



# Alberni-Clayoquot Regional District

## SPECIAL BOARD OF DIRECTORS MEETING

THURSDAY, JUNE 25, 2015, 11:00 AM

Regional District Board Room, 3008 Fifth Avenue, Port Alberni, BC

### AGENDA

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PAGE #

1. **CALL TO ORDER**

2. **WAIVE NOTICE OF MEETING**

- a. **Motion to Wave Notice of Special Board of Directors Meeting in order to Consider Amendments to the Port Alberni Airport Alternative Approval Process (Unanimous Vote)**

**Recognition of Traditional Territories.**

3. **REQUEST FOR DECISIONS & BYLAWS**

a. **REQUEST FOR DECISION**

Alternative Approval Process – AV Regional Airport Runway Expansion Project.

2-9

*THAT the Alberni-Clayoquot Regional District Board of Directors approve the following amendments for the Port Alberni Airport Alternative Approval Process:*

- a. Approve the attached amended Notice to Electors of an Alternative Approval Process;*
- b. Approve the attached amended Elector Response Form;*
- c. Declare that a fair determination of the total number of electors within the Port Alberni Airport Service area to which the Alternative Approval Process applies to be 20,504 as per the attached amended determination.*

4. **ADJOURN**



## REQUEST FOR DECISION

**To:** Board of Directors (**Special Board of Directors Meeting**)

**From:** Wendy Thomson, Manager of Administrative Services

**Meeting Date:** June 25, 2015

**Subject:** **Alternative Approval Process – AV Regional Airport Runway Expansion Project**

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### Recommendation:

**THAT the Alberni-Clayoquot Regional District Board of Directors approve the following amendments for the Port Alberni Airport Alternative Approval Process:**

- a. **Approve the attached amended Notice to Electors of an Alternative Approval Process;**
- b. **Approve the attached amended Elector Response Form;**
- c. **Declare that a fair determination of the total number of electors within the Port Alberni Airport Service area to which the Alternative Approval Process applies to be 20,504 as per the attached amended determination.**

### Desired Outcome:

To seek approval of the electors of the Port Alberni Airport Service area through an Alternative Approval Process for the adoption of Bylaws F1120 and 791-2 in order to proceed with the Port Alberni Airport runway expansion project.

### Background:

At the Board of Directors meeting yesterday afternoon (June 24<sup>th</sup>), there was an error in the calculation of total number of electors within the Port Alberni Airport Service area. Attached please find the following which have been amended to reflect the correct calculations: Notice to Electors of an Alternative Approval Process, Elector Response Form and Declaration of Fair Determination of total number of electors within the Service Area.

In order to proceed with the Alternate Approval Process within the timelines set, the above resolution is required by the Board of Directors at a Special Board of Directors meeting today. The Board of Directors will need to pass a resolution to waive notice of the Special Board of Directors meeting.

The ACRD Board of Directors proposes to borrow up to a maximum of \$6 Million for the construction of an expanded runway at the Port Alberni Airport (known as the Alberni Valley Regional Airport) and have chosen the alternative approval process to gain consent of the electorate to proceed with the project.

The Alternative Approval Process allows the Board to proceed with the project unless at least 10% of the electors state their opposition within a prescribed period. If at least 10% of the electors state their opposition to the proposed project, the Board would need to proceed with a referendum.

At the May 27, 2015 Board of Directors meeting, the following bylaws received three readings and were forwarded for approval by the Inspector of Municipalities with the Ministry of Community, Sport and Cultural Development:

**Bylaw F1120** cited as *“Port Alberni Airport Runway Expansion Loan Authorization Bylaw No. F1120, 2015”*. The purpose of the bylaw is to borrow up to a maximum of \$6 million dollars over a 30 year period in order to carry out the planning, study, design and construction of works in connection with expanding the runway at the Port Alberni Airport. It is estimated that the borrowing will result in a tax increase of \$16.80 per year for an average residential property valued at \$200,000.

**Bylaw 791-2** cited as *“Port Alberni Airport Extended Service Area Establishment Amendment Bylaw No. 791-2, 2015”*. The purpose of the bylaw is to amend Bylaw 791, *Port Alberni Airport Extended Service Area Establishment, 2012* increasing the maximum annual tax requisition from \$50,000 to \$150,000 and provide the required room to service the annual borrowing debt for the runway expansion project.

The Bylaws received approval of the Inspector on June 7, 2015.

The following are the next steps which require a resolution of the Board of Directors to proceed with the Alternate Approval Process (AAP):

- a. Confirmation of the AAP as the method to gain consent of the electorate of the service area in order to adopt the bylaws;
- b. Approval of the AAP Notice to go in the local paper for two consecutive weeks (attached);
- c. Approval of the Elector Response Form to be used for the AAP (attached);
- d. Set the deadline for receiving Elector Response Forms which must be at least 30 days after the second required advertisement in the local paper;
- e. Declare a fair determination of the total number of electors within the service area to which the AAP applies (attached).

Section 801 (4) of the Local Government Act requires this resolution be adopted by at least two-thirds of the votes cast. All Directors vote and have 1 vote.

The Elector Response forms must be kept confidential by the Manager of Administrative Services and/or a designated staff person at the ACRD Office. As per the Community Charter, after the deadline to receive Elector Response Forms has passed, the Manager of Administrative Services must determine and certify, on the basis of the Elector Response Forms received before that deadline, whether electoral approval has been obtained.

**Time Requirements – Staff & Elected Officials:**


Some staff time required to arrange and conduct this alternative approval process.

**Financial:**

Paid for by the participants of the Port Alberni Airport Service area defined as City of Port Alberni and Electoral Areas "B" (Beaufort), "D" (Sproat Lake), "E" (Beaver Creek) and "F" (Cherry Creek).

**Policy or Legislation:**

*Local Government Act and Community Charter apply.*

Submitted by:   
\_\_\_\_\_

Wendy Thomson, Manager of Administrative Services

Approved by:   
\_\_\_\_\_

Russell Dyson, Chief Administrative Officer



## **Notice to Electors of an Alternative Approval Process**

**PUBLIC NOTICE IS HEREBY GIVEN** to the electors of the City of Port Alberni and Electoral Areas: “B” (Beaufort), “D” (Sproat Lake), “E” (Beaver Creek) and “F” (Cherry Creek) of the intention of the Alberni-Clayoquot Regional District (ACRD) Board of Directors to adopt the following bylaws: “*Port Alberni Airport Runway Expansion Loan Authorization Bylaw No. F1120, 2015*” and “*Port Alberni Airport Extended Service Area Establishment Amendment Bylaw No. 791-2, 2015*”.

### **Summary of Bylaws**

**Bylaw F1120** cited as “*Port Alberni Airport Runway Expansion Loan Authorization Bylaw No. F1120, 2015*”. The purpose of the bylaw is to borrow up to a maximum of \$6 million dollars over a 30 year period in order to carry out the planning, study, design and construction of works in connection with expanding the runway at the Port Alberni Airport. It is estimated that the borrowing will result in a tax increase of \$16.80 per year for an average residential property valued at \$200,000.

**Bylaw 791-2** cited as “*Port Alberni Airport Extended Service Area Establishment Amendment Bylaw No. 791-2, 2015*”. The purpose of the bylaw is to amend Bylaw 791, *Port Alberni Airport Extended Service Area Establishment, 2012* increasing the maximum annual tax requisition from \$50,000 to \$150,000 and provide the required room to service the annual borrowing debt for the runway expansion project.

The Port Alberni Airport runway expansion project will accommodate larger, higher capacity aircraft and will provide additional economic and job opportunities in the Alberni Valley. A copy of Bylaws F1120 and 791-2 and a summary of the project are available from the Regional District Office during each business day of the week between 8:00 a.m. and 4:30 p.m. or on the Regional District website at [www.acrd.bc.ca](http://www.acrd.bc.ca).

### **Service Area Participants**

The participating areas of the Port Alberni Airport service are: City of Port Alberni and Electoral Areas: “B” (Beaufort), “D” (Sproat Lake), “E” (Beaver Creek) and “F” (Cherry Creek).

### **Alternate Approval Process (AAP)**

The ACRD Board of Directors may proceed with the adoption of Bylaws F1120 and 791-2 if less than 2,050 electors (10% of the total number of eligible electors of the service area) in the service area sign and submit an “Elector Response Form” by the deadline opposing the Board’s adoption of the bylaws. If 2,050 or more valid elector responses are received by the deadline, the ACRD Board must obtain assent of the electors by way of referendum before proceeding with the bylaws.

Elector responses must be in the form established by the ACRD Board of Directors. Elector Response Forms may be obtained from the ACRD Office or from the website at [www.acrd.bc.ca](http://www.acrd.bc.ca) and can only be signed by qualified electors of the Port Alberni Airport Service area. Electors include both resident and non-resident who are eligible to vote.

### **Deadline**

The deadline for delivering the original signed Elector Response Forms to the ACRD is **4:30 pm on Wednesday, August 5, 2015**. Forms must be received by the deadline in order to be counted.

## **Elector Eligibility**

**Resident Elector:** *When signing* an elector response form during an AAP, a resident elector must: be 18 years of age or older; be a Canadian citizen; have lived in British Columbia for at least six months; have lived in the jurisdiction (e.g. municipality or electoral area) for at least 30 days; live in the participating area defined for the AAP; and, not be disqualified by the *Local Government Act*, any other Act, or the Courts from voting in a general local election.

**Non-resident Property Elector:** *When signing* an elector response form during an AAP, a non-resident property elector must: be at least 18 years of age; be a Canadian citizen; have lived in British Columbia for at least six months; have owned property in the jurisdiction (e.g. municipality or electoral area) for at least 30 days; own property in the participating area defined for the AAP; and, not be disqualified by the *Local Government Act*, any other Act, or the Courts from voting in a general local election.

**Note:** Only one

non-resident property elector may sign an elector response form per property, regardless of how many people own the property; and, that owner must have the written consent of a majority of the other property owner(s) to sign the response form on their behalf. **Property owned in whole or in part with a corporation does not qualify under the non-resident property elector provisions.**

**Resident electors** signing the elector response form must provide their name and address.

**Non-resident property electors** must provide their name and the address of the property in relation to which they are entitled to register as a **non-resident property elector**. The ACRD will not share the information on the form with anyone other than the Manager of Administrative Services, or other person designated by the Manager of Administrative Services.

For further information please contact Wendy Thomson, Manager of Administrative Services at the Alberni-Clayoquot Regional District Office (250) 720-2706 or email [wendy.thomson@acrd.bc.ca](mailto:wendy.thomson@acrd.bc.ca).

By completing this Elector Response Form, I **OPPOSE** the Alberni-Clayoquot Regional District Board of Directors intention to adopt the following bylaws in order to finance the costs of expanding the Port Alberni Airport runway, unless a referendum is held:

- Bylaw F1120, “Port Alberni Airport Runway Expansion Loan Authorization Bylaw F1120, 2015” which authorizes the borrowing of up to a maximum of \$6 million dollars to be repaid over a period not exceeding 30 years; and,
- Bylaw 791-2, “Port Alberni Airport Extended Service Area Establishment Amendment Bylaw 791-2, 2015” which increases the maximum amount that may be requisitioned annually for the Port Alberni Airport service and services the annual borrowing debt.

I acknowledge that I am a resident or non-resident elector within the Port Alberni Airport service area and meet the elector qualifications defined on the reverse of this form in order to submit an Elector Response Form.

I further understand and acknowledge that I may not sign more than one (1) Elector Response Form in relation to this Alternative Approval Process.

In an effort to obtain signatures with respect to this matter, I declare that I have not knowingly made any false or misleading statements to another person with respect to this Elector Response Form, action or any other matter to which this Elector Response Form relates.

Full name of elector \_\_\_\_\_  
(e.g. Donald Smith – not D. Smith) (please print)

Address \_\_\_\_\_

Signature \_\_\_\_\_

- Choose one:  I am a resident elector (see reverse for eligibility requirements)
- I am a non-resident property elector who lives in another community and owns property in the jurisdiction located at: \_\_\_\_\_ (address)  
(see reverse for additional eligibility requirements)

The **deadline** for delivering this Elector Response Form to the Alberni-Clayoquot Regional District (ACRD) is **4:30 p.m.** on **Wednesday, August 5, 2015**. Elector Response Forms must be mailed or delivered to the Regional District Office at 3008 Fifth Avenue, Port Alberni, BC, V9Y 2E3. If mailing the form, please clearly mark your sealed envelope “Elector Response Form”. The forms must be received by the **deadline** in order to be counted. Original signatures are required, therefore the Elector Response Forms may not be returned by email or fax.

Additional information can be found on the reverse side of this form about the subject of this Alternative Approval Process as well as the elector qualifications.

REVERSE

### Alternative Approval Process - Elector Response Form

The ACRD Board of Directors may proceed with the adoption of Bylaws F1120 and 791-2 if less than 2,050 electors (10% of the total number of electors of the service area) in the service area sign and submit an Elector Response Form opposing the Board's adoption of the bylaws. Otherwise, if 2,050 or more valid elector responses are received, the ACRD Board must obtain assent of the electors by way of referendum before proceeding with the bylaws.

The Alberni-Clayoquot Regional District (ACRD) is proposing to borrow up to a maximum of \$6 million dollars over 30 years and increase the maximum annual tax requisition for the Port Alberni Airport service in order to expand the runway at the Port Alberni Airport. Prior to proceeding with the required borrowing and increase in maximum tax requisition for the project, the ACRD requires consent of the electorate through an Alternative Approval Process (AAP) in order to adopt the following bylaws:

**Bylaw F1120** - Authorizes the ACRD to borrow up to a maximum of \$6 million dollars over a 30 year period through the Municipal Finance Authority in order to carry out the planning, study, design and construction of works in connection with expanding the runway at the Port Alberni Airport.

**Bylaw 791-2** – Amends Bylaw 791, *Port Alberni Airport Extended Service Area Establishment, 2012* increasing the maximum annual tax requisition from \$50,000 to \$150,000 and provides the required room to service the annual borrowing debt.

A copy of Bylaws "*Port Alberni Airport Runway Expansion Loan Authorization F1120, 2015*" and "*Port Alberni Airport Extended Service Area Establishment Amendment Bylaw 791-2, 2015*" and a detailed summary of the proposed airport runway expansion project is available on the Regional District website at [www.acrd.bc.ca](http://www.acrd.bc.ca) or at the Regional District Office during regular office hours, Monday to Friday between 8:00 am and 4:30 pm.

#### Additional Information about Elector Eligibility

A person must either be a **resident elector** or a **non-resident property elector** (not both) in order to sign this Elector Response Form.

A **resident elector** is an individual who is entitled to sign an Elector Response Form during an AAP by virtue of living within that jurisdiction. *When signing an elector response form during an AAP*, a resident elector must:

- be 18 years of age or older;
- be a Canadian citizen;
- have lived in British Columbia for at least six months;
- have lived in the jurisdiction (e.g. municipality or electoral area) for at least 30 days;
- live in one of the following areas defined for the AAP: City of Port Alberni, Electoral Area "B" (Beaufort), "D" (Sproat Lake), "E" (Beaver Creek), or "F" (Cherry Creek); and,
- not be disqualified by the *Local Government Act*, any other Act, or the Courts from voting in a general local election.

A **non-resident property elector** is an individual that does not live in the jurisdiction and who is entitled to sign an elector response form during an AAP by virtue of owning property in that jurisdiction. *When signing an elector response form during an AAP*, a non-resident property elector must:

- be at least 18 years of age;
- be a Canadian citizen;
- have lived in British Columbia for at least six months;
- have owned property in the jurisdiction (e.g. municipality or electoral area) for at least 30 days;
- own property in one of the following areas defined for the AAP: City of Port Alberni, Electoral Area "B" (Beaufort), "D" (Sproat Lake), "E" (Beaver Creek), or "F" (Cherry Creek); and,
- not be disqualified by the *Local Government Act*, any other Act, or the Courts from voting in a general local election.

**Note:** Only one non-resident property elector may sign an Elector Response Form per property, regardless of how many people own the property; and, that owner must have the written consent of a majority of the other property owner(s) to sign the response form on their behalf. **Property owned in whole or in part with a corporation does not qualify under the non-resident property elector provisions.**



Table 1: Total Eligible Electors in the City of Port Alberni (as of November 15, 2014)

	Total Eligible Electors	10% of Electors
<b>City of Port Alberni</b> <sup>1</sup>	12,974	<b>1,297</b>

Table 2: 2011 Census Population for Electoral Areas in the Alberni Valley including IRs (aged 15+)

	Total Population <sup>2</sup>	Pop. 15 years + <sup>2</sup>
<b>Area "B" - Beaufort</b>	456	<b>405</b>
<i>Area "D" - Sproat Lake</i>	1,701	1,545
<i>Klehkoot 2</i>	10	10
<i>Tsahaheh 1</i>	584	435
<b>Total "D" including IRs</b>	2,295	<b>1,990</b>
<i>Area "E" - Beaver Creek</i>	2,885	2,490
<i>Ahahswinis 1</i>	160	125
<b>Total "E" including IRs</b>	3,045	<b>2,615</b>
<i>Area "F" - Cherry Creek</i>	1,916	1,625
<i>Alberni 2</i>	10	10
<b>Total "F" including IRs</b>	1,926	<b>1,635</b>
<b>Total EAs including IRs</b>	<b>7,722</b>	<b>6,645</b>

Table 3: Non-Resident Property Owners for Electoral Areas in the Alberni Valley including IRs

	No. of Non-Resident Owners <sup>3</sup>
	<b>885</b>

Table 4: Estimated Total of Eligible Electors for the AVRA Alternative Approval Process

	Estimated Total Electors	Estimated 10% of Electors
	<b>20,504</b>	<b>2,050</b>

### Notes

1. Total number of eligible electors provided by the Declaration of Official Results from the November 15, 2014 City of Port Alberni Municipal Election.
2. Population data from the Statistics Canada 2011 Census Profile. Population of residents aged 15 years and older was used to estimate the total number of electors (residents aged 15 years old in 2011 would be 18-19 years old in 2015). Estimated number of electors in each area is as accurate as possible but does not take into account any population change since the 2011 census.