

ITEM 6
MANAGER'S REPORT NO. 58
COUNCIL MEETING 91/10/15

TO: MUNICIPAL MANAGER 1991 OCTOBER 09

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: PUBLIC OPINION PROCESS FOR LIQUOR LICENCE APPLICATIONS
ENGAGEMENT OF CONSULTANT

PURPOSE: To request Council authorization to hire a Consultant to coordinate, supervise and review any public opinion processes required by Council policy for liquor licence applications.

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RECOMMENDATION:

- 1) THAT Council authorize staff to engage the firm Cinnamon Jang Willoughby as the Municipality's Consultant on the Public Opinion Process For Liquor Licence Applications for a two year period.

R E P O R T

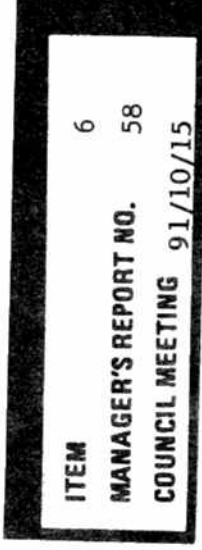
1.0 BACKGROUND INFORMATION:

- 1.1 On 1990 April 30, Council received a report from the Director Planning and Building regarding the Municipal Role In Seeking Public Input On Liquor Licence Applications. The recommendations in this report, which were adopted by Council, established that applicants for Class "A" liquor licence for Hotel pubs or lounges, Class "C" Cabarets, Class "D" Neighbourhood Pubs and all liquor stores, including Class "G" Beer and wine stores, are required to deposit sufficient monies to conduct a neighbourhood survey.

The above policy report was submitted to Council in response to the Planning and Building Department receiving notification from the Liquor Control and Licensing Branch that municipalities now have the responsibility for determining the views of local residents on any liquor licence application or significant changes to an existing licence where, in the opinion of the General Manager, the view of residents should be considered.

- 1.2 The 1990 April 30 report also stated that with the potential increase in the number of liquor licence applications that would require a neighbourhood survey and the intensive, but irregular work involved for staff in coordinating the surveys, including conducting a necessary audit, it is considered necessary for the Planning and Building Department, in consultation with the Purchasing Agent, to hire an independent consultant to coordinate and supervise neighbourhood surveys for future liquor licence applications.

This Department with the concurrence of the Purchasing Agent is now in a position to recommend the engagement of a Consultant to coordinate, supervise and review required public opinion processes for liquor licence applications.



2.0 GENERAL DISCUSSION:

2.1 In order to seek proposals from Consultants for this engagement, staff established the terms of reference for the administration of the Process For Determining Public Opinion For Liquor Licence Applications upon which the consultants' proposals should be based. These terms of reference were primarily oriented to the conducting of neighbourhood surveys and provided specific directions on the manner in which neighbourhood surveys should be conducted, supervised and reviewed. The terms of reference stated that while public opinion on liquor licence applications is determined solely through neighbourhood surveys at this time, at some future date, Burnaby may wish to solicit public opinion utilizing some other method (i.e. mail drop, public meeting) and the selected consulting firm should be prepared to administer and audit other such processes.

An example of this is the recently adopted Council policy requiring public input for liquor licence applications for outdoor patio seating. It is considered appropriate for the consultant to also supervise and review the public opinion process for this type of liquor licence application.

2.2 In light of the fact that prior to 1990, the Liquor Control and Licensing Branch was responsible for supervising and reviewing neighbourhood surveys required in connection with liquor licence applications, there are no private firms with direct experience in this specific type of work. It will therefore be necessary for staff to work closely with the consultant on the first surveys, as the Consultant becomes more familiar with the functional mechanics of the neighbourhood survey.

2.3 In summary, the Consultant will be required to do the following when determining public opinion for liquor licence applications:

- A) Submit a proposal for the determination of at least two independent marketing firms to be placed on a list of approved firms to conduct neighbourhood surveys in Burnaby.

The proposed marketing firms forwarded for Burnaby's selection will be primarily based upon:

 - i) The marketing firm's proposed survey methodology.
 - ii) The total cost to conduct the survey.
 - iii) Evidence of an arm's length relationship between the marketing firm and the Consultant.
- B) Assign a marketing firm from the approved list to conduct required surveys.
- C) Supervise and coordinate the conducting of the neighbourhood survey, including the fulfillment of all related requirements by both the liquor licence applicant and the marketing firm.
- D) Perform a review of the completed neighbourhood survey and results.
- E) Submit a report to this Department summarizing the survey results and providing an opinion on their reliability. This report would be relied upon by Burnaby in making its final determination on the liquor licence application and continued engagement of the marketing firm.

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While the engagement of this Consultant to perform these services does not involve any direct costs to the Municipality, it was considered appropriate to seek Council's endorsement of the engagement due to the sensitive nature of liquor licence applications and the importance of the responsibility to be assigned to the Consultant in the liquor licence process.

2.4 The Purchasing Agent's proposal call for this engagement resulted in proposals being received from the following companies:

- 1) Steeds and Company
- 2) Cinnamon Jang Willoughby and Company

Staff have thoroughly assessed both proposals in terms of the proposed minimum survey methodology, the survey review procedure, the overall administration program and the total cost, as well as other relevant factors and have concluded that the proposal from Cinnamon Jang Willoughby and Company provides a comprehensive proposal for both supervising and reviewing neighbourhood surveys, as well as a good understanding of the Municipality's requirements for these processes.

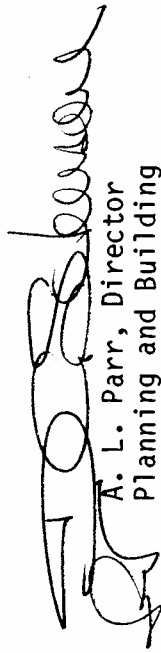
2.5 Council is reminded that the 1990 April 30 Council report which was adopted by Council, established the requirement that applicants for liquor licences which require a neighbourhood survey will be required to deposit sufficient monies to cover all the anticipated costs associated with seeking public input on a liquor licence application, including the necessary audit and administrative work.

The fee to be paid by the applicant for the proposed administration and review programs to be carried out by the Consultant is based upon a proposed fee structure which is fixed for a two-year period. The fee structure proposed by the Consultant varies depending on the size of the survey in four steps from \$4,800 to \$9,000, and is considered supportable by staff. These fees are subject to adjustment only if there are serious irregularities in the survey process or an inordinate amount of time is required to handle public inquiries.

3.0 CONCLUSION:

3.1 Staff have thoroughly reviewed the proposal from Cinnamon Jang Willoughby and Company to act as the Municipality's Consultant for determining public opinion for liquor licence applications and are satisfied that the proposal is comprehensive in nature, demonstrates a good understanding of the Municipality's needs for the process and is reasonable in cost. The Planning and Building Department with the concurrence of the Purchasing Agent intends to engage Cinnamon Jang Willoughby and Company for a two-year period to provide this service. Council's endorsement of this engagement is considered appropriate due to the nature of liquor licence applications and the important role to be played by the Consultant on behalf of the Municipality.

Apd.
BW:ap



A. L. Parr, Director
Planning and Building

c.c. Purchasing Agent

