

MEMORANDUM

2013-121

To: Mayor and Council

From: Fernando Pimentel
Deputy Treasurer

Date: April 24, 2013

Re: Greens Mower, Cab & Chassis Truck with Dump Box, Commercial Van, Pickup Truck, Side Loading Refuse Packer, Brush Chipper and Fork Lift Tender Award Recommendation

The prices shown are final, include all applicable taxes, trade-ins and are net of G.S.T. rebate. Early spending approval has been granted by Mayor and Council for these capital purchases which will be funded from the Machinery & Equipment Replacement Reserve Fund.

GREENS MOWER; PW10-2013

Company	Model	Price
Prairie Coast Equipment	John Deere 220E Hybrid	\$9,937.09
Oak Creek Golf & Turf	Toro Flex 2100	\$11,877.00

Budget: \$12,500

The Public Works Superintendent has indicated that the John Deere does not meet the specification of 14 blades (has 11 blades). However, this is offset by the variable speed control on the unit that speeds up the blades and meets the performance requirements.

It is recommended that Prairie Coast Equipment be awarded the tender.

CAB & CHASSIS TRUCK WITH DUMP BOX; PW11-2013

Company	Model	Price
Suburban Motors	Ford F-450XL	\$55,235.54

Budget: \$ 60,000

It is recommended that Suburban Motors be awarded the tender.

COMMERCIAL VAN; PW12-2013

Company	Model	Price
Suburban Motors	Ford E350 Cutaway Chassis	\$47,978.80

Budget: \$ 44,800

The price is \$3,178.80 over budget. The superintendent has decided to remove an option included in the price in the amount of \$4,580, putting the vehicle under budget.

It is recommended that Suburban Motors be awarded the tender.

PICKUP TRUCK; PW13-2013

Company	Model	Price
Metro Motors Ltd	Ford F250	\$24,449.50
Suburban Motors	Ford F350	\$27,982.64

Budget: \$28,000

It is recommended that Metro Motors be awarded the tender.

SIDE LOADING REFUSE PACKER; PW14-2013

Company	Model	Price
Rollins Machinery Ltd	Haul All SC14 w/ Chassis by Metro Motors	\$106,472.49
	Haul All SC14 w/ Chassis by Suburban Motors	\$109,966.98

Budget: \$ 134,000

Rollins Machinery Ltd submitted two chassis, both Ford. The two chassis meets all specifications.

It is recommended that Rollins Machinery Ltd (Chassis by Metro Motors) be awarded the tender.

BRUSH CHIPPER; PW15-2013

Company	Model	Price
Vermeer Equipment	BC1200XL	\$34,731.50
Oak Creek Golf & Turf	Salsco 813XT	\$46,116.30

Budget: \$53,000

It is recommended that Vermeer Equipment be awarded the tender.

FORKLIFT; PW16-2013

Company	Model	Price
Mason Lift Ltd	Toyota 8FGU18	\$22,127.60

Budget: \$34,000

It is recommended that Mason Lift Ltd be awarded the tender.

OPTIONS

Do not approve replacement of the equipment. This option is not recommended. The equipment should be replaced according to our replacement policy and estimated useful life. Extending the use of our current equipment may result in expensive repairs and downtime of equipment necessary for operational services.

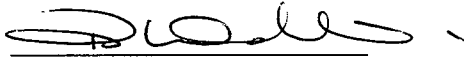
RECOMMENDATION

That Council approve all of the tender recommendations.



Fernando Pimentel
Deputy Treasurer

The required funds are included in the financial plan. I concur with the recommendation of the Deputy Treasurer.



Patricia Walker
Municipal Treasurer

I concur with the recommendation of the Deputy Treasurer.



Gary Nason
Chief Administrative Officer

2013-122

MEMORANDUM

TO: Mayor and Council
FROM: Hope V. Burns, mcip, Consulting Planner
DATE: May 7th, 2013
RE: Early Consultation for Official Community Plan (OCP)

BACKGROUND:

This report has been prepared as some additional background information for Council and the community. It explains the purpose of an OCP, and sets out the legislative requirements for early consultation requiring Council direction at this time in the process.

DISCUSSION:

OPAC (OCP Planning Advisory Committee) has greatly assisted in setting out the terms of reference for the OCP renewal for Council's approval. A consultant team has now been retained and is well underway in undertaking the first steps of the public input with two workshops and visioning sessions for specialized topics now scheduled.

The District of Oak Bay's Official Community Plan is the municipality's key long range planning document. It outlines the long-term planning vision for Oak Bay and sets out short-term and long-term directions for future development and servicing requirements for the community. Its' purpose is to capture and reflect community values and translate them into policies that reflect many aspects of community life including residential growth management and housing; economic support and development; heritage preservation and protection; parks, public open space and recreation opportunities, the environment, transportation matters, and municipal infrastructure.

Once an OCP is adopted by Council, all bylaws adopted or works undertaken by the municipality must be consistent with the Plan, including decisions about land use and zoning, subdivision, density, services and capital spending. The OCP is adopted through the usual bylaw process and is strictly a policy document. In order for it to be effective, several tools are required to implement its policies and objectives. This includes the use of regulations (such as those contained in the Zoning Bylaw, subdivision and engineering servicing requirements, and capital expenditure planning to identify a few) and guidelines (such as development permit and design guidelines). These bylaws, regulations and guidelines must be consistent with the OCP.

Provincial Legislation

The Local Government Act contains several sections which outline the municipal authority and legal requirements in order for local governments to adopt official community plans. A local government may choose to adopt one or more OCPs and, if so, must do so by bylaw. Adoption of the bylaw must follow the necessary bylaw readings and public hearing process as well as approval by other provincial authorities, as required. Obtaining Input from the School District, First Nations' and adjoining municipal Councils should also be undertaken.

Such plans can only contain policies for matters and issues within the jurisdiction of a local government, as set out in the provincial legislation. For example, an OCP must include statements and map designations with respect to:

- the approximate location, amount, type and density of residential development required to meet anticipated housing needs over a period of at least five years. The plan must contain housing policies respecting affordable housing, rental housing and special needs housing;
- the approximate location, amount and type of present and proposed commercial, industrial, institutional, agricultural, recreational and public utility land uses;
- the approximate location and area of sand and gravel deposits that are suitable for future sand and gravel extraction;
- restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development;
- a regional context statement;
- the approximate location and phasing of any major road, sewer and water systems;
- the approximate location and type of present and proposed public facilities, including schools, parks, and waste treatment and disposal sites; and
- targets and policies for the reduction of greenhouse gas emissions.

The OCP may include:

- policies regarding social needs, social well-being and social development; and
- policies with respect to preservation, protection, restoration and enhancement of the natural environment, its ecosystems and biological diversity.

As well, an OCP may designate development permit areas for one or more of the following purposes:

- protection of the natural environment, its ecosystems and biological diversity;
- protection of development from hazardous conditions;
- revitalization of an area in which a commercial use is permitted;
- establishment of objectives for the form and character of intensive residential development;
- establishment of objectives to promote energy and water conservation and the reduction of greenhouse gas emissions; and
- establishment of objectives for the form and character of commercial, industrial or multi-family residential development.

Development Permits control the siting, form and exterior appearance of buildings and landscaping. These permits cannot modify use or density which is strictly regulated by the Zoning Bylaw. The OCP must describe the special conditions or objectives that justify the designation and specify guidelines respecting the manner by which the special conditions or objectives will be addressed in a development permit. Council must approve issuance of a development permit before construction or alterations can take place on properties situated within designated development permit areas, unless a waiver has been granted.

OCP Consultation

Pursuant to Section 879 of the Local Government Act, the local government must consult with other authorities that may be impacted with the policies of a new and/or revised OCP. The following excerpt from the Act outlines the consultation decisions required from Council during the OCP preparation process.

“Consultation during OCP development

879 (1) During the development of an official community plan, or the repeal or amendment of an official community plan, the proposing local government must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected.

(2) For the purposes of subsection (1), the local government must

(a) consider whether the opportunities for consultation with one or more of the persons, organizations and authorities should be early and ongoing, and

(b) specifically consider whether consultation is required with

(i) the board of the regional district in which the area covered by the plan is located, in the case of a municipal official community plan,

(ii) the board of any regional district that is adjacent to the area covered by the plan,

(iii) the council of any municipality that is adjacent to the area covered by the plan,

(iv) first nations,

(v) school district boards, greater boards and improvement district boards, and

(vi) the Provincial and federal governments and their agencies.

(3) Consultation under this section is in addition to the public hearing required under section 882 (3) (d).”

At this time juncture, Council may direct that “early” consultation should now occur and it is respectfully suggested that local first nations and the school district be formally requested, by a letter from the Mayor, to both participate and provide information and comments. It is suggested that the CRD, adjacent municipalities and other government authorities be requested for input at the draft OCP stage.

An important component of the plan review is to obtain residents' input to identify key issues of concern. The consultant is in the process of undertaking the first part of a public input process which will include visioning sessions and workshops. The OCP review process will be detailed on the District website and advertised in the local newspaper. Throughout this proposed process, residents will be encouraged to directly participate in the review and voice their comments or concerns on various issues.

This public input will form the direction for the revisions to the existing plan. Ms Berris' team will compile comments from the public, with revisions to the draft plan recommended for Council review and discussion. Council may then wish to proceed with forwarding the revisions to preparation of the OCP amending bylaw to a formal public hearing to receive public commentary on the bylaw. At that point, Council may require changes to the draft OCP to address public comments and, when appropriate, Council would then proceed to adopt the plan.

Unless otherwise directed, in the weeks ahead, staff and the undersigned will continue to provide support, background information and logistical assistance to the consultant, reporting back to Council/Committee of the Whole at significant milestones.

OPTIONS:

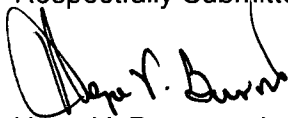
Council may direct whether early consultation is required or not and if early consultation is to be undertaken; with which authorities. It is suggested that early consultation be formally undertaken with both the First Nations and the School District with a letter from the Mayor to formally request both participation and input. With respect to other municipal, federal and provincial authorities, it is suggested that the formal opportunity to request review would be appropriate once a draft of the OCP has been prepared. Alternatively, Council may decide that all listed authorities may be requested to provide input at this early stage.

RECOMMENDATIONS:

That it be recommended to Council that Council

1. receive this report for information;
2. direct that early formal consultation shall now be commenced with the local first nations Songhees Band and the School District; and,
3. indicate that consultation with other jurisdictions is to occur during the public input process once the draft OCP has been prepared.

Respectfully Submitted,



Hope V. Burns, mcip
Consulting Planner

I concur with the recommendations of the Consulting Planner.



Roy Thomassen
Director of Building and Planning



Gary C. Nason
Chief Administrative Officer

2013- 133

MEMORANDUM

TO: Committee of the Whole, Finance Section
FROM: Municipal Treasurer
DATE: May 9, 2013
RE: Making Progress Towards Carbon Neutrality

BACKGROUND:

At its April 22nd meeting a motion was passed that Council “refer to the Environmental Advisory Committee a request to examine possible options for local certified carbon credit purchases...and further that the Committee provide a short report listing potential providers of such credits, process requirements for such purchases, and any other recommendations that come through the research”. The Environmental Advisory Committee (EAC) will be meeting on May 16th.

Last week a meeting was held between Councillor Murdoch, the CRD Climate Action Program Assistant, our own Energy and Operations Coordinator (Ken Olson), and me. While the above motion was discussed briefly, the main discussion was about ways that Oak Bay could continue to meet the requirements dictated by the Climate Action Charter but retain money, originally budgeted for carbon offset purchases, to use within the municipality for its own projects.

Since this is a different focus than the one contained in the April 22nd motion, this memorandum has been prepared to briefly discuss this second option, and to ask Council to decide whether the focus of the EAC’s discussion should be expanded.

DISCUSSION:

At the 2008 UBCM Convention the *Climate Action Revenue Incentive Program (CARIP)* was announced. This program was to offset the carbon tax paid by local governments who have committed to the goal of becoming carbon neutral in their corporate operations by 2012 under the *BC Climate Action Charter*. To be eligible for the conditional grant, local governments had to sign on to the *BC Climate Action Charter*, thereby committing to various actions including achieving the goal of being carbon neutral in their corporate operations by 2012. This required buying carbon offsets and in 2012 Oak Bay budgeted to purchase \$35,000 in carbon offsets.

In 2011 it was recognized that some communities would benefit from the addition of another level of acceptable compliance in the goals set by CARIP. In that year the Green Communities Committee (which is a Joint Provincial-UBCM committee established under the *Climate Action Charter* to support local governments in taking action on climate change) determined that “making progress towards carbon neutrality” would be supported as part of the approach to carbon neutrality under the *Climate Action Charter*. However, the only way for a municipality to

have the right to say that it is “carbon neutral” continues to be buying carbon offsets from a third party. The 2012 carbon offsets must be purchased by June 1, 2013.

Mr. Olson recently approached me about developing ways to ensure the continued availability of funding for energy reducing projects. An easily identified source of possible funding is the money that is budgeted to buy carbon offsets. This money could be transferred into an internal carbon fund rather than paying the money to a carbon offset provider (e.g. the Pacific Carbon Trust). This has been done by a number of municipalities, each with slightly different approaches and policies. If Council decides to set up such a fund, Oak Bay’s approach to its carbon footprint would be that we are “making progress toward carbon neutrality”.

The difference between this approach and the one that the EAC was asked to examine is that this would, at least at the start, concentrate on spending the money on projects that reduce energy consumption in municipal buildings and infrastructure, rather than the local businesses that were discussed in the preamble to the April 22nd motion. It would have the benefit of helping Oak Bay to become more energy efficient.

As with any new policy, work will be required to decide on the terms of reference and we are fortunate to have a number of different municipalities’ examples to use, as well as the offer of support from the CRD Climate Action Program. Other issues that would have to be dealt with are consideration of the extent to which external resources would be needed to carry out the program, the related budget implications, and how much of the work could be done by current staff.

OPTIONS:

1. If Council wishes to have Oak Bay be “carbon neutral” for 2012, it should direct that carbon offsets be purchased by June 1, 2013 from an approved third party provider.
2. If Council is comfortable with the “making progress towards carbon neutrality” option, it can either:
 - leave its original direction to the EAC, as stated in the minutes of the April 22, 2013 Council meeting; or
 - add to the original resolution the option of developing an internal reserve fund that will help to pay for energy reducing projects within municipal buildings and other infrastructure.

FINANCIAL IMPACT:

1. In order to be “carbon neutral”, approximately \$35,000 will be spent on carbon offsets purchased from a third party. Future energy reducing projects within municipal buildings and other infrastructure that are not funded by grants will have to be funded through taxes or debt.
2. Under the “making progress” option, if options are found to purchase carbon credits locally, the carbon offsets will be spent closer to home, in the community. Future municipal projects would have to be funded by grants, taxes or debt.

Continuing with the “making progress” option, if the decision is made to implement an internal reserve to help fund municipal projects, less funding from taxes or debt would be required. There would, however, have to be some way of managing the reserve fund and ensuring that proposed projects meet certain standards with respect to future energy savings. I hope that the policies could be drafted in such a way as to not be too onerous or time-consuming, but at present I am not able to determine the financial resources that might be needed.

RECOMMENDATIONS:

“That Council request the Environmental Advisory Committee to examine the option of implementing an internal carbon fund, that it review similar funds that have been set up in other municipalities, and that it report back to Council with recommendations of the approach and policies that should be used; and further, that Council adopt the “making progress towards carbon neutrality” option under the *BC Climate Action Charter* and retain the money originally budgeted for the purchase of carbon offsets until the recommendations of the Environmental Advisory Committee have been considered.”



Patricia Walker

I concur with the recommendations of the Municipal Treasurer.



Gary Nason
Chief Administrative Officer