

2021 Alternative Approval Process

PUBLIC SAFETY BUILDING



**Alternative Approval Process for the
Public Safety Building Improvements Loan Authorization Bylaw, No. 3021, 2021**



View of the retail shops from Esquimalt Road

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Project information

OVERVIEW

The Township of Esquimalt is conducting an Alternative Approval Process (AAP) from April 9th, 2021 to May 10th, 2021 to gain the approval of the electors to borrow up to a maximum of \$35 million for a maximum 30-year term for the construction of a new Public Safety Building for the Township. The building is intended to house police, fire, and municipal services for the Township for 50 years and beyond.

The total estimated cost of the project is \$42 million. \$7.1 million will be funded from the McLoughlin Amenity Funds from the Waste Water Treatment project. A major benefit of doing this project now is to take advantage of this funding.

THE PUBLIC SAFETY BUILDING (PSB) PROJECT

The existing PSB is nearing the end of its serviceable lifespan. The Township acquired the property north of the current PSB to allow for a new building to be built on the site of the current PSB and yet still allow for expansion of the building footprint, while keeping Police and Fire response centrally located within the Township.

The design of the building will look to the future, allowing for expansion for Police, Fire, and some Township services, as well as providing valuable commercial space on Esquimalt Road, CRD offices, a dedicated Emergency Operations Centre as well as other space that will allow for some Public Access.

THE ALTERNATIVE APPROVAL PROCESS (AAP)

The AAP asks the electors of Esquimalt whether the Township can proceed with long-term borrowing to fund the new PSB. Elector approval is required as the Township's annual servicing cost for the projected debt required to complete the PSB would exceed the assent free limit under the legislation. The AAP will succeed if fewer than 10% of electors submit an elector response form indicating their disapproval of the proposed long-term borrowing. The AAP is taking place April 9th to May 10th, 2021.

HOW TO PARTICIPATE

If you approve of the Township of Esquimalt using long-term borrowing to fund the Public Safety Building Project, no action is needed.

If you are opposed to the proposed long-term borrowing for the PSB, you may submit an **Elector Response Form**. (See "Elector Response Forms" on page 7 for information on how to submit an Elector Response Form).

Financial information

If the AAP for Public Safety Building Improvements Loan Authorization Bylaw No. 3021 receives the approval of the electors, then the Township of Esquimalt will fund approximately 83% of the Public Safety Building Improvements Project through debt borrowing.

The total project cost is estimated at \$42,000,000, and the McLoughlin Point Amenity Reserve Funds the Township has received from the Capital Regional District relieves the amount to be borrowed by approximately \$7,100,000. The Township proposes to repay up to \$35,000,000 of long-term debt over 30 years using annual transfers from its existing statutory reserve funds.

The amount of interest to be paid is only an estimate at this time. Through the Municipal Finance Authority, the Township can lock in for a period of 5 or 10 years at a time, at the interest rate in effect at the time the borrowing is secured. The Township is planning to lock in for a 10 year term and the current estimated interest rate is 1.81% for this term. Each time a term expires, the Township would have to lock in for another 5 or 10 year term at the rates effective at that time. The following table outlines estimated annual and total costs at varying average interest rates over the 30 year term, including the projected 30-year rate of 2.66% as provided by MFA.

Debt Repayment (Principal and Interest)	30 Years @ 2.00%	30 Years @ 2.66%	30 Years @ 3.00%
Annual payment based on debt borrowing for 83% of total cost	\$1,597,000	\$1,828,000	\$1,947,000
Total amount repaid over 30-year term	\$47,911,000	\$54,841,000	\$58,411,000

While the current use of reserve funds to repay the annual principal and interest amounts will not have a direct financial impact on taxpayers, it could significantly reduce the number and magnitude of capital projects in the future. Partial or full replenishment of the capital reserves to account for these payments would require an increase to tax revenue requirements each year.

The Township currently has a series of outstanding short and long-term debt issuances. The amounts, totaling \$15,050,000 will be fully repaid over the next 6 years. With this additional borrowing, the Township would be at approximately 35% of its borrowing capacity. This would leave sufficient room for other important projects in the future however the Township does not envision ever using anywhere near its full borrowing capacity.

Bylaw NO. 3021

CORPORATION OF THE TOWNSHIP OF ESQUIMALT

BYLAW NO. 3021

A bylaw to authorize the borrowing of the estimated cost of the
Public Safety Building Improvements Project

WHEREAS it is deemed desirable and expedient to construct new Public Safety Building Improvements servicing the Township of Esquimalt;

AND WHEREAS the estimated cost of constructing the Public Safety Building Improvements including expenditures incidental thereto is the sum of \$42,000,000 of which up to \$35,000,000 is the amount of debt to be borrowed by the Bylaw;

NOW THEREFORE, the Council of the Corporation of the Township of Esquimalt, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as the “Public Safety Building Improvements Loan Authorization Bylaw, 2021, NO. 3021.”
2. The Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the construction of Public Safety Building Improvements generally in accordance with general plans on file at the municipal office and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
 - (a) To borrow upon the credit of the Municipality a sum not exceeding \$35,000,000.
 - (b) To acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction of said Public Safety Building Improvements.
3. The maximum term for which debentures may be issued for the debt created by this bylaw will be 30 years.

Read a first time by the Municipal Council this 1st day of March, 2021.

Read a second time by the Municipal Council this 1st day of March, 2021.

Read a third time by the Municipal Council this 1st day of March, 2021.

Received the **STATUTORY APPROVAL** by the Inspector of Municipalities this 15th day of March 2021.

Received the **APPROVAL OF THE ELECTORS** of the Corporation of the Township of Esquimalt this ____ day of _____, 2021.

Adopted by the Municipal Council this ____ day of _____, 2021.

Received the **CERTIFICATE OF APPROVAL** from the Inspector of Municipalities this ____ day of _____, 2021.

BARBARA DESARDINS
MAYOR

RACHEL DUMAS
CORPORATE OFFICER

Elector Response Form

The Township of Esquimalt is proposing to adopt **Public Safety Building Improvements Loan Authorization Bylaw, 2021, No. 3021**, which would allow the Township, to borrow upon the credit of the Township, a sum not exceeding Thirty-five Million Dollars (\$35,000,000) to be repaid over thirty (30) years to finance the costs of Public Safety Building Improvements to serve the Township.

If you are *opposed* to the adoption of this bylaw, you may indicate your opposition by signing and returning this Elector Response Form to the Corporate Officer located at Municipal Hall, 1229 Esquimalt Road, Esquimalt, BC, V9A 3P1, or via email at corporate.services@esquimalt.ca **by 4:30 PM on Monday May 10th, 2021**. A drop box is located outside of Municipal Hall for out-of- hour's convenience and will be monitored during office hours.

If at least ten per cent (10%) of the eligible electors within the area defined in the Alternative Approval Process (AAP) submit responses, the Township may not proceed with the matter unless elector approval is obtained by assent voting. Approval of the electors by AAP is obtained if less than 1380 elector responses are received by the stated deadline. Only those persons who live or own property within the Township and meet the following qualifications are eligible to submit an **Elector Response Form**.

I hereby certify that:

- I am a Canadian citizen;
- I am an individual who is age 18 or older;
- I have been a resident of British Columbia for at least the past six months;
- I have been a resident of the Township of Esquimalt for the past 30 days or I am entitled to register as a non-resident property elector;
- I am not disqualified by the Local Government Act, or any other enactment, from voting in an election or am not otherwise disqualified by law.

I understand and acknowledge that I may not sign an Elector Response Form more than once in relation to this alternative approval process.

NAME OF ELECTOR: _____
(please print full name)

ELECTOR STREET ADDRESS: _____
(residential address within the Township)

OR (NON-RESIDENT PROPERTY ELECTORS ONLY)

Address of property in relation to which _____ *(property address within the Township)*
I am entitled to register
as a non-resident property elector. _____
(contact telephone number including area code)

SIGNATURE OF ELECTOR: _____

DATE: _____

Notice of Alternate Approval Process



CORPORATION OF THE TOWNSHIP OF ESQUIMALT

NOTICE OF ALTERNATE APPROVAL PROCESS

Public Safety Building Improvements Loan Authorization Bylaw, 2021, No. 3021

In accordance with Sections 84 and 86(2) of the Community Charter, the Council of the Township of Esquimalt hereby gives notice of its intention to adopt “Public Safety Building Improvements Loan Authorization Bylaw, 2021, No. 3021” to facilitate borrowing of up to \$35,000,000 (thirty-five million dollars) to be repaid over a period not to exceed 30 (thirty) years in order to finance the costs of Public Safety Building Improvements to serve the Township (the “Service Area”). The Service Area affects the Township in its entirety and is shown outlined in the attached map of the electoral area.

The Council of the Township of Esquimalt further advises that it may proceed with the adoption of Bylaw No. 3021 unless, by the deadline, Elector Response Forms are certified by the Corporate Officer as having been signed by at least 10% of the electors of the Service Area indicating that the Council must obtain the assent of the electors (referendum) before proceeding. Elector Response Forms must be given in the form established by the Corporate Officer as authorized by the Council of the Corporation of the Township of Esquimalt and will be provided to electors of the Service Area upon request. A copy of Bylaw No. 3021 is available for public inspection, and Elector Response Forms and further information can be obtained on the Township website at www.esquimalt.ca and at Municipal Hall, 1229 Esquimalt Road, Esquimalt, BC, V9A 3P1, Phone 250-414-7100 during regular office hours: Monday to Friday from 8:30 a.m.-4:30 p.m., excluding statutory holidays. Public access hours to Municipal Hall may be reduced due to any Ministerial Orders in place related to COVID-19 therefore an appointment may be required.

Deadline

The AAP will commence on **Friday April 9th, 2021**, and **Signed Elector Response Forms** must be received by the **Corporate Officer** at the Township of Esquimalt located at 1229 Esquimalt Road, Victoria, BC, V9A 3P1, by **4:30 PM on Monday May 10th, 2021** to be counted.

For the purpose of conducting this elector response opportunity, the number of eligible electors is determined to be 13802. If less than 10% (1380) of the electors of the Service Area sign and submit an Elector Response Form to the Township of Esquimalt by the deadline, the Corporation of the Township of Esquimalt Council may proceed to adopt Bylaw No. 3021. If 1380 or more electors return signed Elector Response Forms by the deadline, the Bylaw cannot be adopted by the Corporation of the Township of Esquimalt Council without obtaining the assent of the electors (referendum).

The only persons entitled to sign the Elector Response Forms are the electors in the Service Area within the Township of Esquimalt (outlined in the attached map), which is the area to which the approval process applies. Eligible electors are persons meeting all of the following Resident or Non-Resident Property Elector qualifications:

A Resident Elector:

1. You are 18 years of age or older;
2. You are a Canadian citizen;
3. You have been a resident of British Columbia for at least six months immediately before signing the Elector Response Form;
4. You have been a resident of the Township of Esquimalt for at least 30 days immediately before signing the Elector Response Form; and,
5. You are not disqualified from voting by any statute or law.

A Non-Resident Property Elector:

1. You are 18 years of age or older;
2. You are a Canadian citizen;
3. You are a resident of BC for at least six months immediately before signing the Elector Response Form;
4. You are a registered owner of real property in the Township of Esquimalt for at least 30 days immediately before signing the Elector Response Form;
5. You are not eligible to vote as a resident elector in the Township of Esquimalt;
6. You must only register in relation to one piece of property; and

If more than one person owns the property, only one owner may register and that person must have the written consent of a majority of the other owners.

No corporation is entitled to be registered as an elector or have a representative registered as an elector, and no corporation is entitled to vote.

Information related to the bylaw and alternate approval process will be available for public review online at www.esquimalt.ca.

Please note that consideration of the bylaw and alternative approval process will be done by meetings of Council held in accordance with current Public Health Orders and may exclude the physical “in-person” attendance of the public. Information on alternative means of participation can be located on our website or by contacting the Township at the contact information provided below.

For further information, please contact the Corporate Officer at 250-414-7100 during regular office hours: Monday to Friday from 8:30 a.m. to 4:30 p.m., excluding statutory holidays, or by email at corporate.services@esquimalt.ca.

Rachel Dumas
Corporate Officer

Calculation of eligible electors

The estimated number of eligible electors within the area defined for the AAP is based on information from various sources as indicated below, is calculated as follows:

1. Estimated population of the area defined for the AAP: **19,226**

(a number retrieved from Statistics Canada Census Profile, 2016 Census on February 19, 2021, and based on an 8.9% population change from the 2011 Census)

2. Estimated number of resident electors: **13,325**

(a number obtained from Elections BC on February 19, 2021)

3. Estimated number of non-resident property electors: **477**

(a number calculated from the Township of Esquimalt's property tax records on February 19, 2021)

4. **Fair determination of the number of eligible electors** in the area defined for the **13,802**

5. Ten per cent (10%) of eligible electors: **1,380**

The bylaw will have the approval of the electors if the number of elector responses received by the deadline is less than ten per cent (10%) of eligible electors. The Township must receive a minimum of **1,380** Elector Response Forms for Public Safety Building Improvements Loan Authorization Bylaw, 2021, No. 3021, not to proceed. Therefore, elector approval is deemed to have been obtained if less than **1,380** valid Elector Response Forms **IN OPPOSITION** to Bylaw No. 3021 are received by the Corporate Officer by the deadline.

Rachel Dumas
Corporate Officer