

RE: TERMINATION OF ROCKY POINT BOAT LAUNCH AGREEMENT BETWEEN THE CITY OF
PORT MOODY AND THE CORPORATION OF THE DISTRICT OF BURNABY

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 JANUARY 30

TO: MUNICIPAL MANAGER
FROM: DIRECTOR RECREATION & CULTURAL SERVICES
RE: TERMINATION OF ROCKY POINT BOAT LAUNCH AGREEMENT BETWEEN THE CITY
OF PORT MOODY AND THE CORPORATION OF THE DISTRICT OF BURNABY

RECOMMENDATIONS:

1. THAT Council approve the termination of the Rocky Point Boat Launch Agreement as outlined in this report.
2. THAT the City of Port Moody not be required to refund any money that may be owed to the Corporation of the District of Burnaby.
3. THAT the concurrence of the Municipal Council of the City of Port Moody to the termination of the said agreement be obtained in writing effective the first day of March, 1984.

REPORT

At its meeting of 1984 February 01, the Parks and Recreation Commission received a report from the Rocky Point Boat Ramp Committee recommending that the agreement between the City of Port Moody and the Corporation of the District of Burnaby for the operation of the Rocky Point Boat Ramp be terminated.

Background

The inaugural meeting of the Rocky Point Boat Ramp Committee was held on 1965 February 17 and the purpose of the Committee was to ensure equal participation by the Corporation of the District of Burnaby and the City of Port Moody in the development of the Rocky Point Boat Ramp. By-Law 5402 was approved by Council on 1969 May 05, setting up the present agreement which terminates on 1984 October 31. Initial contribution by Burnaby for the development of the ramp was \$27,696.

Contribution from the Municipalities of Coquitlam and Port Coquitlam were made when the ramp was enlarged and a new catwalk and float built in 1974. Port Moody has been involved in the day-to-day management and operation of the ramp, which has always remained a public facility.

The question as to whether Burnaby should bow out of the agreement was first raised at the Boat Ramp Committee meeting of 1978 March 08, after the minutes from the meeting of 1976 April 22 had been adopted. At its meeting of 1979 February 21, the Burnaby Parks and Recreation Commission recommended continued participation in the Rocky Point Ramp Committee.

Current situation

Recently, the same question has been raised and consequently, staff contacted on 1983 November 21, R. Reichelt, Parks & Recreation Director of the City of Port Moody, to ascertain his view on retaining or dissolving the Rocky Point Boat Ramp Committee. Mr. Reichelt confirmed that user fees would remain the same for non-residents of Port Moody as for residents of Port Moody and that the boat ramp would continue to remain a public facility, irrespective of whether the Committee was dissolved or not.

On 1983 December 14 the Commission referred the matter to its Boat Ramp Committee and that Committee met with the Port Moody Committee on 1984 January 19 and determined that the agreement should be terminated immediately.

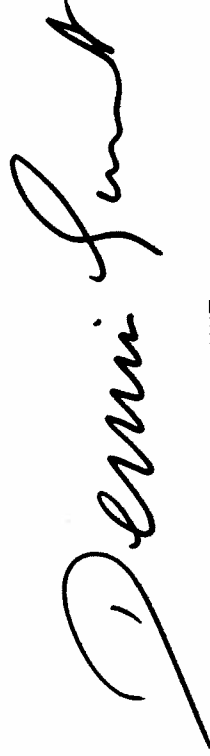
To ensure that the future interests of Burnaby residents will be safeguarded Port Moody will be asked to provide a letter of intent stating that Burnaby citizens will always be treated in the same way as Port Moody citizens with respect to the privilege and cost of using the ramp.

Clause 16 of the existing agreement reads as follows:

Either party may terminate this agreement effective on the 31st day of December in any year by giving one year's notice of termination to the other party. The party not terminating shall, within five years from the date of termination, pay to the party terminating one-half of the consideration paid up to January 31, 1968, by the party terminating for the development of the Ramp Site.

The Committee also recommended to the Commission that this Clause not be enforced and that the City of Port Moody not be required to refund any money that may be owed to the Corporation of the District of Burnaby as set out by the Terms of the Agreement.

The Commission approved the recommendation of the Committee that the agreement be terminated immediately in the manner proposed by the Committee.



DENNIS GAUNT
DIRECTOR RECREATION AND
CULTURAL SERVICES

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cc: Director Finance
Municipal Solicitor