

RE: CENTRE FOR THE PERFORMING ARTS
REPORT 5(a), 1987 JUNE 08
REFERRED MATTER, 1987 AUGUST 24

ITEM 2
MANAGER'S REPORT NO. 53
COUNCIL MEETING 87/09/08

MUNICIPAL MANAGER'S RECOMMENDATIONS

1. THAT Council approve the form of question outlined in this report for inclusion in the \$13,500,000 Capital Budget Borrowing Referendum By-law for the Centre for the Performing Arts; and
2. THAT the Capital Budget Borrowing Referendum By-law be brought forward for three readings on 1987 September 14.

REPORT

SUMMARY

This is a progress report on the proposal to establish a theatre for the performing arts in Burnaby's Metrotown, together with the upgrading of community fine arts facilities at Deer Lake Park.

The report outlines the various processes, actions and steps, including the timing thereof, that will need to be taken, or put into place, in placing a question to the electorate this Fall, regarding the proposed Centre for the Performing Arts and the Deer Lake Park facilities.

1. BACKGROUND

Council on 1987 August 24 adopted the following recommendations as amended:

- (1) THAT a 750 seat (plus or minus) booking theatre be built in Burnaby.
- (2) THAT a referendum be put to the electorate at the election of 1987 November 21 in the amount of \$13,500,000 to finance the construction of a booking theatre in Metrotown with appropriate upgrading of fine arts facilities at Deer Lake Park.
- (3) THAT the recommendation containing reference to upgrading facilities at Deer Lake Park be referred to the Parks and Recreation Commission.
- (4) THAT the subject of the method of operation of the proposed theatre be dealt with by Municipal Council on a future occasion when firm financing and construction dates have been set for the booking theatre.
- (5) THAT \$50,000 for referendum administration be approved from the 1987 Operating Budget Contingency, and \$30,000 for architectural studies from the 1987 Capital Budget Contingency.
- (6) THAT a copy of the report be forwarded to the Parks and Recreation Commission, the Burnaby School Board, the Burnaby Library Board, the Burnaby Arts Council and the Burnaby Art Gallery Association for information.

2. CAPITAL BUDGET BORROWING REFERENDUM BY-LAW

This by-law contains the question for submission to the electors. Also contained within the by-law is the amount to be spent which requires the approval of the Inspector of Municipalities. The procedure we are recommending would see Council consider the by-law for three (3) readings on 1987 September 14 and if given the required readings, the by-law would then be forwarded to the Inspector for approval of the \$13,500,000 amount. Once approval has been granted, the by-law would then be placed before Council for reconsideration and final adoption. This must occur not less than 10 days and not more than one month before polling day. A sample of this type of by-law (City of Victoria 1982) is attached for Council's reference.

3. THE QUESTION

It is proposed that the following question be included in the Capital Budget Borrowing Referendum By-law, and placed on the ballot:

"Do you assent to the Council having the power commencing on the 1st day of January, 1990 to adopt by-laws for the borrowing from time to time of sums of money not to exceed a total of \$13,500,000.00 to construct a theatre for the performing arts together with the upgrading of community arts facilities within the Municipality more particularly hereinafter described:

- Booking Theatre in Metrotown
750 seat theatre including all support space and multi-purpose space, plus 300 underground parking spaces

\$10,600,000.00

- Deer Lake Park Facilities
Improvement to the Deer Lake facilities of 17,000 sq. ft. of studio space as a replacement of the Mather House, including supplementary parking, and an upgrade of the James Cowan Theatre

2,900,000.00

\$13,500,000.00"

4. COMPREHENSIVE LOAN AUTHORIZATION BY-LAW

It is considered that a Comprehensive Loan Authorization By-law is the most appropriate means of permitting the borrowing and expenditure of funds for the proposed centre and related facilities. Such a by-law will permit Council to borrow the money to carry out the works over a period not to exceed 10 years. A Comprehensive Loan Authorization By-law will be placed before Council for its consideration should the Capital Budget Borrowing Referendum By-law receive the assent of the electors on polling day.

5. TIMING

The following outlines proposed timing:

Sept. 08 Council approves the form of question contained in the by-law.

Sept. 14 Council gives the by-law three readings.

Sept. 15 The by-law is forwarded to the Inspector of Municipalities for approval of the amount of the intended borrowing.

Oct. 26 By-law reconsidered and finally adopted.

Nov. 21 Polling day

Nov. 23 or anytime thereafter Prepare and read Comprehensive Loan Authorization By-law(s).

6. PUBLICITY

As recommended \$50,000 will be included in the 1987 Recast Budget for Publicity. There is a need to examine this issue in more depth. Accountability for the publicity program needs to be established. The thrust, content and timing of the program needs to be determined and an appropriate budget prepared. We have until about mid-October to determine the appropriate budget and still be within the Recast Budget timeframe. The determination of publicity accountability should be made fairly quickly.

CERTIFIED A TRUE COPY.

C.F. DRING
CITY CLERK, VICTORIA, B.C.

NO. 82-139

A BYLAW OF THE CITY OF VICTORIA

to authorize the submission to the electors of the City of Victoria, for their assent, of a question concerning a comprehensive loan authorization bylaw to borrow, from time to time, money to carry out certain works and services.

WHEREAS Section 331 of the Municipal Act, R.S.B.C. 1979, c. 290, provides that instead of a loan authorization bylaw for one purpose, Council may adopt a comprehensive loan authorization bylaw to borrow money to carry out works and services determined by the Council during a period determined by the Council, which shall not exceed 10 years, if

- (a) the total amount proposed to be borrowed under the bylaw has been approved by the Inspector of Municipalities; and
- (b) the assent of the electors has been obtained to a question setting out the dates of commencement and termination of the period, the total amount proposed to be borrowed under the bylaw, and the works and services determined by the Council;

AND WHEREAS Section 331 further provides that after the adoption of a comprehensive loan authorization bylaw, the Council may, with the approval of the Minister of Municipal Affairs, by bylaw adopted by 2/3rds of its members and without the assent of the electors, vary the works, services and allocations set out in the comprehensive loan authorization bylaw;

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AND WHEREAS in order that the Council may adopt a comprehensive loan authorization bylaw to borrow money to carry out the works and services, it is necessary to authorize the submission of a question for the assent of the electors and for that purpose to determine the works and services and the period during which bylaws for the borrowing from time to time of money to carry out the works and services may be adopted pursuant to the comprehensive loan authorization bylaw;

AND WHEREAS the total amount proposed to be borrowed under the comprehensive loan authorization bylaw has been approved by the Inspector of Municipalities;

NOW THEREFORE the Municipal Council of the Corporation of the City of Victoria enacts as follows:

1. This bylaw may be cited as the "CAPITAL BUDGET BORROWING SUBMISSION BYLAW, 1982."
2. The works and services listed and described in the question set forth in Section 5 of this bylaw shall be the works and services to be carried out and for which sums of money are to be borrowed from time to time under bylaws adopted pursuant to the comprehensive loan authorization bylaw during the period set out in Section 3.
3. The period during which the bylaws for the borrowing, from time to time, of money to carry out the works and services pursuant to the comprehensive loan authorization bylaw shall be the period of five years commencing January 1st, 1983 and terminating on January 1st, 1988.

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4. The total amount proposed to be borrowed under the comprehensive loan authorization bylaw is the sum of \$20,983,000.00, which amount to be allocated to each of the projects listed in Section 5.
5. The Returning Officer shall on Saturday, November 20, 1982, submit the following question for the assent of the electors:
- "Do you assent to the City Council having the power, during a five year period commencing on January 1st, 1983 and terminating on January 1st, 1988, to adopt bylaws for the borrowing, from time to time, of money not to exceed a total of \$20,983,000.00, to carry out the following projects:

1. Storm drains and sanitary sewers \$12,106,000.00
(to construct, reconstruct, and repair drains and sewers)
2. Essential Street and Roadway Works \$ 8,877,000.00
(to reconstruct and rehabilitate essential arterial streets)."

Passed and received third reading by the Municipal Council the 14th day of October, 1982.

Reconsidered and adopted by the Municipal Council the 28th day of October, 1982.

"G.F.G. CRISP" "F.S. CARSON"
CITY CLERK ACTING MAYOR

