



Westbank First Nation Staff Report to Council

* Please do not submit a staff report using Internet Explorer. Internet Explorer does not support some of the image features configured within the form. Copy and paste this url into a Chrome or Firefox internet window.

This report is going to be presented at a: *

General or Special Council Meeting

DATE PREPARED *

15-May-19

DATE OF MEETING *

21-May-19

PREPARED BY *

Ernest Jack

DEPARTMENT

Financial Services

POSITION

Surveyor of Taxes

email

ejack@wfn.ca

SUBJECT OR TITLE *

Third and Final Reading Capital Expenditure Local Revenue Law **19-LRL-01** IR#10 Abel Street Power Update

ISSUE * (?)

Third reading of Local Revenue Law No. **19-LRL-01** (the "Law").

Also include secondary issue (if applicable)

REPORT WRITER - CONSULTED WITH FINANCE DEPARTMENT

Required

Not Required

REPORT WRITER - CONSULTED WITH OTHER WFN DEPT

Required

Not Required

Select Applicable Department(s)

- | | |
|--|--|
| <input type="checkbox"/> Community Services | <input type="checkbox"/> Council Secretariat |
| <input type="checkbox"/> Development Services | <input checked="" type="checkbox"/> Financial Services |
| <input type="checkbox"/> Economic Development & Communications | <input type="checkbox"/> Human Resources & Administration |
| <input type="checkbox"/> Intergovernmental Affairs | <input type="checkbox"/> Information Technology |
| <input type="checkbox"/> Records & Information Management | <input type="checkbox"/> Council Committee Chief Black Bear |
| <input type="checkbox"/> Council Committee Chief Spring Salmon | <input type="checkbox"/> Council Committee Chief Saskatoon Berry |
| <input type="checkbox"/> Council Committee Chief Bitterroot | <input type="checkbox"/> *Not Listed Here |

RESOLUTION (if required)

RESOLUTION: BE IT HEREBY RESOLVED AND AGREED that this Law, entitled "Westbank First Nation Local Revenue Law 19-LRL-01" is hereby:

Read a first time by the Council of Westbank First Nation at a duly convened meeting held on May 06, 2019.

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

Read a third time, and enacted as Westbank Law, by Council of Westbank First Nation, at a duly convened meeting held on May 21, 2019.

BACKGROUND*

Through this Law, Westbank First Nation will provide for the cost of the IR #10 Abel Street Power Upgrade, to a maximum of one hundred thirty thousand dollars (\$130,000.00), which will be funded from IR #10 Water Transmission DCC funds. A resolution of support for first reading of this Law was passed on May 6, 2019 under Resolution No. 190506-05.

OPTION and RECOMMENDATION**OPTION 1***

Council resolve to complete third reading and enact this Law.

OPTION 2*

Council choose a different course of action.

OPTION 3 (if applicable)**RECOMMENDATION* (?)**

your recommendation should be one of the options above

- Option 1**
- Option 2**
- Option 3**
- Option 4**

ADDITIONAL RECOMMENDATION COMMENTS (if applicable)**Risk Assessment (If Applicable)**

Follow up Required ?	Level of Risk*	Description
Yes	Low Risk	

File Upload

Add supporting documentation here

Supporting Documents For Third Reading 19-L... 1.75MB

Send to Manager or Supervisor below for approval*

Pat Leitch

I have located and read any applicable policies or procedures that may be related or applicable to this report to council.*

- Yes**

**WESTBANK FIRST NATION
STAFF REPORT TO COUNCIL**

DATE PREPARED: May 13, 2019

DATE OF COUNCIL MEETING: May 21, 2019

PREPARED BY: Krista Derrickson, Manager of Utilities

DEPARTMENT: Development Services - Utilities


**Third and Final Reading of Capital Expenditure
Local Revenue Law No. 19-LRL-01
IR #10 Abel Street Power Upgrade**

ISSUE: Third reading of Local Revenue Law No. 19-LRL-01 (the "Law").

RECOMMENDATION: Option 1 - Council resolve to complete third reading and enact this Law.

NOTIFIED FINANCE DEPT	NOTIFIED OTHER WFN DEPTS.
<input checked="" type="checkbox"/> Required	<input type="checkbox"/> Required
<input type="checkbox"/> Not Required	<input checked="" type="checkbox"/> Not Required

RESOLUTION: BE IT HEREBY RESOLVED AND AGREED that this Law, entitled "Westbank First Nation Local Revenue Law 19-LRL-01" is hereby:

Read a first time by the Council of Westbank First Nation at a duly convened meeting held on ^{May 6} April 23, 2019. 

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

Read a third time, and enacted as Westbank Law, by Council of Westbank First Nation, at a duly convened meeting held on May 21, 2019.

BACKGROUND:

Through this Law, Westbank First Nation will provide for the cost of the IR #10 Abel Street Power Upgrade, to a maximum of one hundred thirty thousand dollars (\$130,000.00), which will be funded from IR #10 Water Transmission DCC funds. A resolution of support for first reading of this Law was passed on May 6, 2019 under Resolution No. 190506-05.

OPTIONS:

1. Council resolve to complete third reading and enact this Law.
2. Council choose a different course of action.

Staff reports must be submitted to the Council Secretariat by 12:00 p.m. on the Wednesday preceding the date of the Council meeting.	
Approved by Manager: 	Date: <u>May 13, 2019</u>
Reviewed by Council Secretariat: 	Date: <u>May 14, 2019</u>
Approved by Director of Operations: 	Date: <u>May 14, 2019</u>

**WESTBANK FIRST NATION
LOCAL REVENUE LAW 19-LRL-01**

A Local Revenue Law providing for the expenditure of Water Transmission DCC Funds to fund the IR#10 Abel Street Power & Backup Upgrade for a total expenditure of \$130,000.00.

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

AND WHEREAS: Pursuant to the WFN Subdivision, Development and Servicing Law, may levy Development Cost Charges ("DCC's") are intended to pay the cost of off site infrastructure services that are required to accommodate growth and development in accordance with the Community Plan;

AND WHEREAS: WFN Council has decided to fund the IR# 10 Abel Street Power & Backup Upgrade and wishes to expend an amount not exceeding \$130,000.00 acquired from Water Transmission DCC Fund for that purpose (the "Project Funds");

NOW THEREFORE

The Council of Westbank First Nation is hereby authorizing the expenditure of the Project Funds Project.

BE IT HEREBY RESOLVED AND AGREED that this Law, entitled "*Westbank First Nation Local Revenue Law 19-LRL-01*" is hereby:

Read a first time by the Council of Westbank First Nation at a duly convened meeting held on the 6th of May 2019.

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 ~~21st~~ 27th day of May 2019.




Chief Roxanne Lindley

Councillor Christopher Derickson



Councillor Thomas Konek

Councillor Brian Eli



Councillor Fernanda Alexander



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April 15, 2019

Krista,

RE: IR 10 Reservoir Work

Please accept this letter as a report for the proposed works on Abel Street for the Booster Station. This is to confirm that the proposed project area will not require an updated archaeology study. WFN archaeology office accepts the existing study and the recommendations within the study.

The possibility always remains that an archaeology site may be present on the Subject Property, and could be encountered during development activities. For this reason, WFN's archaeology office advises all work is stopped in the immediate area if unanticipated archaeological materials, features, ancestral remains, are encountered and the site manager should contact the WFN archaeology office within 24 hours.

liml̓amt, *nbonneau*

Nancy Bonneau MA
Title and Rights Sr. Researcher
Archaeology Supervisor

Westbank First Nation
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WESTBANK FIRST NATION

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Telephone: (250) 769-4999 – Fax: (250) 769-4377

WESTBANK FIRST NATION Council Meeting

Date: Tuesday, May 21, 2019
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 19-LRL-01 WILL BE READ AND CONSIDERED FOR ENACTMENT.

SUMMARY OF THE LOCAL REVENUE LAW 19-LRL-01

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 19-LRL-01*, WFN will be empowered to expend IR#10 Water Transmission DCC Fund up to \$130,000.00 to fund the Abel Street Power & Backup Power Upgrade Project (the “**IR#10 Abel Street Power & Backup Power Upgrade Project**”).

Council gave first reading of the draft Law 19-LRL-01 May 06, 2019; third and final reading will be given on May 21, 2019. 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.

Ernest Jack

From: Adam Nerger
Sent: Monday, June 10, 2019 11:36 AM
To: Ernest Jack
Subject: RE: 19-LRL-01

Sure thing!

RESOLUTION 190527-03	MOVED BY səxʷkʷinmaʔam ALEXANDER Seconded by səxʷkʷinmaʔam Konek THAT yi səxʷkʷinmaʔam hereby resolves and agrees that this Law, entitled "Westbank First Nation Local Revenue Law 19-LRL-01" is hereby: Read a first time by the Council of Westbank First Nation at a duly convened meeting held on May 6, 2019; and Exempt from second reading pursuant to section 60.9 of the Westbank First Nation Constitution; and Read a third time and enacted as Westbank Law, by Council of Westbank First Nation, at a duly convened meeting held on May 27, 2019. CARRIED
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Adam Nerger
səxʷkʷətqʷəqʷaym (Recording Clerk)

Westbank First Nation
301-515 Highway 97 South
Kelowna, BC V1Z 3J2

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From: Ernest Jack
Sent: Monday, June 10, 2019 11:30 AM
To: Adam Nerger <anerber@wfn.ca>
Subject: 19-LRL-01

Adam, C & C meeting (May 27, 2019) that approved 19-LRL-01 need motion please from Council. I have the signed Local Revenue Law originals.

Ernest Jack

From: Adam Nerger
Sent: Thursday, May 9, 2019 9:51 AM
To: Ernest Jack; Krista Derrickson
Cc: Pat Leitch; Joe Mocilac
Subject: First Reading 19-LRL-01 Abel Street Power & Backup Power

Hi Ernest and Krista,

Please find below the draft resolution resulting from Monday's Council meeting.

RESOLUTION 190506-05	MOVED BY səx^wk^winmaʔam ALEXANDER Seconded by səx^wk^winmaʔam Eli THAT yi səx ^w k ^w inmaʔməm resolves hereby to provide First Reading of Local Revenue Law No. 19-LRL-01, concerning I.R. 10 Abel Street Power & Backup Power Upgrade, for a total expenditure of \$130,000.00 to be funded from the I.R. No. 10 Water Transmission DCC Fund. CARRIED
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Adam Nerger

səx^wk^wətq^wəq^waym (Recording Clerk)

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Ernest Jack

From: Adam Nerger
Sent: Tuesday, May 14, 2019 3:11 PM
To: Ernest Jack
Cc: Krista Derrickson
Subject: 19-LRL-01

Hi Ernest,

Here is the draft motion resulting from this morning's Advisory Council meeting.

MOTION	MOVED BY G. COUCH Seconded by R. Ould THAT the Advisory Council supports and recommends Capital Expenditure Local Revenue Law 19-LRL-01. CARRIED
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limləmt

Adam Nerger
səx^wk'ətq'əq'aym (Recording Clerk)

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