

**WESTBANK FIRST NATION
STAFF REPORT TO COUNCIL**

DATE PREPARED: October 17, 2012
DATE OF COUNCIL MEETING: October 22, 2012
PREPARED BY: Dan Brown
DEPARTMENT: Engineering Planning and Public Works

**First Reading of Local Revenue Law 12-LRL-03
Authorizing The Expenditure of I.R.#10 Water Development Cost Charge Reserves for
the Purchase and Installation of a Genset For the IR#10 Pumphouse**

RECOMMENDATIONS:

We recommend that Council approve third reading to Local Revenue Law 12-LRL-03 providing for the expenditure of up to \$50,000.00 as a 50% contribution to the cost of the purchase and installation of a genset which will provide backup power to the I.R. #10 liftstation and the I.R. #10 water pumphouse.

ISSUE:

In case of a power outage, WFN would only have access to the water held in the I.R.#10 reservoirs. If the power outage lasted long enough to deplete the water reserves in the reservoirs and/or a significant fire happened during a power outage, WFN currently doesn't have backup power to operate the water pumphouse in order to refill the I.R.#10 reservoirs.

DRAFT RESOLUTION:

1. The Council of Westbank First nation hereby authorizes the expenditure of the Project Funds for the improvement of Butt Road.
2. Should any portion of the Project Funds remain unexpended after the expenditures hereby authorized have been made, any unexpended balance shall be returned to the credit of the I.R. #9 DCC 'Road' reserves.

BACKGROUND:

1. As part of the West Harbour project a new liftstation is being built next to the IR#10 pumphouse. The cost of the liftstation is the developers although the Developer is receiving some DCC credits over the life of the project.
2. This liftstation will ultimately serve all development between Westside Road and Okanagan Lake.
3. As part of the construction, WFN has required that backup power genset is installed in order to ensure that the liftstation can operate during a power outage.
4. Development Services staff have required that the genset be sized so that it will also handle the needs of providing backup power to the IR#10 pumphouse, which provides water to the reservoirs for the benefit of all IR#10 residents.
5. In the 2012-2013 WFN budgets, Development Services estimated at \$50,000.00 (i.e. 50%) contribution to the cost of the genset.

OPTIONS:

Approve the Third and Final Reading of the Local Revenue Law 12-LRL-03, or request WFN Staff to provide additional information.

Staff reports must be submitted to the Council Secretariat by the end of day on the Wednesday preceding the date of the Council meeting.

Approved by Manager: _____ **Date:** 10-17-12
Reviewed by Council Secretariat: _____ **Date:** _____
Approved by Director of Operations: _____ **Date:** _____

WESTBANK FIRST NATION
LOCAL REVENUE LAW 12-LRL-03

A Local Revenue Law providing for the expenditure of IR #10 Water Development Cost Charges Reserve Fund to fund the Purchase and Installation of a Genset for Pumphouse Project on the Tsinstikeptum Indian Reserve No.10.

WHEREAS: Westbank First Nation has enacted the *Westbank First Nation Subdivision Development and Servicing Law 2005-15* (the "WFN Subdivision, Development and Servicing Law");

AND WHEREAS: pursuant to the WFN Subdivision Development and Servicing Law, Westbank First Nation may levy Development Cost Charges against a parcel of land to be developed, which Development Cost Charges are intended to pay the cost of off-site infrastructure services that are required to accommodate growth;

AND WHEREAS: Westbank First Nation has decided to purchase and install the Genset Pumphouse Project on Tsinstikeptum Indian Reserve No.10 (the "Purchase and Installation of Genset on IR No.10 Pumphouse Project");

AND WHEREAS: Westbank First Nation has, by Westbank First Nation Local Revenue Law No. 12-LRL-03, provided that the cost of the IR No.10 Genset Pumphouse Project, to maximum of (\$50,000) fifty thousand dollars, will be funded from the IR No.10 Water Development Cost Charges Reserve Fund (the "IR No, 10 Genset Pumphouse Project Water Development Cost Charges Reserve Fund Expenditure");

AND WHEREAS: Through this Local Revenue Law 12-LRL-03, Westbank First Nation wishes to authorize the expenditure of Water Development Cost Charges Reserve Funds.

NOW THEREFORE the Council of Westbank First Nation hereby enacts the following Local Revenue Law:

1. Westbank First Nation Council hereby authorizes the expenditure of the Project Funds for the Tsinstikeptum Indian Reserve No.10 Purchase and Installation of Genset for IR No.10 Pumphouse Project.
2. This Local Revenue Law comes into full force and effect upon enactment in accordance with section 63.3(a) of the Westbank First Nation Constitution;

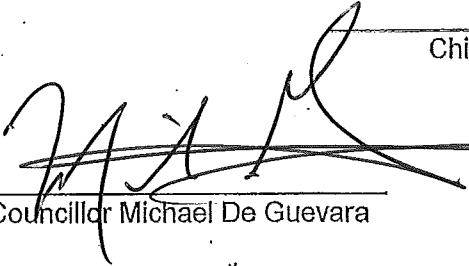
BE IT HEREBY RESOLVED AND AGREED that this Law, entitled "*Westbank First Nation Local Revenue Law 12-LRL-03*" is hereby;

Read a first time by the Council of Westbank First Nation at a duly convened meeting held on the 09th day of October, 2012.

Exempt from a second reading pursuant to section 60.9 of the Westbank First Nation Constitution.

Read a third time, and enacted as a Westbank Law, by Council of the Westbank First Nation at a duly convened meeting held on the 22nd day of October, 2012.

Chief Robert Louie



Councillor Michael De Guevara



Councillor Mickey Werstuik



Councillor Lorrie Hogaboam



Councillor Christopher Derickson



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WESTBANK FIRST NATION Council Meeting

Date: Monday, October 22, 2012
Time: 8:30 AM
Location: Board Room, Lindley Building
#310-515 Hwy. 97 South

AT THIS MEETING, THE FINAL DRAFT OF THE LOCAL REVENUE LAW 12-LRL-03 WILL BE READ AND CONSIDERED FOR ENACTMENT.

SUMMARY OF THE LOCAL REVENUE LAW 12-LRL-03

Under *Westbank First Nation Subdivision Development and Servicing Law 2005-15*, Westbank First Nation may levy Development Cost Charges (DCC's) against a parcel of land to be developed; which DCC's are intended to pay the cost of off-site infrastructure services that are required to accommodate growth;

Under *Local Revenue Law 12-LRL-03*, WFN will be empowered to expend IR#10 Development Cost Charges Projects Reserve Funds up to \$50,000.00 to fund the Purchase and Installation of a Genset for Pumphouse Project (the "IR#10 Genset Pumphouse Installation Project").

First reading of the draft *Law 12-LRL-03* was given by Council October 09, 2012, third and final reading will be given on October 22, 2012. A Local Revenue Law is exempted from second reading by section 60.9 of the *WFN Constitution*.

A COPY OF THE FINAL DRAFT LAW CAN BE OBTAINED IN THE DEPARTMENT OF TAXATION AT WFN ADMINISTRATION OFFICE AT 515 HWY 97 SOUTH, WESTBANK, BC.