



REPORT TO COUNCIL

To: **Mayor and Councillors**

Subject: Alternative Approval Process for Property
Acquisition Loan Authorization Bylaw No. 3145

File #: 4200.01

Doc #:

From: Kelly Kenney
Corporate Officer

Date: April 14, 2021

RECOMMENDATION:

1. THAT Monday, June 7, 2021 at 4:30 pm be established as the deadline for receiving elector responses with respect to the Alternative Approval Process for Property Acquisition Loan Authorization Bylaw No. 3145.
2. THAT the number of electors in the area to which the Alternative Approval Process for Property Acquisition Loan Authorization Bylaw No. 3145 applies is 21,374 as determined using the calculations outlined in the staff report dated April 14, 2021.
3. THAT the Alternative Approval Process Elector Response form as attached to the staff report dated April 14, 2021 be approved.
4. THAT the advertisement for the Alternative Approval Process as attached to the staff report dated April 14, 2021 be approved.

PURPOSE:

The purpose of this report is to seek approval of the elector response form to be used for the Alternative Approval Process, to establish the time period during which electors may submit elector response forms, and to establish the number of electors in the area to which this Alternative Approval Process applies for purposes of

establishing the threshold that will determine whether elector approval is received for adoption of Property Acquisition Loan Authorization Bylaw No. 3145.

POLICY:

Section 86(3) The *Community Charter* requires that:

(3) For each alternative approval process, the council must

(a) establish the deadline for receiving elector responses, which must be at least 30 days after the second publication of the notice under subsection (2),

(b) establish elector response forms, which

(i) may be designed to allow for only a single elector response on each form or for multiple elector responses, and

(ii) must be available to the public at the municipal hall from the time of first publication until the deadline, and

(c) make a fair determination of the total number of electors of the area to which the approval process applies.

COMMENTS/ANALYSIS:

On February 22, 2021, Council gave Three Readings to Property Acquisition Loan Authorization Bylaw 2021, No. 3145. Council further resolved that following approval of the bylaw by the Inspector of Municipalities, approval of the electors be sought through the Alternative Approval Process.

Approval of the loan authorization bylaw by the Inspector of Municipalities was received April 9, 2021.

Under the Alternative Approval Process, adoption of the loan authorization bylaw may proceed if fewer than 10% of electors in the city submit forms opposing the bylaw.

Following are the basic steps to conduct the Alternative Approval Process:

- Following approval from the Inspector of Municipalities, Council to establish time period during which electors may submit elector response forms and approve the form to be used for the Alternative Approval Process.
- Seek elector approval of the bylaw through the Alternative Approval Process. Two public notices in two consecutive weeks are required.
- If an elector is in favour of the proposed loan authorization bylaw, they don't have to do anything.
- If an elector opposes the proposed loan authorization bylaw they may sign an elector response form and submit it to the City.
- Elector response forms will be available to the public at City Hall and on the City's web site on the date of publication of the first public notice. Eligible electors who are opposed to the loan authorization bylaw will have 30 days after the publication of the second notice to submit their forms to the Corporate Officer. Due to safety considerations as a result of the pandemic, electors will have the option to submit their forms via email or by fax in addition to regular mail or hand delivery.
- Following the 30-day deadline, the Corporate Officer will certify the results.
- Adoption of the loan authorization bylaw may proceed if it does not receive opposition of 10% or more of the electorate. If opposition of 10% or more of the electorate is received, Council must either proceed to seeking elector approval of the loan authorization bylaw by Assent Voting (Referendum) or abandon the bylaw.
- If elector approval of the bylaw is received, and subsequent to the thirty-day quashing period for the bylaw as required by S. 760 of the Local Government Act, the City may make application for the Certificate of Approval by the Ministry, which upon receipt, the City may borrow funds.

Council is being asked to approve the question and the format of the Alternative Approval Process Elector Response form (Attachment 1) that will be available to the public, as well as the statutory advertisement for the Alternative Approval Process (Attachment 2).

The question will follow the example below:

I am OPPOSED to the City of Langley proceeding with borrowing \$7.5 million as set out in the City of Langley Property Acquisition Loan Authorization Bylaw 2021, No. 3145, unless it is approved by Assent Voting.

To: Mayor and Councillors

Date: April 14, 2021

Subject: Alternative Approval Process for Property Acquisition Loan Authorization Bylaw No. 3145

Page 4

Based on the Provincial provisional number of registered City of Langley resident voters as of January 26, 2021 (19,995), and the number of non-resident property electors on the 2018 City of Langley non-resident property elector voting list (1,379), the total number of eligible electors is determined to be 21,374. Accordingly, the 10% threshold of electors is 2,137.

BUDGET IMPLICATIONS:

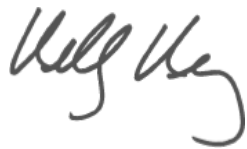
The proposed loan authorization bylaw would allow the City to borrow up to \$7.5 million to make strategic land acquisitions. The loan will be repaid over 15 years through a one-time property tax increase of 1.93%.

The cost to publish two full-page ads in the local newspaper for the AAP is approximately \$3,000.

ALTERNATIVES:

Council may direct staff to change the wording of the Elector Response Form and/or advertisement

Respectfully Submitted,



Kelly Kenney
Corporate Officer

Attachments:

1. Alternative Approval Process Elector Response form
2. Advertisement for Alternative Approval Process

To: Mayor and Councillors

Date: April 14, 2021

Subject: Alternative Approval Process for Property Acquisition Loan Authorization Bylaw No. 3145

Page 5

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:

I support the recommendation.



Francis Cheung, P. Eng.
Chief Administrative Officer