



COUNCIL REPORT

To: Mayor and Council

Date: January 23, 2024

From: Paul Gipps, CAO

Subject: **Alternative Approval Process and Form - Fire Hall 32 Replacement Project**

Report Prepared by: Corinne Boback, Legislative Services Manager / Corporate Officer

PURPOSE:

The purpose of this report is to:

- 1) Seek Council's direction to proceed with an Alternative Approval Process (AAP) adhering to the legislative process and form outline in this report;
- 2) Provide Council and the community with the assurance that no new tax increases will result from the Fire Hall 32 Replacement Project;
- 3) Describe the phases of the AAP so the community is aware of the process and timelines; and
- 4) Clearly communicate that no action from the community is required should there be no opposition to long-term borrowing.

RECOMMENDATION to Consider and Resolve:

THAT the elector response form, as attached to the report titled "Alternative Approval Process Form – Fire Hall 32 Replacement Project" dated January 23, 2024 from the Legislative Services Manager/Corporate Officer, be approved;

AND THAT Friday, March 15, 2024 at 4:00pm be set as the deadline for receipt of the elector response forms.

STRATEGIC AREA(S) OF FOCUS

Invest in Infrastructure – We will invest in building, improving and maintaining infrastructure to meet the needs of, and to provide a high quality of life for, current and future generations.

Foster Safety and Well-Being – We will pursue through direct action, advocacy, and collaboration with local and regional service providers, investments in community health,

needs-based housing, emergency preparedness, policing, and other services that foster safety and well-being in West Kelowna.

BACKGROUND

As Council sets out its annual Strategic Priorities, Council's direction to staff is to ensure no new tax increases to replace Fire Hall #32 are incurred. This remains unchanged and no new tax increases to the community will result. Should the community be in favour of the City's long-term borrowing that will result in no new tax increases, no action from the community will be required.

At the November 28, 2023, Regular Meeting, Council approved the AAP to seek Elector Approval to borrow up to \$8,000,000 for the Fire Hall 32 Replacement Project. Additionally, Council gave 1st, 2nd and 3rd reading to Fire Hall 32 Loan Authorization Bylaw #0313, 2023. Staff forwarded the bylaw to the Ministry of Municipal Affairs for Statutory Approval. Statutory approval was granted on December 13, 2023, and the City may now proceed with the AAP.

The Fire Hall #32 project would include, but not be limited to, the following:

- Removing the existing Lakeview Heights Community Centre, sport court, playground, and pickleball facilities;
- Construction of a new fire hall and community centre building;
- Installation of new pickleball courts;
- Installation of a new playground area;
- Repurposing of the sport court;
- Parking area for Public and Fire Hall; and
- Public green space and general landscaping.

The preliminary design renderings of the site have been attached to this report.

DISCUSSION

With statutory approval now received, the next step in the process is to establish the AAP response form and timeline. There are specific requirements in the *Community Charter* that must be followed in this process.

Statutory Procedural Requirements:

Pursuant to Section 86 of the *Community Charter*, Council is required to approve the elector response form, as attached to this report, for an AAP and establish the deadline for receipt of elector responses, which must be at least thirty days after the second publication of the AAP notice. Notice requirements for the AAP are set by Section 94.2 of the *Community Charter*. Notices will be posted on the public notice board at City Hall, advertised in the WestK News on Wednesday, February 14, 2024 and posted on the City's website. The AAP deadline date is 30 days after the last advertisement (February

14, 2024) meaning the deadline date to submit a completed response form will be March 15, 2024 at 4pm.

Further to the timeline schedule presented to Council on November 28, 2023, the following update is provided for reference.

	AAP Estimated	AAP Actual
Bylaw introduction	Nov 28, 2023	Nov 28, 2023
Inspector approval	(4-6 weeks)	Dec 12, 2023
Council Report (Dates and form)	(1-2 weeks)	Jan 23, 2024
Elector Assent	(4-5 weeks)	Feb 15, 2024 – March 15, 2024
Certification process	(2-4 weeks)	*
Council report (adopt bylaw)	(1-2 weeks)	*
Quashing Period	(4 weeks)	
Certificate of Approval	(2-4 weeks)	
TOTAL TIME (estimated)	27 weeks	

** A special Meeting could be called the week of March 18, 2024 to receive the certification report and adopt the bylaw which would shorten the overall process.*

Elector Approval will be obtained if the number of elector responses received by the end of the alternative approval process is less than 10% of the number of electors. Based on the 2023 information from CivicInfo BC, the total number of eligible electors is 28,098 (10% is 2,810). Elector response forms will be available at City Hall, 2760 Cameron Road, West Kelowna and posted on the City’s website.

It should be noted, an elector response form is only required if you do **NOT** support the long-term borrowing of funds for the Fire Hall 32 replacement.

If you **DO** support the borrowing of funds towards the Fire Hall 32 project, **no action is required.**

Non-Statutory Communications:

Non-statutory communications will occur before and after the legislative AAP so, in its entirety, AAP communications will occur in three stages:

Pre-AAP Phase	January through February 14, 2024
APP Phase (Regulatory Elector Approval)	February 15 through March 15, 2024
Post-AAP Phase	April through Summer 2024

Pre-AAP Phase

As noted in the November 28, 2023 Report to Council, staff was directed to proceed to establish the AAP for Council's consideration, which provided the community with Council's direction to arrive at where we are today. The Pre-AAP phase builds on all the communication and engagement completed to date regarding Council's priority to replace Fire Hall 32, which can be found on the Fire and Rescue section of the City's website. This included Council establishing Fire House 30 to centralize the Fire Rescue Administration in that building to reduce the overall costs of replacing Fire Hall 32.

Should Council proceed with the motion in this report, the purpose of the Pre-AAP Phase is to inform the community of Council's direction to:

- Prepare to launch the AAP detailing the scope of the project and reiterating Council's commitment to the community that no new tax increases will result from the Fire Hall 32 Replacement Project;
- Clearly communicate through the City's print, electronic and community relations methods that if the community does not object to the City's long-term borrowing there is no action required by the community;
- Provide advanced notice at the 2024 Budget Open Houses (and online) that the AAP Phase will be underway from mid-February through mid-March 2024;
- Transition to the paid statutory and non-statutory advertising that notifies the community that the AAP is beginning on February 15, 2024, why it matters, how the Elector Approval process works and where to obtain more information.

AAP Phase

The AAP Phase is prescribed under the Community Charter as outlined in this report. This regulatory process will be clearly communicated to:

- Launch the AAP according to the statutory process outline in this report; and
- Provide the community with the information about the 30-day timeline for the AAP, how and where to obtain more information, how and where to submit questions

regarding the AAP and how and where to submit a response form if a member of the community is opposed to the City's long-term borrowing.

Post AAP-Phase

The Post AAP-Phase includes providing Council and the community with the number of elector responses once the forms have been tabulated according to the legislative process. Should Elector Approval be obtained, the Fire Hall #32 Replacement Project then moves onto the OurWK engagement platform to resume non-statutory in-person and electronic stakeholder and public consultations. This phase includes site and area detailed design consultations and will provide construction and operational information about the Fire Hall #32 replacement, integrated community centre and park space amenities. Further information would be provided once the AAP Phase has concluded.

FINANCIAL IMPLICATIONS

The anticipated costs of hosting the AAP, anticipated to be less than \$10,000, will be covered from existing budgets.

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
November 28, 2023	THAT Council direct Administration to complete an Alternative Approval Process (AAP), to gain elector assent, in 2024, for the Firehall 32 Project; AND THAT "City of West Kelowna Loan Authorization Bylaw No. 0313, 2023", a bylaw to authorize the borrowing of up to \$8,000,000 towards the construction of a new Fire Hall 32 building, be read a first, second and third time, by title only, on this 28 th of November 2023.	C387/23

REVIEWED BY

Sandy Webster, Director of Corporate Initiatives

Trevor Seibel, Deputy CAO

APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Attachments:

- 1) Elector Response Form
- 2) AAP Information Handout
- 3) Fire Hall 32 Project - Renderings

Powerpoint: Yes No