



SPECIAL COUNCIL MEETING AGENDA

Monday, July 29, 2024
3:00 P.M.
CKF Boardroom, Langley City Hall
20399 Douglas Crescent

1. ADOPTION OF AGENDA **RECOMMENDATION:**

THAT the July 29, 2024 agenda be adopted as circulated.

2. ADMINISTRATIVE REPORTS

2.a Allocation of Operating Budget Surpluses Policy **RECOMMENDATION:**

THAT the Allocation of Operating Budget Surpluses Policy CO-83 be adopted by City Council.

2.b Rescind Previously Adopted Resolution - School District No. 35 - 2024 Eligible School Sites Proposal Report

RECOMMENDATION:

1. THAT the following resolution regarding "School District No. 35 – 2024 Eligible School Sites Proposal" adopted at the Regular Council Meeting on July 8, 2024 be rescinded.

"THAT Council object to one or more of the proposed school sites in School District No. 35's 2024 Eligible School Sites proposal; and

THAT City staff be directed to work with the school board to identify a school site for potential funding in the northwest quadrant of Langley City." and;

2. THAT Council accept the School District No. 35 Eligible School Sites Proposal adopted by Langley Board of Education at its meeting on June 18, 2024.

2.c Crime Severity Index Data Reporting Reform - Media Release Councillor Mack

RECOMMENDATION:

THAT Council approve the public release of the Crime Statistics Index Reform Media

Release.

3. NEW AND UNFINISHED BUSINESS

3.a Motions / Notices of Motion

3.b New Business

4. ADJOURNMENT

RECOMMENDATION:

THAT the meeting adjourn.



REPORT TO COUNCIL

To: **Mayor and Councillors**

Subject: Allocation of Operating Budget Surpluses Policy

File #: 1700.00

Doc #:

From: Darrin Leite, CPA, CA
Director of Corporate Services

Date: July 12, 2024

RECOMMENDATION:

THAT the Allocation of Operating Budget Surpluses Policy CO-83 be adopted by City Council.

PURPOSE:

The purpose of the report is to adopt a policy on the use of operating surpluses.

POLICY:

CO-83 Allocation of Operating Budget Surpluses

COMMENTS/ANALYSIS:

City Council requested a policy be drafted to guide the use of operating surpluses.

Municipal governments are required by Provincial legislation to have balanced operating budgets and cannot budget for an operating deficit. This requires the City to be conservative on estimating revenues for things like developer paid fees or interest income earnings as the City doesn't control when development occurs or how national interest rates change. Likewise, a large portion of the City's expenses are driven by staffing costs. Situations occur where employees retire or otherwise leave their employment with the City and this creates a vacancy. It takes time to rehire employees so during this vacancy, staffing expenses are lower resulting in an overall operating surplus.

The operating surplus of the prior year is identified as part of preparing the year end financial statements. The final value of the surplus is determined after the audited financial statements have been approved.

The City historically has allocated to the reserves to help fund future capital improvement plan projects. The annual budgeted reserve transfers are not sufficient to fund all the capital needs, so any operating surpluses helps to fund needed capital projects.

During the year, a budget amendment may be necessary if capital project expenditures are determined to be higher than originally planned. For example, if an Engineering project is tendered and the price for the work is higher than anticipated, more funding is required. The City has depended on the prior year's surplus to help fund these unanticipated project costs through a budget amendment.

BUDGET IMPLICATIONS:

The annual operating surpluses have fluctuated over the last 10 years. The highest surplus transfers to the Capital Works Reserve (CWR) happened during COVID when there was higher Provincial Government support to offset the loss of casino proceeds. In 2019, \$1 million in surplus was also transferred to the Tax Rate Stabilization Reserve due to the uncertainty surrounding how taxation revenues would be collected during COVID.

Year	Surplus to CWR
2015	\$ 476,000
2016	\$ 160,000
2017	\$ 624,000
2018	\$ 1,800,000
2019	\$ 470,000
2020	\$ 5,300,000
2021	\$ 1,150,000
2022	\$ 900,000
2023	\$ 2,900,000

ALTERNATIVES:

Council could choose to allocate 10% of the prior year surplus to reduce the property tax levy in future years. As the prior year surplus value is not finalized until after the year end audit it would be too late to help with the following year's budget. Therefore, the 10% portion would be put into the Tax Rate Stabilization Reserve and used in the next year's budget. For example, 10% of the 2024 operating surplus would be put into the Tax Rate Stabilization Reserve to reduce property taxes in 2026.

Respectfully Submitted,



Darrin Leite, CPA, CA
Director of Corporate Services

Attachment:


1. Draft CO-83 Allocation of Operating Budget Surpluses Policy

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:

I support the recommendation.



Francis Cheung, P. Eng.
Chief Administrative Officer

	Title: Allocation of Operating Budget Surpluses	Policy No: CO-83
	Category: Council Policy	Section: Corporate Services
	Authority: Council	
	Date Adopted:	

Purpose:

This Policy provides the guidelines for the allocation of operating budget surpluses. A major objective of the City is to sustain a financially viable municipality that can provide an adequate level of municipal services and support the City's long term capital plan. The City recognizes that an important component for reaching and maintaining this objective is the management of operating budget surpluses.

Scope:

This policy outlines the allocation of operating surpluses for the General, Water and Sewer & Drainage funds.

Definitions:

“Operating Budget Surplus”

shall mean the excess of revenues over expenditures as compared to the annual operating budget approved by Council.

“City”

shall mean the City of Langley.

“Council”

shall mean the municipal Council of the City of Langley.

“Contingency Reserves”

shall mean reserve categories established to provide non-designated funds to stabilize the temporary impact of unforeseen, non-recurring emergent one-time expenditures or losses of revenue and to ensure service levels.

Policy Statement:

The City will manage the annual allocation of operating budget surpluses in a fiscally responsible manner acting as good stewards of the City's resources managing costs and investing for the future.

- General Fund operating surplus (other than those generated by policing services) shall be allocated to the Capital Works Reserve. Policing service operating surpluses are allocated to the Future Police Cost Reserve.
- Water Fund operating surplus shall be allocated to the Water Future Capital Reserve.
- Sewer & Drainage Fund operating surplus shall be allocated to the Sewer Future Capital Reserve.

General:

- The allocation of operating budget surpluses will be consistent with achieving Council's vision and area of strategic priority to "Provide Reliable Municipal Infrastructure" by providing funding to support the City's long term capital plan.
- The City does not budget for a deficit or plan for surpluses. The City shall adopt a balanced budget whereby operating revenues are equal to operating expenditures for each year.
- Operating budget surpluses represent one-time funding that, by its nature, cannot be relied on to recur on an ongoing basis. Therefore, operating budget surpluses shall be allocated to fund one-time, generally non-recurring expenditures (i.e. capital, reserve contributions to achieve/maintain optimal balances).
- The City uses operating budget surpluses to fund reserves as part of a sound financial system. Reserves provide for future funding requirements, stabilize operating and capital activities, provide contingency funding for unforeseen or emergency expenses, and lessen the reliance on debt financing.
- Operating budget surpluses shall be calculated in conjunction with the audit of the City's annual consolidated financial statements. The year-end operating budget surpluses shall be reported in a regular meeting of Council on or before May 15th of the following year.
- As operating budget surpluses are non-recurring in nature, they shall not be applied to the following year's operating budget to fund ongoing expenditures, and/or to reduce the following year's tax rate.
- Operating budget surpluses of self-sustaining operations, including utility operations, will only be allocated within these operations and respective reserves.

References:

Policy Number:	CO-83
Policy Owner:	Director of Corporate Services
Endorsed by:	Senior Management Team
Final Approval by:	
Date Approved:	
Revision Date:	
Amendments:	
Related Policies:	
Related Publications:	



EXPLANATORY MEMO
Rescind Previously Adopted Resolution -
School District No. 35 – 2024 Eligible School Sites Proposal
Mayor Pachal

THAT the following resolution regarding “School District No. 35 – 2024 Eligible School Sites Proposal” adopted at the Regular Council Meeting on July 8, 2024 be rescinded.

“THAT Council object to one or more of the proposed school sites in School District No. 35’s 2024 Eligible School Sites proposal; and

THAT City staff be directed to work with the school board to identify a school site for potential funding in the northwest quadrant of Langley City.”

THAT the proposed recommendation be considered for adoption:

“THAT Council accept the School District No. 35 Eligible School Sites Proposal adopted by Langley Board of Education at its meeting on June 18, 2024.”



REPORT TO COUNCIL

To: **Mayor and Councillors**

Subject: School District No. 35 – 2024 Eligible School Sites Proposal

File #: 6620.00

Doc #:

From: Roy M. Beddow, RPP, MCIP
Deputy Director of Development Services

Date: July 2, 2024

RECOMMENDATION:

THAT Council accept the School District No. 35 Eligible School Sites Proposal adopted by Langley Board of Education at its meeting on June 18, 2024.

PURPOSE:

The purpose of the report is to review the 2024 Eligible School Sites proposal from School District No. 35.

POLICY:

Division 20 of the Local Government Act provides for the establishment of School Site Acquisition Charges “to assist boards of education to pay the capital costs of meeting eligible school site requirements”. Eligible school site requirements are determined in consultation with applicable local governments based on projected growth in accordance with Section 574 of the Act. School Site Acquisition Charges (SSAC’s) are set using a formula in Section 575 of the Act while development categories and maximum fees are defined in the “School Site Acquisition Charge Regulation”. SSAC’s are payable to local governments at the same time as development cost charges: prior to building permit issuance or subdivision approval.

COMMENTS/ANALYSIS:

1. Background

The Langley Board of Education adopted a resolution to approve a new Eligible School Sites proposal at the June 18, 2024 Board meeting. The resolution is a required step in the SSAC approval process and triggers a 60-day referral period for formal consideration by the affected local governments (i.e. City and Township of Langley). Under Section 574(6) of the Act, a local government council must pass a resolution accepting or not accepting (and stating the objections and reasons therefore) the proposed Eligible School Sites. Although the School District adopted an Eligible School Sites resolution and new School Site Acquisition Charges based on ten years of projected growth as recently as 2021, the Ministry of Education now requires school districts to repeat the process each year.

2. 2024 Eligible School Sites Proposal

The basis for the 2024 Eligible School Sites proposal is an updated set of growth projections for the City and Township of Langley developed in consultation with municipal planning staff. The 2024 growth projections are significantly higher than the 2021 projections in both municipalities in response to higher regional growth trends and greater housing development activity observed in the Langley's.

SD35 10-Year Growth Projections

Township of Langley	Units	Students
Single Detached	2,000	1,760
Townhouse	4,750	2,630
Rowhouse	500	300
<u>Apartment</u>	<u>10,500</u>	<u>1,100</u>
Subtotal	17,750	5,790
City of Langley	Units	Students
Single Detached	133	113
Townhouse	423	236
Rowhouse	69	35
<u>Apartment</u>	<u>4,829</u>	<u>507</u>
Subtotal	5,454	891
Total	23,204	6,681

The City's housing unit projection for the ten-year period has more than doubled reflecting the large number of apartment units currently under construction or in the building permit/development approval process.

Based on the growth projections which foresee the addition of 23,204 new dwelling units and 6,681 new students, four new school sites will be required in the District for two new elementary and two new middle schools.

SD35 10-Year Growth Required School Sites¹

School Site	Area	Estimated Cost
Brookwood/Fernridge Middle	14.9 acres (6.030 ha) ²	\$60,000,000
Willoughby Slope Middle	14.9 acres (6.030 ha) ²	\$92,380,000
Williams Elementary	5 acres (2.023 ha)	\$30,000,000
Smith Elementary	5 acres (2.023 ha)	\$31,000,000
Total	39.8 acres (16.113 ha)	\$213,380,000

¹Does not include eligible sites already approved for acquisition

²7.5 acres if a joint site

All the required new school sites are located in the Willoughby or Brookwood/Fernridge areas of the Township of Langley. The District has determined that the 891 new students resulting from the City of Langley's projected growth can be accommodated without the addition of any new school sites in the City although additions to existing school buildings may be required.

3. School Site Acquisition Charges

Unlike previous Eligible School Site proposals referred to the City, the 2024 proposal does not include any increase to School Site Acquisition Charges (SSAC's). The Charges were increased in 2021 to the maximum amounts permitted by the "School Site Acquisition Charge Regulation" and the rates remain as shown below.

Proposed School Site Acquisition Charges (Unchanged)

Development Type	SSAC
Low Density (<21 units/ha)	\$ 1,000
Medium Low Density (21-50 units/ha)	\$ 900
Medium Density (51-125 units/ha)	\$ 800
Medium High Density (126-200 units/ha)	\$ 700
High Density (>200 units/ha)	\$ 600

4. City of Langley Consideration

Previous requests for a separate determination of Eligible School Sites and SSAC's for the City of Langley exclusive of the Township were rejected by the Ministry of Education. In 2021, Langley City Council accepted the Eligible School Sites Proposal and its increased SSAC's but requested "...that the School Site Acquisition Charges collected in the City of Langley be utilized to fund capital improvements of school facilities in the City of Langley". Section 101(3) of the School Act, however, provides that SSAC's may only be used:

- (a) for the acquisition of land to meet the board's eligible school site requirements, as defined in section 571, of that Act,*
- (b) to pay administration fees and disbursements authorized by a regulation made under section 581 (h) of that Act, and*
- (c) to pay any disbursements related to the sale, transfer or subdivision of land received under Division 20 of Part 14 of that Act.*

Recognizing the constraints of the legislation, the City must either object to the specific school sites proposed by the District or accept the Eligible School Sites proposal. Since there are no new school sites identified in the City's Official Community Plan and there is no basis for objecting to the four Township sites identified in the proposal, it is recommended that the City accept the 2024 Eligible School Sites proposal.

With regard to future facilities planning and dialog with the District, the City is guided by Policy 3.34 of the Official Community Plan:

Collaborate with School District No. 35 in supporting, upgrading, and expanding City schools to meet the needs of City residents as educational facilities and centres of civic activity in neighbourhoods.

To that end, the City has regularly advocated for expansion of the City's schools, and City staff regularly share information and communicate with District staff on growth projections, planning and development activity to support this advocacy and ensure the District is fully aware of development activity levels.

Planned Nicomekl Elementary School Expansion

Lastly, in June 2024 the Ministry of Education and Child Care announced an eight classroom, \$12 million expansion of Nicomekl Elementary School, which is located in the fastest growing neighbourhood in the City. According to the Ministry, this expansion is scheduled to be completed by Fall 2025. This expansion is welcomed as evidence of the Province's recognition of rapid residential growth in the City and the need to provide the necessary new classroom space to meet increased student generation. The City will continue to advocate for school space expansion in the coming years as population growth is expected to accelerate with the expected arrival of SkyTrain in 2029.

BUDGET IMPLICATIONS:

N.A.

ALTERNATIVES:

1. Do not respond to School District No. 35's 2024 Eligible School Sites proposal (City will be deemed to have accepted the proposal under Section 574(7) of the Local Government Act);
2. Object to one or more of the proposed school sites in School District No. 35's 2024 Eligible School Sites proposal, stating the reasons therefore.

Respectfully Submitted,



Roy M. Beddow, RPP, MCIP
Deputy Director of Development Services

Concurrence:



Carl Johannsen, RPP, MCIP
Director of Development Services

Attachment(s):

1. School District No. 35 Letter to City – June 24, 2024

CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:

I support the recommendation.



Francis Cheung, P. Eng.
Chief Administrative Officer



June 24, 2024

City of Langley
Attention: Mr. Francis Cheung
20399 Douglas Crescent
Langley, BC V3A 4B3

Dear Mr. Francis Cheung,

Re: Eligible School Sites

You will recall that I wrote to you May 31, 2024 to inform you that the Board of Education would be considering the Eligible School Sites proposal, which is attached to this letter, at the June 18, 2024 Public Board meeting. At the meeting on June 18, 2024, the Board approved a resolution adopting the proposal. The proposal indicated the following:

1. It is estimated that there will be 17,750 new development units constructed in the school district over the next 10 years;
2. These 17,750 development units will be home to an estimated 6,681 school age children;
3. The School Board expects that 4 new school site will be required as the result of this growth in the area. We anticipate that it will be in the neighbourhood of Willoughby and Brookwood/Fernridge. According to Ministry of Education and Child Care standards it will require 39.8 acres of land, the land will cost approximately \$213,380,000.

Under the school sites acquisition legislation local governments have 60 days to either:

1. Pass a resolution accepting the School Boards' resolution of proposed eligible schools site requirements for the School District, or
2. Respond in writing to the School Board indicating that it does not accept the School Board's proposed site requirements for the School District and indicating:
 - Each proposed school site to which it objects; and
 - The reasons for the objection.

If no response is received within 60 days, the legislation states that the local government will have been deemed to accept the proposal.

Please place this on council's agenda as soon as possible. Let me know if you have any questions about this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'B Iseli', with a stylized flourish at the end.

Brian Iseli, Secretary-Treasurer

cc: Mal Gill, Superintendent

STAFF REPORT

DATE: June 18, 2024
TO: Board of Education
FROM: Brian Iseli, Secretary-Treasurer
SUBJECT: School Site Acquisition Charge (SSAC)

RECOMMENDED MOTION:

That the Board of Education approves the Eligible School Sites, as presented.

BACKGROUND:

Boards of Education are required to have a School Site Acquisition Charge (SSAC) in districts that are growing and are requesting site acquisitions in their 5-Year Capital Plan. The purpose of the SSAC is to collect funds from new residential developments to assist in paying for the cost of new school sites to accommodate student population growth due to development. The School District holds the money in a Land Capital Account and contributes it to capital projects approved as part of our Five-Year Capital Plan for a land purchase. The Local Government Act is the regulation that districts are required to follow in setting the SSAC. The last review of the SSAC, which was done by the District in 2021, moved the District's SSAC to the maximum amount allowable. The Ministry now requires the SSAC process to be done annually and as a result, staff have been working on providing an update as part of the 2025-2026 capital plan process.

Process Undertaken

Staff have been working with Township of Langley and the City of Langley to determine the number of new development over the next 10 years. Based on this information, staff have determined the projected number of students which will result from the projected number of developments in the Township of Langley and the City of Langley. The number of students per development is projected based on historical data collected from similar developments and on actual students attending Langley schools. A summary development and projected number of students is presented below:

	10 yr Total Units	Eligible Students
Township of Langley		
Single Detached	2,000	1,760
Townhouse	4,750	2,630
Row House	500	300
Condo	10,500	1,100
	17,750	5,790
City of Langley		
Single Detached	133	113
Townhouse	423	236
Row House	69	35
Condo	4,829	507
	5,454	891
Total	23,204	6,681

Based on these numbers, staff had further discussion with the Township of Langley on the sites required over the next 10 years to accommodate the planned development and has developed the list of Eligible School Sites. A requirement of this process is for Boards to approve the list of Eligible School Sites.

Below is the resulting estimated site and their estimated cost based on the discussions with the Township of Langley:

School District No. 35 (Langley)

ELIGIBLE SCHOOL SITES PROPOSAL

(Does not include eligible sites already approved for acquisition)

Proposed Elementary School Sites General Location	Size (Acre)	Estimated Cost \$
Williams Elementary	5	30,000,000
Smith Elementary	5	31,000,000
Willoughby Slope Middle (7.5 acres if a joint site)	14.9	92,380,000
Brookwood Fernridge Middle (7.5 acres if a joint site)	14.9	60,000,000
TOTAL (new school sites)	39.8	\$213,380,000

Due to the lower planned development numbers for the City of Langley, the students will need to be accommodated in existing buildings with possible additions to some schools to accommodate the growth.

Based on the information collected, we then used the formula outlined in the Local Government Act which is intended to cover 35% of the required site costs. It also specifies a capped amount for each type of development. The formula is outlined below:

$$SSAC = [(A \times B) \div C] \times D$$

A = value of sites to be acquired

B - 35% set through legislation

C - number of eligible development units

D - Factor per BC Reg

With the information shown above, the formula calculates the information as show below:

A = value of sites to be acquired	213,380,000
B - set through legislation	35%
C - number of eligible development units	23,204
SSAC	3,219

D - Factor per BC Reg 17/00	D - Factor	SSAC	MAX
Low Density	1.25	4,023	1,000
Medium low density	1.125	3,621	900
Medium density	1	3,219	800
Medium high density	0.875	2,816	700
high density	0.75	2,414	600

As shown above, the amount of the SSAC is to achieve the 35% target of the SSAC which is over the max by a factor of over 4 times the max amount (Low Density SSAC to achieve 35% would be \$4,023 but has a max cap of \$1,000). Based on this, staff is recommending no change for each of the categories.

Process Moving Forward:

The process moving forward will take several months and will involve the following steps:

- The Board of Education has to adopt the Eligible School Sites at a Public Board Meeting as the first step in updating the SSAC and must notify City & Township of date, time and place of the meeting. Staff is recommending that the Eligible school sites be adopted at the June 18, 2024 Public Board Meeting.
- Once adopted, we will provide the motion for the Eligible School Site to both the City and Township Councils and they will have 60 days to either accept or reject.
- The District will need to submit the Eligible School Sites as part of the District's Capital Plan submission for approval.
- We normally receive approval for the Five-Year Plan in March of each year.
- We are then required to adopt a bylaw for SSAC within 60 days of receiving approval of the Five-Year Plan.
- Inform City and Township of new SSAC which is effective 60 days after bylaw approval.

Annual crime data release will be significantly different in 2024, after push for changes by 11 Western Canadian municipalities

**For Immediate Release
July 29, 2024**

Langley City, B.C. – Statistics Canada has planned a series of changes in response to issues identified by several communities earlier this year surrounding the annual Crime Severity Index. The changes will be part of the annual data release by Statistics Canada.

Since the 11 Western Canadian communities participated in a [conference in Saskatoon on February 29, 2024](#), the group has worked directly with Statistics Canada and the Canadian Association of Chiefs of Police to further outline the impacts on communities which are consistently identified as the top-ranked communities by Crime Severity Index weights. Statistics Canada has confirmed that several changes have been implemented by the organization to mitigate the concerns outlined by the communities and Indigenous leadership which were present at the conference.

“This is a great example to demonstrate the power of shared advocacy, and we look forward to seeing the proposed changes by Statistics Canada in action,” commented Councillor Delaney Mack, Langley City representative on the Western Canadian Steering Committee.

The annual data release from the Canadian Centre for Justice Statistics, which includes Crime Severity Index data, is slated for July 25, 2024.

Media Inquiries:

Mayor Nathan Pachal
City of Langley
604.514.2801
npachal@langleycity.ca

