



AGENDA
"IN CAMERA" COUNCIL MEETING

Monday, July 8, 2019

4:30 P.M. - 7:00 P.M.

DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS AT 5:30 P.M.

Pages

1. CALL TO ORDER:

2. APPROVAL OF THE AGENDA:

That Council, in accordance with the Community Charter, adopt the agenda as presented (or as amended).

Summary of Agenda Items and Proposed CC Reasons to Close Meeting:

Adoption of Agenda

6(a) Annual Policing Priorities - 90(1)(f)

6(b) [REDACTED] - 90(2)(b)

6(c) Appointments to the Health and Housing Task Force - 90(1)(a)

6(d) [REDACTED] 90(2)(b)

6(e) Release of 2017 "In Camera" Meeting Information Fourth Quarter Report (2017-OCT-01 - 2017-DEC-31) - 90(1)(a)(b)(c)(e)(g)(i)(j)(k)(l)(n)

6(f) Discussion Regarding Provincial Cabinet Minister Meeting Topics 2019 Union of BC Municipalities - 90(2)(b)

6(g) CAO and Council Matters - 90(1)(a)(c)

Section 90(1):

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

(b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;

(c) labour relations or other employee relations;

(e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;

- (f) law enforcement, if the Council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
 - (g) litigation or potential litigation affecting the municipality;
 - (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under Section 21 of the *Freedom of Information and Protection of Privacy Act*;
 - (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public;
 - (l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under Section 98 [annual municipal report];
 - (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2); and,
 - Section 90(2):
- (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.



3. ADOPTION OF THE MINUTES:

- | | | |
|----|---|---------|
| a. | <u>Minutes</u> | 5 - 7 |
| | Minutes of the Special "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Monday, 2019-JUN-10 at 5:30 p.m. | |
| b. | <u>Minutes</u> | 8 - 11 |
| | Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Monday 2019-JUN-17 at 5:00 p.m. | |
| c. | <u>Minutes</u> | 12 - 13 |
| | Minutes of the Special "In Camera" Council Meeting held in the Boardroom, Service and Resource Centre, Nanaimo, BC on Wednesday, 2019-JUN-19 at 9:00 a.m. | |

4. PRESENTATIONS:

5. CONSENT ITEMS:

6. REPORTS

- a. Annual Policing Priorities 14 - 23
- To be introduced by Supt. C. Miller, OIC, Nanaimo Detachment, RCMP.
- Purpose: The Royal Canadian Mounted Police (RCMP) is mandated to create local Annual Policing Priorities each year and is required to seek concurrence from their respective communities. Once adopted, these become Council's policing priorities for the year.*
- Presentation:
1. Supt. C. Miller, OIC, Nanaimo Detachment, RCMP.
- b. Nanaimo Port Authority and City of Nanaimo Charter 24 - 25
- To be introduced by Dale Lindsay, General Manager, Development Services.
- Purpose: To seek Council approval to proceed with a new Protocol Agreement between the City of Nanaimo and the Nanaimo Port Authority.*
- c. Appointments to Health and Housing Task Force 26 - 31
- To be introduced by Dale Lindsay, General Manager, Development Services.
- Purpose: To obtain Council approval for appointments to the Health and Housing Task Force.*
- Recommendation:
- That Council
1. Direct Staff to amend the Terms of Reference for the Health and Housing Task Force to include a business representative; and
 2. Appoint members from non-profit organizations to the Health and Housing Task Force, as outlined in the Terms of Reference:
 - a. Signy Madden – “Reaching Home” Community Entity representative
 - b. John McCormick – Nanaimo Region John Howard Society representative
 - c. Jason Harrison – Canadian Mental Health Association representative
 - d. Kim Smythe – Business community representative
- d. 
- 

- e. Release of 2017 "In Camera" Meeting Information Fourth Quarter Report (2017-OCT-01 - 2017-DEC-31)

98 - 242

To be introduced by Sheila Gurrie, Director, Legislative Services.

Purpose: To obtain Council approval for the release of "In Camera" items during the fourth quarter of 2017 (2017-OCT-01 - 2017-DEC-31) where there is no longer a requirement to keep the information confidential and the items have not been authorized for release by Council.

Recommendation: That Council:

1. direct Staff to release in whole or in part, the 2017 fourth quarter (2017-OCT-01 - 2017- DEC-31) Council and Committee of the Whole "In Camera" reports and minutes, by publishing on the City's website the items identified in Attachment 'A' of the report where the requirement for confidentiality has passed and Council authorization has not yet been obtained in accordance with Council Policy "Routine Release of "In Camera" Resolutions and Related Reports and Information";
2. authorize release of this report following severing of Attachment A and that Attachment A be kept permanently confidential; and,
3. direct Staff to place the released minutes and reports on the City of Nanaimo website.

- f. Discussion Regarding Provincial Cabinet Minister Meeting Topics 2019 Union of BC Municipalities

To be introduced by Sheila Gurrie, Director, Legislative Services.

- g. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

7. CORRESPONDENCE:

8. ADJOURNMENT OF "IN CAMERA" MEETING:

SPECIAL "IN CAMERA" MINUTES
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2019-JUN-10 AT 5:30 P.M.

Present: Mayor L. Krog, Chair
Councillor S. D. Armstrong
Councillor D. Bonner
Councillor T. Brown
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor Z. Maartman
Councillor I. W. Thorpe
Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer
L. Mercer, Acting Director, Financial Services (vacated 6:04 p.m.)
S. Gurrie, City Clerk (vacated 6:04 p.m.)
K. Gerard, Recording Secretary (vacated 6:04 p.m.)

1. CALL THE SPECIAL "IN CAMERA" MEETING TO ORDER:

The Special "In Camera" Meeting was called to order at 5:30 p.m.

2. INTRODUCTION OF LATE ITEMS:

(a) Add Agenda Item under 5(b)(a) – [REDACTED]

(b) Add Agenda Item 5(b)(b) – [REDACTED]

(c) Add Agenda Item 5(b)(c) – Update Regarding Organizational Structure.

3. ADOPTION OF AGENDA:

It was moved and seconded that Council, in accordance with the *Community Charter*, adopt the agenda as amended. The motion carried unanimously.

4. ADOPTION OF MINUTES:

It was moved and seconded that the following Minutes be adopted as circulated:

- Minutes from the Special "In Camera" Meeting held the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-MAY-13, at 5:30 p.m.

- Minutes of the Special "In Camera" Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-MAY-27, at 5:00 p.m.

The motion carried unanimously.

5. REPORTS:

(a) Appointment of City Collector

Introduced by Laura Mercer, Acting Director, Financial Services.

It was moved and seconded that Council:

1. rescind the appointment of Ms. Jamie Slater as Collector; and,
2. assign the duties and responsibilities of Collector for the City of Nanaimo to Ms. Barbara D. Wardill, Acting Manager, Revenue Services.

The motion carried unanimously.

(b)

[REDACTED]

[REDACTED]

[REDACTED]

It was moved and seconded that Councillor Armstrong record the Minutes of the "In Camera" meeting in the absence of the recording secretary. The motion carried unanimously.

L. Mercer, S. Gurrie and K. Gerard vacated the Douglas Rispin Room at 6:04 p.m.

(c) Update Regarding the Organizational Structure

Jake Rudolph, Chief Administrative Officer, provided Council with an update regarding the organizational structure.

J. Rudolph vacated the Douglas Rispin Room at 6:23 p.m.

J. Rudolph returned to the Douglas Rispin Room at 6:35 p.m.

6.



7. ADJOURNMENT:

It was moved and seconded at 6:46 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER

"IN CAMERA" MINUTES
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2019-JUN-17 AT 5:00 P.M. – 7:00 P.M.

Present: Mayor L. Krog (arrived 6:07 p.m.)
Acting Mayor Councillor E. Hemmens, Chair
Councillor S. D. Armstrong
Councillor D. Bonner
Councillor T. Brown
Councillor B. Geselbracht
Councillor Z. Maartman
Councillor I. W. Thorpe

Absent: Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer
R. J. Harding, Director, Parks and Recreation (arrived 5:08 p.m.)
D. Lindsay, Director, Community Development
K. Fry, Fire Chief
L. Mercer, Acting Director, Financial Services
B. Corsan, Manager, Real Estate (vacated 6:16 p.m.)
F. Farrokhi, Manager, Communications (arrived 5:07 p.m.)
S. Gurrie, City Clerk
K. Gerard, Recording Secretary (vacated 6:36 p.m.)

[REDACTED]

1. CALL THE "IN CAMERA" MEETING TO ORDER:

The "In Camera" Meeting was called to order at 5:00 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Add Agenda Item 6(c) – Proposed Land Acquisition – 933 Park Avenue – Add presentation from Bill Corsan, Deputy Director, Community Development, [REDACTED]
- (b) Agenda Item 6(e) – [REDACTED]
- (c) Agenda Item 6(g) – [REDACTED]

3. ADOPTION OF AGENDA:

It was moved and seconded that Council, in accordance with the *Community Charter*, adopt the agenda as amended. The motion carried unanimously.

4. REPORTS:

(a) Deputy Financial Officer Appointments

Introduced by Laura Mercer, Acting Director, Financial Services.

It was moved and seconded that Council:

1. rescind the appointment of Ms. Jamie Slater as Deputy Financial Officer;
2. renew the appointment of Ms. Wendy Fulla, Manager, Business, Asset and Financial Planning, as the Deputy Financial Officer for a term ending 2020-JUN-30;
3. appoint Ms. Barbara Wardill, Acting Manager, Revenue Services, as a Deputy Financial Officer for a term ending 2020-JUN-30; and,
4. establish the order in which the Deputy Financial Officers perform the duties in absence of the Financial Officer as follows:
 - a. Wendy Fulla, Manager, Business, Asset and Financial Planning;
 - b. Barbara Wardill, Acting Manager, Revenue Services.

The motion carried unanimously.

(b) Deputy Corporate Officer Appointments

Introduced by Sheila Gurrie, City Clerk.

It was moved and seconded that Council:

1. renew the appointments of Ms. Sky Snelgrove, Steno Coordinator, and Ms. Laura Mercer, Acting Director, Financial Services, as Deputy Corporate Officers until 2020-JUN-30 to fulfill the duties as set out in Section 148 of the Community Charter.
2. establish the order in which the Deputy Corporate Officers perform the duties in the absence of the Corporate Officer as follows:
 - a. Ms. Sky Snelgrove, Steno Coordinator
 - b. Ms. Laura Mercer, Acting Director, Financial Services

The motion carried unanimously.

F. Farrokhi entered the Douglas Rispin Room at 5:07 p.m.

entered the Douglas Rispin Room at 5:07 p.m.

R. Harding entered the Douglas Rispin Room at 5:08 p.m.

(c) Proposed Land Acquisition - 933 Park Avenue

Introduced by Dale Lindsay, Director, Community Development.

Presentation

1. Bill Corsan, Deputy Director, Community Development, [REDACTED] provided Council with a presentation regarding 933 Park Avenue, which included the following information:
 - Staff has met with the owners of 933 Park Avenue and Nanaimo Foodshare to discuss options for the future of the property, [REDACTED]
[REDACTED]
 - The property has many uses that include a community gathering place, used by the community, schools and Vancouver Island University for education and training and encourages healthy lifestyle and food production
 - Land use could include a park, small scale affordable housing, farm/agriculture area and rehabilitated wetlands

[REDACTED] vacated the Douglas Rispin Room at 5:29 p.m.

It was moved and seconded that Council direct Staff to enter into property acquisition negotiations with [REDACTED] the owners of 933 Park Avenue, and return to Council for approval upon completion of the negotiations. The motion carried unanimously.

Mayor Krog entered the Douglas Rispin Room at 6:07 p.m. and assumed the chair.

(d) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

B. Corsan vacated the Douglas Rispin Room at 6:16 p.m.



K. Gerard vacated the Douglas Rispin Room at 6:36 p.m.



5. ADJOURNMENT:

It was moved and seconded at 6:55 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

CHAIR

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

SPECIAL "IN CAMERA" MINUTES
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
BOARDROOM, SERVICE AND RESOURCE CENTRE,
411 DUNSMUIR STREET, NANAIMO, BC
WEDNESDAY, 2019-JUN-19 AT 9:00 A.M.

Present: Mayor L. Krog, Chair
Councillor S. D. Armstrong
Councillor T. Brown
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor Z. Maartman
Councillor I. W. Thorpe

Absent: Councillor D. Bonner
Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer
J. Van Horne, Director, Human Resources (vacated 10:05 a.m.)
W. Fulla, Manager, Business Asset and Financial Planning (vacated 10:05 a.m.)
S. Gurrie, City Clerk (vacated 10:05 a.m.)

1. CALL THE SPECIAL "IN CAMERA" MEETING TO ORDER:

The Special "In Camera" Meeting was called to order at 9:05 a.m.

2. INTRODUCTION OF LATE ITEMS:

(a) Agenda Item 2(a) – Add *Community Charter* Section 90(2)(b)

3. ADOPTION OF AGENDA:

It was moved and seconded that Council, in accordance with the *Community Charter*, adopt the agenda as amended. The motion carried unanimously.

4. REPORTS:

(a) CAO and Council Matters

Introduced by Jake Rudolph, Chief Administrative Officer.



By unanimous consent this item was deferred to the Special "In Camera" Council meeting scheduled for 2019-JUN-24.

By unanimous consent Councillor Armstrong was appointed to take minutes for the remainder of the meeting.

W. Fulla, S. Gurrie and J. Van Horne vacated the boardroom at 10:05 a.m.



By unanimous consent this item was deferred to the Special "In Camera" Council meeting scheduled for 2019-JUN-24.

5. ADJOURNMENT:

It was moved and seconded at 12:04 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

DATE OF MEETING [July 8, 2019]

AUTHORED BY [SUPERINTENDENT CAMERON MILLER, OIC, NANAIMO
DETACHMENT RCMP]

SUBJECT [ANNUAL POLICING PRIORITIES]

OVERVIEW

Purpose of Report

[The Royal Canadian Mounted Police (RCMP) is mandated to create local Annual Policing Priorities each year and is required to seek concurrence from their respective communities. Once adopted, these become Council’s policing priorities for the year.]

Reason for “In Camera”

[*Community Charter* Section 90(1):

(f) law enforcement, if Council considers that the disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment.]

BACKGROUND

[The RCMP Annual Performance Plan (APP) is a planning and performance management tool utilized by the Force at the detachment and sub-detachment unit levels. This standardized reporting system encourages horizontal and vertical alignment with the RCMP’s National, Divisional and District plans and priorities while maintaining consistency with community-based public safety needs. The overarching objective is Crime Reduction & Public Safety. The RCMP will review policing trends, file loads and crime types in conjunction with Island District Criminal intelligence analysts as well as RCMP Divisional HQ and National HQ. Once this information is gathered the Nanaimo RCMP will present, annually to Council, suggested policing priorities for the current year.]

DISCUSSION

[City of Nanaimo Council discuss and determine if they agree with the suggested priorities or consider other areas of policing.]

The priorities being presented to Council for 2019/2020 are:

- 1) Road Safety
- 2) Crime Reduction
- 3) Violence in Relationships
- 4) Mental Health
- 5) Indigenous Policing Services

CONCLUSION

It is recommended that Council identify the City of Nanaimo's 2019/2020 policing priorities. Council could rise and report at the next open Council meeting officially publishing the identified priorities.

SUMMARY POINTS

- The RCMP has outlined to Council at previous meetings crime trends and public safety issue.
- Based on this, Council has chosen certain areas to highlight as their policing priorities.

Submitted by:

Superintendent Cameron Miller
Officer in Charge Nanaimo RCMP

Concurrence by:

Jake Rudolph
CAO

INFORMATION RELEASE:

- Not to be released until confirmed by Council.

Nanaimo RCMP Detachment Policing Update



Supt. Cameron Miller
OIC RCMP Nanaimo Detachment
July 8th 2019



This Presentation is Unclassified





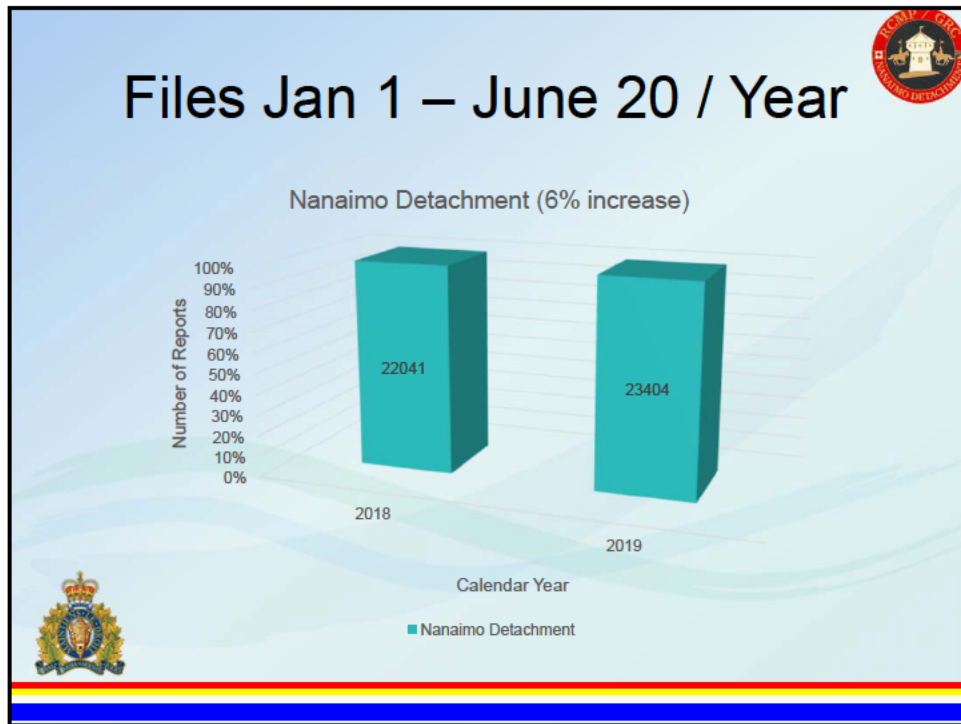
In Camera Presentation to Nanaimo City Council to Recommend Annual Policing Priorities



Agenda

- Current File Count
- Crime Types
- Crime Reduction Unit
- Traffic Statistics
- Recommended Priorities for 2019/20





Property Crime - Overall there has been an increase in our file numbers, but serious crimes are trending down.

<u>Jan 1 to Jun 20</u>	<u>2018</u>	<u>2019</u>
Break and Enter	426	499
Theft from Motor Vehicle	1,070	1,054
Shoplifting / Theft	1,240	1,187
Motor Vehicle Accidents	405	395

Crimes Against Persons – Tend to be more violent crimes



<u>Jan 1 to Jun 20</u>	<u>2018</u>	<u>2019</u>
Assaults	817	662
Sexual Assaults	119	122
Domestic Violence	268	250
Mental Health Related	1,105	1,122



Crime Reduction Unit



- In March 2019, the Nanaimo RCMP created a temporary Crime Reduction Unit from the current Detachment strength.
- Targeted specific high crime areas, and prolific criminals.



CRU Stats



99 Total arrests,
Executed 40 Warrants of arrest

36 RTCC forwarded = 135 Criminal Charges,
Incidents after initial contact was made include:

- Breach conditions of Bail and Probation;
- Possession of Stolen property;
- Weapon possession;
- Drug possession.



CRU Stats



STREET CHECKS:

- The unit conducted a total of 155 Street checks over the two month period.
- Uniform officers conducted 65.
- The combined 220 street checks showed a 73% increase from the previous two months, and a 349% increase from the previous year [49].



CRU Stats



During the two month project there was
-11% reduction of theft from motor vehicle
-26% reduction of “other thefts” such as shoplifting
TICKETS

- 297 tickets
 - 204 Provincial Violation tickets
 - 93 By-Law tickets



2019 Year to Date Ticket Stats

1,608 Traffic Tickets
454 Traffic Warnings or Vehicle Safety Violations.
362 Park Bylaws
255 Bylaws
101 Liquor Bylaws or Violation Tickets
222 Seatbelt Violations
120 Electronic Device Violations
12 Cannabis Tickets
3,134 TOTAL – Offences

2019 January to May Impaired Driving Stats

36	Suspensions by alcohol or drug (24 hr suspensions)
7	Three day IRP
1	Seven day IRP
<u>73</u>	Ninety day IRP / Refusal
<u>117</u>	Total Alcohol Related Investigations

The priorities presented to Council for 2019/2020 are:

- 1) Road Safety
- 2) Crime Reduction
- 3) Violence in Relationships
- 4) Mental Health
- 5) Indigenous Policing Services





CONCLUSION

It is recommended that Council identify the City of Nanaimo's 2019/2020 policing priorities.

Council could Rise and Report at the next open Council meeting officially endorsing the identified priorities.



Questions?





CHARTER



To Guide the Relationship between the City of Nanaimo and the Nanaimo Port Authority

The Port of Nanaimo is a major employer and economic generator within the Nanaimo region and occupies a major proportion of the waterfront lands within the City of Nanaimo.

The City of Nanaimo is the local government for the community, and provides municipal services and access essential to the efficient operation of the Port.

The City of Nanaimo regulates development and land use adjacent to the Port of Nanaimo. The development activities of lessees and tenants on properties controlled by the Port Authority are subject to a Project Review Process which was agreed to by the City of Nanaimo and the Port Authority.

The City and the Nanaimo Port Authority are both committed to the economic development of the region, the generation of jobs, the efficient movements of goods and people and the preservation and enhancement of the natural environment.

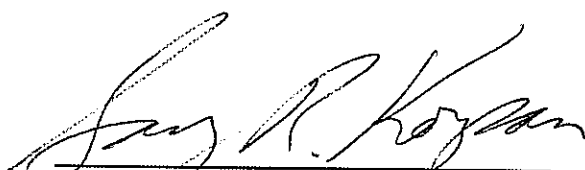
The City and the Port Authority acknowledge the importance of each other and the necessity of a good working relationship, and commit to this Charter to guide that relationship.

1. The Port Authority and the City acknowledge the independence of one another, and the obligation of each party to act in a manner that is consistent with its enabling legislation and obligations.
2. The Port Authority and the City commit to continuing open and effective communication on matters of mutual interest. The parties are committed to notifying and consulting with one another on physical developments and management policies that may affect both parties.
3. The President and CEO of the Port Authority and the City Manager of the City shall meet on a regular basis to review current issues that are relevant to the two organizations. The Chair of the Port Authority's Board of Directors, and the Mayor of the City, shall also meet at mutually agreeable times.
4. Following these meetings, the Port Authority Board of Directors and the City Council will receive reports from their respective officials, and will give the direction deemed appropriate on issues that support the joint interests of the two organizations.

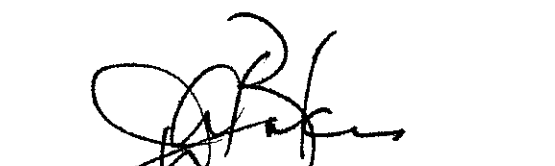
In the event of a dispute, the City and the Port Authority shall attempt, earnestly and in good faith, to resolve their differences together, before resorting to an arbitrator, tribunal or court.

5. The City and the Port Authority agree to work together in the following areas of mutual interest, and, to the extent possible, on the development of joint plans in each of the following areas:

- promotion of the business of the Port of Nanaimo and the community
- enhancement of the marine environment
- provision of access to the waterfront and activities of the Port for citizens, where such access is considered appropriate by the Port and the City
- effective management of the use of the harbour, including recreational use, where considered appropriate and desirable by the Port and the City
- promotion of tourism and tourist activities in the harbour
- funding and provision of effective road access and utility services for the efficient operation of the Port
- provision of access to water for key public services
- funding and provision of effective policing and emergency services, including emergency planning and disaster response, in the Port and adjacent area of the City
- ensuring that development on Port lands is compatible with both the economic development of the City and the interests of the City
- ensuring that development in the City is compatible with the economic development of the Port and the interests of the Port
- ensuring effective public consultation on significant decisions relating to Port and adjacent lands in the City



Mayor, City of Nanaimo



Chairman, Nanaimo Port Authority

November 24, 2004

DATE OF MEETING July 8, 2019

AUTHORED BY KARIN KRONSTAL, SOCIAL PLANNER

SUBJECT APPOINTMENTS TO HEALTH AND HOUSING TASK FORCE

OVERVIEW

Purpose of Report

To obtain Council approval for appointments to the Health and Housing Task Force.

Reason for “In Camera”

Community Charter Section 90(1):

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality.

Recommendation

That Council

1. Direct Staff to amend the Terms of Reference for the Health and Housing Task Force to include a business representative; and
2. Appoint members from non-profit organizations to the Health and Housing Task Force, as outlined in the Terms of Reference:
 - a. Signy Madden – “Reaching Home” Community Entity representative
 - b. John McCormick – Nanaimo Region John Howard Society representative
 - c. Jason Harrison – Canadian Mental Health Association representative
 - d. Kim Smythe – Business community representative

BACKGROUND

At the 2019-MAY-13 Regular Meeting, Council approved the creation of a Health and Housing Task Force (the “Task Force”). The purpose of the Task Force is to facilitate the implementation of policies aimed at increasing housing supply, diversity and affordability, as well as to consider what each organization can do to address issues that give rise to and perpetuate homelessness (i.e., poverty, mental health, and substance use disorders).

At the same meeting, Council approved a draft terms of reference (the “Terms of Reference”) for the Task Force that outlined the voting membership of the group. In addition to 2 members of Council, the Terms of Reference proposes the following organizations have representation:

- 1 – Snuneymuxw First Nation representative (Council member or designate)
- 1 – RCMP senior executive representative
- 1 – VIHA (Island Health) senior executive representative
- 1 – BC Housing senior executive representative
- 1 – Ministry of Social Development and Poverty Reduction senior executive staff member
- 1 – Service Canada senior executive staff representative
- 1 – Designated “Reaching Home” Community Entity representative (appointed by Council)
- 2 – Non-profit organization representatives (appointed by Council)

In addition to the above, Staff propose adding a representative from the local business community (appointed by Council) to the Task Force membership through amendment to the Terms of Reference (see Attachment A).

Following Council's direction, Staff contacted the relevant government agencies to inquire which staff member would be available to join the Task Force. The following individuals were identified (alternates identified when available):

Nominee (Title)	Organization
Kate Good (Councillor)	Snuneymuxw First Nation
Alternate – to be determined	
Cameron Miller (Officer in Charge)	RCMP
Lisa Murphy (Director, Mental Health and Substance Use)	Island Health
Malcolm McNaughton (Director Regional Development – Vancouver Island)	BC Housing
Alternate – Heidi Hartman (Regional Director)	
Anita LaHue (A/Director, Partnerships and Strategic Initiatives)	Ministry of Social Development and Poverty Reduction
Jan Fix (Director Program Delivery)	Service Canada
Alternate – Lisa McHaffie (Service Manager)	

The remaining 4 members of the Task Force are by Council appointment. As per the Committee Operating Guidelines, the following factors should be taken into account when making recommendations of appointments:

- a) the person's knowledge, skills and abilities;
- b) the person's past behavior while previously serving on a committee;
- c) the potential for conflict of interest between the person and the subject matters considered by the Task Force;
- d) the current composition of the Task Force in terms of knowledge, skills and abilities; and
- e) any information provided by the department responsible (Community Planning Department) for the Task Force.

Based on the above criteria, Staff are recommending the following 4 appointments:

Nominee (Title)	Organization
Signy Madden (Executive Director)	"Reaching Home" (Community Entity representative)
John McCormick (Executive Director)	Nanaimo Region John Howard Society (Non-Profit Organization representative)

Jason Harrison (Executive Director, Mid-Island Branch)	Canadian Mental Health Association (Non-Profit Organization representatives)
Kim Smythe (President and CEO)	Greater Nanaimo Chamber of Commerce (Business community representative)

As noted in the Terms of Reference, the initial term of appointment shall be for 12, months with a review at the end of term for possible renewal for a further 12 months. Staff are also proposing the first meeting of the Task Force be scheduled for Wednesday, 2019-JUL-17 at 3:00 p.m., with the future meeting schedule to be determined by the Task Force at its initial meeting.

OPTIONS

- Option 1 – That Council
 1. Direct Staff to amend the Terms of Reference for the Health and Housing Task Force to include a business representative; and
 2. Appoint members from non-profit organizations to the Health and Housing Task Force, as outlined in the Terms of Reference:
 - a. Signy Madden – “Reaching Home” Community Entity representative
 - b. John McCormick – Nanaimo Region John Howard Society representative
 - c. Jason Harrison – Canadian Mental Health Association representative
 - d. Kim Smythe – Business community representative
- Allows staff to start organizing and scheduling Task Force meetings. Initiating the Task Force demonstrates a collaborative responsive to community pressure to address frequently overlapping issues of poverty, mental health, substance use, homelessness, and housing affordability. This in turn supports the draft 2019-2022 Strategic Plan values of Governance Excellence and Livability.
- Not holding an open call for Task Force membership may result in some parties feeling excluded from the selection process.
- Option 2 – That Council provide alternative direction.
 - This could allow Council to provide alternative suggestions for the Task Force membership and Terms of Reference.
 - Should Council provide alternative membership recommendations and changes to the Task Force Terms of Reference, this could potentially result in more time to establish the Task Force and initiate meetings.

SUMMARY POINTS

- Council approved the creation of the Task Force on Health and Housing to oversee the implementation of both the Action Plan to End Homelessness and the Affordable

Housing Strategy, while also considering actions to address issues related to homelessness, mental health, and substance use.

- Of the 12 members of the Task Force, Council must approve the nomination of the 4 members who represent the non-profit and business community and approve the appointment of all 12 members of the Task Force.
- The appointments would be for a one-year term ending on 2020-JUL-08, with a review at the end of term for possible renewal for a further 12 months.

ATTACHMENTS

ATTACHMENT A: Terms of Reference |

Submitted by:

Lisa Bhopalsingh
Manager, Community Planning

Concurrence by:

Dale Lindsay
General Manager of Development Services

Concurrence by:

Sheila Gurrie
City Clerk

INFORMATION RELEASE:

That Council instruct Staff to advise applicants of appointments and then release appointment information to the public and include appointments on a future open Council meeting agenda. |

ATTACHMENT A

TERMS OF REFERENCE FOR TASK FORCE ON HEALTH & HOUSING



TERMS OF REFERENCE TASK FORCE ON HEALTH AND HOUSING

PURPOSE:

To address the health and housing crisis in our community. The task force will be required to:

- Work with the Nanaimo Homelessness Coalition (the “Coalition”) to:
 - fulfill the Community Plan requirements of the Federal “Reaching Home” (Designated and Aboriginal) funding; and,
 - determine the optimal governance structure to implement the Nanaimo Action Plan to End Homelessness.
- Oversee the implementation of the Coalition’s Action Plan to End Homelessness and Nanaimo’s Affordable Housing Strategy;
- provide recommendations to Nanaimo City Council on other issues arising from and giving rise to homelessness in our community (poverty, mental health, substance use disorders);
- provide status updates on the progress of the task force to the Coalition;
- determine the connection between the Regional District of Nanaimo affordable housing initiatives and those within the City of Nanaimo;
- advocate for additional resources from all levels of government for housing, health and poverty reduction initiatives;
- participate in the creation of a health, housing and homelessness communications strategy; and
- address other issues as the task force sees fit.

MEMBERSHIP:

To be most effective the task force members should be senior level decision makers for each participating organization.

The voting membership of the task force will be as follows:

- One-two (1-2) members of Council
- Ten (10) members

Chair – member of Council

Alternate Chair – member of Council/other task force member

1 – Snuneymuxw First Nation representative (Council member or designate)

1 – RCMP senior executive representative

- 1 – VIHA senior executive representative
- 1 – BC Housing senior executive representative

- 1 – Ministry of Social Development and Poverty Reduction senior executive staff representative
- 1 – Service Canada senior executive staff representative
- 1 – Designated “Reaching Home” Community Entity representative*
- 2 – Non-Profit Organization representatives**
- 1 – Representative from Business Community***

The initial term of appointment shall be for twelve (12) months with a review at the end of term for possible renewal for a further twelve (12) months.

MEETING FREQUENCY:

The initial task force meeting will be called by the Chair, with the remaining meeting schedule established by the task force.

STAFF SUPPORT:

The following City Departments will provide support to the Task Force as needed:

- Community Development Staff
- City Clerk
- Other Staff as required

OBSERVERS & COMMUNITY SUPPORTS:

Non-voting representatives may be invited to attend the meeting specific to topics of shared interest. All regular meetings are open to the public.

* Community Entity representative to be appointed by Council

** Non-Profit Organization representatives to be appointed by Council

*** Business Community representative to be appointed by Council

DATE OF MEETING July 8, 2019

AUTHORED BY SHEILA GURRIE, DIRECTOR, LEGISLATIVE SERVICES

SUBJECT **RELEASE OF 2017 "IN CAMERA" MEETING INFORMATION
FOURTH QUARTER REPORT (2017-OCT-01 – 2017-DEC-31)**

OVERVIEW

Purpose of Report

To obtain Council approval for the release of "In Camera" items during the fourth quarter of 2017 (2017-OCT-01 - 2017-DEC-31) where there is no longer a requirement to keep the information confidential and the items have not been authorized for release by Council.

Reason for "In Camera"

Community Charter Section 90 (1) (a), (b), (c), (e), (g), (i), (j), (k), (l) and (n):

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity ;
- (c) labour relations or other employee relations;
- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- (g) litigation or potential litigation affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under Section 21 of the *Freedom of Information and Protection of Privacy Act*;
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public;
- (l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under Section 98 [*annual municipal report*]; and,
- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2).

Recommendation

That Council:

1. direct Staff to release in whole or in part, the 2017 fourth quarter (2017-OCT-01 - 2017- DEC-31) Council and Committee of the Whole "In Camera" reports and minutes, by publishing on the City's website the items identified in Attachment 'A' of the report

where the requirement for confidentiality has passed and Council authorization has not yet been obtained in accordance with Council Policy "Routine Release of "In Camera" Resolutions and Related Reports and Information ";

2. authorize release of this report following severing of Attachment A and that Attachment A be kept permanently confidential; and,
3. direct Staff to place the released minutes and reports on the City of Nanaimo website.

BACKGROUND

Council Policy "Routine Release of "In Camera" Resolutions and Related Reports and Information" (Attachment 'D') states that the routine release of "In Camera" meeting resolutions and related reports and documentation, once the requirement for confidentiality has passed, will support Council being open and transparent.

DISCUSSION

Attachment 'A' provides a summary of all "In Camera" meeting information from October 1 to December 31, 2017 and items carried forward from the previous quarter that weren't released but can potentially be released in future (Attachment A). Staff have completed a review of the material to determine what information is still required to be kept confidential and what documents may be released or released with some severing of detail required in accordance with Council Policy and *the Freedom of Information and Protection of Privacy Act (FOIPPA)*.

The items have been colour coded as follows:

- purple – Council has previously authorized release in whole or in part;
- green – can be released in whole or in part;
- blue – can be released with redactions;
- orange – can be released at some point in the future (i.e. following completion of negotiations); and,
- red – should not be released.

Pursuant to Section 23 of *FOIPPA*, when considering release of information containing third party information, the third party must be advised of the intended release of the information and provided an opportunity to respond. In the case where the "In Camera" information under review for release contains third party information, rather than advising all third parties and following this process, Staff have severed the information. This process does not preclude members of the public from requesting this information by way of an FOI request for records.

The report will appear as a business item on the next regular open Council agenda, to allow full publication in the agenda package and on the City's website.

Staff are planning to present Council with an updated "Routine Release of "In Camera" Resolutions and Related Reports and Information" policy. If this updated policy is adopted by Council Staff will processing the 2018 "In Camera" Agendas according to the revised process.

OPTIONS

- Option 1 - That Council:
 1. direct Staff to release in whole or in part, the 2017 fourth quarter (2017-OCT-01 - 2017- DEC-31) Council and Committee of the Whole "In Camera" reports and minutes, by publishing on the City's website the items identified in Attachment 'A' of the report where the requirement for confidentiality has passed and Council authorization has not yet been obtained in accordance with Council Policy "Routine Release of "In Camera" Resolutions and Related Reports and Information ";
 2. authorize release of this report following severing of Attachment A and that Attachment A be kept permanently confidential; and,
 3. direct Staff to place the released minutes and reports on the City of Nanaimo website.
 - Releasing the "In Camera" information is consistent with the "Routine Release of "In Camera" Resolutions and Related Reports and Information" policy and supports Council being open and transparent.
 - Releasing this information could revive interest in some previous political issues that caused tension and are uncomplimentary for the City's reputation.
- Option 2 – That Council not release "In Camera" information for the 2017 fourth quarter (2017 OCT 01 - 2017-DEC-31).
 - This would prevent some sensitive information from being released and reviving interest in previous political issues that caused tension and are uncomplimentary for the City's reputation.
 - By not releasing the "In Camera" information Council is not being open and transparent and would be inconsistent with the "Routine Release of "In Camera" Resolutions and Related Reports and Information" policy.

SUMMARY POINTS

- Council Policy "Routine Release of "In Camera" Resolutions and Related Reports and Information" states that Council routinely releases "In Camera" information.

- Staff have completed a review of the material to determine what information is required to be kept confidential and what documents may be released or released with some severing of detail.
- The report will appear as a business item on the next regular open Council agenda, to allow full publication in the agenda package and on the City's website.
- Staff are planning to present Council with an updated "Routine Release of "In Camera" Resolutions and Related Reports and Information" policy for the 2018 "In Camera" release.

ATTACHMENTS



Submitted by:

Sheila Gurrie,
City Clerk

INFORMATION RELEASE:

- To be released as directed.



ADDENDUM
"IN CAMERA" COUNCIL MEETING

Monday, July 8, 2019

4:30 P.M. - 7:00 P.M.

DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS AT 5:30 P.M.

Pages

7. CORRESPONDENCE:

a.





AGENDA "IN CAMERA" COUNCIL MEETING

Monday, July 22, 2019

4:00 p.m. to Proceed "In Camera, Open Meeting to reconvene at 7:00 p.m.
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

Pages

1. **CALL TO ORDER:**

2. **APPROVAL OF THE AGENDA:**

That Council, in accordance with Section 90(1)(n) of the Community Charter, adopt the agenda as presented (or as amended).

Summary of Agenda Items and Proposed CC Reasons to Close Meeting:

Adoption of Agenda

4(a) - [REDACTED]

[REDACTED] 90(2)(b)

6(a) Appointment to the Board of Variance - 90(1)(a)

6(b) Property Disposition - 5885 Linyard Road - 90(1)(e)

6(c) BC Housing Memorandum of Understanding 2019 - 90(1)(e) and 90(2)(b)

6(d) [REDACTED] 90(1)(g)

6(e) [REDACTED]

[REDACTED] 90(1)(i) and

90(2)(b)

6(f) CAO and Council Matters - 90(1)(a)(c)

Section 90(1):

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

(c) labour relations or other employee relations;

(e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality

(g) litigation or potential litigation affecting the municipality;

(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and,

Section 90(2):

(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

3. ADOPTION OF THE MINUTES:

a. Minutes

4 - 8

Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-JUL-08 at 4:30 p.m.

4. PRESENTATIONS:

a.



5. CONSENT ITEMS:

6. REPORTS

a. Appointment to the Board of Variance

13 - 22

To be introduced by Sheila Gurrie, Director, Legislative Services.

Purpose: To obtain Council approval for an appointment to the Board of Variance.

Recommendation: That Council appoint one member to the Board of Variance for a three-year term ending 2022-JUL-21.

b. Property Disposition - 5885 Linyard Road

23 - 27

To be introduced by Dale Lindsay, General Manager, Development Services.

Purpose: To obtain Council approval for the disposition of 5885 Linyard Road.

Recommendation: That Council:

1. approve the disposition of 5885 Linyard Road to [REDACTED] for [REDACTED] and,
2. direct the Mayor and Corporate Officer to execute the necessary documents to affect the transaction.

c. BC Housing Memorandum of Understanding 2019

28 - 83

To be introduced by Dale Lindsay, General Manager, Development Services.

Purpose: To provide Council with a Memorandum of Understanding to work with BC Housing to address affordable and supportive housing needs.

Recommendation: That Council endorse the Memorandum of Understanding with BC Housing to provide more affordable and supportive housing in partnership with the City of Nanaimo through the provision of land and other financial incentives.

d.

[REDACTED]

[REDACTED]

[REDACTED]

e.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

f. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

7. CORRESPONDENCE:

8. ADJOURNMENT OF "IN CAMERA" MEETING:

"IN CAMERA" MINUTES
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2019-JUL-08 AT 4:30 P.M.

Present: Mayor L. Krog, Chair
Councillor S. D. Armstrong
Councillor D. Bonner
Councillor T. Brown
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor I. W. Thorpe
Councillor J. Turley

Absent: Councillor Z. Maartman

Staff: J. Rudolph, Chief Administrative Officer (vacated 6:42 p.m.)
R. J. Harding, General Manager, Parks and Recreation (arrived 4:52 p.m.,
vacated 6:20 p.m.)
D. Lindsay, General Manager, Community Development (vacated
6:20 p.m.)
B. Sims, General Manager, Engineering and Public Works (vacated
6:42 p.m.)
L. Mercer, Director, Finance (vacated 6:42 p.m.)
Supt. C. Miller, OIC, Nanaimo Detachment, RCMP (vacated 5:21 p.m.)
Cst. M. Tommasson,, Nanaimo Detachment, RCMP (vacated 5:08 p.m.)
L. Bhopalsingh, Manager, Community and Cultural Planning (arrived
5:23 p.m., vacated 6:42 p.m.)
S. Gurrie, Director, Legislative Services (vacated 6:42 p.m.)
G. Whitters, Recording Secretary (vacated 6:40 p.m.)

1. CALL THE "IN CAMERA" COUNCIL MEETING TO ORDER:

The "In Camera" Meeting was called to order at 4:32 p.m.

2. INTRODUCTION OF LATE ITEMS:

(a) Add - Agenda Item 7(a) – [REDACTED]

(b) Reorder Addendum Item 7(a) [REDACTED]

3. ADOPTION OF AGENDA:

It was moved and seconded that Council, in accordance with the *Community Charter*, adopt the agenda as amended. The motion carried unanimously.

4. ADOPTION OF MINUTES:

It was moved and seconded that the following Minutes be adopted as presented:

- Minutes of the Special "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Monday, 2019-JUN-10 at 5:30 p.m.
- Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Monday 2019-JUN-17 at 5:00 p.m.
- Minutes of the Special "In Camera" Council Meeting held in the Boardroom, Service and Resource Centre, Nanaimo, BC on Wednesday, 2019-JUN-19 at 9:00 a.m.

The motion carried unanimously.

5. REPORTS:

(a) Annual Policing Priorities

Introduced by Supt. C. Miller, OIC, Nanaimo Detachment, RCMP.

Constable Matthew Tommason, Nanaimo Detachment, RCMP, spoke regarding the dog training services for the RCMP.

Cst. M. Tommason vacated the Douglas Rispin room at 5:08 p.m.

Supt. C. Miller, OIC, Nanaimo Detachment, RCMP provided a presentation regarding the Annual Policing Priorities.

R. Harding entered the Douglas Rispin Room at 4:52 p.m.

Supt. C. Miller vacated the Douglas Rispin Room at 5:21 p.m.

Councillor Thorpe vacated the Douglas Rispin Room at 5:22 p.m.

(b) Nanaimo Port Authority and City of Nanaimo Charter

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council direct Staff to proceed with a new protocol agreement between the City of Nanaimo and Nanaimo Port Authority. The motion carried unanimously.

Councillor Thorpe returned to the Douglas Rispin Room at 5:23 p.m.

L. Bhopalsingh entered the Douglas Rispin Room at 5:23 p.m.

(c) Appointments to Health and Housing Taskforce

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council:

1. Direct Staff to amend the Terms of Reference for the Health and Housing Task Force to include a business representative; and
2. Appoint members from non-profit organizations to the Health and Housing Task Force, as outlined in the Terms of Reference:
 - a. Signy Madden – "Reaching Home" Community Entity representative
 - b. John McCormick – Nanaimo Region John Howard Society representative
 - c. Jason Harrison – Canadian Mental Health Association representative
 - d. Kim Smythe – Business community representative

The motion carried unanimously.

It was moved and seconded that the Health and Housing Task Force be changed from a Task Force to a Committee. The motion was defeated.
Opposed: Mayor Krog, Councillors Bonner, Brown, Geselbracht, Hemmens Thorpe and Turley

It was moved and seconded that Council direct Staff to include in the Health and Housing Terms of Reference a requirement for an interim report updating Council on progress after 6 months. The motion carried unanimously.

(d)

The "In Camera" meeting recessed at 5:39 p.m.
The "In Camera" meeting reconvened at 5:57 p.m.

R. Harding and D. Lindsay vacated the boardroom at 6:20 p.m.

- (e) Release of 2017 "In Camera" Meeting Information Fourth Quarter Report (2017-OCT-01 - 2017-DEC-31)
-

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council:

1. direct Staff to release in whole or in part, the 2017 fourth quarter (2017-OCT-01 - 2017- DEC-31) Council and Committee of the Whole "In Camera" reports and minutes, by publishing on the City's website the items identified in Attachment 'A' of the report where the requirement for confidentiality has passed and Council authorization has not yet been obtained in accordance with Council Policy "Routine Release of "In Camera" Resolutions and Related Reports and Information";
2. authorize release of this report following severing of Attachment A and that Attachment A be kept permanently confidential; and,
3. direct Staff to place the released minutes and reports on the City of Nanaimo website with the exception of matters involving current litigation until such time the litigation is complete.

The motion carried unanimously.

- (f) Discussion Regarding Provincial Cabinet Minister Meeting Topics 2019 Union of BC Municipalities
-

Introduced by Sheila Gurrie, Director, Legislative Services.

By unanimous consent, Council directed Staff to prepare the necessary forms associated with the UBCM Cabinet Minister Meeting Topics to meet with the following ministers:

- Honourable Judy Darcy, Minister of Mental Health and Addictions
- Honourable Selina Robinson, Minister of Municipal Affairs and Housing
- Honourable Claire Trevena, Minister of Transportation and Infrastructure

G. Whitters vacated the Boardroom at 6:40 p.m.

(g)

L. Bhopalsingh, S. Gurrie, L. Mercer, J. Rudolph and B. Sims vacated the Douglas Rispin Room at 6:42 p.m.

- (h) CAO and Council Matters

Introduced by Mayor Krog.

6. ADJOURNMENT:

It was moved and seconded at 6:55 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER

DATE OF MEETING July 22, 2019

AUTHORED BY SHEILA GURRIE, CITY CLERK & CORPORATE OFFICER

SUBJECT APPOINTMENT TO THE BOARD OF VARIANCE

OVERVIEW

Purpose of Report

To obtain Council approval for an appointment to the Board of Variance.

Reason for “In Camera”

Community Charter Section 90(1):

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality.

Recommendation

That Council appoint one member to the Board of Variance for a three-year term ending 2022-JUL-21.

BACKGROUND

Due to the resignation of one of the five members of the Board of Variance (BOV), Legislative Services has advertised a member at large position to fill the vacancy.

DISCUSSION

The vacancy was advertised through the City website, social media, news releases and notices in the Nanaimo News Bulletin on 2019-JUL-02 and 2019-JUL-09. The term of appointment for the BOV is a legislated three year term, ending July 21, 2022. The BOV is governed by the *Local Government Act* and “Board of Variance Bylaw 2015 No. 7213”.

As per the Committee Operating Guidelines, the Corporate Officer has reviewed all applications received by the deadline. As per the operating guidelines, Committee members can only sit on one committee at a time and must be residents of Nanaimo.

The following factors should be taken into account when making recommendations of appointments:

- a) the person’s knowledge, skills and abilities;
 - b) the person’s past behavior while previously serving on a committee;
 - c) the potential for conflict of interest between the person and the subject matters considered by the Board;
 - d) the current composition of the Board in terms of knowledge, skills and abilities;
- and,

- e) any information provided by the department responsible (Current Planning Department) for the Board.

Board of Variance Applicant	Notes
Nelson Allen	

OPTIONS

1. That Council appoint one member of the Board of Variance for a three year term ending 2022-JUL-21.
 - Appointing a member to fill the Board of Variance vacancy would be consistent with the *Local Government Act* requirement that the City of Nanaimo Board of Variance appoint five members for a three-year term based on the City's population size.
2. That Council provide alternate direction.
 - If Council chooses not to appoint a member to fill the vacancy on the Board of Variance the City would be inconsistent with the *Local Government Act* requirements of five members. An absent seat on the Board of Variance would make it more difficult to attain quorum for meetings and may not provide the same level of discussion during meetings.

SUMMARY POINTS

- Due to the resignation of one of the five members of the Board of Variance (BOV), Legislative Services has advertised a member at large position to fill the vacancy.
- Term of appointment for the Board of Variance is until July 21, 2022.
- The *Local Government Act* requires that the BOV appoint five members based on the City of Nanaimo's population size.

ATTACHMENTS

Submitted by:

Sheila Gurrie,
City Clerk & Corporate Officer

In Camera Report for Decision

City of Nanaimo

File Number: LD003747

DATE OF MEETING July 22, 2019

AUTHORED BY NANCY SKEELS, PROPERTY AGENT, REAL ESTATE

SUBJECT PROPERTY DISPOSITION – 5885 LINYARD ROAD

OVERVIEW

Purpose of Report

To obtain Council approval for the disposition of 5885 Linyard Road.

Reason for “In Camera”

Community Charter Section 90(1):

(e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality.

Recommendation

That Council:

1. approve the disposition of 5885 Linyard Road to [REDACTED] and
2. direct the Mayor and Corporate Officer to execute the necessary documents to affect the transaction.

BACKGROUND

The City acquired 5290 Rutherford Road, 0.99ha (2.5 acres), on 2015-DEC-18, for \$850,000 (Attachment A). The property was acquired to complete a new connector road into the Linley Valley West neighbourhood. Public consultation determined the preferred option for the Linley Valley West access to be a roundabout at Rutherford Road and Nelson Road, including a connector road linking to Linley Valley Drive. A tender for the roundabout and access road was awarded in the spring of 2017, with construction completed in the fall of 2017, resulting in 0.42ha (1.04 acres) of surplus land the City can dispose of.

At the 2017-JUL-10 “In Camera” Council meeting, Staff were directed to subdivide the surplus property into four fee-simple single-family lots and one multi-family lot (Attachment B). On 2018-JUL-09, Staff initiated the marketing of the lots through a Request for Offers process.

In response to the lack of requests received through the Request for Offers process, Staff issued Request for Proposal No. 2293 for real estate brokerage services to assist with the marketing and sales of the lots. The John Cooper Group was the successful proponent and entered into a contract with the City. Commission for each lot sold is set at 5% on the first \$100,000 and 3% thereafter. On 2019-JUN-04, the lots were registered at the Land Title Office making them available for sale.

DISCUSSION

An Offer to Purchase 5885 Linyard Road (Lot 5, the “Property”) was received from [REDACTED] (the “Purchaser”) [REDACTED]. The Property is 0.160ha (0.03 acres) in size, is a duplex lot with R10 zoning, and is listed for sale at [REDACTED]. The Purchaser has signed a Purchase and Sale Agreement and has provided a deposit of [REDACTED].

Staff are requesting Council provide approval to dispose of the Property to the Purchaser for the purchase price of [REDACTED]. Subject to approval being received, it is anticipated the Property will transfer on 2019-AUG-01.

The John Cooper Group will continue to market the remaining lots and Staff will return to Council when the remaining Offers to Purchase are received.

OPTIONS

- Option 1 – That Council:
 1. approve the disposition of 5885 Linyard Road to [REDACTED] and
 2. direct the Mayor and Corporate Officer to execute the necessary documents to affect the transaction.

Advantages:

- **Budget Implication:** The City will receive [REDACTED] the sale. The funds from the disposition will go back into the Property Sales Reserve Fund, which can be used to support other Council property acquisitions.
- **Legal Implication:** The City solicitor will prepare the transfer documents.
- **Policy Implication:** Staff have published a Notice of Disposition as required by Section 26 and 94 of the *Community Charter*. The subdivision is consistent with the neighbourhood plan and the zoning.
- **Political Implication:** Providing approval to dispose 5885 Linyard Road would be consistent with Council’s past decisions.

Disadvantages:

- **Budget Implication:** The City will incur legal costs estimated at [REDACTED] and the realtor commission fees of [REDACTED]. These costs will be deducted from the sale proceeds.
- Selling 5885 Linyard Road will prevent Council from choosing to use the lot for another municipal purpose should Council want to.

- Option 2 – That Council:
 1. Deny the disposition of 5855 Linyard Road to [REDACTED]

Advantages:

- **Budget Implication:** The City will save the legal costs estimated at [REDACTED] and the realtor commission fees of [REDACTED].
- Denying the disposition will allow Council to use the lot for another municipal purpose should Council want to.

Disadvantages:

- **Budget Implication:** The City would not receive [REDACTED] The property will remain undeveloped and owned by the City.
- **Political Implication:** Denying approval to dispose of 5885 Linyard Road would be inconsistent with Council's past decisions.

SUMMARY POINTS

- The City acquired 5290 Rutherford Road on 2015-DEC-18 for \$850,000.
- The purpose of the acquisition was to facilitate a new roundabout and access road to the Linley Valley West lands at the intersection of Rutherford Road and Nelson Road.
- The project was completed in fall 2017, which has resulted in 0.42ha (1.04 acres) of surplus land that the City can dispose of.
- At the 2017-JUL-10 "In Camera" Council meeting, Staff were directed to subdivide the surplus property into four fee-simple single-family lots and one multi-family lot. On 2019-JUN-04, the lots were registered at the Land Title Office making them available for sale.
- An Offer to Purchase 5885 Linyard Road was received from [REDACTED]
[REDACTED] The Property is 0.160ha (0.03 acres) in size, is a duplex lot with R10 zoning, and is listed for sale at [REDACTED]
- Staff are requesting Council provide approval to dispose of the Property to the Purchaser for the purchase price of [REDACTED] Subject to approval being received, it is anticipated the Property will transfer on 2019-AUG-01.
- The John Cooper Group will continue to market the remaining lots and Staff will return to Council when the remaining Offers to Purchase are received.

ATTACHMENTS

ATTACHMENT A: Location Plan – 5290 Rutherford Road

ATTACHMENT B: Location Plan – Property Disposition-5885 Linyard Road

Submitted by:

Bill Corsan
Director of Community Development

Concurrence by:

Dale Lindsay
General Manager of Development Services

Laura Mercer,
Director of Finance

INFORMATION RELEASE:

[REDACTED]

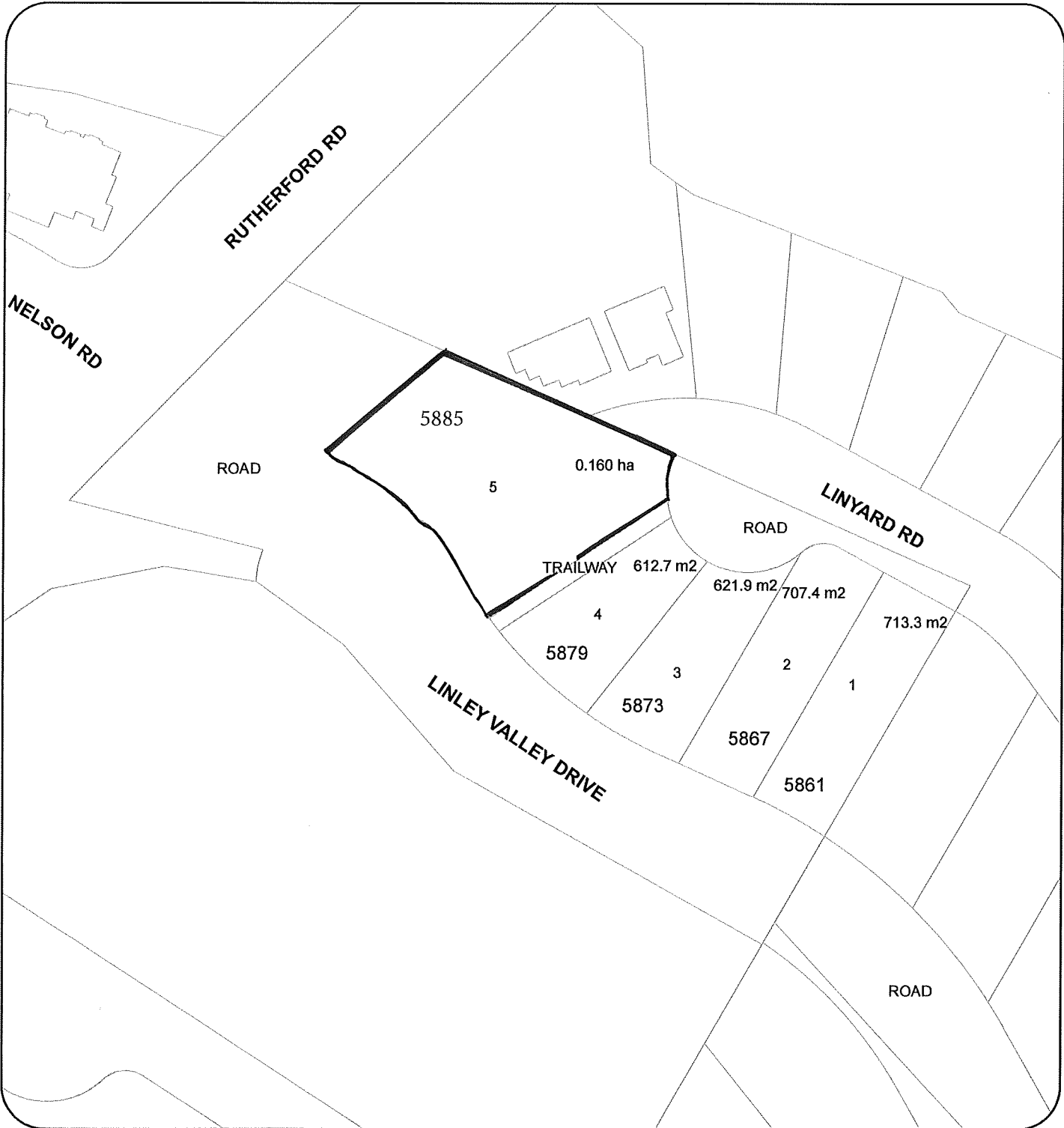
ATTACHMENT A



CIVIC: 5290 RUTHERFORD ROAD



ATTACHMENT B



LOCATION PLAN

PROPERTY DISPOSITION
5885 LINYARD ROAD



DATE OF MEETING July 22, 2019

AUTHORED BY LISA BHOPALSINGH, MANAGER, COMMUNITY PLANNING

SUBJECT BC HOUSING MEMORANDUM OF UNDERSTANDING 2019

OVERVIEW

Purpose of Report

To provide Council with a Memorandum of Understanding to work with BC Housing to address affordable and supportive housing needs.

Reason for “In Camera”

Community Charter Section 90(1):

- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality.

Recommendation

That Council endorse the Memorandum of Understanding with BC Housing to provide more affordable and supportive housing in partnership with the City of Nanaimo through the provision of land and other financial incentives.

BACKGROUND

Council, at its 2019-APR-08 “In Camera” Meeting, passed the following motion:

“That Council direct Staff to work with BC Housing to develop a Memorandum of Understanding to request that BC Housing provide more affordable and supportive housing, in partnership with the City, through the provision of land and other financial incentives” (as outlined in Attachment A).

Since receiving Council’s direction, Staff have been working with BC Housing to develop a mutually acceptable agreement that achieves the direction given by Council to increase the supply of both affordable and supportive housing in Nanaimo. This includes a focus of providing permanent housing to replace the two temporary crisis housing projects at 2060 Labieux Road and 250 Terminal Avenue.

DISCUSSION

The proposed Memorandum of Understanding (“MOU”, [REDACTED]) confirms the intention and conditions for BC Housing and the City to work collaboratively to construct 140 to 160 units of supportive housing over four development sites; 80 units of affordable family rental housing in two development sites, and 40 units of affordable rental housing in one or two development sites.

This includes the City providing land for housing and other compatible uses at 1425 Cranberry Avenue for affordable family housing, and 285 Prideaux Street for supportive housing. Other sites needed to achieve the intention of the MOU are to be provided by BC Housing.

The MOU identifies the need to engage with the community around sites identified in the MOU and future potential sites yet to be secured. Staff are working collaboratively with BC Housing staff to develop a communications plan regarding the MOU and related housing sites.

OPTIONS

- Option 1 – That Council endorse the Memorandum of Understanding with BC Housing to provide more affordable and supportive housing in partnership with the City of Nanaimo through the provision of land and other financial incentives.
 - Allows the City and BC Housing to move forward on replacing the two temporary housing sites at 2060 Labieux Road and 250 Terminal Avenue with more appropriate solutions. Helps implement the goals and objectives of the 2018 Affordable Housing Strategy.
- Option 2 – That Council provide alternative direction.
 - Taking more time to negotiate an alternative agreement with BC Housing would extend the time taken to replace the two temporary housing sites and further implement the 2018 Affordable Housing Strategy and Homelessness Action Plan.

SUMMARY POINTS

- On 2019-APR-08, Council directed Staff to negotiate an MOU with BC Housing to take actions to build more affordable and supportive housing.
- Establishing an MOU is key to replacing the temporary crisis housing at 2060 Labieux Road and 250 Terminal Avenue as well as helping implement the goals of the 2018 Affordable Housing Strategy.
- A communications plan about the MOU and related housing sites is being developed collaboratively with BC Housing.

Submitted by:

Lisa Bhopalsingh
Manager, Community Planning

Concurrence by:

Bill Corsan
Director of Community Development

Dale Lindsay
General Manager of Development Services

INFORMATION RELEASE:

- [REDACTED]



ADDENDUM
"IN CAMERA" COUNCIL MEETING

Monday, July 22, 2019

4:00 p.m. to Proceed "In Camera, Open Meeting to reconvene at 7:00 p.m.
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

6. REPORTS





AGENDA
"IN CAMERA" COUNCIL MEETING

Monday, August 26, 2019

4:30 P.M. - 7:00 P.M.

DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

Pages

1. CALL TO ORDER:

2. APPROVAL OF THE AGENDA:

That Council, in accordance with the Community Charter, adopt the agenda as presented (or as amended).

Summary of Agenda Items and Proposed CC Reasons to Close Meeting:

1. Adoption of Agenda

6(a) [REDACTED]

6(b) [REDACTED]

6(c) Property Acquisition - 933 Park Avenue 90(1)(e)

6(d) Municipal Insurance Association of British Columbia Voting Delegate
Appointments - 90(1)(a)

6(e) CAO and Council Matters - 90(1)(a)(c)

[REDACTED]

Section 90(1):

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (c) labour relations or other employee relations;
- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality; and,

Section 90(2):

- (b) the consideration of information received and held in confidence relating to

negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

3. ADOPTION OF THE MINUTES:

a. Minutes

4 - 5

Minutes of the Special "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-JUN-24 at 1:00 p.m.

b. Minutes

6 - 9

Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-JUL-22 at 4:00 p.m.

4. PRESENTATIONS:

5. CONSENT ITEMS:

6. REPORTS



b.



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

c. Property Acquisition - 933 Park Avenue

66 - 72

To be introduced by Dale Lindsay, General Manager, Development Services.

Purpose: To provide Council with the outcome of the property acquisition negotiations with the owners of 933 Park Avenue.

Recommendation: That Council:

1. authorize the acquisition of 933 Park Avenue from [REDACTED] for the sum of \$1,375,000; and,
2. direct Staff to commence lease negotiations with Nanaimo Foodshare and return to Council for formal approval once lease negotiations are complete.

d. Municipal Insurance Association of British Columbia Voting Delegate Appointments

73 - 75

To be introduced by Sky Snelgrove, Deputy Corporate Officer.

Purpose: To provide options and a recommendation regarding voting delegate appointments to the Municipal Insurance Association of British Columbia.

Recommendation: That Council reaffirm the appointment of Councillor Thorpe as representative until the end of the current Council's term, and appoint two alternates to represent the City's interest at any meeting of the Municipal Insurance Association of British Columbia.

e. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

7. **CORRESPONDENCE:**

a.

[REDACTED]

8. **ADJOURNMENT OF "IN CAMERA" MEETING:**

SPECIAL "IN CAMERA" MINUTES
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2019-JUN-24 AT 1:00 P.M. – 3:00 P.M.

Present: Mayor L. Krog, Chair
Councillor S. D. Armstrong
Councillor D. Bonner
Councillor T. Brown
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor I. W. Thorpe
Councillor J. Turley

Absent: Councillor Z. Maartman

Staff: J. Rudolph, Chief Administrative Officer (vacated 2:40 p.m.)
S. Gurrie, City Clerk (vacated 2:08 p.m.)

1. CALL THE SPECIAL "IN CAMERA" COUNCIL MEETING TO ORDER:

The Special "In Camera" Meeting was called to order at 1:00 p.m.

2. ADOPTION OF AGENDA:

It was moved and seconded that Council, in accordance with the *Community Charter*, adopt the agenda as presented. The motion carried unanimously.

3. REPORTS:



(b) Management Structure

Introduced by Jake Rudolph, Chief Administrative Officer.

It was moved and seconded that Council endorse the revised organizational structure, and direct Staff to use anticipated budget surplus and savings from vacant positions for 2019

to fund additional management positions on a prioritized bases, and include the remaining positions in the 2020 budget. The motion carried unanimously.

It was moved and seconded that Council rise and report on the enhanced organizational structure under the Mayor's Report at the July 8th Council Meeting and authorize Staff to make the required notifications to Staff as necessary. The motion carried unanimously.

S. Gurrie vacated the Douglas Rispin Room at 2:08 p.m.
Councillor Geselbracht vacated the Douglas Rispin Room at 2:28 p.m.

(c) CAO and Council Matters

1. 

Introduced by Jake Rudolph, Chief Administrative Officer.

J. Rudolph vacated the Douglas Rispin Room at 2:40 p.m.
Councillor Geselbracht returned to the Douglas Rispin Room at 2:40 p.m.

4. ADJOURNMENT:

It was moved and seconded at 2:51 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER

"IN CAMERA" MINUTES
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2019-JUL-22 AT 4:00 P.M.

Present: Mayor L. Krog, Chair
Councillor S. D. Armstrong
Councillor T. Brown
Councillor B. Geselbracht
Councillor Z. Maartman
Councillor I. W. Thorpe
Councillor J. Turley

Absent: Councillor D. Bonner
Councillor E. Hemmens



Staff: J. Rudolph, Chief Administrative Officer
R. J. Harding, General Manager, Parks and Recreation (vacated 6:12 p.m.)
B. Sims, General Manager, Engineering and Public Works (vacated 6:12 p.m.)
L. Mercer, Director, Finance (vacated 6:12 p.m.)
B. Corsan, Director, Community Development (arrived 4:03 p.m., vacated 6:12 p.m.)
L. Bhopalsingh, Manager, Community and Cultural Planning (arrived 4:03 p.m., vacated 6:12 p.m.)
F. Farrokhi, Manager, Communications (arrived 4:15 p.m., vacated 6:12 p.m.)
S. Gurrie, Director, Legislative Services (vacated 6:12 p.m.)
K. Gerard, Recording Secretary (vacated 6:12 p.m.)

1. CALL THE "IN CAMERA" MEETING TO ORDER:

The "In Camera" Meeting was called to order at 4:02 p.m.

2. INTRODUCTION OF LATE ITEMS:

(a) Agenda item 6(b) – Property Disposition – 5885 Linyard Road:

1. Add Secondary Offer regarding the Disposition of 5885 Linyard Road; and,
2. Replace original recommendation with the following:
 1. approve the disposition of 5885 Linyard Road to [REDACTED] for [REDACTED] and [REDACTED]
 2. direct the Mayor and Corporate Officer to execute the necessary documents to affect the transaction.

3. ADOPTION OF AGENDA:

It was moved and seconded that Council, in accordance with the *Community Charter*, adopt the agenda as amended. The motion carried unanimously.

B. Corsan and L. Bhopalsingh entered the Douglas Rispin Room at 4:03 p.m.

4. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-JUL-08 at 4:30 p.m. be adopted. The motion carried unanimously.

5. PRESENTATIONS:

(a)

F. Farrokhi entered the Douglas Rispin Room at 4:15 p.m.

6. REPORTS:

(a) Board of Variance Appointments

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council appoint Nelson Allen to the Board of Variance for a three-year term ending 2022-JUL-21. The motion carried unanimously.

(b) Property Disposition – 5885 Linyard Road

Introduced by Bill Corsan, Director, Community Development.

It was moved and seconded that Council:

1. approve the disposition of 5885 Linyard Road to [REDACTED] and,
2. direct the Mayor and Corporate Officer to execute the necessary documents to affect the transaction.

The motion carried unanimously.



The "In Camera" Council meeting recessed at 5:27 p.m.
The "In Camera" Council meeting reconvened at 5:50 p.m.



R. Harding, B. Sims, L. Mercer, B. Corsan, L. Bhopalsingh, F. Farrokhi, S. Gurrie and K. Gerard vacated the Douglas Rispin Room at 6:12 p.m.

(f) CAO and Council Matters

Introduced by Jake Rudolph, Chief Administrative Officer.

Council discussion took place regarding the following:

1. New Volunteer Program
2. The process regarding Notice of Motions
3. Governance and Priorities Committee Recommendations

7. ADJOURNMENT:

It was moved and seconded at 6:51 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER

In Camera Report for Decision

City of Nanaimo

File Number: LD003214

DATE OF MEETING | August 26, 2019 |

AUTHORED BY | NANCY SKEELS, PROPERTY AGENT, REAL ESTATE |

SUBJECT PROPERTY ACQUISITION – 933 PARK AVENUE

OVERVIEW

Purpose of Report

To provide Council with the outcome of the property acquisition negotiations with the owners of 933 Park Avenue. |

Reason for “In Camera”

| Community Charter Section 90(1)

(e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality. |

Recommendation

That Council:

1. authorize the acquisition of 933 Park Avenue from [REDACTED] for the sum of \$1,375,000; and
2. direct Staff to commence lease negotiations with Nanaimo Foodshare and return to Council for formal approval once lease negotiations are complete.

BACKGROUND

At the 2019-FEB-04 Special ‘In Camera’ Council meeting, Council received a delegation from Nanaimo Foodshare (NFS) regarding their interest in working with the City to acquire 2.02ha (5 acres) of land located at 933 Park Avenue (the “Property”, Attachments A & B). The Property is one of the last remaining 5-acre parcels in the Harewood Neighbourhood. The Property, zoned R1 - Single Family Residential, has an existing single family house, a portion of the Property is used by Growing Opportunities to produce fruit and vegetables, and around a third of the Property has a natural wetland that is informally part of the City’s drainage infrastructure.

Following the presentation from the delegation, Council passed the following motion:

“It was moved and seconded that Council direct Staff to work with Nanaimo Foodshare and report back to Council on opportunities for uses of the land at 933 Park Avenue as well as potential funding and partnering in the acquisition of the land.”

Following the meeting, Staff worked with NFS and delivered five options:

1. Outright purchase by the City with a lease for a portion of the Property to NFS;
2. Outright purchase by NFS;
3. 50/50 purchase by NFS;

4. Purchase by multiple partners; and
5. City to purchase the Land with NFS Loan Payback.

The NFS board met on 2019-MAY-23 and endorsed the outright purchase of the Property by the City and for NFS to enter into a partnership agreement with the understanding that NFS will use the Property for agricultural purposes.

At the 2019-JUN-17 'In Camera' Council meeting, City Staff and NFS presented the options to Council. The recommendation was for the City to acquire the Property on its own and then enter into an agreement with NFS at a later date once the acquisition was complete. Council passed the following motion:

"It was moved and seconded that Council direct Staff to enter into property acquisition negotiations with [REDACTED] the owners of 933 Park Avenue, and return to Council for approval upon completion of the negotiations."

DISCUSSION

Staff met with the owners and they have agreed to sell the Property to the City for the appraised value of \$1,375,000. If Council approval is received, the Property will transfer on 2019-OCT-31. The owners have requested to rent the house and a portion of the yard, rent-free for up to two years after the transfer date. They will be responsible for all house repairs, maintenance and yard maintenance during the two-year term. The owners have asked that the City honour, during the two-year term, agreements they currently have in place for hay cutting, garden and bee keeping uses, and to allow Vancouver Island University students to attend the Property for educational purposes. The remainder of the Property will be available for use as the City decides.

NFS and City Staff have identified a number of potential uses. These may include food production, a farmers market, wetland restoration, public nature park, and affordable housing. All of these uses would be further investigated through a public planning process should Council decide to acquire the Property.

If Council approval is received, the City will incur legal costs for the conveyance estimated at \$1,500. The budget of \$1,376,500 will be included in a future budget bylaw amendment for the 2019 – 2023 Financial Plan. Staff will also issue a news release immediately following the meeting.

Financial Implications

If this Property is a top acquisition, funding can be drawn from the Property Acquisition General Fund, which has a balance of [REDACTED] the Parkland Dedication Fund, which has a balance of [REDACTED] the Property Sales Reserve Fund, which has a balance of [REDACTED] for unallocated acquisitions; and the Parks DCC Fund, which has a balance of [REDACTED]

OPTIONS

1. That Council:
 1. authorize the acquisition of 933 Park Avenue from [REDACTED] for the sum of \$1,375,000; and
 2. direct Staff to commence lease negotiations with Nanaimo Foodshare and return to Council for formal approval once lease negotiations are complete.
 - Advantages of this option: The acquisition aligns with the Official Community Plan (OCP), and the Harewood Neighbourhood Plan designates the Property as *Neighbourhood*. The acquisition aligns with Council priorities identified in the 2019-2022 Strategic Plan under *Environmental Responsibility*, as this parcel of land would be considered a natural asset. In addition, the goal of *Livability* could be addressed through a portion of the Property being used for affordable housing. Purchasing the Property enables the City to decide how best to manage the Property, which may include working with other partners in the community. The acquisition will be funded as follows: 2 acres from the Property Acquisition General Fund for a total of \$550,600 and the remaining 3 acres from the Parks DCC Fund for a total of \$825,900.
 - Disadvantages of this option: Council has a limited budget for land acquisitions and may wish to prioritize this land acquisition amongst other key acquisition targets.
2. That Council deny the Property acquisition of 933 Park Avenue from [REDACTED].
 - Advantages of this option: Council has a limited budget for land acquisitions and may wish to prioritize other land acquisitions. Funding that would have gone to this acquisition can be used for other Council priorities as they arise during the term.
 - Disadvantages of this option: Council will likely continue to be pressured into preserving the Property. Not approving this acquisition is inconsistent with the 2019-2022 Strategic Plan under *Environmental Responsibility* and *Livability*.

SUMMARY POINTS

- 933 Park Avenue is 2.02ha (5 acres) in size, located in Harewood, is zoned R1 – Single Family Residential, and is owned by [REDACTED]. The Property is one of the last remaining 5-acre parcels in the Harewood Neighbourhood.
- The Official Community Plan and Harewood Neighbourhood Plan designate the Property as *Neighbourhood* and identify a park as a desirable feature in this area of the City.
- At the 2019-JUN-17 'In Camera' Council meeting, Council directed Staff to enter into property acquisition negotiations. Staff met with the owners and they have agreed to sell the Property to the City for the appraised value of \$1,375,000.
- If Council approval is received, the Property will transfer on 2019-OCT-31.
- The owners have requested to remain living in the house and to use a portion of the yard for up to two years after the transfer date.

- The remainder of the Property will be available for a number of potential uses. These may include food production, a farmers market, wetland restoration, public nature park, and affordable housing. All of these uses would be further investigated through a public planning process, should Council wish to acquire the Property.
- Staff are seeking formal Council approval to complete the transaction.

ATTACHMENTS

ATTACHMENT A: Location plan

ATTACHMENT B: Aerial photo

ATTACHMENT C: Map showing potential park and development site boundary

Submitted by:

Bill Corsan
Director, Community Development

Concurrence by:

Dale Lindsay
General Manager, Development Services

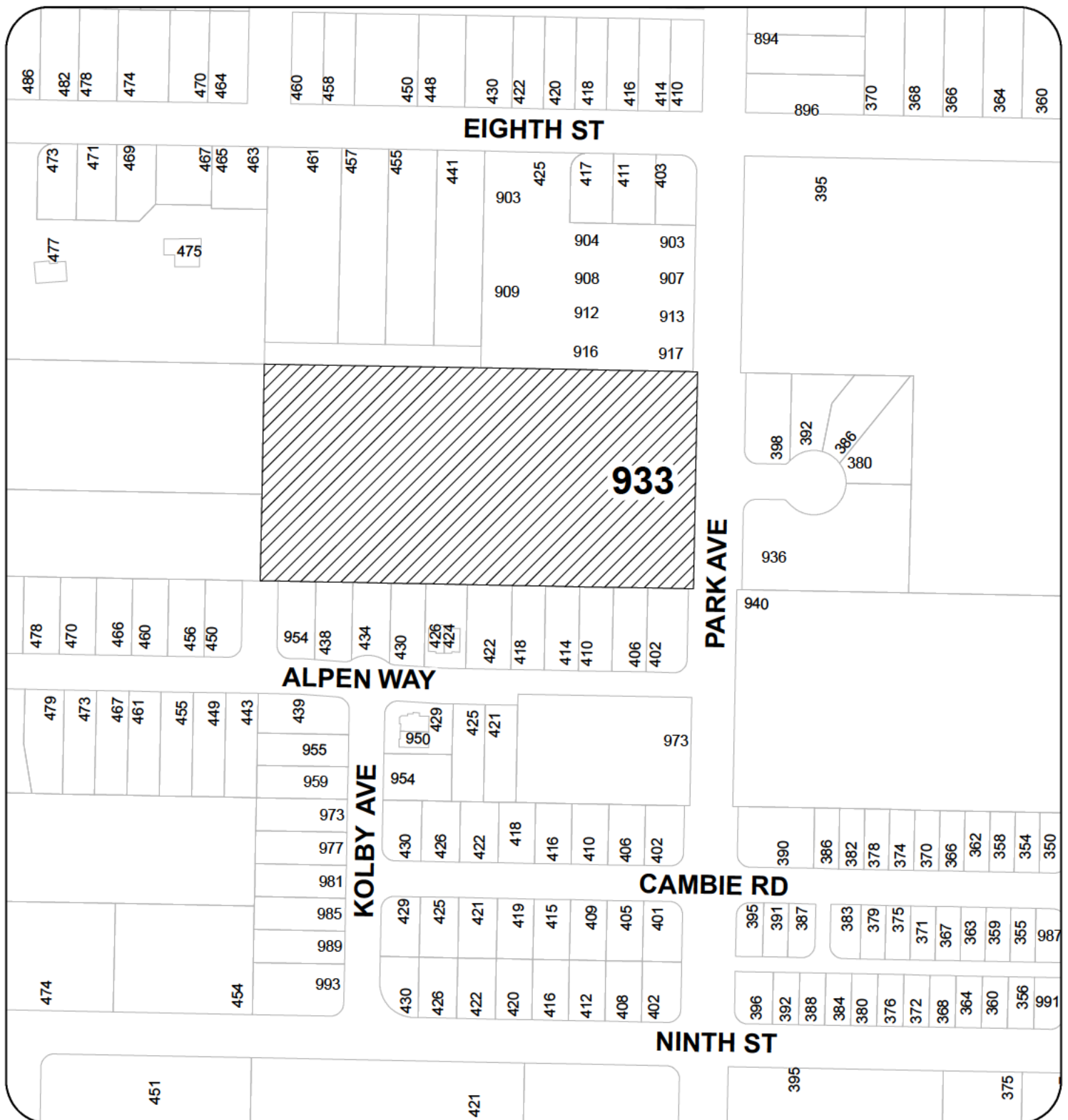
Richard Harding
General Manager, Parks, Recreation &
Culture

Bill Sims
General Manager, Engineering & Public
Works

Laura Mercer
Director, Finance

INFORMATION RELEASE:

ATTACHMENT A



PROPERTY ACQUISITION NO. LD003214

LOCATION PLAN

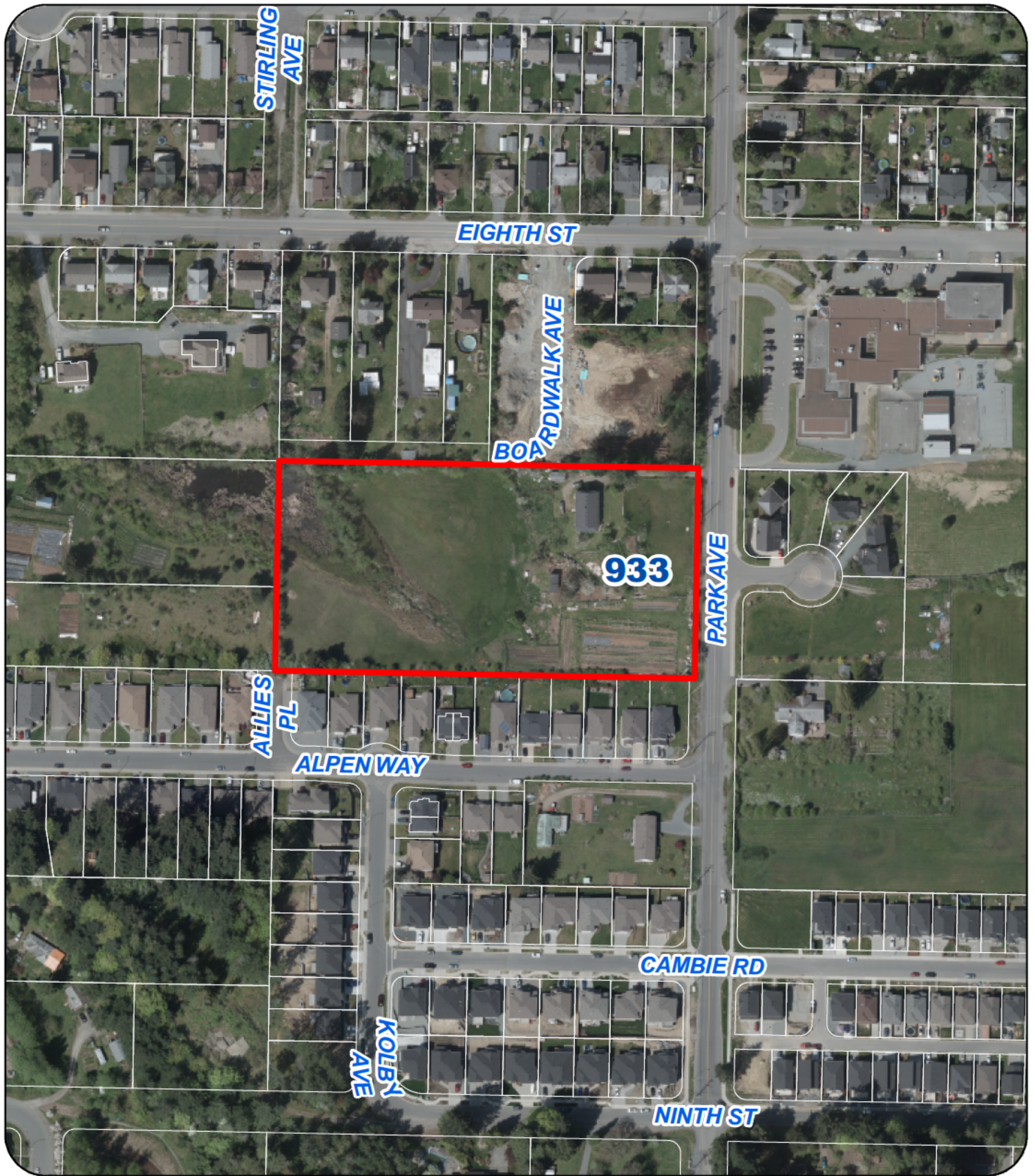
CIVIC: 933 PARK AVENUE
LEGAL: SECTION 11, RANGE 10, SECTION 1
NANAIMO DISTRICT, PLAN 630

N




SUBJECT PROPERTY

ATTACHMENT B

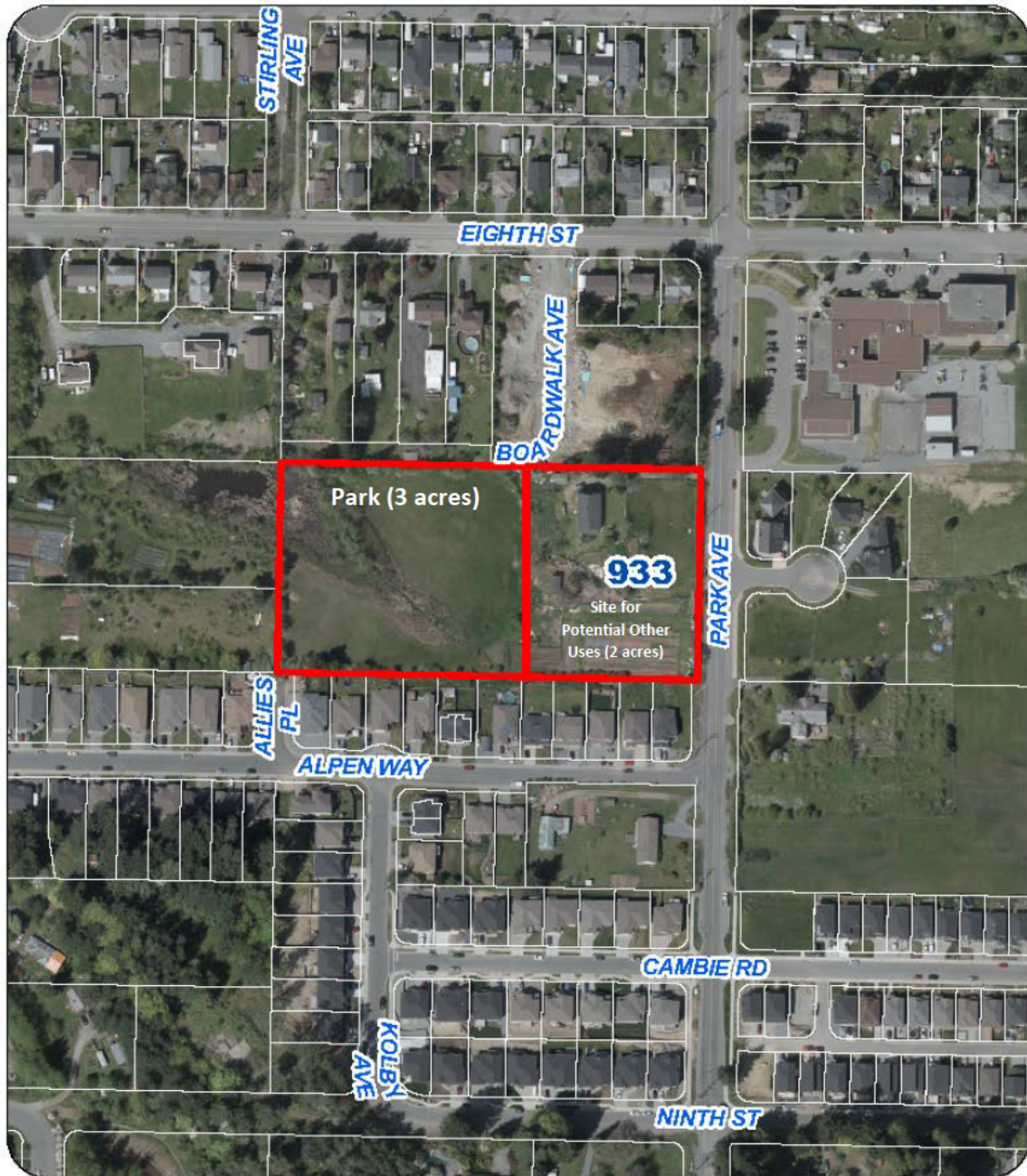


PROPERTY ACQUISITION NO. LD003214

LEGEND

 SUBJECT PROPERTY

ATTACHMENT C



LEGEND

 SUBJECT PROPERTY

PROPERTY ACQUISITION NO. LD003214

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DATE OF MEETING | August 26, 2019 |

AUTHORED BY | MEGAN WAGGONER, RECORDS/INFORMATION & PRIVACY
COORDINATOR |

SUBJECT | **MUNICIPAL INSURANCE ASSOCIATION OF BRITISH COLUMBIA
VOTING DELEGATE APPOINTMENTS** |

OVERVIEW

Purpose of Report

| To provide options and a recommendation regarding voting delegate appointments to the Municipal Insurance Association of British Columbia. |

Reason for “In Camera”

| *Community Charter* Section 90(1):

- (a) | personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality. |

Recommendation

| That Council reaffirm the appointment of Councillor Thorpe as representative until the end of the current Council's term, and appoint two alternates to represent the City's interest at any meeting of the Municipal Insurance Association of British Columbia. |

BACKGROUND

Nanaimo is one of 143 municipalities and 23 regional districts that make up the Municipal Insurance Association of British Columbia (MIABC), this equates to nearly 90% of BC's local governments. The MIABC is essentially a self-insurance pooling program that provides comprehensive general liability and property insurance coverage to its subscribing members. The goal of the MIABC is to educate members in ways of avoiding, preventing and controlling accidental loss and to finance those losses in a cost-effective manner.

The MIABC's Annual General Meeting is held each year in conjunction with the Annual Convention of the Union of British Columbia Municipalities. At the meeting, delegates representing each of the subscribing Municipalities and Regional Districts elect members to the Board of Directors, receive reports on risk management and claims activity and approve the audited Financial Statements and changes to their Reciprocal Agreement. The role of the voting delegate is to keep their Council apprised of current happenings at the MIABC throughout the year, this information is shared with the voting delegate by way of MIABC's quarterly newsletter.

DISCUSSION

Each member, by resolution of their elected officials, is required to appoint a representative and two alternates to represent and vote the interest of the member. The current voting delegate is Councillor Thorpe and there are no alternates appointed.

There is no maximum length of time that any one person can be the voting delegate, and it can be changed at any time and as often as Council wishes, as long as there is a resolution supporting it. Furthermore, the voting delegate does not have to be a member of Council, it can also be a staff member; however, the same would apply with regards to the requirement of a Council resolution if a staff member were to be appointed. Historically the City of Nanaimo has appointed a Council member to this role. As well, the majority of members of the MIABC have members of Council appointed as their voting delegate. |

OPTIONS

1. That Council reaffirm the appointment of Councillor Thorpe as representative until the end of the current Council's term, and appoint two alternates to represent the City's interest at any meeting of the Municipal Insurance Association of British Columbia.
 - The advantages of this option: The City will be meeting their contractual requirements with MIABC, and will benefit from having a delegate with previous experience and knowledge voting at the MIABC Annual General Meeting. Additionally, this supports Council's strategic theme of Governance Excellence.
 - The disadvantages of this option: Appointing a Councillor that has already served as delegate will result in other members of Council not having the opportunity to serve as a delegate.
2. That Council appoint a new representative and two alternates to represent the City's interest at any meeting of the Municipal Insurance Association of British Columbia.
 - The advantages of this option: The City will be meeting their contractual requirements with MIABC, and will benefit from having a vote at the MIABC Annual General Meeting. Additionally, this supports Council's strategic theme of Governance Excellence.
 - The disadvantages of this option: Appointing a Councillor that has not served as a delegate will require a time commitment to learn the responsibilities of the role. |

SUMMARY POINTS

- Nanaimo is one of 143 municipalities and 23 regional districts that make up the Municipal Insurance Association of British Columbia (MIABC)
- Each member, by resolution of their elected officials, is required to appoint a representative and two alternates to represent and vote the interest of the member.
- Council needs to appoint one voting delegate and two alternates.

Submitted by:

Sheila Gurrie
Director of Legislative Services

INFORMATION RELEASE:

Appointments to be announced during a future open Council meeting as soon as practicable.



ADDENDUM
"IN CAMERA" COUNCIL MEETING

Monday, August 26, 2019

4:30 P.M. - 7:00 P.M.

DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

Pages

2. APPROVAL OF THE AGENDA:

a. Add - Community Charter section 90(1)(k)

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public.

6. REPORTS

e. CAO and Council Matters

1.

[REDACTED]

2.

[REDACTED]

3.

[REDACTED]



AGENDA
"IN CAMERA" COUNCIL MEETING

Monday, September 9, 2019

4:30 P.M. - 7:00 P.M.

DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS AT 5:30 P.M.

Pages

1. CALL TO ORDER:

2. APPROVAL OF THE AGENDA:

That Council, in accordance with the Community Charter, adopt the agenda as presented (or as amended).

Summary of Agenda Items and Proposed CC Reasons to Close Meeting:

Adoption of Agenda

6(a) Appointments to the Environment Committee - 90(1)(a)

6(b) [REDACTED] 90(1)(c)(g)

6(c) [REDACTED] 90(1)(g)(i) & 90(2)(b)

Section 90(1):

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

(c) labour relations or other employee relations; and,

(g) litigation or potential litigation affecting the municipality;

(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and,

Community Charter Section 90(2):

(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

3. ADOPTION OF THE MINUTES:

a. Minutes

3 - 8

Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Monday, 2019-AUG-26 at 4:30 p.m.

4. PRESENTATIONS:

5. CONSENT ITEMS:

6. REPORTS

a. Appointments to the Environment Committee

9 - 167

To be introduced by Sheila Gurrie, Director, Legislative Services.

Purpose: To request that Council appoint seven members at large and two Council members to the Environment Committee.

Recommendation: That Council:

1. appoint seven at-large members to the Environment Committee for a three year term ending 2022-DEC-31;

2. appoint one member of Council to serve as Chair on the Environment Committee for a term ending 2022-OCT-14;

3. select one member of Council to serve as an alternate for the Environment Committee for a term ending 2022-OCT-14

b.

[REDACTED]

c.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7. CORRESPONDENCE:

8. ADJOURNMENT OF "IN CAMERA" MEETING:

"IN CAMERA" MINUTES
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2019-AUG-26 AT 4:30 P.M. – 7:00 P.M.

Present: Mayor L. Krog, Chair
Councillor S. D. Armstrong
Councillor D. Bonner
Councillor T. Brown
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor Z. Maartman
Councillor I. W. Thorpe
Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer
R. J. Harding, General Manager, Parks, Recreation and Culture (arrived 4:39 p.m.)
D. Lindsay, General Manager, Development Services
B. Sims, General Manager, Engineering and Public Works
B. Corsan, Director, Community Development
F. Farrokhi, Manager, Communications
S. Snelgrove, Deputy Corporate Officer
J. Vanderhoef, Recording Secretary (vacated 6:47 p.m.)

1. CALL THE "IN CAMERA" MEETING TO ORDER:

The "In Camera" Meeting was called to order at 4:31 p.m.

2. INTRODUCTION OF LATE ITEMS:

(a) Add – *Community Charter* section 90(1):

- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public.



3. ADOPTION OF AGENDA:

It was moved and seconded that Council, in accordance with the *Community Charter*, adopt the agenda as amended. The motion carried unanimously.

4. ADOPTION OF MINUTES:

It was moved and seconded that the following minutes be adopted as circulated:

- Minutes of the Special "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-JUN-24 at 1:00 p.m.
- Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-JUL-22 at 4:00 p.m.

The motion carried unanimously.



5. REPORTS:

(a)



R. Harding entered the Douglas Rispin Room at 4:39 p.m.



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b)

(c) Property Acquisition - 933 Park Avenue

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council:

1. authorize the acquisition of 933 Park Avenue from [REDACTED] for the sum of \$1,375,000; and,
2. direct Staff to commence lease negotiations with Nanaimo Foodshare and return to Council for formal approval once lease negotiations are complete.

The motion carried unanimously.

(d) Municipal Insurance Association of British Columbia Voting Delegate Appointments

It was moved and seconded that Council reaffirm the appointment of Councillor Thorpe as representative until the end of the current Council's term, and appoint Councillors Maartman and Armstrong as alternates to represent the City's interest at any meeting of the Municipal Insurance Association of British Columbia. The motion carried unanimously.

(e)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

J. Vanderhoef vacated the Douglas Rispin Room at 6:47 p.m.

7. CORRESPONDENCE:

- (a) Correspondence dated 2019-AUG-02 from the Ministry of Finance re: Consultation on Speculation and Vacancy Tax _____

It was moved and seconded that Council select Mayor Krog to attend the first annual consultation on the Speculation and Vacancy Tax on September 12, 2019, at the Vancouver Convention Center, and that Council approve travel expenses for attending the meeting. The motion carried unanimously.



8. ADJOURNMENT:

It was moved and seconded at 6:54 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

In Camera Report for Decision

City of Nanaimo

File Number: 0360-01

DATE OF MEETING [September 9, 2019]

AUTHORED BY [SHEILA GURRIE, DIRECTOR, LEGISLATIVE SERVICES]

SUBJECT APPOINTMENTS TO THE ENVIRONMENT COMMITTEE

OVERVIEW

Purpose of Report

To request that Council appoint seven members at large and two Council members to the Environment Committee.

Reason for “In Camera”

Community Charter Section 90(1):

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality.

Recommendation

That Council:

1. appoint seven at-large members to the Environment Committee for a three year term ending 2022-DEC-31;
2. appoint one member of Council to serve as Chair on the Environment Committee for a term ending 2022-OCT-14;
3. select one member of Council to serve as an alternate for the Environment Committee for a term ending 2022-OCT-14.

BACKGROUND

At the Governance and Priorities Committee meeting held 2019-APR-29, Council directed Staff to strike an environmental committee. At the Committee of the Whole meeting held 2019-JUL-15 the Committee of the Whole recommended that Council approve the following motion:

It was moved and seconded that the Committee of the Whole recommend that Council adopt the Terms of Reference for the Environment Committee.

Council approved the motion at the 2019-JUL-22 Council meeting. The volunteer positions were advertised through the City website, social media, news releases and notices in the

Nanaimo News Bulletin. Due to a lack of applications, the deadline was extended from 2019-AUG-16 to 2019-AUG-30. |

DISCUSSION

Council is requested to choose one member to preside over the Environment Committee as Chair, and one member to attend meetings as an alternate, in the absence of the Chair.

As per the Committee Operating Guidelines, the Corporate Officer has reviewed all applications received by the deadline. As stated in the operating guidelines, Committee members can only sit on one committee at a time and must be residents of Nanaimo.







Applicants should represent knowledge, experience and perspectives of various sectors including:

























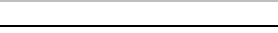



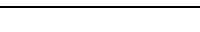
- agriculture;
- aquatic ecology;
- building design;
- business;
- climate mitigation and adaptation;
- construction;
- communications;
- energy efficiency;
- engineering;
- fishing;
- health and the human environment;
- landscape architecture;
- students and youth;
- terrestrial ecology;
- urban forestry; and
- community-at-large.

Staff received a total of 58 applications.

Process for determination of members:

Staff recommend that Council review each application prior to the meeting and select their top five applicants they would like to be appointed. At the In Camera meeting staff will take those nominations, tally up the top seven members with the most votes and recommend that Council appoint them to the environment committee.

Environment Committee Applicants	
	
	
	

 
5. <u>Boulanger, Elise Justine</u>
 
 
 
 

11. <u>Chen, Dao-Fang (Darren)</u>



15. <u>Des Roches, Harvey</u>






22. <u>Frey, Lisa</u>










[illegible]

*Denotes application received from Non-City of Nanaimo resident

NEXT STEPS

Once the successful applicants are selected they will be notified, and Staff will determine their first meeting date.

OPTIONS

1. That Council:
 1. appoint seven at-large members to the Environment Committee for a three year term ending 2022-DEC-31;
 2. appoint one member of Council to serve as Chair on the Environment Committee for a term ending 2022-OCT-14;
 3. select one member of Council to serve as an alternate for the Environment Committee for a term ending 2022-OCT-14. |
 - Appointing members to the Environment Committee would be consistent with Council's direction to strike an Environment Committee and allow for meetings to commence to begin action and engagement on the Strategic Priority – Environmental Responsibility.
2. That Council direct Staff to advertise again for positions.
 - Advantages would be the opportunity to receive different applicants. Denying the appointments to the Environment Committee will delay the establishment of the Committee and delay implementing Council's Strategic Priority to take leadership regarding the environment and climate change.

SUMMARY POINTS

- Council approved the Terms of Reference for the Environment Committee at the 2019-JUL-22 Council meeting.
- Term of appointment for the Environment Committee is until 2022-DEC-31.
- The Terms of Reference requires seven members at large and two Council representatives.

ATTACHMENTS

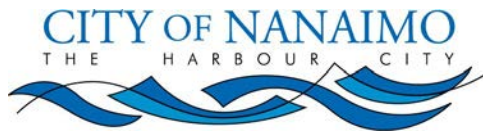
Attachment B: Environment Committee Terms of Reference |

Submitted by:

Sheila Gurrie
Director, Legislative Services

INFORMATION RELEASE:

■ [REDACTED]
■ [REDACTED]



TERMS OF REFERENCE

ENVIRONMENT COMMITTEE

PURPOSE:

The purpose of the Environment Committee is to offer innovative ideas and provide advice (information, options, and recommendations) to Council on climate change, green technology, energy efficiency, urban forestry, and other topics associated with environmental sustainability in the City of Nanaimo.

The Committee's focus areas will be on the following:

- Work with staff to review the Community Sustainability Action Plan and identify initial actions the City can take in response to the City's climate emergency declaration;
- Review and comment on existing or proposed bylaws and policies related to energy efficiency, climate adaptation, and the reduction of GHG emissions;
- Provide input into initiatives, pilot projects, and activities the City could participate in to show leadership in promoting energy efficiency, green technology, reducing GHG emissions, and adapting to a changing climate;
- Provide a community perspective on services, programs, events and capital projects related to urban forestry, natural parks (PRC-1 zone), and environmental sustainability;
- Foster public awareness, recognition, and support for a healthy and sustainable natural environment;
- Review and provide feedback on the Strategic Plan; and
- Other issues referred to the Committee by the Director, CAO, or Council.

Focus areas have been identified according to the following documents:

- Council Motion Declaring a Climate Emergency (2019-APR-01)
- City of Nanaimo Official Community Plan
- Community Sustainability Action Plan
- Transportation Master Plan
- Urban Forest Management Strategy
- 2016-2019 Strategic Plan.

The order and priority may change depending on emerging issues identified by the Committee.

MEMBERSHIP:

The membership of the Committee will be as follows:

- A minimum of seven (7) members; and
- Two (2) members of Council.

ELIGIBILITY:

All residents are eligible to apply. Members of the Committee shall:

- reflect a broad cross-section of City of Nanaimo residents;
- be appointed on the basis of their availability, experience, and the expertise which they can bring to the work of the Committee and not as formal representatives of particular organizations;
- have no conflict of interest with Council or the Committee and should advise the members when a potential conflict may exist on a specific issue and recuse themselves for the duration of the discussions to which they have declared a conflict of interest; and
- represent knowledge, experience and perspectives of various sectors including:
 - agriculture;
 - aquatic ecology;
 - building design;
 - business;
 - climate mitigation and adaptation;
 - construction;
 - communications;
 - energy efficiency;
 - engineering;
 - fishing;
 - health and the human environment;
 - landscape architecture;
 - students and youth;
 - terrestrial ecology;
 - urban forestry; and
 - community-at-large.

GRANTS:

If there are any City Grants related to the Committee the following process will take place:

1. The grant application is received by the City.
2. A Staff/peer review takes place to ensure the applications meet the criteria for a specific grant.
3. The applications that meet the criteria are put on a list in order of relevance by Staff.
4. Staff recommend recipients from the list provided for the grant to the Finance and Audit Committee for approval.

MEETING FREQUENCY:

In addition to regularly scheduled meetings, the Committee will meet upon call of the Chair or the request of two Committee Members.

STAFF SUPPORT:

The following City Departments may provide support to the Committee in accordance with the ***City of Nanaimo Committee Operating Guidelines***:

- Development Services
- Engineering and Public Works
- Parks, Recreation & Culture
- Legislative Services
- Other Staff as required

OBSERVERS & COMMUNITY SUPPORTS:

Non-voting representatives may be invited to attend the meeting specific to topics of shared interest. All regular meetings are open to the public.



AGENDA
"IN CAMERA" COUNCIL MEETING

Monday, September 16, 2019

3:30 P.M. - 7:00 P.M.

DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE

80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS 5:30 P.M.

Pages

1. CALL TO ORDER:

2. APPROVAL OF THE AGENDA:

That Council, in accordance with the Community Charter, adopt the agenda as presented (or as amended).

Summary of Agenda Items and Proposed CC Reasons to Close Meeting:

1. Adoption of Agenda

6. a. Union of British Columbia Municipalities Itinerary - 90(1)(k) and 90(2)(b)

6. b. [REDACTED] 90(2)(b)

6. c. [REDACTED] - 90(1)(c)(g)

6. d. [REDACTED] - 90(2)(b)

6. e. CAO and Council Matters - 90(1)(c)

Section 90(1):

(c) labour relations or other employee relations;

(g) litigation or potential litigation affecting the municipality;

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public; and,

Section 90(2):

(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

3. ADOPTION OF THE MINUTES:

a. Minutes

4 - 6

Minutes of the "In Camera" Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Monday, 2019-SEP-09 at 4:30 p.m.

4. PRESENTATIONS:

5. CONSENT ITEMS:

6. REPORTS

a. Union of British Columbia Municipalities Itinerary

7 - 24

To be introduced by Sheila Gurrie, Director, Legislative Services.

Purpose: To provide Council with an itinerary, briefing notes and supplemental documentation required for the UBCM Conference held in Vancouver, September 23-27, 2019.

b.

[REDACTED]

[REDACTED]

[REDACTED]

c.

[REDACTED]

[REDACTED]

[REDACTED]

d.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

e. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

7. **CORRESPONDENCE:**

8. **ADJOURNMENT OF "IN CAMERA" MEETING:**

"IN CAMERA" MINUTES
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2019-SEP-09 AT 4:30 P.M.

Present: Mayor L. Krog, Chair
Councillor S. D. Armstrong
Councillor D. Bonner
Councillor T. Brown
Councillor B. Geselbracht
Councillor E. Hemmens
Councillor Z. Maartman
Councillor I. W. Thorpe
Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer
R. J. Harding, General Manager, Parks, Recreation and Culture (vacated 5:59 p.m., returned 6:30 p.m.)
D. Lindsay, General Manager, Development Services (vacated 5:59 p.m., returned 6:30 p.m.)
J. Van Horne, Director, Human Resources (vacated 6:30 p.m.)
F. Farrokhi, Manager, Communications (vacated 5:59 p.m., returned 6:30 p.m.)
S. Gurrie, Director, Legislative Services
K. Gerard, Recording Secretary (vacated 5:54 p.m.)

1. CALL THE "IN CAMERA" MEETING TO ORDER:

The "In Camera" Meeting was called to order at 4:38 p.m.

2. INTRODUCTION OF LATE ITEMS:

(a) Add Agenda Item 6(d) –

3. ADOPTION OF AGENDA:

It was moved and seconded that Council, in accordance with the *Community Charter*, adopt the agenda as amended. The motion carried unanimously.

4. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Monday, 2019-AUG-26 at 4:30 p.m., be adopted as presented. The motion carried unanimously.

5. REPORTS:

(a) Appointments to the Environmental Committee

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council appoint the following applicants to the Environment Committee for a three year term ending 2022-DEC-31:

- Harvey DeRoches
- Jerome Lesemann
- Dao-Fang (Darren) Chen
- Elisa Justine Boulanger
- Lisa Frey
- Lindsay McCunn
- Wally Wells

The motion carried unanimously.

The "In Camera" Meeting was recessed at 5:26 p.m.

The "In Camera" Meeting reconvened at 5:44 p.m.

It was moved and seconded that Council appoint Councillor Brown and Councillor Geselbracht to serve as Co-Chairs of the Environment Committee for a term ending 2022-OCT-14. The motion carried unanimously.

F. Farrokhi, K. Gerard, R. Harding and D. Lindsay vacated the Douglas Rispin Room at 5:54 p.m.

(b)



J. Van Horne vacated the Douglas Rispin Room at 6:30 p.m.

F. Farrokhi, R. Harding and D. Lindsay entered the Douglas Rispin Room at 6:30 p.m.

(c) CAO and Council Matters

Introduced by Jake Rudolph, Chief Administrative Officer.



(d)

6. ADJOURNMENT:

It was moved and seconded at 6:54 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

“In Camera” Information Report

City of Nanaimo

File Number: 0230-01

DATE OF MEETING September 16, 2019

AUTHORED BY SKY SNELGROVE, STENO COORDINATOR/DEPUTY CORPORATE OFFICER

SUBJECT UNION OF BRITISH COLUMBIA MUNICIPALITIES ITINERARY

OVERVIEW

Purpose of Report

To provide Council with an itinerary, briefing notes and supplemental documentation required for the UBCM Conference held in Vancouver, September 23-27, 2019. |

Reason for “In Camera”

90(1):

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public; and,

90(2)(b):

(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party. |

BACKGROUND

From September 23-27, members of Council will attend the 2019 Union of British Columbia Municipalities (UBCM) Convention held in Vancouver, BC. Provided within this document is a summary of City of Nanaimo resolutions submitted for consideration at UBCM, an itinerary and briefing notes for Ministerial meetings. |

DISCUSSION

Five resolutions were submitted for consideration at the Convention:

B124 – Property Taxation

B157 – Indoor Agricultural Fertilization Practices

B167 – Cannabis Plants on the Agricultural Land Reserve

B169 – Low Impact Foundation Systems for Farm Use Structures

C19 – Development Cost Charges

During debate resolution sponsors should be ready to speak to their resolution and provide information that clarifies the debate.

Staff have prepared the attached itinerary (Attachment A) which outlines the week’s scheduled meetings. The schedule is prepared as of September 10th and may change. [REDACTED]

[REDACTED] A meeting has been scheduled with Minister Trevena, Minister of Transportation and Infrastructure. Minister Robinson, Minister of Municipal Affairs and Housing, has declined a meeting request (Attachment E). |

CONCLUSION

2019 Resolutions and the UBCM Resolutions Committee recommendations can be found in Attachment B. Attachment C contains a link to the 2019 UBCM Annual Report and Resolution Book. Briefing notes for potential Minister meetings are in Attachment D. |

SUMMARY POINTS

- Members of Council will attend UBCM September 23-27, 2019.
- The City of Nanaimo has five resolutions for consideration at UBCM.
- Briefing notes for meetings with Ministers are provided.

ATTACHMENTS

Attachment A: UBCM/Council Itinerary

Attachment B: City of Nanaimo 2019 Resolutions to be Considered at UBCM

Attachment C: Link to 2019 Annual Report and Resolutions booklet
[REDACTED]

Attachment E: Letter declining meeting request with Honourable Selina Robinson |

Submitted by: [REDACTED]

Sheila Gurrie
Director, Legislative Services |

INFORMATION RELEASE:

- [REDACTED] |



2019 UBCM Program Agenda With Mayor, Council's Schedule and Invitations

Updated September 11, 2019

Monday, September 23	
7:00 am – 4:00 pm	Registration
8:00 am – 4:30 pm	Agricultural Study Tour
9:00 am – 4:30 pm	Financing Reconciliation: Supporting Inclusive Governance in BC "That We May Be Good People Together"
9:00 am – 4:30 pm	Study Tour/Sessions <ul style="list-style-type: none"> Modular Housing Tour (9 am – 12:00 pm) Attending: Councillor Bonner Prioritizing Emergency Management (9 am – 12:00pm) Attending: Councillor Maartman Disrupting Money Laundering (9 am – 12:00 pm) Attending: Councillor Armstrong Tools, Funding & Resources for Local Governments (1:30 pm – 4:30 pm) Attending: Councillors Armstrong, Bonner Towards Parity: Breaking Down Barriers, Building Momentum (1:30 pm – 4:30 pm) Attending: Councillors Brown, Maartman (Councillor Hemmens is not able to attend)
10:30 am – 11:00 am	Meeting with Island Health President and CEO Kathy MacNeil and Board Chair Leah Hollins @ Fairmont Hotel Vancouver (Galiano Room) Attending: Mayor Krog, Councillors Geselbracht, Brown, Thorpe, CAO Jake Rudolph (Councillors Bonner, Maartman, and Armstrong have the option to not attend their morning Study Tour/Sessions scheduled above to be at this meeting)
1:30 pm – 4:30 pm	BC Mayor's Caucus Attending: Mayor Krog
4:45 pm – 5:45 pm	New Delegates' Orientation
5:00 pm – 9:00 pm	<i>Invitation: TLA Mayoral Forestry Dinner – Terminal City Club - \$27.</i> Attending: Mayor Krog
5:30 pm – 7:30 pm	<i>Invitation: UBCM 2019 Craft Cannabis Reception</i> Attending: Councillors: Zeni Maartman, Don Bonner
6:00 – 8:00 pm	<i>Invitation: Annual CAO Dinner - Lions Pub</i> Attending: CAO Jake Rudolph
7:00 pm – 8:00 pm	Electoral Area Directors' Meet and Greet
7:00 pm – 10:00 pm	<i>Invitation: BC Gaming Industry Association – Fairmont Waterfront</i> Attending: Mayor Krog

Tuesday, September 24	
7:00 am – 4:00 pm	Registration
7:00 am – 8:30 am	Clinics Continental Breakfast
7:00 am – 8:30 am	<i>Invitation: Mining Sector Breakfast – Terminal City Club - \$27.</i>
7:30 am – 8:30 am	Clinics: <ul style="list-style-type: none"> • Emergency Health Services: Developing Municipal • Agreements • Hydrogen 101 • Moose Hide Campaign: Taking a Stand for Safety • Championing Earthquake Safety and Risk Reduction • Remuneration for Elected Officials
9:00 am – 12:00 pm	Forums: <ul style="list-style-type: none"> • Electoral Area Directors Forum • Small Talk Forum • Mid-Sized Communities Forum Attending: Councillor Maartman • Large Urban Communities Forum Attending: Mayor Krog, Director Sheila Gurrie, Councillors Armstrong, Geselbracht, Thorpe
12:00 pm – 1:30 pm	Forum Lunches
1:45 pm – 2:45 pm	Plenary Session: BC's Energy Futures
2:45 pm – 3:00 pm	Address by the FCM President
3:15 pm – 4:45 pm	Provincial Policy Sessions: <ul style="list-style-type: none"> • Connected Communities BC; Enhancing Resiliency through Connectivity • Ride-Hailing; What Can Local Governments Expect? • Resiliency and Change in BC Forests • CleanBC & Provincial Adaptation Strategy
4:00 pm – 4:30 pm	Municipal Insurance Association of BC Member Orientation Attending: Councillor Ian Thorpe (Voting Delegate) and Alternate Voters Councillor Maartman and Armstrong
4:00 pm – 5:00 pm	Municipal Finance Authority of BC Semi-Annual Meeting
5:00 pm – 6:00 pm	Municipal Insurance Association of BC AGM
5:00 pm – 6:00 pm	Community Excellence Awards Celebration Attending: CAO Jake Rudolph
6:30 pm – 8:30 pm	Welcome Reception Attending: Mayor Krog, Councillors Armstrong, Thorpe, Bonner, Brown, Hemmens, Maartman, Geselbracht and Director Sheila Gurrie, CAO Jake Rudolph
7:00 pm – 10:00 pm	<i>Invitation: Annual Port of Vancouver Reception - Rogue Kitchen</i> Attending: Mayor Krog
7:30 pm – 9:30 pm	<i>Invitation: Columbia Institute Wine Tasting Reception - Pinnacle Harbourfront Hotel</i> Attending: Mayor Krog

Wednesday, September 25	
7:00 am – 4:00 pm	Registration
7:00 am – 8:30 am	Delegates' Continental Breakfast
7:30 am – 8:15 am	Clinics: <ul style="list-style-type: none"> • Be Fair: Responding Effectively to Complaints • Review Panel on Convention Finance and Sponsorship • Revitalized Legislative Framework for the ALR • Ship-Source Oil Pollution: Compensation 101 • Elected Officials Must Themselves be Resilient
7:30 am – 9:30 am	<i>Invitation: The Canadian Labour Congress - Pinnacle Hotel Harbourfront Hotel</i> <i>Attending: Mayor Krog</i>
8:30 am – 9:00 am	Convention Opening Session
9:00 am – 9:20 am	Annual Meeting
9:20 am – 9:25 am	First Report of the Nominating Committee
9:25 am – 10:25 am	Address by the Leader of the Green Party: Dr. Andrew Weaver
10:30 am – 5:00 pm	Trade Show Open
10:40 am – 11:55 am	Principal Policy Session: Resolutions
11:55 am – 12:00 pm	Nominations from the floor for Table Officer positions
12:00 pm – 1:30 pm	Area Association Lunches Attending AVICC: Mayor Krog, Councillors Hemmes, Brown, Maartman, Armstrong, Bonner, Geselbracht, Thorpe. CAO Jake Rudolph
1:00 pm	<ul style="list-style-type: none"> • Mayor Krog and RDN Chair Ian Thorpe to provide information for AVICC 2020 in Nanaimo April 17-19. Reminder to encourage delegates to send the AVICC their suggestions for sessions, tours and workshops.
2:00 pm – 2:30 pm	Address by the Minister of Municipal Affairs and Housing: Honourable Selina Robinson
2:30 pm – 2:45 pm	Candidate speeches (as necessary)
2:45 pm – 5:00 pm	Election of Table Officers (opens as necessary)
3:00 pm – 4:15 pm	Cabinet Town Halls: <ul style="list-style-type: none"> • Strong Community Infrastructure • Good Jobs and Training Opportunities • A Place Worth Protecting • Reconciliation: Moving Forward, Together
4:00 pm – 5:00 pm	Trade Show Reception
4:15 pm – 4:30 pm	Presentation of 2019 Energy & Climate Action Awards
5:00 pm – 6:30 pm	BC Government Reception
6:30 pm – 8:00 pm	Consulate-General of the People's Republic of China Reception
6:30 pm – 8:00 pm	<i>Invitation: Shaw and TransLink Mayor's Reception</i> <i>Attending: Mayor Krog</i>
8:00 pm – 12:00 am	CUPE BC Reception

Thursday, September 26	
8:00 am – 4:00 pm	Registration
7:00 am – 8:30 am	Delegates' Continental Breakfast
7:00 am – 8:30 am	<i>Invitation: Energy Sector Breakfast - Terminal City Club - \$27.</i>
7:30 am – 8:15 am	Clinics: <ul style="list-style-type: none"> • Getting Older Adults Active and Connected • Libraries Support Resilient Communities • Modernizing BC's Emergency Program Act (EPA) • Protective Services: Changing the Negotiating Landscape • Provincial Poverty and Homelessness Community Actions
8:00 am – 9:00 am	Election of Table Officers
8:00 am – 10:00 am	<i>Invitation: LGMA CAO Breakfast – Pinnacle Harbourfront Hotel</i> Attending: CAO Jake Rudolph
8:30 am – 8:35 am	Second Report of the Nominating Committee for Executive Positions
8:55 am – 11:30 am	Resolutions Session Continues
10:00 am – 3:00 pm	Trade Show Open
10:40 am – 10:55 am	Meeting with Honourable Claire Trevena, Minister of Transportation and infrastructure Attending: Mayor Krog, Councillors Bonner, Hemmens, Thorpe, Brown, Maartman, Geselbracht, Armstrong, CAO Jake Rudolph
11:30 am – 11:35 am	Nominations from the Floor for Executive Positions
11:35 am – 12:00 pm	Candidate speeches
12:00 pm – 1:30 pm	Delegates' Lunch Attending: Mayor Krog, Director Sheila Gurrie, Councillors Hemmens, Brown, Bonner, Geselbracht, Thorpe, CAO Jake Rudolph
1:30 pm – 3:15 pm	Port of Vancouver Harbour Study Tour
2:00 pm – 5:00 pm	Election of Remaining Executive Positions (as necessary)
2:30 pm – 4:30 pm	Workshops: <ul style="list-style-type: none"> • Let's not WASTE Time! • Building Child Care, Building Strong Communities • Tackling the Housing Crisis through Leadership & Co-Creation • CityStudio Vancouver: A Model for Civic Innovation and Experimentation • UBC Campus Sustainability Tour
3:00 pm	Trade Show Closes
3:30 pm	<i>Invitation: Meeting Opportunities With the Official Opposition</i> <ul style="list-style-type: none"> • Jane Thornthwaite – Mental Health, Addiction and Recovery • Todd Stone, Jordan Sturdy, Sam Sullivan – Housing and Transportation for a Growing Population • Shirley Bond, Jas Johal, Greg Kylo, Tracy Redies – Jobs and Affordability
4:30 pm	
5:30 pm	
6:30 pm	UBCM Reception
7:30 pm	UBCM Annual Banquet <ul style="list-style-type: none"> • Presentation of Long-Service Awards and Life Memberships Attending: Mayor Krog, Director Sheila Gurrie, Councillors Hemmens, Brown, Bonner, Geselbracht, Thorpe

Friday, September 27	
7:00 am – 8:30 am	Delegates' Continental Breakfast
<i>7:00 am – 8:30 am</i>	<i>Invitation: Forest Sector Breakfast – Terminal City Club - \$27.</i> <i>Attending: Mayor Krog</i>
7:30 am – 8:30 am	Election for Executive Positions continues (as necessary)
8:00 am – 10:45 am	Resolutions Session Continues
10:45 am – 11:00 am	Installation of President Elect Port of Vancouver Prize Draw
11:00 am – 12:00 pm	Address by the Premier: Premier John Horgan
12:00 pm	Adjourn

ATTACHMENT B

CITY OF NANAIMO 2019 RESOLUTIONS TO BE CONSIDERED AT UBCM

B124 Property Taxation

Nanaimo City

Whereas Section 193 of the *Community Charter* restricts a municipality from imposing fees or taxes except as expressly authorized under the *Community Charter* or another Act;

And whereas urban sprawl creates higher infrastructure costs, transportation costs, and other expenses borne by society;

And whereas municipalities attempt to control urban sprawl whilst encouraging healthier lifestyles and alternative modes of transportation:

Therefore be it resolved that the provincial government amend the *Community Charter* to allow municipalities to adjust their property tax rates by setting density brackets in their jurisdiction, to use at their discretion, as an incentive to reduce urban sprawl and as a method of assigning infrastructure and maintenance costs more accurately amongst end users.

Endorsed by the Association of Vancouver Island and Coastal Communities

UBCM Resolutions Committee recommendation: **No Recommendation**

UBCM Resolutions Committee comments:

The Resolutions Committee advises that the UBCM membership have not previously considered a resolution specifically requesting that local governments have the ability to use property taxes to set density brackets to reduce urban sprawl.

However, the UBCM membership has endorsed resolutions calling for the Community Charter to be amended to give local governments the power to set property tax rates to deal with the use of properties in their communities, such as land and improvements in order to encourage the development and improvement of derelict properties (2012-B130, 2007-B72) and brownfield properties (2017-B21, 2016-B104, 2011-B37).

Members have also sought more flexibility on property taxation (2017-B20) to address split classification for short-term rentals; (2017-B14) to address land value taxation, and similarly (2016-B13) related to vacant land taxation.

The Executive recently endorsed referred resolution 2018-B114, with an amendment recognizing that local governments are interested in exploring the merits of different residential classes or sub-classes to address issues such as housing affordability. The 2018-B114 resolution as amended is as follows:

Therefore be it resolved that UBCM ask the provincial government to explore the merits of establishing new property tax sub-classes, or amending the existing residential tax class, as a tool to address housing affordability.

The Resolutions Committee observes that property taxation is only one lever available to local governments to influence the development or preservation of property within a jurisdiction. Local governments may wish to explore the variety of tools available to implement the land use vision of their communities.

B157 Indoor Agricultural Fertilization Practices

Nanaimo City

Whereas water sustainability, healthy watersheds and ground water are of vital importance and, commercial fertilizers can be damaging to groundwater and influence water quality in watersheds;

And whereas the use of fertilizers in greenhouses and indoor structures creates effluent that contains concentrated commercial fertilizers which, if released untreated can be damaging to groundwater and the overall watershed:

Therefore be it resolved that UBCM request that the provincial government explore including in the BC Agricultural Best Practices, the requirement for closed loop greenhouse irrigation systems in commercial greenhouse and indoor agricultural structures, to prevent commercial fertilizers from being emitted into the environment.

Endorsed by the Association of Vancouver Island and Coastal Communities

UBCM Resolutions Committee recommendation: **No Recommendation**

UBCM Resolutions Committee comments:

The Resolutions Committee advises that the UBCM membership have not previously considered a resolution that calls on the Province to explore the requirement for a closed loop greenhouse irrigation systems for greenhouses and indoor agricultural structures to prevent commercial fertilizers from being emitted into the environment.

However, the Resolutions Committee notes that UBCM membership has consistently endorsed resolutions that aim to protect groundwater (2018-B34, 2011-B43, 2008-B78, 2003-B22, 2001-B28, 2000-B22).

Whereas the *Agricultural Land Commission Act* states "farm use" means an occupation or use of land for farm purposes, including farming of land, plants and animals and any other similar activity designated as farm use by regulation, and includes a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*;

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UBCM 2019 Resolutions Book

And whereas the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (the ALR Regulation) has differentiated the lawful production of cannabis from other "farm use" by limiting the structures for production, and narrowing the definition of 'necessary' activities under section 2(3), unlike any other crop in British Columbia:

Therefore be it resolved that UBCM request the provincial government to amend the ALR Regulation in order to clarify the interpretation of section 2(2.5) of the ALR Regulation regarding the lawful production of cannabis "inside a structure (a) that has a base consisting entirely of soil", and clarify that when producing cannabis in a greenhouse, it has the same meaning as "Greenhouse" under section 2(o)(i) of the Regulation. Circumscribing cannabis production in structures that are lawful by regulation for all other crops, may not withstand judicial review.

And be it further resolved that UBCM request the provincial government to amend the ALR Regulation section 2(2.5) to resemble something like the following:

(2.5) The lawful production of cannabis is designated as farm use for the purposes of the Act if produced outdoors in a field or inside a structure

- a) which has a base consisting entirely of soil, and
 - i) that is moveable in nature; or
 - ii) on a helical pile foundation; or
 - iii) whose base does not create irreversible damage to the soil.

Endorsed by the Association of Vancouver Island and Coastal Communities

UBCM Resolutions Committee recommendation: **No Action Required**

UBCM Resolutions Committee comments:

The Resolutions Committee advises that the UBCM membership has not previously considered a resolution that calls for the Province to amend the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (section 2(2.5)) to allow for cannabis production on a structure that is moveable in nature or on a helical pile foundation.

In July 2018 the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (a.k.a. the ALR Regulation) was amended, generally limiting the lawful production of cannabis to outdoor growing or production inside a structure that has a base consisting entirely of soil. Recently, the Ministry of Agriculture undertook further legislative and regulatory amendments related to cannabis production in the ALR, including the classification of all cannabis production in the ALR as farm use and the repeal of s 2(2.5) of the ALR Regulation. Under the updated regulation, local governments retain the ability to prohibit and/or regulate provided that cannabis production is not: outside, in a structure with a soil base; or in a structure constructed (but not altered to increase its size); or authorized for construction before July 2018. It is incumbent upon local governments to regulate ALR land within their boundaries if they wish to prohibit certain forms of production.

Through recent amendments (including the repeal of s 2(2.5) of the ALR Regulation and categorizing all cannabis production as farm use), the Province is allowing local governments, if they so choose, to individually permit the forms of cannabis production the sponsor is seeking to allow.

B169 Low Impact Foundation Systems for Farm Use Structures**Nanaimo City**

Whereas the structural use of concrete as a foundation system and associated fill is known to cause irreparable damage to soil biology and render a site unfit for soil-based crops in the future, and low-impact, low carbon, removable foundation technologies are available as a new standard for agricultural structure foundations;

And whereas the *Agricultural Land Commission Act*, and the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* (the ALR Regulation) regulate "farm use" structures on the agricultural land reserve (ALR) and the deposit of fill is considered a farm use for all activities under sections 2(1) to (2.2), and does not require notification to the ALR except under limited circumstances, and the National Farm Building Code applies to all agricultural "farm use" structures;

Therefore be it resolved that UBCM request the provincial government to encourage the use of low carbon, low impact, cement-free foundation technologies for farm use structures and buildings within the ALR, thereby reducing the deposition of fill material and elimination of arable soil capability in the long term.

Endorsed by the Association of Vancouver Island and Coastal Communities

UBCM Resolutions Committee recommendation: **No Recommendation**

UBCM Resolutions Committee comments:

The Resolutions Committee advises that the UBCM membership has not previously considered a resolution that calls for the Province to encourage the use of low-carbon, low-impact cement-free foundation technologies for farm use structures and buildings within the ALR.

In February 2019, the Agricultural Land Commission Act was amended and the ALR Use Regulation was created. Each of following amendments creates requirements for the use of concrete as a foundation system and the associated use of fill.

Since the amendments, except for a very limited number of circumstances, interaction with the Agricultural Land Commission is now required for any placement or removal of fill in the ALR.

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UBCM 2019 Resolutions Book

The allowance for residences on the ALR was amended to generally limit ALR land to no more than one residence per parcel and to introduce new size, siting and use requirements for residential buildings.

Finally, the amendments allow local governments to regulate or prohibit certain kinds of cannabis production, namely any production that is not: outdoors in a field; inside a structure that has a base consisting entirely of soil; or in a structure that was constructed before July 2018.

C19 Development Cost Charges

Nanaimo City

Whereas the *Local Government Act* currently restricts the imposition of Development Cost Charges to areas of sewage, water, drainage, highway facilities and park land;

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UBCM 2019 Resolutions Book

And whereas new development creates capital cost burdens on municipalities in other areas, such as emergency services, solid waste management, and recreational and cultural facilities:

Therefore be it resolved that UBCM request the provincial government amend the *Local Government Act* to allow for the imposition of Development Cost Charges in areas other than sewage, water, drainage, highway facilities and park land.

Endorsed by the Association of Vancouver Island and Coastal Communities

UBCM Resolutions Committee recommendation: ***Refer to Similar Resolution***

UBCM Resolutions Committee comments:

Refer to resolution SR2.

See also resolutions C17, C20, C21, C22, C23.

ATTACHMENT C

Link to UBCM 2019 Resolutions booklet:

https://www.ubcm.ca/assets/Resolutions~and~Policy/Resolutions/2019%20UBCM%20ANNUAL%20REPORT%20&%20RESOLUTIONS%20BOOK.pdf?utm_source=August+26%2C+2019+Bulletin+%234&utm_campaign=2019+Convention+Bulletin+%234&utm_medium=email



ADDENDUM
"IN CAMERA" COUNCIL MEETING

Monday, September 16, 2019

3:30 P.M. - 7:00 P.M.

DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE

80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS 5:30 P.M.

Pages

6. REPORTS

a. Union of British Columbia Municipalities Itinerary

1. *Replace Attachment A - UBCM/Council Itinerary*

2 - 6

f. Council Appointed Tax Sale Bidder

7 - 9

To be introduced By Laura Mercer, Director, Finance.

Purpose: To allow the Manager of Real Estate or designate to bid on properties at Tax Sale to avoid the complications associated with a third party bidder and give the current owner every opportunity available to extend the redemption period under the Local Government Act.

Recommendation: That Council authorize the Manager of Real Estate or designate to bid at the annual Tax Sale to be held 2019-SEP-30, up to [REDACTED]

[REDACTED]



2019 UBCM Program Agenda With Mayor, Council's Schedule and Invitations

Updated September 16, 2019

Monday, September 23	
7:00 am – 4:00 pm	Registration
8:00 am – 4:30 pm	Agricultural Study Tour
9:00 am – 4:30 pm	Financing Reconciliation: Supporting Inclusive Governance in BC "That We May Be Good People Together"
9:00 am – 4:30 pm	Study Tour/Sessions <ul style="list-style-type: none"> Modular Housing Tour (9 am – 12:00 pm) Attending: Councillor Bonner Prioritizing Emergency Management (9 am – 12:00pm) Attending: Councillor Maartman Disrupting Money Laundering (9 am – 12:00 pm) Attending: Councillor Armstrong Tools, Funding & Resources for Local Governments (1:30 pm – 4:30 pm) Attending: Councillors Armstrong, Bonner Towards Parity: Breaking Down Barriers, Building Momentum (1:30 pm – 4:30 pm) Attending: Councillors Brown, Maartman (Councillor Hemmens is not able to attend)
10:30 am – 11:00 am	Meeting with Island Health President and CEO Kathy MacNeil and Board Chair Leah Hollins @ Fairmont Hotel Vancouver (Galiano Room) Attending: Mayor Krog, Councillors Geselbracht, Brown, Thorpe, CAO Jake Rudolph, Director Sheila Gurrie (Councillors Bonner, Maartman, and Armstrong have the option to not attend their morning Study Tour/Sessions scheduled above to be at this meeting)
1:30 pm – 4:30 pm	BC Mayor's Caucus Attending: Mayor Krog
4:45 pm – 5:45 pm	New Delegates' Orientation
5:00 pm – 9:00 pm	<i>Invitation: TLA Truck Loggers Association - Mayoral Forestry Dinner Terminal City Club</i> Attending: Mayor Krog
5:30 pm – 7:30 pm	<i>Invitation: BC Municipal Client Appreciation Night hosted by Cash Management Group – Canaccord Genuity</i>
5:30 pm – 7:30 pm	<i>Invitation: UBCM 2019 Craft Cannabis Reception</i> Attending: Councillors Maartman, Bonner, Hemmens, Geselbracht
6:00 – 8:00 pm	<i>Invitation: Annual CAO Dinner - Lions Pub</i> Attending: CAO Jake Rudolph
7:00 pm – 8:00 pm	Electoral Area Directors' Meet and Greet
7:00 pm – 10:00 pm	<i>Invitation: BC Gaming Industry Association – Fairmont Waterfront</i> Attending: Mayor Krog, Councillors Maartman, Hemmens, Bonner, Geselbracht, Armstrong, Director Gurrie

Tuesday, September 24	
7:00 am – 4:00 pm	Registration
7:00 am – 8:30 am	Clinics Continental Breakfast
7:00 am – 8:30 am	<i>Invitation: Mining Sector Breakfast – Terminal City Club - \$27.</i>
7:30 am – 8:30 am	Clinics: <ul style="list-style-type: none"> • Emergency Health Services: Developing Municipal • Agreements • Hydrogen 101 • Moose Hide Campaign: Taking a Stand for Safety • Championing Earthquake Safety and Risk Reduction • Remuneration for Elected Officials
9:00 am – 12:00 pm	Forums: <ul style="list-style-type: none"> • Electoral Area Directors Forum • Small Talk Forum • Mid-Sized Communities Forum Attending: Councillor Maartman • Large Urban Communities Forum Attending: Mayor Krog, Director Sheila Gurrie, Councillors Armstrong, Geselbracht, Thorpe
12:00 pm – 1:30 pm	Forum Lunches
1:45 pm – 2:45 pm	Plenary Session: BC's Energy Futures
2:45 pm – 3:00 pm	Address by the FCM President
3:15 pm – 4:45 pm	Provincial Policy Sessions: <ul style="list-style-type: none"> • Connected Communities BC; Enhancing Resiliency through Connectivity • Ride-Hailing; What Can Local Governments Expect? • Resiliency and Change in BC Forests • CleanBC & Provincial Adaptation Strategy
3:20 pm – 3:35 pm	Meeting with Honourable Judy Darcy – Minister of Mental Health and Addictions @ Vancouver Convention Centre East – Second Level – Room 16 Attending: Mayor Krog, Councillors Bonner, Hemmens, Thorpe, Armstrong, Brown, Maartman, CAO Jake Rudolph, Director Sheila Gurrie, Geselbracht
4:00 pm – 4:30 pm	Municipal Insurance Association of BC Member Orientation Attending: Councillor Ian Thorpe (Voting Delegate) and Alternate Voters Councillors Maartman and Armstrong
4:00 pm – 5:00 pm	Municipal Finance Authority of BC Semi-Annual Meeting
5:00 pm – 6:00 pm	Municipal Insurance Association of BC AGM
5:00 pm – 6:00 pm	Community Excellence Awards Celebration Attending: CAO Jake Rudolph
6:30 pm – 8:30 pm	Welcome Reception Attending: Mayor Krog, Councillors Armstrong, Thorpe, Bonner, Brown, Hemmens, Maartman, Geselbracht and Director Sheila Gurrie, CAO Jake Rudolph
7:00 pm – 10:00 pm	<i>Invitation: Annual Port of Vancouver Reception - Rogue Kitchen</i> Attending: Mayor Krog
7:30 pm – 9:30 pm	<i>Invitation: Columbia Institute Wine Tasting Reception – St. Regis Bar and Grill</i> Attending: Mayor Krog

Wednesday, September 25	
7:00 am – 4:00 pm	Registration
7:00 am – 8:30 am	Delegates' Continental Breakfast
7:30 am – 8:15 am	Clinics: <ul style="list-style-type: none"> • Be Fair: Responding Effectively to Complaints • Review Panel on Convention Finance and Sponsorship • Revitalized Legislative Framework for the ALR • Ship-Source Oil Pollution: Compensation 101 Attending/Presenting: Mayor Krog <ul style="list-style-type: none"> • Elected Officials Must Themselves be Resilient
7:30 am – 9:30 am	<i>Invitation: The Canadian Labour Congress - Pinnacle Harbourfront Hotel</i> Attending: Mayor Krog
8:30 am – 9:00 am	Convention Opening Session
9:00 am – 9:20 am	Annual Meeting
9:20 am – 9:25 am	First Report of the Nominating Committee
9:25 am – 10:25 am	Address by the Leader of the Green Party: Dr. Andrew Weaver
10:30 am – 5:00 pm	Trade Show Open
10:40 am – 11:55 am	Principal Policy Session: Resolutions
11:55 am – 12:00 pm	Nominations from the floor for Table Officer positions
12:00 pm – 1:30 pm	Area Association Lunches Attending AVICC: Mayor Krog, Councillors Hemmes, Brown, Maartman, Armstrong, Bonner, Geselbracht, Thorpe, and CAO Jake Rudolph
1:00 pm	<ul style="list-style-type: none"> • Mayor Krog and RDN Chair Ian Thorpe to provide information for AVICC 2020 in Nanaimo April 17-19. Reminder to encourage delegates to send the AVICC their suggestions for sessions, tours and workshops.
2:00 pm – 2:30 pm	Address by the Minister of Municipal Affairs and Housing: Honourable Selina Robinson
2:30 pm – 2:45 pm	Candidate speeches (as necessary)
2:45 pm – 5:00 pm	Election of Table Officers (opens as necessary)
3:00 pm – 4:15 pm	Cabinet Town Halls: <ul style="list-style-type: none"> • Strong Community Infrastructure • Good Jobs and Training Opportunities • A Place Worth Protecting • Reconciliation: Moving Forward, Together
4:00 pm – 5:00 pm	Trade Show Reception
4:15 pm – 4:30 pm	Presentation of 2019 Energy & Climate Action Awards
5:00 pm – 6:30 pm	BC Government Reception
6:30 pm – 8:00 pm	Consulate-General of the People's Republic of China Reception
6:30 pm – 8:00 pm	<i>Invitation: Shaw and TransLink Mayor's Reception</i> Attending: Mayor Krog
8:00 pm – 12:00 am	CUPE BC Reception

Thursday, September 26	
8:00 am – 4:00 pm	Registration
7:00 am – 8:30 am	Delegates' Continental Breakfast
7:00 am – 8:30 am	<i>Invitation: Energy Sector Breakfast - Terminal City Club - \$27.</i>
7:30 am – 8:15 am	Clinics: <ul style="list-style-type: none"> • Getting Older Adults Active and Connected • Libraries Support Resilient Communities • Modernizing BC's Emergency Program Act (EPA) • Protective Services: Changing the Negotiating Landscape • Provincial Poverty and Homelessness Community Actions
8:00 am – 9:00 am	Election of Table Officers
8:00 am – 10:00 am	<i>Invitation: LGMA CAO Breakfast – Pinnacle Harbourfront Hotel</i> <i>Attending: CAO Jake Rudolph</i>
8:30 am – 8:35 am	Second Report of the Nominating Committee for Executive Positions
8:55 am – 11:30 am	Resolutions Session Continues
10:00 am – 3:00 pm	Trade Show Open
10:40 am – 10:55 am	Meeting with Honourable Claire Trevena, Minister of Transportation and infrastructure <i>Attending: Mayor Krog, Councillors Bonner, Hemmens, Thorpe, Brown, Maartman, Geselbracht, Armstrong, CAO Jake Rudolph, Director Sheila Gurrie</i>
11:30 am – 11:35 am	Nominations from the Floor for Executive Positions
11:35 am – 12:00 pm	Candidate speeches
12:00 pm – 1:30 pm	Delegates' Lunch <i>Attending: Mayor Krog, Director Sheila Gurrie, Councillors Hemmens, Brown, Bonner, Geselbracht, Thorpe, CAO Jake Rudolph</i>
1:30 pm – 3:15 pm	Port of Vancouver Harbour Study Tour
2:00 pm – 5:00 pm	Election of Remaining Executive Positions (as necessary)
2:30 pm – 4:30 pm	Workshops: <ul style="list-style-type: none"> • Let's not WASTE Time! • Building Child Care, Building Strong Communities • Tackling the Housing Crisis through Leadership & Co-Creation • CityStudio Vancouver: A Model for Civic Innovation and Experimentation • UBC Campus Sustainability Tour
3:00 pm	Trade Show Closes
3:30 pm	<i>Invitation: Meeting Opportunities With the Official Opposition</i> <ul style="list-style-type: none"> • Jane Thornthwaite – Mental Health, Addiction and Recovery • Todd Stone, Jordan Sturdy, Sam Sullivan – Housing and Transportation for a Growing Population • Shirley Bond, Jas Johal, Greg Kylo, Tracy Redies – Jobs and Affordability
4:30 pm	
5:30 pm	
6:30 pm	UBCM Reception
7:30 pm	UBCM Annual Banquet <ul style="list-style-type: none"> • Presentation of Long-Service Awards and Life Memberships <i>Attending: Mayor Krog, Director Sheila Gurrie, Councillors Hemmens, Brown, Bonner, Geselbracht, Thorpe</i>

Friday, September 27	
7:00 am – 8:30 am	Delegates' Continental Breakfast
7:00 am – 8:30 am	<i>Invitation: Forest Sector Breakfast – Terminal City Club - \$27.</i> <i>Attending: Mayor Krog</i>
7:30 am – 8:30 am	Election for Executive Positions continues (as necessary)
8:00 am – 10:45 am	Resolutions Session Continues
10:45 am – 11:00 am	Installation of President Elect Port of Vancouver Prize Draw
11:00 am – 12:00 pm	Address by the Premier: Premier John Horgan
12:00 pm	Adjourn

DATE OF MEETING | September 16, 2019 |

AUTHORED BY | BARBARA D. WARDILL, MANAGER, REVENUE SERVICES |

SUBJECT | COUNCIL APPOINTED TAX SALE BIDDER |

OVERVIEW

Purpose of Report

To allow the Manager of Real Estate or designate to bid on properties at Tax Sale to avoid the complications associated with a third party bidder and give the current owner every opportunity available to extend the redemption period under the *Local Government Act*. |

Reason for “In Camera”

Section 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.

Recommendation

That Council authorize the Manager of Real Estate or designate to bid at the annual Tax Sale to be held 2019-SEP-30, up to [REDACTED]

BACKGROUND

The *Local Government Act* requires the City to sell, by public auction, all properties with delinquent (3 years outstanding) taxes. The annual Tax Sale takes place on the last Monday of September of each year. The minimum bid must equal or be greater than the “Upset Price”, which is the sum of all outstanding taxes, penalties, interest and administration costs. If there are no successful bidders, the property defaults to the City. The registered owner has one year after the property is sold at Tax Sale to pay the Upset Price plus interest to redeem the property.

Though the intent of Tax Sale is to recover property taxes due, it is always done with the hope that people are not displaced or lose their home. When properties are purchased by the City, additional options are available to assist the current owner in redeeming their property. Additional time extensions are permitted under the *Local Government Act* when the municipality is the purchaser and there are improvements on the property. These extensions are not permitted when the properties are purchased by a third party.

Prior to Tax Sale, City staff makes many efforts to contact each owner to inform them of the process and urge them to make the necessary payments to avoid the sale. This is done by public announcements, letters and/or phone calls. Through these efforts, the list of properties is greatly reduced, ranging from 1 to 22 properties at the sale over the last 5 years. |

Section 648 of the *Local Government Act* allows Council to authorize a person to bid at Tax Sale up to a maximum amount. Should Council adopt this recommendation, each property at the sale would be bought by the City (unless outbid).

Some of the rights of the current owner remain; they continue to occupy the property in the same manner as prior to the sale. A charge is added to their property at Land Titles which details that the property was sold at a Tax Sale. The owner still has 1 year to redeem the property.

With the municipality as the purchaser and providing that there are improvements to the property, the 'one year' redemption period may be extended if a 50% payment is made within that first year. This option was exercised in 2008 when a property on Bowen Road could only pay-over \$700 prior to the redemption period ending. Fortunately, there were no third parties involved so the redemption period was extended per section 661 of the *Local Government Act* and the owner was able to redeem the property in the extended period. This was again utilized for a property sold at tax sale in 2014.

The Tax Sale process can be complicated and the law surrounding it has not been fully tested in the courts. Although the *Local Government Act* theoretically sets out the responsibilities of the municipality in Tax Sale, where disputes have arisen Courts have regularly sided with the original owner. This generally has imposed a higher duty on municipalities than is contained in the *Act*. Having a third party purchaser at Tax Sale introduces an additional level of complexity that could potentially result in additional costs to the City.

The purpose of this recommended procedure is to discourage third party bidders. It will be applied to each property at the sale unless significant and relevant circumstances are brought to Council's attention prior to the sale. Council authorized a City bidder beginning with the 2011 tax sale and Staff believes that the outcome has been very successful.

Other municipalities have successfully utilized a City bidder. These municipalities include Victoria, Tofino and Coquitlam. In the case of properties in rural areas, there is no Tax Sale auction. After three years, the property is automatically deemed to be purchased by the Province without the opportunity for a third party bidder.

Interest

The interest rate paid to the purchaser of a Tax Sale property is currently 6.95% as prescribed by the Province of BC. Interest is charged on the purchase price and must be paid prior to redemption. This interest amount is then payable to the purchaser. The unintended consequence of this recommendation is the interest amount payable could increase if there is a third party bidder who raises the bid over the upset price. Again, it would be the responsibility of the owner to pay this additional interest amount.

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Risk

Many of the properties that go to Tax Sale have encumbrances upon them in addition to those of the City. These can be mortgages, liens, judgments and other claims. Upon sale, most of the encumbrances are forfeited. Those placed by the Crown remain attached to the property and become the responsibility of the buyer.

At risk is the possibility of acquiring a non-redeemed property with all its encumbrances. This is the same risk the City currently has as the default purchaser of properties. Usually, all properties sold at Tax Sale have been redeemed. In the event that a property is unredeemed and transfers to the City, the transaction would be funded from the Property Acquisition Reserve.

If the City purchases these properties at Tax Sale, there is the risk of becoming landlords to various renters. Steps may need to be taken to evict former occupants who have become our tenants. The properties the City acquires could be deemed “unsightly” or “nuisance” properties. The cost to restore these properties would be the responsibility of the City as the City would then be the owner. As noted above, the City already potentially has this risk as the default purchaser.

There may be times when it could be preferable for the City not to bid and instead allow the property to transfer to a third party. Unfortunately, these are always unique situations that cannot be covered by policy and may not be discovered until the last minute.

OPTIONS

1. That Council authorize the Manager of Real Estate or designate to bid at the annual Tax Sale to be held 2019-SEP-30, up to [REDACTED]
2. Do not authorize a City Bidder. This will limit redemption options for an owner of a property sold at tax sale. [REDACTED]

SUMMARY POINTS

- The City is required to sell by auction all properties with delinquent taxes (3 years of outstanding taxes).
- The legislation provides additional options for an owner to redeem their property when the City is the purchaser.
- A City bidder has been authorized to bid at tax sale since 2011.

Submitted by:

Barbara D. Wardill
Manager, Revenue Services

Concurrence by:

Laura Mercer
Director, Finance



AGENDA
SPECIAL "IN CAMERA" COUNCIL MEETING

Monday, September 30, 2019, 4:00 P.M. - 6:00 P.M.
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

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1. CALL TO ORDER:

2. APPROVAL OF THE AGENDA:

That Council, in accordance with Section 90(1)(n) of the Community Charter, adopt the agenda as presented (or as amended).

Summary of Agenda Items and Proposed CC Reasons to Close Meeting:

Adoption of Agenda

4(a) [REDACTED] - 90(2)(b)

4(b) [REDACTED]
[REDACTED] - 90(2)(b)

4(c) [REDACTED]
[REDACTED] - 90(2)(b)

4(d) [REDACTED]
[REDACTED] - 90(2)(b)

4(e) CAO and Council Matters - 90(1)(c)

Section 90(1):

(c) labour relations or other employee relations; and,

Section 90(2):

(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

3. ADOPTION OF THE MINUTES:

4. REPORTS:

a. [REDACTED]

[REDACTED]

b.

[REDACTED]

|

[REDACTED]

c.

[REDACTED]

[REDACTED]

[REDACTED]

d.

[REDACTED]

[REDACTED]

[REDACTED]

e. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

5. **CORRESPONDENCE:**

6. **ADJOURNMENT OF SPECIAL "IN CAMERA" MEETING:**



ADDENDUM
SPECIAL "IN CAMERA" COUNCIL MEETING"

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4. REPORTS:	
<i>f.</i> [REDACTED]	[REDACTED]