

**REPORT TO CAPITAL REGIONAL DISTRICT BOARD
MEETING OF WEDNESDAY, JULY 14, 2021**

SUBJECT **AAP for Bylaw 4379 – Juan de Fuca Water Distribution Loan Authorization**

ISSUE SUMMARY

To conduct an Alternative Approval Process for Bylaw No. 4379 by confirming the deadline to receive elector responses, establish the total number of electors, and approve the Notice of Alternative Approval Process and the Electoral Response Form.

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.

The bylaw obtained Inspector of Municipalities approval on February 17, 2021. The next step prior to adopting the bylaw is to obtain elector assent. The CRD Board directed elector approval be obtained by way of an Alternative Approval Process (AAP) for all electors in the local service area.

In order to conduct the AAP, the attached Notice (Appendix B) and Elector Response Form (Appendix C) have been prepared in accordance with the applicable sections of the *Local Government Act* and the *Community Charter*. With an AAP, the Board may proceed with adopting the bylaw unless more than 10% of electors indicate that the Board must obtain the assent of the electors by way of assent voting (referendum). The proposed deadline to receive elector responses is August 30, 2021.

The total number of registered resident electors and registered non-resident property electors is determined to be 69,419, of which 10% is 6,942 electors.

ALTERNATIVES

Alternative 1

- 1) That in accordance with section 86(3) of the *Community Charter*, the date of August 30, 2021 be confirmed as the deadline by which electoral response, under the regional Alternative Approval Process for CRD Bylaw No. 4379, must be submitted to the Capital Regional District by the qualified electors of the Juan de Fuca Water Distribution Local Service Area;
- 2) That the attached Notice of Alternative Approval Process (Appendix B) and the Elector Response Form (Appendix C) be approved; and
- 3) That the total number of registered electors within the service area is 69,419 and that 10% of that number is 6,942 electors.

Alternative 2

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

CONCLUSION

The CRD Board has previously approved obtaining elector approval for an Alternative Approval Process for Bylaw No. 4379 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. To conduct the regional Alternative Approval Process, the Board has to confirm the deadline to receive elector responses, establish the number of electors, and approve the Notice of Alternative Approval Process and the Elector Response Form.

RECOMMENDATION

- 1) That in accordance with section 86(3) of the Community Charter, the date of August 30, 2021 be confirmed as the deadline by which electoral response, under the regional Alternative Approval Process for CRD Bylaw No. 4379, must be submitted to the Capital Regional District by the qualified electors of the Juan de Fuca Water Distribution Local Service Area;
- 2) That the attached Notice of Alternative Approval Process (Appendix B) and the Elector Response Form (Appendix C) be approved; and
- 3) That the total number of registered electors within the service area is 69,419 and that 10% of that number is 6,942 electors.

Submitted by:	Marlene Lagoa, MPA, Manager, Legislative Services & Deputy Corporate Officer
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech., General Manager, Integrated Water Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

ATTACHMENT(S)

Appendix A: Bylaw No. 4379 at Third Reading
Appendix B: Notice of Alternative Approval Process
Appendix C: Elector Response Form