

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 November 23, 2015 at 7:30 PM.

PRESENT: Mayor N. Jensen, Chair
Councillor H. Braithwaite
Councillor T. Croft
Councillor M. Kirby
Councillor K. Murdoch
Councillor T. Ney
Councillor E. Zhelka

STAFF: Chief Administrative Officer, H. Koning
Municipal Clerk, L. Hilton
Deputy Municipal Clerk, M. Jones
Municipal Treasurer, P. Walker
Director of Building and Planning, R. Thomassen
Director of Engineering Services, D. Marshall

MINUTES AND REPORTS:

1. ***Council***
 - November 9, 2015

MOVED by Councillor Croft, seconded by Councillor Murdoch: That the minutes of the Council meeting held on Monday November 9, 2015 be adopted.

Councillor Zhelka noted that the voting record for agenda item no. 18 should be corrected as he did not vote against the Development Variance Permit Application for Lot 16 of 787 Victoria Avenue, and there was consensus to amend the minutes accordingly

The question on the motion to adopt the minutes as amended was then called.

CARRIED

2. ***Committee of the Whole***
 - November 16, 2015

MOVED by Councillor Croft, seconded by Councillor Murdoch: That the minutes of the Committee of the Whole meeting on held on Monday, November 16, 2015 and the recommendations contained therein be adopted.

CARRIED

MAYOR'S REMARKS:

3. The Mayor provided remarks on the following topics:

Sno'uyutth Welcome Pole Dedication and Blessing Ceremony

Mayor Jensen noted the importance of the recent dedication and blessing ceremony for the Sno'uyutth Welcome Pole at Oak Bay High School, commenting that the Welcome Pole serves both an artistic and symbolic role in recognizing the rich First Nations traditions in Oak Bay, one the areas which falls within the traditional territory of the Lekwungen people. The Mayor also offered his thanks to the Community Association of Oak Bay for their efforts in instituting, organizing and fundraising for this project.

Community to Community Forum

The Mayor drew attention to the upcoming Community to Community Forums being held in Oak Bay with elders from the Songhees Nation and Esquimalt Nation, commenting on the importance of the ongoing process of building relationships between the District and local First Nations.

Frank Sinatra 100th Birthday Event

Mayor Jensen noted that an event is being hosted by the Oak Bay Rotary Foundation on December 12th, 2015 at the Oak Bay High School Theatre celebrating the 100th Birthday of Frank Sinatra. The Mayor commented that the net ticket proceeds from the event will fund a scholarship for graduating students from Oak Bay High School of First Nations, Inuit and Métis descent. It was noted that tickets for this event are available at Oak Bay Recreation Centre and Scotia Bank.

Streetlight Replacement Project - Thanks to Public Works Staff

The Mayor stated that he had recently received correspondence from a member of the public thanking staff for the replacement streetlight near his dwelling that redirected the illumination to reduce the impact on his home. Mayor Jensen noted that this was part of the ongoing streetlight replacement program.

Provincial - UBCM Green Communities Committee

Mayor Jensen commented that the District of Oak Bay, as a participant in the Climate Action Recognition Program, was recognized by the Green Communities Committee at Level 2, acknowledging the efforts taken to date by the District to reduce corporate carbon emissions.

PUBLIC PARTICIPATION PERIOD:

4. No members of the public rose to speak during the public participation period.

COMMUNICATIONS:

5. ***Urban Forest Strategy RFP Award Recommendation***

- Report - Director of Parks & Recreation, Nov 23, 2015

Ray Herman, Director of Parks and Recreation in attendance for this item.

The Director of Parks and Recreation provided an overview of the process to date with respect to the proposed strategy and the considerations undertaken when making a recommendation on awarding the RFP, as further outlined in his report dated November 23, 2015.

MOVED by Councillor Murdoch, seconded by Councillor Ney: That Council award the RFP to produce an Urban Forest Strategy to Diamond Head Consulting at a price of \$53,950.

In response to questions from Council regarding the strategy, the Director of Parks and Recreation confirmed that although consideration would be given to the urban forest strategies already prepared for other municipalities, the proposed strategy is meant to address Oak Bay's unique characteristics and legislative framework.

The question was then called.

CARRIED

6. ***Special Event Application - Request for Bonfire Permit, Dec. 4, 2015***

- Note - Municipal Clerk - Sea of Lights Christmas Boat Parade, Dec 4, 2015
- Corresp - Royal Victoria Yacht Club, Nov 5, 2015

MOVED by Councillor Kirby, seconded by Councillor Braithwaite: That, in relation to the Sea of Lights Event, the activities planned for Willows Beach on December 4, 2015 be approved as a Municipal Event, including the lighting of a bonfire pursuant to Section 46 of the Fire Regulation Bylaw.

CARRIED

7. ***2016 Oak Bay Police Department Provisional Budget***

- Report - Chief Constable Brinton, Nov 12, 2015
- Rpt Attach - 2016 Preliminary Police Budget

Chief Constable Brinton in attendance for this item.

The Chief Constable provided an overview of the 2016 Preliminary Police Budget, as further outlined in his November 12, 2015 report.

MOVED by Councillor Zhelka, seconded by Councillor Braithwaite: That the 2016 Police Board Provisional budget, as recommended by the Oak Bay Police Board and described by the Chief Constable's report dated November 12, 2015, be approved and incorporated into the 2016 financial plan.

CARRIED

8. ***Oak Bay Heritage Commission (HComm) Minutes***
- Note - Municipal Clerk - H Comm Minutes, Nov 10, 2015
 - Minutes - OB HComm, Nov 10, 2015

MOVED by Councillor Braithwaite, seconded by Councillor Murdoch: That the minutes of the Heritage Commission meeting held November 10, 2015 be received.

CARRIED

NEW BUSINESS/REPORTS FROM OTHER COMMITTEES:

9. ***Report on the Capital Regional District (CRD)***

Mayor Jensen provided an overview of the Capital Regional District's Provisional Budget and noted that this budget would be finalized in March. It was noted that funding was jointly being provided for the Active and Safe Routes to School Program by both the CRD and the Victoria Foundation.

10. ***Mayor Jensen - Proposed Referral to Oak Bay Parks & Recreation Commission - BC 150 Celebrations***

MOVED by Councillor Zhelka, seconded by Councillor Croft: That consideration of the District of Oak Bay's participation in the celebrations for the 150th anniversary of Canada in 2017, including potential participation in potential grant programs, be referred to the Parks and Recreation Commission for review and recommendation.

A discussion ensued and members of Council noted that the scope of this referral would include consideration of whether it would be appropriate to establish a separate working group or subcommittee to specifically address the organization of the celebration activities in Oak Bay.

The question was then called.

CARRIED

RESOLUTIONS:

11. ***Proposed by Councillor Croft - Regional Strategy and Model for Economic Development in South Vancouver Island***
- Notice of Resolution - Regional Strategy and Model for Economic Development in South Vancouver Island - November 23
 - Attach - Presentation, Greater Victoria Development Agency - Nov 7, 2015

Daniel Dagg, Chair of the Board of Directors for the Greater Victoria Development Agency, in attendance for this item.

Mr. Dagg commented on the process undertaken to date by the Greater Victoria Development Agency with respect to the proposed new regional strategy and model for economic

development in south Vancouver Island, discussing the funding model and timelines. He noted that it was his understanding that the municipal councils of the City of Langford, the Town of View Royal and the City of Victoria have already endorsed the concept in principle. He clarified that the intention is for the new organization to be a registered not-for-profit society with membership including both representatives from local municipalities and the business community.

MOVED by Councillor Croft, seconded by Councillor Ney: That:

1. Oak Bay Municipal Council support in principle the Regional Strategy and Model for Economic Development in South Vancouver Island proposed by the Greater Victoria Development Agency, subject to the participation in the strategy of at least seven of the thirteen municipalities in the Capital Regional District;
2. Funding in the amount of \$26,233 for the purpose of creating a new regional economic development organization, as further outlined in the November 7, 2015 presentation by Greater Victoria Development Agency, be referred to Estimates Committee for potential inclusion in the 2016 Budget, subject to the District of Oak Bay's inclusion on the Funding Partners Council; and
3. Councillor Croft serve as the representative for Oak Bay Municipal Council at upcoming meetings regarding the establishment of the new regional economic development organization.

CARRIED

BYLAWS:

12. **Bylaw Memorandum**
 - Memo - Municipal Clerk, Nov 19, 2015
13. **For Adoption**
 - Bylaw No. 4655, Municipal Officer Position Renaming Bylaw, 2015

MOVED by Councillor Braithwaite, seconded by Councillor Croft: That Bylaw No. 4655, *Municipal Officer Position Renaming Bylaw, 2015* be adopted

In response to questions from a member of Council asking for further clarification regarding the purpose of the renaming bylaw, particularly with respect to the wording in the Community Charter regarding municipal officers, the Chief Administrative Officer clarified that the intent of the bylaw is to more accurately reflect the services undertaken by these roles, as outlined in the Community Charter, and to have these titles more in keeping with the common usage in the region.

The question on the main motion was then called.

CARRIED
Councillor Zhelka against the motion

14. ***For First, Second and Third Reading***

- Bylaw No. 4656, Oak Bay Parks, Recreation and Culture Commission Bylaw Amendment Bylaw, 2015
- Bylaw No. 4657, Procedure Bylaw Amendment Bylaw, 2015

MOVED by Councillor Braithwaite, seconded by Councillor Croft: That Bylaw No. 4656, *Oak Bay Parks, Recreation and Culture Commission Bylaw Amendment Bylaw, 2015* be read a first time.

CARRIED

MOVED by Councillor Braithwaite, seconded by Councillor Croft: That Bylaw No. 4656, *Oak Bay Parks, Recreation and Culture Commission Bylaw Amendment Bylaw, 2015* be read a second time.

CARRIED

MOVED by Councillor Braithwaite, seconded by Councillor Croft: That Bylaw No. 4656, *Oak Bay Parks, Recreation and Culture Commission Bylaw Amendment Bylaw, 2015* be read a third time.

CARRIED

MOVED by Councillor Croft, seconded by Councillor Zhelka: That Bylaw No. 4657, *Procedure Bylaw Amendment Bylaw, 2015* be read a first time.

CARRIED

MOVED by Councillor Croft, seconded by Councillor Zhelka: That Bylaw No. 4657, *Procedure Bylaw Amendment Bylaw, 2015* be read a second time.

A discussion ensued on the merits of deleting the prohibition on electronic participation at closed meetings of Council by members of Council. Some members expressed concern that this could compromise the confidentiality of closed meetings, while others noted that instituting a practice of confirming that members participating electronically have addressed their responsibilities with respect to confidentiality would be an appropriate practice to address this concern.

MOVED by Councillor Murdoch, seconded by Councillor Braithwaite: That the motion be amended to read: "That Bylaw No. 4657, *Procedure Bylaw Amendment Bylaw, 2015* be amended by deleting Section 2 and that the bylaw as amended then be read a second time."

A discussion ensued in which some members of Council reiterated their concerns regarding removing the prohibition on electronic participation, while other members noted that allowing for electronic participation would be useful in the event that a time-sensitive item for a closed meeting arose while a Council member was out of town.

The question was then called.

DEFEATED
Mayor Jensen and Councillors Croft, Kirby,
Ney and Zhelka against the motion

The question on the main motion was then called.

CARRIED

The Municipal Clerk responded to questions from Council with respect to the standard for recording movers and seconders in the minutes and also with respect to notification requirements in the Community Charter for procedure bylaw amendments, as further outlined in her November 11, 2015 report, originally considered at the Committee of the Whole on November 16, 2015. Members of Council also commented on the potential for increasing the number of days between when the agenda is made available and the meeting is held and on further standardizing the format of the minutes.

MOVED by Councillor Croft, seconded by Councillor Zhelka: That Bylaw No. 4657, *Procedure Bylaw Amendment Bylaw, 2015*, be read a third time.

CARRIED

ADJOURNMENT:

15. ***Motion to Adjourn to In Camera***

MOVED by Councillor Braithwaite, seconded by Councillor Croft: That the open portion of the meeting of Council be adjourned and that a closed session be convened to discuss personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality.

CARRIED

The meeting adjourned at 8:35 PM.

Certified Correct:

Municipal Clerk

Mayor