

# City of Kelowna

## Regular Council Meeting

### AGENDA



Monday, October 26, 2015

9:00 am

Knox Mountain Meeting Room (#4A)

City Hall, 1435 Water Street

Pages

1. Call to Order
2. Confirmation of Minutes 2 - 5  
Regular AM Meeting - October 19, 2015
3. Reports
  - 3.1 Council Policy Review 60 m 6 - 31  
To review Council Policy Numbers 25, 43, 285, 286, 299 and 336 of the Council Policy Library
4. Resolution Closing the Meeting to the Public  
THAT this meeting be closed to the public pursuant to Section 90(1) (e) and (j) and Section 90(2) (b) of the *Community Charter* for Council to deal with matters relating to the following:
  - Acquisition, Disposition, or Expropriation, of Land or Improvements;
  - Third Party Information; and
  - Negotiations with another level of government (Local Government, First Nations & the Province).
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, October 19, 2015  
 Location: Knox Mountain Meeting Room (#4A)  
 City Hall, 1435 Water Street

Council Members Present: Deputy Mayor Mohini Singh and Councillors Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben\* and Luke Stack

Council Members Absent: Mayor Colin Basran and Councillor Maxine DeHart

Staff Present: City Manager, Ron Mattiussi; Deputy City Manager, Paul Macklem\*; City Clerk, Stephen Fleming; Community Planning & Real Estate Divisional Director, Doug Gilchrist\*; Active Living & Culture Divisional Director, Jim Gabriel\*; Infrastructure Divisional Director, Alan Newcombe\*; Urban Planning Manager, Terry Barton\*; Senior Project Manager, Andrew Gibbs\*; and Legislative Systems Coordinator, Sandi Horning

Guest: The JF Group, Consultant, John Frittenburg\*

(\* denotes partial attendance)

### 1. Call to Order

Deputy Mayor Singh called the meeting to order at 9:00 a.m.

### 2. Confirmation of Minutes

Moved By Councillor Stack/Seconded By Councillor Donn

R785/15/10/19 THAT the Minutes of the Regular AM Meeting of October 5, 2015 be confirmed as circulated.

Carried

### 3. Reports

#### 3.1 Future Parkinson Recreation Centre - Functional Space Program

The Consultant, John Frittenburg, joined the meeting at 9:01 a.m.

Staff:

- Introduced the Consultant.

John Frittenburg, Consultant:

- Displayed a PowerPoint presentation regarding the Future Parkinson Recreation Centre - Facility Program.

Councillor Sieben joined the meeting at 9:05 a.m.

John Frittenburg, Consultant:

- Responded to questions from Council

Staff:

- Noted the key constraints with respect to any renovation to the building and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Donn

**R786/15/10/19** THAT Council receives, for information, the Report of the Parks & Buildings Planning Manager dated October 14, 2015 regarding the Future Parkinson Recreation Centre - Facility Program;

AND THAT Council endorses the Functional Space Program for the future of the Parkinson Recreation Centre as outlined in the Report from the Parks & Buildings Planning Manager dated October 14, 2015;

AND THAT Council supports the development of a Feasibility Study to evaluate options and for Staff to report back on a preferred direction.

Carried

The Consultant, John Frittenburg, left the meeting at 10:37 a.m.

The meeting recessed at 10:38 a.m. The meeting reconvened at 10:47 a.m.

#### 3.2 Endorsement of Inter-jurisdictional Development Team for Rail Corridor

Community Planning & Real Estate Divisional Director:

- Displayed a PowerPoint presentation summarizing the governance model of the Inter-jurisdictional Development Team and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Stack

**R787/15/10/19** THAT Council receives, for information, the report from the Senior Project Manager, Infrastructure Delivery, dated October 6, 2015, with respect to the terms of reference for the Inter-jurisdictional Development Team regarding the recently acquired CN Rail corridor;

AND THAT Council endorses the City of Kelowna's participation in the Inter-jurisdictional Development Team (IDT) in accordance with the Terms of Reference;

AND THAT Council endorses the cessation of the activities of the Inter-jurisdictional Acquisition Team (IAT);

AND FURTHER THAT Council authorizes the Mayor and City Clerk to execute all documents necessary with respect to the City of Kelowna's participation in the Inter-jurisdictional Development Team (IDT)

Carried

#### 4. Resolution Closing the Meeting to the Public

Moved By Councillor Gray/Seconded By Councillor Given

**R788/15/10/19** THAT this meeting be closed to the public pursuant to Section 90(1) (a), (c), (e), (g) and (j) and 90(2) (b) of the *Community Charter* for Council to deal with matters relating to the following:

- Position Appointment;
- Labour Relations;
- Acquisition, Disposition, or Expropriation, of Land or Improvements;
- Potential Litigation
- Third Party Information; and
- Negotiations with another level of government (Provincial).

Carried

#### 5. Adjourn to Closed Session

The meeting adjourned to a closed session at 11:10 a.m.

#### 6. Reconvene to Open Session

The meeting reconvened to an open session at 12:04 p.m.

#### 7. Issues Arising from Correspondence & Community Concerns

##### 7.1 Councillor Stack, re: Notice of Motion - Affordable Housing

Councillor Stack:

- Spoke to the Notice of Motion.
- Spoke to the staff background Memo.
- Discussed the ad-hoc committee recommendation.

Moved By Councillor Hodge/Seconded By Councillor Donn

**R789/15/10/19** THAT Council directs staff to prepare an annual Housing Metrics report to establish bench-marks and targets related to the 25 Housing Strategies adopted by the City of Kelowna and report back to Council;

AND THAT, in preparation for the Official Community Plan update, Council directs staff to establish a Housing Strategy Ad-Hoc Committee and report back with terms of reference that include:

1. Review the 25 established Housing Strategies of the City of Kelowna;
2. Review the semi-annual Housing Metric Report;
3. Conduct a SWOT analysis of the report (Strengths; Weaknesses; Opportunities and Threats);

4. Investigate other 'best practices' in promoting affordable and affordable rental housing; and
5. Prepare recommendations to Council.

AND FURTHER THAT the Committee be comprised of City Planning Policy staff, representatives from UDI, BC Housing, CMHC, CHRA, Non-profit representation and possibly other stakeholders.

**Carried**

## **7.2 Councillor Hodge, re: Council Chamber Foyer - Accessible Washroom**

Councillor Hodge:

- Would like a report back from staff regarding the potential for wheelchair access to the washrooms in the Council Chamber Foyer.

**Moved By Councillor Sieben/Seconded By Councillor Gray**

**R790/15/10/19** THAT Council directs staff to investigate and report back on the lack of accessible washroom access for the Council Chamber Foyer washrooms.

**Carried**

## **7.3 City Manager, re: Federal Election & Lakeshore Road Paving**

City Manager:

- Provided an update regarding the paving of Lakeshore Road and advised that there is a plan in place to mitigate the impact on the polling station in the area.

## **8. Termination**

The meeting was declared terminated at 12:25 p.m.

Deputy Mayor Singh

/slh



City Clerk

# Report to Council



**Date:** October 26, 2015  
**File:** 0160-20  
**To:** City Manager  
**From:** Deputy City Clerk  
**Subject:** Council Policy Review

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## **Recommendation:**

THAT Council receives, for information, the Report from the Deputy City Clerk dated October 26, 2015 with respect to the Council Policy Review;

AND THAT Council considers for review as presented in the report of the Deputy City Clerk, dated October 26, 2015 the following Council Policies:

- Policy 25 - City Manager's Attendance at Meetings of the Council;
- Policy 43 - Use of Council Chambers;
- Policy 285 - Council Committees;
- Policy 286 - Minutes of Select and Standing Committee Meetings;
- Policy 299 - Freedom of the Municipality (City) Award;
- Policy 336 - Video Surveillance

AND FURTHER THAT staff report back to a regular Monday PM meeting with changes to the Council Policies as directed during the October 26, 2015 A.M meeting.

## **Purpose:**

To review Council Policy Numbers 25, 43, 285, 286, 299 and 336 of the Council Policy Library

## **Background:**

On May 25, 2015 Council directed a review of the Council Policy library be conducted during Monday AM regular meetings. The title of the report, Council Policy Library Review (2), is denoted with a numerical reference to indicate this is the second report of the review.

A Council Policy is created through a resolution of council to provide strategic direction on governance, programs and services at the City of Kelowna. A review of the Council Policy Library will provide Council with an opportunity to ensure their policy library is current and reflects alignment with current Council priorities.

A Council Policy is a plan or course of action, intended to influence and determine decisions, actions, and other matters that have an intended effect. Generally, a Council Policy is:

- Approved by Council and guides Council decisions;
- Conveys a common understanding of Council's strategic direction;
- Related to City of Kelowna governance, programs and/or services;
- Impacts the community;
- Is within Council's jurisdiction;
- Contents are not covered elsewhere and/or cannot be covered elsewhere; and
- Guides decisions to achieve consistent outcomes, common interpretation

#### **Policy Review:**

A Council Policy provides clarity around a stated principle or goal, and is a means for common understanding between Council, citizens, and staff. The goal of written policy is to clearly state why the policy exists, what the objective is, who/what the policy applies to, and how to comply. By setting an objective in a Council Policy, Council intends the objective to be met through compliance with their policy statements.

The following policies have been evaluated and prepared for Council's review and discussion during this meeting:

#### **Policy 25 - City Manager's Attendance at Meetings of the Council**

Recommendation: Amend as 'DRAFT' attached.

This policy was adopted in 1970 following the adoption of a City Administrator Bylaw. The policy was amended twice, with housekeeping amendments in 1999 to reflect the change of title from 'City Administrator' to 'City Manager', and in 2010 through the general policy review and template updates.

This policy provides direction to Council and the City Manager with regards to meetings of Council, and the expectation of attendance. The original policy was written to ensure the City Manager was not excluded from a meeting of Council unless the topic of discussion was regarding the incumbent's performance or salary. The proposed amendments state this intention with the addition of the Guiding Principle, and expand the application of the policy to a designate in the absence of the City Manager.

#### **Policy 43 - Use of Council Chambers**

Recommendations:

1. Rescind the Council Policy and replace with a Corporate Administration Policy, or
2. Amend as 'DRAFT' attached.

This policy was first introduced in 1982 when the Chamber was new and there were requests from the community for its use. Through policy, Council directed its primary use be for Council purposes and allowed some additional uses for the community. Up to 1998, any exceptions to the policy required a Council resolution. This was amended in 1998 to allow discretion to the City Manager (Administrator), and then in 2010, further delegated this discretion to the City Clerk. The policy continues to be upheld, and the Chamber use scheduled, by the Office of the City Clerk. As the additional use of Council Chamber has



become a well define practice over the past 30 years, it is recommended this policy be rescinded and replaced with an administrative policy.

Should Council wish the policy be amended, the proposed amendments include a policy name change to better reflect the subject of the policy as Council Chamber for ease of search ability. The draft amendments are written to clearly identify the care and maintenance of Council Chamber as the guiding principle, with the objective to allow the space to be used as a community resource for civic purposes. The amendments to the acceptable additional uses include the addition of Bylaw Adjudication Hearings, City Hall tours, and Local Government Elections.

**Policy 285 - Council Committees, and**

**Policy 286 - Minutes of Select and Standing Committee Meetings**

Recommendation: Rescind as policy is duplicating legislation, Council Procedures Bylaw No.9200, and committee Terms of Reference.

These policies were introduced in 2000 in conjunction with Council Bylaw No. 7906 (Procedures Bylaw) following changes to the Municipal Act. As noted above, most parts of the policies are now duplicating sections in the Community Charter or Bylaw 9200 as they relate to legislated Council procedures. The sections related to the administration of Council Committees, including staff liaison and membership, are also duplicated as this information forms part of each Council Committee Terms of Reference, which are considered and endorsed by Council.

**Policy 299 - Freedom of the Municipality (City) Award**

Recommendation: Amend as 'DRAFT' attached.

In 1988, Council established a Policy to guide the Freedom of the Municipality (City) Award. Originally, the Award was specific to "outstanding contributions to the community, related to actions having a direct beneficial effect on the City of Kelowna". In 2000, the Anita Tozer Memorial Award was introduced as part of the Civic and Community Awards. Perhaps reflecting this new award, amendments were made to the Policy in 2001, broadening the language to encompass contributions to "his/her country and/or the community."

The proposed amendments in the attached draft policy include a name change to better reflect the nature of the Freedom of the City as an 'Honour', and further distinguish from the Civic and Community Awards. The proposed draft aligns the existing policy content to clearly identify Council's guiding principle, purpose and application. The policy statements remain consistent with the existing policy, and reflect minor changes for clarification purposes. It is recommended that the package of benefits (introduced in 2001) further define civic events and confirm City of Kelowna parking passes include the airport.

**Policy 336 - Video Surveillance**

Recommendation:

1. Rescind the Council Policy - refer to Bylaw No. 10400 Corporate Records & Information Management Program; Bylaw No. 9682 *Freedom of Information and Protection of Privacy Act*; and other relevant regulation; or
2. Amend as 'DRAFT' attached.



This policy was first introduced in 2006 to provide council oversight of camera use at a time when the Federal Privacy Commissionaire sighted concerns with a single security camera in the downtown area. It provides for ensuring appropriate use of surveillance cameras and protection of privacy.

Each camera or system of cameras has a privacy impact assessment that outlines the purpose of the cameras and how the impact to privacy is minimized. In addition, administrative policies are in place for each system of cameras that define who can view the camera's images, who can review the camera's images and who can make a copy of the camera's images in increasing levels of management responsibility. Administrative policies also define retention periods and the system automatically erases images once the retention period has passed. Generally, video is only used or copied for retention for the purpose of law enforcement and security and safety where there is a direct link to law enforcement purposes.

Should Council wish the policy be amended, the proposed amendments include a policy name change and wording changes to better reflect the subject of the policy and assignment of the responsibility for approving new cameras to the City Manager.

**Internal Circulation:**

City Manager  
Divisional Director Corporate and Protective Services  
Risk Manager  
City Clerk

**Considerations not applicable to this report:**

Legal/Statutory Authority:  
Legal/Statutory Procedural Requirements:  
Existing Policy:  
Financial/Budgetary Considerations:  
Personnel Implications:  
External Agency/Public Comments:  
Communications Comments:  
Alternate Recommendation:

Submitted by:

K. Needham, Deputy City Clerk

Approved for inclusion:



Rob Mayne, Divisional Director Corporate & Protective Services

cc:



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# Council Policy

## City Manager's Attendance at Meetings of the Council

APPROVED September 14, 1970

RESOLUTION: R375/10/04/26

REPLACING: R342/99/04/26; R-1970/09/14

DATE OF LAST REVIEW: April 2010

THAT the City Manager shall only be excluded from attendance at a meeting of the City Council, or of a Committee of the Council, or a meeting of the Council with any person or organization, when the subject matter to be discussed relates to the personal performance or salary of the City Manager.

### REASON FOR POLICY

To establish the City Manager's attendance at Council Meetings.

### LEGISLATIVE AUTHORITY

Council Resolution.

### PROCEDURE FOR IMPLEMENTATION

NA



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# Council Policy

## City Manager's Attendance at Meetings of the Council

APPROVED September 14, 1970

Contact Department: City Manager

### **Guiding Principle**

The City Manager is accountable for the day to day business affairs of the City of Kelowna and ensures they are carried out in accordance with the policies established and approved by Council.

### **Purpose**

To establish the City Manager's attendance at meetings of the Council.

### **Application**

1. City Manager – means the City Manager or designate
2. Council Meetings – means all Regular Meetings, Special Meetings, Committee of the Whole, Appeal Hearings and Public Hearings.

### **Policy Statements**

1. The City Manager will attend all meetings held by City Council.
2. As an exception to statement 1, the City Manager is excluded from attendance at a meeting of the City Council when the subject matter to be discussed relates to the personal performance or salary of the City Manager.

### **Amendments**

September 14, 1970 – R-1970/09/14 – Policy approved by Council following the creation of the City Administrator position  
April 26, 1999 – R342/99/04/26 – Amended to reflect change of title from City Administrator to City Manager  
April 26, 2010 – R375/10/04/26 - Housekeeping updates



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# Council Policy

## Use of Council Chambers

APPROVED August 10, 1982

RESOLUTION: R375/10/04/26

REPLACING: R651/00/07/24; R54/1998/01/26; I126/1982/08/10

DATE OF LAST REVIEW: April 2010

THAT the Council Chamber located within the City Hall be used exclusively for the following:

1. City Council Meetings and Public Hearings
2. Regional District of Central Okanagan Board Meetings and Public Hearings
3. Canadian Citizenship swearing-in ceremonies
4. Local Improvement Public Meetings
5. Tax Sale Public Meetings
6. Staff/Council information and training meetings
7. Meetings of Council Committees;

AND THAT any other requests for use of the Council Chamber be subject to approval of the City Clerk.

### REASON FOR POLICY

To ensure the appropriate use of the Council Chamber.

### LEGISLATIVE AUTHORITY

Council Resolution.

### PROCEDURE FOR IMPLEMENTATION

Dates for the activities approved by this policy are to be scheduled through the Office of the City Clerk who will ensure that the Council Chamber is not double booked. Other requests for use of the Chamber will be forwarded by the Office of the City Clerk to the City Manager for approval.



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# Council Policy

## Council Chamber – Additional Use

APPROVED August 10, 1982

Contact Department: Office of the City Clerk

### **Guiding Principle**

Council Chamber is a unique facility where the business of the City is conducted by Council thus requiring care and maintenance of the public gallery, as well as Council related technology and equipment.

### **Purpose**

To provide for additional use of Council Chamber during regular business hours as a resource for City business and community events as appropriate.

### **Application**

All requests for the use of Council Chambers over and above meetings of Kelowna City Council.

### **Policy Statements**

1. Priority use of Council Chamber is for Kelowna City Council to conduct their Regular Meetings, Public Hearings, Special Meetings or Committee of the Whole Meetings as required.
2. The following are considered acceptable additional uses subject to availability:
  - a. Council Committee meetings;
  - b. Regional District of Central Okanagan Board Meetings and Public Hearings;
  - c. Local Improvement Public Meetings;
  - d. Tax Sale Public Meetings;
  - e. Staff information and training meetings;
  - f. Bylaw Adjudication Hearings;
  - g. City Hall Tours
  - h. RCMP Training sessions;
  - i. Local Government Election information sessions, training and voting location;
  - j. Canadian Citizenship ceremonies
3. Requests for additional use of Council Chambers are to be directed to, and confirmed by, the Office of the City Clerk subject to the meeting needs of Council.
4. Requests for additional use outside of regular business hours, or for uses other than those identified by the policy, are subject to approval of the City Clerk.

### **Amendments**

August 10, 1982 - I126/1982/08/10 – new Council Chamber, policy created  
 January 26, 1998 - R54/1998/01/26 – updated list of meeting types held in Chamber; changed approval for exceptions from Council Resolution to City Administrator  
 July 24, 2000 - R651/00/07/24 – updated allowable uses to include Council Committees  
 April 26, 2010 - R375/10/04/26 – changed approval for exceptions from City Administrator to City Clerk



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# Council Policy

## Council Committees

APPROVED December 18, 2008

RESOLUTION: R975/09/10/19

REPLACING: R1005/00/12/18; R128/00/02/21

DATE OF LAST REVIEW: October 2009

1. Committees of Council, created by Council to undertake business on Council's behalf, may be generally defined as follows:
 

**Advisory Committee** – an ongoing committee, which may be given a broad to narrow term of reference, and is advisory in nature.

**Select Committee** – or a “Task Force” – established and appointed by Council to accomplish a specific mandate in a short time frame, is advisory in nature and must have at least one Council member in the membership of the committee.

**Standing Committee** – at least half of a standing committee must be council members appointed by the Mayor to undertake matters the mayor considers better dealt with by committee.

**Sub-Committee** – created by an existing committee for a specific advisory purpose which will report back to the committee under which it was created.

**Commission or Board** – are terms from the *Local Government Act* or the *Community Charter* that have statutory terms of reference and mandates.
2. All committees shall have a Term of Reference adopted by Council that includes:
  - Committee Objective and Scope of Work as directed by Council
  - Committee membership, including the number, representation from the community-at-large, specific organizations and Council
  - Chairperson (whether elected or appointed)
  - Meeting procedures including regular meeting dates and frequency
  - Reporting and information link to Council
  - Budget
  - Staff Support
3. Pursuant to the *Community Charter*, all Council committee meetings must be open to the public. The public may not participate in the meeting unless scheduled on the agenda.
4. Pursuant to the *Community Charter*, a part of a committee meeting may be closed to the public if the subject matter being considered is exempt under statute.
5. Standing Committee appointments are made by the Mayor.
6. All new Select and Advisory Committees will be advertised and members (other than Council or staff) selected from nominations received from the public. Vacancies, as they arise, will also be selected from nominations resulting from advertising. This does not apply to the appointment of committee members appointed at an Inaugural Council Meeting.
7. The staff liaison on the Select and Advisory Committees will be responsible for advertising for nominations for vacancies on the committee and initiating a recommendation of appointment to Council.
8. A minimum of 3 days before a meeting of a Council Committee, the staff liaison shall provide the City Clerk with an electronic copy of the agenda.

REASON FOR POLICY

To further clarify committee membership and responsibilities.

LEGISLATIVE AUTHORITY

*Community Charter*, Council Procedure Bylaw No. 9200, Council Resolution.

PROCEDURE FOR IMPLEMENTATION

As outlined in the Policy.





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# Council Policy

## Minutes of Select and Standing Committee Meetings

APPROVED 2000-02-21

RESOLUTION: R975/09/10/19  
REPLACING: R128/00/02/21  
DATE OF LAST REVIEW: October 2009

1. All minutes shall state the meeting date and location, those members in attendance, and the time the meeting starts and terminates.
2. The minutes shall follow the order of the agenda for the meeting and be a record in point form of the issues raised and actions taken.
3. Any motions shall be determined by a majority vote of those members present, provided a quorum is achieved.
4. Pursuant to Section 9.20 of Council Procedure Bylaw No. 9200, a motion made at a meeting of a committee is **not** required to be seconded. Recommendations to Council, however, must be moved, seconded and voted on by the committee before advancing to Council.
5. Before a meeting or part of a meeting is closed to the public, a motion must be adopted by the committee stating (a) the fact that the meeting is to be closed and (b) the basis under section 90 of the *Community Charter* on which the meeting is to be closed.
6. The minutes of the closed meeting are to be entirely separate from the minutes of the open meeting, are to be clearly identified as being confidential and are photocopied on blue paper.
7. The minutes shall be signed by the Chair or presiding member at the meeting.
8. The staff liaison shall be responsible for ensuring that the signed minutes are forwarded to the City Clerk's Department for filing in the vault and to the City Manager's office for inclusion in the "Committee Meetings" binder for perusal by members of Council. (Suggest staff run a highlighter over the important issues to draw Council's attention to those sections in the minutes.)
9. Once the minutes have been signed, the staff liaison shall forward the minutes electronically to the City Clerk's Department for posting (other than minutes of closed meetings) on the City's Web Site and for circulation to Council.

### REASON FOR POLICY

To establish uniformity in the minutes of select and standing committee meetings.

### LEGISLATIVE AUTHORITY

Council Procedure Bylaw No. 9200 and Council Resolution.

### PROCEDURE FOR IMPLEMENTATION

As outlined in the policy.



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# Council Policy

## Freedom of the Municipality (City) Award

APPROVED July 26, 1988

RESOLUTION: R375/10/04/26

REPLACING: R531/01/06/25; R1074/1988/07/26; Policy No. 56

DATE OF LAST REVIEW: April 2010

1. Council may from time to time honour a distinguished person by unanimous vote of the Council members conferring the Freedom of the Municipality on that person, the award to be called "Freedom of the City".
2. In conferring the honour, Council will identify an appropriate venue for public presentation.
3. The main purpose of the distinguished honour of Freedom of the City shall be to recognize the outstanding effort of an individual who has given exemplary service and/or recognition to his/her country and/or the community. Outstanding contributions may be related to the arts, business and commerce, humanities, politics, community service, sports or professional endeavors.
4. The person receiving Freedom of the City is, during the pleasure of Council, deemed to be an elector of the municipality and as such is eligible to be registered and to vote in an election for Mayor or Councilor. If the person is a Canadian citizen, he/she is deemed to be qualified to be nominated, be elected and hold the office of Mayor of the municipality.
5. The person conferred with Freedom of the City will receive the following:
  - an invitation to all City-initiated events
  - a lifetime transit pass
  - a lifetime parking pass (free on-street parking and in City-owned parking facilities)
  - a professionally drafted and framed certificate
  - a portrait sitting – the portrait will be displayed in City Hall and he/she will receive a portrait to keep.
6. Benefits conferred cannot be bequeathed nor transferred.

### REASON FOR POLICY

To provide criteria for conferring the honour of Freedom of the City to an individual.

### LEGISLATIVE AUTHORITY

Community Charter

### PROCEDURE FOR IMPLEMENTATION

Requires a unanimous vote of the Council members conferring the award of Freedom of the City on the individual.



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# Council Policy

Freedom of the City Honour

APPROVED July 26, 1988

Contact Department: Office of the City Clerk

## **Guiding Principle**

Freedom of the City honours those distinguished persons who have given exemplary service to their country and/or community.

## **Purpose**

To provide criteria for conferring the Freedom of the City honour in recognition of outstanding effort(s) and/or contribution(s) by an individual.

## **Application**

Outstanding contributions by an individual may be related to the arts, business and commerce, humanities, politics, community service, sports or professional endeavors.

## **Policy Statements**

1. Council members wishing to confer upon an individual the honour of Freedom of the City will require the unanimous vote of Council.
2. In conferring the honour of Freedom of the City, Council will identify an appropriate venue for public presentation.
3. A person conferred with Freedom of the City is deemed to be an elector of Kelowna and as such is eligible to vote in an election for Mayor or Councillor.
4. A person conferred with Freedom of the City will receive the following:
  - a. An invitation to the Civic & Community Awards and Inaugural Meetings of Council;
  - b. A lifetime City of Kelowna transit pass;
  - c. A lifetime City of Kelowna parking pass for on-street parking and City-owned parking facilities; as well as a life-time short-term parking pass for the Kelowna International Airport (YLW);
  - d. A framed Freedom of the City Honour certificate, and
  - e. A portrait sitting - the portrait to be displayed in City Hall, with a digital copy of the portrait provided to the recipient.
5. No benefits provided to a person conferred with Freedom of the City can be bequeathed or transferred.

## **Amendments**

July 26, 1988 – R1074/88 – Council Policy 56 introduced

June 25, 2001 – R531/01/06/25 – replaces Council Policy 56

April 26, 2010 – R375/10/04/26 – Policy library review, housekeeping amendments



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# Council Policy

## Video Surveillance

APPROVED November 27, 2006

RESOLUTION: R375/10/04/26  
REPLACING: R1060/06/11/27  
DATE OF LAST REVIEW: April 2010

### A. SCOPE

This policy applies to any video surveillance system operated by or for the City of Kelowna that collects personal information in any form. It does not apply to video surveillance systems, such as certain traffic cameras, that do not collect information about identifiable individuals. This policy does not apply to video surveillance conducted by the RCMP, who are subject to federal legislation, or to covert (hidden) video surveillance.

### B. DEFINITIONS

"Act" means the Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996 Ch. 165, as amended from time to time.

"FOIPOP Head" means the person or persons named to this position by City of Kelowna Freedom of Information and Protection of Privacy Bylaw No. 9862.

"Personal information" means recorded information about an identifiable individual.

"Open public space" means the grounds of any real property, or portions of real property, owned or subject to a right of occupation by the City of Kelowna to which the public is ordinarily invited or permitted to be on, and includes, but is not necessarily limited to, parks, playgrounds, beaches, and public parkades or parking lots. It does not include the interior of a City facility.

"Record" means any recorded information, however recorded, whether in printed form, on film, by electronic means or otherwise, and includes: a photograph, a film, a microfilm, a videotape, a machine-readable record, and any record that is capable of being produced from a machine-readable record.

"Video surveillance system" means a mechanical, electronic or digital surveillance system or device that enables continuous or periodic video recording, observing or monitoring of individuals, assets and/or property.

#### 1. General Principles:

The City uses video surveillance systems to ensure the security of individuals, assets and property.

The implementation of a video surveillance system must be in accordance with this policy.

Council approval is required for any video surveillance system. Requests to implement or expand a video surveillance system in an open public space require a specific report to Council presented at a Council meeting before Council approval via the budget process.

Video surveillance systems will be considered only after other, less intrusive, security methods have been considered and have been found to be unworkable. Video surveillance systems shall be used in conjunction with other security efforts and initiatives.

Prior to introducing or expanding a video surveillance system, the rationale for this system must be clearly articulated in writing, before written authorization by the FOIPOP Head and City Manager will be given to proceed to Council.

#### 2. Budget Process:

Requests for budgetary approval for the implementation of new video surveillance systems or any requests for additions to existing video surveillance systems will not be considered by the Financial Services Department until a written preliminary justification for use of the proposed video surveillance system has been provided by the FOIPOP Head.

If a video surveillance system is part of a larger budget request then the description and cost of the video surveillance system must be separated out from the overall cost of the project.

#### 3. Privacy Considerations:

Video surveillance systems that record images of individuals collect personal information that must be protected in accordance with the Act.

The City will exercise a high degree of care when using video surveillance systems in order to protect the privacy of individuals who visit or work at monitored places. Although video surveillance may be required for legitimate operational purposes, it must be used in accordance with the provisions of the Act. A written administrative policy and procedure covering each video surveillance system will be created to ensure the operation of the video surveillance system complies with the Act.

As a general rule, the Act requires the City to notify individuals that it is collecting their personal information. Video surveillance systems must be clearly visible and marked by prominent signage.

4. Records Management Considerations:

Records created by video surveillance systems are subject to the City of Kelowna Records Classification and Retention Schedule, which prescribes retention periods for these records.

5. Web-Based Video Surveillance Systems:

Requests for video surveillance systems that involve the collection, use, retention, or access of images on a server or are accessed via the City network require the approval of the Information Services Division Technical Services Manager to ensure that adequate resources are available to support the web-based video surveillance system.

6. Audits and Reviews:

The FOIPOP Head will conduct a written audit and review of existing video surveillance systems and Report to the City Manager on an annual basis.

### **REASON FOR POLICY**

To ensure that the City of Kelowna identifies appropriate uses for video surveillance technology, that appropriate authorization is obtained to implement such a system, and to manage records that may be created using this technology in a manner that complies with provincial legislation and City records management requirements.

### **LEGISLATIVE AUTHORITY**

Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996 Ch. 165; Freedom of Information and Protection of Privacy Bylaw No. 9862

### **PROCEDURE FOR IMPLEMENTATION**

As outlined in policy



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# Video Cameras Use - Law Enforcement, Safety, Security

APPROVED November 27, 2006

Contact Department: Corporate & Protective Services

## Guiding Principle

The City of Kelowna is committed to leading in the development of a safe community and will use video cameras for law enforcement purposes to enhance safety and security for the public, and protect City assets.

## Purpose

To provide the criteria for placement and use of City of Kelowna operated video cameras as they relate to law enforcement, safety and security.

## Application

This policy applies to all city operated video cameras intended for law enforcement, safety, and security; and the records, including images, created by the cameras.

## Out of Scope

This policy does not apply to camera use, images and records for operational uses including but not limited to: condition assessments, real estate records, community planning, building inspections, communications, promotional material, training videos, use of handheld cameras, cameras for the purpose for traffic management, or cameras in City owned facilities and spaces where the records, including images, are not the property of the City.

## Policy Statements

1. The City Manager, or designate, will approve the placement of cameras to benefit law enforcement, safety, and security without undue intrusion to privacy.
2. The City Manager, or designate, will approve and maintain a list of authorized staff, contractors and/or agents that can review recorded information or make a copy of images or video.
3. Each camera, or set of cameras, will have an associated Privacy Impact Assessment and Video Camera Operation Policy that together will specify how the camera or set of cameras enhance law enforcement, safety and security.
4. All personal information collected by video cameras will be managed in accordance with the *Freedom of Information and Protection of Privacy Act* with use and access to records by an authorized contractor or agent governed by a written agreement with the City and in accordance with the *Act*.
5. Access permissions will be granted for specific cameras or set of cameras only where a business need related to law enforcement, safety and security is identified and in accordance with the *Act*.
6. Records will be secured with the appropriate collection, use, disclosure and retention to follow the requirements of **Bylaw No. 10400 - City of Kelowna Corporate Records and Information Management Program**.
7. The Freedom of Information and Protection of Privacy Head as designated in **Bylaw No. 9682 - Freedom of Information and Protection of Privacy** will review each Privacy Impact Assessment and Video Camera Operation Policy annually.

**Amendments**

November 27, 2006 - R1060/06/11/27 - first CCTV installed, policy created

DRAFT



# **COUNCIL POLICY REVIEW**

October 26, 2015



## COUNCIL POLICY

# Purpose

To provide strategic direction related to:

- Governance
- Programs
- Services

In alignment with:

- A clear objective, Council Priority

# POLICY REVIEW WORKSHOP

Each Policy evaluated based on:

- ▶ Policy Objective
- ▶ Policy Effectiveness
- ▶ Policy Effort

Summary of Evaluation

- ▶ Proposed Action(s)

## POLICY 336 - VIDEO SURVEILLANCE

### Evaluation

Policy Objective	<i>Why does it exist?</i>	Originally created in 2006 to provide oversight of camera use at a time when the Federal Privacy Commissionaire sighted concerns with our single security camera at the Queensway bus loop
Policy Effectiveness	<i>How is it working?</i>	<ul style="list-style-type: none"> <li>-Council approves cameras though the budget process.</li> <li>-Capture, use, disclosure and retention covered under bylaw and legislation</li> </ul>
Policy Effort	<i>What is the cost?</i>	<ul style="list-style-type: none"> <li>-Reduces flexibility and responsiveness</li> </ul>
Evaluation Summary	<ul style="list-style-type: none"> <li>-Use of cameras in 2015 is a less political concern than in 2006</li> <li>-Appropriate camera use is an operational matter best managed by the City Manager &amp; administrative policy</li> <li>-Other laws are in place to govern privacy protection</li> </ul>	
Proposed Action	Rescind as duplicated Bylaw 9682, 10400 & relevant regulation	

## POLICY 25 - CITY MANAGER ATTENDANCE AT MEETINGS OF THE COUNCIL

Evaluation		
Policy Objective	<i>Why does it exist?</i>	Introduction of the City Administrator position in 1970
Policy Effectiveness	<i>How is it working?</i>	<ul style="list-style-type: none"> <li>-currently part of the CM role</li> <li>-demonstrates accountability for Council direction</li> <li>-ensures Council direction is being followed</li> <li>-provides information &amp; recommendations to Council</li> </ul>
Policy Effort	<i>What is the cost?</i>	-role of City Manager 'one-employee'
Evaluation Summary	<ul style="list-style-type: none"> <li>-provides Council direction to CM</li> <li>-confirms 'one-employee' model</li> <li>-add, 'or designate', to meet objective in CM absence</li> </ul>	
Proposed Action	Amend	

# POLICY 43 - USE OF COUNCIL CHAMBERS

## Evaluation

Policy Objective	<i>Why does it exist?</i>	completion of the new Council Chamber in 1982
Policy Effectiveness	<i>How is it working?</i>	<ul style="list-style-type: none"> <li>-currently a standard practice</li> <li>-demonstrates chambers is a public asset</li> <li>-ensures a balance between use &amp; resources</li> </ul>
Policy Effort	<i>What is the cost?</i>	<ul style="list-style-type: none"> <li>-resources for administration, maintenance of equipment and supplies</li> </ul>
Evaluation Summary	<ul style="list-style-type: none"> <li>-1972 need no longer relevant</li> <li>-has evolved to a well established practice</li> </ul>	
Proposed Action	Transfer to an Administration Policy	

# POLICY 285 - COUNCIL COMMITTEES

## Evaluation

Policy Objective	<i>Why does it exist?</i>	Legislation changes in the Municipal Act in 2000
Policy Effectiveness	<i>How is it working?</i>	-is a duplication of legislation, City bylaw, and Committee Terms of Reference
Policy Effort	<i>What is the cost?</i>	-legislated; possible communication risk
Evaluation Summary	-duplication of existing legislation and bylaw	
Proposed Action	Rescind	



## POLICY 286 - MINUTES OF STANDING & SELECT COMMITTEE MEETINGS

Evaluation		
Policy Objective	<i>Why does it exist?</i>	Legislation changes in the Municipal Act in 2000
Policy Effectiveness	<i>How is it working?</i>	-duplicated by legislation and City bylaw
Policy Effort	<i>What is the cost?</i>	-legislated; possible communication risk
Evaluation Summary	-duplication of existing legislation and bylaw	
Proposed Action	Rescind	

## POLICY 299 - FREEDOM OF THE MUNICIPALITY

### Evaluation

Policy Objective	<i>Why does it exist?</i>	Originally created as Policy No.56 in 1988 as a guideline, replaced in 2001 to add a package of benefits and expand scope
Policy Effectiveness	<i>How is it working?</i>	<ul style="list-style-type: none"> <li>-provides guidelines for conferring an honour to an individual;</li> <li>-provides for recognition of contributions to community or country in various areas</li> </ul>
Policy Effort	<i>What is the cost?</i>	<ul style="list-style-type: none"> <li>-part of regular administration duties</li> <li>-venue choice determines cost to confer</li> <li>-benefit package approx \$250 plus foregone revenue (parking &amp; bus passes)</li> </ul>
Evaluation Summary	<ul style="list-style-type: none"> <li>-still relevant (conferred in 2015)</li> <li>-change name to 'honour' to differentiate from Civic Awards</li> <li>-clarify 'civic events'; add airport parking</li> </ul>	
Proposed Action	Amend	