



## AGENDA

### A. CALL TO ORDER

### B. APPROVAL OF AGENDA

1. **Motion:** That the Board approve the September 15, 2020 Agenda as circulated.

### C. APPROVAL OF MINUTES

1. **Motion:** That the Board approve the August 4, 2020 Minutes as circulated. 1

### D. DELEGATIONS

None

### E. EXTERNAL REPORTS & PRESENTATIONS

1. Nobel Park Presentation – Grant Miller, Director of Planning: Development Services at Campus and Community Planning & Kavie Toor, Managing Director, UBC Athletics and Recreation 4
3. Electoral Area A Report – Verbal Update – Electoral Area A Director, Jen McCutcheon (Read: [Electoral Area Newsletter](#))
2. Campus and Community Planning Report – Provided On Table – Senior Policy Planner, Celene Fung

### F. REPORTS

1. 1<sup>st</sup> Quarter Financials – Finance Manager – For Information 37
2. Management Report – Chief Administrative Officer – For Information 43
3. Governance & Human Resources Committee Update
  - a. Discrimination, Harassment and Bullying Policy Update – Chief Administrative Officer 53

#### **Recommendation:**

That the Board amend the existing Discrimination, Harassment and Bullying in the Workplace Policy #02-03 dated February 2014 with the attached updated Discrimination, Harassment, and Bullying in the Workplace Policy #02-03 dated September 2020.

4. Board Procedural Rules Working Group – Director Holmes – Verbal Update



**G. UNFINISHED BUSINESS**

None

**H. NEW BUSINESS**

- |   |    |
|---|----|
| 1. Rural Property Tax/Fire Service Charge – Director Holmes | 62 |
|---|----|

**Recommendation:**

THAT the Board appoint Directors Holmes and Mullen to work with the Chief Administrative Officer to undertake the following and report to the October 20, 2020 Board meeting:

- (a) prepare a comparison, for the most recent year for which data is available, of
  - (i) the combined amount of rural property tax and police tax paid by owners of property in the UBC neighbourhoods and the amount of fire service charge paid by UBC to the provincial government
  - with
  - (ii) an estimate of the cost of the municipal-type services provided to residents of the UBC neighbourhoods that are provided by, or funded by, the provincial government;
- (b) develop terms of reference for a working group whose mandate is to seek a reduction in the rate of rural property tax applicable to the UBC neighbourhoods, or a reduction in or elimination of the fire service charge (or both);
- (c) recommend members for the working group; and
- (d) develop a strategy for the working group and the Board to engage with the provincial government.

- |  |    |
|--|----|
| 2. UNA Treasurer and Secretary – Director Holmes | 81 |
|--|----|

**Recommendation:**

THAT, if the proposed UNA Bylaws are approved at the September 30, 2020 Special General Meeting, the Board not appoint a Treasurer when Director Album ceases to be Treasurer.

**I. ADJOURNMENT**

**Recommendation:**

That the Board adjourn into a Closed Session to discuss dealings with other entities or persons where disclosure of the information being discussed may compromise the relationship of the Association with them or its relationship with its stakeholders; matters related to legal advice and proceedings; plus labour relations and human resources issues.



## MINUTES

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**PRESENT:**

Richard Watson – Chair  
Kalith Nanayakkara  
Bill Holmes

Carole Jolly  
Terry Mullen  
Jane Kang

**STAFF:**

Sundance Topham – Chief Administrative Officer  
Andrew Clements – Recreation Manager  
Glenda Ollero – Communications Manager  
Marta Mikolajczyk – Administrative Assistant

**REGRETS:**

Murray McCutcheon  
Tor Album

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**A. CALL TO ORDER**

The University Neighbourhoods Association (UNA) Board meeting was called to order at 5:30 p.m.

The Board Chair acknowledged that the meeting was held online, but regularly meets on the unceded traditional territory of the Musqueam people.

**B. APPROVAL OF AGENDA**

**Motion:** That the Board approve the August 4, 2020 Meeting Agenda as circulated.  
**Carried.**

**C. APPROVAL OF MINUTES**

**Motion:** That the Board approve the July 21, 2020 Minutes, as circulated. **Carried.**

**D. DELEGATIONS**

None

**E. EXTERNAL REPORTS AND PRESENTATIONS**

None

**F. REPORTS**

1. Final Governance Documents – Special General Meeting

The CAO provided an overview of the report. The Chair acknowledged all contributing parties, particularly Director Holmes and Director Mullen. He also acknowledges the efforts of previous members of the UNA Bylaw Working group, specifically Michael Feeley and Laura Cottle.



Director Mullen applauded the contributions of UBC's legal counsel, Michael Jaworski, as well as Director Jolly and Associate Vice-President of Campus and Community Planning, Michael White, to the final version of the Neighbours' Agreement 2020.

The board proceeded to consider the recommendations outlined in the report, in an itemized fashion. Director Holmes put forth the following amendment to the purpose in s. 2(a) of the proposed Constitution:

**Motion:**

THAT the purpose in s.2(a) of the proposed Constitution stating:

"To promote a university-town community that supports and enhances the academic mission of The University of British Columbia ("UBC"), recognizing the interests of students as an integral part of the University community,"

Be revised to read:

"To promote a university-town community that supports and enhances the academic mission of The University of British Columbia ("UBC") and that recognizes the interests of students, who are an integral part of the UBC community;"

**Carried.**

The Chair moved the following:

**Motion:**

THAT the board approve for a vote by UNA members the attached UNA Constitution dated July 28th, 2020, as amended by the clause that Director Holmes inserted.

**Carried.** (Director Jolly abstained)

Director Mullen moved the following:

**Motion:**

THAT the Board approve for a vote by UNA members the attached UNA Bylaws dated July 28th, 2020.

**Carried.** (Director Nanayakkara and Director Jolly abstained)

Director Holmes moved the following:

**Motion:**

THAT the Board approve the attached Neighbours' Agreement 2020 dated July 28th, 2020, subject to the condition precedent that UNA members approve the attached UNA Bylaws dated July 28th, 2020;



AND THAT upon satisfaction of the condition precedent for the UNA to enter into the Neighbours' Agreement 2020, the Chair of the Board and any other Director may execute the agreement on behalf of the UNA and may execute all other documents and do all other things as are necessary to bring the agreement into force.

**Carried.** (Director Jolly abstained)

The Chair moved the following:

**Motion:**

THAT the UNA hold a Special General Meeting on September 30th, 2020 from 7 p.m. to 9 p.m. to be convened via video conference.

**Carried unanimously.**

**G. UNFINISHED BUSINESS**

None

**H. NEW BUSINESS**

None

**I. ADJOURNMENT**

**Motion:**

That the Board adjourn into a Closed Session to discuss dealings with other entities or persons where disclosure of the information being discussed may compromise the relationship of the Association with them or its relationship with its stakeholders.

**Carried.**

The meeting adjourned at 5:48 p.m.

*The Board moved to a Closed Session.*



# memorandum

**From:** Grant Miller, Director, Development Services, Campus and Community Planning

**Date:** September 8, 2020

**Subject:** Nobel Park Upgrades for UBC Women's Varsity Softball

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## Introduction:

The purpose of this report is to update the UNA Board on the proposal to upgrade the existing softball diamond at Nobel Park to accommodate UBC Women's Varsity Softball training and games.

## Background:

Currently, UBC Women's Varsity Softball must travel to Surrey in order to train as the current baseball facilities in Thunderbird Park cannot be adapted for women's play. Late last year, UBC Athletics and Recreation presented a proposal to the UNA Board to adapt the Nobel Park diamond in Wesbrook Place to allow for Women's Varsity Softball play. The Board endorsed the proposal in principle at that time subject to early preliminary public consultation being conducted in advance of the formal permitting process.

## Community Consultation:

A Public Open House was hosted by UBC Athletics and Recreation on January 23, 2020 at the Wesbrook Community Centre and was generally well attended by residents in the neighbourhood. Feedback received from this consultation was mostly positive but included interest in more public washroom access in the neighbourhood, a request that the field be unlit, concerns regarding parking availability, and increased noise.

Based on this early input, the decision was made by Athletics to proceed with a Development Permit application in June incorporating details that responded to the early input. The plans for the proposal are attached for your information. The permit review process proceeded through the spring and summer, including review by the Development Review Committee. The plans were posted on Campus and Community Planning's website and presentation boards were installed on site in July. The community was invited by email and letters to submit comments to Campus and Community Planning through its website from July 10<sup>th</sup> to 24<sup>th</sup>. Eighteen comment forms were received, and although some reflected comments previously received in the January consultation such as noise, washrooms and parking, some new concerns emerged in the Development Permit consultation process. These new concerns related to uncertainty regarding the amount of community recreation access there would be to the field, a perceived loss of open space that has been particularly valued and well used during the pandemic, and safety issues related to balls exiting the field into active community space.

Campus and Community Planning paused the approval process and postponed the Development Permit Board meeting from August until October to allow for response to these new concerns. Residents are invited to visit the Campus and Community Planning website to learn how their concerns have been addressed. This includes

clarification on periods when Women's Varsity Softball will require use of the field and when the field will be available for community use, including a shift in varsity practice times to accommodate after school use by families, safety measures, and access to washrooms. Attached are the communication materials that are being shared with the residents:

- 1) Appendix 1: Onsite presentation board noting the new Development Permit Board date (October 14<sup>th</sup> by Zoom) and invitation for residents to visit the C&CP website for the specific responses to the feedback received.
- 2) Appendix 2: Website content including a feedback summary and response to each topic

#### **Donor/Field Naming:**

To offset the project cost, a naming opportunity plan has been developed which will allow Athletic to engage potential donors with an offer of recognition for contributions. The plan includes the potential to name the field (within Noble Park), the dugouts and bullpens and a brick paver campaign. The Naming opportunity plan has been pre-approved by the UBC Naming Committee. However, final naming of the field requires a final approval of the Naming Committee as well as the UBC Board of Governors in accordance with Board of Governors' Policy GA6. When considering the naming of a Neighbourhood Amenity, the Naming Committee will include the Chair of the Board of Directors of the University Neighbourhoods Association or a Director of the University Neighbourhoods Association designated by the Chair of the Board of Directors of the University Neighbourhoods Association for this purpose. This ensures the interest of the neighbourhood residents and administration are formally considered in a potential naming approval.

#### **Next Steps:**

DP Board meeting – October 14, 2020

DP issuance – Pending DP Board Approval

#### **Appendices:**

- Appendix 1: Feedback Board
- Appendix 2: Feedback Response
- Appendix 3: Proposed Site Plan
- Appendix 4: Consultation Summary

# Update to Nobel Park Upgrades Proposal

## Development Permit # 07010-3 - Softball Field Upgrades

### Development Permit Application

This Development Permit (DP# 07010-3) application proposes renovations to the existing softball field at Nobel Park for use by the UBC Women's Varsity Softball team. Proposed improvements include upgrades to the field surface and fencing, new covered dugouts, bullpens, safety netting and space for temporary bleachers and washroom facilities. Note that the proposed upgrades will only occur within the existing softball field area.

The public was invited to comment on the proposal from July 10th to 24th.

### Response to Feedback

As a result of feedback received, the Development Permit Board meeting date for this project was postponed in order to respond to comments and questions received.

To learn more about the proposal and the response to the feedback received, please visit the project webpage at:

[planning.ubc.ca/nobel-park-softball-field-upgrades](http://planning.ubc.ca/nobel-park-softball-field-upgrades)

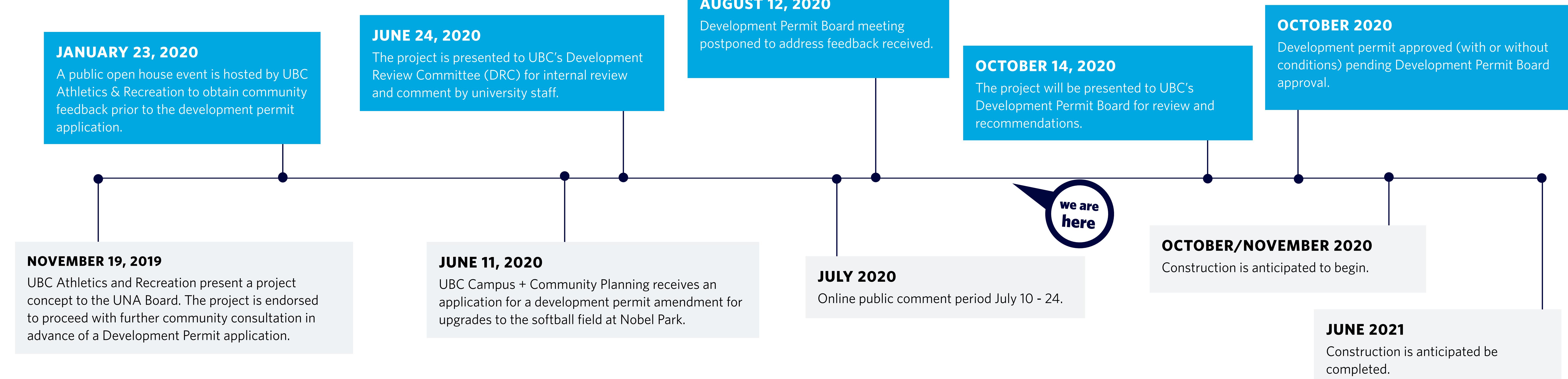


### DEVELOPMENT PERMIT BOARD

#### Development Permit Board Meeting

To give additional time to respond to comments received during the consultation period, the August Development Permit Board meeting was postponed. The rescheduled meeting date is 5:00 pm on Wednesday, October 14, 2020. Details for attending the meeting will be available on the project webpage.

### Project Timeline



## **DP07030-3 Feedback and Response (for project website)**

### **Rationale for Varsity Use**

#### **Issue: Concern that a community field is being used by UBC Athletics**

The UBC Women's Softball team currently has no location on campus to train or play games. The required field specifications are different from Men's varsity baseball and cannot be accommodated in the UBC Athletics precinct. This means the Women's varsity softball team must travel to Surrey to train. Upgrading Nobel Park would introduce varsity play to the neighbourhood, while continuing to provide community access for recreational use. The community and UNA would gain a regulation softball facility.

### **Community Access to Field**

#### **Issue: Concern that there will be limited availability for use by the community**

Community access will be maintained, with the exception of games and practice times during the February-June season and practice during September and October (see schedule table below). To accommodate after school use, the field will be available midweek from 3:30 pm onward on varsity practice days. Availability and booking information for the softball field by the community will be available through the UNA's new recreation booking system, anticipated to be online by Spring/Summer 2021.

#### **Anticipated Usage by UBC Varsity Women's Softball Team:**

Month	# of Days	Specific Days	Times	Total Hours of Use by UBC Athletics
January 2021	0	-	-	0
February				
March	12 days - Games 40 days - Practice	Fridays & Saturdays Mon., Wed., Fri.	11 am – 5 pm 1:30 - 3:30 pm	72 hrs - Games 80 hrs - Practices
April				
May 1 - May 15				
May 15 - June	0	-	-	0
July	0	-	-	0
August	0	-	-	0
September	12 days - Practice	Mon., Wed., Fri.	1:30 - 3:30 pm	24 hrs - Practice
October	12 days - Practice	Mon., Wed., Fri.	1:30 - 3:30 pm	24 hrs - Practice
November	0	-	-	0

December	0	-	-	0
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## Construction Schedule

**Issue: Concern that construction will prevent community access this summer and fall**

Construction for this project will be delayed to allow community use of the field for the remainder of the summer and fall this year. Construction is scheduled to begin in November 2020 and is anticipated to take 3-4 months with an additional 4-6 weeks to prepare the grass field surface. The field will be inaccessible during the construction and grow-in period. Community access should be available again in June/July 2021 with varsity practice commencing in the fall of 2021. A more detailed schedule will be provided once funding and permitting are complete.

## Washroom Access

**Issue: Community Access to washrooms**

Portable toilets will be temporarily available during game day weekends, with installation occurring Friday morning and removal on either Sunday or Monday morning. Toilets will be serviced as required during the events.

Campus and Community Planning will continue to work with the UNA and Athletics to identify opportunities for permanent washroom facility use.

## Bleachers

**Issue: Concern that bleachers will prevent basketball hoop play**

The bleachers behind the backstop will be portable and only be installed during game weekends (6 weekends total). The bleachers will be installed on Fridays and removed on Sundays. The existing basketball hoop will be available for use at all other times.

## Safety

**Issue: Concern that foul and long balls will put residents and community garden users at risk.**

A 40 ft. high minimum netting will be installed along both sidelines to prevent stray balls from entering the community garden and surrounding area.

## Noise

**Issue: Concern that noise levels will rise with the new upgrades**

Noise impacts related to varsity use will only occur during game and practice days between 11 am and 5 pm.

## Parking

**Issue: Concern that there will be greater demand for parking**

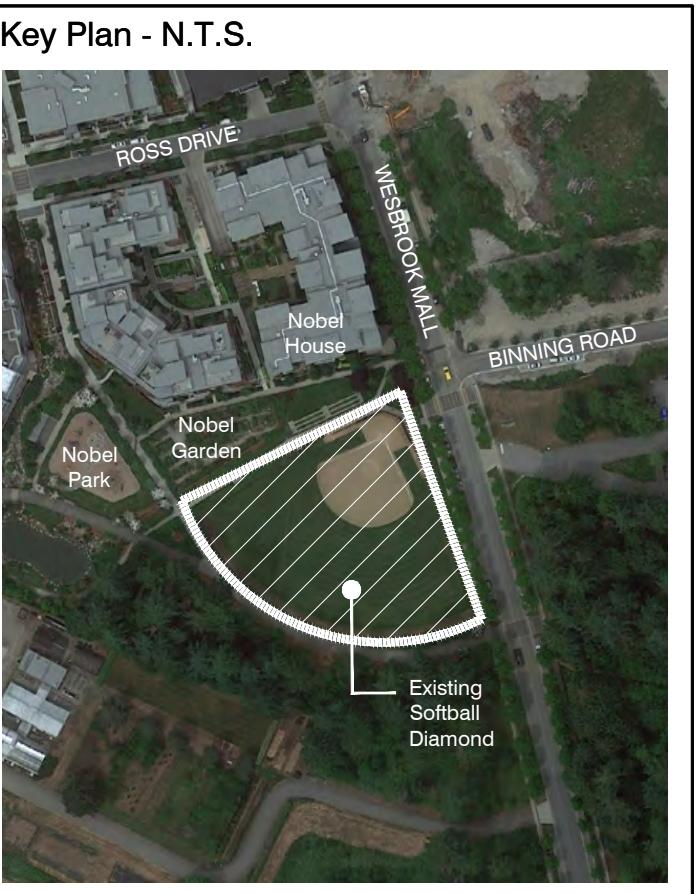
Crowd sizes may vary from approximately 50-100 people. It is anticipated that parking for up to 30-40 vehicles may be needed by attendees. Up to 50 parking spaces are available along Wesbrook Mall near Nobel Park and free parking is also available under the Save On Foods. Staff will monitor parking needs and redirect users as required.



# LEGEND

- Sod - Refurbished/Overseeded
  - Concrete Paving
  - Infield Area (Pro-Mix / Gyro)
  - Asphalt Paving
  - Existing Backstop Fencing with New Padding
  - 3.0m Ht Black Vinyl Chain Link Infield Fencing with 40-50' Ht Netting
  - 1.8m Ht Black Vinyl Chain Link Infield Fencing with 40-50' Ht Netting
  - 1.8m Ht Black Vinyl Chain Link Outfield Fencing
  - A Existing Informal Seating Area (Approximately 100 Seats)
  - B Field Access Gate
  - C Service Gate
  - D Foul Pole - Painted Yellow
  - E Outfield Warning Track (Pro-Mix / Gyro)
  - F Removable Rubberized Home Plate and Pitching Rubber
  - G Covered Dugout Complete with Two (2) Player's Benches and Dugout Plate
  - H Bullpen (Pro-Mix) Complete with Player's Bench, Home Plate and Pitching Rubber
  - I Informal Warm-up Area (Pro-Mix / Gyro)
  - J Accessible Drinking Fountain - Refurbished
  - K 3-teir Bleacher (Optional Additional Seating)
  - L Temporary Washroom Facilities on Concrete Pad

Note: All field dimensions and marking lines apply to the minimum standards and specifications to all competition regulated by NCAA Softball Rules.

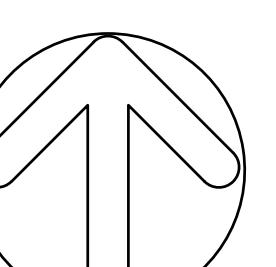


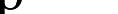
## Legend



 UBC PROPERTIES TRUST

No	Date	Revisions	By
1.	06.11.2020	DP Submission	JJ



Designed By  North Arrow

 the mbtw group

# Project Name:

# Nobel Park

SITE PLAN

Designed: JDJ	Drawn: JDJ	Scale: 1:300	Drawing No.: <b>L-1</b>
Date of Drawing: June 2020		Job No.: <b>UPT 006</b>	

## PUBLIC CONSULTATION SUMMARY

File: DP07010-3 Nobel Park Softball Field Upgrades  
Date: July 27, 2020

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### Online Public Consultation

Due to precautions in place for COVID-19, public consultation for this project occurred online. The Campus and Community Planning project page invited visitors to submit feedback online using an online form. The event was advertised online in the Ubysssey for the two-week comment period in conjunction with development permit and project information signs erected at the field directing visitors to the website. A mail notice was sent to the residents of the Virtuoso strata building and an email notification was sent to the Village Gate Homes for distribution to Nobel House faculty/staff rentals. Notification emails were also sent to the University Neighbourhoods Association (UNA) as well as the adjacent botanical gardens and farm.

### Online Comment Form

Comment Period – July 13<sup>th</sup> to 24<sup>th</sup>, 2020

During the comment period, 18 responses, with all respondents reporting to live at UBC, were collected via the online feedback form:

Staff	2
Faculty	2
Resident	3
Student	1
Staff/Alumnus/Resident/UNA	1
Faculty/Alumnus/Resident/UNA	1
Staff/Resident/UNA	1
Staff/Resident	1
Faculty/Resident/UNA	2
Resident/UNA	3
Student/Resident/UNA	1

### We want to know what you think? Share your comments on DP07010-3 Softball Field Upgrades – Responses:

1. It looks like the upgraded field will be really nice. But will residents still be able to use it for recreational purposes when no games are going on? I think that should be allowed, because it is an important space in the neighbourhood. It's the only open field in Wesbrook Village, so if it's improved but we can't use it anymore, that would be really unfortunate.
2. I think it is a good idea but there needs to be a long term parking solution. Parking in that area is pretty hopeless and while there is a short term plan there needs to be a long term parking solution
3. I'm really excited about the proposal to develop the softball field to more usable space for our local/varsity teams.

My main piece of feedback is that I hope the space will be accessible for all users. This includes: making the bleachers/sitting areas accessible to those with mobility disabilities, as well as the washrooms. Further, making the washrooms trans\* friendly so our gender non-conforming residents/visitors (like

myself) can use the washrooms. Our neighbourhood and campus is diverse and I hope the design for these areas requiring enhanced accessibility are taken into account so myself and my family can equitably use the space. I assume this has already been considered but consulting with disability and transgender communities and design experts is highly recommended. Thanks for reading.

4. The upgrades should be delayed until the end of the COVID-19 crisis. The field - in its current form - provides a safe, healthy place where children and families can spend time together outside while physical distancing. It is my strong view that the public health need and benefit for safe outdoor space on campus far outweigh the need for a better playing field for a softball team at this time.

Notionally - I have no problems with the field project - but construction should not proceed until AFTER B.C. has entered Stage 4 of the pandemic response - i.e when the pandemic no longer poses a health and safety risk to people

5. I live in Nobel House and am the parent of a 2 year old and a 9 month old, and we use the current Nobel Park field daily with our children. Because both my husband and I are permanent UBC staff, we have a long-term connection to Wesbrook and plan to use Nobel Park on a frequent basis for years to come. Our concerns are the following: (1) Because there is no municipal oversight and we cannot vote for representatives, we feel we have no voice in the community. These "engagement" steps feel quite hollow as we have seen things move forward without considering the consultations in the past, so first of all please understand our distrust in the process from the start. (2) As the neighbourhood continues to grow in population, we strongly support maintaining public access to the field as much as possible and prioritizing it over the softball usage. The field is currently used for so many activities - picnics, frisbee, soccer, yoga, birthday parties, teaching toddlers how to walk, remote control cars, sunbathing, etc. - and given the very expensive/limited space of our apartments, these activities are crucial for our collective mental health and community well-being. Maintaining the community's access to the field is a top priority for us. In addition, you should know that despite the signs which say "no dogs," people do allow their dogs to play there frequently. We do not own a dog and would prefer dogs abide by the rules, but I mention this to share that using this field for formal sports purposes may create some problems since the community view it as our own. It is not on campus with the other sports fields - it is in our COMMUNITY. We feel that UBC should prioritize women's sports just as much as the men's sports. The fact that UBC is proposing to "take over" a community field as a cheaper option (as opposed to building a dedicated softball field in the sports fields area of campus, or allowing them to use the men's baseball field) is upsetting and feels unfair to both the women athletes and our community. So please take this into consideration when planning the usage. (3) We feel it should be the UNA's (or UBC's?) responsibility to provide at least one \*permanent\* washroom facility in Wesbrook (not the community centre). It is unacceptable that Wesbrook has so many parks without a single public washroom associated with a park. This would never happen with a municipally-run/designed park system and has baffled us from day one. I see people urinating in public areas on a DAILY basis around Nobel Park due to lack of washroom which is disturbing given that my children play in the wooded area. Directly across the street from the proposed "temporary washroom" location is a path leading to Pacific Spirit Park which is becoming more high-traffic as the neighborhood grows. Therefore, I predict the washroom will have very high usage not only by the baseball field users (who currently urinate the most given that they drink alcohol while playing) but also by the high traffic of people visiting the park while going to the UBC Farm, going to Pacific Spirit Park, using the community garden, etc. I don't think a "temporary" washroom (which I assume is a porapotty type facility?) is acceptable. I beg UBC to put in the infrastructure that any community needs - a permanent washroom. It is not the UBC athletic's job to pay for a washroom. It is a reflection of the poor planning on behalf of the university that one is lacking,. We can assume for the foreseeable future we will need to socialize outdoors as much as possible to prevent COVID transmission, and public washrooms are both a necessity and a potential vector for airborne transmission. Now is not the time to install a

portapotty but rather a permanent, well ventilated facility. (The portapotty on Powerline Trail in Pacific Spirit Park, for example, emits a strong odor and is disturbing when passing by - I can only imagine the odor will be similarly disturbing to those of us who want to use the field for purposes such as picnics, playing with our children, etc.) Otherwise, the "upgrades" have no benefit to the community, and please don't try to paint it as such - we have no interest in better dugouts/fences etc. and will only lose out on using the field (when the team is using it). In conclusion I want to stress that as a feminist I 100% support the women's softball team to have adequate facilities, but due to my distrust of the planning decisions thus far I am extremely cynical about this decision. I feel sad that UBC does not find a solution in the actual athletics area of the campus and hope that, given that UBC clearly does not value women athletes as much as men, this is taken as an opportunity for the UNA/UBC to do what is right and build a permanent, year-round washroom for the parks/human traffic they themselves have createddesigned, NOT find the cheapest solution possible where everyone loses out to some extent. Please don't tell us the university does not have enough money to pay for this because we all see the cash-grab all around us in our neighbourhood. We make the university function, and we live in tiny shoeboxes in the sky for this privilege. Please at least give us the decency of a washroom and maintain access to a field in exchange.

6. Deeply opposed to changes. There is SO LITTLE green space for residents to sit, spend time with family, eat a snack. We count on those concrete steps that lead down to the field - they are always full of people! They don't get wet from the sprinklers and are a safe, sunny space to spend time for families without young children in the playground.  
Please do not make changes for a covered dugout, only to satisfy a few people. It will dissatisfy the hundreds of us who use that small space at other times.  
There is very little space elsewhere in Nobel Park, for putting down a picnic blanket or giving the dog some exercise. Please do not modify this precious small space, for the benefit of 20 people. Please figure out a plan to better use the massive athletic fields for this purpose. This is a very high density residential neighbourhood!!
7. I am keen to have options provided for women's teams, especially since the male teams at UBC seem so well taken care of (Football and baseball). That said, I am wondering where the community will "play" and if the ball diamond will still be accessible for local kids/families playing lawn games, having picnics and just handing out when not in use for community or UBC games. Currently our family plays bocce, badminton, tag and tits in the sun to read, and many families and kids do other activities in the field. The amount of open space is at a premium here, and from a "livable communities" perspective, how will this fit in with the campus's goals to have sustainable spaces and places where people can gather and form communities? I do hope this space will still be community-playspace-accessible, it is one of the reasons we have moved to this community.
8. I do not support the upgrades, the field is already very busy in use by those in the neighborhood. Crowding it even further by introducing it as a varsity practice field would be against covid guidelines and endanger our neighbors.
9. Hi, looks nice though we live at Nobel House and we remain concerned about a few aspects 1) maintaining community access to the grass field for non-softball activities, as in these times of COVID-19 this area has become a critical community hub especially for children to play actively and safely together with no alternative nearby 2) noise and parking concerns remain 3) safety especially foul balls - should the higher fence along home to 1st base be extended to the end of that fence for safety given that corner is the busiest with families and children near the playground and community gardens, 4) construction noise and dust - we are inundated already. Please wait until after the busy summer (late September) to start construction so the existing field can continue to be enjoyed in the good weather. Thank you.

10. We are very excited for the Women's Softball team to practice and play their home games in Nobel park! We will be very honoured to be able to watch the games out our windows! We already can see out our windows how little the field is used, particularly during working hours. We understand that there will be some disruption during construction, but it seems that the amount of construction is minimal. We have also heard from neighbours that the playing field may be less available for community use than it is now, but to us that is not a big concern. Our family will happily walk to one of the many other nearby green spaces for our fun and games on the occasion that the baseball field is in use by the team. We wish to welcome the team to Nobel Park!!
11. I am concerned that our community will lose access to valuable green space. continued community accessibility is important to me.

is the field big enough -- won't the players be hitting a lot of home runs over the fence, due to the size of the field?

I like that bathrooms are being included-- people were getting creative.

If done right, and our community continues to have access to this space too, i think this could be a welcomed addition to the neighbourhood.

12. Thank you for the opportunity to provide feedback. My family and I, who live in Nobel House, are strongly opposed to this "improvement." I am a professor at UBC with a spouse who also works at UBC, and we have two elementary school age children. We live on campus by choice to support a live/work lifestyle. Living at UBC permits my spouse and I to be fully engaged with our work (we are both very successful and dedicated UBC employees with 15 years of service) while we raise our very active and fun-loving children. Nobel Park has been a large part of our daily existence since we moved on campus five years ago. A central aspect of this park is the field, although our children have also enjoyed being at the playground almost every day. While it is obvious to anyone who lives nearby, the field is not currently used as designed, and I can understand how this can be perceived as a revenue loss for the UNA. However, the field is extensively used by families who live in Nobel House and nearby apartments (including market housing). It is the only large green space we have for informal recreation in the area. With the current COVID-19 protocols, with playgrounds and fields open for responsible use, the field is used constantly as a safe and accessible space for outdoor living. At almost any time of the day, you will find children (babies through teenagers) playing on the grassy field, and family groups relaxing on a picnic blanket. Our family uses the field to play informal soccer games, running games like tag, baseball, kite flying, and general running off steam--all very necessary forms of recreation in these times. I frequently observe adults using the field for running, yoga, and other outdoor fitness routines--also very necessary if the gyms are closed. I often jog around the perimeter of the field while my children are roller skating on the sidewalk. In the winter we use the field for snow play and running around in the rain, depending on the weather. The concrete steps on the north side of the field are used daily by individuals and families as a place to play or have a friendly conversation (while distancing) with neighbours, providing an important focal point of community life. In these pandemic times this social contact is vitally important for all of our wellbeing. Drop by anytime and view the many chalk drawings that are evidence of how smaller children in the area use this space.

This leads to my main message: changing Nobel Park right now is not only a disruption to family life in this side of Wesbrook Village, I would go so far as to say it would punish families. More specifically, it would punish many UBC employees with families at a time when UBC has done very little to recognize or accommodate our increased workloads and family responsibilities due to the pandemic. To be very honest, Nobel Park field is one of the few joys we have right now, especially as indoor spaces (gyms,

community centres, libraries, and aquatic centre) are less safe or closed due to the pandemic. I would like to speak to your greater humanity and ask--implore--you to reconsider this project outright, and if that is impossible, that you postpone **\*\*ANY\*\*** work on this project until after the pandemic is over. This may seem extreme to you, but unless you are living in a small apartment with very active children while still trying to uphold your own high standards of dedicated service to UBC (and my guess is that you know exactly what I am talking about because you are also doing the same thing right now), you might not realize how severe an impact this will have on the wellbeing of UBC employees and their children. PLEASE HOLD OFF ON THIS PROJECT. Nobel Park must remain a park for as long as we have limited recreation facilities and limited access to community centres and services. It is inhumane to remove this vitally important green space at this time.

In addition to the negative impact on the community and family life, the "equity" stance of this project is hard to take seriously, watching as we did the size and extent of investment into the redevelopment of the fields on the north side of 16th avenue, when it seemed that not a single person planning that project was outwardly concerned about gender equity for UBC Women's sports. Unfortunately, I am so used to gender inequity at UBC that it is not very surprising to see how this "plays" in sports here, but please know that there are those of us who also see the Nobel Park "Softball Field" as a source of multiple layers of gender inequity: Women's sports as an afterthought, Women's sports as literally marginalized to the edge of campus, Women's sports being forced to displace family space (which impacts women faculty/staff as parents and young girls in their recreation opportunities). All of this is due to a long series of mis-steps taken that devalue Women's sports and gender issues at UBC.

Even as I take the time to write this, I do not expect that it will amount to very much. The "Nobel Park Softball Field" as named here is already a done deal. We have "consulted" on other projects and know that very little changes based on the viewpoints of UBC faculty and staff residents (who are part of UNA in principle but have very different needs than many UNA members). What I want you to know is that this project comes at a cost. The irony is that part of the UBC Housing Plan is the intention to attract and retain UBC faculty and staff, but this project demonstrates a lack of consideration for our wellbeing and long-term connections in this neighbourhood.

13. While the document states that the field will remain for community use, I am concerned that we will not be able to access the field like we have been during the pandemic. The green space has been vital as a wide playspace for kids to run and kick a ball around, especially as we try to keep them socially distant from other kids. Playing on the playgrounds is not a strong choice right now, plus we don't know if the playgrounds will have to close again in a "second wave" of the virus. The softball field has been a refuge for our family since it reopened and it is a space we have socially distant play dates with neighbours. Please don't limit our access to the safe green space it provides during this trying time. Thank you.
14. The construction during covid-19 is not safe, as well as the fact that many families are enjoying the softball diamond as is, and it is perfectly safe for kids like me to play on. personally, i love going on the diamond with my friends, because its the only place i can spend time with them, and still physically distance. i hope you take my concerns seriously. i know im just a kid, but this is my neighbourhood too.
15. I think most of the residents of wesbrook village would prefer having a dog park. I in particular along with many who live by me near 3581 Ross Drive live in very close proximity to the field and a large number of us would like more dog friendly fields in wesbrook. As there currently are none that are fenced and allow dogs to go on it for a play.
16. Wholeheartedly support this application

17. My fundamental concern is that UBC athletics is taking over what should be a community asset and making it a varsity sporting venue. In addition, as someone who resides mere meters away from the first base line of the field, any increase in use has a direct impact on me and my family, in terms of noise, litter, people outside my window, negative impact on the view out my window (netting) as well as reduced ability to use the field as a community recreation asset for informal use. I would like UBC to prioritize the needs and wants of the UNA community over requests from UBC Athletics for an asset that was constructed for the community.

I feel that communications from Athletics have been incomplete regarding the amount that UBC Softball would use the fields. Athletics has indicated that it would be used for "daytime weekday training sessions throughout the academic year", as well as "7 daytime home dates on weekends throughout Feb-Apr". Further discussion with athletics clarifies that these "home dates" typically include four games over two days (typically Fri-Sat or Sat-Sun), meaning the field would be in use for games (and not available for informal use or other bookings) for 14 of the 36 weekend days (including Fridays) over the 3 month season.

I would also like some clarifications from athletics on the timing of the "daytime weekday training sessions". Practices that end by 3PM would have minimal impact on informal use of the field, but practices that are between 3-8 PM (kids out of school) would basically preclude most informal use of the field on those days, and would have a significant impact on the community.

Some way of making the community aware of when the field is booked would be appreciated. This would at least allow people to be able to be aware of when the field is not available for informal use, so other plans can be made.

There is currently a makeshift basketball hoop installed on the backstop, next to a sidewalk area that is wide enough for a small game of 1:1 basketball to be played. The proposed temporary bleachers would interfere with the use of this hoop. It would be nice if this use could be retained or even enhanced. I don't expect that these bleachers will be heavily used, so maybe the number of bleachers could be reduced, or the existing informal seating area could be relied upon for spectators.

Baseball and softball games can be loud. I would like this to be considered if bookings of the field increase; both in terms of frequency of use, and how late bookings are allowed to be made. The field is unlit, so there will be no night games, but it remains light enough to play until 10PM in June, and some field users (especially adult softball games) tend to stick around and socialize after their games. This can be disruptive to those with young children with early bedtimes. Most occupants of Nobel House have young children.

I would suggest moving the temporary washrooms from left field to right field - this would be more convenient for users of the community garden and playground.

18. My worry about this project is that if there will be investments in the infrastructure, there will be more restrictions to these uses. Can these uses be guaranteed to be available in the future? Can something be documented about access and permitted uses. I am afraid there may be situations that once the improvements are there, rules may gradually get stricter to protect the investment. In my opinion, the primary function should be to serve the neighbourhood. I am happy to have the softball teams play there under improved conditions, as long the impact in time availability and permitted activities is limited.

My second worry is about the visual impact of the netting. Having the view from our homes permanently filtered through a high net may be quite an impact on the enjoyment. If possible please minimize visibility,

height, extent. Even better would be (re)movable netting that is only there during training hours and games. Having permanent netting would be quite a detriment to the natural feel with bald eagles soaring over the field to the trees between the field and ubc farm.

Other than these two worries, I think the project seems quite well fit in.

#### Email Response

1 email response was received during the comment period:

1. While I have a variety of concerns about the ball diamond upgrades, my comments are purely related to the 'tempoary' bleachers being proposed. As a point of reference, I have lived for 5 years adjacent to the field looking directly at it from 3 windows in our unit in Nobel House. My kids use the field and concrete pad behind home plate (for basketball and road hockey) over days per year.

The proposal has been clear about four primary goals of the proposal:

- \* Varsity games
- \* Varsity training
- \* Safety
- \* Increased community usage

The bleachers are only involved in varsity games. They do not impact safety, are not needed for community usage (these never exceed the 100 person capacity of the concrete bleachers), and are not needed for training. In terms of footprint, the schematics only show one set of bleachers (K), although it is clear from discussion that there will be 3. In other parts of the project where there are multiple elements (e.g, G, I, D, C, H) these are called out with multiple labels, so it is not clear why this seems to be obfuscated in the proposal. Given that these are for games, and the UBC women's softball team only plays home games 11 days per year (3% of all days in a year), that would suggest the bleachers are not needed, and just in the way, 97% of the time.

The video is clear that the seating elements will be "for game situations we can bring in additional tiered aluminum seating" and the schematic those are referred to those elements as "optional". My primary concern is around these bleachers as they will significantly impact community use of the space. The space occupied by the bleachers is literally, actually, and in practice the only level patch of public concrete within all of Wesbrook Village useable for road hockey or basketball.

I would like actual firm clarity around what 'temporary' means, in terms of installed days, that the bleachers will be present on the only usable concrete in the neighbourhood. Given that no children use the Wesbrook side of the pad (due to its proximity to traffic including the #49 bus), I believe this represents a reasonable place to 'store' these temporary bleachers so they can be deployed on only game days leaving the space behind home plate and on the Nobel House side of the concrete pad available for the community to use. My concern is that they will be installed in September when the team starts training and not be removed until June when the ball season is complete (if they are removed at all). Given the existing seating already supports 100 people, and the expanded concrete pads would provide plenty of room for people to bring their own seating or sit / stand along the first and third base lines, I would strongly recommend this aspect of the proposal be evaluated for its actual need, and to be honestly treated as 'tempory game day seating' rather than furniture that is only useful for 3% of the year while denying community use of this valuable space.

One final concern is just around timing for varsity training: children most heavily use the field and adjacent spaces between 3 and 7pm; taking these useage patterns into consideration would be greatly appreciated to

maximize current community use. This should be possible given that other varsity sports (e.g., the swim and hockey teams) both manage to hold their practices during the day and not in those key hours when others wish to use the pool and hockey facilities (which correspond well with when kids want to use the field).

An aerial photograph of a park complex. In the foreground, there is a softball diamond with a red infield and green outfield. Behind it is a running track with a blue lane. To the right, there is another running track and a soccer field. The park is surrounded by trees and has a city skyline with buildings and mountains in the background.

# NOBEL PARK

## Softball Diamond Renovation

# PROJECT GOALS

**Allow the UBC Women's Varsity Softball team the ability to train and compete on campus.**

**Improve facility safety.**

**Improve field conditions, allowing extended use by the community**  
**– informal and youth use.**



# THE JOURNEY TO DATE

Preliminary Concept (Apr. 2019)

UNA Board Presentation (Nov. 2019)

Public Consultation (Jan. 2020)

Conceptual Design Update (Jun. 2020)

Detailed Design (Ongoing)

Development Permit Consultation (July. 2020)



# PROPOSED PROJECT SCOPE

- Renovated field surface including improved drainage
- Relocated irrigation and renovated field surface improving playability and safety
- Fence caps around perimeter to improve safety of chain link fence
- Covered dugouts to provide weather protection for players
- Space for temporary rolling bleachers to allow for up to 150 spectators (similar to those throughout Thunderbird Park)
- Space for temporary washroom facilities during game weekends (i.e. portalets)
- New bullpens to allow for pitcher warm-ups during play
- New safety netting along north and east sides
- Pavers bricks with donor names / potential field naming
- Expected construction window of 5-6 months beginning winter 2020
- Construction noise impact will be minor

# WHAT WE HEARD

- Concerns over Usage of the field & Access for the community
- Bleachers taking up otherwise useable community space
- Noise impact concerns on residence
- Parking impact concerns on residence
- Construction period, loss of usable space during COVID

# ADDRESSING CONCERNS

## Usage of the field & Access for the community

- 2 -hour Practice time slots will be adjusted from 3pm - 5pm to 1pm - 3pm to allow for community use after school hours
- The summer season which are the most desirable months to use the field will be maintained for UNA use and community programming . Refer to the table on next slide details.



# ADDRESSING CONCERNS

## Usage of the field & Access for the community

### Anticipated Usage

Month	# of Days	Specific Days	Times	Total Hours
January	0	0	0	0
February				
March	12 days for games 40 days practice	Friday / Saturday Mon/Tue/Wed	11am-5pm 1pm-3pm	72 Hours Games 80 Hours Practices
April				
May 1 - May 15				
May 15 - June	0	0	0	0
July	0	0	0	0
August	0	0	0	0
September	12 days practice	Mid-week	1pm-3pm	24 hours practice
October	0	0	0	0
November	0	0	0	0
December	0	0	0	0



# ADDRESSING CONCERNS

## Bleachers

- Bleachers are portable and will only be used during game days (12 in total).
- The bleachers will be moved from the Athletics precinct to the softball field and moved back after the game weekends are over.

## Noise

- Noise impact will be reduced to game and practice times which will be between 11am-5pm



# ADDRESSING CONCERNS

## Parking

- Crowd size will vary from 50-100 people. It is anticipated that 30-40 vehicles will be used by the attendees. The current parking capacity along Wesbrook Mall in this section is approximately 50, which should meet the demand.
- Parking in the Triumf Staff lot has been discussed, and Athletics are confident that a parking solution could be arranged.

## Construction Period

- Construction for this project will be delayed to allow the residents continued use of the field for the remainder of the summer 2020.
- Construction will most likely commence in Winter of 2020, which should minimize the usage impact for UNA residents. Construction is anticipated to take 3-4 months to complete, and an additional 6-8 weeks for the grass grown-in period. The field will be closed off during the grow-in period.
- The field is anticipated to be ready for use by the UNA in June or July of 2021

An aerial photograph of a park complex. In the foreground, there is a softball diamond with a red infield and green outfield. Behind it is a running track with a blue lane. Further back, there are soccer fields and more running tracks. The park is surrounded by green trees and some paved paths. In the background, a city skyline with various buildings is visible under a clear sky.

# NOBEL PARK

## Softball Diamond Renovation

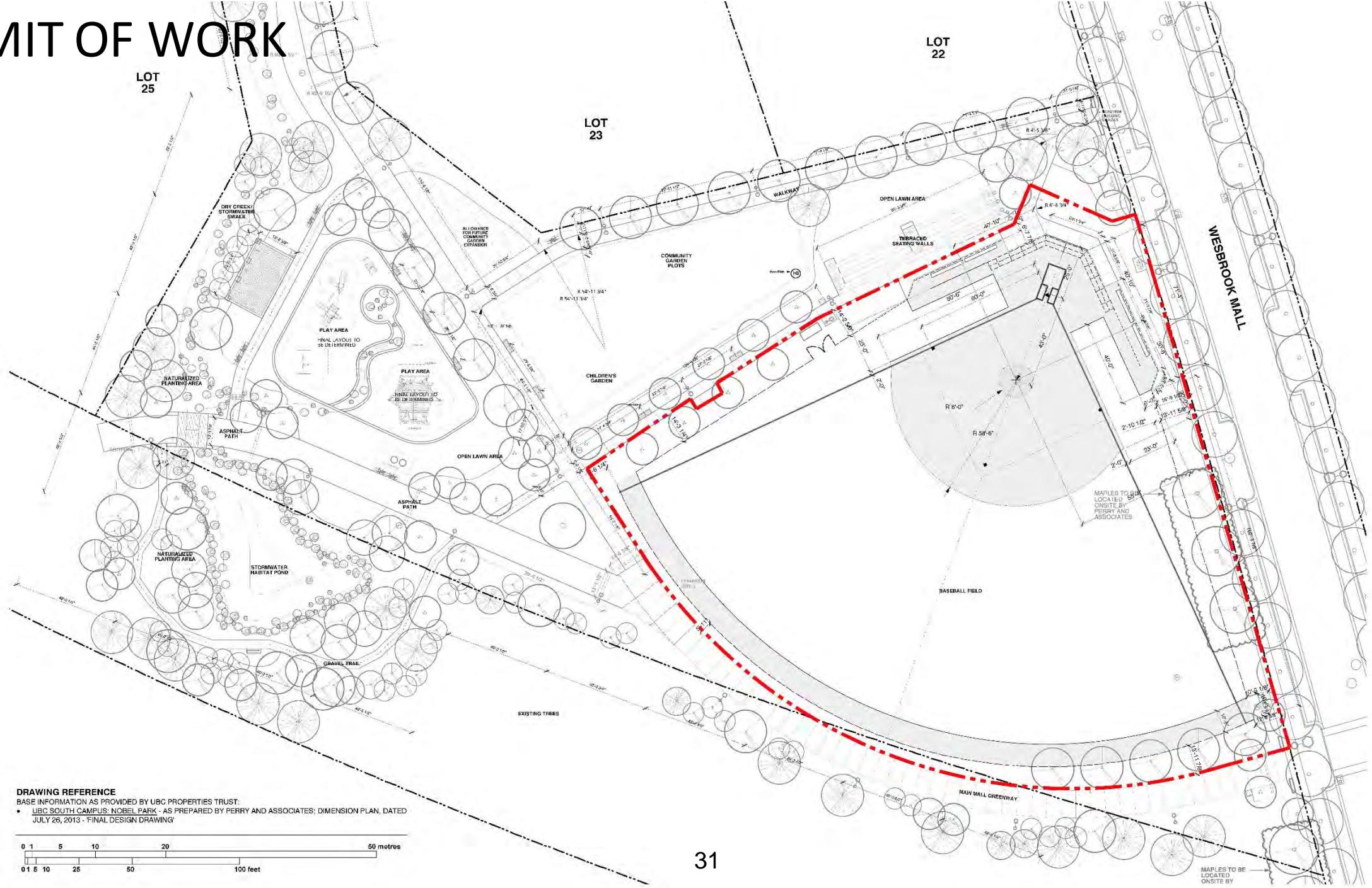
# SITE CONTEXT



# SITE CONTEXT



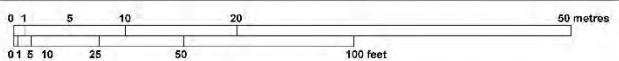
# LIMIT OF WORK



## DRAWING REFERENCE

BASE INFORMATION AS PROVIDED BY UBC PROPERTIES TRUST:

- UBC SOUTH CAMPUS: NOBEL PARK - AS PREPARED BY PERRY AND ASSOCIATES; DIMENSION PLAN, DATED JULY 26, 2013 - FINAL DESIGN DRAWING



# CURRENT SITE PLAN



## LEGEND

- A** Backstop Fence with Wood Padding
- B** Open Dugout on Concrete Pad: Two (2) Player's Benches
- C** Infield Fence
- D** Field Access - Service Gate
- E** Field Access - Open
- F** Storage Bin
- G** Outfield Fence
- H** Outfield Warning Track
- I** Informal Seating (Approximately 100 Seats)
- J** Foul Pole - Painted Black
- K** Sod
- L** Infield Material
- M** Concrete Paving

### — Missing NCAA Field Requirements:

- Appropriate line markings
- Adequate fence heights and conditions
- Backstop fence to be 25-30 Ft away from home plate
- Infield fence to be 25-30 Ft away from foul line
- Coach's box
- On-deck circles

### — Missing NCAA Field Recommendations:

- Bullpens for home and visitor team
- Colour of foul poles to stand out
- Playing field to be completely enclosed
- Covered and completely enclosed dugouts

# PROPOSED SITE PLAN

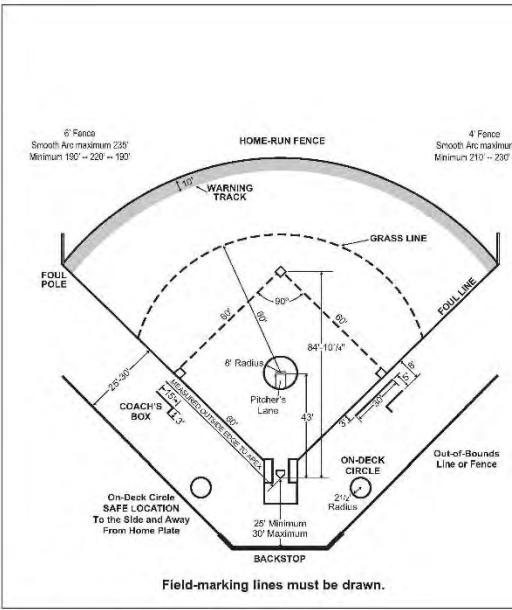


## LEGEND

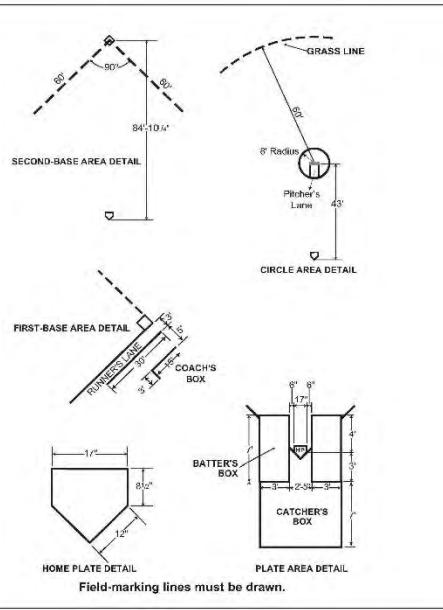
- Sod - Refurbished/Overseeded
- Concrete Paving
- Infield Area (Pro-Mix / Gyro)
- Asphalt Paving
- Existing Backstop Fencing with New Padding
- 3.0m Ht Black Vinyl Chain Link Infield Fencing with 40-50' Ht Netting
- 1.8m Ht Black Vinyl Chain Link Infield Fencing with 40-50' Ht Netting
- 1.8m Ht Black Vinyl Chain Link Outfield Fencing
- A Existing Informal Seating Area (Approximately 100 Seats)
- B Field Access Gate
- C Service Gate
- D Foul Pole - Painted Yellow
- E Outfield Warning Track (Pro-Mix / Gyro)
- F Removable Rubberized Home Plate and Pitching Rubber
- G Covered Dugout Complete with Two (2) Player's Benches and Dugout Plate
- H Bullpen (Pro-Mix) Complete with Player's Bench, Home Plate and Pitching Rubber
- I Informal Warm-up Area (Pro-Mix / Gyro)
- J Accessible Drinking Fountain - Refurbished
- K 3-tier Bleacher (Optional Additional Seating)
- L Temporary Washroom Facilities on Concrete Pad

Note: All field dimensions and marking lines apply to the minimum standards and specifications to all competition regulated by NCAA Softball Rules.

# SITE ELEMENTS



## NCAA FIELD LAYOUT REQUIREMENTS



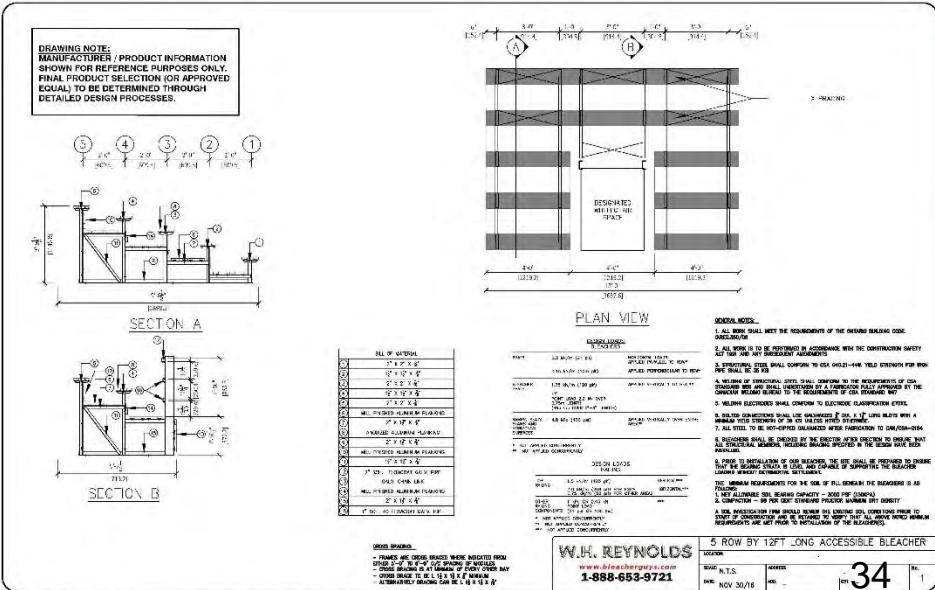
## FOUL POLE



PRO-MIX / GYRO SURFACING



ACCESSIBLE DRINKING FOUNTAIN

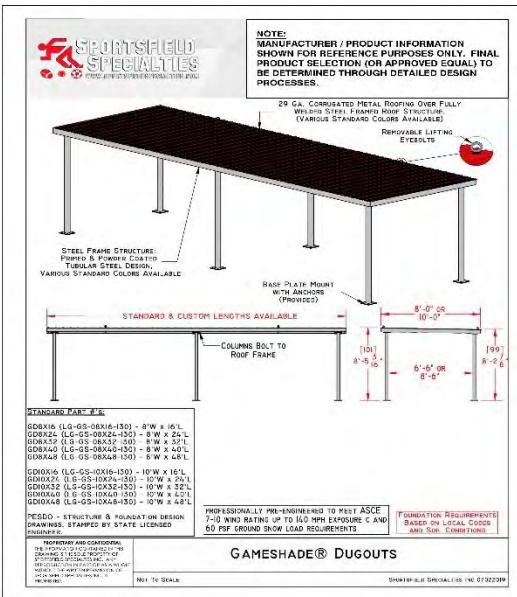


#### **5-TIER ACCESSIBLE SPECTATOR BLEACHERS**

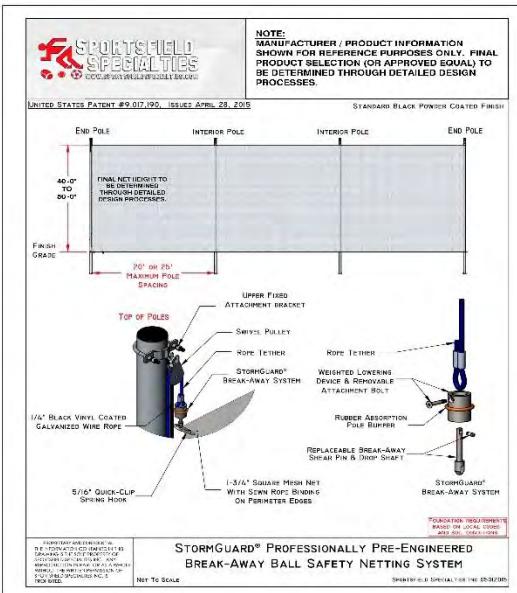


BULLPENS

# SITE ELEMENTS

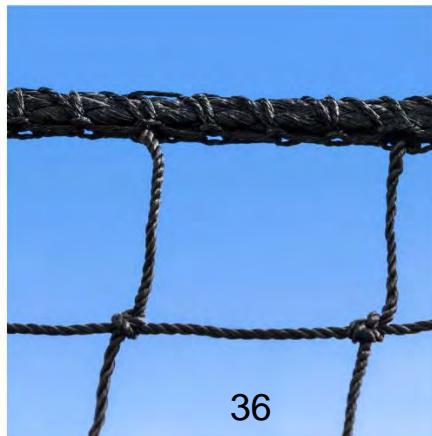


COVERED DUGOUTS

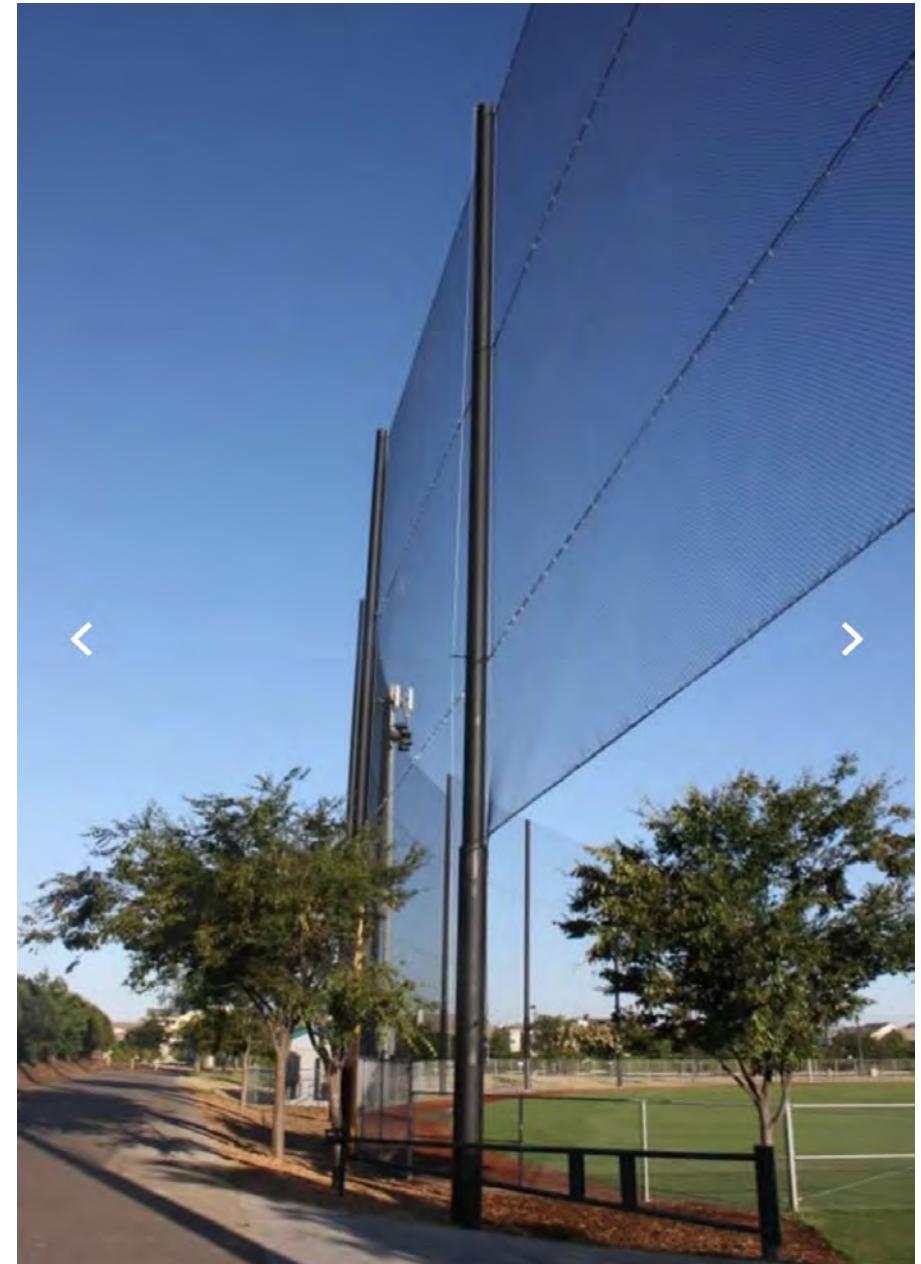


BALL SAFETY NETTING

# SITE ELEMENTS



36



**Date:** August 17, 2020

**From:** Morgan Chung, Finance Manager

**Re:** Q1 Financial Results

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## SUMMARY

Overall, the UNA was in good financial health at the end of Quarter 1.

Highlights:

- Community Centres closed March 17 and remained closed through Quarter 1. This had a significant impact on all recreation revenues, as all program registrations, room and field bookings, and parking pass renewals were cancelled.
- The UNA implemented various cost reduction strategies in response to the closures and revenue reductions, including reducing non-essential landscaping costs, reducing direct operating costs and variable costs for the Main Office and Wesbrook Community Centre due to limited use of facilities.
- Government funding of \$156,641 was received. This total consists of \$25,000 received through the Temporary Wage Subsidy (TWS) program reducing payroll remittances, and \$131,641 received through the Canada Emergency Wage Subsidy (CEWS) program providing 75% of payroll (capped at \$847/employee per week) in Q1. Another \$62,777 CEWS received in Q2.

## DECISION REQUESTED

For Information

University Neighbourhoods Association (UNA) Operating Budget 2020-21		2020-21 BUDGET	% YTD Act/Bud	Year to Date: Actual      Prior Year	
1	<b>FUNDING SOURCES</b>				
2	Neighbours Levy (Service Levy & GMSL)	5,993,640	25%	1,498,410	1,177,696
3					
4	<b>Contributions to Reserves (Outgoing Funds)</b>				
5	Infrastructure Replacement Fund	(143,847)	25%	(35,962)	(28,265)
6	Capital Replacement Fund	(71,924)	25%	(17,981)	(14,132)
7	Rate Stabilization Fund	(59,936)		(14,984)	-
8	Contingency Reserve Fund	-		-	(11,777)
9	UNA/VSB Playing Field Replacement Reserve	(60,000)	25%	(15,000)	(15,000)
10	Community Access Supplemental Reserve	-		-	-
11		<b>Total Contributions to Reserves</b>	<b>(335,707)</b>	<b>25%</b>	<b>(83,927)</b>
12	<b>Deductions</b>				
13	<b>Engineering &amp; Operations Services</b>				
14	Water & Sewage	(536,020)	25%	(134,005)	(110,408)
15	Fire Services Fee	(1,354,735)	25%	(338,684)	(297,169)
16		<b>Total Engineering &amp; Operations Services</b>	<b>(1,890,755)</b>	<b>25%</b>	<b>(472,689)</b>
17	<b>Recreation &amp; Culture Services</b>				
18	Athletics Access Fee	(449,523)	25%	(112,381)	(88,327)
19					
20	<b>General Operation Services</b>				
21	GST (unrecoverable: Neighbours Levy less UBC Costs & Contributions to Reserves)	(63,473)	25%	(15,868)	(11,676)
22		<b>Total Neighbours Levy &amp; Reserves</b>	<b>3,254,182</b>	<b>25%</b>	<b>813,545</b>
23					600,943
24	<b>Transfers from Reserves (Incoming Funds)</b>				
25	Contingency Reserve	29,196	25%	7,299	20,001
26	Community Access Supplemental Reserve	500,000	25%	125,000	125,000
27		<b>Total Transfers from Reserves</b>	<b>529,196</b>	<b>25%</b>	<b>132,299</b>
28	<b>Total Neighbours Levy &amp; Reserves Available</b>	<b>3,783,378</b>	<b>25%</b>	<b>945,844</b>	<b>745,944</b>
29	<b>REVENUE</b>				
30	Neighbours Levy Received	3,783,378	24%	916,339	703,614
31	<b>Recreation &amp; Culture</b>				
32	Wesbrook Community Centre	381,294	3%	10,251	82,237
33	Old Barn Community Centre	123,678	2%	2,086	35,415
34	Programming	766,667	0%	3,587	203,460
35	Playing Fields & Park Rentals	82,770	3%	2,455	86,336
36		<b>Total Recreation &amp; Culture</b>	<b>1,354,409</b>	<b>1%</b>	<b>18,380</b>
37	<b>Other Revenue</b>				
38	Parking	140,251	16%	22,470	75,599
39	Miscellaneous	21,901	63%	13,848	37,776
40	CEWS	-		131,641	-
41	Payroll Remittances	-		25,000	-
42		<b>Total Other Revenue</b>	<b>162,152</b>	<b>119%</b>	<b>192,959</b>
43	<b>Grants &amp; Other Funding</b>				
44	External Grants & Miscellaneous	115,758	44%	50,374	4,155
45					
46	<b>TOTAL FUNDING SOURCES &amp; REVENUE</b>	<b>5,415,696</b>	<b>22%</b>	<b>1,178,052</b>	<b>1,228,593</b>

University Neighbourhoods Association (UNA) Operating Budget 2020-21		2020-21 BUDGET	% YTD Act/Bud	Year to Date: Actual      Prior Year	
1	<b>EXPENDITURES</b>				
2	<b>Engineering &amp; Operations Services</b>				
3	Parking & Emergency Management	143,695	20%	29,036	22,873
4	General Maintenance	10,000	6%	588	
5	Common Area Maintenance Fees				
6	Landscaping	301,484	18%	53,451	69,532
7	Road, Gutter and Sidewalk Maintenance	23,042	3%	776	693
8	Streetlights	54,687	21%	11,668	7,026
9	UBCPT Management Fees	63,000	32%	20,000	20,000
10	Electricity	106,982	15%	16,187	16,217
11	Other Common Area Maintenance Costs	62,621	14%	8,464	9,944
12	Common Area Maintenance 1	-	0%	-	-
13	<b>Total Engineering &amp; Operations Services</b>	<b>765,510</b>	18%	<b>140,169</b>	<b>146,285</b>
14	<b>Recreation &amp; Culture Services</b>				
15	Fields	17,800	29%	5,133	1,129
16	Wesbrook Community Centre	510,100	11%	58,108	92,454
17	Old Barn Community Centre	230,945	16%	36,283	52,428
18	Recreation Salaries & Benefits	1,029,692	16%	163,578	216,379
19	Programming	605,718	-2%	(10,725)	105,570
20	Community Access	121,800	24%	29,150	33,935
21	Community Support	42,800	5%	2,308	3,732
23	<b>Total Recreation &amp; Culture Services</b>	<b>2,558,855</b>	11%	<b>283,835</b>	<b>505,627</b>
24	<b>General Operation Services</b>				
25	Administration Salaries & Benefits	1,038,985	22%	225,410	276,827
26	Sustainability	23,100	15%	3,464	3,346
27	Professional Fees	177,000	25%	44,038	18,462
28	General Operating Services	403,738	14%	56,814	59,567
29	Communications	200,000	16%	31,944	61,193
30	Public Engagement	114,000	0%	-	922
31	<b>Total General Operation Services</b>	<b>1,956,823</b>	18%	<b>361,671</b>	<b>420,318</b>
32					
33	Contingency (2% on Engineering & Ops and Recreation & Cultu	66,487	0%	-	-
34	<b>TOTAL EXPENDITURES</b>	<b>5,347,676</b>	15%	<b>785,675</b>	<b>1,072,230</b>
35					
36	<b>BALANCE SURPLUS (OR DEFICIT)</b>	<b>(0)</b>		<b>392,377</b>	<b>156,363</b>

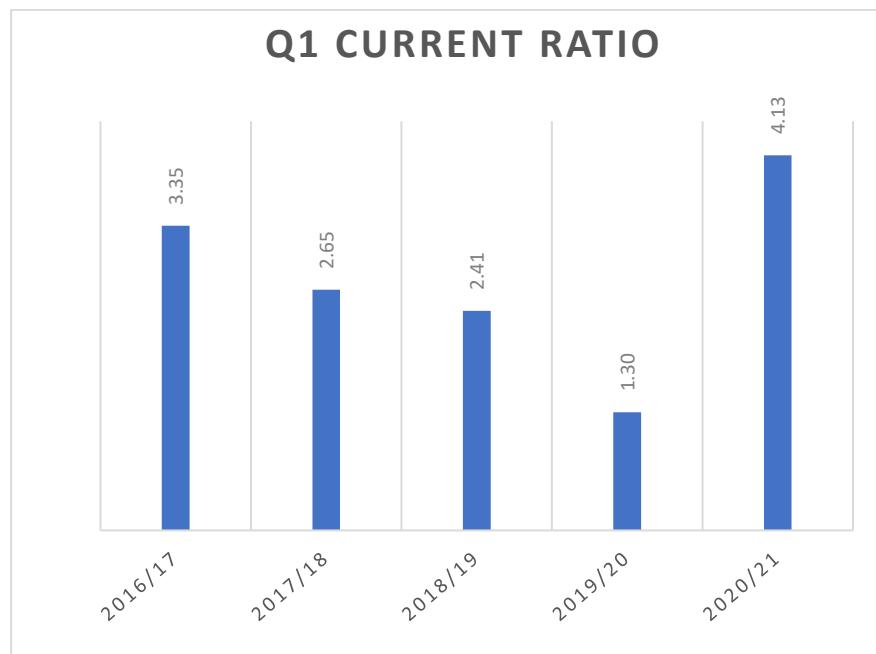
These supplementary notes are provided to assist as background information for the 2020/21 Quarter 1 Financial Statements.

## **Q1 METRICS:**

### Liquidity

This ratio measures the extent to which UNA has enough cash to pay bills as they are due. The preferred range is 1.00 and above. At the end of Q1, the UNA's current ratio was 4.13, which is considered a very healthy ratio.

The increase in 2020/21 Q1's current ratio is due to a higher cash balance on hand at the end of 2019/20, government subsidy funding received in 2020/21, and reduced liabilities during Q1 due community centre closures and various cost management strategies.

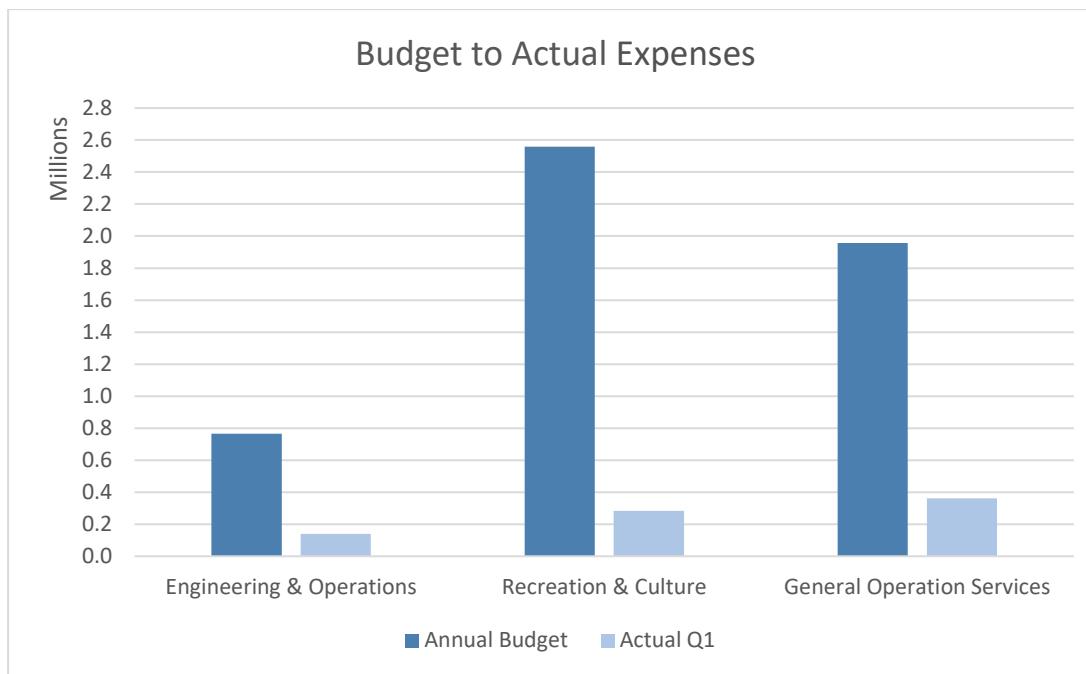


### Budget to Actual Expenses

Total expenses were significantly under budget expectations at the end of Q1. This decrease was primarily due to the closure of Wesbrook Community Centre and Main Office, and partial closure of the Old Barn Community Centre due to COVID-19. Throughout the quarter, all departments pursued various cost management measures that led to reduced expenditures.

Engineering & Operations and General Operating Services were both under budget expectations at 18%, related to COVID-19 cost mitigation strategies, including limiting non-essential landscaping costs and reducing facility operating costs.

Recreation and Culture expenses were 11% of budget in Q1. This decrease is partially due to the closure of Wesbrook. Cost savings at the Old Barn were not as significant as Wesbrook, as the YMCA daycare services for essential service workers continued to operate out of the facility. During the quarter, all spring programs, bookings for fields, rooms, and birthday parties were cancelled and refunded, leading to the significant decrease in both Recreation revenues and expenses.

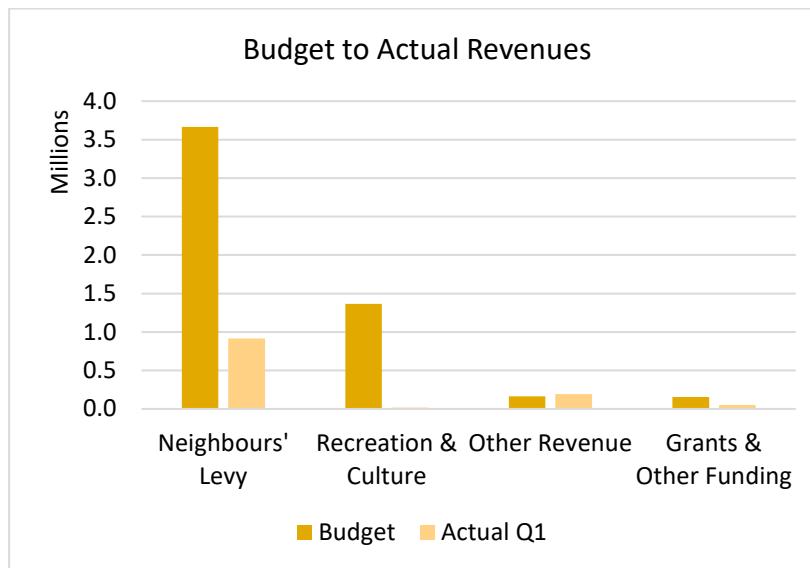


### Budget to Actual Revenues

The overall revenues for Q1 are slightly lower than budget expectations. As the Neighbours' Levy is determined by the City of Vancouver tax rate, BC rural rate, and mil rate, the levy distribution received has not changed significantly from budget, and has driven the overall organizational revenues.

Recreation and Culture revenues were significantly under budget expectations at 1%, due to the COVID-19 related closure of community centres and cancellation of spring programming and facility bookings.

Partially offsetting the decrease in budgeted revenues was an increase in miscellaneous revenue through federal funding. The UNA received \$25,000 through the Temporary Wage Subsidy (TWS) which directly reduced government payroll remittances. An additional \$131,641 was received through the Canada Emergency Wage Subsidy (CEWS), a government subsidy aimed at helping organizations cover ongoing payroll costs by paying up to \$847/employee per week based on declines in organizational revenues.



Overall, UNA's financial health is aligned with the budget for Quarter 1.

**Report Date:** September 4<sup>th</sup>, 2020

**Meeting Date:** September 15<sup>th</sup>, 2020

**From:** Sundance Topham, Chief Administrative Officer

**Subject:** September Management Update

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## Background

The September 2020 Management Update is presented for information.

## Decision Requested

For information

## Discussion

### **CHIEF ADMINISTRATIVE OFFICER**

July and August were spent formalizing plans for upcoming governance changes and continuing to get up-to-speed on the organization and its various functions and relationships. I also spent a significant amount of time on Human Resources issues.

Some of the key areas that I worked on over the past two-months include the following:

#### ***Board Relations***

- Attending Board and Committee meetings and supporting Board initiatives.
- Review of existing internal and external committee Terms of Reference.
- Working with the Board to move forward the proposed Bylaw and Constitution amendments.
- Extensive planning work in relation to the September 30<sup>th</sup>, 2020 Special General Meeting.
- Preparatory work for the Annual General Meeting.

#### ***COVID-19 Support***

- Worked with management to create a longer-term plan for providing services during COVID.
- Worked with Finance to get a better understanding of short and long-term impacts of COVID.

### ***Operations***

- Preparatory work for an infrastructure assessment of UNA above-ground infrastructure (including recreation and cultural facilities).
- Provided support on sub-license agreements.

### ***Finance***

- Creation of a Request for Proposals Template.
- Planning work for the next phase of the Joint Financial Task Force with UBC – including working on the Terms of Reference.

### ***Risk Management***

- Preparations for the potential transfer of insurance responsibilities to the UNA.

### ***Programs and Services***

- Preparation and posting of Records Management Request for Proposals.

### ***Human Resources***

- Job Description, Compensation Strategy and Salary Band Review.
- Review of existing policies – with an update to the Discrimination and Harassment Policy.
- Review and housekeeping update to the UNA Employee Handbook
- Preparations for hosting a Respect in the Workplace training for Board and staff.
- Review of Finance Manager job description and creation of new job posting upon resignation of former Finance Manager.

### ***Community Relations***

- Responded to a number of resident questions and concerns – ranging from noise complaints to service questions.
- Responded to media enquiries.

## **RECREATION**

### ***WorkSafe COVID-19 Safety Plan***

All centres and facilities were closed as of March 17<sup>th</sup>, 2020 due to the COVID-19 pandemic. Slowly outdoor facilities began to open as Provincial Health Orders were relaxed and the restarting of operations began. The UNA Recreation Team spent a considerable amount of time developing our WorkSafe COVID-19 Safety Plan that serves to guide our safe operation of recreational programs. Summer programs began July 6<sup>th</sup> and ran until the end of August. Many policy and procedural changes were implemented to ensure safe social distancing requirements, enhanced cleaning and

sanitization efforts, as well as staff training in case of a suspected case in our facilities were delivered.

### ***Staffing***

All but four Part Time (PT) employees who had been laid off as of May 1<sup>st</sup> have agreed to come back to work. Three PT Front Desk Attendant and one PT Fitness Centre Attendant were unable to return due to scheduling conflicts and unavailability. As a ‘without cause’ termination these employees severance pay was calculated as per the regulations cited in the Employment Standards Act.

### ***Summer Programming***

This summer we offered eight weeks of Summer Adventure Camps, for 89 campers aged 6 - 12. Our three Canada Summer Jobs funded camp staff did an incredible job facilitating fun activities for children while enforcing COVID-19 guidelines for physical distancing and hand hygiene.

Private music lessons (two piano and one violin), fitness programs (Karate and Power Yoga) and external children's camps (three Crossmaneuver) ran very smoothly this summer under new modifications. We received an abundance of positive feedback from participants and instructors alike, thanking us for our hard work in making programs possible and safe during this unprecedented time.

In August, the Healthy Seniors, Resilient Community Project Team put forward a new application and received an additional funding of \$14,125 from the New Horizons for Seniors Program. The extra funds will allow the UNA to extend the seniors digital learning program till the end of March next year. Individual digital coaching and Seniors Computer Café have been very well received by the seniors in our community. Other programs such as virtual language programs, virtual yoga, Rise Up and Sing!, and various community workshops have created opportunities for community members to stay healthy and connected.

### ***PerfectMind Operating System***

The organization successfully launched our new PerfectMind operating system on June 1<sup>st</sup>. The Summer season was a great opportunity to test out the new registration system with a reduced program offering, allowing the team to make modifications for a smoother fall registration. Persisting challenges, most of which were anticipated, presently exist, and the team is working to identify and prioritize each of them. More external support is being explored to ensure that our system is intuitive for customers and staff alike. We appreciate our community's patience as we work through these issues.

### ***Fall Programming***

Fall program planning began in early July and used a risk mitigation framework to determine how the department can safely expand its recreational offerings. Notable increases in programming have occurred in Children and Youth offerings including dance classes, Sportball and Active Kids programs, educational, leadership and language programs; in Adult classes including fitness and language classes.

Many programs will be offered in a virtual capacity including the introduction of several senior social programs. The Wesbrook Community Centre will be open to registered program participants only. All of our Fall programs can be found on our website in our virtual program guide <https://www.myuna.ca/assets/media/2020/08/UNAProgramGuide-Fall2020-final.pdf>. Fall programs begin September 14<sup>th</sup>.

### ***Fitness Centre Re-opening***

A plan for re-opening the Wesbrook Fitness Centre has been developed that will help guide the safe operation of this facility. Due to safety and capacity issues the Old Barn Community Centre Fitness Centre will remain closed. The fitness centre at WCC will be open from 8:30am – 8:30pm Monday to Friday with eight, 75-minute training blocks available. Each training block will be separated by a 15-minute cleaning and transition time. Each day will also include two 30-minute, deep cleaning slots (12:45-1:15pm & 5:15-5:45pm).

Fitness centre members will be able to book online one of these training blocks per day for their workout. Appointments can be made 24hrs in advance. Presently, the WCC fitness centre can accommodate a maximum of 10 members per time slot. Many policies and procedures will be adjusted to reflect the safe operation of this facility including entering and exiting procedures, limited washroom capacity (no showers), no spotting, no locker service, no large bags etc.

Engineering controls such as re-arranging cardio equipment to accommodate a 2-5m distance between users and the installation of plexiglass barriers at the fitness attendant desk have been employed. Weekend hours are anticipated for later in the fall, providing that this initial piolet opening runs effectively and staff capacity is adequate.

### ***Youth Program Coordinator***

Lastly, we said goodbye to our Youth Program Coordinator Taylor Scott. His last day of work was August 28<sup>th</sup> as he is beginning his graduate work in Physical Therapy at UBC this fall. Taylor has been a valuable member of not only our team, but to the community at large. He led the UTown@UBC Youth Leadership Program for the past four years and his contribution to our youth demographic living in the UNA, and surrounding neighbourhoods, can not be understated. While we will miss interacting with him daily, we wish him the best of luck in his future endeavours. A short list of Youth Programmer candidates has been developed and we expect to have the position filled by October 1<sup>st</sup>.

## FINANCE

### ***COVID-19 Revenue Impact***

Further planning is being undertaken by all UNA departments to determine next steps for organizational continuance through the fall and winter, including planning for a potential second wave and subsequent service shutdowns.

As previously discussed, UNA community centres and main office closed in March 2020. Programs and bookings were cancelled, 27 part time staff laid off due to shortages of work. As of August 21, 2020, 12 part time employees have been recalled with the partial re-opening of community centre programming, with plans to recall another 8 employees, depending on staffing needs.

### ***Government Funding***

As a not-for-profit organization, the UNA is eligible for federal assistance. Access to the following funding has allowed the organization to retain all permanent part time and full time employees, to continue work on strategic initiatives with reduced financial losses.

The CEWS government subsidy program has been extended to December 2020, with changed revenue loss requirements and subsidy calculations. The UNA is expected to remain eligible for funding, but at a reduced funding level.

### ***Neighbours Levy***

The Neighbours Levy included in the approved UNA operating budget is an estimate based on the Van Struth model, which includes past and projected residential and commercial services levy rates, inflation rates, property assessments, and the BC rural rate, among other factors. The actual services levy amount is finalized late spring to early summer each year.

UNA has received confirmation that the 2020-21 Services Levy is \$304,589 lower than initially budgeted – This is partially offset by a 2020-21 Fire Services Fee is \$139,592 lower than initially budgeted – There is a separate report on the Agenda that provides more details.

### ***2019-20 Audit***

The annual audit by Johnsen Archer began May 2020 and is scheduled to be completed at the September 2020 Board meeting.

## OPERATIONS

### ***Wesbrook Day Care Center***

Wesbrook Day Care Center is completed ahead of its original schedule. The new day care programs, for up to 48 children across three age groups, are expected to be ready in the first week of September.

### ***PerfectMind Data Migration***

Data migration from ActiveNet (The previous membership/registration system) to PerfectMind is expected to wrap up in the first week of September.

There were some unexpected delays due to system limitations in both the data export and data importing process; and the need to address the accounting system differences when migrating from the previous to current system.

Migration Projects involved:

1. Account information migration
2. Membership information migration
3. Account credit balance migration

### ***COVID 19 Safety Plan***

Following the guidance of the BC Centre for Disease Control, the UNA has put effective measures in place to reduce the risk of infection, such as:

- Physical distancing wherever feasible including scheduling workers to allow for physical distancing (Elimination).
- Physical barriers and Sanitization Station where feasible, eg. point of service at Front Desks (Engineering controls).
- Maximizing remote working arrangements and controlling occupancy (Administrative Control).
- Face Shields and Respirators where appropriate (Personal Protective Equipment).

The UNA will continue to monitor PPE supplies, reassess engineering controls, and re-evaluate the current safety plan as they are part of WorkSafe BC requirements.

### ***The New Online Parking Permit Renewal and Application Process***

As parking enforcement will resume in the month of September (September 15 latest update), and in order to reduce touch points and promote physical distancing during the COVID-19 pandemic. The UNA Parking Service Desk has introduced a brand new paperless online parking application process will replace the in-person paper based application process.

The new application process is based on an appointment model and application is available in the follow options:

- Apply and Pay Online
  - Book an Online Application and Permit Pick-up time
  - Applicants will upload required document online. And receive confirmation of application verification for payment process.
- Apply Online and Pay by Phone
  - Book an Online Application and Permit Pick-up time
  - Applicants will upload required document online. And receive confirmation of application verification
  - Receive phone call from UNA staff to process payment
- Apply and Pay In-Person
  - Book an [In-Person Appointment](#) time, and bring all required documents to your In-Person Appointment

As this is a brand-new process, the UNA Parking Service Desk team will monitor and review user's feedbacks on the application process and make follow up adjustment as required.

#### ***UNA Application Process - UNA Membership Application and UNA Card Renewal***

To reduce touch points and promote physical distancing during the COVID-19 pandemic, the University Neighbourhoods Association is now offering a streamlined online application process for the following services:

- **UNA Card Application/Renewal:** Gives UNA residents access to partner facilities and UNA discounts, and provides a simple way to check-in for community centre programs and fitness centres. Online address verification is required.
- **UNA Membership Application:** A UNA Membership entitles UNA residents to vote at UNA Special General Meetings, Annual General Meetings and Board of Director Elections. Online address verification is required. (Note that an upcoming [Special General Meeting](#) is scheduled for September 30, 2020.)

As this is a brand-new process, the UNA IT and Communications team will monitor and review customer's feedbacks on the UNA application process and make follow up adjustment as required.

## COMMUNICATIONS

### ***Special General Meeting***

Communications has been managing the ongoing planning and roll-out of the Special General Meeting. Along with the CAO, we have collected all information, drafted and, with the help of the Board of Directors, finalized materials for the SGM booklet which was sent to Canada Post for mailing on September 3<sup>rd</sup>. Members will receive the packages on the week of September 7<sup>th</sup>. Together with Operations, we have developed an interim process for online applications for memberships.

In previous years, we have only translated the *How To Vote* section of general meeting packages, however, as per request from the Board, an additional section – the *Guide to the Proposed Changes to the UNA Bylaws and Constitution* – was also translated to Simplified Chinese, Traditional Chinese, Korean and Farsi. The translations are available online at [myuna.ca/sgm](http://myuna.ca/sgm).

The SGM has been promoted through newsletter, website, Program Guide and location-targeted Facebook ads.

We continue to manage the roll-out of SGM, the collection of proxy forms, new member sign-ups and online support for members with questions about the events and the voting process. We continue to hold weekly check-ins with key staff members in the lead-up to the event.

### ***Boosting Online Support***

To assist with services migrating online, we have expanded our online chat support team and are developing tools to help the team respond to queries sent through our website. We are in the preliminary stages of implementing a ticketing system to manage questions/requests that we receive.

### ***Fall Program Guide***

The Fall issue of the Program Guide has been transitioned from hard copy to digital, in part, to save on printing and mailing costs, but, mostly, to allow our program team flexibility to open or close program offerings mid-season as the pandemic landscape changes and give them more time for planning the safe roll-out of programs in the centre.

In place of the Program Guide, we created a postcard with the address and a QR code that links to the online guide. We are currently in discussions for a plan on what to do with our Program Guides in the next few seasons and that will depend on how our readers react to the Fall digital issue.

### ***Continued Service for Expired UNA Cards***

While we were exploring options on how to implement an online renewal process for the UNA cards, we made arrangements with UBC partners and the Vancouver Public Library to honour expired cards to avoid any service interruptions.

- The **Vancouver Public Library** is honouring expired or expiring UNA Cards through December 2020. Those who are new in the community and do not yet have a UNA Card, are welcome to apply for a temporary VPL card, valid for 90 days.
- The **Museum of Anthropology** is honouring expired UNA cards until November 30. Please visit [moa.ubc.ca](http://moa.ubc.ca) to reserve a ticket online.
- The **UBC Athletics and Recreation Department** is honouring expired UNA cards until September 30. UBC Athletics and Recreation Department includes the following facilities: UBC Aquatic Centre, UBC Tennis Centre, Doug Sports Centre (drop-in public skating), BirdCoop & ARC, Student Recreation Centre, UBC Camps (details on which camps are eligible for discounts are indicated on their [website](#)).
- **UBC Libraries** – All libraries will remain closed most likely until December 2020. Community borrowers do not have access to e-resources from outside of the library and cannot use the Materials Pick-Up Service during this time. Any UNA resident who signed out items before the library closed or they receive a message saying their card has expired, they can contact David Harakal at [library.cards@ubc.ca](mailto:library.cards@ubc.ca) to keep renewing these items.
- The **Botanical Garden** and the **Beatty Museum** have the UNA discount suspended until further notice.

### ***Staff Social Events Committee: Staff Summer Event***

The Social Staff Events Committee organized a disc golf event for staff on August 25 at the Jericho Hill Disc Golf course, followed by a catered picnic at Trimble Park. The event offered some welcome outdoor fun, exercise and interaction while being mindful of physical distancing. We were very impressed by staff's throwing skills but were even more impressed by their ability to find rogue discs in the middle of blackberry bushes (ouch!).

The Staff Social Events Committee's overall goal is to help build team spirit and camaraderie at the UNA. Their challenge this year is to create social events with special attention to safety and physical distancing.

### ***Other***

Communications continues its work in supporting all UNA projects and departments including event and program promotion for Fall Recreation Programs, creation of various communication materials and signage such as community garden maps and pond signs and support in implementing online card renewals and memberships.

### **Financial Implications**

None

### **Operational Implications**

None

### **Strategic Objective**

1. None

### **Attachments**

1. None

### **Concurrence**

1. Andrew Clements, Manager of Recreation
2. Glenda Ollero, Manager of Communications
3. Wegland Sit, Manager of Operations

Respectfully submitted,



Sundance Topham  
Chief Administrative Officer

**Report Date:** September 2<sup>nd</sup>, 2020

**Meeting Date:** September 15<sup>th</sup>, 2020

**From:** Sundance Topham, Chief Administrative Officer

**Subject:** Discrimination, Harassment and Bullying Policy Update

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## Background

The existing UNA Discrimination, Harassment and Bullying in the Workplace Policy needs to be updated to reflect current legislative requirements and to match the policy wording in our Employee Handbook.

## Decision Requested

THAT the Board amend the existing *Discrimination, Harassment and Bullying in the Workplace Policy #02-03* dated February 2014 with the attached updated *Discrimination, Harassment, and Bullying in the Workplace Policy #02-03* dated September 2020.

## Discussion

The UNA is moving forward with Respect in the Workplace and Racial Bias training for the Board and all employees. As part of the preparation for this training it became apparent that the current *Discrimination, Harassment and Bullying in the Workplace Policy #02-03* needed to be updated, as it had incorrect references to legislative requirements, and didn't match the more up-to-date Discrimination, Harassment and Bullying language in our Employee Handbook.

Changes to the document are as follows:

- Clarifying that the purpose is about ensuring a safe, healthy and respectful work environment as a fundamental right of employees, rather than saying the purpose is because legislation requires us to have a policy.
- Matching the language in regard to the prohibited grounds for discrimination in accordance with the *B.C. Human Rights Code*.
- Confirming the requirement for new employees to complete the UBC online Preventing and Addressing Workplace Bullying and Harassment Training course.
- Clarifying the reporting process for an employee who feels they are being intimidated or harassed.

It is recommended that the updated policy be approved prior to holding the Respect in the Workplace Training.

### Financial Implications

None

### Operational Implications

None

### Strategic Objective

Updating the Discrimination, Harassment and Bullying in the Workplace Policy ties in directly with the UNA Strategic Priority of Operational Capacity.

### Attachments

1. Schedule A – Discrimination, Harassment, Bullying in the Workplace Policy #02-03 (February 2014 - existing policy).
2. Schedule B – Discrimination, Harassment, Bullying in the Workplace Policy #02-03 (September 2020 - updated Policy).

### Concurrence

1. The updated policy was reviewed by our HR Consultant from Clear HR.
2. The Governance and HR Committee passed the following recommendation at their meeting held on September 1, 2020.

*THAT the Governance and Human Resources Committee recommend that the Board amend the existing Discrimination, Harassment and Bullying in the Workplace Policy #02-03 dated February 2014 with the attached updated Discrimination, Harassment, and Bullying in the Workplace Policy #02-03 dated September 2020.*

Respectfully submitted,



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Sundance Topham  
Chief Administrative Officer

**SUBJECT:** Discrimination Harassment Bullying in the Workplace Policy

**CATEGORY:** Health & Safety

**POLICY #:** 02-03

## **PURPOSE**

The *Workers Compensation Act* (WCA) sets out the general duty of employers to ensure the health and safety of all workers working for that employer. As part of the WSC, new regulations of WorkSafeBC came into effect on November 1, 2013. The new regulations require that employers develop a policy statement with respect to workplace bullying and harassment not being acceptable or tolerated.

## **SCOPE**

This policy applies to **all UNA staff** or any person, contractor or agent, engaged by and acting on behalf of the UNA.

## **POLICY STATEMENT**

The University Neighbourhoods Association (“UNA”) is committed to providing a respectful and positive work environment free from discrimination, harassment and bullying.

We have developed and implemented procedures for workers to report incidents or complaints of discrimination, harassment, or bullying and have developed and implemented procedures for how we as an employer will deal with complaints.

This Policy applies to all employees or any person, contractor or agent, engaged by and acting on behalf of the UNA.

The UNA does not condone and will not tolerate acts of discrimination, harassment, bullying, and/or violence in the workplace. Complaints will be investigated promptly and appropriate steps will be taken.

Employees who report bone fide claims of discrimination, bullying or harassment will not be subject to disciplinary action. However, it is a violation of this policy for anyone to knowingly make a false complaint of discrimination, harassment, bullying, or violence, or to provide false information about a complaint.

Any retaliation by any employee, including the employee who is the subject of the complaint, will not be tolerated.

**Definitions**

- Discrimination on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, creed, sex, age, record of offenses, marital status, family status, handicap, sexual preference or pregnancy, and other related grounds is prohibited by Human Rights legislation and will not be tolerated.
- Harassment is a course of conduct characterized by unwelcome, offensive, intimidating, bullying, or violent behaviour. It includes inappropriate physical conduct, creating an intimidating or offensive work environment or creating a degrading, humiliating or hostile work environment. Sexual harassment is any unwelcome conduct or comment of a sexual nature. Harassment does not include normal supervision of work.
- Bullying includes any inappropriate conduct or comment by a person towards another worker that the person knew or ought to have known would cause that worker to be humiliated or intimidated, but excludes any reasonable action taken by a supervisor relating to performance management.

Individuals who violate this policy are subject to disciplinary and/or corrective action, up to and including termination of employment.

**Test for bullying and harassment**

1. Bullying and harassment can manifest as either conduct or comment and therefore includes not just words but also actions, gestures and other behaviours.
2. Examples of conduct or comment that might constitute bullying and harassment include, but are not limited to:
  - Verbal aggression or insults, e.g., calling someone derogatory names
  - Vandalizing a worker's belongings or work equipment
  - Sabotaging a person's work
  - Spreading malicious gossip or rumours about a person
  - Engaging in harmful or offensive initiation practices
  - Physical assault or threats
  - Making personal attacks based on someone's private life and/or personal traits
  - Making aggressive or threatening gestures
  - Engaging in targeted social isolation
3. Conduct or comments constitute bullying and harassment when either:
  - The person knew his or her conduct or comment would cause that worker to be humiliated or intimidated, or
  - A reasonable person in the same situation would have considered the conduct to cause humiliation or intimidation to that worker.

4. Conduct or comments that one worker may accept or tolerate might cause a different worker to be humiliated or intimidated.
5. Bullying and harassment is not limited to behaviour engaged in by UNA employees but also includes behaviour engaged in by a person that an employee may encounter at the workplace, such as clients, customers, members of the public, etc. While the UNA may not have direct control over the behaviour of such non-workers we will take appropriate steps to address such conduct should it occur.

### **What is *not* bullying and harassment?**

6. The definition of "bullying and harassment" specifically excludes reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.
7. Management and direction of workers or the place of employment include, for example, decisions relating to the following:
  - Job duties or the work to be performed
  - Workloads and deadlines
  - Lay offs, transfers, and reorganizations
  - Work instruction, supervision, or feedback
  - Work evaluation
  - Performance management
  - Discipline, suspension, or termination

### **Reporting Bullying and Harassment**

8. All members of UNA management are responsible for ensuring a workplace that is free of harassment, bullying, discrimination, and violence and are expected to take timely and appropriate action to resolve any situation that involves harassment, bullying, discrimination, or violent behaviour.
9. All employees have an obligation to report incidents of bullying or harassment, whether witnessed or directly experienced, once or over a number of occasions.
10. Employees are encouraged to record details of the harassment and seek support from co-workers and family.
11. An employee who is a victim of harassment, bullying, discrimination, and/or violence should make it known to the wrongdoer, in clear terms, that the comments made or the conduct displayed is unwelcome and will not be tolerated.
12. If an employee is not comfortable dealing directly with the alleged wrongdoer or if the harassment, bullying, discrimination, or violence continues despite direct confrontation regarding the conduct, the employee

alleging harassment, bullying, discrimination, or violence must report the problem to their manager. In circumstances in which the employee's manager is the source of the problem, the employee must report the conduct to the next level of management, or to the Executive Director.

13. Complaints will be treated seriously and promptly. The manager who receives the complaint will consult with the Executive Director and his/her supervisor to determine the steps to be taken to investigate and resolve the issue.
14. An investigation will be conducted when there is sufficient information brought forward by an employee to indicate that there has been a breach of this policy. Investigation and resolution may include using the services of a neutral person or other resources.
15. The investigation of each complaint will be handled in as confidential manner as possible. We cannot investigate anonymous complaints but every effort will be made to minimize the number of other employees who will receive information about the complaint.
16. The investigation will be fair and impartial, providing both the complainant and the subject of the complaint an opportunity to be heard. The investigation will be as thorough as the circumstances demand and will include interviews with the employee who is making the complaint, the employee about whom the complaint is made and any potential witnesses who may have relevant information about the complaint.
17. Once the facts are gathered the UNA will determine whether there has been a breach of this policy and will promptly take any necessary corrective action. The primary intervention goal is to educate and change behaviour. However, in some circumstances, disciplinary action may be the appropriate intervention.
18. Information related to the complaint, the investigation and the outcome will be recorded in a written report that will be retained by Human Resources.

#### **Annual Review**

In compliance with the WorkSafe BC requirements the UNA will engage in an annual review of this policy statement, the reporting and investigation procedures, and steps taken to prevent or minimize bullying and harassment to ensure their effectiveness.

#### **RELATED DOCUMENTS AND LEGISLATION**

- BC Workers Compensation Act

#### **APPROVAL HISTORY**

<b>ISSUED BY:</b> Board of Directors	<b>APPROVED BY:</b> Board of Directors	<b>DATE:</b> February 2014
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<b>SUBJECT:</b>	<b>Discrimination, Harassment, Bullying in the Workplace</b>	<b>POLICY #02-03</b>
<b>CATEGORY:</b>	<b>Health &amp; Safety</b>	
<b>AUTHORITY:</b>	<b>Board of Directors</b>	
<b>ADOPTED:</b>	<b>February 2014</b>	
<b>AMENDED:</b>	<b>September 2020</b>	
<b>REVIEWED:</b>	<b>September 2020</b>	

## Purpose

The purpose of this policy is to ensure a safe, healthy and respectful work environment as a fundamental right of employees

## Scope

This policy applies to **all UNA staff or** any person, contractor or agent, engaged by and acting on behalf of the UNA.

## Policy Statement

At the UNA, we believe that everyone has the right to a safe and healthy workplace, where personnel may conduct their duties without fear from isolation or disruptive and hurtful comments. We value the mental and physical well-being of our employees and strive to maintain a fair, respectful and supportive working environment.

As part of a working team, you also have a responsibility to give that same respectful treatment to others. Your comfort and understanding of our employee relationships is essential to the successful operation of the UNA.

The UNA prohibits conduct that creates an intimidating, hostile, or offensive working environment for employees, visitors or anyone conducting business with us. The UNA has a zero-tolerance policy against discrimination, harassment or bullying in any form, whether verbal, non-verbal, physical or psychological. This policy applies to behaviours on UNA premises, during work-related travel, at work-related conferences, training sessions and seminars, and during work-related telephone, electronic and other communications.

Any complaints will be investigated thoroughly. Any employee found engaging in inappropriate conduct will be subject to discipline, up to, and including, termination of employment for cause.

## Definition

Discrimination, harassment or bullying includes any inappropriate conduct or comment by a person towards another that the person knew, or, reasonably, ought to have known, would cause the other to be humiliated or intimidated. It can also include behaviour that detrimentally affects the work environment.

Prohibited grounds for discrimination in accordance with the *B.C. Human Rights Code* include race, colour, ancestry, place of origin, religion, marital status, family status, disability, sex,

sexual orientation, gender identity or expression, age, criminal conviction and political belief. Inappropriate behaviours do not need to fall under these prohibited grounds in order to be considered bullying or harassment.

Examples of inappropriate behaviour include:

- Verbal aggression, insults or threats
- Derogatory remarks or slurs
- Circulation of disrespectful written materials, jokes, cartoons or pictures
- Viewing, downloading or printing of pornographic or other offensive material
- Gestures that demean, ridicule or torment an individual
- Leering or staring in a sexually suggestive manner
- Inappropriate touching
- Sending offensive notes, emails or text messages during or outside of work hours
- Yelling or using profanity
- Social exclusion or isolation
- Deliberately impeding someone's work or purposefully giving wrong information

Reasonable actions taken by an employer or manager relating to the management and direction of workers or the place of employment (e.g. providing constructive or negative performance feedback, imposing corrective disciplinary action, requiring re-work) are not considered bullying or harassment, nor are interpersonal conflicts, unless the behaviour is threatening or abusive.

All employees are required to complete the *UBC online Preventing and Addressing Workplace Bullying and Harassment Training* course.

### Reporting Procedures

Any employee who feels they are being intimidated or harassed should take the following steps:

1. Keep a written record of each incident of discrimination, harassment or bullying when it occurs.
2. If you are comfortable doing so, speak to the offending individual directly. Tell him or her that their behaviour is unwelcome and ask them to stop.
3. If the offending behaviour does not stop, or if you are not comfortable talking to the individual directly, report the incident. Advise your manager and provide any relevant details, preferably in writing. If your manager is the one demonstrating offending behaviour, report the incident to another manager.
4. Once a complaint is received, an investigation will be undertaken and all necessary steps will be taken to ensure the situation is resolved. The UNA has procedures in place for investigating and handling reported incidents, including interviewing the complainant, the respondent and any witnesses.

5. Upon completion of the investigation, the affected parties will be notified of the outcome of the investigation. Where it is warranted, the UNA will promptly take corrective measures including disciplinary action.

All employees are responsible for helping to ensure a respectful workplace free of bullying and harassment. Any employee who believes that they have experienced or witnessed harassment must immediately notify their manager or any other member of the management staff so that prompt corrective and preventative action can be taken. Every employee has the responsibility not to passively tolerate the behavior of others that may violate this policy. If a co-worker tells you that they are being harassed, be supportive and encourage them to tell the offender to stop or to report the incident to their manager. If you believe the situation warrants, you must report the incident.

## Other Considerations

### 1. Confidentiality

Confidentiality will be maintained to the extent possible. Disclosure may be necessary for the purpose of investigating the complaint or taking disciplinary measures in relation to the complaint. Anonymity will not be guaranteed.

### 2. Discipline

If an investigation confirms that discrimination, bullying or harassment has occurred, the UNA will take appropriate disciplinary action, up to and including termination of employment for cause, against the offending parties. Disciplinary measures will depend on the seriousness of the offense

### 3. Retaliation

Any employee who reports discrimination, harassment or bullying in good faith will not be retaliated or discriminated against. Any retaliatory behaviour is grounds for discipline.

### 4. False Complaints

False, vindictive, frivolous complaints will not be tolerated. Anyone filing such a complaint will be subject to discipline up to and including termination of employment. A false complaint is different than an unfounded complaint.

## Annual Review

In compliance with the WorkSafe BC requirements the UNA will engage in an annual review of this policy statement, the reporting and investigation procedures, and steps taken to prevent or minimize bullying and harassment to ensure their effectiveness.

## Related Documents and Legislation

- BC Workers Compensation Act

**Date:** September 4, 2020

**From:** Bill Holmes

**Re:** Rural Property Tax and Fire Service Charge

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### **Recommendation**

That the Board appoint Directors Holmes and Mullen to work with the Chief Administrative Officer to undertake the following and report to the October 20, 2020 Board meeting:

- (a) prepare a comparison, for the most recent year for which data is available, of
  - (i) the combined amount of rural property tax and police tax paid by owners of property in the UBC neighbourhoods and the amount of fire service charge paid by UBC to the provincial governmentwith
  - (ii) an estimate of the cost of the municipal-type services provided to residents of the UBC neighbourhoods that are provided by, or funded by, the provincial government;
- (b) develop terms of reference for a working group whose mandate is to seek a reduction in the rate of rural property tax applicable to the UBC neighbourhoods, or a reduction in or elimination of the fire service charge (or both);
- (c) recommend members for the working group; and
- (d) develop a strategy for the working group and the Board to engage with the provincial government.

### **Background**

Owners of property in the UBC neighbourhoods pay the provincial general rural property tax. Subject to a significant exception noted below regarding the University Endowment Lands (UEL), this tax is applicable with respect to property throughout the province (other than excluded property) that is not in a municipality. A province-wide rate of tax applies. My understanding is that the rate is determined so as to raise an amount of revenue that is inflation-adjusted each year. Importantly, the rate is *not* determined by reference to provincial expenditures. The revenue raised from this tax goes into the government's general revenues (e.g., like income tax); it is *not* earmarked for particular expenditures.

Based on official and unofficial statements regarding the rural property tax, the tax is intended primarily as a source of funding for the maintenance of provincial secondary roads. A small portion of the tax funds police services. This portion can be quantified for any community by computing the credit it has been given in the determination of the rate of police tax applicable to the community.

Our neighbours in the UEL are treated better by the province. They do not pay the general rural property tax, even though the UEL is not a municipality or part of a municipality. Instead, they pay property tax determined by reference to the estimated costs to run their community, and the province

(which administers the UEL) uses the tax revenue for that purpose.<sup>1</sup> This is similar to taxation in a municipality.

The provincial government decided in 2015 that it would impose a charge on our community to pay a portion of the cost for fire service for the Point Grey peninsula.<sup>2</sup> The charge took effect in 2016. A small group, of which I was a member, attempted for over two years to have the provincial government terminate the charge, on the basis that it was unfair given the amount of rural property tax paid by our community. It had been understood by those familiar with the situation that a portion of our rural property tax should be considered to cover fire service. Our efforts were unsuccessful.

The fire service charge is paid out of the services levy. UBC entered into an agreement with the provincial government to pay the charge, and the UNA entered into an agreement with UBC approving this use of the services levy. Both agreements expire March 31, 2021 (i.e., in about 7 months). Those agreements are attached.

### Discussion

It can be expected that the provincial government will soon ask UBC to renew the fire service contribution agreement, and that UBC will ask the UNA to give its blessing to a renewed agreement. The UNA Board should consider its position now, while there is time to take steps to try to achieve a fair taxation arrangement for residents. The UNA would not be acting in the best interests of residents if it were simply to endorse a renewed agreement.

The unfairness in the taxation of the UBC neighbourhoods can be seen by comparing the amount of tax paid to the province with the value of the corresponding services received. Three taxes are involved: the general rural property tax; the police tax; and the fire service charge (technically not a tax, but equivalent in substance and so referred to in the following as a tax). In 2017 – the most recent year for which I made an analysis – these taxes amounted to about \$3.9 million. In return, the UBC neighbourhoods received police and fire services with an estimated value of approximately \$1.8 million and no other services. Thus, the UBC neighbourhoods paid approximately \$2 million more in taxes to the provincial government than the value of services received in return.

The amounts paid to the provincial government have a direct effect on the money available to the UNA. This is because of the way in which the residential services levy and the general municipal services levy are determined. In general terms, the services levy on a property is equal to the amount of property tax that would be payable if the property were in Vancouver minus the amount of rural property tax payable in respect of the property. Thus, every dollar of rural property tax results in a dollar less of services levy. A further reason why there is a direct effect on funding for the UNA is that the fire service charge is paid out of the services levies. Excessive taxation by the provincial government is a principal reason for the UNA's financial difficulties.

<sup>1</sup> The *University Endowment Land Act* deems the UEL property tax to be tax imposed under the *Taxation (Rural Area) Act* and makes that Act applicable to the levy and collection of the tax. Hence, the tax is sometimes referred to as rural property tax.

<sup>2</sup> Fire service is provided to the UBC campus (which includes the UBC neighbourhoods) and the UEL by Vancouver Fire Rescue Services, pursuant to a contract between the provincial government and the City of Vancouver.

The UNA Board needs to decide whether to attempt to obtain a better tax deal for the UBC neighbourhoods. I propose that a small working group be established to carry this matter forward. Since fair taxation is a political matter, the only directors who should be members of the group are resident directors. One or two non-director residents could also be appointed as members of the working group.

The first step for the group would be to update, with the assistance of staff, the determination of the amount of taxes paid and the value of services received. Data should be available for 2019. Assuming that this analysis continues to show that the amount of taxes are significantly in excess of the value of services received, the working group would develop an action plan for dealing with politicians.

Another tax matter that might also be taken up by the working group involves the provincial tax deferment program. This program does not apply with respect to residential properties in the UBC neighbourhoods because the properties are leasehold properties. Our MLA, David Eby, raised this issue with the then Minister of Finance in 2016. Yesterday, in a response to a query from two residents, his office stated: "This is an important issue that is on our radar, and we continue to advocate for our community with the Ministry of Finance on this point."

#### **Attachments**

1. Contribution Agreement between the Province of BC and UBC.
2. Agreement between the UNA and UBC regarding payment of the fire service charge.

## UBC Neighbourhood Fire Services Contribution Agreement

This Contribution Agreement dated for reference the 4th day of October, 2016.

### BETWEEN

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA,  
represented by the Minister of Community, Sport and Cultural Development (the  
"Province")

AND

THE UNIVERSITY OF BRITISH COLUMBIA, a corporation continued under the *University Act* of British Columbia ("UBC")

### WHEREAS:

- A. Pursuant to the Fire Services Agreement, the City of Vancouver provides Fire Services to the University Endowment Lands and UBC's Vancouver campus, including the Market Properties, and the Province pays the City of Vancouver for the cost of the Fire Services;
- B. UBC leases the Market Properties to lessees pursuant to the Leases;
- C. Lessees of Market Properties pay rural property taxes to the Province pursuant to the *Taxation (Rural Area) Act*, R.S.B.C. 1996 c. 448, and pursuant to the Leases, they pay the Services Levy to UBC for the provision of certain municipal-like services;
- D. The Market Properties are located in lands owned by UBC, are designated for market development under UBC's Land Use Plan, and are lands where certain municipal-like services are provided by an incorporated society named the University Neighbourhoods Association, pursuant to the Neighbours' Agreement 2015; and
- E. Based on the representations of the parties set out herein the parties wish to allocate a fair proportion of the cost of Fire Services to the Market Properties.

NOW THEREFORE, in consideration of the sum of One Dollar and other valuable consideration, the receipt and sufficiency of which is acknowledged by each party, the parties agree as follows:

### DEFINITIONS

1. In this Agreement and its recitals the following definitions apply:

"**Agreement**" means this Agreement as amended from time to time and any schedules attached hereto;

"**Annual Funding Contribution**" means the Total Annual Costs, as defined in Schedule B, paid by UBC to the Province pursuant to this Agreement;

**"Fire Services"** means the fire services provided by the City of Vancouver pursuant to the Fire Services Agreement;

**"Fire Services Agreement"** means the agreement dated October 16, 1995 between the City of Vancouver and the Province as amended from time to time;

**"Fiscal Year"** means the period beginning April 1 of a year and ending March 31 of the following year;

**"Leases"** mean lease agreements between UBC, as landlord, and lessees of Market Properties;

**"Market Properties"** means properties vested in UBC and situated on UBC's Vancouver campus that:

- (a) are located in areas designated as neighbourhood housing areas in the UBC Land Use Plan or are otherwise "Designated Buildings" pursuant to the Neighbours' Agreement 2015;
- (b) UBC leases to lessees;
- (c) are eligible to be taxed under the *Taxation (Rural Area) Act*, R.S.B.C. 1996, c. 448; and
- (d) either
  - i. are not exempted from the taxation referred to in (c) above, whether pursuant to section 54 of the *University Act*, R.S.B.C. 1996, c. 468 or otherwise; or
  - ii. are exempted from such taxation by the Conditions and Limitations on University Property Tax Regulation, B.C. Reg 366/2005 on the basis that the accommodation is held or used as university apartments rented primarily to the full time university faculty or staff for a stay of no more than 3 years.

**"Neighbours' Agreement 2015"** means the agreement between UBC and the University Neighbourhood Association entitled Neighbours' Agreement 2015, as amended from time to time;

**"Services Levy"** means the amounts identified in the Leases as the "Service Levy", or "Services Levy", or "General Municipal Services Levy", which are collected by UBC, as landlord, pursuant to the Leases;

**"UBC's Vancouver campus"** means the lands and premises owned by UBC that are described as the Point Grey lands in the *Point Grey Campus Regulation of the Municipalities Enabling and Validating Act (No. 3)* S.B.C. 2001, c.44; and

**"2016/17 Contribution"** means a one-time payment made by UBC to the Province pursuant to section 1 of Schedule A.

## **SCHEDULES**

2. The Schedules to this Agreement are:

Schedule A	Payment
Schedule B	Calculation of Amount of Annual Funding Contribution

## **TERM AND TERMINATION**

3. Notwithstanding the actual date of execution of this Agreement, the term of this Agreement begins on September 30<sup>th</sup>, 2016 and expires on March 31<sup>st</sup>, 2021 subject to any renewal pursuant to section 4 or earlier termination in accordance with the provisions hereof.
4. The term of this Agreement will be renewed upon mutual agreement of the parties.
5. If the University Neighbourhoods Association gives UBC notice that its Board of Directors has resolved to withdraw its consent to the use of the Services Levy to pay the 2016/2017 Contribution and the Annual Funding Contributions, UBC may terminate this Agreement by giving the Province written notice.

Regardless of when the written notice is delivered, the effective date of termination will be March 31<sup>st</sup> of the then current Fiscal Year. For greater certainty, a termination notice will not affect the contribution to be made or already made for the Fiscal Year in which the notice was given.

In the event that UBC gives notice that the University Neighbourhoods Association has withdrawn its consent, then the Province reserves its rights to pursue other methods available to it to recover the costs of Fire Services.

## **REPRESENTATIONS**

6. The Province represents that:
- it has the power and capacity to enter into this Agreement and to observe, perform and comply with the terms of this Agreement and all necessary corporate, contractual or other proceedings have been taken and done to authorize the execution and delivery of this Agreement;
  - this Agreement has been legally and properly executed by the Province; and
  - all information and documents of any kind furnished or submitted by the Province to UBC in connection with this Agreement are in all material respects true and correct.
7. UBC represents that:
- it has the power and capacity to enter into this Agreement and to observe, perform and comply with the terms of this Agreement and all necessary corporate,

contractual or other proceedings have been taken and done to authorize the execution and delivery of this Agreement;

- (b) this Agreement has been legally and properly executed by UBC; and
- (c) all information and documents of any kind furnished or submitted by UBC to the Province in connection with this Agreement are in all material respects true and correct.

## CONDITIONS

8. Notwithstanding any other provision of this Agreement, the parties' respective obligations under this Agreement are subject to:

- (a) the Fire Services Agreement remaining in force as between the City of Vancouver and the Province;
- (b) the parties respective representations set out in sections 6 and 7 above being and remaining true and correct; and
- (c) the neighbourhood housing areas on which the Market Properties are situated remaining a part of Electoral Area "A" of the Greater Vancouver Regional District.

Upon any of the conditions described above no longer being satisfied, either party may give the other party written notice of termination of this Agreement, which termination shall be effective immediately unless otherwise set out in the notice.

9. In any Fiscal Year, if the total Services Levy paid by the lessees of Market Properties to UBC is less than the amount required to pay that year's Annual Funding Contribution:

- (a) UBC agrees to pay the Annual Funding Contribution to the Province first, prior to using or disbursing the Services Levy for any other purpose, from the total amount of Services Levy collected in that Fiscal Year;
- (b) UBC shall give notice of same, together with particulars, to the Province as soon as practicable; and
- (c) the Annual Funding Contribution for that Fiscal Year shall be reduced to equal the actual Services Levy collected in that Fiscal Year, and payment of the actual Services Levy collected by UBC to the Province shall be deemed to be full and final settlement of that Fiscal Year's Annual Funding Contribution.

For greater certainty, UBC will make commercially reasonable efforts to collect all outstanding Services Levy payments from lessees of Market Properties and remit all amounts collected in arrears to the Province together with an accounting thereof, at the same time as the next Annual Funding Contribution.

## **OBLIGATIONS OF UBC**

10. Subject to the provisions of this Agreement, UBC agrees to pay to the Province the 2016/17 Contribution payment and the Annual Funding Contribution at the times and in the manner set out in Schedule A.
11. UBC will comply with all applicable laws, statutes, and regulations of British Columbia and, as applicable, Canada and the applicable bylaws of any local government.

## **OBLIGATIONS OF THE PROVINCE**

12. Provided UBC is in compliance with payment of the 2016/17 Contribution and the Annual Funding Contribution to the Province and provided the Fire Services Agreement remains in effect, the Province will continue to ensure that Fire Services are provided to Market Properties under the Fire Services Agreement.
13. The parties acknowledge that the terms and conditions of the Fire Services Agreement have a material effect on UBC and lessees of Market Properties, and their views must therefore be given due and fair consideration by the Province. Therefore the Province will, in good faith, engage in discussions with UBC in the event material amendments to or replacement of the Fire Services Agreement are being considered.
14. The Province will comply with all applicable laws, statutes, and regulations of British Columbia and, as applicable, Canada.

## **OBLIGATIONS OF UBC AND THE PROVINCE**

15. The Province and UBC each agree to establish and maintain records in relation to its calculations pursuant to Schedule B of this Agreement and will retain such records for a period of five years after the term of this Agreement.
16. The Province and UBC each agree to permit the other party to inspect at all reasonable times the records referred to in section 15 of this Agreement, subject to the *Freedom of Information and Protection and Privacy Act R.S.B.C. 1996 c. 165* and any other applicable laws or Provincial policies or directives.

## **DEFAULT**

17. Any of the following events will constitute an "Event of Default" whether any such event be voluntary, involuntary or result from the operation of law or of any judgment or order of any court or administrative or government body:
  - (a) UBC or the Province fail to comply with any term or condition of this Agreement; or
  - (b) any information, statement, certificate, report or other document furnished or submitted by or on behalf of UBC or the Province, as the case may be, pursuant to or as a result of this Agreement is untrue or incorrect.

18. Upon the occurrence of any Event of Default and at any time thereafter the non-defaulting party may at its sole option, elect to do one or both of the following:

- (a) by written notice to the defaulting party, require the Event of Default to be remedied within the time period specified in the notice, which shall not be less than 30 calendar days; and/or
- (b) pursue any remedy or take any action available to it at law or in equity.

#### **REMEDIES NON-EXCLUSIVE**

19. The rights, powers and remedies conferred on a party under this Agreement or any statute or law are not intended to be exclusive and each remedy shall be cumulative and in addition to and not in substitution for every other remedy existing or available to that party.
20. The exercise of any one or more remedies available to a party will not preclude the simultaneous or later exercise by that party of any other right, power or remedy.

#### **AMENDMENTS**

21. Unless otherwise specified in this Agreement, this Agreement may be amended only by further written agreement between the parties.

#### **NOTICE**

22. (a) Any written communication or notice from UBC to the Province must be mailed, personally delivered, faxed, or electronically transmitted to the following address:

Ministry of Community, Sport and Cultural Development  
Mailing Address: P.O. Box 9839, STN PROV GOVT  
Victoria, British Columbia V8W 9T1

Attention: Deputy Minister

Fax No.: (250) 387-7973  
Email: CSCD.DMO@gov.bc.ca

- (b) Any written communication or notice from the Province to UBC must be mailed, personally delivered, faxed or electronically transmitted to the following address:

The University of British Columbia  
Mailing Address: 6328 Memorial Road  
Vancouver, British Columbia V6T 1Z2

Attention: Vice President, External Relations

Fax No.: (604) 822 3861  
Email: phillip.steenkamp@ubc.ca

- (c) Any written communication or notice from either party will be deemed to have been received by the other party on the tenth business day after mailing in British Columbia; on the date of personal delivery if personally delivered; or on the date of transmission if faxed or electronically transmitted.
- (d) Either party may, from time to time, notify the other by notice in writing of a change of address, facsimile, or electronic mail contact and following the receipt of such notice, the new address, facsimile, or electronic mail contact will, for the purposes of paragraph 22 (a) or 22 (b) of this Agreement, be deemed to be the address, facsimile, or electronic mail contact of the party giving such notice.

#### **MISCELLANEOUS**

- 23. This Agreement will be governed by and construed in accordance with the laws of the Province of British Columbia.
- 24. The Schedules to this Agreement are an integral part of this Agreement.
- 25. If any provision of this Agreement or the application to any person or circumstance is invalid or unenforceable to any extent, the remainder of this Agreement and the application of such provision to any person or circumstance will not be affected or impaired thereby and will be enforceable to the extent permitted by law.
- 26. Neither party will, without the prior, written consent of the other party, assign, either directly or indirectly, this Agreement or any right under this Agreement.
- 27. Each party must perform the acts, execute and deliver the writings and give any further assurances as may be reasonably necessary to give full effect to this Agreement.
- 28. This Agreement constitutes the entire agreement between the parties with respect to contributions by UBC to the Province for Fire Services.
- 29. A waiver of any term or breach of this Agreement is effective only if it is in writing and signed by, or on behalf of, the waiving party and is not a waiver of any other term or breach.
- 30. The headings or captions in this Agreement are inserted for convenience only and do not form a part of this Agreement and in no way define, limit, alter or enlarge the scope or meaning of any provision of this Agreement.
- 31. A reference in this Agreement:
  - (a) to a statute means a statute of the Province of British Columbia unless otherwise stated and includes every amendment to it, every regulation made under it and any enactment passed in substitution therefore or in replacement thereof; and
  - (b) to any other agreement means that other agreement as it may be amended from time to time.

## DISPUTE RESOLUTION

32. If there is a dispute between the parties under this Agreement, either party may, by written notice to the other, refer the dispute for resolution in the first instance to the Assistant Deputy Ministry of the Ministry of Community, Sport and Cultural Development responsible for this Agreement and to the Vice President, External Relations of UBC (or the then equivalent), who will each make reasonable efforts to resolve the dispute within the period of 30 days following the date it was referred to them.
33. If a dispute between the parties under this Agreement is not resolved in accordance with section 32, the parties must attempt to resolve the dispute through mediation under the rules of the MediateBC Society.

IN WITNESS WHEREOF each of the parties has executed this Agreement on the dates set out below.

SIGNED by the Minister of Community, Sport  
and Cultural Development or his or her )  
duly authorized representative on behalf )  
of HER MAJESTY THE QUEEN IN )  
RIGHT OF THE PROVINCE OF )  
BRITISH COLUMBIA: )  
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Minister (or duly authorized representative)

Date: Oct 26/16

THE UNIVERSITY OF BRITISH COLUMBIA:

Per: Philip Steenkamp  
Authorized Signatory

PHILIP STEENKAMP, VICE PRESIDENT, EXTERNAL RELATIONS  
Name/Title

Date: 4 October 2016

Per: Ian Burgess  
Authorized Signatory

Ian Burgess, Comptroller  
The University of British Columbia  
Name/Title

Date: October 19, 2016

Schedule A to the Agreement between the Province and UBC dated for reference October 4, 2016.

**Schedule A – Payment**

**2016/17 Contribution**

1. UBC will pay the sum of \$500,000 to the Province on or before October 28, 2016 as full payment of its contribution for the 2016/2017 Fiscal Year.

**Annual Funding Contribution**

2. UBC will pay to the Province an Annual Funding Contribution within 60 days of receipt of an invoice from the Province. The first invoice will be provided to UBC by July 31<sup>st</sup>, 2017 in accordance with section 6 of Schedule B of this Agreement.
3. The amount of the Annual Funding Contribution shall be calculated each year in accordance with Schedule B of this Agreement.

Schedule B to the Agreement between the Province and UBC dated for reference October 4, 2016.

### **Schedule B – Calculation of Amount of Annual Funding Contribution**

1. The following definitions apply for the purposes of this Schedule:

**“Academic Properties”** means property vested in UBC which is exempt from taxation pursuant to section 54 of the *University Act*, R.S.B.C. 1996, c. 468;

**“Actual Total Fire Services Costs”** means the actual amount of the Fire Services costs paid by the Province to the City of Vancouver each year, as contemplated by section 3.2 of the Fire Services Agreement;

**“Budgeted Total Fire Services Costs”** means the budgeted amount of the Fire Services costs paid to the City of Vancouver by the Province each year, as contemplated by section 3.2 of the Fire Services Agreement;

**“Population of Academic Properties”** means the total of UBC’s annualized full-time equivalent students, faculty and staff attending and working (as the case may be) on the Academic Properties, as determined pursuant to section 3(a) of this Schedule B;

**“Population of Fire Service Area”** means the combined total populations of the Population of Academic Properties, the Population of Market Properties, and the Population of University Endowment Lands, as determined pursuant to section 6 of this Schedule B;

**“Population of Market Properties”** means the total population of residents living in the Market Properties determined pursuant to section 3(b) of this Schedule B;

**“Population of University Endowment Lands”** means the total population of residents living in the University Endowment Lands, determined pursuant to Section 4 of this Schedule B;

**“Total Annual Costs”** means the amount calculated pursuant to Section 5 of this Schedule B which is the portion of the Budgeted Total Fire Services Costs attributable to the Market Properties, as may be adjusted pursuant to section 10 of this Schedule B.

2. On or before June 1<sup>st</sup> of each year beginning in 2017, UBC will provide to the Province:

- (a) the Population of Academic Properties and the Population of Market Properties for the current year; and
- (b) a projection of both the Population of Academic Properties and the Population of Market Properties for the following year.

3. The populations referred in section 2 above will be determined using the following methods:

(a) Population of Academic Properties:

(i) Current year:

(A) UBC Students: annualized full time equivalent students studying in faculties or programs based in UBC's Vancouver campus as of March 1 of the current year, as determined by UBC's Planning and Institutional Research office.

(B) UBC Faculty/staff: Total number of full time equivalent UBC faculty and staff working at the UBC Vancouver campus, excluding student employees as of November 1 of the previous year, as determined by UBC's Planning and Institutional Research office.

(ii) Following year

(A) UBC Students: projected annualized full time equivalent students studying in faculties or programs based in UBC's Vancouver campus as of March 1 of the following year, as determined by UBC's Planning and Institutional Research office.

(B) UBC Faculty/staff: (1) Calculate the percentage (%) change in the student population in the current year and the projected student population for following year; and (2) multiply the percentage calculated in (1) immediately above against the current year UBC faculty/staff calculated in accordance with section 3(a)(i)(B) of this Schedule B.

(b) Population of Market Properties:

(i) Current year:

The average number of people per dwelling type established in the most recent Canada Census population statistics for Metro Vancouver Electoral Area A multiplied by completed residential units of Market Properties for which occupancy permits have been granted as of June 1.

(ii) Following year:

The average number of people per dwelling type established in the most recent Canada Census population statistics for Metro Vancouver Electoral Area A multiplied by the projected completed residential units of Market Properties for which occupancy permits have been granted as of June 1.

4. On or before June 1st of each year beginning in 2017, the Population of University Endowment Lands as of June 1<sup>st</sup> for the current year and a population projection for the following year will be determined using the following methods:

(a) Population of University Endowment Lands:

(i) Current Year:

The average number of people per dwelling type established in the most recent Canada Census population statistics for Metro Vancouver Electoral Area A multiplied by completed residential units for which occupancy permits have been granted as of June 1.

(ii) Following Year:

The average number of people per dwelling type established in the most recent Canada Census population statistics for Metro Vancouver Electoral Area A multiplied by the projected completed residential units for which occupancy permits have been granted as of June 1.

5. For reference purposes only, the Canada 2011 Census population statistics for the average number of people per dwelling type for Metro Vancouver Electoral Area A are:

Single-detached house	2.91
Semi-detached house	3.11
Row house	3.07
Apartment, duplex	2.73
Apartment, < 5 storeys	2.29
Apartment ≥ 5 storeys	2.22
Moveable dwelling	3.00

6. The amount of the Total Annual Costs for each year will be calculated as follows:

Where:

A = Population of Market Properties

B = Population of Academic Properties

C = Population of University Endowment Lands

D = Population of Fire Service Area

Step 1: Calculate the Population of Fire Service Area.

$$A+B+C = D$$

**Step 2:** Calculate the percentage that the Population of Market Properties represents of the Population of Fire Service Area.

$$A/D = A\%$$

**Step 3:** Calculate the Total Annual Costs by multiplying A% in Step 2 above by the Budgeted Total Fire Services Costs.

$$A\% * \text{Budgeted Total Fire Services Costs} = \text{Total Annual Costs}$$

7. On or before July 31 of each year of the term of this Agreement beginning in 2017 the Province will provide UBC with an invoice for the Total Annual Costs calculated in accordance with section 6 above.
8. Subject to this Agreement, UBC will pay to the Province the amount of the invoice referred to in section 7 within 60 days of receipt of the invoice.
9. If UBC fails to pay to the Province the amount of the invoice referred to in section 7 of this Schedule B, interest will be charged by the Province at three per cent (3%) per annum above the prime rate of the principal banker for the Province.
10. If there is a variation between the Budgeted Total Fire Services Costs and the Actual Total Fire Services Costs in a given Fiscal Year, the Total Annual Costs calculated pursuant to section 6 of this Schedule B shall be recalculated in accordance with section 6 of this Schedule B using the Actual Total Fire Services Costs in place of the Budgeted Total Fire Services Costs and the population figures previously provided to the Province pursuant to section 2 of this Schedule B. The calculated difference between the Budgeted Total Fire Services Costs and the Actual Total Fire Services Costs in a given Fiscal Year will be added to or subtracted from, as applicable, the next invoice provided to UBC by the Province pursuant to section 7 of this Schedule B. No interest will be charged by either party on the calculated difference between the Budgeted Total Fire Services Costs and the Actual Total Fire Services Costs in a given Fiscal Year.
11. All cost recovery payments made by UBC to the Province shall be made electronically to the Ministry of Community, Sport and Cultural Development.



September 22, 2016

Richard Alexander  
Chair, Board of Directors  
University Neighbourhoods Association  
202-5923 Berton Avenue  
Vancouver, BC V6S 0B3

Dear Mr. Alexander,

As you know, the Neighbours Agreement 2015 sets out a process whereby, should UBC incur expenses for the benefit of residents, UBC and the University Neighbourhoods Association may agree to pay those costs from the Neighbourhood Levy.

I confirm that, in UBC's considered view, the Fire Protection Services serve the residents and the Neighbourhood Levy may be applied to pay the Province for Fire Protection Services delivered to UBC's campus residential community.

This letter confirms the UNA's agreement with UBC to utilize the Neighbourhood Levy to pay the annual cost of providing Fire Protection Services to UBC's campus residential community, as set out in the Contribution Agreement.

As background, the Province of British Columbia has entered into an agreement with the City of Vancouver to provide Fire Protection Services to the University Endowment Lands and the UBC Vancouver campus.

In other unincorporated areas of B.C. Fire Protection Services are funded through a separate tax, charge or other fee. According to the Province, this is not currently the case for UBC's residential community. As a result, the Province has required that UBC's campus residential community pay a separate charge for Fire Protection Services.

Rather than imposing a new or supplementary tax, or increasing the current rural property tax rate to pay this cost, the Province has requested that UBC enter into a Contribution Agreement to fund a fair, proportionate share of the cost of Fire Protection Services from the Neighbourhood Levy, which is collected from neighbourhood residents and businesses pursuant to their leases and administered in accordance with the Neighbours Agreement 2015.

The UNA Board of Directors has now requested that UBC enter this Contribution Agreement with the Province. At its meeting of September 13<sup>th</sup>, 2016, the UNA Board of Directors resolved that:

*The UNA Board of Directors asks UBC to enter a 5-year Contribution Agreement with the province for fire protection services delivered to UBC's campus neighbourhoods and approves UBC using the*

*Neighbourhood Levy to fund the Contribution Agreement, with UBC to provide financial support of \$0.8 million starting in the 2017/18 fiscal year with no reductions to existing neighbourhood service levels. Funding will grow proportionally in future fiscal years to offset the financial impact of the province's decision, and*

BE IT FURTHER RESOLVED THAT:

*The UNA Board of Directors approves the withdrawal of \$250,000 from the Rate Stabilization Reserve in the 2016/17 fiscal year to offset the fire protection services costs for that year, with UBC to provide the remaining \$250,000.*

In response to the Province's and the UNA's requests, UBC will enter into a Contribution Agreement with the Province. The Contribution Agreement sets out:

- How the annual cost of Fire Protection Services would be calculated and allocated amongst the populations of the University Endowment Lands, UBC's academic lands, and UBC's Neighbourhood Housing Areas and Designated Buildings;
- That UBC would pay the portion of the costs attributable to the campus' Neighbourhood Housing Areas and Designated Buildings to the Province from the annual Neighbourhood Levy collected from neighbourhood residents and businesses; and
- That UBC's commitment to pay the annual cost of Fire Protection Services is conditional upon the UNA agreeing to utilize the Neighbourhood Levy for this purpose.

Therefore, this letter confirms that UBC and the UNA agree to utilize the Neighbourhood Levy to pay the Province for Fire Protection Services, as contemplated in the Contribution Agreement. For greater certainty, through this letter the UNA is authorizing UBC to withdraw amounts from the Neighbours Fund, from time to time, sufficient to pay the amounts owed to the Province, for which UBC will provide the UNA invoices as necessary to ensure transparency. UBC will also provide the UNA with copies of the invoices received from the Province showing the amounts to be paid for Fire Protection Services. In addition, UBC will share with the UNA the information, data and records used to calculate the cost of providing Fire Protection Services in each fiscal year.

Of course, the Contribution Agreement and this agreement are inextricably linked. Should one terminate or expire, the other will be terminated as well. The Contribution Agreement will begin in 2016 and expire in 2021 with renewal upon mutual agreement of UBC and the Province. UBC commits to consulting with the UNA through any renewal, extension or amendment negotiations for the Contribution Agreement with the Province.

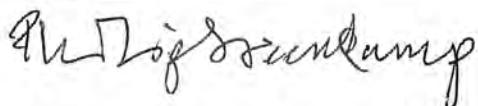
As you are aware, UBC and the UNA have created a Joint Financial Task Force to consider the financial impact of the Province's decision. The Joint Financial Task Force has produced recommendations that both UBC and the UNA have carefully considered. Therefore, UBC is committed to the following over the next five years:

- In 2016/17, UBC will provide \$250,000 in funding to offset the Fire Protection Services costs. We understand that the UNA will provide the remaining the funding required to pay the amounts owing for Fire Protection Services costs, from existing financial reserves.

- In 2017/18 to 2020/21: UBC will provide financial support totaling \$0.8m in 2017/18 and growing proportionately in future years. We understand that the UNA will provide the remaining funding required to pay the amounts owing for Fire Protection Services costs through cost savings, new revenue opportunities, and the use of existing financial reserves, as necessary.

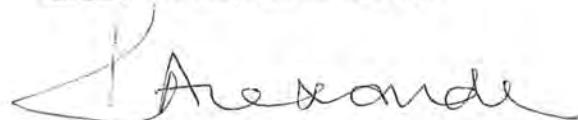
Thank you for the UNA's constructive collaboration to address this challenging issue. To confirm the UNA's agreement with the foregoing, please sign in the space provided below.

Yours Truly,



Philip Steenkamp  
Vice-President, External Relations

Acknowledged and agreed on behalf of the University Neighbourhoods Association  
27 day of September 2016 by:



Richard Alexander, Chair  
University Neighbourhoods Association Board of Directors

**Date:** September 4, 2020

**From:** Bill Holmes

**Re:** UNA Treasurer and Secretary

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### **Recommendation**

That, if the proposed UNA Bylaws are approved at the September 30, 2020 Special General Meeting, the Board not appoint a Treasurer when Director Album ceases to be Treasurer.

### **Background**

Section 9.1 of the proposed UNA Bylaws (the **Proposed Bylaws**) provides:

The officers of the Association consist of a Chair, Secretary, Treasurer and such other officers as the Directors elect from time to time from among themselves. An officer holds his or her office until the earlier of the election of a successor or the time at which the officer ceases to be a Director.

The only provision describing the role of Treasurer is section 9.4, which states:

The Treasurer shall, either directly or by delegation, oversee the financial affairs of the Association.

Several provisions describe the role of the Secretary, the main one being section 9.3, which states:

The Secretary shall, either directly or by delegation:

- (a) issue notices of meetings of the Association and Board,
- (b) keep minutes of all meetings of the Association and Board,
- (c) have custody of all records and documents of the Association,
- (d) have custody of the common seal of the Association, and
- (e) maintain the register of members.

Other provisions describing roles of the Secretary are:

- Section 4.14, which requires the Secretary to retain ballots and proxy forms for 3 months after a general meeting.
- Section 4.18, which allows proxy forms to be deposited with, *inter alia*, the Secretary.
- Section 4.20, which allows an instrument revoking a proxy form to be deposited with, *inter alia*, the Secretary.
- Section 11.2, which requires that the UNA's common seal be affixed in the presence of the Chair and the Secretary if there are no persons prescribed in the Board resolution authorizing the use of the seal.

These roles are similar to the roles set out in the current UNA Bylaws.

## Discussion

### *Treasurer*

If the Proposed Bylaws are adopted, Director Album will cease to be a director on the filing of the Proposed Bylaws in Victoria. Thus, he will not be eligible under section 9.1 to be Treasurer and so will cease to hold that office. I recommend that the position of Treasurer be left vacant.

One reason is that, to the best of my knowledge, UNA Treasurers have not overseen the UNA's financial affairs, either directly or by delegation (as required by section 7.5 of the current Bylaws). In effect, the Treasurer is supposed to act as the CFO, which Treasurers have not been doing.

The other reason is that it is inappropriate for a director to act as the Treasurer/CFO. A director who acts as Treasurer/CFO would be carrying out a function of a staff nature. That would blur the line between the Board and staff.

It might be asserted that section 9.1 of the Proposed Bylaws requires a director to be elected Treasurer. I don't think this is clear. Even if it is, it would be better to ignore this requirement than to elect a Treasurer who will not comply with his or her obligation under section 9.4 of the Proposed Bylaws.

The next time amendments are made to the UNA Bylaws, consideration should be given to eliminating the position of Treasurer.

A related matter that requires consideration is whether Director Album will continue as a *member* of the Finance and Audit Committee and, if so, will he be eligible to continue as chair of the committee. I offer the observation that it would seem inappropriate for a standing committee to be chaired by a non-director. Furthermore, his continuance as a member might be inconsistent with the intention underlying section 8.8 of the Proposed Bylaws, which states: "One UBC Member shall be permitted to attend and participate in meetings of the Association's committee that has responsibility for the formulation of the Association's annual budget."

### *Secretary*

The comments made above regarding the Treasurer also apply with respect to the office of Secretary. Many of the functions that are assigned to the Secretary (but never actually performed by the Secretary) are functions of a staff nature. When amendments are next made to the UNA Bylaws, consideration should be given to either eliminating the office of Secretary or retaining only those functions that are intended to be carried out by a director.

As an aside, I would point out that the office of Secretary is a position with the UNA, not the Board. In other words, the Secretary is the UNA Secretary, not the Board Secretary. I mention this because I have heard or seen references to the Secretary as the Board Secretary.