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**REPORT TO CAPITAL REGIONAL DISTRICT BOARD
MEETING OF WEDNESDAY, SEPTEMBER 08, 2021**

SUBJECT AAP Results & Adoption for Bylaw 4379 – JDF Water Distribution Service Loan Authorization

ISSUE SUMMARY

To report back on the results of the Alternate Approval Process for Bylaw No. 4379 and advance the bylaw for adoption.

BACKGROUND

At its meeting held October 14, 2020, the CRD Board gave three readings to the following bylaw attached as Appendix A:

- Bylaw No. 4379, “Juan de Fuca Water Distribution Facilities Loan Authorization Bylaw No. 5, 2020” to authorize the borrowing of \$14,800,000 for the purpose of acquiring, designing and constructing water distribution facilities in the western communities of the Juan de Fuca Water Distribution Local Service Area.

On July 14, 2021, the CRD Board established that elector assent be obtained by Alternative Approval Process (AAP) for the electors in the entire service area in accordance with section 345 of the *Local Government Act (LGA)*. The number of registered electors was determined to be 69,419, of which 10% is 6,942 electors [the number needed to voice opposition]. Notice was published on July 21 and July 28 in Black Press newspaper publications in accordance with section 345(2) of the *LGA*.

The CRD received 2 valid response forms indicating opposition to the adoption of the bylaw by the closing date of August 30, 2021. As the response rate was less than 10% of electors, elector approval was received for Bylaw No. 4379. In accordance with section 86(8) of the *LGA*, the Corporate Officer’s certification of results is attached as Appendix B.

ALTERNATIVES

Alternative 1

1. That the attached Certificate of Results of Alternative Approval Process for Bylaw No. 4379 (Appendix B) be received; and
2. That Bylaw No. 4379, “Juan de Fuca Water Distribution Facilities Loan Authorization Bylaw No. 5, 2020” be adopted.

Alternative 2

That this report be referred back to staff for additional information.

CONCLUSION

On August 30, 2021, elector approval was obtained by an Alternative Approval Process for Bylaw No. 4379. The purpose of the bylaw is to borrow up to \$14,800,000 for the purpose of acquiring,

designing and constructing water distribution facilities in the western communities of the Juan de Fuca distribution system. The Bylaw is now ready for adoption, having received approval from the Inspector of Municipalities and the electors in the local service area.

RECOMMENDATION

1. That the attached Certificate of Results of Alternative Approval Process for Bylaw No. 4379 (Appendix B) be received; and
2. That Bylaw No. 4379, “Juan de Fuca Water Distribution Facilities Loan Authorization Bylaw No. 5, 2020” be adopted.

Submitted by:	Marlene Lagoa, MPA, Manager, Legislative Services & Deputy Corporate Officer
Concurrence:	Ross Cameron B.Sc, CRM, ABCP, Acting General Manager, Corporate Services
Concurrence:	Ted Robbins, B. Sc., C. Tech., Acting Chief Administrative Officer

ATTACHMENT(S)

Appendix A: Bylaw No. 4379

Appendix B: Certificate of Results for Bylaw No. 4379