

City of Kelowna

Regular Council Meeting

AGENDA



Monday, June 28, 2021

10:00 am

Council Chamber

City Hall, 1435 Water Street

Pages

1. **Call to Order**
2. **Confirmation of Minutes** 2 - 4
Regular AM Meeting - June 21, 2021
3. **Reports**
 - 3.1. **Restart Plan Phase 2 Council Meetings and Public Hearings** 20 m 5 - 18

To update Council meeting and public hearing procedures under Phase 2 of BC's Restart Plan.
4. **Resolution Closing the Meeting to the Public**

THAT this meeting be closed to the public pursuant to Section 90(1) (e) of the Community Charter for Council to deal with matters relating to the following:
 - Disposition of Land or Improvements
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** 15 m
8. **Termination**



City of Kelowna Regular Council Meeting Minutes

Date: Monday, June 21, 2021
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present: Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Brad Sieben*

Members participating remotely: Councillors Charlie Hodge, Mohini Singh and Luke Stack

Members Absent: Councillor Loyal Wooldridge

Staff Present: City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Corporate and Protective Services, Stu Leatherdale*; Community Safety Director, Darren Caul*; Project Manager, Community Safety, Colleen Cornock*

Staff participating remotely: Legislative Coordinator (Confidential), Arlene McClelland*

Guests: Superintendent Kara Triance*, OIC Kelowna Detachment

Guests participating remotely: Felix Munger*, Audrey Monette*, and Christine Sadeler*, Canadian Municipal Network on Crime Prevention

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 9:02 a.m.

2. Confirmation of Minutes

Moved By Councillor Donn/Seconded By Councillor Hodge

R0596/21/06/21 THAT the Minutes of the Regular AM Meeting of June 14, 2021 be confirmed as circulated.

Carried

Councillor Sieben joined the meeting at 9:11 a.m.

3. Reports

3.1 Community Safety Plan Council Workshop

Staff:

- Introduced the Community Safety Plan and provided a brief update.
- Introduced the Consultants that will be conducting the Workshop.

Felix Munger, Audrey Monette, Christiane Sadeler, Consultants, Canadian Municipal Network on Crime Prevention

- Consultants participated remotely from different locations.
- Shared a PowerPoint Presentation.
- Facilitated a discussion with Council on "Challenges / Pressure Points".
- Facilitated a discussion with Council on "Key Themes / Challenges".
- Facilitated a discussion with Council on "Validation Engagement Questions".
- Responded to questions from Council.

Moved By Councillor DeHart/Seconded By Councillor Singh

Ro597/21/06/21 THAT Council receives, for information, the report from the Community Safety Department, dated June 21, 2021 regarding the Community Safety Plan.

Carried

The Consultants disconnected from the meeting at 10:52 a.m.

The meeting recessed at 10:52 a.m.

The meeting reconvened at 11:05 a.m.

4. Resolution Closing the Meeting to the Public

Moved By Councillor Donn/Seconded By Councillor Given

Ro598/21/06/21 THAT this meeting be closed to the public pursuant to Section 90(1)(c)(f)(g) and 90(2)(b) of the Community Charter for Council to deal with matters relating to the following:

- Labour Relations
- Law Enforcement
- Potential Litigation
- Confidential Information from the Province

Carried

5. Adjourn to Closed Session

The meeting adjourned to a closed session at 11:06 a.m.

6. Reconvene to Open Session

The meeting reconvened to an open session at 11:52 a.m.

7. Issues Arising from Correspondence & Community Concerns

7.1 Councillor DeHart, re: Roadside Memorials

Councillor DeHart:

- Will send a Service Request to the City Manager's Executive Assistant.

8. Termination

The meeting was declared terminated at 11:53 a.m.

Mayor Basran

sf/acm



City Clerk

DRAFT

Report to Council



Date: June 28, 2021

To: Council

From: City Manager

Subject: Restart Plan Phase 2 Council Meetings & Public Hearings

Department: Office of the City Clerk

Recommendation:

THAT Council receive, for information, the report from the Office of the City Clerk dated June 28, 2021 regarding Council meetings and public hearings under Phase 2 of BC's Restart Plan;

AND THAT Council conduct open Council meetings with the public present in accordance with the requirements of the Order of the Provincial Health Officer regarding gatherings and events;

AND THAT Council conduct the July 13, 2021 public hearing and Tuesday regular meeting electronically without the public present in accordance with Ministerial Order No. M192;

AND THAT Council conduct the July 27, 2021 public hearing and Tuesday regular meeting both electronically and in-person in accordance with Ministerial Order No. M192 and the requirements of the Order of the Provincial health Officer regarding gatherings and events;

AND THAT Council is ensuring openness, transparency, accessibility and accountability by broadcasting meetings and public hearings live online, making video recordings available online following the meetings, receiving written or verbal correspondence on agenda items, regularly communicating to the public changes in how meetings and public hearings are held, and posting draft agendas and minutes online;

AND THAT Council direct the Agricultural Advisory Committee to conduct meetings both electronically and in-person in accordance with Ministerial Order No. M192 and the requirements of the Order of the Provincial health Officer regarding gatherings and events;

AND THAT Council direct staff to bring forward recommendations for Council meetings and public hearings under Phase 3 of BC's Restart Plan at the appropriate time.

Purpose:

To update Council meeting and public hearing procedures under Phase 2 of BC's Restart Plan.

Background:

Since December 2020, Council has been meeting without the public present and has been holding electronic public hearings under the Provincial Health Officer (PHO) Order on Gatherings and Events and Ministerial Order No. M192. On June 15, 2021, BC moved into Phase 2 of its Restart Plan and the Order on Gatherings and Events was revised. In-person attendance at Council meetings and public hearings is now permitted to a maximum of 50 people provided certain conditions can be met.

Phase 3 is expected to start in early July with increased capacity and fewer restrictions for indoor organized gatherings. Anecdotally, other local governments are planning to continue with only electronic public participation in Council meetings and public hearings until Phase 3 is in effect.

Previous Council Resolution

Resolution	Date
<p>THAT Council conduct Open Meetings without the public present in accordance with the requirements of the Order of the Provincial Health Officer regarding gatherings and events;</p> <p>AND THAT Council is ensuring openness, transparency, accessibility and accountability by broadcasting meetings live online, making video recordings available online following the meetings, receiving written or verbal correspondence on agenda items, regularly communicating to the public changes in how meetings are held, and posting draft agendas and minutes online;</p> <p>AND FURTHER THAT the above-noted resolutions be in effect until the Order of the Provincial Health Officer is rescinded or replaced to allow for in-person attendance at Council meetings.</p>	December 7, 2020
<p>THAT Council receive, for information, the report from the Office of the City Clerk dated February 8, 2021 regarding the update on restrictions, advisory committees, and public hearings;</p> <p>AND THAT Council reinstate the duties and meetings of the Agricultural Advisory Committee;</p> <p>AND THAT Council direct the Agricultural Advisory Committee to meet electronically in accordance with Option 1 described in the report from the Office of the City Clerk dated February 8, 2021 until the Order of the Provincial Health Officer is rescinded or replaced to allow for in-person attendance at Committee meetings;</p> <p>AND THAT Council is ensuring openness, transparency, accessibility, and accountability of Committee meetings by allowing applicants to participate electronically, allowing the public to watch meetings electronically, regularly communicating to the public changes in how meetings are held, and posting draft agendas and minutes online;</p>	February 8, 2021

AND FURTHER THAT duties and meetings of the Heritage Advisory Committee continue to be suspended until Council provides further direction on the role of that Committee.	
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Discussion:

The PHO Order conditions for indoor events include a COVID-19 safety plan, physical distancing, controlled access, and hand sanitation supplies. The following conditions are particularly relevant considerations for Council meetings and public hearings:

- a) Cumulative maximum of 50 people per event, including Council and staff;
- b) Participants must be seated unless necessary as part of the event;
- c) Contact information must be gathered for contact tracing purposes;
- d) The space must be cleaned, sanitized, and ventilated between events;
- e) Participants leaving one event must not have contact with those arriving for another.

The PHO Order was amended on June 22, 2021 to allow participants to get up from their seats if necessary for the purpose of the event. This allows members of the public to present to Council.

Some of these conditions are more restrictive than those in place when in-person Council meetings and public hearings were permitted before December 2020.

Monday Council Meetings

With few exceptions, open Monday Council meetings rarely have more than 50 attendees. To allow the public to attend in-person, an updated COVID-19 safety plan must be in place and staff must be assigned to complete contact tracing and monitor the total number of people over the course of the meeting.

To meet the principles of openness, transparency, accessibility, and accountability and the intent of Ministerial Order No. M192, staff recommend in-person public attendance at open Monday Council meetings resume beginning July 12, 2021. The online livestream for open Council meetings will continue regardless of changing COVID-19 restrictions.

Public Hearings & Tuesday Regular Meetings

The conditions under the revised Order present more challenges for public hearings, as identified below. Staff has scheduled public hearings and Tuesday evening development agenda items as a series of "events" based on start times. This provides for a greater number of the public to attend over the course of the evening, and comes with added requirements for pauses for cleaning etc. between grouped agenda items.

- a) **Maximum of 50 people.** The maximum of 50 people per event now includes Council and staff where before it excluded them. Council and staff can account for up to 15 people at a public hearing, leaving capacity for only 35 members of the public to attend. Council may need to establish a maximum number of applicant team members in attendance to make sure there is as much seating available for members of the public as possible.
- b) **Participant seating.** With physical distancing in place, there is seating for up to 35 members of the public in Council Chambers. Of these, 10 seats are paired for members of the same household to sit together. This limits opportunities for the public to attend in-person.

- c) **Contact information must be gathered.** A staff person would need to be assigned for contact tracing purposes.
- d) **Cleaning, sanitizing, and ventilating between events.** This would require time between agenda items once a combined maximum of 50 people is reached with custodial services on standby.
- e) **No contact between participants.** As above, this would require scheduling time between items to maintain separation between participants from one item and those coming for another item. Members of the public would need to wait outside when the total of 50 people is reached.

Three main options are available for public hearings, with more details below:

- 1. **Electronic only.** This would see electronic public hearings continue, with public attendance and participation via Teams only.
- 2. **In-person only.** This would remove the current option for electronic participation in public hearings and return to in-person attendance only for members of the public or applicants. Staff would explore the possibility of using an auxiliary site to increase capacity. Members of Council could continue to participate remotely.
- 3. **Hybrid.** This would allow the public or applicants to choose to participate in-person or remotely. An auxiliary site may be needed to increase capacity for applications that generate more interest.

Method	Additional Staffing*	Public
Electronic only	Teams moderator	Limited to electronic participation.
In-person only	Contract tracer Additional staff if auxiliary site used	Limited to in-person participation. 50-person limit may restrict ability to hold public hearing.
Hybrid	Teams moderator Contact tracer Camera system operator Additional staff if auxiliary site used	Broadest opportunity for public participation.

* In addition to City Manager, City Clerk, and Development Planning staff

Additional staffing costs for in-person with auxiliary site or hybrid public hearings are estimated to be \$1,000 to \$2,000 per public hearing. Budget is not currently identified for this purpose.

Given the restrictions under Phase 2 and the number of items anticipated, staff recommend the July 13 public hearing and Tuesday regular meeting be conducted electronically only. Staff recommend a hybrid approach for the July 27 public hearing and Tuesday regular meeting, pending further changes to event requirements. A hybrid approach gives the public the option of participating remotely or in-person.

Committees

Agricultural Advisory Committee meetings have been conducted electronically in 2021, with members and applicants participating remotely and the public able to watch online. Staff recommend a hybrid approach for Committee meetings under Phase 2 of the Restart Plan, allowing Committee members, applicants, and the public to attend electronically or in-person. The Heritage Advisory Committee continues to be suspended pending further review of their role with Council.

The next meetings for the Airport Advisory Committee and Civic and Community Awards Steering Committee are scheduled for fall 2021. Once restrictions are lifted further staff will bring forward a recommendation for how those meetings should be conducted going forward.

Conclusion:

With the change in restrictions, staff recommend that the public be permitted to attend open Council meetings in-person again. The July 13, 2021 public hearing and Tuesday regular meeting may remain electronic given the limitations under the current event requirements and the expected number of items on those agendas. A hybrid approach is recommended for the July 27, 2021 public hearing and Tuesday regular meeting and staff will prepare a safety plan and coordinate logistical needs. The Agricultural Advisory Committee may reintroduce in-person attendance while also allowing for continued electronic participation.

Staff will provide a further update to Council as restrictions change once the Province moves into Phase 3 of the Restart Plan. This is anticipated to be in early July.

Considerations applicable to this report:

Legal/Statutory Authority:

Order of the Provincial Health officer on Gatherings and Events
Ministerial Order No. M192

Financial/Budgetary Considerations:

In-person public hearing with auxiliary site or hybrid public hearing: estimated staffing costs of \$1,000 to \$2,000 per public hearing

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Existing Policy:

External Agency/Public Comments:

Communications Comments:

Submitted by:

L. Bentley, Deputy City Clerk

Approved for inclusion: S. Fleming, City Clerk

cc:

R. Smith, Divisional Director, Planning & Development Services



Council Meetings & Public Hearings – Restart Plan Phase 2

June 28, 2021

Background

- ▶ Temporary provincial orders
- ▶ Restart Plan Phase 2
 - ▶ Began June 15, Order amended June 22
 - ▶ Allows in-person gatherings under certain conditions
- ▶ Restart Plan Phase 3
 - ▶ Expect increased capacity & fewer restrictions
 - ▶ Anticipated to start in early July

Key Conditions

- ▶ Cumulative maximum of 50 people per event
- ▶ Participants must be seated unless necessary for event
- ▶ Gather contact information
- ▶ Clean, sanitize & ventilate between events
- ▶ No contact between event participants

Monday Council Meetings

- ▶ Conditions can be met
- ▶ Need updated COVID-19 safety plan
- ▶ Assign staff to gather contact information & monitor number of people

Recommendation: resume in-person attendance at open Monday Council meetings

Public Hearings & Tuesday Regular Meetings

- ▶ Scheduled as series of 'events' based on start times
- ▶ Challenge meeting conditions:
 - ▶ Maximum of 50 people
 - ▶ Participating seating
 - ▶ Contact information must be gathered
 - ▶ Cleaning, sanitizing & ventilating between events
 - ▶ No contact between participants

Options

Method	Additional Staffing*	Public
Electronic only	Teams moderator	Limited to electronic participation.
In-person only	Contract tracer Additional staff if auxiliary site used	Limited to in-person participation. 50-person limit may restrict ability to hold public hearing.
Hybrid	Teams moderator Contact tracer Camera system operator Additional staff if auxiliary site used	Broadest opportunity for public participation.

* In addition to City Manager, City Clerk & Development Planning staff

Recommendation: *continue with electronic only for July 13, introduce hybrid approach for July 27*

Committees

Committee	Status	Recommendation
Agricultural Advisory Committee	Meeting electronically	Electronic and in-person participation
Heritage Advisory Committee	Suspended pending further review of role with Council	Remain suspended
Airport Advisory Committee	Next meeting fall 2021	Staff will bring forward once restrictions are lifted further
Civic and Community Awards Steering Committee	Next meeting fall 2021	Staff will bring forward once restrictions are lifted further

Recommendation: hybrid Agricultural Advisory Committee meetings

Recommendations & Next Steps

Meeting Type	Recommendation
Open Council meetings	Allow in-person attendance
July 13 public hearing & regular meeting	Electronic only
July 27 public hearing & regular meeting	Hybrid (electronic & in-person)
Agricultural Advisory Committee	Hybrid (electronic & in-person)

- ▶ Additional recommendations once we move into Phase 3
 - ▶ Expected in early July



Questions?

For more information, visit kelowna.ca.