory Commission, which represents local residents and provides operational recommendations to the RDEK.

UBCM President Barbara Steele noted that increasing water standards in recent years have placed a considerable financial burden on smaller communities. “Projects like the Gas Tax Fund and Building Canada Fund play a significant role in offsetting the cost to local taxpayers to upgrade their systems.”

Stephanie Cadieux, Minister of Community, Sport and Cultural Development expressed appreciation for the combination of resources that led to the upgraded facility. “This sounds like a practical use of both funds, with the entire community benefiting by tapping into water from a local provider.”

A Water Quality Advisory has been in place within the Timber Ridge Water System since 2006 to meet Interior Health’s requirements for turbidity reporting. To celebrate the completion of the project, elected officials joined with staff and residents to remove the advisory signs from the community.

Provincially Funded Programs Update

As we go to press, UBCM staff are working with a number of Ministries and hope to announce new rounds of funding for several of our existing provincially funded programs. Keep watch on the “Funding Programs” page at www.ubcm.ca for details.

Public Transit Programs Winding Down

The clock is ticking on the period for eligible expenditures under the Public Transit Fund and the Public Transit Infrastructure Program. The term for eligible expenditures under both programs expires on March 31, 2011. This deadline follows a one-year funding extension that was awarded by the federal and provincial governments in 2010. All unexpended funds as of March 31, 2011 must be returned to UBCM. If you have concerns about the completion of your project or anticipate having unspent funds, please contact UBCM at 250-356-2938.
ENERGY & CLIMATE ACTION NEWS
From the Community Energy Association

The first stop for local government leaders addressing climate and energy sustainability

The Community Energy Association (CEA) is a collaboration of the Union of BC Municipalities, Province of British Columbia, Planning Institute of BC, transit and energy providers and individual local governments. The organization assists BC local governments to promote energy efficiency and renewable energy through community energy and greenhouse gas planning and project implementation.

Community Energy Association CEA Welcomes New Members

We are pleased to announce three new members:

- Cities of Dawson Creek, Campbell River, and Kelowna have joined the Community Energy Association. Mayor Bernier (Dawson Creek), Mayor Cornfield (Campbell River), and Mayor Shepherd (Kelowna) are also part of the BC Mayors Climate Leadership Council. Community Energy Association applauds the leadership demonstrated by these communities and Mayors on climate and energy.

- Community Energy Association currently has 21 members, representing many of the leading organizations and local governments actively engaged in climate action and energy security. All BC local governments are welcome to join the Community Energy Association. UBCM remains the central agency on the CEA Board and Executive. Through CEA membership, local government representatives have access to information, discussions and leadership opportunities. CEA is co-chaired by Dan Rogers, Mayor, City of Prince George and Richard White, Director of Community Development, City of North Vancouver.

Climate Action in Cowichan Valley

Cowichan Valley Regional District, CMHC sponsored workshop, CEA presented on clean energy for a green economy. About 40 people present including staff, elected representatives, NGOs, and local stakeholders attended on November 3rd. Representatives from the Regional District, City of Duncan, Town of Ladysmith, and Cowichan Tribes were all present. Other presenters included MHC, Rural BC Secretariat, Cowichan Valley Regional District, BC Hydro, Energy Network, and Jim Savage of Savage and Associates.

There was a three-hour workshop period in the afternoon where district energy and clean energy opportunities for the City of Duncan and a new development in Cowichan Bay were identified.

Climate Action Bootcamp - Pilots

The Community Energy Association and BC Healthy Communities are partnering to offer a comprehensive series of “bootcamp” workshops for local government staff and elected officials. These one- or two-day sessions provide participants with extensive knowledge for developing and leading a local climate action strategy along with a significant component concerning how to engage your community on this topic. The agenda can be tailored to community-wide or operations-specific energy planning.

Terrace hosted a bootcamp for RDKS, CEA received two inquiries in January about scheduling bootcamps in the spring. For more information, please contact:

- Dale Littlejohn, Community Energy Association: (604) 628-7076
dittlejohn@communityenergy.bc.ca

- Kerri Klein, BC Healthy Communities: (604) 874-9433
kerri@bchealthycommunities.ca

CEA Local Government Advisory Services

The Community Energy Association builds climate action capacity in local governments across BC. CEA Advisory Services offers this support at a deeper level, working more closely with local governments on community energy plans, community and regional GHG targets, district energy pre-feasibility studies, and strategies for carbon neutral operations. Revenues from Advisory Services help fund CEA’s broadly accessible local government support.

Carbon Neutral Kootenays Project Phase 2

In September 2010, Columbia Basin Trust, RDCK, RDEK, and RDKD announced that a team led by CEA (including Stantec and ThinkBright) was selected to implement Phase II of the implementation support to 35 local governments and First Nations communities in the Kootenay and Columbia River Basin. This 24-month project began in November 2010. The Utility Advisory Committee was created to support opportunity implementation amongst participating municipalities. Energy and emissions inventories for the 35 local governments and First Nations are underway for 2009 and 2010. Implementation activities are starting on specific projects to reduce energy and emissions in the operations of these local governments. The three Regional Districts are in the process of implementing policies committed to in action plans developed in the first phase of the project. Project documents are available at the Columbia Basin Trust website www.cbt.org/Initiatives/Climate_Change/?Reducing_Emissions by clicking on ‘Carbon Neutral Kootenays’. The November 2010 issue of Municipal World features an article on the Carbon Neutral Kootenays project by Dale Littlejohn and Ron Macdonald (of Stantec).

CEA Research

CEEP Comparison study: Work on the Community Energy and Emissions Planning (CEEP) research project began in January 2011. Dale Littlejohn, Alex Adams, and Peter Robinson have been working on the project, with Pat Bell providing some support. Identified and procured over 60 Canadian CEEP documents. Selected 30 CEEP studies for review. Created a data capture template for collecting information from the CEEPs. Natural Resources Canada, FCM, BC Hydro, and the Province provided support on the selection of CEEPs.

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Meeting Agendas and Related Issues (Part 1)

By Eli Mina, Board Effectiveness Consultant & Registered Parliamentarian

Many meeting annoyances are caused by agenda-related issues and can be prevented by good planning and effective time management. This article discusses typical questions that are raised by elected officials and professional staff.

1. What items should be on the agenda?

A standard meeting agenda is usually included in a municipality’s Procedure Bylaw. The standard agenda provides continuity, structure, and predictability. Usually the agenda starts with items such as proclamations and predictable processes, and this may be symptomatic of cohesion. Having too many motions initiated by individual members may be symptomatic of a group that has not established itself as a collectively driven decision-making body, or not having embraced a compelling vision and a clear strategic plan for its term of office and beyond.

4. How to avoid an overly ambitious agenda?

Having an overly ambitious agenda is problematic. It may mean that a meeting will run very late and members will not be fresh and attentive when dealing with complex items in the latter part of the meeting. In addition, a crammed agenda may mean that important decisions will be made in a rush, and insufficient discussions may lead to flawed decisions.

To avoid an overly ambitious agenda, a Council/Board may need to meet more often. It may need to move efficiently through agendas, to prevent a backlog of issues flowing over to future meetings as unfinished business. Some items, such as complaints from citizens, should be addressed by the administration for resolution (the fact that a letter is addressed to the Mayor and Council does not mean it must become an agenda item).

Ultimately, the scope of the agenda should be considered: Does each proposed agenda item need immediate discussion and decision at the Council/Board level? Can some items be delayed, others delegated, and others dropped altogether? An agenda should not become a “free for all.” The highest priority should be those that have substantial relevance to the community as a whole, that cannot or should not be delegated to the administration, and that clearly require the attention of the governing body at a duly convened meeting.

When an ambitious agenda cannot be avoided, the agenda planners should carefully consider the allocation of time. The Chair should have preliminary estimates of the durations of discussions and the approximate times when certain issues should be arrived at. With those estimates, the Chair will know when to work with the decision-making body to achieve closure and move forward to the next agenda item.

As an additional measure, agenda planners should consider the sequence of items. Complex items and those that require full concentration of members should be scheduled early on the agenda, so they can be addressed in a fresh and fully capable manner.

As a final measure, parliamentary procedure may be used if it is clear that an agenda item is more complex and time consuming than originally estimated. In such cases, the group can agree to postpone an agenda item that does not require an immediate decision, so that other, more pressing items, can be addressed at a comfortable pace. The motions to postpone or refer can be used for this purpose. In most settings these motions require a majority vote to pass, but are often adopted with unanimous support.

5. What is a reasonable duration for a meeting?

It’s been said: “The human mind will absorb only as much as the human seat will endure.” Experience suggests that sitting continuously for much longer than two hours can be counterproductive, with people getting uncomfortable and impatient, and with their ability to concentrate quickly diminishing. Meetings should be planned and timed with meaningful engagement in mind.

If the issues at hand are too important to forego a long meeting, there should be regular short breaks, ideally spaced no more than nine minutes to two hours apart. There should be at least water and possibly some refreshments, so members can re-energize and refreshen up for the remainder of the meeting. If the weather is pleasant, a walk outside does wonders to energy levels and may even contribute to defusing anger and resolving a contentious issue.

More on agendas and related issues in a future issue of the UBCM Newsletter.

Eli Mina, M.Sc., P.R.P., is a Vancouver based consultant, meeting mentor and Registered Parliamentarian. Since 1984, Eli has served his clients by chalking contentious meetings, preventing and dealing with disputes and dysfunctions, building better Boards and Councils, demystifying and humanizing the rules of order, and advising on minute taking standards.

Eli can be reached at 604-730-0377 or elimina.com. For information on Eli’s work, services and training programs, visit www.elimina.com.
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