



Agenda No: 6.1  
Mtg. Date: Nov 8/12

# Regional Board Report

**TO:** Regional Board  
**DATE:** October 30, 2012  
**SUBJECT:** Repeal - RDCO Handi-Dart Transit Local Service Area Establishment Bylaw No. 419

Prepared by: Mary Jane Drouin, Corporate Services Coordinator

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## RECOMMENDATION #1:

WHEREAS Westbank First Nation by way of their letter of July 30, 2012 confirmed that they wish to establish their own Operating Agreements with BC Transit effective April 1, 2012;

THEREFORE, the Regional Board agrees to the request of Westbank First Nation and directs staff to forward a bylaw to repeal the RDCO Handi-Dart Transit Local Service Area Establishment Bylaw No. 419.

## RECOMMENDATION #2

THAT RDCO Handi-Dart Transit Local Service Area Establishment Amendment Bylaw No. 1313 be given first, second and third readings this 8<sup>th</sup> day of November 2012

### Purpose:

To repeal RDCO Handi-Dart Transit Local Service Area Establishment Bylaw No. 419 (as amended).

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### Implications of Recommendation:

- General:** The Regional District of Central Okanagan will no longer be responsible for the Annual Operating Agreement for Handi-Dart within the boundary of Westbank First Nation lands. Westbank First Nation will assume their Handi-Dart agreement with BC Transit.
- Financial:** BC Transit is in the process of calculating the revised costs per partner and will assist in the transition. Director of Finance and Administrative Services, M. Rilkoﬀ, will continue to work with BC Transit and Westbank First Nation in the transition of the service.
- Statutory Authority:** Per *Local Government Act* Part 24, Section 802, Amendment or Repeal of Establishing Bylaws.
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**Background:**

Westbank First Nation (WFN) in its letter of July 30, 2012 expressed their desire to establish an Annual Operating Agreement (AOA) for Handi-Dart services directly with BC Transit.

BC Transit in its letter of September 13, 2012 supports the request to establish an Annual Operating Agreement (AOA) directly with Westbank First Nation. Under RDCO Handi-Dart Transit Local Service Establishment Bylaw No. 419, WFN service is considered to be within the boundary of the Central Okanagan West Electoral Area therefore the electoral area director is required to consent to the bylaw amendment.

BC Transit is in the process of calculating the revised costs and will assist in the transition. BC Transit's Annual Operating Agreements begin April 1<sup>st</sup> of each year--the current contract is in place until that time.

Of note, as there are no remaining partners in the Handi-Dart Transit service when this establishment bylaw is to be repealed.

**Alternatives:**

None recommended by staff.

**Conclusion:**

That the Regional Board approve moving forward to repeal RDCO Handi-Dart Transit Local Service Area Establishment Bylaw No. 419.

This is for your consideration.

Submitted by:



M. Drouin  
Corporate Services Coordinator

Attachments:

- RDCO Handi-Dart Transit Local Service Area Establishment Amendment Bylaw
- Letters from Westbank First Nation and BC Transit

**Considerations not applicable to this report:**

Policy  
Strategic Plan

Approved for Board's Consideration



Paul Macklem, CAO

**REGIONAL DISTRICT OF CENTRAL OKANAGAN**

**BYLAW NO. 1313**

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Being a bylaw to repeal the Regional District of Central Okanagan Handi-Dart Transit Local Service Area Establishment Bylaw No. 419, 1990.

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WHEREAS the Regional District of Central Okanagan has adopted the "Regional District of Central Okanagan Handi-Dart Transit Local Service Area Establishment Bylaw No. 419, 1990 and Regional District of Central Okanagan Handi-Dart Transit Local Service Area Establishment Amendment Bylaw No. 965, 2002 and 1263, 2009";

AND WHEREAS the Westbank First Nation (as part of Central Okanagan West Electoral Area) has expressed a desire to assume responsibility for Handi-Dart Transit Services within their boundaries and the Regional Board has agreed to this;

AND WHEREAS Director of Central Okanagan West Electoral Area has consented in writing to the adoption of this Bylaw;

NOW THEREFORE the Regional District of Central Okanagan, in open meeting assembled, enacts as follows:

1. That Regional District of Central Okanagan Handi-Dart Transit Local Service Area Establishment Bylaw No. 419, 1990 be repealed;
2. This Bylaw may be cited as Regional District of Central Okanagan Handi-Dart Transit Local Service Area Establishment Amendment Bylaw No. 1313, 2012.

READ A FIRST TIME THIS            8<sup>th</sup>            DAY OF November, 2012.

READ A SECOND TIME THIS        8<sup>th</sup>            DAY OF November, 2012.

READ A THIRD TIME THIS         8<sup>th</sup>            DAY OF November, 2012.

Approved by the Inspector of Municipalities this            day of            2012.

RECONSIDERED AND ADOPTED THIS            DAY OF            2012.

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CHAIRPERSON

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DIRECTOR OF CORPORATE SERVICES



**REGIONAL DISTRICT OF CENTRAL OKANAGAN**

**CONSENT**

I, the undersigned Director of Central Okanagan West Electoral of the Regional District of Central Okanagan, hereby consent to the "Regional District of Central Handi-Dart Transit Local Service Area Establishment Amendment Bylaw No. 1313, 2012".

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Jim Edgson  
Central Okanagan West Electoral Area

Dated at Kelowna, B.C.  
this 8<sup>th</sup> day of November 2012

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Paul Macklem  
Chief Administrative Officer



Community. Leadership. Pride.

July 30, 2012

Regional District of Central Okanagan  
1450 KLO Road  
Kelowna, BC  
V1W 3Z4  
Attn: Marilyn Rilkooff  
Attn: CORD Board of Directors  
Cc: WFN Chief and Council

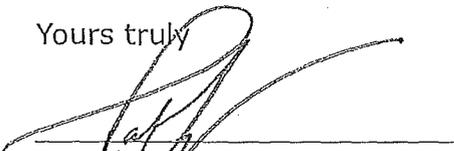
**RE: Withdrawal of WFN from Local Services Agreement Schedules D and E,  
(Handi-Dart Transit and Westside Transit)**

This will confirm to the Regional District of Central Okanagan that effective April 1, 2012, Westbank First Nation has contracted directly with BC Transit for the provision of transit services previously provided through the Local Services Agreement with the Regional District under Schedules D and E.

Effective April 1, 2012, Westbank First Nation will remit payment for this service directly to BC Transit. WFN hereby request that the Regional District adjust their budget allocation under the service agreement to accommodate this change; specifically charge WFN for January, February and March transit service in the allocation, and remove transit charges from April 1 onward.

Thank you for your attention to this matter. Please contact me if you have any further questions or concerns.

Yours truly

  
Patrick Fosbery,  
Director of Operations,  
Westbank First Nation

ADMINISTRATION  
301-515 HIGHWAY 97 SOUTH,  
KELOWNA, BC  
V1Z 3J2

Marilyn Rilkoﬀ  
Director of Finance & Administration  
Regional District of Central Okanagan  
1450 KLO Road  
Kelowna BC  
V1W 3Z4

September 13, 2012

Dear Ms. Rilkoﬀ,

The Westbank First Nation (WFN) approached BC Transit with a request for more direct involvement in transit in October 2011. BC Transit is in support of the request and would like to establish a Westbank First Nation MOA/AOA as part of the Kelowna Regional Transit System effective April 1, 2012.

The assignment of local government responsibilities and allocation of costs, currently assigned to the Regional District of Central Okanagan, need to be resolved as well there may be internal documents which will need to be amended for both the WFN and the Regional District. BC Transit will assist in the transition of local responsibilities if requested.

The establishment of this new AOA does not preclude continued discussions with Okanagan municipalities and the Regional District on new service delivery models for transit. Should you have any questions please do not hesitate to contact me.



Steve Harvard  
Senior Regional Transit Manager, Southern Interior