

MINUTES of a Special meeting of the MUNICIPAL COUNCIL of The Corporation of the District of Oak Bay, held in the Council Chambers, Oak Bay Municipal Hall, 2167 Oak Bay Avenue, Victoria, B.C., on Monday, July 20, 2020 at 5:15 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 Services, D. Horan \*  
Director of Strategic Initiatives, S. Bagh  
Director of Parks, Recreation and Culture, R. Herman \*  
Deputy Chief Constable, R. Bernoties \*  
Recorder, A. Nurvo

\* attended the meeting via telephone conference call

#### CALL TO ORDER:

Mayor Murdoch called the meeting to order at 5:18 p.m.

#### MAYOR'S REMARKS:

##### 1. **Mayor's Remarks**

Mayor Murdoch advised that the Agenda contains several reports, including more detailed financial reporting intended to inform the public about where money is being spent and to assist in understanding Council Priorities and the status of projects that are underway. The District will continue to improve this type of reporting in the years ahead. Though the increased reporting can be overwhelming, the hope is that residents will take some time to read through the documents.

The Mayor thanked everyone who has written in regarding the Oak Bay Lodge and noted that the future use of that land is in the CRD's purview. He stated that the CRD is a valuable partner and that the District is looking forward to working together on this matter. The Mayor confirmed that the District's primary goal is to ensure the highest and best use of that land.

PUBLIC PARTICIPATION PERIOD:

2. **Public Participation Period**

Mayor Murdoch invited members of the public to call in to provide comments to Council during the meeting. The Director of Corporate Services confirmed that no one was in attendance and that no calls have been received.

COMMUNICATIONS:

3. **Letter from the City of Victoria Re: Richardson Street Bike Lanes**

MOVED and seconded: That Council receive the letter from the City of Victoria dated July 9, 2020 regarding Richardson Street Bike Lanes for information and send a letter to Mayor Helps inviting City of Victoria staff to attend a future meeting of Council to provide further information to Council and staff, including an overview and rationale for the decision, and to provide an opportunity to ask questions.

**CARRIED**

*With Councillor Appleton opposed*

Councillor Appleton asked about the status of the following resolutions from the June 29, 2020 Special Meeting of Council:

*THAT staff be directed, once the EOC is deactivated, to gather information on possible enhancements to McNeill Avenue in keeping with the Complete Streets handbook and toolbox and the proposed layout of the City of Victoria's finalized designs for Richardson Street, and return options to Council. (Question was not called as matter was subsequently referred by the next motion)*

*THAT Council refer this matter to a future Council meeting following the decision being made by the City of Victoria Council. (Motion was carried)*

The CAO confirmed that protocol for any new projects or initiatives is to provide an opportunity for Staff to formally report back on staffing, budgetary and work plan implications. The CAO will work with the Director of Engineering and Public Works to develop a report on this matter and respond to Council accordingly.

4. **2019 Annual Report**

Mayor Murdoch invited members of the public to call in to provide comments to Council on the draft Annual Report during the meeting.

The Chief Administrative Officer provided an overview and reviewed a PowerPoint presentation summarizing the Council term successes in enhanced accountability and transparency. The Director of Corporate Services provided an overview of the draft Annual Report, and stated that it was a collaboration by staff from all departments and that it formed part of a comprehensive suite of integrated documents, providing significant overview of District activities, to keep the public informed of Council priorities and accomplishments as well as future direction. The Director of Corporate Services advised of one additional revision to the Report, to delete reference to enlarged bay doors at the Fire Department, which were not required to be done.

Mayor Murdoch again invited members of the public to call to provide comments. The Director of Corporate Services advised that no calls have been received from the public.

MOVED and seconded: THAT Council adopt the 2019 Annual Report.

**CARRIED**

**5. 2019-2022 Corporate Plan**

The Director of Strategic Initiatives provided an overview of the draft Corporate Plan and reviewed a PowerPoint presentation. The Director advised that links to background documents and Council priority metrics have been added. Ms. Bagh highlighted that after completion of first year of the four year Council mandate, 22 out of 108 initiatives have been completed, 71 are in progress, and 15 are yet to be started.

MOVED and seconded: THAT Council receive the updated 2019-2022 Corporate Plan for information.

**CARRIED**

*With Councillor Paterson opposed*

**6. Second Quarter Work Plan and Budget Update**

The Director of Strategic Initiatives reviewed a PowerPoint presentation and provided an overview of the components of the Work Plan including Council Priority initiatives and operational activities. EOC activities were included since it represented significant work for the senior leadership team and explains why some work did not get done during the last quarter. The Director reviewed key accomplishments and advised that the impact of COVID-19 has been that many operational activities have continued but special projects have been delayed.

The Director of Financial Services provided an update of the 2020 Budget including: Revenue, with shortfalls mostly from reduced Recreation programs; Expenses, with project spending for special initiatives being underspent since many projects have been deferred; and Reserve transfers, which by previous Council direction have been reduced by the net financial impact of the Recreation Department operating shortfall. The Director advised that the net financial position is expected to be better than forecasted in the Financial Plan since the District is not spending some of the capital as projected. The Director reviewed Budget transfer principles, advised that a Budget Policy will be provided to Council for review in the near future, and reviewed budget transfers that occurred during the last quarter.

The Chief Administrative Officer reviewed staff recommendations to defer initiation of several Council Priority projects to 2021.

MOVED and seconded: THAT Council receive the second quarter 2020 work plan and budget update.

**CARRIED**

MOVED and seconded: THAT Council approve deferring initiation of the following Council Priority projects to start in 2021: 1-6) Refresh website; 1-16) Investigate and consult on regulatory options for restricting or banning single-use items (pending legal challenge); 2-8) Undertake budget software implementation; and 8-13) Implement Coolkit program.

**CARRIED**

*With Councillor Appleton opposed*

MOVED and seconded: THAT Council confirm that the following Council Priority projects, previously identified on April 23, 2020 as requiring Council confirmation prior to proceeding, be approved for initiation as soon as practical: 1-3) Prepare and implement an HR Plan (talent management, health & safety, performance management, compensation & benefits and HR systems); 1-10) Negotiate Marina Lease (2023 +30 years); 1-11) Undertake deer management research project; 1-15) Improve the District's Records and Information Management Program; 4-16) Prepare Fire Master Plan; 5-5) Prepare an Emergency Evacuation Plan (funded by grants); 6-2) Complete a Secondary Suite Study; 6-3) Identify infill housing opportunities and specific housing needs for neighbourhoods; 6- 4) Prepare Village Area Plan(s) for the Oak Bay Village/Cadboro Bay Road corridor and for the Secondary Village areas; 6-14) Complete sea level rise study; 7-10) Prepare Sewer Master Plan; 7-13) Prepare EV Station Options Analysis; 7-14) CCTV sanitary and storm sewer; 7-15) Assess pavement condition; and 8-5) Implement the Urban Forest Strategy.

**CARRIED**

MOVED and seconded: THAT Council restore the sidewalk budget in the Five Year Financial Plan by increasing the Transportation Safety Improvement budget by \$100,000 in each year 2020-2024; and further that Council restore the storm drain catch basin and manhole budget in the Five Year Financial Plan by increasing the storm sewer rehabilitation budget by \$70,000 in each year 2020-2024.

**CARRIED**

#### **7. Council Resolution Tracking Update**

The Chief Administrative Officer provided an overview of the Council Resolution Tracking. Ms. Varela reviewed a PowerPoint presentation, and advised that during Council's term, 232 resolutions requiring action have been passed, with 200 being completed, 25 in progress/on hold, and a number coming back to Council to consider repeal.

MOVED and seconded: THAT Council receive the Council Resolution Tracking Update dated July 20, 2020 for information.

**CARRIED**

#### **8. Emergency Operations Centre (EOC) Report**

The Director of Strategic Initiatives reviewed a PowerPoint presentation summarizing the EOC team, operations, objectives, and the new plans that have been prepared. The Director advised that 300 actions have been undertaken over the three month period and that a formal debrief with Council will be held in the future to review staff's recommendations.

MOVED and seconded: THAT Council receive the EOC report and authorize staff to continue with/initiate implementation of lessons learned recommendations where possible within existing resources and to bring forward budget-dependent items for 2021 budget discussion.

**CARRIED**

#### **9. Union of BC Municipalities Community Excellence Awards**

MOVED and seconded: THAT Council support an application to the Union of BC Municipalities Community Excellence Awards for the 'Accountability and Transparency Project'.

**CARRIED**

*With Councillor Paterson opposed*

NEW BUSINESS/VERBAL REPORTS:

**10. New Business/Verbal Reports**

- New Business

There was no new business.

- Report on the Capital Regional District

Mayor Murdoch advised that the CRD's 2019 Arts and Culture Report has been released. The Mayor also acknowledged the recent news items regarding Oak Bay Lodge and confirmed that the focus of Council is to ensure the highest and best use of that land.

- Other Verbal Reports

Councillor Appleton stated that Greater Victoria Public Library is currently in Phase 2 of its service restoration plan. He noted that comprehensive reopening procedures are provided on its website, and that the Oak Bay Branch is slated to be one of three that will partially reopen in August.

Councillor Paterson reported that CREST staff advised that all agencies are now using the new telecommunications system, with the completion of the Gulf Islands and West Shore, and that the online training system for emergency response teams has been very effective.

Councillor Green acknowledged the participation and support of Councillors Braithwaite and Appleton working with the BIA and Tourism Committee, to enhance the experience for small businesses during this pandemic.

Councillor Braithwaite advised that she attended a meeting at South Island Prosperity Partnership, and that they will contact our staff to arrange for a presentation to Council. The current five year funding commitment ends this year, and they will be attending to request further financial support.

Councillor Ney, as Council liaison to the Royal and McPherson Theatres Society, advised that the dispute between the society and the Victoria Symphony, Pacific Opera, and Dance Victoria regarding the cost and availability of performance space has been satisfactorily resolved for all parties.

ADJOURNMENT:

**11. Motion to Adjourn to In Camera**

MOVED and seconded: THAT in accordance with Section 90(1)(i) of the *Community Charter*, the open portion of the special meeting of Council be adjourned at 9:38 p.m. and that a closed session be convened to discuss the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**CARRIED**

*The open portion of the Special Meeting of Council reconvened at 10:23 p.m.*

**RISE AND REPORT:**

**13. Rise and Report from Special *In-Camera* Meeting of Council held July 20, 2020**

That Council rise and report on the Oak Bay Lodge motion and the letter to the CRHD dated October 1, 2019 as redacted, at the reconvened open portion of the Special Council meeting.

WHEREAS Oak Bay Council recognizes the Oak Bay Lodge property to be a significant piece of public land within the District potentially suitable for supportive care, respite care, mixed housing, or a wide range of other possible uses that could meet the needs of the region for decades to come;

AND WHEREAS the current zoning of the Oak Bay Lodge lands doesn't currently support use as a temporary hospital facility or housing for people experiencing homelessness;

AND WHEREAS Council recognizes that Provincial legislation gives every property owner the right to make application to change the permitted uses on their property and that Council must give those applications full and fair consideration;

THEREFORE BE IT RESOLVED THAT Council supports a comprehensive planning and consultation process as discussed over the last 18 months with the Capital Regional Hospital District to determine the future use of the Oak Bay Lodge lands;

THAT Council request the CRHD to recognize and preserve project timelines, value to taxpayers, and community trust while seeking an outcome for the Oak Bay Lodge lands that supports economic, social, and environmental wellbeing over the long term;

THAT Council requests the CRHD to respect stakeholder and community consultation as an essential component of a rezoning application, in accordance with the *Local Government Act*, should the CRHD wish to propose a temporary or permanent change of permitted use for the Oak Bay Lodge lands;

AND FURTHER THAT the Mayor be directed to communicate the above resolutions to the CRHD Board on behalf of Mayor and Council.

**ADJOURNMENT:**

**14. Motion to Adjourn:**

MOVED and seconded: THAT the meeting be adjourned at 10:27 p.m.

**CARRIED**

Certified Correct:

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Mayor

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Director of Corporate Services