

Charter

*For the Relationship Between the City of Vancouver
and Vancouver Port Corporation*

WHEREAS THE PORT OF VANCOUVER (PORT) IS A MAJOR EMPLOYER AND ECONOMIC GENERATOR WITHIN THE VANCOUVER REGION AND CANADA'S PREMIER PORT, AND WHEREAS THE PORT OCCUPIES A MAJOR PROPORTION OF THE WATERFRONT LANDS IN THE CITY OF VANCOUVER, AND WHEREAS THE CITY OF VANCOUVER (CITY)



PROVIDES MUNICIPAL SERVICES AND ACCESS, ESSENTIAL TO THE EFFECTIVE OPERATION OF THE PORT, AND MANAGES DEVELOPMENT ADJACENT TO THE PORT, AND WHEREAS THE CITY AND THE VANCOUVER PORT CORPORATION (PORT CORPORATION) ARE BOTH COMMITTED TO THE ECONOMIC DEVELOPMENT OF THE REGION, THE PROVISION OF JOBS, THE EFFICIENT MOVEMENT OF GOODS AND PEOPLE, AND THE MAINTENANCE AND ENHANCEMENT OF THE ENVIRONMENT, THEREFORE THE CITY AND THE



PORT CORPORATION ACKNOWLEDGE THE IMPORTANCE OF EACH TO THE OTHER, AND THE NECESSITY FOR A GOOD WORKING RELATIONSHIP BETWEEN THE TWO BODIES, AND COMMIT TO THIS CHARTER TO GUIDE THAT RELATIONSHIP.

1. THE PORT CORPORATION AND THE CITY EACH ACKNOWLEDGE THE INDEPENDENCE OF THE OTHER, AND THE OBLIGATION OF EACH TO ACT IN A MANNER CONSISTENT WITH ITS ENABLING LEGISLATION AND OBLIGATIONS.
2. THE PORT CORPORATION AND THE CITY COMMIT TO CONTINUING EFFECTIVE COMMUNICATION ON MATTERS OF INTEREST TO BOTH PARTIES, INCLUDING BUT NOT LIMITED TO NOTICE TO EACH OTHER AND CONSULTATION ON PHYSICAL DEVELOPMENTS AND MANAGEMENT POLICIES WHICH MAY AFFECT THE OTHER.
3. THE PRESIDENT AND CEO OF THE PORT CORPORATION AND THE CITY MANAGER OF THE CITY WILL ARRANGE JOINT MEETINGS OF THEIR RESPECTIVE MANAGEMENT TEAMS AT LEAST ANNUALLY, AND ADDITIONALLY WHEN APPROPRIATE, TO REVIEW THE RELEVANT PLANS OF THE TWO ORGANIZATIONS TO DETERMINE WHERE THERE MAY BE ISSUES REQUIRING RESOLUTION AND AREAS WHERE THE TWO ORGANIZATIONS MAY BE MUTUALLY SUPPORTIVE.
4. FOLLOWING THE ANNUAL MEETING OF STAFFS FROM THE TWO ORGANIZATIONS, THE PORT CORPORATION BOARD AND CITY COUNCIL WILL RECEIVE REPORTS FROM THEIR OFFICIALS AND GIVE DIRECTION AS EACH MAY DEEM APPROPRIATE ON ISSUES REQUIRING ACTION BY STAFF TO SUPPORT THE JOINT INTERESTS OF THE TWO ORGANIZATIONS.
5. IN THE EVENT OF A DISAGREEMENT, THE CITY AND PORT CORPORATION AGREE TO RELY ON A DISPUTE RESOLUTION PROCEDURE INVOLVING:
 - (1) IN THE FIRST INSTANCE, A JOINT REVIEW BY THE PRESIDENT AND CEO OF THE VANCOUVER PORT CORPORATION AND THE CITY MANAGER OF THE CITY;
 - (2) IF THE REVIEW BY THE PRESIDENT AND CEO OF THE PORT CORPORATION AND THE CITY MANAGER OF THE CITY IS UNSUCCESSFUL IN RESOLVING THE DISPUTE, A JOINT REVIEW BY A COMMITTEE CONSISTING OF THE MAYOR, TWO MEMBERS OF CITY COUNCIL AND THE CITY MANAGER, AND THE CHAIR OF THE VANCOUVER PORT CORPORATION, TWO MEMBERS OF THE BOARD OF THE PORT CORPORATION AND THE PRESIDENT AND CEO OF THE PORT CORPORATION; AND
 - (3) IF THIS IS UNSUCCESSFUL, MEDIATION/ARBITRATION BY AN INDEPENDENT BOARD, WITH ONE MEMBER APPOINTED BY EACH OF THE PORT CORPORATION AND CITY, AND THE THIRD MEMBER, WHO SHALL BE THE CHAIR, APPOINTED BY THE TWO MEMBERS.
6. WHERE LEGALLY POSSIBLE, THE CITY AND PORT CORPORATION AGREE TO BE BOUND BY THE CONCLUSIONS OF THE ARBITRATION. WHERE EITHER CITY OR THE PORT CORPORATION CANNOT BE BOUND BY THE RULINGS OF A THIRD PARTY, NEITHER SHALL BE BOUND, BUT BOTH UNDERTAKE TO GIVE THE RECOMMENDATIONS FROM THE PROCESS DUE CONSIDERATION.
7. ON MATTERS REQUIRING FORMAL AGREEMENT BETWEEN THE TWO PARTIES, THE CITY AND THE PORT CORPORATION AGREE TO PURSUE SIMPLIFIED LEGAL AGREEMENTS RELYING ON THE DISPUTE RESOLUTION PROCEDURE SET OUT ABOVE.
8. THE CITY AND THE PORT CORPORATION AGREE TO WORK TOGETHER IN THE FOLLOWING AREAS OF MUTUAL INTEREST, AND INsofar AS THEIR SEPARATE INTERESTS AND OBLIGATIONS MAY PERMIT, THE DEVELOPMENT OF MUTUALLY AGREED PLANS TO FURTHER THESE OBJECTIVES:
 - (1) PROMOTION OF THE BUSINESS OF THE PORT
 - (2) ENHANCEMENT OF THE MARINE ENVIRONMENT
 - (3) PROVISION OF ACCESS TO THE WATERFRONT AND ACTIVITIES OF THE PORT FOR CITIZENS WHERE THIS IS CONSISTENT WITH THE WORK OF THE PORT
 - (4) EFFECTIVE MANAGEMENT OF THE USE OF THE HARBOUR, INCLUDING RECREATIONAL USE WHERE THIS IS CONSISTENT WITH THE WORK OF THE PORT
 - (5) PROVISION OF EFFECTIVE ROAD AND RAIL ACCESS AND UTILITY SERVICES FOR THE EFFICIENT OPERATION OF THE PORT
 - (6) PROVISION OF ACCESS TO WATER FOR NECESSARY CITY UTILITY SERVICES
 - (7) PROVISION OF EFFECTIVE POLICING AND EMERGENCY SERVICES IN THE PORT AND ADJACENT AREA OF THE CITY, INCLUDING EMERGENCY PLANNING AND DISASTER RESPONSE
 - (8) ENSURING THAT DEVELOPMENT ON PORT LANDS IS COMPATIBLE WITH BOTH THE ECONOMIC DEVELOPMENT OF THE PORT AND THE INTERESTS OF THE CITY
 - (9) ENSURING THAT DEVELOPMENT IN THE CITY IS COMPATIBLE WITH THE ECONOMIC DEVELOPMENT OF THE PORT AND THE INTERESTS OF THE CITY
 - (10) ENSURING EFFECTIVE PUBLIC CONSULTATION ON SIGNIFICANT DECISIONS RELATING TO PORT AND ADJACENT CITY LANDS.