

REGIONAL DISTRICT OF NANAIMO

**SPECIAL BOARD MEETING
TUESDAY, JULY 12, 2011
(immediately following Committee of the Whole)**

(RDN Board Chambers)

A G E N D A

PAGES

CALL TO ORDER

UNFINISHED BUSINESS

BYLAWS

For Adoption.

Bylaw No. 500.369 - 2834 Northwest Bay Road – Area ‘E’. (EA Directors except EA ‘B’ – One Vote)

That “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.369, 2011” be adopted.

This bylaw rezones the subject property from Residential 1 (RS1) to Public 1 (PU1) to permit a community water treatment plant.

ADMINISTRATOR’S REPORTS

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Vancouver Island Regional Library Service Establishment & Borrowing Bylaws No. 1632, 1633, 1634 and 1635. (All Directors – One Vote/Weighted Vote)

Nanoose Bay Fire Hall Construction. (Report to be circulated)

ADDENDUM

NEW BUSINESS

ADJOURNMENT

IN CAMERA



RDN REPORT	
CAO APPROVAL <i>[Signature]</i>	
EAP	
COW	
JUL - 4 2011	
RHD	
SP/ BOARD	✓ July 12/11

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: July 5, 2011

FROM: Maureen Pearse
Senior Manager, Corporate Administration

FILE:

SUBJECT: Vancouver Island Regional Library Service Establishment & Borrowing
Bylaws No. 1632, 1633, 1634 and 1635

PURPOSE

To report the results of the alternative approval process for “Regional Library Capital Financing Service Establishment Bylaw No. 1632, 2011” and “Regional Library Capital Financing Service Loan Authorization Bylaw No. 1633, 2011”.

BACKGROUND

At its regular meeting held April 26, 2011, the Board introduced four bylaws which would provide the Vancouver Island Regional Library (VIRL) with the ability to borrow up to \$8 million to construct/renovate a library building located at 6250 Hammond Bay Road in Nanaimo, BC. In addition the RDN and VIRL would be required to enter into an Indebtedness Agreement which would commit the RDN to borrow on behalf of VIRL and would commit VIRL to register a mortgage as security on the property and to pay all costs associated with the debt and obtaining elector approval. In accordance with the *Community Charter* the Board chose to seek the assent of the electors through the alternative approval process for “Regional Library Capital Financing Service Establishment Bylaw No. 1632, 2011” and “Regional Library Capital Financing Service Loan Authorization Bylaw No. 1633, 2011” as well as the Indebtedness Agreement.

Bylaws were created to establish a service and borrowing authority to provide VIRL capital financing for improving library facilities. Bylaw 1632 proposes to establish a capital financing service and Bylaw 1633 would authorize the borrowing of up to \$8 million for library facilities. The boundaries of the service area include Electoral Areas A, B, C, E, F, G & H, the City of Nanaimo, the City of Parksville, the Town of Qualicum Beach and the District of Lantzville.

In order to receive the assent of the electors, the number of elector response forms received could not exceed 10% of the electors for the proposed participating area. Section 86 of the *Community Charter* states:

“that approval of the electors by alternative approval process is obtained if at the end of the time for receiving elector responses, the number of elector responses received is less than 10% of the number of electors of the area to which the approval process applies.”

For the purpose of conducting the alternative approval process, the number of eligible electors in the service area was determined to be 110,180 electors. In order for the bylaws to receive the assent of the electors less than 10% or 11,018 elector response forms must have been received by the deadline of July 4, 2011. The total number of elector response forms received by July 4, 2011 was 4. As the total number

of elector response forms received was less than 10% of the electors, the bylaws are deemed to have received the assent of the electors.

ALTERNATIVES

1. That the bylaws to establish a service and borrowing authority to provide the Vancouver Island Regional Library capital financing for improving library facilities be adopted.
2. That the Board not proceed with the adoption of these bylaws.

FINANCIAL IMPLICATIONS


Bylaw No. 1633 provides that the maximum amount the Board may borrow on behalf of VIRL to construct/renovate a library building located at 6250 Hammond Bay Road in Nanaimo, BC is \$8 million. Based on a residential property assessed at \$100,000, the cost to the individual homeowner would be \$0.00 per annum. The VIRL would be entirely responsible for all costs to service the borrowing as well as any out of pocket cost the RDN might incur to undertake the approvals necessary for this initiative.

SUMMARY/CONCLUSIONS

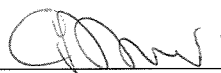
At the April 26, 2011 Board meeting, “Regional Library Capital Financing Service Establishment Bylaw No. 1632, 2011” and “Regional Library Capital Financing Service Loan Authorization Bylaw No. 1633, 2011” “received first three readings. The Board sought the assent of the electors through the alternative approval process. In order to receive the assent of the electors, the number of elector response forms received could not exceed 10% (11,018) of the electors for the proposed participating area. The total number of responses received by the deadline of July 4, 2011 was 4, therefore the bylaws are deemed to have received the assent of the electors. Staff are recommending adoption of the bylaws.

RECOMMENDATION

1. That “Regional Library Capital Financing Service Establishment Bylaw No. 1632, 2011” be adopted.
2. That “Regional Library Capital Financing Service Loan Authorization Bylaw No. 1633, 2011” be adopted.
3. That “Regional Library Capital Financing Service Security Issuing Bylaw No. 1634, 2011” be adopted.
4. That “Regional Library Capital Financing Service Temporary Borrowing Bylaw No. 1635, 2011” be adopted.
5. That the Chair and Senior Manager, Corporate Administration be authorized to execute the Indebtedness Agreement with VIRL.



Report Writer



CAO Concurrence