

DATE: November . 2020

FILE: 4200-01

TO: Chair and Directors
Electoral Areas Services Committee

FROM: Russell Dyson
Chief Administrative Officer

Supported by Russell Dyson
Chief Administrative Officer

R. Dyson

RE: Singular Alternative Approval Process 2021

Purpose

To introduce the concept of a singular Alternative Approval Process (AAP) to occur once each year and cover all Comox Valley Regional District AAPs at the same time (*when possible*).

Recommendation(s) from the Chief Administrative Officer:

THAT the Board approve the concept of the singular alternative approval process, to occur in May/June 2021;

AND FURTHER THAT the following projects be considered for the singular Alternative Approval Process (AAP) with additional presentation at subsequent Committee, Commission or Board meetings as needed:

- Rural Cumberland Fire Maximum Requisition Increase
- Electoral Areas Community Halls Service Establishment
- Saratoga Pest Management Service Establishment

AND FINALLY THAT the final set of projects for the singular AAP be determined in February 2021, including any required bylaw readings and / or project logistics.

Executive Summary

- A singular alternative approval process will create a transparent, streamlined process for both staff and the public.
- Timing is aligned with the 2021-2025 financial plan.
 - Initial reports on the projects will be presented fall 2020.
 - Any public engagement beyond the legally required advertising would have to be conducted between November and April, depending on the project, complexity and public impacts.
 - Bylaw readings and legislative requirements are considered in February.
 - Legal advertising to inform the public of deadlines for responses would occur during the last two weeks of April.
 - The 30 day period in which to submit forms would end in June with results being considered at the Board meeting.
- The proposed projects to be part of the 2021 singular AAP include (full details on each project outlined in appendix):
 - Rural Cumberland Fire Maximum Requisition Increase
 - Electoral Areas Community Halls Service Establishment
 - Saratoga Pest Management Service Establishment
- Additional projects may be added onto this process if timing aligns.

- Certain projects where timing and high level of community focus may continue outside of this singular process and be brought forward separately.

Prepared by:

J. Steel

 Jennifer Steel
 Manager of Corporate
 Communications

Concurrence:

 Jake Martens
 General Manager of
 Corporate Services

Concurrence:

J. Warren

 James Warren
 Deputy Chief
 Administrative Officer

Background/Current Situation

Under provincial legislation, local governments can use an AAP as a method to directly engage citizens about certain bylaws or other initiatives requiring elector approval. This method is a more efficient, cost effective alternative to a referendum, requiring less staff time and resources and no special, advanced or general voting day. As well, the AAP provides a minimum of 30 days for electors to submit their feedback via an elector response form and through a variety of formats, as opposed to the provision of one advanced and one general voting day offered through a referendum.

Under the AAP, the Comox Valley Regional District (CVRD) advertises its proposed action in the local newspaper and provides 30 days for voters to complete and submit an elector response form indicating their opposition to the proposal. If less than 10 per cent of eligible electors register their opposition, the board may choose to proceed with the proposal. If 10 per cent or more of the eligible electors oppose the proposal in the time period provided, the CVRD must obtain the assent of the electors by referendum before it can proceed.

Coordinating elector approval processes at a single point in time each year is proposed as part of the **COVID-19 Finance and Administration Response and Renewal**. Considering the Board's interest in keeping services affordable and streamlining processes, the coordinated approach promotes a more efficient use of resources and clear communication to the public. The prescribed timing also allows for staff across branches to coordinate activities and align messaging. Implementing a unified approval period will require careful consideration respecting the development of each project's timeline to ensure compliance and avoid undue delays.

Timing for the first coordinated AAPs is aligned with the 2021-2025 financial plan. Initial reports on the concept of the projects under consideration for the singular AAP are presented in fall 2020. Any public engagement beyond the legally required advertising would have to be conducted between November and April, depending on the project, complexity and public impacts. Bylaw readings and legislative requirements are considered in February. Legal advertising to inform the public of deadlines for responses would occur during the last two weeks of April. The 30 day period in which to submit forms would end in June with results being considered at the Board meeting. The same general timeline would be used annually.

A singular AAP will create a transparent, streamlined process for both staff and the public. Annually during a set time frame, the process will run and be advertised publically. Residents will then be able to review the initiatives for that fiscal year and, if desired, register their opposition for the applicable initiatives during a set time period.

The projects that will be part of the 2021 singular AAP include (full details on each project outlined in appendix):

- Rural Cumberland Fire Maximum Requisition Increase to ensure funds are available to support the costs associated with the construction of the new Cumberland fire hall, which is delivered through a contract relationship with the Village of Cumberland.
- Electoral Areas Community Halls Service Establishment would result in two services: one for Electoral Area A; and a second service being the expansion of the Black Creek Community Hall service to include Electoral Areas B and C. The purpose of the new and expanded services is to provide consistent and stable funding to community halls
- Saratoga Pest Management Service Establishment would provide a mosquito control program for nuisance mosquitoes in the Saratoga beach area of Electoral Area C.

Policy Analysis

The AAP is a form of obtaining elector approval under the *Local Government Act*. The process for amending or initiating the projects considered under the singular AAP align with the legislation.

Options

The options the Board has include:

- Adopt the approach taking into consideration that the singular AAP concept was proposed as part of the **COVID-19 Finance and Administration Response and Renewal**.
- Postpone approach until 2022.
- Decline approach and conduct separate AAPs as needed throughout each year.

Financial Factors

By combining the process, CVRD will receive modest savings produced from having a unified legal advertisement and promotional requirements.

Legal Factors

Under provincial legislation, local governments can use an AAP as a method to directly engage citizens about certain bylaws or other initiatives requiring elector approval.

Under the AAP, the CVRD advertises its proposed action in the local newspaper and provides 30 days for voters to complete and submit an elector response form indicating their opposition to the proposal. If less than 10 per cent of eligible electors register their opposition, the board may choose to proceed with the proposal. If 10 per cent or more of the eligible electors oppose the proposal in the time period provided, the Regional District must obtain the assent of the electors by referendum before it can proceed.

Within this new format all legislative requirements will be met.

Regional Growth Strategy Implications

The singular alternative approval process does not have any implications to the Regional Growth Strategy. Coordinating an elector approval processes at a single point in time each year has been proposed as part of the **COVID-19 Finance and Administration Response and Renewal**.

Intergovernmental Factors

The 2021 singular AAP will cover topics in Community Services, Engineering Services, and Planning and Development Services. The Corporate Service team will assist execution of the revised process along with the office of the Deputy Chief Administrative Officer.

Projects involving municipal partners would be determined collaboratively.

Interdepartmental Involvement

- Various CVRD staff will be bringing reports forward in November – January outlining participation within this singular alternative approval process.
- Topics covered within this process will be focused on CVRD borrowing initiatives and will vary annually.

In February 2021, a report will be presented to introduce bylaws for readings and the AAP logistics associated with the projects that will form the singular AAP for 2021.

Citizen/Public Relations

Information will be provided about the approach to conducting a singular AAP in 2021. Any public engagement beyond the legally required advertising would have to be conducted between November and April, depending on the project, complexity and public impacts.

Attachments: Appendix A – Singular AAP Projects Charts one appendix for each proposed AAP

Topic: Increase maximum requisition in Rural Cumberland fire service LSA (function 210)

Geographic Area:

- Services portion of the construction cost for the new Cumberland fire hall **may** surpass the current maximum requisition

- Rural Cumberland fire protection local service area.

See map linked below

- City of Courtenay
- Village of Cumberland

Purpose:

- The Village of Cumberland has identified the construction of the new Cumberland Fire Hall within their annual budget submission for the service agreement.
- Staff began accumulating reserves in advance of this project.
- The 2021 budget submission from Village of Cumberland is anticipated by late November 2020.
- The 2021 budget submission **may** indicate the anticipated the final construction cost and if an AAP is required to increase the maximum requisition.
- The service has funds in reserve to supplement operations (service agreement costs)

NOTE:

- At this time, proceeding with an AAP in 2021 is not certain because:
 - Final cost of the fire hall is not yet confirmed, and
 - The requisition may be “bumped up” by 25% for the 2022 budget year, which **may** be sufficient to negate the need for AAP.

Engagement Plan:

If an AAP is required an engagement plan would consist of:

- At least 2 letters to the residents and property owners targeted prior to the April AAP
- Dedicated webpage on CVRD website.

Map *(if required)*

[Rural Cumberland fire protection service LSA](#)

Topic:

- To create a new service for supporting community halls with consistent funding model in the electoral areas being Baynes Sound Electoral Area A, Portion of Area B and Portion of Area C.

Geographic Area:

- List the location where this AAP effects:
 - Baynes Sound Electoral Area A
 - Electoral Area B, except those properties south of Ryan Road,
 - Electoral Area C, except those properties south of the Puntledge River.

Purpose:

- Portion of Area C and a portion of Area B will help provide consistent funding for community halls in their combined areas for halls which have typically received grant in aid funding and the Black creek community hall
- The Black creek community hall service will be expanded although it is recognized the Black Creek Community Hall will be the primarily funded community hall in Area C and a portion of Area B.
- Area A residents will help provide consistent funding for community halls in their areas which have typically received grant in aid funding in the past.
- For the new Community Hall services it is anticipated that overall funding will remain consistent unless otherwise approved through the five year financial planning process. Moderate tax increases or decreases related to current funding of community halls is possible depending on individual property locations. This will be achieved by transferring the current funding of \$44,000 (2020 example amount) for community halls from grant-in-aid funding to the new services. Furthermore in the future it is possible a reserve account could be established to assist with capital improvements.
- If approved this service will be established for the 2022 budget year. Until then the grant-in-aid process will remain in place.

Engagement Plan:

- Engagement has been underway with most community halls since June via regional zoom meetings. Upon conclusion of consideration of this staff report each hall board will be sent a letter with background and soliciting any questions they may have.
- Website –Reference on the AAP webpage is sufficient with the financial details and benefits of a community hall service.
- Communication Plan will be developed to reach out to the boards of community halls

- The EASC has been supportive of this direction and prior to the AAP if requested staff can provide a report on the financial impacts to residents of a portion of Area B and Area C. In Area A the financial impact will be relatively neutral as grant-in-aid dollars will be reallocated to this service unless otherwise directed in the five year financial plans.

Map *(if required) not required. See description*

Topic: Mosquito Control in Saratoga**Geographic Area:**

- Mosquito control program for nuisance mosquitoes in the Saratoga beach area.
- See Map
 - Electoral Area C

Purpose:

In response to several seasons of resident reports of recurrent adult mosquito nuisance, the local community association, the Saratoga and Miracle Beach Residents Association (SAMBRA), approached the Comox Valley Regional District (CVRD) to have the subject investigated further. The CVRD hired a consultant to study problematic areas of mosquito breeding. The findings indicated there is the potential for a mosquito control program and as such we have instructed our consultant to proceed to the next step of developing an integrated pest management plan for provincial approval. Our consultant has been instructed to

- Prepare an Integrated Pest Management Plan (PMP) for submission to the BCMOE including public advertisement, First Nation and interest group engagement and opportunity for comment and input, as appropriate, in a completed PMP.

If the PMP is approved the next step would be to create a service and control program to help control mosquito larvae using a Biological larvicide known as Bti. Bti occurs naturally in soil and has safely been used as a mosquito control for 30 years.

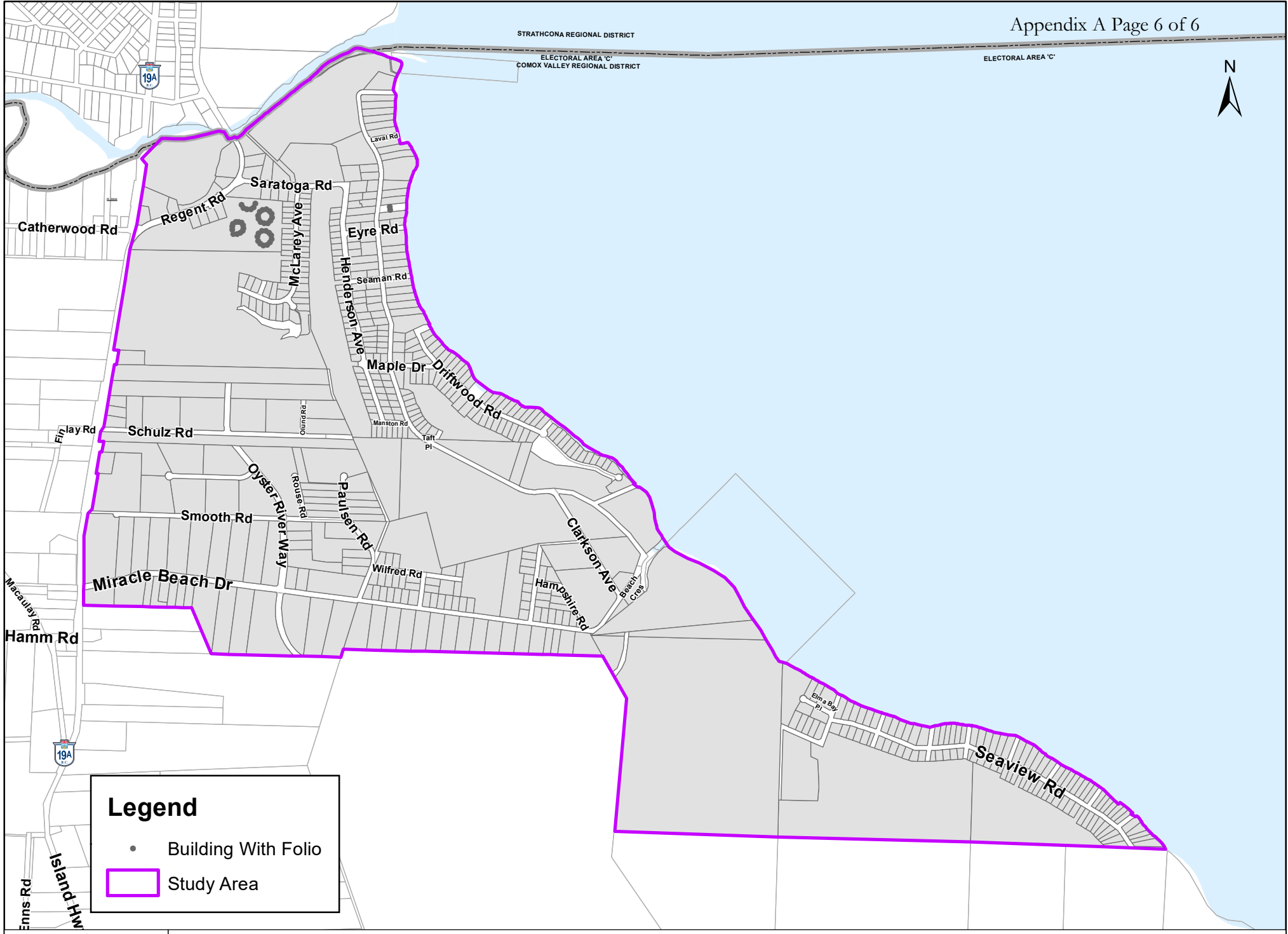
- The purpose of this AAP is to introduce a new service to control nuisance mosquito in the Saratoga beach area.
- The cost of the program has an upper limit of \$30,000 or approximately \$50.00 tax requisition based on parcel tax calculations for the defined area.
- The control program will be completed by a consultant in alignment with the provincial approved Pest Management Plan (approval process underway)
- If AAP is successful grant-in-aid may be required to bridge the gap for service delivery.

Engagement Plan:

- An engagement plan would consist of one outreach event, letters to residents and website updates targeted for March and April, prior to the AAP.
- Website – A CVRD webpage is already established for mosquitoes and will be updated throughout.
- A communications plan will be developed in support of this initiative.

Map *(if required)*

*Map can be found in this file \\bq2000\Common\Corp_Serv\1470 communications\Open Dockets\20-00026
AAP Process*



Legend

- Building With Folio
- ▭ Study Area