



## Request for Decision

### Matters related to the ongoing transfer of the Pemberton and District Recreation Service

**Date of Meeting: Board Meeting – February 28, 2024**

#### **Recommendations:**

THAT staff continue to work with the Village of Pemberton to develop draft agreements associated with the ongoing recreation service transfer to the Village of Pemberton with a target effective date of January 1, 2026, with the expectation that the SLRD will continue to tax requisition for the recreation service under Cost Centre #2106 (Pemberton and District Community Recreation) for the 2024 and 2025 taxation years.

THAT staff provide updates to the Board as needed as this work by staff of the SLRD and the Village of Pemberton continues to progress.

THAT staff explore potential options for the future management of Gates Lake Park and bring back a staff report to a future Board meeting.

THAT the Squamish-Lillooet Regional District enter into an agreement with the Village of Pemberton to extend the Service Agreement dated October 2, 2018 for a further 15 month period until December 31, 2025.

THAT the Chief Administrative Officer be authorized to sign the Second Extension to the Service Agreement.

THAT the Squamish-Lillooet Regional District enter into an agreement with the Village of Pemberton (“Village”) to extend the License of Use dated May 31, 2019 for a further 15 month period until December 31, 2025.

THAT the Chief Administrative Officer be authorized to sign the Second Extension to the License of Use

THAT the Squamish-Lillooet Regional District enter into an agreement with the Village of Pemberton to extend the Bylaw Enforcement Agreement dated July 25, 2022 for a further 15 months until December 31, 2025.

THAT the Chief Administrative Officer be authorized to sign the Extension to the Bylaw Enforcement Agreement.

#### **Background**

#### **Key Information:**

Phase 1 of the Pemberton and District Recreation Service transfer was completed when the Squamish-Lillooet Regional District Service Establishing Bylaw No. 1784-2022 was adopted by the Board on June 28, 2023; this is Cost Centre #2110 (Pemberton Recreation Contribution Service) Information regarding this process can be viewed on the SLRD website here: [Pemberton and District Recreation Service Transfer](#)

The Board has previously passed resolutions pertaining to the three agreements associated with Phase 1 of the Pemberton and District Recreation Service transfer to the Village of Pemberton:

1. Service Agreement (pertaining to the management of the SLRD's recreation service by the Village of Pemberton) – current end date is October 1, 2024.
2. Licence of Use (pertaining to the use of the Pemberton and District Community Centre by the Village of Pemberton as it carries out its management responsibilities under the Service Agreement) – current end date is October 1, 2024.
3. Bylaw Enforcement Agreement (pertaining to bylaw enforcement by the Village at Pemberton Meadows Fields) – current end date is October 1, 2024.

Phase 2 of Pemberton and District Recreation Service transfer is now underway with discussions between the SLRD and the Village to develop a draft Financial Contribution Agreement and draft Transfer of Assets Agreement for consideration by the Board at a future date. To allow time for these two new draft agreements to be developed in collaboration with the Village, staff are recommending an extension of the current Service Agreement, License of Use, and Bylaw Enforcement Agreement until December 31, 2025. Drafts of these three extension agreements are attached to this staff report as Attachments 1, 2 and 3 respectively.

At this time, staff are working towards the new financial contribution service (Cost Centre #2110 as noted above) to become operationalized as of January 1, 2026. This means that in 2024 and 2025, the SLRD would continue to requisition for the Pemberton and District Recreation Service under Pemberton/Area C Community Recreation Local Service Establishment Bylaw No. 646, 1997 ("Bylaw No. 646"); this is Cost Centre #2106 (Pemberton and District Community Recreation). There will be no requisition of Electoral Area C property owners under Cost Centre #2110 in 2024 and 2025 because all necessary funds will continue to be requisitioned from the Village of Pemberton and Electoral Area C property owners under Bylaw No. 646 / Cost Centre #2106.

Starting in 2026, it is expected that the SLRD will be providing a financial contribution to the Village for the Village's recreation service. However, requisition of Village property owners and Electoral Area C property owners for the following two items will continue pursuant to Bylaw No. 646.

- Gates Lake Park operating costs; and
- Municipal Finance Authority of BC debt financing costs (associated with the construction of the Pemberton & District Community Centre) – please note this debt will be extinguished in 2032 and cannot be transferred to the Village as per MFA rules).

In regards to the Gates Lake Park operating costs, staff will explore options for the future management of the park and will bring a staff report to the Board as needed. At this time, the



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Village of Pemberton is expected to continue to manage the park as per the terms of the Service Agreement to be extended to December 31, 2025.

**Options:**

1. Recommendations as set out above (*Preferred option*).
2. Do not proceed with the extensions to the Service Agreement, the Licence of Use and the Bylaw Agreement.
3. Other, as directed by the Board.

**Attachments:**

1. *Proposed* Second Extension to Service Agreement
2. *Proposed* Second Extension of License of Use
3. *Proposed* Extension of Bylaw Enforcement Agreement

<b>Submitted by:</b>	Gail Harris, Legislative Coordinator
<b>Reviewed by:</b>	Angela Belsham, Director of Legislative and Corporate Services, Kristen Clark, Director of Strategic Services Suzanne Lafrance, Director of Finance Omar Butt, Director of Environmental Services
<b>Approved by:</b>	Heather Paul, Chief Administrative Officer

**Second Extension of Service Agreement  
Made as of the \_\_\_ day of March, 2024**

BETWEEN:

**VILLAGE OF PEMBERTON**

7400 Prospect Street  
PO Box 100  
Pemberton, BC V0N 2L0

(the “**Village**”)

OF THE FIRST PART

AND:

**SQUAMISH-LILLOOET REGIONAL DISTRICT**

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

(the “**SLRD**”)

OF THE SECOND PART

WHEREAS:

- A. The SLRD has established a service within the Village and SLRD Electoral Area C whereby the Village and SLRD Electoral Area C participate to provide a recreational and community use service (the “Service”) under Pemberton/Area Community Recreation Local Service Establishment Bylaw No. 646, 1997 (the “Establishing Bylaw”);
- B. The Village and the SLRD entered into a Service Agreement dated October 2, 2028 (the “Service Agreement”) followed by an Extension of Service Agreement dated July 25<sup>th</sup>, 2022 (“Extension of Service Agreement”); and
- C. The Village and the SLRD wish to further extend the Service Agreement for a 15 month period.

NOW THEREFORE, THIS AGREEMENT is evidence that in consideration of the mutual promises contained herein, and other good and valuable consideration paid by each of the parties to the other (the receipt and sufficiency of which each party acknowledges), the parties agree as follows:

1. The expiry date of the Term (as defined in section 3.1 of the Service Agreement) is hereby extended from October 1, 2024 to December 31, 2025.
2. All other terms of the Service Agreement remain in force.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year first above written.

**VILLAGE OF PEMBERTON**

by its authorized signatories:

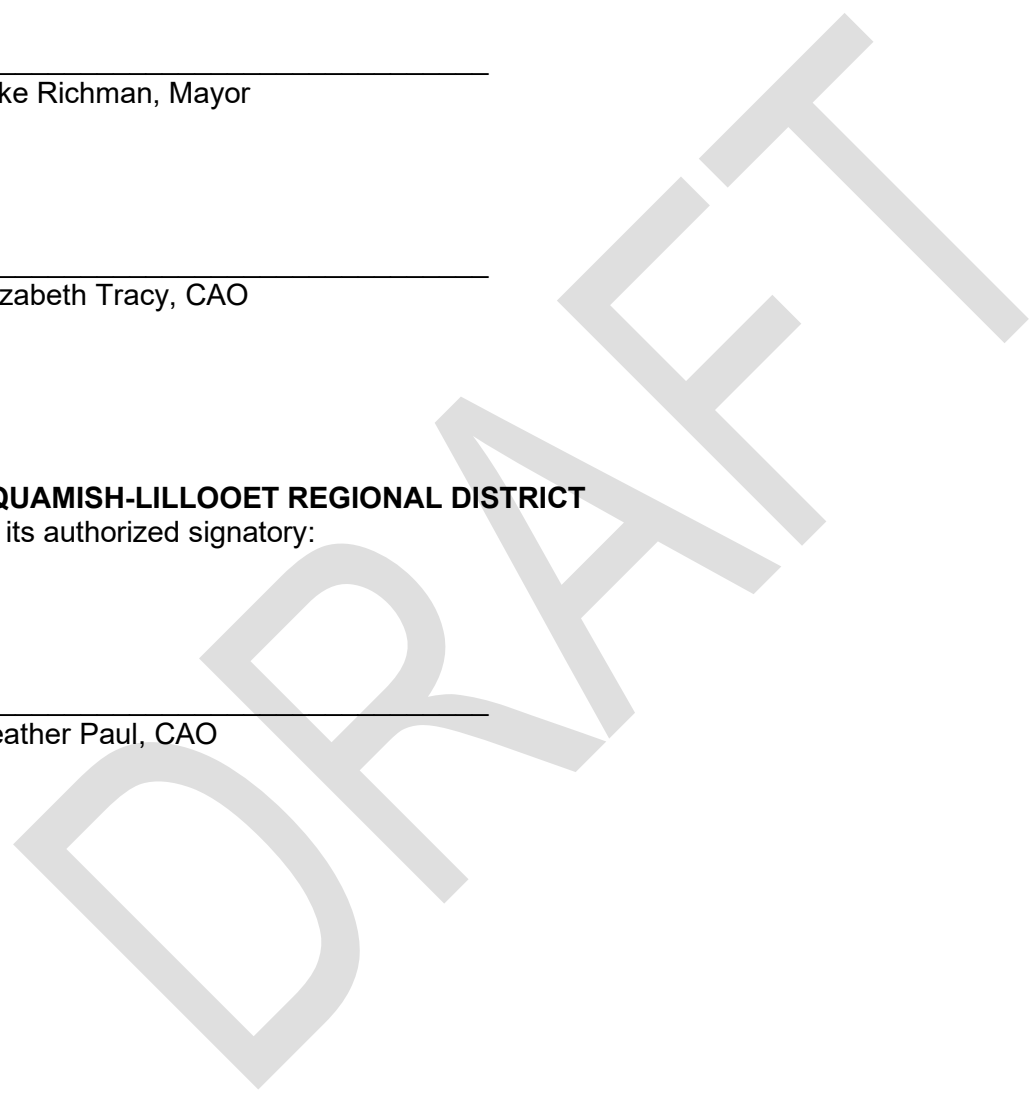
\_\_\_\_\_  
Mike Richman, Mayor

\_\_\_\_\_  
Elizabeth Tracy, CAO

**SQUAMISH-LILLOOET REGIONAL DISTRICT**

by its authorized signatory:

\_\_\_\_\_  
Heather Paul, CAO



**Second Extension of License of Use**  
**THIS AGREEMENT made as of the \_\_\_ day of March, 2024**

BETWEEN:

**SQUAMISH-LILLOOET REGIONAL DISTRICT**

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

(the "SLRD")

OF THE FIRST PART

AND:

**VILLAGE OF PEMBERTON**

7400 Prospect Street  
PO Box 100  
Pemberton, BC V0N 2L0

(the "Village")

OF THE SECOND PART

WHEREAS:

- A. The SLRD and the Village have entered into a License of Use granting the Village a non-exclusive right by way of license for the Village, its agents, employees, contractors and invitees to use the Facilities for public recreation and community use, and private short-term license use (including school use) compatible with public recreational and community use, and for no other purpose;
- B. The SLRD and the Village entered into an Extension of License of Use dated the 25<sup>th</sup> day of July, 2022; and
- C. The SLRD and the Village wish to further extend the License of Use for a 15 month period.

NOW THEREFORE, THIS AGREEMENT is evidence that in consideration of the license fee to be paid by the Village to the SLRD and in consideration of the mutual promises and covenants and agreements contained in the License of Use, and other good and valuable consideration paid by each of the parties to the other (the receipt and sufficiency of which each party acknowledges), the parties agree with each other as follows:

1. Section 4.1 of the License of Use is hereby deleted and replaced with:
  - 4.1 The Term of the license granted under this Agreement is from the first day of June 2019 to the 31<sup>st</sup> day of December 2025 unless earlier terminated under this Agreement.
2. All other terms of the License of Use remain in force.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year first above written.

**VILLAGE OF PEMBERTON**

by its authorized signatories:

\_\_\_\_\_  
Mike Richman, Mayor

\_\_\_\_\_  
Elizabeth Tracy, CAO

**SQUAMISH-LILLOOET REGIONAL DISTRICT**

by its authorized signatory:

\_\_\_\_\_  
Heather Paul, CAO

DRAFT

**Extension of Bylaw Enforcement Agreement**  
**THIS AGREEMENT made as of the \_\_\_ day of March, 2024**

BETWEEN:

**VILLAGE OF PEMBERTON**  
7400 Prospect Street  
PO Box 100  
Pemberton, BC V0N 2L0

(the "Village")

OF THE FIRST PART

AND:

**SQUAMISH-LILLOOET REGIONAL DISTRICT**  
1350 Aster Street  
PO Box 219  
Pemberton, BC V0N 2L0

(the "SLRD")

OF THE SECOND PART

WHEREAS:

- A. The Village and the SLRD have entered into a Bylaw Enforcement Agreement dated July 25, 2022 whereby the SLRD consents to the Village exercising Village of Pemberton Parks and Public Spaces Use Bylaw No. 797, 2016, and Village of Pemberton Parking and Traffic Control Bylaw No. 840, 2018 as amended or replaced from time to time, over the property; and
- B. The Village and the SLRD wish to extend the Bylaw Enforcement Agreement for a 15 month period.

NOW THEREFORE, THIS AGREEMENT is evidence that in consideration of the mutual promises, covenants and agreements contained in this Agreement, and other good and valuable consideration paid by each of the parties to the other (the receipt and sufficiency of which each party acknowledges), the parties agree with each other as follows:

- 1. Section 2 of the Bylaw Enforcement Agreement is hereby deleted and replaced with:
  - 2. The term of this Agreement shall be from July 1, 2022 until December 31, 2025.
- 2. All other terms of the Bylaw Enforcement Agreement remain in force.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year first above written.

**VILLAGE OF PEMBERTON**  
by its authorized signatories:

\_\_\_\_\_  
Mike Richman, Mayor

\_\_\_\_\_  
Elizabeth Tracy, CAO

**SQUAMISH-LILLOOET REGIONAL DISTRICT**  
by its authorized signatory:

\_\_\_\_\_  
Heather Paul, CAO

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