

**CAPITAL REGIONAL DISTRICT
BYLAW NO. 4368**

**A BYLAW TO AMEND BYLAW 3828, "CAPITAL REGIONAL DISTRICT
PROCEDURES BYLAW, 2012"**

WHEREAS:

- A. Bylaw No. 3828 regulates the proceedings of the Capital Regional District Board and establishes how the Board Standing Committees, Select and Advisory Committees, Commissions and other appointed bodies of the Board operate within CRD governance;
- B. The CRD Board approved a Statement of Reconciliation in October 2018 that includes supporting First Nations in participating in CRD decision-making processes and looking to First Nations for leadership in understanding how to create new decision-making systems;
- C. The 2019-2022 CRD Board Priority of First Nations Reconciliation includes looking to First Nations for leadership in understanding how to create new regional planning and decision-making systems together on their Traditional Territories; and,
- D. The Board wishes to amend Bylaw No. 3828 to allow for First Nations' elected representatives to participate on Board Standing Committees, Select and Advisory Committees, Commissions and other appointed bodies of the Board.

NOW THEREFORE, the Capital Regional District Board in open meeting assembled hereby enacts as follows:

- 1. Bylaw No. 3828, "Capital Regional District Board Procedures Bylaw, 2012" is hereby amended as follows:

- (a) By adding a definition for a First Nation Member to Section 1 to state:

"First Nation Member" means a First Nations' elected representative who is permitted to participate on an Advisory Committee, Select Committee, or Standing Committee by the relevant Terms of Reference and includes their alternate if acting in the place of a First Nation Member;

- (b) By replacing Section 26(2)(b), "An elected representative and alternate from each of the Songhees Nation and the Esquimalt First Nation Councils may be appointed to a committee established for the purposes of the Core Area Liquid Waste Management Plan."

In its entirety with:

Where a Board Standing Committee Terms of Reference allow a First Nation Member to participate;

- (c) By changing Section 32, "The quorum in a Standing or Select Committee shall be a majority of the persons appointed to the Committee."

In its entirety with:

The quorum in a Standing or Select Committee shall be the majority of the Persons appointed to the Committee, but shall not include First Nation Members.

(d) By adding section 33(2)(c) and (d) as follows:

(c) First Nation Members are permitted to abstain from voting on an item, provided that they declare their abstention prior to the vote being called on the item.

(d) When an abstention from voting on an item is declared by a First Nation Member, it shall be noted in the meeting minutes and the total number of votes on the item shall not include those First Nation Members who have abstained from voting.

(e) By adding a Section 35(6) to "Procedures for COW Meetings" to state:

First Nation Members may attend COW when invited in advance by the Board Chair.

(f) By adding a new section 39 as follows:

The provisions of sections 22 and 24 of this bylaw that apply to Members shall apply to First Nation Members.

(g) By renumbering sections 39 and 40.

2. This Bylaw may be cited for all purposes as "Capital Regional District Board Procedures Bylaw, 2012, Amendment Bylaw No. 11, 2020."

READ A FIRST TIME THIS	28 th day of October	2020
READ A SECOND TIME THIS	28 th day of October	2020
READ A THIRD TIME THIS	28 th day of October	2020
ADOPTED THIS	day of	202_

CHAIR

CORPORATE OFFICER