

THE CORPORATION OF THE DISTRICT OF WEST VANCOUVER

ENDOWMENT FUND BYLAW NO. 3699, 1991

A bylaw to create and operate a reserve fund
to be known as the West Vancouver Endowment Fund.

The Council of The Corporation of the District of West Vancouver, in open meeting assembled, enacts as follows:

1. In this bylaw "Threshold Value" means for 1992 the sum of \$15,000,000 and for each subsequent calendar year the product of the previous calendar year's Threshold Value and the percentage change over the previous calendar year in the Vancouver, All Items, Consumer Price Index for December, as determined by Statistics Canada, or such other body or index that replaces the same.
2. A fund to be known as the "West Vancouver Endowment Fund" (the "Endowment Fund") is hereby established.
3. All monies from the following sources shall be deposited to the credit of the Endowment Fund:
 - (a) amounts from existing funds as directed by bylaw;
 - (b) net proceeds from the sale of real property owned by the Municipality, except as otherwise directed by bylaw relating to the disposal of specific real property;
 - (c) net rentals from the lease of the 320 Taylor Way property as specified in the Lease Agreement dated 1988 May 25 or as it may be amended;
 - (d) if provided for in Council's Annual Budget Bylaw, net rentals and net concession fees from all other lands leased by the Municipality after deducting the cost of capital improvements carried out in respect of rental or concession properties, including net rentals from municipally-owned properties on Argyle Avenue; and
 - (e) all income earned by the Endowment Fund.

4. Monies in the Endowment Fund may be held and invested as provided for in Part 7 of the Municipal Act (financial investments), including deposits with a chartered bank.

5. Monies in the Endowment Fund may be held or expended by Council to acquire real property as provided for in Part 12 of the Municipal Act provided:

- (a) the requirements of the Municipal Act for such actions are met;
- (b) the real property shall not be subject to a financial encumbrance after acquisition;
- (c) the real property shall not be for highway or park purposes; and
- (d) the real property shall not, after acquisition, be reserved, dedicated or conveyed to the School Board, as provided for in sections 532, 533 and 534 of the Municipal Act respectively.

6. Monies in the Endowment Fund may be expended by Council in loans to the Municipality or expenditures for the Municipality, including expenditures for local improvements under Section 381 and Part 16 of the Municipal Act, subject to the requirements of the Municipal Act provided that provision is made for repayment terms as determined by Council at market interest rates. Each loan or expenditure under this paragraph shall be fully repaid to the Endowment Fund within ten years of their approval by bylaw.

7. All disbursements from the Endowment Fund for purposes described in paragraphs 5 and 6 above, shall be authorized by bylaw and shall conform with the following:

- (a) at the time of real property acquisition under paragraph 5, the total market value of real property held in the Endowment Fund plus the real property being acquired shall not exceed the lesser of:
 - (i) 75% of the Threshold Value; or
 - (ii) 75% of the market value of the Endowment Fund at the end of the preceding year;
- (b) at the time of a loan or expenditure under paragraph 6, the total current book value of all monies loaned or expended under paragraph 6, plus the current book value of all deposits made with the Municipality's banker under Section 364 (1) of the Municipal Act that relate to previous transactions under paragraph 6, plus the amount of the loan or expenditure being assented to, shall not exceed the lesser of:
 - (i) 30% of the Threshold Value; or
 - (ii) 30% of the market value of the Endowment Fund at the end of the preceding year.

8. Payments under paragraph 9 from the Endowment Fund, other than as provided for in paragraphs 4, 5 and 6, shall not be made until the total market value of the assets of the Endowment Fund equals or exceeds the Threshold Value.

9. When the market value of the assets of the Endowment Fund exceeds the Threshold Value, payments may be made from the Endowment Fund by bylaw for the following purposes:

- (a) to pay for capital projects for the use and enjoyment of citizens of the Municipality including leisure and cultural projects and parks;
- (b) acquisition of real property for municipal purposes; or
- (c) reducing municipal debt for real property purchases,

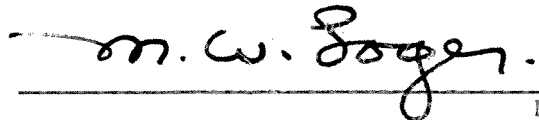
provided that the total market value of the assets of the Endowment Fund is maintained at or above the Threshold Value after the authorized payment by bylaw.

10. Separate accounting records shall be kept with respect to the Endowment Fund and it shall be shown as a separate and distinct fund on the annual financial statements of the Municipality.

11. This bylaw may be cited for all purposes as "Endowment Fund Bylaw No. 3699, 1991".

PASSED by the Council on 1992 February 03.

RECONSIDERED AND ADOPTED by the Council on 1992 February 10.



MAYOR



MUNICIPAL CLERK