

Notice of Meeting and Meeting Agenda Governance and Finance Committee

Wednesday, February 5, 2020

10:00 AM

6th Floor Boardroom
625 Fisgard St.
Victoria, BC V8W 1R7

S. Brice (Chair), D. Howe (Vice Chair), D. Blackwell, B. Desjardins, B. Isitt, K. Murdoch,
G. Orr, J. Ranns, M. Tait, K. Williams, R. Windsor, C. Plant (Board Chair, ex-officio)

1. Territorial Acknowledgement

2. Approval of Agenda

3. Adoption of Minutes

3.1. [20-104](#) Minutes of the October 30, 2019 and November 6, 2019 Governance and Finance Committee Meetings

Recommendation: That the minutes of the Governance and Finance meetings of October 30, 2019 and November 6, 2019 be adopted as circulated.

Attachments: [Minutes - October 30, 2019](#)
[Minutes - November 6, 2019](#)

4. Chair's Remarks

5. Presentations/Delegations

6. Committee Business

6.1. [20-059](#) 2020 Standing Committee Terms of Reference (Governance and Finance)

Recommendation: That the attached Governance and Finance Committee Terms of Reference for 2020 be received for information.

Attachments: [Staff Report: 2020 Standing Committees Terms of Reference](#)
[Appendix A: Governance & Finance Committee Terms of Reference](#)

6.2. [20-102](#) Appointments

Recommendation: That the following appointments be received for information.

Royal and McPherson Theatres Society Advisory Committee
Saanich Colin Plant
Saanich Susan Brice
Victoria Geoff Young
Victoria Jeremy Loveday
Oak Bay Kevin Murdoch

- 6.3. [20-060](#) CRD External Grants Update
- Recommendation:** The Finance and Governance Committee recommends to the Capital Regional District Board:
That the CRD External Grants Update be received for information.
- Attachments:** [Staff Report: CRD External Grants Update](#)
 [Appendix A: External Grants Dashboard](#)
- 6.4. [20-062](#) Repeal of Security Issuing Bylaw No. 4345 and Replacement with Security Issuing Bylaw No. 4347
- Recommendation:** The Governance and Finance Committee recommends to the Capital Regional District Board:
1. That Bylaw No. 4347, "Security Issuing Bylaw No. 2, 2020", be introduced and read a first, second, and third time;
2. That Bylaw No. 4347 be adopted.
- Attachments:** [Staff Report: Security Issuing Bylaw 4347 to Replace 4345](#)
 [Appendix A: Bylaw 4347, Security Issuing Bylaw No. 2, 2020](#)
- 6.5. [20-061](#) Implementation of the Public Sector Accounting Standard (PSAS) 3280, Asset Retirement Obligations (ARO)
- Recommendation:** The Governance and Finance Committee recommends to the Capital Regional District Board:
That this report be received for information.
- Attachments:** [Staff Report: Public Sector Accounting Standard Asset Retirement Obligations](#)
- 6.6. [20-072](#) Service Fee Agreement re: Sewer Charges - Town of View Royal
- Recommendation:** The Governance and Finance Committee recommends to the Capital Regional District Board:
That the appended Service Fee agreement with the Town of View Royal be approved.
- Attachments:** [Staff Report: Service Fee Agreement Sewer Charges Town of View Royal](#)
 [Appendix A: Service Fee Agreement - Town of View Royal](#)
- 6.7. [20-100](#) Notice of Motion Procedure Review
- Recommendation:** The Governance and Finance Committee recommends to the Capital Regional District Board:
That no changes be made to the notice of motion procedures, at this time.
- Attachments:** [Staff Report: Notice of Motion Procedure Review](#)
 [Appendix A: CRD Board Procedures Bylaw](#)
 [Appendix B: Notice of Motion Flow Chart](#)
 [Appendix C: Staff Reports of March 6, 2019 & May 1, 2019](#)

7. Notice(s) of Motion

8. New Business

9. Adjournment

Next Meeting: March 4, 2020

To ensure quorum, please advise Sherri Closson (sclosson@crd.bc.ca) if you or your alternate cannot attend.

Meeting Minutes

Governance and Finance Committee

Wednesday, October 30, 2019

11:00 AM

6th Floor Boardroom
625 Fisgard St.
Victoria, BC V8W 1R7

Special Meeting

PRESENT

Directors: S. Brice (Chair), K. Khakauwila (for J. Ranns (Vice Chair)), D. Blackwell, B. Desjardins, D. Howe, K. Murdoch, J. Bateman (for M. Tait)(11:05 am), K. Williams, C. Plant (Board Chair, ex-officio)

Staff: R. Lapham, Chief Administrative Officer; N. Chan, Chief Financial Officer; K. Lorette, General Manager, Planning and Protective Services; K. Morley, General Manager, Corporate Services; R. Lachance, Senior Manager, Financial Services; A. Orr, Senior Manager, Corporate Communications; D. Elliott, Manager, Aboriginal Initiatives; S. Henderson, Manager, Real Estate; B. Semmens, Manager, Financial Planning & Performance; E. Gorman, Deputy Corporate Officer; S. Closson, Committee Clerk (Recorder)

Regrets: Director Isitt, Windsor

The meeting was called to order at 11:00 am.

1. Territorial Acknowledgement

Chair Brice provided a Territorial Acknowledgement.

2. Approval of Agenda

MOVED by Director Howe, **SECONDED** by Director Desjardins,
That the agenda for the October 30, 2019 Governance and Finance Committee meeting be approved.
CARRIED

3. Chair's Remarks

There were no Chair's remarks.

4. Presentations/Delegations

There were no presentations or delegations.

5. Committee Business

- 5.1. [19-862](#) 2019-2022 Legislative and General Service Planning

B. Lapham introduced the 2019 - 2022 Legislative and General Service Planning Report.

N. Chan provided an overview of the Finance section in the report.

K. Morley provided an overview of the Corporate Services section in the report.

Discussion ensued on the following:

- clarification of staff recommendations and processes, service mandates
- asset management
- electronic records management
- corporate culture change, training, employee engagement
- Wastewater Treatment project

**MOVED by Director Howe, SECONDED by Director Desjardins,
That the Governance and Finance Committee recommend to the Capital
Regional District Board:**

**That the new initiatives proposed in the provisional budget related to the
Governance and Finance Committee mandate (Appendix A: Community Needs
Summary - Legislative and General) be advanced to the October 30, 2019,
Provisional Budget review process.**

CARRIED

5.2. [19-903](#)

2019-2022 First Nations Relations Service Planning

K. Morley provided an overview of the 2019-2022 First Nations Relations Service Planning Report.

Discussion ensued on the development of priorities.

**MOVED by Director Desjardins, SECONDED by Director Blackwell,
That the Governance and Finance Committee recommend to the Capital
Regional District Board: That the new initiatives proposed in the provisional
budget related to the First Nations Relations mandate (Appendix A: Community
Needs Summary - First Nations Relations) be advanced to the October 30, 2019
Provisional Budget review process.**

CARRIED

6. Notice(s) of Motion

There were no Notice(s) of Motion.

7. New Business

There was no new business.

8. Adjournment

**MOVED by Director Blackwell, SECONDED by Director Desjardins,
That the October 30, 2019 Governance and Finance Committee meeting be
adjourned at 11:29 am.**

CARRIED

Chair

Recorder

Meeting Minutes

Governance and Finance Committee

Wednesday, November 6, 2019

10:00 AM

6th Floor Boardroom
625 Fisgard St.
Victoria, BC V8W 1R7

PRESENT

Directors: S. Brice (Chair), J. Ranns (Vice Chair)(10:05 am), D. Blackwell, B. Desjardins, D. Howe, K. Murdoch, M. Tait (10:26 am), K. Williams, R. Windsor, C. Plant (Board Chair, ex-officio)

Staff: R. Lapham, Chief Administrative Officer; N. Chan, Chief Financial Officer; K. Morley, General Manager, Corporate Services; C. Nielson, Senior Manager, Human Resources; E. Gorman, Deputy Corporate Officer; S. Closson, Committee Clerk (Recorder); T. Pillipow, Committee Clerk

Guests: Emma Atwell, Will Morley, Liam Neilson, Natalie Pillipow

Regrets: Director Isitt

The meeting was called to order at 10:00 am.

1. Territorial Acknowledgement

Chair Brice provided a Territorial Acknowledgement.

2. Approval of Agenda

MOVED by Director Desjardins, **SECONDED** by Director Murdoch,
That the agenda for the November 06, 2019 Governance and Finance Committee meeting be approved.
CARRIED

3. Adoption of Minutes

- 3.1. [19-938](#) Minutes of the October 2, 2019 Governance and Finance Committee Meeting
- MOVED** by Director Blackwell, **SECONDED** by Director Williams,
That the minutes of the Governance and Finance Committee meeting of October 2, 2019 be adopted as circulated.
CARRIED

4. Chair's Remarks

Chair Brice welcomed and introduced the Grade 9 students participating in the work experience program.

5. Presentations/Delegations

There were no presentations or delegations.

6. Committee Business

6.1. [19-917](#)

CRD External Grants Update

N. Chan introduced the CRD External Grants Update.

**MOVED by Board Chair Plant, SECONDED by Director Desjardins,
That the Governance and Finance Committee recommend to the Capital
Regional District Board:**

**That the Capital Regional District External Grants Update be received for
information.**

CARRIED

6.2. [19-916](#)

Bylaw No. 4332: 2019 to 2023 Financial Plan Bylaw, 2019, Amendment
Bylaw No. 4, 2019

N. Chan introduced Bylaw No. 4332.

Discussion ensued on the following:

- McPherson Theatre insurance regarding Plaza Hotel fire
- capital expenditures

**MOVED by Director Murdoch, SECONDED by Director Howe,
That the Governance and Finance Committee recommend to the Capital
Regional District Board:**

1. That Bylaw No. 4332, "2019 to 2023 Financial Plan Bylaw, 2019, Amendment
Bylaw No. 4, 2019" be introduced and read a first, second, and third time; and
2. That Bylaw No. 4332 be adopted.

CARRIED

6.3. [19-933](#)

Approval of Bylaw 4330; a Bylaw to amend Bylaw No. 3343 being
"Officers', General Managers' and Management Staff's Bylaw No.1, 2006"

C. Neilsen introduced Bylaw 4330.

Discussion ensued on the staff work with the consultant and the living wage
increases.

**MOVED by Director Howe, SECONDED by Director Blackwell,
That Governance and Finance Committee recommends to the Regional Board:**

1. That Bylaw No. 4330, cited as "Officers', General Managers' and Management
Staff's Bylaw No.1, 2006, Amendment Bylaw No.5, 2019" be introduced and read
a first, second, and third time.
2. That Bylaw No. 4330 be adopted.

CARRIED

6.4. Sooke Region Museum and Visitor Centre Reporting Structure

**MOVED by Board Chair Plant, SECONDED by Director Desjardins,
That the matter be postponed until after the closed session is completed.**

CARRIED

7. Notice(s) of Motion

There were no Notice(s) of Motion.

8. New Business

There was no new business.

9. Motion to Close the Meeting

9.1. [19-949](#) Motion to Close the Meeting

MOVED by Board Chair Plant, **SECONDED** by Director Blackwell,
1. That the meeting be closed in accordance with the Community Charter, Part 4, Division 3, 90(1),(c),labour relations or other employee relations; and
2. 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

The meeting was closed at 10:17 am.

The meeting re-opened at 10:45 am.

6.4. [19-864](#) Sooke Region Museum and Visitor Centre Reporting Structure

Director Tait spoke to Item 6.4 regarding the Sooke Region Museum and Visitor Centre Reporting Structure.

MOVED by Director Tait, **SECONDED** by Director Murdoch,
That the Governance and Finance Committee recommend to the Capital Regional District Board:
That this report be received for information.
CARRIED

10. Adjournment

MOVED by Director Howe, **SECONDED** by Director Desjardins,
That the November 6, 2019 Governance and Finance Committee meeting be adjourned at 10:53 am.
CARRIED

Chair

Recorder



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REPORT TO GOVERNANCE AND FINANCE COMMITTEE MEETING OF WEDNESDAY, FEBRUARY 05, 2020

SUBJECT 2020 Standing Committee Terms of Reference

ISSUE SUMMARY

The purpose of this report is to provide the 2020 Terms of Reference for the CRD Board's Standing Committees.

BACKGROUND

Under the *Local Government Act* and the CRD Board Procedures Bylaw, the CRD Board Chair has the authority to establish Standing Committees and appoint members to provide advice and recommendations to the Board. At the December 11, 2019 Board meeting, Chair Plant established the 2020 committee structure and appointments to those committees.

Terms of Reference (TOR) serve to clarify the mandate, responsibilities and procedures of standing committees and provide a point of reference and guidance for the committees and members. This year, the TOR for the following continuing standing committees, where no changes were made from 2019, will be sent to the committees for their information:

- Core Area Liquid Waste Management Committee
- Electoral Areas Committee
- First Nations Relations Committee
- Governance & Finance Committee
- Hospitals & Housing Committee

The only changes made to the continuing standing committees' TOR are to reference 2020, rather than 2019. Any revisions by the committee to its TOR will require ratification by the Board.

For committees where changes to structure were made, the TOR will be received by the standing committee and referred to the Board for approval. They are:

- The Regional Parks Committee and the Environmental Services Committee (previously the Parks and Environment Committee), and
- The Planning, Transportation and Protective Services Committee (previously the Transportation Committee and the Planning and Protective Services Committee).

ALTERNATIVES

Alternative 1

That the attached Governance and Finance Committee Terms of Reference for 2020 be received for information.

Alternative 2

That the Governance and Finance Committee recommend to the Capital Regional District Board: That the Governance and Finance Committee Terms of Reference for 2020 be approved, as amended.

CONCLUSION

Terms of Reference (TOR) serve to clarify the mandate, responsibilities and procedures of governing committees and provide a point of reference and guidance for the committees and their members. The 2020 TOR are provided for the information of continuing standing committees, and for approval of the Board to confirm the mandate of restructured standing committees.

RECOMMENDATION

That the attached Governance and Finance Committee Terms of Reference for 2020 be received for information.

Submitted by:	Emilie Gorman, MPA, Manager, Legislative Services & Deputy Corporate Officer
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Nelson Chan, MBA, CPA, CMA, Chief Financial Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

ATTACHMENT(S)

Appendix A: 2020 Governance and Finance Committee Terms of Reference

GOVERNANCE AND FINANCE COMMITTEE

PREAMBLE

The Capital Regional District (CRD) Governance and Finance Committee is a standing committee established by the CRD Board to make recommendations to the Board regarding items related to corporate governance and financial administration. The committee will also provide advice to the Board on agenda items for Committee of the Whole meetings.

The Committee's official name is to be:

Governance and Finance Committee

1.0 PURPOSE

- a) To provide advice or make recommendations, or both, to the Board regarding the following functions:
 - i. Board, committee and commission governance and meeting procedures;
 - ii. Matters of intergovernmental significance including advocacy to provincial and federal governments as required;
 - iii. Corporate and financial controls and policies;
 - iv. Corporate budget process and service plans;
 - v. Financial monitoring, reporting and forecasting;
 - vi. Risk management;
 - vii. Audit planning and compliance;
 - viii. Labour relations and human resource matters;
 - ix. Board, Committee and Commission compensation.
- b) The Committee will provide recommendations to the Board that aim to increase the transparency of the organization and the visibility of financial reporting efforts.
- c) The following committee will report through the Governance and Finance Committee
 - Royal & McPherson Theatres Society Advisory Committee

2.0 ESTABLISHMENT AND AUTHORITY

- a) The committee will make recommendations to the Board for consideration; and
- b) The Board Chair will appoint the committee Chair, Vice Chair and committee members on an annual basis.

3.0 COMPOSITION

- a) Committee members will be appointed CRD Board Members;
- b) All Board members are permitted to participate in standing committee meetings, but not to vote, where an item of local significance is on the agenda (Board resolution Nov. 12, 2014).

4.0 PROCEDURES

- a) The Committee shall meet monthly and hold special meetings as required;
- b) The agenda shall be finalized in consultation between staff and the Committee Chair and any Committee member may request that a matter be placed on the agenda;
- c) With the approval of the Committee Chair and the Board Chair committee matters of an urgent or time sensitive nature may be forwarded directly to the Board for considerations; and
- d) A quorum is a majority of the Committee membership and is required to conduct Committee business.

5.0 RESOURCES AND SUPPORT

- a) The Chief Financial Officer and General Manager, Corporate Services will act as liaison to the Committee; and
- b) Minutes and agendas are prepared and distributed by the Corporate Services Department.

Approved by the CRD Board on _____, 2020



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**REPORT TO GOVERNANCE AND FINANCE COMMITTEE
MEETING OF WEDNESDAY, FEBRUARY 05, 2020**

SUBJECT **Capital Regional District External Grants Update**

ISSUE SUMMARY

This report provides an update on external grants activity since December 11, 2019 through the submission deadline for this report of January 17, 2020.

BACKGROUND

The CRD External Grants Dashboard (Appendix A) summarizes grant applications and calls in progress, awards, and the status of projects still in progress. The CRD Monthly Grants Activity (Table 1) summarizes activity and outcomes since the 2019 External Grants update was presented to the Committee.

Table 1: CRD Period Grants Activity (*Dec 11, 2019 through Jan 17, 2020*)

January	Applications Submitted	Amount Applied (\$)	Applications Successful	Amount Successful (\$)	Applications Declined
Regional	1	\$150,000.00	-	-	-
Sub-Regional	-	-	-	-	-
Local	-	-	-	-	-
Total	1	\$150,000.00	-	-	-

At the end of each fiscal year, staff will prepare a cumulative report of the previous year's grant activities and outcomes. After four (4) years, staff will also produce an overall grant outcomes report that will be aligned with the Board term.

ALTERNATIVES

Alternative 1

The Governance and Finance Committee recommends to the Capital Regional District Board: That the Capital Regional District External Grants Update be received for information.

Alternative 2

That this report be referred back to staff for additional information.

IMPLICATIONS

Financial Implications

Grants / Contributions Awarded

One (1) grant award notification totaling \$3,000,000 remains under news embargo.

One (1) grant award received an approval in principle notification. Funding contributions will be confirmed if final approval is secured.

In addition, the Core Area Wastewater Treatment Project (CAWTP) is partially funded by the Federal Government and the Province of BC. In 2019, staff engaged the Province of BC to amend the funding agreement to receive grant funds sooner than initially agreed upon. As a result, the amendment was approved and the project received \$62M from the Province of BC in December 2019. This is one year earlier than the original funding agreement, resulting in estimated financing savings of \$1.5M.

New Applications Submitted

Union of BC Municipalities – Housing Needs Reports Program: (Applicant: Capital Regional District). The CRD applied for funding to create housing needs reports for each jurisdiction. In doing so, the region will create a foundation for housing information that incorporates all local governments to align with legislation.

Core Area Wastewater Treatment Project Update

As of the deadline for this report, funding received on grant claims is \$189,922,615.

Service Delivery Implications

New Grant Opportunities

Seven (7) grant calls were issued during the reporting period with deadlines as noted. Grant calls in progress for which the CRD is eligible to apply are featured in Appendix A (see page 7–8), and in the table below:

Grant	Deadline	Information
Dementia Strategic Fund	24-Feb-20	Currently accepting proposals that support awareness raising initiatives for prevention, reducing stigma, and encouraging inclusivity
Poverty Reduction Planning & Action Program	28-Feb-20	The program is part of the Province's Poverty Reduction Strategy to support activities that will reduce poverty at a local level in BC.
Multi-sectoral Partnerships to Promote Healthy living and Prevent Chronic Disease – Canada's Tobacco Strategy	Ongoing	To improve health nation-wide, the program is accepting Letters of Intent to promote healthy living and prevent chronic disease through a multi-sectoral approach. Specifically, this stream will fund projects that align with Canada's Tobacco Strategy.
National Housing Co-Investment Fund – New Construction Stream	Ongoing	The program provides both loans and financial contributions to develop accessible funding.
Family Violence Initiative	Ongoing	The program provides funding to help improve the justice's system response to violence, which may lead to the development of new tools, strategies, or models. The initiative will also support projects that raise awareness about family violence
Federal Lands Initiative	Ongoing	Federal property is used to help advance affordable housing to the benefit of the community.

Grant	Deadline	Information
Ecological Gifts Program	Ongoing	A land gift program that provides tax benefits to landowners who donate land to a qualified recipient.

Forthcoming Funding Initiatives

1. Canada Summer Jobs-Employment and Social Development Canada 2020 intake – details to be announced soon. The initiative is part of the Federal Government’s Youth Employment Strategy to help youth, ages 15-30, gain valuable work experience to enter into the labour market.
2. Enabling Accessibility Fund-Employment and Social Development Canada 2020 intake – details to be announced pending Federal Budget. Municipalities are eligible to apply for capital projects that increase accessibility for people with disabilities in both communities and the workplace.
3. Building Communities Through Arts and Heritage-Communities Anniversaries (Deadline April 30, annually). A program funded by Canadian Heritage where municipal administration can apply for non-recurring local events with/without a minor capital project that commemorate an anniversary of 100 years or greater (in 25 year increments).
4. Celebrate Canada-Canadian Heritage – details anticipated to be released in November 2020 for 2021 events, including National Indigenous Peoples Day, Saint-Jean-Baptiste Day, Canada Multiculturalism Day, and Canada Day.

CONCLUSION

The CRD recognizes grants are a supplement funding source to address the needs of our services we provide to our region. The External Grants Update Report outlines how the CRD continues to integrate and consider these grant opportunities into service needs as well as share these opportunities to our local partners through the grant dashboard. CRD will continue to update the External Grants Update Report on a monthly basis.

RECOMMENDATION

The Governance and Finance Committee recommends to the Capital Regional District Board: That the Capital Regional District External Grants Update be received for information

Submitted by:	Carlo Vijandre, PMP, FMP, ASCT Manager, Asset Management
Concurrence:	Nelson Chan, MBA, CPA, CMA, Chief Financial Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

ATTACHMENT(S)
















Appendix A: External Grants Dashboard

Grants Administration Dashboard ➤ Externally Sourced Grant Funding









STATUS LEGEND: Intent to apply Work in Progress (=delay) Application Done - Outcome pending Project Done (=payment pending) Application Declined Links to information								
Grant Program Links	Application Deadline	Project	Status	Board Resolution	Comments	Grant Ask	% of Total Project Cost	
Provincial Urban Deer Cost - Sharing Program	30-Oct-19	Program to reduce fallow deer populations on Mayne Island		Required	SGI Administration is the lead	\$ 20,000	TBD	
Community Child Care Space Creation Program	22-Nov-19	A 1500 square foot dividable multipurpose room for the purpose of licensed child care and recreation programs		Required	SSI Administration is the lead	\$ 750,000	\$ 925,000	
National Science and Engineering Research Council	Ongoing	Climate change assessment on forest vegetation and wildfire		TBC	Watershed Division is the lead	TBD	TBD	
BC Hydro Sustainable Communities Program	Ongoing	Regional greenhouse gas emissions inventory/modelling		13-Mar-19	PES - Environmental Protection - Climate Action is the lead.	TBD	TBD	
NSERC Collaboration Research and Development Grant	Ongoing	CoastCheck: Impact of Organic Pollution on Marine Life		N/A	WWTP is collaborating with UVic	\$ 487,500	87%	
Sitka Foundation	Ongoing	Elk/Beaver Lake Water Protection and Enhancement		TBC	PES - Environmental Protection is the lead.	TBD	TBD	
National Disaster Mitigation and Adaptation Program	Fall 2019	EOI: Upgrade of vulnerable section RWS Main 4 and SPW		N/A	Deemed eligible 2018; Application deferred to 2019 intake	\$ 36,900,000	42%	
Housing Needs Reports	29-Nov-19	Regionally coordinated participation being explored		Required	Lead - CRD Development and Planning Advisory Committee	TBD	TBD	
Community Resiliency Investment Program	18-Oct-19	Regional Vegetation Management to Mitigate Risks		13-Mar-19	PPS - Protective Services is the Lead.	\$ 100,000	TBD	
Community to Community Forum	13-Sep-19	Watershed Management Engagement:Elk/Beaver Lake		N/A	PES - Environmental Protection is the lead.	\$ 4,125	50%	
BC Rural Dividend	15-Aug-19	SGI Broadband Connectivity - Planning Project		10-Jul-19	SGI Administration	\$ 100,000	84%	
CleanBC - BC Hydro Commercial Custom Program (no link available)	n/a	Panorama Energy Recovery Project		N/A	PES - Panorama is the Lead	\$ 200,000	7%	
CleanBC - Collaboration with BC Hydro (no link available)	N/A	Panorama Energy Recovery Project		N/A	PES - Panorama connected with BC Hydro via the CleanBC Building Innovation Fund program advisor to work on a partnership for achieving 'showcase' energy retrofits.	\$ 500,000	18%	
FCM - Green Municipal Fund - Pilot project: Energy recovery or district energy	N/A	Panorama Energy Recovery Project		TBD	PES - Panorama is the Lead	\$ 500,000	18%	
TD Friends of the Environment	15-Jul-19	Project by Mayne Island Parks and Recreation Commission		N/A	SGI Administration	TBD	TBD	
Rick Hansen Foundation BC Accessibility Grants	30-Jun-19	Panorama Accessibility Improvements		N/A	PES - Panorama is the Lead	\$ 20,000	91%	
New Horizons for Seniors	21-Jun-19	SSI Library - Air Conditioning Upgrade (Comfort for Seniors)		N/A	PES - Facilities Management is the Lead	TBD	TBD	
Swim to Survive - Lifesaving Society	07-Jun-19	Swim to Survive Day Community Grant for SEAPARC		N/A	PES - SEAPARC is the Lead	TBD	TBD	
Transport Canada Abandoned Boats Program (Removal)	31-Mar-19	To proceed based on the results of the Assessment phase		2-Aug-17	Led by Dead Boats Disposal Society - see Partnerships	N/A	N/A	
AgriSpirit Fund - Farm Credit Corporation	29-Mar-19	Playground replacement at Greenglade Community Centre.		N/A	PES- Panorama is the lead.	\$ 15,000	100%	
Investing in Canada Infrastructure-CleanBC Communities Fund	27-Mar-19	RNG Initiative at Hartland		13-Mar-19	PES- Environmental Resource Management is the Lead	\$ 17,311,790	73%	
Community to Community Forum	15-Mar-19	Regional Parks and Pacheedaht First Nation Forum		N/A	CS-First Nations Relations is the lead.	\$ 4,190	37%	
FCM - Green Municipal Fund - Water Capital Projects	01-Mar-19	Core Area Wastewater Treatment Project		N/A	Ask for a \$3M grant in combination with a \$20M loan	\$ 3,000,000	0.4%	
BC Family Day 2019 Event	13-Feb-19	SSI - Family Day Celebration		N/A	SSI Administration is the Lead AWARDED	TBC	TBC	
Jumpstart - Canadian Tire - Community Development Grant	01-Feb-19	Swim Program for Indigenous Children and Youth		N/A	PES - Panorama is the Lead: Awarded \$1870			
Reaching Home	25-Jan-19	A community-based program to prevent/reduce homelessness		13-Feb-19	PPS - Agreement signed; \$4,337,499			
Investing in Canada - Rural and Northern Communities	23-Jan-19	Miners Bay Dock - Mayne Island		12-Dec-18	IWS - Infrastructure Operations is the lead.	\$ 247,423	89%	
Investing in Canada - Rural and Northern Communities	23-Jan-19	Wilderness Mountain Supply Improvements		12-Dec-18	IWS - Infrastructure Operations is the lead.	\$ 4,566,673	95%	

GRANT APPLICATIONS IN PROGRESS





Grants Administration Dashboard ➤ Externally Sourced Grant Funding

STATUS LEGEND:  Intent to apply  Work in Progress ( =delay)  Application Done - Outcome pending  Project Done ( =payment pending)  Application Declined  Links to information									
Investing in Canada - Community, Culture, Recreation	23-Jan-19	SSI-Fernwood Playing Field		12-Dec-18	SSI Administration is the lead.	\$	584,850	70%	
Investing in Canada - Community, Culture, Recreation	23-Jan-19	Mayne Island Regional Trail - Phase One Development		12-Dec-18	PES - Regional Parks is the lead.	\$	2,778,393	70%	
CRD Traffic Safety Commission Grant	15-Jan-19	Walk and Wheel to School Week		N/A	CRD Climate Action	\$	3,000	43%	
SSI Community Foundation	29-Sep-18	SSI Squash Club Junior After School Program		N/A	SSI Administration is the lead.	\$	1,980	100%	
Canada Nature Fund	15-Aug-18	Acquisition of land for preservation/park use		N/A	EOI submitted; details remain undisclosed		TBA	TBA	
Transport Canada Rail Safety Improvement Program	01-Aug-17	The Atkins Avenue Railway Crossing Project		N/A		\$	400,000	80%	
UBCM Housing Needs Reports Program Grant	29-Nov-19	Regional Housing Needs Report-Capital Region		11-Sep-19	Application submitted	\$	150,000	100%	
TOTAL GRANT ASKS IN PROGRESS (EXCLUDING CORE AREA LIQUID WASTE MANAGEMENT)						\$	68,819,952		

Grants Administration Dashboard ➤ Externally Sourced Grant Funding

STATUS LEGEND:  Intent to apply  Work in Progress ( =delay)  Application Done - Outcome pending  Project Done ( =payment pending)  Application Declined  Links to information

CORE AREA LIQUID WASTE MANAGEMENT - GRANT FUNDING STATUS

Grant Program Links	Contribution Terms and Purpose	Status	Board Resolution	Comments	Grant Award Maximum	Redeemed to Date
Infrastructure Canada - 3P Funding Agreement (Federal funding)	Lesser of 25% of eligible costs or \$83.4M for a bio-solids energy centre treatment facility for wastewater sludge.				\$ 41,000,000	\$ -
Infrastructure Canada - Building Canada Fund (Federal funding)	Up to 50% of eligible costs to a maximum of \$120M for construction of the McLoughlin Point Wastewater Treatment Plant, marine outfall pipe, and completion of the Victoria Harbour crossing.			Funding agreements executed. Construction to start in April 2017 as per March 16, 2017 joint media release (Canada, BC, CRD)	\$ 120,000,000	\$ 92,067,980
Infrastructure Canada - green Infrastructure Fund (Federal funding)	Up to 50% of eligible costs to a maximum of \$50 M to upgrade Clover Point and Macaulay Point pump stations, implement attenuation tanks, and upgrade existing pump stations and piping systems.				\$ 50,000,000	\$ 35,854,635
Provincial Funding	The lesser of 1/3 total cost (excluding land acquisition cost) or \$248M for construction of the wastewater treatment plant, the energy centre for sludge treatment, and conveyance system upgrades - all serving the Core Area.		08-Mar-17	CRD Board approved execution of the Provincial Agreement	\$ 248,000,000	\$ 62,000,000
TOTALS					\$ 459,000,000	\$ 189,922,615

CORE AREA GRANTS

Grants Administration Dashboard ➤ Externally Sourced Grant Funding

STATUS LEGEND: Intent to apply Work in Progress (=delay) Application Done - Outcome pending Project Done (=payment pending) Application Declined Links to information

Grant Program Links	Dept.	Project Deadline	Project	Status	Lead	Project Cost (Estimate)	Grant Award
Bike BC Cycling Infrastructure Program	PES	TBC	E&N Rail Trail Phase 3: Atkins Ave. to Savory		PES: Infrastructure Engineering and Facility Management	\$ 4,157,536	\$ 1,000,000
Community Resilience Through Arts and Culture Program	CS	TBC	WASANEC Community Resilience Project		First Nations Relations	\$ 15,000	\$ 12,000
Building BC - Community Housing Fund	PPS	TBC	Caledonia Housing Project		CRD Housing is the lead. Application is also seeking mortgage subsidy of \$666,500 per year. Supported by CRHC resolution 24-Jul-2018.	\$ 50,225,725	\$ 15,500,000
BC Hydro Custom Incentive Program	PES	31-Mar-17	SEAPARC Lighting Retrofit		SEAPARC	\$ 270,525	\$ 35,752
Clean Water Wastewater Fund	IWS	31-Mar-18	Port Renfrew Water Main Replacement Project		IWS - Infrastructure Engineering	\$ 628,634	\$ 488,103
Urban Deer Cost-Share Program	PPS	15-Mar-19	Mayne Island Fallow Deer Management		PPS - Regional and Strategic Planning is the Lead	\$ 52,930	\$ 18,500
Abandoned Boats Program (Assessment)	PES	31-Mar-19	Abandoned Boats Assessment: Sooke Harbour		Environmental Protection Division	\$ 16,175	\$ 16,175
Abandoned Boats Program (Assessment)	PES	31-Mar-19	Capital Region Abandoned Boats Stewardship		Environmental Protection Division	\$ 10,400	\$ 10,400
UBCM Community to Community Forum	CS	31-Mar-19	WSANEC Leadership Committee		First Nations Relations	\$ 5,750	\$ 2,760
UBCM Community to Community Forum	CS	31-Mar-19	CAO - Band Administrators Lunch		First Nations Relations	\$ 2,167	\$ 520
UBCM Community to Community Forum	CS	31-Mar-19	Pacheedaht MoU		First Nations Relations	\$ 4,195	\$ 1,720
BC Recreation and Parks - Out of School Care	PES	12-Apr-19	Out-of-School Care Program		Panorama Recreation Centre	\$ 750	\$ 750
UBCM Community Emergency Preparedness Fund - Emergency Operations Centres and Training	PPS	30-Apr-19	CRD HQ Emergency Operations Centre Upgrade		Protective Services	\$ 97,400	\$ 25,000
Strategic Wildfire Prevention Initiative - FireSmart	PPS	31-May-19	Saturna - FireSmart Planning & Activities Grant		Protective Services	\$ 10,000	\$ 10,000
PlanH - Creating Healthy Places Grant	PES	31-May-19	Central Saanich Recreation Facility Needs Evaluation (Panorama Strategic Priority)		Panorama Recreation Centre	\$ 8,929	\$ 5,000
SSI Community Foundation	SSI	01-Jun-19	For play equipment at Rainbow Pool		SSI Administration	\$ 24,425	\$ 18,563
SSI Community Foundation	SSI	01-Jun-19	Equipment for Youth Squash Camps		SSI Administration	\$ 1,382	\$ 1,050
Climate Action Revenue Incentive Program (CARIP)	PES	01-Jun-19	Conditional grant report due		PES - Climate Action	TBC	TBC
Participaction Community Better Challenge	PES	30-Jun-19	Community event - Panorama Communities		PES - Panorama is the Lead	\$ 850	\$ 700
Jumpstart - Canadian Tire - Community Development Grant	PES	02-Jul-19	Swim Program for Indigenous Children/Youth		PES - Panorama is the Lead	\$ 1,870	\$ 1,870
BC Recreation and Parks - Out of School Care	PES	12-Jul-19	Out-of-School Care Program		Panorama Recreation Centre	\$ 750	\$ 750
Regional District Grant 2019	F&T	15-Jul-19	Regional District Grant - Unconditional		The Province announced the unconditional grants on 2019-06-26	\$ 60,000	\$ 60,000
BC Rural Dividend Program	SSI	15-Sep-19	SSI Rural Accelerator and Learning Lab		SSI Administration and SSI Community Economic Development Commission	\$ 90,080	\$ 72,080
National Disaster Mitigation Program (NDMP)	PES	28-Oct-19	Gardom Pond Decommissioning		Facilities Management and Engineering Services	\$ 490,850	\$ 460,000

PROJECTS IN PROGRESS

Grants Administration Dashboard ➤ Externally Sourced Grant Funding

STATUS LEGEND: Intent to apply Work in Progress (=delay) Application Done - Outcome pending Project Done (=payment pending) Application Declined Links to information

Island Pathways (SSI) grant from SSI Foundation	PES	31-Dec-19	Development of the Booth to Baker Pathway		SSI Administration. Island Pathways obtained this grant from SSI Foundation to support CRD's work. NOTE: Total cost noted is to be confirmed.	\$	140,000	\$	100,000
Investment in Housing Innovation	PPS	Early 2020	3816 Carey Road Affordable Housing Project		Regional Housing	\$	15,249,662	\$	6,156,662
BC Hydro - Business Energy Saving Incentives Program	PES	10-Jan-20	Panorama LED lighting upgrade		PES - Panorama is the Lead	\$	60,000	\$	21,600
Community Emergency Preparedness Fund	PPS	27-Mar-20	Evacuation Route Planning for Electoral Areas		Protective Services	\$	25,000	\$	25,000
FCM Green Municipal Fund - Brownfield Renewal	WWTP	31-Mar-20	McLoughlin Point: Delineation of Groundwater, Bedrock and Soil Contamination		Core Area WWTP	\$	379,200	\$	175,000
FCM Green Municipal Fund - Brownfield Renewal	WWTP	31-Mar-20	McLoughlin Point: Remediation and Risk Assessment		Core Area WWTP	\$	343,800	\$	171,200
Infrastructure Planning Grant (2017)	PES	31-Mar-20	Bowker Creek Daylighting Feasibility Study		Stormwater-Harbours & Watershed: 10k each for CRD, Oak Bay, Saanich, Victoria) Deadline extension pending final approval Mar. 2019	\$	80,000	\$	40,000
Victoria Foundation Community Grants	PPS	1-Apr-20	Connect & Prepare- Housing Tenant Support		PPS - Regional Housing is the Lead	\$	167,669	\$	20,000
Community Resiliency Investment	PPS	30-Apr-20	Saturna, Pender, Juan de Fuca, SSI FireSmart Cross-Training		Protective Services	\$	100,000	\$	100,000
SSI Community Foundation	SSI	1-Jun-20	SSI Portlock Park Soccer Goals		SSI Administration	\$	7,147	\$	6,146
UBCM Federal Gas Tax - Strategic Priorities Fund	PES	30-Jun-20	SEAPARC Leisure Complex Expansion		SEAPARC	\$	3,410,406	\$	1,240,000
FCM Green Municipal Fund - Pilot Project	F&T	01-Oct-20	Zero Emissions Fleet Initiative		Risk Management - Climate Action	\$	1,087,000	\$	350,000
BC Rural Dividend	PES	22-Mar-21	Engineering Design for SGI Regional Trails		Regional Parks	\$	200,000	\$	100,000
BC Rural Dividend	SSI	22-Mar-21	Feasibility Study - SSI Shared Service Business Model		SSI Administration	\$	100,000	\$	90,750
Invasive Plant Management	PES	31-Mar-21	Invasive Plant Management Project		Environmental Protection Division	\$	32,000	\$	32,000
Abandoned Boats Program (Education and Awareness)	PES	31-Mar-21	Capital Region Abandoned Boats Stewardship		Environmental Protection Division	\$	66,700	\$	50,000
Infrastructure Planning Grant	SSI	31-Mar-21	North Salt Spring Waterworks Infrastructure Assessment		SSI Administration	\$	10,000	\$	10,000
Child Care Space Creation Program	SSI	15-Apr-21	SSI PARC Licensed Preschool Child Care Space		SSI Administration	\$	296,460	\$	214,600
Affordable Rental Innovation - CMHC	PPS	31-Dec-21	Regional Housing First Program		Regional Housing: Partners include CRD, BC Housing, CMHC at \$30M each.	\$	90,000,000	\$	30,000,000
Reaching Home	PPS	31-Mar-24	For community homelessness service projects		PPS: Regional Housing	\$	4,772,699	\$	4,772,699
National Disaster Mitigation Program	PES	TBD	Capital Region Coastal Flood Inundation Mapping		PES - Environmental Protection	\$	750,000	\$	705,000

GRANTS AWARDED SINCE JANUARY 1, 2015 (Completed Projects Not Listed But Included in Totals) \$ 186,269,605 \$ 70,306,253

Grants Administration Dashboard ➤ Externally Sourced Grant Funding

STATUS LEGEND: Intent to apply Work in Progress (=delay) Application Done - Outcome pending Project Done (=payment pending) Application Declined Links to information

Grant Program Links	Launch Date	Application Deadline	Resolution Needed	Departments Alerted	Status
Community Gaming Grant	Ongoing				
Environmental Programs		31-Aug-20	Not applicable; CRD's role can be to support a not-for-profit in pursuing these grants.	All	Grant alert sent. Featured in CRD Grants Weekly 2019-06-24
Public Safety Programs		31-Aug-20			
Human and Social Programs		30-Nov-20			
Arts and Culture Programs		01-Apr-20			
Sport Programs		31-May-20			
Parent Adviosry Councils - Programs		30-Jun-20			
Green Municipal Fund - Plans, Feasibility Studies, Pilot Projects	Ongoing	Ongoing			
Capital Projects					
Community Emergency Preparedness Fund - CEPF					
Flood: Risk Assessment, Mapping, Mitigation Planning	29-May-19	24-Jan-20	Yes	All	Grant alert sent. Featured in CRD Grants Weekly 2019-05-31
Emergency Support Services	29-May-19	14-Feb-20	Yes	All	Grant alert sent. Featured in CRD Grants Weekly 2019-05-31
Emergency Operations Centres and Training	29-May-19	13-Mar-20	Yes	All	Grant alert sent. Featured in CRD Grants Weekly 2019-05-31
Evacuation Route Planning	29-May-19	17-Apr-20	Yes	All	Grant alert sent. Featured in CRD Grants Weekly 2019-05-31
Broadband Fund - CRTC	03-Jun-19	27-Mar-20	TBC	All	Gant alert sent. Featured in CRD Grants Weekly 2019-06-14
Address Improvement Grant	Ongoing	Ongoing	Not Specified	IT	Grant alert sent. Featured in CRD Grants Weekly 2019-07-12
Community Regreening Program - BC Hydro	Ongoing	31-Jan-YY	No	Standing Item	
AgriSpirit Fund - Farm Credit Corporation	01-Mar-20	31-Mar-20	N/A	Standing Item	
BC Hydro Sustainable Communities Program	Ongoing	Ongoing	N/A	Standing Item	
BC Recreation and Parks - Out of School Care	Ongoing	04-Feb-20	N/A	Standing Item	
Connecting British Columbia Program	01-Sep-18	15-Feb-20	Yes	F&T EA Corp - Aboriginal	Grant alert sent and featured in CRD Grants Weekly 2018-09-07
Co-op Spaces Grant - Recreation, Conservation, Agriculture	01-Feb-20	02-Mar-20	N/A	Standing Item	
Efficiency BC - Online hub of energy efficiency initiatives	Ongoing	Ongoing	N/A	Standing Item	
Federal Gas Tax - Community Works Fund Update	Ongoing	Ongoing	N/A	Standing Item	Comprehensive CRD process in place for assignment of funds to Electoral Area Projects. Featured in CRD Grants Weekly 2019-04-05
Participatory Action Research Grants	Ongoing	Ongoing	No	Standing Item	Convene grants accept applications anytime; check schedule for Spring and Fall intakes of Investigation grants.
Ship-source Oil Pollution Fund	Ongoing	Ongoing	TBD	Standing Item	Grant alert sent; featured in CRD Grants Weekly 2019-05-03
Western Economic Diversification	Ongoing	Ongoing	TBD	Standing Item	
Aboriginal Languages Initiative – Aboriginal Peoples’ Program:	N/A	31-Jan-20	Not Specified	All	Grant alert sent.
Age-Friendly Communities	N/A	17-Jan-20	Not Specified	All	Grant alert sent.
Investing in Canada Infrastructure Program – Green Infrastructure – Environmental Quality Program	25-Sep-19	26-Feb-20	yes	All	Grant alert sent.
Childcare BC New Spaces Fund: Create New Spaces	N/A	Ongoing	Not Specified	All	Grant alert sent.
Infrastructure Planning Grant Program	N/A	15-Jan-20	yes	All	Grant alert sent.









GRANT CALLS IN PROGRESS

Grants Administration Dashboard ➤ Externally Sourced Grant Funding

STATUS LEGEND:  Intent to apply  Work in Progress ( =delay)  Application Done - Outcome pending  Project Done ( =payment pending)  Application Declined  Links to information

GRANT CALLS IN PROGRESS (con't)	Broadband Fund - Canadian Radio-Television and Telecommunications Commission	N/A	27-Mar-20	yes	All	Grant alert sent.
	Community Child Planning Program	N/A	15-Jan-20	yes	All	Grant alert sent
	Poverty Reduction Planning & Action Program	N/A	28-Feb-20	yes	All	Grant alert sent
	Ecological Gifts Program	N/A	Ongoing	Not Specified	All	Grant alert sent
	Family Violence Initiative	N/A	Ongoing	Not Specified	All	Grant alert sent
	Multi-sectoral Partnerships to Promote Healthy livingand Prevent Chronic Disease – Canada’s Tobacco Strategy	N/A	Ongoing	Not Specified	All	Grant alert sent
	Federal Lands Initiative	N/A	Ongoing	Not Specified	All	Grant alert sent
	National Housing Co-Investment Fund – New Construction Stream	N/A	Ongoing	Not Specified	All	Grant alert sent
	TD Friends of the Environment	N/A	15-Jan-20	no	Standing Item	Grant alert sent andd featured in CRD Grants weekly 2019-06-07.
	Dementia Strategic Fund	N/A	24-Feb-20	Not Specified	All	Grant alert sent
	BC Active Transportation Infrastructure Grants Program: Active Transportation Network Planning Grant and Active Transportation Infrastructure Grant	N/A	20-Feb-20	yes	All	Grant alert sent
	Building Communities Through Arts and Heritage	N/A	varies	yes	All	Grant alert sent

Grants Administration Dashboard ➤ Externally Sourced Grant Funding

STATUS LEGEND:  Intent to apply  Work in Progress ( =delay)  Application Done - Outcome pending  Project Done ( =payment pending)  Application Declined  Links to information

Funding Sources / Plans	Description	Possible Timing	Links
Federal Pre-Budget Consultations 2020	The Government of Canada is engaging in pre-budget consultations through online surveys for 2020 to hear ideas that Canadians want addressed going forward.		
UBCM Funding and Resource updates 2020	List of Local Government Programs and Services		

FUNDING INITIATIVES: ONGOING SCAN

GRANTS FORECAST

See website links (*if available*) in the right-most column for program information available to date. Note that typically, infrastructure grants will require SHOVEL READY projects (e.g: Asset plan is current; design drawings and environmental assessments are complete; matching funding - usually 50%- is assigned.)

Investing in Canada Infrastructure Program: Future intakes anticipated in the various envelopes: Green; Community, Culture, Recreation; Rural and Northern
 Community Energy Leadership Program (CELP) 2019 launched; Next round unknown
 Enabling Accessibility Fund, pending Federal Budget for accesibility capital communitiy projects
 Canada Summer Jobs, pending Federal Budget for hiring summer students.
 Celebrate Canada-Canadian Heritage Grants, details to be released November 2020.



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**REPORT TO GOVERNANCE AND FINANCE COMMITTEE
MEETING OF WEDNESDAY, FEBRUARY 05, 2020**

SUBJECT **Repeal of Security Issuing Bylaw No. 4345 and Replacement with Security Issuing Bylaw No. 4347**

ISSUE SUMMARY

Capital Regional District (CRD) Board approval is required to repeal Security Issuing Bylaw 4345 and replace with Security Issuing Bylaw 4347.

BACKGROUND

At the January 8, 2020 CRD Board meeting, Security Issuing Bylaw 4345 for a \$20 million Core Area Water Treatment Plan borrowing from the Federation of Canadian Municipalities (FCM) for a 20 year borrowing term was approved. Since then, the FCM has now offered both a 10 year term and a 20 year term. Financing analysis of each option indicates the 10 year term would result in the lowest effective interest rate over the term while balancing revenue requirements.

ALTERNATIVES

Alternative 1

The Finance and Governance Committee recommends to the Capital Regional District Board:

1. That Bylaw No. 4347, "Security Issuing Bylaw No. 2, 2020", be introduced and read a first, second, and third time;
2. That Bylaw No. 4347 be adopted;

Alternative 2

That adoption of Bylaw No. 4347 be deferred back to staff for amendments.

IMPLICATIONS

Financial Implications

Approval of the new bylaw will ensure the necessary capital funding is obtained with the best borrowing terms available at the time of issue.

CONCLUSION

Security Issuing Bylaw 4345 was approved at the January 8, 2020 Board meeting. The bylaw enabled borrowing of up to \$20 million from the Federation of Canadian Municipalities (FCM) for a 20 year borrowing term. Staff recommend reduction of this borrowing term to 10 years. Approval to repeal Security Issuing Bylaw 4345 and replace with Security Issuing Bylaw 4347 is required to participate in the MFA 2020 Spring debt issue.

RECOMMENDATION

- The Governance and Finance Committee recommends to the Capital Regional District Board:
1. That Bylaw No. 4347, “Security Issuing Bylaw No. 2, 2020”, be introduced and read a first, second, and third time;
 2. That Bylaw No. 4347 be adopted.

Submitted by:	Rianna Lachance, BCom, CPA, CA, Senior Manager, Financial Services
Concurrence:	Nelson Chan, MBA, CPA, CMA, Chief Financial Officer
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

ATTACHMENT(S)

Appendix A: Bylaw No. 4347, cited as “Security Issuing Bylaw No. 2, 2020”

CAPITAL REGIONAL DISTRICT

BYLAW NO. 4347

**A BYLAW TO AUTHORIZE ENTERING INTO AN AGREEMENT RESPECTING FINANCING
BETWEEN THE CAPITAL REGIONAL DISTRICT AND
THE MUNICIPAL FINANCE AUTHORITY OF BRITISH COLUMBIA**

WHEREAS:

- A. The Municipal Finance Authority of British Columbia (the "Authority") may provide financing of capital requirements for regional districts or for their member municipalities by the issue of debentures or other evidence of indebtedness of the Authority and lending the proceeds therefrom to the regional district on whose request the financing is undertaken;
- B. Under the provisions of Section 411 of the *Local Government Act*, the amount of borrowing authorized by each of the following loan authorization bylaws, the amount already borrowed under the authority thereof, the amount of authorization to borrow remaining thereunder, and the amount being issued under the authority thereof by this bylaw;
- C. The tables contained in this bylaw are to provide clarity and information for the purposes of this bylaw; and
- D. The Board of the Capital Regional District (the "Regional District") hereby requests such financing shall be undertaken through the Authority.

NOW THEREFORE the Regional Board of the Regional District in open meeting assembled enacts as follows:

- 1. The Authority is hereby requested and authorized to finance from time to time the undertakings, as further described in the Loan Authorization Table below, at the sole cost and on behalf of the Regional District up to, but not exceeding Twenty Million Dollars (\$20,000,000) in lawful money of Canada (provided that the Regional District may borrow all or part of such amount in such currency as the Trustees of the Authority shall determine but the aggregate amount 'in lawful money of Canada and in Canadian Dollar equivalents so borrowed shall not exceed \$20,000,000 in Canadian Dollars) at such interest and with such discounts or premiums and expenses as the Authority may deem appropriate in consideration of the market and economic conditions pertaining.

Security Issuing Bylaw No.	Service	LOAN AUTHORIZATION				Term of Issue	Amount of Issue	Notes
		Bylaw	Authorized	Borrowed	Remaining			
4347	Core Area Wastewater Treatment	4204	\$665M	\$60M	\$605M	10	\$20M	FCM Loan Wastewater Treatment Plant
	Total						\$20M	

2. Upon completion by the Authority of financing undertaken pursuant hereto, the Chair and officer assigned the responsibility of financial administration of the Regional District, on behalf of the Regional District and under its seal shall, at such time or times as the Trustees of the Authority may request, enter into and deliver to the Authority one or more agreements, which said agreement or agreements shall be substantially in the form annexed hereto as Schedule "A" and made part of this bylaw (such Agreement or Agreements as may be entered into, delivered or substituted hereinafter referred to as the "Agreement") providing for payment by the Regional District to the Authority of the amounts required to meet the obligations of the Authority with respect to its borrowings undertaken pursuant hereto, which Agreement shall rank as debenture debt of the Regional District.
3. The Agreement in the form of Schedule "A" shall be dated and payable in the principal amount or amounts of monies and in Canadian dollars or as the Authority shall determine and subject to the *Local Government Act*, in such currency or currencies as shall be borrowed by the Authority under Section 1 and shall set out the schedule of repayment of the principal amount together with interest on unpaid amounts as shall be determined by the Treasurer of the Authority.
4. The obligation incurred under the said Agreement shall bear interest from a date specified therein, which date shall be determined by the Treasurer of the Authority, and shall bear interest at a rate to be determined by the Treasurer of the Authority.
5. The Agreement shall be sealed with the seal of the Regional District and shall bear the signature of the Chair and the officer assigned the responsibility of financial administration of the Regional District.
6. The obligations incurred under the said Agreement as to both principal and interest shall be payable at the Head Office of the Authority in Saanich and at such time or times as shall be determined by the Treasurer of the Authority.
7. During the currency of the obligations incurred under the said Agreement to secure borrowings in respect of the Regional District Loan Authorization Bylaw No. 4204 if the anticipated revenues accruing to the Regional District from the operation of the Core Area Wastewater Treatment Service are at any time insufficient to meet the annual payment of interest and the repayment of principal in any year, there shall be requisitioned an amount sufficient to meet such insufficiency.

8. The Regional District shall provide and pay over to the Authority such sums as are required to discharge its obligations in accordance with the terms of the Agreement, provided, however, that if the sums provided for in the Agreement are not sufficient to meet the obligations of the Authority, any deficiency in meeting such obligations shall be a liability of the Regional District to the Authority and the Regional Board of the Regional District shall make due provision to discharge such liability.
9. The Regional District shall pay over to the Authority at such time or times as the Treasurer of the Authority so directs such sums as are required pursuant to Section 15 of the *Municipal Finance Authority Act* to be paid into the Debt Reserve Fund established by the Authority in connection with the financing undertaken by the Authority on behalf of the Regional District pursuant to the Agreement.
10. Bylaw No. 4345, "Security Issuing Bylaw No. 2, 2020", and any amendments thereto is hereby repealed.
11. This bylaw may be cited as "Security Issuing Bylaw No. 2, 2020".

READ A FIRST TIME this	th	day of	2020.
READ A SECOND TIME this	th	day of	2020.
READ A THIRD TIME this	th	day of	2020.
ADOPTED this	th	day of	2020.

CHAIR

CORPORATE OFFICER

SCHEDULE "A"

**CANADA
PROVINCE OF BRITISH COLUMBIA
AGREEMENT
CAPITAL REGIONAL DISTRICT**

The Capital Regional District (the "Regional District") hereby promises to pay to the Municipal Finance Authority of British Columbia (the "Authority") at its Head Office in Victoria, British Columbia, the sum of _____ dollars (\$_____) in lawful money of Canada, together with interest thereon from _____ at a fixed rate of interest, calculated semi-annually, in each and every year during the currency of this Agreement; and payments of principal and interest shall be as specified in the schedule attached commencing on ___ day of ___, provided that in the event the payments of principal and interest hereunder are insufficient to satisfy the obligations of the Authority undertaken on behalf of the Regional District, the Regional District shall pay over to the Authority such further sums as are sufficient to discharge the obligations of the Regional District to the Authority.

The Regional District further hereby specifically promises to pay to the Authority any monies owing pursuant to a certain Loan Agreement dated as of _____(date), between the MUNICIPAL FINANCE AUTHORITY OF BRITISH COLUMBIA (as the "Borrower" and the "Authority"), FEDERATION OF CANADIAN MUNICIPALITIES, as Trustee of the Green Municipal Fund, therein called ("FCM"), and THE CAPITAL REGIONAL DISTRICT, therein called the ("Municipality"). And in particular, with reference to Article 7 of the said Agreement, dealing with Events of Default and Remedies, pay any and all monies owing by the Authority to FCM. And further provided that in the event the payment of principal and interest hereunder are insufficient to satisfy the obligations of the Authority undertaken on behalf of the Regional District, the Regional District shall pay over to the Authority such further sums as are sufficient to discharge the obligations of the Municipality to the Authority.

DATED at _____, British Columbia, this ___ day of _____, 20_____.

IN TESTIMONY WHEREOF and under the authority of Bylaw No. 4347 cited as "Security Issuing Bylaw No. 2, 2020", this Agreement is sealed with the Corporate Seal of the Capital Regional District and signed by the Chair and Treasurer thereof.

Chair

Chief Financial Officer

Pursuant to the Local Government Act, I certify that this Agreement has been lawfully and validly made and issued and that its validity is not open to question on any ground whatever in any Court of the Province of British Columbia.

Dated this _____ day of _____, 2020

Inspector of Municipalities

Long-Term Loan Schedule

Date	Payment	Interest	Principal	Balance



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**REPORT TO GOVERNANCE AND FINANCE COMMITTEE
MEETING OF WEDNESDAY, FEBRUARY 05, 2020**

SUBJECT **Implementation of the Public Sector Accounting Standard (PSAS) 3280,
Asset Retirement Obligations (ARO)**

ISSUE SUMMARY

This report provides additional information on section PS 3280 of the Public Sector Accounting Standards which was issued in August 2018 and is effective for fiscal years beginning on or after April 1, 2021.

BACKGROUND

Following the Audit Planning Report by KPMG at the January 8, 2020 Board meetings, the CRD Board requested additional information on section PS 3280 of the Public Sector Accounting Standards on Asset Retirement Obligations.

Investigation and evaluation work will involve all CRD departments and will begin in 2020 ending with valuation and recognition in the financial statements for the year ended December 31, 2022. The standard will require recognition of future costs related to retirement of tangible capital assets.

Asset retirement obligations arise when there is a legal obligation to retire tangible capital assets. Retirement is defined as removal of a capital asset from service and includes sale transactions, asset abandonment and/or asset disposal. Costs may include, but are not limited to decommissioning, dismantling, and remediation of a tangible capital asset.

Existing laws, regulations, and contractual agreements may also require public sector entities to take specific actions to retire certain tangible capital assets at the end of their useful lives.

The consolidated financial statements of the Capital Regional District ("the District") are prepared by management in accordance with Canadian Public Sector Accounting Standards (PSAS). As such, we are required to adopt PS Section 3280 for the year ended December 31, 2022.

ALTERNATIVES

Alternative 1

The Governance and Finance Committee recommends to the Capital Regional District Board: That this report be received for information.

Alternative 2

The Governance and Finance Committee recommends to the Capital Regional District Board: That this report be referred back to staff for additional information.

IMPLICATIONS

Service Delivery Implications

The exercise of identifying, assessing and estimating asset retirement obligations will require a considerable effort across the organization. In some cases expertise of a third party will be required to appropriately estimate the costs and nature of the obligation. Staff efforts will also include consultation across other local government entities and will incorporate advice from the auditors. At this point, Staff do not recommend early adoption of this accounting standard.

Financial Implications

Currently, the consolidated financial statements reflect balances and disclosures in alignment with public sector accounting standards addressing general liabilities, landfill liabilities, contractual obligations, contaminated sites and contingent liabilities.

The new standard extends these requirements to include liabilities related to the retirement of existing assets. The standard outlines that the cost of an asset should also include the cost that will be incurred to retire that asset. An asset retirement obligation exists when there is a legal obligation to incur retirement costs in relation to an asset.

Some examples of when a legal obligation may exist:

- Lease requires removal of leasehold improvements at the end of lease
- Land covenants require land be returned to its natural state when assets are no longer in use
- Assets that need to be removed from site at the end of their useful life
- Assets that do not comply with standards and regulations that if sold, disposed or no longer in use, would require remediation (i.e. buildings containing asbestos)

Assets likely to have an associated retirement obligation could include buildings, leased properties, dams, docks, landfills, pump stations, reservoirs, treatment plants, parks infrastructure, and radio towers.

With the implementation of PS3280 the previous PS 3270 Solid Waste Landfill Closure and Post-Closure Liability is replaced. Under PS 3280, the liability for landfill closure and post-closure costs will be revised. Capacity assumptions and forecasts will be impacted by the Solid Waste Management Plan currently under review.

Financial Statement Impact

Once a liability is estimated a liability and asset of equal value are recorded on the Statement of Financial Position. This effectively increases the carrying value of the existing asset at the same time as reflecting the liability. The only exception is in cases where the asset is no longer in use and the liability will be expensed immediately rather than creating an asset.

Estimates will include all costs directly related to the asset retirement activities but will be limited to those legally enforceable. An estimate is made today for some point in the future at which time

the liability will be extinguished. The future value is then discounted, through a discount rate, back to today's value.

Each year there will be an accrued expense in the Statement of Operations ('accretion expense') to increase the liability with the passage of time. This recognizes the expense while the asset is in use and results in the liability growing to equal the estimated costs at the retirement date. Similar to amortization, accretion is a non-cash expense item and does not directly drive budgeted revenues. Ultimately, reserve and debt policies establish required funding levels to fund future asset liabilities.

CONCLUSION

As requested by the Board at the January 8, 2020 meeting, the report provides information on section PS 3280 of the Public Sector Accounting Standards which was issued in August 2018 and is effective for fiscal years beginning on or after April 1, 2021. Section PS 3280 provides guidance that an asset retirement obligation arises when there is a legal obligation to retire tangible capital assets. Where an obligation exists a liability will need to be reflected in the consolidated financial statements. We are required to adopt PS Section 3280 for the year ended December 31, 2022.

RECOMMENDATION

The Governance and Finance Committee recommends to the Capital Regional District Board: That this report be received for information.

Submitted by:	Rianna Lachance, BCom, CPA, CA, Senior Manager, Financial Services
Concurrence:	Nelson Chan, MBA, CPA, CMA, Chief Financial Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer



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REPORT TO GOVERNANCE AND FINANCE COMMITTEE MEETING OF WEDNESDAY, FEBRUARY 05, 2020

SUBJECT **Service Fee Agreement re Sewer Charges - Town of View Royal**

ISSUE SUMMARY

The purpose of this report is to request approval of an agreement with the Town of View Royal to recover the Town's annual sewer operating costs by way of service fee agreement, rather than requisition.

BACKGROUND

Section 251 of the Local Government Act and the Additional Powers Regulation, BC Reg. 236/2002 permit a municipality to impose a fee or charge in respect of all or part of a regional water or sewer service of the Capital Regional District (CRD) where the establishing bylaw for the service provides that costs may be recovered by way of an agreement and the municipality has entered into an agreement with the CRD.

Bylaw No. 2312, cited as "Liquid Waste Management Core Area and Western Communities Local Services Establishment Bylaw No. 1, 1996", as amended, provides that annual operating costs and annual debt costs for the service will be recovered by way of revenue received through an agreement.

On January 21, 2020, the Town of View Royal resolved to enter into an agreement with the CRD for 100% of their annual sewer operating costs, capital contributions and debt servicing relating to Bylaw 2312.

ALTERNATIVES

Alternative 1

The Governance and Finance Committee recommends to the Capital Regional District Board: That the appended Service Fee agreement with the Town of View Royal be approved.

Alternative 2

That this report be referred back to staff for additional information.

IMPLICATIONS

Financial Implications

There is no impact to the timing of the CRD billing and collection cycle and only a minor change administratively to implement the bill by way of service fee. The revenue and collection is due to the CRD each year by August 1 whether the municipal invoice is via service fee or requisition. With this agreement, the municipality will be able to include CRD sewer operating costs in a user fee or a defined area tax. The agreement has no impact on the cost sharing with the other participants or the timing of the receipt of the funds from the municipality.

Alignment with Existing Plans & Strategies

The final 2020 Financial Plan, to be presented to the Board in March, will be updated to reflect this change.

CONCLUSION

Annual sewer operating costs attributable to the Town of View Royal are currently recovered by way of requisition. The Town wishes to change to payment by way of a service fee agreement. Bylaw No. 2312, cited as “Liquid Waste Management Core Area and Western Communities Local Services Establishment Bylaw No. 1, 1996”, as amended, provides that the costs may be recovered by revenue received by way of an agreement. Further, *Additional Powers Regulation, BC Reg. 236/2002*, permits a municipality to impose a fee or charge in respect of all or part of a regional water or sewer service of the Capital Regional District (CRD) where the establishing bylaw for the CRD service provides that costs may be recovered by way of an agreement and the municipality has entered into an agreement with the CRD. This report contains a recommendation to approve entering into such a service fee agreement with the Town of View Royal. The agreement has been prepared and is shown in Appendix A.

RECOMMENDATION

The Governance and Finance Committee recommends to the Capital Regional District Board: That the appended Service Fee agreement with the Town of View Royal be approved.

Submitted by:	Rianna Lachance, BCom, CPA, CA, Senior Manager, Financial Services
Concurrence:	Nelson Chan, MBA, CPA, CMA, Chief Financial Officer
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

ATTACHMENT(S)

Appendix A: Service Fee Agreement re Sewer Charges – Town of View Royal

SERVICE FEE AGREEMENT

THIS AGREEMENT made this day of , 2020

BETWEEN:

CAPITAL REGIONAL DISTRICT

625 Fisgard Street
PO Box 1000, Victoria
British Columbia, V8W 2S6

(the "**CRD**")

OF THE FIRST PART

AND:

TOWN OF VIEW ROYAL

**45 View Royal Avenue
Victoria, BC V9B 1A6**

(the "**Municipality**")

OF THE SECOND PART

WHEREAS section 4 of Bylaw No. 2312 "Liquid Waste Management Core Area and Western Communities Service Establishment Bylaw No. 1, 1995" of the Capital Regional District which established the service of Liquid Waste Management Core Area and Western Communities Service (the "Service") provides that annual operating costs and annual debt costs for the Service may be recovered by way of revenue received by way of an Agreement;

AND WHEREAS *Additional Powers Regulation*, B.C. Reg. 236/2002 permits a municipality to impose a fee or charge in respect of all or part of a regional water or sewer service of the CRD where the establishing bylaw for the CRD service provides that costs may be recovered by way of an agreement and the Municipality has entered into an agreement with the CRD;

AND WHEREAS the Municipality wishes to be able to impose a fee or charge for the Service in accordance with the *Additional Powers Regulation* and has asked the CRD to enter into an agreement;

NOW THEREFORE, this agreement witnesses in consideration of the premises and the payment by the Municipality of the service fee as hereinafter defined, the parties hereby covenant and agree with each other as follows:

1.00 DEFINITIONS

1.01 In this Agreement:

- (a) **"Establishing Bylaw"** means the Liquid Waste Management Core Area and Western Communities Service Establishment Bylaw No. 1, 1995;
- (b) **"Service Fee"** means the amount payable by the Municipality to the CRD to represent 100%, from 2020 on, of that amount of the annual operating costs of the Service and annual debt costs apportioned to the Municipality in accordance with the Establishing Bylaw and to be paid by the Municipality to the CRD under this Agreement.

2.00 FEES

2.01 The Municipality agrees to pay to the CRD the Service Fee.

3.00 DELIVERY OF INVOICE

3.01 The CRD shall deliver each year to the Municipality, beginning in 2020, an invoice for the amount of the Service Fee on or before the date established by the *Local Government Act* for the delivery of the municipal requisition to a municipal participant in a regional district service.

4.00 PAYMENT

4.01 The Municipality shall pay the Service Fee to the CRD on or before the date established by the *Local Government Act* for payment by a municipality of a requisition.

5.00 TERMINATION

5.01 If the Municipality defaults on a payment due to the CRD under this Agreement, then the CRD may, on ten (10) days' notice to the person responsible for corporate administration of the Municipality, terminate this Agreement, and the invoice delivered by the CRD under section 3.01 shall be deemed to have been a municipal requisition delivered pursuant to section 385 of the *Local Government Act*.

5.02 This agreement may be terminated in any year upon notification being provided to the CRD by December 31st of the immediately preceding calendar year.

6.00 GENERAL

6.01 This Agreement constitutes the entire Agreement between the parties and there are no representations or warranties, express or implied, statutory or otherwise, and no Agreement collateral to this Agreement other than as expressly set forth or referred to in this Agreement.

6.02 This Agreement shall not be interpreted as creating an agency, partnership or joint ventureship between the CRD and the Municipality.

6.03 Time shall be of the essence of this Agreement.

6.04 The headings in this Agreement are inserted for convenience of reference only and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision of it.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year first above written.

CAPITAL REGIONAL DISTRICT)
by its authorized signatory:)
)
)
)
)
_____)
Robert Lapham)
Chief Administrative Officer)

TOWN OF VIEW ROYAL)
by its authorized signatories:)
)
)
_____)
Mayor)
)
_____)
Chief Administrative Officer)



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REPORT TO GOVERNANCE AND FINANCE COMMITTEE MEETING OF WEDNESDAY, FEBRUARY 05, 2020

SUBJECT **Notice of Motion Procedure Review**

ISSUE SUMMARY

In June 2019, the Board passed amendments to the CRD Board Procedures Bylaw to revise the notice of motion and motion with notice procedures. Direction was also given to review the amendments and new procedures after 6 months.

BACKGROUND

In June 2019, upon the recommendation of the Governance and Finance Committee, the Board passed amendments to Bylaw No. 3828, the CRD Board Procedures Bylaw (see Appendix A), to amend the procedures related to notices of motion. The updated process (see Appendix B) involves notices to be read into the record at one meeting in order to be considered at the next meeting. The one month notice provision is waived if certain criteria and a 2/3rds majority vote are obtained. At the same time as the bylaw amendments were adopted, the Board resolved to review the amendments in six months' time in order to evaluate the impact and effectiveness of the new procedures.

ALTERNATIVES

Alternative 1

The Governance and Finance Committee recommends to the Capital Regional District Board: That no changes be made to the notice of motion procedures, at this time.

Alternative 2

The Governance and Finance Committee recommends to the Capital Regional District Board: That staff report back with amendments to the CRD Board Procedures Bylaw relating to the notice of motion procedures, as directed.

Alternative 3

That this report be referred back to staff for additional information.

IMPLICATIONS

Since the new procedures were adopted, approximately 14 notices of motion have been filed, with two given same day consideration. The revised process is slower, as intended by the bylaw changes, and at times the delay is greater than one month given the scheduling of meetings. However, despite the longer timelines, staff have not observed any negative effects or lost opportunities for Directors due to the longer timelines. The intent of the changes was to provide both Directors and members of the public with notice prior to motions being debated (see Appendix C for the staff reports detailing rationale for the amendments), as motions read into the record at one meeting would be included on the following meetings' agenda. In the past six months, there has not been a marked increase in the number of delegations. The general commentary at meetings regarding the updated procedures has been regarding the criteria upon

which to gauge time sensitivity in order to waive the notice requirements.

Staff's view is that the process has been effectively implemented at Board and Committee meetings and has accomplished the stated objective of providing Directors and the public more notice of proposed new initiatives prior to debate and vote on the initiatives.

CONCLUSION

The current notice of motion process has been in place since June 2019. A six month review was requested when the bylaw amendments for the process were adopted. Staff have observed that the new process has accomplished the stated objective of proving more time for consideration of notice and has been effectively implemented at both the Committee and Board level. Staff do not recommend any changes to the motion with notice procedures at this time.

RECOMMENDATION

The Governance and Finance Committee recommends to the Capital Regional District Board:
That no changes be made to the notice of motion procedures, at this time.

Submitted by:	Emilie Gorman, MPA, Manager, Legislative Services & Deputy Corporate Officer
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

ATTACHMENT(S)

- Appendix A: CRD Board Procedures Bylaw
- Appendix B: Notice of Motion Flow Chart
- Appendix C: Staff Reports of March 6, 2019 & May 1, 2019



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BYLAW NO. 3828

CAPITAL REGIONAL DISTRICT BOARD PROCEDURES BYLAW, 2012

(as amended by Bylaw No. 3951, 3999, 4024, 4044, 4129, 4206, &
4262, 4312, 4313)

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

For further details, please contact the Capital Regional District,
Legislative and Information Services Department, 625 Fisgard St., PO Box 1000, Victoria BC V8W 2S6
T 250-360-3128, F 250-360-3130, www.crd.bc.ca

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

Contents

BYLAW NO. 3828	1
CAPITAL REGIONAL DISTRICT BOARD	1
PROCEDURES BYLAW, 2012	1
PART 1 – INTRODUCTION	4
DEFINITIONS	4
APPLICATION OF RULES OF PROCEDURE	5
SUSPENSION OF RULES OF PROCEDURE	5
PART 2 – BOARD MEETINGS	5
INAUGURAL MEETING	5
ELECTION OF CHAIR AND VICE CHAIR	6
MEETINGS AND ADJOURNMENT	7
QUORUM	7
NOTICE OF REGULAR MEETINGS	8
NOTICE OF SPECIAL MEETINGS	8
NOTICE OF COMMITTEE MEETINGS	8
NOTICE OF COMMISSION MEETINGS	8
AGENDA	9
PART 3 – BOARD PROCEEDINGS	9
DELEGATIONS	9
PRESENTATIONS	10
ORDER OF PROCEEDINGS AND BUSINESS	10
MINUTES	11
CORRESPONDENCE	12
ATTENDANCE OF PUBLIC AT MEETINGS	12
CLOSED MEETINGS	13
USE OF VIDEO RECORDING DEVICES	13
CHAIR AND PRESIDING OFFICERS	13
RULES OF ORDER	14
MOTIONS	14
RECONSIDERATION OF AN ADOPTED BYLAW, RESOLUTION OR PROCEEDING	15
DEBATE AND CONDUCT	15
VOTING	16
PART 4 – COMMITTEES AND COMMISSIONS	16
BOARD STANDING COMMITTEES	16
ADVISORY COMMITTEES	17
SELECT COMMITTEES	17
COMMISSIONS	18
ELECTRONIC PARTICIPATION AT COMMISSION MEETINGS	18
ATTENDANCE AT COMMITTEE MEETINGS	19
COMMITTEE REPORTS	19
QUORUM	19
VOTING AT MEETINGS	19

OPERATION	19
PART 5 – COMMITTEE OF THE WHOLE.....	19
PROCEDURES FOR COW MEETINGS	19
PART 6 – BYLAWS.....	20
PART 7 – RESOLUTIONS.....	20
PART 8 – GENERAL	21

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 215 of the *Local Government Act* or other person presiding at a meeting of the Board or committee, as the context requires;

(Bylaw No. 4262)

“**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 263(1)(g) of the *Local Government Act* and a local service committee and a service committee established by the Board.

(Bylaw No. 4262)

“**Corporate Officer**” means the officer of the CRD assigned the corporate administration responsibilities of section 236 of the *Local Government Act*, and includes that officer’s designate;

(Bylaw No. 4262)

“**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;

“Presenter” means a person(s) or organization(s) invited by the CRD to make a presentation to the Board. It also includes a request to speak by a First Nations Elder or Chief and a federal, provincial or local government elected official.

(Bylaw No. 4024)

“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 Commission, means a consistent local public location designated by the Commission;

“Vice Chair” means the Member elected as Vice pursuant to section 215 of the *Local Government Act*.

(Bylaw No. 4262)

Application of Rules of Procedure

2. (1) The provisions of this Bylaw govern the proceedings of the Board, COW, all standing and select committees of the Board and all commissions, as applicable.
- (2) In cases not provided for under this Bylaw, The Newly Revised Robert’s Rules of Order, 11th edition, 2011, apply to the proceedings of the Board, COW, committees and commissions 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 225 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 November at such time as shall be advised by the Corporate Officer in writing.

(Bylaw No. 4129)
- (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 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 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) Nominations do not need to be seconded and a candidate must consent to the nomination.
 - (3) If a candidate is not present at the meeting, his or her written consent to the nomination must be provided to the Corporate Officer at the meeting.
 - (4) At the close of nominations, if more than one candidate has been nominated, each candidate will be given a maximum of four (4) minutes to address the Board in favour of his/her candidacy in the order of his/her nomination. If a candidate is not present at the meeting, he or she may have their nominator deliver a prepared speech on his or her behalf not to exceed three minutes in duration.
 - (5) At the conclusion of the candidates' speeches, the Corporate Officer and Deputy Corporate Officer or designate will circulate a ballot box in which the completed ballots will be placed. When all of the ballots have been collected the Corporate Officer will remove the ballot box to a separate room and the ballots will be counted in accordance with subsection (6).
 - (6) The counting of the ballots will be conducted by the Corporate Officer together with the Deputy Corporate Officer or designate. Either the CRD's legal counsel or a judicial justice appointed under the *Provincial Court Act* will be present to observe the counting of the ballots.
 - (7) Following the counting of the ballots, the Corporate Officer shall advise the Chief Administrative Officer of the candidate that has received a majority of the votes.
 - (8) The number of votes received by each candidate will not be disclosed to the Board unless a resolution requiring disclosure is passed.
 - (9) 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.

- (10) 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.
- (11) Once a candidate has been declared elected, the ballots shall be destroyed by way of a Board resolution.
- (12) 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) to (11) for electing the Chair of the Board.

(Bylaw No. 4044)

Meetings and Adjournment

6. Regular meetings shall be held at the CRD Board Room, 625 Fisgard Street, Victoria, BC on the second Wednesday of the month commencing at 1:00 pm unless otherwise determined by resolution of the Board.

(Bylaw No. 4262)

- 6.1 Regular and special meetings shall be adjourned no later than three (3) hours from the scheduled start time of the meeting unless the Board resolves to proceed beyond that time by an affirmative vote of the majority of the members present.

(Bylaw No. 3951)

Quorum

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 220(3) 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. *(Bylaw No. 4262)*
- (2) Despite section 9(1), in the case of an emergency, notice of a special meeting may be given in accordance with section 220(4) of the *Local Government Act*. *(Bylaw No. 4262)*

Notice of Committee Meetings

10. (1) At least seventy-two (72) hours before a regular meeting of a committee or COW, excluding a 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 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 Commission Meetings

11. (1) At least seventy-two (72) hours before a regular meeting of a 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 commission.
- (2) At least twenty-four (24) hours before a special meeting of a 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 commission.

Agenda

12. (1) The Corporate Officer, under the direction of the Chair, shall prepare an agenda and shall circulate a copy of the agenda to each Member at least four (4) days before the meeting. If necessary, a supplementary agenda for a meeting of the Board will be circulated at least 24 hours 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.
(Bylaw No. 4262)
- (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 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 four (4) minutes unless a longer period is agreed to by 2/3 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) As an alternative to addressing a meeting as a delegation, a person may submit their comments in writing to the Corporate Officer for circulation to Members in advance of the next meeting.
(Bylaw No. 3951)
- (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.
- (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.

Presentations

14. (1) 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.
- (2) With the Chair's approval, the Corporate Officer shall include a request to speak by a presenter on the meeting agenda.
- (3) All presentations shall be limited to 10 minutes unless a longer period is approved by a majority vote of those Members present.

(Bylaw No. 4024)

Order of Proceedings and Business

15. (1) The order of business at all regular meetings shall be as follows:
 1. Territorial Acknowledgement
 2. Approval of Agenda
 3. Adoption of Minutes of Previous Meeting
 4. Report of the Chair
 5. Presentations/Delegations
 6. Consent Agenda
 7. Administration Reports
 8. Reports of Committees (not included in the Consent Agenda)
 9. Correspondence
 10. Bylaws and Resolutions
 11. Motions for Which Notice Has Been Given
 12. New Business

13. Motion to close the meeting in accordance with the applicable provisions of the *Community Charter*
14. Adjournment

(Bylaw No. 4262, 4312)

(2) The order of business at all special meetings shall be as follows:

1. Territorial Acknowledgement
2. Approval of Agenda
3. Presentations/Delegations
4. Special Meeting Matters
5. Motion to close meeting in accordance with the applicable provisions of the *Community Charter*
6. Adjournment

(Bylaw No. 4312)

(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 other than a special meeting may be ordered by the Chair or moved by a Member, with unanimous consent.

(5) The Consent Agenda portion of the agenda shall consist of staff or committee report items that contain clear take action, give approval, or receive for information recommendations.

(6) Members may vote on and adopt in one motion all recommendations appearing on the Consent Agenda that are subject to the same voting rule.

(7) At approval of the Consent Agenda, a Member may for the purpose of:

- (a) debate or discussion;
- (b) voting in opposition to a recommendation on the consent agenda or to propose an amendment to the motion; or
- (c) declaring a conflict of interest with respect to an item on the consent agenda;

request that an item be removed from the consent agenda, without debate or vote of the Members.

(Bylaw No. 4262)

Minutes

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*.

Correspondence

- 16.1 (1) Following consultation with the Chair or other person who is to preside at the applicable meeting, the Corporate Officer may place correspondence from another government or government agency that requests an action from the Board, on the agenda of the next convenient Board meeting, or on an agenda of the meeting of a committee or commission whose mandate or terms of reference includes the requested action, together with any report from Regional District staff that the Chair or the Chief Administrative Officer consider advisable.
- (2) Any other correspondence to the Board not accounted for in section 16.1(1), including but not limited to written comments received pursuant to section 13(a), may be placed on the meeting agenda at the request of the Chair or such other person who is to preside at the meeting where the correspondence is to be considered, or by way of Notice of Motion made in accordance with section 22(6). *(Bylaw No. 3951)*

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. 263(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

(Bylaw No. 4262)

- (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) As soon as practicable, the Corporate Officer shall review and determine whether to seek a resolution of the Board for the release of closed minutes and related information that would no longer undermine the reason for discussing it in a closed meeting.
- (3) 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.
- (4) 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 his/her discretion may require that any video recording devices be placed in a designated location while being used and remain in that location during the course of the meeting. This applies to the Chairs of Board, Committee, Commission and COW meetings.

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 providing the Corporate Officer with a written copy of such motion before or during a meeting, 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 a 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.
- (7) Notwithstanding section 12(2), a motion under section 22(6) shall only be decided at its meeting of introduction if all of the following are met:

- (a) the motion's subject matter falls into one or more of the following classes:
 - (i) those items with an urgent deadline;
 - (ii) those items of minor organization impact (e.g. simply advocacy or letters of support); or
 - (iii) those items supporting the position of member local governments;
 - (b) the Members present vote with a two-thirds majority to consider it.
- (Bylaw 4313)*

Reconsideration of an Adopted Bylaw, Resolution or Proceeding

23. (1) The Chair may require a matter to be reconsidered in accordance with Section 217 of the *Local Government Act* and if it has not been acted on by an officer, servant or agent of the Board.
- (Bylaw No. 4262)*
- (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 with the following exceptions:

- (a) Unless the authorizing legislation or Letters Patent for the Board Standing Committee defines its membership; and
- (b) An elected representative and alternate from each of the Songhees Nation and the Esquimalt First Nation Councils may be appointed to a committee established for the purposes of the Core Area Liquid Waste Management Plan.

(Bylaw No. 3999)

- (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.

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.

Electronic Participation at Commission Meetings

- 29.1 (1) A member of a Commission may participate in a regular or special meeting by means of electronic or other communication facilities that:
- (a) enable the meeting's participants to hear, or watch and hear, each other;
 - (b) except for a meeting that is closed to the public, enable the public to hear, or watch and hear, the member participating by electronic or other communication facilities.
- (2) The person presiding at the Commission meeting must not participate electronically.
- (3) A person participating in a Commission meeting electronically is deemed to be present at the meeting as though they were physically present.
- (4) The recording secretary shall record in the minutes the persons present including those participating electronically.
- (5) Subject to section 29.1(9), no more than one person at one time may participate electronically.
(Bylaw No. 4206)
- (6) The person wishing to participate in a Commission meeting electronically must advise the Corporate Officer at least 24 hours in advance of the meeting;
- (7) Subject to section 29.1(9), if more than one person wishes to participate electronically at a Commission meeting, the Corporate Officer will by lot choose the person who is entitled to participate electronically.
(Bylaw No. 4206)
(Bylaw 4262)
- (8) Electronic participation will only be permitted where existing technical facilities at the location of the Commission meeting accommodate electronic participation.
(Bylaw No. 3951)
- (9) Sections 29.1(5) and 29.1(7) do not apply to meetings of a Commission that operates a service that includes the entire Southern Gulf Islands Electoral Area as the service area.
(Bylaw No. 4206)

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 expressed 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) 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".
 - (d) Despite sections 36(1)(a), (b) and (c) every proposed bylaw may be introduced and given first, second, and third readings at the same meeting by one motion for all three readings.
 - (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 228 of the *Local Government Act*.
- (Bylaw No. 4262)*
- (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	19 th	day of	September,	2018
READ A SECOND TIME THIS	19 th	day of	September,	2018
READ A THIRD TIME THIS	19 th	day of	September,	2018
ADOPTED THIS	10 th	day of	October,	2018

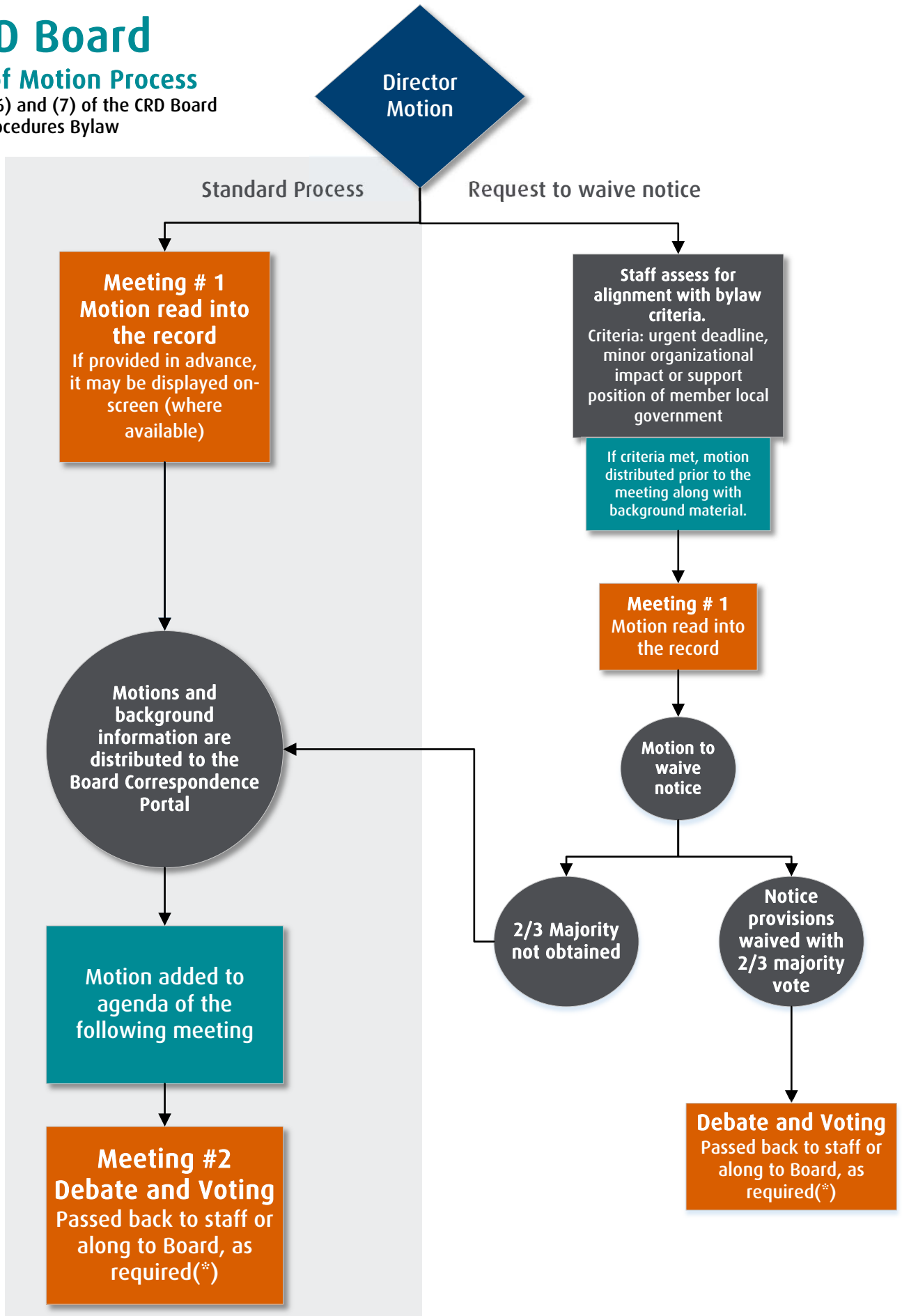
[Original signed by] _____
CHAIR

[Original signed by] _____
CORPORATE OFFICER

CRD Board

Notice of Motion Process

As per s. 22 (6) and (7) of the CRD Board Procedures Bylaw



(*) Guidelines on when items should stay at committee/go to Board: Motions that request more information from staff but do not take a position, require significant revision of staff work plans or commit the Board to a political position can stay at the committee level. Items that do require significant work, take advocacy or political positions, or those that commit the organization to a position should go to the Board prior to reports back or implementation.



**REPORT TO GOVERNANCE AND FINANCE COMMITTEE
MEETING OF WEDNESDAY, MARCH 06, 2019**

SUBJECT **Procedures for Notice of Motion and Motion with Notice**

ISSUE

The Governance and Finance Committee requested that staff report back on the current process for notices of motion and motions with notice.

BACKGROUND

At the February 6, 2019 Governance and Finance Committee meeting, the committee approved a Motion with Notice from Committee Chair Brice (Appendix A) that stated:

That the Governance and Finance Committee direct staff to prepare a report on the current CRD procedures for Notice of Motion and Motion with Notice and that the Committee review current practice and determine if changes need to be considered.

The current process for Notices of Motion and Motions with Notice is governed by the CRD Board Procedures Bylaw No. 3828 in section 22 (attached as Appendix B). The differences can be summarized as follows:

<u>Notice of Motion - s. 22 (5 & 6a)</u>	<u>Motion with Notice – s. 22 (6b)</u>
<ul style="list-style-type: none"> • Received by the Corporate Officer less than 7 business days prior to a meeting; • Not added to the agenda but read at the meeting, when acknowledged by the Chair, and added to the minutes; • To be considered at the following meeting; • Can be considered at the same meeting if 2/3rds of members present approve; • Does not get added to the agenda in time to receive delegation requests at the meeting where it is received. 	<ul style="list-style-type: none"> • Provided to the Corporate Officer a minimum of 7 business days in advance of a meeting; • Added to the agenda for consideration at that meeting; • Published with the regular agenda; • Can receive delegation requests at the meeting where it is received.

Comparisons between municipal motion procedures are at times difficult to apply to the CRD as generally Board and Committees meet monthly, or even bi-monthly or quarterly. Other local governments have similar processes for members to bring forward motions, and the following is a summary of how the following local governments handle motions as per their procedures bylaws:

- **City of Victoria:** Motions must be submitted a minimum of 24 hours before a meeting by submission to the Corporate Officer or if it has not been submitted can only be introduced with the leave of Council;
- **District of Saanich:** Motions provided at a Council meeting will be placed on the agenda of the next Council meeting;

- **Metro Vancouver:** Motions submitted nine business days prior to the meeting will be added to the agenda for consideration. Motions that do not meet that deadline provided during a meeting will be considered at the next regular meeting;
- **Regional District of Nanaimo:** Motions submitted seven business days prior to the meeting will be added to the agenda for consideration. Motions that do not meet that deadline provided during a meeting will be considered at the next regular meeting.

Historically the motion procedures have been in place in order to allow staff time to prepare any information they feel is required should they be asked questions as well as time to process the item for inclusion on the agenda. In addition, it provides time for Directors an opportunity to read and look into the item, as well as provide time for members of the public to apply to speak to the item.

In practice, once a motion is filed with the Corporate Officer it is distributed to senior staff and added to draft agendas for discussions between the Committee or Board Chair and staff. The motion is added to the agenda for publishing on the Friday prior to the next week's meeting. Delegations then have until Monday at 4:30 pm to apply to speak to the item at the Wednesday meeting. In cases where direction is not to seek further information from staff and significant resources are required to implement what the motion proposes, staff may add a staff report for information to the agenda as well. This was the case for the recent Motion with Notice regarding the Declaration of a Climate Emergency.

ALTERNATIVES

Alternative 1

That the report be received for information.

Alternative 2

That this report be referred back to staff for additional information.

IMPLICATIONS

Recent Notices of Motion and Motions with Notice have generated considerable interest from the public and a significant number of delegations requests. In some case, the delegation requests and media interest have been generated prior to the motions being filed with CRD staff.

The current 7 business day notice provision for Motions with Notice does not generally give staff much time to prepare any accompanying information, given that the deadline is less than 4 business days' notice prior to agenda publishing and the internal deadline for staff report review has already passed. In addition, writing a staff report to provide information on a motion that has been submitted but has not been introduced or discussed by committee, requires staff to anticipate the information the Directors may need to make a decision and to speculate as to the questions that may arise, without the benefit of hearing the motion introduced and discussed at committee to provide context. In some cases, the committee or Board may not wish to advance a Motion with Notice for further consideration in which case the staff time spend preparing to respond to the motion is not well spent.

A Motion with Notice that has resource implications is best considered with staff input, which is why staff, whenever possible, draft a staff report to accompany the motion on the agenda. However, a staff report on the implications of a motion presented at the same time the motion is first introduced can create a dynamic where it appears that staff are highlighting challenges to adoption of the motion before it's even introduced by the moving Director. A possible way to

mitigate this effect is to ensure that all Motions with Notice that have resource implications include a recommendation that staff report back on the issue, before a decision is made to endorse the recommendation. Similarly, having delegations appear and speak to a motion at the time it is first introduced to committee or Board, but prior to Directors receiving a report from staff on implications, can create a gap where the interested public and Directors are discussing an issue without the benefit of all the information that is relevant to the discussion.

The Governance and Finance Committee could recommend a variation to the current process and amendments to the CRD Procedures Bylaw to the Board if it feels that the current provisions of the bylaw do not reflect the way Directors want new business brought before them. CRD's current practice is in line with what is being done in some other jurisdictions, however, an amendment could be made to require all motions to be filed at one meeting for consideration at the next, but retain the provision that Notices of Motion can be considered at the same meeting they are filed for situations of demonstrated urgency. In all cases, if there is a need to address a motion that is time sensitive, the Chair has the authority to call a special meeting under our current procedural rules.

CONCLUSION

The Governance and Finance Committee requested information on the current Notice of Motion and Motion with Notice processes. This report provides some comparison procedures from other local governments and highlights the current provisions in the CRD Board Procedures Bylaw with discussion on how the procedures are put into practice.

RECOMMENDATION(S)

That this report be received for information.

Submitted by:	Emilie Gorman, MPA, Manager, Legislative Services & Deputy Corporate Officer
Concurrence:	Kristen Morley, JD, General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

Attachments:

Appendix A: Motion with Notice of February 6, 2019 Governance and Finance Meeting

Appendix B: CRD Board Procedures Bylaw



**REPORT TO GOVERNANCE AND FINANCE COMMITTEE
MEETING OF WEDNESDAY, MAY 01, 2019**

SUBJECT **Follow-up Report: Procedures for Notice of Motion and Motion with Notice**

ISSUE

A report on the current procedures for the Notices of Motions and Motions with Notice was referred back to the Governance and Finance Committee by the CRD Board for more information on the process for notifications.

BACKGROUND

At the March 13, 2019 Special CRD Board meeting, the report of the Governance and Finance Committee meeting of March 6, 2019 (Appendix A) related to Motions with Notice was referred back to the Committee. Comments made during the debate on the referral requested additional information on the method of distributing Motions with Notice, including the fact that Directors submitting Motions with Notice are able to distribute them to the media and public prior to other Directors being aware of the item that will be placed on the next agenda.

ALTERNATIVES

Alternative 1

That the Governance and Finance Committee recommend to the Capital Regional District Board: That Bylaw No. 3828, Capital Regional District Board Procedures Bylaw, 2012, be amended to:

- Remove the provisions for Motions with Notice; and
- Add criteria and a voting threshold for consideration of Notices of Motion at the same meeting as introduction.

Alternative 2

That this report be received for information.

IMPLICATIONS

The current practice for Motions with Notice requires that the Corporate Officer receive the motion a minimum of seven business days prior to the meeting. Directors do not see the motion until it is published on the agenda the Friday before the meeting. Recent motions have been circulated to the media and the public prior to the filing with the Corporate Officer or the publication of the agenda.

Requiring Directors to notify their colleagues of emerging issues, including notification of possible motions, would not typically be addressed in a Procedure Bylaw, but it could be the type of content included in a Code of Conduct. The CRD does not currently have a Code of Conduct. It was considered by the Governance Committee and in March of 2018 the Board endorsed the Committee's recommendation to not pursue a Code of Conduct. An alternate solution to ensure equal notice for all Directors could be accomplished by uploading motions filed with the Corporate Officer to the Board Correspondence Portal. However, it would still be possible for the Director filing the motion to distribute it to others in advance and would not ensure that all members of the public receive equal notice of the upcoming item.

Some jurisdictions have the practice that there are no Motions with Notice; rather, the only motions permitted are Notices of Motion, where motions are read into the record at one meeting and officially on the next agenda for debate. This ensures that there is adequate time for delegations to make requests to address the issue, for staff to prepare to answers to questions that may arise and for other Directors to have the opportunity to look into the issue in advance. This approach may result in a more equitable notice provision for the public, staff and Directors.

There is an existing provision in the Procedure Bylaw that items that have not met the 7 day pre-meeting deadline can be considered at the same meeting with a 2/3rds majority vote, however a 2/3rds majority is not difficult to obtain and consideration at the time of filing means the public in particular have not been given proper notice should they wish to appear as a delegation.

The CRD Board generally meets only monthly, therefore to ensure that items of an urgent nature can be addressed the bylaw could be amended to include criteria in which the Notice of Motion could be considered at the same meeting. This would be done only on unanimous approval and require the item meet one of the following criteria to demonstrate urgency:

- Approaching deadline (e.g. for grant opportunities);
- Items of minor organizational impact (e.g. advocacy positions or letters of support); or,
- Supporting the position of member local governments (e.g. resolutions).

CONCLUSION

The intent of both Motions with Notice and Notices of Motion is to ensure that Directors have a procedural way to gain the support of their colleagues in a transparent process that ensures proper notice and informed debate.

The Board requested additional information on the process related to distribution and notification for Motions with Notice. Amending the CRD Board Procedures Bylaw to only allow Notices of Motion would assist with more uniform notification, as all Directors, staff and the public would receive notice of the item at one meeting for consideration of the item at the next meeting.

RECOMMENDATION(S)

That the Governance and Finance Committee recommend to the Capital Regional District Board: That Bylaw No. 3828, Capital Regional District Board Procedures Bylaw, 2012, be amended to:

- Remove the provisions for Motions with Notice; and
- Add criteria and a voting threshold for consideration of Notices of Motion at the same meeting as introduction.

Submitted by:	Emilie Gorman, MPA, Manager, Legislative Services & Deputy Corporate Officer
Concurrence:	Kristen Morley, JD, General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

Attachments:

Appendix A: Staff Report of March 6, 2019

Appendix B: Motion with Notice of February 6, 2019 Governance and Finance Meeting

Appendix C: CRD Board Procedures Bylaw