



## AGENDA "IN CAMERA" COUNCIL MEETING

Monday, January 13, 2020

5:30 P.M. - 7:00 P.M.

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

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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

6a. Release of Third Quarter 2018 "In Camera" Agendas -  
90(1)(a)(b)(c)(e)(f)(g)(h)(i)(k)(l)90(2)(b)

6b. Property Disposition - 5867, 5873 and 5879 Linyard Road - 90(1)(e)

6c. Options to Memorialize James Borserio Within A Park - 90(1)(b)

6d. 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;

(l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under Section 98 [annual municipal report]; and,  
Section 90(2):

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

### 3. ADOPTION OF THE MINUTES:

#### a. Minutes

4 - 8

Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-DEC-16, at 4:00 p.m.

### 4. PRESENTATIONS:

### 5. CONSENT ITEMS:

### 6. REPORTS

#### a. Release of Third Quarter 2018 "In Camera" Agendas

9 - 14

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

*Purpose: To provide Council with a preview of the redacted third quarter (July - September) of 2018 "In Camera" Agendas prior to Staff publishing them to the City's website.*

#### b. Property Disposition - 5867, 5873 and 5879 Linyard Road

15 - 18

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

*Purpose: To obtain Council approval for the disposition of 5867, 5873 and 5879 Linyard Road.*

Recommendation: That Council:

1. approve the disposition of 5867, 5873 and 5879 Linyard Road to [REDACTED] and,
2. direct the Mayor and Corporate Officer to execute the necessary



documents to affect the transaction.

c. Options to Memorialize James Borserio Within A Park

19 - 35

To be introduced by Richard Harding, General Manager, Parks, Recreation and Culture.

*Purpose: The purpose of the report is to obtain Council direction regarding options to memorialize James Borserio within a City of Nanaimo park.*

Recommendation: That Council approve naming the access road within Harewood Centennial Park "Jim Borserio Way" in order to memorialize James Borserio, and direct Staff to install a formal road sign at the park entrance.

d. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

1. [REDACTED]

2. Jake Rudolph, Chief Administrative Officer re: [REDACTED]

7. **CORRESPONDENCE:**

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

**"IN CAMERA" MINUTES**  
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,  
80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2019-DEC-16 AT 4:00 P.M.

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Present: Mayor L. Krog, Chair  
Councillor S. D. Armstrong  
Councillor D. Bonner  
Councillor T. Brown (arrived 4:02 p.m.)  
Councillor B. Geselbracht  
Councillor E. Hemmens  
Councillor Z. Maartman  
Councillor I. W. Thorpe  
Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer (vacated 5:30 p.m.)  
R. Harding, General Manager, Parks, Recreation and Culture (vacated 5:13 p.m.)  
B. Sims, General Manager, Engineering and Public Works (vacated 5:13 p.m.)  
L. Mercer, Director, Finance (vacated 5:13 p.m.)  
J. Holm, Director, Development Approvals (vacated 5:13 p.m.)  
B. Corsan, Director, Community Development (arrived 4:08 p.m., vacated 5:13 p.m.)  
F. Farrokhi, Manager, Communications (vacated 5:13 p.m.)  
C. Barfoot, Recreation Coordinator (arrived 4:04 p.m., vacated 4:08 p.m.)  
E. Williams, A/Director, Recreation & Culture (arrived 4:04 p.m., vacated 4:08 p.m.)  
C. Barfoot, Culture and Heritage Coordinator (arrived 4:04 p.m., vacated 4:20 p.m.)  
S. Gurrie, Director, Legislative Services (vacated 5:13 p.m.)  
N. Sponaule, A/Steno (vacated 5:12 p.m.)  
S. Snelgrove, Recording Secretary (vacated 5:12 p.m.)

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

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

2. 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.

Councillor Brown entered the Douglas Rispin Room at 4:02 p.m.

3. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Committee of the Whole Meeting held Monday, 2019-DEC-02 at 4:00 p.m. in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, be adopted as circulated. The motion carried unanimously.

4. CONSENT ITEMS:

It was moved and seconded that the following item be adopted by consent:

(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.

The motion carried unanimously.

5. REPORTS:

(a) Release of Second Quarter 2018 "In Camera" Agendas

Introduced by Sheila Gurrie, Director, Legislative Services.

Discussion took place regarding:

- Nothing of major concern
- [REDACTED]
- Release as per first quarter on website

C. Barfoot and E. Williams entered the Douglas Rispin Room at 4:04 p.m.

(b) 2020 Culture and Heritage Award Recommendations

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

It was moved and seconded 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 motion carried unanimously.

C. Barfoot and E. Williams vacated the Douglas Rispin Room at 4:08 p.m.

B. Corsan entered the Douglas Rispin Room at 4:08 p.m.

(c) Metral Drive Complete Streets Project - Proposed Property Acquisitions

Introduced by Bill Corsan, Director, Community Development.

Bill Corsan, Director, Community Development, provided a presentation regarding:

- [REDACTED] properties in first phase which may require partial acquisition
- Project expected to begin in early spring
- [REDACTED]
- First phase from Mostar Road to Turner Road
- Acquisitions are required for sidewalks
- Appraisals have been done for each property
- Staff will return with signed offers if recommendation passes

Council discussion took place regarding:

- Visibility and treed centre boulevards
- Regulations regarding width of boulevards
- Concerns regarding traffic from Pleasant Valley School and mobile home parks
- [REDACTED]

It was moved and seconded that Council direct Staff to enter into negotiations with the owners of [REDACTED] 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. The motion carried unanimously.

It was moved and seconded that Council direct Staff to release the Metral Drive complete streets project – proposed property acquisitions report upon completion of negotiations [REDACTED] The motion carried unanimously.

(d) Property Acquisition - 431 Dunsmuir Street and 424 Wesley Street

Introduced by Bill Corsan, Director, Community Development.

It was moved and seconded that Council authorize the acquisition of 431 Dunsmuir Street and 424 Wesley Street from Coastal Community Credit Union for the sum of [REDACTED]. The motion carried unanimously.

It was moved and seconded that Council authorize Staff to make the appropriate communications as necessary related to Property Acquisition – 431 Dunsmuir Street and 424 Wesley Street. The motion carried unanimously.

(e) Verbal Update re: 100 Gordon Street

Bill Corsan, Director, Community Development, provided a verbal update regarding 100 Gordon Street including:

- History of the property
- PEG hotel is proposed at 172 rooms
- [REDACTED]
- Building permit issued earlier this year expired in September but extended to December 31, 2019
- Option to purchase deadline is at Council's discretion and Council has the option to buy property back
- [REDACTED]

- [REDACTED]

Council and Staff discussion took place regarding:

- 50 parking spots provided
- Investors and funding partners
- Branding Nanaimo and impact on economic development function
- Success of similar project in Prince George

(f) Verbal Update re: Oceanview

Jeremy Holm, Director, Development Approvals, provided a verbal update regarding Oceanview:

- Delegation coming to open Council meeting agenda
- Delegation is looking to appeal to Council to reconsider a delegated decision by Staff to not approve a tree removal permit
- Delegated decision that while a property is under a development application tree removal permit won't be issued
- Council can uphold Staff's decision, choose to issue permit or provide other direction

Council discussion took place regarding:

- Rezoning lands
- Easements allowing access to property
- Securing access to service industrial property through OCP (Official Community Plan) amendment
- Clarification that a tree removal permit was not issued, the owner was notified via letter the application would be denied as the property is currently going through an OCP amendment process
- Decision is consistent with past interpretation of the "Management and Protection of Trees Bylaw 2013 No. 7126"

S. Snelgrove and N. Sponaule vacated the Douglas Rispin Room at 5:12 p.m.

B. Corsan, F. Farrokhi, S. Gurrie, R. Harding, J. Holm, L. Mercer, B. Sims vacated the Douglas Rispin Room at 5:13 p.m.

(g) CAO and Council Matters:

Introduced by Jake Rudolph, Chief Administrative Officer

J. Rudolph vacated the Douglas Rispin Room at 5:30 p.m.

The In Camera Meeting recessed at 5:32 p.m.

The In Camera Meeting reconvened at 6:01 p.m.

6. ADJOURNMENT:

It was moved and seconded at 6:02 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

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C H A I R

CERTIFIED CORRECT:

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CORPORATE OFFICER



DATE OF MEETING [January 13, 2020]

AUTHORED BY JESSICA VANDERHOEF, STENO, LEGISLATIVE SERVICES

**SUBJECT RELEASE OF THIRD QUARTER 2018 “IN CAMERA” AGENDAS**

## **OVERVIEW**

### **Purpose of Report**

To provide Council with a preview of the redacted third quarter (July - September) 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;
- (l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under Section 98 [*annual municipal report*]; and,

*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"

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Submitted by:**

Sheila Gurrie,  
City Clerk

## ATTACHMENT A



<b>Section:</b>	<b>Administration</b>	<b>1</b>
<b>Subsection:</b>	<b>Council – Meetings – “In Camera”</b>	<b>0560</b>
<b>Title:</b>	<b>Routine Release of “In Camera” Agendas</b>	<b>01</b>

### 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;

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



# In Camera Report for Decision

City of Nanaimo

File Number: LD003842

DATE OF MEETING January 13, 2020

AUTHORED BY NANCY SKEELS, PROPERTY AGENT, REAL ESTATE

SUBJECT PROPERTY DISPOSITION – 5867, 5873 AND 5879 LINYARD ROAD

## **OVERVIEW**

### **Purpose of Report**

To obtain Council approval for the disposition of 5867, 5873 and 5879 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 5867, 5873 and 5879 Linyard Road to [REDACTED] for [REDACTED] and
2. direct the Mayor and Corporate Officer to execute the necessary documents to affect the transaction.

## **BACKGROUND**

On 2015-DEC-18, the City acquired 5290 Rutherford Road, 0.99ha (2.5 acres), to complete a new connector road into the Linley Valley West neighbourhood. Construction of the roundabout and access road was finished in the fall of 2017, resulting in 0.42ha (1.04 acres) of surplus land the City could dispose of.

On 2019-JUN-04, a five-lot subdivision plan for the surplus land was registered at the Land Title Office, making the lots available for sale. Through a Request for Proposal for brokerage services, the John Cooper Group has assisted with the marketing and sales of the lots.

On 2019-JUL-22, Council provided approval to dispose of 5885 Linyard Road, a multi-family lot for [REDACTED]. On 2019-DEC-02, Council provided approval to dispose of 5861 Linyard Road, a single-family lot, for [REDACTED]

Staff have received an Offer to Purchase for the three remaining lots at 5867, 5873 and 5879 Linyard Road (the “Property”, Attachment A) from [REDACTED] (the “Purchaser”) for [REDACTED]

## **DISCUSSION**

The Property is three single-family lots with R10 zoning, listed for sale at \$279,900, \$279,900 and \$289,900 (collectively \$849,700). The Purchaser has signed a Purchase and Sale Agreement and has provided a deposit of [REDACTED]. The Purchaser has offered [REDACTED] per lot, as they view each lot equal in market value.

Staff are requesting Council provide approval to dispose of the Property to the Purchaser for the purchase price of [REDACTED]. Subject to approval being received, it is anticipated the Property will transfer on 2020-MAR-2.

## **OPTIONS**

1. That Council:

1. approve the disposition of 5867, 5873 and 5879 Linyard Road to [REDACTED] for [REDACTED] and
  2. 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 5867, 5873 and 5879 Linyard Road would be consistent with Council's past decisions.
  - Disadvantages: 5867, 5873 and 5879 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 [REDACTED]. The City will incur the realtor commission fees of [REDACTED]. This cost will be deducted from the sale proceeds. The cost to date to construct the subdivision, including: construction costs, development cost charges, legal, realtor, advertising, surveying, consultant, engineering and City application fees totaled [REDACTED]. If Council approval is received for this Property disposition, the total sale amount for the five lots will be [REDACTED] (fees deducted). The remaining funds [REDACTED] will go into the Property Sales Reserve Fund, which can be used to support other Council property acquisitions.

2. That Council deny the disposition of 5867, 5873 and 5879 Linyard Road to [REDACTED]

- Advantages: Denying the disposition will allow Council to use the Property for another municipal purpose should Council want to.
- Disadvantages: Denying approval to dispose of 5867, 5873 and 5879 Linyard Road would be inconsistent with Council's past decisions.
- Financial Implications: The City would not receive [REDACTED]. The property will remain undeveloped and owned by the City.

### **SUMMARY POINTS**

- On 2015-DEC-18, the City acquired 5290 Rutherford Road, 0.99ha (2.5 acres), to complete a new connector road into the Linley Valley West neighbourhood. Construction of the roundabout and access road was completed in the fall of 2017, resulting in 0.42ha (1.04 acres) of surplus land the City could dispose of.
- On 2019-JUN-04, a five-lot subdivision plan for the surplus land was registered at the Land Title Office, making the lots available for sale.
- Staff have received an Offer to Purchase for the three remaining lots at 5867, 5873 and 5879 Linyard Road (the "Property") from [REDACTED] (the "Purchaser") for [REDACTED].
- Staff are requesting Council provide approval to dispose of the Property to the Purchaser for the purchase price of [REDACTED]. Subject to approval being received, it is anticipated the Property will transfer on 2020-MAR-02.

### **ATTACHMENTS**

ATTACHMENT A: Location Plan |

#### **Submitted by:**

Bill Corsan  
Director, Community Development |

#### **Concurrence by:**

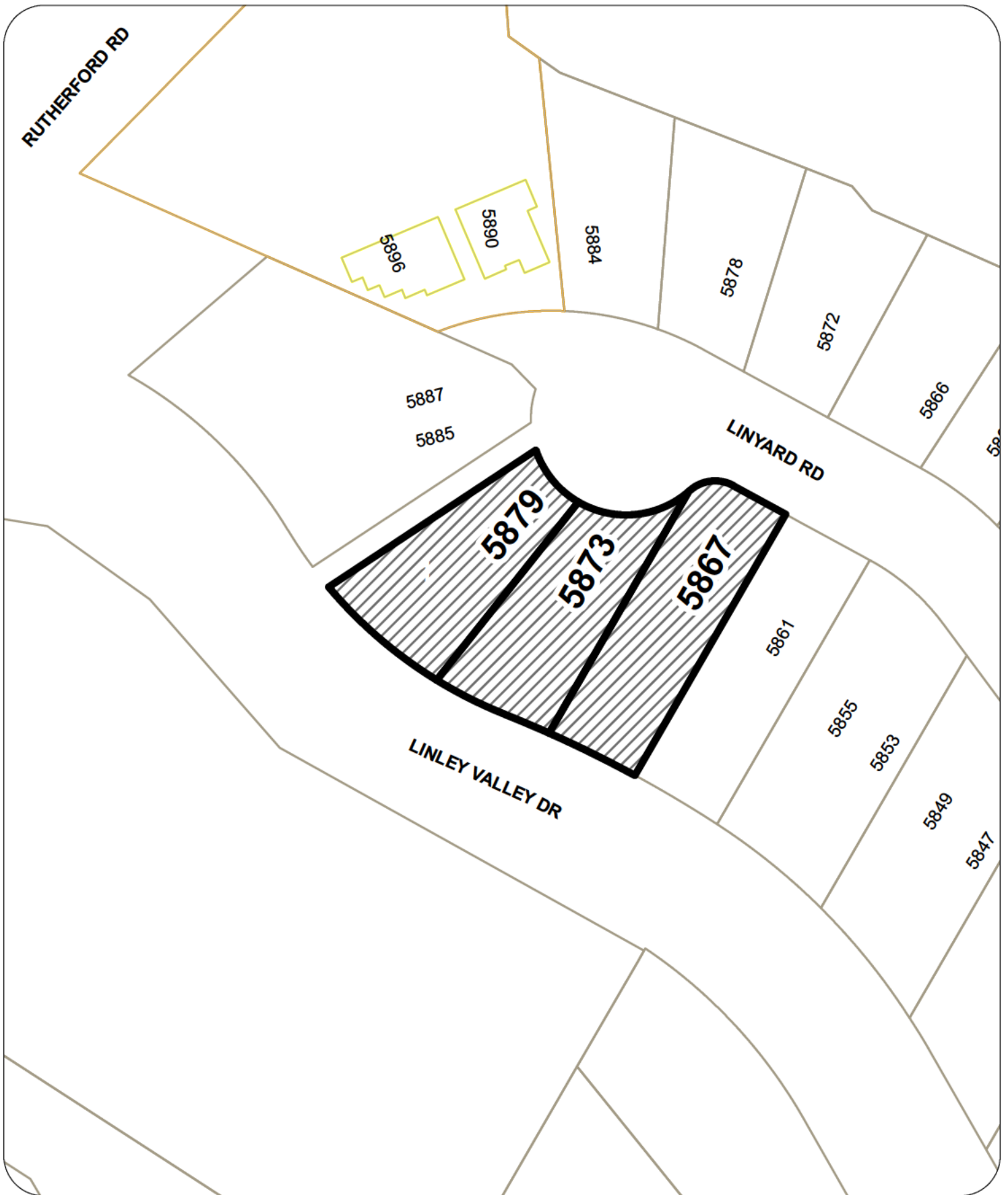
Dale Lindsay  
General Manager, Development Services

Laura Mercer  
Director, Finance |


### **INFORMATION RELEASE:**

- To be released [REDACTED] |

# ATTACHMENT A



## Legend

 PROPERTY DISPOSITION

## PROPERTY DISPOSITION - FILE NO. LD003842

Civic: 5867, 5873, & 5879 LINYARD ROAD  
Legal: LOT 2, 3, & 4, DISTRICT LOT 32  
WELLINGTON DISTRICT, PLAN EPP89951

N



DATE OF MEETING [January 13, 2020]

AUTHORED BY MADELEINE KOCH, PARKS AND OPEN SPACE PLANNER

SUBJECT OPTIONS TO MEMORIALIZE JAMES BORSERIO WITHIN A PARK

## **OVERVIEW**

### **Purpose of Report**

The purpose of the report is to obtain Council direction regarding options to memorialize James Borserio within a City of Nanaimo park. ]

### **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 naming the access road within Harewood Centennial Park “Jim Borserio Way” in order to memorialize James Borserio, and direct Staff to install a formal road sign at the park entrance. ]

## **BACKGROUND**

In October 2019, City of Nanaimo staff were contacted by Larry Borserio to discuss options for memorializing his late father, James Borserio. Larry Borserio provided documentation demonstrating City of Nanaimo support for naming a public resource (initially a road) after James Borserio, dating back as far as 1975 and as recently as the year 2000. However, this has not yet taken place.

James Borserio contributed to many aspects of community life in Nanaimo during his lifetime (1913-1999), including a number of notable contributions to Parks, Recreation and Culture. For this reason, Staff suggested that naming a park or park element after James Borserio may be appropriate, and the family was amenable to these ideas.

The former Parks and Recreation Commission’s Policy Statement on Naming Parks and Facilities (Attachment A) states that parks and facility naming should be reserved “for individuals who have made special contributions to the community”. James Borserio’s contributions are summarized below based on information [REDACTED]

Contributions to Parks, Recreation and Culture:

- As an original trustee of the Harewood Improvement District, he was instrumental in the purchase of both Colliery Dam Park (1950s) and Harewood Centennial Park (1960s)
- Organized Nanaimo's first women's softball team (early 1930s)
- Wrote a sports column in the local paper (starting in the early 1930s)
- Hosted a weekly radio show, "The Bastion Pioneers," focused on Nanaimo's history (mid 1950s)
- Managed fundraising for a grandstand at Comox Road Park (1932)
- Helped organize development of Pioneer Square behind the Bastion (1979)
- As a member of Harewood Community Council along with the Gyro Club, he helped establish a children's playground and swimming pool at Harewood School

Contributions to other aspects of Nanaimo community life:

- Taught for 43 years in the local school district, including acting as chairman of the teacher's association (starting 1940) and district librarian (starting 1960)
- Created a model for libraries across the school district (1965)
- Was a member of the Air Raid Precautions during the second world war (1943-1945)
- Acted as Secretary Treasurer of the Harewood Volunteer Fire Department for 15 years (1950s-1960s)
- Was trustee of the Harewood Fire Protection District for 23 years (1945-1968)
- Was instrumental in developing the Harewood Fire Hall and promoted women's auxiliary and junior firemen concepts (1950s-1960s)
- Involved in creating the Greater Nanaimo Water Board (after amalgamation in 1975)
- Involved in naming many of the new streets in Harewood (after amalgamation in 1975)
- Authored the history book "Harewood: Land of Wakesiah", as part of the Harewood Centennial Committee (1967)

**DISCUSSION**





Staff met with [REDACTED] at Harewood Centennial Park on 2019-DEC-06 to discuss the above options. After consulting with other family members, [REDACTED] indicated their preference is Option 1 (to name the access road to Harewood Centennial Park “Jim Borserio Way”). Staff also discussed the possibility of using a historic photo including James Borserio (Attachment D) as part of a utility box wrap within Harewood Centennial Park.

## **OPTIONS**

1. That Council approve naming the access road to Harewood Centennial Park “Jim Borserio Way” in order to memorialize James Borserio, and direct Staff to install a formal road sign at the park entrance.
  - The advantages of this option: Doing so would recognize the contributions of James Borserio to Nanaimo’s park system development, would honour the City of Nanaimo’s past correspondence with [REDACTED] would address the family’s preference, and would improve wayfinding to Harewood Centennial Park.
  - The disadvantages of this option: Implementation would require Staff time and material costs.
  - Financial Implications: Staff time and material costs.



### **SUMMARY POINTS**

- [REDACTED] has requested that a public resource be named after him in recognition of his significant contributions to the Nanaimo community during his lifetime.
- A number of options are provided to memorialize James Borserio within Nanaimo's parks in recognition of his contributions to Parks, Recreation and Culture.
- Naming the access road to Harewood Centennial Park "Jim Borserio Way" is the preference of the Borserio family and recommendation from Staff.

### **ATTACHMENTS**

Attachment A: Parks and Recreation Commission Policy Statement on Naming Parks and Facilities



Attachment C: Site map of Harewood Centennial Park showing proposed access road to be renamed and road sign location

Attachment D: Historic photo including James Borserio and other community members |

**Submitted by:**

Madeleine Koch  
Parks and Open Space Planner

**Concurrence by:**

Richard Harding  
General Manager, Parks, Recreation and Culture

**INFORMATION RELEASE:**

- To be released only in the event the naming request is approved, and that if approved, information be released at the next Open Council meeting.

# ATTACHMENT A



## PARKS AND RECREATION COMMISSION

# COMMISSION POLICY STATEMENT

Pages: 1 of 4  
Approval Date: 2007-OCT-24  
Updated: 2015-APR-20

<b>SECTION:</b> PARKS, RECREATION AND ENVIRONMENT ADMINISTRATION <b>SUBJECT:</b> Naming Parks and Facilities
-----------------------------------------------------------------------------------------------------------------

The City has reserved the right to name parks and facilities based on contributions, either financial or otherwise to the community, from individuals or non-profit societies and organizations.

Requests for naming are presented to the Parks and Recreation Commission for consideration and then forwarded to Council.

The Parks and Recreation Commission, when reviewing requests for naming of parks and facilities and forwarding recommendations for Council's consideration, will reserve naming for individuals who have made special contributions to the community, or for clubs and organizations to recognize their contributions in the development of parks and facilities.

<b>Revisions:</b> 2015-APR-20 (Name reference updates & Appendix A update)
-------------------------------------------------------------------------------

<b>Reference List:</b> Appendix A – City of Nanaimo Park and Facility Naming Examples – attached.
------------------------------------------------------------------------------------------------------

**APPENDIX A**

<b>Park or Facility Name</b>	<b>Origin of Park/Facility Name</b>
Knowles Park	Named after the Knowles family who were long time residents of the south end of Nanaimo. Arthur Knowles passed away in 1992 and the park was renamed in his honour. Arthur Knowles also left a park and sport legacy to Nanaimo in the form of \$500,000.
Colliery Dam Park	<p>The Colliery Dams are a rare link with Nanaimo's industrial heritage. Built in 1910/11 by the Western Fuel Company to supply water for coal washing and for use by miners, mules and horses in the mines, the water system quickly developed an important secondary use. Hornell near the pipeline were allowed to tap the line for domestic uses and eventually this water was carried to most of the homes in South Harewood.</p> <p>The Harewood Colliery Dams symbolize the important role the coal company played in the lives of early residents. The dams created an upper and lower reservoir, with a spillway at the eastern end to siphon off overflow.</p> <p>In the 1950s the land was sold by Canadian Collieries to the City of Nanaimo for use as a park.</p>
Barney Moriez	The name honours a fireman killed in the line of duty at the nearby Shell plant fire on September 7, 1977.
Jack Little Room	Named for former Councillor Jack Little in August 2006. Mr. Little was an advocate of constructing the Nanaimo Aquatic Centre in the south end of Nanaimo.
Merle Logan Field	In October 2005, Nanaimo and District Youth Soccer Association requested that the artificial turf field be named after Merle Logan, a long time soccer volunteer.
Naming of parks and facilities for facilities for Service Club contributions (i.e. Rotary Skate Park)	This is just one example of many for naming parks and made by Service Clubs. In October 2003, the newly constructed skate park at May Richards Bennett Pioneer Park was named the Rotary Skate Park in recognition of the \$26,000 donation by the Rotary Clubs of Nanaimo.
Thrifty Foods Field House (McGirr Sports Complex)	In November 2004, Council approved recognizing the \$60,000 contribution of cash and product by Thrifty Foods by permitting their name and logo be displayed for ten years.

Piper Park	Piper Park was named after former alderman Philip J. Piper who was born in Nanaimo in 1891. Mr. Piper was instrumental in the purchase of Beban Park.
Loudon Park	Named after Bill Loudon. Following WW I, Mr. Loudon purchased 700 acres of land in the Wellington area from the Dunsmuir's and he homesteaded and mined the land. The park was part of his land as was the Pioneer Cemetery off Wellington Road. Mr. Loudon gifted this land to the Wellington Improvement District and it became part of the City of Nanaimo's park system with the 1975 amalgamation.
Pioneer Square Park	<p>The Vancouver Coal Company gave the land to the City of Nanaimo in 1895 for a new fire hall. Once the hall was relocated in the 1960s, the park use expanded and the road intersections were redesigned. The park was landscaped in the 1980s.</p> <p>Pioneer Square was dedicated by the Nanaimo Pioneer's society on July 25, 1938. A cairn was placed on this site stating "Erected to the Memory of our Pioneers 1938".</p>
Jack Point	The point is named after Jack Dolholt who resided on the point for 40 years (1819-1905).
Saxer Park	Named after the Saxer family who were long time residents of the Dover Road area. The grand opening of the park took place on Thursday, 2005-APR-14, 1:30 pm with Anna Saxer in attendance. She passed away shortly after.
Pipers Lagoon Park	<p>Pipers Lagoon was originally known as Page's Lagoon after landowner Louis Page. The Piper family came to Nanaimo and bought the 57 hectares of waterfront in 1917 from Louis Page.</p> <p>The Piper's used the property for a sheep farm but had to shut it down because cougars were eating the livestock. Hence the name "Cougar Headland" off the lagoon and spit.</p> <p>Parts of the lagoon were rented out in the 1930s for rustic cabins. Between 1948 and 1952, a sawmill also operated on the Pipers' land and a whaling station was across the bay (near what is now the Charlene Boat ramp).</p>
Molly's Marsh	The property was a gift to the City from the owner, far in excess of the 5% subdivision development required, and named after his ill daughter, Molly.
Elaine Hamilton Park	Renamed from Trofton Park to Elaine Hamilton Park in 2006 to honour Elaine Hamilton for her many years of community volunteer service, involvement with sports leagues (especially softball) and serving on the Parks, Recreation and Culture Commission.



Maffeo Sutton Park	Named for two individuals - Pete Maffeo and Joe Sutton. Pete Maffeo was a popular mayor and ice cream shop owner who was admired for community service and sport involvement. Joe Sutton was the caretaker of Deverill Square Park for many years.
McGregor Park	Dedicated to the McGregor family and Scottish pioneers who first settled in Nanaimo and operated the coal mines. McGregor was the first trained engineer to relocate to Nanaimo and work in the mines.
Beban Park	Named after the Beban family who lived on the 160 acres of land in the Beban Park area from the 1930s -1950s. Beban house was their home for over 20 years.
Bowen Park	Named after the Bowen brothers who managed the Western Fuel Company. Mayor McKenzie accepted the parkland from the Canadian Western Fuel Company in 1918.
Lion's Sport Pavilion	The field house at Beban Park was named the Lion's Sport Pavilion in July 2002, in recognition of the Hub City Lions Club who coordinated fundraising of almost \$100,000 in cash and in-kind for this project; in addition to applying for and receiving a Community Partners Provincial Grant in the amount of \$137,000.
Deverill Square	Deverill was the man who first surveyed Nanaimo. He designed the radial street pattern downtown and laid the street grid in the old city and south end.
Sid Clark Gyro Park	<p>This property was acquired in 1920. It was renamed in 2009 from "Gyro Youth Park" to "Sid Clark Gyro Park" in recognition of Mr. Sid Clark.</p> <p>Mr. Clark was a Gyro Club member for over 35 years and a native son of Nanaimo – born and raised in the south end. He obtained his law degree and was earned an appointment to the bench as a Provincial Court Judge after a lengthy career in criminal law. He and his wife raised five children in Nanaimo.</p>
Sherry Fields	<p>In September 2012, the two play fields located at Harewood Centennial Park were officially named "Sherry Fields", to recognize the long term dedication and service to the community on behalf of the entire Sherry Family.</p> <p>The Sherry's have a long history with Nanaimo and in fact the park and the neighbourhood itself. Although Loyd Sherry may be the most recognizable of the Sherry names, the entire family has a long and impressive history of community service.</p>

2015-APR-20

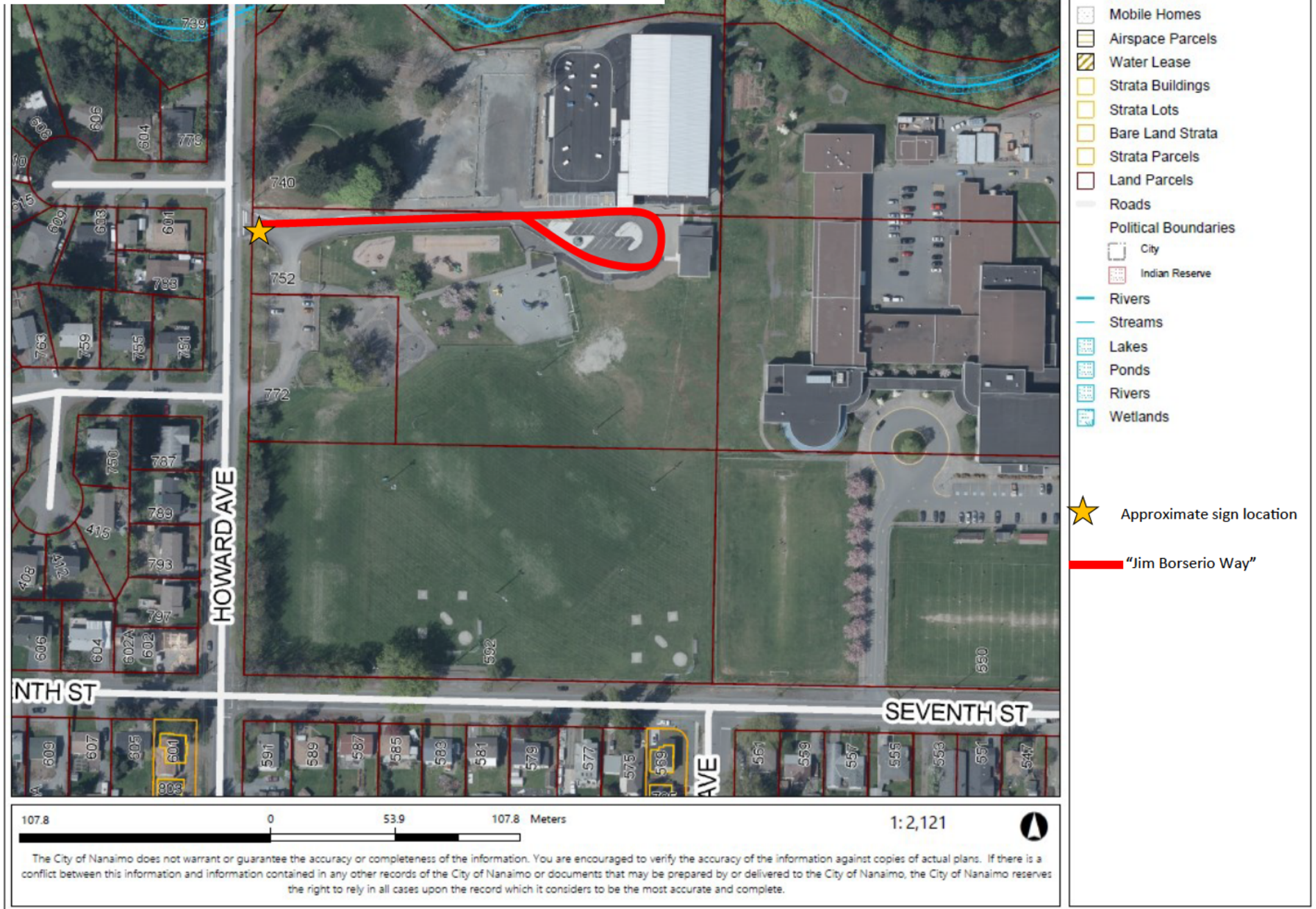
File: C9

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# ATTACHMENT C

Proposed access road to be renamed and road sign location

Harewood Centennial Park





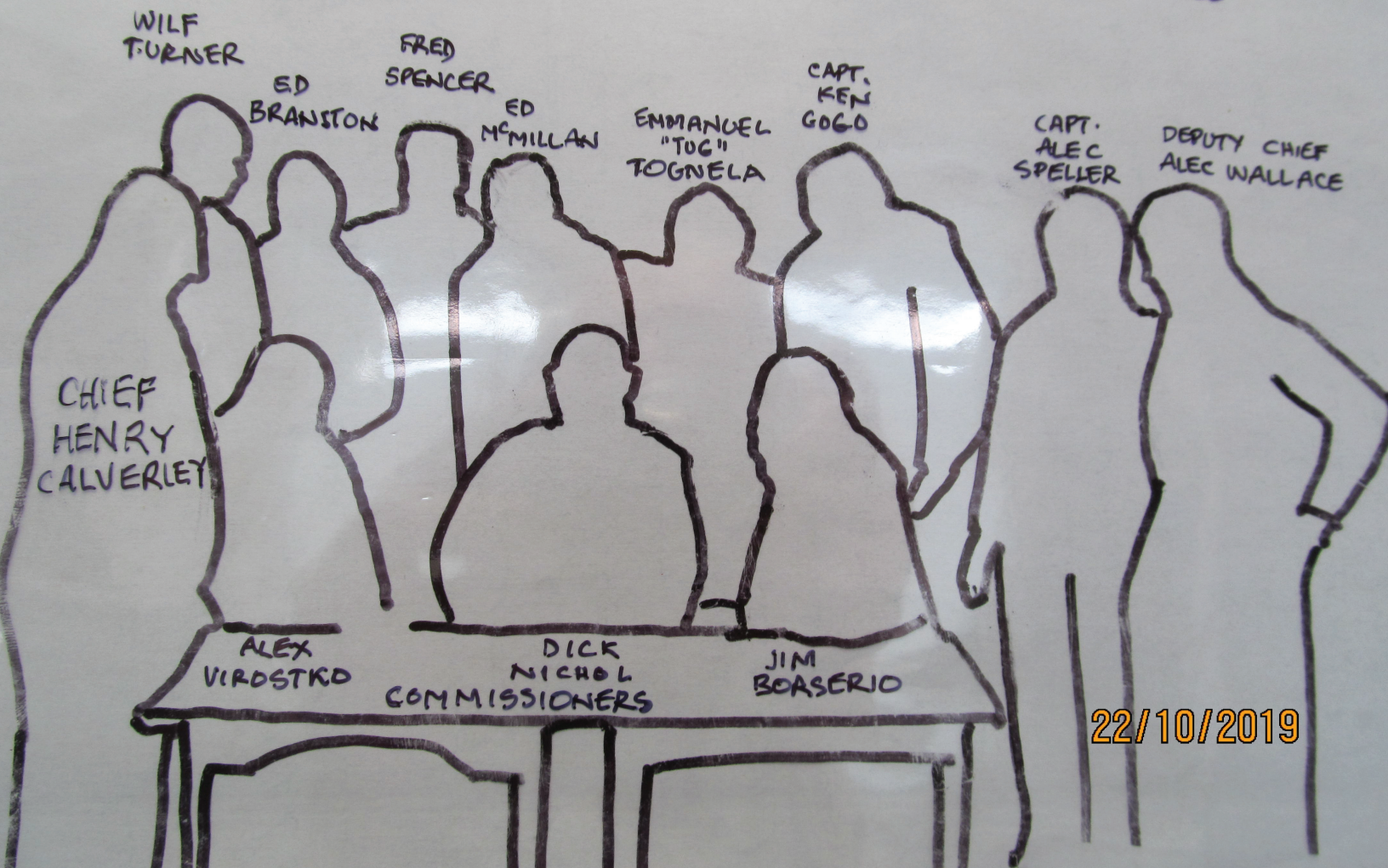
## **ATTACHMENT D**

Historic photo including James Borserio  
and other community members





# HAREWOOD F.D. LOOKING AT PLANS FOR A NEW FIRE HALL



22/10/2019



**ADDENDUM**  
**"IN CAMERA" COUNCIL MEETING**

Monday, January 13, 2020

5:30 P.M. - 7:00 P.M.

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

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**6. REPORTS**

c. Options to Memorialize James Borserio Within A Park

1. [REDACTED]



**AGENDA**  
**SPECIAL "IN CAMERA" COUNCIL MEETING**

Monday, January 20, 2020, 11:00 A.M. - 12:00 P.M.

Board Room, Service and Resource Centre,  
411 Dunsmuir Street, Nanaimo, BC

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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 - 90(1)(n)

3(a). CAO and Council Matters - 90(1)(c)

Section 90(1):

(c) labour relations or other employee relations;

(n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2).

**3. REPORTS:**

a. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

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



**AGENDA**  
**"IN CAMERA" COUNCIL MEETING**

Monday, February 3, 2020

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

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

SCHEDULED RECESS 5:30 P.M.

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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. Release of Fourth Quarter 2018 "In Camera" Agendas -  
90(1)(a)(b)(c)(e)(f)(g)(h)(i)(k)(l) and 90(2)(b)

6 b. Council Appointments to the Design Advisory Panel - 90(1)(a)

6 c. Appointments to the Advisory Committee on Accessibility and Inclusiveness -  
90(1)(a)

6 d. Revised Appointments to the Health and Housing Task Force - 90(1)(a)

6 e. [REDACTED]

6 f. [REDACTED]

6 g. [REDACTED]

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

7 a. [REDACTED]

7 b. [REDACTED]

Section 90(1):

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

position appointed by the municipality;

(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;

(l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under Section 98 [annual municipal report]; and,

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

6 - 8

Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-JAN-13 at 5:30 p.m.

### 4. PRESENTATIONS:

### 5. CONSENT ITEMS:

### 6. REPORTS

#### a. Release of Fourth Quarter 2018 "In Camera" Agendas

9 - 14

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

*Purpose: To provide Council with a preview of the redacted fourth quarter (October - December) of 2018 "In Camera" Agendas prior to Staff publishing*



them to the City's website.

b. Council Appointments to the Design Advisory Panel

15 - 18

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

*Purpose: To request that Council appoint a primary and alternate Council member to the Design Advisory Panel for a one year term commencing 2020-FEB-24 and ending 2021-FEB-23.*

Recommendation: That Council appoint a primary and alternate member to the Design Advisory Panel for a one year term commencing 2020-FEB-24 and ending 2021-FEB-23.

c. Appointments to the Advisory Committee on Accessibility and Inclusiveness

19 - 94

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

*Purpose: To request that Council appoint eleven at-large members and two Council members to the Advisory Committee on Accessibility and Inclusiveness.*

Recommendation: That Council:

1. appoint eleven at-large members to the Advisory Committee on Accessibility and Inclusiveness for a term ending 2022-OCT-14;
2. appoint one member of Council to serve as Chair of the Advisory Committee on Accessibility and Inclusiveness for a term ending 2022-OCT-14; and,
3. appoint one member of Council to serve as an alternate for the Advisory Committee on Accessibility and Inclusiveness for a term ending 2022-OCT-14.

d. Revised Appointments to the Health and Housing Task Force

95 - 106

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

*Purpose: To obtain Council approval for the appointment of a revised list of representatives to the Health and Housing Task Force.*

Recommendation: That Council direct Staff to amend the Terms of Reference for the Health and Housing Task Force to include the following individuals as alternates to the existing appointed members to the Health and Housing Task Force:

- a. Terra Kaethler alternate for Signy Madden – “Reaching Home” Community Entity representative
- b. Virginia Fenton alternate for John McCormick – Nanaimo Region John Howard Society representative

e.



f.



g.



[REDACTED]

h. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

7. **CORRESPONDENCE:**

a. [REDACTED]

b. [REDACTED]

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, 2020-JAN-13 AT 5:30 P.M. – 7:00 P.M.

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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

Others:





Staff: J. Rudolph, Chief Administrative Officer  
R. Harding, General Manager, Parks, Recreation and Culture (vacated 5:55 p.m.)  
B. Sims, General Manager, Engineering and Public Works (vacated 5:55 p.m.)  
J. Van Horne, Director, Human Resources (vacated 6:15 p.m.)  
L. Mercer, Director, Finance (vacated 5:55 p.m.)  
B. Corsan, Director, Community Development (vacated 5:55 p.m.)  
F. Farrokhi, Manager, Communications (vacated 5:55 p.m.)  
S. Gurrie, Director, Legislative Services  
N. Sponaule, Steno, Legislative Services (vacated 5:55 p.m.)  
K. Gerard, Recording Secretary (vacated 5:55 p.m.)

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

The "In Camera" Meeting was called to order at 5:32 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 6(c) - Options to Memorialize James Borserio Within A Park –   

- (b) Move Agenda Item 6(c) - Options to Memorialize James Borserio Within A Park to agenda item 6(a) and reorder items accordingly.

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" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2019-DEC-16, at 4:00 p.m., be adopted as circulated. The motion carried unanimously.

5. REPORTS:

(a) Options to Memorialize James Borserio Within A Park

Richard Harding, General Manager, Parks Recreation and Culture, provided Council with a verbal summary regarding the process for naming and/or memorializing a person within the City of Nanaimo.

[REDACTED] entered the Douglas Rispin Room at 5:37 p.m.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] vacated the Douglas Rispin Room at 5:42 p.m.

It was moved and seconded that Council approve naming the access road within Harewood Centennial Park "Jim Borserio Way" in order to memorialize James Borserio, and direct Staff to install a formal road sign at the park entrance. The motion carried unanimously.

It was moved and seconded that Council direct Staff to rise and report regarding the naming of the Harewood Centennial Park access road to "Jim Borserio Way" and announce the naming at a future Council meeting under the Mayor's Report. The motion carried unanimously.

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

Introduced by Sheila Gurrie, Director, Legislative Services.

(c) Property Disposition – 5867, 5873 and 5879 Linyard Road

Introduced by Bill Corsan, Director, Development Services.

It was moved and seconded that Council:

1. approve the disposition of 5867, 5873 and 5879 Linyard Road [REDACTED] and,
2. direct the Mayor and Corporate Officer to execute the necessary documents to affect the transaction.

The motion carried unanimously.

(d)

B. Corsan, F. Farrokhi, K. Gerard, R. Harding, L. Mercer, B. Sims and N. Sponaugle vacated the Douglas Rispin Room at 5:55 p.m.

(e) CAO and Council Matters

Introduced by Jake Rudolph, Chief Administrative Officer

1.

2. Jake Rudolph, Chief Administrative Officer, announced that Shelley Legin has been hired as the new General Manager of Corporate Services and will be starting on January 20, 2020. Mr. Rudolph stated that he would be making a formal public announcement on Tuesday, January 21, 2020.

3. Planning and Discussion regarding future Governance and Priorities Committee meetings.

Discussion took place regarding the Governance and Priorities Structure moving forward in 2020.

6. ADJOURNMENT:

It was moved and seconded at 6:52 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

CERTIFIED CORRECT:

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

DATE OF MEETING [February 3, 2020]

AUTHORED BY JESSICA VANDERHOEF, STENO, LEGISLATIVE SERVICES

**SUBJECT RELEASE OF FOURTH QUARTER 2018 “IN CAMERA” AGENDAS**

## **OVERVIEW**

### **Purpose of Report**

To provide Council with a preview of the redacted fourth quarter (October - December) 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;
- (l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under Section 98 [*annual municipal report*]; and,

*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 Fourth Quarter of 2018

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Submitted by:**

]

Sheila Gurrie,  
City Clerk ]

## ATTACHMENT A



<b>Section:</b>	<b>Administration</b>	<b>1</b>
<b>Subsection:</b>	<b>Council – Meetings – “In Camera”</b>	<b>0560</b>
<b>Title:</b>	<b>Routine Release of “In Camera” Agendas</b>	<b>01</b>

### 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;

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 February 3, 2020

AUTHORED BY SKY SNELGROVE, STENO COORDINATOR/DEPUTY CORPORATE OFFICER

SUBJECT COUNCIL APPOINTMENTS TO THE DESIGN ADVISORY PANEL

## **OVERVIEW**

### **Purpose of Report**

To request that Council appoint a primary and alternate Council member to the Design Advisory Panel for a one year term commencing 2020-FEB-24 and ending 2021-FEB-23.

### **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 appoint a primary and alternate member to the Design Advisory Panel for a one year term commencing 2020-FEB-24 and ending 2021-FEB-23.

## **BACKGROUND**

The Design Advisory Panel (DAP) is an advisory committee to Council made up of design professionals and members of the general public. DAP reviews form and character development permits in relation to relevant design guidelines, good design principles, and conformance with the Official Community Plan and related documents. DAP also provides independent, objective recommendations to the applicant, City staff, and Council aimed at improving matters of design that affect the public realm. The Design Advisory Panel meets on the second and fourth Thursday's of the month starting at 5:00 p.m.

At the 2019-DEC-16 Council Meeting, Council directed Staff to amend the DAP Mandate and Objectives to include an alternate member of Council. The role of the alternate member of Council is to attend DAP meetings in the absence of the primary member.

The current term of the Council appointee (Councillor Brown), expires 2020-FEB-24.

Appointments of at-large members and British Columbia Society of Landscape Architects representatives are not needed at this time.

## **DISCUSSION**

Council is requested to appoint a primary member and alternate member to DAP.

## **OPTIONS**

1. That Council appoint a primary and alternate member to the Design Advisory Panel for a one year term commencing 2020-FEB-24 and ending 2021-FEB-23.
  - The advantages of this option: In the absence of the primary member, an alternate would attend in order to maintain quorum.
  - The disadvantages of this option: No disadvantages noted at this time.
  - Financial Implications: Council members do not receive remuneration for attendance at committee meetings. There are no financial implications identified at this time.
2. That Council appoint a primary member to the Design Advisory Panel for a one year term commencing 2020-FEB-24 and ending 2021-FEB-23.
  - The advantages of this option: Members of Council could be appointed to other committees.
  - The disadvantages of this option: This option does not align with the number of Council members noted in the Mandate and Objectives. Coverage would not be provided in the absence of the primary member.
  - Financial Implications: Council members do not receive remuneration for attendance at committee meetings. There are no financial implications identified at this time.

## **SUMMARY POINTS**

- Council is requested to appoint one primary and one alternate member to the Design Advisory Panel.
- Appointments are for a one year term 2020-FEB-24 and ending 2021-FEB-23.

## **ATTACHMENTS**

Attachment A: Design Advisory Panel Mandate and Objectives

### **Submitted by:**

Sheila Gurrie  
Director, Legislative Services

### **Concurrence by:**

Lainya Rowett  
Manager, Current Planning

## **INFORMATION RELEASE:**

Enter method by which Staff will release the information. Select options that apply below:

- To be released upon completion of appointments.



**DESIGN ADVISORY PANEL  
MANDATE AND OBJECTIVES**

*(adopted 2015-MAR-02)*

*(updated 2019-DEC-16)*

Mandate

The Design Advisory Panel serves as an advisory body to Council responsible to review form and character development permit applications and to provide recommendations to staff in its negotiations with applicants.

Objectives

The objective of the Panel is to:

- review development proposals in relation to design guidelines and provide recommendations based on same;
- assist staff in establishing guidelines to ensure that the form and character of future development is of a high quality which meets the needs of the community;
- encourage a high standard of project design and construction through educational programs; and
- recommend to Council, through an awards program, projects which have demonstrated innovation and high standards in urban and landscape designs.

Meetings

The Design Advisory Panel will meet every second and fourth Thursday of the month at 5:00 p.m., or on an as needed basis.

In addition to the regularly scheduled meeting, members may be requested to participate with Council and staff on specific task forces or project committees.

Membership

The membership of the Panel will be comprised of:

- One (1) Council Member
- One (1) Council alternate
- Two (2) architects – recommended by the Architectural Institute of BC
- One (1) landscape architect – recommended by the BC Society of Landscape Architects
- Four (4) members of the general public

One (1) member from the Nanaimo Community Heritage Commission (NCHC) will be invited to attend in a resource capacity as required for downtown projects.

## Design Review Process

The development permit review process will be as follows:

- City staff will present background information and a summary of major policy issues applicable to the proposal.
- The applicant or his/her agent will present the proposed development, highlighting:
  - The proposed development's function.
  - The project's adherence to the appropriate design guidelines and the neighbourhood context.
  - The reasons for requested variances, if applicable.
- The Panel will have an opportunity to ask the applicant, his/her agent(s) and staff questions about the design and zoning requirements.
- The Panel will consider the presentations and formulate a recommendation to assist staff in further design discussions with the applicant. The recommendation from the Panel will form part of the staff report to Council.

See also:

- Terms of Reference for Advisory Committees
- Council Procedure Bylaw



DATE OF MEETING February 3, 2020

AUTHORED BY SKY SNELGROVE, STENO COORDINATOR/DEPUTY CORPORATE OFFICER

SUBJECT **APPOINTMENTS TO THE ADVISORY COMMITTEE ON ACCESSIBILITY AND INCLUSIVENESS**

## **OVERVIEW**

### **Purpose of Report**

To request that Council appoint eleven at-large members and two Council members to the Advisory Committee on Accessibility and Inclusiveness.

### **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. appoint eleven at-large members to the Advisory Committee on Accessibility and Inclusiveness for a term ending 2022-OCT-14;
2. appoint one member of Council to serve as Chair of the Advisory Committee on Accessibility and Inclusiveness for a term ending 2022-OCT-14;
3. appoint one member of Council to serve as an alternate on the Advisory Committee on Accessibility and Inclusiveness for a term ending 2022-OCT-14.

## **BACKGROUND**

At the 2019-DEC-16 Regular Meeting of Council, Council approved the establishment of an Advisory Committee on Accessibility and Inclusiveness (ACAI) and adopted the associated Terms of Reference (Attachment A).

The volunteer positions were advertised through the City website, social media, a news release and notices in the Nanaimo News Bulletin. The term of the positions is for the remainder of Council's term.

Specific organizations were notified of the vacancies and were invited to submit applications.

## **DISCUSSION**

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

As per the Committee Operating Guidelines, the Corporate Officer has reviewed all applications received within 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.

Staff received a total of 20 applications.

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

<b>Advisory Committee on Accessibility and Inclusiveness Applicants</b>	
1.	[REDACTED]
2.	[REDACTED]
3.	<u>Adrienne Breen</u>
4.	<u>Sarah Cameron</u>
5.	<u>Tarita Davenock</u>
6.	<u>Linda Derksen</u>
7.	[REDACTED]
8.	[REDACTED]
9.	<u>Sandra Hamel</u>
10.	<u>Richard Harlow</u>
11.	<u>Deborah Hollins</u>
12.	[REDACTED]
13.	[REDACTED]
14.	<u>Jocelyn Maffin</u>
15.	<u>Lindsay Malbon</u>
16.	[REDACTED]
17.	[REDACTED]
18.	<u>Rachel Pike</u>

19. [REDACTED]
20. <u>Eileen Williamson</u>

## **NEXT STEPS**

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

## **OPTIONS**

1. That Council:
  1. appoint eleven at-large members to the Advisory Committee on Accessibility and Inclusiveness for a term ending 2022-OCT-14;
  2. appoint one member of Council to serve as Chair of the Accessibility and Inclusiveness for a term ending 2022-OCT-14;
  3. appoint one member of Council to serve as an alternate for the Accessibility and Inclusiveness Committee for a term ending 2022-OCT-14.
  - The advantages of this option: Appointing members to the Advisory Committee on Accessibility and Inclusiveness is consistent with Council's direction to strike an ACAI to allow for meetings to commence to begin work on their mandate. This also supports Council's Strategic Priority of "Liveability".
  - The disadvantages of this option: No disadvantages related to appointing ACAI members have been identified at this time.
  - Financial Implications: None expected at this time.
2. That Council direct Staff to advertise again for positions.
  - The advantages of this option: Council would have the opportunity to receive different applications.
  - The disadvantages of this option: Denying appointments to ACAI will delay the establishment of the committee.
  - Financial Implications: Advertising costs would increase if Staff were to advertise again for the positions. |

## **SUMMARY POINTS**

- Council approved the Terms of Reference for the ACAI at the 2019-DEC-16 Council meeting.
- The appointment term is until the end of Council's term 2022-OCT-14.
- The Terms of Reference require eleven at-large members and two Council representatives.

## **ATTACHMENTS**

Attachment A: Advisory Committee on Accessibility and Inclusiveness Terms of Reference

[REDACTED]

### **Submitted by:**

Sheila Gurrie  
Director, Legislative Services

## **INFORMATION RELEASE:**

- To be released [REDACTED]
- Successful applicants to be notified by Staff.



## **TERMS OF REFERENCE**

### **ADVISORY COMMITTEE ON ACCESSIBILITY AND INCLUSIVENESS**

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#### **PURPOSE:**

The purpose of the Advisory Committee on Accessibility and Inclusiveness is to promote social and political equity within existing and proposed City plans, policies, bylaws and infrastructure and make recommendations to ensure that they are inclusive and accommodating to citizens of all ages, abilities and walks of life.

The Advisory Committee on Accessibility and Inclusiveness will:

- Identify barriers to inclusion and accessibility and make recommendations as to how to remove these barriers;
- Identify best practices in other communities and make recommendations based on the findings to promote social and political equity;
- Participate in reviewing City of Nanaimo draft plans, policies and procedures to prevent the creation of barriers in the future;
- Assist in developing a strategy for engaging with the community on issues relating to accessibility and inclusiveness;
- Discuss other issues referred to the Committee by Council, the CAO, GM's or Directors; and,
- Work with Council to increase public awareness on issues related to accessibility and inclusion for all citizens.

#### **MEMBERSHIP:**

The Committee shall be comprised of thirteen (13) voting members:

- a) Two members of Council
- b) Eleven members at large from the community, who will be chosen based on their experience and involvement related to issues of accessibility and/or inclusiveness

#### **ELIGIBILITY:**

The members at large shall be appointed by resolution of Council and all residents are eligible to apply. Members of the Committee shall:

- Reflect a broad cross-section of City of Nanaimo residents
- Be appointed on the basis of their availability and commitment to increasing accessibility and inclusiveness within the City of Nanaimo

- Have no conflict of interest with Council or the Committee and should advise the members when a potential conflict may exist on a specific issue and recuse themselves

#### **MEETING FREQUENCY:**

Meetings will be held once every two months. In addition to regularly scheduled meetings, the Committee will meet upon call of the Chair or the request of two Committee Members.

#### **STAFF SUPPORT:**

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

- Office of the Chief Administrative Officer
- Legislative Services and Communications
- Parks, Recreation & Culture
- Development Services
- Engineering and Public Works
- Other Staff as required

#### **OBSERVERS & COMMUNITY SUPPORTS:**

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

DATE OF MEETING February 3, 2020

AUTHORED BY LISA BHOPALSINGH, MANAGER, COMMUNITY PLANNING

SUBJECT REVISED APPOINTMENTS TO THE HEALTH AND HOUSING TASK FORCE

## **OVERVIEW**

### **Purpose of Report**

To obtain Council approval for the appointment of a revised list of representatives to the Health and Housing Task Force.

### **Reason for “In Camera”**

*Community Charter* Section 90(1):

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

### **Recommendation**

That Council direct Staff to amend the Terms of Reference for the Health and Housing Task Force to include the following individuals as alternates to the existing appointed members to the Health and Housing Task Force:

- a) Terra Kaethler alternate for Signy Madden – “Reaching Home” Community Entity representative; and
- b) Virginia Fenton alternate for John McCormick – Nanaimo Region John Howard Society representative.

## **BACKGROUND**

At the 2019-MAY-13 Regular meeting, Council approved the creation of a Health and Housing Task Force (the “Task Force”) along with a terms of reference (the “Terms of Reference”) for the Task Force that outlined the voting membership of the group (see Attachment A).

The purpose of the Task Force is to facilitate the implementation of policies aimed at increasing housing supply, diversity and affordability, as well as to consider what each organization can do to address issues that give rise to and perpetuate homelessness (i.e., poverty, mental health, and substance use disorders). The Task Force is intended to be an effective size of 12, with membership reflecting senior-level decision makers. Led by two Council co-chairs, participants represent government, business, and non-profit organizations key to addressing health and housing issues.

At its In Camera Meeting on 2019-JUL-08, Council endorsed the representatives of eight government organizations identified in the Terms of Reference and appointed four individuals as representatives of the business and non-profit sectors (see Attachment B). This included amending the Terms of Reference to include a business representative not listed in the first version approved by Council (see Attachment C).

Since the Task Force has been established and meeting regularly, Staff are recommending membership updates to reflect leadership changes within some of the participating organizations and the need for suitable alternates to ensure adequate capacity to participate on the Task Force. The table below reflects a revised list of representatives of the government organizations identified in the Terms of Reference. Proposed changes to membership have been confirmed with each organization/individual and are highlighted with an asterix\*.

<b>Nominee (Title)</b>	<b>Organization</b>
*Emmy Manson (Councillor and Community Wellness Administrator)	Snuneymuxw First Nation
Alternate - Kate Good (Councillor)	
Cameron Miller (Officer in Charge)	RCMP
*Alternate – Lisa Fletcher (Inspector, Police Services)	
*Keva Glynn – Executive Director, Mental Health and Substance Use, Public Health and Child/Youth Services	Island Health
Alternate - Lisa Murphy (Director, Mental Health and Substance Use)	
Malcolm McNaughton (Director Regional Development – Vancouver Island)	BC Housing
Alternate – Heidi Hartman (Regional Director)	
Anita LaHue (Director, Partnerships and Strategic Initiatives)	Ministry of Social Development and Poverty Reduction
Jan Fix (Director Program Delivery)	Service Canada
Alternate – Lisa McHaffie (Service Manager)	



It is recommended the four business and non-profit representatives appointed by Council at its In Camera Meeting on 2019-JUL-08 remain in place with the addition of two suitable alternates as identified below.

<b>Nominee (Title)</b>	<b>Organization</b>
Signy Madden (Executive Director) *Alternate - Terra Kaethler (Impact Officer)	"Reaching Home" (Community Entity representative)
John McCormick (Executive Director) *Alternate – Virginia Fenton (Director of Programs)	Nanaimo Region John Howard Society (Non-Profit Organization representative)
Jason Harrison (Executive Director, Mid-Island Branch)	Canadian Mental Health Association (Non-Profit Organization representatives)
Kim Smythe (President and CEO)	Greater Nanaimo Chamber of Commerce (Business community representative)

## **OPTIONS**

1. That Council direct Staff to amend the Terms of Reference for the Health and Housing Task Force to include the following individuals as alternates to the existing appointed members to the Health and Housing Task Force:
  - a) Terra Kaethler alternate for Signy Madden – "Reaching Home" Community Entity representative; and
  - b) Virginia Fenton alternate for John McCormick – Nanaimo Region John Howard Society representative.
  - Advantages: Allows Staff to ensure that attendance at meetings is consistent and supports capacity of the identified organizations and representatives. Ensures that the Task Force membership remains a suitable size to be effective.
  - Disadvantages: None identified.
2. That Council provide alternative direction.
  - Advantages: This could allow Council to provide different suggestions for the Task Force membership and Terms of Reference.
  - Disadvantages: Should Council provide alternative membership recommendations and changes to the Task Force Terms of Reference, this would likely result in delays and disruption to work currently underway at the Task Force.

### **SUMMARY POINTS**

- Council approved the creation of the Task Force on Health and Housing to oversee the implementation of both the Action Plan to End Homelessness and the Affordable Housing Strategy, while also considering actions to address issues related to homelessness, mental health, and substance use.
- Since Council approved the appointment of all 12 members of the Task force on 2019-JUL-08 there is a need to revise the membership to reflect organizational changes and capacity.
- Of the 12 members of the Task Force, Council must approve the nomination of the four members who represent the non-profit and business community and approve the appointment of all 12 members of the Task Force. This includes any alternates who may need to attend some meetings.

### **ATTACHMENTS**

ATTACHMENT A: Revised Terms of Reference

ATTACHMENT B: 2019-JUL-08 Appointments to Health and Housing Task Force Report

ATTACHMENT C: Original Terms of Reference |

#### **Submitted by:**

Lisa Bhopalsingh  
Manager, Community Planning |

#### **Concurrence by:**

Bill Corsan  
Director, Community Development

Dale Lindsay  
General Manager, Development Services

Sheila Gurrie  
Director of Legislative Services |

### **INFORMATION RELEASE:**

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

# ATTACHMENT A



## TERMS OF REFERENCE TASK FORCE ON HEALTH AND HOUSING

---

### **PURPOSE:**

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

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

### **MEMBERSHIP:**

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

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

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

Chair – member of Council

Alternate Chair – member of Council/other task force member

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

1 – RCMP senior executive representative

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

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

### **MEETING FREQUENCY:**

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

### **STAFF SUPPORT:**

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

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

### **OBSERVERS & COMMUNITY SUPPORTS:**

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

\* Community Entity representative to be appointed by Council

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

\*\*\* Business Community representative to be appointed by Council

**In Camera Report for Decision***City of Nanaimo*

DATE OF MEETING July 8, 2019

AUTHORED BY KARIN KRONSTAL, SOCIAL PLANNER

**SUBJECT APPOINTMENTS TO HEALTH AND HOUSING TASK FORCE****OVERVIEW****Purpose of Report**

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

**Reason for “In Camera”**

*Community Charter* Section 90(1):

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

**Recommendation**

That Council

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

**BACKGROUND**

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

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

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

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

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

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

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

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

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

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

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

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

## **OPTIONS**

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

## **SUMMARY POINTS**

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

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

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

## **ATTACHMENTS**

ATTACHMENT A: Terms of Reference |

### **Submitted by:**

Lisa Bhopalsingh  
Manager, Community Planning

### **Concurrence by:**

Dale Lindsay  
General Manager of Development Services

### **Concurrence by:**

Sheila Gurrie  
City Clerk

## **INFORMATION RELEASE:**

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



# ATTACHMENT C



## TERMS OF REFERENCE

### TASK FORCE ON HEALTH AND HOUSING

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#### PURPOSE:

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

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

#### MEMBERSHIP:

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

The voting membership of the Committee will be as follows:

- One-two (1-2) members of Council
- Nine (9) members.

Chair – member of Council

Alternate Chair – member of Council/other Committee member

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

1 – RCMP senior executive representative

1 – VIHA senior executive representative

1 – BC Housing senior executive representative

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

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

#### **MEETING FREQUENCY:**

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

#### **STAFF SUPPORT:**

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

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

#### **OBSERVERS & COMMUNITY SUPPORTS:**

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

\* Community Entity representative to be appointed by Council

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



**ADDENDUM**  
**"IN CAMERA" COUNCIL MEETING**

Monday, February 3, 2020

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

DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE

80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS 5:30 P.M.

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Pages

**7. CORRESPONDENCE:**

c. [REDACTED]



**AGENDA**  
**"IN CAMERA" COUNCIL MEETING**

Monday, February 24, 2020

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.

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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

4.a. [REDACTED]

6.a. Selection Panel for Permanent Public Art at Maffeo Sutton Park - 90(1)(a)

6.b. Partial Property Acquisitions - 155 Pryde Avenue and 1674 Caspers Way - (90)(1)(e)

6.c. Metral Drive Complete Streets Project - Property Acquisitions - 90(1)(e)

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;

(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,

*Community Charter* Section 90(2):

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

**3. ADOPTION OF THE MINUTES:**

a. Minutes

5

Minutes of the Special "In Camera" Council Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Monday, 2020-JAN-20, at 11:00 a.m.

b. Minutes

6 - 12

Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-FEB-03, at 4:00 p.m.

4. PRESENTATIONS:

a.



5. CONSENT ITEMS:

6. REPORTS

a. Selection Panel for Permanent Public Art at Maffeo Sutton Park

37 - 63

To be introduced by Richard Harding, General Manager, Parks, Recreation and Culture.

*Purpose: To request that two members of Council be appointed to the selection panel for permanent public art at Maffeo Sutton Park (Call for Artists No. 2489) and to seek Council's approval for Staff to invite community representatives to participate in the selection panel.*

Recommendation: That Council appoint two members of Council, and direct Staff to invite the following representatives to sit on the selection panel for the permanent public art project (Call for Artists No. 2489) at Maffeo Sutton Park:

- Community (At-Large): Marie Leduc
  - *Alternates: Darren Moss, Dave Witty*
- Design Community: Kate Stefiuk
  - *Alternates: Robert Dods, Kate Evans*
- Arts Community: Chai Duncan
  - *Alternates: Jesse Birch, Arlene Deptuck*
- Arts Community: Yvonne Vander Kooi (professional artist)
  - *Alternates: Gerda Hofman, Maggie Wouterloot*

b. Partial Property Acquisitions - 155 Pryde Avenue and 1647 Caspers Way

64 - 71

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

*Purpose: To obtain Council approval to acquire land from 155 Pryde Avenue to expand Buttertubs Marsh Conservation Area and to obtain a right-of-way for a multi-use trailway across a portion of 155 Pryde Avenue and 1647 Caspers Way.*

Recommendation: That Council:

1. authorize the acquisition 1.4 ha (3.5 acres) of land at 155 Pryde Avenue from [REDACTED] for the sum of [REDACTED] for parkland purposes;
2. allocate [REDACTED] from the Parkland Dedication Reserve Fund for the acquisition of a multi-use trailway statutory right-of-way from 155 Pryde Avenue from [REDACTED]
3. allocate [REDACTED] from the Parkland Dedication Reserve Fund for the acquisition of a multi-use trailway statutory right-of-way from 1647 Caspers Way from [REDACTED] and
4. allocate [REDACTED] from the Parkland Dedication Reserve Fund for ancillary acquisition costs.

c. Metral Drive Complete Streets Project - Property Acquisitions

72 - 75

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

*Purpose: To provide Council with the outcome of the partial property acquisition negotiations with the owners of [REDACTED] 5341, 5350, 5351 Metral Drive and 5410 Godfrey Road for the Metral Drive Complete Streets project for road and sidewalk purposes.*

Recommendation: That Council:

1. authorize the partial acquisition of 5341 Metral Drive from [REDACTED] for the sum of [REDACTED]
2. authorize the partial acquisition of 5350 Metral Drive from [REDACTED] for the sum of [REDACTED]
3. authorize the partial acquisition of 5351 Metral Drive from [REDACTED] for the sum of [REDACTED]
4. authorize the partial acquisition of 5410 Godfrey Road from [REDACTED] for the sum of [REDACTED] and
5. allocate a total of [REDACTED] from the 2020 Property Acquisition Budget Fund for the acquisition and ancillary costs.

7. **CORRESPONDENCE:**

8. ADJOURNMENT OF "IN CAMERA" MEETING:

**MINUTES**  
SPECIAL COUNCIL MEETING  
BOARDROOM, SERVICE AND RESOURCE CENTRE,  
411 DUNSMUIR STREET, NANAIMO, BC  
MONDAY, 2020-JAN-20 AT 11:00 A.M.

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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  
S. Gurrie, Director, Legislative Services (vacated 11:06 a.m.)

1. CALL THE SPECIAL MEETING TO ORDER:

The Special Meeting was called to order at 11:06 a.m.

2. PROCEDURAL MOTION:

It was moved and seconded that the meeting be closed to the public in order to deal with agenda items under the *Community Charter* Section 90(1):

- (c) labour relations or other employee relations; and,
- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2).

The motion carried unanimously.

S. Gurrie vacated the Boardroom at 11:06 a.m.

Council moved "In Camera" at 11:06 a.m.

Council moved out of "In Camera" at 12:06 p.m.

3. ADJOURNMENT:

It was moved and seconded at 12:06 p.m. that the Meeting terminate. The motion carried unanimously.

CERTIFIED CORRECT:

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CHAIR

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CORPORATE OFFICER



**"IN CAMERA" MINUTES**  
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,  
80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2020-FEB-03 AT 4:00 P.M. – 7:00 P.M.

---

Present: Mayor L. Krog, Chair  
Councillor S. D. Armstrong  
Councillor D. Bonner  
Councillor T. Brown  
Councillor B. Geselbracht  
Councillor E. Hemmens  
Councillor Z. Maartman  
Councillor I. W. Thorpe  
Councillor J. Turley (arrived 4:20 p.m.)

Others: [REDACTED]

Staff: J. Rudolph, Chief Administrative Officer  
R. Harding, General Manager, Parks, Recreation and Culture (vacated 6:54 p.m.)  
D. Lindsay, General Manager, Development Services (vacated 6:54 p.m.)  
B. Sims, General Manager, Engineering and Public Works (vacated 6:54 p.m.)  
S. Legin, General Manager, Corporate Services (vacated 6:54 p.m.)  
L. Mercer, Director, Finance (vacated 6:55 p.m.)  
B. Corsan, Director, Community Development (arrived 4:32 p.m., vacated 6:55 p.m.)  
L. Bhopalsingh, Manager, Community Planning (arrived 4:32 p.m., vacated 4:40 p.m.)  
F. Farrokhi, Manager, Communications (vacated 6:54 p.m.)  
D. LaBerge, Manager, Bylaw Services (vacated 6:54 p.m.)  
S. Gurrie, Director, Legislative Services (vacated 6:54 p.m.)  
K. Gerard, Steno, Legislative Services (vacated 6:35 p.m.)  
J. Vanderhoef, Recording Secretary (vacated 6:35 p.m.)

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

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

2. INTRODUCTION OF LATE ITEMS:

- (a) [REDACTED]
- (b) [REDACTED]
- (c) [REDACTED]

3. ADOPTION OF AGENDA:

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

4. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-JAN-13 at 5:30 p.m. be adopted. The motion carried unanimously.

5. REPORTS:

(a) Release of Fourth Quarter 2018 "In Camera" Agendas

Introduced by Sheila Gurrie, Director, Legislative Services.

(b) Council Appointments to the Design Advisory Panel

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council appoint Councillor Brown as the primary and Councillor Hemmens as the alternate member to the Design Advisory Panel for a one year term commencing 2020-FEB-24 and ending 2021-FEB-23. The motion carried unanimously.

(c) Appointments to the Advisory Committee on Accessibility and Inclusiveness

Introduced by Sheila Gurrie, Director, Legislative Services.

Council discussion took place regarding:

- Interviewing applicants
- Effectiveness of this committee
- [REDACTED]
- [REDACTED]
- Broad mandate of the committee

Councillor Turley entered the Douglas Rispin Room at 4:20 p.m.

- Expectation that this committee will provide feedback on issues impacting everyday lifestyles rather than the planning of the City
- Possibility of re-examining the mandate of the committee

It was moved and seconded that Council appoint the following eleven applicants as at-large members of the Advisory Committee on Accessibility and Inclusiveness for a term ending 2022-OCT-14:

1. Adrienne Breen
2. Sarah Cameron
3. Tarita Davenock
4. Linda Derksen
5. Sandra Hamel
6. Richard Harlow
7. Deborah Hollins
8. Jocelyn Maffin
9. Lindsay Malbon
10. Rachel Pike
11. Eileen Williamson

The motion carried unanimously.

It was moved and seconded that Council appoint Councillor Armstrong and Councillor Maartman to the Advisory Committee on Accessibility and Inclusiveness for a term ending 2022-OCT-14. The motion carried unanimously.

It was moved and seconded that Council rise and report regarding appointments to the Advisory Committee on Accessibility and Inclusiveness. The motion carried unanimously.

(d) Revised Appointments to the Health and Housing Task Force

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council direct Staff to amend the Terms of Reference for the Health and Housing Task Force to include the following individuals as alternates to the existing appointed members to the Health and Housing Task Force:

- a. Terra Kaethler alternate for Signy Madden – “Reaching Home” Community Entity representative
- b. Virginia Fenton alternate for John McCormick – Nanaimo Region John Howard Society representative

The motion carried unanimously.

L. Bhopalsingh, B. Corsan and [REDACTED] entered the Douglas Rispin Room at 4:32 p.m.

(e) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

L. Bhopalsingh vacated the Douglas Rispin Room at 4:40 p.m.



2.





The "In Camera" Council Meeting recessed at 5:29 p.m.  
The "In Camera" Council meeting reconvened at 5:51 p.m.



 vacated the Douglas Rispin Room at 6:07 p.m.

(f)



[REDACTED]

[REDACTED]

R. Harding vacated the Douglas Rispin Room at 6:29 p.m.

(g) [REDACTED]

[REDACTED]

Councillor Brown vacated the Douglas Rispin Room at 6:31 p.m.

[REDACTED]

7. CORRESPONDENCE:

[REDACTED]

[REDACTED]  
[REDACTED]

K. Gerard and J. Vanderhoef vacated the Douglas Rispin Room at 6:35 p.m.

Councillor Brown returned to the Douglas Rispin Room at 6:36 p.m.

6. REPORTS: (continued)

B. Corsan, F. Farrokhi, S. Gurrie, D. LaBerge, S. Legin, D. Lindsay, L. Mercer and B. Sims vacated the Douglas Rispin Room at 6:54 p.m.

(h) CAO and Council Matters

Introduced by Jake Rudolph, Chief Administrative Officer

It was moved and seconded that Council request a closed meeting be scheduled for 2020-FEB-10 at 11:00 a.m. to discuss CAO and Council Matters. The motion carried unanimously.

8. ADJOURNMENT:

It was moved and seconded at 6:58 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

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C H A I R

CERTIFIED CORRECT:

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CORPORATE OFFICER

## NEWS RELEASE

Pending Distribution (November 5, 2019 010:00 AM)

### Mayor Krog meets with Minister of Municipal Affairs and Housing

On Thursday, October 31, 2019, Mayor Leonard Krog met with the Honourable Selina Robinson, Minister of Municipal Affairs and Housing, in Victoria. MLA Sheila Malcolmson and MLA Doug Routley were also present at the meeting as were senior City staff Jake Rudolph, Chief Administrative Officer and Dale Lindsay, General Manager, Development Services.

During the meeting, Mayor Krog acknowledged the commitment and dedication of BC Housing's team to working collaboratively with the City to address our housing and mental health crisis. This includes BC Housing's active participation on a Council led Health and Housing Task Force.

Mayor Krog also raised some key issues with Minister Robinson in hopes of getting collaboration from other ministries, which included enhancing the current wraparound services that will in turn better help address mental health, addictions and poverty in our community, especially as the City continues to work with BC Housing on finding new supportive and housing units. Below is a summary of some of the support the City is looking to the Ministry of Municipal Affairs & Housing to:

- Work with the Ministry of Mental Health and Addictions to find solutions in order to equip and support housing operators with the tools and resources needed to handle the complex health needs of their tenants.
- Advocate for the City of Nanaimo to be considered for pilot testing of programs supporting mental health and addictions treatments.
- Support with resourcing an additional extreme weather shelter (and other types of shelters) in the event that the extreme weather season continues this winter.

This is not the first time the Mayor and members of Council have met with a Cabinet Minister regarding health and housing related matters.

This August, Councillors Bonner and Hemmens, Chairs of the Health and Housing Task Force along with Task Force members and Mayor Krog met with the [Honourable Judy Darcy, Minister of Mental Health and Addictions](#) and discussed the social issues impacting the City and community at large.

During the [2019 Union of BC Municipalities \(UBCM\) Convention](#), the Mayor and members of Council met with Minister Darcy again to continue their discussion around mental health and addictions and that Nanaimo would welcome a mental health and addictions treatment facility. They also met with Island Health's President and CEO and their Board Chair conveying a similar message.

"Nanaimo, like many cities across this country, is dealing with some challenging social issues, but Council and staff are committed to working with BC Housing, various ministries, authorities, and not-for-profits to ensure Nanaimo remains a livable and safe community for our residents, businesses, and most vulnerable," said Mayor Krog.



DATE OF MEETING February 24, 2020

AUTHORED BY CHRIS BARFOOT, CULTURE COORDINATOR

SUBJECT **SELECTION PANEL FOR PERMANENT PUBLIC ART AT MAFFEO SUTTON PARK**

## **OVERVIEW**

### **Purpose of Report**

To request that two members of Council be appointed to the selection panel for permanent public art at Maffeo Sutton Park (Call for Artists No. 2489) and to seek Council's approval for Staff to invite community representatives to participate in the selection panel.

### **Reason for "In Camera"**

- (a) 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 two members of Council, and direct Staff to invite the following representatives to sit on the selection panel for the permanent public art project (Call for Artists No. 2489) at Maffeo Sutton Park:

- **Community (At-Large):** Marie Leduc
  - *Alternates: Darren Moss, Dave Witty*
- **Design Community:** Kate Stefiuk
  - *Alternates: Robert Dods, Kate Evans*
- **Arts Community:** Chai Duncan
  - *Alternates: Jesse Birch, Arlene Deptuck*
- **Arts Community:** Yvonne Vander Kooi (professional artist)
  - *Alternates: Gerda Hofman, Maggie Wouterloot*

## **BACKGROUND**

In November 2019, the City of Nanaimo's Purchasing Department issued a Call for Artists to supply and oversee installation of artwork at Maffeo Sutton Park (Call for Artists No. 2489). A total of 19 proposals were received from a variety of artists and teams across Canada prior to the deadline of 2020-JAN-20.

As was noted in the Call for Artists, the artwork is intended to celebrate the creativity and diversity of artists, and the rich history of Nanaimo and its citizens. The artwork will be displayed at Maffeo Sutton Park on a permanent basis. The vision for this project is for a signature artwork or series of artwork(s) of exceptional quality, timelessness and enduring value located in a popular City park.

## **DISCUSSION**

The City of Nanaimo's *Community Plan for Public Art (2010)* states the following:

*The Selection Panel will be comprised of not less than five (5) and not more than seven (7) members. The purpose of the panel is to select the best proposal. Depending on the size of the project, most panels will consist of the following appointments with a member of the Cultural Committee acting as Chair:*

- *Two Cultural Committee Members (1 being a Commissioner)*
- *One Community Representative (at large)*
- *One Member from the design community: e.g. Architect, Landscape Architect, Engineer, Urban Designer, Planner or Graphic Designer*
- *Two Representative(s) from the Arts Community (minimum of 1 professional artist)*
- *In the case of community partnerships or development driven projects, 2 representative(s) from the project co-sponsors*
- *And with all public art projects, minimum 2-3 staff*

In the absence of a Cultural Committee, Staff recommend that members of Council be invited to participate on the selection panel. Staff have also recommended alternate names in the case that the recommended representative(s) are unavailable and/or unable to participate in the selection process.

## **OPTIONS**

1. That Council appoint two members of Council, and direct Staff to invite the following representatives to sit on the selection panel for the permanent public art project (Call for Artists No. 2489) at Maffeo Sutton Park:
  - **Community (At-Large):** Marie Leduc
    - *Alternates: Darren Moss, Dave Witty*
  - **Design Community:** Kate Stefiuk
    - *Alternates: Robert Dods, Kate Evans*
  - **Arts Community:** Chai Duncan
    - *Alternates: Jesse Birch, Arlene Deptuck*
  - **Arts Community:** Yvonne Vander Kooi (professional artist)
    - *Alternates: Gerda Hofman, Maggie Wouterloot*
  - The advantages of this option: Meets the criteria and process described in the City of Nanaimo's *Community Plan for Public Art (2010)*.
  - The disadvantages of this option: None.
  - Financial Implications: None.
2. That Council provide alternative direction.

### **SUMMARY POINTS**

- In November 2019, the City of Nanaimo's Purchasing Department issued a Call for Artists to supply and oversee installation of artwork at Maffeo Sutton Park (Call for Artists No. 2489).
- The artwork is intended to celebrate the creativity and diversity of artists and the rich history of Nanaimo and its citizens. The artwork will be displayed at Maffeo Sutton Park on a permanent basis.
- In the absence of a Cultural Committee, Staff recommend that two members of Council be invited to participate on the selection panel and appoint the recommended community representatives to participate as well. Staff have recommended alternate names in the case that the recommended representative(s) is unavailable and/or unable to participate in the selection process.

### **ATTACHMENTS**

ATTACHMENT A: Request for Proposals – Call for Artists No. 2489  
ATTACHMENT B: Excerpt (pages 50-54) from the *Community Plan for Public Art (2010)*

#### **Submitted by:**

Chris Barfoot  
Culture Coordinator

#### **Concurrence by:**

Richard Harding  
General Manager, Parks, Recreation and  
Culture

### **INFORMATION RELEASE:**

- To be released after Staff have contacted invited representatives.



**REQUEST FOR PROPOSAL No. 2489**

**Call for Artists**

**Supply and Oversee Installation of Artwork at Maffeo Sutton Park**

**DATE ISSUED:** October 25, 2019

**CLOSING LOCATION:**

Purchasing Department  
2020 Labieux Road  
Nanaimo, BC  
V9T 6J9

**ESTABLISHED CLOSING DATE AND TIME:**

**January 20, 2020; 3:00 pm (15:00 hours) Pacific Time**

**INQUIRIES:**

Jennifer Gal, Buyer

[purchasinginfo@nanaimo.ca](mailto:purchasinginfo@nanaimo.ca)

**Late Submissions will not be considered**

**And**

**Submissions will not be opened publicly**

**Artists that would like to have their art returned must call 250-756-5319, to arrange a time to pick up from the Purchasing office at 2020 Labieux Road**

**NOTE: EMAIL SUBMISSIONS ARE NO LONGER ACCEPTED. ELECTRONIC SUBMISSIONS ARE ACCEPTED AT; <https://www.nanaimo.ca/bid-opportunities/>. AS DESCRIBED IN SECTION 2.0 OF THE DOCUMENT**

## 1. Call for Entry

Artists are invited to submit proposed artwork for public outdoor exhibition at Maffeo Sutton Park as suggested and described herein.

Artists are being afforded an extra long closing time and date, in order to give careful and thorough consideration for the artwork of which will be permanent. The artwork of timeless perspective will be on display and seen for years to come.

To view previous successful submissions of the City of Nanaimo's inventory of Public Art, please visit:

<http://www.nanaimo.ca/EN/main/departments/culture-heritage/PublicArt.html>

## 2. Introduction

The City is seeking proposals for artwork that celebrates the creativity and diversity of artists and the rich history of Nanaimo and its citizens. The artwork will be displayed at Maffeo Sutton Park, located at 100 Comox Road, Nanaimo, B.C. V9R 3H7. This opportunity is open to established professional artists.

## 3. Form of Agreement

The successful Artist will be required to sign an Agreement; this document will be derived from this Call for Artists document number 2489, and will be provided to formulate and conclude the award.

## 4. Questions regarding this Call for Artists

All inquiries regarding this Call for Artists are to be directed in writing via email to the following: Jennifer Gal, Buyer; [purchasinginfo@nanaimo.ca](mailto:purchasinginfo@nanaimo.ca).

All inquiries must be received by **January 13, 2020**, and any resulting Addendum will be posted on or before **January 15, 2020**. Questions received after this date will be answered at the discretion of the City and a response cannot be guaranteed.

## 5. Addenda/Questions and Answers

If the City determines that, an Addendum is necessary, the City will post an Addendum on the City's website, and it shall become part in parcel of the RFP 2489 Document(s). It is the responsibility of the Artist to ensure that it has received any Addenda issued.

Information obtained from any other source is not official and should not be relied upon. In addition, no verbal communication will affect or modify the requirement or terms of this Call for Artists.

Questions for clarification that alter the method and pricing of the submission will be posted in the form of an Addenda, and must be signed and included with the submission.

Questions for clarification that do not alter the method and pricing of the submission will be posted in the form of a Question and Answer document and will not require a signature or to be returned with the submission.

Artists are required to check the City's website for all information issued up to the Established Closing Date and Time at the following website: <https://www.nanaimo.ca/bid-opportunities/>

## 6. Legal Terms and Conditions

Consequences of submission and the acceptance of designs: The City is not obligated to accept any submission and it may reject all submissions or cancel this Call for Artists at any time. By submitting a design, each artist will be deemed to:

- (1) Agree that the City will not be responsible for any costs, losses, damages or liabilities incurred as a result of or arising out of this Call for Artists; and
- (2) Consent to the display of his or her artwork as permanent Outdoor Art;
- (3) All artwork must be original and made by the artist submitting their submission.
- (4) This specific piece of Artwork will become the property of the City and will remain at the location indefinitely.

## 7. Working Language

The working language of the City is English and all responses must be submitted in English.

## 8. Invoice and Payment

If an Agreement is awarded, invoices should be sent to the City's Accounts Payable Department at the following email address; [finance.division@nanaimo.ca](mailto:finance.division@nanaimo.ca) and should include as a minimum:

- a. Purchase Order number;

- b. Project document Number, if applicable;
- c. City contact full name (first and last); and
- d. Applicable taxes shown as a separate line item.

Payment term is Net (30) days from receipt of an accurate invoice. Electronic Funds Transfer (EFT) is the preferred method of payment. EFT is a direct deposit into the Contractor's bank account.

The City reserves the right to reject and/or return invoices containing discrepancies for correction and/or re-invoicing without penalty.

No payment for extras shall be made by the City, unless the City's designated project manager authorizes such extras.

#### **9. Ownership of Submissions**

All submission in response to this Call for Artists become the property of the City, and will not be returned, and are subject to the *Freedom of Information and Protection of Privacy Act*.

Therefore it is the Artists' responsibility to identify the parts of the submissions that they may consider confidential and proprietary.

Artists are solely responsible for their own costs and expenses arising from or in any way connected in preparing a submission and/or subsequent discussions with the City, if any.

#### **10. The City Reserve Rights**

The City reserves the right to:

- a. Waive any irregularity or insufficiency in any Proposal;
- b. Accept the Proposal which is deemed most favourable to the interest of the City;
- c. Accept any Proposal in whole or in part;
- d. Reject any or all Proposals; and
- e. Internally publish the names of Proponents and any summary cost information deemed appropriate by the City.

The City would like to thank all respondents. However, due to the high volume of submissions, the City will contact only the chosen artists. The chosen artists will be posted on the City website at: <https://www.nanaimo.ca/bid-opportunities/>

## 11. How to Apply

It is the sole responsibility of the artists to provide their submission to the Purchasing Department on, or, before January 20, 2020 before 3:00 p.m. (15:00 hrs), Pacific Time, the Established Closing Date & Time.

Submissions may be delivered by one (1), of the following two (2) methods:

- i. **By hand/courier delivery:** Proponents should submit one (1) original hard copy and one (1) electronic version in MS Word/PDF format submitted on an external flash drive. The Submission should be enclosed and sealed in an envelope/package clearly marked: **RFP 2489 Supply, Oversee Installation of Artwork at Maffeo Sutton Park: attention Jennifer Gal** and delivered to the Purchasing Department, City of Nanaimo, 2020 Labieux Road, Nanaimo, BC V9T 6J9.
- ii. Electronic Bid Opportunity Portal: follow this hyperlink; <https://www.nanaimo.ca/bid-opportunities/>. Click the submit button for **RFP 2489 Supply, Oversee Installation of Artwork at Maffeo Sutton Park**, register by providing all the required information; upload the submission document(s) and click submit.
  - An email confirmation will be sent to the email address that has been registered.
  - Registration is required for each submission.

Electronically submitted Proposals will be deemed to be successfully received when the time as posted on the Submission portal confirmation email is at or before the Established Closing Date and Time.

It is the Proponent's sole responsibility to ensure their Proposal is received when, where and how it is specified in this RFP document. The City is not responsible for lost, misplaced or incorrectly delivered Proposals.

The time clock in the Purchasing Department Office is the official timepiece for the receipt of all Proposals delivered by hand/courier.

**Note:** Although every attempt will be made to meet all dates, the City reserves the right to modify any or all dates at its sole discretion at any time.



## 12. Submission Requirements

Please submit the following items. Incomplete packages may not be considered. Artists are solely responsible for their own costs and expenses arising from or in any way connected in preparing a submission and/or subsequent discussions with the City, if any.

- ❖ Cover page - letter of introduction and is to include artist name, address (including postal code), day time phone number and email address - one (1) page.
- ❖ Description of exhibition, its relationship and relevance to the park location and public interaction.
- ❖ The materials of the artwork for consideration.
- ❖ A brief description of structural considerations including the artwork base, mounting structure, maintenance and repair; as well as public safety.
- ❖ Curriculum Vitae and/or artist biography (one page).
- ❖ Detailed Timeline for the project for consideration.
- ❖ 3 - 5 high resolution images of recent artwork preferred (include a numbered image list with title of artwork, date, medium, dimensions and location).

## 13. Selection Process and Artwork Exhibition

A Selection Committee formed by the City will consist of artistic and non-artistic backgrounds. The Selection Committee will review all submissions anonymously.

Submissions are reviewed for (the order does not indicate the order of importance):

- ❖ Artistic merit of the proposed artwork (Artistic Merit defined as high quality, innovation, and creativity expressed through the artistic approach taken in terms of method, form, material, concept and subject)
- ❖ Durability for outdoor exhibition (public interaction, vandal and theft proof)
- ❖ Artwork concept design that is safe for outdoor public display, as solely determined by the Selection Committee
- ❖ Achievement of Project Goals as identified in the Scope of Work
- ❖ Demonstrate feasibility in terms of the proposed budget and timeline
- ❖ Demonstrated feasibility of the artwork suitability to site including structural considerations, location requirements and public safety
- ❖ Chosen artist(s) will be determined after Council meeting in February 2020 (meeting date to be determined), the resulting award will be posted on the City's website
- ❖ Installation No Later Than: August 17, 2020

#### 14. Scope of Work

The vision for this project is for a signature artwork or series of artwork(s) of exceptional quality, timelessness and enduring value located in a popular City park. The site-specific artwork should:

Demonstrate artistic excellence:

- Enhance the look of Maffeo Sutton Park with a distinctive aesthetic experience, both highly interactive, visible and compatible with surrounding park environment.
- Highlight a connection to this Park, its history or the surrounding area.
- Be an original art piece appropriate for outdoor installation able to stand up to public interaction, severe weather, vandalism and graffiti.
- Consider site limitations. Space and the configuration of the site will require the Artist to consider the site's limitations and art placement carefully. The design of the artwork should consider the popularity of interactive projects that have the potential to be photographed and become popular iconic spaces.
- The project(s) can be whimsical and/or colourful; incorporate an image or feeling of water and light; reflect on the natural environment in the Park; or highlight important historical figures and/or events.

#### 15. Budget

Submissions should include a preliminary budget estimate of the artists' envisioned proposal. Upon selection, the artist will be required to work within a total budget not to **exceed \$50,000 (inclusive of all costs including consultations, mentoring, training, design, supplies, fabrication, installation, project management, maintenance provisions, and contingency. Commercial and General Liability Insurance may be required up to \$2 million.** Artist(s) should budget an amount to maintain the artwork for a period of two (2) years. The City will not allow increases to the overall artist's budget; it is to be a fixed amount.

#### 16. Information about the Site, Maffeo Sutton Park

Maffeo Sutton Park is Nanaimo's signature park overlooking our world famous harbour. The park is a central point along the Harbour Front Walkway. The park hosts countless community special events. It is a great year round destination for walking, playground playdates and picnics.

#### 17. Background

Since 2010, the City has been involved in a dynamic and evolving public art program that enhances and animates our City's parks. Each year, outdoor artwork by artists has been installed on a permanent or temporary basis for the enjoyment of residents and visitors. The parks essentially become outdoor art galleries and showcase artworks over time.

**18. Why Public Art**

Art has the power to energize public spaces and makes the places we live, work and play more unique, welcoming and beautiful. Public art prompts us to think, to ask questions, see new perspectives, and talk to each other.

**19. Location**

Potential sites are outdoor, high-traffic locations in Nanaimo's Maffeo Sutton Park. The Selection Committee and City Staff will work with the successful artist(s) to determine the best Artwork for this application focusing on what makes Nanaimo unique, with public interaction being the primary focus.

**20. Artwork Context and Themes**

The proposed artwork should demonstrate imagination, originality, excellence and artistic merit, consider the site location, context and audience, be safe for exhibition in high traffic outdoor public space, be vandal and theft resistant be durable and resistant to year-round weather conditions.

The following criteria will be used to assist in determining the category assigned for Public Art installations:

- ❖ Location
- ❖ Why the artist thinks their artwork is best suited
- ❖ Implementation cost
- ❖ Public safety
- ❖ Durability
- ❖ Ease of implementation
- ❖ How the public will interact with the artwork

**21. The Selected Artist(s) will be required to:**

- ❖ Have ongoing communication and collaboration with City's Representative(s) regarding Artwork development, location and installation;
- ❖ Design, completion and installation of the artwork must be prior to August 17, 2020;
- ❖ Be responsible for overseeing the installation of the artwork;
- ❖ The selected artist(s) will be required to sign an Artist Agreement (attached), which states the artist(s) fully understand and accept the terms and conditions of this Call to Artists No. 2489.



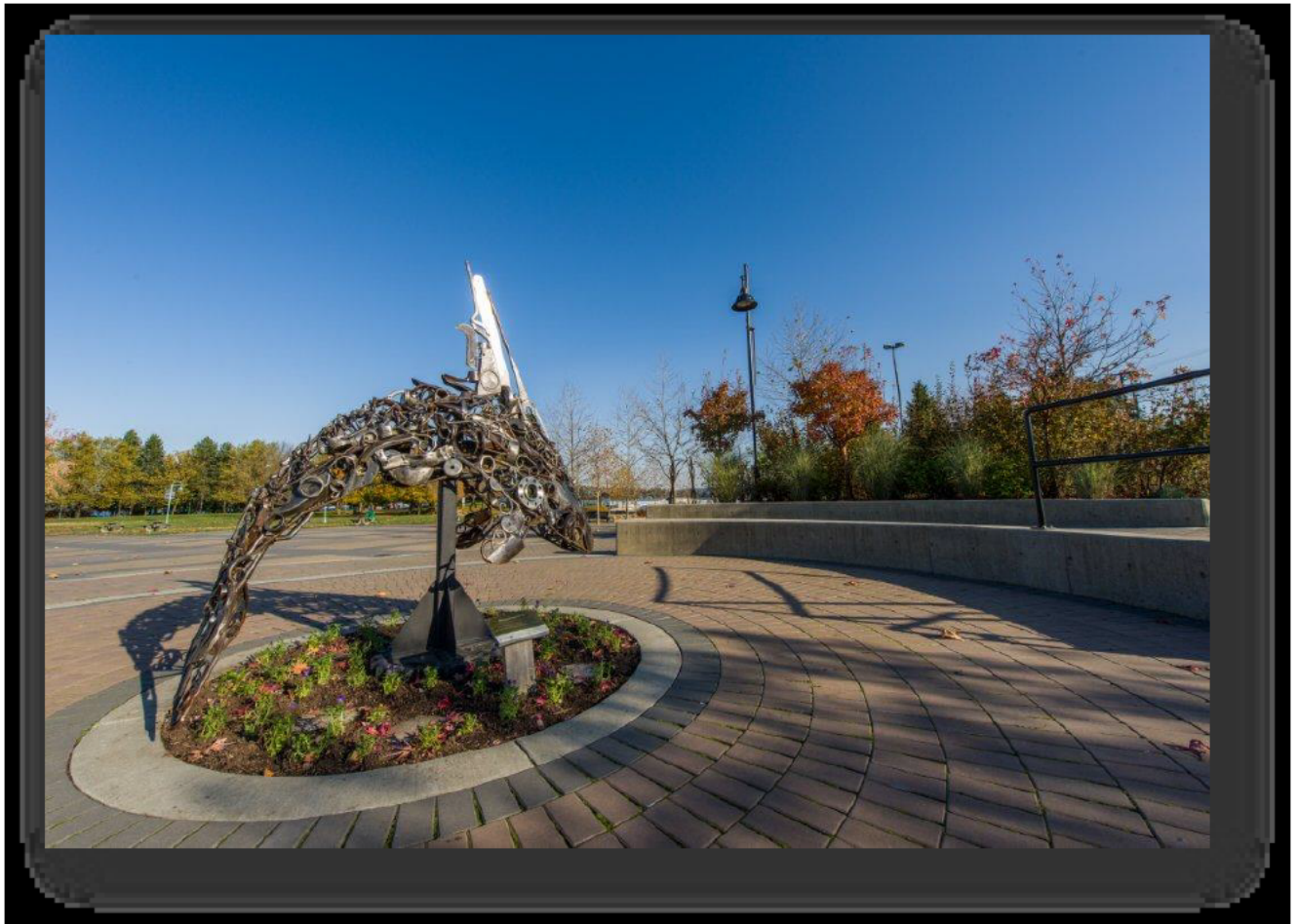
**Appendix A  
Location of Maffeo Sutton Park**



**Appendix B  
Images of Maffeo Sutton Park  
(8) Pages**



























## Community Plan for Public Art

### Toolkit 5 - Public Art Guidelines and Procedures

#### PART 2: GUIDELINES

##### 1. Definition of Public Art:

Public art is a visual work of art that is accessible to all. Public art enhances a community and place, celebrates an area's past, present and future, and engages and stimulates response from viewers. Public art is created both by artists and by community members. Public art encompasses a broad range of art from permanent to transitory and traditional to modern. Public art is defined as publicly accessible original art that enriches a community as it evokes meaning in the public realm. Public art can take a variety of forms and takes into consideration the site's location and context, and the audience. Public art may possess functional as well as aesthetic qualities. As stated in Section 1 of the Community Plan for Public Art, it can be municipal, developer, neighbourhood or temporary.

##### 2. What are Public Places?

Public places in the City of Nanaimo would be considered to be areas frequented by the general public such as:

- Outdoor areas: parks, boulevards, plazas, and pathways
- City infrastructure: bridges, columns, road surfaces/edges
- Facilities: exteriors and interiors of city-owned buildings, cultural and sports facilities
- Communications networks: web pages
- Transportation: streets, sidewalks, gateways, transportation hubs

##### 3. Ineligible Projects

- Directional elements such as supergraphics, signage or colour coding except where these elements are integral parts of the original works of art or Public Art projects.
- "Art objects" which are mass-produced of standard design such as playground equipment, fountains or statuary objects.
- Decorative, ornamental, or functional elements or architecture except where these elements are designed by the artist and/or are an integral part of the artwork by the artist or are the result of a collaboration among the design professionals including at least one artist.
- Landscape architecture and landscape gardening except where these elements are designed by the artist or are the result of collaboration among design professionals including at least one artist.
- Art that is not displayed on/in a City owned space or facility

##### 4. Project Identification

Project sites and budgets will be identified by City Staff as outlined in Section 3.12 of the Community Plan for Public Art (Public Art Priorities in Nanaimo).

## PART 2: PROCEDURES

### 1. Artist Selection: Call to Artists for Submissions

City of Nanaimo Staff will administer all “Call for Artists” processes. These can be in the form of a Request for Proposals (RFP), Calls for Expression of Interest or Calls for Submissions. As stated in Section 3.8 of the Community Plan for Public Art, a “Call for Artists” is an opportunity notice that gives artists the information they need to know in order to apply to be considered for the project. Issuing a “Call for Artists” is a standard practice of the public art field. The invitation process, administered by City staff, ensures that all calls for artists are consistently applied, transparent in decision-making, and consider artists in a fair manner.

These calls may be:

- a) Open competition: Open to all artists
- b) Regional competition: May be limited to a certain geographical area (e.g. City, RDN, Vancouver Island, etc.)
- c) Limited competition by invitation: A limited number of artists may be requested to submit materials and/or proposals for a specific project. This competition is usually employed when the project specifies a particular art form, or there are unusual time constraints
- d) Direct commission: One artist may be invited to submit a proposal. Upon acceptance of the proposal, the artist is commissioned for the project. This method should be rarely employed due to possible perception of favoritism and other political difficulties

### 2. Artist Submission Materials

Material to be submitted by the artist in response to a call for submissions should include:

- a) A letter of interest, no more than one page in length that:
  - Explains the artist’s particular interest in the project.
  - Outlines applicable experience that has prepared the artist for this project,
  - Indicates availability to work within the established time line.
  - Indicates what experience the artist has with collaborative works and team participation.
- b) A current resume.
- c) Ten slides/images of the artist’s work or other visual materials that show the quality of the artist’s work. Slides must be numbered, the top of the image must be indicated and the artist’s name included on the slide. Videos cued to three minutes will also be accepted as will digital images on an accepted storage device (CD or memory stick).
- d) Artists submitting as teams may submit twenty slides/ images.





- e) A numbered slide/image list with the artist's name and a brief description of each slide stating its title, date, medium, size, location and, if a commissioned project, the commission contract cost.
- f) A proposed budget for project completion (detailed) and an annual budget for estimated maintenance costs .
- g) References: list complete addresses, telephone numbers, and e-mail addresses of at least two art professionals and one artist and, if applicable, one design professional such as an architect, landscape architect, engineer, etc. Emerging artists including slides of student work must include the name of the instructor/professor overseeing the project.
- h) A self-addressed, stamped envelope for return of slides/ images.
- i) A signed agreement that the artist has read and accepts the terms of the competition.

### 3. Parameters Available for Review by Artists:

- a) "Background Information" on the City and the reasons for the competition (e.g. to promote cultural exchange, to interpret the City history to visitors, to beautify a City park or specific building).
- b) "The Project" which describes the nature of the project, the purpose of the competition and whether it will be purchased or it will be created (possibly on site).
- c) "The Site" which is a complete description of the proposed site including specifics stated in the official community plan, light sources, adjacent buildings, walkways, landscaping features, engineering and design details and general ambiance of the site. Photographs may also be provided.
- d) "Budget" which is a statement of, for example, who will pay the commission fee, the amount of the fee for purchase and identify which copyrights are included with the commissioning. Will short-listed artists be paid for detailed proposals or maquettes? If travel or other components (food,

materials, and shelter) are included it should be indicated. The budget should also indicate how the artist's fees are to be paid. (i.e. a portion at each stage of competition or in a lump sum).

- e) "Presentation Requirements" which are details such as height, width, framing, materials, indoor/outdoor locations and environmental considerations such as high or low temperatures, winds, sun, humidity, and safety expectations.
- f) "Procedural Details" which is information on time frames (submission dates, notification dates and completion of project dates) information on dedications (which is information about individuals or occasion to which the work of art is dedicated) and specifics of any promotion or advertising.

### 4. Selection of Art Work

- a) The selection process will be the responsibility of the Selection Panel that will make recommendations to the City of Nanaimo Cultural Committee.
- b) Recommendations will be based on the successful applicant/ artwork resulting from the process of 'Call for Submissions or Artists', City acquisition, donations, loans, bequests or exchanges.
- c) Ideas which act as a catalyst for the process may be:
  - Part of the planning and design of publicly accessible spaces by staff or
  - Received from any other City Department (Planning, Engineering, Public Works, Parks, Recreation & Culture, etc.)
  - Received from community groups, corporations, developers, private citizens.

- d) The Cultural Committee will make recommendations regarding Public Art to the Parks, Recreation and Culture Commission, and the Commission will forward their recommendations to Council.
- e) The City of Nanaimo will be responsible for managing and supervising the installation, and the maintenance and conservation of all Public Art projects.

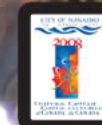
#### 5. Jury Selection Panel

- a) The Cultural Committee will approve the members of the Selection Panel(s). A new panel is convened for each project. The Selection Panel will be comprised of not less than five (5) and not more than seven (7) members. The purpose of the panel is to select the best proposal.

Depending on the size of the project, most panels will consist of the following appointments with a member of the Cultural Committee acting as Chair:

- Two Cultural Committee Members (1 being a Commissioner)
  - One Community Representative (at large)
  - One Member from the design community: e.g. Architect, Landscape Architect, Engineer, Urban Designer, Planner or Graphic Designer
  - Two Representative(s) from the Arts Community (minimum of 1 professional artist)
  - In the case of community partnerships or development driven projects, 2 representative(s) from the project co-sponsors
- b) Non-voting advisors: In some instances, groups that might have a special interest in the project will be invited to appoint non-voting advisors to the selection panel. The panel, prior to making a final decision, would solicit the comments of these advisors.

- c) Selection Panel Orientation: Panelists must be well informed about the project for which they are selecting an artist. An orientation meeting will be provided for the Panel members. At this meeting, they will be provided with written materials and drawings on the specific area in which the selected artist will be working. There should be an opportunity to visit the site and to have issues and questions answered by staff and representatives of other applicable City departments.
- d) Voting: Members of the selection panel will have only one vote, and no member will have the right of veto. The panel should base the selection of an artist on a consensus vote. If a consensus cannot be reached, the majority vote carries the decision. The selection panel will have the option to make no selection if there is not a submission that warrants consideration.
- e) The selection process is not open to the public.
- f) Terms of reference for each review panel will be set either prior to commencement of the selection as early in the project development stage as possible by the City project staff team in conjunction with the Cultural Committee.
- g) The review panel members shall not be paid. However, panelists appointed to provide an expert or professional evaluation of an artist proposal, gift or art, or public art project, may be be paid an honorarium not to exceed \$500 per project (upon prior approval of the Cultural Committee and City staff).



## Community Plan for Public Art

### 6. Jury Selection Criteria

The selection panel should select finalists to be interviewed based on the quality of their artwork as exhibited in slides and other relevant application materials. The finalists should be interviewed by the selection panel using the following criteria:

- a) Goals of the Artist Selection Process:
  - 1. To implement the agreed upon goals of the project by selecting art work that is the most appropriate for the project
  - 2. To seek quality and integrity in the artwork
  - 3. To choose the artist(s) who will best respond to the stated purpose, theme and goals of the project
- b) Artist's experience and history:
  - 1. Resume/CV
  - 2. Ability to think conceptually
  - 3. Problem solving abilities
  - 4. Ability and track record to meet deadlines
  - 5. Experience and track record with budgeting and staying within budget
- c) Artist's collaborative abilities:
  - 1. Ability to work as a member of a team
  - 2. Communication skills
  - 3. Ability to carry out principled negotiations
  - 4. Flexibility
  - 5. Ability to, where appropriate, solicit community involvement in the project
- d) Artist's awareness of the project:
  - 1. Perception of project and the project theme
  - 2. Awareness of community attitudes and concerns
  - 3. Familiarity with project design and parameters
  - 4. Ability to understand and accept the timeline
- e) Technical Aspects
  - 1) Vandal resistance
  - 2) Ongoing maintenance needs of the piece
  - 3) Structural engineering of the site and piece for the site
  - 4) Operational requirements of the piece (i.e.) movement, sound, light etc.
- f) Other criteria specific to the project and site goals and themes (such as all the criteria outlined in Toolkit 3—Private Gifts/Donations Guidelines).

# In Camera Report for Decision

City of Nanaimo

File Number: LD002875

DATE OF MEETING February 24, 2020

AUTHORED BY NANCY SKEELS, PROPERTY AGENT, REAL ESTATE

SUBJECT PARTIAL PROPERTY ACQUISITIONS – 155 PRYDE AVENUE AND 1647 CASPERS WAY

## **OVERVIEW**

### **Purpose of Report**

To obtain Council approval to acquire land from 155 Pryde Avenue to expand Buttertubs Marsh Conservation Area and to obtain a right-of-way for a multi-use railway across a portion of 155 Pryde Avenue and 1647 Caspers Way.

### **Reason for “In Camera”**

*Community Charter* Section 90 (1)

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

### **Recommendation**

That Council:

1. authorize the acquisition 1.4 ha (3.5 acres) of land at 155 Pryde Avenue from [REDACTED] for the sum of [REDACTED] parkland purposes;
2. allocate [REDACTED] from the Parkland Dedication Reserve Fund for the acquisition of a multi-use railway statutory right-of-way from 155 Pryde Avenue from [REDACTED];
3. allocate [REDACTED] from the Parkland Dedication Reserve Fund for the acquisition of a multi-use railway statutory right-of-way from 1647 Caspers Way from [REDACTED] and [REDACTED];
4. allocate [REDACTED] from the Parkland Dedication Reserve Fund for ancillary acquisition costs.

## **BACKGROUND**

The City has two capital works projects planned in the summer of 2020 within the vicinity of Pryde Vista Golf Course at 155 Pryde Avenue (the “Property”). The Pryde Vista Golf Course is 21.6 ha (53.57 acres) in size and is located in Central Nanaimo. The Property is within the Provincially-regulated Agricultural Land Reserve (the “ALR”, see Attachment A).

The City’s Millstone River sanitary sewer runs through the Property and has been identified as a priority project for an upgrade this year. The Property is also an important connection in the off-Bowen Road multi-use railway that is being constructed this summer.

In preparation for the capital works projects, Staff met with [REDACTED] (the “Owners”) of the Property to discuss the projects and the City’s property needs.

In those discussions, the Owners identified lands surplus to their needs south of the Millstone River as a potential park acquisition for the City.

In 2017, the City prepared a Letter of Intent to secure the land for the two capital projects and to acquire the lands south of the Millstone River for parks purposes.

Approvals from the Agricultural Land Commission have been secured and the detailed design work is complete. The land acquisitions discussed below are required to complete the projects.

## **DISCUSSION**

### **Parkland Acquisition**

In 2012, the City and Ducks Unlimited acquired 26.13 ha (64.58 acres) a valuable wetland known as the West Marsh, adjacent to Buttertubs Marsh. The acquisition has enabled the City and its partners to protect this natural wetland. In 2014, the City acquired an additional 0.5 ha (1.26 acres) of land at 166 Pryde Avenue near Fuller Street to further protect the banks of the Millstone River and protect the Millstone Greenway (Attachment B).

Approximately 1.4 ha (3.5 acres) of 155 Pryde Avenue straddles the south side of the Millstone River adjacent to the West Marsh and has been offered to the City by the owners.

These lands would make an excellent addition to the City's park and natural asset inventory. Once consolidated, the area can be placed under the guidance of the Buttertubs Marsh Conservation Area Management Plan. This will allow the City to provide recommendations for protecting and enhancing fish and wildlife habitat, control storm water management, and provide for public recreational and educational opportunities, where compatible, within this area.

The acquisition area has a market value of [REDACTED] and the Owners are willing to enter into a purchase and sale agreement based on this amount.

### **Multi-use Trailway Connection Caspers Way to Morey Road**

The City's Transportation Master Plan identifies the opportunity to create an off-Bowen Road multi-use trailway to provide a safe active transportation route paralleling Bowen Road. The majority of the lands have been secured for this project, and in 2020, an important connection between Caspers Way and Morey Road is planned (Attachment C).

To facilitate this trailway connection, a statutory right-of-way area over 155 Pryde Avenue and 1647 Caspers Way is required. The construction of the multi-use trailway was included in the 2020 Capital Plan; however, the land acquisitions need to be sourced from the Parkland Dedication Reserve Fund.

Staff have negotiated the rights-of-way with the two property owners. [REDACTED] the owners of 1647 Caspers Way, have agreed to grant the City a right-of-way for the multi-use path for [REDACTED] have agreed to register a right-of-way on their property at 155 Pryde Ave for a multi-use trailway for [REDACTED]

If approved by Council, the rights-of-way will be registered this spring in advance of construction this summer.

Council is being asked to authorize the acquisition of a portion of the Property for parkland purposes and allocate funding from the Parkland Dedication Reserve Funds towards the purchase and the acquisition of the two statutory right-of-way agreements. If approval is received, Staff will coordinate the subdivision of the land and will prepare a zoning amendment to dedicate the acquisition area for the park. It is estimated that the property acquisition area will transfer to the City in June 2020.

## **OPTIONS**

1. That Council:

1. authorize the acquisition 1.4 ha (3.5 acres) of land at 155 Pryde Avenue from [REDACTED] for the sum of [REDACTED] for parkland purposes;
2. allocate [REDACTED] from the Parkland Dedication Reserve Fund for the acquisition of a multi-use railway statutory right-of-way from 155 Pryde Avenue from [REDACTED]
3. allocate [REDACTED] from the Parkland Dedication Reserve Fund for the acquisition of a multi-use railway statutory right-of-way from 1647 Caspers Way from [REDACTED] and [REDACTED]
4. allocate [REDACTED] from the Parkland Dedication Reserve Fund for ancillary acquisition costs.

- **Advantages:** The acquisition aligns with Council priorities identified in the 2019-2022 Strategic Plan under Environmental Responsibility, as this parcel of land would be considered a natural asset. The construction of the multi-use railway project from Caspers Way to Morey Road has been budgeted in the Capital Plan. The allocation of funding for the two statutory right-of-way agreement supports the project to proceed and the City's Transportation Master Plan.
- **Disadvantages:** Council has a limited budget for parkland acquisitions and may wish to prioritize this acquisition amongst other key acquisitions. Denying the allocation of funding for the two statutory right-of-way agreements will not permit the multi-use railway project to proceed.
- **Financial Implications:** The partial property acquisition area has an estimated market value of [REDACTED]. The costs to acquire the two statutory right-of-way agreements are [REDACTED]. Legal and surveying costs are estimated to cost [REDACTED]. The acquisition of the statutory right-of-way agreements are not an allowable expense to be funded by the Community Works Funding allocated towards the multi-use railway project. The partial property acquisition, statutory right-of-way, and other costs can be funded using the Parkland Dedication Reserve Fund, which has a balance of [REDACTED].

2. That Council:

1. deny the acquisition of a portion of 155 Pryde Avenue; and
2. deny allocating funding from the Parkland Dedication Reserve Fund for the acquisition of a multi-use railway statutory right-of-way from 155 Pryde Avenue and 1647 Caspers Way.

- Advantages: Council has a limited budget for parkland acquisitions and may wish to prioritize other land acquisitions.
- Disadvantages: Council has budgeted the multi-use railway project in the Capital Plan. Denying the allocation of funding for the two statutory right-of-way agreements will not permit the project to proceed. The City has a willing vendor for the property acquisition and the opportunity may not present itself again. Not approving this acquisition is inconsistent with the 2019-2022 Strategic Plan under *Environmental Responsibility* and *Livability*.
- Financial Implications: Council can use the Parkland Dedication Reserve Fund budget for other acquisitions.

**SUMMARY POINTS**

- In summer 2020, there are two capital works projects planned in and within the vicinity of Pryde Vista Golf Course at 155 Pryde Avenue (Millstone sanitary sewer upgrade and a multi-use railway connection).
- The owners of 155 Pryde Ave have agreed to work with the City on the two capital projects. In addition, they have offered to sell 1.4 ha (3.5 acres) of surplus lands south of the Millstone River to the City for [REDACTED] to complete the City's ownership of the Buttertubs West Marsh.
- The Transportation Master Plan has identified the opportunity to create an off-Bowen multi-use railway to provide a safe alternative for pedestrians and cyclists using Bowen Road.
- In 2020, an important connection between Caspers Way and Morey Road is planned for the multi-use railway. The City requires rights-of-way for the railway from the owners of 1647 Caspers Way and 155 Pryde Avenue. The costs to acquire the two statutory right-of-way agreements are [REDACTED] and the owners are willing to grant the agreements.
- Council is being asked to authorize the acquisition of a portion of the Property for parkland purposes and allocate funding from the Parkland Dedication Reserve Funds towards the purchase, and for the acquisition of the two statutory right-of-way agreements.

## **ATTACHMENTS**

ATTACHMENT A: Location Plan

ATTACHMENT B: Location Plan – West Buttertubs Marsh and Millstone Greenway

ATTACHMENT C: Off-Bowen Cycle Route Location

### **Submitted by:**

Bill Corsan  
Director, Community Development

### **Concurrence by:**

Dale Lindsay  
General Manager, Development Services

Richard Harding  
General Manager, Parks, Recreation and  
Culture

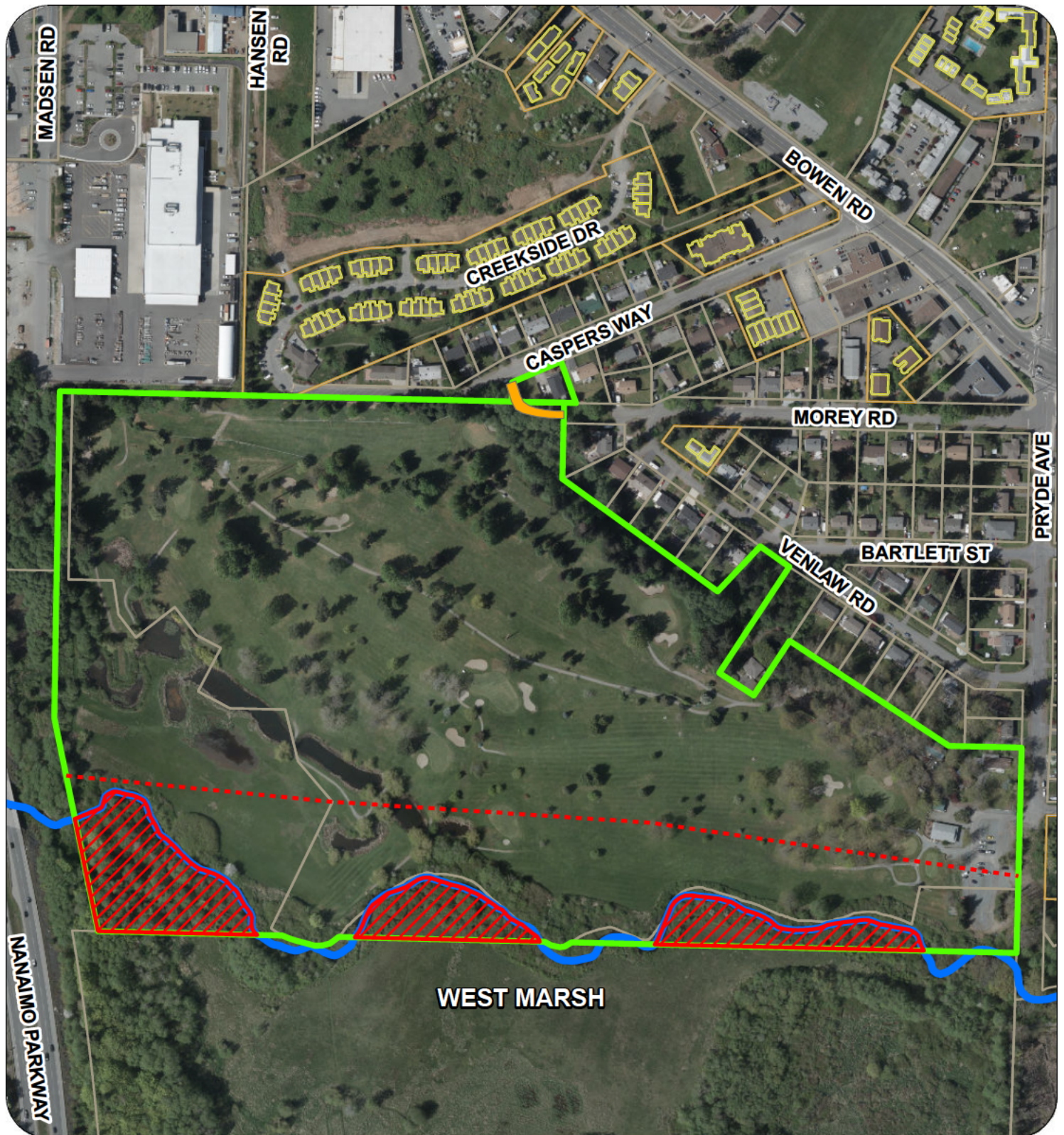
Laura Mercer,  
Director, Finance

## **INFORMATION RELEASE:**

- To be released upon completion of negotiations



# ATTACHMENT A



## Legend

- ..... Sanitary Sewer Line
- Trailway Connection
- Property Acquisition Areas
- 155 Pryde Avenue & 1647 Caspers Way
- Millstone River

## PARTIAL PROPERTY ACQUISITIONS FILE LD002875

## LOCATION PLAN

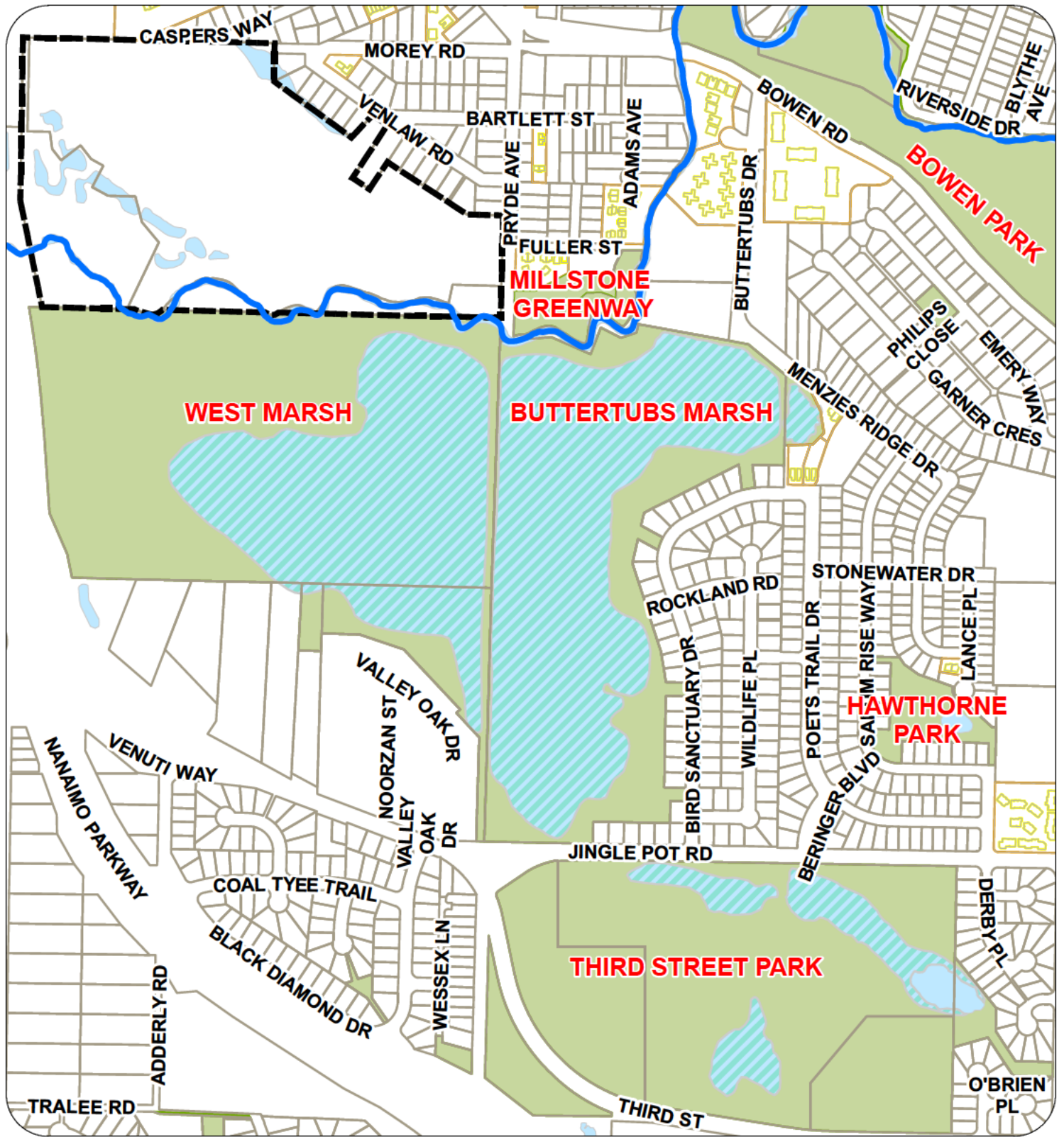
CIVIC:155 PRYDE AVENUE & 1647 CASPERS WAY

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# ATTACHMENT B



## Legend

-  155 Pryde Avenue
-  Millstone River
-  Parks

# ATTACHMENT C



## Legend

- Off Bowen Cycle Route
- 155 Pryde Avenue
- Parks
- Millstone River

## OFF BOWEN CYCLE ROUTE



# In Camera Report for Decision

City of Nanaimo

File Number: LD003814

DATE OF MEETING February 24, 2020

AUTHORED BY NANCY SKEELS, PROPERTY AGENT, REAL ESTATE

SUBJECT METRAL DRIVE COMPLETE STREETS PROJECT – PROPERTY ACQUISITIONS

## **OVERVIEW**

### **Purpose of Report**

To provide Council with the outcome of the partial property acquisition negotiations with the owners of [REDACTED] 5341, 5350, 5351 Metral Drive and 5410 Godfrey Road for the Metral Drive Complete Streets project 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:

1. authorize the partial acquisition of 5341 Metral Drive from [REDACTED] for the sum of [REDACTED]
2. authorize the partial acquisition of 5350 Metral Drive from [REDACTED] for the sum of [REDACTED]
3. authorize the partial acquisition of 5351 Metral Drive from [REDACTED] for the sum of [REDACTED]
4. authorize the partial acquisition of 5410 Godfrey Road from [REDACTED] for the sum of [REDACTED] and [REDACTED]
5. allocate a total of [REDACTED] from the 2020 Property Acquisition Budget Fund for the acquisition and ancillary costs.

## **BACKGROUND**

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 preliminary design for Phase 1 of the project (Mostar Drive to Turner Road) will require partial property acquisitions for bike lanes and sidewalks.

At the 2019-DEC-16 ‘In Camera’ Council meeting, Council passed the following motion:

*“That Council direct Staff to enter into negotiations with the owners of [REDACTED] 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.”*

After the Council meeting and upon further review by the road design team, it was determined that portions of [REDACTED] Metral Drive would not be required.

## **DISCUSSION**

Negotiations are complete and the owners of 5341, 5350, 5351 Metral Drive and 5410 Godfrey have agreed to sell the portion of their property to the City for the appraised values. Staff are requesting Council provide authorization to complete the purchases. |

## **OPTIONS**

1. That Council
  1. authorize the partial acquisition of 5341 Metral Drive from [REDACTED] for the sum of [REDACTED]
  2. authorize the partial acquisition of 5350 Metral Drive from [REDACTED] for the sum of [REDACTED]
  3. authorize the partial acquisition of 5351 Metral Drive from [REDACTED] for the sum of [REDACTED] and [REDACTED]
  4. authorize the partial acquisition of 5410 Godfrey Road from [REDACTED] for the sum of [REDACTED] and [REDACTED]
  5. allocate a total of [REDACTED] from the 2020 Property Acquisition Budget Fund for the acquisition and ancillary costs.
    - 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.
    - Disadvantages: Council has a limited budget for partial property acquisitions and may wish to prioritize these acquisitions amongst other key acquisition targets.
    - Financial Implications: If Council approval is received, the City will incur [REDACTED] in costs to acquire the partial property, with estimated legal costs of [REDACTED], appraisal costs of [REDACTED] and survey costs of [REDACTED]. The acquisition and ancillary costs, totaling [REDACTED] 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 2020 Property Acquisition Budget of [REDACTED]
    - 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: 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.
  - 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**

- 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 preliminary design for Phase 1 of the project (Mostar Drive to Turner Road) will require partial property acquisitions for bike lanes and sidewalks.
- At the 2019-DEC-16 'In Camera' Council meeting, Council passed the following motion: *"That Council direct Staff to enter into negotiations with the owners of [REDACTED] 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."*
- After the Council meeting and upon further review by the road design team, it was determined that portions of [REDACTED] Metral Drive would not be required.
- Negotiations are now complete and Council is being asked to authorize the acquisition of a portion of 5341, 5350, 5351 Metral Drive and 5410 Godfrey Road and allocate a total of [REDACTED] from the 2020 Property Acquisition Budget Fund for the acquisition and ancillary costs.

### **ATTACHMENTS**

ATTACHMENT A: Partial Property Acquisition Location Plan |

#### **Submitted by:**

Bill Corsan  
Director, Community Development |

#### **Concurrence by:**

Dale Lindsay  
General Manager, Development Services

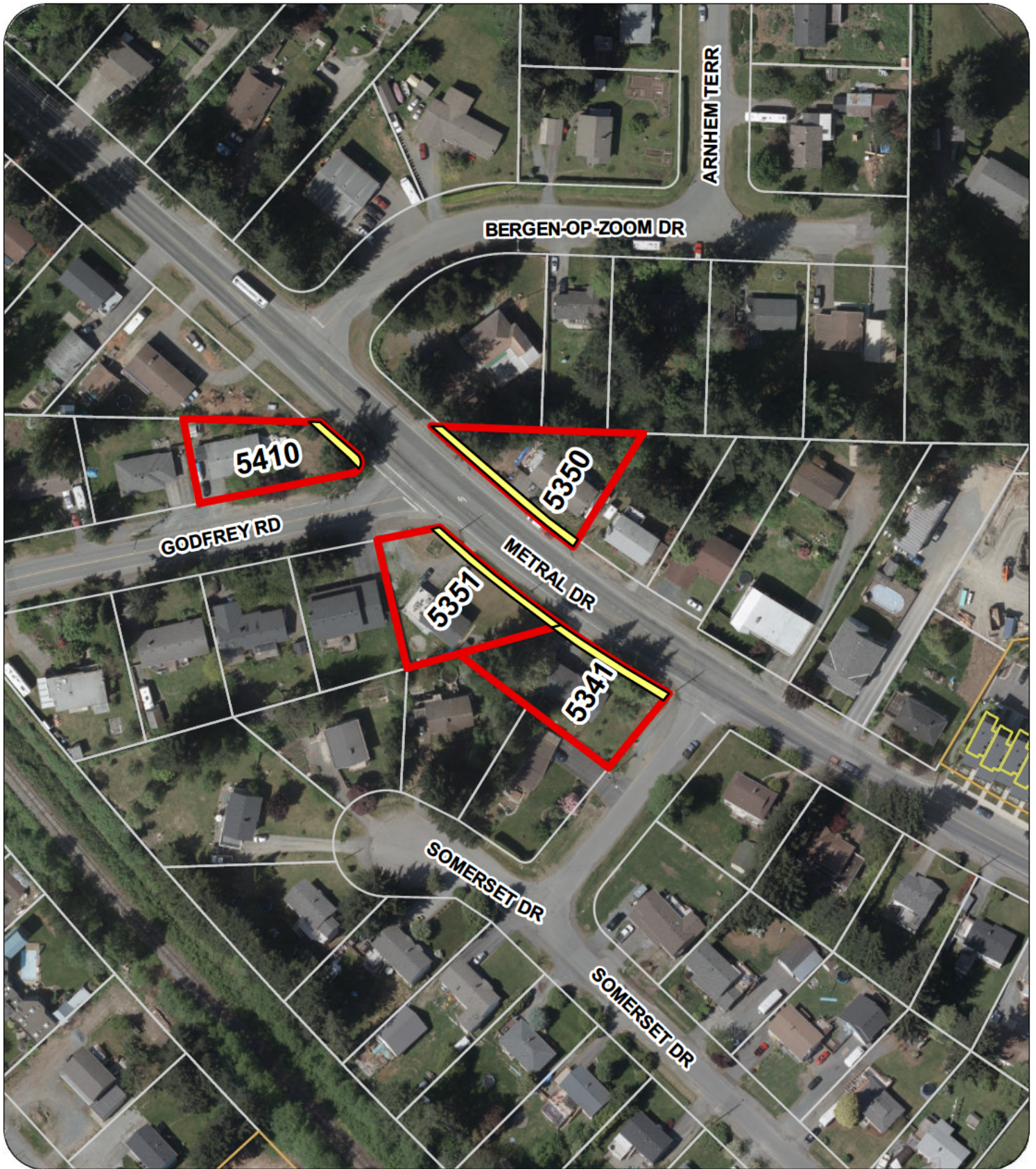
Poul Rosen  
Director, Engineering

Laura Mercer  
Director, Finance |

### **INFORMATION RELEASE:**

To be released [REDACTED]

# ATTACHMENT A





PARTIAL PROPERTY ACQUISITION - FILE NO. LD003814

N



## Legend

-  ACQUISITION AREA
-  SUBJECT PROPERTIES



**AGENDA**  
**SPECIAL "IN CAMERA" COUNCIL MEETING**

Monday, February 10, 2020, 11:00 A.M. - 12:00 P.M.

Board Room, Service and Resource Centre,  
411 Dunsmuir Street, Nanaimo, BC

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**1. CALL TO ORDER:**

**2. APPROVAL OF THE AGENDA:**

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

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

1. Adoption of Agenda - 90(1)(n)

3(a). CAO and Council Matters - 90(1)(c)

Section 90(1):

(c) labour relations or other employee relations;

(n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2).

**3. REPORTS:**

a. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

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





**AGENDA**  
**"IN CAMERA" COUNCIL MEETING**

Monday, March 2, 2020

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.

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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) Property Management Strategy Update - 90(1)(e)

6(b) [REDACTED]

6(c) [REDACTED]  
[REDACTED]

6(d) Partial Property Acquisition - 3646 Cottleview Drive - 90(1)(e)

6(e) CAO and Council Matters - 90(1)(c) & 90(2)(b)

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;

(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,

*Community Charter* Section 90(2)

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

**3. ADOPTION OF THE MINUTES:**

a. Minutes

4 - 5

Minutes of the Special "In Camera" Council Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Monday, 2020-FEB-10, at 11:00 a.m.

**4. PRESENTATIONS:**

**5. CONSENT ITEMS:**

**6. REPORTS**

a. Property Management Strategy Update

6 - 44

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

*Purpose: To provide Council with an update on the 2019 achievements associated with the City's Property Management Strategy.*

Presentation:

1. Bill Corsan, Director, Community Development.

b.



c.



d. Partial Property Acquisition - 3646 Cottlevue Drive

64 - 69

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

*Purpose: To provide Council with background information on the Linley Valley Park Acquisition Project and to seek Council authorization to acquire a portion of 3646 Cottlevue Drive for municipal park purposes.*

Recommendation: That Council:

1. authorize the acquisition of a portion of 3646 Cottlevue Drive from [REDACTED] for the sum of [REDACTED] and,
2. allocate an additional [REDACTED] from the Parkland Dedication Reserve Fund for ancillary acquisition costs.

e. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]



[REDACTED] [REDACTED]

7. CORRESPONDENCE:

8. ADJOURNMENT OF "IN CAMERA" MEETING:

**SPECIAL "IN CAMERA" MINUTES**  
SPECIAL COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS  
BOARDROOM, SERVICE AND RESOURCE CENTRE,  
411 DUNSMUIR STREET, NANAIMO, BC  
MONDAY, 2020-FEB-10, AT 11:00 A.M.

---

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

Absent: Councillor S. D. Armstrong  
Councillor B. Geselbracht

Staff: J. Rudolph, Chief Administrative Officer  
S. Gurrie, Director, Legislative Services (vacated 11:06 a.m.)

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

The Special "In Camera" Meeting was called to order at 11:04 a.m.

2. 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 presented. The motion carried unanimously.

S. Gurrie vacated the Boardroom at 11:06 a.m.

3. REPORTS:

(a) CAO and Council Matters:

Introduced by Jake Rudolph, Chief Administrative Officer.



The Special "In Camera" meeting recessed at 12:00 p.m.  
The Special "In Camera" meeting reconvened at 3:00 p.m.

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

Absent: Councillor S. D. Armstrong

Staff: J. Rudolph, Chief Administrative Officer



4. ADJOURNMENT:

It was moved and seconded at 4:34 p.m. that the Special "In Camera" meeting terminate. The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

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CORPORATE OFFICER

# **“In Camera” Information Report**

**City of Nanaimo**

File Number: CIL00346

DATE OF MEETING [March 2, 2020]

AUTHORED BY [BILL CORSAN, DIRECTOR, COMMUNITY DEVELOPMENT]

**SUBJECT                      PROPERTY MANAGEMENT STRATEGY UPDATE**

## **OVERVIEW**

### **Purpose of Report**

To provide Council with an update on the 2019 achievements associated with the City's Property Management Strategy.

### **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.

## **BACKGROUND**

Annually, Staff have presented to Council an update on the progress that has been made on the 2013 Property Management Strategy.

Attachment A summarizes the work completed in 2019. The highlights include:

- **Land Inventory** – the City currently owns 1,602ha (3,958 acres) of land, with 1,094ha (2,703 acres) within the municipal boundaries and 508ha (1,255 acres) within the Regional District of Nanaimo;
- **Land Acquisitions** – the acquisitions of 2019 included: 933 Park Avenue, 603 Nottingham Drive, a Portion of 85 Strickland Street, 3726 Delia Terrace, and a Portion of 900 Fifth Street (VIU Land Exchange) at a total cost of \$1,382,140;
- **Land Dispositions** – the City sold seven properties at 474 Pine Street, 5885 Linyard Road, 5861 Linyard Road, 4134A Wellesley Avenue and a portion of 5901 Hammond Bay Road, a Portion of 1 Port Drive (Seaspan ROW), and a portion of Fifth Street (VIU Land Exchange) for \$668,101;
- **Unprotected Rights-of-Way** – the City secured 7 unprotected rights-of-way, reducing the overall total to 227 unprotected rights-of-way; and
- **Leases and Licenses** – the City manages 165 leases and licenses with an annual revenue of approximately \$255,461.

## **DISCUSSION**

### **2020 Workplan – Acquisitions**

The Property Management Strategy identifies a number of acquisition targets (Attachment B). In addition, other emerging priorities have been identified to support Council projects from the Strategic Plan. Acquisitions that are planned for 2020 include:



The projected 2019 closing balance/2020 opening balance to support land acquisitions includes:

- Property Sales Fund – \$2,060,487
- Parks DCC – \$670,050
- Property Acquisitions – \$3,163,383
- Park Dedication Reserve Fund - \$1,254,664

Each year, the budget includes an additional \$600,000 to fund property purchases from the Strategic Infrastructure Reserve.

## 2020 Workplan – Dispositions

Council has provided Staff direction to dispose of the following properties in 2020:



### **SUMMARY POINTS**

- The City’s land inventory includes 1,620ha (3,958 acres) of land, which excludes land dedicated as road in the city.
- In 2019, the City acquired 933 Park Avenue, 603 Nottingham Drive, a Portion of 85 Strickland Street, 3726 Delia Terrace, and a portion of 900 Fifth Street (VIU Land Exchange) at a total cost of \$1,382,140.
- In 2019, the City disposed of 7 properties at 474 Pine Street, 5885 Linyard Road, 5861 Linyard Road, 4134A Wellesley Avenue and a portion of 5901 Hammond Bay Road, a Portion of 1 Port Drive (Seaspan ROW) and a portion of Fifth Street (VIU Land Exchange) for \$668,101.

### **ATTACHMENTS**

ATTACHMENT A: Memorandum 2019 Property Management Strategy Update



#### **Submitted by:**

Bill Corsan  
Director, Community Development

#### **Concurrence by:**

Dale Lindsay  
General Manager, Development Services

Laura Mercer  
Director, Finance

### **INFORMATION RELEASE:**



To be released 

# ATTACHMENT A

## MEMORANDUM 2019 PROPERTY MANAGEMENT STRATEGY UPDATE

### *Land Inventory*

The City's land inventory includes 1,602ha (3,958 acres) of land, which excludes land dedicated as road within the city. Approximately 1,094ha (2,703 acres) of land is within the municipal boundaries and 508ha (1,255 acres) is located to the south and west of the city within electoral areas A and C in the Regional District of Nanaimo.

There are 445 parks encompassing 1,019ha (2,518 acres) and 26 land parcels encompassing 25ha (62 acres) that have buildings used for civic (municipal), commercial and residential purposes within the city. The City owns 3 cemeteries and 146 "other" types of property. These properties encompass 50ha (123 acres).

### *Acquisition Priorities*

The goal of the land acquisition component of the Strategy is to consolidate all of the City's acquisition objectives in one location and to rank them in priority based on a set of criteria. The criteria includes having a secure funding source, the relationship to the Strategic Plan, risk if opportunity is lost, value (price) and willingness of vendor to sell.

In 2019, the following properties were acquired by the City.

Address	Size	Date Acquired	Price (including closing costs)	Purpose
603 Nottingham Drive	1.40ha	2019-JAN-25	\$0.00	Park
3726 Delia Terrace	3,892.2 sq. ft.	2019-FEB-20	\$0.00	Park
85 Strickland Street	342.3 sq. ft.	2019-JUN-26	\$7,140	Road
933 Park Avenue	2.02ha	2019-SEP-30	\$1,375,000	Park/Other
Portion of 900 Fifth Street	0.69ha	2020-JAN-23	\$0.00	Park
<b>Total Cost of Land Area Acquired in 2019</b>			<b>\$1,382,140</b>	

### *Disposition Strategy*

In 2019, the City disposed of the following property:

Address or Road Closure Name	Size	Closing Date	Sale Price
474 Pine Street	0.27ha	2019-FEB-01	\$1.00
4314A Wellesley Avenue	818 sq. ft.	2019-FEB-04	\$23,000
Portion of 1 Port Drive (Seaspan ROW \$991,465)	3.76ha	2019-JUN-05	\$0.00
Portion of 5901 Hammond Bay Road	1,675 sq. ft.	2019-MAY-23	\$25,000
5885 Linyard Road	0.160ha	2019-AUG-01	\$350,100
5861 Linyard Road	7,678 sq. ft.	2019-DEC-20	\$270,000

Portion of Fifth Street (VIU Land Exchange)	0.316ha	2020-JAN-23	\$0.00
<b>Total Revenue Received 2019</b>	<b>\$668,101</b>		

### *Securing Unprotected Utilities*

Addressing the number of unprotected rights-of-way in the city is an important issue identified in the Strategy and ties into the goal of Asset Management. The need to have formal agreements to protect city infrastructure for water, sewer and drainage systems is a key goal. Staff spent considerable time in 2019 reviewing the unprotected utility file and was able to secure an additional 7 rights-of-way. The overall number of unprotected rights-of-way now stands at 227.

### *Leasing & Licensing of City Assets*

An important part of the City's role as a landowner of 1,602ha (3,958 acres) of land is to manage the use of lands through formal lease and licence agreements for third-party business or non-profit use. The Real Estate Section currently manages 50 lease and 115 licence agreements for non-profits and businesses located on City land.

Total revenue through these agreements is approximately \$255,460.92 per annum.

DATE OF MEETING March 2, 2020

AUTHORED BY NANCY SKEELS, PROPERTY AGENT, REAL ESTATE

SUBJECT PARTIAL PROPERTY ACQUISITION – 3646 COTTLEVIEW DRIVE

## **OVERVIEW**

### **Purpose of Report**

To provide Council with background information on the Linley Valley Park Acquisition Project and to seek Council authorization to acquire a portion of 3646 Cottleview Drive for municipal park 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:

1. authorize the acquisition of a portion of 3646 Cottleview Drive from [REDACTED] [REDACTED] for the sum of [REDACTED] and
2. allocate an additional [REDACTED] from the Parkland Dedication Reserve Fund for ancillary acquisition costs.

## **BACKGROUND**

In Spring 2014, Council directed City Staff to acquire land in Linley Valley for an expanded park system. Increasing development on the edges of Linley Valley fueled a strong desire from members of the public to preserve the majority of the remaining land in a natural state. The cost of acquiring the lands at that time was approximately \$5.7m.

In 2014, Staff approached [REDACTED] (the “Owners”) of 3646 Cottleview Drive (the “Property”) to gauge their interest in selling 4.84ha (12 acres) of their 6.83ha (16.9 acre) property to the City. The acquisition area is shown on Attachment A. The Owners decided not to sell the Property to the City at the time.

The City completed a number of other land acquisitions in 2014, which formed the core of the new 150ha (370 acre) Linley Valley Park. In 2018, the park was further expanded with the acquisition of 5260 Tanya Drive for \$3M, which added 20.2ha (50 acres) to Linley Valley Park and was a significant addition to the protection and preservation of the Linley Valley ecosystem.

Today Linley Valley Park, Attachment B, is 170ha (420 acres) in size. The network of trails within the park includes various landscapes from forested trails and valleys to fields and rocky knolls.

## **DISCUSSION**

In November 2019, the Owners approached Staff to see if there was still interest from the City in completing the 2014 deal (transfer of 4.84ha [12 acres] to the City). Under this agreement, the Owners would retain the remaining 1.98ha (4.9 acres) of the Property where their single-family home is located.

The addition of the Property still meets many of the parkland acquisition criteria, including the Property:

- Completes the western side of Linley Valley Park and joins two other pieces of City-owned parkland;
- Contains a stream and seasonal wetland that feed Cottle Creek;
- Contains mature second growth forest;
- Provides an important trail connection from this side of Linley Valley Park to the top of Cottle Hill; and
- Contains a large boulder popular for climbing (which is also a known archaeological site).

The Property is zoned R10 (Steep Slope Residential) with the remainder of the property, after the proposed acquisition, being able to support up to 31 townhouse units should the Owner's wish be to redevelop this part of the Property in the future.

An independent appraisal has been prepared and the market value for the portion of the Property to be added to Linley Valley Park is estimated at [REDACTED]. The Owners are willing to enter into a purchase and sale agreement based on this amount.

If Council approval is received, Staff will coordinate the subdivision of the land and will prepare a housekeeping zoning amendment to dedicate the area for the park. An additional [REDACTED] is required to cover legal and surveying costs and installation of a fence along the new property line. If approval is received, it is estimated the property will transfer to the City in July 2020. Linley Valley Park will increase in size to 175ha (430 acres).

## **OPTIONS**

1. That Council:

1. authorize the acquisition of a portion of 3646 Cottleview Drive from [REDACTED] for the sum of [REDACTED] and
2. allocate an additional [REDACTED] from the Parkland Dedication Reserve Fund for ancillary acquisition costs

- Advantages: The acquisition of this property completes the western side of Linley Valley Park and joins two other pieces of City-owned parkland. The acquisition aligns with Council priorities identified in the 2019-2022 Strategic Plan under *Environmental Responsibility*, as this parcel of land would be considered a natural asset.
- Disadvantages: Council has a limited budget for parkland acquisitions and may wish to prioritize this acquisition amongst other key acquisitions.

- Financial Implications: The Property has an estimated market value of [REDACTED]. Legal, appraisal, surveying and costs to install a fence are estimated to cost [REDACTED]. The acquisition and other costs can be funded using the Parkland Dedication Reserve Fund which has a projected balance of [REDACTED] at December 31, 2019 (pending completion of the financial statements).

2. That Council deny the partial property acquisition of 3646 Cottleview Drive from [REDACTED]

- Advantages: Council has a limited budget for parkland acquisitions and may wish to prioritize other land acquisitions.
- Disadvantages: The City has a willing vendor for this Property and the opportunity may not present itself again. The Property may be developed in accordance with its zoning. Not approving this acquisition is inconsistent with the 2019-2022 Strategic Plan under *Environmental Responsibility* and *Livability*. |

**SUMMARY POINTS**

- In Spring 2014, Council directed City Staff to acquire land in Linley Valley for an expanded park system.
- Today Linley Valley Park is 170ha (420 acres) in size.
- [REDACTED] the owners of 3646 Cottleview Drive, have approached Staff to determine if there is interest on the part of the City to acquire 4.84ha (12 acres) of their property for parkland. The proposal is for the Owners to retain 1.98ha (4.9 acres) of the overall property (6.83ha [16.88 acres]) where their single-family home is located. The addition of the Property fits into the Linley Valley park acquisition program for the following reasons:
  - The Property completes the western side of Linley Valley Park and joins two other pieces of City-owned parkland;
  - Contains a stream and seasonal wetland that feed Cottle Creek;
  - Contains mature second growth forest;
  - Provides an important trail connection from this site of Linley Valley Park to the top of Cottle Hill; and
  - Contains a large boulder popular for climbing (which is also a known archaeological site).
- An independent appraisal has been prepared and the market value for the portion of the Property is estimated [REDACTED]. The Owners are willing to enter into a purchase and sale agreement based on this amount. An additional [REDACTED] is required for legal and survey costs and installation of a fence along the property boundary.
- If approval is received, it is estimated that the property will transfer to the City in July 2020.

## **ATTACHMENTS**

ATTACHMENT A: Linley Valley Park Map  
ATTACHMENT B: Location Plan

### **Submitted by:**

Bill Corsan  
Director, Community Development

### **Concurrence by:**

Dale Lindsay  
General Manager, Development Services

Richard Harding  
General Manager, Parks, Recreation and  
Culture

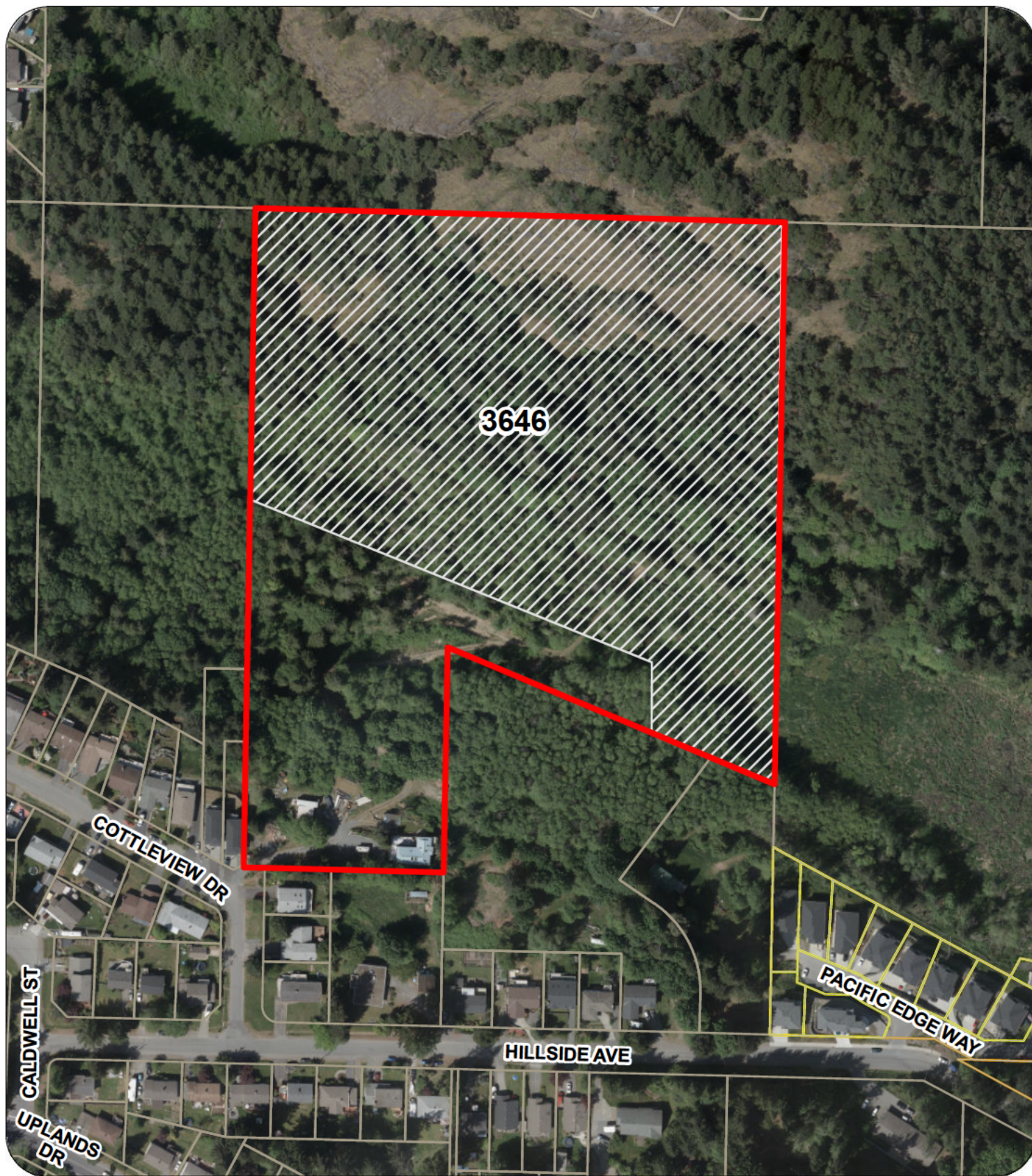
Laura Mercer  
Director, Finance

## **INFORMATION RELEASE:**

To be released upon completion of negotiations



# ATTACHMENT A



N



## Legend



SUBJECT PROPERTY



ACQUISITION AREA = 4.849Ha

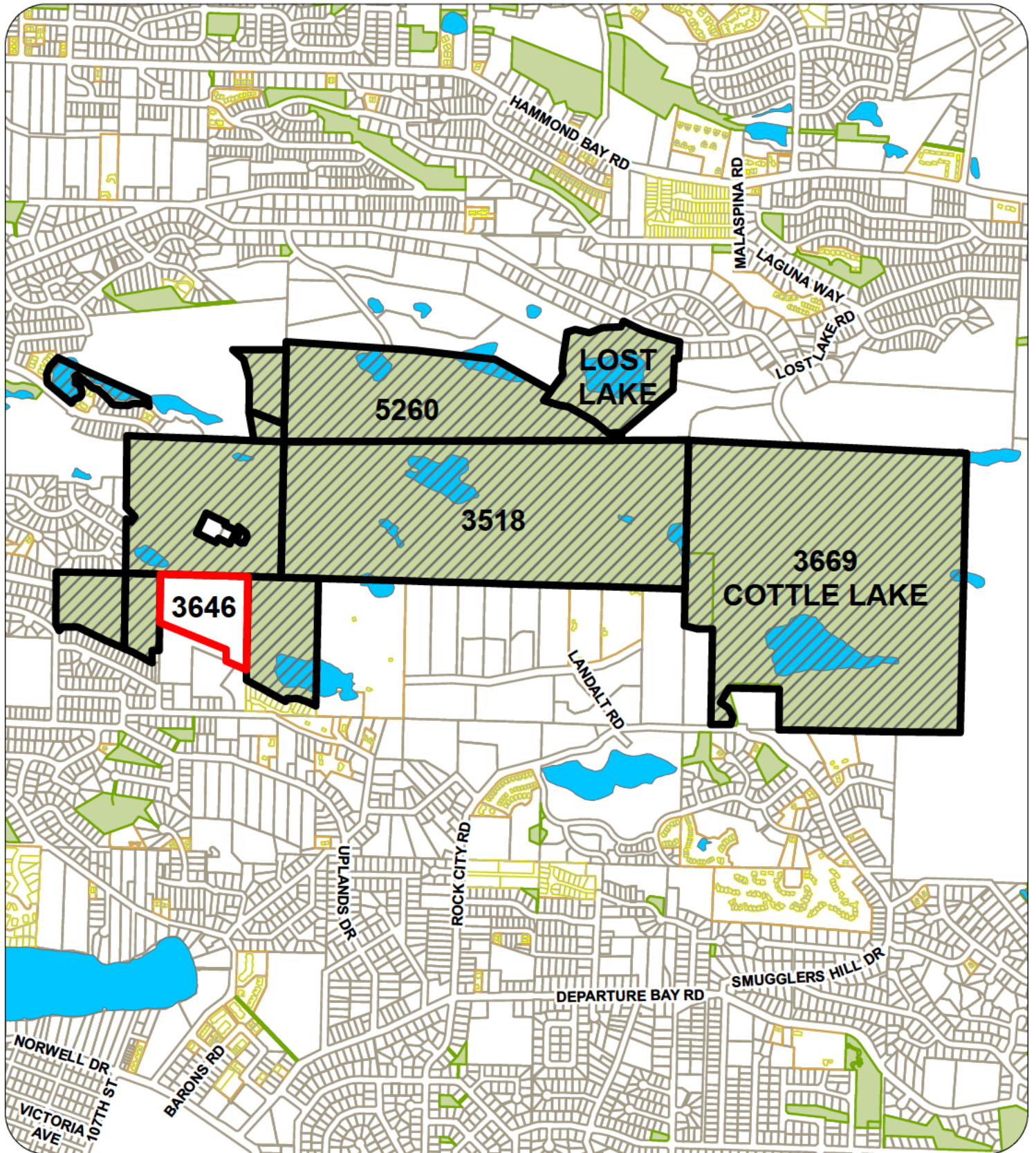
## PROPOSED PROPERTY ACQUISITION - FILE NO. LD003800

Civic: 3646 COTTLEVIEW DRIVE





Legal: DISTRICT LOT PART OF 31 LYING WEST OF PLAN 3489, EXCEPT  
WEST 5 CHAINS AND PLAN 20108 25833 32883 40643 AND 41704  
WELLINGTON DISTRICT



# ATTACHMENT B



## Legend

-  LINLEY VALLEY PARK
-  WATER BODIES
-  PARKS
-  3646 COTTLEVIEW DRIVE

## LINLEY VALLEY PARK





## AGENDA "IN CAMERA" COUNCIL MEETING

Monday, March 16, 2020

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

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

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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

6 a. [REDACTED]

6 b. Community Policing and Services Office - 18 Victoria Crescent - 90(1)(e)

6 c. [REDACTED]

6 d. Council and CAO 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;

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

(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

4 - 7

Minutes of the Regular "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC on Monday, 2020-FEB-24 at 4:30 p.m.

**4. PRESENTATIONS:**

**5. CONSENT ITEMS:**

**6. REPORTS:**

a.

[REDACTED]

[REDACTED]

b. Community Policing and Services Office - 18 Victoria Crescent

32 - 37

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

*Purpose: To provide Council with information on the Community Policing and Services Office at 18 Victoria Crescent.*

c.

[REDACTED]

[REDACTED]

d. Council and CAO 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, 2020-FEB-24 AT 4:30 P.M. – 7:00 P.M.

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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

Others:



Staff: R. Harding, A/Chief Administrative Officer  
D. Lindsay, General Manager, Development Services  
B. Sims, General Manager, Engineering and Public Works  
L. Mercer, Director, A/General Manager, Corporate Services  
B. Corsan, Director, Community Development  
L. Bhopalsingh, Manager, Community Planning (arrived 4:31 p.m., vacated 5:25 p.m.)  
F. Farrokhi, Manager, Communications  
S. Gurrie, Director, Legislative Services  
K. Gerard, Recording Secretary

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

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

2. ADOPTION OF AGENDA:

It was moved and seconded that Council, in accordance 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 Special "In Camera" Council Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Monday, 2020-JAN-20, at 11:00 a.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, 2020-FEB-03, at 4:00 p.m.

The motion carried unanimously.

L. Bhopalsingh entered the Douglas Rispin Room at 4:31 p.m.



4. PRESENTATIONS

(a)





The "In Camera" meeting recessed at 5:25 p.m.  
The "In Camera" Meeting reconvened at 5:48 p.m.

5. REPORTS:

(a) Selection Panel for Permanent Public Art at Maffeo Sutton Park

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

It was moved and seconded that Council appoint Councillors Hemmens and Bonner, as Council representatives to the selection panel and direct Staff to invite the following representatives to sit on the selection panel for the permanent public art project (Call for Artists No. 2489) at Maffeo Sutton Park:

- Community (At-Large): Marie Leduc
- Design Community: Kate Stefiuk
- Arts Community: Arlene Deptuck
- Arts Community: Yvonne Vander Kooi (professional artist)

The motion carried unanimously.



(b) Partial Property Acquisitions – 155 Pryde Avenue and 1647 Caspers Way

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council:

- authorize the acquisition 1.4 ha (3.5 acres) of land at 155 Pryde Avenue from [REDACTED] for the sum of [REDACTED] for parkland purposes;
- allocate [REDACTED] from the Parkland Dedication Reserve Fund for the acquisition of a multi-use railway statutory right-of-way from 155 Pryde Avenue from [REDACTED]
- allocate [REDACTED] from the Parkland Dedication Reserve Fund for the acquisition of a multi-use railway statutory right-of-way from 1647 Caspers Way from [REDACTED] and,
- allocate [REDACTED] from the Parkland Dedication Reserve Fund for ancillary acquisition costs.

The motion carried unanimously.

(c) Metral Drive Complete Streets Project – Property Acquisitions

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council:

- authorize the partial acquisition of 5341 Metral Drive from [REDACTED] for the sum of [REDACTED]
- authorize the partial acquisition of 5350 Metral Drive from [REDACTED] for the sum of [REDACTED]
- authorize the partial acquisition of 5351 Metral Drive from [REDACTED] for the sum of [REDACTED]
- authorize the partial acquisition of 5410 Godfrey Road from [REDACTED] for the sum of [REDACTED] and,
- allocate a total of [REDACTED] from the 2020 Property Acquisition Budget Fund for the acquisition and ancillary costs.

The motion carried unanimously.

6. ADJOURNMENT:

It was moved and seconded at 6:16 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

CERTIFIED CORRECT:

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CHAIR

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CORPORATE OFFICER

# **“In Camera” Information Report**

*City of Nanaimo*

File Number: LD002019

DATE OF MEETING | March 16, 2020 |

AUTHORED BY | DAVE LABERGE, MANAGER OF COMMUNITY SAFETY |

**SUBJECT | COMMUNITY POLICING AND SERVICES OFFICE – 18 VICTORIA CRESCENT**

## **OVERVIEW**

### **Purpose of Report**

To provide Council with information on the Community Policing and Services Office at 18 Victoria Crescent. |

### **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.

## **BACKGROUND**

The Community Policing and Services Office (CPSO) is situated at 18 Victoria Crescent, and is the current worksite for the City’s downtown bylaw enforcement and parking services.

The origin of the CPSO concept goes back several decades when the office was the Community Police Office (CPO) operated by the RCMP on Wharf Street behind the Coast Bastion Hotel. At the time, CPOs were popular neighborhood-based crime prevention programs staffed by police officers. Community-based policing was the exclusive function of the downtown CPO.

In 2004, the City retained Neilson-Welch Consulting to evaluate social conditions in the downtown area, and to provide recommendations for a strategic response to prevailing crime and disorder issues.

In June 2006, Mayor & Council convened a “Safer Downtown Seminar” to develop an action plan utilizing the combined resources of enforcement, health, outreach, and social response agencies to address the homelessness crisis and to improve security downtown. This led to the creation of the “Safer Nanaimo Working Group” (the “Working Group”).

The Working Group produced “The Safer Report” of 2007-APR-11 recommending strategies to improve security and delivery of social services, including the relocating of the Wharf Street Community Policing Office to a larger site on Victoria Crescent. The new office opened in the fall of 2008, and was renamed the Community Policing and Services Office in anticipation that it would accommodate a broader suite of services including:

- Community Police Officer
- Community Policing Coordinator – (civilian City employee)

- Community volunteers and "Citizens on Patrol" program
- Downtown Ambassador Program
- Private downtown security patrols

The new CPSO continued to operate as a community policing office for several years, supplemented by volunteers and supported by private security daytime patrols contracted by the City. The Downtown Ambassador Program was developed using Service Canada grants to deploy a group of friendly staff to welcome visitors, provide information, and to serve as extra eyes on the street. The program was discontinued when Federal funding expired in September 2009.

Many factors contributed to recovery of the Victoria Crescent area in the years that followed, including the development of affordable and supportive housing projects around the city, improvements in outreach and health services, construction of the Vancouver Island Conference Centre, and redevelopment of Port Place Mall.

The RCMP re-deployed community policing resources into a school liaison program, and the community policing coordinator was relocated to the detachment. The contract for daytime private security patrols was discontinued in favour of patrols during night hours when the CPSO was not open. The ambassador program and Citizens on Patrol were both discontinued. Downtown policing was led by the RCMP Bike Patrol which operated out of the detachment.

In 2012, the City brought downtown parking enforcement in house, hiring new bylaw enforcement officers who would substantially fulfill the daytime security and ambassadorial roles in addition to parking and enforcement duties. A full-time parking manager was hired in December 2012, and four full-time parking patrol bylaw officers and a parking clerk were located in the CPSO. The office was substantially a downtown bylaw/parking services office from that time forward.

City Staff transitioned from the former Franklyn Street Annex building to the Service and Resource Centre (SARC) at 411 Dunsmuir Street in early 2013.

In 2016, Western Management Consultants conducted an assessment of the City's organization and operations, presented as the City of Nanaimo Core Services Review Report (Core Services Review). The recommendation of the core service review was to close the CPSO and move Staff to SARC. It was noted that SARC had enough space to accommodate the CPSO Staff, and would save \$60,000.00 annually in rent, utilities, and services (note: the actual 2019 budget to operate the office was \$40,630).

Council referred the matter to the Public Safety Committee to research options and provide recommendations on whether to close the office, repurpose it, or leave it operating in its current capacity.

The committee received information from stakeholder groups, including local business owners and residents who spoke passionately to keeping the CPSO open, stating it had a prominent role in the safety and stability of the neighborhood. This group also requested the CPSO be more accessible to the local community for meetings and public use.

[REDACTED]

The committee recommended to Council the CPSO remain open, but that it be rebranded as "Community Resource Office" as police services were no longer available. They further suggested that additional opportunities be explored to open the office to other agencies that provide services and engage with street-entrenched and homeless individuals. On 2018-FEB-19, Council accepted these recommendations, passing a motion to keep the CPSO open and to seek opportunities to engage other community services.

## **DISCUSSION**

The CPSO on Victoria Crescent was proposed in 2007 as part of a broader plan to address social conditions which existed in the Victoria Crescent area. The intention was to re-locate an existing community policing office and co-locate other security, ambassador, and volunteer programs.

Policing, ambassador, volunteer, and private security services were discontinued many years ago, leaving the CPSO operating solely as a bylaw and parking services office. The location is not suitable for policing services without substantial leasehold security enhancements.

The recommendation that health and social outreach teams work out of the CPSO is not feasible, as many outreach team clients would not attend to an office where enforcement services are co-located in addition to other privacy, security, and data protection challenges.

The City Bylaw Services Section is currently segregated into sub-units in two worksites: six bylaw officers and a parking clerk work out of the CPSO; the section manager, senior bylaw supervisor, three bylaw officers, a ticket/screening clerk and the bylaw steno work out of SARC. The clerks at SARC receive and dispatch calls for service, process tickets, and provide adjudication for bylaw officers working out of all three offices. Parking permits are administered at the CPSO.

This arrangement contributes to inefficiencies that negatively impact service delivery to the community, and provides limited opportunity for support Staff and bylaw officers to cross-train, or provide coverage for leave and absences. Members of the public are often confused or frustrated when they are re-directed between offices to receive specific services relating to traffic, parking, permits, or general bylaw services. Two worksites and seven-day-a-week coverage also limits consistent support and supervision of all employees.

Local businesses and residents have previously requested the CPSO remain open, as it is felt to provide a measure of safety and security in the immediate downtown area. Homelessness continues to be a pressing issue in the community, but is not concentrated in the Victoria Crescent area downtown as it once was. The Bylaw Services team working out of the CPSO provides an important and sustaining security and safety role through their daily foot patrol activities throughout the downtown area. It is their continuous presence on the streets that brings a measure of public safety, which would be unchanged if they operated from the SARC worksite. The CPSO should not be viewed as a panacea which reduces crime or disorder in the

area, as the parking clerk is often the only employee in the CPSO throughout the day. The CPSO office is not a suitable site to co-locate enforcement, health, and social outreach services

In a typical work day, the downtown bylaw officers do not spend a great deal of time in the CPSO. They collect their equipment, check overnight security reports, and go onto the street to address security matters around the downtown area before businesses open for the day. The parking clerk is often the only employee working in the office who is available to serve members of the public who come in for assistance. There were several incidents in the summer and fall of 2019 where highly agitated individuals entered the CPSO wielding weapons, including baseball bats, demanding to speak to a bylaw officer about their belongings that had been removed from unoccupied encampments in parks and public plazas. The CPSO door is now kept locked during the day when the parking clerk is working alone, with public access on a case-by-case basis by appointment or by knocking on the door.

### **Cost to Stay**

The annual rent is approximately \$40,000 plus utilities and cleaning charges. Additionally, if the office is to remain open, a leasehold improvement would be required to install an electronic entry system to permit the public entry to the building at a cost of \$1,000.

### **CONCLUSION**

Due to operational and customer service needs, Staff have determined that terminating the current lease and relocating the City's bylaw officers and parking clerk is the best decision going forward.

There will be minimal moving costs, with space at the SARC building being identified through the space planning initiative.

Staff will bring an open report to Council for decision on the relocation of City's bylaw officers and parking clerk.

### **SUMMARY POINTS**

- The CPSO was originally the Community Policing Services Office located downtown and operated by the RCMP.
- The CPSO was moved to Victoria Crescent in 2007, at the recommendation of the Safer Nanaimo Working Group, to provide enhanced, coordinated services in response to public safety and homelessness challenges downtown.
- Police services and other programs were removed from the CPSO over time, and replaced with a downtown bylaw enforcement and parking patrol service.
- The 2016 City of Nanaimo Core Services Review Report recommended the closure of the CPSO, moving bylaw parking services to SARC at a saving of \$40,000.00 annually.

- In 2018, Council directed the CPSO to remain open and available for use by other agencies providing outreach services.
- Health and social outreach services have declined to co-locate with enforcement personnel at CPSO.
- Existing bylaw services could be better coordinated by closing the CPSO and moving Staff to the SARC office.

## **ATTACHMENTS**

ATTACHMENT A: CPSO Location – 18 Victoria Crescent. |

### **Submitted by:**

Bill Corsan  
Director, Community Development |

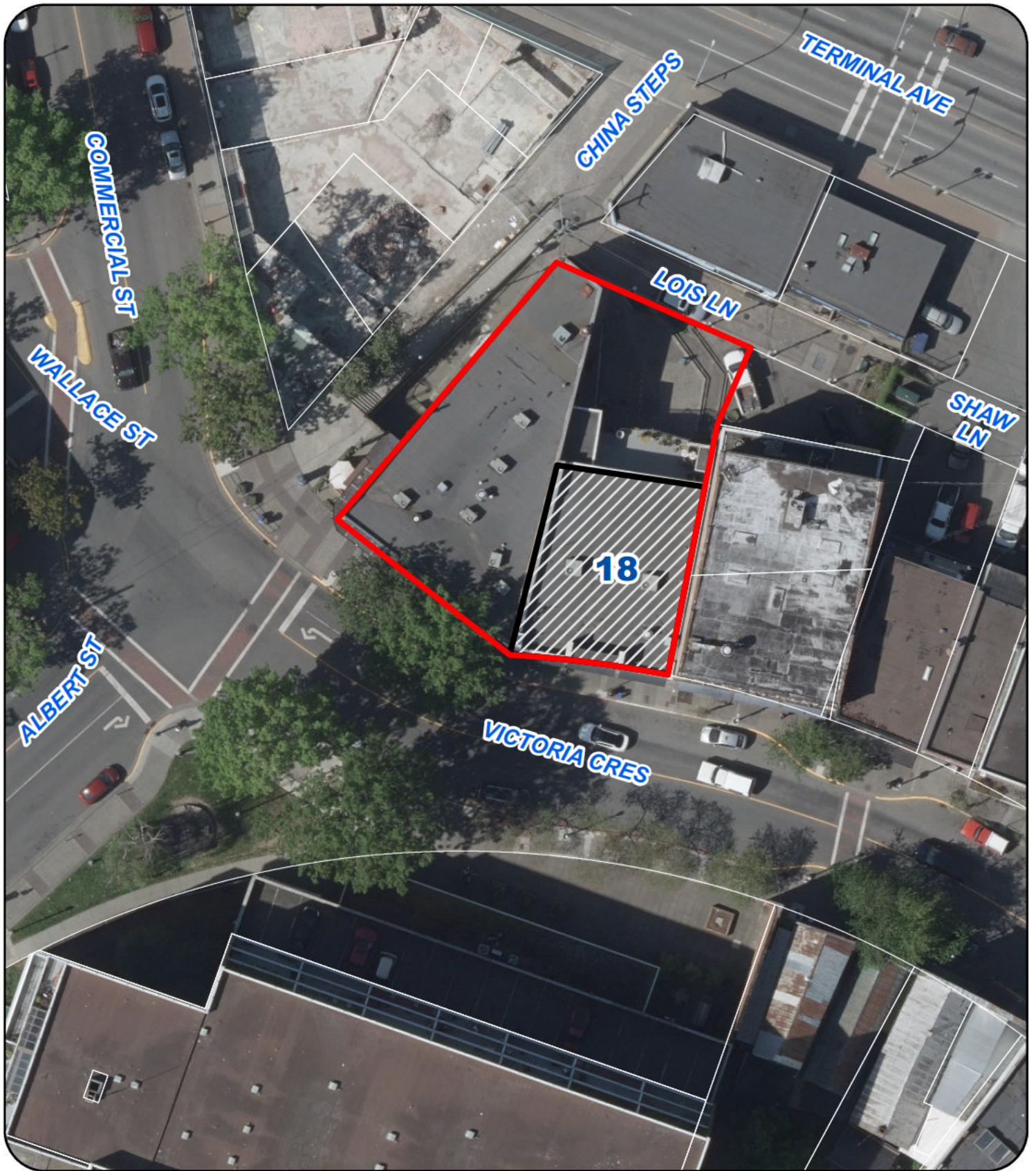
### **Concurrence by:**

Dale Lindsay  
General Manager, Development Services |

## **INFORMATION RELEASE:**

To be released with the exception of underlined text|





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LEASE AREA

CPSO OFFICE

18 VICTORIA CRESCENT





**AGENDA**  
**SPECIAL "IN CAMERA" COUNCIL MEETING**

Monday, March 9, 2020, 11:00 A.M. - 1:00 P.M.  
Board Room, Service and Resource Centre,  
411 Dunsmuir Street, Nanaimo, BC

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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 - 90(1)(n)

5 a. [REDACTED]

5 b. [REDACTED]

5 c. [REDACTED]  
[REDACTED]

Section 90(1):

(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;

(n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2).

Section 90(2):

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

**3. ADOPTION OF THE MINUTES:**

4. CONSENT ITEMS:

5. REPORTS:

a.

[REDACTED]

[REDACTED]

[REDACTED]

b.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

c.

[REDACTED]

[REDACTED]

[REDACTED]

6. CORRESPONDENCE:

7. ADJOURNMENT OF SPECIAL "IN CAMERA" MEETING:



**ADDENDUM  
SPECIAL "IN CAMERA" COUNCIL MEETING"**

Monday, March 9, 2020, 11:00 A.M. - 1:00 P.M.

Board Room, Service and Resource Centre,  
411 Dunsmuir Street, Nanaimo, BC

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Pages

**5. REPORTS:**

a.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]