

Meeting Minutes Capital Regional District Board

Wednesday, May 25, 2016

10:00 AM

6th Floor Boardroom

Special Meeting

Present:

Directors: B. Desjardins (Chair), D. Howe (Vice Chair), M. Alto, D. Blackwell, S. Brice, J. Brownoff, C. Coleman (for B. Isitt), V. Derman, A. Finall, C. Hamilton, L. Helps, M. Hicks, C. Jensen (for R. Windsor), R. Kasper, J. Loveday (for G. Young), W. McIntyre, K. Murdoch (for N. Jensen), C. Plant, S. Price, J. Ranns, D. Screech, L. Seaton and K. Williams

Staff: R. Lapham, Chief Administrative Officer; L. Hutcheson, General Manager, Parks and Environmental Services; T. Robbins, General Manager, Integrated Water Services; R. Sharma, Acting Chief Financial Officer; A. Orr, Senior Manager, Corporate Communications; S. Santarossa, Manager, Legislative and Corporate Initiatives; B. Reems, Corporate Officer; S. Norton, Deputy Corporate Officer (Recorder); and K. Stuart, CRD Solicitor

Also Present: Alternate Directors C. Day and L. Hundleby; A. Farrell, CEO and President, Partnerships BC; P. Milburn, Provincially Appointed Facilitator

Absent: Director: R. Atwell

The meeting was called to order at 10:01 am.

1. APPROVAL OF THE AGENDA

MOVED by Director Helps, **SECONDED** by Director Seaton,
That the agenda be approved as circulated.
CARRIED

2. PRESENTATIONS/DELEGATIONS

2.1. 16-660 Delegation: Tom Benjamin, CUPE Local 1928 re Item 3.1

T. Benjamin spoke to including "a publicly owned and operated system" as one of the guiding principles in the Project Board Terms of Reference. The delegation provided a written submission, on file at Legislative and Information Services.

2.2. 16-661 Delegation: David Langley re Item 3.1

D. Langley spoke to governance concerns regarding the Project Board versus the ongoing responsibilities and accountability of the CRD Board. The delegation provided a written submission, on file at Legislative and Information Services.

2.3. 16-662 Delegation: Robert Drew re Item 3.1

R. Drew provided comments and suggested changes to the Project Board Terms of Reference regarding public input and community concerns, and consultation on siting. The delegation provided a written submission, on file at Legislative and Information Services.

3. SPECIAL MEETING MATTERS**3.1. [16-657](#)** Core Area Wastewater Treatment Project Board - Terms of Reference and Bylaws

Speaking to the staff report, R. Lapham advised that CRD staff worked with provincial representatives, legal counsel and a project management advisor to develop the Terms of Reference, and the Project Board and delegation bylaws. Once appointed, the Project Board will begin work immediately on a high-level project proposal and business case for approval by the CRD Board and for submission to provincial and federal funding partners by September 30, 2016. R. Lapham reviewed the Terms of Reference.

P. Milburn advised that the Terms of Reference were based on large projects of a similar size. He noted that the large amount of background reports prepared to date will assist in the development of the business case.

On the motion, discussion ensued regarding:

- exploration of different contract delivery models
- approval of criteria for evaluating the options
- option evaluation to show tradeoffs, e.g. financial, risks, environmental, legal, etc.
- CRD Board's approval of the business case and ability to change
- proposal for allowing industry to develop business cases to define project scope
- CRD Board's accountability for the project versus the role and responsibilities of the Project Board
- impacts of time constraints
- rezoning of sites

**MOVED by Director Helps, SECONDED by Director Brice,
That the Core Area Wastewater Treatment Project Board Terms of Reference, as set out in Appendix A, be approved.**

Discussion ensued on the motion to amend by adding the words 'up to' before 108ML/day. It was noted that this could be interpreted as capping, which may not be desirable as a previous proponent was able to provide for larger flows with no increase in cost.

**MOVED by Director Plant, SECONDED by Director Derman,
That the Terms of Reference be amended as follows: under the heading Project Scope - Principles, clause 1., add the words 'up to' before 108ML/day.**

DEFEATED

OPPOSED Alto, Blackwell, Brice, Brownoff, Coleman, Desjardins, Finall, Hamilton, Helps, Hicks, Howe, Jensen, Kasper, Loveday, McIntyre, Murdoch, Price, Screech, Seaton, Williams

Discussion continued regarding the frequency of meetings and reporting by the Project Board to the CRD Board. Staff noted that the quarterly meetings and reporting was a minimum, and that during 2016, there will likely be more meetings. It was suggested that monthly progress reports could be provided, but not with the detail of the quarterly comprehensive reports.

**MOVED by Director Plant, SECONDED by Director Derman,
That the Terms of Reference be amended as follows: under the heading Project Board - Meeting/Reporting, clause 4., add the words 'monthly progress reports and' before the words 'a comprehensive quarterly report'.
CARRIED**

In response to questions, staff advised that the Project Board meetings will begin in open meeting; however, much of the material to be considered is commercially confidential and will need to be discussed in closed meeting. CRD Directors would not be able to attend Project Board closed meetings. Also, that a mechanism will need to be put in place for First Nation involvement.

Discussion continued on the Terms of Reference related to the contract delivery models to be explored, and in particular, how a preference for 'publicly owned and operated' could be incorporated when options are being developed for the business case. Staff noted that the Terms of Reference did not preclude any models being explored.

**MOVED by Director Finall, SECONDED by Director Derman,
That consideration of the main motion, as amended, be postponed until the next Board meeting.
DEFEATED**

OPPOSED Alto, Blackwell, Brice, Brownoff, Coleman, Desjardins, Hamilton, Helps, Hicks, Howe, Jensen, Kasper, Loveday, McIntyre, Murdoch, Price, Screech, Seaton, Williams

Discussion continued on the contract delivery models, and on performance based-models.

**MOVED by Director Brownoff, SECONDED by Director Plant,
That the Terms of Reference be amended as follows: under the heading Project Board Guiding Principles and Values, clause 3., add the words 'publicly operated and maintained,' after the word 'including' and add the words 'and others' after the words 'Design-Build-Finance-Operate-Maintain models'.
CARRIED**

**MOVED by Director Screech, SECONDED by Director Blackwell,
That the question on the main motion, as amended, be called.
CARRIED
OPPOSED Finall, Ranns**

The question was called, as follows:

**MOVED by Director Helps, SECONDED by Director Brice,
That the Core Area Wastewater Treatment Project Board Terms of Reference, as set out in Appendix A of the staff report, and as amended, be approved.
CARRIED
OPPOSED Derman, Finall, Ranns**

On the motion to introduce Bylaw No. 4109, concern was expressed that the CRD Board should be informed about the expertise of the proposed membership of the Project Board before proceeding with the bylaw.

MOVED by Director Helps, **SECONDED** by Director Blackwell,
That Bylaw No. 4109, "Core Area Wastewater Treatment Project Board Bylaw No. 1, 2016", be introduced and read a first and second time.

4. MOTION TO CLOSE THE MEETING

4.1. [16-658](#) Motion to Close the Meeting

MOVED by Director Ranns, **SECONDED** by Director Screech,
That the Board close the meeting in accordance with the Community Charter,
Part 4, Division 3, 90(1): (a) personal information about an identifiable individual
who holds or is being considered for a position as an officer, employee or agent
of the regional district or another position appointed by the regional district.
CARRIED
OPPOSED Blackwell

The Board moved to the closed session at 11:52 am and rose from the closed session at 12:21 pm
without report.

[16-657](#) Core Area Wastewater Treatment Project Board - Terms of Reference and
Bylaws

The question was called on the previous motion, as follows:
MOVED by Director Helps, **SECONDED** by Director Blackwell,
That Bylaw No. 4109, "Core Area Wastewater Treatment Project Board Bylaw No. 1, 2016", be introduced and read a first and second time.
CARRIED
OPPOSED Derman

MOVED by Director Helps, **SECONDED** by Director Screech,
That Bylaw No. 4109 be read a third time, with the Schedule "A", Terms of
Reference, as amended under Item 3.1.
CARRIED
OPPOSED Derman

MOVED by Director Helps, **SECONDED** by Director Blackwell,
That Bylaw No. 4109 be adopted, as amended.
CARRIED
OPPOSED Derman

MOVED by Director Blackwell, **SECONDED** by Director Helps,
That Bylaw No. 4110, "Core Area Wastewater Treatment Project Board
Delegation Bylaw No. 1, 2016", be introduced and read a first and second time.
CARRIED
OPPOSED Derman, Ranns

MOVED by Director Blackwell, **SECONDED** by Director Helps,
That Bylaw No. 4110 be read a third time.
CARRIED
OPPOSED Derman, Ranns

MOVED by Director Blackwell, **SECONDED** by Director Helps,
That Bylaw No. 4110 be adopted.
CARRIED

OPPOSED Derman, Ranns

3.2. [16-637](#)

Support for Regional Fundraising Initiatives for Wildfire Losses in Northern Alberta

MOVED by Director Plant, **SECONDED** by Director Hicks,
Whereas the devastation and loss of property experienced by those in the Ft. McMurray region has been unprecedented in recent Canadian history,
And, whereas the time and costs for residents and businesses to return to normal will be significant and immense,
And, whereas Canadians from across our nation will want to help those who have experienced significant loss and experienced trauma as a result of the wildfire,
And, whereas the residents of the CRD will want to show their support those affected by the wildfires in the Fort McMurray region,
Be it resolved that the CRD will support regional fundraising initiatives or activities to support those in need as a result of the loss caused by wildfires in Northern Alberta.

MOVED by Director Derman, **SECONDED** by Director Murdoch,
That the motion be amended to add the words 'in principle'.
CARRIED

The question was called on the motion, as amended:

MOVED by Director Plant, **SECONDED** by Director Hicks,
Whereas the devastation and loss of property experienced by those in the Ft. McMurray region has been unprecedented in recent Canadian history,
And, whereas the time and costs for residents and businesses to return to normal will be significant and immense,
And, whereas Canadians from across our nation will want to help those who have experienced significant loss and experienced trauma as a result of the wildfire,
And, whereas the residents of the CRD will want to show their support those affected by the wildfires in the Fort McMurray region,
Be it resolved that the CRD will support, in principle, regional fundraising initiatives or activities to support those in need as a result of the loss caused by wildfires in Northern Alberta.

CARRIED

Referencing the staff report regarding the Board's 'no grant-in aid' policy, Director Plant described an event being planned on the basis of zero cost recovery, but there is a need for a small amount of seed money.

MOVED by Director Plant, **SECONDED** by Director Hicks,
That the CRD Board consider a grant-in-aid of \$2,500 to support the initiative of a concert in Centennial Square on Friday, June 17, 2016.
CARRIED

5. ADJOURNMENT

MOVED by Director Helps, **SECONDED** by Director Alto,
That the meeting be adjourned at 12:26 pm.
CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER