



MINUTES - VICTORIA CITY COUNCIL

March 26, 2020, 12:10 P.M.
COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE
VICTORIA, BC

To be held immediately following the Committee of the Whole Meeting
The City of Victoria is located on the homelands of the Songhees and Esquimalt People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Isitt,
Councillor Loveday, Councillor Dubow, Councillor Young

PRESENT ELECTRONICALLY: Councillor Potts, Councillor Thornton-Joe

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager /
Director of Finance, C. Coates - City Clerk , P. Bruce - Fire Chief,
T. Zworski - City Solicitor, T. Soulliere - Director of Parks,
Recreation & Facilities, B. Eisenhauer - Head of Engagement, J.
Jensen - Head of Human Resources, K. Hoese - Director of
Sustainable Planning and Community Development, C. Havelka -
Deputy City Clerk, C. Mycroft - Manager of Executive Operations,
AK Ferguson - Committee Secretary

A. APPROVAL OF AGENDA

Moved By Councillor Alto
Seconded By Councillor Dubow

That the agenda be approved.

CARRIED UNANIMOUSLY

C. UNFINISHED BUSINESS

C.1 Consideration of a Declaration of a State of Local Emergency

Moved By Councillor Alto
Seconded By Councillor Loveday

WHEREAS there is a global COVID-19 pandemic and associated social and economic disruption within the jurisdiction of the City of Victoria;

AND WHEREAS the social and economic disruption, which results in immediate hardship to many residents and businesses in the City of Victoria, including loss

of income for thousands of residents, closures of hundreds of businesses and risk of widespread illness and suffering, poses an existing or imminent threat to people and property within the City of Victoria;

AND WHEREAS this medical, social and economic emergency requires prompt coordination of action or special regulation of persons or property to protect the health, safety, and welfare of people or to limit damage to property;

NOW THEREFORE:

IT IS HEREBY ORDERED pursuant to Section 12 (1) of the Emergency Program Act that a state of local emergency exists in the City of Victoria due to COVID-19 pandemic and associated social and economic disruption;

IT IS FURTHER ORDERED THAT the City Manager, Jocelyn Jenkyns, and the Deputy City Manager, Susanne Thompson, and any person acting under their direction are empowered pursuant to Section 13 (1) of the Emergency Program Act to do all acts and implement all procedures that are considered necessary to prevent or to alleviate the effects of the emergency, including:

(a) pursuant to section 10(1)(e) and (l), to require all persons in the City of Victoria currently providing residential rental accommodation to others to render assistance to alleviate the effects of the current emergency by:

(i) continuing to provide the residential rental accommodation for the duration of the emergency on the same terms and conditions (including rent) as existed on March 1, 2020; and

(ii) not issuing any eviction notices based on failure to pay rent during the duration of the emergency,

Motion Arising:

Moved By Councillor Loveday

Seconded By Mayor Helps

That the mayor be requested to write to the province to advocate on behalf of small business **and non-profits** in Victoria with respect to rent relief and that this is an urgent matter noting that rents are due for small business on April 1, 2020.

Amendment:

Moved By Councillor Loveday

Seconded By Councillor Alto

That the mayor be requested to write to the province to advocate on behalf of small business and non-profits in Victoria with respect to rent relief, **halting evictions during the state of emergency** and that this is an urgent matter noting that rents are due for small business on April 1, 2020.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Young

Seconded By Councillor Alto

That the mayor be requested to write to the province to advocate on behalf of small business and non-profits **which have been affected** in Victoria with respect to rent relief, halting evictions during the state of emergency and that this is an urgent matter noting that rents are due ~~for small business~~ on April 1, 2020.

CARRIED UNANIMOUSLY

Amendment:

Moved By Councillor Isitt

Seconded By Mayor Helps

~~That the mayor be requested to write to the province to advocate on behalf of small business and non-profits which have been affected in Victoria with respect to rent relief, halting evictions during the state of emergency and that this is an urgent matter noting that rents are due on April 1, 2020.~~

That Council endorses the following resolution:

1. Resolution: Immediate Relief for Small Business Operators and non-profits facing April 1, 2020 Rent Obligations That the City of Victoria requests that the Government of British Columbia immediately introduce measures for relief for small business operators and non-profits who have faced a loss of revenue as a result of the COVID-19 pandemic, compliance with public health advice and orders, and associated economic disruption, including the following measures:
 - i. Removing the risk of eviction and other consequences for non-payment of rent on April 1, 2020; and
 - ii. Freezing the level of rent and other lease conditions on the same terms and conditions as existed on March 1, 2020; and
 - iii. Advocating and/or legislating relief for owners of commercial property to meet debt obligations.

FOR (2): Councillor Isitt, and Councillor Potts

OPPOSED (6): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Thornton-Joe, Councillor Dubow, and Councillor Young

DEFEATED (2 to 6)

Amendment:

Moved By Councillor Loveday

Seconded By Councillor Isitt

That the mayor be requested to write to the province to advocate on behalf of small business and non-profits which have been affected in Victoria with respect to rent relief, halting evictions, **increased rents and the introduction of onerous terms by land owners** during the state of emergency and that this is an urgent matter noting that rents are due on April 1, 2020.

CARRIED UNANIMOUSLY

On the main motion as amended:

Moved By Councillor Loveday

Seconded By Councillor Isitt

That the mayor be requested to write to the province to advocate on behalf of small business and non-profits which have been affected in Victoria with respect to rent relief, halting evictions, increased rents and the introduction of onerous terms by land owners during the state of emergency and that this is an urgent matter noting that rents are due on April 1, 2020.

CARRIED UNANIMOUSLY

Motion to Postpone:

Moved By Councillor Isitt

Seconded By Councillor Loveday

That consideration of this matter be postponed until after Council has received a response to the motion previously made:

Resolution: Ministerial Authorization for State of Local Emergency if Required

The City of Victoria requests authorization from the provincial Minister of Public Safety to give effect to the following order, effective March 30, 2020, if the Provincial government deems that Province-wide action is not necessary:

Declaration of State of Local Emergency

ORDER

WHEREAS there is a global COVID-19 pandemic and associated social and economic disruption within the jurisdiction of the City of Victoria;

AND WHEREAS the social and economic disruption, which results in immediate hardship to many residents and businesses in the City of Victoria, including loss of income for thousands of residents, closures of hundreds of businesses and risk of widespread illness and suffering, poses an existing or imminent threat to people and property within the City of Victoria;

AND WHEREAS this medical, social and economic emergency requires prompt coordination of action or special regulation of persons or property to protect the health, safety, and welfare of people or to limit damage to property;

NOW THEREFORE:

IT IS HEREBY ORDERED pursuant to Section 12 (1) of the Emergency Program Act that a state of local emergency exists in the City of Victoria due to COVID-19 pandemic and associated social and economic disruption;

IT IS FURTHER ORDERED THAT the City Manager, Jocelyn Jenkyns, and the Deputy City Manager, Susanne Thompson, and any person acting under their

direction are empowered pursuant to Section 13 (1) of the Emergency Program Act to introduce the following measure to alleviate the effects of the emergency:

(a) pursuant to section 10(1)(e) and (l), to require all persons in the City of Victoria currently providing commercial rental premises to others to render assistance to alleviate the effects of the current emergency by:

- i. continuing to provide the commercial rental premises for the duration of the emergency on the same terms and conditions (including rent) as existed on March 1, 2020; and
- ii. not take any action (including evictions, distress, or other remedy whether in law or equity) based on failure of tenant to pay rent during the duration of the emergency.

CARRIED UNANIMOUSLY

D. BYLAWS

D.1 Council Procedures Bylaw Amendment

Moved By Councillor Young
Seconded By Councillor Alto

That the following bylaw **be adopted**:

1. Council Procedures Bylaw, Amendment Bylaw (No. 1) No. 20-053

CARRIED UNANIMOUSLY

E. REPORTS OF COMMITTEE

E.1 Council and Committee of the Whole Schedule - COVID-19

Moved By Councillor Alto
Seconded By Mayor Helps

That Council:

1. Direct staff to amend the 2020 Council and Committee of the Whole meeting Schedule until further notice to provide for:
 - a. the suspension of evening Council meetings effective immediately;
 - b. conducting Council meetings on the 2nd and 4th Thursday during the day following Committee of the Whole at 12 noon;
2. Direct staff to give public notice of the revised Meeting Schedule in accordance with Section 127 (1)(b) of the Community Charter.
3. Forward the March 26th Council meeting agenda items to the daytime Council meeting April 2, 2020.

CARRIED UNANIMOUSLY

E.2 Zoning Regulation Bylaw - Correction of a Section Reference

Moved By Councillor Alto

Seconded By Councillor Young

1. That Council instruct the City Solicitor to bring forward an amendment bylaw to correct the Zoning Regulation Bylaw by renumbering one of sections 46 as a new section 47; and
2. That Council, pursuant to section 464(2) of the Local Government Act waive the requirement for a public hearing for this bylaw as it is a clerical correction that makes no substantive changes and is consistent with the Official Community Plan.

CARRIED UNANIMOUSLY

F. CLOSED MEETING

Moved By Councillor Alto

Seconded By Councillor Young

MOTION TO CLOSE THE MARCH 26, 2020 COUNCIL MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

Section 90(1) A part of a Council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- *Section 90(1)(c) labour relations or other employee relations.*
- *Section 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;*
- *Section 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;*

Section 90(2) A part of a Council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:

- *Section 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.*

CARRIED UNANIMOUSLY

K. NEW BUSINESS

K.2 Land/Municipal Service - Community Charter Section 90(1)(e) and (k)

Council received a confidential Council Member Motion.

The discussion and motion were recorded and kept confidential

All staff, except the City Manager, Deputy City Manager, and the City Clerk, were excused from the meeting at 12:22 p.m.

K.3 Employee Relations - Community Charter Section 90(1)(c)

Council discussed an Employee Relations Matter

M. ADJOURNMENT

Moved By Councillor Loveday

Seconded By Councillor Alto

That the Council meeting be adjourned at 12:42 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR