

RE: CONSTRUCTION OF BMX TRACK

MUNICIPAL MANAGER'S RECOMMENDATION:

1. *THAT the recommendation as contained in the report of the Director Recreation & Cultural Services be adopted.*

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1984 JULY 13

TO: MUNICIPAL MANAGER
FROM: DIRECTOR RECREATION & CULTURAL SERVICES
RE: CONSTRUCTION OF A BMX TRACK

RECOMMENDATION:

1. THAT Council authorize the Municipal Solicitor to prepare a draft lease agreement with the Burnaby BMX Association under the terms and conditions outlined in this report.

REPORT

At its meeting of 1984 July 04, the Parks and Recreation Commission received a staff report on the above subject which recommended that the Burnaby BMX (Bicycle Moto-Cross) Association be given a five year lease on a portion of park land located in the 7400 block Barnet Road and shown diagrammatically on attached Plan #0P.15-1-27s (Attachment #1) to provide and operate a Bicycle Moto-Cross program.

A copy of the Constitution of the Association is attached (Attachment #2).

The Commission has budgeted \$10,000 in its Capital Budget to assist in development of the track facility. The remaining costs and the ongoing maintenance costs of the leased area will be the responsibility of the Association. The general terms of the proposed lease are:

- the lease will be for a period of five years.
- the Association will be responsible for the development of the track area and parking area.
- the Association will be responsible for operating and maintaining the track facility (the parking lot which will be outside the leased area and will be used for general purposes such as Burnaby Mountain trail walkers will be operated and maintained by the Commission).

- the Association will provide insurance to the satisfaction of Burnaby Legal and Finance officials which will include a \$2,000,000 year round liability clause plus the usual clauses of naming the Corporation and holding the Corporation harmless from suits.
- the Association will provide insurance and any other coverage required for persons working on the leased site.
- the Association will pay a nominal lease rate of \$1 per year.
- the Association will be considered on a yearly basis for inclusion in the tax exemption by-law as permitted under the Municipal Act for sports organizations occupying leased Municipal park land.
- the Association will pay all water and sewer taxes if and when such services are installed.
- the Association will provide washroom facilities that meet the requirements and standards of the Burnaby Health Department.
- the Association will ensure that the track is safe and accessible for non member use during the times when the Association is not conducting its own programs.
- Upon expiration of the lease, improvements will be owned by Burnaby or removed at the Association's cost at the discretion of Burnaby.
- the Association will annually provide a copy of an operating statement and membership statement.
- there will be no discrimination against any person by reason of race, colour, religion or origin.
- plans and specifications for construction and for any future construction improvements must be approved by the Director of Recreation and Cultural Services.
- the annual fees and charges of the BMX Association will be subject to the annual approval of the Director of Recreation and Cultural Services.
- any other normal clauses.

The draft lease will be returned for approval to the Commission and to Council.

The Commission approved the following recommendations of the staff report.

- "1. THAT the Commission recommend to Council that the Burnaby BMX Association be granted a five year lease to develop and operate a BMX track and program as specified.
2. THAT the Commission request Council to instruct the Municipal Solicitor to prepare a lease agreement with the Burnaby BMX Association".



DENNIS GAUNT
Director Recreation & Cultural Services

Attach.

C.C.
Municipal Solicitor
Director Finance
Medical Health Officer

EM

DIRECTOR'S REPORT NO. 9 15

COMMISSION MEETING 84 07 04

ITEM	16
MANAGER'S REPORT NO.	48
COUNCIL MEETING	1984 07 23

KASK BROTHERS

KASK BROTHERS



U30

ATTACHMENT I

CP RAILWAY

BARNET HIGHWAY

EXIST. HOUSE

PROPOSED SECURITY GATE

PROPOSED LOCATION FOR PARKING (COMMISSION)

PROPOSED LOCATION FOR TRACK (LEASE AREA)

PROJECT

PROPOSED BMX TRACK

DESIGNED BY

DRAWN BY LW.

CHECKED BY

DATE 84/03

SCALE 1:2000

BURNABY

parks & recreation

department

151

DRAWING No.

OP. 15-1-27s

REV.

ITEM 16
MANAGER'S REPORT NO. 48
COUNCIL MEETING 1984 07 23

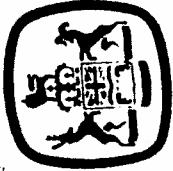
TEM 9
DIRECTOR'S REPORT NO. 15
COMMISSION MEETING 84 07 04

ATTACHMENT II

152

HF

CANADA
PROVINCE OF BRITISH COLUMBIA



NUMBER
S-19209

Province of British Columbia
Ministry of Consumer and Corporate Affairs
REGISTRAR OF COMPANIES

SOCIETY ACT

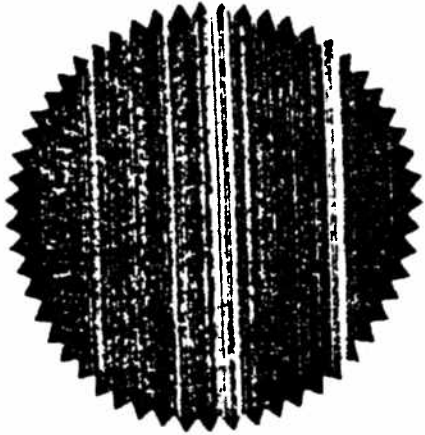
Certificate of Incorporation

I HEREBY CERTIFY THAT

BURNABY B.M.X. ASSOC.

HAS THIS DAY BEEN INCORPORATED UNDER THE SOCIETY ACT

GIVEN UNDER MY HAND AND SEAL OF OFFICE
AT VICTORIA, BRITISH COLUMBIA.



THIS 29TH DAY OF MAY 1984

L. G. HJCK
DEPUTY REGISTRAR OF COMPANIES

ITEM 16
 MANAGER'S REPORT NO. 48
 COUNCIL MEETING 1984 07 23

ITEM 9
 DIRECTOR'S REPORT NO. 15
 COMMISSION MEETING 84 07 04

Section 3)

I HEREBY CERTIFY THAT THIS IS A COPY
 OF A DOCUMENT FILED WITH THE
 REGISTRAR OF COMPANIES ON

SOCIETIES ACT
 CONSTITUTION

MAY 29 1984 19

for Duane Byrne

1. The name of the society is Burnaby B.N.X.

ASSOC REGISTRAR OF COMPANIES
 FOR THE PROVINCE OF BRITISH COLUMBIA

2. The purpose of the society is:
 a. To encourage, develop and regulate the sport of BICYCLE MOTO CROSS RACING in BURNABY AND SURROUNDING AREAS and to participate in meets, matches and competitions of every nature in British Columbia and Canada.
 b. To disseminate knowledge of the sport and it's equipment to every member of the society, and to teach and train persons in the areas of organizing and participating in BMX racing.

- c. To participate in the construction and operation of tracks, testing and running grounds for the use of the riders and members.
- d. To hold conferences, meetings and exhibitions pertaining to BMX racing.
- e. To promote safety and courtesy at all times, both in racing and in practice, and to foster public understanding and interest in the sport.
- f. To ensure that a uniform set of rules and safety conditions are fairly applied.
- g. To do all things as are necessary to the attainment of such objectives.
- h. To become an active member of the BMX Racing Association of B. C., and the BMX Association Canada.

BY LAWS

The by-laws of the Society are those set out in Schedule B to the Societies Act.

Dated the 23rd day of MAY 1984.

WITNESSES	SIGNATURE	NAME & ADDRESS (PLEASE PRINT)
<i>Duane</i>	<i>Craig Warren</i>	CRAIG WARREN 6440 HANFAX ST. BURNABY BC, V5C 2K6
DAVE WARREN	<i>Lorette Gattac</i>	9534 - Willow Leaf Place Burnaby BC - JOE KESSARD
7754 Nursery St	<i>[Signature]</i>	7754 NURSERY ST BURNABY BC V5C 2B4
BURNABY BC V5C 2B4	<i>[Signature]</i>	ERNEST WESSON 4014 TRINITY ST ALBURNABY

