



## COUNCIL REPORT

To: Paul Gipps, CAO

Date: October 13, 2020

From: Shelley Schnitzler, Legislative Services Manager/Corporate Officer  
Sandy Webster, Director of Corporate Initiatives

Subject: **Rose Valley Water Treatment Plant Local Area Establishment Bylaw No. 280, 2020, and Loan Authorization Bylaw No. 281, 2020**

---

### RECOMMENDATION

**THAT** Council receive for information, the Certificate of Insufficiency for City of West Kelowna Rose Valley Water Treatment Plant Local Area Service Establishment Bylaw No. 280, 2020 and City of West Kelowna Rose Valley Water Treatment Plant Loan Authorization Bylaw No. 281, 2020; and

**THAT** Council consider and resolve to adopt the “City of West Kelowna Rose Valley Water Treatment Plant Local Area Service Establishment Bylaw No. 280, 2020”; and

**THAT** Council consider and resolve to adopt the “City of West Kelowna Rose Valley Water Treatment Plant Loan Authorization Bylaw No. 281, 2020”.

### STRATEGIC AREA(S) OF FOCUS

Invest in Infrastructure  
Strengthen our Community

### PURPOSE

The purpose of this report is to provide Council with the results of the Subject to Petition Against Process for the establishment of the local area service and to authorize borrowing for the Rose Valley Water Treatment Plant.

### BACKGROUND

At the July 14, 2020 regular Council meeting, Council gave three readings to the Rose Valley Water Treatment Plant Local Area Service Establishment Bylaw No. 280 and Loan Authorization Bylaw No. 281 and directed staff to undertake a Council Initiative-Subject to Petition Against process for the establishment of a Rose Valley Water Treatment Plant

local area service and to authorize long term borrowing, in accordance with the requirements of Section 213 of the *Community Charter*. Friday, October 2, 2020 (30 days from the date of the second advertisement, as required under Section 213(4) of the *Community Charter*), was established as the deadline for receiving petitions in opposition to the Bylaws.

Public Notice was given in accordance with the *Community Charter* which included two newspaper advertisements that were published in the Westside Weekly on August 26, 2020 and September 2, 2020. The advertisements were also included in the August 27, 2020 and September 2, 2020 editions of the Daily Courier. Public Notice was also posted on the City's website and on the public notice posting board at City Hall.

On August 31, 2020, a letter outlining the petition against process was mailed to all property owners within the proposed local area service that would be subject to the parcel tax. The letter included the Public Notice of Intent, a petition form, a map of the local area service, and a "What's in Your Package" information sheet. In accordance with *Community Charter* requirements, property owners were given until 4:00 p.m., Friday, October 2, 2020 to sign and submit the petition form to the City if they were opposed to the Bylaws.

## **DISCUSSION**

In order for the petitions against a local area service and borrowing to be certified as sufficient and valid, the petition must be signed by the owners of at least 50% of the parcels that would be subject to the local service tax. In addition, the persons signing the petition must be the owners of parcels that in total represent at least 50% of the assessed value of land and improvements that would be subject to the local service tax.

The total number of parcels within the boundaries of the Rose Valley Water Treatment Plant Local Area Service is eight thousand, two hundred and sixty-seven (8,267) and the total assessed value of land and improvements for these parcels is \$6,204,437,054.

As indicated by the attached Certificate of Insufficiency, valid petitions against the Bylaws were received from owners of 229 of parcels within the Local Area Service, representing a total assessed value of \$154,832,929. The petitions received represent the following percentages: 2.77% of parcels that would be subject to the local service tax and 2.49% of the assessed value of land and improvements of these parcels.

## **NON-LEGISLATIVE COMMUNICATION AND ENGAGEMENT**

Leading up to and throughout the Subject to Petition Against process, non-legislative communication and engagement was also completed to ensure future RVWTP users were informed and engaged about the process. As the process was largely completed during COVID-19, the primary method of communication and engagement was digital to adhere to social distancing requirements. This included reports to Council, presentations, website update, e-blasts to subscribers, news paper ads, media interviews and publicity,

social media posts and interactions, updates to community associations, email and telephone conversations and so on.

For example, from July 30 through October 2, 2020, leading up to and during the Subject to Petition Against process, the reach from the City's 18 social media posts on its Facebook, Twitter and Instagram channels was 19,899 and the total reactions (likes, comments, etc) was 2,417. Generally most comments were of support to get the plant built, which was also noted across other non-city social media channels.

All information about the RVWTP is located on the City's website at [www.westkelownacity.ca/rvwtp](http://www.westkelownacity.ca/rvwtp) and the public is encouraged to sign up to receive updates at [www.westkelownacity.ca/subscribe](http://www.westkelownacity.ca/subscribe).

Early works construction remains ongoing and additional information about the general contractor award is anticipated in the coming weeks.

## COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
July 14, 2020	<b>THAT</b> Council consider and resolve to read the City of West Kelowna Rose Valley Water Treatment Plant Local Area Service Establishment Bylaw No. 280, 2020 a first, second and third time; and further, <b>THAT</b> Council consider and resolve to read the City of West Kelowna Rose Valley Water Treatment Plant Loan Authorization Bylaw No. 281, 2020 a first, second and third time; and, <b>THAT</b> Council directs staff to submit the City of West Kelowna Rose Valley Water Treatment Plant Local Area Service Establishment Bylaw No. 280, 2020 and the City of West Kelowna Rose Valley Water Treatment Plant Loan Authorization Bylaw No. 281, 2020 to the Province, publish the required advertising and issue notification to the property owners within the proposed Local Area Service for establishment of the local area service on Council Initiative -Subject to Petition Against for both the establishment of the Local Area Service and to authorize borrowing. <u>CARRIED UNANIMOUSLY</u>	C180/20

## **CONCLUSION**

As outlined in the Certificate of Insufficiency attached to this report, the petitions received have been determined to be insufficient and therefore, Council may proceed with consideration of adoption of “City of West Kelowna Rose Valley Water Treatment Plant Local Area Service Establishment Bylaw No. 280, 2020” and “City of West Kelowna Rose Valley Water Treatment Plant Loan Authorization Bylaw No. 281, 2020”.

### **Alternate Motion:**

- That Council postpone consideration of “City of West Kelowna Rose Valley Water Treatment Plant Local Area Service Establishment Bylaw No. 280, 2020” and “City of West Kelowna Rose Valley Water Treatment Plant Loan Authorization Bylaw No. 281, 2020”.

Further direction from Council would be requested.

## **REVIEWED BY**

Lisa Siavashi, Financial Services Manager/Deputy CFO

## **APPROVED FOR THE AGENDA BY**

Paul Gipps, CAO

Powerpoint: Yes ☐ No ☒

### **Attachments:**

- Certificate of Insufficiency
- City of West Kelowna Rose Valley Water Treatment Plant Local Area Service Establishment Bylaw No. 280, 2020
- City of West Kelowna Rose Valley Water Treatment Plant Loan Authorization Bylaw No. 281, 2020