

REGIONAL DISTRICT OF NANAIMO

**REGULAR BOARD MEETING
TUESDAY, NOVEMBER 24, 2009**

**CIRCULATED REPORT
FOR AGENDA**

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RDN APPROVAL		ON
EAP		
CCW		
RHD		
BOARD	✓	Nov 24 '09

MEMORANDUM

TO: C. Mason
Chief Administrative Officer **DATE:** November 19, 2009

FROM: N. Avery **FILE:**
General Manager, Finance & Information Services

SUBJECT: Waterloo Fire Protection – award of fire tanker vehicle purchase

PURPOSE:

To obtain approval to purchase and enter into lease financing for a firefighting tanker for the Hallberg Rd. firehall.

BACKGROUND:

The Cranberry Volunteer Fire District began providing fire fighting services to properties in the Cassidy/Spruston Rd. area of the Regional District of Nanaimo on January 1, 2009. One vehicle was purchased at that time with a commitment to purchase a secondary tanker vehicle in 2010. A request for proposals was released at the end of October with six companies responding as follows:

Rocky Mountain Phoenix	\$156,225
Fort Gary Fire Trucks	\$173,135
First Specialty Vehicles	\$168,000 or \$188,000
Wholesale Fire & Rescue	\$200,090 or \$209,405
Fouts Bros fire Equipment (US)	\$140,000 US FOB Georgia, USA (est'd at \$178,000 Cdn including duties and delivery)

The budget target for this vehicle was \$150,000 and the RFP offered the option of either a new or used vehicle. Of interest is that all of the vendors identified the US dollar exchange rate as affecting the final price of the vehicle and none would guarantee the above noted prices for more than 30 days – while the RFP required a 90 day price guarantee.

The Cranberry Fire District evaluated the lowest proposal and has advised that the vehicle meets the specifications and is acceptable to them. Subsequent to the original pricing, Rocky Mountain Phoenix advised that the vehicle quoted is no longer available and that the newer model of the same vehicle would be priced at \$158,471.00. They are providing a stock vehicle and this is the current pricing. While the price is over the budget target it is within 6% of the target. Additionally delivery of the vehicle is about 75 days which is extremely quick for vehicle of this type.

The vehicle would be financed over a five year period with the Municipal Finance Authority leasing facility.

ALTERNATIVES:

1. Approve the award to Rocky Mountain Phoenix and authorize staff to enter into a five year lease with the Municipal Finance Authority.
2. Cancel this proposal call and seek a used vehicle for the original budget target.

FINANCIAL IMPLICATIONS:

Alternative 1

Under this alternative the change in annual financing cost (at today's rates) is approximately \$2,500 per year. The benefit of proceeding under this alternative is that a new vehicle is obtained very quickly and at a price which is affordable.

Alternative 2

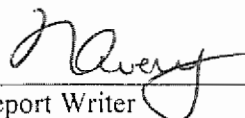
No recent research has been done on the used vehicle market, the bulk of which is in the United States. While it may be possible to find a comparable or even better equipped vehicle within the \$150,000 budget, it would have a shorter useful life and would come with the associated wear and tear on equipment that is avoided with a new vehicle. Staff do not recommend this alternative.

SUMMARY/CONCLUSIONS:

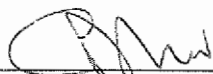
This report discusses the outcome of a recent request for proposal issued to obtain a second firefighting vehicle for the Hallberg Rd. firehall in Cassidy. Equipment in this location is used by the Cranberry Volunteer Fire District to provide fire protection to about 600 residences in the Cassidy/Spruston Rd areas. A suitable vehicle has been proposed and evaluated with a slightly higher price than the budget target. The Cranberry Fire Department recommends purchasing the vehicle. Financing would be provided through a five year lease with the Municipal Finance Authority. Staff recommend awarding the vehicle as proposed.

RECOMMENDATIONS:

1. That Rocky Mountain Phoenix be awarded the supply of a 2000 gallon Firestar Wetside Tanker as presented in their proposal at a cost of \$158,471.
2. That staff be authorized to enter into a five year lease with the Municipal Finance Authority to finance the purchase



Report Writer



C.A.O. Concurrence

COMMENTS:



RDN REPORT	
CAO APPROVAL	
EAP	
COW	
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RHD	
BOARD	✓ Nov 24 '09

MEMORANDUM

TO: Board of Directors **DATE:** November 19, 2009

FROM: C. Mason **FILE:**
Chief Administrative Officer

SUBJECT: UBCM Regional District Task Force Feedback

PURPOSE:

To provide comments to the UBCM with respect to the draft report prepared by the Regional District Task Force on Regional District governance.

BACKGROUND:

The Regional District Task Force was created by UBCM to consider some of the key issues facing regional districts and to identify possible solutions and strategies to address those issues. The Task Force is comprised of 7 members representing municipal and electoral area director representatives from across the Province. The Task Force has worked collaboratively with the Ministry of Community and Rural Development in developing a set of options for consideration.

The Task Force approached governance and delivery with the understanding that regional districts serve three key purposes: (1) they act as regional governments to regions (by providing key regional services, and undertaking activities on behalf of, their member jurisdictions); (2) they provide a political and administrative framework for joint/inter-local government service delivery; and (3) they act as local governments for electoral areas. As the Board is aware, the regional district system operates as a federation model that relies on partnerships among its members to be successful. Inherently, this model has challenges, particularly when members have differences of opinion or perspective. The Task Force has attempted to identify areas of conflict and proposed alternatives for consideration that might minimize areas of potential conflict.

The Task Force began its work by identifying practical issues relating to both effective governance and the effective delivery of service within regional districts. Specific areas that have been examined include: electoral area governance; municipal-rural fringe; and Provincial-Regional District relationships. The following table shows the general response in priority areas to the areas investigated by the Task Force:

High-Priority:

1. Regional District/Crown
2. Fringe area planning
3. Participation in Regional District services

Mid-Priority:

1. Incorporation and Restructuring
2. Service review and withdrawal
3. Appointment of Electoral Area alternate directors
4. Single Electoral Area director

Low-Priority:

5. Internal Structure
6. Role of delegation
7. Appointment of municipal directors

Attached to this report is the Progress Report developed by the Task Force that summarizes the issues reviewed, potential approaches & key priorities.

The UBCM has now asked for Regional Districts to complete a feedback form by November 27, 2009 providing comment on the Task Force Progress Report. Feedback can either be provided individually by a Board Director, or collectively on behalf of the whole Board. Staff have reviewed the Progress Report and have prepared comments on each issue based on our Regional District perspective with respect to the report findings. If the Board is in agreement with the attached comments as prepared, these comments will be forwarded to the UBCM as our formal response to the Task Force Progress Report.

ALTERNATIVES:

1. Receive the UBCM Regional District Task Force Report for information and send the attached comments to the UBCM providing our formal Board response to the Progress Report;
2. Receive the UBCM Regional District Task Force Report for information and have Directors respond individually to the Progress Report.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with receiving the report and submitting comments; however, some of the options included in the Task Force report will have financial implications for regional districts if the options are implemented.

CONCLUSIONS:

The UBCM Regional District Task Force has drafted a Progress Report summarizing its work to date in reviewing ways to improve the functioning of Regional Districts. A Feedback Form has been circulated to regional districts requesting that they reply with comments to each of the sections included in the report by November 27, 2009. Regional districts have the choice of replying individually by municipal or electoral area director, staff or Board Chair; or alternatively, the Board may choose to reply collectively to the survey. Staff have reviewed the document and have completed the feedback form with comments based on our Regional District perspective with respect to the report findings. If the Board is in agreement with the attached comments as prepared, these comments will be forwarded to the UBCM as our formal response to the Task Force Progress Report.

RECOMMENDATION:

That the Board receive the UBCM Regional District Task Force Report for information and send the attached comments to the UBCM providing our formal Board response to the Progress Report;



Chief Administrative Officer

TOPIC 1: MORE EFFECTIVE LAND USE DECISIONS

Do you agree that this is a priority issue?

Strongly Agree

Do you agree with the Task Force description of the issue as described in the attached paper?

Agree

What other perspectives would you add?

The Regional District of Nanaimo agrees that this is an important issue, but also wishes to point out that on Vancouver Island, private forest lands have a larger share of undeveloped land than crown land. Local government is under increasing pressure from the private forest companies to develop forest land rather than use it for forestry purposes.

We support increased and more formalized discussion between the Regional District and the Province with respect to the disposition of crown land parcels to ensure that development of those lands fits within the goals of the Region's RGS and its local community objectives.

Do you agree that the approaches identified by the Task Force and described in the attached paper could be useful in some situations?

1. Clarify - increase understanding of the jurisdiction and linkages between provincial and local land use decision-making

Strongly agree

2. Harmonize - apply a principled framework to guide harmonization and cooperation on provincial and local land-use decisions.

Strongly agree

What modifications, if any, would you make to the suggested approaches?

We support the proposed approaches which encourage more open and structured discussion between the province and local government on land use decisions.

What other approaches would you suggest should be considered by the Task Force?

TOPIC 2: FRINGE AREA PLANNING

Do you agree that this is a priority issue?

Strongly Agree

Do you agree with the Task Force description of the issue as described in the attached paper?

Agree

What other perspectives would you add?

The Regional District of Nanaimo agrees municipal/electoral area fringe area planning is a difficult issue and a potential source of conflict between a municipality and regional district. Specifically, like all regional districts, we have had some concerns with respect to the statutory process set out for boundary extensions.

Our concerns specifically relate to the absence of a requirement for the municipality (or alternatively, for the Province) to consult with either the area proposed to be amalgamated or with the Regional District to respond on the area's behalf. The current legislation only references that a Regional District will respond with respect to the impact on servicing and related financial implications.

Do you agree that the approaches identified by the Task Force and described in the attached paper could be useful in some situations?

3. Improved communication, cooperation and integration between jurisdictions.

Agree

4. Provincial support for effective planning and other management of fringe areas.

Strongly agree

What modifications, if any, would you make to the suggested approaches?

This Task Force report cites the "RDN Urban Containment and Fringe Area Agreement" as an example of coordination at a regional scale. However, this agreement does not supersede legislation which enables a municipality to determine its own land use patterns, including expansions to its urban and fringe areas and municipal boundaries.

More clarity in the Provincial Growth Strategies legislation would assist Regional Districts and Municipalities in understanding how fringe area planning will take place.

What other approaches would you suggest should be considered by the Task Force?

When a boundary extension is considered, a formal referral to the Regional District for comment would be appropriate. In that way, comments from the area proposed to be included in the amalgamation would be considered. At the moment, only the municipal opinion is solicited through the AAP process.

TOPIC 3: PARTICIPATION IN REGIONAL DISTRICT SERVICES

Do you agree that this is a priority issue?

Strongly Agree

Do you agree with the Task Force description of the issue as described in the attached paper?

Agree

What other perspectives would you add?

The Regional District of Nanaimo has completed 2 regional service reviews and also completed numerous individual service reviews to evaluate cost sharing models and to ensure that the cost recovery reflects the benefits received. We believe that most of the new tools in the Local Government Act have been successful in enabling Regional Districts to be flexible in developing cost sharing models.

Do you agree that the approaches identified by the Task Force and described in the attached paper could be useful in some situations?

1. More effective use of service design tools.

Agree

2. More scope in obtaining electors approval.

Strongly agree

3. Explicit authority for Strategic Service Plans.

Agree

What modifications, if any, would you make to the suggested approaches?

Our Regional District has made effective use of the service design tools and is always interested in learning how others may be taking advantage of innovative approaches to service participation. Our Board has been updating its Strategic Plan since 1994 and have found this approach very effective in setting the vision and direction.

What other approaches would you suggest should be considered by the Task Force?

The issue of an area receiving a service but not paying for that service has always been a challenge for regional districts. The problem sometimes comes down to obtaining elector assent for a service that residents enjoy but do not pay for. In cases where services are deemed to be regional in nature and in benefit received, a different mechanism of assent would be beneficial.

The success of our Regional District in addressing participation in regional services has been to include more than one service in a service review, so that benefits are not just flowing in one direction.

TOPIC 4: INCORPORATION

Do you agree that this is a priority issue?

Strongly Agree

Do you agree with the Task Force description of the issue as described in the attached paper?

Agree

What other perspectives would you add?

Our Regional District has spent many years developing OCPs that recognize historical communities in the electoral areas. In addition, since the first RGS, we have identified both municipal (urban) and electoral area (village) centres in our municipal and electoral areas. As a result, in the electoral areas, the regional district has taken on the role of preparing communities for future incorporation. This is an extremely important role for regional districts, but is also extremely challenging as expectations are raised with respect to providing services.

Better communication and more accurate information from the Province on the realities of incorporation will assist communities in determining when it is best to incorporate as a new municipality, amalgamate with an existing municipality, or remain unincorporated.

Do you agree that the approaches identified by the Task Force and described in the attached paper could be useful in some situations?

1. Greater promotion and understanding of what it means to be ready to incorporate.

Strongly Agree

2. A partnership approach with the Province to help address specific incorporation concerns.

Strongly agree

What modifications, if any, would you make to the suggested approaches?

We support the changes as proposed by the Task Force.

What other approaches would you suggest should be considered by the Task Force?

TOPIC 5: APPOINTMENT OF ALTERNATE ELECTORAL AREA DIRECTOR

Do you agree that this is a priority issue?

Strongly Disagree

Do you agree with the Task Force description of the issue as described in the attached paper?

Neutral

What other perspectives would you add?

In the many years that our Regional District has been meeting, rarely do alternate electoral area directors attend Board or Committee meetings on a Director's behalf. We have found that Electoral Area Directors take their positions very seriously and rarely miss meetings. Therefore, there has never been an issue of 'accountability' for an alternate.

Do you agree that the approaches identified by the Task Force and described in the attached paper could be useful in some situations?

1. Voluntary guidelines/application process.

Disagree

2. RDs given greater authority to appoint alternates in certain circumstances.

Agree

3. Replace appointed alternates with elected alternates.

Strongly disagree

What modifications, if any, would you make to the suggested approaches?

While there may be some merit to providing an application process for Electoral Area Director alternates, similar to what our Regional District currently uses for appointment to our advisory committees which are appointed by the Board, this method could also create expectations that are unattainable and inappropriate.

Our Regional District already finds it difficult to recruit people to apply for our volunteer committee positions. There may be more interest in alternate electoral area director positions; however, those attracted may be those who were unsuccessful in the election and therefore, will think this approach is another avenue to gain political representation without the support of electors.

As noted above, in our experience, Electoral Area Directors rarely miss meetings and therefore, alternate directors are only used rarely. We do not agree in running a slate of Electoral Area directors, as noted in the report. Often a director is acclaimed, so having a slate will likely be much more difficult to achieve and will unnecessarily increase the cost of General and Electoral Area Administration. Having the second runner-up as an alternate is a completely inappropriate approach.

What other approaches would you suggest should be considered by the Task Force?

This is not a priority issue for our Regional District.

TOPIC 6: SINGLE ELECTORAL AREA DIRECTOR

Do you agree that this is a priority issue?

Strongly Disagree

Do you agree with the Task Force description of the issue as described in the attached paper?

Disagree

What other perspectives would you add?

Currently our Regional District has a 17 member Board. The size is manageable with representation from the 7 electoral areas and 8 municipal directors. The Board has adopted a Communications and Consultation Framework Policy which has resulted in significant time spent visiting all of the Electoral Areas on specific issues related to water, sewer, planning, etc. We have moved to this model of broader community meetings and communication strategies to ensure that we receive a cross section of representation from the community, rather than just stakeholder interest. A single Electoral Area Director model works within this framework of communication and consultation.

As noted in Topic 4 - Incorporation, we see our role as preparing communities for incorporation. Once an area reaches a threshold where they feel that a single Director is no longer able to represent the entire community, then this should automatically trigger the consideration of incorporation - not a change from a single Electoral Area Director model.

Do you agree that the approaches identified by the Task Force and described in the attached paper could be useful in some situations?

1. Electoral Area Body.

Strongly Disagree

2. Multi-Director Model.

Strongly Disagree

What modifications, if any, would you make to the suggested approaches?

As noted above, the suggested approach of moving towards an Electoral Area body is simply a way of avoiding incorporation. It would add to the general and electoral area administration costs but without accountability or representation. It is expected that members would be representative of special interest groups in the community without the accountability of being elected. Our Regional District has a number of committees and commissions that are already functioning on regional, sub-regional and local issues. Another legislated body for specific Electoral Area representation is not considered necessary or fiscally prudent.

The suggested approach of a multi-director model is also not supported as this will increase the overall cost of Board administration and potentially disrupt the balance of the municipal and electoral area representation. Again, this appears to be a way of avoiding the discussion on incorporation.

What other approaches would you suggest should be considered by the Task Force?

This is not a priority issue for our Regional District. The effort should be focussed on Topic 4 - Incorporation, not on Electoral Area Director representation.

TOPIC 7: INTERNAL STRUCTURE OF RDs

Do you agree that this is a priority issue?

Agree

Do you agree with the Task Force description of the issue as described in the attached paper?

Agree

What other perspectives would you add?

As noted our Regional District has a 17 member Board with representation from the 7 electoral areas and 8 municipal directors. There is one municipality that, due to population growth, now has 7 of its 9 councillors represented on the Board. While there is a general perception that a municipality or combination of municipalities might 'block vote' on an issue, our Board has rarely seen this occur. We have found it more effective within our federation structure to focus on relationship building between our municipal and electoral area directors, which is supported through effective communication and collaboration.

Do you agree that the approaches identified by the Task Force and described in the attached paper could be useful in some situations?

1. Continue the current approach.

Disagree

2. Comprehensive, regional district review.

Agree

3. Comprehensive review of regional districts.

Strongly Agree

What modifications, if any, would you make to the suggested approaches?

We would agree with either a comprehensive review of all regional districts or a requirement to review to coincide with the publishing of new census figures. Our Regional District has continued to increase in size with each new census with one municipality almost at its maximum representation of 9 council members (which will eventually eliminate its ability to provide alternate directors). With the potential addition of 3 first nations and other municipalities growing in size, the Board will become more difficult and expensive to manage from an administrative perspective. Therefore, we support some form of review that is triggered with census updates.

What other approaches would you suggest should be considered by the Task Force?

One approach that could be considered would be the statutory requirement for a Board to review the voting unit when new census figures are published rather than automatically adjusting Board Director representation. A best practices guide would be helpful in providing direction to regional districts on the criteria that should be considered when reviewing its voting unit.

TOPIC 8: DELEGATION

Do you agree that this is a priority issue?

Strongly Disagree

Do you agree with the Task Force description of the issue as described in the attached paper?

Disagree

What other perspectives would you add?

Our Regional District utilizes a variety of advisory committees and commissions to assist the Board with its decision making. These committees include watershed protection, recreation, parks, solid waste, liquid waste and transit. It is not considered necessary to broaden the delegation authority to committees or commissions who are not accountable to the electorate. In our Regional District, the model of using committees in an advisory role with the Regional Board endorsing recommendations is a governance structure that has worked effectively. It is a transparent and accountable method of decision making that ensures for the public that procedural and legislative rules are followed.

Do you agree that the approaches identified by the Task Force and described in the attached paper could be useful in some situations?

1. Expand delegation authority.

Strongly Disagree

2. Reconfigure Local Community Commissions.

Neutral - do not utilize local community commissions

What modifications, if any, would you make to the suggested approaches?

We do not agree with the suggestion that delegation authority needs to be expanded and that local community commission need to be more broadly utilized. As noted above, our Regional District uses a variety of advisory committees for special purposes, but these committees are only advisory in nature without decision making authority. It is our opinion that new legislation to broaden delegation powers is not appropriate or required as advisory committees are not elected bodies and therefore, are not accountable with respect to the funding and governance decisions.

What other approaches would you suggest should be considered by the Task Force?

We do not believe that the system of providing services and decision-making within the Electoral Areas is 'broken', and therefore, do not support the suggestions put forward by the Task Force.

TOPIC 9: APPOINTMENT OF MUNICIPAL DIRECTORS

Do you agree that this is a priority issue?

Neutral

Do you agree with the Task Force description of the issue as described in the attached paper?

Neutral

What other perspectives would you add?

It is our position that it is up to the municipalities to determine the method of appointment to the Regional Board. If a municipality wishes to pursue a method of appointment as part of the election process, it is within their discretion to do so. Each municipality can make that decision independently.

Do you agree that the approaches identified by the Task Force and described in the attached paper could be useful in some situations?

1. Raise the profile.

Neutral

2. Enable under legislation.

Agree

3. Require under some circumstances.

Neutral

What modifications, if any, would you make to the suggested approaches?

As set out in the suggested approaches, enabling legislation will make municipalities more aware of the option to use elections as a way of selecting Directors. More discussion with the municipalities is required to understand how they view this issue.

What other approaches would you suggest should be considered by the Task Force?

TOPIC 10: SERVICE REVIEW AND WITHDRAWAL

Do you agree that this is a priority issue?

Neutral

Do you agree with the Task Force description of the issue as described in the attached paper?

Neutral

What other perspectives would you add?

Our Regional District has been very successful in achieving consensus through service reviews. However, the key to success is strong relationships between between Municipal and Electoral Area Directors on our Board, and between regional district and municipal staff. It takes ongoing effort through our federation model to achieve cooperation among the parties and it requires 'give and take' on both sides to achieve results that all members can be satisfied with. While this area is not currently a priority issue for our Regional District, we recognize that it may be a source of conflict for other Regional Districts.

Do you agree that the approaches identified by the Task Force and described in the attached paper could be useful in some situations?

1. Add rigor around service identification.

Agree

2. Timelines for the review process to be completed.

Agree

3. Require under some circumstances.

Neutral

What modifications, if any, would you make to the suggested approaches?

The suggested approaches may assist in improving the statutory service review and withdrawal process. It is always preferable, less confrontational and less expensive to approach a service review on a voluntary basis rather than have the review imposed through a legislative process.

What other approaches would you suggest should be considered by the Task Force?