

ITEM	1
MANAGER'S REPORT NO.	65
COUNCIL MEETING	94/11/21

1994 NOVEMBER 17

TO: CITY MANAGER

FROM: DIRECTOR RECREATION AND CULTURAL SERVICES

SUBJECT: DISSOLUTION CLAUSE IN THE LEASE AGREEMENT WITH THE
BURNABY HORSEMEN'S ASSOCIATION

PURPOSE: To request Council authority for the inclusion of a
dissolution clause in the B.H.A. Bylaws.

RECOMMENDATION:

1. THAT the amendments to the lease agreement with the Burnaby Horsemen's Association as outlined in this report be approved.

REPORT

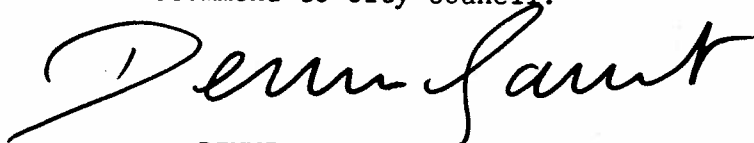
In order to qualify for their B.C. 21 Grant, the Association requires a dissolution clause within their Constitution and Bylaws.

Because the Constitution and Bylaws are appended to the Association's lease with the City, it may not make amendments without City approval.

The Association proposes that if it disbands, the City be the beneficiary to its funds and assets or if the City does not qualify, that the Pacific Riding for the Disabled at Langley, B.C. be the beneficiary.

Our understanding is that the City would qualify. The Association's request is attached and is in order.

At its meeting of 1994 November 16, the Parks and Recreation Commission approved this request and would so recommend to City Council.



DENNIS GAUNT
Director Recreation &
Cultural Services

DG:hh
Attach.
A/2365

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cc: City Solicitor

RECEIVED IN
PARKS
AND RECREATION REFER FILE
OCT 21 1994

To	Initial	Date
AS	AS	
JR		

BURNABY PARKS AND RECREATION DEPARTMENT

ATTENTION: DENNIS GAUNT

NOTICE OF SPECIAL RESOLUTION

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ON SEPTEMBER 27, THE DIRECTORS BROUGHT FORWARD A MOTION THAT THE BURNABY HORSEMENS ASSOCIATION INCORPORATE INTO THE CONSTITUTION AND BY-LAWS AN UNALTERABLE DISSOLUTION CLAUSE. THIS IS A REQUIREMENT IN ORDER FOR US TO BE ELLIGIBLE FOR A B.C. 21 GRANT.

IN THE EVENT OF THE CLUB BEING DISBANDED OR DISSOLVED, FUNDS AND ASSETS OF THE CLUB REMAINING AFTER SATISFACTION OF ITS DEBTS AND LIABILITIES SHALL BE GIVEN OR TRANSFERRED TO THE CITY OF BURNABY PARKS AND RECREATION DEPARTMENT,

OR

TO PACIFIC RIDING FOR THE DISABLED AT LANGLEY, B.C SHOULD BURNABY NOT MEET THE CRITERIA AS SET OUT IN THE SOCIETIES ACT TO BE THE RECIPIENT OF OUR REMAINING ASSETS.

AT THE EXTRAORDINARY GENERAL MEETING OF THE BHA ON SEPTEMBER 27, 1994 AFTER DUE NOTICE THE ABOVE WAS PRESENTED TO THE MEMBERSHIP.

IT WAS MOVED, SECONDED AND PASSED BY A STRONG MAJORITY TO INCORPORATE THIS CLAUSE INTO OUR BY-LAWS.

THIS DISSOLUTION CLAUSE WILL APPEAR ON PAGE 14 IN OUR BY-LAWS AS PART 15 - DISSOLUTION

PLEASE FORWARD THIS INFORMATION TO THE APPROPRIATE PARTY FOR APPROVAL BY BURNABY AND NOTIFY ME IMMEDIATELY SO THAT I CAN FORWARD IT TO THE REGISTRAR OF SOCIETIES.

THANK YOU FOR YOUR ATTENTION TO THIS MATTER

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Susan M. Ellingsen

SUSAN M. ELLINGSEN, PRESIDENT OF BHA