

AGENDA "IN CAMERA" COUNCIL MEETING

Monday, October 7, 2019 4:30 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. Nanaimo Port Authority Protocol Agreement 90(2)(b)
- 6.b. Te'Tuxwtun Project Memorandum of Understanding Update 90(1)(e) and 90(2)(b)

6.c. - 90(2)(b)

6.d. - 90(1)(c)(k)

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

Section 90(1):

- (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;
- (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 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-SEP-16 at 3:00 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-SEP-16 at 3:30 p.m.
- 4. PRESENTATIONS:
- 5. CONSENT ITEMS:
- 6. REPORTS
 - a. Nanaimo Port Authority Protocol Agreement

11 - 18

4 - 5

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

Purpose: To provide for Council's consideration, a new Protocol Agreement between the City of Nanaimo and the Nanaimo Port Authority.

Recommendation: That Council endorse the new City of Nanaimo - Nanaimo Port Authority Protocol Agreement.

b. Te'Tuxwtun Project - Memorandum of Understanding Update

19 - 29

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

Purpose: To obtain Council approval for a Memorandum of Understanding between Snuneymuxw First Nation, Board of Education of School District No. 68, City of Nanaimo, and BC Housing Management Commission for the Te'tuxwtun Project.

Recommendation: That Council approve the proposed Memorandum of Understanding titled "Te'Tuxwtun Project Comprehensive Land Use Planning & Development Project" between the Snuneymuxw First Nation, Board of Education of School District No. 68, City of Nanaimo, and BC Housing Management Commission, as presented.

Resolution to Rise and Report:

That Council release information regarding the Te'Tuxwtun Project once the

C.	
d.	
e.	CAO and Council Matters
	To be introduced by Jake Rudolph. Chief Administrative Officer.

Memorandum of Understanding is finalized.

CORRESPONDENCE:

7.

SPECIAL "IN CAMERA" MINUTES

COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2019-SEP-16 AT 3:00 P.M.

		Present:	Mayor L. Krog, Chair Councillor S. D. Armstrong Councillor D. Bonner Councillor T. Brown Councillor B. Geselbracht Councillor Z. Maartman Councillor I. W. Thorpe Councillor J. Turley
		Absent:	Councillor E. Hemmens
		Staff:	S. Gurrie, Director, Legislative Services S. Snelgrove, Steno Coordinator J. Vanderhoef, Recording Secretary
1.	CALL T	THE SPECIAL	. "IN CAMERA" MEETING TO ORDER:
	The Sp	ecial "In Cam	era" Meeting was called to order at 3:01 p.m.
2.	PRESE	ENTATIONS:	
	(a)		

2019-SEP-16 PAGE 2
3. <u>ADJOURNMENT:</u>
It was moved and seconded at 3:25 p.m. that the Special "In Camera" Meeting terminate. The motion carried unanimously.
CHAIR
CERTIFIED CORRECT:
CORPORATE OFFICER

MINUTES - SPECIAL "IN CAMERA" COUNCIL

"IN CAMERA" MINUTES

COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2019-SEP-16 AT 3:30 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

Staff: J. Rudolph, Chief Administrative Officer

Councillor J. Turley

R. J. Harding, General Manager, Parks, Recreation and Culture (arrived

3:47 p.m., vacated 4:48 p.m.)

D. Lindsay, General Manager, Development Services J. Van Horne, Director, Human Resources (arrived 4:49 p.m.) Insp. Fletcher, Nanaimo Detachment RCMP (arrived 5:09 p.m.) Cst. Scherr, Nanaimo Detachment RCMP (arrived 5:09 p.m.)

K. Fry, Fire Chief

L. Mercer, Director, Finance

E. Williams, A/Director, Recreation and Culture (arrived 3:52 p.m., vacated

4:48 p.m.)

F. Farrokhi, Manager, Communications S. Gurrie, Director, Legislative Services S. Snelgrove, Recording Secretary

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

The "In Camera" Meeting was called to order at 3:33 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 6(a) Union of British Columbia Municipalities Itinerary Update Attachment A.
- (b) Add Agenda Item 6(e) Council Appointed Tax Sale Bidder.
- (c) Move Agenda Item 6(e) Council Appointed Tax Sale Bidder to follow 6(f) Council and CAO Matters.

3. ADOPTION OF AGENDA:

It was moved and seconded that Council, in accordance with Section 90(1)(n) of the Community Charter, adopt the agenda as amended. The motion carried unanimously.

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-SEP-09 at 4:30 p.m., be adopted as circulated. The motion carried unanimously.

REPORTS:

(a) Union of British Columbia Municipalities Itinerary

Introduced by Sheila Gurrie, Director, Legislative Services.

Council discussion took place regarding:

- UBCM meetings with Ministers allocated to small municipalities
- Taking opportunities to approach backbenchers and cabinet ministers
- Hearing from other municipalities and what their concerns are
- Review of itinerary
- •
- R. Harding entered the Douglas Rispin Room at 3:47 p.m.
 - Discussion regarding role of advocacy from Council and Health and Housing Task Force (HHTF)
- E. Williams entered the Douglas Rispin Room at 3:52 p.m.
 - Importance of consistent messaging
 - •
 - Meetings with Ministers and notification of attendance in advance
 - Advocacy for seniors/dementia care
 - Meeting with the Honorable Selina Robinson, Minister of Municipal Affairs and Housing
 - Discussion regarding letter with Minister of Health, by Council's action of approving the letter it has been made public
 - •
 - Suggestion to have a brief session at the October 7th Council Meeting during Mayor's report regarding highlights of UBCM sessions
 - Motor Vehicle Act changes and resolutions coming forward to UBCM

MINUTES -"IN CAMERA" COUNCIL
2019-SEP-16
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Risin Room	R. Harding, D. Lindsay, L. Mercer, S. Snelgrove and E. Williams vacated the Douglas at 4:48 p.m. e entered the Douglas Rispin Room at 4:49 p.m.
(c)	
J. Van Horne	e vacated the Douglas Rispin Room at 5:09 p.m.
5:10 p.m. Inspt. Fletch	D. Lindsay, L. Mercer, and S. Snelgrove returned to the Douglas Rispin Room at er and Cst. Scherr entered the Douglas Rispin Room at 5:10 p.m. eated the Douglas Rispin Room at 5:10 p.m.
(d)	

S. Gui	S. Gurrie returned to the Douglas Rispin Room at 5:20 p.m.						
	(e)	Council Appointed Tax Sale Bidder					
		Introduced by Sheila Gurrie, Director, Legislative Services.					
	Develo	It was moved and seconded that Council authorize the Director of Community opment or designate to bid at the annual Tax Sale to be held 2019-SEP-30, The motion carried unanimously.					
		ra Meeting recessed at 5:40 p.m. ra meeting reconvened at 6:01 p.m.					
	(d)						

MINUTES -"IN CAMERA" COUNCIL 2019-SEP-16 PAGE 5
S. Gurrie vacated the Douglas Rispin Room at 6:36 p.m.
S. Gurrie returned to the Douglas Rispin Room at 6:42 p.m. S. Snelgrove vacated the Douglas Rispin Room at 6:45 p.m.
It was moved and seconded that the Mayor, Health and Housing Task Force Co- Chairs and Manager of Communications prepare a communications piece that addresses homelessness, addictions and crime. The motion carried unanimously.
(f) <u>CAO and Council Matters</u>
Due to time constraints this item was not addressed.
6. <u>ADJOURNMENT:</u>
It was moved and seconded at 6:53 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: CIL00037

DATE OF MEETING October 7, 2019

AUTHORED BY BILL CORSAN, DIRECTOR, COMMUNITY DEVELOPMENT

SUBJECT NANAIMO PORT AUTHORITY PROTOCOL AGREEMENT

OVERVIEW

Purpose of Report

To provide for Council's consideration, a new Protocol Agreement between the City of Nanaimo and the Nanaimo Port Authority.

Reason for "In Camera"

Community Charter 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.

Recommendation

That Council endorse the new City of Nanaimo-Nanaimo Port Authority Protocol Agreement.

BACKGROUND

The Nanaimo Port Authority (NPA) is one of 17 Federal port authorities in Canada. The NPA is governed by the *Canada Marine Act* and a board of directors (the "Board") chosen by port users and the municipal, Provincial and Federal governments.

The NPA has Letters Patent that set out the areas of responsibility for the organization.

The NPA's jurisdiction includes filled land and water in the harbour from the historical high-water mark from the Asia Pacific Yacht Club in the Newcastle Channel to Duke Point.

The City has a number of leases with the NPA, most notable are portions of Maffeo Sutton Park. The NPA Boat Basin is a signature feature of downtown Nanaimo and is owned and managed by the NPA. A significant portion of the waterfront walkway has been built by the NPA and its tenants on NPA property.

The NPA's lands have been transitioning from heavy industrial to light industrial and commercial uses over the past decade. The Nanaimo Assembly Wharf property has recently added the Cruise Ship Terminal and the Vehicle Processing Centre, and, in short order, the Western Marine Response Corporation will commence construction of their head office. The NPA also received a grant from the Federal Government (\$46M) to undertake a \$90M+ upgrade to their Duke Point Terminal.

Port/City Liaison Committee

It is important for the City and the NPA to have a good working relationship. The NPA is an important partner for job creation in the region. The two organizations need to coordinate activities, identify areas of mutual collaboration, and work together to leverage those benefits.

Traditionally, the City and NPA have met at a staff-to-staff level or through a Mayor-and-Board Chair relationship. Working groups have been developed for specific projects, such as the Nanaimo-Vancouver Passenger Ferry Expression of Interest. In recent years, formal meetings have been less frequent and communication between Council and the Board has waned.

On 2019-JUN-11, the Council for the City of Nanaimo met with the Board of the NPA. At that meeting, there was an expressed desire to renew the relationship and enter into a new Protocol Agreement.

Staff from the NPA and City have prepared a new Protocol Agreement and have had it vetted by their respective legal counsels.

Under the new agreement, the Port/City Liaison Committee (the "Committee") will be restructured to include two representatives appointed by the City and two representatives appointed by the NPA. The committee will meet at least three times a year. At these meetings, issues and opportunities for collaboration will be raised and staff from both organizations will be tasked to follow up and implement the direction provided by the Committee.

DISCUSSION

The creation of a new Protocol Agreement with the NPA will signal a fresh start for the relationship between the two organizations. Identifying strategic partnership opportunities and resolving issues will create a more effective relationship that will have a positive impact on the city and region.

There are a number of key issues Council may wish to address in the upcoming Port/City Liaison Committee meetings, including:

- Creation of a new payment-in-lieu-of-taxes agreement.
- Redevelopment of the Stewart Avenue Waterfront, including the waterfront walkway connections.
- Redevelopment of the NPA Boat Basin, including completion of the waterfront walkway.
- Creation of a new logistics/distribution hub at Duke Point.
- Coordination of new NPA tenants, ensuring contributions are made to off-site infrastructure.
- Collaboration in the development of a secondary access to the South Downtown Waterfront.
- Commencement of the Vancouver-Nanaimo passenger ferry.

OPTIONS

- 1. That Council endorse the new City of Nanaimo Nanaimo Port Authority Protocol Agreement.
 - Advantages: Entering into a new Protocol Agreement with the NPA will set the stage for a new relationship between the City and the NPA. There are a number of priority issues and joint opportunities that can be prioritized through the Port/City Liaison Committee. The new Protocol Agreement is consistent with Council's Strategic Priority of Governance Excellence.
 - Disadvantages: The restructuring of the Port/City Liaison Committee will require additional meetings to an already busy Council calendar.
- 2. That Council provide alternative direction.

SUMMARY POINTS

- It is important for the City and the NPA to have a good working relationship. The NPA is an important partner for job creation in the region.
- The NPA is one of 17 Federal port authorities in Canada and governed under the Canada Marine Act.
- The NPA's jurisdiction includes filled land and water in the harbour from the historical high-water mark from the Asia Pacific Yacht Club in the Newcastle Channel to Duke Point.
- The NPA is an important partner in job creation for the region.
- Currently the City and NPA meet through Mayor-and-Board Chair meetings or at the staff-to-staff level.
- Council is being asked to enter into a new Protocol Agreement with the NPA to refresh the relationship between the two organizations. The Committee will include two members of Council and two Board members.
- The two organizations will meet at least three times a year under the Port/City Liaison Committee.
- The new Protocol Agreement will help the City and NPA work on collaborative projects and identify issues of mutual concern.

Submitted by: Concurrence by:

Bill Corsan Dale Lindsay

Director, Community Development General Manager, Development Services

INFORMATION RELEASE:

• To be released upon completion of negotiations

In Camera Report for Decision

City of Nanaimo
File Number: CIC01242

DATE OF MEETING October 7, 2019

AUTHORED BY LISA BHOPALSINGH, MANAGER, COMMUNITY PLANNING

SUBJECT TE'TUXWTUN PROJECT – MEMORANDUM OF UNDERSTANDING

UPDATE

OVERVIEW

Purpose of Report

To obtain Council approval for a Memorandum of Understanding between Snuneymuxw First Nation, Board of Education of School District No. 68, City of Nanaimo, and BC Housing Management Commission for the Te'tuxwtun Project.

Reason for "In Camera"

Community Charter Section 90(1)(2):

- (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;
- (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;

Recommendation

That Council approve the proposed Memorandum of Understanding titled "Te'Tuxwtun Project Comprehensive Land Use Planning & Development Project" between the Snuneymuxw First Nation, Board of Education of School District No. 68, City of Nanaimo, and BC Housing Management Commission, as presented.

Resolution to Rise and Report

That Council release information regarding the Te'Tuxwtun Project once the Memorandum of Understanding is finalized.

BACKGROUND

On 2018-AUG-13 Council approved a Memorandum of Understanding (MOU) between the City of Nanaimo, BC Housing Management Commission (BC Housing), and the Board of Education of School District No. 68 (SD 68) to identify opportunities for housing, recreation, and educational facilities on three adjacent properties owned by each of the partners in the Harewood Neighbourhood (see Attachment A). This MOU was announced by BC Housing on 2018-DEC-17.

DISCUSSION

In early 2019, a project steering committee (the "Steering Committee") was formed to guide the project and make key decisions. As part of the formation of the committee, Snuneymuxw First

Nation Government joined the other government partners. Collectively, the members of the Steering Committee are proposing a new MOU (see Attachment B) that reflects Snuneymuxw's important role as one of the four 'Knowledge Partners' (the "Partners"). The new MOU outlines how the Partners will work together within a framework that reflects Snuneymuxw's cultural teachings to complete a comprehensive land use plan. In keeping with this approach, the project has been named the Te'Tuxwtun (Mount Benson) Project to reflect Snuneymuxw's teachings relating to the mountain and its position overlooking the project lands.

The Te'Tuxwtun Steering Committee is responsible for completing the project Terms of Reference and hiring consultants to undertake the planning process. It is anticipated consultant selection will occur in winter 2019, with aim for the project to be completed by fall 2020. Community engagement is a very important and integral part of the planning process that will get underway following the hiring of the consultant(s). BC Housing's existing housing tenants and operator, along with other users of the properties owned by the City and School District, will be involved in the engagement process. Engagement will also involve a wide diversity of other community members and organizations, such as the Harewood Neighbourhood Association and numerous other agencies that provide services to the community's children, youth, families and elders.

OPTIONS

- 1. That Council approve the proposed Memorandum of Understanding titled "Te'Tuxwtun Project Comprehensive Land Use Planning & Development Project" between the Snuneymuxw First Nation, Board of Education of School District No. 68, City of Nanaimo, and BC Housing Management Commission, as presented.
 - Advantages: The MOU supports elements of all four focus areas identified in Council's 2019-2022 Strategic Plan, including Governance Excellence, Environmental Responsibility, Economic Health, and Livability. The approach presented in the MOU is a unique opportunity to work in a culturally sensitive way with Snuneymuxw, BC Housing and SD68. This will allow for a more inclusive planning process, to better meet community needs for a healthy, livable, well-connected environment.
 - Disadvantages: None identified.
 - Financial Implications: This is a non-binding agreement that can be terminated at any time by written notice. BC Housing is funding all the planning process costs. The City, like the School District, would be expected to contribute the costs of their own staff participation along with costs for venues associated with meetings and public consultation. These costs can be accommodated within existing budgets.
- 2. That Council deny the approval of the Memorandum of Understanding and provide alternative direction.
 - Advantages: None identified.
 - Disadvantages: Would likely have negative implications for the City's relationship with all the project partners, and, as such, be contrary to Council's desire to support strong relations, particularly with Snuneymuxw. Depending on Council's direction, this could result in the need for further negotiations and delays to the project.
 - Financial Implications: Denying the MOU would delay and disrupt the project process.
 While this could potentially free up Staff time and resources that could be utilized for other projects, it could also lead to more Staff time in negotiations to resume the project

process. There are also longer-term financial implications should the MOU not be signed due to potentially lost opportunities, and complications for future collaborations on other projects with each of the Partners.

SUMMARY POINTS

- On 2018-AUG-13, Council approved an MOU with SD 68 and BC Housing to identify opportunities for housing, recreation, and educational facilities on three adjacent parcels of land owned by each of the partners in the Harewood neighbourhood.
- The formation of the project Steering Committee included Snuneymuxw First Nation, and, in recognition of their integral role in the project, the project has been named the Te'Tuxwtun Project and a new MOU drafted.
- The new MOU outlines how the project partners will work together within a framework that reflects Snuneymuxw's cultural teachings to complete a comprehensive land use plan.
- It is anticipated consultant selection will occur in winter 2019, with aim for the project to be completed by fall 2020.
- Community engagement is considered integral to the planning process and will proceed following the consultant selection.

ATTACHMENTS

ATTACHMENT A: Map of Te'Tuxwtun Project Subject Properties.

Submitted by: Concurrence by:

Lisa Bhopalsingh Bill Corsan

Manager, Community Planning Director, Community Development

Dale Lindsay

General Manager, Development Services

Richard Harding

General Manager, Parks, Recreation &

Culture

INFORMATION RELEASE:

To be released once the Memorandum of Understanding is finalized...

ATTACHMENT A



COLLABORATION AGREEMENT



Between the



Nanaimo City Council and the

Board of Education of School District 68 (Nanaimo-Ladysmith)

The Nanaimo City Council and the Board of Education of School District 68 (Nanaimo/Ladysmith) will strive to work together on initiatives of mutual interest for the benefit of Nanaimo residents. It is important to think creatively and collaboratively about our shared responsibility for community well-being.

This Collaboration Agreement signals our commitment to:

- open communication
- a collaborative approach to decision making where there is mutual interest
- short and long term planning that best meets community and education needs.

This AGREEMENT dated for reference the 28 of NWENGEL 2012

BETWEEN:

The Nanaimo City Council (hereinafter called the "Council")

AND: The Board of Education of School District 68 Nanaimo-Ladysmith (hereinafter called the Board")

WHEREAS:

- A. The Council and the Board each have distinct governance authorities and responsibilities towards residents and stakeholders and acknowledges that the interests of all community members are best served by working together in the spirit of cooperation AND
- B. The Council and the Board recognize that a formal commitment to collaborative decision making and effective communication will result in more successful community development.

NOW THEREFORE the Council and the Board enter into this Agreement to formalize their commitment to: sharing information, improving communications, addressing specific concerns, setting a solid foundation for future planning and raising awareness and understanding of current and future challenges, duties and responsibilities under the Local Government Act and the Community Charter and under the School Act.

1.0 PURPOSE

The purpose of this Collaboration Agreement (hereinafter called the "Agreement") is to:

- 1.1 Enter into a more formal arrangement between the Board and the Council to establish and maintain a long-term relationship based upon effective communications and effective collaboration; and
- 1.2 Establish a Staff Working Committee, comprised of senior staff members of both parties to further the development of Clause 1.1.
- 1.3 The Agreement does not replace or diminish the existing Agreements between the Board and the Council.

2.0 PRINCIPLES OF COOPERATION

We agree that the Board and the Council will:

- 2.1 Meet regularly to promote and encourage open and constructive dialogue based on mutual trust, honesty, respect and understanding.
- 2.2 Continually promote understanding of each other's governing structures, capacities, roles, responsibilities and current projects.
- 2.3 Maintain respect for the views and authority of each other.

3.0 PRINCIPLES FOR COMMUNICATION

- 3.1 We recognize that the foundation of a successful Board to Council relationship is open and timely communication. Effective communication between each other can help achieve collaborative decision making and lead to cooperative actions on common areas of interest.
- 3.2 We consider ourselves to have an obligation to communicate effectively between each other and with the residents, stakeholders and other partners.
- 3.3 We acknowledge and recognize that communication and information sharing for the key joint interests set out in Clause 4.1 may be subject to Federal and Provincial Freedom of Information and Protection of Privacy Legislation.
- 3.4 We will endeavour to acknowledge each other's political representatives at events or meetings.

4.0 KEY JOINT INTERESTS

- 4.1 We agree to work together within applicable statutes on all areas of mutual interest, which may, at various times, include the following elements:
 - Land Use Planning
 - Development Planning and Processes
 - Environmental Protection
 - Economic Development
 - Transportation and Traffic Management
 - Child Care and Preschool
 - Emergency Planning
 - · Capacity Building
 - Sustainable, Healthy Communities
 - Joint Facility Planning and Use, where appropriate
 - Special Projects
 - Other Initiatives of mutual interest

5.0 STAFF WORKING COMMITTEE

- 5.1 A Senior Staff Working Committee will carry out the intent of this Agreement based on direction provided from Board and Council.
- 5.2 The Committee will meet quarterly, or as required and the primary liaison will be the Board's Secretary-Treasurer and the City Manager.
- 5.3 The duties and responsibilities of the Staff Working Committee are:
 - a) To facilitate communications and collaboration on items of mutual interest to each other.
 - b) To provide advice to the Council and the Board.
 - c) To implement the decisions of the elected Council and Board for the undertaking of specific projects and initiatives.
 - d) To establish technical committees and/or working groups to undertake specific projects as required, and
 - e) To identify and recommend financial and other resources required to undertake projects of mutual benefit.

6.0 COUNCIL AND BOARD MEETINGS

6.1 The elected Council and Board will endeavor to meet twice annually to provide leadership, to recommend strategic direction and to monitor and evaluate the implementation of this Agreement and the specific initiatives undertaken thereto.

7.0 TERMS OF THE AGREEMENT

- 7.1 This Agreement shall take effect by a formal resolution of each respective party.
- 7.2 This Agreement is a living document and may be subject to revision from time to time by mutual consent. The revisions must be agreed to in writing and by formal resolution by each respective Council and Board.
- 7.3 This Agreement will remain in effect continuously unless terminated by either of the parties by providing sixty (60) days' notice in writing, to be delivered by hand, email or registered mail.
- 7.4 This Agreement does not prejudice or affect the Board's rights, powers, duties or obligations in the exercise of its functions pursuant to the School Act, as amended from time to time.
- 7.5 This Agreement does not prejudice or affect the Council's rights, powers, duties or obligations in the exercise of its functions pursuant to the *Local Government Act*, the *Community Charter* and other applicable statutes as amended from time to time.

8.0 CONTACT INFORMATION

BOARD OF EDUCATION OF SCHOOL DISTRICT 68 (NANAIMO-LADYSMITH)

c/o Secretary-Treasurer 395 Wakesiah Avenue, Nanaimo, BC V9R 3K6

CITY OF NANAIMO

c/o City Manager 455 Wallace, Nanaimo, BC V9R 5J6

IN WITNESS THEREOF the Parties have hereunto affixed their signatures as of the day and year first written above.

Nanaimo City Council

The Board of Education of School District 68 (Nanaimo-Ladysmith)

BY: CHAIR JAMIE BRENNAN

BY: MAYOR JOHN RUTTAN

WITNESS

BY: CORPORATE OFFICER

WITNESS

Phil Turin, CGA Secretary-Treasurer School District 68 (Nanaimo-Ladysmith)



AGENDA SPECIAL "IN CAMERA" HEALTH AND HOUSING TASK FORCE

Tuesday, October 29, 2019, 11:30 A.M. - 4:30 P.M. St. Paul's Anglican Church, Large Meeting Room 100 Chapel Street, Nanaimo, BC

- 1. CALL TO ORDER:
- 2. APPROVAL OF THE AGENDA:
- 3. ADOPTION OF MINUTES:
- 4. REPORTS:
 - a. Housing Task Force Strategic Priorities Health and

To be introduced by Lisa Bhopalsingh, Manager, Community and Cultural Planning.

5. ADJOURNMENT OF "IN CAMERA" MEETING:

WORKSHOP MEETING NOTES

To: Karin Kronstal, City of Nanaimo T: 250.755.4430 E: Karin Kronstal@nanaimo.ca

Lisa Bhopalsingh, City of Nanaimo T: 250.755.4423 E: Lisa.Bhopalsingh@nanaimo.ca

Re: City of Nanaimo: Health and Housing Task Force Meeting, October 29th 11:30 – 4:30pm

Location: St Paul's Church, 29 Church Street

Note: See City of Nanaimo meeting minutes for a record of attendees, motions, and decisions

The purpose of the meeting was to support Task Force members to build relationships, to build understanding about shared goals/outcomes, and identify shared priorities.

The meeting process included a welcome, traditional territory acknowledgement, and a discussion of agreements that support effective group work.

Strategic Context

The Task Force reviewed the top three priorities identified previously by each agency. These had been printed on 5x7 index cards and were posted on the wall. Agencies new to the Task Force added their priorities. The Task Force members worked together to cluster the priorities by similar characteristics and outcomes and each cluster was named to provide a common understanding.

AFFORDABLE HOUSING INVENTORY	SAFETY	COMMUNICATION/ ACKNOWLEDGEMENT OF ISSUES	CONTINUUM OF INTEGRATED HOUSING & PROGRAMS	WORK TOGETHER TO DEFINE LEADERSHIP	CHECKING IN & ACTIONING EXISTING POLICIES & PLANS
Increased number of subsidized housing options available for citizens	Addictions issues related to homelessness	Consistent communication/messaging to community on homelessness and health issues	Services/programming in supported housing projects that can prepare residents to eventually flow toward private market rentals	Evolving concept of jurisdiction/ mandate	Proactive, solution focused approach to identifying gaps in housing and services for Nanaimo (we will have all the right organizations in the room)
Related to suites/rental: effectively activating the untapped reservoir of latent community goodwill in the wellbeing of community members	Increasing of supportive housing for harm reduction look at models like downtown east side for those who are active	understanding, acknowledging and communicating that this is not an issue that is special to Nanaimo	Increased Supportive Housing for citizens with Mental Health & Addictions	Create culture where senior reps of the various key stakeholders work together on an agreed upon plan/direct all the agencies involved	Identify immediate steps/actions to alleviate the burden of the health and housing crisis on residents, the city and service providers
who are struggling with housing and health. There are community members who want to help but have no clear way of doing so in meaningful ways that	addiction	Enhanced Community consultation	Program supports integrated into supportive housing	to agree to a communications strategy that shares results	Develop and implement coordinated access system ensure coordinated advocacy and communication efforts going forward.

City of Nanaimo: Health and Housing Task Force Meeting Notes October 29^{th} 11:30 – 4:30pm

October 29" 11:30 -	- 4:30pm				
can serve to increase the connectivity of isolated community members to others (increased personal agency and social capital) Encouraging more secondary suites in the affordable rental stock to reduce the rapid rise of rental costs that is driving the number of lower end rental units being lost to renoevictions.	Safety of everyone in the community Work to diminish the negative impacts on local business operators resulting from Nanaimo's homelessness problem, e.g. petty crime, unsafe streets, undesirable activities & behaviours (open drug use, public behavior under the influence, sex trade, etc)	understanding, acknowledging and communicating that our physical location does lend to unique considerations in addressing the issues Educate/provide information to community on housing/health/homelessness we have a shared collective role in addressing stigma.	transition from homelessness to Long term housing for indigenous population Opportunities for employment experiences and meaningful community work that can reduce the boredom of being unemployed, provide a level of self-worth and purpose, stability and a host of other health related and community benefits.	creating high level conditions, support and commitment so all stakeholders can effectively engage in their part of the community response	Quickly re-visit two approved plans (given significant changes since homelessness plan was created) and agree on short and long term action plans that the major funders/service providers can agree on, invest in and implement mine the 2 city plans (AFH & Action Plan) to identify short and medium goals (with potential revisiting of elements of the plan due to rapidly changing landscape) Good Neighbour / Conduct Agreements for all participants
Cost of Housing – increased rent costs, hydro, other housing costs – making it difficult for citizens to retain their housing	Early integration of MHSU supports with new housing				Pursue 'do-able' policy to support the development and creation of 'affordable housing' at diverse levels.
Increase rental stock inventory by regulation and taxing	Optimize technology to support harm reduction services in supported housing				Drive solutions-based initiatives to prevent those at risk of homelessness to fall into that trap, rescue/support those who have.
					Agree on and find a solution (investing funding/create structure) to manage the homeless and affordable housing action plans for the next five years (lots of examples – Victoria, etc)

Building Understanding of Strengths and Obstacles

Using a variation of force field analysis, the Task Force brainstormed elements that are working or supporting work together, and obstacles that could hinder the effectiveness of the Task Force.

CURRENT STRENGTHS	CHALLENGES		
Commitment: Personal vs Organizational Capacity	Clearly defining what we are trying to achieve		
Continuum in Housing system	Engaging large system and organizations		
Successful case studies of lived experience	Clearly articulating specific outcomes		
Designated Federal and Indigenous funding	Election cycles create shorter rather than longer		
	timeframes		
New/ better relationships with levels of Government	Other service providers and funding agencies that are		
	not engaged		
Good relationships in community	No operational objectives in plan		
Third party neutral communicators trusted in	Difficult to find staff for housing operations because		
community – ie: United Way	rate of pay is low and rents in City are high		
Council to Council SFN relationship	No coordinator role or function.		
Task force members willing to take action based on	Pockets of community service providers not		
capacity to support City	connected but have role – Div of Family Practice		
Given momentum from Provincial Poverty Reduction	Determine process for embedding relationships over		
report – now is the time to request money	time to connect those working on issue		
	Under representation of indigenous voices		
	Unintended consequences of tent city to modular		
	housing		
	Cascading impacts on business community increasing		
	outrage. Public safety issues, somebody needs to do		
	something		
	Housing is not enough. People are falling through		
	cracks. Not enough supports. Who is responsible?		

Whole Group Discussion

- Housing service providers are contracted to provide daily services, not meet mental health and complex needs
- Work together as service providers and agencies to advocate to government for increased funding to provide health services to support housing being developed
- Discussion took place regarding past history, learning opportunities, lack of defined leadership, and that more funding is needed for new housing disproportionate responsibilities
- Need to have conversation about the root cause of homelessness etc is poverty
- Contradiction of funding resources could have unintended consequences
- Tent City gave a voice to activist groups

Identifying Priorities from Quick Wins to Major Projects

The Task Force identified practical actions that they need to do, given shared priorities, and the obstacles they have identified to effectively address Nanaimo's evolving health and housing issues.

	High Imp	act
by	WICK WINS (Good return for little cost and effort approx. January 2020) Monthly Community Meetings — what has been done based on what we have heard Detailed info compiled from supportive housing registry to assist in planning permanent supportive housing Integrate street outreach — Health/FNHA, RCMP/VIHA, Bylaws, non-profits Advocate together for increase in health supports in temporary supportive housing Bring community volunteer opportunities into housing programs by Jan 2020 (outcomes: creates healthy social connections, people support what they can participate in; good news for overall housing strategy Across organizations that know street population understand needs and connect to service Who are the homeless (outcome = nuanced definition of homeless population) Identify individuals served by Island Health Mental Health and/or substance use. Positive stories Hire a coordinator Involve peer and persons with lived experience in solution finding Locating what Health Service mobile units are visible with other services. Wrap around Doctors, mental health, nurses, harm reduction services are available, impact and gaps to address Communicate community good news updates on a regular basis about our achievements as a group to the Chamber network starting now.	 MAJOR PROJECTS (Good returns that take time and effort) Clarify who leads and owns the work? Who funds the work? Role of Task Force organizations Service Canada CCI funding available to invest in facilitation agreements and action plans 2019-2020, 2020, 2021 Housing First – Unconditional housing (posted between Quick Wins and Major Projects) Complete asset community mapping towards long term restructure. Work better to fill gaps. Reframe system and view of the problem
	IOMENTUM BUILDERS (work on these	THINK ABOUTS (consider for future – not
op	oportunities to support high impact actions)	a priority)
•	Increased communication and engagement plan with public	
	What do funders want and need	

City of Nanaimo: Health and Housing Task Force Meeting Notes October 29th 11:30 – 4:30pm

Frame Working Roles and Involvement Moving Forward

A whole group discussion reviewed the roles of participating agencies, how to involve others and next steps to move towards the outcomes the Task Force envisions.

- 1. Work together. Recommend to Council that it send letter to Service Canada (CCI Community Coordination and Innovation Funding) to acquire funding that would allow team to contract Turner Strategies. Turner Strategies provided a presentation to Task Force on approaches. Working with Alina Turner and colleagues from January June 2020 identify shared values, and vision for Nanaimo based approach to address health and housing crisis. (see motion)
- 2. Complete asset mapping that is in progress with City of Nanaimo
- 3. Recommend to Council that some unspent funds be allocated to support the hiring of a Coordinator (see motion) Two different terms were discussed. One from now until January to support Task Force, and until June 2020 to support Task Force and the work associated with Turner Strategies contract.

Wrap up Reflective Conversation

- The Task Force made positive movement forward today
- Actions identified inform meaningful reconciliation initiatives and long-term planning
- Opened up lots of possibilities today
- As a representative of SFN this is meaningful engagement
- Identified concrete actions and resources
- For the first time I saw the connection between safety and privilege
- Created new connections with our staff to work together



AGENDA "IN CAMERA" COUNCIL MEETING

Monday, November 4, 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 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:

1. Adoption of Agenda

4a. - 90(2)(b)

5a. Committee Recommendations - 90(2)(b)

6a. - 90(1)(e)

6b. Proposed Property Acquisition - 431 Dunsmuir Street and 424 Wesley Street - 90(1)(e)

6c. 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; 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 - 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-SEP-30, at 4:00 p.m.

b. Minutes 8 - 12

Minutes of the In Camera Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-OCT-07, at 4:30 p.m.

PRESENTATIONS:

a.

CONSENT ITEMS:

a. Committee Recommendations

In Camera Health and Housing Task Force Meeting 2019-OCT-29

It was moved and seconded that the Health and Housing Task Force recommend that Council direct Staff to hire a contractor until June 2020 with funds repurposed from the Dropln Centre to coordinate the activities of the Health and Housing Task Force.

2. In Camera Health and Housing Task Force Meeting 2019-OCT-29

It was moved and seconded that the Health and Housing Task Force recommend that Council request Service Canada to engage Turner Strategies to assist the Health and Housing Task Force with its work starting January 2020.

REPORTS

a.



b. Proposed Property Acquisition – 431 Dunsmuir Street and 424 Wesley Street 60 - 64

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

Purpose: To provide Council with background information on two parcels of land located at 431 Dunsmuir Street and 424 Wesley Street and to seek Council direction to enter into negotiations to acquire the properties for municipal purposes.

Recommendation: That Council direct Staff to enter into negotiations with the owners of 431 Dunsmuir Street and 424 Wesley Street, and return to Council for approval once negotiations are complete.

C. **CAO** and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

- 7. **CORRESPONDENCE:**
- ADJOURNMENT OF "IN CAMERA" MEETING: 8.

SPECIAL "IN CAMERA" MINUTES

COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2019-SEP-30, AT 4:00 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

Absent: Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer

R. J. Harding, General Manager, Parks, Recreation and Culture (vacated

5:12 p.m.)

D. Lindsay, General Manager, Development Services (vacated 5:12 p.m.)

B. Sims, General Manager, Engineering and Public Works (vacated

5:12 p.m.)

L. Mercer, Director, Finance (vacated 5:12 p.m.)

F. Farrokhi, Manager, Communications (vacated 5:12 p.m.)

L. Bhopalsingh, Manager, Community and Cultural Planning (vacated

5:12 p.m.)

S. Gurrie, Director, Legislative Services (arrived 4:09 p.m.)

S. Snelgrove, Deputy Corporate Officer (vacated 4:09 p.m.)

K. Gerard, Recording Secretary

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

The "In Camera" Meeting was called to order at 4:06 p.m.

2. <u>INTRODUCTION OF LATE ITEMS:</u>

(a) Add Agenda Item 4(e) – Saysutshun (Newcastle Island) Operations and Management Background and re-order items accordingly.

3. <u>ADOPTION OF AGENDA:</u>

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

- S. Gurrie entered the Douglas Rispin Room at 4:09 p.m.
- S. Snelgrove vacated the Douglas Rispin Room at 4:09 p.m.

MINUTES – SPECIAL "IN CAMERA" COUNCIL 2019-SEP-30 PAGE 2

4.

REPO	RTS:			
(a)				
(b)				
		_		
(c)				

MINUTES – SPECIAL "IN CAMERA" COUNCIL 2019-SEP-30 PAGE 3

(d)							
(e)							
(f)	CAO	nd Council Ma	atters				
(.)	CAO and Council Matters						
	Introduced by Jake Rudolph, Chief Administrative Officer.						
	1.						
	2.	Councillor Ar	mstrong re: Cit	izen's Wa	ant Nanaimo	Back Meeting	

Entertainment Centre, 46 Nicol Street.

Councillor Armstrong stated that she has been asked to speak at the Citizen's Want Nanaimo Back Meeting, to be held on 2019-OCT-02, at the Nanaimo

MINUTES – SPECIAL "IN CAMERA" COUNCIL 2019-SEP-30 PAGE 4

Councillor Armstrong advised Council that she will be speaking about the continuing steps Council has taken to assist with the homelessness issue and will also be speaking on behalf of herself regarding homelessness.

3. Mayor Krog re: Mayor's report, Regular Council Meeting, 2019-OCT-07

Mayor Krog requested that each Council member, during the Mayor's Report at the Regular Council Meeting, 2019-OCT-07, make a short statement regarding the Union of British Columbia Municipalities Conference.

L. Bhopalsingh, F. Farrokhi, R. Harding, D. Lindsay, L. Mercer and B. Sims vacated the Douglas Rispin Room at 5:12 p.m.

5. <u>ADJOURNMENT:</u>

It was moved and seconded at 5:13 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

CHAIR	
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-OCT-07 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

6:22 p.m.)

D. Lindsay, General Manager, Development Services (vacated 6:22 p.m.)
B. Sims, General Manager, Engineering and Public Works (vacated 6:22

p.m.)

J. Van Horne, Director, Human Resources (arrived 5:03 p.m.)

K. Fry, Fire Chief (vacated 6:22 p.m.)

L. Mercer, Director, Finance (vacated 6:22 p.m.)

L. Bhopalsingh, Manager, Community & Cultural Planning (vacated

F. Farrokhi, Manager, Communications (arrived 4:36 p.m., vacated 6:22 p.m.)

S. Gurrie, Director, Legislative Services

S. Snelgrove, Recording Secretary (vacated 6:22 p.m.)

1. <u>CALL THE "IN CAMERA" MEETING TO ORDER:</u>

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

INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 2 Approval of the Agenda Add Community Charter Sections 90(1)(g) litigation or potential litigation affecting the municipality and 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- (b) Add Agenda Item 7(a) -
- (c) Add Agenda Item 7(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. 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-SEP-16 at 3:00 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-SEP-16 at 3:30 p.m.

The motion carried unanimously.

5. REPORTS:

(a) Nanaimo Port Authority Protocol Agreement

Introduced by Dale Lindsay, General Manager, Development Services.

F. Farrokhi entered the Douglas Rispin Room at 4:36 p.m.

It was moved and seconded that Council endorse the new City of Nanaimo - Nanaimo Port Authority Protocol Agreement. The motion carried unanimously.

(b) <u>Te'Tuxwtun Project - Memorandum of Understanding Update</u>

Introduced by Richard Harding, General Manager, Parks, Recreation and Culture.

It was moved and seconded that Council approve the proposed Memorandum of Understanding titled "Te'Tuxwtun Project Comprehensive Land Use Planning & Development Project" between the Snuneymuxw First Nation, Board of Education of School District No. 68, City of Nanaimo, and BC Housing Management Commission, as presented. The motion carried unanimously.

It was moved and seconded that Council release information regarding the Te'Tuxwtun Project once the Memorandum of Understanding is finalized. The motion carried unanimously.

L. Bhopalsingh vacated the Douglas Rispin room at 4:56 p.m.
(c)
J. Van Horne entered the Douglas Rispin Room at 5:03 p.m.
F. Farrokhi, R. Harding, D. Lindsay, L. Mercer, B., Sims and S. Snelgrove vacated the Douglas Rispin Room at 5:07 p.m.
It was moved and seconded that Councillor Armstrong take the minutes of the meeting in the absence of the Corporate Officer. The motion carried unanimously.
S. Gurrie vacated the Douglas Rispin Room at 5:08 p.m.
(d)
F. Farrokhi, S. Gurrie, D. Lindsay, L. Mercer, B. Sims and S. Snelgrove returned to the Douglas Rispin Room at 5:47 p.m.
The "In Camera" Council Meeting recessed at 5:48 p.m. The "In Camera" Council meeting reconvened at 6:05 p.m.

6.

6.	CORR	ESPONENCE:
	(a)	
	(b)	
R. Har	ding ent	tered the Douglas Rispin Room at 6:11 p.m.
		Fry, R. Harding, D. Lindsay, L. Mercer, B. Sims and S. Snelgrove vacated the Douglas at 6:22 p.m.
	(c)	CAO and Council Matters
		Introduced by Jake Rudolph, Chief Administrative Officer.
		Council discussion took place regarding Council relationships.

MINUTES -"IN CAMERA" COUNCIL 2019-OCT-07 PAGE 5

7.	ADJOL	JRNN	/FNT·
1.	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	J I N I N I N	/ - 1 .

It was moved and seconded at 6:47 p.m. that the "In Camera" Meeting terminate. Th motion carried unanimously.	ne
CHAIR	
CERTIFIED CORRECT:	
CORPORATE OFFICER	

In Camera Report for Decision

City of Nanaimo
File Number: 00000

DATE OF MEETING November 4, 2019

AUTHORED BY BILL CORSAN, DIRECTOR, COMMUNITY DEVELOPMENT

SUBJECT PROPOSED PROPERTY ACQUISITION – 431 DUNSMUIR STREET

AND 424 WESLEY STREET

OVERVIEW

Purpose of Report

To provide Council with background information on two parcels of land located at 431 Dunsmuir Street and 424 Wesley Street and to seek Council direction to enter into negotiations to acquire the properties for municipal purposes.

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 direct Staff to enter into negotiations with when we will be owners of 431 Dunsmuir Street and 424 Wesley Street, and return to Council for approval once negotiations are complete.

BACKGROUND

431 Dunsmuir Street and 424 Wesley Street (the "Property") is property owned by

The Property is immediately adjacent to the Service and Resource Building ("SARC", 411 Dunsmuir Street) and immediately across the road from City Hall (Attachment A).

The Property has an area of 2,244 sq. m. (24,153 sq. ft.), with the land gently sloping from the back of Wesley Street to Dunsmuir Street at the front. The Property is currently being used as a surface parking lot by staff.

The land is zoned DT7 (Quennell Square), which supports residential and commercial uses.

The Property is appraised at and has an assessed value of \$802,000.

Acquisition Rationale

Staff have identified the following rationale for acquiring the Property:

1. Strategic Land Banking (Long-Term Hold)

The lands are immediately adjacent to the SARC Building and City Hall and could support expansion of the City's downtown administration functions, or for recreational or social purposes, should the need arise in the coming years.

2. Consolidation of City Land

The acquisition of these properties enables the City to consolidate it's downtown land holdings on Dunsmuir Street.

3. Improved Staff Safety

If the City were to acquire these lands, Staff parking would be relocated from the Franklyn Street gravel parking lots to Dunsmuir Street. The location of the Property would provide a safer pedestrian environment for Staff to travel between their vehicles and office.

4. Catalyst for Downtown Revitalizaiton

The acquisition of the lands would enable the City to market the City-owned gravel lots at 350 and 398 Franklyn Street as a key redevelopment site in the Old City Quarter. The City could sell these lands through a request-for-proposal process, requiring a portion of the units to be affordable or adaptable. Proceeds from the sale of the land would be placed back into the Property Sales Fund to be used for other acquisitions. 350 and 398 Franklyn Street have an estimated value of ______.

5. Willing Vendor

The City has been approached by a willing vendor who has offered to transfer the Property to the City at appraised value without asking for a premium. The purchase price of is considered good value.

6. Consistent with Downtown Vision

Council has identified the redevelop of key sites in the downtown core as a priorty. The acquisition of these lands will enable the City to redevelop the Franklyn Street lands, which are a prominent Old City Quarter property.

If Council wishes to acquire the Property, Staff will work with the owner to develop a Purchase Agreement and will return to Council for final approval.

OPTIONS

- 1. That Council direct Staff to enter into negotiations with the owners of 431 Dunsmuir Street and 424 Wesley Street, and return to Council for approval upon completion of the negotiations.
 - Advantages: 431 Dunsmuir Street and 424 Wesley Street are adjacent to the Service and Resource Centre and immediately across the road from City Hall.
 Acquiring these lands enables the City to consolidate its land holdings on Dunsmuir Street and frees up the City-owned lands on Franklyn Street for redevelopment.
 - Disadvantages: During the Downtown Visioning session, Council identified the redevelopment of key sites in the downtown core as a priority. Council has not yet articulated which key sites it wishes to see redeveloped. Council may not consider the Property as a priorty.
 - Financial Implications: The Property Acquisition Fund has a balance of ______. The Property Sales Fund has a balance of ______. Both of these sources could be used to support the acquisition. If the City acquires this Property, \$15,578.79 in annual property taxes will not be recieved from the Property. If Council directs Staff to move forward with the sale of 350 and 398 Franklyn Street, the proceeds of the sales will be returned to the Property Sales Fund to spur further acquisitions.
- 2. That Council deny the Property acquisition of 434 Dunsmuir Street and 424 Wesley Street at this point in time.
 - Advantages: The City will be able to use the available funding for other strategic acquisitions in the city.
 - Disadvantages: The City has a willing vendor for these parcels of land adjacent to the City's key downtown facilities. This opportunity may not present itself again.
 - Financial Implications: The City will continue to accrue \$15,578.79 in annual property taxes. Council can use the Property Acquisition and Property Sales Fund for other acquisitions.

SUMMARY POINTS

- 431 Dunsmuir Street and 424 Wesley Street are two prominent vacant lots located adjacent to the City of Nanaimo Service and Resource Centre Building and City Hall. The two properties have an area of 2,244 sq. m. (24,153 sq. ft.).
- The owner of the Property has approached City Staff to determine if there is an interest on the part of the City to acquire the lands.
- An appraisal has been completed for the Property that values the lands at
- The rationale for the acquisition includes strategic land banking, consolidation of Cityowned land on Dunsmuir Street, improved Staff safety, a catalyst for revitalization of a key redevelopment site on Franklyn Street, and the advantages of working with a willing vendor.
- There is sufficient funding for this acquisition in either the Property Acquisition Fund or the Property Sales Reserve Fund.

ATTACHMENTS

ATTACHMENT A: Aerial Photo

Submitted by: Concurrence by:

Bill Corsan Dale Lindsay

Director, Community Development General Manager, Development Services

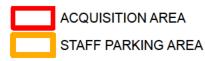
Laura Mercer Director, Finance

INFORMATION RELEASE:

ATTACHMENT A







PROPERTY ACQUISITION - FILE NO. LD003029

Civic: 431 DUNSMUIR STREET & 424 WESLEY STREET Legal: LOT B & C, SECTION 1, NANAIMO DISTRICT, PLAN 36955





AGENDA "IN CAMERA" COUNCIL MEETING

Monday, November 18, 2019 3:00 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 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

6(a) - 90(1)(c) and 90(2)(b)

- 6(b) Economic Development Task Force Appointments 90(1)(a)
- 6(c) 90(2)(b)
- 6(d) 90(2)(b)
- 6(e) Council Remuneration 90(c)
- -90(1)(g)(i) and 90(2)(b)
- 6(g) CAO and Council Matters 90(1)(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;
- (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.	ADOP1	ION	OF T	HE N	ININ	JTFS:
U.	$\neg \cup \cup \cup$	1011	0 1 1	1 1 - 1	41114C	,

a. Minutes 5 - 10

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-NOV-04, at 4:30 p.m.

- 4. PRESENTATIONS:
- 5. CONSENT ITEMS:
- 6. REPORTS

a.

b. <u>Economic Development Task Force Appointments</u>

11 - 57

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

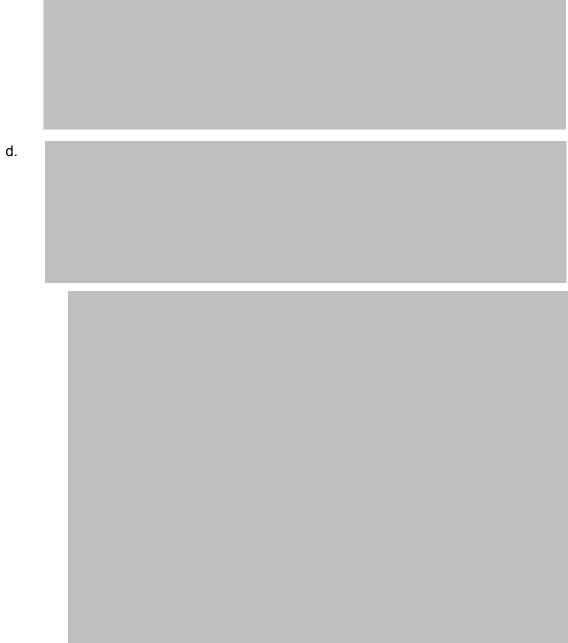
Purpose: To request that Council appoint members to the Economic Development Task Force.

Recommendation: That Council:

- 1. select two members of Council to serve as co-chairs on the Economic Development Task Force for a term ending 2020-SEP-30.
- 2. appoint one member from each of the following organizations to the Economic Development Task Force for a term ending 2020-SEP-30:
 - a. Snuneymuxw First Nation Erralyn Thomas

	b.	Vancouver Island University – Deborah Saucier
	C.	Nanaimo Chamber of Commerce – Kim Smythe
	d.	Nanaimo Port Authority – Ian Marr
	e.	Nanaimo Airport – Mike Hooper
	f.	Community Futures – Jolynn Green
3. For		appoint five members at-large to the Economic Development Task r a term ending 2020-SEP-30.

C.



e. Council Remuneration and Spending Amenities Policy

To be introduced by Jake Rudolph, Chief Administrative Officer.

Purpose: To provide an update to Council on the Council motion regarding remuneration and to receive direction from Council for a Council Remuneration Review.

f.

g. 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-NOV-04 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 4:36 p.m.)

D. Lindsay, General Manager, Development Services (vacated 6:40 p.m.)
B. Sims, General Manager, Engineering and Public Works (vacated 6:40

p.m.)

K. Fry, Fire Chief (arrived 6:32 p.m., vacated 6:40 p.m.)

L. Mercer, Director, Finance (vacated 6:40 p.m.)
P. Rosen, Director, Engineering (arrived 6:26 p.m., vacated 6:32 p.m.)

J. Rose, Manager, Transportation (arrived 6:26 p.m., vacated 6:32 p.m.)

B. Corsan, Director, Community Development (arrived 4:35 p.m., vacated 6:40 p.m.)

F. Farrokhi, Manager, Communications (vacated 6:40 p.m.)

L. Bhopalsingh, Manager, Community & Cultural Planning (vacated 5:41

S. Gurrie, Director, Legislative Services (vacated 6:40 p.m.)

S. Snelgrove, Recording Secretary (vacated 6:39 p.m.)

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

The "In Camera" Meeting was called to order at 4:30 p.m.

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. ADOPTION OF MINUTES:

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

- Minutes of the "In Camera" Council Meeting held Monday, 2019-SEP-30 at 4:00 p.m. in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC;
- Minutes of the "In Camera" Council Meeting held Monday, 2019-OCT-07 at 4:30 p.m. in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC.

		Street, Nanaimo, BC.
	The m	otion carried unanimously.
B. Cors Richard		entered the Douglas Rispin Room at 4:35 p.m. ng vacated the Douglas Rispin Room at 4:36 p.m.
4.	PRESI	ENTATIONS:
	(a)	

vaca	ted the Douglas Rispin Room at 5:20 p.m.
regard	hopalsingh, Manager, Community and Cultural Planning, provided an update ing the community advisory committee meetings for the Labieux and Newcastle tive housing sites:
•	
•	RCMP and Parks staff reported the Participark at Beban Park has been quiet Two cross country runs have been successful at the Participark with RCMP
	sweeping prior to student runs
•	When breaches of the fence take place at Labieux, they are being rapidly repaired
•	
•	On October 31 st the last community advisory committee meeting for Terminal Avenue was held, capacity was originally 80, fire removed 22 units, units will now be available in December and staff have had time to do a more thoughtful process for how the sites will be filled
•	
•	Newcastle site has been fairly quiet and security staff have been praised for needle pick up
•	

Council and Staff discussion took place regarding:

•

- Draft press release and proactive in communication between partners
- City is committed to advocating for mental health and addictions with ministers, ties into strategic communications to get public awareness that Council is advocating for services
- Point in time homelessness count will take place in March
- Resourcing for additional extreme weather shelter
- City support and involvement for transition of groups currently renting 285
 Prideaux Street

L. Bhopalsingh vacated the Douglas Rispin Room at 5:41 p.m.

The In Camera meeting recessed at 5:41 p.m.

The In Camera meeting reconvened at 6:00 p.m.

CONSENT ITEMS:

It was moved and seconded that Consent Items 5(a)1 and 5(a)2 Committee Recommendations from the "In Camera" Health and Housing Task Force Meeting held 2019-OCT-29 be removed from Consent Items to be voted on separately. The motion carried unanimously.

Separately considered Consent Items:

(a) Committee Recommendations

1. In Camera Health and Housing Task Force Meeting 2019-OCT-29

Council discussion took place regarding:

- •
- Being as expeditious as possible and setting parameters around finances

It was moved and seconded that Council direct Staff to hire a contractor until June 2020 with funds repurposed from the Drop-In Centre to coordinate the activities of the Health and Housing Task Force.

It was moved and seconded that the motion be amended to add up to a maximum of \$30,000. The motion was defeated.

<u>Opposed:</u> Mayor Krog, Councillors Armstrong, Bonner, Brown, Geselbracht, Hemmens, Maartman. Thorpe.

The vote was taken on the main motion, as follows:

That Council direct Staff to hire a contractor until June 2020 with funds repurposed from the Drop-In Centre to coordinate the activities of the Health and Housing Task Force. The motion carried. *Opposed: Councillor Armstrong*

2. <u>In Camera Health and Housing Task Force Meeting 2019-OCT-29</u>

It was moved and seconded that the Health and Housing Task Force recommend that Council request Service Canada to engage Turner Strategies to assist the Health and Housing Task Force with its work starting January 2020. The motion carried.

<u>Opposed:</u> Councillors Armstrong and Thorpe.

J. Rose and P. Rosen entered the Douglas Rispin Room at 6:26 p.m.

6.	REPOR	RTS:	
	(a)		

- K. Fry entered the Douglas Rispin Room at 6:32 p.m.
- J. Rose and P. Rosen vacated the Douglas Rispin Room at 6:32 p.m.

It was moved and seconded that Council report back to the Health and Housing Task Force regarding the outcomes of 5(a) 1 and 2 Committee Recommendations - In Camera Health and Housing Task Force Meeting 2019-OCT-29. The motion carried unanimously.

(b) Proposed Property Acquisition – 431 Dunsmuir Street and 424 Wesley Street

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council direct Staff to enter into negotiations with the owners of 431 Dunsmuir Street and 424 Wesley Street, and return to Council for approval once negotiations are complete. The motion carried unanimously.

- S. Snelgrove vacated the Douglas Rispin Room at 6:39 p.m.
- B. Corsan, F. Farrokhi, K. Fry, S. Gurrie, L. Mercer, D. Lindsay and B. Sims vacated the Douglas Rispin Room at 6:40 p.m.

It was moved and seconded that Councillor Armstrong take the minutes in the absence of the Clerk and Recording Secretary. The motion carried unanimously.

MINUTES -"IN CAMERA" COUNCIL
2019-NOV-04
PAGE 6

(c) CAO and Council M	√latters:
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Introduced by Jake Rudolph, Chief Administrative Officer.

Council discussion took place regarding Staff and Council relationships.

7. <u>ADJOURNMENT:</u>

It was moved and seconded at 6:57 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

CERTIFIED CORRECT:	CHAIR	
	CERTIFIED CORRECT:	

CORPORATE OFFICER

In Camera Report for Decision

City of Nanaimo
File Number: 0360-01

DATE OF MEETING November 18, 2019

AUTHORED BY SKY SNELGROVE, STENO COORDINATOR/DEPUTY CORPORATE

OFFICER

SUBJECT ECONOMIC DEVELOPMENT TASK FORCE APPOINTMENTS

OVERVIEW

Purpose of Report

To request that Council appoint members to the Economic Development Task Force.

Reason for "In Camera"

(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. select two members of Council to serve as co-chairs on the Economic Development Task Force for a term ending 2020-SEP-30.
- 2. appoint one member from each of the following organizations to the Economic Development Task Force for a term ending 2020-SEP-30:
 - a. Snuneymuxw First Nation Erralyn Thomas
 - b. Vancouver Island University Deborah Saucier
 - c. Nanaimo Chamber of Commerce Kim Smythe
 - d. Nanaimo Port Authority Ian Marr
 - e. Nanaimo Airport Mike Hooper
 - f. Community Futures Jolynn Green
- 3. appoint five members at-large to the Economic Development Task Force for a term ending 2020-SEP-30.

BACKGROUND

At the Governance and Priorities Committee (GPC) meeting held 2019-AUG-26 the GPC recommended that Council approved seven recommendations related to the economic development function service model. The recommendations were approved at the 2019-SEP-09 Council meeting. At the 2019-OCT-07 Council meeting, Council approved the Economic Development Task Force Terms of Reference. The Task Force was formed to oversee the creation of the new Economic Development Strategy and to fully develop the ownership, funding, governance, staffing and other elements of the City-owned agency. The Task Force is

expected to complete its mandate by June 2020; however, in order to avoid re-appointing members if the timeline needs to be extended, it is recommended that appointments expire September 30, 2019.

DISCUSSION

The Terms of Reference (Attachment A) outline the membership of the task force as follows:

A minimum of thirteen members with representation from:

- 2 Council members
- 1 Snuneymuxw First Nation
- 1 Vancouver Island University
- 1 Nanaimo Chamber of Commerce
- 1 Nanaimo Port Authority
- 1 Nanaimo Airport
- 1 Community Futures

Staff have directly contacted the organizations listed above and requested they select from their organization one member to sit on the Task Force. The following names were submitted:

Name	Organization
Erralyn Thomas	Snuneymuxw First Nation
Deborah Saucier	Vancouver Island University
Kim Smythe	Nanaimo Chamber of Commerce
lan Marr	Nanaimo Port Authority
Mike Hooper	Nanaimo Airport
Jolynn Green	Community Futures

Staff advertised for the five leaders from various sectors listed in the Terms of Reference via newspaper and social media. A total of 15 applications were recieved for the member-at-large positions:

	Name	Sector			
1.					
2.	Douglas Backhouse, FCSLA	Commercial Real Estate, Design and Resilient Communities			
3.	Chris Beaton	Not-for-profit,Tourism, Education, Social Services			
4.					
5.	Cathy Carlile	Tourism, Not-for-Profit, Film, Social Services, Local Government			
6.					

7.	
8.	
9.	
10.	
11.	
12.	
13. Bob Moss	Commercial Real Estate
14. Andre Sullivan	Commercial Real Estate, Finance
15.	

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. In addition to the member appointment above, Council is requested to select two members of Council to sit on the Task Force.

Once appointments are made, staff will notify all applicants and determine the first meeting date.

OPTIONS

- 1. That Council:
 - 1. select two members of Council to serve as co-chairs on the Economic Development Task Force for a term ending 2020-SEP-30.
 - 2. appoint one member from each of the following organizations to the Economic Development Task Force for a term ending 2020-SEP-30:
 - a. Snuneymuxw First Nation Erralyn Thomas
 - b. Vancouver Island University Deborah Saucier
 - c. Nanaimo Chamber of Commerce Kim Smythe
 - d. Nanaimo Port Authority Ian Marr
 - e. Nanaimo Airport Mike Hooper
 - f. Community Futures Jolynn Green
 - 3. appoint five members at-large to the Economic Development Task Force for a term ending 2020-SEP-30.
 - The advantages of this option: Appointing members to the Economic Development Task Force is consistent with Council's direction to form the Task Force and allow for meetings to commence.
 - The disadvantages of this option: Council may wish to appoint different members
 - Financial Implications: Members of the task force are volunteers who do not receive remuneration.

- That Council direct Staff to advertise again for positions.
 - The advantages of this option: There would be an opportunity to receive different applications.
 - The disadvantages of this option: Denying the appointments to the Economic Task Force will delay the establishment of the Task Force and delay implementing Council's direction regarding the creation of the new Economic Development Strategy.
 - Financial Implications: Minimal costs would be incurred for advertising and staff time.

SUMMARY POINTS

- Staff have advertised for five at-large positions from the sectors listed in the Terms of Reference.
- The Terms of Reference require five members at large, two council representatives and six members from specific community groups.
- The Economic Development Task Force is expected to complete its mandate by June 2020.

<u>ATTACHMENTS</u>

Attachment A: Economic Development Task Force Terms of Reference

Submitted by:	Concurrance by:		
Sheila Gurrie Director, Legislative Services	Bill Corsan, Director, Community Development		
	Dale Lindsay, General Manager, Development Services		



TERMS OF REFERENCE

ECONOMIC DEVELOPMENT TASK FORCE

PURPOSE:

The purpose of the Economic Development Task Force (the "Task Force") is to oversee the creation of the new Economic Development Strategy and to fully develop the ownership, funding, governance, staffing and other elements of the City-owned Nanaimo Prosperity Agency.

OUTPUTS:

The following outputs are envisioned from the Task Force by the fall of 2020:

- a) Developing a request for proposal for the Nanaimo Economic Development Strategy;
- b) Evaluating and hiring a consulting firm to complete the Economic Development Strategy;
- c) Overseeing and providing feedback during the Economic Development Strategy process;
- d) Endorsing the final strategy for adoption by Nanaimo City Council;
- e) Investigating and reviewing ownership, funding, governance and staffing options for the Nanaimo Prosperity Agency; and
- f) Recommending to Council a final operating model for the Nanaimo Prosperity Agency.

TERM:

The Task Force will exist for a limited period of time in correlation to the tasks identified in the Terms of Reference. It is envisioned the work of the Task Force will be finished by the fall of 2020. Upon completion of the mandate, the Task Force will cease.

Council may, at its discretion, extend the length of time or increase the mandate of the Task Force or perhaps develop a Standing Committee to advise on economic development issues.

MEMBERSHIP:

The membership of the Task Force will be as follows:

A minimum of thirteen (13) members, representation as follows:

- 2 Council members
- 1 Snuneymuxw First Nation
- 1 Vancouver Island University
- 1 Nanaimo Chamber of Commerce
- 1 Nanaimo Port Authority
- 1 Nanaimo Airport
- 1 Community Futures
- 5 leaders from any of the following sectors:
 - Transportation and Warehousing
 - Construction
 - Health Care
 - Tourism
 - Labour Market
 - Recycling
 - Agriculture
 - Not-for-Profit

- Manufacturing
- Renewable Energy
- Education
- Technology
- Commercial Real Estate
- Film
- Social Services

ELIGIBILITY:

- Task Force members should be senior-level decision makers from each of the participating organizations.
- Members of the Task Force shall be appointed on the basis of their availability, business experience, and the expertise which they can bring to the work of the Committee.
- Task Force members will have no conflict of interest with Council or the Task Force 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
- Task Force members will represent knowledge, experience and perspectives of various industry sectors.

MEETING FREQUENCY:

The Task Force will meet at least monthly to achieve the outputs in the Terms of Reference and can also meet upon call of the Chair or the request of two Task Force Members.

STAFF SUPPORT:

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

- Community Development
- 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.

"In Camera" Information Report

City of Nanaimo

File Number: 0530-05

DATE OF MEETING November 18, 2019

AUTHORED BY JAKE RUDOLPH, CHIEF ADMINISTRATIVE OFFICER

SUBJECT COUNCIL REMUNERATION AND SPENDING AND AMENITIES

POLICY

OVERVIEW

Purpose of Report

To provide an update to Council on the Council motion regarding remuneration and to receive direction from Council for a Council Remuneration Review.

Reason for "In Camera"

(c) labour relations or other employee relations.

BACKGROUND

Council received the report titled "Council Remuneration" on 2018-DEC-17 (ATTACHMENT A), and made the following motion:

It was moved and seconded that Council:

- 1. adjust Council base salaries to compensate net pay for the 1/3 tax exemption effective 2019-JAN-01;
- 2. amend the "Council Spending and Amenities Policy" to include a provision to annually revise the base compensation for Mayor and Council by applying the BC Annual Percent Consumer Price Index to the prior year's base compensation amount to a maximum of 2% per year; and,
- appoint an independent Council Remuneration task force to undertake a comprehensive review of Council compensation, Council Spending and Amenities Policy and any other related matters deemed appropriate by Council. The Council remuneration task force should be appointed no later than 2019 and submit its recommendations for implementation January 2021.

The motion carried.

Opposed: Councillor Turley

The Council Spending and Amenities Policy (ATTACHMENT B), has been in effect since 2016-MAR-26, with amendments on 2016-APR-04, 2016-MAY-02 and 2018-DEC-17. In the policy statement, the following is recommended:

"This policy shall be reviewed in three years from its effective date to determine its effectiveness and appropriateness. This policy may be assessed before time as necessary to reflect organizational change."

Council conducted an interim assessment of the policy in late 2018 with the understanding that a more comprehensive review would be initiated in 2019. As noted in the enclosed motion, Council amended the timing of the staff report recommendation, such that recommendations would be effective January 2021. Alternatively, the effective date could target January 2023, as originally proposed

DISCUSSION

This report is to advise Council of progress on the Council motion, and to confirm the process options going forward. The Council Spending and Amenities Policy is to be reviewed every three years; therefore, the process options could include:

- 1. Establish an independent task force (see ATTACHMENT C and D)
- 2. Retain a qualified consultant to conduct a review of the policy
- 3. Direct Staff to conduct the review

Council may also consider interim updates to the policy regarding attendance at conferences or other non-compensation matters that could be referred to Staff (as was done in 2018-DEC-17). It is anticipated that the new General Manager of Corporate Services, who will assume duties in 2020, will be responsible for this file. As such, establishment of the task force is recommended to occur in 2020, or 2021 as previously recommended.

CONCLUSION

This report is provided as an opportunity to remind Council of the policy, previous decisions with respect to Council remuneration processes, and options moving forward. Human Resources and compensation matters are inter-related and sensitive in nature; therefore, this report is being brought to "In Camera" for initial discussion and will be on the open Council agenda on December 16, 2019.

SUMMARY POINTS

- Council made a motion on 2018-DEC-17 with respect to Council Remuneration.
- Staff have brought forward an update on the progress made regarding this direction from Council.
- Staff will be seeking further direction from Council at the 2019-DEC-16 Regular Council Meeting.

ATTA	CHMI	ENTS
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ATTACHMENT A – Council Remuneration Report dated 2018-DEC-17 ATTACHMENT B – Council Spending and Amenities Policy				
Submitted by:				
Jake Rudolph Chief Administrative Officer				

INFORMATION RELEASE:

• To be released upon regular release of In Camera Information process and in accordance with that policy.]



Staff Report for Decision

DATE OF MEETING December 17, 2018

AUTHORED BY JAKE RUDOLPH, INTERIM CHIEF ADMINISTRATIVE OFFICER

SUBJECT COUNCIL REMUNERATION

OVERVIEW

Purpose of Report

To seek direction from Council with remuneration options relating to the elimination of the one-third deemed tax exemption for members of Council, annual cost of living adjustments and a Council Spending and Amenity Policy review.

Recommendation

That Council:

- 1. adjust Council base salaries to compensate net pay for the 1/3 tax exemption effective 2019-JAN-01;
- 2. amend the "Council Spending and Amenities Policy" to include a provision to annually revise the base compensation for Mayor and Council by applying the BC Annual Percent Consumer Price Index to the prior year's base compensation amount to a maximum of 2% per year; and,
- 3. Appoint an independent Council Remuneration task force to undertake a comprehensive review of Council compensation, Council Spending and Amenities Policy and any other related matters deemed appropriate by Council. The Council remuneration task force should be appointed no later than 2021 and submit its recommendations to be implemented January 2023.

BACKGROUND

Council remuneration is guided by the "Council Spending and Amenities Policy" (Attachment A) dated May 2016.

The purpose of this report is to seek direction from Council on three remuneration issues:

1. Elimination of the One Third (1/3) Tax Exemption

Currently Members of Council have a one third (1/3) deemed tax exemption on their earnings as per Canada Revenue Agency guidelines. Therefore, fewer taxes are deducted, resulting in a higher take home pay. The City is able to claim a GST rebate on the one third (1/3) exempt portion, resulting in a higher offset to GST payable for the City.

Effective 2019, the Federal Budget requires that current non-accountable allowances paid to Members of Council be included as taxable income and taxed. The reimbursement of employment expenses (i.e. kilometer reimbursement) remains a non-taxable benefit. Unless Council remuneration is increased, the net compensation (take home pay) will be reduced by \$4,753 per year.



Survey Conducted

Accounting Services conducted a survey of 12 municipalities, six (6) with a population lower and six (6) with a population higher than Nanaimo, to determine how other municipalities are handling the elimination of the one-third non-taxable portion. Only 11 of the municipalities provided the requested information.

Survey Results:

3	Municipalities will fully tax earning without grossing them up				
4	Municipalities have grossed up earnings to effectively compensate members of				
	Council				
4	Municipalities have not yet determined how they will be handling this change				

Financial Impacts

The gross annual recommendation cost for the nine members of Council will require an adjustment of \$63,933 to address the Federal income tax changes (\$15,485 for Mayor and \$6,056 per Councillor).

In addition, the City must increase its share of deductions for Members of Council relating to CPP due to the elimination of the one third (1/3) exempt portion (CPP \$7,232).

The following table illustrates the financial implications to Members of Council and assuming basic tax exemptions.



	Tota	rent 2018 al Annual uneration	20 Sa Taxa	posed New 019 Annual dary – Fully able adjusted 018 Net Pay	N	et Change
Mayor						
Annual Remuneration	\$	95,103	\$	110,588	\$	15,485
Taxable Earnings		63,402		110,588		
Non-Taxable Earnings		31,701		-		
Deductions:						
Income Taxes		(11,271)		(26,756)		(15,485)
CPP		(2,594)		(2,594)		-
Net Pay	\$	81,238	\$	81,238	\$	-
Per Councillor						
Annual Remuneration	\$	36,636	\$	42,692	\$	6,056
Taxable Earnings		24,424		42,692		
Non-Taxable Earnings		12,212		-		
Deductions:						
Income Taxes		(1,914)		(5,777)		(3,863)
CPP		(1,036)		(1,940)		(904)
				• • •		. ,
Net Pay	\$	33,686	\$	34,975	\$	1,289

It is recommended that the gross compensation for Mayor and Council be adjusted to offset the impacts of the Federal income tax changes and to maintain Council net compensation.

2. Annual Cost of Living Adjustment

The current Council Spending and Amenities Policy is silent on the subject of annual adjustments. There have been no adjustments to the base salary amounts since 2015.

The current policy requires a survey of 12 municipalities to be completed at the beginning of the Council term to determine the new Council base rates. The Policy does not incorporate any increased measures for the years between Council terms.

Many Municipalities include language in their Council remuneration policies for annual increases equal to Consumer Price Index (CPI). In the past, the City of Nanaimo Council remuneration policy has included an annual CPI increase. This practice was eliminated with the adoption of the Current Council Spending and Amenities Policy in 2016.

Staff recommends an annual inflationary adjustment occur in January based on the annual averages CPI for British Columbia published by Statistics Canada for the twelve-month period January to December of the previous year. Council may wish to cap this inflationary



provision to provide certainty should CPI rates escalate. Staff recommend an annual inflationary adjustment up to a maximum of 2%.

3. Council Spending and Amenities Policy Review

It is the practice of medium and large municipalities to periodically conduct Council remuneration and accompanying policies reviews. This would be considered a best practice and good governance.

Such reviews are often undertaken by an appointed independent panel of 4 - 6 community members who might represent legal, financial, human resource and community expertise. The timing of such a review may occur at any time but often occurs in advance of a municipal election. In this case, Council would have the option to initiate a review in 2021 to be applicable to the Council elected in October 2022. Alternatively, Council may choose to advance the review given this did not occur in recent years.

Staff recommend that Council direct staff to prepare a draft terms of reference for a Council Remuneration Task Force. Unless otherwise directed by Council, the Task Force should be appointed no later than 2021 and completed its review in 2022.

OPTIONS

- 1. Council,
 - adjust Council base salaries to compensate net pay for the 1/3 tax exemption effective 2019-JAN-01.
 - amend the "Council Spending and Amenities Policy" to include a provision to annually revise the base compensation for Mayor and Council by applying the BC Annual Percent Consumer Price Index to the prior year's base compensation amount to a maximum of 2% per year, and
 - Appoint an independent Council Remuneration task force to undertake a comprehensive review of Council compensation, Council Spending and Amenities Policy and any other related matters deemed appropriate by Council. The Council remuneration task force should be appointed no later than 2021 and submit its recommendations for implementation January 2023.
 - Budget Implication:
 - o For 2019, Wages and benefits increase by an estimated \$71,165 and would be funded from general taxation (0.07% approximate tax increase).
 - For 2020 2022, estimates for CPI will be included in the 2019 2023 Financial Plan for Council remuneration increases to a maximum of 2% per year.
 - **Legal Implication:** The City would comply with federal law, as all Council remuneration would be fully taxable.
 - **Policy Implication:** This is in accordance with the Council Spending and Amenities Policy No. 1-0530-05.
- 2. Council could choose an alternate remuneration scheme.



SUMMARY POINTS

- Effective 2019-JAN-01, the Federal Budget requires that current non-accountable allowances paid to Members of Council be included as taxable income and taxed.
- For 2019, wages and benefits for Council would be increased to compensate for the elimination of the one third (1/3) tax exemption. The financial impact is \$71,165 to be funded from general taxation (0.07% approximate tax increase).

ATTACHMENTS

- Attachment A: Council Spending and Amenities Policy 1-0530-05
- Attachment B: Council Remuneration Survey Results

Submitted by:	
Jake Rudolph	

Interim Chief Administrative Officer

ATTACHMENT A



Section:	Administration	1
Subsection:	Council - General	0530
Title:	Council Spending and Amenities Policy	05

POLICY

The City of Nanaimo (the City) will establish transparent spending management practices in providing tools and amenities to its elected officials.

This policy shall be reviewed in 3 years from its effective date to determine its effectiveness and appropriateness. This policy may be assessed before that time as necessary to reflect organizational change.

REASON FOR POLICY

To establish governance and control parameters regarding expenditure for and by elected officials. The Policy is intended to:

- provide a consistent oversight process for expenditure for and by elected officials;
- protect the interests of taxpayers by ensuring the City obtains the best value for its money.

AUTHORITY TO ACT

Retained by Council with some delegation to Staff.

PROCEDURE

1. Responsibilities

- 1.1 Council to:
 - 1.1.1 approve this policy;
 - 1.1.2 approve future amendments to this policy.
- 1.2 Mayor to:
 - 1.2.1 review and approve expenditures incurred by the Acting Mayor;
 - 1.2.2 bring forward future amendments to this policy for Council's consideration.
- 1.3 Acting Mayor to:
 - 1.3.1 review and approve expenditures incurred by the Mayor and other Councillors;
 - 1.3.2 bring forward future amendments to this policy for Council's consideration.

Council Spending and Amenities Policy No. 1-0530-05 Page 2

- 1.4 Chief Administrative Officer:
 - 1.4.1 support elected officials by reviewing requests to expend funds;
 - 1.4.2 review and approve administrative procedures and guides that support efficient response to elected official spending requests.
- 1.5 Director of Finance to:
 - 1.5.1 Support elected officials by reviewing requests to expend funds;
 - 1.5.2 provide an accounting report of elected official spending on a quarterly basis;
 - 1.5.3 develop administrative procedures and guides that support efficient response to elected official spending requests.

2. Application of Policy

- 2.1 The Policy applies to:
 - 2.1.1. Council remuneration;
 - 2.1.2 attendance at in-town or out-of-town meetings;
 - 2.1.3 training and development;
 - 2.1.4 expense reimbursement;
 - 2.1.5 legal fees;
 - 2.1.6 association fees and membership dues;
 - 2.1.7 provision of certain equipment and furniture to Elected Officials such as the following:
 - i. office Equipment;
 - ii. cellular phones and related plan features;
 - iii. internet plans;
 - 2.1.8 Council initiatives.

3. Council Remuneration

- 3.1 **Base Pay Rate** Mayor and Council will be compensated at the median rate of twelve comparable municipalities. Such list of comparable municipalities are the six above and six below the City's population. The list of comparable municipalities will be updated at the beginning of each Council term.
- 3.2 **Acting Pay Rate** The Acting Mayor will be provided acting pay at a rate of 10% of the Mayor's base compensation. (2016-APR-04, 2016-MAY-02)
- 3.3 **Medical Benefits** Council will be afforded the same level of benefits as those provided to management.

4. Attendance at In-Town or Out-of-Town Meetings

- 4.1 **In-Town Meetings** Elected Officials are authorized to attend in-town meetings as they deem appropriate.
- 4.2 **Out-of-Town Meetings** Elected Officials are authorized, as approved by resolution to attend the following out-of-town meetings as applicable and as they deem appropriate:
 - i. Federation of Canadian Municipalities (FCM) conventions and other meetings;
 - ii. Union of BC Municipalities (UBCM) conventions and other meetings; and,
 - iii. Association of Vancouver Island and Coastal Communities (AVICC) conventions and other meetings.

Council Spending and Amenities Policy No. 1-0530-05 Page 3

- 4.3 The Mayor and Acting Mayor may attend out-of-town emergency meetings on behalf of the City upon pre-notification of Council via email and provide a report at the next Council meeting.
- 4.4 Any travel other than provided for in 4.2 or 4.3 above, will require prior approval by Council.

5. Training and development

5.1 Mayor and Council may undertake training and development courses subject to budget availability and travel approval provided in Section 4 – In-Town and Out-of-Town Meetings of this policy as applicable.

6. Expense Reimbursements

- 6.1 Mayor and Council will be afforded the same expense reimbursement and per diem as provided to all employees of the City.
- 6.2 Mayor and Council will be allocated up to \$1,000 each for travel, hospitality and conference activities directly related to City business and the office of a Council member. (2016-MAY-02)
- 6.3 Mayor and Council members must deliver a report on their activities to Council as soon as practicable. (2016-MAY-02)
- 6.4 Up to \$3,000 for the Federation of Canadian Municipalities annual conference; \$2,500 for the Union of BC Municipalities annual conference; and, \$1,000 for the Association of Vancouver Island & Coastal Communities annual conference will be allocated for each approved member of Council to attend these conferences. (2016-MAY-02)

7. Legal Fees

- 7.1 Council, by resolution, may approve paying legal fees for a Councillor on a matter arising from a decision of Council subject to a dollar value limit at the discretion of Council.
- 7.2 Conflict of Interest Opinions Council will provide a budget allocation per Councillor per year to cover the cost for each individual Councillor to secure an opinion whether they are in a conflict of interest on a matter before Council. Such expenditure will be pre-approved by the Chief Administrative Officer. This will be treated as a taxable benefit to the benefiting Councillor.
- 7.3 Opinions secured through provisions of 7.2 above remain the property of the individual Councillor and the Councillor may release individual opinions at their discretion to Council or members of the public.
- 7.4 Council may, through resolution, direct for a legal opinion on a perceived or actual conflict of interest should an individual Councillor not take advantage of provisions of 7.2 above.

8. Association Fees, Membership Dues and Publication Subscriptions

8.1 The City of Nanaimo will pay for association fees, membership dues and publication subscriptions at the request of an individual Councillor provided such membership or publication is in local government in North America.

ATTACHMENT A

Council Spending and Amenities Policy No. 1-0530-05 Page 4

9. Office Equipment and Furniture

- 9.1 Office Equipment The City of Nanaimo shall provide each Councillor upon request, a filing cabinet to store City files at their residence.
- 9.2 The City of Nanaimo will provide each Councillor telecommunications and other equipment such as laptop, printer/scanner/copier/fax, and smartphone that meets their individual needs and expectations in fulfilling their duties.
- 9.3 Retiring members of Council may purchase items provided in 9.1 and 9.2 at a depreciated value over four years.
- 9.4 The City will pay a monthly allowance for internet services at a Councillor's home for City business and such an allowance will not be taxed.
- 9.5 The City will pay an amount equivalent to the cost for service for a City issued cellular phone service to a Councillor who chooses to use a personal cellular phone service.

10. Council Initiative

- 10.1 The City will allocate contingency funds for Council initiatives within each annual budget.
- 10.2 Commitment of funds provided in 10.1 shall be through a Council resolution.

Date: 2016-MAR-21 Approved by: Council 1. Amendment Date: 2016-APR-04 Approved by: Council 2. Amendment Date: 2016-MAY-02 Approved by: Council

ATTACHMENT B

MAYOR & COUNCIL COMPENSATION SURVEY RESULTS

	Population	No. of	Acting	1/3 tax	Last			Estimated		
Municipality	(1)	Council	Mayor	free	review	Mayor	Councillor	Acting Pay (2)	Total	How are they dealing with the 1/3 exemption
										To be determined
New Westminster	73,928	7	Yes	Yes	2017	106,034	43,189	2,000	45,189	
										Increasing salary to have the same take home pay as in 2018
North Vancouver (District)	85,842	7	Yes	Yes	28-Jun-18	104,005	41,602	2,444	44,046	
										Stopped providing 1/3 exemption in 2009
Victoria	86,130	9	No	No		106,458	42,583	-	-	
										Increasing salary to have the same take home pay as in 2018
Maple Ridge	87,713	7	Yes	Yes		96,417	38,944	3,214	42,158	
										Increasing salary to have the same take home pay as in 2018
Chilliwack	88,287	7	Yes	Yes	2-Oct-18	99,222	37,852	1,654	39,506	
										Fully Taxable
Kamloops	92,317	9	No	Yes		95,124	38,049	-	38,049	
										Unknown
Delta	102,679	7	Yes	Yes	2016	118,874	50,470	1,981	52,451	
_										To be determined
Saanich	115,864	9	No	Yes	1-Mar-18	102,887	41,310	-	41,310	
										Looks like they Increased salary to have the same take home
Kelowna	127,330	9	Yes	Yes	11-Jun-18	95,695	33,493	525	34,018	pay as in 2018
		_								To be determined
Langley (District)	127,730	9	Yes	No	1-Jan-18	118,598	47,439	1,482	48,921	
		_	.,					.		Fully Taxable
Abbotsford	145,102	9	Yes	No	2016	97,600	38,500	2,440	40,940	
Median of above (3)	92,317					\$ 102,887.39	\$ 41,309.50			

Add: Acting Pay per Policy - 10% of Mayor Base

\$ 1,286 \$ 42,596

City of Nanaimo (current)	94,743	\$ 95,103	\$ 35,447	\$ 1,189	\$ 36,636
Difference from median Percentage		\$ 7,784 <i>7.6%</i>	\$ 5,863 14.2%	\$ 97	\$ 5,960

NOTE:

- (1) BC Stats estimated population for 2017 (latest available)
- (2) Acting pay calculations were given but some assumptions were made about how long the acting pay term was when that information was not provided



Section:	Administration	1
Subsection:	Council - General	0530
Title:	Council Spending and Amenities Policy	05

POLICY

The City of Nanaimo (the City) will establish transparent spending management practices in providing tools and amenities to its elected officials.

This policy shall be reviewed in 3 years from its effective date to determine its effectiveness and appropriateness. This policy may be assessed before that time as necessary to reflect organizational change.

REASON FOR POLICY

To establish governance and control parameters regarding expenditure for and by elected officials. The Policy is intended to:

- provide a consistent oversight process for expenditure for and by elected officials;
- protect the interests of taxpayers by ensuring the City obtains the best value for its money.

AUTHORITY TO ACT

Retained by Council with some delegation to Staff.

PROCEDURE

1. Responsibilities

- 1.1 Council to:
 - 1.1.1 approve this policy;
 - 1.1.2 approve future amendments to this policy.
- 1.2 Mayor to:
 - 1.2.1 review and approve expenditures incurred by the Acting Mayor;
 - 1.2.2 bring forward future amendments to this policy for Council's consideration.
- 1.3 Acting Mayor to:
 - 1.3.1 review and approve expenditures incurred by the Mayor and other Councillors;
 - 1.3.2 bring forward future amendments to this policy for Council's consideration.

- 1.4 Chief Administrative Officer:
 - 1.4.1 support elected officials by reviewing requests to expend funds;
 - 1.4.2 review and approve administrative procedures and guides that support efficient response to elected official spending requests.
- 1.5 Director of Finance to:
 - 1.5.1 Support elected officials by reviewing requests to expend funds;
 - 1.5.2 provide an accounting report of elected official spending on a quarterly basis;
 - 1.5.3 develop administrative procedures and guides that support efficient response to elected official spending requests.

2. Application of Policy

- 2.1 The Policy applies to:
 - 2.1.1. Council remuneration;
 - 2.1.2 attendance at in-town or out-of-town meetings;
 - 2.1.3 training and development;
 - 2.1.4 expense reimbursement;
 - 2.1.5 legal fees;
 - 2.1.6 association fees and membership dues;
 - 2.1.7 provision of certain equipment and furniture to Elected Officials such as the following:
 - i. office Equipment;
 - ii. cellular phones and related plan features;
 - iii. internet plans;
 - 2.1.8 Council initiatives.

3. Council Remuneration

- 3.1 **Base Pay Rate** the British Columbia Annual Percent Consumer Price Index (CPI) will be applied to the prior year's base compensation amount to a maximum of two percent (2%) per year. (2018-DEC-17)
- 3.2 **Acting Pay Rate** The Acting Mayor will be provided acting pay at a rate of 10% of the Mayor's base compensation. (2016-APR-04, 2016-MAY-02)
- 3.3 **Medical Benefits** Council will be afforded the same level of benefits as those provided to management.

4. Attendance at In-Town or Out-of-Town Meetings

- 4.1 **In-Town Meetings** Elected Officials are authorized to attend in-town meetings as they deem appropriate.
- 4.2 **Out-of-Town Meetings** Elected Officials are authorized, as approved by resolution to attend the following out-of-town meetings as applicable and as they deem appropriate:
 - i. Federation of Canadian Municipalities (FCM) conventions and other meetings;
 - ii. Union of BC Municipalities (UBCM) conventions and other meetings; and,
 - iii. Association of Vancouver Island and Coastal Communities (AVICC) conventions and other meetings.
- 4.3 The Mayor and Acting Mayor may attend out-of-town emergency meetings on behalf of the City upon pre-notification of Council via email and provide a report at the next Council meeting.

4.4 Any travel other than provided for in 4.2 or 4.3 above, will require prior approval by Council.

5. Training and development

5.1 Mayor and Council may undertake training and development courses subject to budget availability and travel approval provided in Section 4 – In-Town and Out-of-Town Meetings of this policy as applicable.

6. Expense Reimbursements

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Date: Approved by: Council 2016-MAR-21 Council 1. Amendment Date: 2016-APR-04 Approved by: Approved by: Council 2. Amendment Date: 2016-MAY-02 Council 3. Amendment Date: 2018-DEC-17 Approved by:



AGENDA "IN CAMERA" HEALTH AND HOUSING TASK FORCE

Wednesday, November 13, 2019, 3:00 p.m. to Proceed "In Camera", Open Meeting to Reconvene at 3:30 p.m. Board Room, Service and Resource Centre,

411 Dunsmuir Street, Nanaimo, BC

Pages

1. CALL TO ORDER:

2. APPROVAL OF THE AGENDA:

That the Health and Housing Task Force, 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

- 4(a) Feedback on 2019-OCT-29 Special Health and Housing Task Force Meeting 90(1)(k) & 90(2)(b)
- 4(b) Resolution to release "In Camera" motions approved at the 2019-NOV-04 "In Camera" Council Meeting 90(1)(k) & 90(2)(b)

3. ADOPTION OF MINUTES:

a. Minutes of the Special "In Camera" Health and Housing Task Force meeting held in St. Matthew's Meeting Room, St. Paul's Anglican Church, 29 Church Street, Nanaimo, BC on Tuesday, 2019-OCT-29 at 11:30 a.m.

1 - 5

4. REPORTS:

a. Feedback on 2019-OCT-29 Special Health and Housing Task Force Meeting

To be introduced by Lisa Bhopalsingh, Manager, Community and Cultural Planning.

b. Resolution to release "In Camera" motions approved at the 2019-NOV-04 "In Camera" Council Meeting

Recommendation: That the Health and Housing Task Force approve release of the following motions approved by Council at the 2019-NOV-04 "In Camera" Council meeting:

"It was moved and seconded that Council direct Staff to hire a contractor until June 2020 with funds repurposed from the Drop-In Centre to coordinate the

activities of the Health and Housing Task Force." and

"It was moved and seconded that the Health and Housing Task Force recommend that Council request Service Canada to engage Turner Strategies to assist the Health and Housing Task Force with its work starting January 2020."

5. ADJOURNMENT OF "IN CAMERA" MEETING:

"IN CAMERA" MINUTES

SPECIAL HEALTH AND HOUSING TASK FORCE MEETING TO DISCUSS CONFIDENTIAL MATTERS ST. PAUL'S ANGLICAN CHURCH, ST. MATTHEW'S MEETING ROOM

29 CHURCH STREET, NANAIMO, BC TUESDAY, 2019-OCT-29 AT 11:30 A.M.

Present: Councillor D. Bonner, Chair

Councillor E. Hemmens

J. Fix

J. Harrison (vacated 3:31 p.m.)

H. Hartman A. LaHue

S. Madden (vacated 4:07 p.m.)

E. Manson J. McCormick L. McHaffie

Supt. C. Miller, OIC, Nanaimo Detachment RCMP

L. Murphy (arrived 11:49 a.m.)

K. Smythe

K. Good Absent:

M. McNaughton

Others

Councillor B. Geselbracht (vacated 4:07 p.m.)

Staff: J. Rudolph, Chief Administrative Officer

D. Lindsay, General Manager, Development Services (arrived 11:44 a.m.,

vacated 2:57 p.m.)

L. Bhopalsingh, Manager, Community and Cultural Planning

K. Kronstal, Social Planner

F. Farrokhi, Manager, Communications

S. Snelgrove, Deputy Corporate Officer (vacated 11:55 a.m.)

G. Whitters, Recording Secretary

1. CALL THE SPECIAL "IN CAMERA" HEALTH AND HOUSING TASK FORCE MEETING TO ORDER:

The Special "In Camera" Health and Housing Task Force Meeting was called to order at 11:41 a.m.

2. REPORTS:

Health and (a) Housing Task Force Strategic Priorities

11:30 a.m. - Welcome & Introductory Activities (a)

- D. Lindsay entered the meeting room at 11:44 a.m.
 - (b) 11:50 a.m. Setting the Strategic Context

provided an overview of the meeting procedures, carry forward items, undiscussable issues and effective meeting strategies.

(c) 12 p.m. - Working & Networking Lunch

The Task Force broke into groups for a networking lunch.

S. Snelgrove vacated the meeting room at 11:55 a.m.

Task Force discussion took place regarding the priorities, which included the following:

- Public presence of homelessness and addictions
- Definition and perception of safety
- Interrelation of trauma and safety
- Communication to the public to include the issues, potential solutions, public awareness and acknowledgement of concerns
- How to integrate wellbeing improvements with housing opportunities
- Reviewing, taking action on and funding of current policies, strategies and action plans related to health and homelessness
- Determining structure, leadership role and how agencies can collaborate to contribute to overall goals
- Housing inventory an issue
- Each level of government's jurisdiction regarding homelessness, addictions, mental health and housing
- Importance of defining leadership
- Funding source for the Health and Housing Task Force
- What the Task Force is trying to achieve
- How to drive investment to achieve goals
- Measuring benchmarks or milestones

discussed overlapping strategies and plans in the community, root causes or underlying issues that are impacting ability to address the health and housing crisis in our community and system patterns and structures.

(d) 12:30 pm - Team Coordination: Strengthening Our Work

Task Force discussion took place regarding barriers and benefits that the Task Force is facing, which included the following:

- Commitment from the Task Force members including personal versus capacity of their respective organizations
- Resolving long-standing issues
- Small groups causing the most issues in the community
- Spectrum of homelessness
- Working with a systems approach with all partners

- Defining goals around specific outcomes
- Engaging community and getting community support
- Broader group of service providers and funders not involved on the Task Force
- Overlapping of funding and services
- Establishing an operation plan under each objective and being action-focused
- Hiring of a Coordinator to bring agencies together
- Challenges of change management
- Successes being achieved in the community and how to move forward
- Competition between communities for funding
- Staffing barriers
- New and improved relationships with different levels of government since Tent City
- How to include the voice of Divisions Family Practice
- Unable to meet the volume of need/referrals and the complexity of need
- Council requesting meetings for public safety
- Positive and negative outcomes of Tent City
- Lack of continuity on projects and actions when new Council elected
- The TogetherBC Poverty Reduction Strategy
- Lack of supports at the affordable housing locations and its negative impacts on community

The Special "In Camera" Health and Housing Task Force meeting recessed at 1:45 p.m. The Special "In Camera Health and Housing Task Force reconvened at 2:05 p.m.

- (e) 2:00 p.m. Priorities and Commitments
- S. Madden and J. Rudolph returned to the meeting room at 2:07 p.m.

spoke regarding communication and actions already being done and how to effectively address health and housing challenges.

The Task Force broke into groups to discuss potential quick wins, big projects, momentum builders and "think abouts" (things to think about and research projects).

Task Force discussion took place regarding:

- Changes to the judicial system
- Mobile health services
- Understanding the population that is looking for support
- Not enough supports in place for the problematic people in shelters and supportive housing
- Matching funding for health services as supportive housing is put in place
- Members advocating for each other in each others agencies
- Task force leading by example

- How to advocate for more market housing
- D. Lindsay vacated the meeting room at 2:57 p.m.
 - •
 - Housing Action Response Team (HART) in Victoria
 - Acknowledgement of past history of the coalition
 - (f) 3:15 p.m. Frame Working Roles and Involvement Moving Forward

Task Force discussion took place regarding:

- Core people of the team and level of involvement
- •
- Voice for indigenous homelessness and reconciliation
- Inviting homeless or people with lived experience to the Task Force meetings
- Set strategy and conditions for the Task Force and then address tactics
- Leading the group and leading as individuals
- Identifying shared values to provide consistency and accountability
- J. Harrison vacated the meeting room at 3:31 p.m.
 - Funding and parameters for coordinated access
 - Dr. Alina Turner to work through high-level agreements
 - Funding available
 - Key takeaways to focus on:
 - Coordinated Access
 - How to continue work of the group
 - Coalition to provide asset mapping results
 - o Dr. Turner's availability from January to June 2020
 - Communicating to the Public the work being done and progress made
 - Asset mapping

It was moved and seconded that the Health and Housing Task Force recommend that Council request Service Canada to engage Turner Strategies to assist the Health and Housing Task Force with its work starting January 2020. The motion carried unanimously.

Task Force discussion took place regarding:

- Hiring a coordinator to facilitate work
- Stresses on city departments and agencies to complete work of the Health and Housing Task Force
- Having a coordinator involved from the beginning for context and participation in entire process and their role
- Funding availability and upcoming budget meetings
- Timeline for contract and funds for the drop-in centre being repurposed
- Timeline for Contractor's employment

MINUTES – SPECIAL "IN CAMERA" HEALTH AND HOUSING TASK FORCE 2019-OCT-29 PAGE 5

Inviting other people into the process and discussions including youth

It was moved and seconded that the Health and Housing Task Force recommend that Council direct Staff to hire a contractor until June 2020 with funds repurposed from the Drop-In Centre to coordinate the activities of the Health and Housing Task Force. The motion carried unanimously.

Councillor Geselbracht and S. Madden vacated the meeting room at 4:07 p.m.

(g) 4:15 p.m. - Wrap Up Conversation

The Task Force discussed the progress made and topics covered including:

- Budgeting for long-term projects/plans
- Understanding challenges and how to address them
- Reconciliation in Nanaimo
- Defining safety
- Keep work moving forward
- Accountability

3. ADJOURNMENT:

I	It was moved and seconded at 4:22 p.m. that the	ne "In Camera'	Meeting terminate.	The
motion (carried unanimously.			

CHAIR
CERTIFIED CORRECT:
CORPORATE OFFICER



AGENDA "IN CAMERA" HEALTH AND HOUSING TASK FORCE

Wednesday, November 27, 2019, 3:00 P.M. - 3:30 P.M. Training Room, 2nd Floor
455 Wallace Street, Nanaimo, BC V9R 5J6

Pages 1. **CALL TO ORDER:** 2. APPROVAL OF THE AGENDA: 3. **ADOPTION OF MINUTES:** 1 - 4 Minutes of the In Camera Health and Housing Task Force meeting held in the a. Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC on Wednesday, 2019-NOV-13 at 3:00 p.m. **REPORTS:** 4. 5 - 9 2019-OCT-29 Workshop Meeting Notes a. That the Health and Housing Task Force approve the release of the 2019-OCT-29 Workshop Meeting Notes as presented. 5. ADJOURNMENT OF "IN CAMERA" MEETING:

"IN CAMERA" MINUTES

HEALTH AND HOUSING TASK FORCE MEETING TO DISCUSS CONFIDENTIAL MATTERS BOARDROOM, SERVICE AND RESOURCE CENTRE, 411 DUNSMUIR, NANAIMO, BC

WEDNESDAY, 2019-NOV-13 AT 3:00 P.M.

Present: Councillor Bonner, Chair

Councillor Hemmens

J. Harrison H. Hartman S. Madden

Supt. C. Miller, Nanaimo Detachment, RCMP (arrived 3:10 p.m.)

K. Smythe

Absent: J. Fix

K. Good
A. LaHue
E. Manson
J. McCormick
L. McHaffie
M. McNaughton
L. Murphy

Others: Councillor Geselbracht

Staff: J. Rudolph, Chief Administrative Officer (vacated 3:44 p.m.)

D. Lindsay, General Manager, Development Services

D. LaBerge, Manager, Bylaw Services

L. Bhopalsingh, Manager, Community and Cultural Planning

S. Gurrie, Director, Legislative

S. Snelgrove, Deputy Corporate Officer

G. Whitters, Recording Secretary

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

The "In Camera" Meeting was called to order at 3:07 p.m.

Supt. C. Miller entered the Boardroom at 3:10 p.m.

2. <u>INTRODUCTION OF LATE ITEMS:</u>

(a) Agenda Item 4 – Adoption of Minutes – Add the following recommendation:

That the Health and Housing Task Force approve Council release of the 2019-OCT-29 "In Camera" Health and Housing Task Force Meeting minutes.

(b) Agenda Item 6(a) – Feedback on 2019-OCT-29 Special Health and Housing Task Force Meeting - Add handout titled "Workshop Meeting Notes"

3. ADOPTION OF AGENDA:

It was moved and seconded that the Health and Housing Task Force, 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 Special "In Camera" Health and Housing Task Force meeting held in St. Matthew's Meeting Room, St. Paul's Anglican Church, 29 Church Street, Nanaimo, BC on Tuesday, 2019-OCT-29 at 11:30 a.m., be adopted as presented. The motion carried unanimously.

It was moved and seconded that the Health and Housing Task Force Committee approve Council release of the minutes of the 2019-OCT-29 "In Camera" Health and Housing Task Force Meeting. The motion carried unanimously.

5. REPORTS:

(a) Feedback on 2019-OCT-29 Special Health and Housing Task Force Meeting

Introduced by Lisa Bhopalsingh, Manager, Community and Cultural Planning.

Task Force discussion took place regarding:

- •
- Openness and honesty in meetings

It was moved and seconded that the Task Force strike organizations' names before releasing the Workshop Meeting Notes from the 2019-OCT-29 Special "In Camera" Health and Housing Task Force meeting. The motion carried unanimously.

Task Force discussion continued regarding:

- .
- Wording in the notes
- Perception of the public that these are "facts"
- Sending the draft notes to those that are not at the meeting and get final approval at the next Health and Housing Task Force meeting

Task Force discussion took place regarding:

- How to improve conversations
- Defining goals and achievements
- Acknowledging frustrations as part of process
- The challenge of having different mandates, views and perspectives
- Keeping momentum
- Accountability of the Task Force
- (b) Resolution to release "In Camera" motions approved at the 2019-NOV-04 "In Camera" Council Meeting

Introduced by Sky Snelgrove, Deputy Corporate Officer.

J. Rudolph vacated the Boardroom at 3:44 p.m.

Task Force discussion took place regarding:

- Coalition approval
- Public acknowledgement that some of the funds are provided by the Federal Government's Reaching Home Strategy

It was moved and seconded that the Health and Housing Task Force approve release of the following motions approved by Council at the 2019-NOV-04 "In Camera" Council meeting:

"It was moved and seconded that Council direct Staff to hire a contractor until June 2020 with funds repurposed from the Drop-In Centre to coordinate the activities of the Health and Housing Task Force."

and

"It was moved and seconded that the Health and Housing Task Force recommend that Council request Service Canada to engage Turner Strategies to assist the Health and Housing Task Force with its work starting January 2020."

The motion carried unanimously.

6. ADJOURNMENT:

It was moved and seconded at 3:49 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

MINUTES -"IN CAMERA" HEALTH AND HOUS 2019-NOV-13 PAGE 4	SING TASK FORCE
CHAIR	
CERTIFIED CORRECT:	
CORPORATE OFFICER	



AGENDA "IN CAMERA" COUNCIL MEETING

Monday, December 2, 2019

4:00 p.m. to Proceed "In Camera", Reconvene Open Meeting at 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 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) KPMG Audit Planning Report - 90(1)(l)

4(b)

90(2)(b)

- 6(a) Port Theatre Line of Credit Guarantee 90(1)(k)
- 6(b) Release of First Quarter 2018 "In Camera" Agendas -

90(1)(a)(b)(c)(e)(f)(g)(h)(i)(k)(l) and 90(2)(b)

- 6(c) Design Advisory Panel Member Appointment 90(1)(a)
- 6(d) Property Disposition 5861 Linyard Road 90(1)(e)

6(e) -90(1)(k)

6(f) CAO and Council Matters - 90(1)(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;
- (h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the Council or a delegate of Council;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (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;
- (I) 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. Minutes 5 - 10

Minutes of the "In Camera" Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-NOV-18, at 3:00 p.m.

4. PRESENTATIONS:

a.	KPMG Audit Planning Report							
	To be introduced by Laura Mercer, Director, Finance.							
b.								

5. CONSENT ITEMS:

a. Advisory Committee Minutes

 Minutes of the Special Health and Housing Task Force Meeting held in the St. Paul's Anglican Church, St. Matthew's Meeting Room, 29 Church Street, Nanaimo, BC, on Tuesday, 2019-OCT-29 at 11:30 a.m. 11 - 15

REPORTS

a. Port Theatre Line of Credit Guarantee

16 - 29

To be introduced by Laura Mercer, Director, Finance.

Purpose: For Council to provide direction on the request to renew the Port Theatre Society line of credit guarantee for the Port Theatre Community Performing Arts Centre project.

Recommendation: That Council approve the renewal of the line of credit guarantee for the Port Theatre Society

b. Release of First Quarter 2018 "In Camera" Agendas

30 - 35

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

Purpose: To provide Council with a preview of the redacted first quarter (January – March) of 2018 "In Camera" Agendas prior to Staff publishing them to the City's website.

c. <u>Design Advisory Panel Member Appointment</u>

36 - 39

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

Purpose: To provide Council with a nomination from the Architectural Institute of British Columbia, and obtain Council approval of same.

Recommendation: That Council appoint Mr. Tony James, Architect, as nominated by the Architectural Institute of British Columbia, to the Design Advisory Panel for a two-year term effective immediately and ending 2021-DEC-02.

Rise and Report:

To be released at a future Open Council meeting, subject to approval.

d. Property Disposition - 5861 Linyard Road

40 - 43

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

Purpose: To obtain Council approval for the disposition of 5861 Linyard Road.

R	ecommend	dation:	That	Coun	cil.
1/		aauon.	HIIAL	Court	UII.

- approve the disposition of 5861 Linyard Road to and,
- 2. direct the Mayor and Corporate Officer to execute the necessary documents to affect the transaction

e.

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-NOV-18 AT 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 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

3:54 p.m., vacated 5:35 p.m.)

D. Lindsay, General Manager, Development Services (vacated 5:35 p.m.)
B. Sims, General Manager, Engineering and Public Works (vacated

5:35 p.m.)

Supt. C. Miller, OIC, Nanaimo Detachment RCMP (vacated 3:52 p.m.)

K. Fry, Fire Chief (vacated 5:35 p.m.)

L. Mercer, Director, Finance (vacated 6:27 p.m.)

F. Farrokhi, Manager, Communications (vacated 5:35 p.m.)

S. Gurrie, Director, Legislative Services

K. Gerard, Recording Secretary (vacated 6:27 p.m.)

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

The "In Camera" Meeting was called to order at 3:01 p.m.

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.

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-NOV-04, at 4:30 p.m., be adopted. The motion carried unanimously.

MINUTES -"IN CAMERA" COUNCIL 2019-NOV-18 PAGE 2

4.	REPO	RTS:
	(a)	

R. Harding entered the Douglas Rispin Room 3:54 p.m.

(b) <u>Economic Development Task Force Appointments</u>

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council select Councillor Turley and Councillor Maartman, to serve as co-chairs on the Economic Development Task Force for a term ending 2020-SEP-30. The motion carried unanimously.

It was moved and seconded that Council appoint one member from each of the following organizations to the Economic Development Task Force for a term ending 2020 SEP-30:

- a. Snuneymuxw First Nation Erralyn Thomas
- b. Vancouver Island University Deborah Saucier
- c. Nanaimo Chamber of Commerce Kim Smythe
- d. Nanaimo Port Authority Ian Marr
- e. Nanaimo Airport Mike Hooper
- f. Community Futures Jolynn Green

The motion carried unanimously.

It was moved and seconded that Council appoint:

- 1. Douglas Backhouse, Fellow of the Canadian Society of Landscape Architects
- Chris Beaton
- Cathy Carlile
- Bob Moss
- Andre Sullivan

as at-large members to the Economic Developm 2020-SEP-30. The motion carried unanimously.	nent Task Force for a term ending
(c)	
	I

(d) Saysutshun Foot Ferry Subsidy Request

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council:

- 1. Authorize a grant to Snuneymuxw First Nation in 2019 equivalent to the operating deficit of the passenger ferry to a maximum of \$50,000 to assist with the planning and management of Saysutshun (Newcastle Island) Marine Provincial Park to be funded from Council's contingency fund and the strategic partnership reserve;
- 2. Authorize a \$100,000 grant in 2020 to Snuneymuxw First Nation to assist with the planning and management of Saysutshun (Newcastle Island) Marine Provincial Park to be funded from Council's Strategic Infrastructure Reserve fund;
- 3. Direct Staff to advise BC Parks and Snuneymuxw First Nation the City wishes to reestablish the Management Board of the Newcastle Island Collaborative Management Agreement; and,
- 4. Defer further decisions on future grants or subsidies for Saysutshun until such time that the Management Board has been established and the existing Saysutshun (Newcastle Island) Collaborative Management Agreement has been reviewed.

The motion carried unanimously.

It was moved and seconded that Council rise and report subject to notification to Snuneymuxw First Nation of the following motion at the next scheduled PAWG Meeting, and approval of a news release:

- 1. Authorize a grant to Snuneymuxw First Nation in 2019 equivalent to the operating deficit of the passenger ferry to a maximum of \$50,000 to assist with the planning and management of Saysutshun (Newcastle Island) Marine Provincial Park to be funded from Council's contingency fund and the strategic partnership reserve;
- 2. Authorize a \$100,000 grant in 2020 to Snuneymuxw First Nation to assist with the planning and management of Saysutshun (Newcastle Island) Marine Provincial Park to be funded from Council's Strategic Infrastructure Reserve fund;
- 3. Direct Staff to advise BC Parks and Snuneymuxw First Nation the City wishes to reestablish the Management Board of the Newcastle Island Collaborative Management Agreement; and.
- 4. Defer further decisions on future grants or subsidies for Saysutshun until such time that the Management Board has been established and the existing Saysutshun (Newcastle Island) Collaborative Management Agreement has been reviewed.

The motion carried unanimously

R. Harding, B. Sims, D. Lindsay, F. Farokkhi, K. Fry vacated the Douglas Rispin Room at 5:35 p.m.

The "In Camera" Meeting recessed at 5:35 p.m.

The "In Camera" Meeting reconvened at 5:59 p.m.

	(e)	Council Remuneration and Spending Amenities Policy
		Jake Rudolph, Chief Administrative Officer, provided Council with an update regarding the 2018-DEC-17 motion regarding remuneration.
	(f)	
K Cer	ard and	L. Mercer vacated the Douglas Rispin Room at 6:27 p.m.
K. Ger		
	(g)	CAO and Council Matters
		Introduced by Jake Rudolph, Chief Administrative Officer.
		Upcoming Association of Vancouver Island and Coastal Communities Convention
		Discussion took place regarding logistics surrounding the upcoming Association of Vancouver Island and Coastal Communities Convention being hosted by the City of Nanaimo.
		2. <u>Council and CAO Relationship Matters</u>
		Discussion took place regarding Council and CAO relationship matters.
5.	ADJOL	JRNMENT:
	motion	It was moved and seconded at 6:58 p.m. that the "In Camera" Meeting terminate. The carried unanimously.
		CERTIFIED CORRECT:
СНА	I R	CORPORATE OFFICER

"IN CAMERA" MINUTES

SPECIAL HEALTH AND HOUSING TASK FORCE MEETING TO DISCUSS CONFIDENTIAL MATTERS

ST. PAUL'S ANGLICAN CHURCH, ST. MATTHEW'S MEETING ROOM 29 CHURCH STREET, NANAIMO, BC TUESDAY, 2019-OCT-29 AT 11:30 A.M.

Present: Councillor D. Bonner, Chair

Councillor E. Hemmens

J. Fix

J. Harrison (vacated 3:31 p.m.)

H. Hartman A. LaHue

S. Madden (vacated 4:07 p.m.)

E. Manson J. McCormick L. McHaffie

Supt. C. Miller, OIC, Nanaimo Detachment RCMP

L. Murphy (arrived 11:49 a.m.)

K. Smythe

K. Good Absent:

M. McNaughton

J. Rudolph, Chief Administrative Officer Staff:

D. Lindsay, General Manager, Development Services (arrived 11:44 a.m.,

vacated 2:57 p.m.)

L. Bhopalsingh, Manager, Community and Cultural Planning

K. Kronstal, Social Planner

F. Farrokhi, Manager, Communications

S. Snelgrove, Deputy Corporate Officer (vacated 11:55 a.m.)

G. Whitters, Recording Secretary

CALL THE SPECIAL "IN CAMERA" HEALTH AND HOUSING TASK FORCE MEETING TO 1. ORDER:

The Special "In Camera" Health and Housing Task Force Meeting was called to order at 11:41 a.m.

2. REPORTS:

to facilitate discussion re: Health and (a) Housing Task Force Strategic Priorities

11:30 a.m. - Welcome & Introductory Activities (a)

- D. Lindsay entered the meeting room at 11:44 a.m.
 - (b) 11:50 a.m. Setting the Strategic Context

provided an overview of the meeting procedures, carry forward items, undiscussable issues and effective meeting strategies.

(c) 12 p.m. - Working & Networking Lunch

The Task Force broke into groups for a networking lunch.

S. Snelgrove vacated the meeting room at 11:55 a.m.

Task Force discussion took place regarding the priorities, which included the following:

- Public presence of homelessness and addictions
- Definition and perception of safety
- Interrelation of trauma and safety
- Communication to the public to include the issues, potential solutions, public awareness and acknowledgement of concerns
- How to integrate wellbeing improvements with housing opportunities
- Reviewing, taking action on and funding of current policies, strategies and action plans related to health and homelessness
- Determining structure, leadership role and how agencies can collaborate to contribute to overall goals
- Housing inventory an issue
- Each level of government's jurisdiction regarding homelessness, addictions, mental health and housing
- Importance of defining leadership
- Funding source for the Health and Housing Task Force
- What the Task Force is trying to achieve
- How to drive investment to achieve goals
- Measuring benchmarks or milestones

discussed overlapping strategies and plans in the community, root causes or underlying issues that are impacting ability to address the health and housing crisis in our community and system patterns and structures.

(d) 12:30 pm - Team Coordination: Strengthening Our Work

Task Force discussion took place regarding barriers and benefits that the Task Force is facing, which included the following:

- Commitment from the Task Force members including personal versus capacity of their respective organizations
- Resolving long-standing issues
- Small groups causing the most issues in the community
- Spectrum of homelessness
- Working with a systems approach with all partners

- Defining goals around specific outcomes
- Engaging community and getting community support
- Broader group of service providers and funders not involved on the Task Force
- Overlapping of funding and services
- Establishing an operation plan under each objective and being action-focused
- Hiring of a Coordinator to bring agencies together
- Challenges of change management
- Successes being achieved in the community and how to move forward
- Competition between communities for funding
- Staffing barriers
- New and improved relationships with different levels of government since Tent City
- How to include the voice of Divisions Family Practice
- Unable to meet the volume of need/referrals and the complexity of need
- Council requesting meetings for public safety
- Positive and negative outcomes of Tent City
- Lack of continuity on projects and actions when new Council elected
- The TogetherBC Poverty Reduction Strategy
- Lack of supports at the affordable housing locations and its negative impacts on community

The Special "In Camera" Health and Housing Task Force meeting recessed at 1:45 p.m. The Special "In Camera Health and Housing Task Force reconvened at 2:05 p.m.

- (e) 2:00 p.m. Priorities and Commitments
- S. Madden and J. Rudolph returned to the meeting room at 2:07 p.m.

spoke regarding communication and actions already being done and how to effectively address health and housing challenges.

The Task Force broke into groups to discuss potential quick wins, big projects, momentum builders and "think abouts" (things to think about and research projects).

Task Force discussion took place regarding:

- •
- Changes to the judicial system
- Mobile health services
- Understanding the population that is looking for support
- Not enough supports in place for the problematic people in shelters and supportive housing
- Matching funding for health services as supportive housing is put in place
- Members advocating for each other in each others agencies
- Task force leading by example

- How to advocate for more market housing
- D. Lindsay vacated the meeting room at 2:57 p.m.
 - •
 - Housing Action Response Team (HART) in Victoria
 - Acknowledgement of past history of the coalition
 - (f) 3:15 p.m. Frame Working Roles and Involvement Moving Forward

Task Force discussion took place regarding:

- Core people of the team and level of involvement
- •
- Voice for indigenous homelessness and reconciliation
- Inviting homeless or people with lived experience to the Task Force meetings
- Set strategy and conditions for the Task Force and then address tactics
- Leading the group and leading as individuals
- Identifying shared values to provide consistency and accountability
- J. Harrison vacated the meeting room at 3:31 p.m.
 - Funding and parameters for coordinated access
 - Dr. Alina Turner to work through high-level agreements
 - Funding available
 - Key takeaways to focus on:
 - Coordinated Access
 - How to continue work of the group
 - Coalition to provide asset mapping results
 - o Dr. Turner's availability from January to June 2020
 - Communicating to the Public the work being done and progress made
 - Asset mapping

It was moved and seconded that the Health and Housing Task Force recommend that Council request Service Canada to engage Turner Strategies to assist the Health and Housing Task Force with its work starting January 2020. The motion carried unanimously.

Task Force discussion took place regarding:

- Hiring a coordinator to facilitate work
- Stresses on city departments and agencies to complete work of the Health and Housing Task Force
- Having a coordinator involved from the beginning for context and participation in entire process and their role
- Funding availability and upcoming budget meetings
- Timeline for contract and funds for the drop-in centre being repurposed
- Timeline for Contractor's employment

MINUTES – SPECIAL "IN CAMERA" HEALTH AND HOUSING TASK FORCE 2019-OCT-29 PAGE 5

Inviting other people into the process and discussions including youth

It was moved and seconded that the Health and Housing Task Force recommend that Council direct Staff to hire a contractor until June 2020 with funds repurposed from the Drop-In Centre to coordinate the activities of the Health and Housing Task Force. The motion carried unanimously.

Councillor Geselbracht and S. Madden vacated the meeting room at 4:07 p.m.

(g) 4:15 p.m. - Wrap Up Conversation

The Task Force discussed the progress made and topics covered including:

- Budgeting for long-term projects/plans
- Understanding challenges and how to address them
- Reconciliation in Nanaimo
- Defining safety
- Keep work moving forward
- Accountability

3. ADJOURNMENT:

lt v	was moved and	seconded at 4	4:22 p.m.	that the "l	n Camera"	' Meeting terminate	e. The
motion ca	arried unanimou	slv.					

CHAIR
CERTIFIED CORRECT:
CORPORATE OFFICER

DATE OF MEETING December 2, 2019

AUTHORED BY LAURA MERCER, DIRECTOR, FINANCE

SUBJECT PORT THEATRE LINE OF CREDIT GUARANTEE

OVERVIEW

Purpose of Report

For Council to provide direction on the request to renew the Port Theatre Society line of credit guarantee for the Port Theatre Community Performing Arts Centre project.

Reason for "In Camera"

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"

Recommendation

That Council approve the renewal of the line of credit guarantee for the Port Theatre Society.

BACKGROUND

The Port Theatre Community Performing Arts Centre has been a vision of the Port Theatre Society for years. The objectives of this project are to provide affordable, suitable, and accessible space for a diverse set of community users and local and touring performance artists as well as encourage creative diversity. The Performing Arts Centre will include:

- 50-240 seat, flexible-built performance space;
- Two separate rehearsal spaces available to the community;
- · Additional washrooms on south side of existing Port Theatre;
- Extra loading space for main stage events; and,
- Additional lobby space.

Timeline History

In January 2014, a letter was submitted to Council by the Port Theatre Society requesting Council support for Community Performing Arts Centre proposal community consultation process. Council directed Staff to provide support to the Port Theatre Society's community consultation process providing information to the public with respect to the proposed Community Performing Arts Centre, as well as seek input and gauge community support for the addition's proposed design and function. Consultation process carried out in May and June 2014 through three public engagement sessions and an online survey.

In September 2014, City Council received a summary of the Port Theatre Society Community Consultation Process and approved the following:

- Partnering with the Port Theatre Society on the project;
- Proceeding with building a City owned facility on the existing Port Theatre Land with a project manager assigned by the City;
- Allocating \$4.6 million financial contribution to the project dependent and conditional on the Society securing the remaining funds; and,
- Co-signing a \$2 million dollar line of credit in order to proceed with design and engineering completion.

In 2015 and 2016, Construction design work proceeds on the project. Council also supported an application to apply for funding support under the Federal Government's New Building Canada Fund but the application was ultimately not successful.

In April 2016, Council reconfirmed City's 2014-SEP-08 commitment to partner with the Port Theatre Society on the Community Performing Arts Centre Project and allocate up to \$4.6 million on the condition that the Port Theatre Society:

- Agree that is has an ongoing obligation to raise the remaining funds; and,
- With the support of the City, will actively explore and pursue all funding opportunities from Federal and Provincial funds in order to maximize funding from senior levels of government beginning with, but not limited to, applications to:
 - Build Canada Fund;
 - Dept. of Canadian Heritage & Cultural Spaces; and,
 - Canada 150.

In December 2018, Council approved an application to apply for funding support under the Community, Culture, and Recreation stream of the Investing in Canada Infrastructure program that could provide up to 73.33% of the funding for Performing Arts Centre project.

The total estimated cost of the project is \$21.2 million and would be funded as follows:

- \$15.5 million Investing in Canada Infrastructure grant
- \$ 4.6 million City of Nanaimo funding (\$4.5 million borrowing & \$100,000 Strategic Infrastructure reserve)
- Up to \$ 2.0 million Port Theatre Society line of credit (secured by City of Nanaimo).

The City is awaiting the announcement of the successful applicants for the grant stream.

DISCUSSION

The line of credit held by the Port Theatre Society is up for renewal in December 2019. As the line of credit is guaranteed by the City of Nanaimo, the bank is looking for a renewal of the guarantee as well.

As the \$2.0 million line of credit was part of the grant application for the Investing in Canada Infrastructure program grant, the Port Theatre Society will need to have the line of credit to fulfill their funding commitment for the project.

OPTIONS

- 1. That Council approve the renewal of the line of credit guarantee for the Port Theatre Society.
 - The advantages of this option: This will allow the Port Theatre Society to fulfill their funding obligation for the Performing Arts Centre project.
 - The disadvantages of this option: If Performing Arts Centre project is undertaken and the Port Theatre Society defaults on their line of credit repayments the City of Nanaimo would be responsible for the payments.
 - Financial Implications: There is no impact on the budget unless the Port Theatre Society defaults on their line of credit repayments.
- 2. That Council not approve the renewal of the line of credit guarantee for the Port Theatre Society.
 - The advantages of this option: The city would have no financial obligation to cover the Port Theatre Society debt payments.
 - The disadvantages of this option: The Port Theatre Society would not be able to meet their funding commitments for the Performing Arts Centre project.
 - Financial Implications: If Council still wants to continue with the Performing Arts Centre project, the City could be responsible for the additional \$2.0 million needed in addition to the already committed \$4.6 million. The City may then need electoral approval to increase the amount of borrowing needed from \$4.5 million to \$6.5 million.

SUMMARY POINTS

- In September 2014, City Council approved the Co-signing a \$2 million dollar line of credit for the Port Theatre Society in order to proceed with design and engineering completion of the Performing Arts Centre.
- In April 2016, Council reconfirmed City's 2014-SEP-08 commitment to partner with the Port Theatre Society on the Community Performing Arts Centre Project.
- In December 2018, Council approved an application to apply for funding support for the Performing Arts Centre under the Community, Culture, and Recreation stream of the Investing in Canada Infrastructure program; funding would also come from City of Nanaimo borrowing and the Port Theatre Society from their \$2.0 million line of credit.
- The Port Theatre Society's line of credit is up for renewal.
- Their bank is looking for a renewal of the guarantee on the line of credit from the City of Nanaimo.

ATTACHMENTS

Attachment A: Current City of Nanaimo Line of Credit Guarantee

Submitted by:

Concurrence by:

Laura Mercer Director, Finance Richard Harding GM, Parks, Recreation and Culture

INFORMATION RELEASE:

• To be released upon completion of negotiations

AM 925

Guarantee Specified Indebtedness

GENERAL INFORMATION			
Financial Institution Name (the "Financial Institution") and Address	Email Address	Guarantee Date	
First West Credit Union 97 - 6631 Island Highway North	Dhom H	February, 2015	
Nanaimo, BC V9T 4T7	Phone No.	Fax No.	
### COLUMN TO PARA THE REPORT OF THE PARA THE PA			
BORROWER INFORMATION			
Borrower Name(s) (the "Borrower") and Address(es)		Account No.	
The Port Theatre Society			
125 Front Street Nanaimo, BC V9R 6Z4			
		gill dig at Managana et Tall at State of the	
GUARANTOR INFORMATION			
Guarantor Name(s) (the "Guarantor") and Address(es)	Fax No.	Account No. (if applicable)	
The Corporation of the City of Manaimo	(250) 755-4431 Email Address	<u> </u>	
455 Wallace Street Nanaimo, BC V9R 5J6	Brian.Clemens@nanaimo.ca		
	Bilan.Clemens@nanaimo.ca	<u> </u>	
OBLIGATION SECURED (Select the applicable provision. If no provision is select	cted then the provision completed will apply	<i>(.</i>)	
This Guarantee relates to the Borrower's indebtedness to the Financial I	nstitution under the following loan (tl	he "Loan");	
Fixed sum loan in the amount of \$ Other (specify)		***************************************	
Line of credit loan having an			
authorized limit of \$ 2,000,000.00			
GUARANTEE			
In return for the Financial Institution agreeing, at the Guarantor's request, charges, costs, and expenses payable in any currency under or in			
to make the Loan to the Borrower, the Guarantor agrees that: connection therewith (collectively the "Guaranteed Liabilities").			
 Guarantee – The Guarantor hereby unconditionally and irrevocably guarantees repayment to the Financial Institution by the Borrower of the outstanding principal balance of the Loan (including readvances if the Loan is a line of credit loan) at any time owing or remaining Terms and Conditions – The Guarantor agrees to be bound by the Terms and Conditions on pages 2 and 3, which form a part of this Guarantee. 			
unpaid and in any currency, together with interest thereon at such a rate or rates of interest as may be agreed upon between the Financial Institution and the Borrower from time to time, plus all legal and other			
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Witness Signature Name	Title	Date	
© 1990 - 2012 CENTRAL 1 CREDIT UNION COPY 1 - FINANCIAL INST	STUTION COPY 2 - GUARANTOR 1 COPY 3 - GUARAN	PAGE 1 OF 3 FOR 2 FORM (157 (R-07/12)	

TERMS AND CONDITIONS (the "Terms and Londitions")

DEMAND AND PAYMENT

- 1.1 a) Guarantee The Guarantor shall, forthwith upon demand by the Financial Institution, pay to the Financial Institution the Guaranteed Liabilities.
 - b) Indomnity The Guaranter also unconditionally agrees that, if the Borrower goes not unconditionally and irrevocably pay any Guaranteed Liabilities are not recoverable from the Guaranter (or any reason under Section 1,1 a), Guarantee, the Guarantor shall indemnify the Financial Institution immediately on demand-egainst any cost, loss, damage, expense, or liability suffered by the Pinancial Institution as a result of the

Separate Liabilities — The liabilities of the Guarantor under Sections 1.1 a), Guarantee and 1.1 b), Indemnity, are separate and distinct from each other, but the provisions of this Guarantee shall apply to the liabilities under both of those Sections unless the context otherwise requires.

- 1.2 ENTITLED TO DEMAND The Financial Institution shall be entitled to make demand hereunder upon any default by the Borrower in respect of the Guaranteed Liabilities (whether in repayment thereof or otherwise) and a new right to demand shall arise in respect of each and every default by the Borrower.
- 1.3 NO NOTICE OF DEFAULT The Guarantor waives notice of default by the Borrower and acknowledges that the Financial Institution shall not be obliged to give any such notice or notices.
- 1.4 NO SET-OFF The Guaranter shall not, as a defence to payment to the Financial Institution of the Guaranteed Liabilities, claim any set-off or counterclaim in respect of any liability of the Borrower to the Guaranter.
- 1.5 NOT BOUND TO EXHAUST RECOURSES The Financial Institution shall not be bound to exhaust the Financial Institution's recourses against the Borrower or any other party, or any security or securities or evidence of indebtedness which the Financial Institution may hold before requiring payment by the Guarantor.
- 1.6 LIMIT ON LIABILITY The liability of the Guarantor under this Guarantee is unlimited.
- 1.7 IRREVOCABILITY AND NOTICE OF TERMINATION If the Loan forming part of the Guaranteed Liabilities relates to a fixed sum loan, the Guarantor agrees that this Guarantee is firevocable by it and the Guarantor expressly and unconditionally waives any right to terminate this Guarantee. If the Loan forming part of the Guaranteed Liabilities relates to a line of credit loan, the Guarantor may terminate the Guarantee's further liability under this Guarantee by giving written notice to the Financial Institution and this Guarantee will not apply to, and the Guaranteed Liabilities will not include, any advances or readvances of the principal sum made after the expiry of 30 days from the date of the Financial Institution's receipt of the notice or any interest on such advances or readvances, provided that the Guarantor shall remain liable in respect of Guaranteed Liabilities incurred or arising before the expiration of that 30-day period.

2. UNCONDITIONAL GUARANTEE

- 2.1 GUARANTEE NOT AFFECTED This Guarantee is absolute and unconditional and the Guarantor's liability hereunder shall not be released, lessened, or adversely affected by anything whatsoever, including any of the following:
 - a) if the Borrower is an individual, the lack of capacity or disability of the Borrower;
 - if the Borrower is a partnership or a limited partnership, any change in the members, limited partners, general partner, name, partnership units or interests, partnership agreement, or other governing document of the partnership or limited partnership;
 - c) if the Borrower is a corporation
 - any change in the directors, shareholders, name, objects, share capital, memorandum, articles, or other organizational documents of the Borrower, or
 - ii) any incapacity or disability of the directors, partners, or agents of the Borrower, or
 - iii) the amalgamation of the Borrower with any other corporation, or
 - iv) the continuance of the Borrower, or
 - v) the winding-up, liquidation, or dissolution of the Borrower, or
 - vi) that the liabilities incurred by the Borrower in connection with the Loan were incurred irregularly, defectively, or informally, or in excess of the powers of the Borrower or of its directors or other agents notwithstanding that the Financial Institution may have had specific notice of the extent of the relevant powers of the Borrower or of its directors or agents;
 - the bankruptcy or insolvency of the Borrower or of the Guarantor;
 - the inability of the Financial Institution by reason of law or otherwise to enforce any security instrument, or any of the terms, conditions, or other provisions contained in any security instrument, for the Loan against the security which is subject to such security instrument or against the Borrower or any other person;
 - f) the novation of any agreement or security instrument in respect of the Loan;
 - that the obligations of the Borrower to the Financial Institution in respect of the Loan or any security in respect thereof may be invalid, void, voidable, or unenforceable;

- the release in whole or in part of any security given by the Borrower or any other person to the Financial Institution;
- the sale by the Borrower of any of the Borrower's assets, including any assets in which the Financial Institution has taken a security interest as security for the Loan.
- j) the failure of the Financial Institution to fully advance the Loan;
- the failure of any proposed signatory or signatories to execute this Guarantee;
- if more than one person constitutes the Guarantor, the release by the Financial Institution of any of those persons from their obligations hereunder and this Guarantee shall remain a valid and enforceable obligation of the persons not released by the Financial Institution; or
- n) that the Financial Institution may have
 - granted time or other indulgences to the Borrower or any other person liable to the Financial Institution in respect of the Loan, or
 - given up, modified, exchanged, renewed, or abstained from perfecting or taking advantage of any security or securities in whole or in part now or hereafter held by the Financial Institution in respect of the Loan, or
 - accepted any compromise, composition, proposal, or arrangement offered by the Borrower, or
 - agreed with the Borrower to amend, restate, supplement, and/or vary the principal amount, interest rate, terms of repayment, or any other terms of, or relating to, the Guaranteed Liabilities or any loan document applicable thereto.

3. GUARANTOR'S ACKNOWLEDGEMENTS

- 3.1 NO REPRESENTATIONS ETC. The Guarantor acknowledges
 - that the Financial Institution has made no representations or warranties of any kind to the Guarantor,
 - that there are no collateral agreements of any kind between the Guarantor and the Financial Institution with respect to this Guarantee, and
 - c) that all covenants and agreements of the Bonower and all conditions with respect to the Loan contained in any agreement between the Borrower and the Financial Institution (and regardless of whether the Guarantor is a party thereto) are for the sole benefit of the Financial Institution and compliance therewith may be waived in whole or in part by the Financial Institution without affecting the Guarantor's liability hereunder (the "Terms and Conditions").

4. GENERAL

- 4.1 ASSIGNMENT The Financial Institution may assign this Guarantee in whole or in part, absolutely or by way of security without the Guaranter's consent or notice to the Guaranter
- 4.2 REMEDIES In enforcing this Guarantee the Financial Institution can use any and all remedies available at law or in equity, and no single or partial exercise of any right or remedy shall preclude any other or further exercise thereof, nor shall the failure of the Financial Institution or any delay in exercising the Financial Institution's rights under this Guarantee operate as a waiver.
- 4.3 GUARANTEE IN ADDITION This Guarantee is in addition to, and not in substitution for, any securities or other guarantees which the Financial Institution may at any time possess, and the Financial Institution shall not be required to marshall for the Guarantor's benefit any securities or assets which the Financial Institution has or has a claim upon.
- 4.4 NO SUBROGATION The Guarantor will not claim to be subrogated in any manner to the Financial Institution's position and will not claim the benefit of any security at any time held by the Financial Institution until the Guaranteed Liabilities have been paid in full by the Guarantor, and upon the Guarantor paying to the Financial Institution all of the Guaranteed Liabilities then the Guarantor shall on demand in writing to the Financial Institution be entitled to the assignment of any securities then held by the Financial Institution as security for the Guaranteed Liabilities but nothing in this Guarantee shall be taken or construed as a representation or warranty by the Financial Institution as to the enforceability of any such securities.
- 4.5 CORPORATE GUARANTOR If the Guarantor is a corporation, the Guarantor represents and warrants to the Financial Institution that all action required to authorize this Guarantee has been taken by the Guarantor or its directors or shareholders, and all required disclosure with respect to this Guarantee has been made.
- 4.6 RECORDS The Financial Institution's records shall be prima facie evidence as to the amount outstanding on account of the Loan and as to the Borrower being in default in respect of the Loan.
- 4.7 CONTINUING GUARANTEE This Guarantee is a continuing guarantee and indemnity for a current or running account and will extend to the ultimate balance of the Guaranteed Liabilities, regardless of any intermediate payment or discharge of the Guaranteed Liabilities in whole or in part (and regardless of advances and readvances under any Loan that is a revolving line of credit loan).

GUARANTEE - SPECIFICD INDESTEDNESS PAGE 2 OF 3

TERMS AND CONDITIONS (CONTINUED)

- 4.8 PAYMENTS IN GROSS Until this Guarantee has been terminated by the Financial Institution, all amounts of any kind received by the Financial Institution from any source in respect of the Guaranteed Liabilities shall be regarded for all purposes as payments in gross without any right on the part of the Guarantor to claim the benefit of those amounts in reduction of its liabilities under this Guarantee.
- 4.9 REINSTATEMENT If at any time any payment of the Guaranteed Liabilities is or must be resclinded or returned by the Financial Institution as a result of insolvency or reorganization of the Borrower or any other person, or for any other reason whatsoever, the Guaranteed Liabilities will be deemed to have continued in existence and this Guarantee shall continue to be effective, or be reinstated, as if the payment had not occurred. The Financial Institution may concede or compromise any claim that any payment ought to be rescinded or returned without diminishing the liability of the Guarantor under this Section.
- 4.10 INTEREST The Guarantor's liabilities under this Guarantee shall bear interest from the date of demand at the highest rate of interest per annum that is applicable to any part of the Guaranteed Liabilities.
- 4.11 LIMITATION PERIODS To the extent that any limitation period applies to any claim for payment of the Guaranteed Liabilities or remedy for enforcement of the Guaranteed Liabilities, the Guarantor agrees that
 - a) any limitation period is expressly excluded and waived entirely if permitted by applicable law;
 - if a complete exclusion and waiver of any limitation period is not permitted by applicable law, any limitation period is extended to the maximum length permitted by applicable law;
 - any applicable limitation period shall not begin before an express demand for payment of the Guaranteed Liabilities is made in writing by the Financial Institution to the Guarantor.
 - any applicable limitation period shall begin afresh upon any payment or other acknowledgment of the Guaranteed Liabilities by the Guarantor; and
 - this Guarantee is a "business agreement" as defined in the Limitations Act, 2002 (Ontario) if that Act applies.

NOTICES

- 5.1 NOTICE AND DEMANDS Any notice or demand to be given under this Guarantee must be in writing and must be
 - a) delivered;
 - b) sent by mail;
 - c) transmitted by facsimile; or
 - d) sent by email

to the respective party to be served at their respective address, fax number, or email address set out on page 1 of this Guarantee or otherwise provided to the other parties in writing.

Any party may change its address, fax number, or email address for purposes of this Guarantee by notice as provided in this Section 5.1, Notices and Demands. Except as provided below and in Section 5.2, Delays, each notice and demand will be deemed to have been received by the person to whom it was addressed

- e) on the date of receipt if delivered;
- five days from the date of mailing if sent by mail; or
- g) the date of transmission if transmitted by facsimile or email.

Regardless of any other provisions of this Guarantee, any notice or demand received or otherwise deemed received

- n) outside the business hours of the branch office of the Financial Institution set out on page 1, or
- i) on a day that is not a Business Day

will be deemed to have been received on the next Business Day.

In this Part 5, Notices, "Business Day" means a day, Monday through Friday inclusive, on which the office of the Financial Institution located at the address on page 1 is open for business.

5.2 DELAYS – In the event that, at the firme a notice or demand is mailed as provided in Section 5.1, Notices and Demands, or at any time during the period of two Business. Days following such mailing, postal, or airline or airport employees are engaged in a strike, work stowdown, other work stoppage at the place at which the notice or demand is mailed, or at the place to which the notice or demand is mailed, or at any point through which such notice or demand must pass, such notice or demand shall be deemed to have been given and received at the time when such notice or demand would be received in the ordinary course of the mails, allowing for such strikes, work slowdown, or other work stoppage.

6. CONSTRUCTION AND INTERPRETATION

- 6.1 HEADINGS The headings herein are inserted for convenience of reference only and shall not affect the construction or interpretation of this Guarantee.
- 6.2 GOVERNING LAW This Guarantee shall be governed by, and construed in accordance with, the laws of the Province where the branch office of the Financial Institution set out on page 1 of this Guarantee is located.
- 6.3 SUBMISSION TO JURISDICTION The Guarantor submits to the jurisdiction of the Courts of the Province where the branch office of the Financial Institution set out on page 1 of this Guarantee is located, and agrees to be bound by any suit, action, or proceeding commenced in such Courts and by any order or judgment resulting from such suit, action or proceeding, provided that the foregoing shall in no way limit the Financial Institution's right to commence suits, actions, or proceedings based on this Guarantee in any jurisdiction.
- 6.4 INVALIDITY OF ANY PROVISION If, in any jurisdiction, any provision in this Guarantee shall be restricted, invalid, or unenforceable, the remainder of this Guarantee shall, as to that jurisdiction only, not be affected thereby and each covenant, obligation, or provision of this Guarantee shall separately be valid and enforceable to the fullest extent permitted by law, and without affecting the validity or enforceability of that provision in any other jurisdiction and, if applicable, without affecting its application to other circumstances.
- 6.5 JOINT OBLIGATIONS if the Guarantor is more than one person, the obligations and agreements of each Guarantor shall be joint and several and this Guarantee shall be read and construed accordingly with all necessary grammatical changes.
- 6.6 ENTIRE AGREEMENT This Guarantee constitutes the entire agreement between the Guaranter and the Financial Institution with respect to the guarantee of the Guaranteed Liabilities and there are no representations, warranties, or collateral agreements, expressed or implied between the Guaranter and the Financial Institution save as herein contained.
- 6.7 AMENDMENTS No provisions of this Guarantee may be amended, modified, or waived except in writing signed by the Financial Institution.
- 6.8 ENUREMENT—This Guarantee shall extend to, and enure to the benefit of the Financial Institution, the Financial Institution's successors and assigns and shall be binding upon the Guarantor and the Guarantor's heirs, executors, administrators, successors, and assigns and each of them.

7. TERM

See Schedule attached hereto.

8. LIMITED LIABILITY

See Schedule attached hereto.

SCHEDULE

7. TERM

The term of this Guarantee shall be 5 years (the "Term) and this Guarantee will cease and become null and void on the date which is 5 years from the date of this Guarantee and the Lender hereby releases the Guarantor of any liability under this Guarantee arising after that date, provided however that if the Lender makes a valid demand for payment on the Guarantor pursuant to this Guarantee at any time during the Term then the release contemplated by this section shall not apply to any amounts so demanded that are properly due and owing under this Guarantee but not paid by the Guarantor to the Lender prior to the end of the Term.

8. LIMITED LIABILITY

Notwithstanding anything otherwise set out in this Guarantee, the total amount payable by the Guarantor under this Guarantee shall be limited to TWO MILLION DOLLARS (\$2,000,000.00) including all interest, legal and other charges, costs and expenses payable and in no event shall the Guarantor's total liability under this Guarantee (including, without limitation, under article 1 and article 2) exceed the amount of TWO MILLION DOLLARS (\$2,000,000.00).



COUNCIL

2014 SEP 08

5. PRESENTATIONS:

(a) Port Theatre Community Performing Arts Centre Community Consultation Process – Summary

41214 It was moved and seconded that Council:

- 1. partner with the Port Theatre Society by:
 - designating this project as the Sesquicentennial project for the City of Nanaimo:
 - designating this project for inclusion in a Build Canada Application;
- 2. approve proceeding with building a City owned facility on the existing Port Theatre land with a project manager assigned;
- 3. allocate a financial contribution of \$4.6 million to the project and support a Line of Credit on behalf of the Port Theatre Society:
 - dependent and conditional on the Port Theatre Society securing the remaining funds; and,
 - co-sign a \$2 million dollar Line of Credit in order to proceed with design and engineering completion.

The motion carried.

Opposed: Councillor McKay

CERTIFIED CORRECT:

C. Jacksøly

CORPORATE OFFICER

www.nanaimo.ca

DATE OF MEETING December 2, 2019

AUTHORED BY JESSICA VANDERHOEF, STENO, LEGISLATIVE SERVICES

SUBJECT RELEASE OF FIRST QUARTER 2018 "IN CAMERA" AGENDAS

OVERVIEW

Purpose of Report

To provide Council with a preview of the redacted first quarter (January – March) of 2018 "In Camera" Agendas prior to Staff publishing them to the City's website.

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;
- (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;
- (h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the Council or a delegate of Council:
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (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;
- (I) 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,

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.

BACKGROUND

Council Policy "Routine Release of "In Camera" Agendas" (Attachment 'A') states that the routine release of "In Camera" meeting agendas, once the requirement for confidentiality has passed, will support Council's goals of openness and transparency, which is a significant element of good governance.

DISCUSSION

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).

Copies of the redacted agendas have been bundled in quarterly sections (Attachment B) for Council's review prior to posting to the City's website. Due to the size of the documents each quarterly bundle will be provided via an OwnCloud link to the documents. These quarterly bundles will be distributed for Council's review during upcoming "In Camera" Council meetings and the links will expire after a certain timeframe.

Staff are currently working on reviewing the 2019 "In Camera" Agendas for publishing.

CONCLUSION

Staff plan to publish the 2018 "In Camera" Agendas to the City website with the redactions applied as presented in Attachment B. Each "In Camera" Agenda will be published on the City's "In Camera" Release of Information webpage by meeting date.

SUMMARY POINTS

- Council Policy "Routine Release of "In Camera" Agendas" states that Council routinely release "In Camera" Agendas
- 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.
- Staff will be publishing each "In Camera" Agenda to the City's website by meeting date.

ATTACHMENTS

Attachment A – "Routine Release of "In Camera" Agendas Policy No. 01-0560-01" Attachment B (OwnCloud Link below) – "In Camera" Agendas First Quarter of 2018

Submitted by:

Sheila Gurrie, City Clerk

ATTACHMENT A



Section:	Administration	1
Subsection:	Council – Meetings – "In Camera"	0560
Title:	Routine Release of "In Camera" Agendas	01

POLICY

Council has identified Governance Excellence as a theme in their strategic plan. Council, along with Staff are responsible for providing governance excellence. The routine release of In Camera meeting agendas, once the requirement for confidentiality has passed, will support Council's goals of openness and transparency, which is a significant element of good governance.

Council has approved the release of voting results of resolutions considered at In Camera Meetings. Redacted In Camera agendas, which include minutes and reports, will be publically released on a monthly basis. Exceptions for release apply.

REASON FOR POLICY

To provide a process for ensuring that the City of Nanaimo is being open and transparent in conducting City business at In Camera meetings.

AUTHORITY TO ACT

Delegated to Staff.

Definitions

In Camera Meeting: A meeting closed to the public under Community Charter section 90(1) or 90(2).

Agenda: Information package distributed to Council in advance of a meeting containing minutes and reports.

PROCEDURE

The Corporate Officer shall ensure the implementation of the Routine Release of "In Camera" Agendas Policy by releasing agendas through the City of Nanaimo's website on a monthly basis.

Due to confidentiality obligations, some content of agendas may not be initially releasable. If documents are unable to be released initially, staff will review redacted documents and documents withheld from release to determine if the period of confidentiality has passed, and if the document can be released at a later date. Some documents or sections of documents, depending on subject matter, such as third party information or legal matters may never be released.

If the document can be released, staff will remove redactions and post the updated version to the City's website. If content cannot be released, staff will review it at the next scheduled monthly session to determine if by that time the content is releasable.

Documents or sections of documents may be withheld from release for the following reasons:

- third party information;
- 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;
- 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;
- labour relations or other employee relations;
- the security of the property of the municipality;
- the acquisition, disposition or expropriation of land or improvements, if the staff considers that disclosure could reasonably be expected to harm the interests of the municipality;
- law enforcement, if staff considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- litigation or potential litigation affecting the municipality;
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- 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 staff, could reasonably be expected to harm the interests of the municipality if they were held in public;
- 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];
- a matter that, under another enactment, is such that the public may be excluded from the meeting;
- 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;
- a matter that is being investigated under the Ombudsperson Act of which the municipality has been notified under section 14 [Ombudsperson to notify authority] of that Act;
- a review of a proposed final performance audit report for the purpose of providing comments to the auditor general on the proposed report under section 23 (2) of the Auditor General for Local Government Act.

Responsibilities

Council is responsible for:

Adoption and periodic review of this policy.

CAO is responsible for:

Committing to the implementation and ongoing improvement of the policy to support achievement of the City's goals related to Governance Excellence, openness and transparency, while balancing the need to protect personal and sensitive information.

Corporate Officer is responsible for:

Coordination and administration of this policy.

Report writers/City Staff are responsible for:

Ensuring In Camera reports include a release clause;

Routine Release of "In Camera" Agendas Policy No. 01-0560-01 Page 3

Only including necessary information in In Camera reports.

Scope and Applicability

This policy applies to all In Camera meetings of Council and its committees.

It is acknowledged that this policy does not limit a person's right of access to records under the *Freedom* of *Information and Protection of Privacy Act*.

Benefits of Compliance

Implementing this policy will:

Support Council's priority related to Governance Excellence by providing for the timely and routine release of information;

Ensure decisions made In Camera, once confidentiality has passed, are made public.

Ensure confidential information remains confidential.

Review Date

This policy should be reviewed from time to time as appropriate.

Date: 2013-MAY-13 Approved by: Council
1. Amendment Date: 2013-SEP-23 "IC" Council
2. Amendment Date: 2019-JUL-22 Council

DATE OF MEETING December 2, 2019

AUTHORED BY LAINYA ROWETT, MANAGER, CURRENT PLANNING SECTION

SUBJECT DESIGN ADVISORY PANEL MEMBER APPOINTMENT

OVERVIEW

Purpose of Report

To provide Council with a nomination from the Architectural Institute of British Columbia, and obtain Council approval of same.

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 Mr. Tony James, Architect, as nominated by the Architectural Institute of British Columbia, to the Design Advisory Panel for a two-year term effective immediately and ending 2021-DEC-02.

Resolution to Rise and Report

To be released at a future Open Council meeting, subject to approval.

BACKGROUND

The Design Advisory Panel has been a feature of the development permit process since the 1990s.

Council created the Design Advisory Panel to review and make recommendations on all form and character development permits for multi-family, commercial, institutional, industrial, and mixed-use developments.

Design Advisory Panel

The Design Advisory Panel members are appointed to the panel for three years. The two Architectural Institute of British Columbia (AIBC) members are an exception, as their term length of up to two years is specified by the AIBC.

The Official Community Plan designates form and character development permit areas with associated design guidelines. The Design Advisory Panel uses the design guidelines as a tool to evaluate the form and character of submitted projects.

The Design Advisory Panel maintains the following membership:

- 1. 2 architects (two-year terms), as nominated by the AIBC;
- 2. 1 landscape architect, as nominated by the BCSLA;
- 3. 1 designer;
- 4. 3 members of the general public; and
- 5. 1 Council member

Design Advisory Panel Objectives

The Design Advisory Panel has the following objectives:

- 1. To assist Staff in establishing design guidelines to ensure the form and character of future developments is of high quality that meets the needs of the community.
- 2. To evaluate the development proposals in relation to the City's design guidelines and provide recommendations in relation to same.

The AIBC has a design panel committee that nominates members for participation on design panels. The AIBC limits the amount of time AIBC architects can serve on design panels up to two years.

The term status of the two AIBC architects currently serving as Design Advisory Panel members is as follows:

- 1. Martin Hagarty two-year term, completion date 2019-NOV-20. Mr. Hagarty's term is complete and the panel is now awaiting a replacement.
- Charles Kierulf two-year tem (extended), completion date 2021-FEB-24.

The current AIBC nominee, Tony James, would replace Martin Hagarty. Mr. James is an AIBC member in good standing.

OPTIONS

- 1. That Council appoint Mr. Tony James, Architect, as nominated by the Architectural Institute of British Columbia, to the Design Advisory Panel for a two-year term effective immediately and ending 2021-DEC-02.
 - Advantages: The appointment of Mr. James will ensure continuation of the Council-created Design Advisory Panel.
 - Disadvantages: None identified.
 - Financial Implications: This is a volunteer position, so no wages or fees will be paid.

- 2. That Council deny the appointment of Mr. Tony James, Architect, as nominated by the Architectural Institute of British Columbia, to the Design Advisory Panel for a two-year term effective immediately and ending 2021-DEC-02.
 - Advantages: None identified.
 - Disadvantages: This would delay selection of a second architect for the panel, and could potentially delay consideration of projects if quorum could not be achieved with few members.
 - Financial Implications: None identified.

SUMMARY POINTS

- The appointment of the AIBC nominee will allow the replacement of one architect whose term has expired to serve as a panel member.
- The AIBC architects are limited to two-year terms, and there will be an ongoing nomination process brought forward to Council.
- The AIBC architects provide in-depth design knowledge to the Design Advisory Panel and development application reviews.

ATTACHMENTS

Submitted by:

Lainya Rowett Manager, Current Planning Concurrence by:

Jeremy Holm Director, Development Approvals

Dale Lindsay General Manager, Development Services

In Camera Report for Decision

City of Nanaimo

File Number: LD003829

DATE OF MEETING December 2, 2019

AUTHORED BY NANCY SKEELS, PROPERTY AGENT, REAL ESTATE

SUBJECT PROPERTY DISPOSITION – 5861 LINYARD ROAD

OVERVIEW

Purpose of Report

To obtain Council approval for the disposition of 5861 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 5861 Linyard Road to
- 2. direct the Mayor and Corporate Officer to execute the necessary documents to affect the transaction.

BACKGROUND

The City of Nanaimo acquired 5290 Rutherford Road, 0.99ha (2.5 acres), on 2015-DEC-18 for \$850,000. 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. 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 Proposals 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.

On 2019-JUN-04, the lots were registered at the Land Title Office making them available for sale.

On 2019-JUL-22, Council provided approval to dispose of 5885/5887 Linyard Road, a multifamily lot that was within this subdivision, for
DISCUSSION
An Offer to Purchase 5861 Linyard Road (the "Property", Attachment A) was received from (the "Purchaser") for The Property is 713.44 m² (7,678 sq. ft.) in size, is a single-family lot with R10 zoning, and is listed for sale at \$279,900. The Purchaser has signed a Purchase and Sale Agreement and has provided a deposit of
Staff are requesting Council provide approval to dispose of the Property to the Purchaser for the purchase price of Subject to approval being received, it is anticipated the Property will transfer on 2019-DEC-12.
The John Cooper Group will continue to market the remaining three lots and Staff will return to Council when the remaining Offers to Purchase are received.
 That Council: approve the disposition of 5861 Linyard Road to for ; and direct the Mayor and Corporate Officer to execute the necessary documents to affect the transaction.
 Advantages: Staff have published a Notice of Disposition as required by Sections 26 and 94 of the Community Charter. The subdivision is consistent with the neighbourhood plan and the zoning. Providing approval to dispose of 5861 Linyard Road would be consistent with Council's past decisions. Disadvantages: Selling 5861 Linyard Road will prevent Council from choosing to use the lot for another municipal purpose, should Council want to. Financial Implications: The City will receive from the sale. The funds from the disposition will go into the Property Sales Reserve Fund, which can be used to support other Council property acquisitions. The City will incur the realton commission fees of This cost will be deducted from the sale proceeds.
2. That Council deny the disposition of 5861 Linyard Road to
 Advantages: Denying the disposition will allow Council to use the lot for another municipal purpose should Council want to. Disadvantages: Denying approval to dispose of 5861 Linyard Road would be

Financial Implications: The City would not receive _____. The property will

inconsistent with Council's past decisions.

remain undeveloped and owned by the City.

SUMMARY POINTS

- The City of Nanaimo 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 lands 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 5861 Linyard Road was received from

 The property is 713.44 m² (7,678 sq ft.) in size, is a single-family lot with R10 zoning, and is listed for sale at \$279,900.
- Staff are requesting Council provide approval to dispose of the Property to the Purchaser for the price of Subject to approval being received, it is anticipated the Property will transfer on 2019-DEC-12.
- The John Cooper Group will continue to market the remaining three lots and Staff will return to Council when the remaining Offers to Purchase are received.

ATTACHMENTS

ATTACHMENT A: Location Plan

Submitted by: Concurrence by:

Bill Corsan Dale Lindsay

Director, Community Development General Manager, Development Services

Laura Mercer Director, Finance

INFORMATION RELEASE:

42

ATTACHMENT A



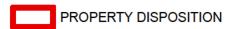
PROPERTY DISPOSITION - FILE NO. LD003829

Å

Civic: 5861 LINYARD ROAD

Legal: LOT 1, DISTRICT LOT 32, WELLINGTON DISTRICT, PLAN EPP89951







ADDENDUM "IN CAMERA" COUNCIL MEETING

Monday, December 2, 2019

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

SCHEDULED RECESS 5:30 P.M.

				Pages
PRES	ENTATIONS:			
b.				
		 PRESENTATIONS: b.		



AGENDA "IN CAMERA" COUNCIL MEETING

Monday, December 16, 2019

4:00 p.m. to Proceed "In Camera", Reconvene Open Meeting at 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:

- 1. Adoption of Agenda
- 5 a. Advisory Committee Minutes 90(2)(b)
- 6 a. Release of Second Quarter 2018 "In Camera" Agendas 90(1)(a)(b)(c)(e)(f)(g)(h)(i)(k)(l)90(2)(b)
- 6 b. 2020 Culture and Heritage Award Recipient Recommendations 90(1)(b)
- 6 c. Metral Drive Complete Street Project Proposed Property Acquisitions 90(1)(e)
- 6 d. Property Acquisition 431 Dunsmuir Street and 424 Wesley Street 90(1)(e)
- 6 e. 90(1)(g)(e)
- 6 f. 90(1)(e)
- 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;
- (h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the Council or a delegate of Council;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (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;
- (I) 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, 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 5 - 10

Minutes of the "In Camera" meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-DEC-02, at 4:00 p.m.

4. PRESENTATIONS:

5. CONSENT ITEMS:

a. Advisory Committee Minutes

1. Minutes of the "In Camera" Health and Housing Task Force meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC on Wednesday, 2019-NOV-13 at 3:00 p.m.

11 - 14

6. REPORTS

a. Release of Second Quarter 2018 "In Camera" Agendas

15 - 20

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

Purpose: To provide Council with a preview of the redacted second quarter (April - June) of 2018 "In Camera" Agendas prior to Staff publishing them to the

b.	2020 Culture and Heritage Award Recipient Recommendations	21 - 72
	To be introduced by Richard Harding, General Manager, Parks, Recreation and Culture.	
	Purpose: To obtain Council endorsement of the 2020 Culture & Heritage Award recipient recommendations.	
	Recommendation: That Council approve Mr. Patrick Aleck for the 2020 Emerging Cultural Leader Award; Mr. Devon Joiner for the 2020 Excellence in Culture Award; Trish and Geoff Horrocks for the 2020 Honour in Culture Award; and Gary and Adam Manson for the 2020 Honour in Heritage Award.	
C.	Metral Drive Complete Streets Project - Proposed Property Acquisitions	73 - 82
	To be introduced by Bill Corsan, Director, Community Development.	
	Purpose: To provide Council with background information for the partial property acquisitions associated with the Metral Drive Complete Streets Project impacting 5341, 5350 and 5351 Metral Drive and 5410 Godfrey Road, and to seek Council direction to enter into negotiations to acquire a portion of the properties for road and sidewalk purposes.	
	Presentation:	
	1. Bill Corsan, Director, Community Development.	
	Recommendation: That Council direct Staff to enter into negotiations with the owners of 5341, 5350, 5351 Metral Drive and 5410 Godfrey Road for partial property acquisition for road and sidewalk purposes, and return to Council for approval once negotiations are complete.	
d.	Property Acquisition - 431 Dunsmuir Street and 424 Wesley Street	83 - 86
	To be introduced by Bill Corsan, Director, Community Development.	
	Purpose: To provide Council with the outcome of the property acquisition negotiations with the owners of 431 Dunsmuir Street and 424 Wesley Street.	
	Recommendation: That Council authorize the acquisition of 431 Dunsmuir Street and 424 Wesley Street from for the sum of	
	Rise and Report:	
	That Council authorize Staff to make the appropriate communications as necessary.	
e.		

f.

g. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

- 7. CORRESPONDENCE:
- 8. ADJOURNMENT OF "IN CAMERA" MEETING:

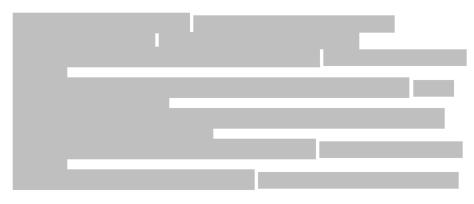
"IN CAMERA" MINUTES

COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2019-DEC-02 AT 4:00 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 4:10 p.m., vacated 5:33 p.m.)
- D. Lindsay, General Manager, Development Services (arrived 4:10 p.m., vacated 5:33 p.m.)
- B. Sims, General Manager, Engineering and Public Works (vacated 5:33 p.m.)
- J. Van Horne, Director, Human Resources (arrived 5:35 p.m., vacated 6:12 p.m.)
- K. Fry, Fire Chief (vacated 5:33 p.m.)
- L. Mercer, Director, Finance (vacated 5:33 p.m.)
- P. Rosen, Director, Engineering (arrived 5:02 p.m., vacated 5:32 p.m.)
- D. Bailey, Manager, Accounting Services (vacated 4:09 p.m.)
- J. Rose, Manager, Transportation (arrived 5:02 p.m., vacated 5:33 p.m.)
- B. Thomas, Assistant Manager, Transportation (arrived 5:02 p.m., vacated 5:32 p.m.)
- F. Farrokhi, Manager, Communications
- S. Gurrie, Director, Legislative Services (vacated 6:12 p.m.)
- K. Gerard, Recording Secretary (vacated 5:55 p.m.)

CALL THE "IN CAMERA" MEETING TO ORDER:

The "In Camera" Meeting was called to order at 4:00 p.m.

2. <u>INTRODUCTION OF LATE ITEMS:</u>

(a)

(b) Agenda Item 5(a) – Advisory Committee Minutes – Correct to read:

Minutes of the Special "In Camera" Health and Housing Task Force Meeting held in the St. Paul's Anglican Church, St. Matthew's Meeting Room, 29 Church Street, Nanaimo, BC, on Tuesday, 2019-OCT-29 at 11:30 a.m.

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-NOV-18, at 3:00 p.m. be adopted as presented. The motion carried unanimously.

5. <u>PRESENTATIONS</u>

(a) KPMG Audit Planning Report

Introduced by Laura Mercer, Director, Finance.

Council discussion took place regarding improper spending, the investigations process and KPMG recommendations from 2018.

R. Hard	ling and	d D. Lir	idsay ent	ered the	Douglas	Rispin	Room at	4:10 p.m		
	(b)									

6. CONSENT ITEMS:

It was moved and seconded that Council receive the following item:

(a) Advisory Committee Minutes

1. Minutes of the Special "In Camera" Health and Housing Task Force Meeting held in the St. Paul's Anglican Church, St. Matthew's Meeting Room, 29 Church Street, Nanaimo, BC, on Tuesday, 2019-OCT-29 at 11:30 a.m.

The motion carried unanimously.

7. REPORTS:

(a) Port Theatre Line of Credit Guarantee

Laura Mercer, Director, Finance, spoke regarding the Port Theatre Line of Credit Guarantee and stated that the line of credit guarantee was signed in September of 2014 for a five-year period and that the bank requires resigning to guarantee the line of credit for another 5 years.

It was moved and seconded that Council approve the renewal of the line of credit guarantee for the Port Theatre Society. The motion carried unanimously.

(b) Release of First Quarter 2018 "In Camera" Agendas

Introduced by Sheila Gurrie, Director, Legislative Services.

(c) Design Advisory Panel Member Appointment

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council appoint Mr. Tony James, Architect, as nominated by the Architectural Institute of British Columbia, to the Design Advisory Panel for a two-year term effective immediately and ending 2021-DEC-02. The motion carried unanimously.

It was moved and seconded that Council rise and report regarding the appointment of Mr. Tony James, Architect, as nominated by the Architectural Institute of British Columbia, to the Design Advisory Panel for a two-year term effective immediately and ending 2021-DEC-02. The motion carried unanimously.

	(d)	Property Disposition – 5861 Linyard Road
		Introduced by Dale Lindsay, General Manager, Development Services.
		It was moved and seconded that Council:
	1.	approve the disposition of 5861 Linyard Road to
	2.	and, direct the Mayor and Corporate Officer to execute the necessary documents to effect the transaction.
	The mo	otion carried unanimously.
P. Ros	en, J. R	lose and B. Thomas entered the Douglas Rispin Room at 5:02 p.m.
	(e)	

J. Rose, P. Rosen and B. Thomas vacated the Douglas Rispin Room at 5:32 p.m. R. Harding, K. Fry, D. Lindsay, L. Mercer and B. Sims vacated the Douglas Rispin Room at 5:33 p.m.

The "In Camera" Meeting recessed at 5:33 p.m.

J. Van Horne entered the Douglas Rispin Room at 5:35 p.m.

K. Gerard vacated the Douglas Rispin Room at 5:55 p.m.

The "In Camera" Meeting reconvened at 6:02 p.m.

MINUTES – "IN CAMERA" COUNCIL 2019-DEC-02 PAGE 6

S. Gui	rrie and	J. Van Horne vacated the Douglas Rispin Room at 6:12 p.m.
	(f)	CAO and Council Matters:
		Introduced by Jake Rudolph, Chief Administrative Officer
8.	<u>ADJO</u>	URNMENT:
	motion	It was moved and seconded at 6:32 p.m. that the "In Camera" Meeting terminate. The carried unanimously.
СНА	IR	
CERT	IFIED C	CORRECT:
CORF	PORATE	OFFICER

"IN CAMERA" MINUTES

HEALTH AND HOUSING TASK FORCE MEETING TO DISCUSS CONFIDENTIAL MATTERS BOARDROOM, SERVICE AND RESOURCE CENTRE, 411 DUNSMUIR, NANAIMO, BC

WEDNESDAY, 2019-NOV-13 AT 3:00 P.M.

Present: Councillor Bonner, Chair

Councillor Hemmens

J. Harrison H. Hartman S. Madden

Supt. C. Miller, Nanaimo Detachment, RCMP (arrived 3:10 p.m.)

K. Smythe

Absent: J. Fix

K. Good
A. LaHue
E. Manson
J. McCormick
L. McHaffie
M. McNaughton
L. Murphy

Others: Councillor Geselbracht

Staff: J. Rudolph, Chief Administrative Officer (vacated 3:44 p.m.)

D. Lindsay, General Manager, Development Services

D. LaBerge, Manager, Bylaw Services

L. Bhopalsingh, Manager, Community and Cultural Planning

S. Gurrie, Director, Legislative

S. Snelgrove, Deputy Corporate Officer

G. Whitters, Recording Secretary

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

The "In Camera" Meeting was called to order at 3:07 p.m.

Supt. C. Miller entered the Boardroom at 3:10 p.m.

2. <u>INTRODUCTION OF LATE ITEMS:</u>

(a) Agenda Item 4 – Adoption of Minutes – Add the following recommendation:

That the Health and Housing Task Force approve Council release of the 2019-OCT-29 "In Camera" Health and Housing Task Force Meeting minutes.

(b) Agenda Item 6(a) – Feedback on 2019-OCT-29 Special Health and Housing Task Force Meeting - Add handout titled "Workshop Meeting Notes"

3. ADOPTION OF AGENDA:

It was moved and seconded that the Health and Housing Task Force, 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 Special "In Camera" Health and Housing Task Force meeting held in St. Matthew's Meeting Room, St. Paul's Anglican Church, 29 Church Street, Nanaimo, BC on Tuesday, 2019-OCT-29 at 11:30 a.m., be adopted as presented. The motion carried unanimously.

It was moved and seconded that the Health and Housing Task Force Committee approve Council release of the minutes of the 2019-OCT-29 "In Camera" Health and Housing Task Force Meeting. The motion carried unanimously.

5. REPORTS:

(a) Feedback on 2019-OCT-29 Special Health and Housing Task Force Meeting

Introduced by Lisa Bhopalsingh, Manager, Community and Cultural Planning.

Task Force discussion took place regarding:

- •
- Openness and honesty in meetings

It was moved and seconded that the Task Force strike organizations' names before releasing the Workshop Meeting Notes from the 2019-OCT-29 Special "In Camera" Health and Housing Task Force meeting. The motion carried unanimously.

Task Force discussion continued regarding:

- •
- Wording in the notes
- Perception of the public that these are "facts"
- Sending the draft notes to those that are not at the meeting and get final approval at the next Health and Housing Task Force meeting

Task Force discussion took place regarding:

- How to improve conversations
- Defining goals and achievements
- Acknowledging frustrations as part of process
- The challenge of having different mandates, views and perspectives
- Keeping momentum
- Accountability of the Task Force
- (b) Resolution to release "In Camera" motions approved at the 2019-NOV-04 "In Camera" Council Meeting

Introduced by Sky Snelgrove, Deputy Corporate Officer.

J. Rudolph vacated the Boardroom at 3:44 p.m.

Task Force discussion took place regarding:

- Coalition approval
- Public acknowledgement that some of the funds are provided by the Federal Government's Reaching Home Strategy

It was moved and seconded that the Health and Housing Task Force approve release of the following motions approved by Council at the 2019-NOV-04 "In Camera" Council meeting:

"It was moved and seconded that Council direct Staff to hire a contractor until June 2020 with funds repurposed from the Drop-In Centre to coordinate the activities of the Health and Housing Task Force."

and

"It was moved and seconded that the Health and Housing Task Force recommend that Council request Service Canada to engage Turner Strategies to assist the Health and Housing Task Force with its work starting January 2020."

The motion carried unanimously.

6. ADJOURNMENT:

It was moved and seconded at 3:49 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

2019-NOV-13 PAGE 4		
CHAIR		
CERTIFIED CORRECT:		
CORPORATE OFFICER	 _	

MINUTES -"IN CAMERA" HEALTH AND HOUSING TASK FORCE

DATE OF MEETING December 16, 2019

AUTHORED BY JESSICA VANDERHOEF, STENO, LEGISLATIVE SERVICES

SUBJECT RELEASE OF SECOND QUARTER 2018 "IN CAMERA" AGENDAS

OVERVIEW

Purpose of Report

To provide Council with a preview of the redacted second quarter (April - June) of 2018 "In Camera" Agendas prior to Staff publishing them to the City's website.

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;
- (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;
- (h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the municipality, other than a hearing to be conducted by the Council or a delegate of Council:
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (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;
- (I) 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,

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.

BACKGROUND

Council Policy "Routine Release of "In Camera" Agendas" (Attachment 'A') states that the routine release of "In Camera" meeting agendas, once the requirement for confidentiality has passed, will support Council's goals of openness and transparency, which is a significant element of good governance.

DISCUSSION

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).

Copies of the redacted agendas have been bundled in quarterly sections (Attachment B) for Council's review prior to posting to the City's website. Due to the size of the documents each quarterly bundle will be provided via an OwnCloud link to the documents. These quarterly bundles will be distributed for Council's review during upcoming "In Camera" Council meetings and the links will expire after a certain timeframe.

Staff are currently working on reviewing the 2019 "In Camera" Agendas for publishing.

CONCLUSION

Staff plan to publish the 2018 "In Camera" Agendas to the City website with the redactions applied as presented in Attachment B. Each "In Camera" Agenda will be published on the City's "In Camera" Release of Information webpage by meeting date.

SUMMARY POINTS

- Council Policy "Routine Release of "In Camera" Agendas" states that Council routinely release "In Camera" Agendas
- 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.
- Staff will be publishing each "In Camera" Agenda to the City's website by meeting date.

ATTACHMENTS

City Clerk

Attachment A – "Routine Release of "In Camera" Agendas Policy No. 01-0560-01"
Attachment B (OwnCloud Link below) – "In Camera" Agendas Second Quarter of 2018

Submitted by:
Sheila Gurrie,

ATTACHMENT A



Section:	Administration	1
Subsection:	Council – Meetings – "In Camera"	0560
Title:	Routine Release of "In Camera" Agendas	01

POLICY

Council has identified Governance Excellence as a theme in their strategic plan. Council, along with Staff are responsible for providing governance excellence. The routine release of In Camera meeting agendas, once the requirement for confidentiality has passed, will support Council's goals of openness and transparency, which is a significant element of good governance.

Council has approved the release of voting results of resolutions considered at In Camera Meetings. Redacted In Camera agendas, which include minutes and reports, will be publically released on a monthly basis. Exceptions for release apply.

REASON FOR POLICY

To provide a process for ensuring that the City of Nanaimo is being open and transparent in conducting City business at In Camera meetings.

AUTHORITY TO ACT

Delegated to Staff.

Definitions

In Camera Meeting: A meeting closed to the public under Community Charter section 90(1) or 90(2).

Agenda: Information package distributed to Council in advance of a meeting containing minutes and reports.

PROCEDURE

The Corporate Officer shall ensure the implementation of the Routine Release of "In Camera" Agendas Policy by releasing agendas through the City of Nanaimo's website on a monthly basis.

Due to confidentiality obligations, some content of agendas may not be initially releasable. If documents are unable to be released initially, staff will review redacted documents and documents withheld from release to determine if the period of confidentiality has passed, and if the document can be released at a later date. Some documents or sections of documents, depending on subject matter, such as third party information or legal matters may never be released.

If the document can be released, staff will remove redactions and post the updated version to the City's website. If content cannot be released, staff will review it at the next scheduled monthly session to determine if by that time the content is releasable.

Documents or sections of documents may be withheld from release for the following reasons:

- third party information;
- 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;
- 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;
- labour relations or other employee relations;
- the security of the property of the municipality;
- the acquisition, disposition or expropriation of land or improvements, if the staff considers that disclosure could reasonably be expected to harm the interests of the municipality;
- law enforcement, if staff considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- litigation or potential litigation affecting the municipality;
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- 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 staff, could reasonably be expected to harm the interests of the municipality if they were held in public;
- 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];
- a matter that, under another enactment, is such that the public may be excluded from the meeting;
- 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;
- a matter that is being investigated under the Ombudsperson Act of which the municipality has been notified under section 14 [Ombudsperson to notify authority] of that Act;
- a review of a proposed final performance audit report for the purpose of providing comments to the auditor general on the proposed report under section 23 (2) of the Auditor General for Local Government Act.

Responsibilities

Council is responsible for:

Adoption and periodic review of this policy.

CAO is responsible for:

Committing to the implementation and ongoing improvement of the policy to support achievement of the City's goals related to Governance Excellence, openness and transparency, while balancing the need to protect personal and sensitive information.

Corporate Officer is responsible for:

Coordination and administration of this policy.

Report writers/City Staff are responsible for:

Ensuring In Camera reports include a release clause;

Routine Release of "In Camera" Agendas Policy No. 01-0560-01 Page 3

Only including necessary information in In Camera reports.

Scope and Applicability

This policy applies to all In Camera meetings of Council and its committees.

It is acknowledged that this policy does not limit a person's right of access to records under the *Freedom* of *Information and Protection of Privacy Act*.

Benefits of Compliance

Implementing this policy will:

Support Council's priority related to Governance Excellence by providing for the timely and routine release of information;

Ensure decisions made In Camera, once confidentiality has passed, are made public.

Ensure confidential information remains confidential.

Review Date

This policy should be reviewed from time to time as appropriate.

Date: 2013-MAY-13 Approved by: Council
1. Amendment Date: 2013-SEP-23 "IC" Council
2. Amendment Date: 2019-JUL-22 Council

DATE OF MEETING December 16, 2019

AUTHORED BY CHRIS BARFOOT, CULTURE & HERITAGE COORDINATOR

SUBJECT 2020 CULTURE & HERITAGE AWARD RECIPIENT

RECOMMENDATIONS

OVERVIEW

Purpose of Report

To obtain Council endorsement of the 2020 Culture & Heritage Award recipient recommendations.

Reason for "In Camera"

Community Charter Section 90(1)(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."

Recommendation

That Council approve Mr. Patrick Aleck for the 2020 Emerging Cultural Leader Award; Mr. Devon Joiner for the 2020 Excellence in Culture Award; Trish and Geoff Horrocks for the 2020 Honour in Culture Award; and Gary and Adam Manson for the 2020 Honour in Heritage Award.

BACKGROUND

The Culture & Heritage Awards have been an important program for community building and partnerships in Nanaimo since 1998. It brings awareness to the breadth and variety of cultural activity in our community. The awards also build pride in the cultural and heritage accomplishments of individuals and organizations, and pride in our community.

A call for nominations was advertised in September 2019 and closed on 2019-OCT-30. A total of ten nominations were received by the deadline. A peer/Staff panel reviewed the nominations and recommended that recipients be considered for four categories.

Recipients will be honoured at a special awards ceremony to be held at the Port Theatre on Thursday, 2020-APR-16.

2020 Excellence in Culture Award - Mr. Devon Joiner

The Excellence in Culture Award is presented to an organization or individual that has achieved regional and/or national recognition in the field of arts and is recognized as a "Nanaimo Artist", has demonstrated excellence in their field, and is a significant inspiration to others.

It is recommended that Mr. Devon Joiner be named the 2020 Excellence in Culture Award recipient for his international award-winning career as a concert pianist. Devon has made numerous guest appearances with the Nanaimo Youth Choir, the Camerata Singers, the Island Bel Canto Singers and the Vancouver Symphony Orchestra. Devon has performed across Canada and the US, as well as in Asia, Europe and Africa. He made his orchestral debut in

2007 with the Vancouver Symphony Orchestra, and his Carnegie Hall debut in 2011. In addition to his performing career, he has been the collaborative pianist for the Childrens' Highbridge Voices choirs in the Bronx. He has taught many students, including five weeks of arts empowerment workshops in Tanzania with the Arusha Arts Initiative.

Past recipients of this award include David Gogo (2010), Steve Jones (2011), Jillian Vanstone (2012), Vancouver Island Symphony (2013), Pat Coleman (2014), Grant Leier & Nixie Barton (2015), Susan Juby (2016), Jacqui Kaese (2017), and Rick Scott (2018).

2020 Honour in Culture Award - Trish & Geoff Horrocks

The Honour in Culture Award is presented to an individual, group, or corporation that is known for its dedication and support of the development of the cultural fabric of Nanaimo.

It is recommended that Trish and Geoff Horrocks be named the 2020 Honour in Culture award recipients for their ability to build community connections between musicians of all ages and skill levels. Trish and Geoff believe that everyone can learn to play music and have carefully tailored all their teaching materials out of a desire to help students be successful. For over a decade, they have been outstanding music teachers in Nanaimo, committed to growth in all their students. They nurture excellence and demonstrate a belief that anyone can learn to play. They are passionate that music is a community affair in order to bring many musicians together, encourage musicians of *every* level to play together, working diligently to write parts that will allow for the participation of beginner players to advanced students. The result is a rich mix of multi-generational, multi-level players who come together to bring joyful music to the community.

Past recipients of this award include Holly Bright (2010), Sandra Thomson (2011), Marian Smith (2012), Eveline O'Rourke (2013), Ian Niamath (2014), Arlene Blundell (2015), Debbie Trueman (2016), Gerda Hofman (2017), William Good (2018), and Dean Chadwick (2019).

2020 Honour in Heritage Award – Gary & Adam Manson

The Honour in Heritage Award is presented to an individual group or corporation who demonstrates outstanding support, advocacy, promotion, or interpretation of Nanaimo's heritage and history.

It is recommended that Gary and Adam Manson be named the 2020 Honour in Heritage award recipients for their work around the revitalization and teaching of the Hul'q'umi'num language; its deep relationship with the area; its history and protocols; and the principle that our relationships and interactions are to be guided by kindness and respectfulness. Gary Manson, whose traditional name is Xulsimalt, is a Snuneymuxw Elder and champion for the revitalization of Hul'q'umi'num, the language of the Snuneymuxw people and other coastal nations in this region. It is a language on the brink of extinction. Adam Manson is Gary's son who learned Hul'q'umi'num mentored by his father and now teaches in School District 68 through their Aboriginal Education program, sharing his unique insights, culture, and passion for language with young generations of children in Nanaimo.

This is a new award category created in 2018. Past recipients of this award include Jan Peterson (2018), and Nanaimo Historical Society (2019).

2020 Emerging Cultural Leader Award – Mr. Patrick Aleck

The Emerging Cultural Leader Award is presented to a Nanaimo-based cultural leader that is under 30 years of age and has contributed significantly to the cultural life of Nanaimo and/or is recognized for their excellence in an arts, culture or creative field.

It is recommended that Mr. Patrick Aleck be named as the 2020 Emerging Cultural Leader award recipient for his ability to reach the community in a positive way through mentorship, sharing his story and songs. He has participated in many community programs with key community stakeholders such as School District 68, Tillicum Lelum, the Nanaimo Art Gallery and the Nanaimo Aboriginal Centre to just name a few. Patrick is recognized for his willingness to share his culture with everyone in this community, his efforts to uplift his people and to learn about his traditional heritage.

Although Mr. Aleck is now 31 years of age, he is being recommended as the 2020 Emerging Cultural Leader Award recipient based on his merit, the intent of the award category and his emerging work in the community.

Past recipients of this award include Shayd Johnson (2014), Amanda Scott (2015), Alyssa Glassford (2016), and Nico Rhodes (2019).

OPTIONS

- 1. That Council approve Mr. Patrick Aleck for the 2020 Emerging Cultural Leader Award; Mr. Devon Joiner for the 2020 Excellence in Culture Award; Trish and Geoff Horrocks for the 2020 Honour in Culture Award; and Gary and Adam Manson for the 2020 Honour in Heritage Award.
 - The advantages of this option: The awards ensure that Nanaimo has a strong and vibrant culture, promotes Nanaimo's arts, creativity, heritage, cultural traditions and community wellness. Leads to greater popularity as a place to visit, live, work and play.
 - The disadvantages of this option: None.
 - Financial Implication: None.
- 2. That Council provide Staff with alternative direction.
 - The advantages of this option: None.
 - The disadvantages of this option: None.
 - Financial Implication: None.

SUMMARY POINTS

- It is recommended that Council approve Mr. Patrick Aleck for the 2020 Emerging Cultural Leader Award; Mr. Devon Joiner for the 2020 Excellence in Culture Award; Trish and Geoff Horrocks for the 2020 Honour in Culture Award; and Gary and Adam Manson for the 2020 Honour in Heritage Award.
- Recipients will be honoured at a special awards ceremony to be held at the Port Theatre on Thursday, 2020-APR-16.

• The Culture & Heritage Awards have been an important program for community building and partnerships in Nanaimo since 1998. It brings awareness to the breadth and variety of cultural activity in our community.

ATTACHMENTS

Submitted by:

Concurrence by:

Elizabeth Williams
A/Director, Recreation & Culture

Richard Harding
General Manager of Parks, Recreation &
Culture

INFORMATION RELEASE:

To be released upon approval by Council.

In Camera Report for Decision

City of Nanaimo
File Number: LD003814

DATE OF MEETING December 16, 2019

AUTHORED BY NANCY SKEELS, PROPERTY AGENT, REAL ESTATE

SUBJECT METRAL DRIVE COMPLETE STREETS PROJECT – PROPOSED

PROPERTY ACQUISITIONS

OVERVIEW

Purpose of Report

To provide Council with background information for the partial property acquisitions associated with the Metral Drive Complete Streets Project impacting 5341 5350 and 5351 Metral Drive and 5410 Godfrey Road, and to seek Council direction to enter into negotiations to acquire a portion of the properties for road and sidewalk purposes.

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 direct Staff to enter into negotiations with the owners of ________, 5341, 5350, 5351 Metral Drive and 5410 Godfrey Road for partial property acquisition for road and sidewalk purposes, and return to Council for approval once negotiations are complete.

BACKGROUND

n 2014, Council approved the Nanaimo Transportation Master Plan, which included recommendations to create complete streets standards and to expand the cycling and pedestrian network, including the Metral Drive corridor.

The complete streets concept provides a comprehensive design that:

- Ensures comfortable and effective mobility for people of all ages and abilities;
- Improves safety, especially for those walking, cycling, or taking transit; and
- Enhances public amenities in the corridor, makes the streetscape more inviting, and provides connection to other trails.

The City is planning water and storm infrastructure improvements within the Metral Drive corridor in 2020. As a result, the Metral Drive complete streets design and the infrastructure improvements have been combined to create a comprehensive project.

The Metral Drive Corridor Plan aims to increase the safety and comfort for people who walk, bike, take transit and drive, while ensuring utility upgrades within the project area are completed with the proposed surface improvements. Once complete, Metral Drive will be the first major street in Nanaimo built to the new standards.

Construction for Phase 1 work from Mostar Drive to Turner Road is scheduled to begin construction in summer 2020 and Phase 2 work from Turner Road to Aulds Road is planned for the future.

DISCUSSION

The preliminary design for Phase 1 of the project will require partial property acquisitions for bike lanes and sidewalks. The properties affected are ______ 5341, 5350, 5351 Metral Drive and 5410 Godfrey Road.

Staff have engaged consultants to define the land areas required and the corresponding property values. The table below summarizes this information:

Address	Owner	Property Size		Acquisition Size		Market
		Sq. M.	Sq. Ft.	Sq. M.	Sq. Ft.	Value
5341 Metral Drive		1,145	12,325	64.5	694.27	
5350 Metral Drive		1,011	10,890	114.4	1,231.3	
5351 Metral Drive		1,173	12,632	86.3	928.9	
5410 Godfrey Road		905	9,750	49.7	534.9	
Total						

Staff have met with the owners to discuss the Metral Drive Corridor Plan and to seek their interest in selling the partial portions of their properties. The owners have been fairly positive to the overall project and have voiced their questions and concerns regarding the construction and restoration process. Staff have advised the owners the partial purchases are subject to receiving Council approval.

Staff are seeking Council's approval to enter into negotiations with the owners for the partial property acquisitions. If approval is received, Staff will work with the individual owners to develop purchase agreements and will return to Council for final approval.

OPTIONS

- 1. That Council direct Staff to enter into negotiations with the owners 5341, 5350, 5351 Metral Drive and 5410 Godfrey Road for partial property acquisition for road and sidewalk purposes, and return to Council for approval once negotiations are complete.
 - Advantages: By acquiring these partial property acquisitions, the right-of-way would meet the complete streets design requirements and be constructed within Phase 1 of the project. The City would not have to wait for the properties to redevelop in order for the City to acquire the portions of the properties.
 - Disadvantages: Council has a limited budget for partial property acquisitions and may wish to prioritize these acquisitions amongst other key acquisition targets.
 Through redevelopment, the City would be able to acquire these partial properties at no cost to the City.
 - Financial Implications: If Council approval is received, the City will incur costs to acquire the partial property, with estimated legal costs of appraisal are not an allowable expense to be funded from the Community Works Funding allocated towards the Metral Drive Corridor Plan project. The costs can be funded from the 2019 property acquisition budget, which has a balance of
 - Design Implications: The project design is based on being able to acquire these lands. Without them, the project would require a redesign or remain incomplete.
- 2. That Council deny approval of the property acquisitions.
 - Advantages: If the properties are redeveloped (rezoned or subdivided), the City
 would be able to acquire these partial properties at no cost through the
 redevelopment process. The City will be able to use the available funding for other
 strategic acquisitions in the city.
 - Disadvantages: A portion of Metral Drive would not be built to a complete streets standard. There are no current applications on the properties for redevelopment and it is not known if the properties will ever redevelop.
 - Financial/Design Implications: Although there would be lower property acquisition costs, there would be a cost to re-design the road works to exclude the partial properties. Council can use the property acquisition budget for other acquisitions.

SUMMARY POINTS

- In 2014, Council approved the Nanaimo Transportation Master Plan, which included recommendations to create complete streets standards and to expand the cycling and pedestrian network, including the Metral Drive corridor.
- The City is planning water and storm infrastructure improvements within the Metral Drive corridor in 2020. As a result, the Metral Drive complete streets design and the infrastructure improvements have been combined to create a comprehensive project.
- The Metral Drive Corridor Plan aims to increase the safety and comfort for people who walk, bike, take transit and drive, while ensuring utility upgrades within the project

area are completed with the proposed surface improvements. Once complete, Metral Drive will be the first major street in Nanaimo built to the new standards.

- During preliminary design, it was noted the acquisition of a portion of
 5341, 5350, 5351 Metral Drive and 5410 Godfrey Road would be required in order to meet the Metral Drive complete streets design.
- The acquisition costs, totaling are not an allowable expense to be funded from the Community Works Funding allocated towards the Metral Drive Corridor Plan project. The costs can be funded from the 2019 property acquisition budget, which has a balance of
- Council has a limited budget for partial property acquisitions and may wish to prioritize these acquisitions amongst other key acquisition targets.
- Staff are seeking Council's approval to enter into negotiations with the owners for the partial property acquisitions. If approval is received, Staff will work with the owners to develop individual purchase agreements and will return to Council for final approval.

ATTACHMENTS

ATTACHMENT A: Location Plan

Submitted by:

Bill Corsan
Director, Community Development

Concurrence by:

Dale Lindsay General Manager, Development Services

Poul Rosen Director, Engineering

Laura Mercer Director, Finance

INFORMATION RELEASE:



Property Owner: Area for Purchase: 64.5m²

80

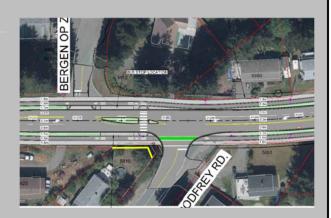




5410 Godfrey Road

Property Owner:

Area for Purchase: 49.7m²



Staff Recommendation

That Council direct Staff to enter into negotiations with the owners of 5341, 5350 and 5351 Metral Drive 5410 Godfrey Road for the partial property acquisition for road and sidewalk purposes and return to Council for approval once negotiations are complete.



In Camera Report for Decision

City of Nanaimo

File Number: LD003029

DATE OF MEETING December 16, 2019

AUTHORED BY NANCY SKEELS, PROPERTY AGENT, REAL ESTATE

SUBJECT PROPERTY ACQUISITION – 431 DUNSMUIR STREET AND

424 WESLEY STREET

OVERVIEW

Purpose of Report

To provide Council with the outcome of the property acquisition negotiations with the owners of 431 Dunsmuir Street and 424 Wesley Street.

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 authorize the acquisition of 431 Dunsmuir Street and 424 Wesley Street from for the

BACKGROUND

Staff parking will be relocated from the City-owned gravel lots at 350 and 398 Franklyn Street to this Property. The acquisition of these lands will enable the City to redevelop the Franklyn Street lands, which are a prominent Old City Quarter property.

O	PT	10	N	S

1.	That Council authorize the	e acquisition of 431 Dunsmuir	Street and 42	4 Wesley Street
	from	for the		-

- Advantages: The rationale for the acquisition includes strategic land banking, consolidation of City-owned land on Dunsmuir Street, improved Staff safety, a catalyst for revitalization of a key redevelopment site at 350 and 398 Franklyn Street, and the advantages of working with a willing vendor.
- Disadvantages: During the Downtown Visioning session, Council identified the redevelopment of key sites in the downtown core as a priority. Council has not yet articulated which key sites it wishes to see redeveloped. Council may not consider the City-owned Franklyn property as a priorty.
- Financial Implications: The Property Acquisition Fund has a balance
 The Property Sales Fund has a balance of Both of these sources could be used to support the acquisition. If Council approval is received, the City will incur legal costs for the conveyance, estimated at The City will also incur costs to complete construction of the fence along Wesley Street, estimated at If the City acquires this Property, \$15,578.79 in annual property taxes will not be recieved from the Property. If Council directs Staff to move forward with the sale of 350 and 398 Franklyn Street, the proceeds of the sales will be returned to the Property Sales Fund to spur further acquisitions.
- 2. That Council deny the Property acquisition of 434 Dunsmuir Street and 424 Wesley Street.
 - Advantages: The City will be able to use the available funding for other strategic acquisitions in the city.
 - Disadvantages: The City has a willing vendor for these parcels of land adjacent to the City's key downtown facilities. This opportunity may not present itself again.
 - Financial Implications: The City will continue to accrue \$15,578.79 in annual property taxes. Council can use the Property Acquisition and Property Sales Fund for other acquisitions.

Sι	JMM	ary	POI	NTS

- 431 Dunsmuir Street and 424 Wesley Street (the "Property") are two prominent vacant lots located adjacent to the City of Nanaimo Service and Resource Centre building and City Hall. The two properties have an area of 2,244 sq. m. (24,153 sq. ft.).
- approached City Staff to determine if there is an interest on the part of the City to acquire the lands.
- The rationale for the acquisition includes strategic land banking, consolidation of Cityowned land on Dunsmuir Street, improved Staff safety, a catalyst for revitalization of a key redevelopment site at 350 and 398 Franklyn Street, and the advantages of working with a willing vendor.
- At the 2019-OCT-21 'In Camera' Council meeting, City Staff presented the acquisition rationale and options to Council. The recommendation was for the City to acquire the Property.
- Negotiations are complete and has agreed to sell the Property to the City for the appraised and have signed a purchase and sale agreement.
- There is sufficient funding for this acquisition in either the Property Acquisition Fund or the Property Sales Reserve Fund.

<u>ATTACHMENTS</u>

ATTACHMENT A: Aerial Photo

Submitted by:

Concurrence by:

Bill Corsan

Director, Community Development

Dale Lindsay

General Manager, Development Services

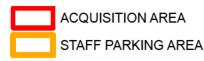
Laura Mercer Director, Finance

INFORMATION RELEASE:

ATTACHMENT A







PROPERTY ACQUISITION - FILE NO. LD003029

Civic: 431 DUNSMUIR STREET & 424 WESLEY STREET Legal: LOT B & C, SECTION 1, NANAIMO DISTRICT, PLAN 36955

