

To provide input on an item on the agenda, please call (250) 632-8900 or email dok@kitimat.ca by 4:30 p.m. on Monday, November 30, 2020.



KITIMAT

A Marvel of Nature and Industry

COMMITTEE OF THE WHOLE
MEETING TO BE HELD AT MUNICIPAL HALL,
270 CITY CENTRE
ON MONDAY, NOVEMBER 30, 2020 AT 7:00 P.M.

1. Call to Order
2. Public Input / Questions on Agenda Items
3. Media Inquiries - For Clarification Only
4. New Business/Adoption of Agenda
- Page 5 5. Delegation – Dog on Baker Street
- Page 21 6. Presentation – Asset Management – Status Report to Council
- Page 23 7. Report – Organizing an Effective Committee of the Whole for Local Government (Tabled 9 November 2020)
- Page 29 8. Report – 2021 Refuse Fee Increase
- Page 33 9. Report – 2021 Water Fee Increase



SPECIAL MEETING OF COUNCIL
MEETING TO BE HELD AT MUNICIPAL HALL,
270 CITY CENTRE
ON MONDAY, NOVEMBER 30, 2020
FOLLOWING THE COMMITTEE OF THE WHOLE

1. Call to Order
2. Public Input / Questions on Agenda Items
3. Media Inquiries - For Clarification Only
4. New Business/Adoption of Agenda
5. Bylaw – Adoption – Haisla Bridge Park Closing and Exchange Bylaw No. 1990, 2020

**CLOSED MEETING TO BE HELD FOLLOWING
THE SPECIAL MEETING OF COUNCIL
ON TUESDAY, NOVEMBER 30, 2020**

Call for Closed New Business Items and Agenda Changes

Moved by _____, Seconded by _____.

THAT the agenda be adopted and Council deal with these matters in closed session.

At this point the public leaves.

- Page 1
1. Closed Meeting Minutes – 23 November 2020
 2. Release of Closed Items
 3. Adjournment

Technical Requirements	multimedia projector ✓ laptop other (provide details) <ul style="list-style-type: none"> It is best practice to provide electronic presentations in advance for loading and testing on the District's equipment. 	
Freedom of Information and Protection of Privacy Act	<p>The personal information collected on this form is subject to the Freedom of Information and Privacy Protection Act (FOIPPA). The personal information, if needed, will be used by the District of Kitimat to contact you regarding the request to appear before the District of Kitimat Council at a scheduled Council Meeting.</p> <p>If you have a question about the collection of your personal information, please contact the District of Kitimat's Director of Corporate Administration, or designate, at the District Office 270 City Centre, Kitimat, BC or by calling 250 632 8900.</p>	
Release of Contact Information	<p>✓ Yes, I consent to the publication of my Contact Information as part of the District of Kitimat Council Agenda and made available to the public in written and electronic form.</p> <p>No, I do not consent to the publication of my Contact Information as part of the District of Kitimat Council Agenda.</p>	
CONTACT INFORMATION		
Contact Address	31 Baker St	
Contact Phone Number	250-632-1768	Fax Number
Email	karen.jonkman@gmail.com	

- Each Delegation to Council is limited to 10 minutes, unless otherwise provided for in the Council Procedure (Kitimat Municipal Code, Part 2, Division 1, Subdivision 7, Section 1).
- When a public hearing is required by statute as a prerequisite to adoption of a bylaw, and a public hearing has been concluded, Council must not permit a delegation to address a meeting of council regarding that bylaw. (Kitimat Municipal Code, Part 2, Division 1, Subdivision 7, Section 3).
- Please note, all public meetings of the District of Kitimat are recorded and made available to the public.

Helpful Presentation Suggestions:

- have a purpose
- direct your presentation to the Council, and communicate through the Chair (Mayor)
- be prepared to answer questions from Council; the presentation is not debatable
- bring enough handouts if your material is not published with the agenda
- provide the Director of Corporate Administration with any relevant notes if not handed out or published with the agenda

I have read and understand the procedures as described in the District of Kitimat Delegation Request form.

Karen Jonkman

(Print name of delegate/representative)

Karen Jonkman

(Signature)

November 23, 2020

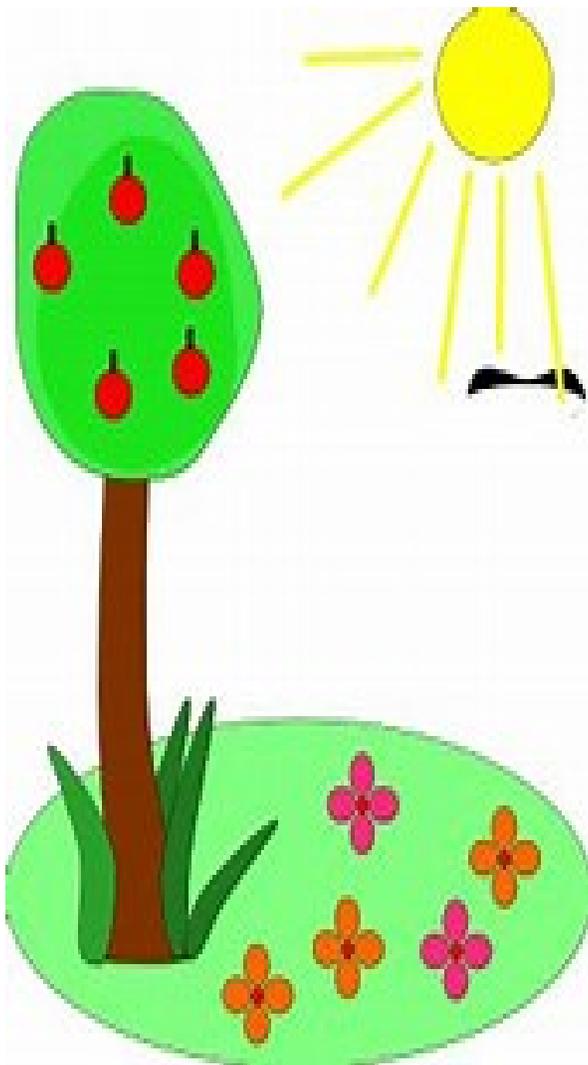
(Date)

Distribution:

Original - Director of Corporate Administration
Copy - Applicant



BAKER STREET RESIDENTS
SAFETY CONCERN



Thank you, Mayor and Council, for this opportunity to speak with you this evening.



I am here on behalf of the residents of Baker Street; and respectfully John and Caroline Tavares and family



Many of the residents have lived on Baker Street for more than twenty years. This is a great neighbourhood. Most of us know each other well. We are friendly, respectful, and look out for one another.

Traumatic Incident

July 31, 2020

This morning just before 10 am, I was in my living room at my house at 31 Baker St. Our living room faces directly onto Baker St.

I noticed our neighbour, John Tavares walking his dog Bella on a leash. He was walking towards the sidewalk at the end of our street. I said to Bill, my husband " look - Bella got a hair cut. She is so cute." A few moments later, I noticed that John had turned around with Bella and was walking back towards his house. When John and Bella were passing in front of the house across the street, 30 Baker St, a German Shepard barrelled out from between the house and garage directly towards John and Bella. John then positioned himself between Bella and the German Shepard. The German Shepard began to go around John to get closer to Bella. John tried to keep himself between the dogs, but the Shepard persisted. John then pulled Bella's leash upwards to pull her up into his arms. As soon as Bella was in his arms, the Shepard lunged and grabbed Bella. At that moment, my husband and I ran outside to try to help.

By the time we got outside, the Shepard's owner was also outside trying to separate the dogs. When the Shepard's owner got her dog to release Bella, her husband then took the Shepard towards their house.

John was bleeding, and Bella was alive, but clearly injured. I told John that Bella needs to go to the vet. I ran in and got a towel and wrapped it around Bella. Another neighbour ,Al Ribeiro, took John and Bella to the vets office.

As they left, I called ahead to the vets office to let them know the emergency and Bella was on the way. I then called the Kitimat Humane Society to report what had happened.

At that time I walked back to my front yard. At that time the neighbour approached my yard and began speaking to me. Most of that conversation was captured on my security camera.

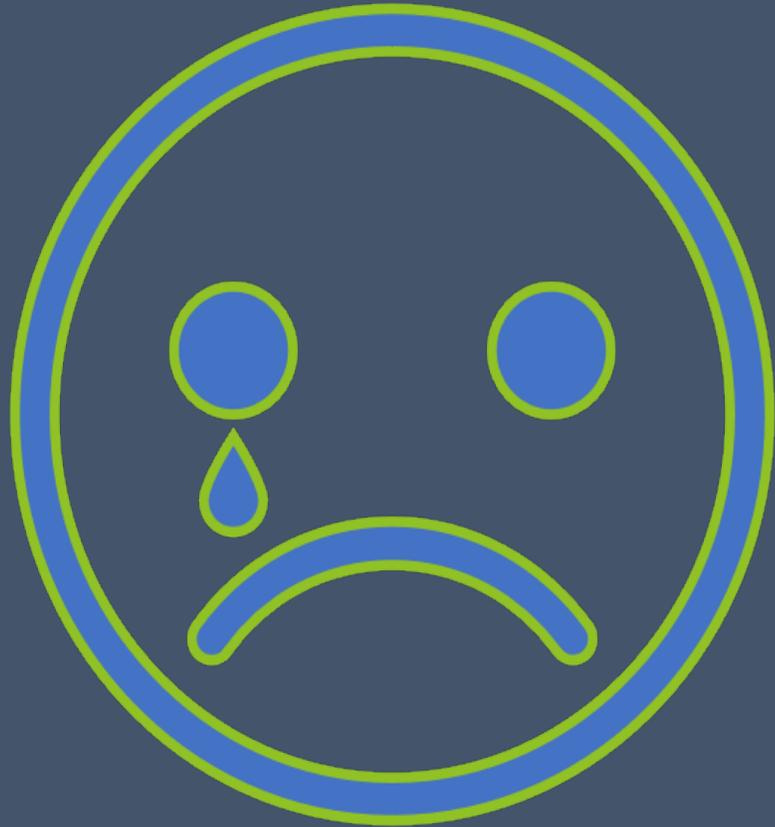
I provided relevant video footage from my security camera to Maryann of the Kitimat Humane Society.



**JOHN TAVARES
&
BELLA**

A member of the family





This traumatic event has left all of us on Baker Street shaken, upset and fearful

- John & Caroline Tavares and their family are grieving. John is healing from his injuries. Their hearts are broken.
- I witnessed this tragic event, along with others in the neighbourhood. It has been difficult for us to process.
- **We all said “Thank goodness the grandchildren were not walking Bella when it happened.”**

We were relieved that the dog was seized by the Kitimat Humane Society.

Definition of “Dangerous Dog”

Division 5 - Animal Control

- "Dangerous Dog" shall mean:
 - a. a Dog that has killed or seriously injured a person
 - or Animal;
 - b. a Dog which has a known tendency or disposition
 - to attack humans or Animals without provocation;
 - c. a Dog which has bitten, attacked or aggressively
 - pursued a person or Animal without provocation;
 - d. an Animal Control Officer has reasonable grounds
 - to believe the Dog is likely to kill or seriously injure
 - a person;

November 23, 2020

We received a letter from the District of Kitimat addressed to:

“ Residents of Baker St”

The cover letter from Ethan Anderson explained a report was enclosed by DR Rebecca Ledger who was retained by the District of Kitimat to review the incident and make recommendations.

QUESTIONS:

The report is from Dr Rebecca Ledger c/o Sara Dubinsky, Barrister & Solicitor.

1 Why is the document labelled confidential?

* The package delivered to my house was addressed to : Residents of Baker Street – similar to “Occupant”?

* Is the incident of July 31 confidential or on public record?

Is the “confidentiality” to protect the owners and dangerous dog that lives on Baker St?

* Is it not in the best interest of the residents of Baker Street and Kitimat to know where a dangerous dog lives ?

* Do the rights of the dangerous dog and its owners prevail over the rights and safety of all others?

2 Who has retained the services of Sara Dubinski?

Who does she represent?



The first sentence of Ethan Anderson's letter states:

“concerning an incident between two dogs”

Why sugar coat it? Let's call it what it was:

a small leashed dog and her owner were viciously attacked by a German Shepherd type dog who was at large.

The first paragraph of Dr Ledger's report states:

“.....and attacked Bella who was being walked on the sidewalk outside of the owners home.

****We have no side walks on Baker street****

If there are errors with these minor details, how do you expect us to have faith in the decisions made about the core issues: like the

safety of the residents and pets who live on Baker street?

This document confirms our worst fears.....

A dangerous dog that killed a neighbour's dog and bit her owner will continue to live it's best life with it's owners on Baker Street.

Why do the rights of the dangerous dog and it's owners prevail above the safety of the residents of Baker Street?

HOW CAN THIS BE HAPPENING?

IS THIS DECISION IN THE BEST INTERESTS OF THE RESIDENTS OF BAKER STREET & KITIMAT?

THIS IS A SAFETY ISSUE!

There is a long list of
“RECOMMENDATIONS”
on page 2 of DR Rebecca Ledger’s report

- Why has the term “recommendations” been used.
- So the “recommendations”(SUGGESTIONS) in the report are optional?
- Or can the owners cherry pick which “recommendations” they would like to follow?
- The report should state “REQUIREMENTS”
- The neighbours have built a **fortress** to contain their dangerous dog.
- Perhaps they will be diligent at first, but likely over time they will relax and their dangerous dog will eventually escape. This is an intelligent and athletic dog that will wait for the right opportunity.
- In the report one of the recommendation mentions “10 hours of obedience training” Do you honestly believe this will “cure” this dog?

Do you understand why we are so fearful?

This is a reckless decision.

How does the District of Kitimat plan to keep the residents safe?

There are many dog owners in the area who walk their dogs on Baker Street.

I have great respect for Maryann and the Kitimat Humane Society.

Maryann is a compassionate experienced professional.

However Maryann cannot be everywhere at all times.

Do you truly believe the dangerous dog has been rehabilitated?

**Bella
did not deserve this
John
& the Tavares Family
did not deserve this**

**Baker Street residents deserve
safety and peace of mind.**

Thank you, Mayor and Council, for the opportunity to
speak with you tonight.



NOTICE

Date: November 26, 2020
File No: 10.1.2
To: Mayor and Council
From: Warren Waycheshen, CAO
Re: **Asset Management – Status Report to Council**



Public Works and Engineering Department staff will provide a presentation on asset management.

COUNCIL REPORT

Date: November 5, 2020
 To: Mayor and Council
 From: Councillor Gibson
 Re: Organizing an Effective Committee of the Whole for Local Government
 File No. 1.1.2.1



Action:

That Council discuss the attached report, *Suggestions for Organizing an Effective Committee of the Whole for Local Government*, and consider options for implementing the recommendations.

Recommendation:

1. **THAT the District's Committee of the Whole procedures be amended to incorporate recommendations A - E below.**

Alternative Options:

2. **THAT Council create a Standing Committee on Strategic Planning to meet regularly (e.g., 6 - 8 times per year), and that the rules of procedure incorporate recommendations A - E below.**
3. **[If either options 1 or 2 are adopted,] THAT a professional facilitator be retained to act as chair for the first three meetings and to provide Council with basic training in consensus oriented discussions and decision making.**
4. **Another option determined by Council through discussion.**
5. **THAT this report be tabled to the next meeting of Council to allow further time for reflection on the discussion and staff comments.**

Background:

The purpose of a Committee of the Whole ("COW") meeting is quite distinct from that of a regular meeting. During a regular meeting, the expectation is that Council will move relatively quickly through a lengthy agenda and come to a majority-based decision regarding specific actions. In contrast, COW meetings should provide all members of Council an opportunity to engage in informal discussion on general ideas and proposals which may eventually result in future action during a regular meeting. COW meetings allow Council to work towards common understanding of an issue by listening and reviewing reports together with staff and other stakeholders in the same room at the same time. COW meetings can help Council reach consensus-based decisions after exploring a variety of perspectives and options.

Kitimat faces many challenges and many opportunities as a result of the current construction boom. In order to effectively lead the community through this critical time in our history, it is important for Council to make decisions that reflect a broad range of interests and align with Council's strategic objectives and a collective vision.

Currently, regular meetings of Council and COW meetings are almost indistinguishable. The rules of order, which are the same for both meetings, are designed to facilitate debate for or against one specific proposal and not to facilitate the exploration of various perspectives or to generate a variety of ideas and options. The recording and broadcasting of the meetings can be intimidating and may reduce participation in discussions. These conditions make it difficult for Council to explore complex topics and to develop a collective vision and strategy.

Adopting the following procedures for COW meetings (or for a new Standing Committee on Strategic Planning), can improve Council's ability to develop a common vision and to make decisions that are proactive and strategic.

- A. Modify the rules of debate to allow for more informal discussion, perhaps including 'rounds' to ensure all voices are heard, and smaller break-out groups to share perspectives and rapidly generate ideas and solutions to bring back to the whole group.**
- B. Allow staff and other advisors to participate in the deliberations.**
- C. Allow members of the public to attend (including through Webex), except for items which must be discussed *in camera*, but do not make a video recording of the meeting.**
- D. Determine a chair for the meeting who is different from the chair of the regular meeting, including the option of a rotating chair.**
- E. Set a time of day and duration for the meeting that allows for a meaningful discussion of the issues, and limit the items on the agenda.**

Council Initiative/Other Relevant Plans:

These recommendations are intended to promote the successful implementation and further refinement of Council's 2018 - 2022 Strategic Plan.

Submitted by:
Councillor Lani Gibson

Attachment: Suggestions for Organizing an Effective Committee of the Whole for Local Government

Suggestions for Organizing an Effective Committee of the Whole for local Government

Julie Pioch, PRP
Michigan State University Extension
Updated October 2013

A committee is typically a subset (one or more people) of a board assigned by appointment to investigate certain matters of importance to the government unit. A committee does not carry with it the powers of the entire board, but can only carry out the functions that are prescribed to them by the board. According to Roberts Rules of Order, Newly Revised, (11th edition), “An assembly can also designate all of its members present to act as a committee, which is called a committee of the whole and is distinguished from an ordinary committee” (p. 489 ll. 30-33). A committee of the whole is different than a regular committee because it includes all of the members of a board. It is like an ordinary committee in that the only authority a committee of the whole has is that which is assigned to it by the board. The purpose of such a committee is to allow all of the members of a board an opportunity to engage in informal discussion on ideas and proposals which may eventually result in a recommendation to the board.

A Committee of the whole is used primarily by legislative bodies. Robert’s Rules of Order, Newly Revised (RONR) provides a description of how a large board may use a committee of the whole as an opportunity for informal discussion during a meeting (RONR (11ed.), pp 529 – 542). In practice, committees of the whole have differed from RONR and have taken the form of a standing committee, for which boards have developed a regular schedule of meetings, order of business and committee rules of order. The most effective use of committee of the whole for county boards is to combine the practice of a stand-alone committee of the whole with the rules prescribed by RONR.

A committee of the whole may or may not take the place of other board standing committees. Often times, there is still a need for specialized committees to perform in-depth research on a topic or take leadership in a specific area significant to the county. The difference is that a committee of the whole allows for the whole board to work towards common understanding of an issue by listening and reviewing reports together in the same room at the same time. Working in a committee of the whole can help boards reach consensus and develop recommendations for action over a series of meetings. In a committee of the whole, formal rules of debate such as the number of times and how long a member can speak are modified or dispensed with altogether. Committee of the whole meetings can include listening to reports and expert speakers and if the board allows may allow nonmembers (such as staff) to participate in the deliberations.

Topics for recommendation are brought to a committee of the whole by a board member, a board committee, a staff member or any other stakeholder allowed by the board. Within the committee, board members listen to reports, ask questions of members and guests, and request additional information or research to be done to be able to fully understand an issue.

The primary outcome is for the board to feel they have enough information or have had enough conversation around an issue to be able to make a recommendation to the full board for action. Just like other committees of a board, a committee of the whole does not make final decisions. That work is done in the regular board meeting. Votes taken in committee of the whole are related only to recommendations and to decide if issues are ready to be taken to the board. It may also be determined that an issue is not within the jurisdiction of the board. Decisions to refer an issue to another board or constituent group might also be made in the committee of the whole.

To effectively manage a committee of the whole and to make sure members have a clear understanding of how it differs from the regular board meeting, the board should adopt some committee rules. These rules should be formally adopted in a regular board meeting. Protocol should be determined as to how information will flow between the committee of the whole and the regular board meetings and who will manage that process. Here are some suggestions for a successful committee of the whole structure:

- Determine who will be the chair of the committee. It is suggested to have someone other than the board chair preside for several reasons: 1) the board chair could participate in debate more freely helping to craft a recommendation when appropriate, and if disengaged during committee conversation may be in a better position to preside effectively during the final consideration of the issue by the board, 2) from a public standpoint, it will be clearer to nonmembers that the meeting is in committee and not the regular board meeting since the chair is not presiding and 3) allows an opportunity for other members to gain some experience in presiding. Some boards assign the role of committee chair to a certain member such as the vice-chair; some alternate the chair assignment to different members of the group. It is up to each board to determine the most effective option.
- Set a schedule for getting items on the agenda for committee of whole and communicate that to all board members and staff. Determine who will be responsible for receiving items, what descriptive information must accompany that item, how agendas and packets will be distributed to members and by what time prior to the meeting they should be submitted. Boards with administrative staff should determine if this will be solely a staff function or if leadership of the board will be involved in deciding what issues will be placed on the committee's agenda. Whether or not you allow things to be added to the agenda at the beginning of the committee meeting is dependent upon the culture of your organization but should also be determined when making your rules.
- Set a time of day and duration for the committee of the whole that allows for discussion of issues. Be cognizant of the time allotment made for the committee of the whole and don't load too much work into one meeting. Conversely, adjust the length of the meeting if there are many items to work through. Over time, boards develop their own

best practices once they get comfortable with the workflow and timing of committee of the whole meetings.

- Determine if you want all board issues to go through committee of the whole before going to the full board for action. If such a policy is set make sure that the timing of your meetings is such that issues can be discussed in committee and taken up at a board meeting in a logical time fashion. A board can suspend the rules if an issue needs immediate action, however timing a committee of the whole the same day or a few days prior to a board meeting can remediate this situation before it happens. For example, committee of the whole is set for two hours prior to the regular monthly board meeting. The board has decided that all items ready to move from committee to the board get placed on the agenda on the following month's meeting agenda which allows time for preparing the agenda, notice etc. However, if an urgent issue arises which needs action that month, the issue can be discussed in committee then immediately taken to the board for action that same day if the board allows it. If taken to the board that evening, any prepared agenda would need to be amended.
- Make sure there is clarity in reporting for other standing or special committees, that is, are committee reports heard in committee of the whole or during the regular board meeting. This may change depending on the nature of the report. For example, if a special committee is making a final recommendation for action, that report would likely come directly to the board meeting but if the committee is making a status report or asking for input from other members on direction or next steps that may fit better into the committee of the whole agenda.
- Public boards governed by Michigan's Open Meetings Act must provide public notice of the meetings of the committee of the whole because a majority of the board members will be present. No official actions are made in committee of the whole; however, recommendations may be made to not take something to the board. The press will be eager to attend committee of the whole meetings because that is where a great deal of the real debate on issues important to them will be done. Boards should be very open with the press and public about the timing of these meetings. It is up to the board whether or not they have public comment as an item on the agenda of the committee of the whole. Because of the informal nature of the meeting, audiences have been seen to join in on the deliberations; boards should be diligent in making sure the audience understands proper meeting protocol.
- When a contentious issue comes before the committee where consensus on a particular recommendation cannot be reached or where a majority determines that it should not be recommended for adoption, the issue should still be taken to the regular board meeting so that the board can vote on its final disposition. The motion placed before the board should always be phrased in the positive where yes means yes and no means no. During debate on the motion, the majority and minority opinions heard in committee should be succinctly voiced then a vote taken on the issue for final resolution. This does

not mean that the motion could not be amended from its original form during debate in the board meeting - the point here is to bring things to the board for a vote so that there can be action or closure and not leave issues unresolved in committee.

- The use of a consent agenda in a board meeting is an efficient way to carry information forward from committee of the whole to the board. Issues that have been thoroughly discussed, are routine, or otherwise not in need of further debate can be placed on the consent agenda for quick approval allowing time in the board meeting for other important matters.

In summary, using a committee of the whole to allow for in-depth, informal consideration of topics can be useful to county boards. Although the use of a committee of a whole as a standing committee differs from what is described in RONR (11th edition), the committee of the whole carries with it the same characteristics and serves the board in a similar way. A committee of the whole should not become a bottleneck where business gets stuck. Rather the use of this form of committee should expedite business by encouraging valuable discussion of the issues, provide a forum where members and staff can bounce ideas to get feedback and create excitement about opportunities to improve programs and services. Rules for a committee of the whole should be practical and meetings scheduled in a timely fashion. A board will develop their own patterns for workflow and timing over time and should modify their committee rules as they develop to be most effective. Two positive outcomes that come from effective use of a committee of the whole are 1) the opportunity for greater input from board members and stakeholders yielding better board decision making and 2) increased transparency of the decision-making process.

COUNCIL REPORT

Date: November 25, 2020
 File: 2.9.1.1
 To: Warren Waycheshen, CAO for Mayor and Council
 From: Dustin Rutsatz, Director of Finance
 Re: 2021 Refuse Fee Increase



Recommendation: (to be provided from the motions below)

Background:

In 2020 Council raised the refuse fee rates from \$62 to \$95 in order to recover the collection costs of our solid waste system. In 2021, our solid waste costs will have another large increase to accommodate the recycling program starting in the fall of 2021.

This fee is levied only on properties utilizing the garbage collection system.

Motions:

If Council wishes to recover all refuse system costs.

- A) THAT the revenue to cover the estimated refuse expenses be collected through a fee increase to be initiated in the 2021 taxation year.
- B) THAT this fee level increase from \$95.00 to \$290.00 per dwelling unit, with a 10% reduction to those who qualify for the Provincial Home Owners Grant for Seniors & Disabled.

If Council wishes to phase in increases:

- THAT the motion B) above be instead set as to **\$192.00 per dwelling in 2021 and \$290.00 per dwelling unit in 2022** (spread the increase over 2 years).

If Council wishes to cover the cost of collection:

- A) THAT the revenue to cover the estimated refuse expenses be collected through a fee increase to be initiated in the 2021 taxation year.
- B) THAT this fee level increase to \$146 per dwelling to cover the cost of collection with a 10% reduction to those who qualify for the Provincial Home Owners Grant for Seniors & Disabled.

Options (or Alternatives):

- 1) THAT this report dated November 25, 2020 – *2021 Refuse Fee Increase* be received for information.
- 2) Council may wish to spread out the increases over longer periods.
- 3) Another option be developed through discussion of Council.

Budget Implications: Enables Refuse Collection and Landfill Operations to be funded in full.


Treas. Initials

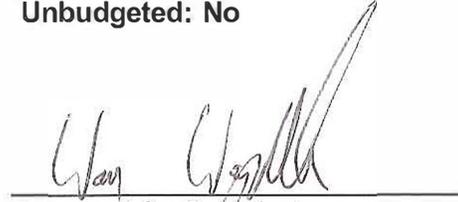
Budgeted:

Unbudgeted: No

Council Initiative N/A



Submitted by:
Dustin Rutsatz, Director of Finance



Approved for Submission:
Warren Waycheshen, CAO

Attachment: Increase to Refuse Fee in District of Kitimat

Increase to Refuse Fee in District of Kitimat

Six Year Cost History of Refuse System

	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	Forecast <u>2020</u>	Budget <u>2021</u>
Refuse Operations						
Landfill Contract	246,720	224,830	533,446	480,332	490,000	525,000
Landfill Closure Costs	125,000	125,000	149,383	139,921	143,443	147,316
Collection	211,763	211,784	253,020	303,750	366,000	525,000
Net Cost	583,483	561,614	935,849	924,003	999,443	1,197,316
Three Year Average	\$ 1,040,000					
Six Year Average	\$ 867,000					

More appropriate as contracts have increased

Properties with Garbage Fee

Class 1 Residential 80% 3,635

Residential Garbage Fee Calculation: based on 2020 Statistics

	#Folios	Fee	Avg Cost
Regular	2851	\$ 95.00	\$ 273,448
Reduced	784	\$ 85.50	\$ 67,032
			340,480 Revenue Recovery

Class 1 pays for 100% of refuse costs = \$ 1,040,000

In 2020 only \$340,480 of \$1,040,000 was collected in Residential Fees 33%

Complete recovery = \$ 290.18 Garbage/Recycling Fee

Needed:

	#Folios	Fee	Avg Cost
Regular	2,851	\$ 290.18	\$ 827,299
Reduced	784	\$ 261.16	\$ 204,750
			1,032,049
			192.5

Collection Costs

2021 Budget 525,000

Collection Costs have less variables, therefore current budget is appropriate

Complete recovery = \$ 146.48 Garbage/Recycling Fee

Needed:

65%

	#Folios	Fee	Avg Cost
Regular	2,851	\$ 146.48	\$ 417,627
Reduced	784	\$ 131.84	\$ 103,359
			520,986

COUNCIL REPORT

Date: November 25, 2020
 File: 2.9.11
 To: Warren Waycheshen, CAO for Mayor and Council
 From: Dustin Rutsatz, Director of Finance
 Re: 2021 Water Fee Increase



Recommendation: (to be provided from the motions below)

Background:

The residential water fees have not been updated since before 1991.

As per our Objectives and Policies of our 2020 5-Year Plan, Appendix B, Section 3, Policy for Sources of Funding: "For water which incurs a marginal cost of production only after a significant use as the reticulation system can deliver more water than the community can consume and there is no raw water supply shortage, user pay shall be an average of operating costs."

This fee is levied only on properties utilizing the municipal water system.

Motions:

If Council wishes to recover all water system costs:

- A) THAT the revenue to cover the estimated water system expenses be collected through a fee increase to be initiated in the 2021 taxation year.
- B) THAT this fee level increase from \$144.00 to \$328.00 per dwelling unit, with a 10% reduction to those who qualify for the Provincial Home Owners Grant for Seniors & Disabled.
- C) THAT commercial water fee meter rates increase by the same percentage.

If Council wishes to phase in increases:

- 1) That the motion B) above be instead set as to **\$236.00 per dwelling in 2021 and \$328.00 per dwelling unit in 2022** (spread the increase over 2 years).

Options (or Alternatives):

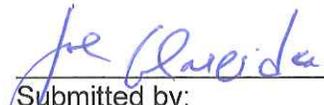
- 2) THAT this report dated November 25, 2020 – 2021 Water Fee Increase be received for information.
- 3) Council may wish to spread out the increases over longer periods.
- 4) Another option be developed through discussion of Council.

Budget Implications: Enables Water Service to be funded in full.

JA
Treas. Initials

Budgeted:

Council Initiative N/A



Submitted by:
Dustin Rutsatz, Director of Finance

Unbudgeted: No



Approved for Submission:
Warren Waychesen, CAO

Increase to Water Fee in District of Kitimat

Six Year Cost History of Water System

	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	Forecast <u>2020</u>	Budget <u>2021</u>
Water Operations	1,211,202	1,328,301	1,525,497	1,525,497	1,364,000	1,517,250
Net Cost	1,211,202	1,328,301	1,525,497	1,525,497	1,364,000	1,517,250
Six Year Average	\$ 1,412,000					

Properties with water Fees in 2020

Class 1	Residential	80%	3,523	
Class 6	Commercial	20%	157	4%
			<u>3,680</u>	

Residential Water Fee Calculation: based on 2018 Statistics

	#Folios	Fee	Avg Cost
Regular	2,739	\$ 144.00	\$ 394,468
Reduced	784	\$ 129.60	\$ 101,606
496,074 Revenue Recovery			

Class 1 pays for 80% of water costs = \$ 1,129,600

In 2020 only \$496,074 ,of \$1,186,400 was collected in Residential Fees 44%

Complete recovery = \$ 327.90 Water Fee Needed:

	#Folios	Fee	Avg Cost
Regular	2,739	\$ 328.00	\$ 898,510
Reduced	784	\$ 295.20	\$ 231,437
			<u>1,129,946</u>

128%

Increased Revenue if new fee adopted		\$ 328.00
Commercial	\$	78,444
Residential		633,872
Total	\$	712,317

COUNCIL REPORT

Date: November 24, 2020
 File: 1.1.3.7
 To: Warren Waycheshen, CAO - for Mayor and Council
 From: Ethan Anderson, Director of Corporate Administration
 Re: Haisla Bridge Park Closing and Exchange Bylaw
 No. 1990, 2020.



Recommendation:

THAT as the Certification of Elector Response Forms shows less than 10% of 5,781 electors signed an Elector Response Form in response to an Alternative Approval Process commenced to obtain Approval of the Elections,

THAT “Haisla Bridge Park Closing and Exchange Bylaw No. 1990, 2020” be adopted.

Background:

The District of Kitimat Council gave three readings to Haisla Bridge Park Closing and Exchange Bylaw No. 1990, 2020 on October 5, 2020 at a Regular Council Meeting:

Moved and seconded,

“THAT first Three Readings be given to “Haisla Bridge Park Closing and Exchange Bylaw No. 1990, 2020”,

AND THAT in accordance with section 27(a), section 29 and section 30 of the Community Charter, Staff are directed to seek elector approval for adoption of Haisla Bridge Park Closing and Exchange Bylaw No. 1990, 2020,

AND THAT this approval will be sought through the Alternative Approval Process as described in section 86 of the Community Charter,

AND THAT in accordance with section 86(3)(a) of the Community Charter, Council determines that November 23rd, 2020 at 5:00 p.m. be the deadline for acceptance of Alternative Approval Process Elector Response forms,

AND THAT in accordance with section 86(3)(b) of the Community Charter, Council determines that the Single Elector Response form be the form in which electors may indicate that the Council must obtain the assent of the electors before proceeding to the adoption of Haisla Bridge Park Closing and Exchange Bylaw No. 1990, 2020 as Attachment D,

AND THAT in accordance with section 86(3)(c) of the Community Charter, Council determines that a fair determination of electors is 5,781,

AND THAT the Council considers the Schedule A Park Acquisition and Road Dedication Plan attached to the Bylaw to be sufficiently detailed to proceed with Notice under the Alternative Approval Process, and Staff are directed to make the surveyed plan available for public review and add it to the Bylaw’s Schedules as soon as available,

AND THAT the "Alternative Approval Process Policy" dated September 2020, be approved."

Motion Carried Unanimously
Motion: R20-207
Bylaw No. 1990, 2020

The Alternative Approval Process was commenced with Notice of an Alternative Approval Process appearing in the October 15, 2020 and October 22, 2020 editions of the Kitimat Northern Connector.

The deadline for providing an elector response form is November 23, 2020. The Corporate Officer certification of results is attached. The Certification shows that Council has the Approval of the Electors to adopt Bylaw No. 1990.

Due to requirements under S.30, the adoption of the bylaw can only be carried by 2/3 of all Council members voting in the affirmative. For Kitimat Council that means five (5) members must vote in the affirmative, regardless of number of Council members attending the meeting.

Alternative Options:

1. Another option as developed through discussion of Council.

Budget Implications: None.

JA

Director of Finance Initials

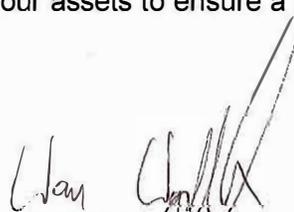
Council Initiative/Other Relevant Plans:

Adopt a long-term view on maintaining and upgrading our assets to ensure a continued high level of service

- Construct new Haisla Bridge



Submitted by:
Ethan Anderson
Director of Corporate Administration



Approved for Submission:
Warren Waycheshen, CAO

DISTRICT OF KITIMATBYLAW NO. 1990

A BYLAW TO AUTHORIZE THE CLOSURE AND DISPOSAL OF A PORTION OF PARK DEDICATED BY PLAN 12071, LOCATED ALONG THE KITIMAT RIVER ADJACENT TO HAISLA BOULEVARD AND THE BRIDGE CROSSING THE RIVER, IN EXCHANGE FOR A LARGER PORTION ACQUIRED BY ACCRETION FROM THE KITIMAT RIVER ADJACENT TO THAT SAME PARK, FURTHER TO ACCRETION PLAN EPP105785

WHEREAS, pursuant to Section 29 of the *Community Charter*, land in a municipality that is dedicated to the public for the purpose of a park by a subdivision plan deposited in the land title office is vested in the municipality for that purpose;

AND WHEREAS, pursuant to Section 27(2)(a) of the *Community Charter*, a council may, by bylaw adopted with the approval of the electors, dispose of a portion of such parkland in exchange for other land suitable for a park;

AND WHEREAS the Surveyor General of British Columbia cannot attach land acquired through accretion to dedicated park but can attach such accretion area to park lands held in fee simple;

AND WHEREAS, pursuant to Section 30 of the *Community Charter*, a council may, by bylaw adopted with a 2/3 affirmative vote, dedicate land held in fee simple as park; land may be dedicated as park on a plan of subdivision in accordance with Section 107 of the *Land Title Act*;

AND WHEREAS, the District is rebuilding the Haisla Bridge crossing of the Kitimat River adjacent to the Park, and while it would be permissible for the bridge pier to be located in the Park, the District prefers to remove such area from the park and dedicate it as road instead;

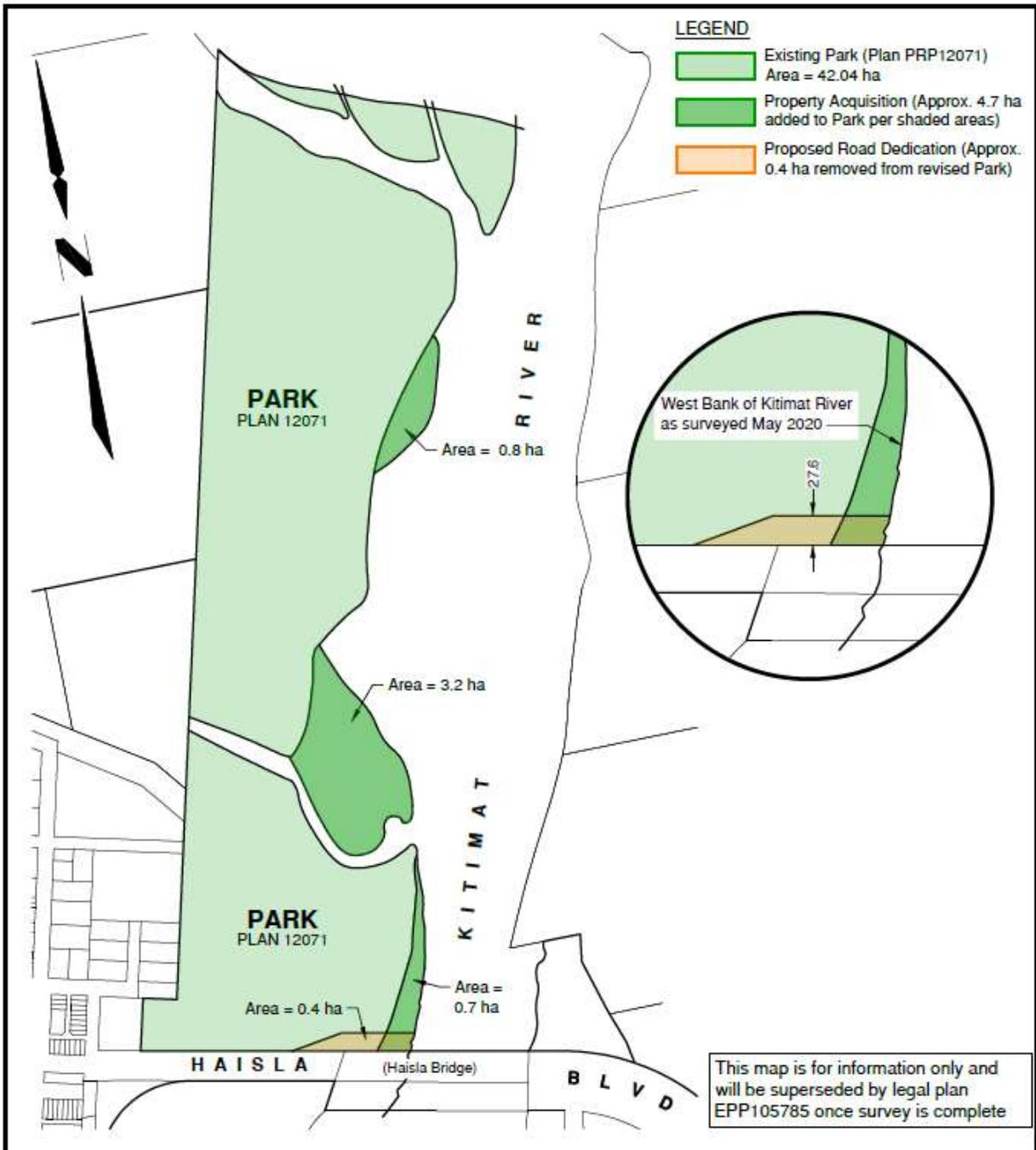
AND WHEREAS Kitimat Council wishes to raise title to the land dedicated as park in Plan 12071 ("**Existing Park**"), located along the Kitimat River adjacent to Haisla Boulevard and the Bridge crossing the river, in order to dispose of a 0.4 hectare portion of the (the "**Closed Park**"), to be dedicated as road, in exchange for a 4.7 hectare portion of land accreted from the Kitimat River (the "**New Park**"), in accordance with Accretion Plan # EPP105785, as generally shown on the Preliminary Information Plan for Accretion Plan # EPP105785 attached to this Bylaw as Schedule "A", such that the New Park and the Existing Park less the Closed Park, shall be first consolidated in fee simple and then all immediately dedicated anew as park;

NOW THEREFORE the Council of the District of Kitimat in open meeting assembled ENACTS AS FOLLOWS:

1. This bylaw may be cited as "Haisla Bridge Park Closing and Exchange Bylaw No. 1990, 2020".
2. The District of Kitimat is hereby authorized and empowered to dispose of the Closed Park and to exchange the Closed Park for the New Park, in general accordance with Plan EPP105785, such that:
 - a. fee simple title to the Existing Park shall be raised;
 - b. the New Park and the Existing Park shall be consolidated in fee simple;
 - c. the New Park and the Existing Park less the Closed Park shall be promptly dedicated anew as park on a plan of subdivision; and
 - d. the Closed Park shall be dedicated as road including for purposes of accommodating the pier and support for the Haisla Bridge.

Haisla Bridge Park Closing and Exchange Bylaw No. 1990, 2020 Schedule "A"

Preliminary Information Plan for Accretion Plan EPP105785



Photod: 10/1/2020 10:56 AM User: Marvans



Suite 312 - 450 City Centre
 Kitimat, BC - V8C 1T6
 t: 250-632-2387 • www.geoverra.com

PROJECT: HAISLA BRIDGE REPLACEMENT	
TITLE: PARK ACQUISITION AND ROAD DEDICATION	
DRAWING NO: 20R-00743-G0-SSDSK003-R1	
SCALE: NTS	DATE: 2020-10-01
DISCIPLINE: GEOMATICS	SHEETS: 1 OF 1



DISTRICT OF KITIMAT
 CERTIFICATION OF RESULTS
 HAISLA BRIDGE PARK CLOSING AND EXCHANGE BYLAW NO. 1990, 2020

I, the undersigned, as the person assigned responsibility for corporate administration under section 148 of the Community Charter, certify the results of the alternative approval process that was conducted to obtain the approval of the electors for the Haisla Bridge Park Closing and Exchange Bylaw No. 1990, 2020 as follows:

5,781	Estimated number of eligible electors
0	Number of elector response forms submitted by the deadline
0	Number of electors response forms rejected
0	Number of elector response forms accepted
0%	Percentage of estimated electors who validly submitted elector response forms

and in accordance with Section 86 of the Community Charter, the approval of the electors was obtained.

DATED this 24th day of November 2020.

 Ethan Anderson
 Director of Corporate Administration