

CITY OF BURNABY

SIMON FRASER LIAISON COMMITTEE

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

RE: SFU/CITY OF BURNABY MEMORANDUMS OF UNDERSTANDING

RECOMMENDATIONS:

1. **THAT** Council authorize the Mayor to execute the *attached* two SFU/City of Burnaby Memorandums of Understanding.
2. **THAT** copies of this report be forwarded to the Parks, Recreation and Culture Commission, the Environment and Waste Management Committee and the President of Simon Fraser University.

REPORT

1.0 BACKGROUND

Simon Fraser University is recognized as a leader among Canadian Universities which locates significant resources and expertise within the City of Burnaby. The City of Burnaby is also a sophisticated organization dedicated to the social, economic and environmental well-being of its citizens. The City and Simon Fraser University have cooperated on initiatives in the past which yielded significant benefit to both organizations. Recognizing that the potential synergies could be achieved from formalizing this relationship, the Simon Fraser Liaison Committee is advancing two draft SFU/City of Burnaby Memorandums of Understanding for the consideration of Council. These memorandums are the result of dialogue between the Committee and Dr. Michael Stevenson, President and Vice Chancellor of SFU and his staff.

The first memorandum, *Attachment "A"* is entitled, "*A Framework for On-going Research: Partnerships between The City of Burnaby and Simon Fraser University*". This memorandum is an overarching agreement which outlines the process for project assessment and selection, funding and publication rights. The second memorandum, *Attachment "B"* is entitled, "*Research and Teaching in Burnaby Parks and Open Spaces*". This memorandum highlights the desire to further knowledge of the ecological value of parks and open space within Burnaby including the Burnaby Mountain Conservation Area. This later memorandum proposes that a *Working Group on Research and Teaching in Burnaby Parks and Open Spaces* be established to review and approve proposals for research and teaching. The Working Group is proposed to be co-chaired by a staff representative of the Parks, Recreation and Cultural Services Department of the City and by a faculty member of the University with additional members being drawn from City departments, University departments and community and stewardship groups, as needed. From the City's perspective, all projects would only be initiated with the prior approval of the City's Management Committee.

2.0 POTENTIAL BENEFITS TO THE CITY

For the City of Burnaby, Simon Fraser University's community of faculty and student researchers represent a distinguished, unique and convenient resource for exploring issues, knowledge and experience in overcoming challenges and realizing opportunities with the life of the City. Recognizing that these two large and complex institutions have well-established patterns of operation, any future collaborations would be pursued in a spirit of flexibility and patience.

3.0 TIMING

Subject to Council approval, it is proposed that the *attached* two Memorandums of Understanding be signed at 3 p.m., Wednesday, November 27, 2002 in the Mayor's Office at Burnaby City Hall.

4.0 CONCLUSION

The potential benefits of a strengthened partnership between Simon Fraser University and the City of Burnaby will greatly benefit both institutions. Therefore, Council is being requested to authorize the Mayor, on behalf of the City of Burnaby, to sign the *attached* two SFU/City of Burnaby Memorandums of Understanding. The Committee is extremely appreciative of the role that the President of SFU has played in effecting these two documents.

Respectfully submitted,

Councillor Gary Begin
Chair

Mayor Doug Drummond
Vice Chair

Councillor Barbara Der
Member

attachments (2)

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cc: City Manager
Director Planning
Director Parks, Recreation and Cultural Services
Director Engineering
Director Finance
City Solicitor
City Clerk

DRAFT Memorandum of Understanding

A Framework for On-going Research: Partnerships between The City of Burnaby and Simon Fraser University

Preamble

The case for expanded research collaboration between the City of Burnaby and Simon Fraser University is a compelling one. The synergies achieved through such collaboration would clearly result in significant benefits for both parties.

To the University, Burnaby's city government represents a living laboratory in which a competent team of elected officials and staff manage a sophisticated organization dedicated to the social, economic and physical well-being of its citizens. A large number of citizens contribute to this well-being as volunteers. The opportunity both to contribute to this operation and to study its functioning would provide faculty, staff, and students with significant learning and experiential opportunities.

To the City, Simon Fraser University's community of faculty and student researchers offers a unique and convenient resource for generating cutting edge knowledge and perspectives. The knowledge and experience gained elsewhere by SFU may assist Burnaby in overcoming challenges and seizing opportunities that present themselves in the day-to-day life of the City. The University, reciprocally, may benefit in its own operations and work from studies done in the City, or through City facilities or City-related facilities or lands.

As large and complex institutions, the two parties would bring well-established patterns of operation to any collaboration. Recognizing that the potential rewards of partnership outweigh any initial obstacles, the parties approach this plan for an enhanced relationship with a spirit of flexibility and patience.

Project Assessment and Selection

To facilitate greater interaction, the City and the University need to develop an effective procedure for matching needs, interests and capabilities. At its core would be the recognition that successful collaborative research projects normally require a medium to long-term time frame to evolve. More immediate, short-term endeavours are also to be carefully considered, because they might lead to long-term collaboration. But the parties would, at the outset, consider carefully whether time constraints might compromise any project outcomes.

Initially, the two parties need to exchange relevant information to help them identify potential research collaborations. The City, for example, might create a list of projects which its departments and staff hope to accomplish over time. The University could, with this list in mind, scan its research community for expertise appropriate to some or all of the various projects. Such a process might be aided by a regular "workshop" in which city administrators and researchers would gather to discuss mutual interests.

Over time, City officials would become more familiar with the University's research capabilities and might opt to approach individual researchers on a less formal "as-needed" basis to explore opportunities. Ultimately, City staff and SFU researchers might propose projects in which they both find a common interest. From the City's perspective the undertaking of any project will require the approval of the City's Management Committee.

Funding

Funding sources will have to be explored creatively on a case-by-case basis and, as a consequence, a variety of funding mechanisms may arise. Factors to be considered will include urgency, beneficiaries and the possibility of third-party funding in whole or part. Potential third-party funding sources range from private foundations to the federal research granting agencies. Existing mechanisms, such as the Cooperative Program, can be utilized.

Publication Rights

Both the City and the University are public institutions committed to openness and transparency.

The City believes in the value of public education on significant issues of civic importance - issues which will, more often than not, be central to collaborative research projects undertaken with the University. The City regularly takes steps to inform and educate the public over a broad range of issues. Clearly, the City and University share a commitment to public education.

A fundamental characteristic of the University's mission is the dissemination of research findings in academic journals and elsewhere. Scholars would enjoy this right of publication in any collaborative research done with the City, excluding that protected by legislation. At the same time, the University recognizes the City's right to have an opportunity to review and comment on research findings on a confidential basis for an appropriate, but not indefinite, period. If the City wished to disassociate itself from an aspect of a study or report, it could signify its non-concurrence in the report, or in some other appropriate manner.

Although some of the information the City or University might bring to a study may be protected by legislation, some data may be free of such restriction and may, along with findings and interpretations, have commercial value. The City and University should, therefore, discuss such possibilities from time to time.

Douglas P. Drummond
Mayor
City of Burnaby

Michael Stevenson
President & Vice-Chancellor
Simon Fraser University

Dated this ___ day of _____, 2002 A.D.

Dated this ___ day of _____, 2002 A.D.

DRAFT Memorandum of Understanding

Research and Teaching in Burnaby Parks and Open Spaces

Preamble

This Memorandum of Understanding affirms and furthers cooperation between the City of Burnaby and Simon Fraser University on research and teaching in Burnaby Mountain Conservation Area (BMCA) and other parks and spaces owned by Burnaby. The BMCA is defined as the area of land outside the SFU Ring Road whose ownership was transferred to the City of Burnaby in 1996. This Memorandum refers to both the BMCA and other public parks, conservation areas, and open spaces owned by Burnaby (referred to here as “other public areas”), (see *attached* map).

A Management Plan for the BMCA was adopted by Burnaby Council in 1999. As part of the agreement to transfer the lands between SFU and Burnaby, the City agreed to abide by the terms and conditions of a covenant with the Province of British Columbia. Acknowledging the ecological importance of Burnaby Mountain Conservation Area, both parties recognize the value of research and teaching that helps to understand and manage these lands and natural resources wisely, in perpetuity. Knowledge and training in the University is of particular value and assists with the management of the BMCA and other public areas.

Because of the immediate proximity of the BMCA to the University, this Memorandum is primarily addressed to the BMCA and secondarily to other public parks, conservation areas, and open spaces owned by the City. The process described and approved herein applies to all these various public lands. The common purpose of the City and University in furthering knowledge of the ecological value of these lands is hereby affirmed, particularly with respect to the BMCA as recommended in the 1999 Management Plan.

Purpose

The parties recognize that these lands are ecologically important and sensitive, and that their value is to be maintained and protected. Equally, both parties recognize the benefit to the City and the public, and the benefit to the Conservation Area, of research and teaching related to this land. These activities enable all parties to understand and interpret the mountain, and the City of Burnaby to manage the BMCA and other public areas wisely.

At the same time, research on Burnaby Mountain and other public areas address basic questions of ecology and the management of natural systems in urban areas, with fundamental importance and applicability to cities all over the world. As an illustration, these questions involve recreational uses,

slope stability, stream behaviour, biophysical inventory and on-going monitoring of plant and animal populations (addressing specific issues such as declining deer populations), forest succession, analysis of soil and geological conditions, water quality monitoring, and effects of air pollution, etc.

Recognizing that Burnaby Mountain is composed of a series of protected natural areas encompassing forests, streams and ocean shore-front, this MoU affords an opportunity to apply a comprehensive and systematic approach to understanding the ecological integration of the land and resources in question.

Research and teaching activities carried out by faculty, staff, and students of Simon Fraser University on lands within the BMCA and other public areas, are to reflect the *public* nature of all those lands. Such activities should be consistent with the policies of the City of Burnaby, and other agencies with jurisdiction.

To summarize, the purpose of this Memorandum is: 1) to enable research and teaching that generates information of value in the management of Burnaby Mountain Conservation Area and other public areas; 2) to establish and maintain an outdoor training and research laboratory for the advancement of Urban Ecology; and 3) to create knowledge that can form the basis of future public education and interpretative programs.

Process

In order to further cooperation in the uses of Burnaby Mountain Conservation Area, a *Working Group on Research and Teaching in Burnaby Parks and Open Spaces* shall be established. Proposals for research and teaching are normally to be presented by individuals and groups to The Working Group. The Working Group will meet on an as-needed basis, but normally about three times per year. The Working Group shall, in its appraisal of proposals, refer to The City's *BMCA Management Plan* currently in place for the BMCA or to other plans which apply to other public areas, as well as to relevant University regulations related to research.

The Working Group shall be co-chaired by a staff representative of the Parks, Recreation and Cultural Services Department of the City of Burnaby and by a faculty member of the University, appointed by the Vice President Research. Chairs of Departments/Schools (or their designates) interested in research and teaching in the BMCA and other public areas should normally be members of the Working Group. Additional members of the Working Group may be drawn from City departments, University departments, and community/ stewardship groups as needed.

Decisions of the Working Group shall be reported through respective officers to the City and University. The Working Group will, from time to time, receive advice or instruction from the SFU Burnaby Liaison Committee co-chaired by the Mayor and President. The Working Group may turn to these officials at any time for guidance.

The Working Group will have the capacity to decide on research and teaching activities envisaged in this MoU. It should develop and amend appropriate procedures for this task. A list of Guidelines for Teaching and Research in the Burnaby Mountain Conservation Area is *attached* as Appendix One.

Researchers and teachers of SFU recognize the right of the public to access these lands safely. Nothing in this MoU limits the public nature of any of these lands or the ability of other groups or individuals to use them in an approved manner.

Amendments to this MoU can be made through consultation with the City of Burnaby-Simon Fraser University Liaison Committee, co-chaired by the Mayor and President.

Douglas P. Drummond
Mayor
City of Burnaby

Michael Stevenson
President & Vice-Chancellor
Simon Fraser University

Dated this ___ day of _____, 2002 A.D.

Dated this ___ day of _____, 2002 A.D.

See Appendix One: "Working Group Guidelines for Approval of Proposals"

Attachments (2)

DRAFT Memorandum of Understanding

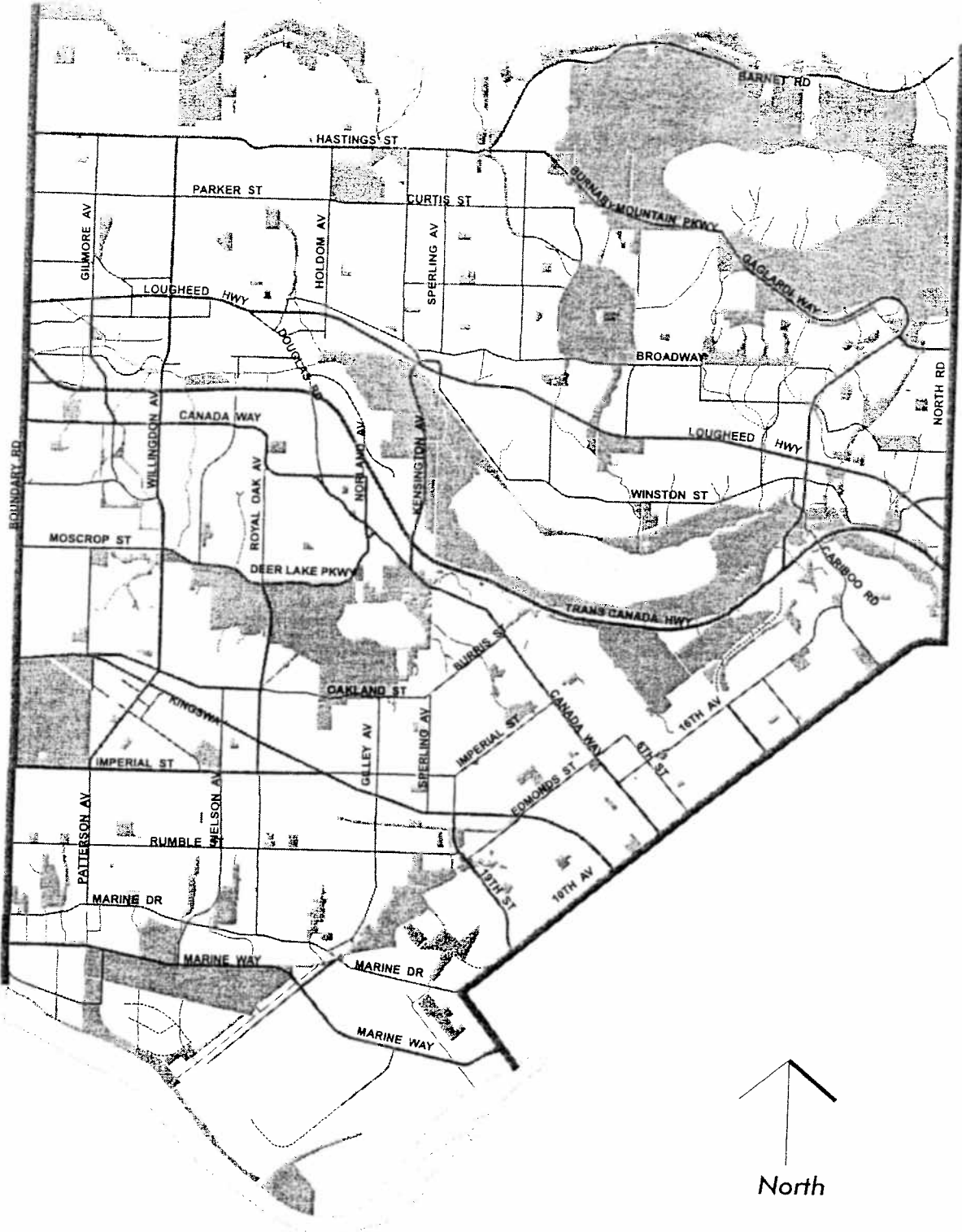
Appendix One Working Group Guidelines for Approval of Proposals

Detailed written proposals are to be made to the working group for consideration, outlining purpose, duration, location, methodology, possible impacts on the environment, and possible impacts on park users. If required, a mitigation strategy to address these impacts should be proposed.

The BMCA is managed by the City under a Covenant with the Province. For this reason, the City must retain a right of veto power over any proposed research that may expose the City or the public to a liability or which may jeopardize the ecology of the site or downstream properties and facilities. A similar right applies to other public areas referred to in this Memorandum.

Without limiting the opportunity/right of researchers to apply to the Working Group for approval of proposals, the following principles shall apply:

- a) work shall not interfere with public uses and enjoyment of the conservation area;
- b) researchers and teachers are responsible for all work, equipment, site-safety, costs, and working conditions;
- c) all work shall be non-destructive;
- d) heritage resources and aboriginal artifacts shall be left undisturbed, and reported to the Working Group;
- e) if and when a proposal should be reviewed by other government agencies, that review will be required before a decision by the Working Group;
- f) a copy of the results of work shall be provided to the Working Group, with specific reference to the type of restoration carried out at the end of the work.



Parks and Open Spaces

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Date: Jan. 2002
Scale: nts
Prepared By: HD