

MINUTES of a regular meeting of the MUNICIPAL COUNCIL of The Corporation of the District of Oak Bay, held in the Council Chambers, Oak Bay Municipal Hall, 2167 Oak Bay Avenue, Oak Bay, B.C., on Monday, December 12, 2011 at 7:30 p.m.

PRESENT: Mayor N. Jensen, Chair  
Councillor P. Copley  
Councillor C. Green  
Councillor J. Herbert  
Councillor M. Kirby  
Councillor K. Murdoch

STAFF: Municipal Administrator, M. Brennan  
Municipal Clerk, L. Hilton  
Director of Building and Planning, R. Thomassen  
Municipal Treasurer, P. Walker  
Director of Engineering Services, D. Marshall

Mayor Jensen called the meeting to order at 7:30 p.m.

ADOPTION OF MINUTES:

*Council – November 28, 2011*

MOVED by Councillor Copley  
Seconded by Councillor Herbert, That the minutes of the Council meeting held on Monday, November 28, 2011, be adopted.

CARRIED

*Council (Inaugural) – December 5, 2011*

MOVED by Councillor Herbert  
Seconded by Councillor Copley, That the minutes of the Inaugural Council meeting held on Monday, December 5, 2011, be adopted.

CARRIED

COMMUNICATIONS:

1. 2012-2 CHIEF ELECTION OFFICER, November 30, 2011  
Re 2011 General Municipal Election

MOVED by Councillor Copley  
Seconded by Councillor Herbert, That correspondence item no. 2012-2 be received.

CARRIED

2. 2012-3 MUNICIPAL ADMINISTRATOR, December 7, 2011  
2012-3-1 DISTRICT OF SAANICH, October 31, 2011  
Re Bowker Creek Development Permit Guidelines

There was discussion with respect to the request from the District of Saanich to work with City of Victoria and District of Oak Bay staff towards common development permit guidelines for the Bowker Creek Watershed.

MOVED by Councillor Herbert

Seconded by Councillor Copley, That staff be requested to work cooperatively with the District of Saanich and the City of Victoria in exploring the possibility of creating common development permit guidelines for the entire Bowker Creek watershed.

There was further discussion regarding the Bowker Creek Blueprint and reference was made to the memorandum from the Municipal Administrator in that regard. It was felt that while further work would have to be done with respect to meeting the interests of all parties involved, including working out a cost sharing formula, prior to consideration of implementing works contained in the Blueprint, exploring the possibility of common development permit guidelines with Oak Bay's neighbours was supportable.

The question was then called.

CARRIED

3. 2012-4 OAK BAY FIRE FIGHTERS' ASSOCIATION, December 7, 2011  
Re Request to Occupy Public Property – Christmas Tree Recycle Fundraising Event

MOVED by Councillor Herbert

Seconded by Councillor Green, That approval be given for the temporary occupancy of public property as requested in correspondence item no. 2011-4, subject to the Oak Bay Fire Fighters' Association entering into a public property occupancy agreement in which it will among other standard requirements:

- 1) release and indemnify the Municipality from any claims or liability associated with the event and provide evidence of public liability insurance in the amount of not less than \$3,000,000; and
- 2) agree to pay all invoices from the Municipality for costs incurred in connection with the event,

with the Municipal Clerk being authorized to execute such agreement on behalf of the District of Oak Bay.

CARRIED

4. 2012-5 MULTIPLE SCLEROSIS SOCIETY OF CANADA, [Undated]  
Re Request to Occupy Willows Beach Park Parking Lot and Public Sidewalks – April 15, 2012

There was some concern expressed about the number and location of route marshals provided in previous years, and it was suggested that additional marshals should be added at the intersections of Beach Drive and Dalhousie Street and Beach Drive and Cavendish Avenue.

MOVED by Councillor Copley

Seconded by Councillor Herbert, That approval be given for the temporary occupancy of public property as requested in correspondence item no. 2010-5, subject to the Multiple Sclerosis Society of Canada entering into a public property occupancy agreement in which it will among other standard requirements:

- 1) release and indemnify the Municipality from any claims or liability associated with the event and provide evidence of public liability insurance in the amount of not less than \$3,000,000; and
- 2) agree to pay all invoices from the Municipality for costs incurred in connection with the event;

with the Municipal Clerk being authorized to execute such agreement on behalf of the District of Oak Bay.

CARRIED

5. 2012-6 DEPUTY TREASURER, December 6, 2011  
Re 2012 Tender Award Recommendations

Responding to a question regarding the tender award process, the Municipal Treasurer advised that a Request for Proposal is sent out to a number of suppliers.

MOVED by Councillor Herbert

Seconded by Councillor Murdoch, That the 2012 tenders and contract extension be awarded as follows:

PW01-2012 – Backhoe Rental Tender:  
W.A. Jones & Sons, based on low bid;

PW02-2012 – Gravel Supply Tender:  
Lehigh Northwest Materials;

PW03-2012 – Ready Mix Concrete:  
Butler Brothers Supplies;

PW04-2012– Tandem Truck Rental Tender:  
Lopeter Trucking Ltd., based on low bid;

PW05-2012 – Scrap Metal Roll-Off Tender:  
Steel Pacific Recycling, extension of contract;

PW06-2012– Excavator Rental Tender:  
Don Mann Excavating Ltd., based on low bid,

as detailed in the memorandum from the Deputy Treasurer, dated December 2, 2011 (correspondence item no. 2012-6).

CARRIED

6. 2012-7 MUNICIPAL TREASURER, December 2, 2011  
Re Oak Bay Heritage Foundation Grant

MOVED by Councillor Green

Seconded by Councillor Herbert, That Council approve the receipt of funds in the amount of \$690.00 from the Victoria Foundation, and that a grant in that amount be made to the Oak Bay Heritage Foundation.

CARRIED

7. 2012-8 MUNICIPAL TREASURER, December 5, 2011  
Re 2012 Water and Sewer User Charges

The Municipal Treasurer provided an overview of her memorandum (correspondence item no. 2012-8) and responded to questions from Council in that regard. It was felt that it would be beneficial to have Ms. Walker's memorandum posted to the website to provide information to the public on the charges.

MOVED by Councillor Copley

Seconded by Councillor Kirby, That correspondence item no. 2012-8 be received.

CARRIED

NEW BUSINESS:

*Council Meeting and Agenda Format*

Mayor Jensen noted that he wished to ask staff to draft a Procedure Bylaw amendment to include an open public session as part of the Council meeting. He suggested that those interested in addressing Council could do so by giving written notice and would be permitted to speak at the meeting for a maximum of three minutes.

There was further discussion on various aspects of the Mayor's suggestion and it was the consensus of Council to ask staff to bring forward a report on options in this regard, including a review of the procedures used elsewhere in the region.

Mayor Jensen also requested that as an avenue for Council members to report back to Council on the various committees, the New Business section include *Other Committee Reports* in the future.

*Strategic Priorities*

Mayor Jensen suggested arranging a facilitated session to consider Council's strategic priorities for the next three years.

MOVED by Councillor Copley

Seconded by Councillor Green, That staff bring forward terms of reference with respect to engaging a consultant to assist with setting strategic priorities.

CARRIED

BYLAWS:

*For Adoption*

MOVED by Councillor Herbert

Seconded by Councillor Copley, That Bylaw No. 4550, *Heritage Commission Establishment Bylaw, 2011*, be adopted.

CARRIED

MOVED by Councillor Herbert  
Seconded by Councillor Copley, That Bylaw No. 4552, *Financial Plan Bylaw, 2011, Amendment Bylaw No. 3, 2011*, be adopted.

Mayor Jensen noted that pursuant to the *Community Charter*, Council must undertake a process for public consultation regarding the proposed Financial Plan, therefore, he asked whether or not there was anyone in attendance that wished to address Council regarding Bylaw No. 4552. No one came forward.

The question was then called.

CARRIED

*For First, Second and Third Reading*

MOVED by Councillor Copley  
Seconded by Councillor Green, That Bylaw No. 4553, *Water Rate Bylaw Amendment Bylaw, 2012*, be introduced and read a first time.

CARRIED

*(Councillors Herbert and Murdoch against the motion)*

MOVED by Councillor Copley  
Seconded by Councillor Green, That Bylaw No. 4553, *Water Rate Bylaw Amendment Bylaw, 2012*, be read a second time.

CARRIED

*(Councillors Herbert and Murdoch against the motion)*

MOVED by Councillor Copley  
Seconded by Councillor Green, That Bylaw No. 4553, *Water Rate Bylaw Amendment Bylaw, 2012*, be read a third time.

CARRIED

*(Councillors Herbert and Murdoch against the motion)*

MOVED by Councillor Copley  
Seconded by Councillor Murdoch, That Bylaw No. 4554, *Sewer User Charge Bylaw Amendment Bylaw, 2012*, be introduced and read a first time.

CARRIED

*(Councillors Herbert and Murdoch against the motion)*

MOVED by Councillor Copley  
Seconded by Councillor Murdoch, That Bylaw No. 4554, *Sewer User Charge Bylaw Amendment Bylaw, 2012*, be read a second time.

CARRIED

*(Councillors Herbert and Murdoch against the motion)*

MOVED by Councillor Copley  
Seconded by Councillor Murdoch, That Bylaw No. 4554, *Sewer User Charge Bylaw Amendment Bylaw, 2012*, be read a third time.

CARRIED  
(Councillors Herbert and Murdoch against the motion)

MOVED by Councillor Green  
Seconded by Councillor Kirby, That Bylaw No. 4555, *Oak Bay Parks and Recreation Commission Bylaw Amendment Bylaw No. 1, 2012*, be introduced and read a first time.

CARRIED

MOVED by Councillor Green  
Seconded by Councillor Kirby, That Bylaw No. 4555, *Oak Bay Parks and Recreation Commission Bylaw Amendment Bylaw No. 1, 2012*, be read a second time.

CARRIED

MOVED by Councillor Green  
Seconded by Councillor Kirby, That Bylaw No. 4555, *Oak Bay Parks and Recreation Commission Bylaw Amendment Bylaw No. 1, 2012*, be read a third time.

CARRIED

ADJOURNMENT:

Mayor Jensen wished everyone a Merry Christmas and a Happy New Year.

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

CARRIED

The meeting adjourned at 8:44 p.m.

Certified Correct:

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Municipal Clerk

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Mayor