



# Memo to Committee

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**Date:** March 11, 2021 File No: 0550-02  
**To:** Parks and Recreation Advisory Committee  
**From:** Jim Bauer, General Manager Finance and Administration  
**Subject:** **Skaha Lake Park East Plan – addendum to report**

Since the distribution of the Parks and Recreation Advisory Committee agenda, the City has obtained a better understanding of the legal processes contemplated in the Parks Dedication Bylaw. This memo is being provided to the Committee to explain the revised staff recommendation.

## Background

Under Park Dedication Bylaw No. 2018-37, the City of Penticton is required to obtain the approval of the electors prior to granting a lease of part of the land dedicated as park. Section 96 of the *Community Charter* requires that if such a lease is proposed or made in relation to a matter that requires approval of the electors, the lease must be made available for public inspection when the approval or assent process is underway. As the City cannot provide a full lease agreement to the electors for approval prior to completion of the Skaha Lake Park East Plan and of an RFP to select an operator, we are proposing to seek community opinion, not binding assent voting at this time.

Community opinion (section 83 *Community Charter*) is asking a question, by voting, that Council believes affects the municipality. The results of the process are not binding on the Council. The community opinion question would be established by resolution when Council appoints the Chief Election Officer and Deputy Chief Election Officer for the upcoming by-election and then placed on the ballot when Penticton holds its by-election.

The question on the ballot would read:

*Do you support the City of Penticton entering into a long-term contractual arrangement of up to 25 years for the development, operation and management of the marina and related facilities and amenities (such as short-term and long-term moorage, marina repairs, marina retail store, gas dock with fuel sales, watercraft and equipment rentals and café/licensed restaurant) located at the marina area in Skaha Lake Park, 3885 South Main Street? YES or NO*

## REVISED Staff Recommendation

THAT the Parks and Recreation Advisory Committee recommend Council approve the Skaha Lake Park East Plan;

AND THAT the Committee support seeking **community opinion** for a long-term contractual arrangement of up to 25 years for the development, operation and management of the marina and related facilities and amenities (such as short-term and long-term moorage, marina repairs, marina retail store, gas dock with fuel sales, watercraft and equipment rentals and café/licensed restaurant) located at the marina area in Skaha Lake Park, 3885 South Main Street and include the question on the ballot as part of the upcoming by-election.