

**Subject: RE: Burrard Band Agreement**

**Date:** Tue, 29 Mar 2005 08:51:15 -0800

**From:** "Ernie Crist" <ernie\_crist@dnv.org>

**To:** "John Hunter" <hunterjohn@telus.net>, "Mayor Harris" <Janice\_Harris@dnv.org>, "Alan Nixon" <Alan\_Nixon@dnv.org>, "Jim Cuthbert" <Jim\_Cuthbert@dnv.org>, "Councillor Maureen McKeon Holmes" <mckeonholmes@telus.net>, "Richard Walton" <richard\_walton@dnv.org>, "Lisa Muri" <lisa\_muri@dnv.org>

**CC:** "James Ridge" <James\_Ridge@dnv.org>, <fonvca@fonvca.org>, <Cagebc@yahoo.com>, "poetic" <licence@hotmail.com>

Dear John:

Thank you very much for your email and my apologies for not responding to you sooner. I am very much aware of the strong role you played at the time in pointing to the weaknesses of this agreement. At this moment, the agreement is up for renewal but has been deferred because Dennis Back has informed us that he needs more time as there are a few chinks to be worked out. Council agreed to a 6 month deferral.

In the meantime however, I am becoming more and more concerned about the giveaway to the City in connection with Recreation. I am concerned about the future of our facilities. At a time when we don't have enough money to keep the facilities in a good state of repair, not to mention new facilities, we continue to subsidise the City and everybody and I mean everybody ignores the issue. So, on one hand we are "alert" when it comes to the Natives but on the other hand we are very generous, if not irresponsible, when it comes to our relationship with the City.

What could be more true than that "they are building the high-rises and we are building the playing fields", not to mention that with a population of more than 50% of that of the District and with 3 out of 4 facilities in North Vancouver being in the District, they are not contributing a single penny toward the capital maintenance of the facilities in the District. Even so they are spending over \$ 1 million on capital maintenance on their facilities while we spend a mere \$ 600,000 on ours. Their Heritage Fund is intact while ours is gone, more or less. Indeed the term Heritage Fund in the District is a joke and means nothing more than putting money from land sales into the Fund today and taking it out tomorrow - Heritage indeed and smart too. It has become a revolving fund nothing more. Also the City's infrastructure Reserve Fund is \$ \$1,300 per capita while ours amounting to \$1,100 per capita in 1997 is gone.

Our man, Don Bell, has done well or should I say we have done well by him?. I understand he got promoted to Ottawa where is is teaching Martin everything he knows about Finances and looking after the people. He did, however, pay back the money he owed to the District for gas mileage and which he had forgotten to enter in his little black book.

Yours truly,

Ernie Crist

From: John Hunter [<mailto:hunterjohn@telus.net>]

Sent: Thursday, March 24, 2005 11:32 AM

To: Mayor Harris; Alan Nixon; Jim Cuthbert; Councillor Maureen McKeon Holmes; Richard Walton; Ernie Crist; Lisa Muri

Cc: James Ridge

Subject: Burrard Band Agreement

Dear Council

I was heavily involved in this issue last time around. The documents attached were before Mayor Bell asked Peter Thompson and I to meet Don

Lidstone and sort out some serious issues with the proposed agreement. It was agreed to fix three serious issues, and I trust that was done.

Below is an e mail from years ago that indicates the problems we had. I trust we are not going this route again. In the previous exercise, council got the agreement after it expired and were "jammed" to sign an agreement that neither they nor citizens had any real chance to study. Fortunately Don Bell had the courage to put it on hold while we got the three serious problems addressed - and I was told - fixed.

-----Original Message-----

From: John Hunter

October 15, 2001 10:14 AM

To: 'Allan Orr'

Cc: Jim Cuthbert DNV (JimCuthbert@telus.net); Peter Thompson (bedeconsulting@home.com); Elizabeth James (CAGE) (cagebc@yahoo.com); Brian Platts (brian\_platts@telus.net); Bill Tracey DNV (bill\_tracey@telus.net); Corrie Kost DNV (kost@triumf.ca); Dave Sadler (davesadler@telus.net); Eric Andersen DNV (Eric Andersen DNV)

Subject: Band Agreement Improvements

Actually three key things got done in the "sober second look" at the Band

Agreement:

-Council now understand what they signed and cannot deny that they know that we can be forced to supply services, at a discount, for band developments we object to. This is entirely contrary to the staff report to Council on the

subject. I do not think the author of the staff report understood the deal. Three councillors admitted to me that they did not know, three claim they did, which I question; only Lisa admitted publicly she did not know.

-we cannot by this agreement be forced to supply services to industrial development (not my catch, but got caught in the second look). Under the original agreement, we could be forced to do so.

-Council now understand that, contrary to a statement made to them by the Mayor who misunderstood the agreement, they cannot stop industrial development on band lands (and I am not suggesting that we should have that right). In fact, we could have been forced to provide infrastructure to such industrial development, until this oversight was caught and it was fixed.

-via the side letter that is planned to fix an issue we caught, we will not have to replace at our cost band owned infrastructure in the event of a disaster such as an earthquake or landslide. (Got mixed answers on this: lawyer doubted we would have tom under the agreement; senior staffer said that was the intent of the deal).

I have been given two reasons for the discount on the price. "They are good neighbours" (thank God they are not excellent neighbours, or we'd discount

by 50% instead of 8%)!!!!!! "They don't use all the services". Well, I don't either, nor do most industrials, but I don't get 8% off my taxes. Rationalization after the fact.


The other thing I hope we get out of this is that never again will such a lousy process be used to do agreements such as on this one and the Gravel Agreement. They needed business talent on the team, "jammed" council (in the one case came for approval after expiry), team members (judging by the written reports) did not understand the deal, and faulty or no business analysis of the deal (staff had no idea of the return on district assets in the Gravel deal).

I give the Mayor credit for having the stomach to take the second look. Ditto Mackay Dunn who privately and publicly supported the Mayor's actions AND public input, also Crist and Muri.

John

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