



# Regional Board Policy

## COMMUNITY WORKS FUND ALLOCATION

<b>Category:</b> Finance	<b>Number:</b> # - 2023	<b>Replaces:</b> N/A
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<input checked="" type="checkbox"/> <b>Policy</b> <input type="checkbox"/> <b>Procedure</b>	<input checked="" type="checkbox"/> <b>Board</b> <input type="checkbox"/> <b>Administrative</b>	<input checked="" type="checkbox"/> <b>Board</b> <input type="checkbox"/> <b>CAO</b> <input type="checkbox"/> <b>Department Head</b>
<b>Office of Primary Responsibility:</b> Finance		
<b>Date Adopted:</b>	<b>Date to be Reviewed:</b> 2028	
<b>Manner Issued:</b> Policy will be adopted by the Regional Board at a public meeting.		

### **PURPOSE:**

To establish guidelines for the Regional District of Central Okanagan's allocation of the Community Works Funds (CWF) and to implement a process to ensure compliance with the Community Works Fund Agreement.

### **POLICY:**

#### **1. Definitions:**

The following definitions are used in the interpretation of this policy

- a) "Agreement" refers to the CWF agreement signed between the RDCO and the Union of British Columbia (UBCM).
- b) "Annual Funding" means the annual amount received from UBCM in two installments each year.
- c) "Board" is the elected officials that make up the RDCO Board of Directors.
- d) "CAO" is the Chief Administrative Officer of the RDCO, or their deputy.
- e) "Chair" means the Chair of the Regional Board elected pursuant to the Local Government Act, or the person appointed as the Chair.
- f) "Community Works Fund (CWF)" means those funds received annually by the RDCO from the Community Works Fund, overseen by UBCM. Excluded from the definition for the purposes of this policy are any funds other than the Community Works Fund that may otherwise come under the Federal Gas Tax umbrella of Funds.
- h) "Directors" are the elected representatives of the RDCO.

- i) "EASC" is the Electoral Area Services Committee of the RDCO.
- j) "IR" means Indian Reserve as defined by the Indian Act within the boundaries of the RDCO.
- k) "Member Municipalities" means the incorporated local governments in the RDCO including the City of Kelowna, City of West Kelowna, District of Peachland, and District of Lake Country.
- l) "Staff" means an employee or contract employee of the RDCO.
- m) "syilx / Okanagan Nation" means the IR's located within the boundaries of the RDCO.
- n) "Federal Gas Tax Funds" means those funds received annually by the Federal Gas Tax – Community Works Fund, overseen by UBCM.
- o) "Financial Administrator" is an officer position established under the Local Government Act and assigned the responsibility of financial administration, or their deputy.
- p) "RDCO" is the Regional District of Central Okanagan.
- q) "UBCM" is the Union of British Columbia Municipalities.

## **2. Scope:**

Proposed projects or initiatives must meet the eligibility criteria and guidelines outlined by the Agreement.

## **3. Authority:**

- a) The CAO is responsible for implementing and administering this policy.
- b) UBCM determines the eligibility criteria for projects and/or proposed expenditures.
- c) Staff is responsible for reviewing proposed projects and expenditures to ensure they meet UBCM eligibility criteria.
- d) The EASC is responsible for reviewing and evaluating all proposed projects and initiatives that meet the eligible criteria and guidelines of CWF to provide recommendations to the Board.
- e) The Board is responsible for reviewing and evaluating all proposed projects and initiatives that meet the eligible criteria and guidelines of CWF and making decisions on funding.

## **POLICY STATEMENT:**

### **4. Allocation of Funds:**

- a) The RDCO receives CWF annual funding under the terms of the Agreement. These funds are allocated for use in the electoral areas and syilx / Okanagan Nations within the boundaries of the Regional District.
- b) No portion of these funds shall be allocated to member municipalities as they receive their own share of CWF directly from UBCM.
- c) The CWF annual funding received by the RDCO is to be allocated as follows:
  - i) The funds are to be allocated and held for projects based on the individual Census population used by UBCM in determining the allocation of CWF monies to RDCO as follows:
    - (1) Electoral Area East,
    - (2) Electoral Area West, and
    - (3) Each syilx / Okanagan Nation allocated based on the population of their IR(s) within the RDCO boundaries.
- d) Subsequent changes in population will not cause unspent funds to be reallocated.
- e) Interest earned on unspent balances will be allocated annually to the respective balances of each fund.

### **5. Use of Funds**

All CWFs must be used in accordance with eligibility criteria contained in the Agreement, and any subsequent changes or updates thereto.

### **6. Application and Approval Process**

- a) Internal RDCO service projects must be reviewed by Staff against eligibility criteria of the Agreement and requests will be presented as a staff report to the EASC.
- b) syilx / Okanagan Nation applications will be submitted to their respective Chief & Council and support staff to ensure eligibility criteria has been met and the project aligns with their strategic priorities.
- c) To best ensure that proper information is gathered to determine the project eligibility and associated expenditures, a written application process will be established for syilx / Okanagan Nations.
- d) Funding applications and reports will be presented to the EASC along with review findings for consideration and referral of eligible projects to the Board for approval.
- e) syilx / Okanagan Nation projects that meet eligibility requirements and have received a resolution by their Council shall not be reasonably denied.
- f) Where possible, the EASC will strive to achieve consensus on CWF approval recommendations to the Board.
- g) Only projects approved by a motion of the Board indicating the amounts approved shall proceed.
- h) The following project areas shall be given priority:

- i) Projects that align with the strategic priorities of the RDCO or syilx / Okanagan Nation;
  - ii) Projects which address critical infrastructure needs, capacity building, capital investment plans, integrated community sustainability plans, life-cycle cost assessments, and asset management plans for the RDCO;
  - iii) Infrastructure projects that are owned or leased by the RDCO or syilx / Okanagan Nation; and
  - iv) Projects that are regionally focused or benefit a large portion of the population.
- i) To be included in the financial plan for a given year, syilx / Okanagan Nation proposals must be received before October 1<sup>st</sup> of the preceding year. Proposals received after this date will be considered at the Board's discretion.

## **7. Payment of Funds:**

- a) syilx / Okanagan Nations who are recipients of CWF funding must abide by RDCO procurement standards.
- b) In general, the RDCO will work with the syilx / Okanagan Nation recipients to ensure RDCO procurement standards are met.
- c) Supplier invoices for costs that do not meet eligibility criteria will not be paid. This will be the case regardless of what the initial project eligibility review had indicated.
- d) Where a syilx / Okanagan Nation project is approved for an eligible project, a contribution agreement must be signed between the RDCO and the syilx / Okanagan Nation. The agreement must include the following commitments from the syilx / Okanagan Nation:
  - i) Compliance with all applicable regulations including obtaining proper building permits;
  - ii) Responsibility for sourcing any remaining project funds needed for the proposed project;
  - iii) Submission of an annual report in a form prescribed by the Financial Administrator for each year in which the project is being funded;
  - iv) Submission of a final report in a form prescribed by the Financial Administrator including the outcomes and deliverables of the project;
  - v) To provide to the Financial Administrator a copy of an unaudited Balance Sheet and Statement of Income and Expenses for the year the funds were dispersed to finance the project; and
  - vi) To maintain all records associated with the project and retain these records for at least five (5) years following the project completion.
- e) Once the criteria in 7.d) of this agreement has been satisfied the RDCO will advance the syilx / Okanagan Nation the funds for the approved project.

**8. Time Limits**

- a) CWF funded projects must be spent within twenty-four (24) months from the Board approval date.
- b) Any unspent funds within the RDCO Electoral Areas will be redistributed twenty-four (24) months following the Board approval date.
- c) syilx / Okanagan Nations must return any unspent funds twenty-four (24) months following the Board approval date. This expectation will be communicated to the syilx / Okanagan Nation recipients upon approval, within the body of the contribution agreement.
- d) Extensions to the twenty-four (24) month term may be considered and approved by the Financial Administrator.

**9. Reporting**

- a) The RDCO is required to provide annual reporting to the UBCM, including measured outcomes on recent past projects.
- b) syilx / Okanagan Nation recipients must adhere to the contribution agreement requirements listed in 7.d) of this agreement and provide all documentation as requested.
- c) syilx / Okanagan Nation recipients that do not meet the reporting requirements may be subject to a requirement to repay the CWF.

**RELATED POLICIES, PROCEDURES, AGREEMENTS AND/OR BYLAWS:**

**\*\*\* END OF POLICY \*\*\***

<u>Policy No.</u>	<u>Date Adopted</u>	<u>Date Reviewed</u>	<u>Amended (Y/N)</u>	<u>Date Reissued</u>	<u>Authority</u>
BP#					