

Municipality of North Cowichan

Regular Council

AGENDA

Wednesday, June 3, 2020, 1:30 p.m.
Electronically

Pages

1. CALL TO ORDER

This meeting, though electronic, is open to the public and all representations to Council form part of the public record.

At this time, due to the COVID-19 Pandemic, public access to Council Chambers is not permitted, however, this meeting may be viewed on the District's lived stream webcast at northcowichan.ca.

2. APPROVAL OF AGENDA

Recommendation:

That Council adopt the agenda, as circulated [or as amended].

3. MAYOR'S REPORT

4. ADOPTION OF MINUTES

4.1 Regular Council meeting held May 20, 2020

5 - 7

Recommendation:

That Council adopt the minutes of the Regular Council meeting held May 20, 2020.

5. PUBLIC INPUT

The Mayor to acknowledge receipt of submissions circulated to Council prior to the meeting to agenda@northcowichan.ca and state the agenda item the public input is in relation to on this agenda.

6. BYLAWS

6.1 Adoption of Zoning Amendment Bylaw No. 3774 (2755 Crozier Road), 2020

8 - 9

Purpose: To consider adoption of Zoning Amendment Bylaw No. 3774 to amend the zoning from C4-Commercial Residential to R1-Residential Rural to permit residential use as the principal use at 2755 Crozier Road, as the required covenant has now been registered on title.

Recommendation:

That Council adopt "Zoning Amendment Bylaw (2755 Crozier Road), 2020", No. 3774.

7. REPORTS

7.1 Development Variance Permit Application No. DVP00054 for lots 13 - 16 Farleigh Way and lot 17 Adams Road 10 - 18

Purpose: To provide Council with information, analysis, and a recommendation regarding an application to vary Section 80.12(13)(e) of Zoning Bylaw 2950 to allow driveway access from a street for lots 13 to 16 Farleigh Way and lot 17 Adams Road.

Recommendation:

That Council authorize the issuance of a development variance permit to vary Section 80.12(13)(e) of Zoning Bylaw 2950, 1997 by eliminating the requirement that all site parking must be accessed by a lane rather than a street for Lots 13-17 on Plan EPP91256.

7.2 2020-01 Hydro Excavating Service Agreement Approval 19 - 51

Purpose: To authorize the execution of a 3-year agreement for the provision of hydro excavating services.

Recommendation:

That Council authorize the Mayor and Corporate Officer to execute the agreement between the District of North Cowichan and GFL Environmental Limited for hydro evacuation services, at a rate of \$145 per hour, for a term of 3 years commencing June 4, 2020.

7.3 Commencement of the Alternative Approval Process (AAP) for the RCMP Facility 52 - 65

Purpose: For Council to give direction to the Corporate Officer to commence the Alternative Approval Process (AAP) on the long-term borrowing for the construction of a new Integrated RCMP Facility located on the corner of Drinkwater and Ford Roads.

Recommendation:

That Council direct the Corporate Officer to undertake an alternative approval process to determine the opinion of the electors with regard to the "North Cowichan / Duncan Integrated RCMP Facility Loan Authorization Bylaw No. 3787, 2020" which proposes to bring together the North Cowichan/Duncan Detachment, Forensic Identification Services, South Island Traffic Services, and Indigenous Policing and a debenture not to exceed \$48,000,000 be obtained to finance the new facility; and that the 30-day notice period, commencing on June 12, 2020 and ending on July 14, 2020, for submitting and receiving elector response forms, is established;

And That Council has determined that the total number of eligible electors for the alternative approval process for the Bylaw No. 3787 is 26,916, and that approval of the electors is obtained if elector responses received are less than ten (10) percent (2,692) of the total number of eligible electors;

And Further That Council establish that the Elector Response Form, as attached to the Manager of Legislative Services report dated June 3, 2020, be available at the Municipal Hall and online from June 4, 2020 to July 14, 2020.

7.4	Update on the Riparian Areas Protection Regulation	66 - 69
	<u>Purpose:</u> Presentation to provide Council with an update on the changes in the Riparian Areas Protection Regulations (RAPR), formerly known as the Riparian Area Regulations (RAR).	
7.5	Municipal Contract Policing Multi-Year Financial Plan (2021/2022)	70 - 89
	<u>Purpose:</u> To request Council approval, in principle, for the 2021/22 RCMP Contract Budget as per the Municipal Police Service Agreement.	
	<u>Recommendation:</u> That Council approve in principle the addition of one (1) member to the North Cowichan detachment to bring the total detachment strength to thirty-three (33) and approve in principle the budget estimate of \$6.98 million at 100% (90% of which the municipality is responsible for) for the 2021/22 fiscal year, including \$500,000 of capital equipment.	
7.6	Creation of a Public Engagement Framework and Policy	90 - 104
	<u>Purpose:</u> To seek direction from Council on establishing a select committee to guide staff in developing an engagement framework and policy.	
	<u>Recommendation:</u> That Council establish a select committee to work with staff and the consultant engaged to develop a Public Engagement Policy and Engagement Framework; and that Mayor Siebring and Councillors _____ and _____ be appointed to the committee.	
7.7	2019 Statement of Financial Information	105 - 118
	<u>Purpose:</u> To provide the 2019 Statement of Financial Information (SOFI) to Council for approval.	
	<u>Recommendation:</u> That Council approve the 2019 Statement of Financial Information.	
7.8	COVID-19 Budget Implications: New Threats, New Opportunities	
	<u>Purpose:</u> To provide Council with background information for budget 2021 preliminary direction discussions, and a forthcoming Council Strategic Plan Update (Q2, 2020) outlining the COVID-19 impacts to 2020 progress and business plans.	
	<u>Recommendation:</u> That Council receive the Chief Administrative Officer's presentation for information.	
7.9	Resumption of Public Hearings and Board of Variance Business	119 - 141
	<u>Purpose:</u> To recommend temporary measures for public hearings and Board of Variance business to resume during the COVID-19 pandemic and in accordance with Ministerial Order M139.	

Recommendation:

That Council remove their moratorium on public hearings to allow them to be held electronically as authorized under Ministerial Order M139/2020 and in accordance with Section 465(3) of the *Local Government Act*;

And that the public be permitted to make submission to Council in writing by email or via Canada Post, or by teleconference;

And further that Council direct staff to prepare an amendment to the *Fees and Charges Bylaw*, to reduce the fee for a Development Variance Permit to \$250 for a person who would be eligible to submit an application to the Board of Variance, while the provincial state of emergency in relation to the COVID-19 pandemic is in effect.

8. NOTICES OF MOTIONS

9. NEW BUSINESS

9.1 CVRD Staff Report regarding 2020 UBCM Resolutions 142 - 143

Purpose: To discuss potential resolutions for submission to the Union of British Columbia Municipalities (UBCM) for consideration at the 2020 convention.

9.2 Request for Letter of Support - Duncan Train Station Rehabilitation Project 144 - 148

Purpose: To consider providing a letter of support to the Cowichan Heritage Society to include with their application for federal grant funding towards the rehabilitation of the Heritage Railway Station building.

10. QUESTION PERIOD

A 10-minute recess to be provided to give the public an opportunity to submit their questions by email to QP@northcowichan.ca regarding the business discussed at this meeting. Questions will be read out in the order they are received.

11. CLOSED SESSION

Recommendation:

That Council close the June 3, 2020 Regular Council meeting at ___ p.m. to the public on the basis of the following section(s) of the *Community Charter*:

- 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 municipality or another position appointed by the municipality; and
- 90(1)(c) labour relations or other employee relations.

11.1 Minutes from the May 20, 2020 closed meeting for adoption

11.2 Closed under sections 90(1)(a) personal information and 90(1)(c) labour

12. RISE AND REPORT

13. ADJOURNMENT

Municipality of North Cowichan

Regular Council

MINUTES

May 20, 2020, 1:30 p.m.
Electronically

Members Present	Mayor Al Siebring Councillor Rob Douglas Councillor Christopher Justice Councillor Tek Manhas Councillor Rosalie Sawrie Councillor Debra Toporowski
Members Absent	Councillor Kate Marsh
Staff Present	Ted Swabey, Chief Administrative Officer (CAO) Mark Frame, General Manager, Financial and Protective Services Ernie Mansueti, General Manager, Community Services Sarah Nixon, General Manager, Corporate Services David Conway, Director of Engineering Rob Conway, Director of Planning and Building Megan Jordan, Acting, Manager, Communications and Public Engagement Jason Birch, Chief Information Officer Michelle Martineau, Corporate Officer Tricia Mayea, Deputy Corporate Officer

1. CALL TO ORDER

There being a quorum present, Mayor Siebring called the meeting to order at 1:30 p.m.

2. APPROVAL OF AGENDA

Council added a late item (Item 11.5) to the in-camera meeting under Section 90(1)(a) - personal information of the *Community Charter*.

IT WAS MOVED AND SECONDED:

That Council adopt the agenda, as amended.

CARRIED

Councillor Douglas joined the meeting at 1:32 p.m.

3. MAYOR'S REPORT

Mayor Siebring provided a verbal update on meetings and activities he recently attended.

4. ADOPTION OF MINUTES

4.1 Regular Council meeting held May 6, 2020

IT WAS MOVED AND SECONDED:

That Council adopt the minutes of the Regular Council meeting held May 6, 2020.

CARRIED

5. PUBLIC INPUT

Council received 1 submission via email prior to the meeting regarding item 8.1. A summary of that submission was read out in the meeting.

6. REPORTS

6.1 Resumption of Committee meetings through electronic means

IT WAS MOVED AND SECONDED:

That Council remove their moratorium on committee and other advisory body meetings so that they may resume their meetings electronically;

And that staff be directed to livestream the meetings to provide open meeting transparency until such time as Ministerial Order No. M139, made on May 1, 2020, by the Minister of Public Safety and Solicitor General is lifted;

And further that the scheduling for reactivation of these electronic meetings shall be necessitated and prioritized by the need to execute decisions and/or direction by Council.

CARRIED

7. NOTICES OF MOTIONS

None.

8. UNFINISHED AND POSTPONED BUSINESS

8.1 Request for Reconsideration of BC Energy Step Code Decision

IT WAS MOVED AND SECONDED:

That Council reconsider their March 4, 2020 decision to endorse the BC Energy Step Code implementation strategy, the \$30,000 annual allocation for rebates, and amendments to the Building Bylaw.

(Opposed: Siebring, Sawrie, Toporowski, Manhas)

DEFEATED

9. NEW BUSINESS

9.1 Request from the BC Restaurant and Foodservices Association

IT WAS MOVED AND SECONDED:

That Council support the economic recovery of the hospitality sector by directing staff to process, as a priority, any requests for outdoor patio space for food and beverage establishments, which includes expedited and flexible permitting and licensing processes

for all new applications and renewals to help address their seating capacities, until such time as the declaration of a state of emergency made March 18, 2020 under section 9 (1) of the *Emergency Program Act* expires or is cancelled or if there is an extension under section 9 (4) of the Act, the date on which the last extension of that declaration expires or is cancelled.

CARRIED

10. QUESTION PERIOD

Mayor Siebring called for a recess at 2:06 p.m. to allow viewers to submit questions via email on the matters discussed during the meeting. One question had been submitted when the meeting reconvened at 2:15 p.m. and was read out in the meeting.

11. MOTION TO CLOSE MEETING

IT WAS MOVED AND SECONDED:

That Council close the May 20, 2020 Regular Council meeting at 2:23 p.m. to the public on the basis of the following sections of the *Community Charter*:

- 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 municipality or another position appointed by the municipality;
- 90(1)(e) - the acquisition, disposition or expropriation of land or improvements, which the council considers that disclosure could reasonably be expected to harm the interests of the municipality; and
- 90(2)(b) - the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government.

CARRIED

12. RISE AND REPORT

IT WAS MOVED AND SECONDED:

That Council rise without report and adjourn the Council Closed meeting at 4:00 p.m.

CARRIED

13. ADJOURNMENT

Council adjourned the meeting at 4:00 p.m.

Certified by Corporate Officer

Signed by Mayor



The Corporation of the District of North Cowichan
Zoning Amendment Bylaw (2755 Crozier Road), 2020

Bylaw 3774

The Council of The Corporation of The District of North Cowichan enacts as follows:

Title

1. This Bylaw may be cited as "Zoning Amendment Bylaw (2755 Crozier Road), 2020", No. 3774.

Amendment

2. Schedule "C" of "Zoning Bylaw 1997", No. 2950, is amended by reclassifying from Commercial Recreational Zone (C4) to Residential Rural Zone (R1), 2755 Crozier Road (PID: 025-520-423), shown as the "Subject Property" and outlined in bold on the Schedule attached to and forming part of this bylaw.

READ a first time on January 29, 2020

READ a second time on January 29, 2020

This bylaw was advertised in the Cowichan Valley Citizen on the 12th day of February, 2020 and the 14th day of February, 2020 and the municipality's website and notice board on the 5th day of February, 2020

CONSIDERED at a Public Hearing on February 19, 2020

READ a third time on February 19, 2020

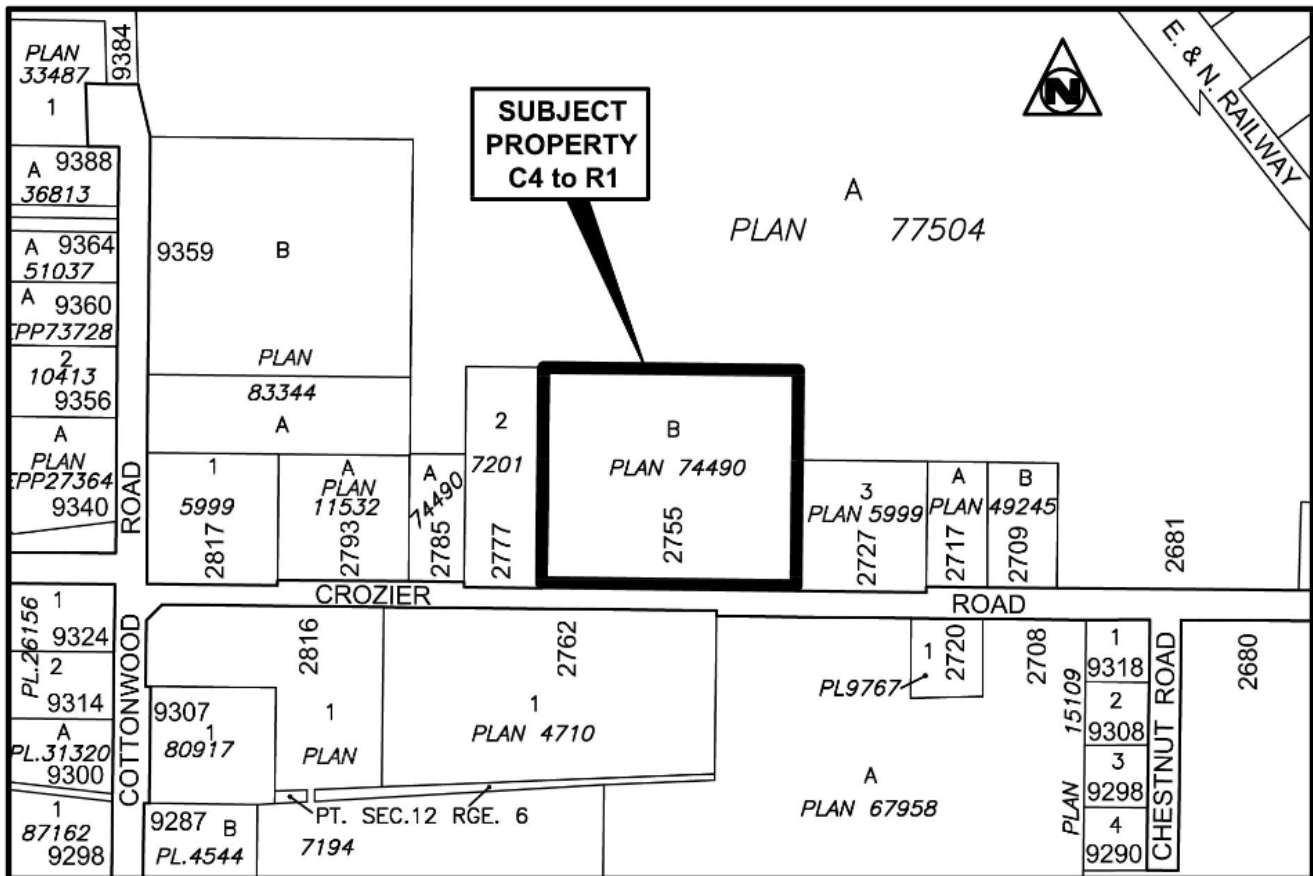
COVENANT registered on April 27, 2020

ADOPTED on


CORPORATE OFFICER

PRESIDING MEMBER

Schedule



Report

Date	June 3, 2020	Prospero No: DVP00054
To	Council	Folio No: 09951-043, 09951-044, 09951-045, 09951-046, 09951-047
From	Mairi Bosomworth, Community Planner	File No: 3080-20 20.02
		Endorsed: 
Subject	Development Variance Permit Application No. DVP00054 for lots 13 - 16 Farleigh Way and lot 17 Adams Road	

Purpose

To provide Council with information, analysis, and a recommendation regarding an application to vary Section 80.12(13)(e) of Zoning Bylaw 2950 to allow driveway access from a street for Lots 13 to 16 Farleigh Way and Lot 17 Adams Road.

Background

Land Use Context

Lots 13 to 16 on Farleigh Way and Lot 17 on Adams Road ("The Subject Properties") range in size from 0.16 ac (0.06 ha) to 0.22 ac (0.09 ha) (**Attachments 1 & 2**). These properties are zoned Residential Two-Family Comprehensive Development Zone (CD12) (**Attachment 3**), and are located within the Urban Containment Boundary.

The subject lots share the CD12 zoning with adjacent lots within the same development. The primary land use outside of the development to the east and west is residential (R1 zoning) with the former Quamichan Inn property to the north (C7 zoning) and the Maple Bay Elementary School to the south across Donnay Drive (A2 – Land Use Contract).

Proposal

The applicant is seeking to vary Section 80.12 of Zoning Bylaw 2950 Conditions of Use, 13 (e):

If a lane exists, all site parking must be accessed from the lane and not from the street.

The five lots share dual frontage on both Ernest Lane and Farleigh Way/Adams Road. Section 13 (e) of the CD12 zoning permits driveway access for each of these lots to Ernest Lane only. Approval of this variance would provide the potential for driveway access to be from an adjacent street and/or Ernest Lane.

Discussion

The applicant has provided a concept plan illustrating the intention to develop the lots with driveway access utilizing the lots' dual frontage (**Attachment 4**). As the CD12 Zone does permit two-family dwellings on the subject lots, the variance would allow for independent driveway accesses to each dwelling unit from the lane and street. Should the lots be developed for single family dwelling rather than a two family dwelling, the variance would allow the lot owner to choose either the adjacent street or Ernest Lane for the driveway access.

Section 80.12 Conditions of Use, 13 (e) was established when the lands were rezoned and was intended to restrict access for future lots fronting onto Donnay Drive. The purpose of the regulation was to encourage a more pedestrian-oriented streetscape on the Donnay Drive frontage by prohibiting driveways, and therefore garages on that frontage. Staff do not believe the regulation was intended to limit driveway access on the subject lots to Ernest Lane. Maintaining the regulation would require that Ernest Lane be the only frontage for driveway access and would result in a decreased supply of on-street parking and a streetscape dominated by driveways and garages. For these reasons staff support the requested variance.

Communications & Engagement

Neighbouring properties within a 60 m radius of the subject property have been notified of this application, as well as the date and time Council will consider the requested variance. Due to the COVID-19 pandemic, the notice advises that submissions must be provided in writing and that there won't be an opportunity to directly address Council.

Options

The following options are presented for Council's consideration:

Option 1 – Staff Recommendation:

That Council authorize the issuance of a development variance permit to vary Section 80.12(13)(e) of Zoning Bylaw 2950, 1997 by eliminating the requirement that all site parking must be accessed by a lane rather than a street for Lots 13-17 on Plan EPP91256.

Option 2:

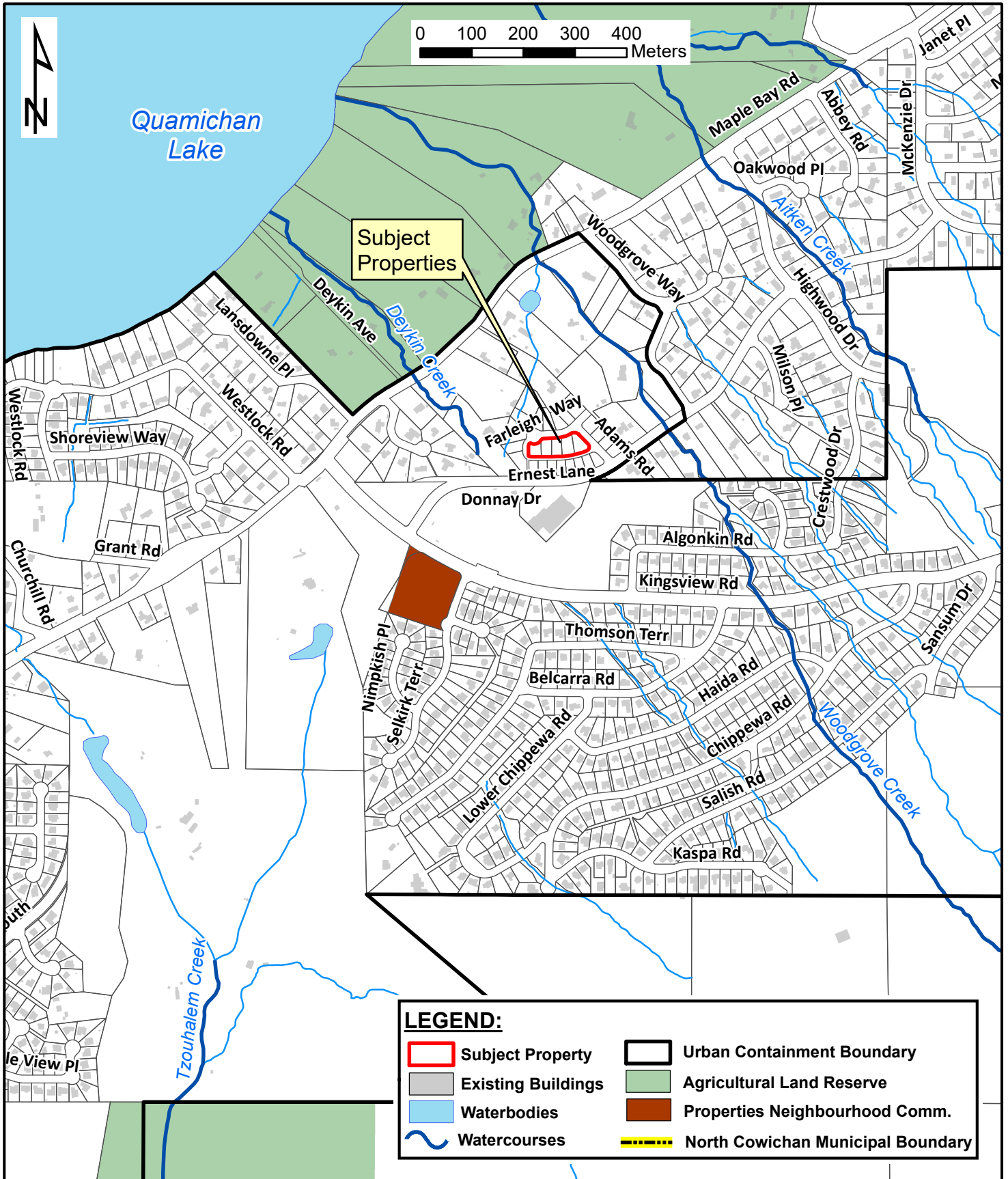
That Council deny development variance permit application DVP00054 to vary Section 80.12(13)(e) of Zoning Bylaw 2950, 1997 and maintain the requirement for Lots 13-17 on Plan EPP91256 that all site parking must be accessed by a lane rather than a street.

Recommendation

That Council authorize the issuance of a development variance permit to vary Section 80.12(13)(e) of Zoning Bylaw 2950, 1997 by eliminating the requirement that all site parking must be accessed by a lane rather than a street for Lots 13-17 on Plan EPP91256.

Attachments:

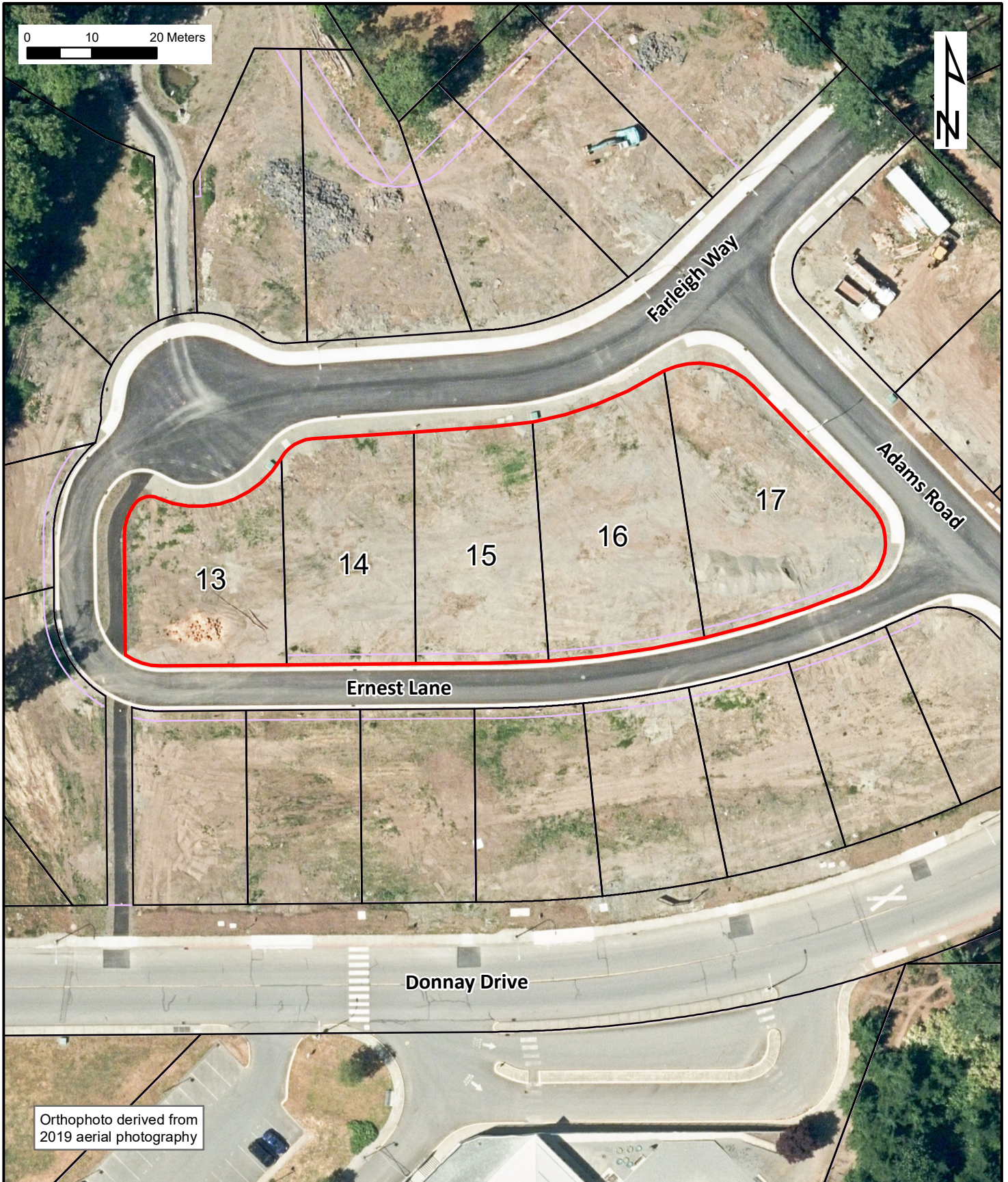
1. Location Map
2. Orthophoto
3. Zoning Map
4. Site Plan
5. Letter of Rationale
6. Draft Development Variance Permit



LOCATION MAP

Lots 13,14,15, 16, and
17 on Plan EPP91256

DATE:	March 3, 2020
TYPE:	Development Variance Permit
FILE#:	DVP00054

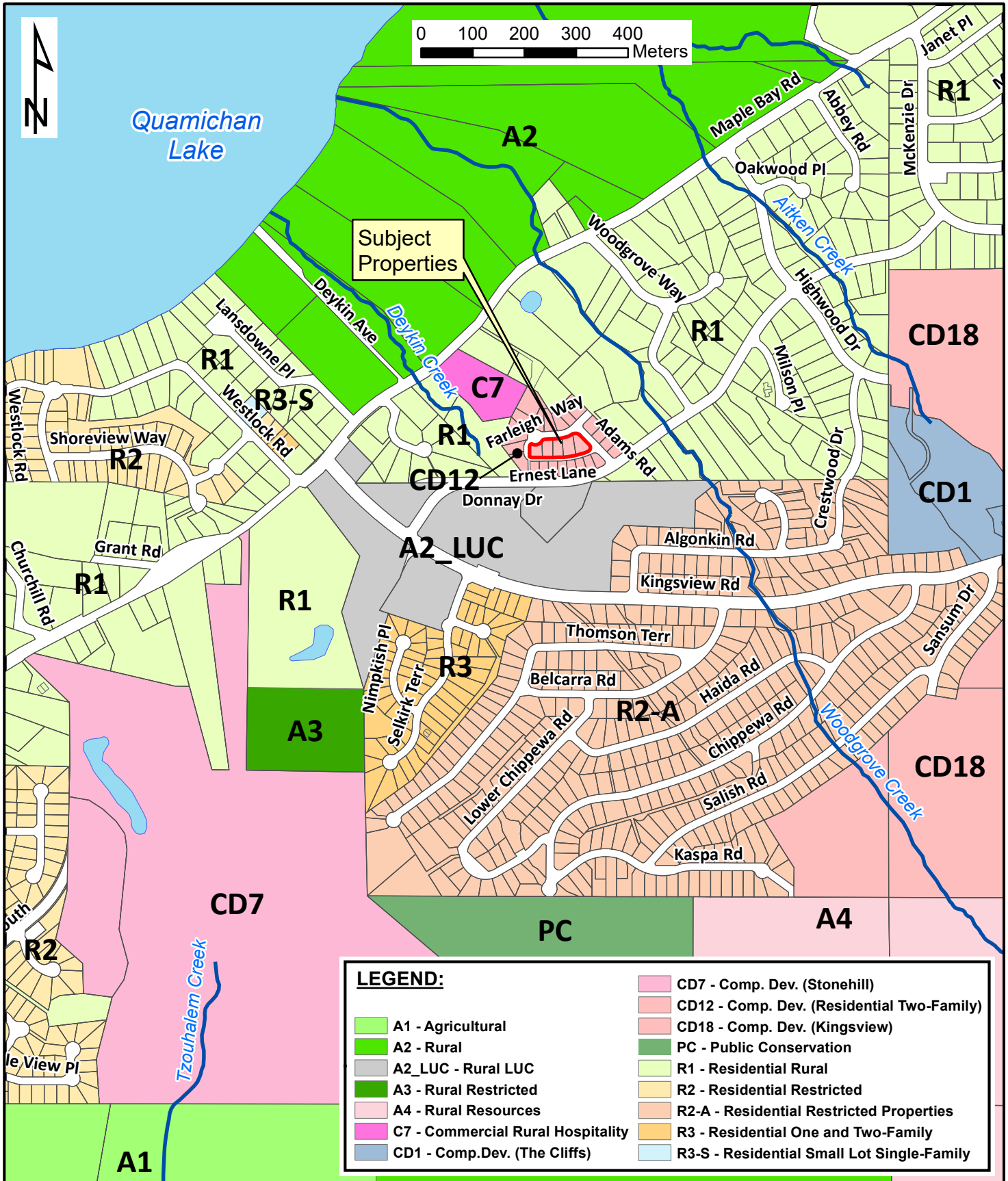


MUNICIPALITY OF
NORTH
Cowichan

ORTHOPHOTO MAP

Lots 13, 14, 15, 16, and
17 on Plan EPP91256

DATE:	March 3, 2020
TYPE:	Development Variance Permit
FILE#:	DVP00054



ZONING MAP

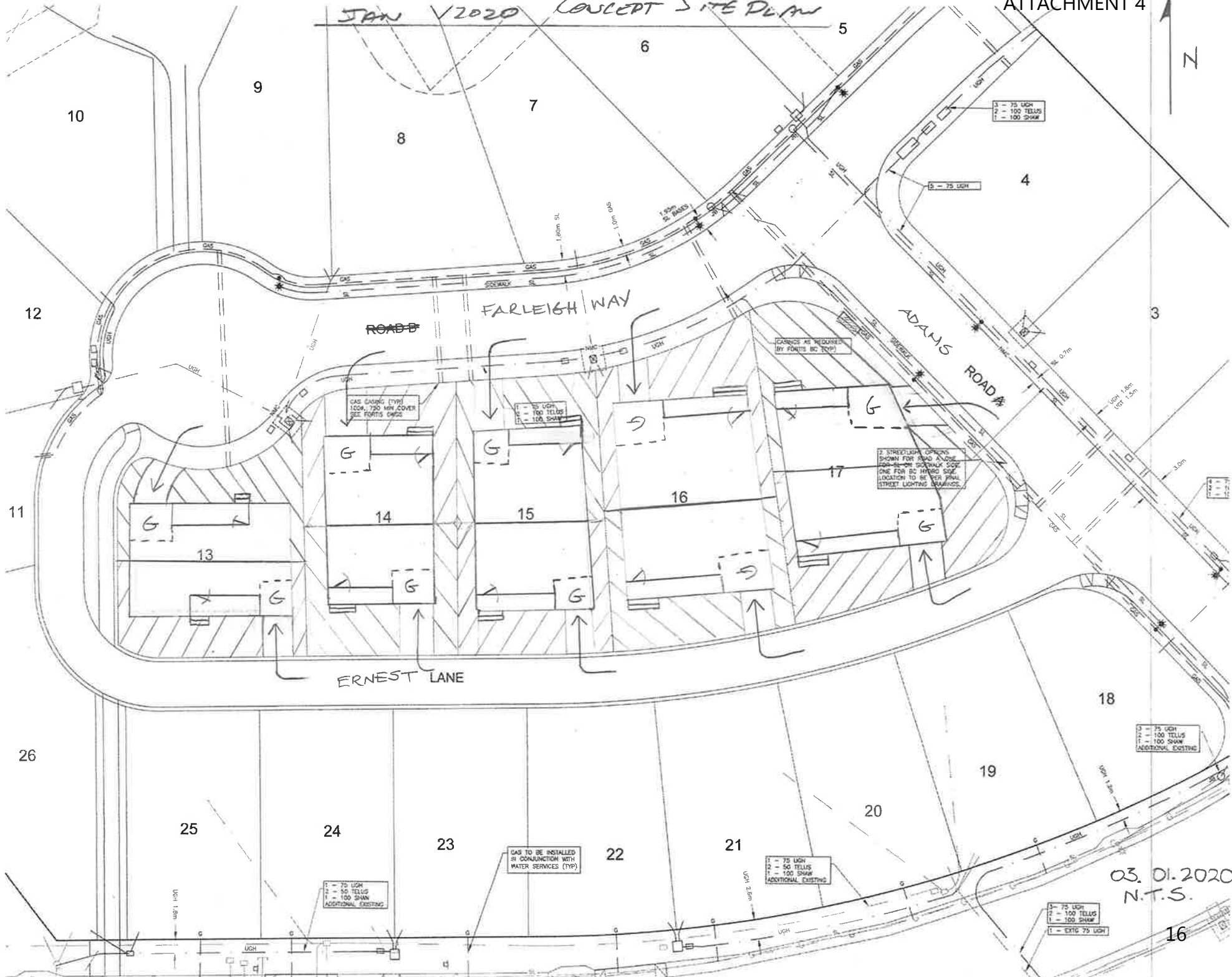
Lots 13,14,15, 16, and
17 on Plan EPP91256

DATE:	March 3, 2020
TYPE:	Development Variance Permit
FILE#:	DVP00054

JAN 1/2020 CONCEPT SITE PLAN

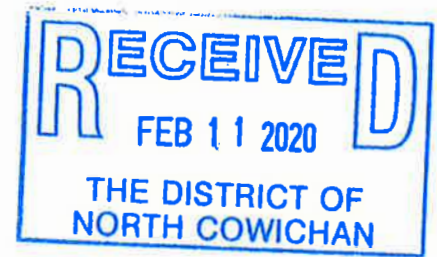
ATTACHMENT 4

N



03. 01. 2020
N.T.S.

DAN WRIGHT
DONNAY DR.
DUNCAN BC
V9L ???



MUNICIPALITY OF NORTH COWICHAN
7030 TRANSCANADA HIGHWAY
DUNCAN BC V9L 6A1

ATTENTION
MR. CONWAY

DEAR SIR

WITH THIS LETTER WE REQUEST A VARIANCE TO BY LAW CD12 CONDITIONS OF USE PARAGRAPH (D) "If a lane exists, all site parking must be accessed from the lane and not the street".

When designing our subdivision it was necessary to complete a lane access for the lots on Donnay as MNC planners would not allow driveway access to homes on Donnay off Donnay. Planning wanted only 1 (one) access to and from the subdivision off Donnay.

The variance we request is for duplex lot numbers 13, 14, 15, 16 and 17, it would allow street access for the west facing homes off Farleigh Avenue, and the east facing homes to access off Ernest Lane.

I have included the following attachment

- Applications forms for lots 13, 14, 15, 16 and 17
- Check in the amount \$ 1,200.00
- Agents authorization form
- Corporate summary for Drivers Industrial Installations Ltd
- Current property titles
- Site plan with tentative home sites, set back will be as laid out in CD12

Development Variance Permit

Permit No: DVP00054/20.02

Registered Owner: Driver's Industrial Installations Ltd. & Ernest Patrick Carson

Subject Property: Lots 13 to 16 Farleigh Way and Lot 16 Adams Road

Folio: 09951-043, 09951-044, 09951-045, 09951-046, 09951-047

Description of Land:

Parcel Identifier: 030-839-301, 030-839-262, 030-839-271, 030-839-289, 030-839-297

Legal Description: Farleigh Way – Lots 13 to 16 all of Section 3, Range 3, Comiaken District, Plan EPP91256 and Adams Road – Lot 17, Section 3, Range 3, Comiaken District, Plan EPP91256

Proposal: **To vary Section 80.12(13)(e) of Zoning Bylaw 2950 to allow for street access for Lots 13 to 16 Farleigh Way and Lot 17 Adams Road.**

1. This permit is issued subject to compliance with all relevant District of North Cowichan bylaws.
2. This permit applies to the lands described above, and any buildings, structures, and other development thereon (hereinafter called 'the Lands').
3. Pursuant to section 498 of the *Local Government Act* (RSBC 2015, c. 1), this permit varies Section 80.12(13)(e) of Zoning Bylaw 2950 to allow driveway access from a street for Lots 13 to 16 Farleigh Way and Lot 17 Adams Road.
4. This permit is not a building permit.
5. Pursuant to section 504(1) of the *Local Government Act*, this permit lapses two years from date of issue if the holder of the permit does not substantially start any construction with respect to which this permit is issued.

Date of Development Variance Permit Approval/Issue by Council or its Delegate:

This permit was approved and issued on

This permit expires on

The Corporation of the District of North Cowichan

Designated Municipal Officer

Report

Date June 3, 2020

File:

To Council

From Robert Bell, Assistant Manager Of Operations

Endorsed:



Subject 2020-01 Hydro Excavating Service Agreement Approval

Purpose

To authorize the execution of a 3-year agreement for the provision of hydro excavating services.

Background

On January 3, 2020 staff issued a request for quotations (RFQ) for hydro excavating services which closed on January 31, 2020. The RFQ was advertised on B.C. Bid and the municipal website in accordance with section 4 of the Procurement Policy.

In response to the RFQ, five submissions, which met the minimum requirements for consideration, were evaluated and are listed below. Due to the COVID-19 pandemic, an extension to pricing was required, and all respondents have agreed to extend their quotes for an additional 30 days.

1. GFL Environmental Ltd.
2. Save-on-Septic Services Inc.
3. David Stalker Excavating Ltd.
4. McRae's Environmental Services Ltd.
5. BC Badger

The agreement with current contractor, Save-on Septic, expired on February 28, 2020, however, the municipality has continued to use Save-on-Septic during the interim at an increased rate of \$180/hour.

Discussion

The hydro excavator is the industry standard for excavating (exposing) existing utilities in order to minimise conflict with other existing utilities and expensive surface restorations which the municipality uses on an as needed and when requested basis (~1200 hours annually). It is mainly used for capital projects as well as planned and emergency maintenance.

The Operations department has historically opted to contract this service out rather than purchase the equipment. Due to the initial capital expenditure for this type of equipment (~\$700,000) and the high annual maintenance and operational costs, the department has continued to contract this service out.

The quotation with the lowest hourly rate, which is staff is recommending that Council award a contract to, was received from GFL Environmental Ltd at a rate of \$145.00/hour.

Options

1. Award the contract to lowest bid, GFL Environmental Services

- Benefit – lowest hourly rate.
- Cons – No working history with GFL so unsure of GFL to be able to maintain the same standard of commitment and co-operation that we have received from Save-on Septic.

RECOMMENDED MOTION: That Council authorize the Mayor and Corporate Officer to execute the agreement between the District of North Cowichan and GFL Environmental Limited for hydro evacuation services, at a rate of \$145 per hour, for a term of 3 years commencing June 4, 2020.

2. Direct staff to complete an analysis of the pros and cons of purchasing the equipment.

- Benefit – we can determine whether owning the equipment provides a cost savings
- Con – we continue to incur increased service costs without a contract

SUGGESTED MOTION for Option 2: That Council direct staff to complete an analysis comparing the costs of purchasing a hydro excavator versus contracting the service out.

3. Direct staff to re-issue the RFQ for a term of one year instead of three.

- Benefit – it gives the municipality a reduced (contracted) price for one year while further analysis and budgeting is completed on whether to purchase the equipment
- Con – we continue to incur increased service costs without a contract

SUGGESTED MOTION for Option 2: That Council direct staff to re-issue the request for quotations for hydro excavation services for a term of one year, and that staff complete an analysis comparing the costs of purchasing a hydro excavator versus contracting the service out for consideration during the 2021 budget process.

Implications

Financial – An additional cost of approximately \$5,000 per month is being incurred as our contract with the previous service provider has expired.

Recommendation

That Council authorize the Mayor and Corporate Officer to execute the agreement between the District of North Cowichan and GFL Environmental Limited for hydro evacuation services, at a rate of \$145 per hour, for a term of 3 years commencing June 4, 2020.

Attachment(s):

- 2020-01 Hydro Excavating Services Scoring Summary
- RFQ for Hydro Excavating Services
- North Cowichan General Services Agreement Template

2020-01 - Hydro Excavating Services Scoring Summary

Active Submissions

	Total	Appendix B - Form of Submission	Appendix C - Pricing	D. Mandatory Technical Requirements
Supplier	/ 100 pts	Pass/Fail	/ 100 pts	Pass/Fail
GFL Environmental Ltd.	100	Pass	100 (\$628,000.00)	Pass
Save On Septic Services Inc	85.75	Pass	85.75 (\$732,328.00)	Pass
David Stalker Excavating Ltd.	85.44	Pass	85.44 (\$735,000.00)	Fail
McRae's Environmental Services Ltd.	82.09	Pass	82.09 (\$765,000.00)	Pass
BC Badger	76.68	Pass	76.68 (\$819,000.00)	Pass



**Request for Quotations
For
Hydro Excavating Services**

Request for Quotations No.: **2020-01**

Issued: January 3, 2020

Submission Deadline **January 31, 2020 2:00:00pm local time**

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Annex #1 – Form of Agreement

Annex #2 – Fuel Consumption Reporting

PART 1 – INVITATION AND SUBMISSION INSTRUCTIONS

1.1 Invitation to Respondents

This Request for Quotations (the “RFQ”) is an invitation by the District of North Cowichan (the “District”) to prospective respondents to submit non-binding quotations Hydro Excavation Services, as further described in Section A of the RFQ Particulars (Appendix D) (the “Deliverables”).

The District is looking to enter into a service agreement with a contractor that can perform hydro excavation services on a, as needed and when requested basis.

1.2 RFQ Contact

To contact the District in relation to this RFQ, proponents must register with the District’s public purchasing portal at <https://northcowichan.bonfirehub.ca/portal> (the “the District’s Bonfire Portal”) and initiate the communication electronically through the Question and Answer function. The District will not accept any proponent’s communications by any other means, except as specifically stated in this RFQ.

For the purposes of this procurement process, the “RFQ Contact” will be:

Marla Bossons
Accounts Payable / Procurement Coordinator

Respondents and their representatives are not permitted to contact any employees, officers, agents, elected or appointed officials, or other representatives of the District, other than the RFQ Contact, concerning matters regarding this RFQ. Failure to adhere to this rule may result in the disqualification of the respondent and the rejection of the respondent’s quotation.

1.3 Contract for Deliverables

1.3.1 Type of Contract

The selected respondent will be requested to enter into a contract for the provision of the Deliverables on the terms and conditions set out in the Form of Agreement (Appendix A) (the “Agreement”). It is the District’s intention to enter into a contract with only one (1) legal entity.

1.3.2 Term of Contract

The term of the contract is to be for a period of 3 Years, with an option in favour of the District to extend the contract on the same terms and conditions for an additional term of up to 2 Years.

1.4 RFQ Timetable

1.4.1 Key Dates

Issue Date of RFQ	January 3, 2020
Deadline for Questions	January 20, 2020 4:00 PM local time
Deadline for Issuing Addenda	January 24, 2020 4:00 PM local time
Submission Deadline	January 31, 2020 2:00:00 pm local time
Anticipated Execution of Agreement	February 14, 2020

The RFQ timetable is tentative only, and may be changed by the District at any time.

1.5 Submission of Quotations

1.5.1 Quotations to be Submitted at Prescribed Location

Quotations must be submitted through the District's online Bonfire portal at:

<https://northcowichan.bonfirehub.ca/portal>

Submissions by other methods will not be accepted.

Minimum system requirements are Internet Explorer 11, Google Chrome, or Mozilla Firefox. Javascript must be enabled.

Respondents should contact Bonfire at Support@GoBonfire.com for technical questions related to submissions, or visit Bonfire's help forum at <https://bonfirehub.zendesk.com/hc>.

1.5.2 Quotations to be Submitted on Time

Quotations must be uploaded and finalized on or before the Submission Deadline set out in the RFQ Timetable.

Uploading large documents may take significant time, depending on file size and internet connection speed. It is strongly recommended that respondents allow sufficient time of at least one (1) hour before the Submission Deadline to upload documents and finalize their submissions.

Respondents will receive an email confirmation receipt with a unique confirmation number upon finalizing their submissions.

1.5.3 Quotations to be Submitted in Prescribed Format

Submission materials should be prepared in the file formats listed under Requested Information for this opportunity in the Bonfire portal.

The maximum upload file size is 1000 MB.

Documents should not be embedded within uploaded files, as the embedded files will not be accessible or evaluated.

1.5.4 Amendment of Quotations

Respondents may amend their quotations prior to the Submission Deadline by un-submitting the quotation and re-submitting a revised quotation through the Bonfire portal.

1.5.5 Withdrawal of Quotations

At any time throughout the RFQ process until the execution of a written agreement for provision of the Deliverables, a respondent may withdraw a submitted quotation. To withdraw a quotation prior to the Submission Deadline, a respondent should un-submit the quotation through the Bonfire portal. Following the Submission Deadline, a notice of withdrawal must be sent to the RFQ Contact and must be signed by an authorized representative of the respondent.

[End of Part 1]

PART 2 – EVALUATION AND AWARD

2.1 Stages of Evaluation

The District will conduct the evaluation of quotations in the following stages:

2.2 Stage I – Mandatory Submission Requirements

Stage I will consist of a review to determine which quotations comply with all of the mandatory submission requirements. Quotations that fail to satisfy the mandatory submission requirements will be rejected. The mandatory submission requirements are listed in Section C of the RFQ Particulars (Appendix D).

2.3 Stage II – Mandatory Technical Requirements

The District will review the quotations to determine whether the mandatory technical requirements as set out in Section D of the RFQ Particulars (Appendix D) have been met. Questions or queries on the part of the District as to whether a quotation has met the mandatory technical requirements will be subject to the verification and clarification process set out in Part 3.

2.4 Stage III – Pricing

Stage III will consist of an evaluation of the submitted pricing in each qualified quotation in accordance with the price evaluation method set out in Pricing (Appendix C). The evaluation of price will be undertaken after the evaluation of mandatory requirements has been completed.

2.5 Selection of Top-Ranked Respondent

After the completion of Stage III, compliant respondents will be ranked based on the price evaluation. Subject to the process rules contained in the Terms and Conditions of the RFQ Process (Part 3), the top-ranked respondent will be invited to enter into the Agreement in accordance with Part 3. In the event of a tie, the selected respondent will be determined by way of coin toss. The selected respondent will be notified in writing and will be expected to satisfy any applicable conditions of this RFQ, including the pre-conditions of award listed in Section E of the RFQ Particulars (Appendix D), and enter into the Agreement within the timeframe specified in the selection notice. Failure to do so may result in the disqualification of the respondent and the selection of another respondent or the cancellation of the RFQ.

[End of Part 2]

PART 3 – TERMS AND CONDITIONS OF THE RFQ PROCESS

3.1 General Information and Instructions

3.1.1 Respondents to Follow Instructions

Respondents should structure their quotations in accordance with the instructions in this RFQ. Where information is requested in this RFQ, any response made in a quotation should reference the applicable section numbers of this RFQ.

3.1.2 Quotations in English

All quotations are to be in English only.

3.1.3 No Incorporation by Reference

The entire content of the respondent's quotation should be submitted in a fixed format, and the content of websites or other external documents referred to in the respondent's quotation but not attached will not be considered to form part of its quotation.

3.1.4 Past Performance

In the evaluation process, the District may consider the respondent's past performance or conduct on previous contracts with the District or other institutions.

3.1.5 Information in RFQ Only an Estimate

The District and its advisers make no representation, warranty, or guarantee as to the accuracy of the information contained in this RFQ or issued by way of addenda. Any quantities shown or data contained in this RFQ or provided by way of addenda are estimates only, and are for the sole purpose of indicating to respondents the general scale and scope of the Deliverables. It is the respondent's responsibility to obtain all the information necessary to prepare a quotation in response to this RFQ.

3.1.6 Respondents to Bear Their Own Costs

The respondent will bear all costs associated with or incurred in the preparation and presentation of its quotation, including, if applicable, costs incurred for interviews or demonstrations.

3.1.7 Quotation to be Retained by the District

The District will not return the quotation or any accompanying documentation submitted by a respondent.

3.1.8 No Guarantee of Volume of Work or Exclusivity of Contract

The District makes no guarantee of the value or volume of work to be assigned to the successful respondent. The contract with the selected respondent will not be an exclusive contract for the provision of the described Deliverables. The District may contract with others for goods and services the same as or similar to the Deliverables or may obtain such goods and services internally.

3.2 Communication after Issuance of RFQ

3.2.1 Respondents to Review RFQ

Respondents should promptly examine all of the documents comprising this RFQ and may direct questions or seek additional information in writing through the District's Bonfire Portal Question and Answer function on or before the Deadline for Questions. All questions or comments submitted by respondents through the District's Bonfire Portal Question and Answer function shall be deemed to be received once the submission has entered into the District's Bonfire Portal. No such communications are to be directed to anyone or by any other means than submission through the Bonfire Portal, and the District shall not be responsible for any information provided by or obtained from any source other than the RFQ Contact or the District's Bonfire Portal. The District is under no obligation to provide additional information. It is the responsibility of the respondent to seek clarification through the District's Bonfire Portal on any matter it considers to be unclear. The District shall not be responsible for any misunderstanding on the part of the respondent concerning this RFQ or its process.

3.2.2 All New Information to Respondents by Way of Addenda

This RFQ may be amended only by addendum in accordance with this section. If the District, for any reason, determines that it is necessary to provide additional information relating to this RFQ, such information will be communicated to all respondents by addenda posted through the District's Bonfire Portal. Each addendum forms an integral part of this RFQ and may contain important information, including significant changes to this RFQ. Respondents are responsible for obtaining all addenda issued by the District through the District's Bonfire Portal Public Notice function.

3.2.3 Post-Deadline Addenda and Extension of Submission Deadline

If the District determines that it is necessary to issue an addendum after the Deadline for Issuing Addenda, the District may extend the Submission Deadline for a reasonable period of time.

3.2.4 Verify, Clarify, and Supplement

When evaluating quotations, the District may request further information from the respondent or third parties in order to verify, clarify or supplement the information provided in the respondent's quotation, including but not limited to clarification with respect to whether a quotation meets the mandatory technical requirements set out in Section D of the RFQ Particulars (Appendix D). The District may revisit, re-evaluate and rescore the respondent's response or ranking on the basis of any such information.

3.3 Notification and Debriefing

3.3.1 Notification to Other Respondents

Once an agreement is executed by the District and a respondent, the other respondents may be notified directly in writing and will be notified by public posting of the outcome of the procurement process.

3.3.2 Debriefing

Respondents may request a debriefing after receipt of a notification of the outcome of the procurement process. All requests must be in writing to the RFQ Contact and must be made within sixty (60) days of such notification.

3.3.3 Procurement Protest Procedure

If a respondent wishes to challenge the RFQ process, it should provide written notice to the RFQ Contact in accordance with applicable procurement protest procedures.

3.4 Conflict of Interest and Prohibited Conduct

3.4.1 Conflict of Interest

For the purposes of this RFQ, the term "Conflict of Interest" includes, but is not limited to, any situation or circumstance where:

- (a) in relation to the RFQ process, the respondent has an unfair advantage or engages in conduct, directly or indirectly, that may give it an unfair advantage, including but not limited to (i) having, or having access to, confidential information of the District in the preparation of its quotation that is not available to other respondents; (ii) having been involved in the development of the RFQ, including having provided advice or assistance in the development of the RFQ; (iii) receiving advice or assistance in the preparation of its response from any individual or entity that was involved in the development of the RFQ; (iv) communicating with any person with a view to influencing preferred treatment in the RFQ process (including but not limited to the lobbying of decision makers involved in the RFQ process), or (v) engaging in conduct that compromises, or could be seen to compromise, the integrity of the open and competitive RFQ process or render that process non-competitive or unfair; or
- (b) in relation to the performance of its contractual obligations under a contract for the Deliverables, the respondent's other commitments, relationships or financial interests (i) could, or could be seen to, exercise an improper influence over the objective, unbiased and impartial exercise of its independent judgement; or (ii) could, or could be seen to, compromise, impair or be incompatible with the effective performance of its contractual obligations.

3.4.2 Disqualification for Conflict of Interest

The District may disqualify a respondent for any conduct, situation, or circumstances, determined by the District, in its sole and absolute discretion, to constitute a Conflict of Interest as defined above.

3.4.3 Disqualification for Prohibited Conduct

The District may disqualify a respondent, rescind notice of selection, or terminate a contract subsequently entered into if the District determines that the respondent has engaged in any conduct prohibited by this RFQ.

3.4.4 Prohibited Respondent Communications

Respondents must not engage in any communications that could constitute a Conflict of Interest and should take note of the Conflict of Interest declaration set out in the Submission Form (Appendix B).

3.4.5 Respondent Not to Communicate with Media

Respondents must not at any time directly or indirectly communicate with the media in relation to this RFQ or any agreement entered into pursuant to this RFQ without first obtaining the written permission of the RFQ Contact.

3.4.6 No Lobbying

Respondents must not, in relation to this RFQ or the evaluation and selection process, engage directly or indirectly in any form of political or other lobbying whatsoever to influence the selection of the successful respondent(s).

3.4.7 Illegal or Unethical Conduct

Respondents must not engage in any illegal business practices, including activities such as bid-rigging, price-fixing, bribery, fraud, coercion or collusion. Respondents must not engage in any unethical conduct, including lobbying, as described above, or other inappropriate communications; offering gifts to any employees, officers, agents, elected or appointed officials, or other representatives of the District; deceitfulness; submitting quotations containing misrepresentations or other misleading or inaccurate information; or any other conduct that compromises or may be seen to compromise the competitive process provided for in this RFQ.

3.4.8 Past Performance or Past Conduct

The District may prohibit a supplier from participating in a procurement process based on past performance or based on inappropriate conduct in a prior procurement process, including but not limited to the following:

- (a) illegal or unethical conduct as described above;
- (b) the refusal of the supplier to honour its submitted pricing or other commitments; or
- (c) any conduct, situation, or circumstance determined by the District, in its sole and absolute discretion, to have constituted an undisclosed Conflict of Interest.

3.5 Confidential Information

3.5.1 Confidential Information of the District

All information provided by or obtained from the District in any form in connection with this RFQ either before or after the issuance of this RFQ

- (a) is the sole property of the District and must be treated as confidential;
- (b) is not to be used for any purpose other than replying to this RFQ and the performance of any subsequent contract for the Deliverables;

- (c) must not be disclosed without prior written authorization from the District; and
- (d) must be returned by the respondent to the District immediately upon the request of the District.

3.5.2 Confidential Information of Respondent

A respondent should identify any information in its quotation or any accompanying documentation supplied in confidence for which confidentiality is to be maintained by the District. The confidentiality of such information will be maintained by the District, except as otherwise required by law or by order of a court or tribunal. Respondents are advised that their quotations will, as necessary, be disclosed, on a confidential basis, to advisers retained by the District to advise or assist with the RFQ process, including the evaluation of quotations. If a respondent has any questions about the collection and use of personal information pursuant to this RFQ, questions are to be submitted to the RFQ Contact.

3.6 Procurement Process Non-Binding

3.6.1 No Contract A and No Claims

This procurement process is not intended to create and will not create a formal, legally binding bidding process and will instead be governed by the law applicable to direct commercial negotiations. For greater certainty and without limitation:

- (a) this RFQ will not give rise to any Contract A–based tendering law duties or any other legal obligations arising out of any process contract or collateral contract; and
- (b) neither the respondent nor the District will have the right to make any claims (in contract, tort, or otherwise) against the other with respect to the award of a contract, failure to award a contract or failure to honour a quotation submitted in response to this RFQ.

3.6.2 No Contract until Execution of Written Agreement

This RFQ process is intended to solicit non-binding quotations for consideration by the District and may result in an invitation by the District to a respondent to enter into the Agreement. No legal relationship or obligation regarding the procurement of any good or service will be created between the respondent and the District by this RFQ process until the execution of a written agreement for the acquisition of such goods and/or services.

3.6.3 Non-Binding Price Estimates

While the pricing information provided in quotations will be non-binding prior to the execution of a written agreement, such information will be assessed during the evaluation of the quotations and the ranking of the respondents. Any inaccurate, misleading, or incomplete information, including withdrawn or altered pricing, could adversely impact any such evaluation or ranking or the decision of the District to enter into an agreement for the Deliverables.

3.6.4 Cancellation

The District may cancel or amend the RFQ process without liability at any time.

3.7 Governing Law and Interpretation

These Terms and Conditions of the RFQ Process (Part 3):

- (a) are intended to be interpreted broadly and independently (with no particular provision intended to limit the scope of any other provision);
- (b) are non-exhaustive and must not be construed as intending to limit the pre-existing rights of the parties to engage in pre-contractual discussions in accordance with the common law governing direct commercial negotiations; and
- (c) are to be governed by and construed in accordance with the laws of the province of British Columbia and the federal laws of Canada applicable therein.

[End of Part 3]

APPENDIX A – FORM OF AGREEMENT

The District of North Cowichan's General Services Agreement is attached as **Annex #1**.

APPENDIX B – SUBMISSION FORM

1. Respondent Information

Please fill out the following form, naming one person to be the respondent's contact for the RFQ process and for any clarifications or communication that might be necessary.	
Full Legal Name of Respondent:	
Any Other Relevant Name under which Respondent Carries on Business:	
Street Address:	
City, Province/State:	
Postal Code:	
Phone Number:	
Company Website (if any):	
Respondent Contact Name and Title:	
Respondent Contact Phone:	
Respondent Contact Email:	

2. Acknowledgment of Non-Binding Procurement Process

The respondent acknowledges that the RFQ process will be governed by the terms and conditions of the RFQ, and that, among other things, such terms and conditions confirm that this procurement process does not constitute a formal, legally binding bidding process (and for greater certainty, does not give rise to a Contract A bidding process contract), and that no legal relationship or obligation regarding the procurement of any good or service will be created between the District and the respondent unless and until the District and the respondent execute a written agreement for the Deliverables.

3. Ability to Provide Deliverables

The respondent has carefully examined the RFQ documents and has a clear and comprehensive knowledge of the Deliverables required. The respondent represents and warrants its ability to provide the Deliverables in accordance with the requirements of the RFQ for the rates set out in its quotation.

4. Non-Binding Pricing

The respondent has submitted its pricing in accordance with the instructions in the RFQ and in Pricing (Appendix C) in particular. The respondent confirms that the pricing information provided is accurate. The respondent acknowledges that any inaccurate, misleading or incomplete information, including withdrawn or altered pricing, could adversely impact the acceptance of its quotation or its eligibility for future work.

5. Addenda

The respondent is deemed to have read and taken into account all addenda issued by the District prior to the Deadline for Issuing Addenda.

6. No Prohibited Conduct

The respondent declares that it has not engaged in any conduct prohibited by this RFQ.

7. Conflict of Interest

The respondent must declare all potential Conflicts of Interest, as defined in section 3.4.1 of the RFQ. This includes disclosing the names and all pertinent details of all individuals (employees, advisers, or individuals acting in any other capacity) who (a) participated in the preparation of the quotation; **AND** (b) were employees of the District within twelve (12) months prior to the Submission Deadline.

If the box below is left blank, the respondent will be deemed to declare that (a) there was no Conflict of Interest in preparing its quotation; and (b) there is no foreseeable Conflict of Interest in performing the contractual obligations contemplated in the RFQ.

Otherwise, if the statement below applies, check the box.

- ☐ The respondent declares that there is an actual or potential Conflict of Interest relating to the preparation of its quotation, and/or the respondent foresees an actual or potential Conflict of Interest in performing the contractual obligations contemplated in the RFQ.

If the respondent declares an actual or potential Conflict of Interest by marking the box above, the respondent must set out below details of the actual or potential Conflict of Interest:

8. Disclosure of Information

The respondent hereby agrees that any information provided in this quotation, even if it is identified as being supplied in confidence, may be disclosed where required by law or by order of a court or tribunal. The respondent hereby consents to the disclosure, on a confidential basis, of this quotation by the District to the advisers retained by the District to advise or assist with the RFQ process, including with respect to the evaluation of this quotation.

Signature of Respondent Representative

Name of Respondent Representative

Title of Respondent Representative

Date

I have the authority to bind the respondent.

APPENDIX C – PRICING

1. Instructions on How to Provide Pricing

- (a) Respondents should provide the information requested under section 3 below (“Required Pricing Information”) by reproducing and completing the table below in their quotations, or, if there is no table below, by completing the attached form and including it in their quotations.
- (b) Rates must be provided in Canadian funds, inclusive of all applicable duties and taxes except for GST and PST, which should be itemized separately.
- (c) Rates quoted by the respondent must be all-inclusive and must include all labour and material costs, all travel and carriage costs, all insurance costs, all costs of delivery, all costs of installation and set-up, including any pre-delivery inspection charges, and all other overhead, including any fees or other charges required by law.

2. Evaluation of Pricing

Pricing is worth 100 points of the total score.

Pricing will be scored based on a relative pricing formula using the rates set out in the pricing form. Each respondent will receive a percentage of the total possible points allocated to price for the particular category it has submitted a quotation for, which will be calculated in accordance with the following formula:

$$\text{lowest price} \div \text{proponent's price} \times \text{weighting} = \text{proponent's pricing points}$$

3. Required Pricing Information

Description	Year	Estimated Annual Quantity (Hours)	Hourly Rate	Annual Cost (Hours x Rate)
Hydro Excavation Services	1	1200		
Overtime Hydro Excavation Services	1	200		
Hydro Excavation Services	2	1200		
Overtime Hydro Excavation Services	2	200		
Hydro Excavation Services	3	1200		
Overtime Hydro Excavation Services	3	200		
Bid Amount				

APPENDIX D – RFQ PARTICULARS

A. THE DELIVERABLES

Outputs

The Contractor must provide, but not limited to, all vehicle/equipment, labour, machinery, tools and apparatus to perform Hydro Excavation services for The District in accordance with terms, conditions and specifications contained herein to the satisfaction of The District.

The District may use the service for scheduled and emergency work on an “as needed and when requested” basis.

Overtime rates will be paid for work done after 17:00 hours and before 07:30 hours weekdays and anytime on weekends.

Inputs

The vehicle must be reliable, well maintained and have the capability of handling all work as detailed in the RFQ. The Contractor must supply equipment that meets the following minimum requirements:

- Water tank size-minimum 1400 imperial gallons
- Hose size- minimum 8 inches
- Blower- minimum 3000 CFM 27 INHG
- Hopper Size- minimum 12 cubic yards
- Decibel Rating- maximum 89 dba at 1500 RPM

The contractor must achieve 90% response compliance to The District’s requests for service.

The contractor must provide a contact list of names and phone numbers to place routine and emergency work call outs. Expected response time for emergency work is 2 hours.

The contractor must supply qualified experienced personal with valid driver’s license to operate equipment.

Water and dump sites to be provided to the contractor at The District’s cost.

Safety

Unless otherwise designated The District will remain Prime Contractor on the work site. The successful candidate will comply with all District safe work policy and procedures as directed by The Districts site representative.

Outcomes

The District wishes to realize the following outcomes and, without limiting the obligation of the Contractor to comply with other provisions of this Part, the Contractor must use commercially reasonable efforts to achieve them.

- Provide requests for service in a timely manner.
- Ensure equipment is adequate for the job required.
- Complete the job to District satisfaction.
- Operate at the job site in a safe manner.

Reporting requirements

Fuel Consumption Reporting Requirements are detailed in **Annex #2**.

B. MATERIAL DISCLOSURES

1. The successful proponent would be working alongside District crews and generally between 07:30-17:00 hrs Monday to Friday.

C. MANDATORY SUBMISSION REQUIREMENTS

1. Submission Form (Appendix B)

Each quotation must include a Submission Form (Appendix B) completed and signed by an authorized representative of the respondent.

2. Pricing (Appendix C)

Each quotation must include pricing information that complies with the instructions contained in Pricing (Appendix C).

3. Other Mandatory Submission Requirements

N/A

D. MANDATORY TECHNICAL REQUIREMENTS

Mandatory Minimum Technical Requirements	Yes	No
Water tank (minimum 1400 imp gallons)		
Hose size (minimum 8")		
Blower (minimum 300 CFM 27 INHG)		
Mandatory Minimum Technical Requirements (continued)	Yes	No
Hopper size (minimum 12")		
Decibel rating (maximum 89 dba at 1500rpm)		

E. PRE-CONDITIONS OF AWARD

1. **Registration with Worksafe BC** – The selected proponent must be registered with WorkSafe BC, and insurance coverage must be maintained for the duration of the contract.
2. **Insurance Requirements** – The selected proponent shall, at all times, maintain insurance with an insurer satisfactory to the District in accordance with the terms specified in the attached form of agreement (Annex 1). The selected proponent must provide proof of the required insurance policies prior to contract award.
3. **Business License** – The selected proponent must provide a copy of a valid business licence for the District of North Cowichan or an inter community business licence.



AGREEMENT FOR SERVICES

THIS AGREEMENT is dated for reference this _____ day of _____, 2020

BETWEEN:

**THE CORPORATION OF THE DISTRICT OF
NORTH COWICHAN**

7030 Trans Canada Highway
Duncan, BC V9L 6A1

(the "**District**")

AND:

[NAME OF CONTRACTOR]

[address] [address]

(the "**Contractor**")

WHEREAS:

A. The District wishes to engage the Contractor to provide certain Services, and the Contractor has agreed to provide the District with the Services described in this Agreement;

NOW THEREFORE in consideration of their mutual duties and responsibilities, and in consideration of the payment to be paid by the District to the Contractor, the parties agree as follows:

DEFINITIONS

1.0 In this Agreement:

"**Services**" means the services to be provided by the Contractor, as described in Schedule "A" to this Agreement.

TERM

2.0 The term of this Agreement is for the period commencing _____ and terminating on _____ (the "**Term**"), subject to earlier termination as provided in section 7 of this Agreement.

CONTRACTOR'S DUTIES AND RESPONSIBILITIES

3.0 The Contractor must:

- (a) provide the District with the Services throughout the Term, in accordance with the specifications and requirements set out in Schedule "A" to this Agreement, and to the satisfaction of the District;

- (b) supply all labour, equipment and material, and do all things necessary for the provision of the Services;
- (c) perform the Services for the District with that degree of care, skill and diligence normally utilized by contractors having similar qualifications and performing duties similar to the Services;
- (d) charge only the fees which the Contractor is entitled to under this Agreement for the provision of the Services;
- (e) obtain and maintain in force throughout the Term the insurance required under Schedule "B" to this Agreement;
- (f) be registered as an employer with WorkSafe BC, and maintain workers compensation coverage with WorkSafe BC for the Contractor and its employees;
- (g) provide satisfactory proof of the Contractor's WorkSafe BC coverage to the District upon request;
- (h) not subcontract any of its obligations under this Agreement without the District's prior written consent;
- (i) not commit or purport to commit the District to the payment of any money to any person, firm or corporation, without the District's prior written consent;
- (j) keep proper and accurate books of account and records of any and all monies received and disbursed in the provision of the Services and make the books of account and records available for inspection and audit by the District or its authorized representatives upon request;
- (k) provide the Services in compliance with all applicable health and safety standards, rules, regulations, requirements and codes of practice prescribed under any federal, provincial or local government statute, regulation, bylaw or permit relating in any respect to the Contractor's provision of the Services; and
- (l) during the Term, not perform a service for or provide advice to any person, firm or corporation which gives rise to a conflict of interest with the duties and obligations of the Contractor to the District under this Agreement.

CONTRACTOR REPRESENTATIONS AND WARRANTIES

4.0 The Contractor represents and warrants to the District that:

- (a) if the Contractor is a corporation, it is duly organized, validly existing and legally entitled to carry on business in British Columbia and is in good standing with respect to filings of annual reports according to the records of the Registrar of Companies of British Columbia; and
- (b) the Contractor has sufficient trained staff, facilities, materials, and appropriate equipment in place and available to enable it to fully perform the Services.

FEES AND EXPENSES

- 5.0** In consideration for the provision of the Services, the District agrees to pay to the Contractor the fee for all Services rendered under this Agreement according to the amounts and times of payment set out in Schedule "A" to this Agreement, plus any Goods and Services Tax applicable.
- 5.1** The District agrees to pay the disbursements listed in Schedule "A" if incurred by the Contractor in providing the Services, provided the total disbursements payable must not exceed the estimate set out in Schedule "A".

INDEMNIFICATION

- 6.0** The Contractor agrees to release, indemnify and keep indemnified the District, its elected officials, officers, and employees of and from all claims, costs, losses, damages, actions, causes of action, expenses and costs arising from any error, omission or negligent act of the Contractor, or its officers, employees, agents or contractors, in the performance of the Services.

TERMINATION

- 7.0** If the Contractor is in default in the performance of any of its obligations under this Agreement, or if the Contractor becomes insolvent or is assigned into bankruptcy, then the District may terminate this Agreement by written notice to the Contractor.
- 7.1** The District may terminate this Agreement, without cause, at any time by giving not less than forty-five (45) days written notice to the Contractor.
- 7.2** In the event that this Agreement is terminated, the District agrees to pay the Contractor for Services performed to the date of termination, less any amounts necessary to compensate the District for damages or costs incurred by the District or any person employed by or on behalf of the District arising from the Contractor's default.

CONFIDENTIALITY

- 8.0** The Contractor must not disclose any information, data or confidential information of the District to any person, other than representatives of the District duly designated for that purpose in writing by the District, and must not use for its own purposes, or for any purpose other than providing the Services, any such information, data or confidential information it may acquire as a result of its engagement under this Agreement.
- 8.1** The Contractor agrees to comply with the Privacy Protection requirements set out in Schedule "C" to this agreement.

NOTICE

- 9.0** Any notice required to be given under this Agreement will be deemed to be sufficiently given if:
- (a) delivered at the time of delivery;
 - (b) delivered by email or fax to the email or fax numbers set out below, upon acknowledgement of receipt by the recipient; or

- (c) mailed from any government post office in the Province of British Columbia by prepaid registered mail addressed as follows:

If to the District: 7030 Trans Canada Highway
Duncan, BC V9L 6A1
Attention:
Email:
Fax:

If to the Contractor: **[Insert the Contractor's address for delivery here as well as email and fax contact information]**

TIME

- 10.0** Time is of the essence in this Agreement.

BINDING EFFECT

- 11.0** This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees.

SURVIVAL OF CERTAIN COVENANTS

- 12.0** The Contractor's covenants and agreements contained in sections 3.1(l), 6.1, and 8.1 will survive the expiry or earlier termination of this Agreement.

RELATIONSHIP

- 13.0** The legal relationship between the Contractor and the District is that of an independent contractor and purchaser of services, and, in particular and without limiting the generality of the foregoing, nothing in this Agreement will be construed so as to render the relationship between the Contractor and the District to be that of employee and employer.

NO ASSIGNMENT

- 14.0** The Contractor must not assign its interest in this Agreement or any right, benefit or obligation conferred or imposed hereunder, in whole or in part, whether by operation of law or otherwise, except with the prior written consent of the District, which may be withheld for any reason.

WAIVER

- 15.0** The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.

ENTIRE AGREEMENT

- 16.0** This Agreement constitutes the entire agreement between the parties with respect to the matters herein and may not be modified except by subsequent agreement in writing.

LAW APPLICABLE

17.0 This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

AMENDMENT

18.0 This Agreement may not be modified or amended except by the written agreement of the parties.

COUNTERPART

19.0 This Agreement may be executed in counterpart with the same effect as if both parties had signed the same document. Each counterpart will be deemed to be an original. All counterparts will be construed together and will constitute one and the same Agreement.

IN WITNESS HEREOF the District and the Contractor have executed this Agreement as of the date first above written.

THE CORPORATION OF THE DISTRICT OF)
NORTH COWICHAN, by its authorized signatory(ies):)

Name and title:)

Name and title:)

[NAME OF CONTRACTOR (corporation)], by)
its authorized signatory(ies):)

Name:)

Name:)

SCHEDULE "A"

A.1 SERVICES

- [List all services to be provided by the Contractor, and include all necessary details as to where, when and how the services are to be performed]

A.2 FEES

- [Insert details of fees and payment schedule]

A.3 REIMBURSABLE EXPENSES

- [List all reimbursable expenses, if any.]

SCHEDULE "B"

INSURANCE

1. The Contractor must, at its own expense, provide and maintain throughout the Term the following insurance in a form acceptable to the District, with an insurer licensed in British Columbia:

(a)	Commercial General Liability and Property Damage	\$2,000,000.00
(b)	Professional Errors and Omissions Liability	\$2,000,000.00
(c)	Automobile Insurance (owned and non-owned)	\$2,000,000.00

In all policies of insurance required under this Agreement (except automobile insurance on vehicles owned by the Contractor) the District must be named as an additional insured and all such policies must contain a provision that the insurance apply as though a separate policy had been issued to each named insured. All such policies must provide that no cancellation or lapse of or material alteration in the policy will become effective until 30 days after written notice of such cancellation, lapse or alteration has been given to the District.

Any deductible amounts in the foregoing insurance which are payable by the policyholder must be in an amount acceptable to the District.

2. The Contractor must provide to the District at the commencement of the Term, and at any time during the Term upon request, a certificate or certificates of insurance as evidence that the insurance required under this Agreement is in force.
3. Maintenance of such insurance and the performance by the Contractor of its obligation under this clause do not relieve the Contractor of liability under the indemnity provisions under the Agreement.

SCHEDULE "C"

PRIVACY PROTECTION

Definitions

1. In this Schedule,
 - a. **"access"** means disclosure by the provision of access;
 - b. **"Act"** means the *Freedom of Information and Protection of Privacy Act*;
 - c. **"contact information"** means information to enable an individual at a place of business to be contacted and includes the name, position name or title, business telephone number, business address, business email or business fax number of the individual;
 - d. **"personal information"** means recorded information about an identifiable individual, other than contact information, collected or created by the Contractor as a result of the Agreement or any previous agreement between the District and the Contractor dealing with the same subject matter as the Agreement but excluding any such information that, if this Schedule did not apply to it, would not be under the "control of a public body" within the meaning of the Act;

Purpose

2. The purpose of this Schedule is to:
 - a. enable the District to comply with the District's statutory obligations under the Act with respect to personal information; and
 - b. ensure that, as a service provider, the Contractor is aware of and complies with the Contractor's statutory obligations under the Act with respect to personal information.

Collection of personal information

3. Unless the Agreement otherwise specifies or the District otherwise directs in writing, the Contractor may only collect or create personal information that is necessary for the performance of the Contractor's obligations, or the exercise of the Contractor's rights, under the Agreement.
4. Unless the Agreement otherwise specifies or the District otherwise directs in writing, the Contractor must collect personal information directly from the individual the information is about.
5. Unless the Agreement otherwise specifies or the District otherwise directs in writing, the Contractor must tell an individual from whom the Contractor collects personal information:
 - a. the purpose for collecting it;
 - b. the legal authority for collecting it; and
 - c. the title, business address and business telephone number of the person designated by the District to answer questions about the Contractor's collection of personal information.

5.1 Any form used to collect personal information must be reviewed and approved by North Cowichan's Privacy Officer.

Accuracy of personal information

6. The Contractor must make every reasonable effort to ensure the accuracy and completeness of any personal information to be used by the Contractor or the District to make a decision that directly affects the individual the information is about.

Requests for access to personal information

7. If the Contractor receives a request for access to personal information from a person other than the District, the Contractor must promptly advise the person to make the request to the District unless the Agreement expressly requires the Contractor to provide such access and, if the District has advised the Contractor of the name or title and contact information of an official of the District to whom such requests are to be made, the Contractor must also promptly provide that official's name or title and contact information to the person making the request.

Correction of personal information

8. Within 5 Business Days of receiving a written direction from the District to correct or annotate any personal information, the Contractor must annotate or correct the information in accordance with the direction.
9. When issuing a written direction under section 10, the District must advise the Contractor of the date the correction request to which the direction relates was received by the District in order that the Contractor may comply with section 12.
10. Within 5 Business Days of correcting or annotating any personal information under section 10, the Contractor must provide the corrected or annotated information to any party to whom, within one year prior to the date the correction request was made to the District, the Contractor disclosed the information being corrected or annotated.
11. If the Contractor receives a request for correction of personal information from a person other than the District, the Contractor must promptly advise the person to make the request to the District and, if the District has advised the Contractor of the name or title and contact information of an official of the District to whom such requests are to be made, the Contractor must also promptly provide that official's name or title and contact information to the person making the request.

Protection of personal information

12. The Contractor must protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal, including any expressly set out in the Agreement.

Storage and access to personal information

13. Unless the District otherwise directs in writing, the Contractor must not store personal information outside Canada or permit access to personal information from outside Canada.

Retention of personal information

14. Unless the Agreement otherwise specifies, the Contractor must retain personal information until directed by the District in writing to dispose of it or deliver it as specified in the direction.

Use of personal information

15. Unless the District otherwise directs in writing, the Contractor may only use personal information if that use is for the performance of the Contractor's obligations, or the exercise of the Contractor's rights, under the Agreement.

Disclosure of personal information

16. Unless the District otherwise directs in writing, the Contractor may only disclose personal information inside Canada to any person other than the District if the disclosure is for the performance of the Contractor's obligations, or the exercise of the Contractor's rights, under the Agreement.
17. Unless the Agreement otherwise specifies or the District otherwise directs in writing, the Contractor must not disclose personal information outside Canada.

Notice of foreign demands for disclosure

18. In addition to any obligation the Contractor may have to provide the notification contemplated by section 30.2 of the Act, if in relation to personal information in the custody or under the control of the Contractor, the Contractor:
 - a. receives a foreign demand for disclosure;
 - b. receives a request to disclose, produce or provide access that the Contractor knows or has reason to suspect is for the purpose of responding to a foreign demand for disclosure; or
 - c. has reason to suspect that an unauthorized disclosure of personal information has occurred in response to a foreign demand for disclosure
19. The Contractor must immediately notify the District and, in so doing, provide the information described in section 30.2(3) of the Act. In this section, the phrases "foreign demand for disclosure" and "unauthorized disclosure of personal information" will bear the same meanings as in section 30.2 of the Act.

Notice of unauthorized disclosure

20. In addition to any obligation the Contractor may have to provide the notification contemplated by section 30.5 of the Act, if the Contractor knows that there has been an unauthorized disclosure of personal information in the custody or under the control of the Contractor, the Contractor must immediately notify the District. In this section, the phrase “unauthorized disclosure of personal information” will bear the same meaning as in section 30.5 of the Act.

Inspection of personal information

21. In addition to any other rights of inspection the District may have under the Agreement or under statute, the District may, at any reasonable time and on reasonable notice to the Contractor, enter on the Contractor’s premises to inspect any personal information in the possession of the Contractor or any of the Contractor’s information management policies or practices relevant to the Contractor’s management of personal information or the Contractor’s compliance with this Schedule and the Contractor must permit, and provide reasonable assistance to, any such inspection.

Compliance with the Act and directions

22. The Contractor must in relation to personal information comply with:
- a. the requirements of the Act applicable to the Contractor as a service provider, including any applicable order of the commissioner under the Act; and
 - b. any direction given by the District under this Schedule.
23. The Contractor acknowledges that it is familiar with the requirements of the Act governing personal information that are applicable to it as a service provider.

Notice of non-compliance

24. If for any reason the Contractor does not comply, or anticipates that it will be unable to comply, with a provision in this Schedule in any respect, the Contractor must promptly notify the District of the particulars of the non-compliance or anticipated non-compliance and what steps it proposes to take to address, or prevent recurrence of, the non-compliance or anticipated non-compliance.

Termination of Agreement


25. In addition to any other rights of termination which the District may have under the Agreement or otherwise at law, the District may, subject to any provisions in the Agreement establishing mandatory cure periods for defaults by the Contractor, terminate the Agreement by giving written notice of such termination to the Contractor, upon any failure of the Contractor to comply with this Schedule in a material respect.

Interpretation

26. In this Schedule, references to sections by number are to sections of this Schedule unless otherwise specified in this Schedule.
27. Any reference to the “Contractor” in this Schedule includes any subcontractor or agent retained by the Contractor to perform obligations under the Agreement and the Contractor must ensure that any such subcontractors and agents comply with this Schedule.
28. The obligations of the Contractor in this Schedule will survive the termination of the Agreement.
29. If a provision of the Agreement (including any direction given by the District under this Schedule) conflicts with a requirement of the Act or an applicable order of the commissioner under the Act, the conflicting provision of the Agreement (or direction) will be inoperative to the extent of the conflict.
30. The Contractor must comply with the provisions of this Schedule despite any conflicting provision of this Agreement or, subject to section 32, the law of any jurisdiction outside Canada.
31. Nothing in this Schedule requires the Contractor to contravene the law of any jurisdiction outside Canada unless such contravention is required to comply with the Act.

Report

Date: June 3, 2020
To: Council
From: Michelle Martineau, Manager, Legislative Services
Subject: Commencement of Alternative Approval Process (AAP) for the RCMP Facility

File:
Endorsed: 

Purpose

For Council to give direction to the Corporate Officer to commence the Alternative Approval Process (AAP) on the long-term borrowing for the construction of a new Integrated RCMP Facility located on the corner of Drinkwater and Ford Roads.

Background

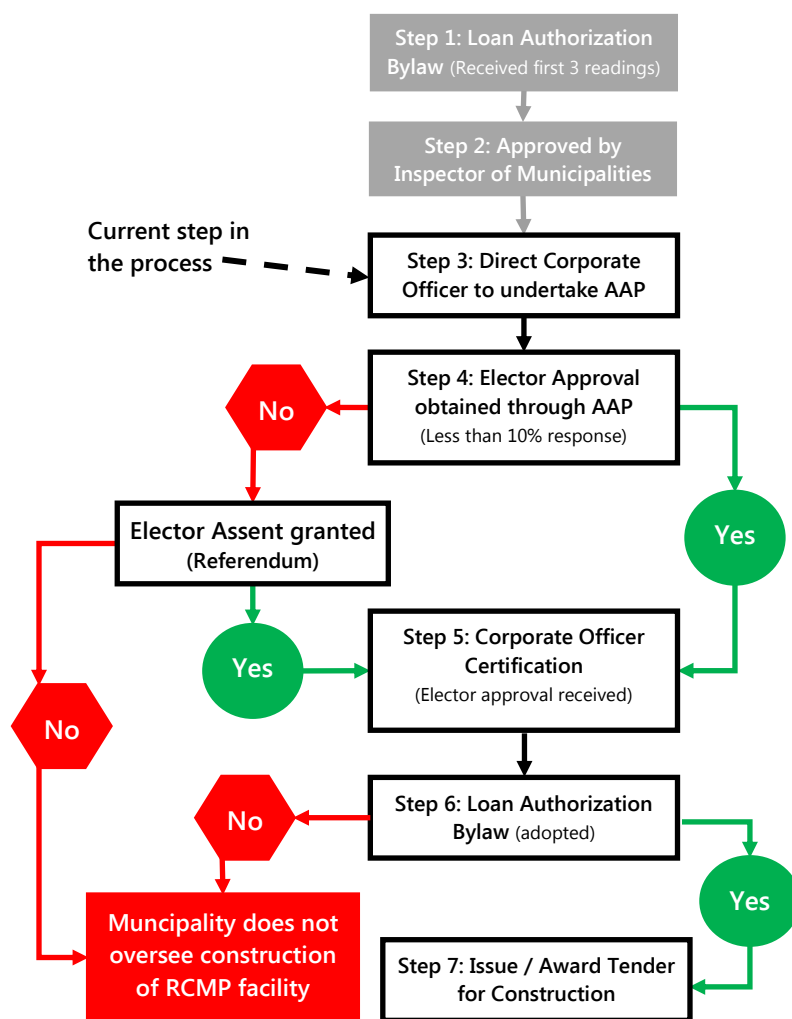
On April 29, 2020, Council gave three readings to the "North Cowichan / Duncan Integrated RCMP Facility Loan Authorization Bylaw No. 3787, 2020" (see Attachment 1) and directed staff to forward the bylaw to the Ministry of Municipal Affairs and Housing, Governance and Structure Branch (the Ministry) for provincial staff review and approval by the Inspector of Municipalities. All documentation listed in the April 29, 2020 staff report (see Attachment 2) was forwarded to the provincial government along with a copy of the Liability Servicing Limit Certificate prepared by the Financial Officer (see Attachment 3).

Following completion of provincial staff's review of the documentation for legislative compliance and financial viability, the Inspector of Municipalities gave his final approval on May 20, 2020 and issued a statutory approval certificate (see Attachment 4), which was received by email on May 22, 2020.

Discussion

As required under section 86(3) of the *Community Charter*, Council must (1) establish the deadline for receiving Elector Response Forms, (2) approve the Elector Response Form, and (3) make a fair determination as to the total number of

Figure 1: AAP for Loan Authorization Bylaw Process Steps



electors to which the AAP applies (see Attachment 5).

(1) Establish the deadline for receiving Elector Response Forms:

The deadline for receiving Elector Response Forms must be established by Council, and must be at least 30 days after the second publication of the notice (see Attachment 7 for a copy of the draft notice to be published in the June 4th newspapers). Sections 25 to 25.5 of the *Interpretation Act* stipulate how the deadline for the AAP is to be determined, therefore, following the second publication of the notice on June 11, 2020, **the earliest the deadline that could be established is July 14, 2020.**

June							July						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	Council Meeting Authorization for commencement of AAP	3 First Notice published, forms made available	4	5	6			1	2	3	4
7	8	9		10 Second Notice is published	11 30-day response period begins	12	13	5	6	7	8	9	10
14	15	16	Council Meeting	17	18	19	20	12	13	14 Deadline to submit elector response forms	15 Council Meeting Earliest day to certify results	16	17
21	22	23		24	25	26	27	19	20	21	22	23	24
28	29	30						26	27	28	29	30	31

(2) Elector Response Form

In accordance with section 86(3)(b) of the *Community Charter*, Council must establish elector an response form.

The elector response form (see Attachment 6) must contain sufficient information to ensure that the person signing is an eligible elector entitled to participate in the AAP; a clear description about the nature of the proposal so that electors understand enough about the matter to make an informed response; and clearly state that if at least 10% of the eligible electors within the area defined in the AAP submit responses, that Council *may not proceed* with the matter *unless* elector approval is obtained by assent voting (i.e. referendum).

Council has previously directed staff to provide a (mail drop) brochure to each household with information on the APP and a copy of the elector response form.

(3) Determine the number of eligible electors

As the area defined for this AAP includes the entire municipality, every eligible resident elector and non-resident property elector can sign their name to an elector response form (see Attachments 6 and 7 for details on elector eligibility).

The estimated total number of eligible electors for this AAP is 26,916, therefore if more than 10% (2,692) respond, Council must proceed to assent voting or referendum (see Attachment 5 which explains how the population figure was determined).

(4) Statutory Notice of the AAP

The statutory notice for the AAP must be published in accordance with section 94 of the *Community Charter* and must include (see Attachment 7 for a copy of the draft notice to be published on June 4th and June 11th):

- a general description of the proposed bylaw, agreement or other matter;
- the area to which the approval applies;
- the deadline for elector response forms to be received;
- a statement that Council may proceed with the matter unless 10 percent of the electors in the area indicate that Council must obtain assent of the electors before proceeding;
- a statement that elector responses must be in the form established by Council, they are available at the municipal hall, and only electors of the area to which approval applies are entitled to sign the forms; and
- the number of response forms required to meet the 10 percent threshold.

Table 1: RCMP AAP Revised Timelines based upon Response Period beginning on June 12, 2020

Description		April				May				June				July			
Special Council meeting: to give bylaw first 3 readings	Apr 29																
Approval by Inspector of Municipalities	May 20																
Regular Council meeting: Authorization to proceed with AAP	Jun 3																
Commence AAP	Jun 3-Jul 14																
Update website	Jun 1 (ongoing)																
Publish 1 st notice in newspaper and post to notice board & website	Jun 4																
Publish 2 nd notice in newspaper and post to notice board & website	Jun 11																
Issue media releases at each milestone	Dates TBD																
Mail information pamphlets out to all households prior to 2 nd notice	Jun 5 – Jun 11																
Short video to capture key info from pamphlet and share	May 29 – Jun 11																
Deadline for response to AAP (at least 30 days after 2 nd notice)	Jul 14																
Regular Council meeting: to consider adoption of bylaw	Jul 15																

(5) Determining the Result of the AAP

The Corporate Officer must determine, on the basis of the elector response forms received by the deadline, whether the form was signed by an eligible elector and ensure that the elector signed only one form during the AAP, and must certify whether elector approval was received.

Implications

If more than 2,692 (10%) of the electors submit a response form before the deadline, the matter must proceed to assent voting no later than 80 days after the deadline.

Recommendation

That Council direct the Corporate Officer to undertake an alternative approval process to determine the opinion of the electors with regard to the "North Cowichan / Duncan Integrated RCMP Facility Loan Authorization Bylaw No. 3787, 2020" which proposes to bring together the North Cowichan/Duncan Detachment, Forensic Identification Services, South Island Traffic Services, and Indigenous Policing and a debenture not to exceed \$48,000,000 be obtained to finance the new facility; and that the 30-day notice period, commencing on June 12, 2020 and ending on July 14, 2020, for submitting and receiving elector response forms, is established;

And That Council has determined that the total number of eligible electors for the alternative approval process for the Bylaw No. 3787 is 26,916, and that approval of the electors is obtained if elector responses received are less than ten (10) percent (2,692) of the total number of eligible electors;

And Further That Council establish that the Elector Response Form, as attached to the Manager of Legislative Services report dated June 3, 2020, be available at the Municipal Hall and online from June 4, 2020 to July 14, 2020.

Attachment(s):

1. Loan Authorization Bylaw No. 3787
2. 2020-04-29 Staff Report
3. Liability Servicing Limit Certificate
4. Inspector of Municipalities Statutory Approval Certificate
5. Report for Determining Number of Eligible Electors
6. Elector Response Form (RCMP Building)
7. Statutory Notice - AAP (RCMP Building)



The Corporation of the District of North Cowichan
**North Cowichan / Duncan Integrated RCMP Detachment
Facility Loan Authorization Bylaw, 2020**

Bylaw No. 3787

WHEREAS it is deemed desirable and expedient to construct a new North Cowichan Integrated Royal Canadian Mounted Policy (RCMP) Detachment facility located on the corner of Drinkwater and Ford Road, to bring together the North Cowichan/Duncan Detachment, Forensic Identification Services, South Island Traffic Services, and Indigenous Policing;

AND WHEREAS the estimated cost of constructing the new Integrated RCMP Detachment facility, including expenses incidental thereto, is the sum of \$48,000,000;

AND WHEREAS the sum of \$48,000,000 is proposed to be borrowed under this bylaw;

NOW THEREFORE, the Council of The Corporation of The District of North Cowichan enacts as follows:

1. This Bylaw may be cited as "North Cowichan / Duncan Integrated RCMP Facility Loan Authorization Bylaw No. 3787, 2020".
2. The Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the construction of the new Integrated RCMP Detachment facility, generally in accordance with plans on file in the municipal office, and to do all things necessary in connection therewith, including without limiting the generality of the foregoing:
 - a) To borrow upon the credit of the Municipality a sum not exceeding \$48,000,000; and,
 - b) To acquire all such real property, easements, rights-of-way, licenses, rights or authorities, and to enter into all contracts, as may be requisite or desirable for or in connection with the construction of the new Integrated RCMP Detachment facility.
3. The maximum term for which debentures may be issued to secure the debt created by this bylaw is 20 years.

READ a first time on April 29, 2020

READ a second time on April 29, 2020

READ a third time on April 29, 2020

APPROVED by the Inspector of Municipalities was obtained on May 20, 2020

RECEIVED ELECTOR APPROVAL via alternative approval process on

ADOPTED on

Report

Date	April 29, 2020	File:	
To	Council		
From	Mark Frame, General Manager, Financial & Protective Services Michelle Martineau, Manager, Legislative Services	Endorsed:	
Subject	North Cowichan / Duncan Integrated RCMP Facility Loan Authorization Bylaw No. 3787, 2020		

Purpose

To initiate the process for seeking approval of the electors to undertake long-term borrowing for the construction of a new Integrated RCMP Facility located on the corner of Drinkwater and Ford Road.

Background

On April 15, 2020 Council approved a revision to the Communications Plan, which Council had endorsed in March 2019 when they agreed in principle to proceed with the plans for a new North Cowichan/Duncan Integrated RCMP Detachment facility (RCMP Facility), and directed staff to proceed with the alternative approval process at that time.

The Five-Year Financial Plan that was adopted at that same meeting includes the new RCMP Facility project within the capital budget expenditures for 2020 to 2022. The amount of borrowing required to complete this project is \$48,000,000. In order to adopt the Loan Authorization (borrowing) Bylaw, Council must submit the bylaw, following first three readings, to the Province for review and statutory approval by the Inspector of Municipalities before approval of the electors can be sought.

Discussion

The first step in the provincial review process is statutory approval of the Loan Authorization Bylaw. Once the bylaw is given first three readings, the bylaw, along with copies of supporting documentation, is submitted to the Provincial Government. The supporting documentation includes:

- **Financial Plan** to provide evidence that the capital and operating components of the project are included in the five-year financial plan that was adopted on April 15, 2020;
- **Capital Budget** of \$49,050,000 which indicates that construction costs, soft costs and consultants, and furnishing, fixtures and equipment costs have been factored into the capital cost;
- **Other Funding Sources** that are to be used for financing the project. This will include Appropriated Surplus of \$1,050,000;
- **Cost Recovery** method that will be used is property taxes and the impact is on the average residential property is \$71 per year;
- **Tax Impact** to properties and information on consultation or notice to be given to the electors;
- **Background Information** such as staff, consultant or engineering reports, excerpts of meeting decisions from Council and Committee of the Whole minutes, communication plan, media releases and announcements in the Council Matters news blogs that provide background information; and,
- **Method of Approval of the Electors**, which in this case is the alternative approval process (AAP). For more information on the AAP, please see the March 18, 2020 Report included with the supporting documents appended to this report. Copies of the elector response form and statutory notice will be provided to Council for consideration once statutory approval by the Inspector of Municipalities has been obtained.

Provincial staff will then review the bylaw for legislative compliance and financial viability. Once their review is complete, the bylaw is sent to the Inspector of Municipalities for final approval and issuance of a statutory approval certificate. Once the bylaw challenge period has passed (one month after the bylaw has been adopted), the municipality may apply for a Provincial Certificate of Approval to certify that the bylaw meets statutory procedural and other requirements. This certificate is then provided to the Municipal Finance Authority as assurance that the bylaw cannot be challenged for failing to comply with legislative procedural requirements.

Options

1. Give North Cowichan / Duncan Integrated RCMP Facility Loan Authorization Bylaw No. 3787, 2020 first three readings and forward the bylaw to the Province for review and approval.

Implications

The 2020 – 2024 Capital Expenditure Plan had a budget of \$41,000,000 based on a November 2018 quantity survey, including \$40,000,000 in debt. The net debt payment after recovering the RCMP share was \$1.2 million. The new \$49,000,000 Class D estimate, will require \$48,000,000 debt, with a net annual debt payment of \$1.33 million. The estimate of cost per average single family dwelling has increased from \$62 at \$40,000,000 to \$71 at \$48,000,000 of debt.

The April 23, 2020 Class D estimate includes \$7,000,000 in contingencies and \$930,000 in “Net Zero” premiums related to building the building Net Zero Ready. We will be applying for an FCM grant from the Green Municipal Fund to try and offset some of the Net Zero costs, which could reduce future borrowing.

The Financial Plan will have to be amended May 6, 2020 to include the additional cost of the facility and the additional debt. The Financial Plan will also need to be amended to show the updated distribution of expenditures between the years 2020, 2021 and 2022.

For additional information on the social, legal and financial implications associated with this project, please see the July 17, 2019 and April 6, 2020 reports that have been included with the supporting documents, appended to this report.

Recommendation

THAT Council give first, second and third readings to North Cowichan / Duncan Integrated RCMP Facility Loan Authorization Bylaw No. 3787, 2020;

AND THAT staff be directed to forward Bylaw No. 3787 and supporting documentation to the Ministry of Municipal Affairs and Housing, Governance and Structure Branch for review and approval by the Inspector of Municipalities.

Attachment(s):

- RCMP Loan Authorization Bylaw No. 3787, 2020
- RCMP Facility Conceptual Design Exterior Elevations
- RCMP Facility Conceptual Design Site Plan

LIABILITY SERVICING LIMIT CERTIFICATE

The District of North Cowichan (the "Municipality")
In relation to NorthCowichan/Duncan Integrated RCMP Facility Loan Authorization Bylaw, 2020 Bylaw No. 3787

The undersigned Financial Officer assigned responsibility for financial administration under section 149 of the Community Charter, SBC 2003, Chapter 26 (the "Charter") or Auditor appointed for the Municipality under section 169 of the Charter hereby certifies as follows:

Calculation revenue for the previous year \$48,803,650.00 a
(section 4 & 5, BC Reg 254/2004)
Liability Servicing Limit (a x 25%) \$12,200,912.50 b
(section 2, BC Reg 254/2004)
Annual Servicing cost for previous year \$2,631,766.00 c

Plus: New liabilities incurred, other than current request

Liability Type and reference	Annual servicing cost	
Integrated RCMP Facility	\$3,377,122.00	d
		e
		f
		g
		h
		i
		j
		k
		l
Total of lines d through l		<u>\$3,377,122.00</u> m

Less: Liabilities which have matured

Liability type and reference	Annual servicing cost	
		n
		o
		p
		q
		r
Total of lines n through r		<u>\$0.00</u> s
Amount of new liability		t
(section 3, BC Reg 254/2004)		
Annual servicing cost of new liability		u
(section 3, BC Reg 254/2004)		
Total liability servicing cost including current request (lines c+m-s+u)		<u>\$6,008,888.00</u> v

☒ which is less than the annual liability servicing limit stated on line b.

OR

☐ which exceeds the annual liability servicing limit stated on line b, and the undersigned hereby requests approval of the Inspector of Municipalities under section 174 of the Charter to exceed the limit established under the section.

In accordance with section 179(5) or section 175(1)(b) of the Charter, as applicable, the debt to be contracted under the loan authorization bylaw, or other liability for which certification is being made, referred to above will not exceed the lesser of 30 years and the reasonable life expectancy of the capital asset, activity, work or service, or the remaining term of the applicable agreement, as the case may be, for which the debt is to be contracted.

The undersigned Financial Officer or Auditor also hereby authorizes Legal Counsel of the Municipal Finance Authority of British Columbia to rely on this Certificate in giving any opinion in connection with any borrowing by the Municipal Finance Authority of British Columbia ("MFA") and the issuance of bonds, debentures, and other securities by the MFA in respect of the loan authorization bylaw, or other liability for which certification is being made, referred to above.

DATED this 8 day of May, 2020

Mark Frame
Financial Officer

OR

Auditor

(Please print full name)

(Please print full name & company)



Statutory Approval

Under the provisions of section _____ 179 _____

of the _____ Community Charter _____

I hereby approve Bylaw No. _____ 3787 _____

of the _____ District of North Cowichan _____,

a copy of which is attached hereto.

Dated this 20th day
of May , 2020

A handwritten signature in black ink, consisting of a stylized 'A' followed by a long horizontal stroke.

Deputy Inspector of Municipalities

Report for Determining Number of Eligible Electors

Date June 3, 2020 File:
To Council
From Michelle Martineau, Manager, Legislative Services
Subject Alternative Approval Process for RCMP Facility Loan Authorization Bylaw No. 3787, 2020

The purpose of this report is to show the basis for determining the total number of electors in relation to North Cowichan / Duncan Integrated RCMP Facility Loan Authorization Bylaw No. 3787, 2020, that is the subject of this alternative approval process.

Section 86(3)(c) of the *Community Charter* requires the Council to make a fair determination of the total number of electors of the area to which the approval process applies. In addition, Council must make available to the public, on request, a report respecting the basis on which the determination was made.

The number of people eligible to be a *resident elector* or a *non-resident property elector* is determined based on those individuals who *when signing an elector response form*:

- are 18 years of age or older;
- are a Canadian citizen;
- have lived in British Columbia for at least six months;
- have lived or owned property within North Cowichan for at least 30 days;
- live, or own property within North Cowichan; and,
- are not disqualified under the *Local Government Act*, or any other enactment from voting in a local election, or be otherwise disqualified by law.

The estimated number of eligible electors ***within the area defined for the AAP*** is based on information from various sources as indicated below, is calculated as follows:

1. Estimated population	30,949
2. Estimated number of people 18 years of age or older	27,093
3. Minus number of people estimated as not being Canadian citizens	1,200
4. Add estimated number of non-resident property electors	<u>1,023</u>
Estimated total number of eligible electors in the area defined for the AAP	<u>26,916</u>
Ten percent of the total number of eligible electors is estimated to be:	2,692

1. The total estimated population of the jurisdiction was derived from information obtained from Long-Range Projections of Population, Housing, and Employment in the Cowichan Valley Regional District that was prepared on June 12, 2019 Rennie Intelligence. The baseline for projected population growth for North Cowichan was based on the national, provincial and regional projections for 2020. The report provided three separate scenarios based on (1) that 90% of the growth would occur outside of the incorporated municipalities, (2) that 90% of region-wide growth would occur within the urban containment boundaries, and (3) that 75% of growth would occur within areas of the region that currently have water or sewer services. Therefore, the estimated population used is the 2020 baseline calculated at: 30,949.
2. The estimated number of people 18 years of age or older is based on information from the same source. The data for the 15-19 age group (1,642) was divided by the number of years in the group (5) and then multiplied by 2 (to estimate those aged 18 and 19) and then added to the totals for the remaining age groups from 20 to 85+. Therefore, the population estimated to be older than 18 is calculated as: 27,093
3. The number of people estimated as not being Canadian citizens is estimated to be 1,200. The totals for all age groups taken from the 2017 and 2020 baselines in the Rennie Intelligence report was used for was used to establish the growth rate from 2017 to 2020 for the entire community (3.46%) and was then applied against the value (1,160) from the 2016 Census data from Statistics Canada.
4. The number of non-resident property electors is estimated to be 1,023 based on information received from property taxes that was prepared on May 27, 2020. Therefore, this number is being added to the calculation listed in #6.

Elector Response Form: North Cowichan / Duncan Integrated RCMP Facility Loan Authorization Bylaw No. 3787, 2020

Pursuant to Section 84(6) of the *Community Charter*, the Municipality of North Cowichan is proposing to seek approval of the electors by alternative approval process in accordance with Section 86 of the *Community Charter*.

By completing this Elector Response Form I certify that:

- I am a person entitled to be registered as an elector (pursuant to the *Local Government Act*) within the Municipality of North Cowichan;
- I have not previously signed an Elector Response Form with respect to this Bylaw; and
- I am **OPPOSED to the adoption** of "North Cowichan / Duncan Integrated RCMP Facility Loan Authorization Bylaw No. 3787, 2020" which authorizes the borrowing of up to \$48,000,000 (48 Million Dollars) to be repaid over a period not exceeding 20 (twenty) years in order to finance the costs to construct a new North Cowichan Integrated Royal Canadian Mounted Police (RCMP) Detachment facility located on the corner of Drinkwater Road and Ford Road, to bring together the North Cowichan/Duncan Detachment, Forensic Identification Services, South Island Traffic Services, and Indigenous Policing, without first obtaining the assent of the electors by way of assent voting (referendum).

The deadline for submitting this Elector Response Form is 4:00 p.m. on Tuesday, July 14, 2020.

Completed forms may be submitted in person, or by mail to: Municipality of North Cowichan, 7030 Trans-Canada Highway, Duncan, BC, V9L 6A1; by email to: legislativeservices@northcowichan.ca or by fax to: 250-746-3133

The Municipality of North Cowichan may proceed with the adoption of "North Cowichan / Duncan Integrated RCMP Facility Loan Authorization Bylaw No. 3787, 2020" unless at least 10% (2,692) of eligible electors sign and submit a completed copy of this Elector Response Form to the local government by the deadline – 4:00 p.m. Tuesday, July 14, 2020.

FULL NAME OF ELECTOR:

(e.g. Kevin Smith – not K. Smith)

(Please Print)

ELECTOR'S RESIDENTIAL ADDRESS:

(Full residential (Street) Address including Town/City)

SIGNATURE OF ELECTOR:

(Signature)

DATE:

To be completed (in addition to the above) if you are a Non-Resident Property Elector

I am a **non-resident property elector** who lives in another community and owns property in the Municipality of North Cowichan located at:

(insert full residential (Street) address of property)

Note: Additional information regarding elector qualifications can be found on the reverse side of this form.

INFORMATION REGARDING QUALIFICATIONS FOR ELECTORS

In order to sign an elector response form in relation to the alternative approval process (AAP), a person must either be a resident elector or a non-resident property elector (not both) within the Municipality of North Cowichan.

A resident elector is an individual who is qualified to vote in a jurisdiction by virtue of living (residing) in the jurisdiction. To sign an elector response form as a resident elector a person must:

- be 18 years of age or older; and
- be a Canadian citizen; and
- have lived in British Columbia for at least 6 months immediately before signing this elector response form; and
- be a resident within the municipal boundaries of the Municipality of North Cowichan for at least 30 days before signing this elector response form; and
- not be disqualified by any enactment from voting in an election or otherwise disqualified by law.

A non-resident property elector is an individual who does not live (does not reside) in the participating service area but is entitled to vote by virtue of owning a real property in that jurisdiction. To sign an elector response form as a non-resident property elector a person must:

- not be entitled to register as a resident elector in the Municipality of North Cowichan; and
- be 18 year of age or older; and
- be a Canadian citizen; and
- have lived in British Columbia for at least 6 months immediately before signing this elector response form; and
- not be disqualified by any enactment from voting in an election or otherwise disqualified by law; and
- be the only person(s) who are registered owners of the real property, either as joint tenants or tenants in common, are individuals who are not holding the property in trust for a corporation or another trust; and
- be a registered owner of real property within the municipal boundaries of the Municipality of North Cowichan for at least 30 days before signing this elector response form.
 - If a property is owned by *more than one* individual, only *one* of them may sign an elector response form (with the written consent of the majority of the owners);
 - A person may register as a non-resident property elector in relation to *one* parcel of real property in the Municipality of North Cowichan.

Note: There is no Corporate Vote – No corporation is entitled to be registered as an elector or have a representative registered as an elector and no corporation is entitled to vote.

INSTRUCTIONS

OPPOSED – if you are OPPOSED to the adoption of “North Cowichan / Duncan Integrated RCMP Facility Loan Authorization Bylaw No. 3787, 2020” you can sign and submit an Elector Response Form if you qualify as an elector of the Municipality of North Cowichan. All Elector Response Forms must be received in the office of the Municipality of North Cowichan no later than the **deadline of 4:00 p.m. on Tuesday, July 14, 2020**. If you are submitting your form by mail, be advised that postmarks will not be accepted as the date of submission.

NOT OPPOSED – if you are NOT OPPOSED you need do nothing.

A copy of the Bylaw, Staff Reports summarizing this project, and Elector Response Forms are available on our website at www.northcowichan.ca and at the Municipal Hall (once the Financial Services front counter reopens to the public on Monday, June 15, 2020), 7030 Trans-Canada Highway, Duncan, BC, Monday to Friday from 8:30 a.m. – 4:30 p.m. (until July 2, 2020) and then Monday to Friday from 8:30 a.m. – 4:00 p.m. beginning July 3, 2020, excluding statutory holidays.

For further information contact: Michelle Martineau, Manager, Legislative Services, Municipality of North Cowichan, 7030 Trans-Canada Highway, Duncan, BC, V9L 6A1; 250-746-3203; legislativeservices@northcowichan.ca

Note: An accurate copy of this Elector Response Form may be utilized (either single-sided or double-sided), provided that it is made of the form prior to any electors signing such form, so that only Elector Response Forms with original signatures are submitted.

Municipality of North Cowichan

Notice to Electors of an Alternative Approval Process

This notice is the first of two notices to advise electors in the Municipality of North Cowichan of the intention to adopt "North Cowichan / Duncan Integrated RCMP Facility Loan Authorization Bylaw No. 3787, 2020". The purpose of the bylaw is to borrow an amount, not to exceed \$48,000,000 (48 Million Dollars), to finance the cost to construct a new North Cowichan Integrated Royal Canadian Mounted Police (RCMP) facility located on the corner of Drinkwater and Ford Roads that will be repaid over a period not to exceed 20 (twenty) years. It is estimated that the borrowing will result in a tax increase for the average residential property of \$71 per year.

The Council proposes to borrow the money and undertake the construction of the new RCMP facility unless, by the deadline, at least 10 percent of the electors in the whole of the Municipality of North Cowichan sign an "Elector Response Form" opposing the borrowing, indicating that Council must obtain the assent of the electors (referendum) before proceeding. For the purpose of conducting this elector response opportunity, the number of eligible electors is determined to be 26,916. A report respecting the basis on which this determination was made is available upon request. If less than 10% (2,692) of eligible electors sign and submit an Elector Response Form by the deadline, Council may proceed to adopt Bylaw No. 3787, 2020. If 2,692 or more electors return signed Elector Response Forms by the deadline, the Bylaw cannot be adopted without obtaining the assent of the electors.

Elector responses are required to be submitted in the form established by Council and can be obtained during regular business hours from the Municipality of North Cowichan's Municipal Hall, located at 7030 Trans-Canada Highway, Duncan, BC, beginning June 15, 2020. The form can also be downloaded from the Municipality of North Cowichan's website at: www.northcowichan.ca. The only Elector Response Forms that will be accepted are the ones provided by the Municipality of North Cowichan, or an accurate copy of the form.

Deadline: signed Elector Response Forms must be received by the Manager of Legislative Services (Corporate Officer) at the Municipality of North Cowichan's Municipal Hall, 7030 Trans-Canada Highway, Duncan, BC, V9L 6A1 by **4:00 p.m. on Tuesday, July 14, 2020** in order to be counted. The Elector Response Form may be submitted in person or by mail to the above noted address, by email to: legislativeservices@northcowichan.ca or by fax to: 250-746-3133 on or before the deadline.

To be eligible to sign the Elector Response Form, you must be either a "resident" or "non-resident property" elector of the Municipality of North Cowichan.

- A resident elector is an individual who is qualified to vote in a jurisdiction by virtue of living (residing) within the jurisdiction. To sign an elector response form as a resident elector, a person must: be 18 years of age or older; be a Canadian citizen; have lived in British Columbia for at least 6 months immediately before signing the Elector Response Form; be a resident within the municipal boundaries of North Cowichan for at least 30 days before signing the Elector Response Form; and not be disqualified by any enactment from voting in an election or otherwise disqualified by law.
- A non-resident property elector is an individual who does not live (reside) within the municipal boundary of North Cowichan but is entitled to vote by virtue of owning a real property in that jurisdiction. To sign an Elector Response Form as a non-resident property elector a person must: not be entitled to register as a "resident elector" in the Municipality of North Cowichan; be 18 years of age or older; be a Canadian citizen; have lived in British Columbia for at least 6 months immediately before signing the Elector Response Form; not be disqualified by any enactment from voting in an election or otherwise disqualified by law; be the only person(s) who are registered owners of the real property, either as joint tenants or tenants in common, are individuals who are not holding the property in trust for a corporation or another trust; and be a registered owner of real property within the municipal boundaries of North Cowichan for at least 30 days before signing the Elector Response Form. If a property is owned by *more than one* individual, only *one* of them may sign an Elector Response Form (with the written consent of the majority of the owners). A person may register as a non-resident property elector in relation to *one* parcel of real property in the Municipality of North Cowichan.

A copy of the Bylaw, staff reports summarizing this project, and Elector Response Forms are available on our website at www.northcowichan.ca immediately. However, due to the COVID-19 pandemic, they will not be available at the Municipal Hall until the Financial Services front counter reopens to the public on Monday, June 15, 2020; at which time they will be available Monday to Friday from 8:30 a.m. – 4:30 p.m. until July 2, 2020 and from Monday to Friday from 8:30 a.m. – 4:00 p.m. July 3, 2020 to July 14, 2020, excluding statutory holidays.

An informational brochure which shall include an Elector Response Form will be mailed out during the week of June 8, 2020.

For further information on this process contact: Michelle Martineau, Manager, Legislative Services, Municipality of North Cowichan, 7030 Trans-Canada Highway, Duncan, BC, V9L 6A1; 250-746-3203; legislativeservices@northcowichan.ca

7030 Trans-Canada Highway | Duncan, BC V9L 6A1
T 250.746.3100 F 250.746.3133 www.northcowichan.ca



Changes to BC's RAPR Legislation and the Federal Fisheries Act



Dave Preikshot, PhD, RPBio
Senior Environmental Specialist
Municipality of North Cowichan

2



Yes, you probably DO need an RAPR assessment

- Directive to local governments under the Riparian Areas Protection Act to protect habitat (avoid a HADD)
- Professional Reliance model with a prescriptive, repeatable assessment methodology
- Supports permitting for residential, commercial and industrial development



Riparian Zones

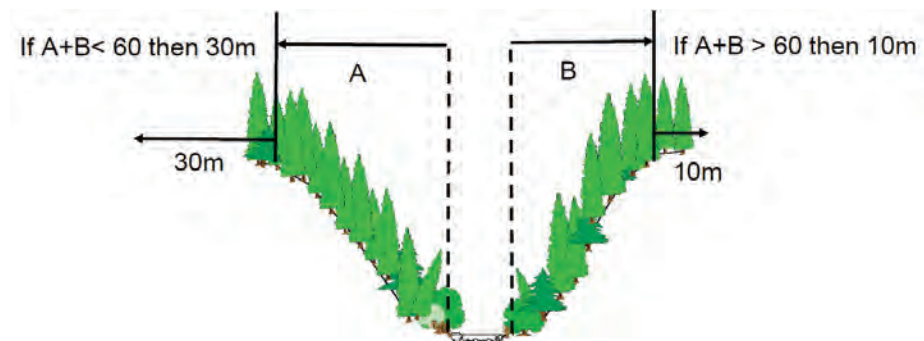
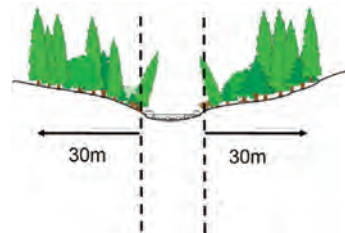
areas bordering
streams, lakes, and
wetlands

link water to land

influence and provide
fish habitat.



- DPA 3: Watercourses
- Riparian Assessment Area
- SPEA
- Setback



Protected riparian zone improves:

- water quality
- flood protection
- storm water management
- aesthetic values
- shoreline stability
- heating and cooling costs
- air quality



What Has Changed ?

Ability to Approve / Reject Reports

- Notification to local government may be withheld until any deficiencies in an assessment report are rectified
- Review of reports based on compliance with methodology
- Review of all reports will continue until compliance threshold met

Variance protocol is now incorporated into the regulation

- Prescriptive method for managing "Undue Hardship" situations
- Cannot be used where alternatives are available (avoidance)

Mandatory QEP training

OLD STANDARD:
measures identified in the
report to protect the
integrity of SPEA from the
effects of the
development


NEW STANDARD:
development will not
occur in the SPEA, and
will not result in a HADD



New Federal Fisheries Act

- restores protection standards for fish and fish habitat.
- fish habitat: water and any other areas on which fish depend **directly or indirectly** to carry out their life processes
- 34.4 (1) No person shall carry on any work, undertaking or activity, other than fishing, that results in the death of fish.
- 35. (1) No person shall carry on any work, undertaking or activity that results in harmful alteration, disruption or destruction of fish habitat.

Report

Date	June 3, 2020	File:
To	Council	
From	Mark Frame, General Manager, Financial and Protective Services	Endorsed: 
Subject	Municipal Contract Policing Multi-Year Financial Plan (2021/2022)	

Purpose

To request Council approval, in principle, for the 2021/22 RCMP Contract Budget as per the Municipal Police Service Agreement.

Background

Each year in May the RCMP sends the municipality a request to approve in principle the RCMP contract budget for the next fiscal year (2021/22). This approval is required to be forwarded to the RCMP by June 15 which allows the Federal Government to set aside their proportionate share of the budget (10%).

Discussion

There are presently 32 Municipal members, 26 Provincial members and 4 First Nation members. The Province increased their complement by 2 members in 2019 and the District last increased their complement by 1 member in 2018.

The 2021/22 Budget proposed by the RCMP includes 33 members which reflects an increase of 1 member. The budget for 2021/22 is \$6,373,006, which includes \$500,000 for a new telephone system for the new RCMP facility. As the telephone system will be in our capital budget, the net operating budget will be \$5,873,006 (2020 - \$5,780,708). The increase of \$92,298 (1.6%) is very minimal. The new position for 2021/21 will be partially funded by reducing the use of reservists. In the 2020/21 Budget, \$147,500 was budgeted for reservists to fill in absences, however, in 2021/22 this amount was reduced to \$30,700 based on limited availability of reservists.

Operational calls for service have increased 10% between 2017 and 2019. The opioid and homeless crises are causing increasing demands on North Cowichan Bylaw and North Cowichan RCMP. The Officer-In-Charge of the North Cowichan/Duncan detachment, Inspector Bear is requesting 1 additional member in 2021/22 to address these increases and maintain current policing service levels.

North Cowichan is a busy detachment as measured by crime rate, case load and population per officer.

Options

1. Approve in principle the addition of one (1) member to the North Cowichan RCMP detachment to bring the total detachment strength to thirty-three (33) and approve in principle the budget estimate of \$6.98 million at 100% (90% of which the municipality is responsible for) for the 2021/22 fiscal year, including \$500,000 of capital equipment.

2. Approve in principle the total North Cowichan RCMP detachment strength of thirty-two (32) and approve in principle the budget estimate of \$6.76 million at 100% (90% of which the municipality is responsible for) for the 2021/22 fiscal year, including \$500,000 of capital equipment.

Implications

The *financial implications* of approving in principle the 2021/22 RCMP Contact Budget as presented would be a 1.6% increase in RCMP contract costs. This approval would have to be confirmed in May of 2021.

The *social implications* would include providing more resources to combat social disorder caused by the opioid and homeless crises.

Failing to keep budgets at a sustainable level requires larger increases at later dates.

Recommendation

That Council approve in principle the addition of one (1) member to the North Cowichan detachment to bring the total detachment strength to thirty-three (33) and approve in principle the budget estimate of \$6.98 million at 100% (90% of which the municipality is responsible for) for the 2021/22 fiscal year, including \$500,000 of capital equipment.

Attachments: RCMP 2021 – 2025 Multi-Year Plan



Royal
Canadian
Mounted
Police

Gendarmerie
royale
du
Canada

Security Classification/Designation
Classification/désignation sécuritaire

Unclassified

May 26, 2020

Mark Frame
General Manager, Financial and Protective Services
Municipality of North Cowichan
7030 Trans Canada Hwy., Box 278
Duncan, BC V9L 3X4

Your File Votre

Our File Notre
E753-26-3

Dear Mr. Frame:

Re: Municipal Contract Policing Multi-Year Financial Plan – (2021/22)

In keeping with the *Municipal Police Service Agreement* of 2012, we are communicating with our Municipal Partners to establish projections of our human and financial resource needs for **2021/22**.

Please confer with your Detachment Commander on the police services needs of the community, and the related human and financial resource requirements.

For this 5-year planning cycle, we have included the cost matrix prepared for local governments per updates from the Contract Management Committee (see Appendix A). It should be noted that this document will be updated annually as changes become known, and is current as of May 15, 2020.

Attached for your information are:

- Our Multi-Year Financial Plan (MYFP) for your RCMP Municipal Policing costs (Schedules 1, 2 and 3). This is a detailed listing of:
 - a. actual costs for fiscal year 2018/19
 - b. pre-final costs for 2019/20
 - c. current year budget for 2020/21, and
 - d. budget estimates for 2021/22 to 2025/26
- Five-year budget estimates for Division Administration Costs (Schedule 4)
- Sample Response Letter (Schedule 5)
- Sample Request Letter to Decrease/Increase Authorized Strength (Schedule 6)

The following items should be considered when reviewing the provided information:

Settlement of Disputed Items: The Provincial and Federal governments have recently resolved three long-standing disputed items, including the funding for Green Timbers and for the liability from Member Severance Liquidation. Specific information on financial impacts for each municipality are detailed in a letter from the Province to each local government dated May 15th. Related considerations for this MYFP are:

Division Administration costs associated to Green Timbers: In previous years, a provisional amount of \$900 per member was included in the Divisional Administration estimate while this item was being negotiated. This estimate has now been excluded from the Division Administration estimate.

Settlement amount for Green Timbers: The Annual Payment amount as prescribed in the Settlement Agreement for your municipality has been included in our MYFP for the current year budget and onwards as a standalone item. This amount will be billed to you on an annual basis.

Severance Liquidation (Earned Retirement Benefits): Since April 1, 2012, severance no longer accumulates for members who resign or retire, but continues to accrue for lay-offs, deaths, and disabilities. In previous years, an estimate of \$1,023 multiplied by your contract strength was provided to you as the annual budgeted amount. The payment amounts and schedule for severance liquidation have now been settled. Provisions for severance liquidation have been included in the MYFP for 2021/22 at the negotiated annual rate.

Cost Recoveries: Where applicable, costs for local events and/or prisoner costs that will now be invoiced through the contract have been included in the MYFP.

Member Pay: The RCMP's most recent salary agreement expired on December 31, 2016. An estimated pay increase of 2.5% per year has been included in the MYFP for RCMP members, and are reflected from 2017 onwards. Depending on the rates and provisions of the new pay package, the actual per member amount could vary from the included estimate. Although a provision for retroactive pay has not been included in the estimates, we encourage you to carry forward any budget savings to future periods in preparation of when a new package will be finalised and retroactive pay is realized.

Pay for Public Service Employees: Public Service Employees (PSEs) supporting Municipal Policing are mostly represented by Public Service Alliance of Canada (PSAC), and the collective agreement expired on June 20, 2018. An estimated pay increase of 1.25% per year has been reflected from expiry if applicable to your municipality. The included pay raise estimates are not based on final negotiations and do not represent amounts requested or proposed. As with our above suggestion for Member Pay, although a provision for retroactive PSE pay has not been included in the estimates, we encourage you to carry forward any budget savings to future periods in preparation of when a new package will be finalised and retroactive pay is realized.

Integrated Teams: If applicable, these MYFP projections include your municipality's share of costs for the Real Time Intelligence Centre (RTIC), and the Lower Mainland District (LMD) Integrated Teams. These costs represent proposed budgets based on current information.

LMD Integrated Homicide Investigation Team (IHIT): Effective April 1, 2019, the existing LMD IHIT is included as a part of the RCMP Provincial Service. Associated costs and billings will be administrated to and from the Province, and have been excluded from the noted Integrated Teams MYFP projections. Please refer to the aforementioned Provincial letter for details.

Response Letters: Please provide the requested information as detailed below to facilitate the Federal Treasury Board in securing their share of the Municipal contract policing costs within the federal budget cycle timelines.

Please provide us with a letter of "Approval in Principle" ("AIP") by **June 15, 2020**. The letter should address all requirements for fiscal year 2021/22, including:

- Proposed establishment increase/decrease in regular and/or civilian members;
- Municipal Policing budget in principle (at 100% costs)
- If applicable, the budget in principle for Integrated Teams, RTIC, PSEs, and Accommodation (at 100% costs)
- If applicable, approval in principle and basis of payments for any equipment costing \$150,000 or more per item.

We would like to emphasize that this AIP is for planning purposes only to facilitate the Federal Government's Annual Reference Level Update (ARLU) process. It is important to include any anticipated changes in establishment at the AIP stage, as this impacts both recruitment and financial planning at the federal government level. The AIP is not your final commitment for the additional personnel or for the increased financial budget indicated. A copy of a sample response is provided for your reference (Schedule 5).

First Reply Requested:

Approval in Principle Letter for 2021/22 (Schedule 5)

Due: June 15, 2020

A) Please address the letter to:

Ms. Maricar Bains
Director of Finance, RCMP Pacific Region
Mailstop #908, 14200 Green Timbers Way
Surrey, BC Canada V3T 6P3

B) Please forward a copy to Police Services addressed to:

Ms. Brenda Butterworth-Carr
Assistant Deputy Minister and Director of Police Services
Policing and Security Branch
Ministry of Public Safety and Solicitor General
P.O. Box 9285 Stn Prov Govt.
Victoria, BC V8W 9J7

**Second Reply Requested:
Final Confirmation Letter for 2021/22**

Due: April 26, 2021

By **April 26, 2021**, please forward a confirmation letter for the 2021/22 budget to:

- A. Director of Finance, RCMP Pacific Region
- B. Assistant Deputy Minister and Director of Police Services

Annex “A” Amendment Letter

Due on: Authorized Strength Change

To enact changes in authorized member strength (establishment), you must request an amendment to the Annex “A” of your Municipal Police Unit Agreement through the provincial minister (sample provided as Schedule 6), in accordance to terms of Article 6.0 of the agreement.

A) Please address the letter to:

The Honourable Mike Farnworth
Minister of Public Safety and Solicitor General
P.O. Box 9010 Stn Prov Gov’t.
Victoria, BC V8W 9L5

B) Please forward a copy of the letter to:

- A. Member in Charge, Local RCMP Detachment
- B. Establishment Coordinator, Establishment Unit, RCMP “E” Division Headquarters
- C. Contract Management Unit, BC RCMP Operations Strategy Branch
- D. Director of Finance, RCMP Pacific Region

If you have any questions regarding your municipal budget or your contractual obligations, please contact Paul Richardson, Financial Manager Municipal Policing at 778-290-2490.

Yours truly,



Max Xiao, MBA, CPA, CMA
Executive Director, Corporate Management & Comptrollership Branch
Royal Canadian Mounted Police, Pacific Region
Mailstop # 906, 14200 Green Timbers Way
Surrey, BC Canada V3T 6P3

Cc: Mayor Al Siebring, Municipality of North Cowichan
C/Supt. Sean Sullivan, District Commander, Island District
OIC North Cowichan/Duncan Detachment
Maricar Bains, Director of Finance, RCMP Pacific Region

Canada 

RCMP E Division
Finance Section, Mailstop #908
14200 Green Timbers Way
Surrey, BC Canada V3T 6P3

**List of Potential RCMP Policing Costs/Savings to RCMP "E" Division Municipalities
As at May 15, 2020**

Item	Estimated Incremental Cost/Savings per FTE OR per Item @100%	Notes/Status	Included in Multi-Year Financial Plan (MYFP)?
*Severance Liquidation		Status: Concluded. A letter from the Province to impacted local governments has been sent and will provide specific information on any savings or amounts owing by each municipality. The Settlement Agreement is considered a success as it provides cost-certainty for Green Timbers general administration costs, locked-in at their current price until March 31, 2032; local governments have until March 31, 2032 to retire their Earned Retirement Benefits interest free; and, if other governments receive a better deal than what Public Safety Canada is currently proposing for the retirement of Earned Retirement Benefits, B.C. will receive the same benefit.	Yes. Included at the negotiated annual rate.
*Green Timbers - Div. Admin.			Yes. As per the settlement it will be invoiced separately from the regular quarterly billings.
*Green Timbers - LMD Integrated Teams' Occupancy			Yes. As per the settlement it will be invoiced separately from the regular quarterly billings.
*Cadet Training/Recruiting	\$3,372/FTE	Status: Ongoing monitoring of costs by CMC's National Programs Standing Committee. 2020/21 projected rates of \$5,366/FTE for Cadet Training and \$1,506/FTE for recruiting are included in the Municipal MYFP. Estimated incremental cost = \$6,872/FTE (\$5,366 + \$1,506) less \$3,500/FTE (rate under the 1992 MPSA & used for the 1st 3 yrs of 2012 MPSA) = \$3,372/FTE.	Yes. Next MYFP will have updated rates.
*Police Dogs Service Training (only applicable to Municipalities with police dogs)	\$37,304/team Member FTE	Status: Ongoing monitoring of costs by CMC's National Programs Standing Committee. Projected rate of \$37,304 per team Member FTE for 2020/21 is included in the Municipal MYFP.	Yes. Next MYFP will have updated rates.
RCMP Members' Pay Increase		Status: Ongoing. Pay package expired Dec. 31/16; MYFP placeholder of 2.5%/year pay raise for periods after expiry. RCMP "E" Division will provide financial impact estimate as soon as a new pay package becomes available. Please note that a provision for retroactive pay has not been included in the estimates.	Yes. Estimate of 2.5% per year included.
RCMP PSEs' Pay Increase (impact mainly through Div. Admin.)		Status: Ongoing. In mid Apr. 2018 Public Service Alliance of Canada (PSAC) served notice to Federal TB to begin collective bargaining negotiations. Majority of RCMP Public Service Employees (PSEs) are PSAC members; last collective agreement expired June 20/18. Impact to majority of RCMP municipalities on Div. Admin., with additional impact to municipalities that have PSEs. MYFP placeholder of 1.25%/year pay raise for periods after expiry. RCMP "E" Division will provide cost impact estimate as soon as the new rates are settled.	Yes. Estimate of 1.25% per year included.
Shared Services Canada (SSC)		Status: Ongoing monitoring of costs and service delivery. SSC created a dedicated support team for RCMP, to address backlogs and improve service delivery. To date, FY 2011/12 costs of telephones, computer/communication equipment etc continue to be used for the per FTE cost calculation, as CMC demands for cost details such as basket of goods and costs allocation methodology. No incremental costs/savings can be identified at this time.	Yes. \$721 per FTE.
Other Consolidated Services - internal within RCMP (already in place)		Status: Ongoing monitoring of expenses vs Div. Admin. offset, by CMC's Finance & Cost Containment (FCC) Standing Committee. Impact of all of the following 4 programs should be very minimal as contract partners have been paying for these services through Div. Admin. and, in the long run, should generate savings due to efficiencies. 1) Accounting Ops and 2) Members' Compensation Service were centralized in 2012/13 in RCMP NHQ; contract partners were charged within Div. Admin. actual costs of the units when data became available commencing FY 2014/15. Relocation Services for Members has been moved in-house and is no longer included in the National Accounting Services rate; it is non-billable to municipalities. 3) NCO Promotions was centralized in Surrey in 2012/13. 4) Efficiencies realized in Disability Mgmt. Program (DMP) should offset any incremental costs within the current Div. Admin. rate. Should DMP be successful as planned, additional savings on OT will likely be achieved, as Members are expected to return to work sooner.	Yes. Next MYFP will have updated rates.

Item	Estimated Incremental Cost/Savings per FTE OR per Item @100%	Notes/Status	Included in Multi-Year Financial Plan (MYFP)?
Other Consolidated Services - external (already in place)		Status: Ongoing monitoring of expenses vs Div. Admin. offset, by CMC's FCC Standing Committee. 1) PSEs' Compensation Service centralized in Miramichi, NB in Sept./13; have been charged within Div. Admin. based on 2011/12 Actuals until 2014/15. Ongoing monitoring req'd to ensure the potential replacement of the payroll system (Phoenix) does not have financial impact on contract partners. 2) Eff. April 1/13 RCMP's in-house program, Employee Assistance Services , was discontinued; all RCMP Members & PSEs are now supported by Health Canada. 3) Eff. Jan. 1/17, temp. MOU in place with Canada School of Public Service to provide access to TB mandatory training for the next 15 months (further update not available), based on common curriculum that's grouped into Foundational, Specialized, Management and Executive Development. Cost will be \$230/member. Long term solution will be developed. Financial impact should be minimal.	Yes. Next MYFP will have updated rates.
MacNeil Report (Moncton)		Status: Ongoing. 64 recommendations in 5 key areas (Supervision, Training, Technology/Equipment, Communications and Aftercare) were provided through the Jan./15 comprehensive and critical assessment of the tragic events in Moncton NB (June 4, 2014). Nov. 2018 update: Majority implemented; remaining recommendations incl. IT solutions require additional time to be fully implemented. Employees' Health & Safety continues to be RCMP's top priority. See MacNeil Report & RCMP responses on RCMP website for more details.	No
*Android Team Awareness Kit (ATAK)		Status: Ongoing testing of software across RCMP Divisions. ATAK is a situational awareness software that would allow for Members to be tracked/monitored via GPS when they exited their vehicle, by front-line supervisors, Critical Incident Commander, Operational Communications Centres (OCC), Division Emergency Operations Centres (DEOC) and/or the National Operations Centre (NOC). If implemented, each Member will be issued an Android phone. Financial impact/timelines are unknown at this time.	No
*Auxiliary Program		Status: Pending direction of the program in BC. In Dec./16 RCMP Senior Executive Committee (SEC) renamed the program from RCMP Auxiliary Cst. Program to RCMP Auxiliary Program and implemented a 3-tiered model. Update: the Auxiliary Program policy was updated and published in Sept. 2019, the title of "Auxiliary Cst" was officially changed to "Auxiliary", and, all key training deliverables are completed and training materials are now available for Auxiliaries and their supervisors. Procurement of new uniform items is expected to be completed in 6 to 24 mos. A formal evaluation of the Program by RCMP Internal Audit, Evaluation and Review was launched in Oct. 2019 to explore possible future changes to the Program.	No
*RCMP Labour Relations		Status: Ongoing. Fed. Gov't was given, up to May/16, to implement changes to allow Members the right to collective bargaining. Federal Treasury Board is preparing for collective bargaining. Canada will provide updates at the CMC meetings, whenever new info. becomes available. Financial impact is unknown at this time.	No
*eMCM Renewal - Major Case Mgmt. Software Update		Status: Ongoing. This system replaces the current Evidence and Reporting (E&R) System and interfaces with other RCMP Records Mgmt. Systems; standardizes operations by implementing a centralized solution to better support police operations in managing major cases; facilitates responding to escalating demands for info. sharing with policing and law enforcement partners. This new system may require additional staff for data input. April 2020 update: vendor selected, contract awarded.	No
Breaching Equipment	~ \$160/unit	Status: Pending decision if the equip. will be mandatory. Currently no approved breaching equipment for General Duty Members. It is designed to be stored in a marked police vehicle for dealing with Immediate Action Rapid Development (IARD) type incidents. Research of 9 different types of breaching tools have been conducted/evaluated, ranging from \$160 to \$2K per tool. The preferred tool costs \$160. Moved forward to procurement, and, once the tool is selected, policy and training will be finalized.	No
*Extended Range Impact Weapon (ERIW) (40mm; less lethal)	\$3,528/weapon incl. ancillaries	Status: Ongoing procurement and training. These weapons are provided to Members with a less lethal option that can be deployed at a greater distance. The low velocity rounds are accurate and effective up to 35 metres. An increase in distance provides Members with additional time to react to the situation. Feb. 2020 update: The 1-year General Duty pilot project ended on May 31/19; during the 12 month pilot, there have been a total of 41 general duty deployments of the weapon. Work is underway for a new standing offer for munitions. Draft policy is currently being reviewed.	No
Portable Ballistic Shields (PBS)	\$8K to \$10K/unit	Status: Pending decision if the equip. will be mandatory for every detachment, and, if there's a minimum # required per detachment. It is an extra ballistic protection that will supplement soft/hard body armours for General Duty Members in some situations. National Use of Force has reviewed the new standard from National Institute of Justice (NIJ) and will forward to senior mgmt. at Contract & Indigenous Policing (C&IP) for approval. Training on the use of a PBS will cover containment and officer/citizen rescues in exigent circumstances to preserve life.	No. "E" Div. Finance has not been instructed to incl. estimates for this item within MYFP.

Item	Estimated Incremental Cost/Savings per FTE OR per Item @100%	Notes/Status	Included in Multi-Year Financial Plan (MYFP)?
*Hard Body Armour (HBA II)	\$632/unit	Status: Pending decision. Ongoing review & development for presentation to RCMP Senior Executive Committee (SEC). RCMP NHQ continues to explore the option of issuing HBA to all Members as part of the personal issued kit. With industry advancements, lighter weight HBA plates and plates of different sizes are available, to allow a better fit for different body shapes.	No. "E" Div. Finance did not receive breakdown by unit to include this.
*Pistol Modernization/Rifle Conversion		Status: Pending finalization of strategy document. After a review of the current General Duty pistol, RCMP made a proposal to adopt a modern pistol to ensure Members have the appropriate equip. to perform their job. This proposal led to a more thorough review of all firearms in the RCMP inventory, and, a strategy document to incorporate all current firearms in one modernization package is being finalized.	No. "E" Div. Finance has not been instructed to incl. estimates for this item within MYFP.
*New Uniform Proposal		Status: Pilot project in several RCMP Divisions incl. "E" Division. Vision 150 is a RCMP initiative to modernize RCMP. The new uniform proposal is part of Vision 150 and one of the recommendations in the MacNeil Report mentioned above. Members selected are to provide feedback on the fit/functionality of new uniform possibilities. There are also proposed uniforms for specialized teams, e.g. ranger green uniform for all Police Dog Handlers (\$5K per uniform), to blend in with surrounding foliage as a significant tactical and officer safety advantage to the responding officers, and, for national consistency. There should be minimal incremental cost, if any, as new proposed uniforms will replace current uniform through an evergreening process, i.e. no initial bulk costs anticipated.	No. Some detachments have requested moderate increases to their Kit & Clothing budgets per the current pilot prgm, but "E" Div. Finance has not been instructed to incl. general estimates for this item within MYFP.
*Greening Government		Status: Met 1st mandatory greenhouse gas emissions reporting requirement in 2019 & Ongoing. In response to Federal Government's national strategy to combat climate change and to support Canada's sustainability goals already established internationally, RCMP is required to transition to low-carbon and climate-resilient operations, while also reducing environmental impacts beyond carbon. RCMP is developing strategy and consultation document on future plans. Financial impact, if any, is unknown at this time.	No
*Accumulated Excess Annual Leave		Status: Ongoing monitoring of Non-Commissioned RMs' excess leave/potential \$ liability. Currently, Non-Commissioned Regular Members (RMs) and Civilian Members (CMs) are not permitted to accumulate annual leave above 400 hours. RCMP Senior Executive Committee announced a 5-year plan to draw down the excess annual leave balances for Non-Commissioned RMs eff. Apr. 1/17, while ensuring leave policies are being enforced. And, CMs' excess leave balances are being paid out at each fiscal year-end; the financial impact to municipalities was minimal (less than \$3K in total) as there are only approx. 30 CMs under the RCMP municipal business line, and, any impact through Div. Admin. is spread over all business lines. "E" Division will prepare a status report on the draw down plan and its progress.	No. "E" Div. Finance has not been instructed to incl. estimates for this item within MYFP.
Savings:			
*Employer's Contribution to Members' Pension	Total Estimated Savings: (\$9.5M) per year @cost share	Status: Implementation of 3.63% rate reduction eff. Apr. 1/18 for 3 Fiscal Years. CMC has endorsed the Pension Panel's recommendation to reduce the employer's contribution to Members' pension from 22.7% of pensionable salaries to 19.07% eff. Apr. 1/18 for 3 Fiscal Years (2018/19, 2019/20, 2020/21). Update: The Pension Panel will reconvene in 2020 to determine the next recommended rate eff. FY 2021/22.	Yes. Ongoing savings reflected.

Note: * = new items or updates added to the previous Matrix

FINANCIAL BUDGET COMPARATIVE 20/21 TO 21/22					
NORTH COWICHAN 2020-21 to 2021-22 Fiscal Estimates	20/21 Budget	21/22 Estimates	\$ Change	% Change	Notes
Contract Strength	32	33	1	3.1%	
Average Actual / Funded Strength	32	33	1	3.1%	
COST ELEMENT GROUP (CEG)					
01 - PERSONNEL					
REGULAR PAY	\$2,998,848	\$3,164,577	\$165,729	5.5%	Increase in FTE plus 2.5% pay increase
OVERTIME - MEMBERS	385,847	407,853	22,005	5.7%	
PAYROLL ALLOWANCES *	197,056	171,509	-25,547	(13.0%)	
OTHER PAYROLL ITEMS **	147,511	30,728	-116,783	(79.2%)	Reduction in Reservists
01 - PERSONNEL: TOTAL	\$3,729,263	\$3,774,667	\$45,404	1.2%	
02 - TRANSPORT & TELECOM	51,771	555,255	503,483	972.5%	New facility - telephone communication cost \$ 500K
03 - INFORMATION	321	328	7	2.3%	
04 - PROFESSIONAL & SPECIAL SERVICES	208,918	221,159	12,241	5.9%	Estimate for training costs related to MCM, Fair & Impartial Policing, Initial Critical Incident Response (ICIR), OST, Field Mentorship and Program Support
05 - RENTALS	9,270	7,898	-1,372	(14.8%)	
06 - PURCHASE, REPAIR & MAINTAINANCE	49,271	49,734	464	0.9%	
07 - UTILITIES, MATERIAL AND SUPPLIES	127,460	132,260	4,800	3.8%	
09 - MACHINERY & EQUIPMENT	263,625	276,477	12,852	4.9%	Estimate for software applications related to GCDOcs, Next Gen 911, DFS software, DEMS, Atak tracking and eMCM.
12 - OTHER SUBSIDIES & PAYMENTS	2,620	2,680	60	0%	
TOTAL DIRECT COSTS	\$4,442,519	\$5,020,458	\$577,940	13.0%	
COST OF RM PENSIONS	596,133	624,703	28,569	4.8%	
COST OF DIVISIONAL ADMINISTRATION	886,352	916,410	30,058	3.4%	
COST OF OTHER INDIRECT COSTS ***	393,699	414,147	20,448	5.2%	
TOTAL INDIRECT COSTS	\$1,876,184	\$1,955,259	\$79,075	4.2%	
TOTAL COSTS (Direct + Indirect)	\$6,318,703	\$6,975,718	\$657,015	10.4%	
FEDERAL COST 10 %	\$631,870	\$697,572	\$65,702	10.4%	
MUNICIPAL COSTS 90%	\$5,686,832	\$6,278,146	\$591,314	10.4%	
ANNUAL PAYMENTS per SETTLEMENT AGREEMENT					
Earned Retirement Benefit Payment (Serverance)	34,308	34,308	0	-	
Green Timbers	20,203	20,203	0	-	
TOTAL MUNICIPAL POLICING COSTS 90%	5,741,343	6,332,656	591,314	10.3%	
MUNICIPAL COSTS - PS/CM CATEGORY 100%	39,365	40,349	\$984	2.5%	
TOTAL MUNICIPAL POLICING COSTS BILLABLE	\$5,780,708	\$6,373,006	\$592,298	10.2%	
ESTIMATED COST PER RM (90%)	\$177,714	\$190,247	\$12,533	7.1%	

* Payroll Allowances include: Service Pay, Senior Constable, Occupational Clothing, and Shift Differential

** Other Payroll items include: Acting Pay and Reservists

NORTH COWICHAN		18/19 Final	19/20 Pre Final	20/21 Budget	21/22 Estimates	22/23 Estimates	23/24 Estimates	24/25 Estimates	25/26 Estimates
2021/22 to 2025/26 Fiscal Estimates									
CONTRACT STRENGTH		32.00	32.00	32.00	33.0	34.0	35.0	36.0	37.0
ACTUAL STRENGTH / FUNDED STRENGTH		25.30	28.31	32.00	33.0	34.0	35.0	36.0	37.0
COST ELEMENT GROUP (CEG)									
STD OBJ. 01 - PERSONNEL									
CEG 10 - PAY - PUBLIC SERVICE EMPLOYEES - T		0	31,843	0	0	0	0	0	0
CEG 11 - OVERTIME - P/S		0	119	0	0	0	0	0	0
CEG 20 - TEMP. CIVILIAN EMPLOYEES & CASUAL		0	0	0	0	0	0	0	0
CEG 21 - GUARDS & MATRONS		0	0	0	0	0	0	0	0
CEG 22 - INTELLIGENCE MONITORS		0	0	0	0	0	0	0	0
CEG 30 - PAY - MEMBERS:		0	0	0	0	0	0	0	0
CE 500110 - REGULAR PAY - MEMBERS		2,126,432	2,403,313	2,998,848	3,164,577	3,336,718	3,515,488	3,701,111	3,893,818
CE 500112 - RETROACTIVE PAY - MEMBERS		0	0	0	0	0	0	0	0
CE 500113 - ACTING PAY - MEMBERS		10,674	6,143	10,237	10,493	10,755	11,024	11,300	11,582
CE 500114 - SERVICE PAY - MEMBERS		49,684	51,002	78,681	60,000	63,364	66,858	70,487	74,257
CE 500117 - SHIFT DIFFERENTIAL - MEMBERS		44,947	46,282	64,915	55,000	58,083	61,286	64,613	68,068
CE 500119 - PERFORMANCE AWARD - MEMBEF		0	0	0	0	0	0	0	0
CE 500121 - PLAINCLOTHES		0	0	0	0	0	0	0	0
CE 500122 - KIT UPKEEP		0	0	0	0	0	0	0	0
CE 500163 - LOCAL MARKET ALLOWANCE		0	0	0	0	0	0	0	0
CE 500164 - SENIOR CST ALLOWANCE - MEMB		23,577	27,842	48,496	51,262	54,136	57,121	60,222	63,442
CE 501194 - REGULAR TIME RESERVISTS		98,747	16,544	134,581	17,488	18,468	19,487	20,545	21,643
CE 501198 - BILINGUAL BONUS - Current - MEM		0	0	0	0	0	0	0	0
CE 502103 - OPERATIONAL CLOTHING ALLOWAN		4,008	4,512	4,964	5,247	5,541	5,847	6,164	6,494
CE 502104 - OTHER PAY ALLOWANCES - ME		0	0	0	0	0	0	0	0
MISC. CE's incl. under CEG 30 - Sub-Total:		17,884	9,459	2,694	2,747	2,802	2,858	2,916	2,974
CEG 30 - PAY - MEMBERS - TOTAL:		2,375,951	2,565,096	3,343,416	3,366,815	3,549,868	3,739,970	3,937,358	4,142,278
CEG 31 - OVERTIME - MEMBERS		289,546	275,546	385,847	407,853	430,717	454,470	479,141	504,762
CEG 32 - PAY - MEMBERS (POLICY CENTRE) Credit It		31,589	0	0	0	0	0	0	0
CEG 33 - RCMP PAY - OTHER		0	0	0	0	0	0	0	0
MISC. CE's incl. under CEG 33 - Sub-Total:		0	0	0	0	0	0	0	0
CEG 33 - PAY - MEMBERS - OTHER - TOTAL:		0	0	0	0	0	0	0	0
CEG 40 - ALLOWANCES - INTRA MEMBERS		23,152	7,176	0	0	0	0	0	0
CEG 41 - ALLOWANCES - INTER MEMBERS		13,504	0	0	0	0	0	0	0
CEG 45 - PERSONNEL - OPERATIONAL CONTINGENC		0	0	0	0	0	0	0	0
TOTAL STANDARD OBJ. 01 - PERSONNEL		2,733,742	2,879,779	3,729,263	3,774,667	3,980,585	4,194,439	4,416,499	4,647,040
STD OBJ. 02 - TRANSPORTATION & TELECOM									
CEG 50 - TRAVEL		10,612	13,129	10,168	12,000	12,648	13,319	14,015	14,736
CEG 51 - TRAVEL ADVANCES		0	0	0	0	0	0	0	0
CEG 52 - TRAINING TRAVEL (DCCEG)		23,506	21,453	24,211	24,937	25,685	26,456	27,249	28,067
CEG 53 - TRAINING TRAVEL (POST)		5,239	8,178	8,076	8,520	8,980	9,457	9,951	10,462
CEG 54 - IPA & FSD TRAVEL		0	0	0	0	0	0	0	0
CEG 55 - CENTRALIZED TRAINING TRAVEL		0	0	0	0	0	0	0	0
CEG's 60-66 - TRANSFER COSTS (Credit Item)		198,974	62,078	0	0	0	0	0	0
CEG 70 - FREIGHT, POSTAGE, ETC.		8,928	8,810	7,916	8,352	8,802	9,270	9,754	10,255
CEG 100 - TELEPHONE SERVICES (DCCEG)		2,283	1,221	1,400	501,446	1,518	1,594	1,674	1,758
CEG 101 - TELEPHONE SERVICES (POST)		0	0	0	0	0	0	0	0
CEG 140 - COMPUTER COMM SERVICES		0	0	0	0	0	0	0	0
TOTAL STANDARD OBJ. 02 - TRANSPORT & TELECOM		249,542	114,870	51,771	555,255	57,634	60,096	62,643	65,278
STD OBJ. 03 - INFORMATION									
CEG 120 - ADVERTISING		0	0	297	304	311	318	325	333
CEG 130 - PUBLICATIONS SERVICES		1,338	49	24	24	25	25	26	27
TOTAL STANDARD OBJ. 03 - INFORMATION		1,338	49	321	328	336	343	351	359
STD OBJ. 04 - PROFESSIONAL & SPEC. SVCS									
CEG 160 - LEGAL SERVICES (Credit Item)		13,848	27,782	0	0	0	0	0	0
CEG 170 - CONTRACTED SERVICES (DCCEG)		0	0	0	0	0	0	0	0
CEG 171 - CONTRACTED SERVICES (Post)		32	0	0	0	0	0	0	0
CEG 190 - TRAINING & SEMINARS (DCCEG)		58,372	55,116	75,006	78,756	82,694	86,828	91,170	95,728
CEG 191 - TRAINING & SEMINARS (POST)		125	3,163	6,680	6,833	6,990	7,151	7,316	7,484
CEG 219 - PROFESSIONAL SERVICES		31,732	30,982	30,026	31,739	33,518	35,367	37,286	39,280
CEG 220 - OTHER SERVICES		2,149	2,250	4,831	5,107	5,393	5,691	5,999	6,320
CEG 221 - OTHER SERVICES IMIT		48,547	47,144	50,238	55,994	56,159	57,737	59,366	61,058
CEG 223 - RADIO COMMUNICATION SYSTEMS		40,994	14,353	42,137	42,730	42,833	42,959	43,067	43,179
TOTAL STANDARD OBJ. 04 - PROFESSIONAL & SPEC S		195,799	180,791	208,918	221,159	227,587	235,733	244,204	253,050
STD OBJ. 05 - RENTALS									
CEG 240 - RENTAL-LAND,BLDG & WORKS (DC		0	0	0	0	0	0	0	0
CEG 241 - RENTAL-LAND,BLDG & WORKS (PO		715	1,450	823	842	861	881	901	922
CEG 250 - RENTAL COMNS EQUIP (DCCEG)		54	133	104	106	108	111	113	115
CEG 280 - RENTAL COMPUTER EQUIP		0	880	1,890	348	358	369	380	392
CEG 290 - RENTAL - OTHERS		1,502	1,101	6,453	6,601	6,753	6,909	7,067	7,230
TOTAL STANDARD OBJ. 05 - RENTALS		2,271	3,563	9,270	7,898	8,080	8,270	8,462	8,659
STD OBJ. 06 - PURCHASE, REPAIR AND MAINT									
CEG 370 - REPAIR OF VEHICLES		28,436	24,228	48,553	49,000	51,646	54,388	57,228	60,171
CEG 380 - REPAIR OF OFFICE & LAB EQUIP		0	0	0	0	0	0	0	0
CEG 390 - REPAIR OF MISC. EQUIP		4,603	3,070	718	734	751	769	786	804
CEG 392 - REPAIR OF AFIS EQUIP		0	0	0	0	0	0	0	0
CEG 393 - REPAIR OF EDP EQUIPMENT		395	0	0	0	0	0	0	0
TOTAL STANDARD OBJ. 06 - PURCHASE, REPAIR AND		33,433	27,297	49,271	49,734	52,397	55,156	58,015	60,975
STD OBJ. 07 - UTIL, MATERIAL AND SUPPLIES									
CEG 400 - UTILITIES		0	0	0	0	0	0	0	0
CEG 430 - FUEL		52,795	56,876	69,003	70,590	72,214	73,875	75,574	77,312
CEG 470 - PHOTOGRAPHIC GOODS		0	1,823	957	1,010	1,064	1,121	1,179	1,240
CEG 500 - STATIONERY		15,753	16,899	14,900	15,719	16,568	17,447	18,359	19,303
CEG 510 - CLOTHING & KIT		9,491	11,197	20,190	21,300	22,450	23,642	24,877	26,156
CEG 530 - LAB SUPPLIES		0	0	0	0	0	0	0	0
CEG 540 - POST BUDGET EXPENDITURES		12,452	22,889	22,409	23,641	24,918	26,241	27,611	29,031
TOTAL STANDARD OBJ. 07 - UTIL, MATERIAL AND SUP		90,491	109,684	127,460	132,260	137,214	142,326	147,600	153,042

NORTH COWICHAN 2021/22 to 2025/26 Fiscal Estimates	18/19 Final	19/20 Pre Final	20/21 Budget	21/22 Estimates	22/23 Estimates	23/24 Estimates	24/25 Estimates	25/26 Estimates
CONTRACT STRENGTH	32.00	32.00	32.00	33.0	34.0	35.0	36.0	37.0
ACTUAL STRENGTH / FUNDED STRENGTH	25.30	28.31	32.00	33.0	34.0	35.0	36.0	37.0
COST ELEMENT GROUP (CEG)								
STANDARD OBJ. 09 - MACHINERY & EQUIPMENT FOR ASSET ACQ.<\$10,000.00:								
CEG 440 - TRANSPORT SUPPLIES	11,033	6,948	11,260	11,519	11,783	12,054	12,332	12,615
CEG 441 - VEHICLE CHANGEOVERS	11,688	23,341	43,125	43,125	43,125	43,125	43,125	43,125
CEG 450 - COMMS PARTS & CONSUMABLES	2,352	2,035	1,962	2,181	2,225	2,270	2,315	2,361
CEG 480 - FIREARMS & AMMUNITION	14,580	20,364	15,164	19,000	19,760	20,550	21,372	22,227
CEG 770 - COMMS. SYSTEMS (CAPITAL)	15,527	19,237	20,598	22,021	22,917	23,960	25,176	25,188
CEG 771 - COMMS. EQUIPMENT	0	0	0	0	0	0	0	0
CEG 810 - LABORATORY EQUIP.	8,201	5,293	0	0	0	0	0	0
CEG 841 - COMPUTER EQUIP.	30,249	42,033	30,500	20,058	20,660	21,281	21,920	22,578
CEG 842 - COMPUTER S/WARE - INFORMATICS	17,360	67	0	17,136	25,653	29,977	32,919	33,306
CEG 845 - SPECIALIZED EQUIPMENT	0	0	0	0	0	0	0	0
CEG 850 - AUDIO VISUAL AIDS	0	0	0	0	0	0	0	0
CEG 860 - INVESTIGATIONAL EQUIP.	16,374	18,691	17,455	17,804	18,160	18,524	18,894	19,272
CEG 890 - VEHICLES (CAPITAL)	26,565	81,642	120,000	120,000	120,000	120,000	120,000	120,000
CEG 891 - MISC. VEHICLES	0	0	0	0	0	0	0	0
CEG 900 - OTHER EQUIP.	0	813	0	0	0	0	0	0
CEG 910 - OFFICE MACHINES	359	260	3,563	3,634	3,707	3,781	3,856	3,933
CEG 920 - SECURITY EQUIP.	278	0	0	0	0	0	0	0
TOTAL STANDARD OBJ. 09 - MACHINERY & EQUIP.	154,566	220,725	263,625	276,477	287,990	295,522	301,909	304,606
STD OBJ. 12 - OTHER SUBSIDIES & PAYMENTS								
CEG 570 - PRISONER EXPENSES	0	1,008	0	0	0	0	0	0
CEG 580 - SECRET EXPENSES	1,608	915	2,620	2,680	2,742	2,805	2,869	2,935
CEG 581 - SPECIAL "I" EXPENDITURES	0	0	0	0	0	0	0	0
CEG 590 - MISC EXPEND	653	139	0	0	0	0	0	0
CEG 620 - CLAIMS and COMP. SETTLEMENTS (Credit)	56,008	625,458	0	0	0	0	0	0
CEG 650 - WRITE-OFF	0	0	0	0	0	0	0	0
TOTAL STANDARD OBJ. 12 - OTHER SUBSIDIES	58,269	627,520	2,620	2,680	2,742	2,805	2,869	2,935
TOTAL DIRECT COSTS (Before Credits & Adjustments)	3,519,451	4,164,278	4,442,519	5,020,458	4,754,565	4,994,689	5,242,553	5,495,944
LESS - YEAR TO DATE CREDITS								
SO 01 - CEG 32 - Medical Leave / Suspension > 3	31,589	0	0	0	0	0	0	0
SO 01 - CEG 40 & 41 - Transfer Allowances	36,656	7,176	0	0	0	0	0	0
SO 02 - CEG's 60-66 Transfer Cost	198,974	62,078	0	0	0	0	0	0
TRAVEL ADVANCES - CEG 051 & SALARY OVERF	0	0	0	0	0	0	0	0
SO 04 - CEG 160 - Legal Services	13,848	27,782	0	0	0	0	0	0
SO 04 - CEG's 200, 201 & 202 - Health Services	0	0	0	0	0	0	0	0
SO12 - CEG 620 - Compensation Claims/Ex-Grati	56,008	625,458	0	0	0	0	0	0
Refund of Credits under CE 1691	0	0	0	0	0	0	0	0
TOTAL CREDITS	337,076	722,493	0	0	0	0	0	0
TOTAL DIRECT COST (After Credits & Adjustments)	3,182,374	3,441,785	4,442,519	5,020,458	4,754,565	4,994,689	5,242,553	5,495,944
ADJUSTMENTS TO DIRECT COSTS (See 'A' below)	-1,018							
TOTAL DIRECT COSTS AFTER ADJUSTMENTS:	3,181,356	6,108,687	4,442,519	5,020,458	4,754,565	4,994,689	5,242,553	5,495,944
INDIRECT COSTS (Summary)								
1) RM Pensions	419,331	473,707	596,133	624,703	658,719	694,046	730,728	768,810
2) RM CPP	66,592	82,305	90,723	100,804	106,456	112,326	118,424	124,756
3) Employer's Contr. to E.I. for R/M's	25,685	29,303	34,139	35,889	37,902	39,992	42,163	44,417
4) Division Administration (per cap x avg.# RM's)	636,578	708,974	886,352	916,410	978,860	1,056,300	1,130,400	1,209,160
5) Recruitment & Training (see Nat'l Programs below)	141,273	171,575	215,968	226,776	242,658	249,795	256,932	264,069
6) National Programs	36,298	42,638	46,958	49,881	51,486	53,097	54,716	56,341
7) Police Dog Service Training	0	0	0	0	0	0	0	0
8) Amortization of Equipment > \$150,000 @ 10%	0	0	0	0	0	0	0	0
9) TCE, IM & Reservists for Pension, EI & Div Adm	4,398	795	5,911	795	840	886	934	984
10) Cost of ERC/PCC as a Per Capita (see Nat. Prc	0	0	0	0	0	0	0	0
ADJUSTMENTS TO INDIRECT COSTS	140							
TOTAL INDIRECT COST	1,330,294	1,509,298	1,876,184	1,955,259	2,076,920	2,206,443	2,334,297	2,468,538
TOTAL COSTS (Direct + Indirect) @ 100%	4,511,650	4,951,084	6,318,703	6,975,718	6,831,486	7,201,132	7,576,850	7,964,483
FEDERAL COST 10 %	451,165	495,108	631,870	697,572	683,149	720,113	757,685	796,448
MUNICIPAL COST 90%	4,060,485	4,455,975	5,686,832	6,278,146	6,148,337	6,481,019	6,819,165	7,168,034
MUNICIPAL COSTS - 100 % (PS cost recovery)	37,061		39,365	40,349	41,358	42,392	43,452	44,538
TOTAL COSTS PRIOR TO SETTLEMENT	4,097,546	4,455,975	5,726,197	6,318,495	6,189,695	6,523,411	6,862,617	7,212,572
ANNUAL PAYMENTS per SETTLEMENT AGREEMENT								
Earned Retirement Benefit Payment (Saverance)			34,308	34,308	34,308	34,308	34,308	34,308
Green Timbers			20,203	20,203	20,203	20,203	20,203	20,203
TOTAL MUNICIPAL POLICING COSTS	4,097,546	4,455,975	5,780,708	6,373,006	6,244,206	6,577,922	6,917,127	7,267,083

NORTH COWICHAN 2021/22 to 2025/26 Fiscal Estimates		18/19 Final	19/20 Pre Final	20/21 Budget	21/22 Estimates	22/23 Estimates	23/24 Estimates	24/25 Estimates	25/26 Estimates
CONTRACT STRENGTH		32.00	32.00	32.00	33.0	34.0	35.0	36.0	37.0
ACTUAL STRENGTH / FUNDED STRENGTH		25.30	28.31	32.00	33.0	34.0	35.0	36.0	37.0
COST ELEMENT GROUP (CEG)									
INDIRECT COSTS - (REGULAR & CIVILIAN MEMBERS)									
1) Pensions (Total Pensionable Earnings)		2,198,902	2,484,044	3,126,025	3,275,839	3,454,217	3,639,467	3,831,820	4,031,517
Pension Rate		19.07%	19.07%	19.07%	19.07%	19.07%	19.07%	19.07%	19.07%
Total Cost of RM/CM Pension....		419,331	473,707	596,133	624,703	658,719	694,046	730,728	768,810
2) CPP (Pensionable Earnings) based on a Per Capita Co		2,633	2,907	2,835	3,055	3,131	3,209	3,290	3,372
Total Cost of R/M CPP.....		66,592	82,305	90,723	100,804	106,456	112,326	118,424	124,756
3) Employer's Contr. to E.I. based on a Per Capita		1,015	1,035	1,067	1,088	1,115	1,143	1,171	1,200
Total Cost of R/M E.I. Contributions.....		25,685	29,303	34,139	35,889	37,902	39,992	42,163	44,417
4) Division Administration based on a Per Capita (25,166	25,045	27,699	27,770	28,790	30,180	31,400	32,680
Total Cost of Div. Administration.....		636,578	708,974	886,352	916,410	978,860	1,056,300	1,130,400	1,209,160
5) Cost of Recruitment & Training									
Per Capita Cost of Recruitment....		1,239	1,293	1,518	1,506	1,614	1,614	1,614	1,614
Per Capita Cost of Cadet Training....		4,346	4,768	5,231	5,366	5,523	5,523	5,523	5,523
Total Cost of Recruitment & Trng.: (effec. 201		141,273	171,575	215,968	226,776	242,658	249,795	256,932	264,069
6) Cost of National Programs (See Addendum 'A')		1,435	1,506	1,467	1,512	1,514	1,517	1,520	1,523
Total Cost of National Programs		36,298	42,638	46,958	49,881	51,486	53,097	54,716	56,341
7) Police Dog Svc. Trng. based on a Per Cap. cost		28,576	32,540	32,357	37,304	36,012	36,012	36,012	36,012
Total Cost of PDS.Trng.: (Per cap. x # of PD T		-	-	-	-	-	-	-	-
TOTAL INDIRECT COSTS - (RM's & CM's):		1,325,756	1,508,503	1,892,721	1,954,464	2,076,080	2,205,556	2,333,363	2,467,554
INDIRECT COSTS - (TCE's, IM's & RESERVISTS):									
a) Cost of TCEs/IMs Pension (Pensionable Items)		-	-	-	-	-	-	-	-
Times Pension Rate		10.07%	10.05%	9.99%	9.99%	9.99%	9.99%	9.99%	9.99%
Total Cost of TCE/IM Pension.....		-	-	-	-	-	-	-	-
b) CPP for TCE/IMs/Res. (Pens. items) based on a		2,633	2,907	2,835	3,055	3,131	3,209	3,290	3,372
Total Cost of CPP: (Per Capita times FTE Utilizati		3,019	559	4,089	559	590	622	656	691
c) Employer's Contributions to E.I. based on a Per		1,202	1,233	1,263	1,295	1,328	1,361	1,395	1,430
Total Cost of E.I. Contrib.: (Per Capita times FTE l		1,379	237	1,822	237	250	264	278	293
TOTAL INDIRECT COSTS - (TCE's, IM's & RESER		4,398	795	5,911	795	840	886	934	984
ADDENDUM 'A' - National Programs, Other Indirect Costs & Consolidated Services									
OTHER INDIRECT COSTS:									
Civilian Review & Complaints Committee (CRC)		491	491	449	491	491	491	491	491
Enhanced Reporting & Accountability (ERA)		118	177	118	118	118	118	118	118
Legal Services		174	118	180	182	185	188	190	193
Estimated Annual Severance		0	0	0	0	0	0	0	0
CONSOLIDATED SERVICES:									
SSC (Shared Services Canada)		652	721	721	721	721	721	721	721
Accounting Operations		0	0	0	0	0	0	0	0
Pay & Compensation		0	0	0	0	0	0	0	0
Total Costs:		1,435	1,506	1,467	1,512	1,514	1,517	1,520	1,523
ADDENDUM 'B' - Fiscal Year to Calendar Year Conversion Table									
Calendar Year		2018	2019	2020	2021	2022	2023	2024	2025
Fiscal Year Total Current		4,097,546	4,455,975	5,746,400	6,373,006	6,244,206	6,577,922	6,917,127	7,267,083
Fiscal per Qtr Current		1,024,387	1,113,994	1,436,600	1,593,251	1,561,051	1,644,480	1,729,282	1,816,771
Fiscal Year Total Prior Year		4,542,648	4,097,546	5,745,305	5,780,708	6,373,006	6,244,206	6,577,922	6,917,127
Fiscal per Qtr Prior Year		1,135,662	1,024,387	1,436,326	1,445,177	1,593,251	1,561,051	1,644,480	1,729,282
Calendar									
Jan - Mar		1,135,662	1,024,387	1,436,326	1,445,177	1,593,251	1,561,051	1,644,480	1,729,282
Apr - June		1,024,387	1,113,994	1,436,600	1,593,251	1,561,051	1,644,480	1,729,282	1,816,771
July - Sept		1,024,387	1,113,994	1,436,600	1,593,251	1,561,051	1,644,480	1,729,282	1,816,771
Oct - Dec		1,024,387	1,113,994	1,436,600	1,593,251	1,561,051	1,644,480	1,729,282	1,816,771
City Calendar Year Total		4,208,822	4,366,368	5,746,127	6,224,931	6,276,406	6,494,493	6,832,326	7,179,594
Colour Legend									
Red = Post Budget CEG controlled by OIC									
Black = Division Controlled CEG (DCCEG)									
Blue lettering = Standard Object (SO)									
Blue background = CEG credited to Direct Costs									

**NOTES & ASSUMPTIONS for 2021/22
Municipal Police Unit Agreements**

Our terminology for the grouping of General Accounts:

- Cost Element Group (CEG)
- Cost Element (CE)

DIRECT COSTS

CEG 30 - RCMP Members Pay (CE 110 - Regular Pay)

- 2.50% estimated salary increase each year starting from January 1, 2017
- The deeming of the Civilian Member (CM) category of employees has been further delayed with no update as to the conversion date. However, we have included the related pay and pension projections for 2021/22 and onwards at the pertinent PSE rates. Other indirect costs will continue to be charged on a per FTE basis.
- Potential impact of cash outs relating to member excess leave is dependent on policy and management direction and has not been reflected in the MYFPs.

CEG 190 - Training

- For Training, growth is related to Major Case Management, Fair and Impartial Policing, Initial Critical Incident Response (ICIR), Operational Skills Training (OST), Field Mentorship, and Program Support (e.g. Curriculum Designer, Admin Support). Stability is expected in 2025/26 onwards.

DIRECT COST DEDUCTIONS

The following are cost categories that are deducted from the Total Direct Cost incurred for each municipality:

- A. Non-billable costs are credited from municipal billings, and paid by the Federal Government:
 - CEGs 40 & 41 - Transfer Allowances
 - CEGs 60 to 66 - Relocation Costs
 - CEG 160 - Legal Services
 - CEG 620 - Claims and Compensation Settlements
- B. Costs that are deducted from Direct Costs and included in Division Administration:
 - CEG 32 - Pay Members (Severance, Maternity and Parental allowances)
 - CEGs 200 to 202 - Health Services

INDIRECT COSTS

With the exception of Member Pension, all costs below are charged on a per member FTE basis:

- Member Pension - 19.07% of pensionable cost element items. The Pension Panel will reconvene in 2020 to determine the next recommended rate eff. Apr. 1, 2021.
- Member Canada Pension Plan - \$2,905.98
- Member Employment Insurance - \$1,093.51
- Division Administration - \$27,770 (Please refer to attached schedule 4)
- A separate calculation is listed for EI and CPP with respect to Reservists and PSE's (if applicable)
- Other Indirect Costs*:
 - Civilian Review and Complaints Commission (formerly PCC) - \$449.03
 - Legal Advisory Services - \$182.46
 - Enhanced Reporting & Accountability - \$117.65
 - Shared Services Canada (SSC) - \$721: SSC provides telecommunication and email services, networks, data centres, and servers to the RCMP. This rate is based on the historical costs for certain covered services. Units requesting additional services will be billed separately for those services
 - Training & Recruiting: Based on the rolling average of actual costs for the previous 3 fiscal years. For 2021/22, the per FTE rates are estimated at \$5,366 for the Cadet Training Program and \$1,506 for Recruiting.
 - Police Dog Service (PDS) Training: Based on both the rolling average of actual costs for the previous 3 fiscal years and on established PDS teams in each Contract jurisdiction. For 2021/22, the rate is estimated at \$37,304 per PDS team member FTE. For municipalities within the Lower Mainland District, this cost is included in the Integrated Teams budget projections.

COSTS BILLABLE AT 100%

The following are some of the items that are billable at 100%:

- Accommodation costs (including occupancy charge) for municipal units in federally owned buildings
- PSEs Support staff costs (including backfills, overtime, pension, CPP, etc.)
- Furniture and fixtures
- House Furnishings
- Prisoner costs (including guards & matrons, mattresses and blankets for cells)
- Kit and Clothing for auxiliaries

North Cowichan - 5 Year Salary Forecast

	2020-21	2021-22			2022-23			2023-24			2024-25			2025-26		
Annual Raise		2.50%			2.50%			2.50%			2.50%			2.50%		
Effective Increment for Fiscal Year		2.50%			2.50%			2.50%			2.50%			2.50%		
(April to March: applying 9 months @ current year raise + 3 months following year raise)																
	FTE	FTE	Avg Sal	Cost	FTE	Avg Sal	Cost	FTE	Avg Sal	Cost	FTE	Avg Sal	Cost	FTE	Avg Sal	Cost
Regular Members	32.00	33.00		\$ 3,164,577	34.00		\$ 3,336,718	35.00		\$ 3,515,488	36.00		\$ 3,701,111	37.00		\$ 3,893,818
Spl CST	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
CST	24.00	25.00	90,757	2,268,935	26.00	93,026	2,418,685	27.00	95,352	2,574,504	28.00	97,736	2,736,602	29.00	100,179	2,905,197
CPL	4.00	4.00	106,398	425,593	4.00	109,058	436,232	4.00	111,785	447,138	4.00	114,579	458,317	4.00	117,444	469,775
SGT	3.00	3.00	114,167	342,501	3.00	117,021	351,064	3.00	119,947	359,841	3.00	122,946	368,837	3.00	126,019	378,058
SGT MAJ	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
S/SGT	1.00	1.00	127,548	127,548	1.00	130,737	130,737	1.00	134,005	134,005	1.00	137,355	137,355	1.00	140,789	140,789
S/SGT MAJ	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
INSP	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
SUPT	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
C/SUPT	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Civilian Members	-	-		\$ -	-		\$ -	-		\$ -	-		\$ -	-		\$ -
ADM	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
CMP	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
GTE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
LIN	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Grand Total	32.00	33.00		\$ 3,164,577	34.00		\$ 3,336,718	35.00		\$ 3,515,488	36.00		\$ 3,701,111	37.00		\$ 3,893,818
% Variance				5.53%			5.44%			5.36%			5.28%			5.21%
Average \$/FTE				\$ 95,896			\$ 98,139			\$ 100,443			\$ 102,809			\$ 105,238

Division Administration**Core Administration, Payment in Lieu of Leave, Health Services, Special Leave****2020-2021 5-YEAR FORECAST**

		YR0	YR1	YR2	YR3	YR4	YR5
	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
	Pre-Final	Forecast	Forecast	Forecast	Forecast	Forecast	Forecast
Cost Category							
Core Administration	7,618	8,340	8,590	8,660	9,049	9,212	9,377
Payment in Lieu of Leave	541	557	573	591	608	627	645
Health Services	4,359	4,664	4,990	5,340	5,714	6,114	6,541
Special Leave	12,527	13,060	13,616	14,199	14,809	15,448	16,116
Total Per Capita Divisional Administration	25,045	26,620	27,770	28,790	30,180	31,400	32,680
Cost Category as a % of Total Divisional Administration							
Core Administration	30%	31%	31%	30%	30%	29%	29%
Payment in Lieu of Leave	2%	2%	2%	2%	2%	2%	2%
Health Services	17%	18%	18%	19%	19%	19%	20%
Special Leave	50%	49%	49%	49%	49%	49%	49%
Total Divisional Administration	100%	100%	100%	100%	100%	100%	100%

Reference Information

	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Previous 19/20 5 Year Forecast	27,200	28,400	29,700	31,100	32,600	34,200	NA
Current 20/21 5 Year Forecast	25,045	26,620	27,770	28,790	30,180	31,400	32,680
Change in Forecast (= current minus previous forecast)	(2,155)	(1,779)	(1,929)	(2,310)	(2,421)	(2,800)	

Variables (Growth)

	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Personnel	1.02	1.02	1.02	1.02	1.02	1.02	1.02
O&M	1.02	1.02	1.02	1.02	1.02	1.02	1.02
Mat/Pat	1.05	1.02	1.02	1.02	1.02	1.02	1.02
Pay in Lieu of Leave	1.03	1.03	1.03	1.03	1.03	1.03	1.03
Medical Leave, Gradual Return to Work, Other LWP	1.05	1.05	1.05	1.05	1.05	1.05	1.05
Health Services Costs	1.10	1.07	1.07	1.07	1.07	1.07	1.07

Note: RM Unionization - negotiations continue. At this time, financial impacts are unknown and are not included in above calculation.

Schedule 5

City of XXXXXXX
XXXXXX Ave
XXXXXX, BC

Municipality Over 15,000 Sample Response

June 15, 2020

Ms. Maricar Bains
Director of Finance, RCMP Pacific Region
Mailstop #908, 14200 Green Timbers Way
Surrey, BC
V3T 6P3

Dear Ms. Bains:

Re: [Municipality Name] MPUA – Budget Approval in Principle (AIP) Letter – 2021/22

This “approval in principle” letter is being forwarded to confirm to the Federal Treasury Board our anticipated Municipal Policing requirements, enabling the Federal Government to set aside sufficient financial resources for their proportionate share of Municipal RCMP contract costs.

The City of XXXXXXX anticipates that we will require the addition of ### (#) members to our detachment strength of ## to bring the total detachment strength to ## for the 2021/22 fiscal year. The budget estimate that is approved in principle is \$##.# million at 100% (90% of which our municipality is responsible for). It includes \$### of capital equipment costing (>\$150K).

This letter provides an “approval in principle” and is issued for planning purposes only. It should not be taken as approval to add the anticipated ## of members to the detachment. City Council will be meeting on XXX, 2020 to confirm the 2021/22 budget and the number of additional human resources, if any. We will inform you of that decision once it is made.

If you have any questions, please give me a call at ###-###-####.

Sincerely,

John Doe
Treasurer/Deputy Administrator

cc: XXXXXXX RCMP Detachment
Contract Management Unit, BC RCMP Operations Strategy Branch
Ms. Brenda Butterworth-Carr, Assistant Deputy Minister and Director of Police Services,
Policing and Security Branch, Ministry of Public Safety and Solicitor General

Schedule 6

City of XXXXXX
XXXXXX Ave
XXXXXX, BC

Month, Date Year

The Honourable Mike Farnworth
Solicitor General & Minister of Public Safety
P.O. Box 9010 Prov. Govt.
Victoria, British Columbia V8W 9L5

Dear Minister Farnworth:

**RE: Request for Decrease/Increase in Member(s) to [Municipality Name] RCMP
Municipal Police Unit**

The Council of the [Municipality Name] has authorized and is requesting a decrease/increase of ____ (#) regular member(s) assigned to its RCMP Municipal Police Unit for the 20##/20## fiscal year. The current [Municipality Name] RCMP Municipal Police Unit's authorized strength is ____ (#) members. With the increase/decrease of ____ position(s), the authorized establishment to be recorded in Annex "A" of the [Municipality Name] Municipal Police Unit Agreement will be ____ (#). As per the terms of the *Agreement*, the number of members will be increased/decreased as soon as practicable within one year of the federal government's receipt of your letter to the federal minister.

I confirm our incremental financial commitment for the costs of the requested increase.

Since establishment increases/decreases require amendments to Annex "A" of the Federal/Provincial Agreement, please take the necessary steps to amend the Annex "A" by contacting the Solicitor General of Canada.

Thank you for your attention to this matter.

[name/signature]

Cc:

Member in Charge, Local RCMP Detachment
Establishment Coordinator, Establishment Unit, RCMP "E" Division Headquarters
Contract Management Unit, BC RCMP Operations Strategy Branch
Regional Director, Financial Management, RCMP "E" Division Headquarters

Report

Date June 3, 2020

File:

To Council

From Megan Jordan, Manager, Communications & Public Engagement

Endorsed:



Subject Creation of a Public Engagement Framework and Policy

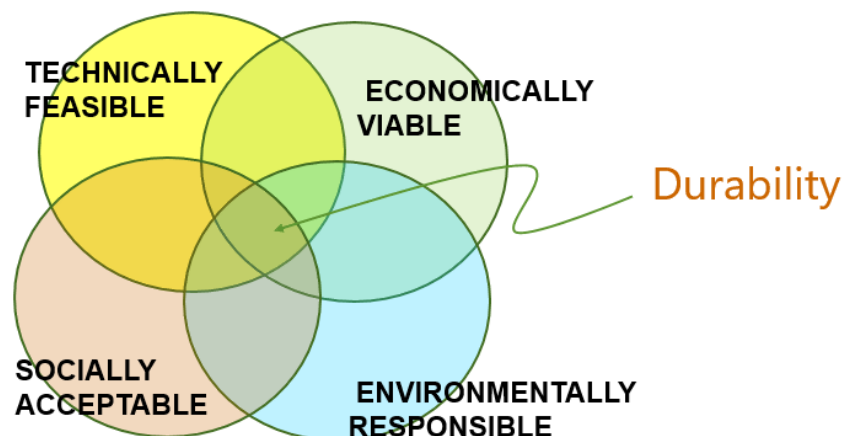
Purpose

To seek direction from Council on establishing a select committee to guide staff in developing an engagement framework and policy.

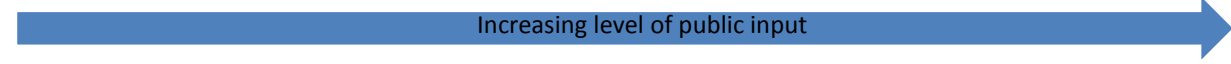
Background

When making decisions that impact the lives of the people who live, work, and play in North Cowichan, many different factors are often considered. One of the key factors in decision making is how the decision will impact those who will be affected by it. Through public engagement, elected officials and staff often seek feedback, input, and collaborate with the community and stakeholders so their vision, values, needs, and preferences can inform the decision.

While the results of public engagement are an important part in decision making, the process itself helps to support a deeper, shared understanding of complex issues, trade-offs and choices. In planning, implementing, reporting back, and evaluating our public engagement processes, as a sponsor of public process we facilitate the sharing of different perspectives, while building social capital and trust between the public and decision-makers. Ultimately, carrying out meaningful engagement helps to build buy-in and support for the final decision because people understand it and have an opportunity to participate and contribute to it. This leads to more durable decision-making: decision-making that doesn't get "un-done."



IAP2 Spectrum of Public Participation

Increasing level of public input 					
	Inform	Consult	Involve	Collaborate	Empower
Public Participation Goal	To provide balanced and objective information and assist employees in understanding the problem, alternatives, opportunities, and/or solutions.	To obtain public feedback on analysis, alternatives, and/or decisions	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public
Promise to the public	We will keep you informed	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible	We will implement what you decide

Public or community engagement can be any kind of interaction where information and opinions are shared and used in the decision-making process. Some traditional examples of techniques for engagement include open houses, surveys, citizen committees and advisory panels, task forces, public meetings, workshops, and a table or pop-up at a community event.

Discussion:

One of Council's strategic pillars from the 2019 Council Strategic Plan (CSP) is engagement. In the CSP, Council identified the following engagement goal: *Through collaborative relationships with other governments, Indigenous Peoples, stakeholder partners and engaging the community at large, we achieve optimum outcomes for all.* It is with this direction, that all public engagement activities are undertaken. In order to further support this goal, developing an "Engagement Framework" would further define Council's vision, values, and commitments while articulating a shared, community-wide expectation for how our community defines meaningful public engagement.

Currently, the only guiding document for engagement is a Council Communication Plan (the "Plan") that was created in 2012. It outlines some commitments around transparent communication, but mostly deals with public engagement (see the Council Communication Plan appended to this report). This Plan has good bones, but is largely out of date and is in need of an update. As such, one of the deliverables in the Communications and Public Engagement Department's annual business plan is to facilitate the development of a new engagement plan to support Council in their decision-making processes.

Much has changed in the community and the organization since the Plan was developed in 2012. At the time, there were no dedicated communication or engagement staff at North Cowichan. There are now 1.8 full time equivalent staff focused on communication and community engagement and three additional staff (Planners) that have taken the 5-day IAP2 Foundations Training.

While staff across the organization engage the public on a number of issues ranging in scale and complexity, it is important to ensure Council's needs are met and that there is clear organizational policy and expectations about how and when to engage the public. This is an opportunity for Council to help shape our engagement strategy and to help staff carry out meaningful engagement, when appropriate. The burden on staff and cost of engagement is ever increasing with the demands the public has for transparency and inclusion in decision making and having an up to date plan/policy is critical to addressing community expectations.

More tools, training, and support will create a wider base of knowledge amongst staff, thus creating increased capacity within the Communications and Public Engagement Department to best support more projects as the need to engage grows. Moreover, building in consistent measures of effective engagement will allow the Framework to facilitate a culture of continuous improvement. While increasing consistency in our approach to engagement will allow for timely community and stakeholder-centric decision-making as feedback will be collected and presented in a way that is both understandable and useful.

As a result, staff are seeking to develop a straight forward toolbox to allow for a streamlined and values-driven approach to engagement. The toolbox would include:

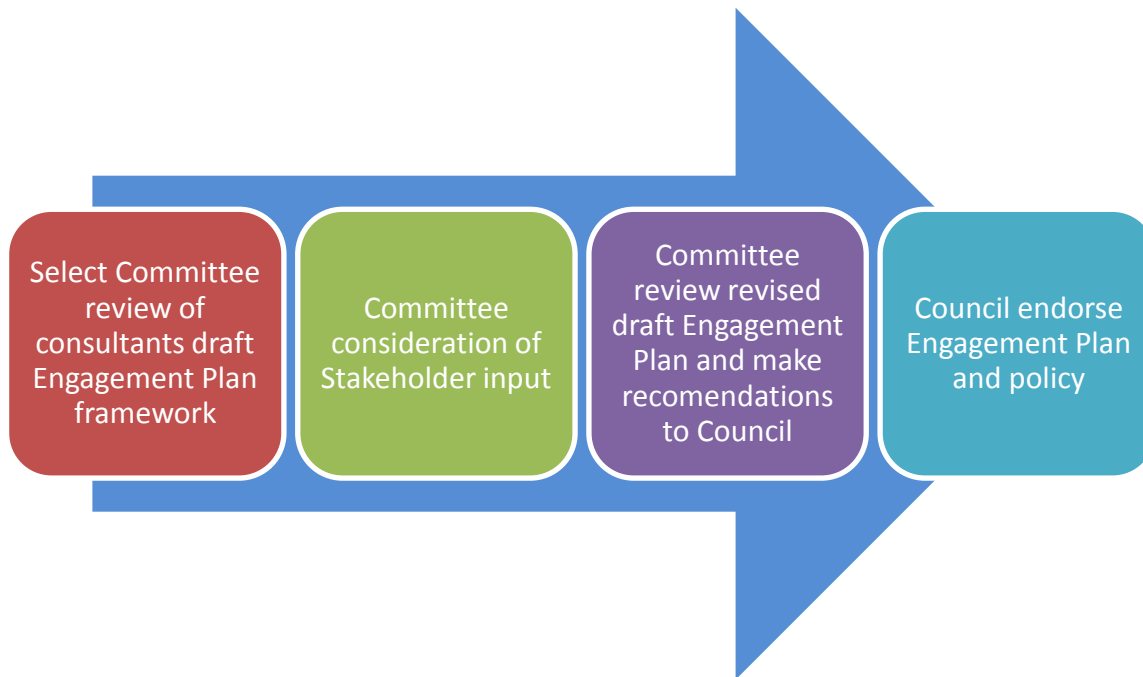
- **A Public Engagement Policy** (the "Policy") which would articulate the values, principles and commitments of the organization to meaningful engagement and detail the roles and responsibilities for all parties when we are conducting engagement.
- **A Public Engagement Framework** (the "Framework") would be developed, primarily for internal stakeholders (Council, leadership, and staff). This would help to determine if and when engagement is required, and a methodology for implementation of the engagement plan for each respective project needing public engagement. The Framework would also include evaluation methods to ensure engagement is meeting the needs of all stakeholders and the public, while also creating a way to benchmark results so we can work towards continual improvement.
- **Tips sheets and templates** (tips sheets) would be developed to support staff in implementing engagement plans and may include technique specific tip sheets, like agendas, questionnaires, and other resources as identified by staff.

The Framework is proposed to be based on the International Association of Public Participation (IAP2) Spectrum of Engagement (as shown above), which is the Canadian recognized standard best practice for engagement, and which has been endorsed previously by Council. As a suite of resources, the purpose of the framework is not to prescribe a set of rules to follow for each engagement, but rather to support a consistent approach to engagement which leverages internal best practices across all departments. Staff have engaged a consultant to help craft and implement the Framework and Policy for Council's consideration.

To help steer this process staff is proposing a Select Committee of Council be established to work with staff and the consultant to develop the Framework and Policy to be brought forward for Council's consideration. As Council is aware from past discussions about Committees, Corporate

Services staff support committees, and in order to support new, community based committees, additional staffing would be required. The Select Committee, composed of 3 members of Council, will allow this limited time committee to instead be supported by the CAO's admin staff, as is now provided to the First Nations Relations Committee, and therefore requires no new, additional staffing.

Engagement Plan Review Process:



Implications

Financial – There will be no additional budgetary impacts as the Communications and Public Engagement department will be using a portion of their existing 2020 Consulting Budget to facilitate this project.

Engagement Fatigue – Some stakeholders may be involved in other concurrent and competing engagements and/or projects and be unable to engage fully with this project at this time. It is not meant that this review will impact the other larger processes underway. This is a higher level discussion about how future engagement processes can be more consistent and formalized.

Capacity – Although staff have already engaged a consultant to help write the Plan and Policy, it will require some time for the Manager, Communications and Engagement to prepare and carry out stakeholder engagements. Since this project was in the Communications and Public Engagement departmental business plan, the workload is expected. In addition, Information Technology support may be needed to facilitate digital meetings, as stakeholder meetings likely cannot take place in person due to the COVID-19 crisis.

Recommendations

That Council establish a select committee to work with staff and the consultant engaged to develop a Public Engagement Policy and Engagement Framework; and that Mayor Siebring and Councillors _____ and _____ be appointed to the committee.

Attachments:

- Council Communication Plan (2012)

Council Communications Plan

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COUNCIL COMMUNICATIONS PLAN

Overview

Effective communications are key to the success of North Cowichan and the well-being of its community including residents, businesses, Municipal employees, and community and stakeholder groups. Open and proactive communications ensure that Municipal employees and the public receive clear, relevant, timely and consistent information from the Municipality. A well-managed communications plan strengthens public confidence in its local government, and results in increased resident and business satisfaction and high employee morale.

North Cowichan's Communications Committee, a standing committee under section 141 of the *Community Charter*, was tasked with developing a Council Communications Plan to guide civic engagement and manage Council communications. Creation of the Council Communications Plan (the Plan) is the first stage in the development of a Corporate Communications Plan.

The Communications Committee, with the assistance of staff, undertook a review of current corporate communications practices and local government best practices to develop a strategic Council Communications Plan which includes:

- (a) issue management;
- (b) enhanced public engagement; and
- (c) public awareness and education.

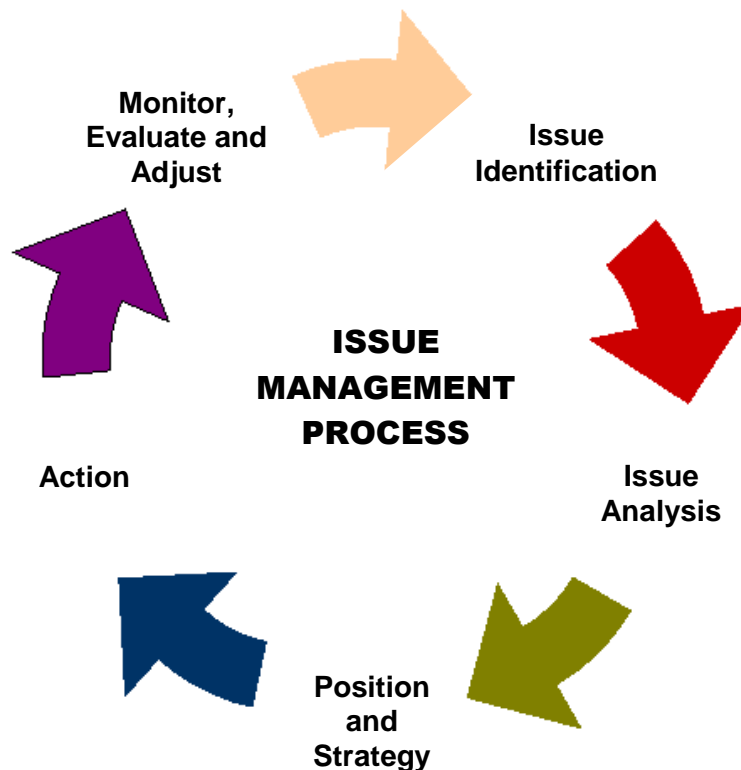
.1 Issue Management

An issue's potential outcomes can have a significant impact on North Cowichan's regulatory burden, reputation and financial well-being. Well-handled issues present opportunities to build awareness and trust among key stakeholders in North Cowichan. When issues are handled incorrectly, the Municipality faces the very real risk of litigation, the loss of reputation and public acceptance and trust. The difference between taking advantage of opportunities and suffering additional costs lies in the timely identification and prioritization of issues and the development of appropriate responses to inform the final outcome.

North Cowichan's Issue Management Strategy will capture both an "inside" analysis (i.e., as seen from North Cowichan's perspective) and an "outside" analysis (i.e., as seen from the point-of-view of the public, media and external stakeholders). It ensures that potential issues are identified, and also recognizes linkages and ensures we take action to prevent crises from occurring.

In order to ensure that we are capturing the right issues and prioritizing them so they can be managed effectively, an Issue Management Team will be formed for each issue that is identified. The team will analyze the impact and urgency of potential issues in order to develop a set of priorities to manage the issues. These priorities, in turn, will inform and shape numerous decisions and responses.

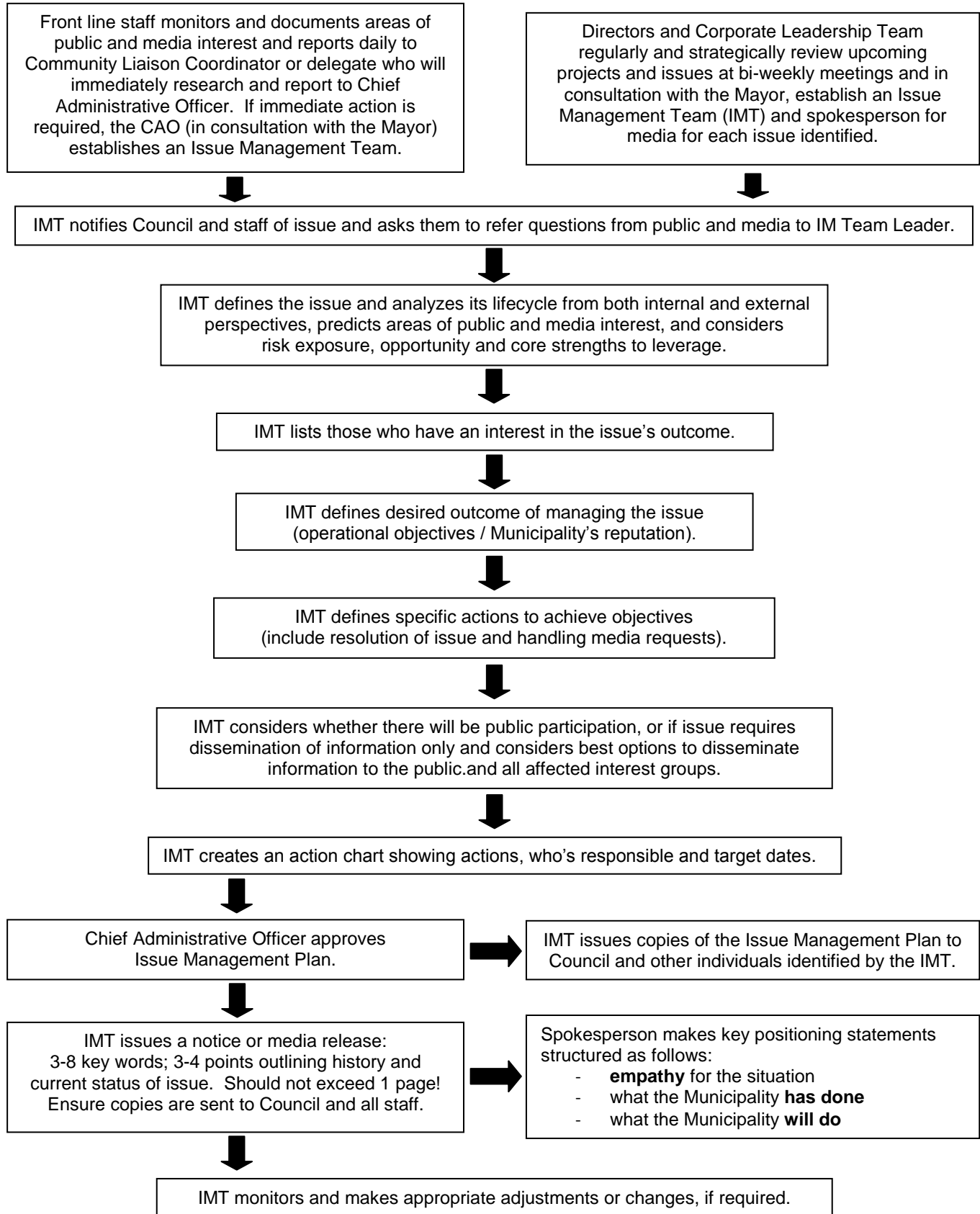
As North Cowichan begins to interact both internally and externally, more feedback and information will be gathered about the issue: the types of risks and opportunities; the identity and motives of protagonists and antagonists; and a finer understanding of what key stakeholders expect from North Cowichan.



A key challenge of issue management is to resolve the problem quickly and move on, with as little impact to the Municipality as possible. This strategy provides a structure for making decisions when issues arise.

It's also important to conduct a post-implementation review to evaluate and learn for future issues. The more that is learned about our issues, the better prepared we'll be for the next one. Some issues might occur again, so by recording what we've learned from previous initiatives, it will be easier for subsequent issue management teams to identify the issues and resolve them successfully. Other issues might be part of a risk pattern that can be proactively identified and managed with early risk assessment.

Issue Management Strategy



.2 Public Engagement

Often, the public is uncertain about the role that it should play in North Cowichan's decision-making. As elected officials, Council members are legally responsible for municipal decisions on the understanding that Council will represent the interests and values of the community. Public engagement offers many benefits to Council's decision-making process and is a key component of open and transparent governance. If decisions can be influenced, public engagement is appropriate.

For some residents, engagement is a form of empowerment as it allows the public to influence decisions. The Municipality will benefit immensely by providing frequent and more active opportunities for public engagement through the sharing of information, consulting, involving and collaborating on projects, policy development, strategies and plans for strategic investments. Public engagement includes any process that allows the public to be involved in problem-solving or decision-making and uses public input to help make decisions.

North Cowichan's current engagement practices occur in two ways:

- engagement mandated by legislation (e.g., Public Hearings, notice requirements), and
- other engagement (e.g., workshops, town hall meetings, etc.).

Public engagement should not be considered a singular approach that can be applied rigidly to all situations. The steps below will provide guidance to ensure the most important aspects of designing a public engagement process are addressed, while allowing for flexibility based on the issue. Once it is established that public participation should take place, it will need to be determined how to do so in a way that considers the needs of Council, residents, and other interested parties.

1. Determine who the decision-maker is, what the pending decision is, and who will be affected.
2. Decide if public engagement should be used (Will the public be significantly affected? Has Council made a previous commitment to public consultation on the issue? Are there unknown public perceptions and other information gaps? Is there controversy around the issue or decision?)
3. Determine the issues related to the decision for each affected party.
4. Determine the level of public engagement that is needed to help make a decision, and what to consult on.
5. Determine the type of public participation needed to suit the needs of participants.
6. Determine how public participation will support and link to the decision.
7. Determine how the results will be used.

(a) Guiding Principles

To confirm Council's commitment to public engagement, in every process, regardless of the scope, the following principles will be the foundation for public engagement activities.

Authenticity	The pending decision has not been made and Council commits to be influenced in the decision-making to a specific level that will be communicated in advance.
Accountability	Council will demonstrate that results and outcomes are consistent with the commitment to public participation that was made to stakeholder groups and the public at the outset of the initiative.

Inclusiveness	Council will make a reasonable effort to include stakeholder groups and the public affected by the pending decision.
Transparency	Council will ensure that stakeholder groups and the public that are affected understand the scope of the pending decision, decision process and procedures, and that any constraints on the decision-maker are known.
Commitment	Council will provide appropriate time to ensure that those involved can participate in a meaningful way.
Integrity	Council will address public and stakeholder group concerns in an honest and forthright way.

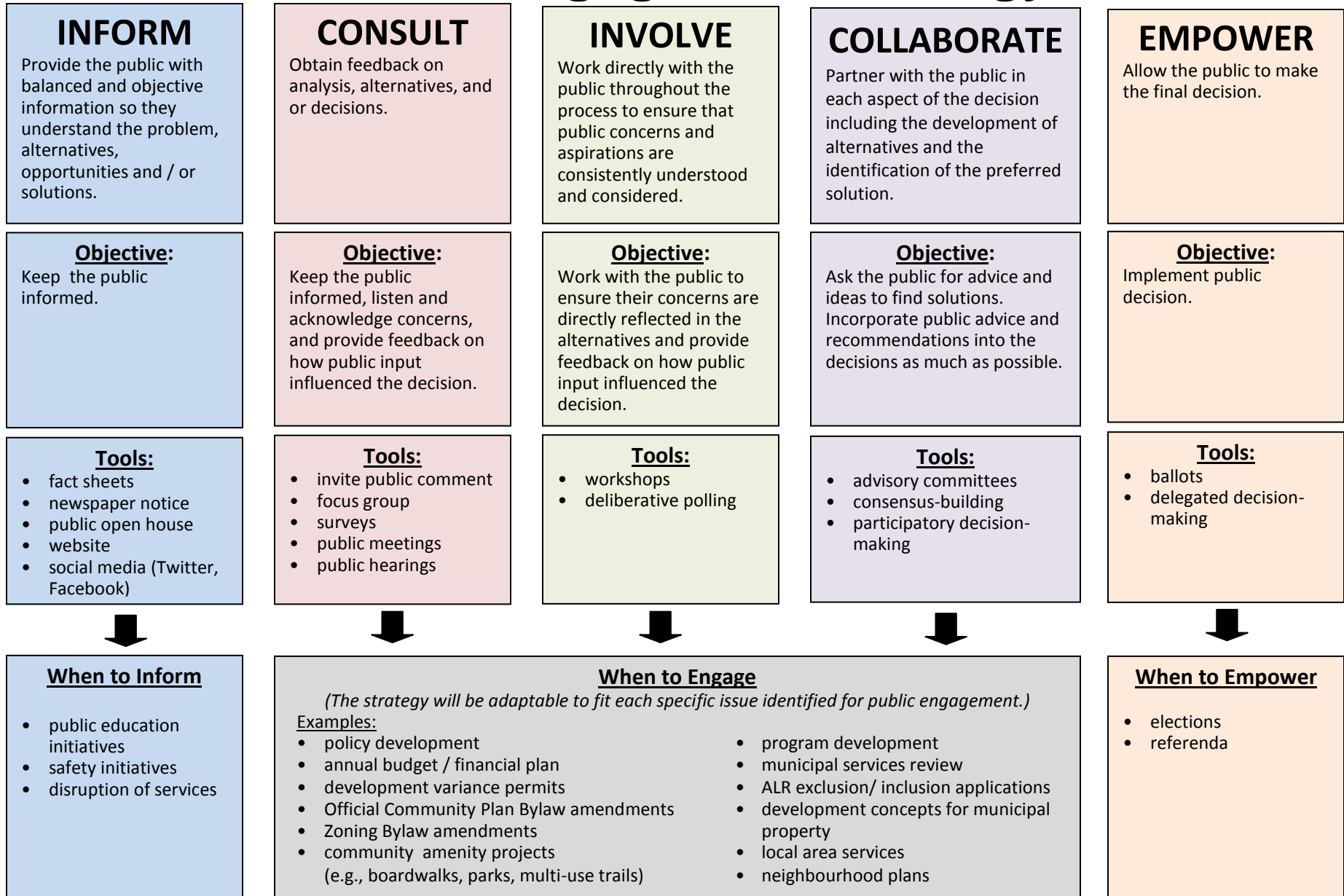
(b) Core Values of Public Participation

Although Council is elected to make decisions on behalf of North Cowichan citizens, some of those decisions will benefit from additional public participation. The following set of core values will provide a solid platform for engaging the public, especially when additional public participation is required for a specific issue. Adoption of a statement of core values on public participation will assist Council in making better decisions that reflect the interests and concerns of the public, and will assist staff in the development and implementation of public participation processes.

1. Public participation is based on the belief that two-way communication between Council and the public provides opportunities for open and constructive dialogue.
2. Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
3. Public participation is designed to respect the opinions of all those involved.
4. Public participation includes the promise that the public's contribution will be considered in the decision.
5. Public participation promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision-makers.
6. Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
7. Public participation seeks input from participants on how they wish to participate.
8. Public participation provides the information that is necessary to participate in a meaningful way.
9. Public participation communicates to participants how their input has affected the decision.

Public engagement will provide opportunities to share ideas and values, and discover areas of mutual interest and concern. It will also identify potential and existing concerns and areas of conflict before they escalate. Ideally, an effective public engagement strategy will allow individuals and groups to build cooperative working relationships and mutual understanding.

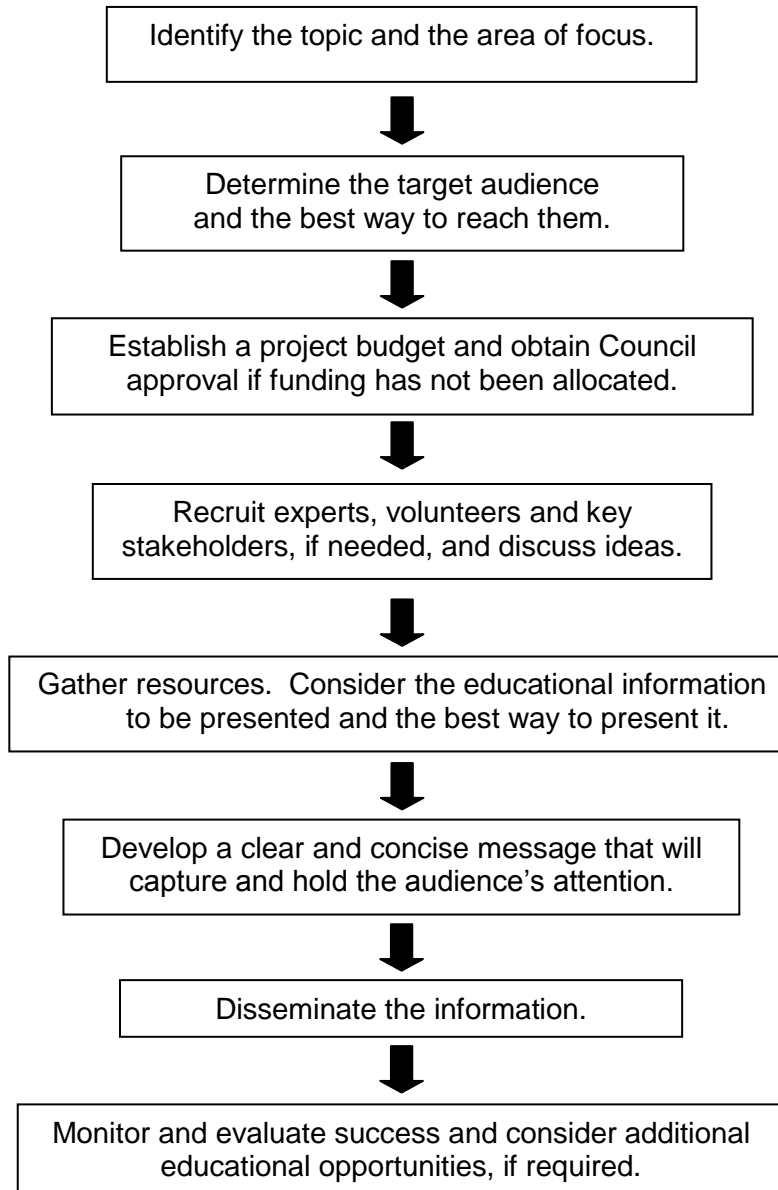
Public Engagement Strategy



.3 Public Awareness and Education

A public awareness and education strategy will allow the Municipality to provide awareness in general or focus on specific topics to the entire population or specific groups. Opportunities for public awareness and education may include upcoming Municipal initiatives, bylaw requirements, provision of a new service, general local elections and other voting.

The framework for public education will consist of the following process.



Concluding Remarks

Communication is essential to understanding. The Council Communications Plan reflects North Cowichan Council's commitment to better connect with its residents, businesses, employees, the media, and community and stakeholder groups through consistent messaging and sustainable open and transparent communication. It is a commitment that Council will allow the public opportunities to express themselves, and acknowledge that they have been heard and understood. The opportunity for both Council and the public to hear each other will provide a better understanding of the issues early on in the decision-making process, and establish a process that will ultimately result in understanding, acceptance and trust between all parties.

Next Steps

An effective Communications Plan takes time and resources, both of which are in limited supply. The Committee recommends the hiring of a part-time Community Liaison Coordinator and additional operational funds to co-ordinate the development of a Corporate Communications Plan and manage the implementation of the Plan in support of the Council Communications Plan developed by the Communications Committee. The Corporate Communications Plan should include:

- (1) the expansion of external communications through:
 - (a) development of communications policies, strategies and tactics;
 - (b) alignment of communications strategies with corporate objectives;
 - (c) corporate branding, identity and visibility;
 - (d) public surveys including a customer satisfaction survey;
 - (e) the creation of a regularly-published "Municipal Page" in the local newspaper (possibly shared on a rotating basis with the CVRD and the City of Duncan);
 - (f) an enhanced social media presence;
 - (g) additional opportunities for public consultation and collaboration;
 - (h) co-ordinated and targeted advertising;
 - (i) development of a corporate style guide;
 - (j) special needs (language, disabilities) considerations;
 - (k) communications training for Municipal spokespersons; and
- (2) the expansion of internal communications through:
 - (a) a survey of Municipal employees to obtain input on how to better improve internal communications;
 - (b) the development and implementation of customer service standards;
 - (c) an "Innovations Committee" (comprised of staff from all levels of the organization) to review current practices and procedures and discuss areas for change, improvement and cost-savings;
 - (d) enhanced employee orientation, training and professional development; and
- (3) the requirement for an annual report of the previous year's accomplishments.

Report

Date June 3, 2020

File:

To Council

From Walter Wiebe, Senior Manager, Financial Services

Endorsed:



Subject 2019 Statement of Financial Information

Purpose

The purpose of this report is to provide the 2019 Statement of Financial Information (SOFI) to Council for approval.

Background

The *Financial Information Act* requires municipalities to prepare a Statement of Financial Information in the prescribed form within six months of the corporation's year end. The statement must be approved by Council.

Recommendation

That Council approve the 2019 Statement of Financial Information.

Attachment: 2019 Statement of Financial Information

The Corporation of the District of North Cowichan

***7030 Trans Canada Highway
Box 278, Duncan, B.C. V9L 3X4***



Statement of Financial Information for the year ended, December 31, 2019

The Corporation of the District of North Cowichan
Statement of Financial Information
For the year ended December 31, 2019

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Schedule of Goods and Services	5
Schedule of Guarantee and Indemnity Agreements	10
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Management Report

The financial statements contained in this Statement of Financial Information under the Financial Information Act has been prepared by management in accordance with generally accepted accounting principles and the integrity and objectivity of these statements are management's responsibility. Management is also responsible for all the statements and schedules, and for ensuring that this information is consistent, where appropriate, with the information contained in the financial statements.

Management is responsible for implementing and maintaining a system of internal controls to provide reasonable assurance that reliable financial information is produced.

The Municipal Council is responsible for ensuring that management fulfills its responsibilities for financial reporting.

The external auditors, Grant Thornton LLP, conduct an independent examination, in accordance with generally accepted auditing standards, and express their opinion on the financial statements. Their examination does not relate to the other schedules and statements required by the Act. Their examination includes a review and evaluation of the Corporation's system of internal control and appropriate tests and procedures to provide reasonable assurance that the financial statements are presented fairly.

On behalf of The Corporation of the District of North Cowichan

Mark Frame
General Manager, Financial and Protective Services
June 3, 2020

The Corporation of the District of North Cowichan
Statement of Financial Information
For the year ended December 31, 2019

Schedule of Remuneration and Expenses

Elected Officials

Name	Position	Remuneration	Expenses
Siebring, Albert R.K.	Mayor	\$ 79,956	\$ 11,336
Douglas, Robert G	Councillor	30,990	4,314
Justice, Christopher	Councillor	28,784	6,461
Manhas, Tek	Councillor	28,784	7,729
Marsh, Kate	Councillor	30,990	7,029
Sawrie, Rosalie	Councillor	28,784	7,303
Toporowski, Debra	Councillor	<u>28,784</u>	<u>11,120</u>
Total - Elected Officials		<u>\$ 257,072</u>	<u>\$ 55,292</u>

Other Employees (Excluding those listed in Part 1 above)

Name	Remuneration	Expenses
Bell, Robert	\$ 123,509	\$ 152
Bender, Rohan	101,561	2,764
Bertrand, Leah	75,392	2,866
Birch, Jason	133,111	303
Blood, Jason	109,170	2,027
Bossons, Marla	75,206	7,080
Bosomworth, Mairi	81,331	179
Brown, Gina	76,219	260
Busch, Randy	84,315	1,747
Byron, Timothy	80,581	756
Carter, Kris	89,640	3,325
Chadburn, Shaun	79,871	444
Charles, Dan	77,986	-
Conway, David	139,425	4,024
Conway, Robert	130,481	1,032
Davies, Thane	77,521	441
Dehoop, John	86,223	1,711
Doiron, Jacob	76,595	38
Drakeley, Martin	87,539	4,696
Dube, Karen	85,416	1,906
Elzinga, Chris	81,281	4,783
Frame, Mark	183,935	4,075
Frank, Darrell	81,634	-
Gailey, Neil	117,184	2,124

The Corporation of the District of North Cowichan
Statement of Financial Information
For the year ended December 31, 2019

Goodman, James	97,954	4,720
Graff, Lindsay	76,905	2,693
Green, Robert	82,517	227
Hammerer, Jason	105,434	189
Harris, Ted	88,696	252
Hastings, Rachel	86,234	1,998
Hixson, Shane	116,166	2,014
Horsman, Natasha	105,617	2,301
Hutton, Chris	86,219	5,961
Iluk, David	90,400	129
Jackman, Brent	114,417	343
Janssen, William	88,759	600
Kilner, Fredrick	81,452	1,952
Killick, Lane	90,028	2,332
Knott, Randy	79,099	898
Knott, Heather	75,503	-
Knott, Tyler	77,592	381
Laliberte, Lynn	82,509	719
Laycock, Marla	101,561	3,596
Mansueti, Ernie	182,597	4,647
Mason, Shaun	125,680	1,648
Mccartney, Scott	81,925	751
Mccooey, Maaike	78,661	1,536
Mckay, Michael	87,810	2,789
Mcleod, Morgan	82,670	1,167
Meiner, Alyssa	81,766	3,857
Milne, J. Dan	116,680	-
Morris, Glenn	85,594	1,127
Munro, Richard W	82,727	2,918
Neumann, Donald	76,089	238
Nielsen, Bent	76,089	76
Nixon, Sarah	157,897	6,958
Paddle, Kelly	83,619	3,141
Parker, Jeff	90,133	848
Pite, John	115,884	682
Reitsma, R Clay	117,798	933
Richards, Paul	122,885	1,636
Richardson, Nelda	116,401	1,578
Robinson, James	99,785	1,360
Robertson, Karen	109,806	2,326
Salvati, Ronald	75,887	137

The Corporation of the District of North Cowichan
Statement of Financial Information
For the year ended December 31, 2019

Sanesh, Rebecca	75,639	-
Scargall, Mathew	82,055	1,329
Stewart, Donald	133,356	3,145
Swabey, Edward C	195,949	9,870
Thomas, Barbara	88,396	218
VonSchilling, Caroline	86,973	868
Wentz, Brent	80,244	367
Wiebe, Walter	114,391	1,294
Wright, Robert	79,598	100
ZapataLopez, Esmeralda	77,548	-
Zavarelli, Mario	80,490	334
Zunti, Hugh	<u>80,743</u>	<u>419</u>
Sub total	7,485,953	136,335
Employees less than \$75,000	<u>8,970,511</u>	<u>123,766</u>
Total - Employees	<u>\$ 16,456,464</u>	<u>\$ 260,101</u>

Reconciliation

Total Remuneration - elected officials		\$ 257,072
Total Remuneration - other employees		16,456,464
Subtotal		16,713,536
Reconciling Items		2,637,390
Total per Statement of Revenue and Expenditure		19,350,926
Variance		\$ -

Prepared under the Financial Information Regulation, Schedule 1, subsection 6(2), (3), (4), (5) and (6)

The Corporation of the District of North Cowichan
Statement of Financial Information
For the year ended December 31, 2019

Schedule of Goods and Services

Alphabetical list of suppliers who received aggregate payments exceeding \$25,000

Supplier Name	Aggregate amount paid to supplier
See attached list	\$ 51,779,083

Consolidated Total paid to suppliers who received aggregate payments of \$25,000 or less

	\$ 4,230,502
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Total of payments to suppliers for grants and contributions exceeding \$25,000

Consolidated total of grants exceeding \$25,000	\$ 109,800
Consolidated total of contributions exceeding \$25,000	
Consolidated total of all grants and contributions exceeding \$25,000	\$ 109,800

Reconciliation

Total of aggregate payments exceeding \$25,000 paid to suppliers	\$ 51,779,083
Consolidated total of payments of \$25,000 or less paid to suppliers	4,230,502
Consolidated total of all grants and contributions exceeding \$25,000	109,800

Total	<u>\$ 56,119,385</u>
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Prepared under the Financial Information Regulation, Schedule 1, section 7, and the Financial Information Act, section 2

The Corporation of the District of North Cowichan
Statement of Financial Information
For the year ended December 31, 2019

Schedule of Payments for Goods and Services

Supplier Name	Total
3Green Tree Ecosystem Services Ltd	\$ 27,153
Ace Ina Insurance	35,245
Acti-Zyme Products Ltd	120,052
Andrew Sheret Ltd	59,461
Aon Reed Stenhouse Inc	375,815
Associated Fire & Safety Division of Associated	56,046
BC Assessment Authority	345,436
BC Hydro	1,553,474
341234 BC LTD (Dba MICROSERVE)	60,951
0897109 BC Ltd	50,423
Beaver Electrical Machinery Ltd	72,399
Best Western Cowichan Valley Inn	113,250
Black Press Group Ltd	26,465
BMO Corporate Card Payments	347,167
Brenntag Canada Inc	76,852
C3 Mainline Inspections Inc	108,016
Canadian Linen And Uniform	33,208
Canadian Tree Services	35,170
Canadian Union of Public Employees Local 358	233,434
Cansel Survey Equipment Inc	50,796
Caro Analytical Services	29,686
Cdw Canada Inc	39,811
Charter Telecom Inc	189,705
Chemainus Business Improvement Association	123,848
Chesterfield Sports Society - Cowichan	164,640
City of Duncan	215,346
Clean Sweep Services	45,046
Cleartech Industries Inc	189,662
Coast Environmental Ltd	78,669
Coastal Animal Control Services of BC Ltd	151,483
Coastal Community Insurance Services (2007)	35,638
Columbia Fuels	212,760
Copcan Civil Ltd	419,751
Coral Canada Wide Ltd	37,832
Corix Water Products Limited Partnership	47,382
Corp of The District of North Cowichan - Petty	86,124
Corp of The District of North Cowichan	53,407
Cottam Enterprises Ltd	25,200
Cowichan Valley Regional District	11,249,105
Cowichan Trail Stewardship Society	63,387
Cowichan Band Superintendent Trust	399,158
Cowichan Valley Regional Hospital District	3,706,041
Cunningham & Rivard Appraisals (Nanaimo) Ltd	33,469
Cutting Edge Enterprises Ltd	107,983

The Corporation of the District of North Cowichan
Statement of Financial Information
For the year ended December 31, 2019

Dams Ford Lincoln Sales Ltd	74,369
David Niven Gradall Ltd	39,447
David Stalker Excavating Ltd	73,715
DFS Motors Ltd (Dba Island Ford)	95,761
Duncan Paving - (Div of OK Industries Ltd)	1,658,978
Duncan Curling Club	39,984
Eb Horsman & Son	28,686
Ecofish Research Ltd	58,945
Edwards Janitorial Services Ltd	96,977
Ellison Excavating Ltd	38,163
Emco Limited	78,787
Equitable Life	746,492
Esri Canada Ltd	60,835
Fiera Properties Core Fund GP Inc	182,145
Fortisbc Energy Inc	109,639
Fraser Valley Refrigeration Ltd	508,993
G3 Consulting Ltd	164,604
Grant Thornton LLP	26,224
Grande Developments Ltd	45,000
Graphic Office Interiors Ltd.	34,989
Green Roots Play Equipment Inc	33,125
Gregg Distributors Co Ltd	50,965
Guillevin International Co	98,078
Hastings Excavating Ltd	115,960
Hazelwood Construction Services Inc	148,741
Hb Harbour Management	112,702
Insurance Corporation Of British Columbia	65,062
Iconix Waterworks	127,764
Innov8 Digital Solutions	37,494
International Flood Control Corp	29,959
Integrated Operations Group Inc	67,480
Island Chevrolet Buick GMC	125,530
IWC Excavation Ltd	635,907
John Southward Glazier Walton & Margetts LLP	154,000
John Sawyers Wood Shed	34,447
JSK Traffic Control Services Inc	279,123
Judith Cullington & Associates	25,308
KTI Limited	50,867
Lafarge Canada Inc	101,743
Libra Tree Service Ltd	33,175
LMNTS Project Services Inc	42,210
Madill The Office Company	41,430
Madrone Environmental Services	78,991
Mainroad Maintenance Products LP	39,924
McElhanney Associates Land Surveying Ltd	54,224
Mega Tech	53,278
Mellor Excavating	34,435

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Microsoft Licensing GP	96,182
Milestone Equipment Contracting Inc	322,419
Millstone Contracting Ltd	41,669
Millennia Research Ltd	153,446
Minister Of Finance - Medical Services Plan of	337,716
Minister Of Finance - School Tax	3,428,031
MNP LLP	50,873
Monk Office	33,544
NCFD Chemainus Hall	26,034
NCFD Crofton Hall	43,659
NCFD Maple Bay Hall	40,069
NCFD South End Hall	31,068
New Path Advisory Group Inc	38,228
OK Tire - Duncan Tire (1999) Ltd	48,009
Orca Health And Safety Consulting Inc	26,067
Pacific Industrial & Marine Installations Ltd	35,979
Parkland Refinishing (BC) Ltd	152,382
Parsons Inc	95,134
Pension Corporation	2,399,415
Planet Clean Canada (A Bunzl Company)	96,513
Pontious Contracting Ltd	90,230
P&R Truck Centre	93,766
Questica Inc	25,725
Radius Contracting Inc.	199,915
Receiver General for Canada - Commissioner	4,515,402
Receiver General for Canada - Revenue Canada	4,381,990
Ricoh Canada Inc	114,203
Royal Bank - Duncan Branch	34,626
Royal Bank of Canada	29,614
Royal Bank of Canada	76,204
Save-On-Septic Services Ltd	315,030
Scho's Line Painting Ltd	82,697
Scottish Line Painting Ltd	109,916
Sherine Industries Ltd	31,981
Shur-Power Electric Ltd	67,907
Softchoice Corporation	28,156
Sound Solutions Inc	63,105
Southern Railway Vancouver Island	57,487
South Vancouver Island Assessment & Referral	25,836
Stan Holman Backhoe Service	33,019
Stantec Consulting Ltd.	43,693
Stone Ridge Sand & Gravel	27,538
Stone Pacific Contracting Ltd	187,973
Super Save Disposal Inc	44,235
Sustainability Solutions Group	31,763
Sylvis Environmental Services Inc	37,453
Tagz Fencing Inc	40,175

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Telus	86,171
Telus Mobility	67,440
Tempest Development Group Inc	79,708
Think Communications Inc	34,695
Timberline Reforestation Ltd	42,671
Tomko Sports Systems Inc	29,743
Total Power Limited	148,812
Trent Radcliffe Construction	101,043
Urban Systems Ltd	190,841
Us Bank National Association Visa	275,037
Vadim Computer Management Group Ltd	30,725
Valley Carpet One	37,600
Vancouver Island Regional Library	1,485,124
VDA Architecture Limited	109,528
Victoria Mobile Radio Ltd	65,208
Vimar Equipment	324,557
Waste Connections of Canada Inc	330,469
West Coast Evergreen Gardening Inc	67,562
Western Noise Control (2015) Ltd	37,305
Westurban Developments Ltd	508,081
Wholesale Fire Rescue Ltd	92,691
Wiersma Masonry Ltd	31,752
Worksafe BC	401,987
Wsanec Leadership Council	57,356
Wyvern Capital Inc	60,021
Young Anderson Barrister & Solicitors	301,001
Young Anderson Barrister & Solicitors "In Trust"	<u>175,278</u>
 Total suppliers exceeding 25,000	 51,779,083
 BC Forest Discovery Centre	 25,000
Chemainus and District Chamber of Commerce	25,000
Cowichan Neighbourhood House Association	29,800
Duncan Cowichan Chamber of Commerce	<u>30,000</u>
 Total grants exceeding 25,000	 109,800
 Other suppliers under 25,000	 <u>4,230,502</u>
 Total of printed suppliers	 <u>\$ 56,119,385</u>

Prepared under the Financial Information Regulation, Schedule 1, section 7, and the Financial Information Act, section 2

Schedule of Guarantee and Indemnity Agreements

Information on all financial guarantees or indemnity agreements for this organization is included in Note 13 c) of the Financial Statements.

Prepared under the Financial Information Regulation Schedule 1, section 5

Schedule of Severance Agreements

There were two severance agreements between the District of North Cowichan and its non-unionized employees in 2019.

These agreements represented between 2 and 3 months of compensation.

Prepared under the Financial Information Regulation, Schedule 1, subsection 6 (7)

The Corporation of the District of North Cowichan
Statement of Financial Information
For the year ended December 31, 2019

Statement of Financial Approval

The undersigned, as authorized by the Financial Information Regulation, Schedule 1, subsection 9(2), approves all statements and schedules included in this Statement of Financial Information, produced under the *Financial Information Act*.

Mark Frame
General Manager, Financial and Protective Services
June 3, 2020

Albert R.K. Siebring
Mayor
June 3, 2020

Prepared pursuant to the Financial Information Regulation, Schedule 1, Section 9

Report

Date June 3, 2020

File:

To Council

From Sarah Nixon, General Manager, Corporate Services

Endorsed:



Subject Resumption of Public Hearings and Board of Variance Business

Purpose

To recommend temporary measures for public hearings and Board of Variance business to resume during the COVID-19 pandemic and in accordance with Ministerial Order M139.

Background

On March 18, 2020, the Provincial Government declared a provincial state of emergency to support a province-wide response to the COVID-19 pandemic. The declaration was made after the Provincial Health Officer issued a Class Order prohibiting gatherings in excess of 50 people and established "physical-distancing" measures to limit close contact with others by keeping two metres (six feet) away from one another. In accordance with the provincial declaration, the Municipal Hall and Operations facilities were closed to the public; two public hearings that had been scheduled were cancelled; and, Board of Variance (BoV) meetings/hearings were placed on hold until such time as the "physical-distancing" measures were no longer in place or the Provincial Government authorized hearings to be conducted virtually.

Although the original Ministerial Order ([M083](#)) introduced by the Provincial Government to facilitate the continuation of Municipal business through COVID-19 included BoV meetings, in that they could be held electronically and without public attendance, the Order did not address representations to the Board or the provisions under sections 541 and 542 of the *Local Government Act*, which provide that the applicant and persons notified must be given the opportunity to be "*heard by the Board*" (see April 29, 2020 staff report for more information on BoV hearings).

Recognizing that construction and development activities will be a key part of British Columbia's COVID-19 recovery efforts, the Minister of Public Safety and Solicitor General issued [Ministerial Order M139](#) under s.10 of the *Emergency Program Act* on May 1, 2020. This latest order, replacing the previous [Ministerial Order M083](#), authorizes electronic public hearings and addresses pandemic-related problems for local governments by removing any requirement for in-person attendance at the public hearing. While the requirement that a BoV hold hearings is found in Part 14 of the *Local Government Act*, such hearings are not "public hearings" as that term is used in Parts 14 and 15 of the *Act*, thereby limiting the effect of section 15(1) of [Ministerial Order M139](#) to "public hearings" and does not apply to other types of hearings, such as a BoV hearing, nor does it apply to a public hearing required under the *Agricultural Land Commissions Act*.

The public hearings that were originally scheduled for March 18, 2020 and remain on hold pending a decision by Council on whether to move forward with public hearings following [Ministerial Order M139](#) are:

1. Zoning Amendment Bylaw No. 3775, 2020 to rezone 1378 Adelaide Street from Residential Rural (R1) to Residential One and Two Family (R3) to facilitate a 10-lot subdivision.
2. Zoning Amendment Bylaw No. 3776, 2020 to permit (site specific zoning) the use of retail cannabis sales at 9750 Chemainus Road.

The last BoV meeting occurred on February 5, 2020, and further meetings are on hold pending a decision by Council on how the BoV is authorized to resume their meetings/hearings. On February 26, 2020, the BoV was scheduled to hold a hearing for an application to vary the side yard setback at 9833 Willow Street to accommodate four heat pumps. However, that hearing was cancelled due to lack of quorum and rescheduled to March 25, 2020, which was subsequently cancelled due to the COVID-19 pandemic.

Discussion and Analysis

Procedural fairness, transparency, accessibility, safety and resource requirements were the key considerations of staff when analyzing options to recommend to Council for the resumption of public and BoV hearings during the COVID-19 pandemic.

While [Ministerial Order M139](#) allows for electronic public hearings, it does not prohibit public hearings from being conducted in-person. The range of options highlighted in this discussion assume that Council and senior staff would be participating virtually (while being live-streamed for the public) with members of the public participating through non-in-person means. Staff believe that the options as presented are consistent with current Council direction in relation to Council meetings, committees and public engagement activities, and are also consistent with the on-going COVID-19 operational decision to restrict in-person public access to municipal facilities.

Further, in-person public hearings may discourage or even prevent participation by some members of the public who have health concerns with in-person attendance; and in-person hearings will remain challenging to manage from a compliance and operational perspective given the health orders and physical distancing measures in place. It is challenging for staff to predict exactly how many people may wish to appear at a public hearing and how members of the public may conduct themselves.

While staff research has identified select communities that have allowed for continuing in-person attendance at public hearings (West Kelowna for example), staff conclude that continuing to allow for in-person attendance is staff time and cost intensive for each hearing and introduces challenges to mitigating safety risks for staff responsible for coordinating large-scale in-person attendance. The embedded image of the set up required for a recent West Kelowna hearing illustrates the space requirements, set-up time and complexity of allowing for in-person attendance.

Based on a staff survey of fifteen (15) Vancouver Island communities to support preparation of this report, the eight (8) communities that responded confirmed as follows: six (6) communities planned to move forward with public hearings by way of electronic means, two (2) communities planned to keep their public moratoriums in place due to limited corporate support resources and zero (0) indicated they planned to resume in-person hearings.

Also as part of staff's preparation of this report, staff reached out to the City of Vancouver, who have implemented electronic public hearings on a large scale, to confirm whether we could replicate on a smaller-scale the business processes their well-resourced corporate support teams had created (and have now had the opportunity to refine based on experience) to manage electronic hearings. Given the procedural and technical complexity of conducting public hearings electronically, staff are pleased to have a reference business process to leverage and replicate in support of Mayor and Council should Council direct staff to resume public hearings electronically.

Public Hearings

In accordance with Section 465(3) of the *Local Government Act* and as authorized by [Ministerial Order M139](#), public hearings may take place electronically (virtually) with no designated physical location for the hearing. The following list illustrates the range of options for public participation under [Ministerial Order M139](#):

1. *Written submissions*: Continue the current process which allows the public to provide their comments in writing regarding the public hearing matter(s) via email or mail. Members of the public could make their submission in writing and send it by email it to publicmeetings@northcowichan.ca, drop it off at the Municipal Hall through the mail slot, or send it by mail through Canada Post. These written submissions would then be collated, have personal contact information removed, and be made available electronically for Council and the public, temporarily replacing our existing practice of providing public hearing binders for in-person attendees to review.
2. *Telephone participation*: Allow the public to participate in an electronic public hearing via teleconference. Should Council direct staff to pursue telephone participation, staff would use Special Events Conferencing services through TELUS to manage a queue of speakers. This service can accommodate a large number of attendees, and is one of the business processes used by the City of Vancouver to manage complexity and reduce the barriers to participation



Photo: City of West Kelowna
Rajal LePage Place will serve as a staging area for people interested in speaking at Tuesday's West Kelowna public hearing.

in an electronic public hearing (for example, discomfort with or lack of access to a webcam or computer required for videoconferencing). Instructions on how to participate would be provided in all public advertising and statutory notifications. During the meeting, a dedicated staff person would liaise with TELUS Special Events Conferencing to support the Mayor in advancing through the public input queue (i.e. the speakers list).

3. *Videoconferencing participation*: Allow the public to participate in the electronic hearing using video conferencing. Access instructions would be provided on a dedicated webpage referenced in all advertising and

statutory notifications, allowing members of the public to provide oral comments to Council live during the virtual public hearing. This option presents potential barriers to participation due to varying technical capabilities of public participants, perceived loss of privacy in submitting personal contact information to U.S.-based videoconferencing provider, and having their name or partially masked phone number displayed to all viewers the entire time they are on screen. As well, it would be challenging for corporate support staff and the Mayor as chair to manage the public input queue (i.e. the speakers list). For larger public hearings, it would be very difficult to view and track public speakers in the video conferencing software, and call-in participants with masked phone numbers could not be accurately tracked. Due to this inability to identify call-in participants and ensure a fair opportunity to speak, this technology would need to be augmented with Special Events Conferencing services as per Option 2 above. Further, this would require a split focus for the Mayor as chair, potentially distract Information Technology staff from ensuring smooth operation of the videoconference and live streaming/recording, and the Corporate Officer from providing sound technical advice to Council.

4. *Waive the public hearing:* The Province has suggested that, during the provincial state of emergency, local governments may wish to consider waiving public hearings where permitted, such as a proposed zoning bylaw that is aligned with the Official Community Plan, in accordance with section 464(2) of the *Local Government Act*.
5. *Or some combination of the above options.*

If Council selects an option which would allow for real-time proceedings for the public to hear or observe, staff would continue with the current practice of livestreaming and recording public hearing proceedings to allow for the same public transparency the public is accustomed to in regular circumstances.

Board of Variance Meetings / Development Variance Permits

Neither the original [Ministerial Order \(MO83\)](#), nor the Order ([M139](#)) that replaced it on May 1, 2020, empowered Municipalities to limit oral submissions to the BoV to electronic means and Municipalities remain obligated to provide a physical place for people to attend and make submissions under the current regulatory framework. While the BoV could provide additional opportunities for individuals to be heard, such as if a person requests to make oral submissions to the board electronically or by teleconference, but ultimately a physical space **must** be made for oral submissions to the BoV.

Although the public participation process for a BoV hearing is similar to that of a development variance permit process, the latter allows public input to be limited to written submissions and does not require that the public be given an opportunity to make oral submissions to Council. However the cost of a development variance permit application is considerably more than an application to the BoV. An application to the BoV is only \$250, versus \$1,000 (+ \$50 per additional lot) for a Development Variance Permit application.

The following illustrates two options on how Council could proceed with applications to BoV under the current circumstances:

1. *Authorize the use of a physical space for in-person submissions to the Board:* Council would need

to authorize, by resolution (to mitigate any potential liability), the use of a physical space, for members of the public to attend and make submissions to the Board and then determine if and how it wishes the Board to provide open meeting transparency (see option 2 below for live-streaming). In addition to providing a public space within the Municipal Hall for public submissions, the Board may provide any or all of the following options as additional opportunities for public participation:

- (i) Written submissions: continue the current process which allows the individuals to submit their comments in writing by email to the applicable file manager in the Planning department, by regular mail through Canada Post or drop off at the Municipal Hall through the mail slot.
 - (ii) Telephone participation: (see process identified above for public hearings).
 - (iii) Virtual participation: (see process identified above for public hearings).
 - (iv) Combination of in-person participation and any or all of the above.
2. Live-streaming: If Council authorizes the use of a municipal facility under option 1 (above), then they would need to determine how and if the Board is to provide open meeting transparency – or refer the matter regarding open meeting transparency to the Board for determination. Requiring hearings to be live-streamed without recording for later posting on the municipal website would be consistent with Council’s May 20, 2020 decision related to committee and advisory body meetings, while ensuring transparency of the hearing procedure and reproducing, as closely as possible, a physical attendance experience at a BoV hearing.
 3. Permit applications to the BoV to be processed as a Development Variance Permit: Allowing BoV applications to be processed as a development variance permit would remove the requirement for having to provide a physical place for people to attend and make submission to the Board and allow this area of Municipal business to continue. However, it would require a temporary amendment to the *Fees and Charges Bylaw* to reduce the fee for a Development Variance Permit Application to \$250 for any person eligible to submit an application to the BoV, while the declaration of a state of emergency is in effect due to the COVID-19 pandemic. Once the bylaw amendment was adopted, applicants with in-stream BoV application would have the option of re-submitting as a Development Variance Permit application at no additional charge.

Public Hearing Options

The following three options for Council’s consideration are in relation to resuming **Public Hearings** electronically.

1. **Authorize public hearings to proceed electronically with public participating via written submissions and teleconference means.** With restrictions on physical attendance, it is important to diversify the means by which the public can participate in a public hearing to ensure that members of the public who may be affected by a proposed land-use bylaw continue to be provided a reasonable opportunity to be heard. Recognizing that there may be a portion of the public that do not have access to the technology to join a video conferencing meeting, that none of the Vancouver Island communities surveyed have held a public hearing yet (to staffs' knowledge at the time of writing this report), and that this option is consistent with the process used by the City of Vancouver (who have held electronic public hearings), staff believes that using teleconference means would be the most reasonable option.

RECOMMENDATION: That Council remove their moratorium on public hearings to allow them to be held electronically as authorized under Ministerial Order M139/2020 and in accordance with Section 465(3) of the *Local Government Act*;

And that the public be permitted to make submission to Council in writing by email or via Canada Post, or by teleconference.

2. **Authorize public hearings to proceed virtually with public participating via video conference.** Staff are not recommending that Council proceed with this option due to the barriers posed by the technology requirements for access to the video conference, the perceived privacy barrier of providing name or phone number to a U.S.-based videoconferencing company and having this information displayed to all participants, and the difficulty in managing public input. This option presents the highest potential for disrupted or paused hearing proceedings due to procedural confusion or technological challenges. If this option were selected, staff recommend including a telephone conferencing option to reduce barriers to participation, but this would result in the highest cost and requirements for staff time in managing the meeting, and would increase the complexity of managing the video speakers list alongside the telephone-only speakers.

SUGGESTED MOTION for Option 2: That Council remove its moratorium on public hearings to allow them to be held electronically as authorized under Ministerial Order M139/2020 and in accordance with Section 465(3) of the *Local Government Act*;

And that the public be permitted to make submission to Council in writing by email or via Canada Post, by teleconference, or by participating virtually in the hearing by video conference.

3. **Waive public hearing for zoning bylaws that align with the Official Community Plan.** This option would enable Council to deal with certain zoning bylaws quickly, however, it provides for very minimal input from the public and is the least transparent of the options. Council will have the opportunity to consider waiving the public hearing when applications come before it for consideration of first and second reading.

SUGGESTED MOTION for Option 3: That Council intends to waive the public hearing on all proposed zoning bylaws that are aligned with the Official Community Plan, in accordance with section 464(2) of the *Local Government Act*, while the provincial state of emergency in relation to the COVID-19 pandemic is in effect.

Board of Variance Options

The next two options for Council's consideration are in relation to how applications to the **Board of Variance** can proceed either through a BoV hearing or as a development variance permit.

4. **Encourage eligible Board of Variance applicants to submit an application for a Development Variance Permit.** This option would reduce the risk of spreading COVID-19 as Council would not be required to provide a physical space for an individual to be heard as applications would be considered by Council during a regular (or special) Council meeting.

RECOMMENDATION: That Council direct staff to prepare an amendment to the *Fees and Charges Bylaw*, to temporarily reduce the fee for a Development Variance Permit to \$250 for a person who would be eligible to submit an application to the Board of Variance, until such time in-person representations to the Board resume.

5. **Authorize the provision of space at the Municipal Hall to be used for Board of Variance hearings.** This option would result in the Board being able to meet and hear from the applicant and any adjoining properties to the subject property. The large or small committee room could be used as the designated space for any person(s) wishing to be heard by the Board in person.

SUGGESTED MOTION for Option 5: That Council authorize the use of rooms at the Municipal Hall to allow any person wishing to be heard in person by the Board of Variance.

Implications

The recommended option for public hearings (Option 1 - Public Participation via Teleconference and Written Submission) is the most likely option to allow for a smooth electronic hearing process that fully supports the Mayor (as chair) in being fully present presiding over the hearing, and allows corporate support staff resources to be focussed on elements of the meeting that ensure a positive experience for all of Council and the public. This option is the most consistent with Council's current approach to public interaction and the restrictions on public access to the Municipal Hall, supports staff and public safety, and is cost-effective.

The cost of the TELUS conferencing services referenced is anticipated at approximately 40 cents per minute per participant, and can likely be covered by existing budget, although this is challenging to predict as attendance at public hearings is highly variable. Further, this option requires the least staff time dedicated to supporting effective hearings.

The recommended option for the BoV (Option 4 – Applications for Development Variance Permit with reduced fee) still allows for public participation if desired and is consistent with current restrictions on public access to Municipal Hall, protects staff and public safety, has the lowest impact to staff resource time and would be the simplest and quickest process to operationalize and implement.

Recommendation

That Council remove their moratorium on public hearings to allow them to be held electronically as authorized under Ministerial Order M139/2020 and in accordance with Section 465(3) of the *Local Government Act*;

And that the public be permitted to make submission to Council in writing by email or via Canada Post, or by teleconference;

And further that Council direct staff to prepare an amendment to the *Fees and Charges Bylaw*, to reduce the fee for a Development Variance Permit to \$250 for a person who would be eligible to submit an application to the Board of Variance, while the provincial state of emergency in relation to the COVID-19 pandemic is in effect.

Attachment(s):

1. Ministerial Order M139
2. April 29, 2020 Staff Report re Resumption of meetings and regular business

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE MINISTER OF PUBLIC SAFETY AND SOLICITOR GENERAL

Emergency Program Act

Ministerial Order No. M139

WHEREAS a declaration of a state of emergency throughout the whole of the Province of British Columbia was declared on March 18, 2020;

AND WHEREAS local governments, including the City of Vancouver, and related bodies must be able to conduct their business in accordance with public health advisories to reduce the threat of COVID-19 to the health and safety of members and employees of local government and related bodies and members of the public;

AND WHEREAS it is recognized that public participation in local governance is an essential part of a free and democratic society and is important to local governments' purpose of providing good government to communities;

AND WHEREAS the threat of COVID-19 to the health and safety of people has resulted in the requirement that local governments and related bodies implement necessary limitations on this public participation;


AND WHEREAS section 10 (1) of the *Emergency Program Act* provides that I may do all acts and implement all procedures that I consider necessary to prevent, respond to or alleviate the effects of any emergency or disaster;

I, Mike Farnworth, Minister of Public Safety and Solicitor General, order that

- (a) the Local Government Meetings and Bylaw Process (COVID-19) Order made by MO 83/2020 is repealed, and
- (b) the attached Local Government Meetings and Bylaw Process (COVID-19) Order No. 2 is made.

May 01, 2020

Date


Minister of Public Safety and Solicitor General

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Emergency Program Act*, R.S.B.C. 1996, c. 111, s. 10

Other: MO 73/2020; MO 83/2020; OIC 207/2020

LOCAL GOVERNMENT MEETINGS AND BYLAW PROCESS (COVID-19) ORDER NO. 2

Division 1 – General

Definitions

1 In this order:

“**board**” has the same meaning as in the Schedule of the *Local Government Act*;

“**council**” has the same meaning as in the Schedule of the *Community Charter*;

“**improvement district**” has the same meaning as in the Schedule of the *Local Government Act*;

“**local trust committee**” has the same meaning as in section 1 of the *Islands Trust Act*;

“**municipality**” has the same meaning as in the Schedule of the *Community Charter*;

“**municipality procedure bylaw**” has the same meaning as “procedure bylaw” in the Schedule of the *Community Charter*;

“**regional district**” has the same meaning as in the Schedule of the *Local Government Act*;

“**regional district procedure bylaw**” means a procedure bylaw under section 225 of the *Local Government Act*;

“**trust body**” means

- (a) the trust council,
 - (b) the executive committee,
 - (c) a local trust committee, or
 - (d) the Islands Trust Conservancy,
- as defined in the *Islands Trust Act*;

“**Vancouver council**” has the same meaning as “Council” in section 2 of the *Vancouver Charter*;

“**Vancouver procedure bylaw**” means a bylaw under section 165 [*by-laws respecting Council proceedings and other administrative matters*] of the *Vancouver Charter*.

Application

- 2 (1) This order only applies during the period that the declaration of a state of emergency made March 18, 2020 under section 9 (1) of the *Emergency Program Act* and any extension of the duration of that declaration is in effect.
- (2) This order replaces the Local Government Meetings and Bylaw Process (COVID-19) Order made by MO 83/2020.

Division 2 – Open Meetings

Open meetings – municipalities

- 3** (1) A council, or a body referred to in section 93 [*application of rule to other bodies*] of the *Community Charter*, is not required to allow members of the public to attend an open meeting of the council or body.
- (2) For the purposes of Division 3 [*Open Meetings*] of Part 4 [*Public Participation and Council Accountability*] of the *Community Charter*, if a council or a body does not allow members of the public to attend an open meeting under subsection (1) of this section, the open meeting is not to be considered closed to the public.
- (3) This section applies despite
- (a) Division 3 [*Open Meetings*] of Part 4 [*Public Participation and Council Accountability*] of the *Community Charter*, and
 - (b) any applicable requirements in a municipality procedure bylaw of a council.

Open meetings – regional districts

- 4** (1) A board, a board committee established under section 218 [*appointment of select and standing committees*] of the *Local Government Act*, or a body referred to in section 93 [*application of rule to other bodies*] of the *Community Charter* as that section applies under section 226 [*board proceedings: application of Community Charter*] of the *Local Government Act*, is not required to allow members of the public to attend an open meeting of the board, committee or body.
- (2) For the purposes of Division 3 [*Open Meetings*] of Part 4 [*Public Participation and Council Accountability*] of the *Community Charter* as that Division applies to a regional district under section 226 of the *Local Government Act*, if a board, a board committee or a body does not allow members of the public to attend an open meeting under subsection (1) of this section, the open meeting is not to be considered closed to the public.
- (3) This section applies despite
- (a) Division 3 [*Open Meetings*] of Part 4 [*Public Participation and Council Accountability*] of the *Community Charter*,
 - (b) section 226 [*board proceedings: application of Community Charter*] of the *Local Government Act*, and
 - (c) any applicable requirements in a regional district procedure bylaw of a board.

Open meetings – Vancouver

- 5** (1) The Vancouver council, or a body referred to in section 165.7 [*application to other city bodies*] of the *Vancouver Charter*, is not required to allow members of the public to attend an open meeting of the council or body.
- (2) For the purposes of section 165.1 [*general rule that meetings must be open to the public*] of the *Vancouver Charter*, if the Vancouver council or a body does not allow members of the public to attend an open meeting under subsection (1) of this section, the open meeting is not to be considered closed to the public.
- (3) This section applies despite

- (a) section 165.1 of the *Vancouver Charter*, and
- (b) any applicable provision in the Vancouver procedure bylaw.

Open meetings – trust bodies

- 6 (1) A trust body, or a board of variance established by a local trust committee under section 29 (1) [*land use and subdivision regulation*] of the *Islands Trust Act*, is not required to allow members of the public to attend an open meeting of the trust body or board of variance.
- (2) For the purposes of section 11 [*procedures to be followed by local trust committees*] of the *Islands Trust Act*, if a trust body or board of variance does not allow members of the public to attend an open meeting under subsection (1) of this section, the open meeting is not to be considered closed to the public.
- (3) This section applies despite
 - (a) section 11 [*application of Community Charter and Local Government Act to trust bodies*] of the *Islands Trust Regulation*, B.C. Reg. 119/90, and
 - (b) any applicable requirements in a procedure bylaw of a trust body.

Division 3 – Electronic Meetings

Electronic meetings – municipalities

- 7 (1) A council, or a body referred to in section 93 [*application of rule to other bodies*] of the *Community Charter*, may conduct all or part of a meeting of the council or body by means of electronic or other communication facilities.
- (2) A member of a council or body who participates in a meeting by means of electronic or other communication facilities under this section is deemed to be present at the meeting.
- (3) Section 128 (2) (c) and (d) [*electronic meetings and participation by members*] of the *Community Charter* does not apply in respect of a meeting conducted by means of electronic or other communication facilities under this section.
- (4) This section applies despite
 - (a) section 128 of the *Community Charter*, and
 - (b) any applicable requirements in a municipality procedure bylaw of a council.

Electronic meetings – regional districts

- 8 (1) A board, a board committee established under section 218 [*appointment of select and standing committees*] of the *Local Government Act*, or a body referred to in section 93 [*application of rule to other bodies*] of the *Community Charter* as that section applies under section 226 [*board proceedings: application of Community Charter*] of the *Local Government Act*, may conduct all or part of a meeting of the board or committee by means of electronic or other communication facilities.
- (2) A member of a board, board committee or body who participates in a meeting by means of electronic or other communication facilities under this section is deemed to be present at the meeting.
- (3) Section 2 (2) (d) and (e) [*electronic meetings authorized*] of the *Regional District Electronic Meetings Regulation*, B.C. Reg. 271/2005, does not apply in respect

of a meeting conducted by means of electronic or other communication facilities under this section.

- (4) This section applies despite
 - (a) section 221 [*electronic meetings and participation by members*] of the *Local Government Act*,
 - (b) the Regional District Electronic Meetings Regulation, B.C. Reg. 271/2005, and
 - (c) any applicable requirements in a regional district procedure bylaw of a board.

Electronic meetings – Vancouver

- 9
 - (1) The Vancouver council, or a body referred to in section 165.7 [*application to other city bodies*] of the *Vancouver Charter*, may conduct all or part of a meeting of the council or body by means of electronic or other communication facilities.
 - (2) A member of the Vancouver council or other body who participates in a meeting by means of electronic or other communication facilities under this section is deemed to be present at the meeting.
 - (3) Section 2 (2) (c) and (d) [*electronic meetings authorized*] of the City of Vancouver Council Electronic Meetings Regulation does not apply in respect of a meeting conducted by means of electronic or other communication facilities under this section.
 - (4) This section applies despite
 - (a) section 164.1 [*meeting procedures*] of the *Vancouver Charter*,
 - (b) the City of Vancouver Council Electronic Meetings Regulation, B.C. Reg. 42/2012, and
 - (c) any applicable provision in the Vancouver procedure bylaw.

Electronic meetings – improvement districts

- 10
 - (1) An improvement district board, or a committee of an improvement district board appointed or established under section 689 [*appointment of select and standing committees*] of the *Local Government Act*, may conduct all or part of a meeting of the improvement district board or committee, other than an annual general meeting, by means of electronic or other communication facilities.
 - (2) A member of an improvement district board or committee of an improvement district board who participates in a meeting by means of electronic or other communication facilities under this section is deemed to be present at the meeting.
 - (3) This section applies despite
 - (a) section 686 [*meeting procedure – improvement district board*] of the *Local Government Act*, and
 - (b) any applicable requirements in a procedure bylaw of an improvement district board.

Electronic meetings – trust bodies

- 11** (1) A trust body, or a board of variance established by a local trust committee under section 29 (1) [*land use and subdivision regulation*] of the *Islands Trust Act*, may conduct all or part of a meeting of trust body or board of variance by means of electronic or other communication facilities.
- (2) A member of a trust body or board of variance who participates in a meeting by means of electronic or other communication facilities under this section is deemed to be present at the meeting.
- (3) This section applies despite
- (a) section 2 [*electronic meetings authorized*] of the Islands Trust Electronic Meetings Regulation, B.C. Reg. 283/2009, and
 - (b) any applicable requirements in a procedure bylaw of a trust body or applicable to a board of variance.

Division 4 – Timing Requirements

Timing requirement for bylaw passage – municipalities

- 12** Despite section 135 (3) [*requirements for passing bylaws*] of the *Community Charter*, a council may adopt a bylaw on the same day that a bylaw has been given third reading.

Timing requirement for bylaw passage – regional districts

- 13** Despite section 228 [*bylaw adoption at same meeting as third reading*] of the *Local Government Act*, a board may adopt a bylaw described in that section at the same meeting at which the bylaw passes third reading if the motion for adoption receives the majority of the votes cast.

Timing requirement for bylaw passage – trust bodies

- 14** Despite section 11 [*application of Community Charter and Local Government Act to trust bodies*] of the Islands Trust Regulation, B.C. Reg. 119/90, a trust body may adopt a bylaw on the same day that a bylaw has been given third reading.

Division 5 – Public Hearings

Public hearings – Local Government Act

- 15** (1) A public hearing under Part 14 [*Planning and Land Use Management*] or 15 [*Heritage Conservation*] of the *Local Government Act*, including a public hearing under section 29 (1) (b) [*land use and subdivision regulation*] of the *Islands Trust Act*, may be conducted by means of electronic or other communication facilities.
- (2) For the purposes of providing notice of a public hearing to be conducted under subsection (1),
- (a) any notice of the public hearing must include instructions for how to participate in the public hearing by means of electronic or other communication facilities,
 - (b) any material that is to be made available for public inspection for the purposes of the public hearing may be made available online or otherwise by means of electronic or other communication facilities, and

- (c) a reference to the place of a public hearing includes a public hearing that is conducted by means of electronic or other communication facilities.
- (3) This section applies to delegated public hearings.
- (4) This section applies despite the following provisions:
 - (a) section 124 [*procedure bylaws*] of the *Community Charter*;
 - (b) section 225 [*procedure bylaws*] of the *Local Government Act*;
 - (c) section 11 [*application of Community Charter and Local Government Act to trust bodies*] of the Islands Trust Regulation, B.C. Reg. 119/90;
 - (d) section 2 [*electronic meetings authorized*] of the Islands Trust Electronic Meetings Regulation, B.C. Reg. 283/2009;
 - (e) any applicable requirements in a procedure bylaw made under the *Community Charter*, the *Local Government Act* or the *Islands Trust Act*.

Public hearings – Vancouver Charter

- 16**
- (1) A public hearing under Division 2 [*Planning and Development*] of Part 27 [*Planning and Development*] of the *Vancouver Charter* may be conducted by means of electronic or other communication facilities.
 - (2) For the purposes of providing notice of a public hearing to be conducted under subsection (1),
 - (a) any notice of the public hearing must include instructions for how to participate in the public hearing by means of electronic or other communication facilities,
 - (b) any material that is to be made available for public inspection for the purposes of the public hearing may be made available online or otherwise by means of electronic or other communication facilities, and
 - (c) a reference to the place of a public hearing includes a public hearing that is conducted by means of electronic or other communication facilities.
 - (3) This section applies despite
 - (a) section 566 [*amendment or repeal of zoning by-law*] of the *Vancouver Charter*, and
 - (b) any applicable provision in the Vancouver procedure bylaw.

Division 6 – Deferral of Annual Requirements

Annual general meeting and requirements – improvement districts

- 17**
- (1) An improvement district may defer an annual general meeting that is required under section 690 [*annual general meeting – improvement districts*] of the *Local Government Act* to a date not later than December 31, 2020.
 - (2) An improvement district may defer the preparation of financial statements required under section 691 [*annual financial statements*] of the *Local Government Act* to a date not later than December 31, 2020.
 - (3) Despite the date referred to in section 691 (5) of the *Local Government Act*, an improvement district may submit to the inspector the audited financial statements of the improvement district for the preceding year and any other financial

information required by the inspector at the time of the annual general meeting of the improvement district.

- (4) If an annual general meeting of an improvement district is deferred under subsection (1) of this section and the term of an improvement district trustee would be expiring and the vacancy filled at that meeting, the term of the improvement district trustee is extended until the annual general meeting is held.
- (5) This section applies despite
 - (a) Division 3 [*Governance and Organization*] of Part 17 [*Improvement Districts*] of the *Local Government Act*, and
 - (b) any applicable provisions in a letters patent for an improvement district.

Report

Date April 29, 2020

File:

To Council

From Michelle Martineau, Manager, Legislative Services

Endorsed:



Subject Resumption of meetings and regular business

Purpose

To consider the resumption of regular Council meetings and lifting the suspension on committee and other advisory body meetings.

Background

On March 18, 2020, Council resolved to cancel all pending public hearings and suspended all regular Council, committee and advisory body meetings until such time as the Province's social distancing measures put in place in relation to the COVID-19 pandemic were no longer required, or as directed by Council. Special meetings via electronic means were authorized so that Council could address any urgent matters. The resolutions enacting these measures were as follows:

That Council move to electronic meetings, cancel all public hearings, engagement meetings and community events, travel for conferences, and close recreation centres effective upon direction by the CAO; and that staff be directed to develop a plan to work around public meetings for engagement processes; and that Council review the status of these closures and cancellations on a semi-monthly basis or as required;

And that Council cancel all upcoming regular meetings until such time as social distancing measures put in place in relation to COVID-19 are no longer required, or as directed by Council;

And that Council authorize that special meetings via electronic means only be scheduled for matters that are of an emergency nature; and that, subject to any waiver by the Province of BC for local governments to comply with section 128(2) (d) of the Community Charter, that staff be directed to find an appropriate facility and equipment to give the public the opportunity to hear or to watch and hear the participation of Council members;

And further, that all meetings of committees and other advisory bodies of Council be suspended, effective immediately and until such time as the social distancing measures put in place in relation to the COVID-19 pandemic are no longer required, or as directed by Council.

In addition to Council's decision above, Board of Variance Chair, Shannon Roome, suspended all future board meetings until further notice in light of this pandemic.

Following these decisions, the Minister of Public Safety and Solicitor General made several orders to facilitate the safe and efficient conduct of municipal business. The impact of those orders was presented to Council in an informational report on April 15, 2020 (see attachments). At that time, Council was

advised that a report, with recommendations, would be brought back to them for their consideration on:

1. Resuming regular meetings and other normal activities for Council

- (a) Resume the regularly scheduled Council meetings via electronic means;
- (b) Resume delegations and public hearings using electronic means; or
- (c) Continue with the status quo and only call a special electronic meeting for time sensitive and essential matters.

2. Providing open meeting transparency

- (a) Continue with current process of live-streaming Council meetings and inviting the public to submit any questions they have to the Corporate Officer via email at least 30 minutes prior to the meeting.
- (b) Staff to investigate other means to enable the public and delegations to participate electronically in real time during the meeting.

Discussion

As Council was previously advised, the Province issued [Ministerial Order MO83](#) on March 26, 2020 to allow local governments to host meetings electronically and without public participation; however, in the interest of transparency, open meetings continue to be streamed live and public input on agenda items can be submitted in advance of the meeting by email.

Staff conducted a poll on how other local governments are handling the public participation aspect of virtual Council meetings in COVID-19. The discussion which follows provides various alternatives to public participation, however, no options are being offered at this time. Instead, staff is providing Council with a recommendation based on their analysis of the data received that is consistent with what the majority of those surveyed have implemented and what would be reasonable, practical and safe for North Cowichan in these circumstances.

Council Meetings

Now that the organizational response to COVID-19 is well underway (e.g. most regular services to the public have resumed) and staff are assured the selected videoconferencing technology (WebEx) is a viable and safe choice for hosting virtual Council meetings, staff are asking Council to consider the resumption of regular meetings which would allow staff to bring forward matters that are not just of an urgent nature.

- *Delegation requests*

Staff have researched the possibilities with regard to hosting delegations virtually. Delegations could be treated as full participants in WebEx and then queued up when Council is ready to receive their address. Pursuing this option would likely require physically hosting the delegation at the Municipal Hall for a pre-meeting to test and train, and then for the Council meeting. Due to the requirements to operate physical hardware and ensure a secure and stable WebEx connection so not to disrupt the Council meeting, and delegation members not having familiarity with North Cowichan systems or an assigned North Cowichan device, it is highly probable Information Technology staff would be unable to support delegations remotely.

Allowing members of the public into the Municipal Hall building at this time would be inconsistent with the current closure to the public due to COVID-19. It would bring an increased risk of COVID-19 exposure for Information Technology staff as physical distancing during in-person technical support can be challenging, especially with members of the public who may have limited familiarity with videoconferencing. North Cowichan's Information Technology team is providing a truly critical and essential service for the operation during COVID-19 due to the organization's reliance on remote work capabilities, and to-date every effort has been made to eliminate their risk of exposure due to the adverse impact illness in that staff group would have on operations. The specialized expertise required to perform information technology work would not allow for other staff to step in and assist.

A better alternative could be to allow a delegation to submit their address in writing (e.g. PowerPoint presentation, memo, etc.) rather than presenting it orally to Council. This way Council could consider the submission at the meeting in the same manner that they would have, had the delegation appeared before them; however, Council would not have the benefit of being able to ask any clarifying questions of the delegation or the interpersonal connection of a face-to-face presentation. This may beg the question as to why a delegation cannot just phone into the meeting: the answer is that the audio capabilities of WebEx only allow an audio connection via WebEx. This ensures stable and high-quality sound. Using teleconference and videoconferencing technology simultaneously introduces significant audio feedback and would significantly reduce the quality of audio, potentially compromising the entire Council meeting record.

Based on the above discussion and analysis, it is possible for North Cowichan to accommodate delegations; however, staff are recommending that Council maintain the moratorium on delegations until such time the Municipal Hall opens to the public or staff are able to identify additional information technologies or capabilities for hosting delegations virtually, in a manner that allows their full participation and does not compromise audio quality. In event of either scenario occurring before the COVID-19 social distancing measures are lifted by the Provincial Government, staff would return to Council with a recommendation to resume delegations.

- *Public Input*

Staff surveyed other local governments and the findings indicate that the most common way most local governments are enabling public input at this time is through email. This is consistent with North Cowichan's current approach, and appears to be the simplest way to obtain public feedback on matters contained in the agenda. Other options, such as *PlaceSpeak* or social media were considered, however, their use introduces additional challenges to public participation such as the requirement to sign-up for an account and potential privacy concerns.

Council's *Public Input and Meeting Conduct Policy* establishes the maximum number of speakers to five and provides them with up to three minutes to make their address. In the past it has been unusual for the number of speakers wishing to address Council to exceed the maximum, however, with the public being able to submit their feedback via email instead of having to be present at the meeting, it is likely to become a regular occurrence that the maximum number of submissions will be exceeded. This was illustrated at the April 15, 2020 special meeting where Council received seven submissions, however, this could have been due to the suspension of the question period.

Staff are recommending, at this time, that all public input emails be circulated to Council prior to the meeting and that the Corporate Officer or Mayor acknowledge receipt of submissions and note which agenda items the public input is in relation to. The Mayor would then ask Council if they had any questions about the public input they just heard. This change will allow more residents to submit their feedback without hindering Council's ability to hold an efficient meeting.

If Council supports this recommendation, staff will be including in the statutory notice for the meeting a personal information collection notice, that email submissions received are subject to the *Freedom of Information and Protection of Privacy Act*, and that any personal information provided within the body of the email containing their input will be disclosed to the public, however, senders' email addresses will not be made available to the public (even if requested).

- *Question Period*

Although Council has provided the public with the opportunity to submit their comments in writing, in advance of the meeting, the public have been unable to ask questions of Council, in real time, during the Question Period. Based on the analysis completed and the additional research into alternative methods as noted above, staff are recommending that the public be invited to submit their questions via email to the address displayed on the livestream screen just before the Question Period. Staff will create a new email address specifically for this, and Council will take a 10-minute recess just before Question Period to allow viewers to submit their questions by way of email. Following the conclusion of the recess, the Corporate Officer or Mayor could read out each question in the order it was received.

An alternative to what is recommended, and what some jurisdictions are doing, would be to leave the moratorium on the Question Period in place.

- *Development Variance Permits*

Resuming regular meetings could enable staff to move forward with various development matters, such as permits, licences, etc. that require Council authorization that have been pending during this epidemic. Although a duty of fairness exists when Council is considering issuance of a development variance permit (DVP), it does not mean that a hearing must be held before a decision is made by Council. The BC Supreme Court decision in [1139652 BC Ltd. v. Whistler](#) confirmed that the process for the issuance of a DVP does not require that a person affected be given the opportunity to address Council in person, therefore providing the applicant or property owner or tenant of an adjoining property, an opportunity to make a submission in writing would satisfy Council's duty of fairness at common law.

- *Regular meeting follow-up business/activities*

If Council resumes their regular meeting schedule, staff will recommence sending out weekly Council Information Packages and other routine internal communications not circulated in an agenda package.

Public Hearings

[Ministerial Order MO83](#) does not address the challenges with holding public hearings and in-person representations. Holding a public hearing through electronic means, such as providing the public with an opportunity to be heard by telephone, would not satisfy the statutory requirements under sections [464](#) and [465](#) of the *Local Government Act* (LGA), for allowing the public to make representations to Council on matters contained in the bylaw. However, not all zoning amendments require a public hearing; subsection [464\(2\)](#) of the LGA allows Council to waive holding of a public hearing on a proposed Zoning Bylaw if an Official Community Plan (OCP) is in effect for the area that is subject to the Zoning Bylaw, and if the bylaw is consistent with the OCP. If Council elected to waive the public hearing and give a Zoning Amendment Bylaw third reading and adoption, they could do so after giving notice of their intention to waive the public hearing. It is not recommended that Council allow written submissions if the public hearing was waived as it would create doubt and confusion on whether the public hearing was actually waived.

Through the Chief Administrative Officer and Mayor's participation on weekly calls with the Ministry of Municipal Affairs and Housing during the COVID-19 pandemic, staff understand that the Province plans to bring forward another Ministerial Order to address public hearings the week of April 27, 2020, therefore, staff are not providing a recommendation on public hearings at this time. Once the Ministerial Order is made, staff advice and a recommendation for Council will be forthcoming in relation to the resumption of Public Hearings.

Committee Meetings

At the time that Council suspended committee and other advisory body meetings, there were two groups that were meeting on a regular basis, the Forest Advisory Committee and the First Nations Relations Committee. Staff are confident that committee meetings could occur virtually via existing videoconferencing technology, but this would require an investment of staff time for training and onboarding of committee members and committee chairs, as well as expenditure on unbudgeted additional licensing (approximately \$350 per new user) and hardware costs (up to \$700 as required per participant).

However, staff are not recommending that Council lift the suspension on committee and other advisory body meetings at this time. Staff recommend that Council wait until after they have received more information from Communications and Engagement staff, and engagement consultants on select files, on options for conducting virtual and digital public engagement. Following receipt of that information and Council's decision on the status of public engagement, a report providing advice and recommendations on resuming committee meetings electronically will be brought forward.

Board of Variance Meetings

Although [Ministerial Order MO83](#) seems to include Board of Variance meetings, in that they may be held electronically and without public attendance, the Order doesn't appear to address representations to the Board of Variance or the provisions under sections 541 and 542 of the *Local Government Act*, which provide that the applicant and persons notified must be given the opportunity to be heard by the board. As there is no reference to written submissions, this strongly suggests that the board must

provide an opportunity for oral submissions. In addition to the requirement for oral submissions, the *Act* appears to require that Board of Variance meetings be held at a physical location where people can attend in person to make oral submissions and does not appear to allow those representations to the board to be done electronically. While there is no statutory provision that expressly requires a physical meeting place, it appears to be implied in the *Act*.

As section 6 of the Ministerial Order enables the Board of Variance members to participate in meetings electronically as long as the board complies with the statutory requirements of the *Act*, which is to provide a physical place for people to attend and make oral submissions to the board. The board could provide additional opportunities to be heard, such as allowing a person to make their oral submission electronically or in writing. The key is that the board cannot *require* people to provide their submissions electronically or in writing.

Mayor Siebring has asked the Honourable Selina Robinson, Minister of Municipal Affairs and Housing, that the Province consider how local government Boards of Variance can handle their legislative requirement to provide a physical place for people to attend and make oral submissions to the Board. As staff is expecting the Province to come to a decision on this matter at the same time they address the issues related to public hearings, staff are not making any recommendations in relation to the Board of Variance at this time. Staff advice and recommendations to Council will be forthcoming if a decision materializes from the Province.

Implications

Financial. Should Council direct staff to resume Committee and other advisory body meetings, there may be additional unbudgeted costs for WebEx licences (\$350 per year) for additional groups/committees, and, potentially, additional technology required for committee members (up to \$700 per participant requiring additional technology).

Personnel. Should Council direct staff to proceed with virtual delegations and/or Committee and other advisory body meetings, this will require significant Information Technology staff time at a time where existing staff resources are strained supporting the new remote work environment for the organization. Further, if virtual delegations were to proceed, additional safety protocols and training, and potentially personal protective equipment for when physical distancing is not possible, will need to be implemented for Information Technology staff.

Recommendation

THAT Council resume their regular meetings electronically while the provincial physical distancing measures are in place to allow non-urgent business to proceed;

AND THAT the moratorium placed on delegations, public hearings, and Committee and Other Advisory Body meetings remain in place at this time;

AND THAT Council waive the limit for public input submissions and that staff be directed to circulate all Public Input emails received in advance to Council, at least 30 minutes prior to the meeting, and further

that the Corporate Officer or Mayor acknowledge receipt of submissions and state the agenda item the public input is in relation to;

AND FURTHER THAT Council take a 10-minute recess just prior to the Question Period to allow the public to submit their questions via email to the address displayed on the screen.

Attachment(s):

- 2020-04-15 Informational Report re Electronic Meetings and Related Ministerial Orders
- Public Input and Meeting Conduct Policy



STAFF REPORT TO COMMITTEE

DATE OF REPORT May 12, 2020
MEETING TYPE & DATE Regional Services Committee Meeting of May 27, 2020
FROM: Legislative Services Division
Corporate Services Department
SUBJECT: 2020 UBCM Resolutions
FILE: 0230-20-UBCM

PURPOSE/INTRODUCTION

The purpose of this report is to seek direction on potential resolutions for submission to the Union of British Columbia Municipalities (UBCM) for consideration at the 2020 convention.

RECOMMENDED RESOLUTION

For direction.

BACKGROUND

The UBCM Convention is scheduled to be held from September 21-25, 2020. The annual convention provides members with the opportunity to bring forward issues and concerns from their communities through resolutions and debate.

UBCM encourages members to submit resolutions through their Area Associations; however emerging issues can be submitted directly. The CVRD did not submit any resolutions to the Association of Vancouver Island and Coastal Communities (AVICC) in 2020.

The deadline for submission of resolutions is June 30, 2020.

ANALYSIS

At time of writing, the format of the 2020 UBCM Convention is unknown. With the UBCM deadline of June 30, any CVRD resolutions would need to be finalized and adopted no later than the June 24, 2020 Board meeting.

FINANCIAL CONSIDERATIONS

n/a

COMMUNICATION CONSIDERATIONS

n/a

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

n/a

GENERAL MANAGER COMMENTS

☐ Not Applicable

Referred to (upon completion):

- ☐ Communications & Engagement
- ☐ Community Services *(Cowichan Community Centre, Cowichan Lake Recreation, South Cowichan Recreation, Arts & Culture, Public Safety, Facilities & Transit)*
- ☐ Corporate Services *(Finance, Human Resources, Legislative Services, Information Technology, Procurement)*
- ☐ Engineering Services *(Environmental Services, Recycling & Waste Management, Water Management)*
- ☐ Land Use Services *(Community Planning, Development Services, Inspection & Enforcement, Economic Development, Parks & Trails)*

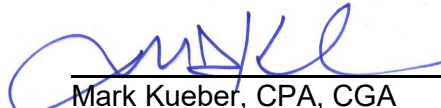
Prepared by:



Angie Legault
Corporate Officer

Reviewed by:

Not Applicable
Not Applicable



Mark Kueber, CPA, CGA
General Manager

Reviewed for form and content and approved for submission to the Committee:

Resolution:

☒ Manager, Legislative Services

Financial Considerations:

☒ Manager, Finance

ATTACHMENTS:

Attachment A – N/A

Attachment B – N/A

THE COWICHAN HISTORICAL SOCIETY

Subject: Duncan Train Station Rehabilitation

Dear Mayor Seibring and Council:

I am pleased to inform you that we have begun fund raising so we can undertake this project on our treasured and Federally Designated Heritage Building this year.

I have attached a Project Brief that provides an overview of our Society and describes the work items involved in the Rehabilitation project and details of the estimated \$166,000 cost.

There are two important ways that the Municipality can help us get on with this project:

- 1. Provide a Letter of Support**
- 2. Provide a financial contribution**

Note: we will be applying a few different agencies that can supply relatively large donations – part of their review process is the “amount of community support” generally and financially.

The impetus for proceeding at this time was provided by Tectonica Engineering in their July 2017 report based on their visual inspection conducted for building owners, the Island Corridor Foundation. Their report highlighted several aspects of the building that have been on radar for some time. We are in the 3rd year of the 20-year lease with the City.

Permit me to highlight some very important elements of the rehabilitation project:

- Install new plexiglass on lower floor – and – inserting eye catching pictures behind the plexiglass on all street wide windows.
- Repairs to wood siding and complete exterior paint job
- Upgrade bathrooms to allow wheelchair accessibility
- Replace roof and skylights
- Conduct structural engineering assessment

In summary:

- ✓ This project, this building and our Society are important to the local community. In the Cowichan Valley Museum, we celebrate the historic importance of First Nations and the early men & women pioneers including the farmers, loggers, sawmillers, fishermen, businesspeople and leaders who collectively transformed this “Warm Land” into the land of milk and honey that we are so lucky to live in.
- ✓ We have a strong and diverse elected 10-person board of directors
- ✓ Our curator/manager of the museum has served in this role for 16 years
- ✓ We intend to engage David Coulson Design to undertake this project; he has a record of excellence in restoring heritage buildings
- ✓ We have extensive project management experience in our board and membership to professionally manage this project

May 24, 2020

In closing, permit me to be so bold as to hint at the amount of our financial **Ask**.

Considering the size and scope of our project, that our museum celebrates the history of the entire Cowichan Valley and that our applications for the needed dollars are assessed in part on the level of community support, it is our sincere hope that **the Municipality will consider a generous financial contribution to our project.**

We will welcome the opportunity to make a presentation to Council you Mayor Siebring and to answer questions you might have.

Sincerely

A handwritten signature in blue ink, consisting of a stylized 'P' followed by a long horizontal line that ends in a small loop.

Bob Isbister for/

Sheila Kitson, President
Cowichan Historical Society

viwac@shaw.ca

DUNCAN TRAIN STATION REHABILITATION

PROJECT BRIEF – May 22, 2020

INTRODUCTION

The Proponents – the Cowichan Historical Society was originally formed in 1927 by members of several original pioneer families, among other citizens, interested in preserving and honouring the rich history of the Cowichan Valley. After a 38 year period of dormancy following dissolution in 1936, the current Cowichan Historical Society was incorporated on May 31, 1974 and, as part of its mandate, operates the Cowichan Valley Museum & Archives. The Society has a 10-member board of directors with diverse experience. The Curator, Manager hired by the Society, has served in her position for 16 years.

The Project - The train station was built in 1912 and is showing its age. It has been home to the Cowichan Valley Museum & Archives since 1989. The train station is owned by the Island Corridor Foundation (ICF) which sub-lets it to the City of Duncan which, in turn, leases it to the Cowichan Historical Society. The Society is just beginning its 3rd year of the 20-year lease with the City. In July 2017, the ICF engaged the services of the engineering firm Tectonica Management Inc to conduct an assessment of all building assets owned by ICF. Their report has provided the impetus for this rehabilitation project.

THE PROJECT

The Tectonica report identified several areas in the building envelope that were deficient and required mitigation in the 1 to 5-year period. The Society for their part has long sought to have two important improvements undertaken, namely a bathroom upgrade so it is accessible to all, and installation of storm windows on all windows. See table overleaf for all work items.

PROJECT COSTS – Approx. \$166,000 as shown in the table overleaf (Class D estimates)

PROJECT BENEFITS - The benefits of this project are numerous and include benefits to both the Museum and the Cowichan Valley community as follows:

Benefits to the Museum

1. Ensures that it continues to operate from a building that has been rehabilitated into an attractive and reliable facility.
2. A significant improvement in curb appeal; the building is showing its age.
3. Increases the attractiveness of and the marketability of the museum.

Benefits to the Community

1. Increased traffic into the downtown core – “A rising tide lifts all boats” is a truism in the retail & service sectors in particular.
2. Increase in community pride – we are all grateful to live in the Cowichan Valley. Having a refurbished Heritage designated building from which to show case the rich history and the role that the men & women pioneers played in developing this Warmland into a land of diversity, working forests, farms large and small, and recreational opportunities.
3. A positive “Moment of Truth” for first time visitors to the Cowichan Valley Museum– the all-important first impression of our community and our Museum.

PROJECT COST DETAILS

Description	Cost Estimate
Inspect chimney flashing and re grout	\$ 750
Hazmat assessment	\$ 4,000
Investigate western balcony structure	\$ 2,000
Re-paint exterior	\$ 10,000
Remove and repaint window putty	\$ 9,000
Siding repair	\$ 8,500
Replace HVAC equipment	\$ 14,000
Replace roof and skylights	\$ 26,000
Investigate roof substrate and framing	\$ 2,500
Subtotal per Tectonica report	\$ 76,750
Structural Engineering assessment & report	\$ 15,000
Install storm windows, upper & lower	\$ 20,000
Bathroom accessibility upgrade	\$ 17,500
Subtotal, other	\$ 52,500
Total Project Costs	\$ 129,250
Contingency 15%	\$ 19,388
PST	\$ 10,405
GST	\$ 7,432
GRAND TOTAL	\$ 166,474

** An ITQ has been submitted to a qualified contractor, so these costs will be fine-tuned in the near future

HOW YOU & YOUR COUNCIL CAN HELP

1. Individual council members can become a member of the Society – there is strength in numbers
2. Provide a corporate letter of support for the project
3. Favourably consider a financial contribution to our project – our goal is to raise as much money from local sources as possible as it makes it easier to access from various Government sources.

IN CLOSING, the Cowichan History Society will welcome the opportunity to give a presentation to your Council as soon as possible after this COVID 19 crisis has passed.

Submitted by: Sheila Kitson, President, Cowichan Historical Society

Telephone: 250-748-8569, Email: viwac@shaw.ca



Owner and operator of the Cowichan Valley Museum and Archives

P.O. Box 1014, Duncan, BC, V9L 3Y2, Canada

Telephone/fax: (250) 746-6612

www.cowichanvalleymuseum.bc.ca

Society Meetings

Monthly, 3rd Thursday, September-June, 7:30 pm

St. Peter's Quamichan Church Hall, 5800 Church Road, Duncan, BC

Membership Benefits

- Annual Membership Card
- Select previews of new museum exhibitions
- Society E-newsletters
- Speakers/presentations/field trips at Society general meetings
- 10% off purchases in the museum gift shop
- Discount for photocopies of copyright free materials in the archives
- Discount for subscription to *BC History magazine*, published quarterly

Membership Application

Annual fee (January-December): \$20 per person

Add \$20 to receive the quarterly magazine, *BC History*

Annual corporate sponsorships and donations are always welcome and most appreciated.

Please contact the Society President for further information at cowichanhistoricalsociety@gmail.com.

The Cowichan Historical Society is a registered charity. All donations of \$20 or more, beyond membership fees, are tax deductible. A separate receipt will be provided.

✂-----✂-----✂

Please print

First name _____ Surname _____

Street address _____

City _____ Province _____ Postal Code _____

Telephone (____) _____ E-mail _____

Signature _____ Date _____

☐ I consent to my personal information collected on this application to be used by the Cowichan Historical Society in order to contact me and to keep me informed about the Society's meetings and activities