

**CITY OF YELLOWKNIFE  
BY-LAW NO. 4325**

A BY-LAW of the Council of the Municipal Corporation of the City of Yellowknife authorizing the City of Yellowknife to enter into a contractually binding agreement with Diavik Diamond Mines Inc. and Facilities for Kids for the municipal purpose of accelerating completion of Phase 2 of the Multiplex and to utilize the Major Community Facility Reserve to fund the project.

PURSUANT TO SECTIONS 108(2) and 109 of the *Cities, Towns and Villages Act*, S.N.W.T. 2003, c.22;

NOW, THEREFORE, THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE CITY OF YELLOWKNIFE, in regular session duly assembled, enacts as follows:

**APPLICATION**

1. The Municipal Corporation of the City of Yellowknife ("City") is hereby authorized to accelerate completion of Phase 2 of the Multiplex so as to target completion of the facility in 2004 rather than in 2006 as set in the 2004 - 2007 Budget Document, and may use the Major Community Facility Reserve to do so.
2. The City is also hereby authorized to enter into a contractually binding agreement with Diavik Diamond Mines Inc. ("DDMI") and Facilities for Kids in which the three parties will act as partners working together to achieve completion of the Multiplex by the end of December 2004, and more specifically that:
  - a) DDMI will act as the City's project manager, and hence agent, within the scope of completing the work set out in the agreement;
  - b) Facilities for Kids will pay \$500,000 raised through its fundraising efforts to the City on or before December 31, 2004 and will work to secure in-kind contributions to lower the overall costs of the project in the amount of \$500,000; and
  - c) the maximum upset capital budget for the work to be overseen by DDMI will be \$2,230,000.00 subject to the City approving changes in the scope of work it believes to be necessary for the short or long-term maintenance or operation of the facility.

3. The City is also hereby authorized to undertake and expend funds for the following work that will not be included in the scope of work in the agreement with DDMI and Facilities for Kids, but is also required to complete Phase 2 of the Multiplex:
- a) relocating the sewer main that is currently underneath the site of Phase 2 of the Multiplex;
  - b) further parking lot construction so as to comply with provisions contained in Zoning By-law 4024; and
  - c) realignment of the entrance to the Kam Lake Road/Woolgar intersection and the potential addition of a turning lane.

**EFFECT**

2. This by-law shall come into effect upon having received Third Reading and otherwise meeting the requirements of Section 75 of the *Cities, Towns and Villages Act*.

READ a First time this 14 day of June, A.D. 2004.

David T. McComm  
A/ Mayor

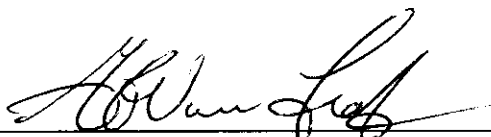
[Signature]  
City Administrator

READ a Second time this 14 day of June, A.D. 2004.

David T. McComm  
A/ Mayor

[Signature]  
City Administrator

READ a Third time and finally passed this 28<sup>TH</sup> day of JUNE, A.D. 2004.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Administrator

I hereby certify that this by-law has been made in accordance with the requirements of the *Cities, Towns and Villages Act* and the by-laws of the Municipal Corporation of the City of Yellowknife.

  
\_\_\_\_\_  
City Administrator

