



**REGULAR MEETING OF THE COUNCIL
OF THE VILLAGE OF LIONS BAY
HELD ON TUESDAY, APRIL 18, 2023 at 6:00 PM
COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY
AND VIA ZOOM VIDEO CONFERENCE**

MINUTES

In Attendance: Mayor Ken Berry
Councillor Neville Abbot
Councillor Michael Broughton
Councillor Marcus Reuter

Staff: Marina Blagodarov, Administrative Assistant
Kelsey Guenette, Raincoast Ventures Ltd. (via videoconference)
(Recorder)
Ron Miller, Acting Chief Administrative/Financial Officer (Acting CAO/CFO)

Other: Randy Diehl, Management Consultant (via videoconference)

Public: 11 in person; 47 via videoconference

1. Call to Order

Mayor Berry called the meeting to order at 6:01 p.m.

2. Closed Council Meeting (6:00 PM)

Proposed topics for discussion in the absence of the public:

- A. Labour Relations
- B. Legal Matters

Moved/Seconded

THAT the meeting be closed to the public on the basis of matters to be considered under the following sections of the *Community Charter* and where required, the Council does consider that the matters could reasonably be expected to harm the interests of the municipality if they were held in public:

- 90 (1)** A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:
- c) labour relations or other employee relations;

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public;

(l) the receipt of advice that is subject to solicitor-client privilege, including the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2).

CARRIED

The meeting returned to open session at 7:05 p.m.

The Mayor acknowledged the unceded, traditional territories of the Squamish and Musqueam First Nations, on which the meeting was being held.

3. Reporting Out from Closed Portion of Meeting

There was nothing to report.

4. Adoption of Agenda

During discussion on the April 18, 2023 Regular Council Meeting agenda, it was requested that all items to be considered during the meeting be stated during adoption of the agenda.

Moved/Seconded

THAT the agenda of the April 18, 2023 Regular Council Meeting be adopted with the following amendments:

- Addition of Item 10(B), Mayor's Report (Metro Vancouver Meeting)
- Strike Item 10(E), Emergency Services
- Addition of Item 14(A), Candidate Information on Village Update.

CARRIED

5. Public Participation

A. Marek Sredzki

Marek Sredzki commended Council for striving to improve administration and reduce the operating expenses of the Village. The Village will benefit from the support and creativity of the residents, rather than negativity.

B. Michael French

Michael French voiced appreciation for the direction taken by the Mayor and expressed support. The speaker acknowledged the challenges faced by Council and admired the teamwork taking place during their navigation.

C. Anthony Greville

Anthony Greville advised that drainage concerns discussed in a previous Council meeting are addressed in the Infrastructure Master Plan, and previous Infrastructure Committee members may be able to provide further information if needed.

Additionally, it was requested that the term “filtration avoidance” in the draft Water Budget be amended to “filtration deferment” given concern that the current term sends the wrong message.

D. Norma Rodgers

Norma Rodgers expressed concerns regarding the lack of openness and transparency at the Council table.

E. John Phillips

John Phillips expressed concerns regarding the loss of Village staff, and the potential total collapse of services.

6. Public Delegation Requests Accepted by Agenda Deadline

A. Kambiz Azordegan

Kambiz Azordegan expressed concerns regarding the lack of prioritization of Village residents over visitors related to parking. It was requested that a Parking Committee be established as soon as possible, and in the short-term, reserved resident parking in the Lower Kelvin Grove lot be increased to five spaces.

The Mayor responded, noting that the matter would be addressed with formation of the Parking Committee.

7. Review and Approval of Minutes of Prior Meetings

A. Special Council Meeting – September 16, 2022
Moved/Seconded

THAT the Special Council Meeting Minutes of September 16, 2022 be approved as circulated.

CARRIED

(Councillors Broughton and Reuter abstained)

B. Regular Council Meeting – April 4, 2023
Moved/Seconded

THAT the Regular Council Meeting Minutes of April 4, 2023 be approved with the following amendments:

- Under Item 5(B), correct “legal option” with “legal opinion”
- Under Item 5(B), correct “May 24, 2023” to “March 24, 2023”

- Addition of the following to the second paragraph of Item 5(B): “Councillor Reuter pointed out the 2018 motion was to temporary absences due to vacation or other instances that cause the CAO to be indisposed.”
- Strike the second paragraph on Page 12
- Under Item 5(D), correct “CAO and CEO” to “CAO and CFO”
- Clarification of the surname under Item 5(E) as “Byrne”
- Under Item 5(F), amend “shared of having resigned for various reasons” to “shared information as to resignation”
- Under Item 9 (A), Action Item No. 270, correct Councillor Broughton to Councillor Abbott
- On Page 6, “Volunteer Appreciation Week”, amend the first sentence to: “Council discussed the volunteer appreciation event, and the result was that during the by-election campaign, it would not move forward.”
- Strike the first motion under Item 11(A)
- Under Item 12(A), (B), (C), correct “Tabled” to “Postponed”
- Under Item 13(A), correct Councillor Broughton to Councillor Abbott in the first action item.

CARRIED

8. Business Arising from the Minutes

None.

9. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

| VILLAGE OF LIONS BAY FOLLOW-UP ACTION ITEM LIST | | | | |
|--|-------------------|--|--|---------------|
| ACTION NO. | DATE | ITEM/ACTION/DESCRIPTION | PERSON | STATUS |
| 265 | February 21, 2023 | Follow up with Ministry regarding Vacancy Tax and Report back to Council | Councillor Reuter | On-Going |
| 266 | February 21, 2023 | Present Budget to Council | Acting CAO, Ron Miller | On-Going |
| 271 | April 4, 2023 | Prepare for Randy Diehl to arrive and meet staff at 2:00 pm on Thursday, April 13, 2023 followed by an Orientation Workshop for the Mayor and Council and senior staff at 6:00 pm. | Mayor Berry and Council | Complete |
| 273 | April 4, 2023 | Attend to the situation with Eric Upeniek immediately, including finding the permit and proceeding to the next step. | Acting CAO, Ron Miller | Complete |
| 274 | April 4, 2023 | Reach out to independent elections officers for the Village of Lions Bay local by-election 2023 and confirm details on the rules and structure of an all candidates meeting. | Acting CAO, Ron Miller | Complete |
| 275 | April 4, 2023 | Meet to discuss the possibilities for accessing grant monies that the Municipality is eligible for. | Councillor Abbot, Councillor Reuter, Acting CAO/CFO Ron Miller | On-Going |
| 276 | April 4, 2023 | Outreach to grant writers and develop a list of potential people to work with. | Councillor Broughton | On-Going |

Updates to action items included:

- 265: Councillor Reuter will provide a written report after meeting with the local MLA and Finance Ministry for discussion
- 266: The overall draft budget will be ready by mid next week
- 273: Complete; certificates from a registered architect or engineer were provided by the resident, allowing the Acting CAO/CFO to sign the building permit
- 271: Complete
- 274: Complete
- 275: Acting CAO/CFO to coordinate a meeting with the Public Works Manager to discuss mitigation disaster grant
- 276: A group of interested residents to collaborate on the matter is being formed, and the matter is actively pursued by Councillor Broughton.

10. Reports

A. Staff

- i. 2023 Draft Water, Solid Waste and Sewer Budgets
This item was considered together with Item 12 (A), (B), and (C).

B. Mayor

The Mayor advised of plans to attend an upcoming Metro Vancouver meeting on Friday, April 21, 2023.

C. Council

Councillor Broughton advised of plans to attend the Howe Sound Community Forum in Gibsons on Friday, April 21, 2023, and volunteer as a greeter at the water taxi dock, representing the Village of Lions Bay, and report back at a future Council meeting.

D. Committees

- i. Lions Bay Beach Park Advisory Committee
Councillor Michael Broughton informed that a Lions Bay Beach Park Advisory Committee meeting was scheduled for April 19, 2023.

11. Resolutions

None.

12. Bylaws

- A. Water Rates and Regulation Bylaw No. 2, 1971, Amendment Bylaw No. 626, 2023
The Acting CAO/CFO provided the 2023 Draft Water, Solid Waste, and Sewer Budgets Report for information and advised that a 0% increase in utility rates for water and solid waste, and a 5% increase in the sewer utility rate was reflected.

During discussion, comments were offered regarding:

- How the 5% increase in sewer rates compares to other similar communities
- Concerns related to using surplus funds rather than increasing utility rates.

ACTION: **Acting CAO/CFO to report to Council on the number of resident firefighters who registered as exempt to the secondary suite surcharge.**

ACTION: **Acting CAO/CFO to correct “construction” from “Survey, design and construction of water main on Creekview Pl.” in the Draft Water Budget under Note 5.**

Moved/Seconded

THAT a 5% increase be reflected in utility rates for the Water, Solid Waste, and Sewer Budgets, and the capital expenditure of the survey and design of water main on Creekview Pl. for \$135,000 be deferred to the discussion on capital budgets at a future Council meeting.

CARRIED

Moved/Seconded

THAT the Water Rates and Regulation Bylaw No. 2, 1971, Amendment Bylaw No. 626, 2023 be introduced and read three times.

CARRIED

- B. Sewer User Rates Bylaw No. 122, 1984, Amendment Bylaw No. 627, 2023

Moved/Seconded

THAT the Sewer User Rates Bylaw No. 122, 1984, Amendment Bylaw No. 627, 2023 be introduced and read three times.

CARRIED

- C. Garbage and Recycling Collection Bylaw No. 455, 2013, Amendment Bylaw No. 628, 2023

Moved/Seconded

THAT the Garbage and Recycling Collection Bylaw No. 455, 2013, Amendment Bylaw No. 628, 2023 be introduced and read three times.

CARRIED

13. Correspondence

- A. List of Correspondence to April 13, 2023

During review of general correspondence, it was highlighted that funding the Housing Accelerator Fund was being launched by MP Patrick Weiler. Additionally, a meeting with the local MP would be scheduled for a date following the by-election.

Other correspondence topics included the CN Rail right of way annual vegetation management program, the upcoming Councillor by-election, Speculation and Vacancy Tax, and opinions and suggestions by residents to staff and Council.

Moved/Seconded

THAT the correspondence to April 13, 2023 be received as circulated; and

THAT all such correspondence be acknowledged in writing; and

THAT any correspondence seeking an action within the proper jurisdiction of the municipality is referred to the Chief Administrative Officer.

CARRIED

14. New Business

A. Candidate Information on Village Update

Councillor Broughton requested that all candidates in the by-election be provide with an opportunity to provide information to the Village office for incorporation into the Village Update or onto the Village website.

ACTION: Acting CAO/CFO to discuss candidate information posting with the Chief Electoral Officer.

15. Public Questions & Comments

A. Jaime Cunliffe

Jaime Cunliffe offered congratulations to the Village regarding the Recycle BC grant.

B. Fred Bain (“FJB”)

Fred Bain expressed concerns related to the use of Village reserves to avoid utility rate increases, as many infrastructure grants require recipients to provide a percentage of funds towards projects, and the use of reserves may limit this ability.

C. Leslie Nolin

Leslie Nolin expressed concerns regarding an alleged breach of privacy in email communication to Council.

D. Ehsan Monfared

Ehsan Monfared questioned whether the above email submission was made to Council or in a confidential process, as it may not be subject to any privilege or privacy obligations.

The Mayor responded, noting that the matter would be reviewed.

16. Closed Meeting (continuation)

Moved/Seconded

THAT the meeting be closed to the public on the basis of the matters noted in Item 2.

CARRIED

The meeting returned to closed session at 9:21 p.m.

Mayor

Acting CAO/CFO

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|--------------------------|-------------|
| Date Adopted by Council: | May 2, 2023 |
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