



THE CORPORATION OF THE CITY OF COURTENAY

BRIEFING NOTE

To: Council

File No.: 1670-01

From: Chief Administrative Officer

Date: September 19, 2019

Subject: Draft Asset Management Bylaw Update

ISSUE:

This Briefing Note is intended to provide council members – prior to their departure for the 2019 UBCM Conference – with an update on progress toward their objectives on this subject.

BACKGROUND:

At its Regular Meeting of March 2nd 2019, Council carried a motion directing staff to draft an Asset Management Bylaw that will incorporate the principles of Council's existing Asset Management Policy and additionally require that full life-cycle costs be taken into account when making decisions regarding renewal, upgrade and acquisition of Tangible Capital Assets.

Because this will be the first Asset Management Bylaw adopted in British Columbia, it has been critical to carefully draft the content so it will not exceed Council's authority; identify the legal foundation(s) of the intent; and ensure it will not come into conflict with other City bylaws or existing legislation.

KEY CONSIDERATIONS:

1. The draft bylaw will be presented for 1st Reading and discussion in early October 2019;
2. Legal review is complete, but if substantively altered it should be again reviewed before adoption;
3. If Council so chooses, this sequence will allow sufficient time for the Asset Management Bylaw to be adopted in advance of considering the 2020-2024 draft five-year financial plan; and
4. The attached example bylaw is provided for information only and has no legal effect.

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Approved by:

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Chief Administrative Officer

Attachment: 1

Draft Asset Management Bylaw, Lidstone & Company Law Corporation, 2019-09-19

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2981

A bylaw to provide for an asset management program aimed at sustainable service delivery

WHEREAS Council wishes to promote best practices in asset management at the local government level, including by supporting the work of Asset Management BC and the standards set by NAMS Canada;

WHEREAS the City of Courtenay is a host community for a pilot project of the Municipal Natural Assets Initiative;

AND WHEREAS Council has previously provided for asset management within the Corporation of the City of Courtenay by means of Council Policy 1670.00.02;

NOW THEREFORE the Council of the City of Courtenay enacts as follows:

Citation

1. This bylaw may be cited for all purposes as *“Asset Management Bylaw No. 2981, 2019”*.

Definitions

2. In this bylaw:
 - (a) **“Asset Management”** means the systematic and coordinated activities and practices of an organization to optimally and sustainably deliver on its objectives through the cost-effective lifecycle management of Tangible Capital Assets;
 - (b) **“Asset Management Plan”** means a long-term plan that outlines assets, asset conditions, levels of service, asset and service risks, activities and programs for each service area, and resources required to provide a defined level of service in the most cost-effective way;
 - (c) **“Asset Management Program”** means a corporation-wide program for the management of the City’s Tangible Capital Assets aimed at achieving Sustainable Service Delivery;
 - (d) **“Chief Administrative Officer”** means the Chief Administrative Officer of the City or a person designated to act in the place of the Chief Administrative Officer;
 - (e) **“City”** means the Corporation of the City of Courtenay;
 - (f) **“Council”** means the Council of the City;

- (g) **“Full Lifecycle Cost”** means the total cost of a Tangible Capital Asset throughout its life, including planning, design, construction, acquisition, operation, maintenance, rehabilitation, and disposal;
- (h) **“Natural Assets”** means the stocks of natural resources or ecosystems that have the potential to contribute to service delivery;
- (i) **“Sustainable Service Delivery”** means an approach to service delivery whereby current community service needs are met in a socially, economically, and environmentally responsible manner that does not compromise the ability of future generations to meet their own needs; and
- (j) **“Tangible Capital Asset”** has the meaning established under the accounting standards applicable to local governments by the Public Sector Accounting Board.

Asset Management Program

- 3. The Chief Administrative Officer will establish and maintain an Asset Management Program.
- 4. In complying with section 3, the Chief Administrative Officer will endeavour to:
 - (a) establish and maintain Asset Management Plans, directives, practices, and procedures in accordance with best practices;
 - (b) ensure personnel, financial resources, and other operational capabilities deemed necessary by the Chief Administrative Officer are provided and that responsibilities under the Assessment Management Program are effectively delegated;
 - (c) create a corporate culture where all departments, officers, and employees have a role to play in Asset Management by providing awareness and professional development opportunities; and
 - (d) regularly identify new opportunities for achieving Sustainable Service Delivery, including by identifying opportunities for incorporating Natural Assets into the Asset Management Program.

Lifecycle Costing

- 5. The Chief Administrative Officer will endeavour to provide or to coordinate the provision to Council of all available information and advice pertaining to Lifecycle Costs to facilitate decision-making related to the renewal, upgrade, and acquisition of Tangible Capital Assets.

6. Council will consider Lifecycle Costs in all decisions related to the renewal, upgrade, and acquisition of Tangible Capital Assets and in doing so will consider information provided to Council under section 5.

Severability

7. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

Read a first time this ____ day of _____, 2019.

Read a first time this ____ day of _____, 2019.

Read a first time this ____ day of _____, 2019.

Finally passed and adopted time this ____ day of _____, 2019.

Mayor

Director of Legislative Services

