

MINUTES of a Special meeting of the MUNICIPAL COUNCIL of The Corporation of the District of Oak Bay, held via videoconference (pursuant to Ministerial Order M192) on Thursday, April 23, 2020 at 12:15 P.M.

We acknowledge that the land on which we gather is in the traditional territory of the Coast and Straits Salish Peoples. Specifically we recognize the Lekwungen speaking people, known today as the Songhees and Esquimalt Nations, and that their historic connections to these lands continue to this day.

PRESENT: Mayor K. Murdoch, Chair
Councillor A. Appleton
Councillor H. Braithwaite
Councillor C. Green
Councillor T. Ney
Councillor E. Paterson
Councillor E.W. Zhelka

STAFF: Chief Administrative Officer, L. Varela
Director of Corporate Services, D. Hopkins
Director of Financial Services, C. Paine
Director of Building and Planning, B. Anderson
Director of Engineering and Public Works, D. Horan
Director of Parks and Recreation, D. Herman
Fire Chief, D. Hughes

CALL TO ORDER:

Mayor Murdoch called the meeting to order at 12:28 p.m., and advised that the meeting was being held remotely by live video stream via Zoom, and will be recorded for future viewing.

MAYOR'S REMARKS

1. **Mayor's Remarks**

Mayor Murdoch stated that our thoughts are with the people of Nova Scotia due to recent tragic events. He advised that the District is now six weeks into setting up the Emergency Operations Centre and the public buildings have been closed to the public for over one month. The Mayor thanked the community and staff for doing all the right things, and expressed appreciation to both the Federal and Provincial governments for their clear and consistent messaging to address public health in an effective way. Mayor Murdoch acknowledged the hardship caused by the cancellation of many social events which are so important to our community.

RISE AND REPORT:

2. **Rise and Report**

MOVED and seconded: That Council rise and report on the labour relations Motions from the April 6, 2020 In Camera meeting.

CARRIED

COMMUNICATIONS

3. **Oak Bay Business Improvement Association 2020 Budget**

The Director of Financial Services advised that Council adopted the Business Improvement Area (BIA) Bylaw in November 2019, to establish the business improvement area for an additional 5 year term, and that the Bylaw permits the BIA to secure taxation revenue, subject to annual budget approval from Council. The current year's request is for \$100,012.

Martin Cownden, President of the Oak Bay Business Improvement Association, thanked Council and staff for all their assistance throughout the year and summarized recent events and plans to reach out to the community in different ways. He stated that they do not know what the BIA's expenses and revenues will be this year or the level of support from other funding partners, but that it was vital to have the budget passed so they can continue to do good work and support businesses in the Village.

MOVED and seconded: That Council approve the budget submitted by the Oak Bay Business Improvement Association for the 2020 calendar year as outlined in the February 20, 2020 correspondence from the Oak Bay Business Improvement Association.

CARRIED

4. **COVID-19 Financial Plan Risk and Financial Hardship Mitigation Measures**

The Director of Financial Services reviewed a PowerPoint presentation and summarized his report and the risks for the current financial plan and budget. He advised that the Province has announced reducing school tax on business and recreational class properties and postponed the late penalty date to October 1. Payment of School taxes by the District and remitted to the Province has been delayed to December 31. The options for the District to provide financial relief to Oak Bay residents are limited since municipal governments cannot run deficits.

The Director reviewed the main drivers of the proposed tax increase, tax rate, tax due date and penalty options. Staff recommend that the tax due date be moved to August 4, 2020. The majority of taxes that the District has to collect and remit on behalf of other taxing authorities are due at the end of July and beginning of August, and the District is still required to make those payments regardless of when we collect taxes from our residents.

The Director reviewed budget risks and mitigation, including reduced revenues, and plans for partial transfer to reserve fund for capital projects, which would maintain a balanced budget with no service cuts as well as retaining the proposed tax increase to ensure sufficient funds are available for the District's infrastructure needs in the future.

MOVED and seconded: That the payment due date for property taxes be changed from July 2 to August 4, 2020.

CARRIED

With Mayor Murdoch and Councillor Paterson opposed

MOVED and seconded: That penalties for late payment of property taxes be changed to 5% on August 4, 2020 and an additional 5% on October 1, 2020.

CARRIED

MOVED and seconded: That Council direct staff to amend the draft 2020-2024 Financial Plan as presented at the March 12, 2020 Committee of the Whole meeting to reduce the tax funded portion of the proposed 2020 budget increase by 1.2% using the mechanisms set out in the report from the Director of Financial Services dated April 23, 2020.

CARRIED

With Councillors Paterson and Zhelka opposed

MOVED and seconded: That the Mayor, on behalf of Council, advocate to the Provincial Government to:

1. increase amounts for Homeowner Grants, and create a new category of grant applicable to persons who have lost income due to the pandemic; and
2. reinstate the Financial Hardship Deferment Program and extend the program to commercial properties as well as residential homeowners.

CARRIED

MOVED and seconded: That staff be directed to evaluate the list of 2020 special initiatives in the draft Financial Plan and report back to Council on options for potential reallocation of the special initiatives funds to respond to unanticipated budgetary needs associated with the COVID-19 pandemic.

CARRIED

5. **Bylaw No. 4756, Water Rate Bylaw Amendment No. 1 Bylaw, 2020**

MOVED and seconded: That Council give first and second Readings to the Water Rate Bylaw Amendment No. 1 Bylaw, 2020, No. 4756.

CARRIED

MOVED and seconded: That Council give third Reading to the Water Rate Bylaw Amendment No. 1 Bylaw, 2020, No. 4756.

CARRIED

MOVED and seconded: That the Water Rate Bylaw Amendment No. 1 Bylaw, 2020, No. 4756 be adopted.

CARRIED

<p>Note: <i>Three readings and adoption of bylaws temporarily permitted at the same meeting by Ministerial Order M083 during the Provincial State of Emergency caused by COVID-19</i></p>
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6. **Oak Bay Recreation Centre Pool Roof Replacement - Tender OBRC-01-2020**

MOVED and seconded: That the contract to replace the roof over the pool at the Oak Bay Recreation Centre, as outlined in the tender document OBRC-01-2020, be awarded to Alpha Roofing & Cladding Inc. in accordance with their submission in the amount of \$392,584.50 including GST.

CARRIED

7. **Grant in Aid Process 2020**

MOVED and seconded: That the 2020 annual discretionary Grant in Aid budget be set at \$80,000;
AND FURTHER THAT the 2020 Grant in Aid Process be approved by Council.

MOVED and seconded: That the Motion be amended to revise the process to modify step 3 to remove the average scoring for the 2020 budget year only.

CARRIED

With Mayor Murdoch and Councillors Braithwaite and Zhelka opposed

The question was called on the Main Motion as amended.

CARRIED

With Councillor Braithwaite opposed

8. **Suspension of Committee and Commission Meetings due to COVID-19**

MOVED and seconded: That staff be directed to suspend all Committee and Commission meetings until May 31, 2020 with further review of the suspension prior to the end of May.

CARRIED

9. **Land Use Applications - Process**

The Director of Building and Planning provided an overview of his report providing a modified approach for processing of land use applications and answered questions from Council. The Director advised that staff are awaiting guidance from the Province regarding holding of public hearings.

MOVED and seconded: That Council receive the report from the Director of Building and Planning dated April 23, 2020 for information.

CARRIED

ADJOURNMENT:

10. **Motion to Adjourn**

MOVED and seconded: That the meeting be adjourned at 5:00 p.m.

CARRIED

Certified Correct:

Mayor

Director of Corporate Services