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**CAPITAL REGIONAL DISTRICT BOARD sitting as
COMMITTEE OF THE WHOLE**
Notice of a Meeting on Wednesday, October 10, 2012 at 11:45 am
Board Room, 6th Floor, 625 Fisgard Street, Victoria, BC

AGENDA

1. APPROVAL OF THE AGENDA

2. MOTION TO CLOSE THE MEETING

- *That the Committee of the Whole close the meeting in accordance with the Community Charter, Part 4, Division 3, 90(1) (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose (Item 3).*

3. ADOPTION OF MINUTES OF JULY 11, 2012

4. BYLAW NO. 3828 “CAPITAL REGIONAL DISTRICT BOARD PROCEDURES BYLAW, 2012”

- *That the Committee of the Whole recommend to the Capital Regional District Board: That Bylaw No. 3828 “CRD Board Procedures Bylaw, 2012” be introduced, read a first and second time, read a third time and adopted.*

5. FORUM OF COUNCILS DISCUSSION

6. NEW BUSINESS

7. ADJOURNMENT



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MINUTES OF A MEETING OF THE CAPITAL REGIONAL DISTRICT BOARD

Sitting as COMMITTEE OF THE WHOLE

Held Wednesday, July 11, 2012, in the Board room, 625 Fisgard Street, Victoria, BC

PRESENT: Directors: G. Young (Chair), G. Hill (Vice Chair), M. Alto, D. Blackwell, A. Bryson, S. Brice (12:42), J. Brownoff, C. Coleman (for D. Fortin), L. Cross (12:12), T. Daly, V. Derman, B. Desjardins, C. Hamilton (12:42), D. Howe, M. Hicks, B. Isitt, N. Jensen (1:14), P. Lake (for W. McIntyre), F. Leonard (12:12), W. Milne (12:17) and J. Ranns

Staff: K. Daniels, Chief Administrative Officer; J. Hull, General Manager, Integrated Water Services; L. Hutcheson, General Manager, Environmental Sustainability; R. Lapham, General Manager, Planning and Protective Services; D. Lokken, General Manager, Corporate Services; L. Rushton, General Manager, Parks and Community Services; M. Misek-Evans, Senior Manager, Regional and Strategic Planning; A. Orr, Senior Manager, Corporate Communications; S. Santarossa, Corporate Officer, and S. Norton, Corporate Assistant, Legislative Services (Recorder)

Also present: D. Waldren, Synapse Strategies

PRESENT: Directors: J. Mendum, L. Wergeland

The Chair called the meeting to order at 12:08 pm.

1. Approval of the Agenda

MOVED by Director Derman, **SECONDED** by Director Hill,
That the agenda be approved as circulated.

CARRIED

2. Adoption of Minutes of February 1, February 15, February 29, March 7 and April 11, 2012

MOVED by Director Derman, **SECONDED** by Director Bryson,
That the minutes of the meetings of February 1, February 15, February 29, March 7 and April 11, 2012 be adopted.

CARRIED

3. Presentations/Delegations - None

4. Priorities for the 2012 Corporate Strategic Plan

M. Misek-Evans provided a brief overview of the feedback from the Forum of Councils on the draft strategic plan and the process.

Directors Cross and Leonard entered the meeting at 12:12 pm.

The draft plan considered by the Forum of Councils was given out at the meeting for reference. Using a PowerPoint presentation, D. Waldren reviewed the changes made to

the mission and vision statements and the six strategic priorities of the draft strategic plan document as a result of the feedback from the Forum of Councils

Director Milne entered the meeting at 12:17 pm.

MOVED by Director Hill, **SECONDED** by Director Isitt,
That the Capital Regional District Committee of the Whole direct staff to prepare the final version of the 2012-14 Strategic Plan, based on the strategic priorities, mission and vision described in Report No. PPS/RP 2012-18.

Committee provided feedback and amendments as D. Waldren reviewed the changes for each section.

Our Mission

MOVED by Director Brownoff, **SECONDED** by Director Cross,
That mission statement be amended by inserting the word 'livable and' after 'vibrant', so that it reads as follows:
We are diverse communities working together to serve the public good and build a vibrant, livable and sustainable region.

CARRIED

Our Vision

MOVED by Director Hill, **SECONDED** by Director Derman,
That the vision statement be amended by replacing the words 'inclusive economy' with 'vibrant economy' and the words 'a caring society' with 'an inclusive, caring society', so that it reads as follows:
Our communities strive to achieve exemplary environmental stewardship, a dynamic and vibrant economy and an inclusive, caring society. ...

CARRIED

Regional Cooperation

MOVED by Director Hill, **SECONDED** by Director Ranns,
That Goal 2 be amended by deleting sub-goal 2 in its entirety, as follows:
Develop a framework for CRD and First Nations for acceptable ways of addressing mutual and community specific interests.

CARRIED
OPPOSED

Blackwell, Brownoff, Isitt, Young

Directors Brice and Hamilton entered the meeting at 12:42 pm.

MOVED by Director Brownoff, **SECONDED** by Director Hill,
That sub-goal 1 under Goal 2 be amended by replacing the words 'and strategies' with the following: ', strategies and regionally specific interests', so that it reads as follows:
Engage First Nations communities in major regional plans, strategies and regionally specific interests (e.g. Regional Sustainability Strategy, Waste Management Plan, etc.).
CARRIED

Regional Transportation Planning

MOVED by Director Brownoff, **SECONDED** by Director Derman,
That Goal 3 be referred back to staff to develop more sub-goals on land use planning and links with transportation, e.g. mobility, age-friendly communities, educational institutions.
CARRIED

Director Hicks and Milne left the meeting at 12:58 pm.

MOVED by Director Hill, **SECONDED** by Director Isitt,
That the following sub-goal be added under Goal 2:
Increase regional transportation advocacy for common mutual interests.
CARRIED

MOVED by Director Bryson, **SECONDED** by Director Derman,
That sub-goal 2 of Goal 3 be amended by deleting the words 'and bring into effect' and 'new', so that it reads as follows:
Implement the 2003 Regional Growth Strategy (RGS), including at least 90% of all growth to take place within the RUCSPA.
CARRIED

Director Hicks returned to the meeting at 1:00 pm.

Regional Housing

MOVED by Director Isitt, **SECONDED** by Director Derman,
That sub-goal 4 of Goal 3 be amended by deleting the words 'number of support' and replacing with 'supportive housing and', so that it reads as follows:
Decrease homelessness by increasing supportive housing and services for those in core housing need.
CARRIED

MOVED by Director Brownoff, **SECONDED** by Director Isitt,
That sub-goal 2 of Goal 3 be amended by adding the words 'and adaptable' before the words 'housing initiatives', so that it reads as follows:
Increase delivery of regional policies to encourage a full spectrum of innovative and adaptable housing initiatives.
CARRIED

Healthy Region

MOVED by Director Brownoff, **SECONDED** by Director Bryson,
That sub-goal 3 of Goal 1 be amended by deleting the word 'recreational' and adding the phrase ', including recreation and housing' following the word 'opportunities', so that it reads as follows:

Identify and promote age-friendly opportunities, including recreation and housing.

CARRIED

MOVED by Director Isitt, **SECONDED** by Director Hill,
That sub-goal 1 of Goal 3 be amended by deleting the word 'Direct' and replacing with 'Prioritize' and deleting the word 'priorities' and replace with 'projects', so that it reads as follows:

Prioritize Capital Regional Hospital District contributions to regional acute care capital projects.

CARRIED

Director Jensen entered the meeting and Director Leonard left the meeting at 1:14 pm.

Regional Infrastructure

Director Milne returned to the meeting at 1:15 pm.

MOVED by Director Derman, **SECONDED** by Director Isitt,
That Goal 1 be amended by either re-wording sub-goal 3 or adding an additional sub-goal 4 which clarifies expected changes in regional infrastructure requirements under climate change.

CARRIED

Regional Environmental Stewardship

MOVED by Director Isitt, **SECONDED** by Director Hill,
That the Intended Outcome statement be amended by adding the word 'the' before 'private sector' and deleting the word 'organizations', so that it reads as follows:
In response to the need for regional sustainability, we will increase collaboration with all levels of government, the public, and the private sector to protect ecosystem functioning and conserve natural resources.

CARRIED

MOVED by Director Derman, **SECONDED** by Director Isitt,
That the intended outcome statement be amended to include reference to accepting the region's responsibility to mitigate climate change and that Goal 1 be modified to clarify that responsibility.

CARRIED

Director Leonard returned to the meeting at 1:20 pm

MOVED by Director Isitt, **SECONDED** by Director Alto,
That Goal 3 be amended by adding the word 'air,' before the word 'marine', so that it
reads as follows:

Increase protection of air, marine and freshwater habitat;
and by adding the following as sub-goal 4:
Promote air quality through sustainable transportation planning.

DEFEATED

Alto, Blackwell, Brice, Brownoff, Bryson, Coleman, Cross, Daly, Derman, Desjardins
Hamilton, Hicks, Hill, Howe, Jensen, Lake, Leonard, Milne, Ranns, Young **OPPOSED**

MOVED by Director Alto, **SECONDED** by Director Derman,
That Goal 3 be amended by adding the word 'air,' before the word 'marine', so that it
reads as follows:

Increase protection of air, marine and freshwater habitat.

DEFEATED

Blackwell, Brice, Brownoff, Cross, Daly, Desjardins, Hicks,
Jensen, Leonard, Milne, Ranns, Young **OPPOSED**

MOVED by Director Alto, **SECONDED** by Director Jensen,
That the ramifications of including a policy reference to air quality be referred to the
Environmental Sustainability Committee.

CARRIED

MOVED by Director Derman, **SECONDED** by Director Hill,
That main motion to direct staff to prepare the final version of the 2012-14 Strategic Plan
be postponed until staff reports back with the amended draft plan document.

CARRIED

5. Adjournment

MOVED by Director Derman, **SECONDED** by Director Alto,
That the meeting be adjourned at 1:30 pm.

CARRIED

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER



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**REPORT TO COMMITTEE OF THE WHOLE
MEETING OF WEDNESDAY, OCTOBER 10, 2012**

SUBJECT **BYLAW NO. 3828 “CAPITAL REGIONAL DISTRICT BOARD PROCEDURES BYLAW, 2012”**

ISSUE

To undertake a review of the Board Procedures Bylaw to clarify procedures and include a number of housekeeping amendments.

BACKGROUND

A number of issues and questions regarding the current Board Procedures Bylaw have arisen over the past year from members of the Board, staff and the public prompting a review of the bylaw. These include:

- Suspension of rules of procedure
- Clarification of election procedures for the Chair and Vice Chair of the Board
- More specific rules and procedures regarding delegations and how to manage large numbers of delegations that appear before the Board or committee
- Placement of video recording devices in meeting rooms
- Minor housekeeping amendments

Staff has reviewed the procedure bylaws of 15 other local governments and has worked with our legal counsel, Stewart McDannold Stuart, to prepare the proposed Bylaw No. 3828.

At its meeting held September 5, 2012, the Finance and Corporate Services Committee considered Bylaw No. 3828 “Capital Regional District Board Procedures Bylaw, 2012” and discussed the following topics:

- Suspension of the Rules – s. 3
- Oath of Allegiance - s. 4(3)
- Delegations - s. 13(1)(3)
- Use of Audio and or Video Recording Devices - s. 19

The staff report was referred to the Committee of the Whole for consideration by all Board members and staff was directed to work with the Chair to incorporate the Committee’s feedback into the proposed new Procedures Bylaw.

A copy of draft Bylaw No. 3828, “Capital Regional District Board Procedures Bylaw, 2012” is attached for your consideration (Appendix A).

ALTERNATIVES

1. That Bylaw No. 3828 “CRD Board Procedures Bylaw, 2012” be introduced, read a first and second time, read a third time and adopted.
2. That the Board refer Bylaw No. 3828 back to staff for further amendments.
3. That the Board not proceed with any amendments to the Board Procedures Bylaw at this time.

IMPLICATIONS

Suspension of Rules of Procedure (s. 3):

A section has been added to the Board Procedures Bylaw that will allow the board to temporarily suspend the rules of procedure contained in the bylaw with a 2/3 vote. In a Board meeting there is sometimes a need to take care of some business that would normally violate our rules and a motion to suspend the rules would be in order at this time.

The Procedures Bylaw currently allows for changes to its rules in certain circumstances such as changes or additions to the order of business, allowing late delegations to address the Board and the length of time a member may speak to a question. The addition of this provision is meant to capture those unforeseen instances where a suspension of the rules is required and will allow the Board to carry on with its business.

Examples of when a motion to suspend the rules could be made include:

- permitting consideration of a motion that would otherwise not be in order
- adopting a motion without debate or amendment
- allowing a non-member to debate a pending motion
- considering a motion before the time to which consideration was postponed

Those provisions of the bylaw that are statutorily mandated, such as the provision to close a meeting pursuant to s. 90 of the *Community Charter*, any fundamental principles of Parliamentary Law such as allowing only one question to be considered at a time, or rules protecting the rights of absentee or individual members, cannot be suspended.

Oath of Allegiance - s. 4(3)

The current Procedures Bylaw No. 3708 states “The Chief Administrative Officer shall announce results of elections and confirm that new Members have completed the Oath of Office and *Oath of Allegiance* set out in the Local Government Act, following which the Chair shall be elected from among the Members of the Board.”

Previous legislation required Board members to sign both the Oath of Office and the Oath of Allegiance making it necessary for staff to confirm that Members had made both oaths. Board members are no longer required to make an Oath of Allegiance. S. 210(5) of the *Local Government Act* states that “a person taking office on a Board may also make an oath of allegiance.”

Because the Oath of Allegiance is no longer a requirement, it does not have a place within this particular section of the Procedures Bylaw. It is also not necessary to include a provision in the Procedures Bylaw to indicate that Members may sign an Oath of Allegiance as this is already explicitly stated in the legislation and it is not necessary for a Procedures Bylaw to repeat what is already outlined in the legislation.

At future Inaugural Meetings, staff will also provide each Board Member with the Oath of Allegiance and the Member may make this oath if desired.

Clarification of Election Procedures for the Chair and Vice Chair (s. 5):

In the event there are more than two candidates for the office of Chair or Vice Chair, an additional clause has been added to clarify next steps should a majority vote not be achieved with the first ballot.

Delegations (s. 13):

In the past year there were a number of Board meetings where a large number of delegations registered to address the Board regarding a particular item. This resulted in lengthy meetings where the Board did not have sufficient time to deliberate on the item. Staff has reviewed the current procedures regarding delegations and is recommending some amendments to provide clarity to members of the public and assist staff in better managing the process. The changes are summarized as follows:

- Definition of delegation (s. 1)
- Addition of 4:30 pm deadline two calendar days prior to the meeting (s. 13(1))
- Requirement that delegations must appear in person (s. 13(1))
- Speaking order (s. 13(1))
- Time restrictions for large numbers of delegations speaking to the same item (s. 13(1)(a))
- Use of video clips as part of the presentation (s. 13(3))
- Substitution of delegations (s. 13(4))

Section 13(1)- Delegations to appear in person:

The proposed bylaw includes a provision stating that delegations must appear in person. Delegations will not be able to send in video clips of their presentation or have someone else read out a letter on their behalf. The difficulty with allowing these types of delegation presentations is that the Chair would not be able to control the content of the presentation and ensure that the statements made are relevant to the matter on the agenda and are appropriate. There is also an inability of the Board members to ask questions of the speaker. Members of the public will still be permitted to send in a submission and it will be circulated for the Board’s information however, it will not be included as a record of the Board meeting.

While the Committee agreed with the proposed amendment to have a delegation appear in person, it was requested that consideration be given to those who are unable to attend the meeting in person due to extenuating circumstances eg, in hospital or in a care facility. The new clause, s. 3 Suspension of Rules of Procedure, has been added to allow for these types of extenuating circumstances. With a 2/3 vote of the Members present, the Board may allow a person to send in a video clip or have a letter read out on their behalf if they are unable to attend due to extenuating circumstances such as those mentioned above.

Section 13(1) – Speaking Order and Section 13(4) - Substitutions:

A provision has also been added to specify that the order of speakers will be based on the order in which the request was received. Previously, staff has encountered instances where a registered speaker has asked if the order in which they are scheduled to speak can be altered. In addition to the above, a clause was added to restrict the substitution of delegations when a registered speaker is no longer able to attend. This would not apply to an organization that has registered as a delegation should the organization need to send an alternate representative. In those instances, another representative from the organization that has registered to appear as a delegation would be permitted to address the Board.

Section 13(1)(a) – Large Numbers of Delegations:

In an effort to manage large numbers of delegations that appear to speak to the same item, a clause has been added granting the Chair authority to limit each address to a maximum of three minutes should six or more delegations register to speak to the same item.

Section 13(3) – Use of Video Clips:

Video clips, such as Youtube, will count towards the time limit permitted for the delegation. A section has been added to specify that any video presentations will count towards the time limit permitted for the delegation.

The Committee expressed some concern about permitting video clips as part of a delegation. Staff ensure the written application to appear as a delegation pertains to an item on the agenda but they do not monitor the content of a delegation’s submission prior to the meeting including any written submissions they may provide. S. 13(8)(b) of the Procedures Bylaw states:

“(8)The Chair may deny any delegation the right to address a meeting if, in the Chair’s opinion, the spokesperson or any Member of the delegation:

(b) addresses issues not contained within the written application of the individual or delegation.”

This authority would also apply to a video clip should the Chair feel that the video clip does not address the issue to which the delegation has registered to speak. In the past it was not clear to delegations as to whether a videoclip would count towards the time limit permitted for the delegation. This provision adds some clarity and will assist the delegation in preparing to address the Board.

Placement of Video Recording Devices in Meeting Room (s. 19):

A section has been added to the bylaw that authorizes the Chair to use their discretion to manage the placement of video recording devices in the meeting room to lessen disruption of the meeting. Over recent months, concern has been expressed by elected officials and volunteer commissions about the increased presence of video recording devices at various meetings. In some cases the size of the meetings room are not large enough to comfortably accommodate video recording devices set up on tripods in the room. While we cannot prohibit the use of recording devices, this provision is meant to reduce interference at meetings where larger pieces of equipment are set up to record a meeting. It is not possible to regulate all forms of audio and/or video recording, in particular the use of handheld devices. Because in most cases audio recordings do not typically interfere with the meeting, reference to use of audio recordings has not been included in the Procedures Bylaw.

This provision would apply to all meeting rooms and will assist staff to better manage the meeting process and reduce interference with the meeting.

Minor Housekeeping Amendments:

Other minor housekeeping amendments include:

- Clarification of the definition of a committee and commission and updating use of the terminology throughout the bylaw (s. 1)
- Inclusion of an electronic notice board in the “Public Notice Posting Place” definition (s. 1)
- Adding Presentations/Delegations to the Order of Business for Special Meetings (s. 15(2))
- Notice that minutes may be posted to the website (s. 16(3))
- Addition of commissions and other bodies to the list where s. 90 of the *Community Charter* would apply (s. 17(2))
- Clarification of appointments made by the Chair to Board Standing Committees to include those standing committees established by Letters Patent or other legislation (s. 26(2))

CONCLUSION

In response to a number of issues and questions that have arisen over the past year from members of the Board, staff, and the public, a review of the current Board Procedures Bylaw has been undertaken. The proposed amendments are an attempt to clarify the procedures relating to the conduct of the Board, committees and commissions.

RECOMMENDATION

That the Committee of the Whole recommends to the Capital Regional District Board:

That Bylaw No. 3828 “CRD Board Procedures Bylaw, 2012” be introduced, read a first and second time, read a third time and adopted.

Original signed by

Sonia Santarossa
Manager, Legislative Services

Original signed by

Kelly Daniels
Chief Administrative Officer
Concurrence

Appendix A: Bylaw No. 3828



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BYLAW NO. 3828

CAPITAL REGIONAL DISTRICT BOARD PROCEDURES BYLAW, 2012

**A bylaw to regulate the proceedings
of the Capital Regional District Board**

For further details, please contact the Capital Regional District,
Legislative Services Department, 625 Fisgard St., PO Box 1000, Victoria BC V8W 2S6
T 250-360-3129, F 250-360-3130, www.crd.bc.ca

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 3828
REGIONAL DISTRICT PROCEDURES BYLAW**

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CAPITAL REGIONAL DISTRICT

BYLAW NO. 3828

A BYLAW TO REGULATE THE PROCEEDINGS
OF THE CAPITAL REGIONAL DISTRICT BOARD

The Board of the Capital Regional District enacts as follows:

PART 1 – INTRODUCTION

Definitions

1. In this Bylaw:

“**Board**” means the governing and executive body of the CRD;

“**Chair**” means the Chair or Vice Chair of the CRD elected pursuant to section 792 of the *Local Government Act* or other person presiding at a meeting of the Board or committee, as the context requires;

“**Committee**” means a standing, advisory, select, or other committee of the Board, but does not include [Committee of the Whole](#) or a local service committee or a service committee;

“**Commission**” means [a commission established by the Board under section 176\(1\)\(g\) of the Local Government Act and a local service committee and a service committee established by the Board.](#)

“**Corporate Officer**” means the officer of the CRD assigned the corporate administration responsibilities of section 198 of the *Local Government Act*, and includes that officer’s designate;

“**COW**” means the Committee of the Whole Board;

“**CRD**” means the Capital Regional District;

“**CRD Offices**” means the CRD located at 625 Fisgard Street, Victoria, BC;

“**CRD Website**” means the information resource found at an internet address provided by the CRD;

“**Delegation**” means [an individual or an organization addressing the Board, a committee or commission about a specific item on the agenda of a meeting;](#)

“**Member**” means a Member of the Board, whether a municipal director or an electoral area director, and includes their alternates if acting in the place of a Member;

“**Public Notice Posting Place**” means the notice board, whether electronic or not, located in the front foyer of the CRD offices and the CRD Website; and, in the case of a Service Committee Commission, means a consistent local public location designated by the Commission;

“**Vice Chair**” means the Member elected as Vice pursuant to section 792 of the *Local Government Act*.

Application of Rules of Procedure

2. (1) The provisions of this Bylaw govern the proceedings of the Board, COW, ~~and~~ all standing and select committees of the Board and all Commissions, as applicable.
- (2) In cases not provided for under this Bylaw, ~~The New~~ The Newly Revised Robert's Rules of Order, ~~11th edition, 2011, 2nd edition, 1998~~, apply to the proceedings of the Board, COW, and committees to the extent that those rules are:
 - (a) applicable in the circumstances; and
 - (b) not inconsistent with provisions of this Bylaw, the *Local Government Act* or the *Community Charter*.
- (3) No provision of this bylaw relating to the procedure of the Board shall be altered unless notice of the proposed amendment is given in accordance with section 794 of the *Local Government Act*.

Suspension of Rules of Procedure

- ~~3.~~ Except for those provisions of this Bylaw that are statutorily mandated, the rules of procedure contained in this Bylaw may be suspended for a temporary time period specified by the Board with a 2/3 vote of those Members present.

PART 2 – BOARD MEETINGS

Inaugural Meeting

4. (1) The Board shall meet in an inaugural meeting during the month of December at such time as shall be advised by the Corporate Officer in writing.
- (2) The presiding officer of the inaugural meeting shall be the Chief Administrative Officer until such time as the Chair has been elected.
- (3) The Chief Administrative Officer shall announce results of elections and confirm that new Members have completed the Oath of Office ~~and Oath of Allegiance~~ set out in the *Local Government Act*, following which the Chair shall be elected from among the Members of the Board.

Election of Chair and Vice Chair

5. (1) The Chief Administrative Officer shall call for nominations for Chair and conduct a vote by secret ballot in which the person ~~receiving~~ receiving a majority vote of those Members present shall be elected Chair. Each Member shall have only one vote. If only one candidate is nominated for an office, that candidate shall be declared elected by acclamation. The call for nominations for the office of Vice Chair shall be called by the Chair.
- (2) In the event that there are more than two candidates for the election of Chair or Vice Chair and if no person receives a majority of the votes of those Members present, the candidate receiving the least number of votes shall be eliminated and subsequent ballots shall be taken until one candidate receives the majority of votes of those Members present; unless there is a tie between the two candidates with the least votes of those Members present, in which case, subsequent ballots shall be taken until one candidate receives the least number of votes of those Members present and is eliminated. If the tie for the least number of votes of those Members present continues after three elections have been held, the candidate who shall be eliminated will be decided by a lot between the candidates as outlined in section 5(3). The voting on subsequent ballots will then proceed without the eliminated candidate until one candidate receives the majority of votes of those Members present.
- (3) In the event of a tie vote for the most votes of two (2) or more candidates, the candidates who are tied remain in the election. If a definitive election result cannot be declared after three (3) elections have been held, then the majority vote shall be deemed to be determined by a lot between the candidates as follows:
- (a) the names of the candidates shall be written on separate pieces of paper and placed in a container;
 - (b) the Corporate Officer shall be asked to withdraw one paper; and
 - (c) the candidate whose name is on the withdrawn paper shall be declared elected.
- (4) Following the election of the Chair, the CRD Board shall elect one of its Members to be Vice Chair. The procedure for determining the Member to be elected Vice Chair shall be as set out in sections 5(1)(2) and (3) for electing the Chair of the Board.

Meetings

- ~~5.6.~~ Regular meetings shall be held at the CRD Board Room, 625 Fisgard Street, Victoria, B.C. on the second Wednesday of the month commencing at 1:30 p.m. unless otherwise determined by resolution of the Board.

Quorum

- 6-7. (1) The quorum for a meeting of the Board shall be a majority of all the Members.
- (2) At the appointed time for commencement of the meeting, the Chair or, in his/her absence, the Vice Chair, shall ascertain that a quorum is present before proceeding to the business of the meeting. If neither the Chair nor the Vice Chair is present within fifteen (15) minutes after the time appointed for a meeting, the Corporate Officer shall call the Members to order, ascertain that a quorum is present and, if so, the Board shall appoint an Acting Chair who shall preside during the meeting or until the arrival of the Chair or Vice Chair. Such person appointed as Acting Chair shall have all the powers and be subject to the same rules as the Chair.
- (3) If a quorum has not been made within sixteen (16) minutes after the appointed time, the Corporate Officer shall record the names of the Members then present and the Board shall stand adjourned until the next meeting date or until another meeting shall have been called in accordance with this bylaw or to such time as the Chair shall appoint.

Notice of Regular Meetings

8. At least seventy-two (72) hours before a regular meeting of the Board, the Corporate Officer must give public notice of the time, place and date of the meeting by way of a notice and agenda posted at the Public Notice Posting Place.

Notice of Special Meetings

9. (1) Except where notice of a special meeting is waived by a unanimous vote of all Members under section 793(4) of the *Local Government Act*, before a special meeting of the Board, the Corporate Officer shall:
- (a) at least twenty-four (24) hours in advance, give notice of the general purpose, time, place and date of the meeting by way of a notice posted at the Public Notice Posting Place; and
- (b) at least five (5) days before the date of the meeting, mail to each Member the notice of the general purpose, time, place and date of the meeting.
- (2) Despite section 9(1), in the case of an emergency, notice of a special meeting may be given in accordance with section 793(5) of the *Local Government Act*.

Notice of Committee Meetings

10. (1) At least seventy-two (72) hours before a regular meeting of a committee or COW, excluding a ~~service committee~~ commission, public notice must be given of the time, place and date of the meeting by way of a notice posted at the Public Notice Posting Place.
- (2) At least twenty-four (24) hours before a special meeting of a committee or COW, excluding a ~~service committee~~ commission, public notice must be given of the time,

place and date of the meeting by way of a notice posted at the Public Notice Posting Place.

Notice of ~~Service Committee~~Commission Meetings

11. (1) At least seventy-two (72) hours before a regular meeting of a ~~service committee~~commission, public notice must be given of the time, place and date of the meeting by way of a notice posted in a consistent public location in the area served by the ~~Service Committee~~commission.
- (2) At least twenty-four (24) hours before a special meeting of a ~~service committee~~commission, public notice must be given of the time, place and date of the meeting by way of a notice posted in a consistent public location in the area served by the ~~Service Committee~~commission.

Agenda

12. (1) The Corporate Officer, under the direction of the Chair, shall prepare an agenda and, if necessary, a supplementary agenda for each meeting of the Board and shall circulate a copy of the agenda of every regular meeting to each Member at least four (4) days before the meeting. At any meeting other than a special meeting, the Chair may add items of an emergent or time sensitive nature to the agenda with the consent of the ~~meeting~~Members.
- (2) At a meeting, a Member may, at the time adoption of the agenda is being considered, propose to place an additional item of an emergent or time sensitive nature on the agenda. The item must be added to the agenda only if the resolution is adopted by at least two thirds of the votes cast.

PART 3 – BOARD PROCEEDINGS

Delegations

13. (1) The Board may, by resolution, allow ~~an individual or a~~a delegation to address the meeting in person on the subject of an agenda item, provided written application on a prescribed form has been received by the Corporate Officer no later than 4:30 pm two (2) calendar days prior to the meeting. Each address shall be limited to five (5) minutes unless a longer period is agreed to by unanimous vote of those Members present. The order of speakers will be based on the order in which the request was received. The Corporate Officer may determine the number of copies of any written submissions to be provided by each delegation to the Board. Each delegation shall provide the number of copies as determined by the Corporate Officer, for distribution at the time of the delegation's appearance.

a) if more than six (6) delegations have registered to address the Board on a specific agenda item, the Chair has the authority to limit each address to a maximum of three (3) minutes.-

- (2) Where written application has not been received as prescribed in section 13(1), an individual or delegation may address the meeting if approved by a unanimous vote of the Members present.
- ~~(3) Any video presentations used as part of a delegation's address to the Board will count toward the time limit permitted for the delegation.~~
- ~~(4) If a delegation has registered to address a meeting but is no longer able to attend the meeting, a different delegation will not be permitted to address the meeting in substitution.~~
- (5) The Board shall not permit a delegation to address a meeting of the Board regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of the bylaw.
- (6) The Board shall not permit a delegation to address a meeting of the Board regarding a matter to be dealt with as a grievance under a collective agreement, or that is within the exclusive mandate of the Greater Victoria Labour Relations Association Board.
- ~~(5) Any person, persons or organization wishing to appear before the Board as a delegation shall have first appeared before the appropriate Committee or Commission unless the item is on the Board agenda.~~
- (7) The subject matter upon which a delegation wishes to speak must:
 - (a) be within the jurisdiction of the Board; and
 - (b) be within the terms of reference of the Committee or Commission for which the delegation wishes to appear.
- (8) The Chair may deny any delegation the right to address a meeting if, in the Chair's opinion, the spokesperson or any Member of the delegation:
 - (a) immoderately raises his or her voice, or uses profane, vulgar or offensive language, gestures or signs; or
 - (b) addresses issues not contained within the written application of the individual or delegation.

Invited Presentations

~~13-14.~~ The CRD may, with the Chair's approval, invite a person, persons, or organization(s) to make a presentation to the Board. Time permitting, the Corporate Officer shall include the subject of the presentation and the designated speaker on the meeting agenda.

Order of Proceedings and Business

- 44.15. (1) The order of business at all regular meetings shall be as follows:
1. Approval of Agenda
 2. Adoption of Minutes of Previous Meeting
 3. Report of the Chair
 4. Presentations/Delegations
 5. Reports of Committees
 6. Correspondence
 7. Administration Reports
 8. Bylaws and Resolutions
 9. Motions for Which Notice Has Been Given
 10. New Business
 11. Motion to close the meeting in accordance with the applicable provisions of the *Community Charter*
 12. Adjournment
- (2) The order of business at all special meetings shall be as follows:
1. Approval of Agenda
 2. Presentations/Delegations
 3. Special Meeting Matters
 4. Motion to close meeting in accordance with the applicable provisions of the *Community Charter*
 5. Adjournment
- (3) The order of business at all closed meetings whether regular or special shall be as follows:
1. Approval of Agenda
 2. Approval of Minutes of Previous Closed Meeting
 3. Closed Meeting Matters
 4. Rise and Report
 5. Adjournment
- (4) A change to the prescribed order of business of other than a special meeting may be ordered by the Chair or by the Board, with unanimous consent.

Minutes

- ~~45.16.~~ (1) Minutes of all proceedings of the Board shall be kept by the Corporate Officer; such minutes to be concise and to detail proceedings of the Board. The minutes shall be legibly recorded, certified as correct by the Corporate Officer, and signed by the Chair, Vice Chair, or the person presiding at such meeting or at the next meeting at which they are adopted.
- (2) Minutes of proceedings of standing and select committees, and commissions shall be legibly recorded and signed by the Chair, or Member presiding.

- (3) Subject to section 16(4), and in accordance with sections 97(1)(b) and (c) of the *Community Charter*, minutes of the proceedings of the Board or of a body referred to in section 17(2) must be open for public inspection at the CRD Offices, Legislative Services, during their regular office hours [and may be posted to the CRD website.](#)
- (4) Section 16(3) does not apply to minutes of a Board meeting or a meeting of a body referred to in section 17(2) for that part of the meeting from which persons were excluded under section 90 of the *Community Charter*.

Attendance of Public at Meetings

- 17.(1) Except where the provisions of section 90 of the *Community Charter* apply, all Board meetings must be open to the public. Before a meeting or part of a meeting is closed to the public, the Board must pass a resolution in the public meeting in accordance with section 92 of the *Community Charter*.
- (2) The requirement in section 17(1) applies to meetings of bodies referred to in section 93 of the *Community Charter* including, without limitation:
 - (a) Advisory Commissions
 - (b) Advisory Committees
 - (c) a Commission established under s. 176(1)(g) of the *Local Government Act*
 - (d) Board of Variance
 - (e) Parcel Tax Review Panel
 - (f) Select Committees
 - (g) Standing Committees
 - (h) Committee of the Whole
 - (i) a body that under the *Local Government Act* or another Act may exercise the powers of the CRD or its Board
- (3) Despite section 17(1), the Chair may expel or exclude a person from a Board meeting or meeting of a body listed in section 17(2) of this Bylaw in accordance with section 133 of the *Community Charter*.

Closed Meetings

- 18 (1) No Member shall disclose to the public the proceedings of a closed meeting, unless a resolution has been passed at the closed meeting to allow disclosure.
- (2) Minutes of a closed meeting shall be kept in the same manner as a regular meeting but shall not be filed with the minutes of regular meetings.
- (3) The Board must not vote on the reading or adoption of a bylaw when its meeting is closed to the public.

Use of Video Recording Devices

19. (1) The Chair shall preserve order and decorum at a meeting and at their discretion may require that video recording devices be placed in a designated location for the purpose and remain in that location during the course of the meeting. This applies to all meetings rooms where CRD meetings are held.

(a) Audio and or visual recording devices must not be used or operated during a closed meeting unless expressly permitted by the Board or committee.

Chair and Presiding Officers

20. (1) The Chair, if present, shall preside at meetings of the Board. Any Member of the Board may preside at a COW.
- (2) The Vice Chair shall preside in the absence of the Chair or when the Chair vacates the chair.
- (3) In the event that neither the Chair nor the Vice Chair is able to take the chair, the presiding officer shall be such person, as the Board may choose.
- (4) The Chair shall preserve order and decorum and shall rule on all points of order, stating his/her reasons and the authority for ruling when making a ruling. The ruling of the Chair shall be subject to an appeal to the Board without debate.
- (5) (a) If an appeal be taken from the decision of the Chair, the question "Shall the Chair be sustained?" shall be put forthwith and decided without debate by a simple majority of the Members present (exclusive of the Chair) and in the event of the votes being equal, the question shall pass in the affirmative. The names of the Members of the Board voting for or against the question shall be recorded in the minutes.
- (b) If the Chair refuses to put the question "Shall the Chair be sustained?", the Board shall forthwith appoint the Vice Chair or, in his/her absence, one of the Members, to preside temporarily in lieu of the Chair. The Vice Chair, or Member so appointed, shall proceed in accordance with paragraph 20(5)(a).
- (6) The Chair shall vote at the same time as the other Members of the Board.

Rules of Order

21. (1) The Chair's ruling on a point of order shall be based on rules of order as stated in section 2 herein.
- (2) All questions shall be decided by a vote on motion.

- (3) The Chair shall have the discretion to call the question on completion of debate and the Chair shall then advise that the debate is closed. Following closure of debate no Member shall speak further to the question.

Motions

22. (1) Motions shall be phrased in a clear and concise manner so as to express an opinion or achieve a result.
- (2) The Chair may divide a motion containing more than one subject if the Chair feels this would produce a fairer or clearer result and the same shall be voted on in the form in which it is divided.
- (3) A motion to adjourn the meeting or to adjourn the debate shall always be in order.
- (4) An amendment to a motion does not require notice. Only one amendment to an amendment shall be allowed at one time and the same shall be dealt with before the amendment is decided. Amendments must be strictly relevant to the main motion and not alter in a material way or be contrary to the principle embodied in the main motion.
- (5) Any Member desiring to bring before the Board any new matter, other than a point of order or privilege, shall do so by way of motion; provided, however, that any new matter of major import, which may require further information than could or would normally be available to the Board at such meeting, may be referred to a Board Standing Committee agenda by the Chair, or may be ruled by the Chair as a notice of motion and shall be dealt with as provided by section 22(6).
- (6) Any Member may give notice of a motion to the Board by either of the following methods:
 - (a) providing the Corporate Officer with a written copy of such motion during a meeting of the Board, and the Corporate Officer shall, upon the Member being acknowledged by the Chair and the notice of motion being read to the meeting, include it in the minutes of that meeting as notice of motion and shall add the motion to the agenda of the next regular Board meeting, or to the agenda of a special Board meeting scheduled for that purpose; or
 - (b) providing the Corporate Officer with a written copy of such motion, no later than seven working days prior to the scheduled meeting, and the Corporate Officer shall add the motion to the agenda for said meeting.
- (7) Despite section 22(6), the notice of motion shall be added to the agenda in accordance with section 12(2).

Reconsideration of an Adopted Bylaw, Resolution or Proceeding

23. (1) The Chair may require a matter to be reconsidered in accordance with Section 219 of the *Local Government Act* and if it has not been acted on by an officer, servant or agent of the Board.

- (2) The Chair may state his/her reasons to the Board. The Corporate Officer shall record in the Minute Book the reasons, suggestions or amendments of the Chair.
- (3) The Board shall, as soon as convenient, consider the reasons and either reaffirm or reject the bylaw, resolution or proceeding, and if rejected, it is deemed repealed and is of no force or effect.
- (4) The rejected bylaw, resolution or proceeding shall not be reintroduced to the Board for six (6) months, except with the unanimous consent of the Board.
- (5) The conditions which apply to the passage of the original bylaw, resolution or proceeding apply to its rejection.

Debate and Conduct

24. (1) Debate shall be strictly relevant to the question before the meeting and the Chair shall warn speakers who violate this rule.
- (2) No Member shall speak until recognized by the Chair.
- (3) Every Member desiring to speak shall address himself to the Chair. No Member shall interrupt a person speaking except to raise a point of order.
- (4) A matter of privilege (a matter dealing with the rights or interests of the Board as a whole or of a Member personally) may be raised at any time and shall be dealt with forthwith before resumption of business.
- (5) Members speaking at a Board meeting:
 - (a) must use respectful language;
 - (b) must not use offensive gestures or signs;
 - (c) must speak only in connection with the matter being debated; and
 - (d) must adhere to the rules of procedure established under this Bylaw and to the decisions of the Chair and the Board in connection with the rules and points of order.
- (6) If a Member does not adhere to section 24(5) or the Chair considers the Member to be acting improperly, the Chair may order the Member to leave the Member's seat.
- (7) A Member may speak to a question, or speak in reply, for no longer than fifteen (15) minutes unless the majority of the votes of the Board support a time extension.
- (8) A Member may speak more than once in connection with the same question only if:
 - (a) every other Member has spoken, or has had the opportunity to speak; and
 - (b) if the Member has already spoken for fifteen (15) minutes, the Member who

wishes to speak a second time may request to do so by making a motion that must be approved by at least two-thirds of the votes cast by the Board.

- (9) (a) a Member may not speak for longer than a total time of fifteen (15) minutes unless the Member has done so in accordance with sections 24(7) and (8); and
- (b) a Member speaking for a second time under section 24(8) shall speak for a maximum of five (5) minutes only.
- (10) The conflict of interest guidelines (*disclosure of conflict and restrictions on participation*) shall be in accordance with section 100 of the *Community Charter*.

Voting

- 25. (1) Voting rules will be in accordance with the *Local Government Act*.
- (2) On any question where the numbers of votes, including the vote of the person presiding, are equal, the question is defeated.
- (3) Where a Member who is present when a vote is taken abstains from voting, that Member shall be deemed to have voted in the affirmative.
- (4) Whenever a vote of the Board is taken, after the vote is taken the Chair must then state the names of those Members voting in the negative, and the Corporate Officer must enter those names in the minutes.

PART 4 – COMMITTEES AND COMMISSIONS

Board Standing Committees

- 26. (1) The Chair may establish a Board Standing Committee as a regular permanent committee whose mandate will be in relation to a CRD service or potential service.
- (2) The Chair shall appoint only Board Members to a Board Standing Committee [unless the authorizing legislation or Letters Patent for the Board Standing Committee defines its membership.](#)
- (3) The general duties of Board Standing Committees shall be as follows:
 - (a) To consider and report to the Board from time to time or whenever desired by the Board and as often as the interest of the CRD may require, on all matters referred to them by the Chair of the Board, or coming within their purview, and to recommend such action by the Board in relation thereto as they, the Committee, deem necessary or expedient.
 - (b) To carry out the instructions of the Board expressed by resolution in regard to any matter referred by the Board to any Committee for immediate action thereon, but in such cases the instruction of the Board shall be specific and the

Committee shall report its action in detail at the next regular or other meeting of the Board thereafter as specified in the instructions of the Board.

Advisory Committees

27. (1) The Board, or Board Standing Committees, may establish an Advisory Committee to provide advice and recommendations to the Board, or to a Board Standing Committee, on matters determined to be within approved terms of reference or within a specific resolution of the Board.
- (2) Members of an Advisory Committee shall be appointed by the Board, a Board Standing Committee, or the appointments may be delegated by the Board to the Chair.
- (3) Persons who are not Members may be appointed to an Advisory Committee but each Advisory Committee should include at least one (1) Member of the Board.
- (4) The term of any person who is appointed to an Advisory Committee who is not a Member of the Board shall not exceed three (3) years.

Select Committees

28. (1) The Board may establish a Select Committee to consider or inquire into any matter dealing with a specific subject or issue referred to it by the Board and report its findings, opinions and recommendations to the Board, following its consideration and inquiry. Select Committees must have terms of reference approved by the Board.
- (2) The Select Committee will cease to exist once it has reported its findings, opinions and recommendations to the Board.
- (3) The Board may delegate to the Chair the establishment of a Select Committee and the appointment of its Members.

Commissions

29. (1) The Board may establish a Commission regarding a CRD service within the authorities delegated to it and as mandated by the Board by bylaw.

Attendance at Committee Meetings

30. Members of the Board who are not Members of a Committee may attend meetings of that Committee and may take part in any discussion or debate by permission of a majority of the Committee Members present but may not vote.

Committee Reports

31. A Standing or Select Committee of the Board may report to the Board at any regular meeting or shall report as required by the Board.

Quorum

32. The quorum in a Standing or Select Committee shall be a majority of the persons appointed to the Committee.

Voting at Meetings

33. (1) On a vote in a Committee each person shall have only one (1) vote.
- (2) (a) The Chair shall be a Member of all Committees and entitled to vote on all matters.
- (b) Despite section 33(2)(a) the Chair, when in attendance, may be counted as one Member for the purpose of constituting a quorum.

Operation

34. No Committee or Commission will operate outside of its express mandate or terms of reference without prior approval of the Board.

PART 5 – COMMITTEE OF THE WHOLE

Procedures for COW Meetings

35. (1) The Board may resolve to sit as a COW at any time.
- (2) The Chair may appoint another Member to preside over the COW who shall maintain order therein and report the proceedings thereof to the Board.
- (3) The rules of the Board shall be observed in COW as far as may be applicable. Motions shall be seconded and the names of Members shall not be recorded in case of a division. Divisions in COW shall be decided by a show of hands. A motion in COW to rise without reporting, or that the Chair of the Committee do leave the Chair, shall always be in order and shall take precedence over any other motion. A motion to rise without reporting, if affirmed shall be considered as disposing of the matter before the Committee in the negative.
- (4) When all matters referred to the COW have been considered, a motion to rise and report shall be adopted. The Committee may report progress and ask leave to sit again if the matter before it has not been disposed of. On the Committee rising, the Chair shall report to the Board and an adoption of the report shall be moved.
- (5) Discussion in COW shall be strictly relevant to the item or clause under consideration.

PART 6 – BYLAWS

36. (1) Bylaws shall be passed by the following stages:
- (a) Introduction and first reading shall be decided by the motion "that Bylaw No. ____ be introduced and read a first time". The question shall be decided without amendment or debate.
 - (b) Second Reading - Debate on second reading shall be limited to the general principle of the bylaw.
 - (c) Despite sections 36(1)(a) and (b), every proposed bylaw may be introduced and given first and second readings at the same meeting by one motion for all two readings.
 - (d) Third Reading - A bylaw may be amended at third reading and passed upon the motion "that Bylaw No. ____ (as amended or as presented) be read a third time".
 - (e) Adoption - Not less than one clear day after third reading, the bylaw shall be adopted upon the motion "that Bylaw No. ____ be adopted", unless the Board adopts the bylaw in accordance with subsection (2) and section 794(3) of the *Local Government Act*.
- (2) A bylaw that does not require approval, consent or assent under the *Local Government Act* or any other Act before it is adopted may be adopted at the same meeting at which it passes third reading, so long as the motion for adoption receives at least two thirds of the votes cast.
- (3) A copy of every bylaw shall be endorsed by the Corporate Officer with a record of the stages through which it has proceeded and shall be kept among the records of the Board. A copy of every adopted bylaw signed, sealed and where necessary bearing evidence of registration by the Inspector of Municipalities shall be kept with the records of the Board.

PART 7 – RESOLUTIONS

37. A resolution may be introduced at a Board meeting only if a written copy is given to each Member before consideration unless the Board waives this requirement.

PART 8 – GENERAL

38. The rules of the Board shall be observed in proceedings of the Capital Regional Hospital District Board and Standing and Select Committees of the Board as far as may be applicable.
39. The following bylaw is repealed: Bylaw No. 3708, "Capital Regional District Board Procedures Bylaw, 2010", and any amendments thereto.

40. This Bylaw may be cited as "Capital Regional District Board Procedures Bylaw, 2012".

READ A FIRST TIME THIS	day of	2012
READ A SECOND TIME THIS	day of	2012
READ A THIRD TIME THIS	day of	2012
ADOPTED THIS	day of	2012

CHAIR

CORPORATE OFFICER