

ELECTORAL DIRECTORS PERSPECTIVE ON LEGISLATIVE REFORM

UBCM ELECTORAL AREA DIRECTOR FORUM

FEBRUARY 7, 2025



TODAY'S GOALS

- 1) Determine level of interest in Legislative Reform
- 2) Understand EAD perspectives and priorities
- 3) How priorities may fit into Legislative Reform

REGIONAL DISTRICTS

- Initiated in 1965 and unique to BC
 - Provide local government services to unincorporated areas
 - Allow for service provisions across local government jurisdictions
 - Intended to be federations with representation from unincorporated areas and municipalities
 - Administrative bodies
- Each is unique
 - board composition
 - services delivered
 - revenue generation

LEGISLATION PATHWAY OF RDS

- *Municipal Act*
 - Legislation for municipalities when regionals districts were introduced in the late 1960's
- *Local Government Act*
 - Replaced the *Municipal Act* in 1998
- *Community Charter*
 - Introduced in 2003 with a primary focus on municipal local government
 - *Community Charter Part 2 ??*

LGA – WHAT CHANGED FOR REGIONAL DISTRICTS

- broad corporate powers
- broad service powers
- more tools for designing service partnership arrangements
- new service dispute resolution tools
- more financial planning ability
- improved planning tools
- more flexible governance provisions
- more accountability and consultation
- less provincial oversight

LGA – REGIONAL DISTRICT PURPOSE

185 Recognizing that regional districts are an independent, responsible and accountable order of government within their jurisdiction, the purposes of a regional district include

- (a) providing good government for its community,*
- (b) providing the services and other things that the board considers are necessary or desirable for all or part of its community,*
- (c) providing for stewardship of the public assets of its community, and*
- (d) fostering the current and future economic, social and environmental well-being of its community*

INCREMENTAL LEGISLATIVE CHANGES

- OCP / Zoning
 - Increase room for exceptions requiring ministerial approval
- Development Variance Permitting
- Borrowing from reserves
- Broadband infrastructure support
- Service area alignment

INCREMENTAL LEGISLATIVE CHANGES

- Appointment of alternate EADs
- Interference with Officers
- Opinion Referendum
 - Enable non-binding opinion questions

RDN RATIONALE FOR LEGISLATIVE REFORM

- Address imbalance of power of municipalities and regional districts
- Advance the potential for First Nations participation in regional governance
- Reflect social, political and economic changes

CONSULTATION EFFORTS

2021

- RDN proposes initiative at spring Chair/CAO Forum
- half-day online session with Chairs and CAOs

2022

- workshop at AVICC convention
- UBCM Resolution

2023

- continued discussion at spring Chair/CAO forum
- second session at AVICC
- panel session at 2023 UBCM convention

THEMES IDENTIFIED FROM PREVIOUS SESSIONS

- Indigenous governments must be invited to participate and there should be broad consultation with a variety of stakeholders
- Accountabilities of RDs continuing to increase and RDs lack tools and authority to meet expanded responsibilities
- RDs need more flexibility with revenue sources
- Capacity and resourcing will be major challenges for moving this forward
- “Be careful what you wish for”

2022 UBCM RESOLUTION EB80

That UBCM be urged to work with the Ministry of Municipal Affairs and regional districts to further a legislative reform initiative for the purpose of comprehensively reviewing and modernizing the *Local Government Act*.

PROVINCE'S RESPONSE

- Interest in understanding current challenges
- Current framework mostly works well
- Has in the past worked with RDs to address legislative issues and has assisted with new tools or authorities
- Needs to be based on a clear analysis of the issues or problems that it is meant to address to be effective.
- Consensus among regional districts required

SWOT THOUGHTS – REGIONAL DISTRICT STRUCTURE

- Strength / Weaknesses - internal factors
 - what works well, what are the advantages of your regional district
 - what is not working, where are the struggles, what could you do better
- Opportunities / Threats - external factors
 - initiatives or conditions that support regional districts
 - factors or trends that work against regional districts

STRENGTHS

- Provides a forum for regional issues
- Can provide cost efficient solutions for broader services
- Ability to customize solutions
- Publicly accountable

WEAKNESSES

- Parochial issues can arise around power & control
- Difficult at times to balance regional vs local representation
- Structure confusing
- Dominance of Board by rural or urban directors

OPPORTUNITIES

- Strong Relationships with our member municipalities
- Strong Relationships with First Nation
- Sound Fiscal Structure
- Board of Directors having a common path

THREATS

- Increasing demand for urban services in fringe rural areas
- Balancing the needs and expectations of communities receiving region wide services
- Decreasing rural population and decreasing industrial presence in electoral areas
- Fiscal sustainability – limitations on raising funds
- Continued downloading / soft-loading
- Respect

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DISCUSSION – REPORTING OUT



BACKGROUND AND QUESTIONS FROM MINISTRY OF MUNICIPAL AFFAIRS (RDN SLIDES)

- Legislative reform is a resource-intensive process
- Need to demonstrate a clear gap in tools and authorities
- Must show a real need and a clear path
- Must be evidence-based and targeted
- Consider options other than legislative reform
- Provincial priority on affordability and housing supply presents urban/regional opportunities to participate in solutions

BACKGROUND AND QUESTIONS FROM MINISTRY OF MUNICIPAL AFFAIRS (RDN SLIDES)

- Province has several other initiatives that impact regional district authorities (e.g., inclusive governance study, financial review working group, consideration of business licensing)
- Demonstrate how local government challenges align with provincial priorities
- Local government needs an effective process to organize this project and to enable broad, inclusive and meaningful consultation

BACKGROUND AND QUESTIONS FROM MINISTRY OF MUNICIPAL AFFAIRS (RDN SLIDES)

- What are the clearly defined problem statements/lack of authority for RDs not already accommodated for?
- Given the inherent flexibility in the RD system, are there other tools or approaches that may address challenges that could support RDs in the absence of legislative changes?
- Have inclusive, broad, meaningful conversations about RD outcomes and authorities occurred across all RDs? How will RDs organize themselves to ensure that all voices will be heard?

BC GOVERNMENT MANDATE

- Grow the economy by creating good jobs across British Columbia.
- Reduce costs for families
- Strengthen health care
- Make our neighbourhoods and communities safer
- Taking action on Climate Change
- Advancing partnership with Indigenous Peoples

PRIORITIES: MINISTER OF STATE FOR LOCAL GOVERNMENTS AND RURAL COMMUNITIES

- Serve as the key point of contact for local governments bringing concerns, suggestions, or feedback to government. Work with Ministerial colleagues to address issues proactively and ensure that local government advice informs government initiatives.
- In particular, work with rural and remote communities, regional districts, municipalities, and First Nations to identify the unique needs and opportunities these smaller communities need to grow and thrive

PRIORITIES: MINISTER OF HOUSING AND MUNICIPAL AFFAIRS

- Support local governments, ... and others affected by encampments with dignified, prompt, and effective interventions to move people living in encampments inside before encampments can become entrenched.
- Work with local governments to achieve housing targets and address concerns related to infrastructure.

DISCUSSION

- What is working well?
- What needs to be addressed?
- Are these common issues among regional districts?
- How do these issues fit in with legislation?
- How do these topics fit in with the Provincial mandate?

DISCUSSION – REPORTING OUT



THEMES IDENTIFIED FROM PREVIOUS SESSIONS

(FROM RDN PRESENTATION MATERIALS)

- Legislative Powers
 - Clarify respective powers of Mayor and Council
 - Amending legislation that provides the ALC with powers to supersede the OCP and RGS
 - Give local governments time to make those changes within the land use plan in the OCP and RGS
- Weighted Voting Structure
 - EA Directors outvoted by municipalities (Planning and Land Use Management)
 - Unfair voting practices on RD assets/service establishment bylaws and their taxation with limited and ineffective representation

THEMES IDENTIFIED FROM PREVIOUS SESSIONS

(FROM RDN PRESENTATION MATERIALS)

- Subdivision Approval
 - Maximum build-out to water availability to ensure sustainability. Water consumption needs to be met by raw water source without affecting other current infrastructure, forced to create potable water service
- Inclusive Governance
- Revenue Alternatives
 - Sales tax revenue alternatives, competing for grant funding
 - Ability to have additional revenue streams
 - Additional tools to meet residents' quality-of-life expectations

THEMES IDENTIFIED FROM PREVIOUS SESSIONS

(FROM RDN PRESENTATION MATERIALS)

- Long-term Borrowing
 - For regulated infrastructure (water treatment) and essential services (sewer where there are health and/or environmental issues). Not requiring AAPs/Referendums.
- AAPs/referendums
- Service Establishment – reduce complexity
- Business Licensing – enable RDs to have licensing
- Bylaw Enforcement – declared nuisances

THEMES IDENTIFIED FROM PREVIOUS SESSIONS

(FROM RDN PRESENTATION MATERIALS)

Particular challenges with the *Local Government Act*

- responding effectively to emergencies and natural disasters
- taking measures to mitigate the effects of climate change
- dealing with old infrastructure and the ability to fund these projects solely through property taxes
- population growth and migration from cities during the pandemic is rapidly changing the character of rural areas; incoming residents have higher expectations for services



THEMES IDENTIFIED FROM PREVIOUS SESSIONS

(FROM RDN PRESENTATION MATERIALS)

Particular challenges with the *Local Government Act*

- incorporation should not be the only other governance option for rural areas; there should be an intermediate step available
- Electoral Areas lack power and resources
- small municipalities and regional districts are unable to fund necessary projects costing millions, such as recycling, dikes, etc., to continue to provide the quality of life that residents cherish in these communities.

