

**VILLAGE OF PEMBERTON
-COMMITTEE OF THE WHOLE MEETING AGENDA-**

Agenda for the **Committee of the Whole** of Council of the Village of Pemberton to be held Tuesday, December 10, 2019 at 2:00 p.m. in Council Chambers, 7400 Prospect Street. This is Meeting No. 200.

"This meeting is being recorded on audio tape for minute-taking purposes as authorized by the Village of Pemberton Audio recording of Meetings Policy dated September 14, 2010."

Item of Business	Page No.
1. CALL TO ORDER	
In honour of the Lil'wat7ul, the Village of Pemberton acknowledges that we are meeting within the unceded territory of the Lil'wat Nation.	
2. APPROVAL OF AGENDA	1
Recommendation: THAT the Agenda be approved as presented.	
3. ADOPTION OF MINUTES	
a) Committee of the Whole Meeting No. 199, Tuesday, November 19, 2019	2
Recommendation: THAT the minutes of the Committee of the Whole Meeting No. 199, held Tuesday, November 19, 2019, be adopted as circulated.	
4. DELEGATIONS	
a) Shannon Basin Visitor Use Management Project - Theresa Fresco, Regional Manager, Fraser Basin Council	
5. PEMBERTON VALLEY UTILITIES AND SERVICES COMMITTEE - NEW LOCAL SERVICE AREA BYLAWS DISCUSSION	6
PLEASE NOTE: The report included on the agenda was prepared by Squamish-Lillooet Regional District (SLRD) Staff for the Pemberton Valley Utilities and Services (PVUS) Committee meeting held on November 14 th . At that meeting it was determined to hold a joint meeting with Village of Pemberton Council and members of the PVUS Committee on December 10 th and that this joint meeting should take place at a Village of Pemberton Committee of the Whole. As such, the SLRD Staff report is included on the Committee of the Whole Agenda for information.	
6. ADJOURNMENT	

**VILLAGE OF PEMBERTON
-COMMITTEE OF THE WHOLE MEETING MINUTES-**

Minutes for the **Committee of the Whole** of Council of the Village of Pemberton held Tuesday, November 19, 2019 at 1:00 p.m. in Council Chamber, 7400 Prospect Street. This is Meeting No. 199.

ATTENDING: Mayor Mike Richman
Councilor Ted Craddock
Councilor Leah Noble
Councilor Amica Antonelli

ABSENT: Councilor Ryan Zant

STAFF: Nikki Gilmore, Chief Administrative Officer
Sheena Fraser, Manager of Corporate & Legislative Services
Jill Brooksbank, Senior Communications & Grant Coordinator
Elysia Harvey, Legislative Assistant

PUBLIC: 8

1. CALL TO ORDER

At 1:02 p.m. Mayor Richman called the November 5, 2019 Committee of Whole meeting to order.

In honour of the Lil'wat7ul, the Village of Pemberton acknowledges that we are meeting within the unceded territory of the Lil'wat Nation.

2. APPROVAL OF AGENDA

Moved/Seconded

THAT the agenda be approved as circulated.

CARRIED

3. ADOPTION OF MINUTES

a) Committee of the Whole Meeting No. 198, Tuesday, November 5, 2019

Moved/Seconded

THAT the minutes of Committee of the Whole Meeting No. 198, held Tuesday, November 5, 2019, be adopted as circulated.

CARRIED

4. COMMUNITY INITIATIVE & OPPORTUNITY FUND

a) Community Initiative & Opportunity Fund Background & Update Report

Moved/Seconded

THAT the Committee of the Whole receive the Community Initiative and Opportunity Fund Update report for information.

CARRIED

b) 2019 Final Reports

i. Pemberton & District Chamber of Commerce – Graham Turner, President

Graham Turner, President, presented an update on the activities of the Visitor Information Centre in 2019, including visitor numbers and stats. The Chamber's annual Golf Tournament was successful in raising funds directly for the Visitor Information Centre. The funding received through the Community Initiative and Opportunity Fund (CIOF) was a one-time agreement for 2019 and was applied to the operating costs of the Visitor Information Centre. Mr. Turner also reported that the Chamber is looking to transition to a new governance board and will be seeking a candidate to fill the role of Executive Director for 2020.

ii. Pemberton Farmers Market Association – Eileen Keenan, Farmers Market Board Member

Eileen Keenan, Farmers Market Association Board Member, reported on the 2019 events facilitated by the Farmer's Market including the Stone Soup event and Bard in the Hall. Ms. Keenan discussed the organization's projects and goals for 2020 to continue growing their customer base, relationship-building with local farmers, and continuing the arts & culture events series. Despite the downtown construction over the summer, disruption to the Farmer's Market was minimal and it was reported that sales on peak days had increased compared to 2018. The funding received through the CIOF was applied towards staffing the Market Manager position; the Farmer's Market Association is currently recruiting for this position for 2020 as the previous Manager, Molli Reynolds, has stepped down.

Ms. Keenan thanked the Village for the funding contributions from the CIOF and support throughout the year.

iii. Pemberton Off-Road Cycling Association (PORCA) – Bree Thorlakson, Executive Director, Suki Cheyne, Vice President

Suki Cheyne, PORCA Vice President, reported that the funding received through the CIOF had facilitated the engagement of an Executive Director, Bree Thorlakson, who took on the role in June 2019. Some of the events and programs that took place in 2019 included Toonie Races, women's Bike Club, Pemberton Enduro and Spud Crusher races, and after school camps. Ms.

Cheyne acknowledged the Village and the Squamish-Lillooet Regional District for their funding contributions.

Ms. Thorlakson noted that PORCA would be seeking funding through Community Gaming Grants as part of their strategic plan for 2020, and also noted that the group receives some funding through Trailforks, which is a trail database and management system allowing users to donate to local trail associations.

c) Requests for Funding for 2020

i. Spirit of BC – Winterfest – Carlee Cindric, Winterfest Chair

Carlee Cindric, Winterfest Chair, reported on the 2019 Winterfest events, which took place throughout January and February this year. The New Year's Eve Celebration, which was held at the Pemberton & District Community Centre, included movies, face painting, craft zone, family dance party, and fireworks display. The Winterfest Committee also organized a Much Music Dance Party on January 26th and Adventure Hunt on February 27th. The report included a request for continued funding for 2020 with an aim to continue to organize events that are free to the public and inclusive to all age groups. Ms. Cindric advised that an additional pop up event may be added to the list of 2020 events and thanked the Village for its funding contributions and support to date.

ii. Pemberton Arts Council – Karen Love, Executive Director

Karen Love, Executive Director for the Pemberton Art Council, reported that the Pemberton Arts Council had taken part in a peer to peer mentoring program, ArtsVest BC, in 2019, which supports arts councils through matching funds and developing ongoing sponsorship. The Arts Council also achieved its goal of receiving two festival grants. With an aim to bring communities together through art and music, the group has held two community events so far in 2019: the Mountain Muse Festival which took place at the Downtown Barn and Art in the Garlic Festival which was held in Poole Creek; two more community events are scheduled for November. Ms. Love thanked the Village for its funding and support of local artists and the community as a whole and expressed interest in partnering with the Village on future art projects in and around the community.

On behalf of the Pemberton Arts Council, Ms. Love submitted a request for a final one (1) year extension of their current funding agreement.

iii. Pemberton BMX Society – Jessica Turner, President

Jessica Turner, President, reported on the activities of the Pemberton BMX track for 2019 including securing funding from Whistler Blackcomb Foundation for track upgrades, running successful BMX Canada sanctioned events, Race for Life event, and fundraising.

For 2020, the Pemberton BMX Society hopes to focus on rider development and coaching, sourcing funding for a fleet of loaner bikes and helmets to promote the sport and provide for a more welcoming environment for new riders, and further develop the business end of the organization through more effective strategic planning.

Ms. Turner expressed that the funding received through the CIOF supports BMX racers, their families, and the community as a whole, and encourages learning through sportsmanship. A component of the final report for the Pemberton BMX Society was a request to extend the funding agreement for an additional year for 2020.

iv. Tourism Pemberton – Mark Mendonca, President

Mark Mendonca, President, thanked the Village for its support through the CIOF, which facilitated hiring a coordinator for Tourism Pemberton specifically to assist with organizing the Slow Food Cycle event. The 2019 Slow Food Cycle estimated attendance was 3000.

A request for funding for 2020 was submitted with the final report. The group hopes to continue its focus on supporting sustainable tourism in Pemberton and would like to bring a more fulsome report to a future meeting.

5. ADJOURNMENT

Moved/Seconded

THAT the Committee of Whole be adjourned at 2:29 p.m.

CARRIED

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

From: Nathalie Klein <NKlein@slrd.bc.ca>
Sent: Wednesday, November 20, 2019 3:25 PM
To: Sheena Fraser <sfraser@pemberton.ca>
Cc: Lynda Flynn <LFlynn@slrd.bc.ca>
Subject: Pemberton & District Arts, Culture, Recreation & Economic Development Services Implementation Issues

Good afternoon Sheena,

At the November 14, 2019 Pemberton Valley Utilities & Services Committee meeting, it was resolved that:

THAT the Direction Request - Pemberton & District Arts, Culture, Recreation & Economic Development Services Implementation Issues be referred to the Village of Pemberton Committee of the Whole meeting on December 10, 2019 at 2:30 PM, with Director Mack, Alternate Director Kennett, CAO Flynn and G. Haywood, Senior Project Coordinator to attend such meeting.

Please find attached the subject report.

Kind regards,

Nathalie



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Direction Request

Pemberton & District Arts,
Culture, Recreation &
Economic Development
Services Implementation
Issues

Date of Meetings: Pemberton Valley Utilities & Services Committee – November 14, 2019
Regular Board Meeting – November 27, 2019

Request:

The Board to provide direction to staff regarding next steps related to the proposed Pemberton & District Arts, Culture, Recreation (Bylaw 1643) & Economic Development (Bylaw 1644) Services (for clarity, hereinafter referenced as the Pemberton and District *Initiatives Fund Service* “PDIF Service”), such as:

1. Should organizations slated to be funded in 2020 through Village of Pemberton (“Village”) Community Initiatives and Opportunities Funds (“CIOF”) be funded by CIOF or by the PDIF Service, given the service funding parameters that were established by staff in the previous reports?
2. Should PDIF Service funding displace CIOF and Village Community Enhancement Fund (CEF) funding?
3. How should funding levels be determined for each organization to receive long term funding through the PDIF Service?
4. When should PDIF Service funds be distributed?
5. How should new funding requests for PDIF Service funds be managed?
6. Should application, planning and reporting policy and forms for PDIF Service funds be updated from that provided in Policy 2.13 and Board Policy 2.14 (Local Service Financial Plan Requests Requirements) or should these be substantially redeveloped into new policy (and/or aligned with the Village’s CIOF/CEF templates)?
7. Does the Board have any concerns with the long-term service funding agreement template proposed by staff? Does the Board agree with termination provisions for non-performance, given these are largely volunteer organizations without paid staff?
8. Should the SLRD Board delegate authority to the Pemberton Valley Utilities and Services Committee for decision making authority over the disbursement of funds that may be requisitioned through the PDIF Service?
9. What role or function should the Economic Development Collaborative and Agricultural Advisory Committee have vis-à-vis the role of the Pemberton Valley Utilities and Services Committee?
10. How should SLRD and Village staff time be allocated toward the proposed PDIF Service?

Attachments:

- Attachment No. 1: Long-Term Funding Organization List

- Attachment No. 2: June 13/26 PVUS & SLRD Board Report – Direction Request, Pemberton and District Community Fund – Service Establishments (available through web link:
https://slrd.civicweb.net/FileStorage/A1ACB3A674364EB4BC259211CEF077A5-DR-Pemberton_District_Community_Fund_SE-06132019_A.pdf)
- Attachment No. 3: Pemberton and District Community Fund, Board Policy 2.13
- Attachment No. 4: Local Service Financial Plan Requests Requirements Board Policy 2.14
- Attachment No. 5: Long-term Agreement Template

Background:

At the July 24, 2019 SLRD Board meeting, the Board gave three readings of Bylaw No. 1643-2019 cited as “Squamish-Lillooet Regional District Pemberton and District Arts, Culture and Recreation Service Establishing Bylaw No. 1643-2019” and Bylaw No. 1644-2019 cited as “Squamish-Lillooet Regional District Pemberton and District Economic Development Service Establishing Bylaw No. 1644-2019” (“Bylaw 1643” and “Bylaw 1644”, together the “Bylaws” or “Service”). The Bylaws were submitted to the Ministry of Municipal Affairs and Housing (“MAH”) for Inspector Approval, which was received on September 18, 2019. The SLRD initiated the Alternative Approval Process (AAP) in respect of the Bylaws on October 3, 2019 (first newspaper publication date), for which the 30-day elector response period is scheduled to close at 4:30 PM on November 12, 2019. As the AAP response period had not closed by the time of Committee/Board Meeting agenda publication, staff was not aware of the result of the AAP. If the Service is granted the approval of the electorate, there will be several issues the SLRD and the Village will need to attend to in order to address some of the outstanding administrative issues related to the establishment of the Service. These were identified in the previous report on the matter (July 24, 2019), are summarized in the ‘Request’ section above, and will be explained in the next section below.

Key Information:

Staff requests direction on the following ten (10) points:

1. Should organizations slated for funding in 2020 through Village of Pemberton (“Village”) Community Initiatives and Opportunities Funds (“CIOF”) be funded by CIOF or by the PDIF Service, given the service funding parameters that were established by staff in the previous reports?

Many organizations receiving local government funding in Pemberton and Electoral Area C receive funding from both the Village and the SLRD through four different funding sources: the former Pemberton and District Community Fund (PDCF), Electoral Area C Select Funds, Village CIOF funds, and Village Community Enhancement Funds (CEF). Policy has been implemented by the Village to limit funding applications to one of former PDCF, CIOF or CEF, while Select Funds have commonly been used to match CIOF or CEF funds.



CIOF funding agreements are 3 or 4-year terms, whereby non-profit societies/organizations operating within the Pemberton and District area apply for ‘seed’ funding that is meant to help these organizations develop self-sufficiency. The only remaining organizations that have term left on their agreements with the Village are the Spirit of BC – Pemberton Winterfest (\$4,500 per year, expires 2020), the Pemberton Arts Council (\$4,000 per year, expires 2020) and Tourism Pemberton (\$4,000 per year, expires 2020). Many CIOF agreements were allocated on the premise that the SLRD would match with Area “C” Select Funds, which has effectively been the case for the duration of these CIOF agreements. The three organizations noted above have planned to request matching funding from the SLRD through the end of the terms of their CIOF agreements. While this would not typically pose a concern, the PDIF Service was also planned to fund these organizations beginning in 2020 (among the others noted in previous reports; a complete list is provided in Attachment No. 1). However, the Village will be paying into the PDIF Service and so if it is to fund these organizations through CIOF, Village residents would effectively be funding twice, which would contravene local government funding policies. As such, staff requests direction as to the funding source for Spirit of BC – Pemberton Winterfest, the Pemberton Arts Council and Tourism Pemberton for 2020.

Issue (1)	How Village of Pemberton (“VOP”) Community Initiatives and Opportunities Funds (“CIOF”) should be allocated for 2020 given the potential establishment of the proposed service for December 2020?
Suggestions/ Options	<ul style="list-style-type: none"> a. Fund out of CIOF through 2020 and Match with SLRD Select Funds (or other SLRD funding source); b. Request the Village to terminate all CIOF agreements for 2020 and fund completely out of the new Services; c. Other as suggested by the Board.

2. Should PDIF Service funding displace CIOF and Village Community Enhancement Fund (CEF) funding?

With respect to the issue of multiple funding pools, Village staff has enquired as to whether PVUS’ intention through PDIF Service establishment was to completely replace the Village’s CIOF and CEF funds with the PDIF Service, or whether these funds should continue to exist to augment the PDIF Service. At the end of 2020, there will be no additional CIOF funded organizations left on contract, and the Village has not yet accepted applications for any new organizations to be contracted under CIOF beginning in 2020.

CEF funds were provided to six organizations in 2019, with a total disbursement of \$6,310 out of a funding pool of \$15,000. As noted above, Village policy bars most organizations from applying for multiple sources of local government funds at once; as such, most organizations cannot receive any two or more of CEF, CIOF (Village) or former Pemberton and District Community Funds (Village/SLRD) in any given year. Therefore, there is an advantage in combining all funding sources into one funding pool (i.e. the PDIF Service) in that it will help simplify the Pemberton and District area’s community grant funding process (i.e. 1 fund/application process should be easier for applicants to grasp rather than having 3 separate funds).

Conversely, there is some benefit to having multiple funds (e.g. organizations that only serve Village residents should only be granted funding from Village tax payers, and vice versa for



only Area C taxpayers). While it will of course only be up to the Village Council to determine its grant funding programs and resulting budget implications, the Board may wish to provide direction on whether to support the continuation of the Village’s CIOF and CEF programs in the face of an increased requisition amount through the updated PDIF Service.

For reference, under the former service arrangement, the Village would have provided a maximum of \$66,427 per year (i.e. \$30,000 CIOF + \$15,000 CEF + \$21,427 former PDCF) if CIOF and CEF had been fully allocated, whereas under the new arrangement the Village will contribute \$63,203 under the PDIF Service alone, but only if the ‘one-off’ grants are fully allocated (which equal a \$28,913 (46%) share of the Village’s total \$63,203 contribution; the remaining \$34,290 of the Village’s annual PDIF Service contribution will likely all be allocated to the organizations requesting stable annual funding (see list in Attachment No. 1).

Issue (2)	Should Service funding displace CIOF and Village Community Enhancement Fund (CEF) funding?
Suggestions/ Options	<ul style="list-style-type: none"> a. Support any direction Village Council may wish to take. b. Do not support a decision that may seek to disband the CIOF and CEF opportunities for sole replacement by PDIF Service. c. Other as suggested by the Board.

3. How should funding levels be determined for each organization to receive long term funding through the PDIF Service?

In the preliminary staff reports for the PDIF Service (April and June 2019—see link provided as Attachment No. 2), staff calculated the amount of the requisitions within each bylaw (\$75,000 for the Arts Culture and Recreation Service – Bylaw 1643 and \$50,000 for the Economic Development-based service - Bylaw 1644) based on the average amount of funding received over the past 4 years by the various organizations contemplated to receive regular annual funding. While this was effective for the purpose of determining a maximum requisition value, this did not involve directly asking these organizations what their respective annual funding requirements might be for the next several years. It could be that some of these organizations have managed to become self sufficient and require less than their previously requested amounts; alternatively, it could be that some of these organizations have actually been receiving much less than they need and could benefit from a higher amount. As such, staff requests information from the Board as to how annual funding levels should be determined for each organization slated to receiving long term funding. All organizations in this grouping are provided in a list—see Attachment No. 1.

Issue (3)	How should funding levels be determined for each organization to receive long term funding through the PDIF Service?
Suggestions/ Options	<ul style="list-style-type: none"> a. Provide funding based on the average amount calculated over the past 4 years as presented in previous staff reports, at least for the first year of PDIF Service Funding. Changes to funding levels can be amended for the second year, as may be required.

	<p>b. Set maximum amounts an organization may receive and then direct Village/SLRD staff to meet with each organization before February 2020 to determine the amount these organizations may receive over their potential contract term.</p> <p>c. Other as suggested by the Board.</p>
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4. When should PDIF Service funds be disbursed?

SLRD funds are typically disbursed to societies and organizations requesting funding through contribution and contribution bylaws in the summer months, in August of any given year. This is not established in policy, but is a function of the fiscal cycle of the regional district corresponding to when funds are requisitioned and received from the Province. The Village, however, utilizes a different cycle and typically disburses its funds earlier in the calendar year, usually by the end of February. As many of the organizations receiving funding have come to rely on their disbursements earlier in the year, Village staff have pointed out that these organizations may request their funds earlier in the year than the summer months reflective of the SLRD's disbursement period. If the SLRD considers an 'early' disbursement (e.g. in February of any given year), this would have to be paid from the SLRD's general reserve accounts, which could impact the SLRD's ability to cover contingency expenses within other services/accounts by decreasing liquidity, and would impact the SLRD solely versus both the SLRD and the Village. The Board may wish to provide direction on whether funds can be disbursed earlier in the year, through policy change or staff processes.

Issue (4)	When should PDIF Service funds be disbursed?
Suggestions/ Options	<p>a. Funds should be disbursed whenever required by the contracted and/or funded organization, irrespective of whether the requisition has been allocated to the SLRD by the Province.</p> <p>b. Funds should be disbursed only once received by the Province, typically between June and August of any given year.</p> <p>c. Other as suggested by the Board.</p>

5. How should new funding requests for PDIF Service Funds be managed?

The previous analyses on the PDIF Service only contemplated funds for organizations that had submitted a request to PVUS or the SLRD for regular consistent funding (Attachment No.1). However, as information is shared throughout the Pemberton and District area, other organizations may request their own regular funding. The two bylaws each contain a certain amount of pooled funding over and above the amounts that were contemplated for the regularly funded organizations. These amounts are (highlighted below):

- Bylaw 1643 (Arts/Culture/Rec):
 - (A) Regular Funded Amount: \$36,601
 - (B) Extra Amount: **\$38,399**
 - Total Amount (A+B): \$75,000



- Bylaw 1644 (Ec Dev):
 - (C) Regular Funded Amount: \$31,717
 - (D) Extra Amount: \$18,283
 - Total Amount (C+D): \$50,000

The PDCF Policy currently in place (“Policy 2.13”, provided as Attachment No. 3) mandates that “preference may be given to applications that are not ongoing (from year to year)...” Additionally, Policy 2.13 stipulated that “For grants equal to or in excess of \$500, multi-year funding, not to exceed three (3) years in duration, may be considered in order to provide the applicant time to develop a start-up operation or to secure funding from other sources”. As the nature of the PDIF Service funding could now be partially shifting toward extended-term or perpetual contracts, these policy provisions could be misleading if left in the existing Policy 2.13 document. As such, staff requests direction as to how to best manage new ‘long-term’ funding requests that differ from the intention set out in the previous Policy 2.13/change the policy.

Direction is requested as to whether these ‘extra’ funds should be saved solely for one-off organizations, or whether the Board will enact Policy to transfer the disbursement of one-off funds into annual/regular funds for new or different organizations that may request it.

Issue (5)	How should new funding requests for PDIF Service be managed?
Suggestions/ Options	a. Any new funding requests for consistent annual funding should be considered until all service funding has been allocated. b. Stable/Annual funding should be limited to approximately \$70,000 (56%) of the total requisition (i.e. sum of ‘Regular’ line items above), or some other limit, and other annual funding requests should be added to a ‘wait list’ until existing contracts expire or are terminated. c. Other as suggested by the Board.

6. Should application, planning and reporting policy and forms for PDIF Service funds be updated from that provided in Policy 2.13 and Board Policy 2.14 (Local Service Financial Plan Requests Requirements) or should these be substantially redeveloped into new policy (and/or aligned with the Village’s CIOF/CEF templates)?

All three Policies referenced above contain useful information that guides the application process for the respective funds. Staff does not feel that it is necessary to completely reinvent any of the Policies for the proposed PDIF Service; however, there are a few subtleties within each Policy and application which require clarification. These include:

- a) *Term of Agreements*. Staff proposes the term provisions as set out in the Village’s CIOF Policy for long-term service agreements. This stipulates three-year terms with the opportunity for two 1-year extensions, for a maximum term of 5-years. The intention with CIOF funding, however, is for funding to end at the end of the 5-year term (with an opportunity to reapply after two years from the end of the first agreement). Presumably with the new PDIF Service there will be an opportunity for organizations receiving long term funding to reapply for another 3-5 year term immediately following the end of the preceding

agreement if they are not in contravention of their contract. The Board may wish to provide direction on whether agreements may be continually renewed.

- b) *Seed Funding Vs. Long Term funding.* The CIOF Policy differentiates between seed-funding (which is scaled down year-to-year, and may not be reapplied for) and long-term funding, which is slightly more stable in nature. Does the Board wish to include a seed funding classification, or should all funding be either long-term or “one-time”?
 - c) *Leveraged Funding.* PDCF Policy 2.13 (currently in place) stipulates that funding requests in excess of \$500 be leveraged by other/external funding sources. Should this continue to be a requirement of PDIF Service Funding?
 - d) *Application deadline.* PDCF Policy 2.13 and Local Service Financial Play Requests Requirement Policy 2.14 (Attachment No. 3) have application deadlines of October 31st while the CIOF Policy has an application deadline of October 15th. Does the Board have any preference as to the application deadline?
 - e) The CIOF Policy requires applicants to attend a Village Committee of the Whole Meeting, while PDCF Policy 2.13 requires applicants to attend a PVUS Committee meeting if applications are in excess of \$500. Should applicants for long-term Service funding or one-time funding in excess of \$500 still be required to attend a PVUS Committee Meeting to make application and explain their programming on an annual basis?
7. Does the Board have any concerns with the long-term service funding agreement template proposed by staff? Does the Board agree with termination provisions for non-performance, given these are largely volunteer organizations without paid staff?

Long-term service funding agreements will be required in accordance with Board Policy 2.14 and any modifications made thereto, as may be directed by the Board in response to the issues raised in this report (for reference, Board Policy 2.14 sets out the planning and reporting requirements for any organizations the SLRD funds through contributions paid from a local service area). Staff has drafted a template long-term service agreement (provided as Attachment No. 5) for such contracts, which has been used for many other similar long-term funding arrangements funded through service establishments (e.g. regional invasive species societies). The proposed template agreement is effectively a ‘standard form’ contract with terms and conditions commonly found in many other agreements. However, conditions respecting termination provisions may deserve further consideration (see section 11 of Attachment No. 5). Both SLRD and Village staff have encountered difficulty in past situations whereby an organization receiving local government funding falls short in its planning and reporting obligations due to limited capacity or other hardship. Most non-profit organizations requesting funding through local government are volunteer-based and do not have paid assistance or fulltime expertise on-hand to effectively carry out the administrative requirements required through contract. While the termination provisions in the template are broad (i.e. for just cause, or without cause and with 3 weeks’ notice), it could be politically challenging to revoke funding from a volunteer-based not-for-profit organization once that funding has been established and become relied on over a multi-year timeframe. This is not to say that termination provisions are futile, but rather that it will be important to exercise caution and diligence in the approval stage of long-term funding disbursement to ensure that funds are disbursed only to organizations that have the capacity to fulfill the commitments that are made for use of the funds.

Issue (7)	Does the Board have any concerns with the long-term service funding agreement template proposed by staff? Does the Board agree with termination provisions for non-performance, given these are largely volunteer organizations without paid staff?
Suggestions/ Options	<ul style="list-style-type: none"> a. Termination provisions should be left as stated in the sample contract (i.e. with just cause, or without cause and with 3 weeks' notice) b. Termination provisions should be more narrowly defined to describe certain requirements that constitute "just cause" (e.g. "Failure to submit reporting requirements in a timely fashion") c. Other as suggested by the Board.

8. Should the SLRD Board delegate authority to the Pemberton Valley Utilities and Services Committee for decision making authority over the disbursement of funds that may be requisitioned through the service(s)?

In the previous reports on this matter, staff noted that delegating authority to PVUS for the provision of grants-in-aid could help streamline the conduct of the Regional District's business. Similar to the authority delegated to the Electoral Area Directors Committee for grants-in-aid paid out of Select Funds, the delegation of authority would be restricted by the SLRD's Financial Plan with respect to the relevant cost centres, which would remain as a 'check' on the authority delegated by the Board. Committee members could also refer any matter back to the Board for its decision, and the Board itself could, where liability or financial implications dictate, require a matter to be brought before it for potential reconsideration. Such a delegation of authority would be authorized by bylaw. The delegated authority would not allow the PVUS Committee to provide an exemption from a tax, user fee or charge; that authority solely rests with the Board. As well, if structured in a similar manner as the delegation of authority to the EAD Committee, funds allocated through contract could only be provided on an annual basis (as set out in the EAD Authority Delegation Bylaw 1274); that is, multi-year contracts may be barred if authority is delegated in a similar manner as to the EAD Committee. Therefore, as the proposed PDIF Service will establish multi-year contracts, any authority delegated to the PVUS Committee should include the authority to grant funds for terms in excess of one year.

Issue (8)	Should the SLRD Board delegate authority to the Pemberton Valley Utilities and Services Committee for decision making authority over the disbursement of funds that may be requisitioned through the service(s)?
Suggestions/ Options	<ul style="list-style-type: none"> a. Decision making authority on the expenditure or disbursement of funds, including the entering into of contracts, should be kept at the Board level. b. Decision making authority should be delegated to the PVUS Committee and staff should begin working on a delegation of authority bylaw to this effect. c. Other as suggested by the Board.

9. What role or function should the Economic Development Collaborative and Agricultural Advisory Committee have vis-à-vis the role of the Pemberton Valley Utilities and Services Committee?



Furthermore, if a new Economic-Development type service is warranted and established with an agricultural division, the Board may wish to provide direction as to the future role of the Electoral Area “C” Agricultural Advisory Committee (“AAC”) and the VOP’s Agricultural Committee. As defined in the AAC’s terms of reference (Bylaw 848-2003), the purpose of the AAC is to “provide comments and recommendations to the Board on agricultural issues within the Pemberton Valley and other parts of Electoral Area C referred to the Committee by the Board”. If the Pemberton Farmers Market Association is to receive regular, ongoing PDIF Service funding, there may be a role for the AAC and/or VOP Agricultural Committee to provide direction or insight into the use of such funding, as the PVUS Committee may not have the local agricultural insight and connections that would be represented on either of the above noted Committees.

Additionally, beyond simply funding the agricultural-based association above, a portion of the economic development service funding (Bylaw 1644 – i.e. from the \$18,283 ‘Extra’ amount noted in point 5 above) could be to complete the implementation of the SLRD’s Pemberton Valley Agricultural Area Plan and the VOP’s Agricultural Parks Master Plan, which the AAC may be instrumental in accomplishing.

With respect to the economic development collaborative, the Collaborative is not a standing or select committee of the Board; rather, its purpose is to share information, build relationships and collaboratively explore and facilitate economic development opportunities within the Pemberton and District area. Operating for the past 18 months, the Collaborative has representation from VOP, SLRD Area “C”, Lil’wat Nation, Skatin Nation, Samahquam Nation, Douglas First Nation, N’Quatqua, Lower St’at’imx Tribal Council, Tourism Pemberton and Pemberton & District Chamber of Commerce. While PVUS could ultimately retain first point-of-contact/administration over the PDIF Service, the Board may wish to consider the role of the Collaborative as a separate body from PVUS—whether that includes reporting to or collaborating with PVUS, and how that could work

Issue (9)	What role or function should the Economic Development Collaborative and Agricultural Advisory Committee have vis-à-vis the role of the Pemberton Valley Utilities and Services Committee)?
Suggestions/ Options	<ul style="list-style-type: none"> a. Input from the AAC, the VOP’s Agricultural Committee, and the Economic Development Collaborative should be regularly received (e.g. quarterly/semi-annually/annually) as a matter of policy by the PVUS Committee, and should be provided to the Board as required, to assist with the decision-making authority by the Board (and/or PVUS Committee) respecting disbursement of funds. b. Input from the AAC, the VOP’s Agricultural Committee, and the Economic Development Collaborative should only be received if requested by the PVUS Committee and/or Board. c. Other as suggested by the Board.

10. How should SLRD and Village staff time be allocated toward the proposed PDIF Service?

The effect of the proposed PDIF Service on SLRD and Village staff time has not been fully considered and warrants further consideration. Under the former PDCF Service, SLRD staff



time was negligible, as funding requests were submitted directly to the PVUS Committee, then referred onto the Board, with the administration of approvals and funding disbursements requiring only a nominal amount of staff time by the SLRD’s finance department (and the Recreation department). However, under the proposed PDIF Service, nine or more long-term contracts will need to be drafted, including the planning and reporting requirements related to each contract, the resolution of contractual issues, and the potential annual reporting to the PVUS Committee and/or Board on the efficacy of the PDIF Service. Staff estimates this could involve up to 20 hours of staff time per contract, for a total of 180 hours of staff time (which could be conservative, as additional contracts and funding requests are expected). Currently, the SLRD does not have the staff capacity or budget to accommodate such a significant increase in employee workload. Moreover, the above is just for the long-term funding; if PDIF Service funding replaces Village CIOF and CEF funding, particularly for the one-time funding applications that are received on an annual basis from peripheral organizations, demand for SLRD staff time will increase further as these functions shift from the Village. As such, direction is requested with respect to how such additional staff time should be funded, and whether the additional administrative workload associated with the PDIF Service should be shared with Village staff given the connection with existing Village CIOF and CEF programming.

Issue (10)	How should SLRD and Village staff time be allocated toward the proposed PDIF Service?
Suggestions/ Options	<ul style="list-style-type: none"> a. The Board could allocate additional SLRD staff time and resources toward implementing the PDIF Service and its associated contracts, planning, and reporting activities as will be required. b. The Board to request Village Council to allocate resources or share-in PDIF Service administration given the connection to existing Village grant funding programs and the equal share of Village and Area C residents benefiting from the proposed PDCF Service. c. Other as suggested by the Board.

Options:

- 1) The Board to provide direction as per the request above.
- 2) The Board to receive the report for information purposes only.

Preferred Option: Staff requests further information and direction in order to sufficiently and meaningfully establish the services and the related documentation, policy and processes for them to be effective, and for a smooth and successful transition between funding sources (i.e. previous Electoral Area “C” Select Funds, Village CIOF disbursements or Village CEF disbursements).

Regional Considerations: The proposed PDIF Service could pose implications to the relationships the Village has with various not-for-profit societies and organizations. Organizations the Village has built relationships with may now be requesting funding from the SLRD, and/or be questioning the Village and SLRD on the change of funding sources, and



whether other funding sources may exist within either local government. As the intention may be to avoid duplication of funds, fund applicants will have to be informed of the new funding mechanisms and the associated policy which may affect their ability to request and receive funding through local government organizations.

Follow-Up Action & Communications Plan:

If the AAP respecting the Service is passed on November 12, 2019, staff will:

- Bring back Bylaw 1643 and Bylaw 1644 to the December 18, 2019 SLRD Board Meeting for adoption, with submission of the certified Bylaws to the Province.
- Submit all Service Area coding documentation to BC Assessment for inclusion on the 2020 revised assessment roll.
- If direction is received to proceed with delegation of authority to the PVUS Committee, bring the appropriate Bylaw and documentation to the Board in early 2020.
- Advise Village staff of the direction received respecting remaining CIOF-funded organizations for the funding mechanism through the end of their contracts expiring December 2020.
- Based on Board direction, develop SLRD staff schedules and workplans for 2020 to accommodate the additional workload posed by the proposed PDIF Service, and coordinate with Village staff to determine how the administrative tasks associated with managing the Service will effectively be shared between Village and SLRD staff.
- Update Board Policy 2.13 (former PDCF), Board Policy 2.14 (Local Service Financial Plan Requests) and Template Long-Term Funding Contract, as may be required.
- Update the Pemberton and District Community Fund webpage on the SLRD Website to reflect the direction of the Board, as may be required.
- Consider drafting a news-release to advise the public of changes to the former PDCF Policy and funding mechanism per the direction of the Board, as may be required.
- Begin working with long term-funded organizations (as identified in Attachment No. 1) on work-plans, contracts and agreements, as required.
- Additionally, although not discussed above, staff may draft and present a repealing bylaw for the Pemberton and District Recreation Commission (Bylaws 653/966) to be brought forward to a future Board meeting in early 2020, as the authority to requisition under Bylaws653/966 will no longer be required if the proposed PDIF Service is established.

Submitted by:	Graham Haywood, Senior Project Coordinator
Approved by:	Lynda Flynn, CAO



Attachment No. 1

Direction Request
Pemberton & District Arts, Culture, Recreation & Economic Development
Services Implementation Issues

Attachment No. 1

Long-Term Funding Organization List

Arts, Culture and Recreation-based Organizations:

1. Pemberton Animal Wellness Society (PAWS)
2. Wellness Almanac
3. VOP/SLRD Electoral Area C Annual Fireworks Displays
4. Pemberton Arts Council
5. Pemberton BMX Society
6. Spirit of BC, Pemberton Winterfest

Economic Development-based Organizations:

1. Pemberton & District Chamber of Commerce (including the Pemberton Visitor Information Center)
2. Tourism Pemberton
3. Pemberton Farmer's Market Association

Attachment No. 3



Policies & Procedures Manual

Policy No. 2.13 (Pemberton and District Community Fund Policy)

Purpose

The intent of this policy is to establish guidelines for the Pemberton and District Community Fund Program including eligibility, application process and reporting requirements.

Introduction to the Pemberton and District Community Fund Program

The Pemberton Valley Utilities and Services Committee (PVUS) annually distributes funds to recreation, social and cultural activities throughout Pemberton and District (Squamish-Lillooet Regional District Area C). This funding is provided by the Pemberton and District Community Fund program and is intended to supplement or support community activities. All organizations who receive this funding are not for profit organizations, community groups, entities or societies based within the regional area of Pemberton that are considered by PVUS to be contributing to the general interest and benefit of its residents in the areas as set out below.

Objective

To provide funds to assist local, not for profit organizations and / or activities offering recreation and culture programs, special events, projects or initiatives which benefit residents of the Village of Pemberton and District (Area C).

Funding Allocation

The budget for the Pemberton and District Community Fund Program will be established annually by PVUS and approved by the Squamish-Lillooet Regional District (SLRD) Board of Directors.

Funding applications will be approved by the SLRD Board of Directors based on recommendations from PVUS.

For grants equal to or in excess of \$500, multi-year funding, not to exceed three (3) years in duration, may be considered in order to provide the applicant time to develop a start-up operation or to secure funding from other sources.

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Policies Superseded: N/A	Related Enactments: N/A

Eligible Applicants

An eligible applicant must:

- a) Be a not for profit organization, community group, entity or society and / or activity which enhances quality of life for area residents;
- b) Be a local organization within the Village of Pemberton or District (Area C), or be an organization that is undertaking an activity/project that will benefit the Pemberton and District area;
- c) Demonstrate that the request is for a specific service or use, and will provide enrichment / service to the community;
- d) Demonstrate that the service provided fills a need in the community and that there is no overlap with existing services.

For grants equal to or in excess of \$500, the funding must be leveraged to create additional financial value by securing one or more of the following:

- a) Funding from other governments;
- b) Funding from other sources;
- c) Corporate sponsorships;
- d) Matching funds of the applicant;
- e) In kind contributions from sources other than the applicant.

Eligible Projects

Eligible projects must:

- a) Strengthen and enhance the well-being of the community within the area of sports, recreation, education, arts and culture;

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Policies Superseded: N/A	Related Enactments: N/A

- b) Show a significant benefit to the Village of Pemberton and District (Area C) including, but not limited to:
 - The promotion of volunteer participation and citizen involvement;
 - The use of new approaches and techniques in the solution of community needs;
 - Activities / programs / services which are accessible to a large portion of the communities' residents;
- c) Be open and / or accessible to the public;
- d) Offer a unique experience not duplicated by other ongoing organizations and their activities;
- e) Be a one-time or new initiative, or if existing, demonstrate expansion and growth (e.g. a trend of increase in audience, participation and / or activity);
- f) Not be for commercial / for profit ventures;
- g) Be provided to the Village of Pemberton and District residents without exclusion to anyone by reason of religion, ethnicity, gender, age, sexual orientation, language, disability or income.

Preference may be given to applications that:

- a) Are not ongoing (from year to year);
- b) Partner with other service providers in the community;
- c) Request seed money in order to launch a program / activity / event.

Application Process

1. Applicants must submit the following documents in their application:
 - a) Completed application form (Schedule 'A');
 - b) Project outline and timeline;

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- c) Project budget which includes:
 - i. Detailed cost estimates;
 - ii. Sources of confirmed revenue;
 - iii. Sources of revenue yet to be confirmed (i.e. other grant applications still pending decision);
 - iv. Sources of confirmed donations for labour and/or materials; and
 - v. Most recent set of financial statements, if applicable.
- d) Society documentation, if applicable; and
- e) Letters of support from other organizations or groups supporting the project.

Failure to provide adequate documentation during the application process and/or comply with the eligibility requirements for funding assistance may jeopardize funding eligibility.

- 2. Applications must be received at least 30 days prior to program, activity or special event commencement.
- 3. For grants requests equal to or in excess of \$500, applicants must attend the PVUS meeting at which the request is being considered.

The successful receipt of a grant through the Pemberton and District Community Fund Program does not automatically guarantee funding in subsequent years. Grants are intended to indicate support and encouragement of a venture, and should not be expected to substantially fund any undertaking.

Reporting Process

In accepting a grant equal to or in excess of \$500, the grantee agrees to provide PVUS with a final report within 90 days of completion of the activity / event / program. The report is to include:

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- a) An outline of the impact the grant had on the organization and community;
- b) A financial summary of the activity / event / program; specifically, how the grant funding and other funds were used compared to the proposed budget submitted with the application.

Failure to provide such reporting will negatively impact future funding requests.

Recognition

The SLRD Area C and the Village of Pemberton shall be acknowledged as a sponsor of the organization’s programs, activities, or events in all published materials and advertising.

Under extenuating conditions, PVUS shall have the discretion to waive any of the terms within the policy.

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Policies Superseded: N/A	Related Enactments: N/A

Schedule A - Application

**Pemberton Valley Utilities and Services Committee
Pemberton and District Community Fund Program**

Date: _____

APPLICANT INFORMATION

1. Name of Organization: _____

2. Contact Person: _____

Position: _____

Mailing Address: _____

Phone: _____ Fax: _____

Email: _____

Website: _____

3. Purpose of your organization and description of the types of activities your organization is involved in.

4. How many persons and what area does your organization/group serve.

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5. What is the status of your organization: Special Interest
- Society
- Not for Profit
- Community Group

PROPOSED PROJECT INFORMATION (please complete the questions below or attach a separate sheet)

6. Budget Information

Specific Amount of Grant Requested: _____

Total Event Budget Revenue and Expenses Amount: _____

Total Fundraising (funds from other sources): _____

Please attach a detailed budget including revenues, expenses, donations, volunteer contributions.

7. If requesting funds equal to or in excess of \$500, explain how you will use the grant to leverage and create additional financial value (i.e. funding from other governments, funding from other sources, corporate sponsorships, matching funds of the applicant, in kind contributions from sources other than the applicant, etc.).

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8. List other agencies / organizations / grants whose financial or in kind support has been requested or received for this project.

Name	Amount Requested	Status of Request

9. Provide a brief description of the proposed use of the grant funds:

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10. Explain how the program / activity / event will strengthen and enhance the well-being of the community:

11. How many Pemberton / Area C residents will benefit or participate in the event: _____

12. Please include any other information you may wish to add in support of your application.

13. Indicate the time frame of your program / activity / event.

Start Date: _____

End Date: _____

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Policies Superseded: N/A	Related Enactments: N/A

APPLICATION CHECKLIST

Detailed Project Budget including:

- Detailed cost estimates
- Sources of confirmed revenue
- Sources of revenue yet to be confirmed
- Sources of donations

Most Recent Financial Statements (if applicable)

Society Documentation (if applicable)

Letters of Support

Completed Application Form

If request is equal to or greater than \$500, agree to attend PVUS meeting to present request

If grant is equal to or greater than \$500, agree to provide final reporting requirements

Signature of Applicant

Date

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Date of Approval: October 1, 2014	Date of Amendment: January 25, 2017
Policies Superseded: N/A	Related Enactments: N/A

Attachment No. 4



Policies & Procedures Manual

Policy No. 2.14 (BP- Local Service Financial Plan Requests Requirements)

Local Service Financial Plan Requests Requirements

Purpose

The intent of this policy is to establish requirements for not-for-profit organizations and member municipalities requesting financial contributions within the Squamish-Lillooet Regional District's (SLRD's) Five-year Financial Plan for operating a financial contribution service, established by SLRD bylaw.

Application

This policy applies to all entities to which the SLRD provides financial contributions pursuant to service establishment bylaws.

Reference

Business Corporations Act {SBC 2002} Chapter 57, available at:
http://www.bclaws.ca/Recon/document/ID/freeside/02057_00

Definitions

“Audited Financial Statements” is defined as financial statements that an auditor has prepared according to Generally Accepted Accounting Principles.

“Capital Contribution” is defined as financial support for the construction, purchase or remodeling and/or expansion of property and facilities or purchase of equipment.

“Financial Contribution” is defined as actual monetary funds or in-kind contributions, pursuant to service establishment bylaws, often also referred to as a “Grant-in-Aid”. A financial contribution to other groups is outside the scope of this policy.

“Good Standing” is defined as a company that is in compliance with the *Business Corporations Act*, by filing an Annual Report within two months of their anniversary date.

Policy

The Regional District deems it appropriate and desirable to provide financial contributions to not-for-profit organizations and member municipalities in order that they may provide a local service established by bylaw.

Approving Authority: Board	Page 1 of 2
Policy Name: Local Service Financial Plan Requests Requirements	Policy No: 2.14
Date of Approval: November 24, 2014	Dates of Amendment:
Policies Superseded: N/A	Related Enactments:

As the service area property owners are taxed for these financial contribution services, it is expected that the funds provided to the organizations be spent for the intended service for which they are taxed and the Regional District wishes to provide that assurance, therefore, organizations that are requesting such financial contributions shall be required to provide, On or before October 31st annually, the following:

1. A Completed Local Service Area Budget Request Form (Schedule 'A') authorized by the President (Chair) and/or Treasurer of the organization, separately identifying operating grant and capital contribution requirements at an appropriate level of detail;
2. In the case of capital contributions, explanation of the need and the benefits or cost savings expected to be realized;
3. Evidence that the organization is registered and in good standing with the Provincial Registrar of Companies, I.E. a copy of the Society Annual Report (Form 11);
4. For annual requests below \$40,000, submission of Revenue and Expenditure Statements for the immediate preceding fiscal year clearly indicating that the financial contribution has been spent for the intended service for which it has been taxed;
5. For annual requests of \$40,000 and greater, submission of audited Financial Statements for the immediate preceding fiscal year clearly indicating that the financial contribution has been spent for the intended service for which it has been taxed;

Financial contributions requested for the subsequent year may not be provided to the organization until the above information has been received in satisfactory form and content.

Further, the Regional District, at its sole discretion, may ask the organization to undertake an independent audit of their financial records and/or provide those documents to a designated representative of the Regional District for review.

Unspent financial contributions intended to fund annual operating costs of the organization may be deducted from the financial support provided for the subsequent year, at the discretion of the Regional District.

Applicants must be available at the request of the Regional Board to attend budget meetings at which the request is being considered.

Approving Authority: Board	Page 2 of 2
Policy Name: Local Service Financial Plan Requests Requirements	Policy No: 2.14
Date of Approval: November 24, 2014	Dates of Amendment:
Policies Superseded: N/A	Related Enactments:

Attachment No. 5

FUNDING AGREEMENT

This agreement dated as of the ____ day of _____, 2018

BETWEEN:

SQUAMISH-LILLOOET REGIONAL DISTRICT

PO Box 219, 1350 Aster Street
Pemberton, BC
V0N 2L0

("SLRD")

AND:

123 SOCIETY

Box 123
Pemberton, BC
V0N 2L0

("123 SOCIETY")

WHEREAS:

- A. The SLRD has adopted Squamish-Lillooet Regional District Pemberton and District Arts, Culture and Recreation Service Establishing Bylaw No. 1643-2019 ("Bylaw 1643-2019") and Squamish-Lillooet Regional District Pemberton and District Economic Development Service Establishing Bylaw No. 1644-2019 ("Bylaw 1644-2019", together the "Bylaws") which establish services to contribute funds for local arts, culture, recreation and economic development purposes (the "Service") within the Village of Pemberton and Electoral Area "C" except the WedgeWoods neighbourhood (the "Service Area");
- B. The Bylaws provide that the SLRD may provide financial assistance to entities such as 123 SOCIETY;
- C. In **Month**, 20XX 123 SOCIETY was incorporated under the *Society Act* to:
 - a. Raise awareness and educate the public, government agencies and other managers about *example*;
 - b. Provide a conduit for information and a source of expertise on *example* including *example*;
 - c. Improve *example* stakeholder communication and information sharing;
 - d. Minimize/Maximize *example* in the area through *example*, and coordinated integrated *example* management efforts; and
 - e. Work with local government to implement policy;
- D. 123 SOCIETY has the skill, ability, knowledge and expertise to undertake the tasks related to the Service;
- E. The SLRD, under this Agreement, will provide a portion of funding through the Service to 123 SOCIETY for the purpose *example* management operations throughout the Service Area;

- F. The SLRD may discuss funding requirements and the amount of funds to be apportioned through the Service with any other society operating within the Service Area and receiving funding through the Service (i.e. such as 456 Society) and will notify 123 SOCIETY of such funding requirements and apportionments;
- G. The SLRD has agreed to provide, on the terms and conditions hereinafter set forth in this agreement, an amount of funds (the “Funds”) to be determined by the SLRD on an annual basis, specifically for the purpose hereinafter set forth in this Agreement.

IN CONSIDERATION OF THE mutual promises contained herein, the parties agree with each other as follows:

OBLIGATIONS OF 123 SOCIETY

- 1. 123 SOCIETY will undertake several activities with respect to *example* education, outreach and management functions in accordance with its annual work plan (“Work Plan”) on such terms and conditions as set forth in this Agreement.
- 2. Within the scope of the Work Plan, 123 SOCIETY is responsible for:
 - a. Coordinating *example* management and outreach efforts within the Service Area.
 - b. Educating the public on *example* issues and the impacts of *example* within the Service Area;
 - c. Assisting *parties* in recognizing the various issues related to *example*, outline their responsibilities to manage *example*, and encourage them to develop effective integrated strategies;
 - d. Increasing the awareness of *example* management amongst industry, resource users, local and provincial governments and encourage expanded support for local *example* programs and initiatives;
 - e. Managing *example* throughout the Service Area. 123 SOCIETY will work with the SLRD to advise the SLRD of the *example*.
- 3. 123 SOCIETY will at all times act in compliance with all statutes, laws, regulation and orders of any authority having jurisdiction.
- 4. 123 SOCIETY shall at all times maintain its status as a registered society of the province of British Columbia under the British Columbia *Societies Act*.
- 5. 123 SOCIETY shall provide a summary of its Work Plan to the SLRD on or before December 15 of each year which summarizes the work undertaken in the current year, and work to be undertaken in the subsequent year, including (but not limited to): activities planned within the context of the Service Area, populations served, outcomes achieved, outcomes expected, community benefits (achieved and planned), and program budget amount(s).

PAYMENT AND EXPENDITURE OF FUNDS

6. The SLRD will provide Funds to 123 SOCIETY no later than August 31 of the year in which the funding is with respect to, in an amount to be determined by the SLRD on an annual basis, and conditional on the terms of this Agreement.
7. 123 SOCIETY will expend the Funds in their entirety on or before August 30 of the year following which the payment of the Funds is with respect to (i.e. if funds are received August 1, 2020, they must be expended by July 31, 2021). 123 SOCIETY is not entitled to carry over any unexpended Funds between funding years. Any Funds unexpended by August 30 must be repaid by 123 SOCIETY to the SLRD in accordance with the terms of this Agreement.

REPAYMENT OF FUNDS

8. In the event that the SLRD determines that funds have been expended contrary to the terms and conditions as set forth in this Agreement, 123 SOCIETY understands that it is not entitled to receive the funding and agrees to repay the SLRD any funds already paid to 123 SOCIETY by the SLRD not used in accordance with this Agreement within 30 days of receiving notice from the SLRD.

TERM

9. The term of this Agreement shall be 1 year commencing from the date funding is provided to 123 Society, which shall be no later than August 31, 2020, and the end date of one year less a day from the date funding is provided, which shall be no later than August 30, 2020 (the "Term"), subject to earlier termination as provided therein, and as provided herein. Upon expiry of the Term, the parties may consider amendments to the Agreement.

RENEWAL

10. Subject to the continued need of the SLRD for the Service, and subject to the parties' right to terminate this Agreement as provided herein, in the sole discretion of SLRD, the SLRD and 123 SOCIETY may agree to renew the Term for up to four (4) further consecutive renewal periods of one (1) year each less a day (the "First Renewal Period", the "Second Renewal Period", the "Third Renewal Period" and the "Fourth Renewal Period" respectively), provided that:
 - a. 123 SOCIETY duly and punctually observes and performs the covenants, agreements, conditions, and provisos in this Agreement on the part of 123 SOCIETY to be observed and performed; and
 - b. 123 SOCIETY is not in default of this Agreement at the end date of the Term.

The renewal(s) shall be upon all of the covenants, Agreements, conditions, and provisos contained in this agreement except this covenant for renewal.

TERMINATION

11. The SLRD may terminate this Agreement prior to the expiry of the Term as follows:
 - a. without notice of termination or payment in lieu thereof, for just cause; or
 - b. at its sole discretion and for any reason whatsoever, prior to providing Funds to 123 SOCIETY by giving 123 SOCIETY three (3) weeks' written notice.

RELEASE AND INDEMNIFICATION

12. Except to the extent arising out of the negligent acts or omissions of the SLRD and the Village of Pemberton and their directors, councillors, officers, employees, agents, successors and assigns, as determined by a court of competent jurisdiction, 123 SOCIETY shall release, indemnify and save harmless the SLRD and the Village of Pemberton and their directors, councillors, officers, employees, agents, successors and assigns from and against any and all liabilities, actions, damages, claims, losses, costs and expenses whatsoever (including, without limitation, the full amount of all legal fees and disbursements) in any way directly or indirectly arising out of or caused, in whole or in part, by 123 SOCIETY, its employees, agents, subcontractors or assigns in the performance of actions by 123 SOCIETY in utilizing the Funds received from the SLRD, as determined by a court of competent jurisdiction. This release and indemnity shall survive the expiry or termination of this Agreement.

INSURANCE REQUIREMENTS

13. 123 SOCIETY shall obtain and maintain commercial general liability insurance throughout the Term, and any renewals thereof, providing coverage for death, bodily injury, property loss and damage and all other losses arising out of or in connection with the obligations of 123 SOCIETY under this agreement in an amount not less than \$5,000,000 per occurrence and in the aggregate and shall meet the following responsibilities:
 - a. name the SLRD and the Village of Pemberton as additional insured;
 - b. include that the SLRD is protected notwithstanding any act, neglect or misrepresentation by 123 SOCIETY which might otherwise result in the avoidance of a claim and that such policies are not affected or invalidated by any act, omission or negligence of any third party which is not within the knowledge or control of the insureds;
 - c. be issued by an insurance company entitled to carry on the business of insurance under the laws of British Columbia;
 - d. be primary and non-contributing with respect to any policies carried by the SLRD and will provide that any coverage carried by the SLRD is in excess coverage;
 - e. not be cancelled or materially changed without 123 SOCIETY providing the SLRD with 30 days written notice stating when such cancellation or change is to be effective;
 - f. include a deductible not greater than \$5,000.00 per occurrence; and
 - g. include a cross liability clause.
14. 123 SOCIETY shall provide the SLRD with certificates of insurance confirming the placement and maintenance of such insurance at the signing of the Agreement and thereafter as requested to do so from time to time by the SLRD. If 123 SOCIETY's insurance shall expire or terminate before the end of the Term or any renewal thereof, 123 SOCIETY shall deliver a new certificate of insurance evidencing the new policies of insurance not less than ten (10) days before the new policies go into effect.

15. The above insurance requirements do not in any way reduce 123 SOCIETY's obligations to release and indemnify the SLRD and the Village of Pemberton as set out in section 12 of this Agreement.

GENERAL

16. This Agreement embodies the entire agreement between the parties with regard to the matters contained herein. There are no representations, warranties, terms, conditions, undertakings or collateral agreements expressed or implied between the parties, other than those expressly set forth in this Agreement.
17. This Agreement enures to the benefit of and is binding upon the parties and their respective executors, successors, trustees, administrators and receivers, despite any rule of law or equity to the contrary.
18. If any portion of this Agreement is held invalid by a court of competent jurisdiction, the invalid portion will be severed and the decision that it is invalid will not affect the validity of the remainder of this Agreement.
19. This Agreement must be governed by and interpreted in accordance with the laws of the Province of British Columbia.
20. Waiver by one party of any default by the other party must not be deemed to be a waiver of any subsequent default. A waiver is effective only if it is in writing.
21. Whenever the singular is used in this Agreement, the same shall be deemed to include the plural as the context so requires.
22. This Agreement may not be amended or modified except by an instrument in writing signed by the parties.
23. Neither 123 SOCIETY nor any of its employees, contractors and representatives is engaged by the SLRD as an employee or agent of the SLRD.
24. Nothing in this Agreement makes 123 SOCIETY the agent, joint venture or partner of the SLRD or gives 123 SOCIETY any authority or power to bind the SLRD in any way. 123 SOCIETY is solely responsible for any and all remuneration and benefits payable to its employees and volunteers, and all payments or deductions required to be made by any enactment, including those required for Canada Pension Plan, Employment Insurance, WorkSafe BC and income tax.
25. Nothing in this Agreement affects the rights of the SLRD to exercise its powers within its jurisdiction.
26. 123 SOCIETY shall not assign this Agreement (or any part thereof).
27. 123 SOCIETY represents and warrants to the SLRD that it has full authority to enter into this Agreement and to carry out the actions required of it under this agreement, that all resolutions and other preconditions to validity have been validly adopted, and that those signing this agreement on its behalf are authorized to bind 123 SOCIETY by their signatures.
28. Time is of the essence of this Agreement.

29. This Agreement may be executed in counterparts (each of which shall be deemed an original, but all of which taken together constitute one and the same agreement). In the event that any signature is delivered by facsimile transmission or by email delivery, such signature shall create a valid and binding obligation of the party executing.
30. Any notice that either party may be required or may desire to give or deliver to the other will be conclusively deemed validly given or delivered to and received:
- a. if delivered personally or by email on the date of such personal delivery or email; or
 - b. if mailed, on the third business day after mailing in British Columbia by pre-paid post.
31. The parties agree to do and to execute all such further acts and assurances as may be necessary to give more and full effect to the intent of this Agreement.

As evidence of their agreement to be bound by the above terms, the SLRD and 123 SOCIETY each have executed this Agreement on the respective dates written below:

SQUAMISH-LILLOOET REGIONAL DISTRICT

by its authorized signatory

Date: _____, 2020

Lynda Flynn
Chief Administrative Officer

123 Society

by its authorized signatory

Date: _____, 2020

John Smith
Chair, 123 Society