

MINUTES of a regular 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, December 9, 2019 at immediately following the adjournment of the Committee of the Whole.

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 Engineering Services, D. Horan
Fire Chief, D. Hughes
Manager of Planning, D. Jensen
Superintendent of Public Works, D. Brozuk
Recorder, A. Nurvo

CALL TO ORDER:

Mayor Murdoch called the meeting to order at 8:10 p.m.

MINUTES AND REPORTS:

1. **Adoption of Minutes**

MOVED and seconded: That the Minutes of the Special Council meeting held November 18, 2019, the Committee of the Whole meeting held November 18, 2019, the Public Hearing held November 25, 2019 and the Council meeting held November 25, 2019 be adopted.

CARRIED

MAYORS REMARKS:

2. **Mayor's Remarks**

Mayor Murdoch expressed appreciation to all the Capital Regional District Area Directors and First Nations Councils for their attendance at the Forum of Councils on November 30, where they discussed items of mutual interest with a view to building relationships. The Mayor also acknowledged the District's first Community to Community Forum and thanked the UBCM

for providing funding, all those who attended, in particular the Songhees First Nations, and staff for organizing the event. Mayor Murdoch acknowledged that this meeting is the last regular Council meeting of the year, and acknowledged that lots of work has been undertaken by both staff to prepare all of the reports, and by Council to read all of the agenda items to engage in thoughtful discussion.

PUBLIC PARTICIPATION PERIOD:

3. Rick Lee, Oak Bay resident, recommended that the terms of reference for the Community Climate Action Working Group be revised to provide for more expertise, and he suggested it needs a civil engineer, staff engineer, parks representative, climate scientist, environmentalist, and oceanographer.

COMMUNICATIONS:

4. **Oak Bay Advisory Planning Commission Minutes**

MOVED and seconded: That Council receive the minutes of the Advisory Planning Commission meeting held September 3, 2019.

CARRIED

5. **Oak Bay Community Climate Action Working Group Minutes**

MOVED and seconded: That Council receive the minutes of the Community Climate Action Working Group meeting held November 19, 2019.

CARRIED

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

6. New Business & Verbal Reports

- New Business

There was no New Business.

- Report on the Capital Regional District

Mayor Murdoch provided an update on the Housing First Plan noting that by the end of 2020 more buildings will be entering into the mortgage free state, and that a significant amount of housing has been added in the last few years.

- Other Verbal Reports

Councillor Appleton advised that he had attended the Greater Victoria Public Library (GVPL) Planning and Policy Committee meeting. He noted that Phase Two of the Facilities Assessment is to be completed by the end of the year, and that he also attended the GVPL annual Cookies & Crafts event which was very popular. The Community Climate Action Working Group held its second meeting, with lots of ongoing public engagement, and that the Group did extensive work on their approach and process going forward. He also reported that he and several other members of Council had attended the climate change adaptation discussion held by the Community Association of Oak Bay which had good attendance and dialogue.

Councillor Braithwaite advised that she attended a meeting at the Association of Vancouver Island and Coastal Communities (AVICC), planning for its next Annual Conference to be held in Nanaimo in April 2020.

Councillor Green said she had attended the Oak Bay Tourism Committee meeting, as well as the Christmas Light Up event. She reminded Council of the upcoming Business Improvement Association (BIA) Christmas Open House.

Councillor Zhelka stated that he attended the annual Oak Bay Emergency Program volunteer recognition party.

RESOLUTIONS:

7. **2019 Housing Needs Report**

This matter was referred back to staff at the Committee of the Whole meeting held on December 9, 2019.

8. **Development Permit Application (DP000027) - 1280 Newport Avenue**

MOVED and seconded: That Council approve the proposal to undertake exterior alterations to the existing building at 1280 Newport Avenue subject to the issuance of Development Permit DP000027.

CARRIED

9. **Development Permit Application (DP000028) - 2187 Oak Bay Avenue**

MOVED and seconded: That Council approve the proposal to undertake exterior alterations to the existing building at 2187 Oak Bay Avenue subject to the issuance of Development Permit DP000028.

CARRIED

10. **Development Variance Permit Application (DVP00095) - 2643 Cavendish Avenue**

Mayor Murdoch advised that this matter was placed on the agenda in error, that public notification will be provided, and it will be on a future Council agenda for consideration and public input.

11. **Vehicle and Equipment Tender Awards**

MOVED and seconded: That Council award Tender # PW08-2019 - Articulating Crane and Flat Deck to Metro Motors Ltd. in the amount of \$151,997.78;

That Council award Tender # PW09-2019 - 3/4 Ton Crew Cab Long Box Pickup Truck to Suburban Motors Victoria Ford Alliance Ltd. in the amount of \$39,135.25;

AND FURTHER, THAT Council award Tender # PW10-2019 - Service Truck and Body to Metro Motors Ltd. in the amount of \$87,058.41.

CARRIED

12. **2020 Acting Mayor Rotation and 2020 Council Appointments to Boards, Commissions, Committees, Foundations, and Liaisons**

MOVED and seconded: That Council approve the 2020 Acting Mayor Rotation.

CARRIED

MOVED and seconded: That Council approve the 2020 Council Appointments to Boards, Commissions, Committees, Foundations, and Liaisons.

CARRIED

13. **2020 Meeting Schedule**

MOVED and seconded: That Council adopt the 2020 Meeting Schedule.

CARRIED

BYLAWS:

14. **Bylaw Memorandum - No Decision Required**

Memorandum from the Director of Corporate Services dated December 9, 2019 regarding Final Readings of Bylaw Nos. 4741, 4743, and 4744.

15. **Oak Bay Parks and Recreation Commission Repeal Bylaw No. 4741, 2019**

MOVED and seconded: That Bylaw No. 4741 be adopted.

CARRIED

With Councillor Zhelka opposed

16. **Water Rates Bylaw Amendment Bylaw No. 4743, 2019**

MOVED and seconded: That Bylaw No. 4743 be adopted.

CARRIED

With Councillor Appleton opposed

17. **Sewer User Charge Bylaw Amendment Bylaw No. 4744, 2019**

MOVED and seconded: That Bylaw No. 4744 be adopted.

CARRIED

With Councillors Appleton and Braithwaite opposed

18. **Financial Plan Bylaw Amendment Bylaw No. 4745, 2019**

The Director of Financial Services summarized his Report and Bylaw, as well as the variances from the initial forecasts. Protective Services expenditures will exceed the budget forecasts, firstly because fire crew salaries excluded statutory holiday pay, and secondly because overtime usage has been higher due to a higher level of illnesses. Staff are therefore recommending amendment of the Financial Plan, to reallocate unused Administrative Department budget to Protective Services and that there will be no tax impact.

MOVED and seconded: That Council give first, second and third Readings to the Financial Plan Bylaw No. 4745, 2019, Amendment Bylaw No. 1, 2019.

CARRIED

19. **Delegated Authority of Administrative Functions Bylaw, Amendment Bylaw No. 4746, 2019**

The Director of Financial Services reviewed the recommended revisions to Bylaw No. 4239 and the Sustainable Procurement Policy, including increasing the expenditure limits for staff as well as expanding the list of authorized staff to include all managers and directors.

MOVED and seconded: That Council give first and second Readings to the Delegated Authority of Administrative Functions Bylaw, Amendment Bylaw No. 4746, 2019.

CARRIED

MOVED and seconded: That Council table consideration of third Reading of the Delegated Authority of Administrative Functions Bylaw, Amendment Bylaw No. 4746, 2019.

CARRIED

MOVED and seconded: That Council approve the Sustainable Procurement Policy.

MOVED and seconded: That the Motion be amended to revise the Sustainable Procurement Policy to reduce the limit for Directors to \$50,000 and for the CAO to \$150,000.

DEFEATED

With Councillors Green, Ney, Paterson and Zhelka opposed

MOVED and seconded: That the Motion be amended to revise the Sustainable Procurement Policy to direct staff to report quarterly to Council on those purchases approved under the schedule of purchasing authorities.

CARRIED

MOVED and seconded: That the Motion be amended to revise the Sustainable Procurement Policy to delete the word "regular" from the emergency procedures section on page 10, section 7.6, so that emergency expenditures be reported to Council at the next available meeting following the event to confirm the action taken.

CARRIED

The question was called on the Main Motion as amended.

CARRIED

With Councillor Braithwaite opposed

MOVED and seconded: That Council consideration of third Reading of the Delegated Authority of Administrative Functions Bylaw, Amendment Bylaw No. 4746, 2019, be lifted from the table.

CARRIED

MOVED and seconded: That Council give third Reading to the Delegated Authority of Administrative Functions Bylaw, Amendment Bylaw No. 4746, 2019.

CARRIED

MOVED and seconded: That Council repeal the District of Oak Bay's Purchasing Policy.

CARRIED

ADJOURNMENT:

20. **Motion to Adjourn**

MOVED and seconded: That the meeting be adjourned at 9:17 p.m.

CARRIED

Certified Correct:

Mayor

Director of Corporate Services