
TO: CITY MANAGER **DATE:** 2016 June 10
FROM: DIRECTOR ENGINEERING **FILE:** 9100 50
SUBJECT: NORTH ROAD MAINTENANCE AGREEMENT

PURPOSE: To obtain Council approval of the subject maintenance agreement, which has been negotiated with the City of Coquitlam for North Road.

RECOMMENDATION:

1. **THAT** Staff be authorized to execute the new North Road maintenance agreement.
2. **THAT** Staff be authorized to bring forward a bylaw for the execution of a maintenance agreement for North Road, between Coquitlam and Burnaby, to be effective upon its adoption by Coquitlam and Burnaby only after the portions of North Road become municipal road vested in and owned by the City of Burnaby.

REPORT

In 1983, a verbal agreement was reached between Burnaby and Coquitlam to outline the divisions of responsibility for the various surface maintenance tasks required on North Road. The original agreement has been carried over each year with some documented changes to maintenance responsibilities.

The new agreement is similar to the previous agreement and will continue in full force and effect for five (5) years once executed. The agreed boundary is the center of the roadway dividing northbound from southbound traffic movement. The agreement in general provides for 50/50 cost sharing and outlines the division of duties for maintenance for "Shared" and "Non-shared facilities" along North Road. This includes maintenance of pavement, signing, lighting, traffic signals, boulevards and medians. For shared facilities such as the landscaped traffic medians, Coquitlam will maintain them north of Cameron Street and Burnaby will maintain them south of Cameron Street. For shared facilities such as traffic signals, road markings and special effects lighting located on the Evergreen Rapid Transit Line guideway will be a 50/50 cost share. The non-shared facilities are maintained by the municipality in which they are located, divided by the agreed boundary.

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Both parties agree to indemnify the other for performance obligations under the agreement. To date the cities of Coquitlam and Burnaby have had a good working relationship under the previous agreement.

Sections 14 and 37 of the Community Charter require that a bylaw be adopted by each respective Council to make valid an agreement between two municipalities. This requirement is necessary when two municipalities have joined together to exercise a power that extends beyond the boundaries of the municipality. In this case both Burnaby and Coquitlam may have occasion to undertake maintenance work in the other municipality under this agreement. Burnaby has a similar maintenance agreement for Boundary Road with Vancouver.

The Provincial government resumed portions of North Road on 2012 March 29 to construct the Evergreen Rapid Transit line from Burnaby to Coquitlam. Therefore, the portions of North Road lying within the City of Burnaby are currently arterial highway vested in the BC Transportation Financing Authority under the *Transportation Act*. Without fettering the minister's discretion under the *Transportation Act*, it is the Province's intent that these portions of North Road become municipal road vested in the City under the *Community Charter*. It is anticipated that the Province will rescind the Order in Council this year reverting the resumption of portions of North Road back to Burnaby. Once this has occurred, Burnaby and Coquitlam will execute and adopt the agreement.

A new maintenance agreement is required to replace the verbal agreement and therefore staff is recommending Council authorize staff to bring forward a bylaw to put in place a formal updated North Road Maintenance Agreement.



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DIRECTOR ENGINEERING

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