



The Corporation of the City of Grand Forks

Regular Meeting

AGENDA

Meeting #: R-2018-18
Date: Monday, October 22, 2018, 7:00 pm
Location: 7217 - 4th Street, City Hall Council Chambers

Pages

1. CALL TO ORDER

2. ADOPTION OF AGENDA

- a. Adopt agenda
October 22, 2018, Regular Meeting agenda

Recommendation

THAT Council adopts the October 22, 2018, Regular Meeting agenda as presented.

3. MINUTES

- a. Adopt minutes - Special to go In-Camera
October 9, 2018, Special to go In-Camera Meeting minutes

4 - 5

Recommendation

THAT Council adopts the October 9, 2018, Special to go In-Camera Meeting minutes as presented.

- b. Adopt minutes - Regular
October 9, 2018, Regular Meeting minutes

6 - 10

Recommendation

THAT Council adopts the October 9, 2018, Regular Meeting minutes as presented.

4. REGISTERED PETITIONS AND DELEGATIONS

5. UNFINISHED BUSINESS

6. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL

- a. Written Reports of Council
Corporate Officer's Report

11 - 13

Recommendation

THAT all written reports of Council submitted to the October 22, 2018, Regular Meeting be received.

- b. 2018-10-22-BC Seniors Games
Mayor Konrad remarks

14 - 15

7. **REPORT FROM COUNCIL'S REPRESENTATIVE TO THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY**

- a. Verbal Report - RDKB Representative
Corporate Officer's Report

16 - 16

Verbal report from Council's representative to the Regional District of Kootenay Boundary

Read the RDKB agendas here: <https://rdkb.civicweb.net/filepro/documents/314>

Recommendation

THAT Mayor Konrad's report on the activities of the Regional District of Kootenay Boundary, given verbally at this meeting be received.

8. **RECOMMENDATIONS FROM STAFF FOR DECISIONS**

- a. Revitalization Tax Exemption Bylaw
Corporate Services / Finance

17 - 35

Recommendation

THAT Council instructs staff to proceed with public engagement and Council workshops for a potential Revitalization Tax Exemption Program.

- b. Consideration for Approval – Temporary Use Permit Application - 7255 Riverside Drive
(Proposed Religious Centre)
Development and Engineering

36 - 43

Recommendation

THAT Council grants a Temporary Use Permit for a Religious Centre (Church) on land zoned CC – Core Commercial, located at 7255 Riverside Drive; legally described as Lot A, District Lot 108, SDYD, Plan KAP82116 (PID: 026-838-575).

- c. Budget for DMAF grant application preparation
Regional Emergency Program

44 - 46

Recommendation

THAT Council approves \$200,000 to be used for the DMAF grant application preparation and directs staff to include it in the Five Year Financial Plan Bylaw amendment.

9. **REQUESTS ARISING FROM CORRESPONDENCE**

- a. RDKB – Aquatic Center Requisition Increase
Corporate Services

47 - 65

Recommendation

THAT Council discusses the proposed increase for the Aquatic Center service and defers the item to the Committee of the Whole meeting on December 10, 2018, for discussion with RDKB representatives.

10. **INFORMATION ITEMS**

11. BYLAWS
12. LATE ITEMS
13. QUESTIONS FROM THE PUBLIC AND THE MEDIA
14. ADJOURNMENT



The Corporation of the City of Grand Forks
Special to go In-Camera Meeting of Council
MINUTES

Meeting #: SP-2018-17
Date: Tuesday, October 9, 2018, 12:28 pm
Location: 7217 - 4th Street, City Hall Council Chambers

Present: Mayor Frank Konrad
Councillor Julia Butler
Councillor Chris Hammett
Councillor Colleen Ross
Councillor Christine Thompson
Councillor Beverley Tripp

Absent: Councillor Neil Krog

Staff: Diane Heinrich - Chief Administrative Officer
Daniel Drexler - Corporate Officer
Kevin McKinnon - Deputy Corporate Officer

GALLERY

1. CALL TO ORDER

Mayor Konrad called the Special To Go In-Camera Meeting to order at 12:28 pm.

2. IN-CAMERA RESOLUTION

a. Adopt Resolution as per Section 90

Moved by: Ross

Seconded by: Butler

THAT Council convene an In-Camera Meeting as outlined under Section 90 of the Community Charter to discuss matters in a closed meeting which are subject to Section 90 (1)

(b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;

(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

BE IT FURTHER RESOLVED THAT persons, other than members, officers, or other persons to whom Council may deem necessary to conduct City business, will be excluded from the In-Camera Meeting.

Carried

3. LATE ITEMS

4. ADJOURNMENT

The Special to go In-Camera Meeting was adjourned at 12:29 pm.

Moved by: Ross

Seconded by: Thompson

THAT the Special to go In-Camera Meeting be adjourned at 12:29 pm.

Carried

Mayor Frank Konrad

Corporate Officer - Daniel Drexler



The Corporation of the City of Grand Forks
Regular Meeting of Council
MINUTES

Meeting #: R-2018-17
Date: Tuesday, October 9, 2018, 7:00 pm
Location: 7217 - 4th Street, City Hall Council Chambers

Present: Mayor Frank Konrad
Councillor Julia Butler
Councillor Chris Hammett
Councillor Colleen Ross
Councillor Christine Thompson
Councillor Beverley Tripp

Absent: Councillor Neil Krog

Staff: Diane Heinrich - Chief Administrative Officer
Daniel Drexler - Corporate Officer
Dolores Sheets - Manager of Development & Engineering Services

GALLERY

1. CALL TO ORDER

Mayor Konrad called the October 9, 2018, Regular Meeting to order at 7:01 pm.

2. ADOPTION OF AGENDA

a. Adopt agenda

October 9, 2018, Regular Meeting agenda

Resolution #: R281/18/10/09

Moved by: Ross

Seconded by: Thompson

THAT Council adopts the October 9, 2018, Regular Meeting agenda as presented.

Carried

3. MINUTES

a. Adopt minutes - Regular

September 24, 2018, Regular Meeting minutes

Resolution #: R282/18/10/09

Moved by: Thompson

Seconded by: Ross

THAT Council adopts the September 24, 2018, Regular Meeting minutes as presented.

Carried

4. REGISTERED PETITIONS AND DELEGATIONS

5. UNFINISHED BUSINESS

6. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL

a. Written Reports of Council

Corporate Officer's Report

Councillor Hammett briefly spoke regarding:

- recent development permit applications valued at roughly \$3.5 Million
- Thank you to Argosy Construction for making JD Park wheelchair accessible

7. REPORT FROM COUNCIL'S REPRESENTATIVE TO THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY

a. Verbal Report - RDKB Representative

Corporate Officer's Report

Verbal report from Council's representative to the Regional District of Kootenay Boundary

Read the RDKB agendas here:

<https://rdkb.civicweb.net/filepro/documents/314>

Mayor Konrad gave an update regarding the BCDC meeting:

- TOTA presentation - different new avenues, collaboration options with Telus
- Presentation from Vaagen Fiber - possible community forest
- Boundary Museum - not continuing/declining the MRDT program

Councillor Ross spoke regarding her previously submitted report and clear cutting within the watershed and potential impacts to the area.

Resolution #: R283/18/10/09

Moved by: Thompson

Seconded by: Tripp

THAT Mayor Konrad's report on the activities of the Regional District of Kootenay Boundary, given verbally at this meeting be received.

Carried

8. RECOMMENDATIONS FROM STAFF FOR DECISIONS

a. Capital Project Funding from Reserves

Chief Financial Officer

Resolution #: R284/18/10/09

Moved by: Ross

Seconded by: Thompson

THAT Council approves the change in funding for the Central Avenue Sidewalk Replacement Project from the Community Works Gas Tax Reserve to the Capital Reserve;

AND FURTHER THAT Council amends the 2018-2022 Five Year Financial Plan to include this change.

Carried

- b. Temporary Use Permit Application 7255 Riverside Drive for a Church Development and Engineering

Resolution #: R285/18/10/09

Moved by: Ross

Seconded by: Hammett

THAT Council directs staff to proceed with the statutory requirements for public notice respecting a Temporary use Permit Application for a Church located at 7255 Riverside Drive.

Carried

9. REQUESTS ARISING FROM CORRESPONDENCE

10. INFORMATION ITEMS

11. BYLAWS

- a. Bylaw 2051 - 2019 Revenue Anticipation Borrowing
Chief Financial Officer

Resolution #: R286/18/10/09

Moved by: Thompson

Seconded by: Tripp

**THAT Council gives final reading to 2019 Revenue Anticipation
Borrowing Bylaw No. 2051.**

Carried

12. LATE ITEMS

13. QUESTIONS FROM THE PUBLIC AND THE MEDIA

Kate Saylors, Grand Forks Gazette, inquired regarding operational details of the Sidewalk project. She was advised to follow up with the Public Works department managers for specific operational information regarding the project.

14. ADJOURNMENT

The October 9, 2018, Regular Meeting was adjourned at 7:12 pm.

Resolution #: R287/18/10/09

Moved by: Ross

Seconded by: Butler

THAT the October 9, 2018, Regular Meeting be adjourned at 7:12 pm.

Carried

Mayor Frank Konrad

Corporate Officer - Daniel Drexler

Request for Decision



To: Regular Meeting
From: **Procedure Bylaw / Corporate Services**
Date: October 22, 2018
Subject: Reports, Questions and Inquiries from the Members of Council
Recommendation: **THAT all written reports submitted by members of Council be received.**

Background

Under the City's Procedures Bylaw No. 1946, 2013, the Order of Business permits the members of Council to report to the Community on issues, bring community issues for discussion and initiate action through motions of Council, ask questions on matters pertaining to the City Operations and inquire on any issues and reports.

Benefits or Impacts

General

The main advantage of using this approach is to bring the matter before Council on behalf of constituents. Immediate action might result in inordinate amount of resource inadvertently directed without specific approval in the financial plan.

Strategic Impact



Community Engagement

- Members of Council may ask questions, seek clarification and report on issues.

Policy/Legislation

Procedure Bylaw No. 1946, 2013

Recommendation

THAT all written reports submitted by members of Council be received.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Councillor's Report

October 22, 2018

Julia Butler

Well, at this point the votes are tallied and the results are in! You have a new council Grand Forks! Congratulations to all the successful candidates and I wish you well in your term for this city. Budget season will soon be upon you and as you settle into your new roles, I hope that you can support each other with the challenges of reworking the twenty-year capital plan, in wake of last year's flood. I also encourage you to find a way to incorporate your enthusiasm and new ideas into our OCP and start setting goals for your four years in office.

The Rec Commission met on October 11 to discuss the work plans and budget for the 2019 season. It was a long meeting as staff went into detail on each line item and provided many statistics. The draft facility assessments are completed and are being reviewed by staff, before being made available to the public. The commission recognised that results from the assessments could have a big impact on budgets moving forward. The status of the Learning Garden was also a concern of the commission and we have asked for a delegation or a report from the Ag Society for the November meeting. It is understood that the ultimate decision making power for this project, falls to the RDKB board, who holds the licence of occupation with the Ag Society.

The most important thing I wanted to report on is the requisition amounts that will affect people's taxes. The bylaw states that every five years there can be a request for a 25% increase in the requisition amount, that is shared between Rural Grand Forks (Area D) and Grand Forks. This year we will be asking for that increase on the aquatic centre budget, mostly to pay for asset maintenance costs. As well, there will be a standard 2% increase on admission fees.

The requisition amount for the programing budget is \$275 928 for Grand Forks and \$210 495 for Area D. The requisition amount for the Arena budget is \$350 578 for Grand Forks and \$164 978 for Area D. The requisition amount for the Aquatic Centre budget is \$406 508 for Grand Forks and \$310 108 for Area D. These figures include the assumption of the 25% increase in requisition amounts, up from last year's amounts of \$353 956 and \$270 019 respectively.

While doing research on this topic, I thought I would also include further information on the tax requisition, as it gives us a good idea of what our tax dollars are funding and how costs are shared with the RDKB.

Following is the breakdown of the RDKB's contribution to the City Fire Department:

The RDKB's contribution towards the City's portion of fire department costs is 50% of the fire chief, 30% for the deputy, 50% of City vehicle fuel costs, nothing for City vehicle maintenance, and nothing for repairs and maintenance on the City fire hall. Fire fighting personnel are shared 50:50 City and RD. With respect to the rural costs, the City pays 50% of the fuel costs, and nothing for the rural fire halls or rural vehicle maintenance.

This is what the \$ amounts were in 2017:

	City	RDKB
Personnel & equipment (non auto)	241,159	193,183
City vehicle costs	18,567	2,828
Rural vehicle costs	2,662	14,802
City fire hall	30,034	-
Rural fire halls	-	22,649
	292,422	233,462

Following is a list of all the services that are provided by the requisition, that we pay to the RDKB yearly.

The amount of \$ 1,424,516 is to be collected as the regional district levy and is due on or before August 1, 2018 is detailed as follows:

General Government Services	\$ 22,849
Regional Development Services	16,767
Feasibility Studies	4,242
Boundary Economic Development	39,807
Regionalized Solid Waste Management	114,103
Emergency Preparedness	21,505
9-1-1 Emergency Communications	38,101
Recreation Commission Grand Forks, Area 'D'	261,133
Grand Forks Arena	302,136
Grand Forks Curling Rink	15,115
Grand Forks Aquatic Centre	353,526
Animal Control	44,355
Mosquito Control	30,953
Grand Forks and District Public Library	136,225
West End Transit	23,675
Prior Year Adjustments	24

With a new representative at the RDKB board and a new council, perhaps we can take a closer look at these services to see if they are all still working well for us, at the best possible rate.

Respectfully submitted,

Julia Butler

Memo



To: Regular Meeting
From: **Corporate Services**
Date: 2018-10-22
Subject: Local Participants at 55+ BC Games

Background



A group of Grand Forks residents recently participated in the 55+ BC Games hosted in Kimberley and Cranbrook. Approximately 2,200 athletes from around the province took part in 23 different sports.

Grand Forks was represented by 12 athletes who collectively earned 12 Gold medals, 10 Silver, and 8 Bronze.

Mayor Konrad will present a brief summary of the event and local achievements.

Benefits or Impacts

Strategic Impact

-  Engagement – Acknowledges our citizens achievements
-  Liveability - Encourages sport/activity for citizens

Report Approval Details

Document Title:	2018-10-22-BC Seniors Games.docx
Attachments:	
Final Approval Date:	Oct 15, 2018

This report and all of its attachments were approved and signed as outlined below:

Daniel Drexler - Oct 15, 2018 - 3:41 PM

Diane Heinrich - Oct 15, 2018 - 3:49 PM

Request for Decision



To: Regular Meeting
From: **Procedure Bylaw / Corporate Services**
Date: October 22, 2018
Subject: Report – from the Council's Representative to the Regional District of Kootenay Boundary
Recommendation: **THAT Mayor Konrad's report on the activities of the Regional District of Kootenay Boundary, given verbally at this meeting, be received.**

Background

Under the City's Procedures Bylaw No. 1946, 2013, the Order of Business permits the City's representative to the Regional District of Kootenay to report to Council and the Community on issues, and actions of the Regional District of Kootenay Boundary.

Benefits or Impacts

General

The main advantage is that all of Council and the Public is provided with information on the Regional District of Kootenay Boundary.

Strategic Impact



Community Engagement

- Information sharing with members of Council and the Public regarding regional issues.

Policy/Legislation

Procedure Bylaw No. 1946, 2013

Recommendation

THAT Mayor Konrad's report on the activities of the Regional District of Kootenay Boundary, given verbally at this meeting, be received.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Request for Decision



To: Regular Meeting
From: Corporate Services / Finance
Date: October 22, 2018
Subject: Revitalization Tax Exemption Bylaw
Recommendation: **That Council instructs staff to proceed with public engagement and Council workshops for a potential Revitalization Tax Exemption Program.**

Background

On July 23, 2018, staff presented a report on Revitalization Tax Exemption (RTE) Programs to the COTW, at the prior direction of Council. The staff report suggested that any proposed RTE program should be broadened beyond providing relief to flooded downtown businesses, and should rather be designed in conjunction with goals identified in the Official Community Plan. Although there was considerable discussion on the topic at that COTW meeting, there was no definitive direction given on whether or how to proceed with an RTE program.

Follow-up to staff's progress on this was requested at the October 9th Committee of the Whole meeting.

Development of an effective and successful RTE program requires thoughtful review of the immediate and long-term impacts, along with well-defined parameters to achieve the desired results. If Council wishes to proceed with implementing an RTE program, staff will require further input to properly define the scope and parameters of the program.

Staff is therefore proposing the following as part of this process:

1. Public engagement to solicit input from residents on the type of developments they would like to encourage in the community.
2. Council workshops to provide input on the detailed terms noted in the attached memo from July 23, specifically sections a) to f) under the heading "Specific Considerations for an RTE Bylaw" and to discuss in detail the financials surrounding RTE programs.
3. Review by legal counsel to ensure that the program and bylaw complies with applicable trade agreements and the provisions of the Community Charter.

Following Council's instructions today, staff would prepare a workshop for the incoming Council to discuss the financial costs and benefits of such a program along with the intended overall scope of the RTE program, followed by an Open House to gain public input. Another workshop with Council will be held to review all the findings before submitting the RTE program to legal counsel for review.

Benefits or Impacts

General

Input from Council and the public is important for designing a revitalization tax exemption program which best meets the economic and social needs of the community.

Strategic Impact



Community Engagement

- A public engagement process gives residents the opportunity to provide feedback and participate in decision making.



Community Livability

- A broadened tax exemption program can include social objectives to encourage affordable housing.



Economic Growth

- An RTE program which includes tax incentives for potential commercial developers would stimulate economic activity.



Fiscal Responsibility

- A well designed RTE program will serve to attract new investment which would not otherwise occur and will result in increased long-term tax revenue.

Policy/Legislation

Community Charter Section 226

Attachments

Memo to the July 23, 2018 Committee of the Whole
Draft Revitalization Tax Exemption Bylaw

Recommendation

That Council instructs staff to proceed with public engagement and Council workshops for a potential Revitalization Tax Exemption Program.

Options

1. THAT Council accepts the recommendation.
2. THAT Council does not accept the recommendation.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

Document Title:	RFD - Revitalization Tax Exemption.docx
Attachments:	<ul style="list-style-type: none">- Memo - Revitalization Tax Exemptions.docx- Revitalization Tax Exemption bylaw.docx- Community Charter S226.pdf
Final Approval Date:	Oct 15, 2018

This report and all of its attachments were approved and signed as outlined below:

Diane Heinrich - Oct 15, 2018 - 1:50 PM

Memo



To: Committee of the Whole
From: **Chief Financial Officer**
Date: 2018-07-23
Subject: Revitalization Tax Exemption Bylaw

Background

At the June 11, 2018 Regular Meeting of Council, Council directed staff to prepare a report and draft bylaw for downtown landlords who were impacted by flooding and wish to further improve their structures within the City's form and character policy.

Revitalization tax exemptions (RTEs) are a tool which municipal councils can use to encourage certain types of revitalization in order to achieve certain social, economic, or environmental objectives in accordance with the City's Official Community Plan.

Objectives of a Revitalization Tax Exemption Program

The following outlines some objectives which may be realized by means of a revitalization tax exemption program:

Economic - to encourage investment and create or retain jobs in the community by revitalizing the economic base

Social - to increase the supply of affordable housing or preservation of affordable rental units

Environmental - to promote green building technology and encourage environmental sustainability

Other - such as beautification or rejuvenation of a neighbourhood experiencing urban decay

Legislative Requirements

Section 226 of the Community Charter grants municipal councils the authority to exempt property from municipal taxes by means of a revitalization tax exemption. A tax exemption under this section is an exception to the general prohibition on providing assistance to business imposed by Section 25 of the Community Charter.

In order to meet the requirements of Section 226, Council must do the following:

- establish a revitalization tax exemption program bylaw,
- enter into an agreement with property owners, and
- issue a revitalization tax exemption certificate once all the conditions of the agreement and bylaw have been met

Furthermore, Section 226 (6) requires that Council give consideration to the bylaw in conjunction with the objectives and policies for the use of permissive tax exemptions as set out in the annual financial plan bylaw, and must provide notice of the proposed RTE bylaw prior to its adoption.

Bylaw Requirements

Section 226 requires a revitalization exemption program bylaw to include the following:

- a description of the reasons for and objectives of the program, and how the program will achieve those objectives,
- a description of the kinds of property or related activities that will be eligible under the program,
- the extent and amount of tax exemptions available, and
- the maximum term of an exemption, which may not exceed ten years

The Community Charter also sets out requirements for certain terms which must be included in the exemption certificate.

Other Relevant Information

- A tax exemption does not take effect until the year following the issuance of the exemption certificate, as long as the certificate is issued no later than October 31. A certificate issued after October 31 will not give effect to an exemption until the second year following its issuance.
- Only municipal property value taxes can be exempted. The exemption does not extend to parcel taxes and taxes imposed by other authorities such as school, hospital, regional district, BC Assessment or the MFA.
- Council has a significant amount of flexibility in determining how best to provide a tax exemption, as the revitalization program bylaw may be different for different areas of the municipality, property classes, or activities and uses of a property.
- Exemptions may apply to the value of land or improvements, or both.
- Exemptions may be applied to the full or partial value of the assessment increase over the exemption term. For example, a property may receive a 100% exemption for the first year, with a declining amount for subsequent years.
- While not required, most municipalities limit the tax exemption to the increase in assessed value that results from the new construction or renovation.
- The tax exemptions generally accrue to the ultimate buyer of a property rather than the person making the investment (the developer).

Revitalization Bylaw General Considerations

A successful Revitalization Tax Exemption program is one which meets the municipality's goals with respect to attracting investments which might not otherwise happen, while minimizing the risk of foregoing potential tax revenues. A great deal of thought is required to set parameters and properly tailor a bylaw which reflects Council's intentions and achieves those objectives.

In developing a revitalization tax exemption program, Council should consider broadening the scope of the program beyond simply being reactive to a specific situation such as the downtown flooding. An RTE program presents an opportunity for Council to stimulate the type of developments identified as necessary in the Official Community Plan, such as affordable and sustainable housing,

In developing an effective revitalization tax exemption program, Council should consider the immediate and long-term impacts of such a program. Some topics for discussion include the following:

What are the community's goals, values and needs?

What type and or uses of property will benefit the community?

How would property tax exemptions help to accomplish community goals, such as social and economic development?

Are there alternatives to tax exemptions which would be more effective in accomplishing these goals?

Should particular benefits or needs be targeted for exemptions?

What are the immediate and long-term implications of providing exemptions under this program?

Will this revitalization occur without a tax incentive?

What are the costs to manage the program, and what additional resources are required, such as building inspections and financial/administrative resources?

Is the exemption program consistent with the BC/Alberta Trade, Investment and Labour Mobility Agreement (TILMA) under which investment distorting subsidies are prohibited?

Specific Considerations for an RTE Bylaw

A review of various RTE bylaws across the province illustrates considerable diversity in how municipalities have designed their exemption programs, with very few parameters common to each community.

Staff has prepared a draft RTE bylaw with a broader scope than requested in order to encompass some of the needs recognized in the official community plan. Some proposed terms have been included, but these need to be confirmed pending review and discussion. Further input from Council is required with respect to the following options:

- a) The proposed time span for exemptions to apply (Section 4)
 - five years only, or with an option to renew
- b) Geographic scope - revitalization areas (Section 5)
 - downtown core
 - other commercial or residential areas

- c) Type of eligible improvements and thresholds (Section 6)
 - new commercial construction
 - commercial renovations
 - mixed-use residential commercial
 - multi-family residential
 - energy efficient or green construction
- d) Value of the tax exemption (Section 7)
 - 100% each year, declining amount, or a combination of both
 - Different amounts for different types of projects
- e) Recapture amounts (Section 9)
 - full exemption provided to date, current year only, or pro-rata portion of current year
- f) Expiry date on the program itself (not included)

Summary

Staff has spent a significant amount of time researching and reviewing tax exemption programs in other municipalities, and feels that considerably more time is still required to properly structure an RTE program which is effective in meeting the guidelines and goals of the OCP. While there appear to be few analyses or studies on the effectiveness of RTE programs, information uncovered thus far indicates that these programs have very limited or no success in attracting investment. One can conclude that the success of such initiatives depends on clear identification of the goals and a great deal of thought to setting parameters which will achieve the desired result.




Due to the time requirements for adoption of an RTE bylaw and completion of an agreement, along with the October 31 deadline for issuing an exemption certificate, it is unlikely that any of the downtown landlords currently remediating their properties could benefit from the implementation of a revitalization tax exemption program. While other municipalities may have included clauses which allow expenditures undertaken prior to adoption of a bylaw, this is unusual. It is recommended that a proposed RTE bylaw be reviewed by legal counsel, particularly with respect to any unusual clauses or conditions.

Benefits or Impacts

General

Establishing a revitalization tax exemption program is a means by which Council can encourage various types of investment consistent with the objectives and goals of the Official Community Plan.

Strategic Impact

-  Attracting new investment which would not otherwise occur would result in increased long-term tax revenue.
-  An RTE program could be used to stimulate economic activity by providing a tax incentive to potential commercial developers.
-  A tax exemption program can include social objectives to encourage affordable housing.

Policy/Legislation

Community Charter Section 226

Attachments

Draft Revitalization Tax Exemption Bylaw

Ministry of Community Services report - *Revitalization Tax Exemptions, A Primer on the Provisions of the Community Charter*

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 20xx

A Bylaw to Establish a Revitalization Tax Exemption Program in the City of Grand Forks

The Council for the Corporation of the City of Grand Forks, in open meeting assembled, enacts as follows:

1. Citation

- 1.1 This Bylaw may be cited for all purposes as the “City of Grand Forks Revitalization Tax Exemption Program Bylaw No. 20xx, 2018”.

2. Definitions

- 2.1 In this bylaw:

Agreement means a Revitalization Tax Exemption Agreement between the owner of a parcel and the City of Grand Forks.

Certificate means a Revitalization Tax Exemption certificate issued by the City under this Bylaw in respect of an eligible property;

Facade Improvement means physical improvements or renovations of existing buildings, when a combination of two or more of the following are included: structural façade improvements, paint, awnings, signs, addition of architectural detail to façade, façade tile or stone accents, decorative entry walkway area, outside dining with decorative fencing, irrigated landscape/flower planters or pots, outside decorative lighting and new windows;

Owner means the registered owner of a parcel or parcels for which a tax exemption has been applied for under this Bylaw, and any subsequent owner of the Property;

Property means a parcel or group of parcels that is eligible for a tax exemption under this Bylaw;

Program means the Revitalization Tax Exemption program established by this Bylaw;

Project means a revitalization project involving the construction of a new improvement or renovation or alteration of an existing improvement;

3. Program Reasons and Objectives

3.1 Pursuant to Section 226 of the *Community Charter*, the Council of the City of Grand Forks hereby establishes a Revitalization Tax Exemption program as follows:

- a) The objectives of the program are to:
 - i. Retain the current downtown core as the centre of commercial activities by promoting the revitalization of existing buildings and supporting the addition of new business developments;
 - ii. Enhance the appearance of the downtown core by encouraging renovations to facades and other exterior components which improve the visual appeal of buildings;
 - iii. Promote and encourage commercial development of vacant properties in order to expand the commercial property tax base and create employment opportunities for residents;
 - iv. Enhance the livability and vibrancy of the downtown area by encouraging mixed-use commercial/residential development in the walkable downtown area; and
 - v. Increase the availability of affordable residential rental units throughout the City..
- b) The program will accomplish these objectives by providing tax relief to parcel owners who undertake qualifying developments in the Designated Revitalization Areas.

4. Exemption Term

4.1 The maximum term of an exemption under the Program is five (5) years.

5. Establishment of Revitalization Areas

5.1 The following Revitalization Areas are hereby established:

To be determined

6. Tax Exemption Eligibility

6.1 In order to qualify for a tax exemption, the following criteria must be met:

- a) A completed Application Form for tax exemption must be submitted by the Owner in writing to the City in prescribed form and must include sufficient information to verify that the proposed development will meet the criteria for eligibility;
- b) The Owner must enter into an Agreement with the City upon approval of the Application by the City;
- c) The Project must be located within a Designated Revitalization Area as described above;

- d) The Project must meet all Program criteria and comply with all applicable land use and other City of Grand Forks regulations;
 - e) The Project must be one or a mix of the following types:
 - i) new commercial construction with a construction value greater than or equal to \$50,000;
 - ii) commercial renovation with a construction value greater than or equal to \$25,000;
 - iii) façade improvement with a construction value greater than or equal to \$10,000;
- 6.2. A Property which is receiving a tax exemption pursuant to any other bylaw shall not be eligible for a tax exemption under this Bylaw.
- 6.3. Projects involving Parcels with any unpaid property taxes in arrears shall not be eligible for a revitalization tax exemption.
- 6.4. Any construction of a new improvement or alteration of an existing improvement undertaken prior to the application for a Tax Exemption will be ineligible for consideration.
- 6.5. The Property's assessed value of improvements must not be reduced below the amount assessed in the calendar year prior to construction or alteration as a result of the Revitalization Tax Exemption.

7. Amount of Tax Exemption

- 7.1 The tax exemption available under this Bylaw is limited to the property value taxes imposed for municipal purposes and shall not include an exemption from any local area service taxes or taxes imposed on behalf of other taxing authorities.
- 7.2 The tax exemption shall be calculated based on the increase in assessed value of eligible improvements as determined by the BC Assessment Authority, and may not necessarily reflect the construction value used for establishing program eligibility.
- 7.3 The maximum amount of tax exemption provided under this Bylaw is 100% of the municipal property tax payable on the increase in assessed value.

8. Tax Exemption Certificate

- 8.1 The terms and conditions upon which a Tax Exemption Certificate may be issued are set out in this Bylaw, in the Tax Exemption Agreement entered into between the City and the Owner, and in the Tax Exemption Certificate.
- 8.2 Once the terms and conditions established by the Exemption Agreement have been met, a Tax Exemption Certificate shall be issued for the Property that is the subject of the Agreement.
- 8.3 A copy of the Occupancy Permit issued upon completion of the construction of a new improvement or renovation of an existing improvement shall be submitted by the Owner prior to issuance of a Tax Exemption Certificate.
- 8.4 Where improvements or alterations do not require a building permit, the Owner must provide written confirmation of project completion from the City's Building Inspector or other Official.
- 8.5 A Tax Exemption Certificate issued on or before October 31 of a given year shall give effect to an exemption commencing in the following taxation year. If an Exemption Certificate is issued after October 31, the first year of exemption will be the second year following its issuance.

9. Cancellation of Tax Exemption Certificate

- 9.1 A Tax Exemption Certificate may be cancelled:
- a) on the request of the Owner; or
 - b) if the Owner breaches any covenant, condition or obligation as set out in the Tax Exemption Certificate or the Tax Exemption Agreement.
- 9.2 Upon cancellation of a Tax Exemption Certificate pursuant to subsection 9.1 b), the amount of taxes exempted for the year of cancellation is subject to recapture by the City. Failure of the Owner to remit the recapture amount within thirty (30) days will result in the amount being placed on the general property tax account for the Parcel or Parcels and such taxes may be recovered by any means pursuant to Part 7 of the *Community Charter*.

10. Severability

10. If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held invalid or unenforceable by a Court of competent jurisdiction, the invalid portion shall be severed without affecting the validity of the remaining portions of this Bylaw.

11. Authorization and Designation

- 11.1 The Chief Financial Officer is the designated municipal officer for the purpose of section 226 (13) of the *Community Charter*.
- 11.2 The Chief Administrative Officer and Corporate Officer are hereby authorized to execute the documentation necessary to give effect to the provision of this Bylaw, including the Tax Exemption Agreement.

Read a first, second, and third time this ____ day of _____, 2018.

Finally adopted on this ____ day of _____, 2018.

Mayor Frank Konrad

Corporate Officer – Daniel Drexler

C E R T I F I C A T E

I hereby certify the foregoing to be a true copy of Bylaw No. 2050
as adopted on the ____ day of _____, 2018

Corporate Officer of the Municipal Council
of the City of Grand Forks

- (b) may only be adopted after notice of the proposed bylaw has been given in accordance with section 227 [*notice of permissive tax exemptions*],
 - (c) may only be adopted by an affirmative vote of at least 2/3 of all council members, and
 - (d) does not apply to taxation in a calendar year unless it comes into force on or before October 31 in the preceding year.
- (8) An exemption under this section ceases to apply to property, the use or ownership of which no longer conforms to the conditions necessary to qualify for exemption and, after this, the property is liable to taxation.

Revitalization tax exemptions

226 (1) In this section:

"exemption agreement" means an agreement under subsection (7);

"exemption certificate" means a revitalization tax exemption certificate issued under subsection (8);

"revitalization program bylaw" means a bylaw under subsection (4).

- (2) A council may, for the purpose of encouraging revitalization in the municipality, provide tax exemptions for land or improvements, or both, in accordance with this section.
- (3) For a revitalization tax exemption under this section to apply to a particular property,
 - (a) the exemption must be in accordance with a revitalization program bylaw under subsection (4),
 - (b) an exemption agreement under subsection (7) must apply to the property, and
 - (c) an exemption certificate for the property must have been issued under subsection (8).
- (4) A revitalization tax exemption program must be established by a bylaw that includes the following:
 - (a) a description of the reasons for and the objectives of the program;

- (b) a description of how the program is intended to accomplish the objectives;
- (c) a description of the kinds of property, or related activities or circumstances, that will be eligible for tax exemptions under the program;
- (d) the extent of the tax exemptions available;
- (e) the amounts of tax exemptions that may be provided under the bylaw, by specifying amounts or by establishing formulas by which the amounts are to be determined, or both;
- (f) the maximum term of a tax exemption that may be provided under the bylaw, which may not be longer than 10 years.

(5) A revitalization program bylaw

- (a) may include other provisions the council considers advisable respecting the program including, without limiting this,
 - (i) the requirements that must be met before an exemption certificate may be issued,
 - (ii) conditions that must be included in an exemption certificate, and
 - (iii) provision for a recapture amount that must be paid by the owner of the property to the municipality if the conditions specified in the exemption certificate are not met, and
- (b) may be different for
 - (i) different areas of the municipality,
 - (ii) different property classes under the [Assessment Act](#),
 - (iii) different classes of land or improvements, or both, as established by the bylaw,
 - (iv) different activities and circumstances related to a property or its uses, as established by the bylaw, and
 - (v) different uses as established by zoning bylaw.

(6) A revitalization program bylaw may be adopted only after

- (a) notice of the proposed bylaw has been given in accordance with section 227 [*notice of permissive tax exemptions*], and
- (b) the council has considered the bylaw in conjunction with the objectives and policies set out under section 165 (3.1)
- (c) [*use of permissive tax exemptions*] in its financial plan.

- (7) The council may enter into an agreement with the owner of a property respecting
- (a) the provision of a revitalization tax exemption under this section,
 - (b) any requirements that must be met before an exemption certificate is issued, and
 - (c) any conditions on which the tax exemption is to be provided.
- (8) Once
- (a) all requirements established in the revitalization program bylaw, and
 - (b) any additional requirements established in the exemption agreement
- have been met, a revitalization tax exemption certificate must be issued for the property in accordance with the exemption agreement.
- (9) An exemption certificate must specify the following in accordance with the revitalization program bylaw and the exemption agreement:
- (a) the extent of the tax exemption;
 - (b) the amount of the tax exemption or the formula for determining the exemption;
 - (c) the term of the tax exemption;
 - (d) if applicable, the conditions on which the tax exemption is provided;
 - (e) if applicable, that a recapture amount is payable if the exemption certificate is cancelled, and how that amount is to be determined.
- (10) So long as an exemption certificate has not been cancelled, the land or improvements, or both, subject to the exemption certificate are exempt from taxation under section 197 (1) (a) [*municipal property taxes*] as provided in the exemption certificate.
- (11) An exemption certificate may be cancelled by the council
- (a) on the request of the property owner, or
 - (b) if any of the conditions specified in the exemption certificate are not met.
- (12) An exemption certificate or cancellation does not apply to taxation in a calendar year unless the exemption certificate is issued or

cancelled, as applicable, on or before October 31 in the preceding year.

- (13) The designated municipal officer must
- (a) provide a copy of an exemption certificate to the relevant assessor as soon as practicable after it is issued, and
 - (b) if applicable, notify that assessor as soon as practicable after an exemption certificate is cancelled.
- (14) The authority to provide a tax exemption under this section is not subject to section 25 (1) [*prohibition against assistance to business*].

Notice of permissive tax exemptions

227 (1) A council must give notice of a proposed bylaw under this Division in accordance with section 94 [*public notice*].

- (2) Subject to subsection (3), the notice under subsection (1) must
- (a) identify the property that would be subject to the bylaw,
 - (b) describe the proposed exemption,
 - (c) state the number of years that the exemption may be provided, and
 - (d) provide an estimate of the amount of taxes that would be imposed on the property if it were not exempt, for the year in which the proposed bylaw is to take effect and the following 2 years.
- (3) In the case of a bylaw under section 226 (4) [*revitalization program bylaw*], the notice under subsection (1) of this section must include a general description of each of the following:
- (a) the reasons for and the objectives of the program;
 - (b) how the proposed program is intended to accomplish the objectives;
 - (c) the kinds of property, or related activities or circumstances, that will be eligible for a tax exemption under the program;
 - (d) the extent, amounts and maximum terms of the tax exemptions that may be provided under the program.

Division 8 — Tax Liability of Occupiers

Request for Decision



To: Regular Meeting

From: **Development and Engineering**

Date: October 22, 2018

Subject: Consideration for Approval – Temporary Use Permit Application - 7255 Riverside Drive (Proposed Religious Centre)

Recommendation: **THAT Council grant a Temporary Use Permit for a Religious Centre (Church) on land zoned CC – Core Commercial, located at 7255 Riverside Drive; legally described as Lot A, District Lot 108, SDYD, Plan KAP82116 (PID: 026-838-575).**

Background

Proposal

At its Regular meeting of October 9, 2018, Council considered this proposal for a Religious Centre (Church) and directed staff to proceed with the statutory requirements for public notice as required by the Local Government Act.

A temporary use permit for the church was originally issued in October 2013 and was renewed in 2016. The current temporary use permit expires on October 29, 2019. The Church requires that it be re-issued in advance of the expiry date to renew its lease agreement with the owner.

The Church occupies approximately 284 square metres (3,060 square feet) of space in the most southerly unit of the multi-unit commercial building (see conceptual floor plans attached). The Church has invested in considerable improvements to the space and has about 60 community members.

The site is designated Commercial Core in the Official Community Plan and is zoned CC - Core Commercial - which does not permit religious centres. The Church has operated at this location for five years with no known impacts and full taxes have been paid on the entire building.

Public Notification

Notification of the permit was advertised in the October 17th issue of the Grand Forks Gazette and letters were sent out on October 12, 2018 to the fourteen (14) property owners within 30 metres of the subject property. The majority of the properties in the area are owned by the City. Notifications were also hand delivered to tenants in the area on October 16, 2018. Any comments received will be transmitted to City Council prior to or at the Council meeting on October 22, 2018. To date, no comments have been received by City staff.

Provisions of the Temporary Use Permit

The basic provisions of the Temporary Use Permit are as follows:

- Temporary Use approval lasts for 3 years after which the proponent may apply for an extension for an additional 3 years. After that, the Religious Centre must cease operation and the land would revert back to commercial use; and,
- General development of the Religious Centre must be in accordance with the attached plans/drawings.

Benefits or Impacts

General

As a temporary use, the space can be converted back to full commercial in 3 years if there is shortage in the commercial core.

Strategic Impact



Community Engagement

- The public and neighbours were invited to review and comment on this proposal thereby encouraging community participation on land use decisions in the city.



Community Livability

- If approved, residents will continue to have this religious centre as a community option.



Economic Growth

- The commercial building, including this space, has been and would continue to contribute to the commercial tax base in the city.



Fiscal Responsibility

- The permit application cost of \$750 covers the application processing and administration costs.

Policy/Legislation

The Local Government Act and the Official Community Plan.

Attachments

Location Map

Floor Plans (2)

Photo (front of building)

Recommendation

THAT Council grant a Temporary Use Permit for a Religious Centre (Church) on land zoned CC – Core Commercial, located at 7255 Riverside Drive; legally described as Lot A, District Lot 108, SDYD, Plan KAP82116 (PID: 026-838-575).

Options

1. RESOLVED THAT Council accepts the report.
2. RESOLVED THAT Council does not accept the report.
3. RESOLVED THAT Council refers the matter back to staff for further information.

Report Approval Details

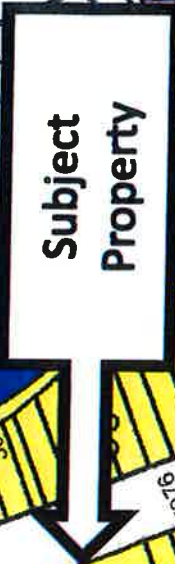
Document Title:	2018-10-22 TUP 1803 7255 Riverside Drive Final Approval.docx
Attachments:	- RFD Attachments 2018-10-22 TUP 1803 Final Approval.pdf
Final Approval Date:	Oct 16, 2018

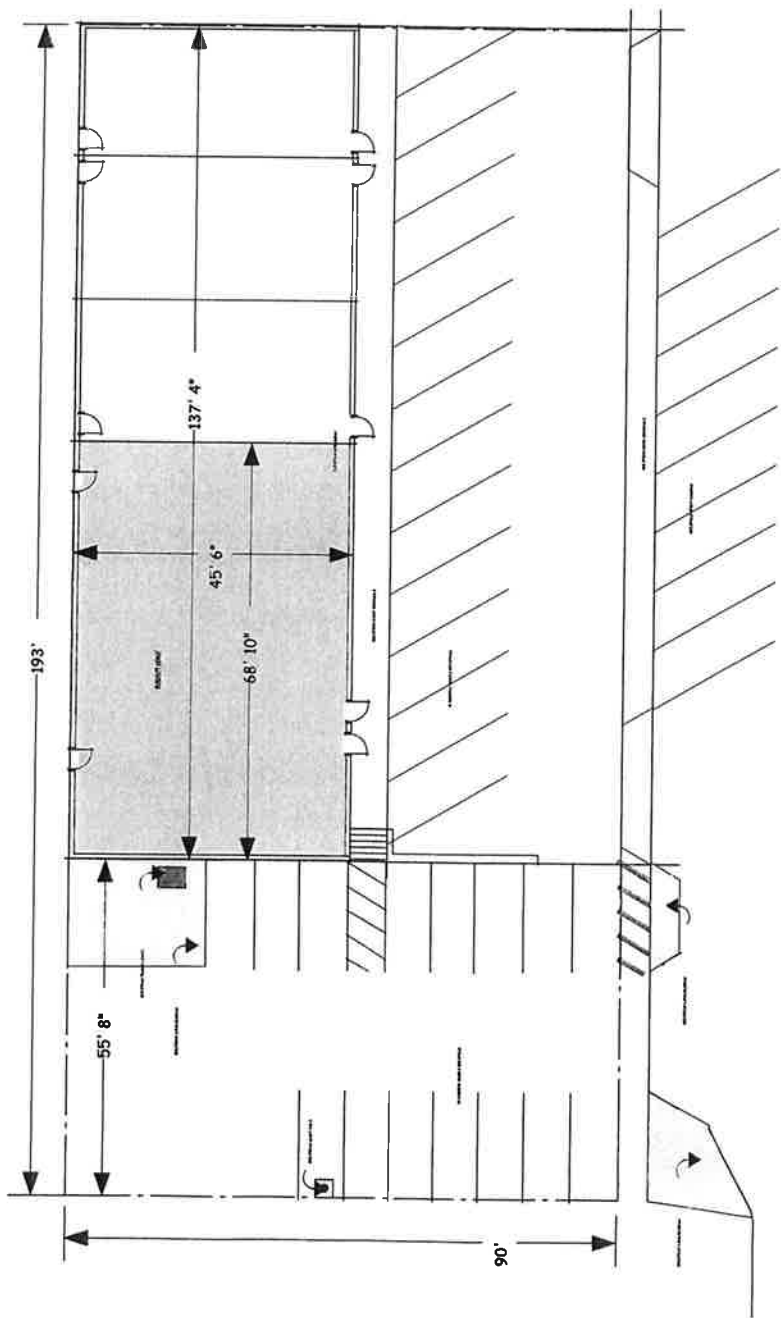
This report and all of its attachments were approved and signed as outlined below:

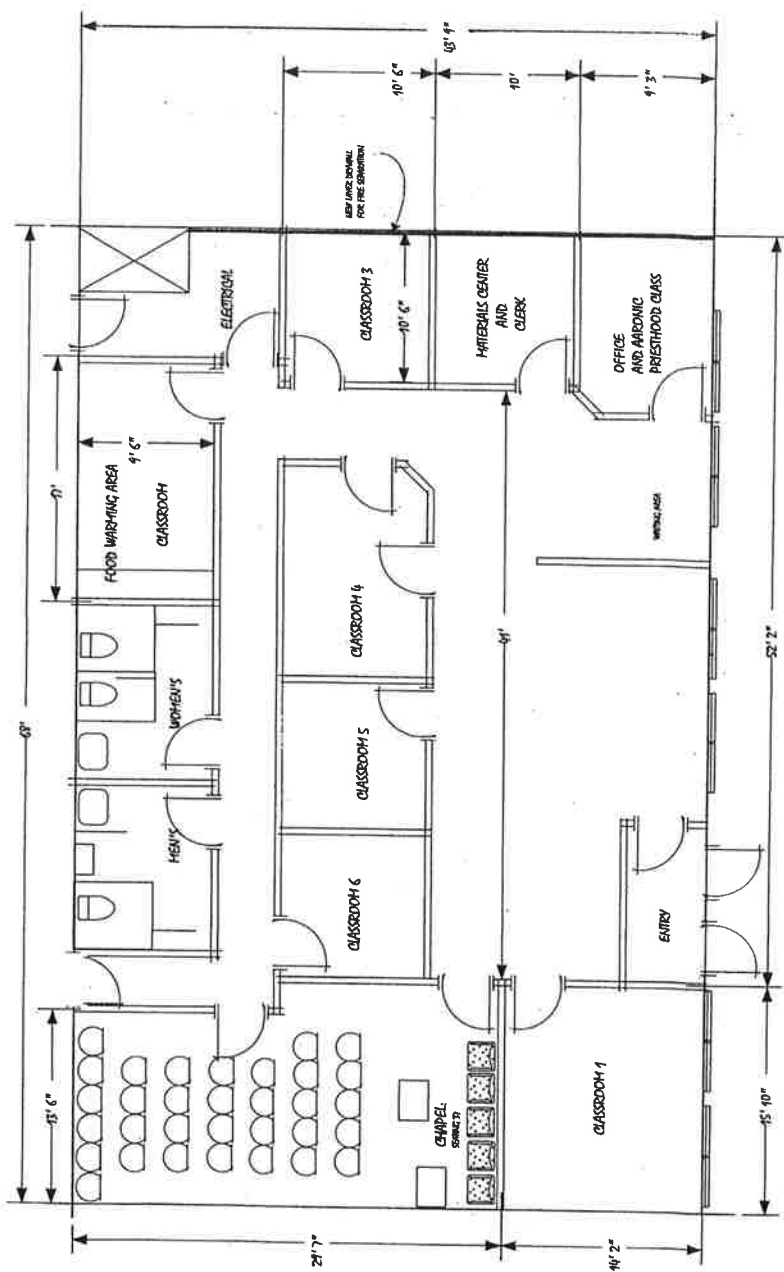
Dolores Sheets - Oct 16, 2018 - 12:08 PM

Diane Heinrich - Oct 16, 2018 - 1:34 PM

← Z







GRAND FORKS LEASE JUL 2013

Front of building looking West



Request for Decision



To: Regular Meeting
From: **Regional Emergency Program**
Date: October 22, 2018
Subject: Budget for DMAF grant application preparation
Recommendation: **THAT Council approves \$200,000 to be used for the DMAF grant application preparation and directs staff to include it in the Five Year Financial Plan Bylaw amendment.**

Background

The City received an invitation to proceed with a full grant application for the Disaster Mitigation and Adaptation Fund after submitting an Expression of Interest in July 2018. The scope of the grant includes multiple flood protection structures (dikes), bank stabilization, and property acquisition for the project. The budget submitted with the Expression of Interest was for approximately \$48 million. The full grant application requires a much more developed proposal that may require engineering, archeological assessments, First Nations engagement, and detailed cost estimates. The anticipated cost to develop the proposal is approximately \$200,000 to engage a project manager and consultants. The work being proposed would have to be undertaken for any future grant applications or capital planning regardless of the DMAF application outcome.

Staff will put this project out to tender once funding has been approved. These funds are not eligible as a part of the grant funds, but a request for funding was submitted separately to the Province. No response has been received and work must start on the grant application to meet the January deadline. The City and the Regional District cannot afford to miss the opportunity to receive up to \$48 million in grant funds because of a delay in preparing the application. Therefore, staff are asking Council to approve the \$200,000 now while they pursue other avenues of recouping the cost. In pursuing funding from other avenues, a request for funding will be submitted to the RDKB for the proportional costs associated with the work to be completed outside of the City.

Benefits or Impacts

General

The City could receive up to \$48,300,000 for Critical Infrastructure of the flood recovery with a successful grant application that will cost \$200,000 to develop.

Policy/Legislation

The Five Year Financial Plan Bylaw must be amended.

Recommendation

THAT Council approves \$200,000 to be used for the DMAF grant application preparation and directs staff to include it in the Five Year Financial Plan Bylaw amendment.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

Document Title:	RFD 2018 - DMAF application preparation.docx
Attachments:	
Final Approval Date:	Oct 17, 2018

This report and all of its attachments were approved and signed as outlined below:

David Reid - Oct 17, 2018 - 2:48 PM

Diane Heinrich - Oct 17, 2018 - 3:10 PM

Request for Decision



To: Regular Meeting
From: **Corporate Services**
Date: October 22, 2018
Subject: RDKB – Aquatic Center Requisition Increase
Recommendation: **THAT Council discusses the proposed increase for the Aquatic Center service and defers the item to the Committee of the Whole meeting on December 10, 2018 for discussion with RDKB representatives.**

Background

The RDKB has asked the City to consent to RDKB Bylaw No 1682, an amendment to increase the maximum requisition amount from \$625,000 to \$781,250 for the Aquatic Center Service.

This is an increase of 25%. The overall requested change in this case is \$156,250, and the City's portion of this overall increase is estimated at \$88,500.

This \$88,500 represents approximately 6% of the RDKB annual requisition.

The average \$200,000 house within the City of Grand Forks will see an increase in annual taxation of roughly \$25 per year.

The last increase to the requisition amount was in 2013 and at that time the adjustment was also a 25% increase. (from \$500,000 to \$625,000).

The requisition increase is requested due to maintenance and operational cost increases but also to allow for a capital upgrade for the pool decking that is currently estimated around \$600,000.

Please see the attached documents for further detail and reasoning from RDKB staff why the requisition limits are desired to be adjusted.

Staff is recommending at this time to defer the item for further discussion to the COTW meeting on December 10, 2018, so that RDKB staff (preferably Deputy CAO James Chandler) can be invited to attend and discuss this item and other RDKB service deliveries with the incoming Council, to allow the new members of Council to be briefed on the partnership between the City and the RDKB.

In addition, although it is not uncommon for outgoing Councils to make decisions at the last meetings of their term, the impact in this case could be substantial for the citizens of Grand Forks. The City tends to not pass annual budgets until March of each year and next year's calculations are at this time full of unknown variables largely due to the

challenges with flood recovery and long-term asset management of the City's own infrastructure.

Benefits or Impacts

General

Strategic Impact



Community Engagement

- Partnership with the RDKB to deliver the service



Community Livability

- The aquatic center is a key benefit to community livability



Economic Growth

- Amenities such as the Aquatic Center are vital for the economic growth of the community



Fiscal Responsibility

- The proposed 25% increase to the service will, on a \$200,000 house, see an increase of roughly \$25.

Policy/Legislation

RDKB Aquatic Center service establishment bylaw No 685

Attachments

6 files submitted by the RDKB regarding the consent for Bylaw 1682

- RDKB Bylaw 685
- RDKB Bylaw 1682 – awaiting consent from the City of GF
- RDKB Bylaw 1682 – Consent from Area D
- RDKB Bylaw 1682 – RDKB staff report statutory requirements
- RDKB staff report regarding aquatic center
- RDKB request for consent

Recommendation

THAT Council discusses the proposed increase for the Aquatic Center service and defers the item to the Committee of the Whole meeting on December 10, 2018 for discussion with RDKB representatives.

Options

1. THAT Council accepts the report.
2. THAT Council does not accept the report.
3. THAT Council refers the matter back to staff for further information.

Report Approval Details

Document Title:	2018 - RDKB - Aquatic Center Requisition Increase Bylaw 1682 .docx
Attachments:	<ul style="list-style-type: none">- RDKB Bylaw 685-GF Aquatic Centre-Conversion.pdf- RDKB Bylaw 1682-Increase Requisition-GF Aquatic Centre-Sept 2018.pdf- RDKB Bylaw 1682-Area D Participant Consent to Adopt-Sept 2018.pdf- RDKB Bylaw 1682-Staff Report-Statutory Requirements-Sept 2018.pdf- Staff Report-Intro to GF Aquatic Centre-Requisition Increase-BoD Aug 30 2018.pdf- City of GF-Seeking Consent to Adopt Bylaw 1682.pdf
Final Approval Date:	Oct 11, 2018

This report and all of its attachments were approved and signed as outlined below:

Diane Heinrich - Oct 11, 2018 - 9:12 AM

REGIONAL DISTRICT OF KOOTENAY BOUNDARY

BY-LAW NO. 685

A Bylaw to convert the Grand Forks Aquatic Centre
Function to a local service.

WHEREAS a Regional District may, by bylaw, establish and operate a local service under the provisions of Part 24 of the Municipal Act, R.S.B.C., Chapter 290;

AND WHEREAS under Section 767(4) of the Municipal Act, a Regional District exercising a power to provide a service other than a general service may adopt a bylaw respecting that service which converts the service to one exercised under the authority of a bylaw establishing the service and which:

- (a) meets the requirements of Section 794 for a bylaw establishing the service; and,
- (b) is adopted in accordance with the requirements of Section 802 as if it were a bylaw amending a bylaw establishing a service;

AND WHEREAS the Regional District of Kootenay Boundary was granted by Supplementary Letters Patent dated Sept. 24, 1986 the function of Division XL "Grand Forks Aquatic Centre" with the Corporation of the City of Grand Forks and Electoral Area 'D';

AND WHEREAS the aforementioned Supplementary Letters Patent provided for a maximum annual tax requisition not to exceed One Hundred and Forty-Five Thousand Dollars (\$145,000) which has been determined to be insufficient to meet the annual operating costs;

AND WHEREAS the assent of the electors shall be obtained pursuant to Section 796(2) of the Municipal Act;

NOW THEREFORE the Board of the Regional District of Kootenay Boundary, in open meeting assembled, enacts as follows:

1. The function of Division XL "Grand Forks Aquatic Centre" granted by Supplementary Letters Patent dated Sept. 24, 1986 is hereby established as a local service.
2. The participants in the local service established under Section 1 are Electoral Area 'D' and the Corporation of the City of Grand Forks.
3. The annual costs of providing the service established under Section 1 shall be recovered by requisition of monies to be collected by a property value tax on the net taxable value of land and improvements taxable for Hospital Purposes only.
4. The costs of providing the service shall be apportioned among the participating areas on the basis of the converted value of land and improvements in those participating areas.
5. The maximum amount that may be requisitioned under Section 804 (1) (a) for the service shall not exceed Three Hundred Thousand Dollars (\$300,000) annually.
6. This Bylaw shall be cited for all purposes as the Grand Forks and District Aquatic Centre Local Service Conversion Bylaw No. 685, 1991.

INTRODUCED this 28th day of November, 1991.

Read a FIRST time this 28th day of November, 1991.

Read a SECOND time this 28th day of November, 1991.

Read a THIRD time this 28th day of November, 1991.

I, Elaine Kumar, Deputy-Secretary of the Regional District of Kootenay Boundary, do hereby certify the foregoing to be a true and correct copy of Bylaw No. 685, 1991, cited as "Grand Forks and District Aquatic Centre Local Service Conversion Bylaw No. 685, 1991" as read a third time by the Board of Directors of the Regional District of Kootenay Boundary this 28th day of November, 1991.


Deputy-Secretary

RECEIVED the approval of the Inspector of Municipalities this 23rd day of January, 1992.

RECEIVED the assent of the electors pursuant to Section 795 (2) (b) this 22nd day of February, 1992.

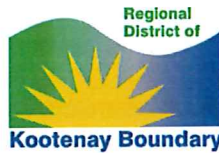
RECONSIDERED, finally passed and adopted this 27th day of February, 1992.


Chairperson


Deputy-Secretary

I, Elaine Kumar, Deputy-Secretary of the Regional District of Kootenay Boundary, do hereby certify the foregoing to be a true and correct copy of Bylaw No. 685, 1991, cited as "Grand Forks and District Aquatic Centre Local Service Conversion Bylaw No. 685" as reconsidered and adopted by the Board of Directors of the Regional District of Kootenay Boundary on the 27th day of February, 1992.


Deputy-Secretary



RDKB

Bylaw No. 1682

A Bylaw to amend RDKB Bylaw No. 685, 1991, which converted the Grand Forks Aquatic Centre Supplementary Patent Letters, 1986 to a Local Service to increase the requisition limit

WHEREAS pursuant to the provisions of the *Local Government Act* and amendments thereto, a Board may by Bylaw and with the consent of the service participants amend a Service Conversion and Establishment Bylaw;

AND WHEREAS with assent of the electors of RDKB Electoral Area D/Rural Grand Forks and the Corporation of the City of Grand Forks the Regional District of Kootenay Boundary Grand Forks and District Aquatic Centre Local Service Conversion Bylaw No. 685, 1991 converted the Grand Forks Aquatic Centre Supplementary Letters Patent, 1986 to a local service within Regional District of Kootenay Boundary Electoral Area D/Rural Grand Forks and the Corporation of the City of Grand Forks for the purpose of operating and maintaining the Grand Forks and District Aquatic Centre;

AND WHEREAS with assent of the Electors of RDKB Electoral Area D/Rural Grand Forks and the Corporation of the City of Grand Forks, the Regional District of Kootenay Boundary Grand Forks and District Aquatic Centre Service Establishment Amendment Bylaw No. 1251, 2004 increased the maximum amount which may be requisitioned annually for the Service from Three Hundred Thousand Dollars (\$300,000) to Four Hundred Thousand Dollars (\$400,000) **AND FURTHER**, Bylaw 1251, 2004 updated Bylaw No. 685, 1991 by deleting all references to "local service" and replacing the words "local service" with the word "service";

AND WHEREAS with assent of the Electors of RDKB Electoral Area D/Rural Grand Forks and the Corporation of the City of Grand Forks, the Regional District of Kootenay Boundary Grand Forks and District Aquatic Centre Service Amendment Bylaw No. 1361, 2008 increased the maximum amount which may be requisitioned annually for the Service from Four Hundred Thousand Dollars (\$400,000) to Five Hundred Thousand Dollars (\$500,000);

AND WHEREAS with the required consent of two-thirds of the participants of the service, the Regional District of Kootenay Boundary Grand Forks and District Aquatic Centre Service Amendment Bylaw No. 1524, 2013 increased the maximum amount which may be requisitioned annually for the service from Five Hundred Thousand Dollars (\$500,000) to Six Hundred Twenty-Five Thousand Dollars (\$625,000);

AND WHEREAS the Regional District of Kootenay Boundary wishes to amend Bylaw No. 685, 1991 further to increase the annual requisition limit;

AND WHEREAS the Regional District of Kootenay Boundary wishes to increase the annual requisition limit from Six Hundred Twenty-Five Thousand Dollars (\$625,000) to Seven Hundred Eighty-One Thousand Two Hundred Fifty Dollars (\$781,250);

AND WHEREAS, pursuant to the *Local Government Act*, the Regional District of Kootenay Boundary has obtained consent of at least two-thirds of the service participants for the amendment;

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the Regional District of Kootenay Boundary, in open meeting assembled, enacts as follows:

AMENDMENT

Section 5 of RDKB Grand Forks and District Aquatic Centre Local Service Conversion Bylaw No. 685, 1991 is hereby repealed and replaced with the following:

The maximum amount that may be requisitioned annually for the service shall not exceed Seven Hundred Eighty-One Thousand Two Hundred Fifty Dollars (\$781,250).

CITATION

This bylaw may be cited for all purposes as "Regional District of Kootenay Boundary Grand Forks and District Aquatic Centre Service Amendment Bylaw No. 1682, 2018."

Read a **First and Second** time this 27th day of September, 2018.

Read a **Third** time this 27th day of September, 2018.

I, Theresa Lenardon, Manager of Corporate Administration/Corporate Officer of the Regional District of Kootenay Boundary do hereby certify the foregoing to be a true and correct copy of Regional District of Kootenay Boundary Bylaw No. 1682 cited as "Regional District of Kootenay Boundary Grand Forks and District Aquatic Centre Service Amendment Bylaw No. 1682, 2018" as read a third time this 27th day of September, 2018.



Manager of Corporate Administration/Corporate Officer

Approval received from the Electors of Regional District of Kootenay Boundary Electoral Area D/Rural Grand Forks by way of a letter dated

Approval received from the Electors of the Corporation of the City of Grand Forks by way of a letter dated

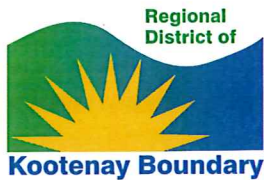
Reconsidered and Adopted this day of ,

Chair

Manager of Corporate Administration/Corporate Officer

I, Theresa Lenardon, Manager of Corporate Administration/Corporate Officer of the Regional District of Kootenay Boundary do hereby certify the foregoing to be a true and correct copy of Regional District of Kootenay Boundary Bylaw No. 1682 cited as "Regional District of Kootenay Boundary Grand Forks and District Aquatic Centre Service Amendment Bylaw No. 1682, 2018" as reconsidered and adopted this day of , 2018.

Manager of Corporate Administration/Corporate Officer



From the desk of:
Roly Russell,
Director-Electoral Area 'D'/ Rural
Grand Forks
5800 Edwards Road,
Grand Forks, B.C. V0H 1H9
250-442-5840



September 28, 2018

Regional District of Kootenay Boundary
843 Rossland Avenue
Trail, BC V1R 4S8

**Attn: Board of Directors,
Regional District of Kootenay Boundary**

**Re: Letter of Consent
RDKB Grand Forks and District
Aquatic Centre Service Amendment Bylaw No. 1682, 2018**

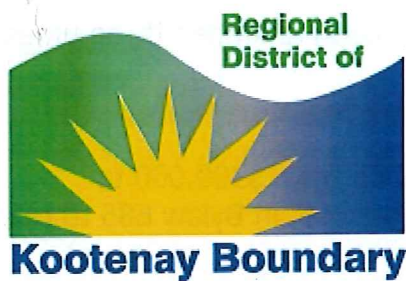
Pursuant to Section 347 (2) of the *Local Government Act*, I Roly Russell, Director, RDKB Electoral Area 'D'/Rural Grand Forks do hereby consent to the Regional District of Kootenay Boundary Board of Directors adopting Bylaw No. 1682, 2018 being the:

"Regional District of Kootenay Boundary Grand Forks and District
Aquatic Centre Service Amendment Bylaw No. 1682, 2018."

Sincerely,

A handwritten signature in blue ink that reads "Roly Russell".

Roly Russell,
Director, RDKB Electoral Area 'D'/Rural Grand Forks



STAFF REPORT

Date: 15 Sep 2018
To: Chair Russell and Members of the
RDKB Board of Directors
From: Theresa Lenardon, Manager of Corporate
Administration/Corporate Officer
Re: Proposed Bylaw No. 1682-Increase Requisition
Amending Bylaw No. 685, 1991-Grand Forks and
District Aquatic Centre Service Conversion Bylaw

File ADMN Bylaw 1682

Issue Introduction

A staff report from Theresa Lenardon, Manager of Corporate Administration/Corporate Officer regarding proposed RDKB Bylaw No. 1682, 2018 amending the Grand Forks and District Aquatic Centre Service Conversion Bylaw No. 685, 1991 to increase the requisition limit.

History/Background Factors

At the August, 30, 2018 Board meeting, the Board reviewed a staff report from James Chandler, GM of Operations/Deputy Chief Administrative Officer seeking approval from the Board for staff to continue with planning and developing the Grand Forks Aquatic Centre Pool Deck Rehabilitation Project. The Board adopted the following recommendation:

Corporate Vote Weighted

That the Regional District of Kootenay Boundary Board of Directors approve staff to continue in the planning and development of the project as recommended in the staff report, dated August 30th 2018, regarding the Grand Forks Aquatic Centre – 2019 Pool Deck Rehabilitation Project and Requisition Increase.

FURTHER, that staff prepare further details and budgets for the amendment and increase of up to 25% for the Grand Forks Aquatic Centre Local Service 040 Bylaw, to be presented at the next Board meeting in September 2018.

The purpose of this report is to provide the Board with details respecting the legislative requirements that must be met to increase the service requisition via adoption of proposed Bylaw No. 1682, including the Board reading the Bylaw a First, Second and Third time on September 27, 2018.

Service Establishment: RDKB Bylaw No. 685, 1991 converted the Grand Forks Aquatic Centre Supplementary Letters Patent, 1986 to a local service with a requisition limit of \$300,000.

Since adoption of Bylaw No. 685, the service requisition limit has been amended three times bringing about the current requisition limit of \$625,000.

Chronology of Amendments to Bylaw No. 685, 1991:

1. Bylaw No. 1251, 2004 increased the maximum annual requisition from \$300,000 to \$400,000 (referendum) and replaced the references to "local service" in Bylaw 685 to read "service".
2. Bylaw No. 1361, 2008 increased the requisition from \$400,000 to \$500,000 (referendum).
3. Bylaw No. 1524, 2013 increased the requisition from \$500,000 to \$625,000 (consent to adopt Bylaw 1524 with the increased requisition limit was obtained from two-thirds of the service participants via Grand Forks Council-no referendum required).

Statutory and Board Approvals: Sections 3(1) and 3(2) of Regional Districts Establishing Bylaw Approval Exemption Regulation 113/2007 allows regional district service establishing bylaws (e.g. Bylaw No. 685) to be amended without approval from the Inspector of Municipalities where the regional district is not increasing the maximum requisition more than 25% over 5-years. Bylaw No. 1682, 2018 proposes a requisition increase from \$625,000 to \$781,250, which is not more than a 25% increase over a 5-year period of the last increase approved by Bylaw No. 1524 in March 2013. Therefore, proposed Bylaw No. 1682 does not require Statutory Approval from the Inspector of Municipalities after Third Reading and before Adoption.

However, all other statutory procedural requirements for putting Bylaw No. 1682 into force remain, including approval to adopt the bylaw from at least two-thirds of the participants (*Local Government Act* S. 349 (1)(b) and S. 349 (2). Should the RDKB Board of Directors give Bylaw No. 1682 First, Second and Third Readings on September 27th, the service participants; RDKB Electoral Area D/Rural Grand Forks and the City of Grand Forks will be requested to consider their consent to adopt the bylaw. Once the RDKB receives this consent, the Bylaw will be presented to the Board for reconsideration and adoption.

Implications

1. Should the Bylaw be adopted, there will be a tax increase.
2. Increasing the requisition limit will maintain the existing level of service delivery along with the completion of essential and legislated (IHA requirements) pool-deck upgrades.

Advancement of Strategic Planning Goals

Exceptional Cost Effective and Efficient Services

- We will review and measure service performance
- We will ensure we are responsible and proactive in funding our services

Background Information Provided

1. Proposed Bylaw No. 1682
2. Conversion/Service Establishment Bylaw 685, 1991
3. BC Reg. 113/2007

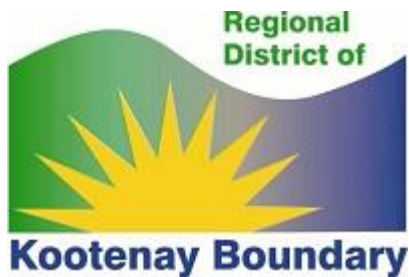
Alternatives

1. Receive the report only (no action).
2. Refer the matter back to staff for possible further action or bylaw changes.
3. Give proposed RDKB Bylaw No. 1682 First, Second and third Readings.

Recommendation(s)

Corporate Vote Unweighted

That Regional District of Kootenay Boundary Grand Forks and District Aquatic Centre Service Amendment Bylaw No. 1682, 2018 be read a First, Second and Third time.



STAFF REPORT

Date: 30 Aug 2018
To: **Chair Russell and Board of Directors**
From: James Chandler, General Manager of Operations
Re: Grand Forks Aquatic Centre – 2019 Pool Deck Rehabilitation Project and Requisition Increase.

File

Issue Introduction

To seek support from the Board of Directors in continuation of the Grand Forks Aquatic Centre Pool Deck Rehabilitation Project and the subsequent 25% requisition increase to the Grand Forks Aquatic Centre Local Service 040/Bylaw No 685,1991.

History/Background Factors

The project was originally established in 2014, with plans created for a rubber floor deck and partial repairs. This proposal was not approved by the Health Inspector. The scope of work was subsequently revised with an additional budget established of \$150,000.

The project was tendered in May 2017, with no bids received for the work. The scope of work had been revised to meet the requirements of BC Interior Health. The scope included the complete removal of the existing epoxy floor and reconstruction with tile, certified as non-porous. The project designer, Fairbank Architects followed up with BPR Construction and Westside Tile and leading from informal discussions, the removal of epoxy between gutter and the pool tank caused a substantial increase in construction cost over and above the available budget.

BPR's cost estimate for the complete work was approximately \$540,000. With anticipated costs of tiling the pool deck over the allowable funding, the project was put on hold until additional funding could be established.

As the project is determined critical in the maintenance and repair of the pool deck to meet current standards, staff have considered re-planning the project for

completion in 2019 as we will have the opportunity to raise the requisition for the service by 25%, providing the necessary funding to complete the work.

The service requisition was last increased in March 2013. The Regional District is permitted to increase the requisition following a 5 year period.

Implications

Through review with the Health Authority, BC Interior Health it is determined that this project must be completed to ensure we maintain appropriate hygiene standards in the maintenance and operation of the aquatic centre.

Should the Regional District not continue forwards in the funding, planning and construction of the work as indicated in this report, the risks will increase that BC Interior Health may take action against the Regional District. Since 2017 the health inspectors have accepted that we will have to postpone the work to seek additional funding.

Advancement of Strategic Planning Goals

Ensuring the timely deliver of this project follows the pillar of 'Cost effective and Efficient Services', as we seek to be responsible and proactive in funding services and meeting the needs of our community.

Background Information Provided

The original plans for the project had pursued the use of a 'Roll On' application flooring. Subsequent correspondence between the RDKB and the Health Authority – BC Interior Health (IH) indicated that there is a concern with the use of 'Roll On' application flooring, relating to the porosity and interstitial spacing. The surface must be non-porous to prevent entrapment of pathogens, grit and dirt. A roll on surface cannot be properly cleaned or disinfected to protect the bather's feet and is deemed unsuitable for a pool environment.

The Public Health Inspector has recommended that we use a tile that has the specifications that meet with the provincial guidelines. Fairbank Architects provided the design, working drawings, specifications and tendering assistance in 2017.

Project Plan

With approval from the Board of Directors, staff will continue to plan forward with the project and prepare a detailed budget for the project and for the service requisition increase in 2019. Following approval, staff plan to present more detail for the amendment of the bylaw and the 2019 budget to the Board of Directors in September.

The size and nature of this project is significant and planning for successful delivery of the project in the summer of 2019 leads to early tendering and preparation of contracts in late 2018. Market research indicates that this work is specialist in nature and availability of qualified contractors will be a significant hurdle. Contractors are regularly becoming 'booked up' by early in spring each year as many clients compete for the same working windows in July and August. Taking a proactive approach we seek to tender early and establish our contracts in advance of the seasonal rush. Staff are suggesting the following milestone schedule for this project.

Schedule

Activity	Date	Driver
<i>Bylaw reading 1,2,3 and detailed budget</i>	<i>Sept 2018</i>	<i>Preparing for early financial approval</i>
<i>Preparation of Contract Documents</i>	<i>Oct 2018</i>	<i>Concurrent planning for tender with financial approvals</i>
<i>Final reading and budget approval</i>	<i>Nov 2018</i>	<i>Surety required of funds prior to tendering</i>
<i>TENDER</i>	<i>Nov/Dec 2018</i>	<i>Seek security of contract</i>
<i>Award of Contract</i>	<i>Dec 2018</i>	<i>Work is placed and planned for summer 2019</i>
<i>Implement and construct work</i>	<i>July/Aug 2019 (An 8 week schedule is anticipated at this time)</i>	

Service Requisition Increase - Budget

Based on estimates received in 2017 and considering costs escalation, staff anticipate the budget for the project to be \$600,000.

Considering the funding of the project over 5 years staff have initially assessed that the service requisition budget would have to be increased by the maximum of 25%. Further detail and information would be provided in September for consideration by the Board of Directors. It is important to note that this service has not had an increase in the past 5 years and a percentage of the increase considered will also cover the incremental increases in annual operation and maintenance costs.

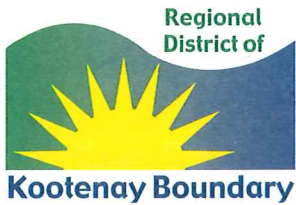
Alternatives

There are no viable alternatives available for consideration at this time as we seek action to ensure our facilities remain serviceable and meet legislated standards.

Recommendation(s)

That the Regional District of Kootenay Boundary Board of Directors approve staff to continue in the planning and development of the project as recommended in the

staff report, dated August 30th 2018, regarding the Grand Forks Aquatic Centre – 2019 Pool Deck Rehabilitation Project and Requisition Increase. **FURTHER,** That staff prepare further details and budgets for the amendment and increase of up to 25% for the Grand Forks Aquatic Centre Local Service 040 Bylaw, to be presented at the next Board meeting in September 2018.



September 28, 2018

City of Grand Forks
Attn: Diane Heinrich, CAO

**Re: RDKB Grand Forks and District Aquatic Centre
Service Amendment Bylaw No. 1682, 2018**

RDKB Bylaw No. 1682 was given first, second and third readings by the RDKB Board of Directors on September 27, 2018 (Bylaw 1682 is attached for your information).

Pursuant to Sections 349(b) and 346 of the *Local Government Act*, Bylaw 1682 requires consent from two-thirds of the participants prior to receiving Adoption by the RDKB Board of Directors.

If adopted, Bylaw No. 1682 would increase the current annual requisition amount by 25% (from \$625,000 to \$781,250).

Accordingly, the RDKB requires your Council to adopt the following resolution.

That the Municipal Council for the Corporation of the **City of**
[redacted] consents to the Regional District of Kootenay
Boundary Board of Directors adopting Bylaw No. 1682 being the "Regional
District of Kootenay Boundary Grand Forks and District Aquatic Centre
Service Amendment Bylaw No. 1682, 2018.

Should your Council agree and adopt the resolution, I must receive a standalone written letter (can be attached to an email).

Thank you for your attention to this matter and as always, feel free to contact me should you have any questions etc.

Sincerely,

Theresa Lenardon,
Manager of Corporate Administration/Corporate Officer

Encls.

