



Agenda No: 6.1

Mtg. Date: Sept. 10, 2015

## Regional Board Report

**TO:** Regional Board

**FROM:** Brian Reardon  
Chief Administrative Officer

**DATE:** September 3, 2015

**SUBJECT:** Part 26 Cost Sharing Agreements – Rise & Report from In Camera

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### **Purpose:**

To Rise & Report from an In Camera meeting to announce the approval of new 5-Year Part 26 'Planning Services Agreements' with the City of Kelowna, City of West Kelowna, District of Peachland and the District of Lake Country.

### **Executive Summary:**

On July 16, 2015 the Regional Board authorized the CAO to enter negotiations with the City of Kelowna, City of West Kelowna, District of Peachland and District of Lake Country for a new Part 26 Cost Sharing Agreement (report attached). Negotiations have been completed, and the Regional Board and the four municipal Councils have approved a new five (5) year agreement.

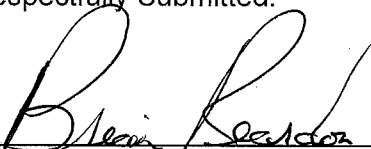
The deadline for a municipality to give notice to opt out of the Fringe Planning Areas for 2016 was August 31<sup>st</sup>. No municipality chose to opt out.

The Board authorized the Board Chair and CAO to execute the Agreements on behalf of the Regional District. The Agreements have been executed.

### **RECOMMENDATION:**

THAT the Board Rise & Report from In Camera regarding Part 26 Cost Sharing Agreements with City of Kelowna, City of West Kelowna, District of Peachland and District of Lake Country be announced in open meeting.

Respectfully Submitted:

  
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Brian Reardon

Encl. Regional Board Report – July 16, 2015



Agenda No: 6.3

Mtg. Date:  
July 16/15

## Regional Board Report

**TO:** Regional Board  
**FROM:** Brian Reardon  
Chief Administrative Officer  
**DATE:** July 6, 2015  
**SUBJECT:** Part 26 Cost Sharing Agreements – 2016

**Purpose:** To seek Board direction to negotiate a new Part 26 Cost Sharing Agreement with the Cities of Kelowna & West Kelowna and the Districts of Peachland and Lake Country.

### Executive Summary:

For the 2015 calendar year the cities of Kelowna & West Kelowna and the districts of Peachland and Lake Country opted to be full participants in Regional District Electoral Area Planning Services. RDCO Planning Services staff have recently been meeting with their municipal counterparts and discussing available options for continued participation in Electoral Area Planning Services including a new Part 26 Cost Sharing Agreement in 2016.

The RDCO member municipalities want to understand their options and the associated processes for full, partial and/or no participation in Electoral Area Planning Services in 2016 and beyond. Of particular interest is a new Part 26 Cost Sharing Agreement in 2016. The nature and complexity of these agreements will depend on the level of interest in geographic area, voting entitlement and cost apportionment.

Should the Board wish to pursue this matter further a motion authorizing the Chief Administrative Officer to enter negotiations with the cities of Kelowna & West Kelowna and the Districts of Peachland and Lake Country for a new Part 26 Cost Sharing Agreement would be in order. A report back to the Board would be forthcoming.

### RECOMMENDATION:

**THAT** the Board authorize the Chief Administrative Officer to enter negotiations with the cities of Kelowna & West Kelowna and the Districts of Peachland and Lake Country for a new Part 26 Cost Sharing Agreement in accordance with s.804.1 of the *Local Government Act*.

Respectfully Submitted:

Brian Reardon

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**Implications of Recommendation:**

Strategic Plan:	Who and how Land Use decisions are made in the Electoral Areas supports the Board's objectives reflected in the RDCO Regional Growth Strategy.
Legal/Statutory Authority:	Section 804.1 of the Local Government Act regulates Part 26 Cost Sharing Agreements

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**Background:**

In the second half of 2014 the Regional District rationalized the Fringe Area Planning function when the Regional Board approved entering into new Planning Services Agreements with the City of Kelowna and the Districts of Peachland, Lake Country and West Kelowna. These service agreements were temporary in nature to allow an opportunity for the Regional District and its member municipalities to negotiate a longer term agreement in accordance with s.804.1 of the *Local Government Act*. It should be noted that previously referred to Fringe Area Planning Agreements are legislatively referred to as Part 26 Cost Sharing Agreements.

In March 2015 these negotiations resulted in the municipalities deciding to opt into electoral area planning as full participants for 2015 as provided for in the *Local Government Act*. At that time it was noted the municipalities may be interested in revisiting the Part 26 Cost Sharing Agreement issue in the months ahead. Recently, the Planning departments from the Cities of Kelowna and West Kelowna along with the Districts of Peachland and Lake Country have been exploring options associated with a new Part 26 Cost Sharing Agreement with the Regional District of Central Okanagan.

These discussions have now reached a point that requires authorization from the Board to authorize the CAO to enter negotiations with the member municipalities for a new Part 26 Cost Sharing Agreement. The results of these negotiations will be brought back to the Regional Board for consideration.

It is noted that the statutory deadline for a municipality to provide Notice to a regional district that it intends to withdraw from electoral area planning is August 31<sup>st</sup> in a given year that would then go into effect on January 1<sup>st</sup> of the following year.

**Financial Considerations:**

Having the CAO undertake these negotiations will not impact the 2015 Financial Plan. The financial considerations associated with entering into new Part 26 Cost Sharing Agreements will be determined during the negotiations and will depend largely on the geographic area subject to the agreement, the number of parcels in that geographic area and the scope and strength of voting entitlement.

**Alternatives:**

The Board's options include continuing with the status quo or opting out completely from participating in electoral area planning.