

ITEM 7
MANAGER'S REPORT NO. 19
COUNCIL MEETING 85/03/11

RE: LEASE AGREEMENT FOR THE BURNABY B.M.X. ASSOCIATION

MUNICIPAL MANAGER'S RECOMMENDATION:

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

* * * * *

TO: MUNICIPAL MANAGER 1985 MARCH 04
FROM: DIRECTOR RECREATION & CULTURAL SERVICES
RE: LEASE AGREEMENT FOR THE BURNABY B.M.X. ASSOCIATION

RECOMMENDATION:

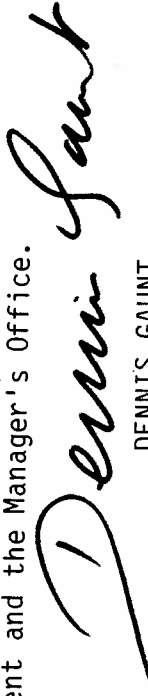
1. THAT Council approve the execution of the 5 year lease for the Burnaby B.M.X. Association.

REPORT

At its meeting of 1985 March 06 the Parks & Recreation Commission approved a 5 year lease between the Corporation and the Burnaby B.M.X. Association for the construction and operation of a B.M.X. (bicycle racing) course and program on park property located in the 7400 block, Barnet Road.

Council received details of this proposal and authorized the Municipal Solicitor to prepare a draft lease at its meeting of 1984 July 13 (a copy of that report is attached).

If Council, the media, or the public wish to review the proposed lease agreement, copies are available for this purpose in both the Parks & Recreation Department and the Manager's Office.



DENNIS GAUNT
Director Recreation &
Cultural Services

cc: Director Finance
Director Planning & Building Inspection
Director Engineering
Municipal Solicitor
Medical Health Officer

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

RE: CONSTRUCTION OF BMX TRACK

MUNICIPAL MANAGER'S RECOMMENDATION:

130

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

* * * * *

ITEM 7
MANAGER'S REPORT NO. 19
COUNCIL MEETING 85/03/11

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 Barnett Road and shown diagrammatically on attached Plan #OP.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).

Cont'd..

ITEM 7
MANAGER'S REPORT NO. 19
COUNCIL MEETING 85/03/11

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

- 2 -

- 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".

Attach.

C.C.
Municipal Solicitor
Director Finance
Medical Health Officer

DENNIS GAUNT
Director Recreation & Cultural Services



ATTACHMENT I

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

ITEM 7
 MANAGER'S REPORT NO. 19
 COUNCIL MEETING 85/03/11

KASK BROTHERS

KASK BROTHERS

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

DRAWING No.
 OP: 15-1-275
 REV.

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

TEM
DIRECTOR'S REPORT NO. 1
COMMISSION MEETING 84 07 04

ITEM 7
MANAGER'S REPORT NO. 19
COUNCIL MEETING 85/03/11

ATTACHMENT II

HFI

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. HUCK
DEPUTY REGISTRAR OF COMPANIES

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

ITEM 7
MANAGER'S REPORT NO. 19
COUNCIL MEETING 85/03/11

Section 3)

SOCIETIES ACT

CONSTITUTION

I HEREBY CERTIFY THAT THIS IS A COPY
OF A DOCUMENT FILED WITH THE
REGISTRAR OF COMPANIES ON
MAY 29 1984 19

R. Duane Syne

REGISTRAR OF COMPANIES
FOR THE PROVINCE OF BRITISH COLUMBIA

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

2. The purpose of the society is:

- a. To encourage, develop and regulate the sport of BICYCLE MOTO CROSS RACING in BRITISH COLUMBIA AND CANADA 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 22nd day of May 1984.

WITNESSES	SIGNATURE	NAME & ADDRESS (PLEASE PRINT)
	<i>Craig Warren</i>	CRAIG WARREN 6240 MARITAX ST. BURNABY BC, V5C 2G6
	<i>Gae Keenick</i>	9534 - Willow Leaf Place Burnaby B.C. - JOE KESSARO
	<i>Eric Warren</i>	ERIC WARREN 7014 TRINITY ST. BURNABY B.C.
	<i>Ernest Wesson</i>	ERNEST WESSON 4014 TRINITY ST BURNABY B.C.