



Regional Board Report

Request for Decision

To: Regional Board
From: Corporate Officer / Deputy CAO
Date: March 20, 2025

Subject: Alternative Approval Process for Okanagan Regional Library Loan Authorization Bylaw No. 1558

Voting Entitlement: *All Directors - Unweighted Corporate Vote - Simple Majority (LGA s.208)*

Purpose: To direct staff to undertake an Alternative Approval Process for the Okanagan Regional Library Loan Authorization Bylaw No. 1558.

Executive Summary:

At the Regular Board Meeting held on October 24, 2024, the Regional Board gave first three (3) readings to Okanagan Regional Library Loan Authorization Bylaw No. 1558. This bylaw allows borrowing funds from the Municipal Finance Authority (MFA) on behalf of the Okanagan Regional Library (ORL), as Library Districts cannot borrow directly from the MFA. The ORL needs up to \$2.5 million for the West Kelowna library. This is the third loan the ORL has requested through the RDCO, and like before, ORL will cover all debt and costs.

According to the *Local Government Act*, the bylaw needs approval from the Inspector of Municipalities before starting an Alternative Approval Process (AAP). This Inspector's approval has been received, and staff are ready to proceed with the AAP. If 10% (20,835) of electors submit an elector response form opposing the bylaw before the deadline, the Board cannot adopt the bylaw without a referendum. If this happens, staff will work with the ORL to identify next steps.

Section 86(3) of the *Community Charter*, states that the Regional Board must:

- Set the deadline for receiving elector responses;
- Approve the elector response form; and,
- Determine the total number of electors for the alternative approval process.

Recommendation(s):

THAT the Regional Board authorizes staff to proceed with obtaining the approval of the electors by Alternative Approval Process for Regional District of Central Okanagan Regional Library Loan Authorization Bylaw No.1558;

AND THAT the Regional Board establishes the deadline for receiving elector responses to be 4:00 p.m. May 1, 2025;

AND THAT the Regional Board approves the estimated number of electors to be 20,825 within the Regional District of Central Okanagan boundaries;

AND FURTHER THAT the Regional Board approves the elector response forms as attached to the Report from the Corporate Officer / Deputy CAO dated March 20, 2025.

Respectfully submitted by: Caitlyn Fleischmann, Deputy Corporate Officer and Sandra Ballan-Brown, Corporate Services Executive Assistant

Report Approved by Corie Griffiths, Corporate Officer / Deputy CAO

Approved for Agenda: Sally Ginter, Chief Administrative Officer

Strategic Plan Alignment: N/A

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|--|--|
| <input type="checkbox"/> Emergency preparedness | <input type="checkbox"/> Truth and reconciliation |
| <input type="checkbox"/> Health and wellness | <input type="checkbox"/> Environment and climate – Regional priority only |
| <input type="checkbox"/> Regional transportation | <input type="checkbox"/> Growth and development – Electoral Area priority only |
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Background:

At the Regular Board Meeting held on October 24, 2024, the Regional Board gave first three (3) readings to Okanagan Regional Library Loan Authorization Bylaw No. 1558. This bylaw allows borrowing funds from the Municipal Finance Authority (MFA) on behalf of the Okanagan Regional Library (ORL), as Library Districts cannot borrow directly from the MFA. The ORL needs up to \$2.5 million for the West Kelowna library.

This is the third loan the ORL has requested through the RDCO, and like before, ORL will cover all debt and costs. The following two previous bylaws received adoption on May 30, 2021

The authority to borrow on behalf of the ORL is prescribed in:

- RDCO Okanagan Regional Library Service Area Establishment Bylaw No. 1477; and,
- RDCO Okanagan Regional Library Loan Authorization Bylaw No. 1478.

The *Local Government Act*, requires that Okanagan Regional Library Loan Authorization Bylaw No. 1558 be approved by the Inspector of Municipalities prior to undertaking an Alternative Approval Process (AAP). This approval has been received, and staff are prepared to proceed with the Alternative Approval Process.

Section 86(3) of the *Community Charter* requires that for each alternative approval process, the Board of Directors must:

- Establish the deadline for receiving elector responses;
- Establish the elector response form; and
- Make a fair determination of the total number of electors to which the approval process applies.

Establish the deadline for receiving elector responses

The period for receiving elector response forms must be at least 30 days following the day on which the second required notice is published. Staff propose the deadline date to receive responses be established

as 4:00 p.m. on May 1, 2025. Elector response forms will be accepted by mail or in person to the Regional District of Central Okanagan Administration Office prior to the established deadline. In accordance with section 86 of the *Community Charter*, elector responses must be received by the deadline, therefore postmarks will not be accepted as the date of submission.

Establish the Elector Response Form

The elector response form that will be available to eligible electors within the boundary service area of the Central Okanagan is attached for consideration by the Board. If 10% (20,835) of the estimated number of electors sign and submit an elector response form **opposing** adoption of Bylaw No. 1558 before the established deadline, the Board cannot adopt the Bylaw without receiving the assent of the electors by way of referendum.

Population Analysis

The *Community Charter* requires regional district boards to make a fair determination of the total number of eligible electors of the area to which the AAP applies. This figure forms the basis of the 10% threshold. The provincial AAP guide for local governments states the regional district may use BC Stats to estimate the number of electors.

The total number of eligible electors is estimated to be 208,353 in accordance with 2025 BC Stats as of January 20, 2025.

Estimate of Eligible Electors for Alternative Approval Process

Number of Central Okanagan Regional District Eligible Electors	10% of Electors
220,947* – 12,594** (IR population estimate) = 208,353	20,835

* Source: BC Stats Population Estimates, Central Okanagan Regional District, ages 18+, accessed January 20, 2025. BC Stats includes IR population in total.

** Per 2021 Census IR population is 5.7% of total population.

Informing the Community

Elector response forms and the supporting material will be available at the RDCO’s K.L.O. Administration office, West Kelowna City Hall and the West Kelowna branch of the Okanagan Regional Library, or for download on the RDCO website.

Advertising the Alternative Approval Process will occur on the RDCO website under www.rdco.com/publicnotices and through our e-subscription service (a requirement of the *Community Charter*).

Information on the process, forms and the Elector Notice is available on the Regional District of Central Okanagan’s website: www.rdco.com/aap.

Conclusion

Alternative Approval Process requirements have been identified and the appropriate Elector Response Forms have been prepared which will enable the Regional Board to authorize staff to proceed with obtaining the approval of the electors by Alternative Approval Process for Okanagan Regional Library Loan Authorization Bylaw No. 1558.

Considerations:

Organizational/External:

Staff time required to run an AAP

Financial:

ORL will pay the debt and costs associated with the process.

Legal/Statutory Authority:

Community Charter s.86 and s.179

Local Government Act s. 407

Considerations not applicable:

- Alternate Recommendation

Attachment(s):

1. Elector Response Form
2. Fact Sheet
3. Non-Resident Elector Consent
4. Notice of AAP
5. Okanagan Regional Library Loan Authorization Bylaw No. 1558
6. Statutory Approval of Bylaw No. 1558
7. AAP ORL Bylaw.ppt
