

City of Kelowna

Regular Council Meeting

AGENDA



Monday, February 24, 2020

9:00 am

Knox Mountain Meeting Room (#4A)

City Hall, 1435 Water Street

Pages

1. Call to Order

2. Confirmation of Minutes

3 - 6

Regular AM Meeting - February 10, 2020

3. Reports

3.1 License of Occupation - Hydraulic Creek Water Intake

5 m

7 - 8

To correct the term of the License of Occupation from the Province of British Columbia.

3.2 Draft 2020 SILGA Resolutions

30 m

9 - 16

To endorse resolutions to be submitted to SILGA for consideration at the 2020 convention.

4. Resolution Closing the Meeting to the Public

THAT this meeting be closed to the public pursuant to Section 90(1) (e) and (k) and Section 90(2) (b) of the Community Charter for Council to deal with matters relating to the following:

- Acquisition of Land or Improvements
- Proposed Provision of a Municipal Service
- Negotiations between a Municipal and Provincial Government

5. Adjourn to Closed Session

6. Reconvene to Open Session

7. Issues Arising from Correspondence & Community Concerns

7.1 Mayor Basran, re: Issues Arising from Correspondence

30 m

8. Termination



City of Kelowna Regular Council Meeting Minutes

Date: Monday, February 10, 2020
 Location: Knox Mountain Meeting Room (#4A)
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Charlie Hodge, Brad Sieben, Luke Stack and Loyal Wooldridge

Members Absent Councillor Mohini Singh

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Deputy City Clerk, Laura Bentley

1. Call to Order

Mayor Basran called the meeting to order at 9:04 a.m.

2. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R0104/20/02/10 THAT the Minutes of the Regular AM Meeting of February 3, 2020 be confirmed as circulated.

Carried

3. Resolution Closing the Meeting to the Public

Moved By Councillor Stack/Seconded By Councillor Given

R0105/20/02/10 THAT this meeting be closed to the public pursuant to Section 90(1) (b), (e), (d), (f) and Section 90(2) (b) of the Community Charter for Council to deal with matters relating to the following:

- Municipal Award
- Acquisition or Disposition of Land or Improvements
- Security of Municipal Property
- Law Enforcement
- Negotiations with Provincial and Federal Government

Carried

4. Adjourn to Closed Session

The meeting adjourned to a closed session at 9:06 a.m.

5. Reconvene to Open Session

The meeting reconvened to an open session at 9:29 a.m.

6. Issues Arising from Correspondence & Community Concerns

6.1 City Manager, re: Lake Country Property

City Manager:

- Provided an update regarding Lake Country property zoning and disposition.

6.2 Mayor Basran, re: Rideshare Company

Mayor Basran:

- Has been asked to provide a letter of support for local rideshare company.

Moved By Councillor Donn/Seconded By Councillor Sieben

R0106/20/02/10 THAT Council authorize staff to draft a generic letter broadly supporting ridesharing options in Kelowna, BC.

Carried

6.3 Mayor Basran, re: BC Mayor's Caucus

Moved By Councillor Given/Seconded By Councillor DeHart

R0107/20/02/10 THAT Council authorizes Mayor Basran to attend the BC Mayor's Caucus , May 5 and 6, 2020, in Whistler, BC with costs up to \$5,000 paid in accordance with Council Remuneration and Expense Bylaw No. 7547 using funds from Account No. 351-10-015-0-001.

Carried

6.4 Mayor Basran, re: BC Games Society

Mayor Basran:

- Received a letter from BC Games Society for bids for 2024 or 2026 Games.

Moved By Councillor Hodge/Seconded By Councillor Sieben

R0108/20/02/10 THAT Council directs staff to investigate whether the City should host the 2024 or 2026 Winter or Summer Games.

Carried

6.5 Councillor Hodge, re: Anti-Idling Bylaw

Councillor Hodge:

- Would like an anti-idling bylaw explored.

City Manager:

- Confirmed that moving violations fall under the RCMP authority, may be able to enforce some aspects of current concerns under the Good Neighbour Bylaw.

Moved By Councillor Hodge/Seconded By Councillor Stack

R0109/20/02/10 THAT Council direct staff to confirm the status of a Regional Anti-idling Bylaw and report back to Council.

Carried

Moved By Councillor Hodge/Seconded By Councillor Stack

R0111/20/02/10 THAT Council direct staff to investigate options to regulate anti-idling including number of complaints, pros and cons of enforcement and report back to Council.

Carried

Moved By Councillor Hodge/Seconded By Councillor Stack

R0112/20/02/10 THAT Council direct staff to bring forward an update on initiatives related to Council Priority of environmental protection and climate action.

Carried

6.6 Councillor Wooldridge, re: Problem Properties

Councillor Wooldridge:

- Inquired about problem properties.

City Manager:

- Confirmed property standards compliance team is working on confirming the city's authority and options to enforce.
- Consider focusing on select high priority properties.

6.7 Councillor Donn, re: Lake Country Highway

Councillor Donn:

- Attended an Open House for Lake Country highway intersection at the bottom of Wood Lake Road.

City Manager:

- Confirmed that City staff have been involved with the project.
- Will confirm next steps to Council.

6.8 Councillor Donn, re: Highway 97 Landscaping

Councillor Donn:

- Raised concerns that trees were removed from Highway 97 landscaping when 6-laning was done.

Moved By Councillor Donn/Seconded By Councillor Stack

R0113/20/02/10 THAT Council direct staff to provide an update on the Ministry of Transportation and Infrastructure landscaping along Highway 97 and report back to Council.

Carried

7. Reconvene to Closed Session for Council Only Session

The meeting convened to a closed session for Council Only Session at 10:45 a.m.

The meeting reconvened to an open session at 12:08 p.m.

8. Termination

The meeting was declared terminated at 12:08 p.m.

Mayor Basran

/lb/acm





Deputy City Clerk

DRAFT

Report to Council



Date: February 24, 2020
To: Council
From: City Manager
Subject: License of Occupation – Hydraulic Creek Water Intake
Department: Partnerships and Investments

Recommendation:

That Council rescind the following resolution: "AND THAT council approve the City entering into a License of Occupation with the Province of British Columbia for a term of 10-years for the surveyed Crown land with the legal description of Block A, District Lot 1720A and 5246, Osoyoos Division Yale District, and containing 17.40 hectares, for the purposes of water intake and all the associated works, in the form attached to the Report of the Manager, Property Management dated January 27, 2020" and replace it with:

"AND THAT Council approve the City entering into a License of Occupation with the Province of British Columbia for a term of 30-years for the surveyed Crown land with the legal description of Block A, District Lot 1720A and 5246, Osoyoos Division of Yale District and containing 17.40 hectares, for the purposes of water intake and all associated works in the form attached to the Report of the Manager, Property Management dated March 2, 2020;"

Purpose:

To correct the term of the License of Occupation from the Province of British Columbia.

Background:

Council approved the City entering this License of Occupation on January 27, 2020. The recommendation inadvertently noted a 10-year term, instead of the 30-year term. This recommendation is to correct the term length.

Considerations not applicable to this report:

Internal Circulation:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:
External Agency/Public Comments:
Communications Comments:

Submitted by: J. Adamson, Manager, Property Management

Approved for inclusion: J. Säufferer, Department Manager, Real Estate

Report to Council



Date: February 24, 2020
To: Council
From: City Manager
Subject: Draft Resolutions for the SILGA Convention
Department: Office of the City Clerk

Recommendation:

THAT Council endorse the resolutions attached to the report from the Office of the City Clerk dated February 24, 2020 with respect to draft resolutions for the SILGA convention.

Purpose:

To endorse resolutions to be submitted to SILGA for consideration at the 2020 convention.

Background:

The Southern Interior Local Government Association (SILGA) considers resolutions from member local governments at its annual convention. Resolutions passed at the SILGA convention are submitted to the Union of BC Municipalities (UBCM) for consideration for its annual convention, and resolutions passed through UBCM are directed to the Province for response and form UBCM's policy decision-making.

Discussion:

Staff reviewed and prioritized two items to bring forward draft resolutions for Council's consideration:

1. The need for supportive housing for people with complex mental health and housing needs; and
2. The need for funding and resourcing to develop and implement local strategies to address social issues.

Additionally, the City has been asked to support a resolution being put forward by the City of Kamloops regarding fair compensation for the Keep of Prisoner Program.

The draft resolutions and background information for each item are in the attachment to this report.

Conclusion:

To advance these items at the provincial level, staff recommend endorsing the resolutions for consideration by SILGA for the upcoming convention.

Internal Circulation:

Active Living & Culture

Civic Operations

Partnerships & Investments

Considerations applicable to this report:

n/a

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by:

L. Bentley, Deputy City Clerk

Approved for inclusion: S. Fleming, City Clerk

Attachments:

Draft Resolutions and Background Information

cc:

J. Creron, Deputy City Manager

D. Edstrom, Divisional Director, Partnership & Investments

B. Walker, Property Officer Specialist

S. Wheeler, Social Development Manager

DRAFT RESOLUTION

Re: Supportive Housing for Complex Needs

WHEREAS existing provincial and regional health provider and housing programs and associated funding models aren't in alignment to meet the complex mental health and housing needs of our communities.

AND WHEREAS the local municipalities have acknowledged the need for specialized housing resources allocated to clients with complex and unique needs as the current programming model for housing units is not equipped to house those individuals with these types of challenges.

THEREFORE BE IT RESOLVED that the Province invest in a new supportive housing model, along with an integrated approach to housing supports and regional health services, to address the needs of individuals with the most complex and unique needs.

BACKGROUND:

With the increasing level of demand for housing services, municipalities and local stakeholders - including BC Housing and Interior Health - have acknowledged the need for specialized housing resources allocated to clients with complex and unique needs (e.g. mental health needs, alcohol and drug dependency needs, etc.) as the current inventory of housing units is not equipped to house individuals with these types of challenges.

The City of Kelowna wants to ensure that all levels of government understand the importance of working towards a solution in a collective and collaborative approach so that we can best address the needs of individuals with the most complex and unique needs. As a City, we are proactively involved in developing and leveraging inter-governmental partnerships and relationships with provincial and regional leaders to meet the unique challenges and needs of our region.

The City of Kelowna is leading a project team in the development of an advocacy paper intended to identify and address the need for specialized, regional housing services that provide the required care, substance abuse programming, medical and mental help for those that are hardest to house.

Benefits are anticipated to include:

- a) Achieving stability in housing, health and well-being, safety, social connectedness
- b) Collaboration between local stakeholders and addressing the issue at a regional level.
- c) Reduce the system demand associated with individuals having specialized housing needs on existing facilities and services (such as housing / supportive housing projects / hospitals / policing system / courts.

Date: February 24, 2020

DRAFT RESOLUTION

Re: Community Social Needs Action Strategies

WHEREAS existing provincial funding and resource models are based on strong partnerships between all levels of government, there is an unaddressed need to provide flexibility in funding allocation to address unique and complex localized health, housing, and social needs.

AND WHEREAS the current provincial funding structure does not provide flexibility to support municipalities to adapt and design locally relevant and responsive strategies and solutions based on local real-time conditions to effectively address unique community complex social needs.

THEREFORE BE IT RESOLVED that the Province design a flexible funding program and resource model that enables municipalities to develop and implement strategies which align with, and respond to, unique local context and conditions of social issues and needs of the respective municipalities.

BACKGROUND:

The current Provincial funding models related to housing and homelessness are having significant impact within municipalities across the province. The current attention to the needs of our communities' most vulnerable citizens comes at a time when every municipality is faced with the same complex issues of balancing the needs of all citizens. Municipalities and other agencies are directing more emergency, bylaw, social, and health services resources towards addressing the immediate health and social issues individuals and communities are experiencing, limiting the capacity of those resources to focus on other community needs.

Provincial government policy and funding programs are critical in addressing the current crisis our communities are facing in relation to the growing complexity of health, housing, and social needs of our citizens. This approach would be strengthened if provincial support and annual funding combined and capitalized on the ability of communities to understand, respond, and adapt to unique local needs and conditions.

Municipalities across the country that are building local strategies that, while they align with senior government directions and policies, they also are designed to tap into community strengths to address the unique social needs, challenges and conditions. Leading best practices are demonstrating that understanding and monitoring at the community level to reveal the shifting landscape that impacts and creates drivers of social challenges and needs is imperative to build resiliency at the local level. The ability to be nimble and able to respond in real-time with innovative solutions relevant to local conditions and emerging issues is becoming more and more critical. Having timely and flexible resources and funding available at the community level would create the conditions to move the needle on addressing the most complex issues for communities across BC.

This resolution proposes an annualized provincial funding program that supports communities to build capacity of the community to coordinate and respond at the local level to an evolving social needs landscape, to test solutions to complex problems, and to ultimately move the needle on addressing unique challenges by adapting and responding with innovative community-based solutions.

Date: February 24, 2020

DRAFT RESOLUTION

Re: Keep of Prisoner Program – Provincial Police and Intermittent Prisoners

WHEREAS the Kamloops RCMP Detachment continues to provide escort and custody services for Provincial Police Prisoners from outlying detachments and Intermittent Prisoners sentenced by the Provincial Court of BC under the Keep of Prisoner Program which does not fairly compensate the City of Kamloops;

AND WHEREAS upon surveying municipalities with a population of over 15,000 in the South East District of BC are also required to provide similar services to Provincial Police and Intermittent Prisoners and are also receiving unfair compensation for said services;

AND WHEREAS with no formal memorandum of agreement in place between the Province of BC, the Royal Canadian Mounted Police and the municipalities in the South East District of BC to provide services for Provincial Police Prisoners from outlying detachments and Intermittent Prisoners, the continuation of providing said services are having a significant financial impact on all municipalities:

THEREFORE BE IT RESOLVED that the Southern Interior Local Government Association strongly urge municipalities with a population of over 15,000 in the South East District of BC to support this resolution and will pass a similar resolution;

AND BE IT FURTHER RESOLVED that the Southern Interior Local Government Association request fair compensation of services provided by said municipalities that are based upon actual costs and change the practice of the Provincial Court of BC sentencing Intermittent Prisoners to be held in municipal police lock-ups.

BACKGROUND:

Municipal Police Unit Agreement (April 1, 2012), Article 14.1, Jails and Lock-ups, outlines that:

Canada is under no obligation to maintain any jails for prisoners committed to custody for less than two years for an offence committed within the Province against the Criminal Code, the laws for the Province, or the by-laws of a Municipality, but where necessary due to remoteness or the absence of an efficient alternative, such prisoners may be held in lock-up maintained by the RCMP.

Under this agreement, local government is identified as the party responsible for the formal establishment of local jails/lockups and the costs associated with operating them.

Southeast District RCMP Detachments provide escort and custody service for provincial remanded adult, young offenders (YO), and intermittent prisoners as well as provincial police

prisoners who were arrested outside of municipal boundaries by provincial police force members. Municipalities are compensated through the Keep of Prisoner (KOP) program.

The City of Kamloops data shows the imbalance between the hourly cost per prisoner received from the province (\$6) and the hourly cost to the municipality (\$20). Other municipalities in the Southeast District share the same imbalance. The City of Kelowna has a similar problem and subsidizes the provincial KOP program in the order of \$324,000 annually (in 2018).

Problems

Illustrated problems with the KOP program are listed below. This program was implemented by the provincial government in 2002 as a result of provincial cutbacks introduced at that time.

- The KOP rate does not compensate the municipalities for the increased costs, impacts on resources, and potential risks and liabilities.
- Corrections has changed the correctional facility that YO male and female provincial prisoners are sent to. The Sheriffs Service continues to reduce transportation to correctional facilities for female and YO male provincial prisoners. The changes in facility locations and transportation schedules increase the length of time provincial prisoners stay in municipal jail lockups.
- RCMP members are required to book and discharge intermittent prisoners as well as providing escorts for showers, meals, and prescription pick-up as well as escorts to and from and guarding at the hospital. As a result, RCMP members are being diverted from providing important local policing services.
- Provincial judges are sentencing provincial prisoners to an intermittent sentence to be served at municipal jail lockups. The municipal jail lockups are unable to provide the provincial prisoners' basic legal rights in BC. The basic rights include daily showers, one hour of exercise, health care, personal visits, proper meals, counselling, and recreational and social programs. Local municipal jails are not designed or intended for long-term incarceration or for ongoing intermittent lockup. Judges sentencing Provincial prisoners to time served in intermittent lockup are placing undue hardship on municipalities. Just when municipalities tend to need the jail space on weekends, judges are ordering prisoners to serve time during the weekends in those local over-taxed jails. In short, local jails are not designed for intermittent sentencing; therefore, local municipalities are finding it very challenging to adequately staff jails.
- Many of these intermittent (weekend) prisoners are not suited for a detachment jail environment and are best housed at a provincial jail. Many have significant medical needs that municipalities are not in a position to properly address.

Request

Municipalities request that the Province outline its plans for the following:

- stopping intermittent prisoners from being sent to municipal lockups to serve their sentence;
- increasing KOP program funding to cover the actual costs of keeping a prisoner in a municipal jail (i.e. RCMP and City wages, meal costs, cleaning, liability, maintenance); and
- exploring other options to house provincial remanded and intermittent prisoners.

Date: February 24, 2020