

**DISTRICT OPERATIONS - BUSINESS SERVICES**  
**Reporting to Public Session, Monday, April 10, 2017**

**Capital Bylaw No. 17/18-CP-SD41-01**

Trustees will recall that the Ministry of Education has revised the procedures regarding capital bylaws and approved five-year capital plans. The requirement for boards of education to adopt a capital bylaw for each individual capital project has been eliminated. Instead, boards may adopt a single capital bylaw for their approved 2017/18 five-year capital plan in accordance with section 143 of the *School Act*.

On March 17, 2017 the Ministry approved the district’s capital plan submission in support of the following projects:

<b>School Projects</b>		
<u>School</u>	<u>Project and Project Type</u>	<u>Next Steps and Timing</u>
Stride Avenue Elementary	Seismic Mitigation	Deliver final Project Definition Report by May 30, 2017, for future funding decision
Armstrong Elementary	Seismic Mitigation	Deliver final Project Definition Report by August 30, 2017, for future funding decision
Parkcrest Elementary	Seismic Mitigation	Deliver final Project Definition Report by August 30, 2017, for future funding decision
Seaforth Elementary	Seismic Mitigation	Deliver final Project Definition Report by August 20, 2017, for future funding decision
Burnaby North Secondary	Seismic Mitigation	Deliver final Project Definition Report by December 15, 2017, for future funding decision
Alpha Secondary	School Enhancement – Window Upgrade	Proceed to design, tender and construction and complete by March, 2018

In order to proceed with these projects, the Board is required to adopt Capital Bylaw No. 17/18-CP-SD41-01. A copy of the pro-forma capital bylaw is attached for reference. It should be noted that no works or expenditures can proceed on these projects without a signed capital project funding agreement, annual program funding agreement, or other formal authorization from the Ministry.

### Recommendation

It is recommended that Capital Bylaw No. 17/18-CP-SD41-01 receive three readings at this Board meeting and final adoption in accordance with the Board's Procedural Bylaw as follows:

- Motion 1      THAT Capital Bylaw No. 17/18-CP-SD41-01 receive three readings at this Board meeting held April 10, 2017.
- Motion 2      THAT Capital Bylaw No. 17/18-CP-SD41-01 be read a first time.
- Motion 3      THAT Capital Bylaw No. 17/18-CP-SD41-01 be approved a first time and read a second time.
- Motion 4      THAT Capital Bylaw No. 17/18-CP-SD41-01 be approved a second time and read a third time.
- Motion 5      THAT Capital Bylaw No. 17/18-CP-SD41-01 be approved a third time.
- Motion 6      THAT Capital Bylaw No. 17/18-CP-SD41-01 having been read a first, second and third time, be finally passed and adopted the 10<sup>th</sup> day of April, 2017, that the Chair of the Board and the Secretary-Treasurer be authorized to sign the bylaw; and that the bylaw be sealed with the corporate seal of the Board.

Attachment

**CAPITAL BYLAW NO. 17/18-CP-SD41-01**  
**CAPITAL PLAN 2017/18**

A BYLAW by the Board of Education of School District No. 41 (Burnaby) (hereinafter called the "Board") to adopt a Capital Plan of the Board pursuant to Sections 143 (2) and 144 (1) of the *School Act*, R.S.B.C. 1996, c. 412 as amended from time to time (called the "Act").

WHEREAS in accordance with provisions of the *School Act* the Minister of Education (hereinafter called the "Minister") has approved the Board's Capital Plan.

NOW THEREFORE the Board agrees to the following:

- (a) authorizes the Secretary-Treasurer to execute project agreements related to the expenditures contemplated by the Capital Plan;
- (b) upon approval to proceed, commence the Project and proceed diligently and use its best efforts to complete each Project substantially as directed by the Minister;
- (c) observe and comply with any rule, policy or regulation of the Minister as may be applicable to the Board or the Project(s); and,
- (d) maintain proper books of account, and other information and documents with respect to the affairs of the Project(s), as may be prescribed by the Minister.

NOW THEREFORE the Board enacts as follows:

- 1. The Capital Bylaw of the Board approved by the Minister that specifies the supported projects in the Ministry's letter of March 17, 2017 from the 2017/18 Capital Plan is hereby adopted.
- 2. This Bylaw may be cited as School District No. 41 (Burnaby) Capital Bylaw No 17/18-CP-SD41-01.

READ A FIRST TIME THE 10<sup>th</sup> DAY OF APRIL, 2017;  
READ A SECOND TIME THE 10<sup>th</sup> DAY OF APRIL, 2017;  
READ A THIRD TIME, PASSED AND ADOPTED THE 10<sup>th</sup> DAY OF APRIL, 2017.

\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Secretary-Treasurer

I HEREBY CERTIFY this to be a true and original School District No. 41 (Burnaby) Capital Bylaw No. 17/18-CP-SD41-01 adopted by the Board the 10<sup>th</sup> day of April, 2017.

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Secretary-Treasurer

Capital bylaw 17/18-CP-SD41-01/Legal/SB