

Item 27  
Manager's Report No. 61  
(SUPPLEMENTARY)  
Council Mtg. Sept. 27/71

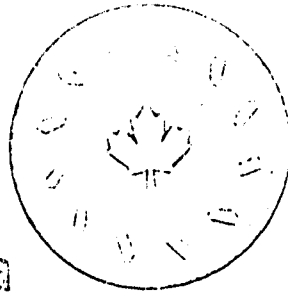
27. Re: Agreement with Canada, Province, New Westminster  
and Summer Games Society.  
(Report Item 16, Manager's Report No. 59, Ccl. Mtg. Sept. 20/71)

Attached is a copy of a letter dated September 23, 1971, from G. W. Ramsell, President, 1973 Canada Summer Games Society, addressed to Mr. R. W. Brough, asking that Council rescind the portion of the resolution passed last Monday evening which stated that the Mayor was authorized to execute the Agreement provided that "(c) The Society first signs the sub-agreement between Burnaby and the Society which is dated May 3, 1971."

The Municipal Solicitor does not feel that the contents of Mr. Ramsell's letter detracts from the opinion that he has already given recommending that the sub-agreement be executed. The Manager is of the same opinion.

This letter is placed before Council for its direction.

1973  
JEUX CANADA  
D'ÉTÉ SUMMER  
CANADIENS GAMES  
NEW WESTMINSTER - BURNABY



September 23, 1971

The Corporation of the District of Burnaby,  
Legal Department,  
Municipal Hall,  
4949 Canada Way,  
Burnaby 2, B. C.

ATTENTION: Mr. R. W. Brough

Dear Sirs:

Further to your letter of September 17, 1971 requesting that the Society execute an Agreement pertaining to the expenses incurred and to be incurred in the dredging of the Burnaby Lake, this matter was placed before the Executive Committee of the Society held September 22, 1971.

This Committee passed a resolution to the effect that the Society not enter into this Agreement, and accordingly, we are enclosing the four (4) copies of the Agreement to you unexecuted. There are two main reasons why the Executive Committee felt the Society could not properly enter into this Agreement. The first of these is that the proposed contract between Canada, British Columbia, Burnaby, New Westminster and the Society contains the provision whereby any excess in capital expenditures over and above that set out in the budget annexed to this Agreement are to be borne equally by the Municipality of Burnaby and the City of New Westminster. The additional foreseeable expenses incurred and to be incurred in connection with the dredging of Burnaby Lake have, of course, not been approved by the Co-ordinating Committee designated in the master Agreement for the staging of the Games, but since this dredging has now been done for all practical purposes, the Committee will have no alternative but to approve the expenditures that had been incurred prior to its existence.

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7A-601 ROYAL AVENUE  
NEW WESTMINSTER  
BRITISH COLUMBIA  
TELEPHONE -524-0101

The net effect of this is that even if the Society entered into the Agreement with respect to the dredging of the Lake, the costs of such dredging over and above the budgetary figure would eventually fall upon Burnaby and New Westminster.

The second and more compelling reason why the Executive felt it could not properly authorize the execution of the Agreement between the Society, was that the Society itself is really a child of Burnaby and New Westminster and has no funds, and has no foreseeable source of funds with which it could honour any obligations it would incur by executing the Agreement, and accordingly, the Executive Committee would be acting in bad faith if it recommended the Society enter into an Agreement knowing full well that it could not perform the obligations imposed upon it pursuant to the Agreement.

We trust the foregoing will be sufficient reason for the Municipality to rescind a portion of the resolution which we understand was passed at a council meeting on September 20, imposing as a condition precedent to the execution of the Agreement relating to the staging of the Games, that the Society enter into an Agreement with the Municipality with respect to the costs of the dredging of the lake.

Should you feel that any further explanation would be of assistance at the next Council meeting, we would be pleased to have a representative of the Society attend this Council meeting to speak further on this matter.

Sincerely yours,

G. W. Ramsell,  
President,  
1973 CANADA SUMMER GAMES SOCIETY.

GWR/cp

Encl.

c.c. Mayor Prittie,  
Mayor Evers,  
John Croft,  
M. Shelley. ✓