



Pacific Business & Law Institute

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LOCAL GOVERNMENT 2021

Co-Chaired by

Don Lidstone, Q.C.
Lidstone & Company

Marisa Cruickshank
Lidstone & Company

March 5th, 2021 • Attend via Live Webinar



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PORT DE RETOUR GARANTI

CO-CHAIRS



Marisa Cruickshank, Partner, Lidstone & Company, Vancouver, BC. Marisa Cruickshank assists local government clients with a wide range of workplace matters: preparation and review of employment contracts and policies, sick leave and disability issues, human rights, and labour relations matters, including discipline, grievances and interpretation of collective agreements. Marisa also assists clients with privacy and FOI matters, governance issues, and bylaw enforcement matters. Marisa has represented clients before all levels of court in British Columbia as well as boards and tribunals, including arbitration boards, the Human Rights Tribunal, the Information and Privacy Commissioner, and the Labour Relations Board.



Donald Lidstone, Q.C., Managing Partner, Lidstone & Company, Vancouver, BC. Mr. Lidstone's municipal law focus is in the areas of constitutional, administrative, and environmental law, particularly in respect of governance, land use/sustainable development, bylaws and Aboriginal law. Invited to speak regularly at conferences, symposia and universities, he has chaired the Sustainable Region Initiative (Governance and Finance), Liquid Waste Expert Review Panel, Fire Services Review Panel, Whistler Waste Blue Ribbon Panel, and the Municipal Law Section of the BC Branch of the Canadian Bar Association. Mr. Lidstone has published numerous papers and manuals and consulted on the development of the British Columbia *Community Charter* and municipal statutes in other provinces and territories. He was designated Queen's Counsel in 2008.

FACULTY



Anthony Capuccinello Iraci, City Solicitor, Richmond, BC. Tony is the City Solicitor and General Manager of Legal and Legislative Services for the City of Richmond. Prior to joining Richmond, he was the Deputy City Solicitor for the City of Surrey. He is also a part-time instructor in Kwantlen Polytechnic University's School of Business.



Kathleen Higgins, Partner, Young Anderson Barristers & Solicitors, Vancouver BC. Kathleen Higgins is one of British Columbia's leading municipal and planning lawyers. She began her local government law career as in-house legal counsel at a large lower mainland municipality, before moving to private practice. Kathleen advises local governments on all aspects of municipal law including development, engineering, subdivision, environmental, planning, expropriation law, conflicts of interest and council governance issues. She also regularly advises local governments on their authority and jurisdiction to pass bylaws in a variety of areas covered by both provincial and federal legislation. Kathleen's practice has included extensive real estate transactions, including the creation of a number of regional parks in the Lower Mainland and the development of an alpine ski resort. She has also conducted bylaw prosecutions, injunctions and defences to bylaw challenges in British Columbia's Provincial, Supreme and Appeal Courts.



Philip Huynh, City Solicitor, Surrey, BC. Philip is the City Solicitor and Director of Legal Services for the City of Surrey. Philip Huynh is the City Solicitor for the City of Surrey, where he practises all aspects of municipal law including constitutional, planning and development, human rights, municipal liability, council and administrative procedure, and conflicts of interest matters. He is a past Chair of the National Municipal Law Section of the Canadian Bar Association and teaches Municipal Law at the Faculty of Law at Thompson Rivers University.



Peter Johnson, Partner, Stewart McDannold Stuart Barristers & Solicitors, Victoria, BC. Peter graduated with his Bachelor of Laws degree from the University of British Columbia in 1988. He was a Law Clerk with the County Court of Vancouver, and then completed his articles in Vancouver. He was called to the Bar in 1990. Peter practiced civil litigation for a number of years with a major Vancouver firm, appearing before all levels of court in British Columbia. In 1997 he became the Assistant City Solicitor with a large and growing municipality in the Lower Mainland of Vancouver. In 2001 Peter joined the firm and continues to practice as a partner with our solicitors group. Peter provides legal advice and assistance to local governments throughout the province on a wide variety of matters, including interpretation of local government legislation, planning and development law, real estate and other commercial transactions, contract tendering issues, bylaw drafting, expropriation, environmental law issues, freedom of information and privacy issues, and conflicts of interest.

LOCAL GOVERNMENT 2021

The issues facing local governments continue to shift and change. Those working for or with municipalities need the latest information on emerging trends and best practices for facing new challenges and taking advantage of opportunities. This forum assembles leading experts with extensive experience advising local governments, in order to provide insights on many of the most important issues in local government today.

Attendees will come away with new strategies for solving difficult problems and maximizing important opportunities available in exciting new areas. With an emphasis on practical advice and real-world examples, this program should not be missed.

ISSUES TO BE ADDRESSED:

- Recent case law and legislative developments
- Aboriginal rights and title claims on municipal lands
- Issues regarding freedom of information
- Modern challenges and shifting priorities faced by municipalities
- Planning and land use questions
- Emerging practices regarding conduct of council

WHO SHOULD ATTEND:

- Mayors/chairs and councillors/directors
- Local government officers and employees
- Lawyers practising municipal, administrative, environmental, insurance, or civil law
- Risk managers
- Consultants to local governments
- Municipal insurance professionals

LOCAL GOVERNMENT 2021

MARCH 5TH, 2021

9:00 Welcome and Introduction by PBLI

9:05 Chairs' Welcome and Introduction

Marisa Cruickshank
Lidstone & Company
Don Lidstone, Q.C.
Lidstone & Company

9:10 Legislation and Case Law Update

Anthony Capuccinello Iraci
City of Richmond

- Recent cases of interest to local governments
- Legislative and regulatory developments affecting local governments
- Advice and recommendations arising from recent changes in the law

9:50 Questions and Discussion

10:00 Morning Break

10:15 Aboriginal Title and Rights Claims Over Municipal Property

Kathleen Higgins
Young Anderson Barristers & Solicitors

- The nature of an Aboriginal title claim over parks, public work yards or other municipal land
- Aboriginal traditional rights, and local government procedures respecting heritage, archeology and other matters
- Steps local governments can take

11:05 Questions and Discussion

11:15 Freedom of Information

Marisa Cruickshank
Lidstone & Company

- Discussion of common FOI requests, including building permit files, bylaw enforcement matters, and severance records
- Settlement privilege as a basis to withhold records from disclosure

12:05 Questions and Discussion

12:15 Lunch Break

1:15 Imminent Challenges for Local Governments

Peter Johnson

Stewart McDannold Stuart Barristers & Solicitors

- Shifts in areas such as technology, tourism, pandemic planning, WFH, GHG restrictions, flooding and wildfire incidence
- Prioritizing and optimizing municipal decisions in urban areas facing a reduced need for roadways, parking and offices and an increased need for affordable housing, alternative transportation, social services and economic development
- Official plans, zoning, parking and subdivision rules to reconsider, infrastructure to re-imagine and new services to consider or prioritize

2:05 Questions and Discussion

2:15 Afternoon Break

2:30 Planning and Land Use

Don Lidstone, Q.C.
Lidstone & Company

- Climate and energy action: energy and reduced GHG emissions for new and retrofitted buildings; community amenities for climate action and adaptation; new landscaping, afforestation and horticulture rules; water conservation; nature based solutions; drainage design and stormwater management; urban infill; social and economic inequalities; solo dwelling occupancy; funding the local orders of governments' compliance with Canada's commitments

3:20 Questions and Discussion

3:30 Council Integrity

Philip Huynh
City of Surrey

- Overview of Council Codes of Conduct and role of Ethics or Integrity Commissioners, including regulating ethical and respectful conduct, complaint and investigation processes, sanctions such as motions of censure or other appropriate measures, and other relevant considerations
- Best practices for a Code of Conduct and related procedures

4:15 Questions and Discussion

4:20 Chairs' Closing Remarks – Program Concludes

INFORMATION

Four Ways to Register:

1. Telephone us: 604-730-2500 or toll free 877-730-2555
2. Fax us: 604-730-5085 or toll free 866-730-5085
3. Mail your registration form with payment
4. Register at www.pbli.com/1647

Registration: The registration fee is \$720.00 plus GST of \$36.00 totalling **\$756.00** covering your access to the live webinar and electronic materials.

Group Discount: Register four persons from the same organization at the same time and you are entitled to a complimentary fifth registration.

Payment: You may pay by VISA, MasterCard or cheque. Cheques should be made payable to the Pacific Business & Law Institute. Registration fees must be paid prior to the program.

When and Where: Check-in begins at 8:30 a.m. The program starts at **9:00 a.m. (PST)**. Attend via Live Webinar: All you need is a computer with a good internet connection and external plug-in speakers or good headphones for optimal audio and volume.

Materials: The faculty will prepare papers and/or other materials explaining many of the points raised during this program. Please contact us at registrations@pbli.com if you are unable to attend the program and wish to purchase a set of materials.

Your Privacy: We will keep all information that you provide to us in strict confidence, other than to prepare a delegate list containing your name, title, firm and city for our faculty and the program delegates. We do not share our mailing lists with any non-affiliated organization.

Cancellations: Full refunds will be given for cancellations (less a \$60.00 administration fee) if notice is received in writing five full business days prior to the program (**February 27th, 2021**). After that time we are unable to refund registration fees. Substitutions will be permitted. We reserve the right to cancel, change or revise the date, faculty, content, availability of webinar or venue for this event.

Course Accreditation: Attendance at this course can be listed for up to **6 hours** of continuing professional development with the Law Society of BC.

Registration Form Pacific Business & Law Institute

Unit 2 - 2246 Spruce Street
Vancouver, BC Canada V6H 2P3
Telephone: 604-730-2500; Fax: 604-730-5085
E-mail: registrations@pbli.com

LOCAL GOVERNMENT 2021

March 5th, 2021

Attend via Live Webinar

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