

**A REGULAR MEETING
OF THE TOWN OF LADYSMITH COUNCIL
AGENDA
6:30 P.M.**

Tuesday, September 1, 2020

This meeting will be held electronically as per Ministerial Order No. M192

Pages

1. CALL TO ORDER

Call to Order 6:30 p.m. in Open Session, in order to retire immediately into Closed Session.

Members of the public are welcome to attend all Open Meetings of Council, but may not attend Closed Meetings.

2. CLOSED SESSION

Recommendation

That, in accordance with section 90(1) of the *Community Charter*, Council retire into closed session in order to consider items related to the following:

- the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality - section 90(1)(e)

3. OPEN MEETING (7:00 p.m.)

Please follow this link to view the meeting:

<https://www.youtube.com/channel/UCH3qHAExLiW8YrSuJk5R3uA/featured>

4. AGENDA APPROVAL

Recommendation

That Council approve the agenda for this Regular Meeting of Council for September 1, 2020.

5. RISE AND REPORT- Items from Closed Session

Items from the Closed Meeting of Council held August 18, 2020

- **CE 2020-116**

That Council reappoint Tim Richards to the Town's Parks, Recreation & Culture Advisory Committee for a two-year term, ending June 30, 2022.

- **CE 2020-117**

That Council appoint Emily Weeks to the Town's Parks, Recreation & Culture Advisory Committee for a two-year term ending June 30, 2022.

- **CE 2020-118**

That Council appoint Lesley Lorenz to the Town's Parks, Recreation & Culture Advisory Committee for a two-year term ending June 30, 2022.

- **CE 2020-120**

That Council:

1. As the sole shareholder of DL2016 Holdings Corporation, appoint Rob Hutchins to the Board of Directors to fill the vacancy created by the resignation of Jan Christenson; and
2. Direct the Mayor, on behalf of Council, to send a letter of appreciation to Jan Christenson for her years of service on the DL2016 Board of Directors.

6. MINUTES

6.1 Minutes of the Special Meeting of Council held August 13, 2020

5

Recommendation

That Council approve the minutes of the Special Meeting of Council held August 13, 2020.

6.2 Minutes of the Regular Meeting of Council held August 18, 2020

7

Recommendation

That Council approve the minutes of the Special Meeting of Council held August 18, 2020.

7. PROCLAMATIONS

7.1 Rotary Club of Ladysmith Day, September 22, 2020 and Rotary Week, September 20 to 26, 2020 12

Mayor Stone has proclaimed September 22, 2020 as "Rotary Club of Ladysmith Day" and September 20 to 26, 2020 as "Rotary Week" in the Town of Ladysmith.

8. REPORTS

8.1 Council Meetings at Aggie Hall 13

Recommendation

That Council:

1. Direct staff to proceed with audio and visual upgrades to Aggie Hall for the purpose of holding in-person Council meetings and Public Hearings for the foreseeable future; and

2. Allocate up to \$15,000 for the upgrades with funds taken from the Information Technology Reserve.

8.2 2021 Financial Plan (Budget) Discussions 18

Recommendation

That Council approve the following schedule to deliberate the 2021-2025 Financial Plan:

- November 3 – Preliminary Operating Budget
- November 10 – Water & Sewer Utility Introduction
- November 17 – Finalize Water & Sewer, introduction Capital budgets
- December 1 – Continuation of general operation, introduction of water and sewer rate bylaws, introduction of general capital projects
- December 17 – adoption of water and sewer rate bylaws, early budget approval of capital projects.

8.3 Uplands Remediation: Detailed Site Investigation Award of Contract

21

Recommendation

That Council award the contract for the detailed site investigation and remediation plan for the uplands of the Waterfront Area to Golder Associates Ltd for \$279,866 excluding GST.

9. BYLAWS

9.1 Town of Ladysmith Waterworks Regulation Bylaw 1999, No. 1298, Amendment Bylaw 2020, No. 2051

25

Recommendation

That Council give first three readings to “Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2020, No. 2051”.

10. NEW BUSINESS

11. QUESTION PERIOD

Residents can submit questions to Council via email at info@ladysmith.ca during the meeting.

- Persons wishing to address Council must be Town of Ladysmith residents, non-resident property owners, or operators of a business.
- Individuals must include their name and address for identification purposes.
- Questions put forth must be on topics which are not normally dealt with by Town staff as a matter of routine.
- Questions must be brief and to the point.
- No commitments shall be made by the Chair in replying to a question. Matters which may require action of the Council shall be referred to a future meeting of the Council

12. ADJOURNMENT



MINUTES OF A REGULAR MEETING OF COUNCIL

Thursday, August 13, 2020

1:00 P.M.

Oyster Bay Microtel Inn & Suites
12570 Trans Canada Highway

Council Members Present:

Mayor Aaron Stone
Councillor Duck Paterson
Councillor Amanda Jacobson
Councillor Rob Johnson

Councillor Tricia McKay
Councillor Marsh Stevens
Councillor Jeff Virtanen

Guests:

Jerry Berry, JB Consultants Inc.
Gary Nason, JB Consultants Inc.

1. CALL TO ORDER

Mayor Stone called this Special Council Meeting to order at 1:00 p.m.

2. AGENDA APPROVAL

CS 2020-239

That Council approve the agenda for this Special Meeting of Council for August 13, 2020.

Motion Carried

3. CLOSED SESSION

CS 2020-240

That, in accordance with section 90(1) of the *Community Charter*, Council retire into closed session in order to consider items related to the following:

- personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality - section 90(1)(a)

Motion Carried

4. RISE AND REPORT- Items from Closed Session

Council rose from Closed Session at 5:20 p.m. without report.

5. ADJOURNMENT

CS 2020-241

That this Special Meeting of Council adjourn at 5:21 p.m.

Motion Carried

Mayor (A. Stone)

Corporate Officer (D. Smith)

Subject to Adoption



MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, August 18, 2020

5:00 P.M.

This meeting was held electronically as per Ministerial Order No. M192

Council Members Present:

Mayor Aaron Stone
Councillor Duck Paterson
Councillor Amanda Jacobson
Councillor Rob Johnson

Councillor Tricia McKay
Councillor Marsh Stevens
Councillor Jeff Virtanen

Staff Present:

Erin Anderson
Chris Barfoot
Jake Belobaba
Geoff Goodall

Donna Smith
Julie Thompson
Mike Gregory
Sue Bouma

1. CALL TO ORDER

Mayor Stone called this Regular Meeting of Council to order at 5:00 p.m., in order to retire immediately into Closed Session.

2. CLOSED SESSION

CS 2020-242

That, in accordance with section 90(1) of the *Community Charter*, Council retire into closed session in order to consider items related to the following:

- personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality - section 90(1)(a)

Motion Carried

3. OPEN MEETING (7:00 p.m.)

Mayor Stone called this Regular Meeting of Council to order at 7:07 p.m., recognizing that it was taking place on the traditional territory of the Stz'uminus First Nation.

Mayor Stone expressed condolences to the friends and family of Pearl Harris who passed away this week. Ms. Harris was a leader in the Coast Salish community and an expert teacher of the Hul'qumi'num language and Stz'uminus culture.

4. AGENDA APPROVAL

CS 2020-243

That Council approve the agenda for this Regular Meeting of Council for August 18, 2020.

Motion Carried

5. RISE AND REPORT- Items from Closed Session

Council rose from Closed Session at 6:23 p.m. without report.

6. MINUTES

6.1 Minutes of the Special Meeting of Council held July 27, 2020

CS 2020-244

That Council approve the minutes of the Special Meeting of Council held July 27, 2020.

Motion Carried

6.2 Minutes of the Regular Meeting of Council held August 4, 2020

CS 2020-245

That Council approve the minutes of the Regular Meeting of Council held August 4, 2020.

Motion Carried

6.3 Minutes of the Special Meeting of Council held August 7, 2020

CS 2020-246

That Council approve the minutes of the Special Meeting of Council held August 7, 2020.

Motion Carried

7. DEVELOPMENT APPLICATIONS

7.1 Zoning Bylaw and OCP Amendment - Lot A Malone Road

CS 2020-247

That Council refer the Zoning Bylaw and Official Community Plan amendment application No. 3360-20-03 for Lot A, Malone Road back to staff to work with the applicant to explore ways to move forward with the project within the existing zoning.

Motion Carried

8. BYLAWS - OFFICIAL COMMUNITY PLANNING AND ZONING

8.1 Zoning Bylaw Amendment – 1148 Rocky Creek Road

CS 2020-248

That Council adopt “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 31) 2020, No. 2040”.

Motion Carried

9. REPORTS

9.1 Gill Road Lift Station Generator Construction Award

CS 2020-249

That Council award the contract for the Gill Road Lift Station generator to David Stalker Excavating Ltd. for \$340,861.50 including GST.

Motion Carried

9.2 Waterfront Area Watermain Installation

CS 2020-250

That Council:

1. Direct staff to construct a new watermain from the French Street watermain terminus adjacent to Oyster Bay Drive to the northeast end of the Machine Shop building for an estimated cost of \$371,000; and
2. Obtain funding for this project from the Water Reserve and that the 2020-2024 Financial Plan be amended to reflect this change.

Motion Carried

9.3 Swim Club Rental Rates – Proposed Amendments to Parks, Recreation & Culture Fees and Charges Policy No. 05-1810-E

CS 2020-251

That Council direct staff to amend the “Parks, Recreation & Culture Fees and Charges Policy No. 05-1810-E” as follows:

1. Remove existing language stating that the subsidy does not apply to specialized facilities such as swimming pools; and
2. Add a Registered non-profit youth swim club 15% subsidy for the FJCC swimming pool.

Motion Carried

OPPOSED: Mayor Stone, Councillors Stevens and Virtanen

9.4 Town of Ladysmith 2019 Statement of Financial Information

CS 2020-252

That Council approve the Town of Ladysmith Statement of Financial Information for the fiscal year ended December 31, 2019.

Motion Carried

9.5 Town of Ladysmith 2019 Annual Report

CS 2020-253

That Council adopt the Town of Ladysmith 2019 Annual Report.

Motion Carried

10. BYLAWS

10.1 Town of Ladysmith Tax Sale Deferment Bylaw, 2020, No. 2043

CS 2020-254

That Council adopt "Town of Ladysmith Tax Sale Deferment Bylaw, 2020, No. 2043".

Motion Carried

11. CORRESPONDENCE

11.1 Ladysmith Health Food Store

CS 2020-255

That Council receive the correspondence and petition from the Ladysmith Health Food Store regarding the location of the public toilet on 1st Avenue.

Motion Carried

12. QUESTION PERIOD

A member of the public suggested that the Ladysmith-Chemainus Swim Club (Orcas) enlarge their base to include Master swimmers who could use the pool alongside the competitive swimmers, allowing a bigger gross income for the club to cover costs.

13. ADJOURNMENT

CS 2020-256

That this Regular Meeting of Council adjourn at 8:13 p.m.

Motion Carried

Mayor (A. Stone)

Corporate Officer (D. Smith)



TOWN OF LADYSMITH

PROCLAMATION

ROTARY DAY AND ROTARY WEEK

- WHEREAS:** *Rotary is a global network of more than 1.2 million neighbours, friends, leaders and people of action working to create meaningful and sustainable changes in communities across the globe;*
- AND WHEREAS:** *the Rotary motto "Service Above Self" inspires members to provide humanitarian service, follow high ethical standards, embrace diversity and oppose racism, create opportunities, promote goodwill and peace, support the environment, and focus on delivering assistance to all peoples who are in need throughout the world;*
- AND WHEREAS:** *since 1905 the members of Rotary, and for 50 years the Rotary Club of Ladysmith, have served our local community and the world;*
- AND WHEREAS:** *since September 20, 1970, when the Rotary Club of Ladysmith was chartered, the members of the organization have built and/or supported the building of local facilities and parks, supported community organizations, provided scholarships and supported the youth of our community, supported the needy, and contributed to the well being and positive development of Ladysmith and communities in need internationally;*
- THEREFORE,** *I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim September 20, 2020 as "Rotary Club of Ladysmith Day", and September 20 to 26, 2020, as "Rotary Week" in the Town of Ladysmith, British Columbia.*

Mayor A. Stone

August 18, 2020

STAFF REPORT TO COUNCIL

Report Prepared By: Donna Smith, Manager of Corporate Services
Meeting Date: September 1, 2020
File No:
RE: **COUNCIL MEETINGS AT AGGIE HALL**

RECOMMENDATION:

That Council:

1. Direct staff to proceed with audio and visual upgrades to Aggie Hall for the purpose of holding in-person Council meetings and Public Hearings for the foreseeable future; and
2. Allocate up to \$15,000 for the upgrades with funds taken from the Information Technology Reserve.

EXECUTIVE SUMMARY:

As a result of the COVID-19 pandemic, Council has conducted its Council meetings electronically as permitted by Ministerial Orders since March. Council has indicated it would like to return to in-person meetings and staff have investigated various options and concluded that Aggie Hall would be the best and largest location to allow for appropriate physical distancing of Council, staff and the public. Audio and visual upgrades are required.

PREVIOUS COUNCIL DIRECTION

Resolution	MeetingDate	ResolutionDetails
CS 2020-205	07/07/2020	<p>That, pursuant to Ministerial Order No. M192, the attendance of the public at Town of Ladysmith Council and Committee meetings cannot be accommodated in accordance with the applicable requirements or recommendations under the Public Health Act, because the Council Chamber does not allow for appropriate physical distancing between Council, staff and the public in attendance; and there are no other Town facilities presently available that will allow physical attendance of the public without compromising the options of attending the meeting electronically via Zoom and viewing the meeting via livestream on YouTube; and</p> <p>That the Town of Ladysmith is ensuring openness, transparency, accessibility and accountability for meetings by:</p> <ol style="list-style-type: none"> 1. allowing the public to hear and see the proceedings by electronic means; 2. allowing the public to submit input on agenda items by email; 3. providing notice of the meeting; 4. making the meeting agenda, as well as all other relevant documents, available on the Town website; 5. providing email notification of publication of agendas to subscribers; 6. archiving meeting video for future viewing by members of the public; and 7. continuing to investigate options to facilitate public participation. <p>Therefore, be it resolved that Council and Committee meetings be held electronically and in the absence of the public in accordance with Ministerial Order M192, for the duration of the Provincial Health Officer's Order on Mass</p>

Resolution	MeetingDate	ResolutionDetails
		Gathering Events and the Provincial State of Emergency made March 18, 2020 and any extension of that declaration in effect.

INTRODUCTION/BACKGROUND:

Electronic Council meetings have worked well for the past few months, however Council has indicated that it would like to return to in-person meetings. The Council Chamber located in City Hall is not configured in a way that would allow appropriate distancing between Council, staff and the public, therefore Staff have been looking at alternate Town-owned locations to hold Council meetings and have determined that Aggie Hall would be able to accommodate Council, staff and the public with good physical distancing. Upgrades would be required to ensure that, as per Provincial direction, the public is able to see, hear and participate in the meeting. This includes in-person attendees as well as those at home, which means that our audio/visual system must be linked to ensure clear communication of the meeting. The plan is to continue to use Zoom to livestream the meetings on the Town's YouTube channel and archive the video for future reference (current practice). The public would still be able to participate either electronically or in person. An overview of the pros and cons for three Town-owned location options is shown in the following table.

Location	Pros	Cons
Aggie Hall	<ul style="list-style-type: none"> • adequate parking • adequate space for physical distancing • separate entrance/exit • no rental cost • could be used for Public Hearings instead of Eagles Hall • already has speakers installed 	<ul style="list-style-type: none"> • space used by LAFF and Cadets on a weekly basis, which may mean added maintenance costs to take down and set up the Council meeting setup including audio/visual • rental income may be impacted • substantial upgrades to audio/visual are required to ensure the public can see and hear and participate in Council meetings • very hot in the summer months
FJCC (lower program room)	<ul style="list-style-type: none"> • adequate parking • no rental cost • already has a projector installed 	<ul style="list-style-type: none"> • space is not large enough for physical distancing • currently used as offices during pandemic • upgrades to audio/visual, including speakers are required to ensure the public can see and hear and participate in Council meetings • Only one entrance/exit
Seniors Centre	<ul style="list-style-type: none"> • adequate parking • adequate space for physical distancing • separate entrance/exit • no rental cost 	<ul style="list-style-type: none"> • Seniors Society is not using the building during the pandemic and is not comfortable with others using at this time • upgrades to audio/visual are required to ensure the public can see and hear and participate in Council meetings

Eagles Hall has been regularly used by the Town to hold Public Hearings, however costs to hold meetings there could approach over \$500/meeting. The costs include hall rental, rental of a screen and projector, rental of a sound system (incl. delivery and labour). This cost still does not address the required video option.

The Province requires that, as part of the local government decision-making process, that Council consider several factors when preparing to hold in-person meetings. The factors are included in the following table along with staff's comments regarding how that can be accommodated at Aggie Hall.

Considerations	Aggie Hall
<ul style="list-style-type: none"> whether the chosen venue has an HVAC system or provides for fresh air exchange (e.g. open windows/doors) 	Doors can be opened for air flow.
<ul style="list-style-type: none"> posting the COVID-19 safety plan at the venue 	Safety plan to be created & posted.
<ul style="list-style-type: none"> the wearing of face masks by elected officials, staff and members of the public when physical distancing is not practical 	Masks may be required in common areas of the hall if needed.
<ul style="list-style-type: none"> posting occupancy limits (no more than 50 persons) based on the PHO Order requirements and WorkSafeBC recommendation and guidelines 	Occupancy limit will be posted and monitored by dedicated staff member.
<ul style="list-style-type: none"> ensuring washrooms are supplied with soap, water and drying materials so visitors can wash their hands. Limit the number of people at a time in public washrooms and establish how often cleaning and disinfection will take place 	Washrooms are stocked and signs to be posted allowing one person at a time.
<ul style="list-style-type: none"> establishing a process for collecting and safely retaining the first and last names and telephone number, or email address of every person who attends an open meeting in person having a greeter at the entrance informing the public about established safety protocols, including hand washing or sanitization, physical distancing and using a face mask where physical distancing is not practical or if they are concerned for their personal well-being implementing separate entrances and exit points to control the flow of people through the venue 	A dedicated staff member will be required at the front entrance in order to meet these three requirements.

ALTERNATIVES:

Council can choose to:

- Continue with Zoom meetings and eliminate in person meetings.
- Direct staff to again approach the Seniors Centre about holding Council Meetings and Public Hearings in their large meeting room including the requirement to add the audio/visual upgrades in order to broadcast the meeting as identified in the staff report.
- Direct staff to investigate other meetings spaces as identified by Council.

FINANCIAL IMPLICATIONS:

The cost to ensure that Aggie Hall meets the Province's requirement for the public to see and hear and participate in Council meetings and public hearings whether in person or at home, will require the upgrades identified in the following table.

Camera and A/V capture device (integrated)	\$6,500
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Laptop (to run the livestream, integrated with A/V)	\$1,600
TV (or HD Projector) (<i>could remove this cost by using existing Council TV</i>)	\$3,500
Sound system (<i>does not include microphones as we will reuse existing ones</i>)	\$1,600
Tripod for camera	\$350
Cabling	\$200
Miscellaneous	\$500
Total estimate with new TV:	\$14,250
Total estimate without new TV:	\$10,750

Other cost considerations that are unknown at this time include:

- Shaw internet (\$196/month);
- increased Facilities staff time to set up and take down when required;
- potentially the need for an additional dedicated staff member to ensure Public Health guidelines are being followed during meetings; and
- other equipment such as a rolling cart for the TV and secure storage containers for the equipment when the Hall is in use by other parties.

LEGAL IMPLICATIONS:

Local governments that are unable to comply with public health orders and hold in-person meetings are required under Order No. M192 to adopt a resolution to provide a rationale for the continued need to meet without the public present. Ladysmith Council passed such a resolution on July 7, 2020, thereby identifying that although there are currently no facilities that will allow meetings to be held in a public space in person, we continue to provide the opportunity for the public to hear or see and hear the meeting as well as information about how they can participate electronically.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Citizen engagement and participation at Council meetings is extremely important. During the pandemic the public has adapted to the electronic meeting process and their ability to participate as a registered delegation via Zoom or submit Question Period questions via email.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Corporate Services, Finance, and Information Technology staff are working hard to find solutions for meetings in Aggie Hall. Facilities staff will also be required if the Council meeting setup needs to be taken down and set up again to allow other uses of the building which may mean extra staffing costs.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|--|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input checked="" type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|---|---|
| <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Economy |
| <input checked="" type="checkbox"/> Community | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Waterfront | |

I approve the report and recommendation(s).

Erin Anderson, Acting Chief Administrative Officer

STAFF REPORT TO COUNCIL

Report Prepared By: Erin Anderson, Director of Financial Services
Meeting Date: September 1, 2020
File No:
RE: **2021 FINANCIAL PLAN (BUDGET) DISCUSSIONS**

RECOMMENDATION:

That Council approve the following schedule to deliberate the 2021-2025 Financial Plan:

- November 3rd – Preliminary Operating Budget
- November 10th - Water & Sewer Utility Introduction
- November 17th - Finalize Water & Sewer, introduction Capital budgets
- December 1st – Continuation of general operation, introduction of water and sewer rate bylaws, introduction of general capital projects
- December 17th – adoption of water and sewer rate bylaws, early budget approval of capital projects.

EXECUTIVE SUMMARY:

Each year, a new five-year Financial Plan is drafted and presented to Council for approval. It is recommended that specific dates are scheduled to discuss the 2021-2025 Financial Plan. Even though the Financial Plan bylaw is not due until May 15, 2021, it is recommended to enter into budget discussions early in order to plan for capital projects and ensure utility bylaws are in place for January 1st.

PREVIOUS COUNCIL DIRECTION

CS 2020-034	01/21/2020	That Council direct staff to provide a report for the 2021 budget discussions on the implications of authorizing one member of Council and the Mayor to attend the Federation of Canadian Municipalities Convention annually.
CS 2020-121	04/21/2020	That Council direct staff to: <ol style="list-style-type: none"> 1. Prepare the 2020 Financial Plan and Tax Rates Bylaws based on Option #2, of allocating the net budget percentage increase after non-market change equally over the classes and maximizing the Class 2 rate, as outlined in the report from the Director of Financial Services dated April 21, 2020; and 2. Prepare the 2020 Property Tax Rates Bylaw with the due date of July 2, 2020 and a penalty date of October 1, 2020.

INTRODUCTION/BACKGROUND:

Each year, a new 5-year Financial Plan is developed and adopted. Staff are currently preparing their department operational budgets, which align with the Town Strategic Plan.

The operational budgets are being developed using a 2% inflationary increase where applicable on many goods, services and materials.

Additionally, there are some known additional costs, such as:

- Costs to account for changes in practices due to COVID-19;
- CUPE Collective Agreement 2% wage increase for 2021;
- Increase to the capital reserve from 2.5% to 5% for 2021;
- CPP increases;
- Remaining funding for the additional RCMP member; and
- Fulltime funding for positions budgeted to start partially into 2020.

There continue to be many unknowns due to COVID-19. Revenue projections will be based on 2020 amounts.

ALTERNATIVES:

Council can choose alternative dates, though the budget bylaw must be approved by May 15, 2021.

FINANCIAL IMPLICATIONS:

The Financial Plan determines the tax rates. Though last year's budget discussions occurred in late 2019, the financial plan was adjusted in March and April of 2020 and finally adopted in May. It is expected that the 2021 budget will be updated as information becomes known.

The amount allocated to the capital reserve was set at 2.5% of the municipal taxes for 2020 with the expectation that it would be reinstated at 5% for 2021. This change alone is approximately \$185k increase.

LEGAL IMPLICATIONS:

A Financial Plan must be adopted prior to May 15th each year.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

It should be noted that the impact on property taxation is not known at this time. BC Assessment will provide the assessment roll towards the end of March.

Citizens are encouraged to attend meetings and provide input during the budget deliberations.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The development of the Financial Plan starts and ends with Council. Department heads prepare their budgets to align with Council priorities. Finance summarizes the numbers and presents the budget to Council for discussion.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|--|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input checked="" type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Employment & Tax Diversity | <input type="checkbox"/> Natural & Built Infrastructure |
| <input type="checkbox"/> Watershed Protection & Water Management | <input type="checkbox"/> Partnerships |
| <input type="checkbox"/> Communications & Engagement | <input checked="" type="checkbox"/> Not Applicable |

I approve the report and recommendation(s).

Erin Anderson, Acting Chief Administrative Officer

ATTACHMENT(S):

STAFF REPORT TO COUNCIL

Report Prepared By: Jake Belobaba, Director of Development Services
Meeting Date: September 1, 2020
File No: 6740-20
RE: Uplands Remediation: Detailed Site Investigation Award of Contract

RECOMMENDATION:

That Council award the contract for the detailed site investigation and remediation plan for the uplands of the Waterfront Area to Golder Associates Ltd for \$279,866 excluding GST.

EXECUTIVE SUMMARY:

Staff have reviewed proposals to complete a Detailed Site Investigation (DSI) and remediation plan for the uplands of the Waterfront Area. 10 proposals were received, with Golder Associates Ltd (Golder) scoring highest overall on the evaluation criteria.

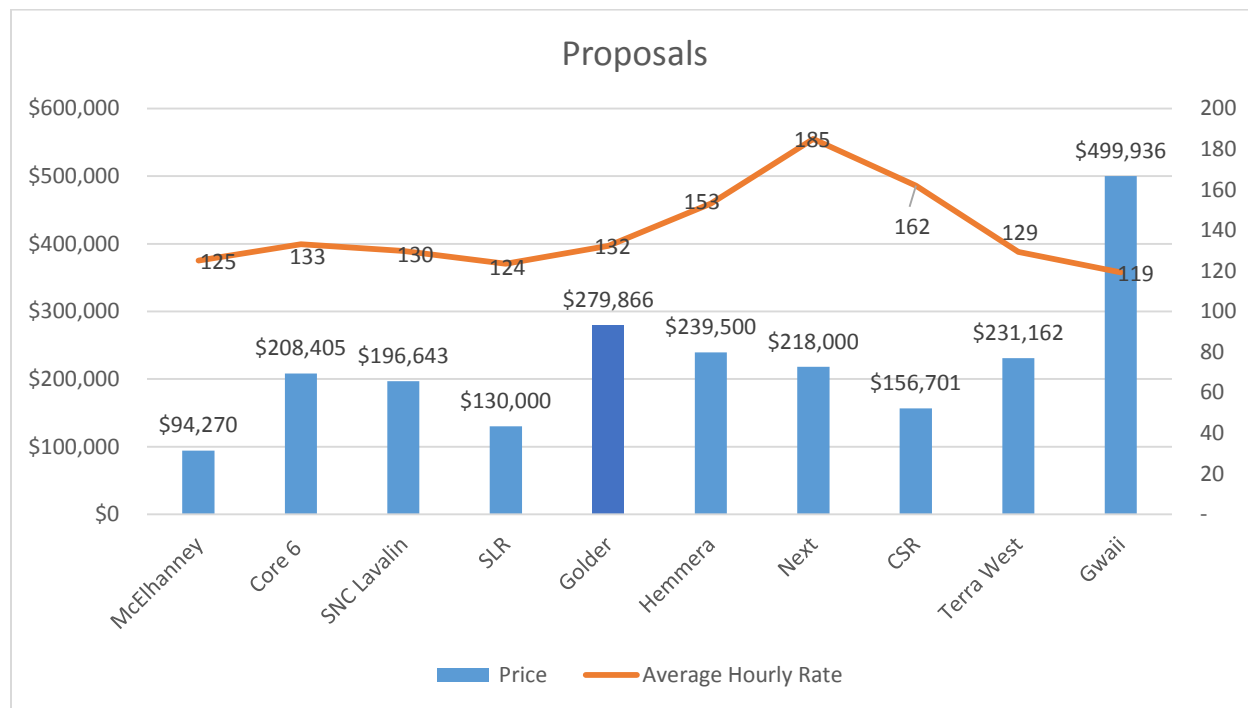
PREVIOUS COUNCIL DIRECTION

Resolution Number	Date	Resolution
CS 2020-153	05/19/2020	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receive the Regulatory Path to Closure and Stage 1 Preliminary Site Investigation prepared by Golder Associates provided in Appendix A of the staff report from the Director of Development Services dated May 19, 2020; 2. Direct Staff to amend the 2020-2024 Financial Plan to include up to \$400,000 from general surplus and development reserves to cover the cost of a detailed site investigation over the course of 2020-2021; and 3. Direct staff to: <ol style="list-style-type: none"> a. submit an application on behalf of the Town to the Federation of Canadian Municipalities to obtain funding for a detailed site investigation of the uplands and to obtain the services of a consultant, if required, to prepare the grant application; and b. seek the services of a qualified environmental engineering firm to complete a detailed site investigation of the uplands.

INTRODUCTION/BACKGROUND:

As noted in the May 19th staff report to Council, the uplands area of the waterfront is contaminated and requires remediation, the first step of which is a Detailed Site Investigation (DSI) and remediation plan. Pursuant to Council's May 19th resolution, staff issued a Request for Proposals (RFP) seeking proposals from qualified firms. The RFP was issued on July 3, 2020 and closed on July 30, 2020.

Ten proposals were received as follows:



There was a wide price range amongst the proposals mainly due to the variations in project assumptions, included costs, pricing structure and methodology. To address this, the RFP also called for hourly rates of project team members and an average of these rates was considered. Each proposal was evaluated based on price, hourly rate, project understanding, experience, and principles of best value.

ANALYSIS

Overall, Golder scored the highest when all evaluation criteria were considered and the highest in each evaluation criteria category except total price and average hourly rate. Golder has extensive experience with this waterfront, having completed a number of environmental studies since 2012, including the preliminary site investigation and path to regulatory compliance received by Council on May 19. Golder's price estimate is conservative. "Tasks 1-2"¹ are estimated at \$101,851 and "Tasks 3-8"², which are heavily influenced by yet to be

¹ Tasks 1-2 relate to soil analysis

determined variables, estimated at \$178,015. Although Golder's total price was the second highest, it includes all foreseeable costs (some of the above proposals did not) and had the most comprehensive approach and understanding of the history of the site. Staff's decision to recommend Golder is based on proposal quality rather than total price, considering the importance of remediation in implementing the Waterfront Area Plan. Golder's proposal was seen as a "safe" choice in terms of positioning the Town to adapt to unforeseen circumstances, and securing a provincially-approved remediation plan in a reasonable timeframe.

ALTERNATIVES:

Council can choose to award the contract to one of the firms noted in the list above.

FINANCIAL IMPLICATIONS:

An amendment to the Financial Plan allocating \$400,000 to this project from general surplus and development reserves was approved by Council at its May 19th meeting. At the same meeting, Council endorsed submitting an application to the Federation of Canadian Municipalities (FCM) for site investigation funding that would cover 50% of the project costs (up to \$175,000). Staff submitted the application to FCM on July 15th and the application is currently under review. Golder's estimated price, even if funding support from FCM is not received, is well within the budgeted amount.

LEGAL IMPLICATIONS:

Under the *Environmental Management Act* and *Contaminated Sites Regulation* the Town must report and remediate contamination before developing the uplands. Electing to undertake remediation (which includes a DSI and remediation plan) ensures compliance with provincial legislation; a necessary legal requirement to move forward with implementing the Waterfront Area Plan.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input checked="" type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input checked="" type="checkbox"/> Healthy Community | <input checked="" type="checkbox"/> Local, Diverse Economy |
| <input type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

² Tasks 1-3 are subsequent steps influenced by the results of the soil analysis (e.g. monitoring, preparing the DSI, developing a remediation plan, provincial approval of plan etc.)

☐ Infrastructure

☒ Economy

☒ Community

☐ Not Applicable

☒ Waterfront

I approve the report and recommendation(s).

Erin Anderson, A/Chief Administrative Officer

STAFF REPORT TO COUNCIL

Report Prepared By: Erin Anderson, Director of Financial Services
Geoff Goodall, Director of Infrastructure Services
Meeting Date: September 8, 2020
File No:
RE: **WATERWORKS BYLAW AMENDMENT – SEPT 2020**

RECOMMENDATION:

That Council give first three readings to “Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2020, No. 2051”.

EXECUTIVE SUMMARY:

The bylaw amendment incorporates stronger language restricting bulk water sales into the Waterworks Regulation Bylaw 1999, No.1298. There is also a change to allow strata properties the option of multiple water meters instead of the current provision of one.

PREVIOUS COUNCIL DIRECTION

CS 2020- 123	04/21/2020	That Council, in response to the request dated February 24, 2020 from the Holland Creek Strata Plan EPS2569, direct staff to amend the applicable Town of Ladysmith bylaws so that property owners in the strata will be billed individually for garbage, water and sewer; and that Holland Creek Strata Plan EPS2569 be advised of Council's decision.
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INTRODUCTION/BACKGROUND:

There are no changes to the water rates in this bylaw amendment.

The Town offers bulk water sales to contractors requiring water during construction when on-site water services are not available. The current bylaw required stronger wording to allow the Superintendent of Public Works (Director of Infrastructure Services) the ability to restrict the water sales to ensure adequate volume in the Town’s water reservoir and require that the water be used within the Town’s boundaries.

The bylaw also clarifies the resale option within the current bylaw to allow Grocery Stores to resell water.

The existing bylaw also limited the metered connection for a strata property to only one. This provision is necessary for a building strata though a bare land strata act similarly to a single

family dwelling and should be charged accordingly. Council passed a resolution earlier this year to permit individual billings of utilities for a particular strata; this bylaw incorporates the change for water billings.

ALTERNATIVES:

Council can choose to:

Regarding Bulk Water:

- Eliminate bulk water sales
- Permit bulk water sales to water delivery companies to sell to properties outside of the Town

Regarding Strata Developments:

- Continue with the one base rate for strata properties
- Charge one base rate for each dwelling unit, regarding of the metering

FINANCIAL IMPLICATIONS:

There are no changes to the water rates in this bylaw amendment.

There will be minimal financial implications due to this change in bulk water sales as there are currently only a few bulk water sales per year.

For the strata development change, there will be an increase in water revenues, as a new base rate will be charged for each of the dwelling units at Holland Creek Strata Plan EPS2569.

LEGAL IMPLICATIONS:

The revisions to the bulk water sales have received legal review.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Minimal impact to the public is expected.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

These proposed changes can be accommodated into the work plans of Infrastructure Services and Finance.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|--|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input checked="" type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

☒ Infrastructure

☐ Economy

☐ Community

☐ Not Applicable

☐ Waterfront

I approve the report and recommendation(s).

Erin Anderson, Acting Chief Administrative Officer

ATTACHMENT:

- “Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2020, No. 2051”

TOWN OF LADYSMITH

BYLAW NO. 2051

A Bylaw to Amend "Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298"

WHEREAS pursuant to the *Community Charter*, the Municipal Council may, by bylaw, regulate, prohibit and impose requirements in relation to municipal services:

NOW THEREFORE the Municipal Council of the Town of Ladysmith in open meeting assembled enacts as follows:

Amendment

1. "Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298" is amended as follows:

- 1) Add to section 1 "Definitions" the following definition immediately after "Disconnection of Service":

"Grocery Store" – means a retail establishment whose primary business is the sale of food intended for consumption off-premises."

- 2) Delete existing wording under section 5 "Strata Development Connections" and replace with the following:

"A strata development, regardless of the number internal structure may have more than one metered domestic connection to the public water system."

- 3) Delete existing wording under section 15 "Resale" and replace with the following:

"(1) Except as permitted under section 15(2), no property owner or occupier shall sell water obtained from the Public Waterworks System to any other person, house, premise or property.

(2) The owner or occupier of a Grocery Store may sell water from the Public Waterworks System at the Grocery Store, unless the owner or occupier has been notified by the Superintendent of Public Works that the Town's water supply is insufficient to meet the needs of the Town."

- 4) Delete in its entirety section 35 "Invoicing – Other Use" and replace with the following:

"35. SALE OF BULK WATER FROM FILLING STATION

- (1) The Superintendent of Public Works may authorize the sale of bulk water from the Public Waterworks System to a person if satisfied that:

(a) There is sufficient water supply in the Town's reservoir to meet the Town's needs;

- (b) The water will be used within the Town's boundaries; and
- (c) The person's use of the Town's filling station at the Public Works yard will not interfere with the Town's operations at the Public Works yard.
- (2) Charges or fees for purchasers of bulk water from the Public Waterworks System shall be in accordance with the bulk water rate as set out in Schedule "A" of this bylaw.
- (3) Any purchaser of bulk water from the Public Waterworks System must provide the Town with an indemnity and release in favour of the Town, regarding the purchaser's use of the bulk water.
- (4) Any purchaser of bulk water from the Public Waterworks System must not use the water in contravention of any Town bylaw or any Town watering restrictions."
- 5) Delete Schedule 'A' in its entirety and replace with the attached Schedule 'A'.

Effective Date

2. This Bylaw comes into force upon adoption.

Citation

3. This bylaw may be cited as "Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2020, No. 2051".

READ A FIRST TIME	on the	day of	,
READ A SECOND TIME	on the	day of	,
READ A THIRD TIME	on the	day of	,
ADOPTED	on the	day of	,

Mayor (A. Stone)

Corporate Officer (D. Smith)

SCHEDULE "A"**TOWN OF LADYSMITH****Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2020, No. 2051****1 METERED SINGLE UNIT DWELLING**

Per billing period:

Base Rate, including consumption to 25 m ³	\$ 51.13	
Next 26 m ³ to 50 m ³	\$ 0.9302	per m ³
Next 51 m ³ to 75 m ³	\$ 1.0993	per m ³
Next 76 m ³ to 100 m ³	\$ 1.3528	per m ³
Next 101 m ³ to 125 m ³	\$ 1.7757	per m ³
Over 125 m ³	\$ 2.3675	per m ³

2 METERED SERVICE - all other users

Per billing period:

Base Rate, including consumption to 25 m ³	\$ 51.13	
Over 25 m ³	\$ 0.8456	per m ³

3 NON-METER SERVICE

Per billing period: \$ 74.13 per unit

4 BULK WATER RATE\$ 2.13 per m³**5 WATER SERVICE CONNECTION RATES**

Where a service connection has not been previously provided to a parcel but where the Public Waterworks system front or abuts the parcel:

- (A) Up to a 25mm (4") service connection including meter, meter box, meter setter, check valves, shut-off valves and other related appurtenances: \$3,000 per connection
- (B) Larger than 25mm (4") shall be: At cost but no less than \$3,000 per connection

Where a service connection has been previously provided to a parcel:

- (C) Service connection including meter, meter box, meter setter, check valves, shut-off valves and other related appurtenances and is the requested size: \$100 per connection

- (D) Owner requested service modification including installation of a water meter, meter box, meter setter, check valves, shut-off valve and any other related appurtenances shall be:

At cost, but no less than \$3,000
per connection

5 FINES

Every person who violates any provision of this bylaw shall be guilty of an offence punishable on summary conviction and shall be liable to a fine or to imprisonment for not more than 6 months, or both. Each day that a violation of the provisions of this bylaw occurs, exist or is permitted to occur or exists, shall constitute a separate offense.

\$2,000 per offence