

**MINUTES OF THE  
GOVERNANCE & PRIORITIES COMMITTEE MEETING  
HELD THURSDAY, JULY 10, 2014, 9:00 A.M.**

**1. THE CHAIR CALLED THE MEETING TO ORDER AT 9:04 A.M.**

**Committee Members Present:** Mayor Fortin in the Chair; Councillors Alto, Coleman, Gudgeon, Helps, Isitt, Thornton-Joe and Young.

**Absent:** Councillor Madoff

**Staff Present:** J. Johnson – City Manager; R. Woodland – Director of Legislative & Regulatory Services; C. Havelka – Recording Secretary.

**Staff Present for a Portion of the Meeting:** J. Jenkyns – Acting Director of Parks, Recreation & Culture; D. Kalynchuk – Director of Engineering & Public Works; S. Thompson – Acting Director of Finance; K. Oberg – Manager of Culture, Sport & Neighbourhoods; L. Sifton – Manager of Parks Planning, Design & Development; B. Dellebuur – Manager of Transportation; J. Hawkins – Council Secretary.

**Guests:** K. Kelly and F. Hobbs – Downtown Victoria Business Association.

**2. APPROVAL OF THE AGENDA**

Committee discussed the agenda and considered the following amendments:

**Open Meeting:**

- Item # 1 – Minutes from the June 26, 2014 meeting for adoption
- Item # 6A – Point Ellice Bridge Assessment of Structural Design / Estimate Updates / Project Status
- Item # 7A – Motion – Enforce the Westray Amendments to Canada's Criminal Code
- Item # 7B – Motion – Resource Recovery from Residential Organics
- Item # 7C - Councillor Sharing – Councillor Gudgeon
- Item # 7D - Councillor Inquiry – Councillor Thornton-Joe

**Closed Meeting:**

- Item # 13 – Closed Meeting - Labour Relations
- Item # 14 – Closed Meeting - Legal Advice
- Item # 15 – Closed Meeting - Councillor Inquiry – Personnel Item

**Action:** It was moved by Councillor Coleman, seconded by Councillor Helps, that the Agenda of the July 10, 2014, Governance and Priorities Committee meeting be approved as amended.

CARRIED UNANIMOUSLY 14/GPC392

### **3. ADOPTION OF MINUTES**

#### **3.1 Adoption of the Minutes from the Regular Meeting held June 26, 2014**

Councillor Alto advised that she was present at the beginning of the meeting though she is shown as being absent for a portion of the meeting.

**Action:** It was moved by Councillor Alto, seconded by Councillor Coleman, that the Minutes from the Governance and Priorities Committee meeting held June 26, 2014 be corrected as follows:

##### **1. THE CHAIR CALLED THE MEETING TO ORDER AT 8:30 A.M.**

**Committee Members Present:** Mayor Fortin in the Chair; Councillors **Alto**, Coleman, Gudgeon, Helps and Young.

**Absent for a Portion of the Meeting:** Councillors ~~Alto~~, Isitt and Thornton-Joe

CARRIED UNANIMOUSLY 14/GPC393

**Action:** It was moved by Councillor Alto, seconded by Councillor Coleman, that the Minutes from the Governance and Priorities Committee meeting held June 26, 2014 be adopted as corrected.

CARRIED UNANIMOUSLY 14/GPC394

### **4. DELEGATIONS**

#### **4.1 Renewal of the Downtown Victoria Business Association**

Committee received a letter dated June 26, 2014 from Kenneth Kelly, General Manager of the Downtown Victoria Business Association (DVBA), and a presentation from Mr. Kelly and Ms. Hobbis, Chair of the DVBA. The presentation outlined the accomplishments and goals of the DVBA, and requested that the City proceed with the formal approval process to allow the DVBA to be renewed for another five-year period.

**Action:** It was moved by Councillor Alto, seconded by Councillor Gudgeon, that Committee recommends that Council renew the Downtown Victoria Business Association for a five year term as proposed.

Committee commented on the following:

- The Clean Team and increasing their presence on weekends.
- Helping the City in balancing the residential component of downtown with the entertainment component.
- Working with the DVBA to address issues with public garbage cans.
- Concerns regarding the process for renewing the DVBA and a desire for member consultation to be a first step;
  - The process by which Council authorizes the renewal of the DVBA to proceed.
- Concerns that the funds would be better used to increase housing and thereby reduce street issues.

**Action:** It was moved by Councillor Isitt that Committee postpone consideration of this item pending the receipt of information on feedback received at the planned Downtown Victoria Business Association open houses.

Motion failed due to no seconder

- Support for the range of services the DVBA provides that contributes to the vibrancy of downtown.
- Concerns that forestalling this decision might risk the work of the DVBA.
- Noting the areas that improvements have been made through DVBA initiatives and continuing with those improvements.
- The suggestion that policies be put in place to address vacant store fronts.

CARRIED 14/GPC395

**For** Mayor Fortin, Councillors Alto, Coleman, Gudgeon, Helps, Thornton-Joe and Young  
**Against:** Councillor Isitt

## **5. DECISION REQUESTS**

### **5.1 Allocation of 2014 Sustainability Grants**

*Councillor Helps declared a pecuniary conflict of interest and withdrew from the meeting at 10:14 a.m. as she is the Executive Director of Community Micro Lending which has a relationship with one of the applications under consideration in the following item.*

Committee received a report dated June 26, 2014 from Parks, Recreation & Culture that provided a summary of the Sustainability Grant applications for 2014 and provided recommendations for Council's consideration.

**Action:** It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Committee recommends that Council approve the 2014 Sustainability Grant allocation recommendations and any conditions as

presented in the Summary Report attached to the report dated June 26, 2014.

Committee discussed the following:

- Two applications that didn't meet the criteria and working with the applicants to determine if other grants may be more suitable.

CARRIED UNANIMOUSLY 14/GPC396

*Councillor Helps returned to the meeting at 10:18 a.m.*

*Councillor Isitt declared a non-pecuniary conflict of interest and withdrew from the meeting at 10:19 a.m. due to his association with a board member at the Chamber of Commerce which creates a conflict with the following item.*

*Councillor Young declared a non-pecuniary conflict of interest and withdrew from the meeting at 10:20 a.m. as his spouse owns property adjacent to the proposed location for the garden relocation.*

## **5.2 Michigan Street Community Garden Relocation**

*Councillor Alto withdrew from the meeting at 10:20 a.m. and returned at 10:22 a.m.*

Committee received a report dated July 10, 2014 from Parks, Recreation & Culture regarding the relocation of the Michigan Street Community Garden. In 1999, a community allotment garden was established on Michigan Street in the James Bay neighbourhood on provincially owned lands, known as the South Block. In 2013, the lands were sold for development and the Michigan Street Gardens group approached the City to discuss options to relocate the garden within the James Bay neighbourhood.

*Councillor Gudgeon withdrew from the meeting at 10:22 a.m. and returned at 10:23 a.m.*

**Action:** It was moved by Councillor Coleman, seconded by Councillor Helps, that Committee recommends that Council direct staff to proceed with South Park as the proposed site for relocation of the Michigan Street Community Garden, subject to more detailed consultation with the neighbourhood.

Committee discussed the following:

- Why this agreement is with the James Bay Neighbourhood Association (JBNA) as opposed to other James Bay organizations;
  - The community garden policy states that the community association is involved with this work.
- Support for this location and the benefits of having the school nearby.
- Noting that the City owns the property but the school principal is willing to undertake the work on the garden.

CARRIED UNANIMOUSLY 14/GPC397

*Councillors Isitt and Young returned to the meeting at 10:32 a.m.*

### **5.3 Gas Tax Fund – 2014 – 2024 Community Works Fund Agreement**

Committee received a report dated June 27, 2014 from Finance regarding the Gas Tax Fund. Federal Gas Tax Funding is provided up front, twice a year, to provinces and territories that in turn flow this funding to their municipalities to support local infrastructure priorities. The Union of BC Municipalities (UBCM) administers the Gas Tax Fund (GTF) in BC. The Community Works Fund (CWF) Agreement between UBCM and each local government delivers the funding to local governments.

The CWF Agreement was renewed in May 2014 to replace the current 2005-2015 CWF Agreement. In order to receive CWF funding, local governments must sign a new Community Works funding agreement with UBCM.

**Action:** It was moved by Councillor Coleman, seconded by Councillor Alto, that Committee recommends that Council authorize the Corporate Administrator and the Mayor to execute the 2014 – 2024 Community Works Fund Agreement between the City of Victoria and the Union of BC Municipalities.

Committee discussed the following:

- Details regarding changes to funding allocations resulting in municipalities applying directly for the funds.
- The different projects that this fund could be used for;
  - Having that discussion at the Strategic Priorities Session.
  - More details regarding the criteria of the fund forthcoming.
- Details regarding the funding formula which is based on population.
- Details regarding the requirement to report back and ensuring the project fits the funding criteria.
- This fund is deposited in a gas tax reserve fund that can accumulate year to year.

CARRIED UNANIMOUSLY 14/GPC398

### **5.4 Grant of Easement – 780 Fisgard Street**

Committee received a report dated June 24, 2014, from Legislative and Regulatory Services seeking Council approval to grant an easement in respect of part of a new building at 780 Fisgard Street which encroaches into the City's right of way.

**Action:** It was moved by Councillor Alto, seconded by Councillor Helps, that Committee recommends that Council authorizes staff to enter into an easement with Hudson Mews Holdings Ltd. at 780 Fisgard Street for part of a canopy over the sidewalk, in a form satisfactory to the City Solicitor and subject to the publication of the notices required under the *Community Charter*.

CARRIED UNANIMOUSLY 14/GPC399

## **6. REPORT FOR INFORMATION**

### **6.1 Point Ellice Bridge - Assessment of Structural Design/Estimates - Project Status**

Committee received a report dated July 7, 2014 from Engineering and Public Works, regarding the project status on the assessment and structural design of the Point Ellice Bridge. The City retained Stantec Consulting Ltd in March 2014 to review and analyze existing information on recommended rehabilitation/repairs and enhancement plans for the Point Ellice Bridge. The consultant recently provided staff a draft report on their findings. Cost estimates are still pending, delaying full reporting to Council.

**Action:** It was moved by Councillor Isitt, seconded by Councillor Helps, that Committee receive for information the report dated July 7, 2014.

CARRIED UNANIMOUSLY 14/GPC400

## **7. NEW BUSINESS**

### **7.1 Motion – Enforce the Westray Amendments to Canada’s Criminal Code**

Councillors Alto and Isitt provided Committee with a motion and information regarding Westray Amendments to Canada’s Criminal Code.

**Action:** It was moved by Councillor Isitt, seconded by Councillor Alto, that Committee recommends that Council approve the following motion:

WHEREAS it has been more than two decades since the Westray mine disaster in Nova Scotia and a decade since amendments were made to the Criminal Code of Canada to hold corporations, their directors and executives criminally accountable for the health and safety of workers;

AND WHEREAS police and prosecutors do not appear to be utilizing the Westray amendments, and do not appear to be investigating workplace fatalities through the lens of criminal accountability;

AND WHEREAS approximately 1,000 workers are killed at work each year in Canada;

THEREFORE BE IT RESOLVED THAT Victoria City Council write to the Minister of Justice and Premier of British Columbia, urging the Provincial government to ensure that:

- Crown attorneys are educated, trained and directed to apply the Westray amendments;
- Dedicated prosecutors are given the responsibility for health and safety fatalities;

- Police are educated, trained and directed to apply the Westray amendments;
- There is greater coordination among regulators, police and Crown attorneys so that health and safety regulators are trained to reach out to police when there is a possibility that Westray amendment charges are warranted.

CARRIED UNANIMOUSLY 14/GPC401

## **7.2 Motion – Resource Recovery from Residential Organics**

Mayor Fortin and Councillor Isitt provided Committee with a motion and information regarding resource recovery from residential organics.

**Action:** It was moved by Mayor Fortin, seconded by Councillor Isitt, that Committee recommends that Council approve the following motion:

WHEREAS waste-to-energy facilities are an emerging trend in municipal solid waste management of residential organics, as outlined in the attached memo;

THEREFORE BE IT RESOLVED THAT Council direct staff to report on the viability of resource recovery from residential organics, whether as a City of Victoria initiative or in partnership with the Capital Regional District.

Committee discussed the following:

- Exploring opportunities to move forward with resource recovery of food scraps noting Surrey as an example.
- Noting the high cost for this initiative and assisting the CRD in a unified approach to resource recovery.
- Removing the word “residential” from the motion in order to include other types of waste.

**Action:** It was moved by Councillor Helps, seconded by Councillor Isitt, that Committee amend the motion as follows:

WHEREAS waste-to-energy facilities are an emerging trend in municipal solid waste management of ~~residential~~ organics, as outlined in the attached memo;

THEREFORE BE IT RESOLVED THAT Council direct staff to report on the viability of resource recovery from ~~residential~~ organics, whether as a City of Victoria initiative or in partnership with the Capital Regional District.

On the amendment:  
CARRIED UNANIMOUSLY 14/GPC402

Committee discussed the main motion as follows:

- Anaerobic digestion and incineration as options for processing organics which will see benefits associated with resource recovery.
- The supply required for resource recovery to be cost effective, noting that Saanich has its own contract for food waste disposal.

### 7.3 Councillor Inquiry – Parked Cars and Pet/Children Safety

Councillor Thornton-Joe advised Committee that the hot weather means that dogs and children are sometimes left in parked cars and that this is a health and safety hazard. She inquired if Commissionaires' roles as parking enforcement and downtown ambassadors could be expanded to include monitoring this health and safety matter.

The City Manager advised that he will pass this request on to the Commissionaires and report back to Committee.

### 7.4 Councillor Sharing – Symphony Splash August 3, 2014

Councillor Gudgeon shared with Committee that at the August 3, 2014 Symphony Splash concert will feature as the soloist nine year old Erik Lin who will be playing the piano. This is the 25<sup>th</sup> annual Symphony Splash and she encouraged everyone to attend.

**Action:** It was moved by Councillor Gudgeon, seconded by Councillor Helps, that Governance & Priorities Committee convene a Closed meeting that excludes the public under Section 12(6) of the *Council Bylaw* for the reason that the following agenda items deal with matters specified in the *Council Bylaw*, namely:

Section 12(3) (c) - Labour Relations or employee relations

Section 12 (3) (e) - the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure might reasonably be expected to harm the interests of the City

Section 12 (3) (j) - information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act.

Section 12 (4) (b) – the consideration of information received and held in confidence relating to negotiations between the City 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 14/GPC404

## 8. CLOSED MEETING AT 11:04 A.M.

**Committee Members Present:** Mayor Fortin in the Chair; Councillors Alto, Coleman, Gudgeon, Helps, Isitt, Thornton-Joe and Young

**Absent:** Councillor Madoff

**Staff Present:** J. Johnson – City Manager; D. Day – Director of Sustainable Planning & Community Development; S. Baker – Executive Director of Economic Development; J. Jenkyns – General Manager of the Victoria Conference Centre; D. Kalynchuk – Director of Engineering & Public Works; R. Woodland – Director of Legislative & Regulatory Services; T. Zworski – City Solicitor; K. Perkins – Executive Assistant to the Mayor; C. Havelka – Recording Secretary.

## **9. APPROVAL OF THE AGENDA**

Committee discussed the agenda and considered the following amendments:

Item # 15 – Closed Sharing – Intergovernmental Relations

Item # 16 – Closed Inquiry – Intergovernmental Relations

**Action:** It was moved by Councillor Coleman, seconded by Councillor Helps, that the closed agenda be approved as amended.

CARRIED UNANIMOUSLY 14/GPC405

## **10. ADOPTION OF CLOSED MINUTES**

### **10.1 Adoption of the Minutes from the Special Closed Meeting held June 19, 2014**

**Action:** It was moved by Councillor Coleman, seconded by Councillor Helps, that the Minutes from the Special Closed Governance and Priorities Committee meeting held June 19, 2014 be adopted.

CARRIED UNANIMOUSLY 14/GPC406

### **10.2 Adoption of the Minutes from the Regular Closed Meeting held June 26, 2014**

**Action:** It was moved by Councillor Coleman, seconded by Councillor Helps, that the Minutes from the Regular Closed Governance and Priorities Committee meeting held June 26, 2014 be adopted.

CARRIED UNANIMOUSLY 14/GPC407

## **11. DECISION REQUESTS**

### **11.1 Lease / 950 & 1000 Wharf Street**

Committee received a report dated June 23, 2014 from Legislative & Regulatory Services regarding a lease for 950 & 1000 Wharf Street

The discussion and motion were recorded and kept confidential.

### **11.2 New Lease / 728 Douglas Street**

Committee received a report dated June 26, 2014 from Legislative & Regulatory Services that seeks Council's approval to enter into a lease at 728 Douglas Street.

The discussion and motion were recorded and kept confidential.

### **11.3 Land / Intergovernmental Negotiations**

The Executive Director of Economic Development provided Committee with an update on Intergovernmental Negotiations.

The discussion and motion were recorded and kept confidential.

*The recording secretary was excused from the meeting at 12:33 p.m.*

### **11.4 Labour Relations**

The Director of Human Resources provided an update on bargaining with CUPE Local 50.

*The recording secretary returned to the meeting at 12:47 p.m.*

### **11.5 Closed Sharing – Intergovernmental Relations**

Councillor Young shared information with Committee regarding intergovernmental negotiations.

The discussion and motion were recorded and kept confidential.

### **11.6 Legal Advice**

Committee received legal advice from staff.

The discussion was recorded and kept confidential.

*Staff were excused from the meeting at 1:10 p.m.*

#### **11.7 Closed Inquiry - Personnel**

The Director of Human Resources discussed with Committee a personnel matter.

### **12. ADJOURNMENT**

**Action:** It was moved by Councillor Helps, seconded by Councillor Alto, that Committee adjourn the meeting of July 10, 2014, at 1:45 p.m.

CARRIED UNANIMOUSLY 14/GPC411

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Mayor Fortin, Chair