

**DISTRICT OPERATIONS - BUSINESS SERVICES**  
**Reporting to Public Session, Monday, April 9, 2018**

**Capital Bylaw No. 2018/19-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 annual five-year capital plan in accordance with Section 143 of the *School Act*.

On March 26, 2018 the Ministry approved the district’s annual five-year capital plan submission for 2018/19 in support of the following projects:

<b>School Projects</b>			
<u>School</u>	<u>Program - Project Type – Project Description</u>	<u>Amount Funded By Ministry</u>	<u>Next Steps and Timing</u>
Cameron Elementary	EXP – Classroom Addition	To be confirmed by Ministry	Deliver final Project Definition Report by September 30, 2018, for future funding decision
Brentwood Park Elementary	EXP – Classroom Addition	To be confirmed by Ministry	Deliver final Project Definition Report by October 31, 2018, for future funding decision
Alpha Secondary	SEP – Mechanical – Ph. 2 boiler	\$221,000	Proceed to design, tender and construction and complete by March 31, 2019
Alpha Secondary	SEP – Building Enclosure – Roof Repair	\$200,000	Proceed to design, tender and construction and complete by March 31, 2019
Burnaby Mountain Secondary	SEP – Energy – LED lighting	\$390,000	Proceed to design, tender and construction and complete by March 31, 2019

South Slope Elementary	CNCP - Boiler	\$200,000	Proceed to design, tender and construction and complete by March 31, 2019
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In order to proceed with these projects, the Board is required to adopt Capital Bylaw No. 2018/19-CP-SD41-01. A copy of the pro-forma capital bylaw is attached for reference. It should be noted that no work or expenditures may 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. 2018/19-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. 2018/19-CP-SD41-01 receive three readings at this Board meeting held April 9, 2018.
- Motion 2      THAT Capital Bylaw No. 2018/19-CP-SD41-01 be read a first time.
- Motion 3      THAT Capital Bylaw No. 2018/19-CP-SD41-01 be approved a first time and read a second time.
- Motion 4      THAT Capital Bylaw No. 2018/19-CP-SD41-01 be approved a second time and read a third time.
- Motion 5      THAT Capital Bylaw No. 2018/19-CP-SD41-01 be approved a third time.
- Motion 6      THAT Capital Bylaw No. 2018/19-CP-SD41-01 having been read a first, second and third time, be finally passed and adopted the 9<sup>th</sup> day of April, 2018, 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.

**CAPITAL BYLAW NO. 2018/19-CP-SD41-01**  
**CAPITAL PLAN 2018/19**

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 26, 2018 from the 2018/19 Capital Plan is hereby adopted.
2. This Bylaw may be cited as School District No. 41 (Burnaby) Capital Bylaw No 2018/19-CP-SD41-01.

READ A FIRST TIME THE 9<sup>th</sup> DAY OF APRIL, 2018;  
READ A SECOND TIME THE 9<sup>th</sup> DAY OF APRIL, 2018;  
READ A THIRD TIME, PASSED AND ADOPTED THE 9<sup>th</sup> DAY OF APRIL, 2018.

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Board Chair

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Secretary-Treasurer

I HEREBY CERTIFY this to be a true and original School District No. 41 (Burnaby) Capital Bylaw No. 2018/19-CP-SD41-01 adopted by the Board the 9<sup>th</sup> day of April, 2018.

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Secretary-Treasurer