



## AGENDA "IN CAMERA" COUNCIL MEETING

Monday, April 6, 2020

4:30 P.M. - 6:30 P.M.

SHAW AUDITORIUM, 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 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)

6 a. Contract Extension for Benefits Carrier - 90(1)(c)

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

Section 90(1):

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

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

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

**3. ADOPTION OF THE MINUTES:**

a. Minutes

3 - 6

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-MAR-02, at 4:30 p.m.

b. Minutes

7 - 10

Minutes of the Special "In Camera" Council Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Monday,

c. Minutes

11 - 14

Minutes of the "In Camera" Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-MAR-16, at 4:30 p.m.

4. **PRESENTATIONS:**

5. **CONSENT ITEMS:**

6. **REPORTS**

a. Contract Extension for Benefits Carrier

15 - 18

To be introduced by John Van Horne, Director, Human Resources.

*Purpose: To obtain Council approval to extend the contract with our existing benefits carrier, to enable a thorough procurement process to be undertaken.*

Recommendation: That Council approve an extension of the City's contract with Sun Life to December 31, 2021.

b. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

7. **CORRESPONDENCE:**

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

**"IN CAMERA" MINUTES**  
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,  
80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2020-MAR-02 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

Absent: Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer  
R. Harding, General Manager, Parks, Recreation and Culture (arrived 4:36 p.m., vacated 6:31 p.m.)  
D. Lindsay, General Manager, Development Services (vacated 6:31 p.m.)  
B. Sims, General Manager, Engineering and Public Works (vacated 6:31 p.m.)  
S. Legin, General Manager, Corporate Services (vacated 6:31 p.m.)  
L. Mercer, Director, Finance (vacated 6:31 p.m.)  
B. Corsan, Director, Community Development (vacated 6:31 p.m.)  
F. Farrokhi, Manager, Communications (vacated 6:31 p.m.)  
S. Gurrie, Director, Legislative Services (vacated 6:31 p.m.)  
K. Gerard, Recording Secretary (vacated 6:31 p.m.)

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

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

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

It was moved and seconded that the 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., be adopted as circulated. The motion carried unanimously.

4. REPORTS:

(a) Property Management Strategy Update

Introduced by Dale Lindsay, General Manager, Development Services.

Council discussion took place regarding land acquisitions, maintenance costs involved when acquiring park spaces, [REDACTED] effects of the Property Management Update in the review of the Official Community Plan (OCP) and current balance of the Land Acquisition Reserve Fund.

R. Harding entered the Douglas Rispin Room at 4:36 p.m.







(d) Partial Property Acquisition – 3646 Cottleview Drive

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded 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.

The motion carried unanimously.

The "In Camera" meeting recessed at 5:13 p.m.

The "In Camera" meeting reconvened at 5:46 p.m.

(e) CAO and Council Matters:

Introduced by Jake Rudolph, Chief Administrative Officer.





B. Corsan, F. Farrokhi, K. Gerard, S. Gurrie, R. Harding, S. Legin, D. Lindsay, L. Mercer and B. Sims vacated the Douglas Rispin Room at 6:31 p.m.

(e) CAO and Council Matters continued:

Council discussion took place regarding:



5. ADJOURNMENT:

It was moved and seconded at 6:57 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

**SPECIAL "IN CAMERA" MINUTES**  
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS  
BOARDROOM, SERVICE AND RESOURCE CENTRE,  
411 DUNSMUIR STREET, NANAIMO, BC  
MONDAY, 2020-MAR-09 AT 11:00 A.M. – 1:00 P.M.

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Present: Mayor L. Krog, Chair  
Councillor S. D. Armstrong  
Councillor D. Bonner  
Councillor T. Brown  
Councillor B. Geselbracht (arrived 11:02 a.m.)  
Councillor Z. Maartman  
Councillor I. W. Thorpe (arrived 11:20 a.m.)  
Councillor J. Turley

Absent: Councillor E. Hemmens

Staff: J. Rudolph, Chief Administrative Officer  
R. Harding, General Manager, Parks, Recreation and Culture  
D. Lindsay, General Manager, Development Services  
B. Sims, General Manager, Engineering and Public Works  
S. Legin, General Manager, Corporate Services  
J. Van Horne, Director, Human Resources  
K. Fry, Fire Chief (vacated 11:10 a.m.)  
C. Davis, Manager of Recreation Facilities & Custodial Services  
L. Mercer, Director, Finance  
D. Thompson, Manager, Construction Projects and Acting Manager of Sanitation, Recycling & Public Works Administration (arrived 11:10 a.m., vacated 12:02 p.m.)  
F. Farrokhi, Manager, Communications  
S. Gurrie, Director, Legislative Services  
S. Snelgrove, Recording Secretary

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

The Special "In Camera" Meeting was called to order at 11:02 a.m.

Councillor Geselbracht entered the Boardroom at 11:02 a.m.

2. INTRODUCTION OF LATE ITEMS:

(a)



(b) Add Agenda Item 5 a. update from John Van Horne, Director, Human Resources re: COVID-19.

3. ADOPTION OF AGENDA:

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

4. REPORTS:

(a) Update from John Van Horne, Director, Human Resources re: COVID-19

John Van Horne, Director, Human Resources, advised:

- Staff are monitoring the global health emergency and are reinforcing messages from the B.C. Centre for Disease Control and Emergency Management BC
- Staff have been advised to wash their hands often with soap and water, stay home if sick and call 811 if concerned about symptoms
- Staff are taking this opportunity to review and refresh business continuity plans should the City need to escalate the response
- Staff communication is increasing to every other day
- Signage at recreation centres regarding handwashing has increased
- Switchboard has the phone number for Emergency Management BC to provide to callers
- Communications Department is developing a communication to put on the City's website which mirrors what other communities are doing
- Staff have reinforced to the public the City's drinking water is safe and Ladysmith's issue is unrelated to Nanaimo's water supply
- Next steps include increasing cleaning during the daytime at City facilities and preparing a press release to go out today
- Human Resources managers are providing support to managers by discussing responses to different issues in the organization, for example when to get doctors notes
- COVID- 19 is a standing item on senior leadership team meeting agendas

Council discussion took place regarding:

- Self-quarantine and fire crew responses
- BC Ambulance providing information to fire crews
- John Van Horne, Director of Human Resources, to provide an update at the Governance and Priorities Committee meeting this afternoon

F. Farrokhi, K. Fry, R. Harding and J. Van Horne vacated the Boardroom at 11:10 a.m.  
D. Thompson entered the Boardroom at 11:10 a.m.

(b)



R. Harding returned to the Boardroom at 11:11 am



Councillor Thorpe entered the Boardroom at 11:20 a.m.



J. Van Horne and F. Farrokhi returned to the Boardroom at 11:57 a.m.



D. Thompson vacated the Boardroom at 12:02 p.m.

(c)





(d)



5. ADJOURNMENT:

It was moved and seconded at 12:38 p.m. that the Special "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

**"IN CAMERA" MINUTES**  
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,  
80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2020-MAR-16 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

Absent: Councillor J. Turley

Staff: J. Rudolph, Chief Administrative Officer  
R. Harding, General Manager, Parks, Recreation and Culture  
D. Lindsay, General Manager, Development Services  
B. Sims, General Manager, Engineering and Public Works  
S. Legin, General Manager, Corporate Services  
J. Van Horne, Director, Human Resources  
Supt. C. Miller, OIC, Nanaimo Detachment RCMP (arrived 4:33 p.m.,  
vacated 4:59 p.m.)  
K. Fry, Fire Chief  
B. Corsan, Director, Community Development (vacated 5:02 p.m.)  
F. Farrokhi, Manager, Communications (arrived 4:36 p.m.)  
D. LaBerge, Manager, Bylaw Services (vacated 4:57 p.m.)  
S. Gurrie, Director, Legislative Services  
S. Snelgrove, Recording Secretary

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

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

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Council Meeting held Monday, 2020-FEB-24 at 4:30 p.m. in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, be adopted as circulated. The motion carried unanimously.

4. REPORTS:

- (a) Snuneymuxw First Nation and City of Nanaimo Protocol Agreement Working Group Minutes

Introduced by Sheila Gurrie, Director, Legislative Services.

Supt. Miller entered the Shaw Auditorium at 4:33 p.m.

- (b) Community Policing and Services Office - 18 Victoria Crescent

Introduced by Dale Lindsay, General Manager, Development Services.

Dave LaBerge, Manager, Bylaw Services, provided Council with a history of the site and building, [REDACTED] concerns of local merchants.

F. Farrokhi entered the Shaw Auditorium at 4:36 p.m.

Council and Staff discussion took place regarding:

- Current and future uses of the building
- Homelessness broadly spread throughout the City of Nanaimo
- [REDACTED]
- Recommendation of the Core Services Review to dispose of the building referred to the Public Safety Committee and pushback received from downtown business owners
- Delegations attending past meetings to voice their disapproval with the office shutting down

- (c) [REDACTED]

D. LaBerge vacated the Shaw Auditorium at 4:57 p.m.

Supt. Miller vacated the Shaw Auditorium at 4:58 p.m.



B. Corsan vacated the Shaw Auditorium at 5:02 p.m.

(d) Council and CAO Matters:

Introduced by Jake Rudolph, Chief Administrative Officer.

Jake Rudolph, Chief Administrative Officer, provided an overview of the COVID-19 response:

- City has aligned to receive direction from the Provincial Government
- [REDACTED]
- Prime Minister announced everyone should stay home, workers are trying to determine what that means
- Limit of gatherings reduced from 250 to 50
- Some municipalities have closed City Hall to residents
- Press conference held today
- Moved Emergency Operations Centre from Level 1 to Level 2 to signal it is more serious
- Determining essential services and how to maintain service levels

Richard Harding, General Manager, Parks, Recreation and Culture, spoke regarding:

- Buildings remained open while risk was low
- Using a stepped approach
- Courses cancelled where social distancing could not be maintained
- Staff called groups explaining cancellations and giving refunds
- Drop-ins today at 50% or less for day camp programs
- Based on Dr. Henry's advice to enjoy the outdoors Staff are preparing for extra park maintenance, garbage clean ups etc.
- Outdoor playgrounds and washrooms will be kept open

Council discussion continued regarding:

- Correspondence sent out from the Mayor
- Shutting down water fountains
- Sanitizing outdoor areas such as playgrounds
- Reduction in revenue from Parks and Recreation programming

The "In Camera" Council Meeting recessed at 5:22 p.m.

The "In Camera" Council Meeting reconvened at 5:46 p.m.

S. Gurrie returned to the Boardroom at 5:47 p.m.

John Van Horne, Director, Human Resources, spoke regarding:

- Staff will be redeployed to do meaningful work elsewhere where there are closures
- Potential solutions include working from home and adjusting work hours
- Business continuity plans are being utilized

- [REDACTED]

Chief Fry spoke regarding:

- First priority is to ensure health of all front line employees and first responders
- Elevated responses for medical emergencies as crews are asking every person about the status of their condition to limit exposure and amount of responders who enter sites
- Reduced non-essential inspections
- Reducing people coming into the station and cross contamination between crews
- Working closely with BC Ambulance

Sheila Gurrie, Director, Legislative Services, spoke regarding:

- Council to proactively practice social distancing
- [REDACTED]

[REDACTED]

Council discussion took place regarding:

- Dealing with essential City business
- Potentially update "Council Procedure Bylaw 2018 No. 7272" to provide electronic meeting flexibility
- Postponing items that aren't critical

5. ADJOURNMENT:

It was moved and seconded at 6:39 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

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CORPORATE OFFICER

DATE OF MEETING | April 6, 2020 |

AUTHORED BY | JOHN VAN HORNE, DIRECTOR OF HUMAN RESOURCES |

SUBJECT | CONTRACT EXTENSION FOR BENEFITS CARRIER |

## **OVERVIEW**

### **Purpose of Report**

| To obtain Council approval to extend the contract with our existing benefits carrier, to enable a thorough procurement process to be undertaken. |

### **Reason for “In Camera”**

| (c) - Labour and employee relations |

### **Recommendation**

| That Council approve an extension of the City’s contract with Sun Life to December 31, 2021. |

## **BACKGROUND**

| The City of Nanaimo has been under contract with Sun Life, provider of employee and Council benefits, since 2012. The Procurement Policy stipulates that the maximum contract term for any City contract is five years. Staff sought and received approval from Council in 2018 to extend the contract with Sun Life for an additional two years. |

## **DISCUSSION**

| The City uses a benefits consultant, Morneau Shepell, to negotiate with benefit carriers such as Sun Life, on behalf of the City. Morneau Shepell recommends contract durations of between six and eight years in order to enable the City to negotiate better premium rates; however, this is not possible under the existing Procurement Policy.

Staff have begun preparing the documentation needed to produce a Request for Proposals (RFP). However, this process is time consuming as it requires that Morneau Shepell analyze benefits usage data for hundreds of individuals over the past seven years, and to help us develop the terms of the RFP. The result of the data analysis forms part of the information package that potential proponents use to prepare their proposal. Without the data analysis, proponents need to build in a cost factor for uncertainty – they are for-profit companies – which translates into higher premiums for the City in virtually all proponent submissions.



Should a proponent other than Sun Life be successful, we would target the end of 2021 as a transition date to migrate our employees and Councillors over to the new plan given the significant staff time required for the sign-on and education components of such a significant transition.

To enable an orderly process and potential transition, Staff are requesting an extension to the Sun Life contract to the end of 2021, if necessary. If Sun Life is the successful proponent, we believe a new contract could be finalized with Sun Life well within this timeframe.

### **OPTIONS**

1. That Council approve an extension of the City's contract with Sun Life to December 31, 2021.

- The advantages of this option: it enables Human Resources and Purchasing staff and the City's benefits broker to thoroughly review benefits plan usage, and identify all the benefit plan features the City will require from proponents. This also will enable proponents to provide more accurate premium estimates, which would in turn help the City avoid dramatic premium fluctuations in the future based on having relied upon inaccurate or incomplete data.
- The disadvantages of this option: It extends a contract well beyond the normal five-year length of contracts identified in the City's Procurement Policy.
- Financial Implications: Any hypothetical savings achieved by expediting this process would have to be considered against the potential for significant premium fluctuations in subsequent years of the new contract.

2. That Council approve an extension of the City's contract with Sun Life to June 30, 2021.

- The advantages of this option: it enables Human Resources and Purchasing staff time to prepare an RFP, using whatever data is readily available, and lets the City explore new options.
- The disadvantages of this option: It extends a contract well beyond the normal five-year length of contracts identified in the City's Procurement Policy. However, without the data analysis provided by the benefit broker, proponents will likely build cost uncertainty into their proposals, which will be in the form of higher premium costs. It will potentially result in a mid-year transition between carriers, which creates problems for employees and Council with respect to deductibles, annual limits, and coordination between plans.
- Financial Implications: Any hypothetical savings achieved by expediting this process would have to be considered against the potential for significant premium fluctuations in subsequent years of the new contract.

**SUMMARY POINTS**

- The City's contract with Sun Life, the benefits carrier, has expired.
- The City's benefits broker needs time to prepare a data package that will accompany the RFP, and to assist the City in evaluating proposals.
- The data package will enable proponents to better determine the cost elements of their proposal, which in turn will hopefully result in less volatility of premium amounts over the term of the new benefits contract.

**ATTACHMENTS****Submitted by:**

John Van Horne  
Director of Human Resources |

**INFORMATION RELEASE:**

To be released upon completion of negotiations with selected proponent. |



## **AGENDA**

### **"IN CAMERA" COUNCIL MEETING**

Monday, April 27, 2020

4:30 P.M. - 6:30 P.M.

SHAW AUDITORIUM, 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 - 90(1)(n)

6.(a) Appointments to the Nanaimo Port Authority/City of Nanaimo Liaison Committee - 90(1)(a)

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

6.(c) Mayor's Task Force on Recovery and Resiliency Terms of Reference - 90(1)(a)

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

Section 90(1):

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

(c) labour relations or other employee relations;

(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 - 5
- Minutes of the Special In Camera Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2020-APR-01 at 12:00 p.m.
- b. Minutes 6 - 8
- Minutes of the In Camera Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-APR-06 at 5:00 p.m.
- c. Minutes 9 - 10
- Minutes of the Special In Camera Council Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2020-APR-09 at 8:30 a.m.

4. **PRESENTATIONS:**

5. **CONSENT ITEMS:**

6. **REPORTS**

- a. Appointments to the Nanaimo Port Authority/City of Nanaimo Liaison Committee 11 - 18
- To be introduced by Sheila Gurrie, Director, Legislative Services.
- Purpose: To request that Council appoint two members to the Nanaimo Port Authority/City of Nanaimo Liaison Committee.*
- Recommendation: That Council appoint two members to the Nanaimo Port Authority/City of Nanaimo Liaison Committee for a term ending 2022-OCT-14.
- b. [REDACTED]
- c. Mayor's Task Force on Recovery and Resiliency Terms of Reference
- [Note: To be distributed on the addendum.]
- d. CAO and Council Matters
- To be introduced by Jake Rudolph, Chief Administrative Officer.

1. [REDACTED]

7. CORRESPONDENCE:

8. ADJOURNMENT OF "IN CAMERA" MEETING:



**SPECIAL "IN CAMERA" MINUTES**  
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE  
80 COMMERCIAL STREET, NANAIMO, BC  
WEDNESDAY, 2020-APR-01 AT 12:00 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 (joined by teleconference)

Staff: J. Rudolph, Chief Administrative Officer  
S. Gurrie (vacated 12:05 p.m.)

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

The Special "In Camera" Meeting was called to order at 12:00 p.m.

It was moved and seconded that Councillor Armstrong record the Minutes of the Special "In Camera" meeting in the absence of the recording secretary and Sheila Gurrie, Director, Legislative Services. The motion carried unanimously.

S. Gurrie vacated the Shaw Auditorium at 12:05 p.m.

2. REPORTS:

(a) Human Resources and Staff Update re: COVID-19

1. Jake Rudolph, Chief Administrative Officer, provided Council with an update regarding Human Resources and Staff due to COVID-19.
2. Shelley Legin, General Manager, Corporate Services, provided Council with an update regarding Staff and COVID-19.
3. Richard Harding, General Manager, Parks, Recreation and Culture, provided Council with an update at the Parks and Recreation Department and the impact of COVID-19 on Staff.
4. John Van Horne, Director, Human Resources, provided Council with an update on the impact of COVID-19 on Staff and the policies and procedures being followed during this time.

The Special "In Camera" meeting was recessed at 12:55 p.m.  
The Special "In Camera" meeting reconvened at 4:30 p.m.

(a) Human Resources and Staff Update re: COVID-19 (continued)

Jake Rudolph, Chief Administrative Officer, continued his update to Council regarding Staffing issues due to COVID-19.

3. ADJOURNMENT:

It was moved and seconded at 5:02 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

**"IN CAMERA" MINUTES**  
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,  
80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2020-APR-06 AT 5:00 P.M. – 6:30 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 (joined via teleconference 4:55 p.m.)

Staff: J. Rudolph, Chief Administrative Officer  
D. Lindsay, General Manager, Development Services (vacated 5:16 p.m.)  
B. Sims, General Manager, Engineering and Public Works (vacated 5:22 p.m.)  
J. Van Horne, Director, Human Resources (vacated 5:48 p.m.)  
S. Gurrie, Director, Legislative Services (vacated 5:22 p.m.)  
K. Gerard, Recording Secretary (vacated 5:22 p.m.)

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

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

2. INTRODUCTION OF LATE ITEMS:

- (a) 
- (b) 
- (c) Move Agenda Item 6(a) – Contract Extension for Benefits Carrier to Agenda Item 6(c).

3. ADOPTION OF AGENDA:

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

4. ADOPTION OF MINUTES:

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

- Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-MAR-02, at 4:30 p.m.
- Minutes of the Special "In Camera" Council Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Monday, 2020-MAR-09, at 11:00 a.m.
- Minutes of the "In Camera" Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-MAR-16, at 4:30 p.m.

The motion carried unanimously.

5. REPORTS:

(a)



(b)



D. Lindsay vacated the Shaw Auditorium at 5:16 p.m.

(c) Contract Extension for Benefits Carrier

Introduced by John Van Horne, Director, Human Resources.

It was moved and seconded that Council approve an extension of the City's contract with Sun Life to December 31, 2021. The motion carried unanimously.

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

K. Gerard, S. Gurrie, and B. Sims vacated the Shaw Auditorium at 5:22 p.m.

(c)



J. Van Horne vacated the Shaw Auditorium at 5:48 p.m.

(c)



6. ADJOURNMENT:

It was moved and seconded at 6:47 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

**SPECIAL "IN CAMERA" MINUTES**  
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS  
BOARDROOM, SERVICE AND RESOURCE CENTRE,  
411 DUNSMUIR STREET, NANAIMO, BC  
THURSDAY, 2020-APR-09 AT 8:30 A.M.

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

Staff: J. Rudolph, Chief Administrative Officer  
J. Van Horne, Director, Human Resources  
S. Gurrie, Director, Legislative Services (vacated 8:37 a.m.)

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

The Special "In Camera" Meeting was called to order at 8:35 a.m.

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

S. Gurrie vacated the Boardroom at 8:37 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.

3. REPORTS:

(a) CAO and Council Matters

Introduced by Jake Rudolph, Chief Administrative Officer.

John Van Horne, Director, Human Resources, spoke regarding:

- Steps taken by Staff since the closure of the recreation centres, including reviewing the number of staff and contract instructors impacted
- Staff being offered redeployment to annual temporary vacancies and others taking a layoff

Council discussion took place regarding the addition of Sheila Malcomson, MLA, to the Health and Housing Task Force.

It was moved and seconded that Council invite Sheila Malcolmson, MLA, Michelle Stillwell, MLA, and Doug Routley, MP, to participate in the Health and Housing Task Force as participants, and not update or change the members in the current Health and Housing Task Force Terms of Reference. The motion carried unanimously.

4. ADJOURNMENT:

It was moved and seconded at 9:00 a.m. that the Special "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

# In Camera Report for Decision

City of Nanaimo

File Number: 0510-01

DATE OF MEETING April 27, 2020

AUTHORED BY SKY SNELGROVE, STENO COORDINATOR/DEPUTY CORPORATE OFFICER

SUBJECT APPOINTMENTS TO THE NANAIMO PORT AUTHORITY/CITY OF NANAIMO LIAISON COMMITTEE

## **OVERVIEW**

### **Purpose of Report**

To request that Council appoint two members to the Nanaimo Port Authority/City of Nanaimo Liaison Committee.

### **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 two members to the Nanaimo Port Authority/City of Nanaimo Liaison Committee for a term ending 2022-OCT-14.

## **BACKGROUND**

The joint City of Nanaimo/Nanaimo Port Authority Liaison Committee was formed in order to establish an effective and collaborative relationship between the City of Nanaimo and Nanaimo Port Authority. The City of Nanaimo and Nanaimo Port Authority Protocol Agreement (Attachment A) states the liaison committee is comprised of two members appointed by the Port Authority and two members appointed by the City of Nanaimo. The group is recommended to meet twice a year; however, it typically meets only when necessary with their last meetings held in 2016. The term of appointment is for the remainder of Council's term.

Members of both senior management teams attend meetings as necessary, in addition to the appointed Council members.

## **DISCUSSION**

Although staff are recommending two members of Council be appointed to the joint committee, at times, the entirety of Council has met with the entire Board of Directors of the Nanaimo Port Authority. Members appointed to this group are tasked to, under the direction of the CAO of the City of Nanaimo and the President/CEO of the Port:



- i. “Implement a collaborative process to identify interests, priorities and current initiatives that will allow the Parties to develop and achieve their shared vision;
- ii. Identify and confirm opportunities for collaboration between the Parties that promote the alignment of interests, priorities and current initiatives identified including, but no limited to, opportunities that address land use, economic opportunities, continuing the provision of services, tourism, recreation, joint communications, community plans, and any other matter(s) identified by the Parties;
- iii. Meet two times each calendar year, and more frequently as it may consider necessary to carry out its responsibilities under this Agreement;
- iv. Review existing agreements between the Parties; and
- v. At all times operate to achieve resolution by consensus that may lead to negotiations and agreements ultimately to be authorized by the Nanaimo Port Authority Board of Directors and the City of Nanaimo Council.”

## **OPTIONS**

1. That Council appoint two members to the Nanaimo Port Authority/City of Nanaimo Liaison Committee for a term ending 2022-OCT-14.
  - The advantages of this option: Each Council member appointed will attend meetings of the joint committee and report back to Council. These appointments support the strategic theme of governance excellence by participating in joint decision making with key partners.
  - The disadvantages of this option: Council may wish to appoint more members to the liaison committee.
  - Financial Implications: There are no financial implications identified at this time.
2. That Council provide alternative direction. |

## **SUMMARY POINTS**

- Council is requested to appoint two members to the Nanaimo Port Authority/City of Nanaimo Liaison Committee.
- The term of appointment is for the remainder of Council’s term, until 2022-OCT-14.
- The purpose of the committee is to establish and maintain an effective and collaborative relationship between the City of Nanaimo and Nanaimo Port Authority.

## **ATTACHMENTS**

Attachment A: Nanaimo Port Authority/City of Nanaimo Protocol Agreement |

**Submitted by:**

Sheila Gurrie  
Director, Legislative Services

**INFORMATION RELEASE:**

- To be released upon appointment of members.



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

Monday, April 27, 2020

4:30 P.M. - 6:30 P.M.

SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE  
80 COMMERCIAL STREET, NANAIMO, BC

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Pages

**6. REPORTS**

c. Mayor's Task Force on Recovery and Resiliency Terms of Reference

1. *Add Report Titled " Mayor's Task Force on Recovery and Resilience" and Terms of Reference*

2 - 6

To be introduced by Jake Rudolph, Chief Administrative Officer.

*Purpose: To provide Council with a draft Terms of Reference for the establishment of a Mayor's Task Force on Recovery and Resilience.*

Recommendation: That Council establish a Mayor's Task Force on Recovery and Resilience and adopt the associated Terms of Reference as presented in the report titled "Mayor's Task Force on Recovery and Resilience" dated April 27, 2020.

**7. CORRESPONDENCE:**

a. [REDACTED]

DATE OF MEETING April 27, 2020

AUTHORED BY JAKE RUDOLPH, CHIEF ADMINISTRATIVE OFFICER

**SUBJECT MAYOR'S TASK FORCE ON RECOVERY AND RESILIENCE**

## **OVERVIEW**

### **Purpose of Report**

To provide Council with a draft Terms of Reference for the establishment of a Mayor's Task Force on Recovery and Resilience.

### **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; and,
- (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 establish a Mayor's Task Force on Recovery and Resilience and adopt the associated Terms of Reference as presented in the report titled "Mayor's Task Force on Recovery and Resilience" dated April 27, 2020.

## **BACKGROUND**

At the In Camera Council meeting held on April 20, 2020 Mayor Krog expressed interest in establishing a Mayor's Task Force on Recovery and Resilience in response to the COVID-19 pandemic. The intent is for the Task Force to focus on City-wide recovery strategies and work in collaboration with other local public bodies, private institutions and community organizations both during and after the pandemic.

## **DISCUSSION**

The COVID pandemic has impacted the City of Nanaimo, its residents, businesses and community organizations in an unprecedented manner. In response, the City has dramatically adjusted its business operations to maintain essential services. The City's fiscal position, budget and related fiscal matters and a variety of projects are all under review.

The pandemic is a health and economic crisis but is also impacting virtually all aspects of society as we know it. Numerous "rapid response" initiatives and directives have been launched by senior government and an array of organizations representing a wide spectrum of society. Organizations such as the Federation of Canadian Municipalities (FCM) and the Union of British Columbia Municipalities (UBCM) have developed advocacy practices on behalf of local government.

Most, if not all, initiatives are "response" focused. Moving forward, the pandemic recovery is likely to be gradual and long-lasting. Casting an eye to the future, while recognizing many organizations, including the City, are focused on urgent current issues, a new task force initiative is being proposed to address the road ahead, to help provide a path forward and the City recovery.

Attached is a draft terms of reference for a "Recovery and Resiliency" Task Force to be deployed with due haste. The Task Force mandate is to provide strategic recommendations to Council which will inform the forthcoming five year fiscal plan and align with the current adopted Strategic Plan.

It is recommended that the Task Force consist of a core panel of community leaders who will consult with a spectrum of stakeholders who are also leaders in the community. The Task Force will report back to Council on its findings and recommendations in early fall. Council is being asked to confirm the mandate and composition of the task force prior to a public announcement which is anticipated the week of March 4, 2020.

## **OPTIONS**

1. That Council establish a Mayor's Task Force on Recovery and Resilience and adopt the associated Terms of Reference as presented in the report titled "Mayor's Task Force on Recovery and Resilience" dated April 27, 2020.
  - The advantages of this option: Establishing a Mayor's Task Force on Recovery and Resilience would help facilitate the collaboration of key partners committed to identifying strategies that support community recovery and resilience during and after the COVID-19 pandemic.
  - The disadvantages of this option: None
  - Financial Implications: None identified at this time
2. That Council provide Staff with alternate direction.
  - The advantages of this option: Council could recommend an alternate direction be taken in regards to supporting community recovery and resilience.

- The disadvantages of this option: Not having a dedicated group tasked with identifying strategies that support community recovery and resilience during this time could lead to missed opportunities in terms of the coordination and implementation of recovery and relief efforts within the community.
- Financial Implications: None identified at this time. |

### **SUMMARY POINTS**

- The intent of the Mayor's Task Force on Recovery and Resilience is to focus on City-wide recovery strategies and work in collaboration with other local public bodies, private institutions and community organizations both during and after the pandemic.
- The Task Force mandate is to provide strategic recommendations to Council which will inform the forthcoming five year fiscal plan and align with the current adopted Strategic Plan.
- The Task Force will report back to Council on its findings and recommendations in early fall.

### **ATTACHMENTS**

Attachment A – Mayor's Task Force on Recovery and Resilience Terms of Reference |

### **Submitted by:**

Jake Rudolph  
Chief Administrative Officer |

### **INFORMATION RELEASE:**

- To be released once membership has been notified and confirmed. |



## **TERMS OF REFERENCE**

### **MAYOR'S TASK FORCE ON RECOVERY AND RESILIENCE**

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#### **PURPOSE:**

The purpose of the Mayor's Task Force on Recovery and Resilience (the "Task Force") is to:

- Provide strategic recommendations to Council which will inform the forthcoming five year fiscal plan and align with the current adopted Strategic Plan;
- Work in collaboration with public bodies, private institutions and community organizations to build local resilience;
- Work in collaboration with the business community and other community organizations to identify immediate economic recovery strategies for residents, businesses and community organizations;
- Develop a plan for the coordination and implementation of recovery and relief efforts to support the community through the COVID-19 pandemic and its recovery process; and
- Identify and support community driven ideas and solutions to assist in the recovery process, including the design and implementation of activities and programs.

#### **MEMBERSHIP:**

The membership of the Task Force will be as follows:

- The Mayor
- One Councillor
- Five (5) to seven (7) additional members appointed by the Mayor

The Mayor will be the Chair of the Task Force and an alternate may be appointed in his absence.

#### **ELIGIBILITY:**

- Members of the Task Force shall be appointed on the basis of their availability, experience and expertise which they bring to the work of the Committee;

- Task Force members will have no conflict of interest with Council or the Task Force and should advise the members when a potential conflict may exist on a specific issue and recuse themselves for the duration of the discussions to which they have declared a conflict of interest; and
- Task Force members will represent knowledge, experience and perspectives of various industry sectors and community interests.

#### **TERM:**

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

The Mayor may, at his discretion, extend the length of time or increase the mandate of the Task Force.

#### **MEETING FREQUENCY:**

The initial Task Force meeting will be called by the Chair, with the remaining meeting schedule established by the Task Force.

#### **SUB-GROUPS:**

The Task Force may establish sub or working groups to accomplish particular tasks or explore specific topics. A sub or working group can only be established by a majority vote of the Task Force with the Mayor voting in the affirmative.

Membership of any sub or working group will be established by the Task Force.

#### **STAFF SUPPORT:**

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

- The Office of the Chief Administrator Officer
- Legislative Services
- Community Development
- Corporate Services
- Other departments as required





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

Wednesday, April 1, 2020, 12:00 P.M. - 1:00 P.M.  
SHAW AUDITORIUM, 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 - 90(1)(n)

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

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).

**3. ADOPTION OF THE MINUTES:**

**4. CONSENT ITEMS:**

**5. REPORTS:**

a. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

**6. CORRESPONDENCE:**

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



## AGENDA SPECIAL "IN CAMERA" COUNCIL MEETING

Thursday, April 9, 2020, 8:30 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)
2. CAO and Council Matters - 90(1)(a)(c)

Section 90(1):

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

(c) labour relations or other employee relations;

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

**3. ADOPTION OF THE MINUTES:**

**4. CONSENT ITEMS:**

**5. REPORTS:**

a. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

**6. CORRESPONDENCE:**

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



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

Monday, April 20, 2020, 12:00 p.m. to Proceed "In Camera", Reconvene Open Meeting Immediately Following  
"In Camera" Meeting

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)

2. [REDACTED]

Section 90(1):

(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]

**6. CORRESPONDENCE:**

7. ADJOURNMENT OF SPECIAL "IN CAMERA" MEETING:



**AGENDA**  
**SPECIAL "IN CAMERA" HEALTH AND HOUSING TASK FORCE**

Wednesday, April 22, 2020, 3:00 P.M. - 5:00 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:**

**3. ADOPTION OF MINUTES:**

**a. Minutes**

1 - 2

Minutes of the "In Camera" Health and Housing Task Force Meeting held in the HR Training Room, City Hall, 455 Wallace Street, Nanaimo, BC, on Wednesday, 2019-NOV-27, at 3:00 p.m.

**4. REPORTS:**

**a.**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

**"IN CAMERA" MINUTES**  
HEALTH AND HOUSING TASK FORCE MEETING  
HR TRAINING ROOM, CITY HALL  
455 WALLACE STREET, NANAIMO, BC  
WEDNESDAY, 2019-NOV-27, AT 3:00 P.M.

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Present: Councillor E. Hemmens, Chair  
A. LaHue  
S. Madden  
J. McCormick  
L. Murphy  
Supt. C. Miller, OIC, Nanaimo Detachment RCMP

Absent: Councillor D. Bonner  
J. Fix  
K. Good  
J. Harrison  
H. Hartman  
M. McNaughton  
K. Smythe

Others: Councillor B. Geselbracht

Staff: D. Lindsay, General Manager, Development Services  
D. LaBerge, Manager, Community Safety  
F. Farrokhi, Manager, Communications  
L. Bhopalsingh, Manager, Community and Cultural Planning  
K. Kronstal, Social Planner  
S. Snelgrove, Recording Secretary/Deputy Corporate Officer

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

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

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Health and Housing Task Force Meeting held Wednesday, 2019-NOV-13 at 3:00 p.m. in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, be adopted as presented. The motion carried unanimously.

4. REPORTS:

(a) 2019-OCT-29 Workshop Meeting Notes

It was moved and seconded that the Health and Housing Task Force approve the release of the 2019-OCT-29 Workshop Meeting Notes as presented. The motion carried unanimously.

5. ADJOURNMENT:

It was moved and seconded at 3:09 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



## AGENDA "IN CAMERA" COUNCIL MEETING

Monday, May 4, 2020

4:30 p.m. to Proceed "In Camera", Reconvene Open Meeting at 7:00 p.m. in the Shaw Auditorium  
SHAW AUDITORIUM, 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:

1. Adoption of Agenda

6 a. [REDACTED]

6 b. [REDACTED]

6 c. [REDACTED]

6 d. [REDACTED]

6 e. [REDACTED]

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

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

7 a. Correspondence from Paul Manly, MP, Nanaimo-Ladysmith, dated 2020-APR-28  
re: COVID-19 Support and Recovery for Municipalities - 90(2)(b)

Section 90(1):

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (c) labour relations or other employee relations;
- (e) the acquisition, disposition or expropriation of land or improvements, if the Council





[Redacted]

[Redacted]

[Redacted]

b. Mutual Aid Agreements During the COVID-19 State of Emergency

34 - 45

To be introduced by Bill Sims, General Manager, Engineering and Public Works.

*Purpose: To advise Council of discussions on Mutual Aid Agreements with neighbouring regional districts and neighbouring municipalities during the COVID-19 State of Emergency in accordance with Provincial Order M084 and the Provincial Health Officer's temporary measures under the Drinking Water Protection Act.*

c.

[Redacted]

[Redacted]

d.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

e.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

f. Revised Appointment to the Health and Housing Task Force

56 - 61

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 appoint Marina White as an alternate for Emmy Manson, the Snuneymuxw First Nation representative on the Health and Housing Task Force.

- g. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

**7. CORRESPONDENCE:**

- a. Correspondence from Paul Manly, MP , Nanaimo-Ladysmith, dated 2020-APR-28 re: COVID-19 Support and Recovery for Municipalities

62 - 63

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

Staff: J. Rudolph, Chief Administrative Officer  
D. Lindsay, General Manager, Development Services (vacated 12:20 p.m.)  
F. Farrokhi, Manager, Communications (vacated 12:20 p.m.)  
S. Gurrie, Director, Legislative Services  
K. Gerard, Recording Secretary

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



F. Farrokhi and D. Lindsay vacated the Boardroom at 12:20 p.m.

(b) Council Round Table Discussion

1. Mayor Krog spoke regarding:
  - Rescinding the motion to cancel all Committee and Task Force meetings and to restore the continuity of Council, Committees and Task Force's
  - Establishing a Mayor's Task Force on recovery and resiliency during and after the COVID-19 pandemic
  - The Task Force would focus on City wide recovery strategies and work in collaboration with other local public bodies
2. Council discussion took place regarding:
  - Draft Terms of Reference for the Mayor's Task Force and when that would be available for Council to review
  - How members of the Mayor's Task Force would be selected and if Councillors can contribute names for the selection committee

- Staffing concerns in Legislative Services and if Staff are able to manage the workload with Committees and Task Forces' be reinstated
- Increase in homeless people camping in parks and what the City can do if these camps increase in size during the summer
- Increase in social disorder and addiction issues
- Public involvement in open Council meetings
- Suggestions of reinstating question period in an online format at the Regular Council meetings
- Bylaw Enforcement Officers removing overnight campers from parks at 9:00 a.m. and concerns regarding their safety
- Concerns regarding fires and hoarding at homeless camps in parks and in the forest areas around Nanaimo
- Strategies for advocacy in regards to the homeless/vulnerable population

4. ADJOURNMENT:

It was moved and seconded at 12:53 p.m. that the "In Camera" Meeting terminate.  
The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

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CORPORATE OFFICER

**"IN CAMERA" MINUTES**  
HEALTH AND HOUSING TASK FORCE MEETING  
HR TRAINING ROOM, CITY HALL  
455 WALLACE STREET, NANAIMO, BC  
WEDNESDAY, 2019-NOV-27, AT 3:00 P.M.

---

Present: Councillor E. Hemmens, Chair  
A. LaHue  
S. Madden  
J. McCormick  
L. Murphy  
Supt. C. Miller, OIC, Nanaimo Detachment RCMP

Absent: Councillor D. Bonner  
J. Fix  
K. Good  
J. Harrison  
H. Hartman  
M. McNaughton  
K. Smythe

Others: Councillor B. Geselbracht

Staff: D. Lindsay, General Manager, Development Services  
D. LaBerge, Manager, Community Safety  
F. Farrokhi, Manager, Communications  
L. Bhopalsingh, Manager, Community and Cultural Planning  
K. Kronstal, Social Planner  
S. Snelgrove, Recording Secretary/Deputy Corporate Officer

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

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

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Health and Housing Task Force Meeting held Wednesday, 2019-NOV-13 at 3:00 p.m. in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, be adopted as presented. The motion carried unanimously.

4. REPORTS:

(a) 2019-OCT-29 Workshop Meeting Notes

It was moved and seconded that the Health and Housing Task Force approve the release of the 2019-OCT-29 Workshop Meeting Notes as presented. The motion carried unanimously.

5. ADJOURNMENT:

It was moved and seconded at 3:09 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 [May 4, 2020]

AUTHORED BY BILL SIMS, GENERAL MANAGER, ENGINEERING AND PUBLIC WORKS

SUBJECT **MUTUAL AID AGREEMENTS DURING THE COVID-19 STATE OF EMERGENCY**

## **OVERVIEW**

### **Purpose of Report**

To advise Council of discussions on Mutual Aid Agreements with neighbouring regional districts and neighbouring municipalities during the COVID-19 State of Emergency in accordance with Provincial Order M084 and the Provincial Health Officer's temporary measures under the Drinking Water Protection Act.

### **Reason for “In Camera”**

Community Charter 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.

## **BACKGROUND**

On March 26, 2020, the Minister of Public Safety and Solicitor General enacted Ministerial Order No. M084. Section 7(1) of that Order requires local authorities to “use best efforts to enter into Mutual Aid Agreements (MAA) with neighbouring jurisdictions to ensure that first responder, wastewater and drinking water services are maintained” during the COVID-19 state of emergency.

On April 9, 2020, the Provincial Health Officer outlined temporary measures to ensure continuity of operations for water systems in British Columbia under the Drinking Water Protection Act. These temporary measures included consideration of Mutual Aid Agreements with neighbouring water purveyors, where possible, to ensure that drinking water services are maintained.

On April 14, 2020 the Regional District of Nanaimo Board passed a resolution to enter into Mutual Aid Agreements with neighbouring regional districts and neighbouring municipalities to enable the continuity of wastewater and drinking water services in accordance with the Provincial Order M084.

The Regional District of Nanaimo (RDN) has drafted a Mutual Aid Agreement that has RDN member municipalities, along with regional districts bordering the RDN. Staff support an MAA with neighbouring municipalities and RDN utilities, but the breadth of including other regional districts is beyond the scope of the Order, in Staff’s opinion. Staff support an MAA among:

Regional District of Nanaimo  
District of Lantzville  
City of Parksville  
Town of Qualicum Beach  
City of Nanaimo

The purpose of the Mutual Aid Agreements is to provide a framework by which the signatories may request resources of other jurisdictions if their own resources are overwhelmed during the COVID-19 state of emergency. Significant elements of the agreements are:

- Local resources, including contractors, shall be utilized before seeking mutual aid.
- Payment for emergency services under the mutual aid will be on a cost recovery basis and will not include markups for overhead or profit.
- Most specialized equipment will be provided with an operator to ensure adequate familiarity and certification to operate.
- Resources will only be made available if they are not required by their primary jurisdiction.
- Each signatory agrees to indemnify the other for any damage or claims of any nature due to any act done in good faith pursuant to the Mutual Aid Agreement.
- The term of the Mutual Aid Agreement ends when the State of Emergency ends.

## **DISCUSSION**

It is anticipated that, as a result of the Mutual Aid Agreements, the assisting jurisdiction may bill the requesting jurisdiction for assisted services to cover the cost of assistance during the period of the state of emergency. Therefore, there is no financial implication for the assisting jurisdiction. Costs will be incurred, as-needed, for the requesting jurisdiction.

## **CONCLUSION**

Staff will continue to work with the RDN to develop an agreement and return to Council once settled.

### **SUMMARY POINTS**

- Mutual Aid Agreements are subject of a Public Health Order in response to COVID-19 pandemic and the declaration of a State of Emergency throughout the Province of British Columbia.
- Mutual Aid Agreement supports the Provincial Health Officer temporary measures to ensure continuity of operations for water and sewer systems in British Columbia under the Drinking Water Protection Act.
- Mutual Aid Agreements are in place and routinely used for Fire Departments.

### **ATTACHMENTS**

Attachment B – Provincial Health Officer – Temporary Measure to Ensure Continuity of Operations for Water Systems in British Columbia under the Drinking Water Protection Act |

#### **Submitted by:**

Bill Sims  
General Manager  
Engineering and Public Works |

#### **Concurrence by:**

Jake Rudolph  
CAO |

### **INFORMATION RELEASE:**

- To be released upon completion of negotiations |

# Attachment 'B'



Cliff # 1161027

Date: April 9, 2020

To: Drinking Water Systems Owners; Regional Health Authorities; and Environmental Operators Certification Program

Re: **Temporary Measures to Ensure Continuity of Operations for Water Systems in British Columbia under the *Drinking Water Protection Act***

As the COVID-19 outbreak continues to evolve locally and globally, the health and well-being of the people of British Columbia is our government's number one priority.

Under British Columbia's *Drinking Water Protection Act*, operations for drinking water systems to provide clean, safe drinking water to the public is considered an essential service.

During the current Public Health Emergency and Provincial State of Emergency declarations, the Provincial Health Officer supports the following temporary measures, where reasonable, to ensure continuity of operations for drinking water system owners who may experience staffing challenges as a result of the outbreak:

- Flexibility to redeploy and employ qualified Operators as needed to address staff shortages, reschedule Operator hours, and use Operators whose certification may have expired within the past 3 years. System owners should consult their Direct Responsible Charge plan when selecting Operators from within their organization. The expectation is that system owners and health authorities engage with their employees and unions (where applicable) to identify options that may work for all parties involved when scheduling adjustments and/or deployment are needed.
- Temporarily employ certain other qualified individuals to perform operational duties, if needed. These individuals include knowledgeable technical personnel and supervisors, managers, professional engineers, technologists, and Operators.
- For any Level I to IV water systems that require Environmental Operators Certification Program (EOCP) certified Operators, the EOCP's **Operator Peer Network** program may be able to provide a source of appropriately certified Operators. For further information, please contact Kalpna Solanki at [ksolanki@eocp.ca](mailto:ksolanki@eocp.ca); 604.874.4784 x221; or 778.688.9196.

2/...

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Ministry of Health

Office of the  
Street Provincial Health Officer  
GOVT

4<sup>th</sup> Floor, 1515 Blanshard  
PO Box 9648 STN PROV

Victoria BC V8W 9P4  
Tel: (250) 952-1330  
Fax: (250) 952-1570  
<http://www.health.gov.bc.ca/pho/>

- Small water systems that do not require EOCP certification (unless specified in conditions on their permit) may seek to train others in the basic operation of systems to assist in case the person running the system is unavailable.

Drinking water system owners are further advised to:

- Update emergency response plans (ERPs) and review staffing coverage procedures to plan for staff absences due to illness or isolation as it is important that those experiencing symptoms (fever, sore throat, coughing, sneezing, diarrhea) of COVID-19 or other communicable disease do not come to the workplace. System owners should share the updated ERPs with their Drinking Water Officer and should notify them of any major disruptions.
- Consider mutual aid agreements with neighbouring suppliers, where possible, to ensure that drinking water services are maintained.
- Identify priority actions to be taken in the event of a reduced workforce and create operations teams that provide a critical mixture of skills required to operate the water system continuously and without interruption.
- Ensure written standard operating procedures are detailed and easy to follow for junior staff to carry out duties not normally assigned to them, if needed.
- Consider postponing new non-critical projects to ensure tasks essential to delivering potable water can be carried out if staff resources are a potential issue.

General precautions for employers with respect to physical distancing, hygiene and employee illness all apply to water systems. For the most up-to-date information please consult:

<http://www.bccdc.ca/health-info/diseases-conditions/covid-19/employers-businesses>

Sincerely,



Bonnie Henry  
MD, MPH, FRCPC  
Provincial Health Officer

Cc Joanne Edwards, Provincial Drinking Water Officer

DATE OF MEETING | May 4, 2020 |

AUTHORED BY | DAVE STEWART, SOCIAL PLANNER, COMMUNITY PLANNING

SUBJECT | **REVISED APPOINTMENT 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 appoint Marina White as an alternate for Emmy Manson, the Snuneymuxw First Nation representative on the Health and Housing Task Force.

## **BACKGROUND**

At its 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. The Terms of Reference were later updated on 2019-JUL-08 to include four individuals as representatives of the business and non-profit sectors (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.

On 2020-APR-01 during it's Special Council Meeting, Council voted to exempt the Health and Housing Task Force from the current suspension of committees in order to assist in the facilitation of planning for the vulnerable populations during the pandemic.

## **DISCUSSION**

Since the Task Force has now been re-established and is once again meeting regularly, Staff are recommending its membership continue to be updated 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. Council must approve the appointment of all 12 members of the Task Force. This includes any alternates who may need to attend some meetings.

Snuneymuxw First Nation has advised they wish to replace Councillor Kate Good with recently-hired Health Director, Marina White, as the alternate to Councillor Emmy Manson.

The table below reflects a revised list of representatives of the government organizations identified in the Terms of Reference. The following change in membership (emphasized in bold) have been confirmed by the Snuneymuxw First Nation.

<b>Member Name (Title)</b>	<b>Organization</b>
Emmy Manson (Councillor and Community Wellness Administrator)	Snuneymuxw First Nation
<b>Alternate: Marina White (Health Director)</b>	
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)	

Member Name (Title)	Organization
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 appoint Marina White as an alternate for Emmy Manson, the Snuneymuxw First Nation representative on the Health and Housing Task Force.
  - Advantages: Allows Staff to ensure attendance at meetings is consistent, and supports capacity of the identified organizations and representatives. Ensures the Task Force membership remains a suitable size to be effective. Responds to Snuneymuxw First Nation's request for a new alternate in order to reflect organizational changes and capacity.
  - Disadvantages: None identified.
2. That Council provide alternative direction.
  - Advantages: This could allow Council to provide different suggestions for the Task Force membership.
  - Disadvantages: Should Council provide alternative membership recommendations, it would likely result in delays and disruption to work currently underway with the Task Force, and potentially impact relations with Snuneymuxw First Nation.



### **SUMMARY POINTS**

- Council approved the creation of the Health and Housing Task Force 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.
- On 2020-APR-01, Council voted to exempt the Health and Housing Task Force from the current suspension of committees in order to assist in the facilitation of planning for vulnerable populations during the ongoing COVID-19 pandemic.
- Since Council last updated membership appointments and the Terms of Reference, there has been a request to update membership to reflect organizational changes and capacity of one of the member organizations.
- Council must 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: 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

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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 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\* - and alternate
- 2 – Non-Profit Organization representatives\*\* - and alternate
- 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

**From:** [Paul.Manly.P9@parl.gc.ca](mailto:Paul.Manly.P9@parl.gc.ca) <[Paul.Manly.P9@parl.gc.ca](mailto:Paul.Manly.P9@parl.gc.ca)>  
**Sent:** Tuesday, April 28, 2020 10:28 AM  
**To:** Mayor&Council <[Mayor&Council@nanaimo.ca](mailto:Mayor&Council@nanaimo.ca)>  
**Subject:** Covid 19 support and recovery for municipalities

Dear Mayor Krog and Nanaimo City Council

I hope this email finds you, your families and your staff healthy and safe.

It has been a very busy time for me and my team as we help constituents and businesses in our community deal with the COVID-19 crisis. I am in continual contact with various ministers and parliamentary secretaries, as well as on daily technical briefings and weekly committee meetings, all of which are opportunities for me to bring forward issues that constituents, businesses and organizations are dealing with. I have been busy identifying gaps in the relief programs and working with the government to fill those gaps and suggesting solutions for helping Canadians further.

For the past month, I have been advocating for a municipal bail-out to help with the drop in revenue from closed facilities, the loss of user fees and the increase in costs related to the crisis. I am also aware that businesses and home-owners have been requesting deferred property taxes and service fees, and that defaults on these payments will only exacerbate problems for municipalities. Despite the drop in revenues, municipalities are expected to continue to provide a list of essential services for their communities including fire, police, water, sewage and waste management.

The Federation of Canadian Municipalities made a presentation to the Finance Committee last week that received some push-back from the official opposition. I want you to know that the Green Party caucus supports the requests from the FCM. We will continue to advocate strongly for financial help for municipalities.

I am writing to you today to see if there are any specific needs or requests you have for federal government assistance during this crisis to help alleviate financial strain, and for ways that your residents could be better served. I am also checking in to see what needs and opportunities you have identified for the recovery and revitalization of our economy. Some parts of the economy are going to be easier and more practical to revive than others. For example it will be some time before we will see a revival of international tourism in our region.

The indications we have received from the government are that projects that provide safe employment, improve the quality of life for people, and help with the transition to a clean economy, are going to be the priority for stimulus spending for the recovery. If there are shovel-ready projects on your books that help to address the climate crisis, the affordable housing crisis, and create a more resilient and regenerative economy, those are projects that should be promoted to the federal government.

As we work through this crisis and start to think about a post crisis revival please feel free to reach out to me at any time. My staff are answering calls and emails from 9-5 Monday to Friday. The office number is 250-734-6400 and the email address is [Paul.Manly@parl.gc.ca](mailto:Paul.Manly@parl.gc.ca). I am working from my home office. You can reach me directly through my personal email address [Paul.Manly.P9@parl.gc.ca](mailto:Paul.Manly.P9@parl.gc.ca) or my cell 250-729-1254.

All the best

Paul Manly



**Paul Manly**

Member of Parliament for Nanaimo-Ladysmith | Député de Nanaimo-Ladysmith

*Constituency Office:* Suite 103 495 Dunsmuir St. Nanaimo BC V9R 6B9 | t: 250-734-6400

*Hill Office:* Room 313, Confederation Bldg. Ottawa, ON K1A 0A6 | t: 613-992-5243

[paul.manly@parl.gc.ca](mailto:paul.manly@parl.gc.ca)



**ADDENDUM  
"IN CAMERA" COUNCIL MEETING**

Monday, May 4, 2020

4:30 p.m. to Proceed "In Camera", Reconvene Open Meeting at 7:00 p.m. in the Shaw Auditorium  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE  
80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS 5:30 P.M.

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Pages

**2. APPROVAL OF THE AGENDA:**

*a. Add Community Charter Section 90(1)*

(g) litigation or potential litigation affecting the municipality.

*b.*

[REDACTED]

**6. REPORTS**

*g. CAO and Council Matters*

*1.*

[REDACTED]

[REDACTED]



AGENDA  
"IN CAMERA" COUNCIL MEETING

Monday, May 25, 2020

4:00 P.M. - 6:30 P.M.

SHAW AUDITORIUM, 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 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). Proposed Request for Offers for Disposition of 350 and 398 Franklyn Street - 90(1)(e)

5(d). 2230 Boxwood Road - Letter of Intent - 90(1)(e) and (k)

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

Section 90(1):

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

(c) labour relations or other employee relations;

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

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

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

Section 98 [*annual municipal report*];

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

Section 90(2):

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

### 3. ADOPTION OF THE MINUTES:

a. Minutes

4 - 7

Minutes of the "In Camera" Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-APR-27, at 4:30 p.m.

b. Minutes

8 - 13

Minutes of the "In Camera" Meeting held Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-MAY-04, at 4:30 p.m.

### 4. PRESENTATIONS:

### 5. CONSENT ITEMS:

a. Advisory Committee Minutes

1. Minutes of the Special "In Camera" Health and Housing Task Force Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2020-APR-22, at 3:00 p.m.

14 - 17

### 6. REPORTS

a.

[REDACTED]

b.

[REDACTED]



- c. Proposed Request for Offers for Disposition of 350 and 398 Franklyn Street 50 - 64

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

*Purpose: To obtain Council approval to issue a Request for Offers for the disposition of City-owned lands at 350 and 398 Franklyn Street.*

Recommendation: That Council direct Staff to:

1. issue a Request for Offers for the disposition of City-owned property at 350 and 398 Franklyn Street; and
2. report back to Council with an evaluation and summary of the responses for Council's consideration.

- d. 2230 Boxwood Road - Letter of Intent 65 - 89

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

*Purpose: To obtain Council approval to enter into a Letter of Intent with Island West Coast Developments for the disposition of a portion of City-owned property at 2230 Boxwood Road.*

Presentation:

1. Bill Corsan, Director, Community Development, and Phil Stewart, Manager, Engineering Projects.

Recommendation: That Council:

1. direct the Mayor and Corporate Officer to execute the Letter of Intent with Island West Coast Development; and
2. direct Staff to return to a future Council meeting, upon completion of negotiations, to present the Purchase and Sale Agreement for the disposition of a portion of Cityowned property at 2230 Boxwood Road for Council's approval.

- e. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

**7. CORRESPONDENCE:**

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

**"IN CAMERA" MINUTES**  
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,  
80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2020-APR-27 AT 4:30 P.M.

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

Staff: J. Rudolph, Chief Administrative Officer  
D. Lindsay, General Manager, Development Services (vacated 6:15 p.m.)  
B. Sims, General Manager, Engineering and Public Works (vacated 6:15 p.m.)  
S. Legin, General Manager, Corporate Services (vacated 6:15 p.m.)  
L. Bhopalsingh, Manager, Community Planning (vacated 6:15 p.m.)  
B. Corsan, Director, Community Development (vacated 6:15 p.m.)  
F. Farrokhi, Manager, Communications (vacated 6:15 p.m.)  
S. Gurrie, Director, Legislative Services (vacated 6:15 p.m.)  
K. Robertson, Deputy City Clerk (vacated 6:15 p.m.)  
S. Snelgrove, Recording Secretary (vacated 6:15 p.m.)

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

The "In Camera" Meeting was called to order at 4:34 p.m.

2. INTRODUCTION OF LATE ITEMS:

(a) To add a report entitled Mayor's Task Force on Recovery and Resilience Terms of Reference (to be considered under item 6(c)); and,

(b) 

3. ADOPTION OF AGENDA:

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

4. ADOPTION OF MINUTES:

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

- Minutes of the Special In Camera Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Wednesday, 2020-APR-01 at 12:00 p.m.
- Minutes of the In Camera Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-APR-06 at 5:00 p.m.
- Minutes of the Special In Camera Council Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2020-APR-09 at 8:30 a.m.

The motion carried unanimously.

5. REPORTS:

(a) Appointments to the Nanaimo Port Authority/City of Nanaimo Liaison Committee

Introduced by Sheila Gurrie, Director, Legislative Services.

It was moved and seconded that Council appoint Councillors Thorpe and Maartman as members to the Nanaimo Port Authority/City of Nanaimo Liaison Committee for a term ending 2022-OCT-14. The motion carried unanimously.

(b) Verbal Update re: BC Housing

Dale Lindsay, General Manager, Development Services, provided Council with a verbal update regarding BC Housing, which included the following information:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- A sub-committee of the Health and Housing Task Force is working on a food security strategy per Council's motion
- Early Friday morning, Staff received a request from BC Housing for 285 Prideaux Street to be used as an emergency response centre
- The City had provided a list of facilities through Emergency Management BC to the Ministry and BC Housing
- If Council proceeds Staff will:
  - Notify tenants
  - Reach out to the Neighbourhood Association



It was moved and seconded that Council:

1. provide 'approval in principle' to licence a portion of the Community Services Building, at 285 Prideaux Street, to BC Housing to operate an Emergency Response Centre;
2. direct Staff to publish a Notice of Disposition in the local newspaper regarding the licence agreement at 285 Prideaux Street;
3. direct Staff to provide a 30 day licence termination notice to the impacted tenants at 285 Prideaux Street;
4. direct Staff to return to the 2020-MAY-25 open Council meeting for approval.

The motion carried unanimously.



The In Camera meeting recessed at 5:38 p.m.  
The In Camera meeting reconvened at 5:53 p.m.

(c) Mayor's Task Force on Recovery and Resilience Terms of Reference

Introduced by Jake Rudolph, Chief Administrative Officer:

The Mayor provided an overview of the Task Force's mandate but noted the importance of keeping the mandate nimble as issues may change quickly.

It was noted a news conference would be set up within the week to make the announcement.

It was moved and seconded that Council establish a Mayor's Task Force on Recovery and Resilience with Councillor Brown as the Council representative and adopt the associated Terms of Reference as presented in the report titled "Mayor's Task Force on Recovery and Resilience" dated April 27, 2020. The motion carried unanimously.

L. Bhopalsingh, B. Corsan, F. Farrokhi, S. Gurrie, S. Legin, D. Lindsay, K. Robertson, B. Sims and S. Snelgrove vacated the Shaw Auditorium at 6:15 p.m.

(d) CAO and Council Matters

Introduced by Jake Rudolph, Chief Administrative Officer.

1.



6. ADJOURNMENT:

It was moved and seconded at 6:46 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

**"IN CAMERA" MINUTES**  
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,  
80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2020-MAY-04 AT 4:30 P.M.

---

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

Staff: J. Rudolph, Chief Administrative Officer  
R. Harding, General Manager, Parks, Recreation and Culture  
D. Lindsay, General Manager, Development Services  
B. Sims, General Manager, Engineering and Public Works  
S. Legin, General Manager, Corporate Services  
K. Fry, Fire Chief  
L. Mercer, Director, Finance  
B. Corsan, Director, Community Development  
F. Farrokhi, Manager, Communications  
P. Stewart, Manager, Engineering Projects (vacated 5:13 p.m.)  
S. Gurrie, Director, Legislative Services  
K. Robertson, Deputy City Clerk  
S. Snelgrove, Recording Secretary

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

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

2. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 2(a) – Approval of Agenda – Add *Community Charter* Section 90(1)(g) litigation or potential litigation affecting the municipality.
- (b) Agenda Item 6(f) Revised Appointment to Health and Housing Task Force - Add recommendation to appoint Inspector Fletcher as Superintendent Miller's alternate on the Health and Housing Task Force.

(c)



(d)



- (e) Add Agenda Item 6(g)(3) Mayor's Task Force on Recovery and Resilience Update.
- (f) Councillor Bonner re: Communications (to be discussed under Agenda Item 6(g) Council and CAO Matters).

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 Special "In Camera" Council Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC on Monday, 2020-APR-20 at 12:00 p.m. be adopted as circulated. The motion carried unanimously.

5. CONSENT ITEMS:

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

(a) Advisory Committee Minutes

Minutes of the "In Camera" Health and Housing Task Force Meeting held in the HR Training Room, City Hall, 455 Wallace Street, Nanaimo, BC, on Wednesday, 2019-NOV-27, at 3:00 p.m.

The motion carried unanimously.

6. REPORTS:

(a)





P. Stewart vacated the Shaw Auditorium at 5:13 p.m.

(b) Mutual Aid Agreements During the COVID-19 State of Emergency

Bill Sims, General Manager, Engineering and Public Works, provided Council with information regarding the Mutual Aid Agreements during the COVID-19 state of emergency, which included the following information:

- City of Nanaimo would be a large donor
- Maintaining the continuity of wastewater and drinking water services
- Staff are working with the Regional District of Nanaimo and will return for Council approval once an agreement is completed

It was moved and seconded that Council authorize the Mayor and Director of Corporate Services to execute the Essential Services Mutual Aid Agreement as outlined on



Appendix A to the May 4, 2020 Staff report by the General Manager of Engineering and Public Works. The motion carried unanimously.

(c)



(d)



(e)



(f) Revised Appointment to the Health and Housing Task Force

Introduced by Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council appoint:

- Marina White as an alternate for Emmy Manson, the Snuneymuxw First Nation representative on the Health and Housing Task Force.
- Inspector Fletcher as Superintendent Miller's RCMP alternate on the Health and Housing Task Force.

The motion carried unanimously.

The meeting recessed at 5:47 p.m.  
The meeting reconvened at 6:03 p.m.

(g) CAO and Council Matters

1. Correspondence from Paul Manly, MP, Nanaimo-Ladysmith, dated 2020-APR-28 re: COVID-19 Support and Recovery for Municipalities.

Introduced by Jake Rudolph, Chief Administrative Officer.



It was moved and seconded that the Mayor write a letter in support of the Federation of Canadian Municipalities recommendations to protect vital municipal services. The motion carried unanimously.

- 2.



3. Mayor's Task Force on Recovery and Resilience Update

Mayor Krog advised of that the following people were selected to be members Task Force:

- Donna Hais
- Deb Saucier
- Ian Simpson
- Signy Madden
- James Byrne

The Mayor noted that a public announcement would be made at the Service and Resource Centre.

It was moved and seconded that Council rise and report on the Mayor's Task Force on Recovery and Resilience terms of reference and membership. The motion carried unanimously.

4. Councillor Bonner re: Communications

A discussion took place regarding methods for reporting arising issues to Council, meeting procedure changes due to COVID-19, operational changes made by Staff, and notification to Council moving forward.

7. ADJOURNMENT:

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

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CHAIR

CERTIFIED CORRECT:

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CORPORATE OFFICER

**"IN CAMERA" MINUTES**  
SPECIAL HEALTH AND HOUSING TASK FORCE MEETING  
TO DISCUSS CONFIDENTIAL MATTERS  
BOARDROOM, SERVICE AND RESOURCE CENTRE, 411 DUNSMUIR STREET, NANAIMO, BC  
WEDNESDAY, 2020-APR-22 AT 3:00 P.M. – 5:00 P.M.

---

Present: Councillor D. Bonner, Chair, (joined electronically)  
Councillor E. Hemmens (joined electronically)  
H. Hartman (joined electronically at 3:39 p.m.)  
J. Harrison (joined electronically)  
A. LaHue (joined electronically)  
S. Madden (joined electronically)  
E. Manson (joined electronically)  
J. McCormick (joined electronically)  
M. McNaughton (joined electronically)  
K. Smythe (joined electronically)  
L. McHaffie (joined electronically)  
L. Murphy (joined electronically at 3:12 p.m.)  
J. Fix (joined electronically at 3:12 p.m.)

Absent: K. Glynn

Staff: J. Rudolph, Chief Administrative Officer  
D. Lindsay, General Manager, Development Services  
B. Corsan, Director, Community Development  
L. Bhopalsingh, Manager of Community Planning  
K. Kronstal, Social Planner (joined electronically)  
F. Farrohkhi, Manager, Communications  
S. Gurrie, City Clerk  
S. Snelgrove, Recording Secretary

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

The Special "In Camera" Health and Housing Task Force Meeting was called to order at 3:11 p.m.

2. REPORTS:

(a) Island Health and BC Housing

Lisa Bhopalsingh, Manager, Community Planning, and Signy Madden, United Way, advised:

- Dr. Turner's work was originally scheduled to be completed in June
- Due to COVID-19 community consultations scheduled for March were cancelled and will resume later in the fall
- The working group is meeting to determine how to continue to use Dr. Turner's services in the short term

- The working group will determine financial models for permanent solutions to homelessness and support for vulnerable populations
- Dr. Turner's draft report, Integrated Needs Assessment, will be shared with the Task Force in a few weeks
- The report compiles all data collected and analyzed to date on what services exist or don't exist
- Information from the Homeless Point-in-Time count is included in the report

3. ADOPTION OF AGENDA:

It was moved and seconded that the Agenda, be adopted. The motion carried unanimously.

4. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Health and Housing Task Force Meeting held in the HR Training Room, City Hall, 455 Wallace Street, Nanaimo, BC, on Wednesday, 2019-NOV-27, at 3:00 p.m. be adopted as circulated. The motion carried unanimously.

2. REPORTS:

(a) Island Health and BC Housing (continued):

Task Force discussion took place regarding:

- Community's needs now versus when the Health and Housing Task Force (HHTF) was first formed
- [REDACTED]
- Local communities coming forward with recommendations for funding for long term solutions to homelessness
- [REDACTED]
- [REDACTED]
- Funding support for non-profits will be coming forward
- The government has been responsive to developing alternative funding vehicles in short order
- [REDACTED]

S. Gurrie vacated the Boardroom at 3:26 p.m.

- [REDACTED]
- No announcement expected this week for Nanaimo from provincial government
- [REDACTED]



- Health and Housing Task Force response to focus on fast tracking responses for the community



H. Hartman joined via telephone at 3:39 p.m.

- 

S. Gurrie returned to the Boardroom at 3:40 p.m.



- Importance of pro-active communication



5. ADJOURNMENT:

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

---

C H A I R

CERTIFIED CORRECT:

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CORPORATE OFFICER

# In Camera Report for Decision

City of Nanaimo

File Number: LD003843

DATE OF MEETING May 25, 2020

AUTHORED BY NANCY SKEELS, PROPERTY AGENT, REAL ESTATE

**SUBJECT PROPOSED REQUEST FOR OFFERS FOR DISPOSITION OF  
350 AND 398 FRANKLYN STREET**

## **OVERVIEW**

### **Purpose of Report**

To obtain Council approval to issue a Request for Offers for the disposition of City-owned lands at 350 and 398 Franklyn Street.

### **Reason for “In Camera”**

*Community Charter* Section 90 (1)

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

### **Recommendation**

That Council direct Staff to:

1. issue a Request for Offers for the disposition of City-owned property at 350 and 398 Franklyn Street; and
2. report back to Council with an evaluation and summary of the responses for Council's consideration.

## **BACKGROUND**

The City owns 350 and 398 Franklyn Street, which are two contiguous City-owned parcels located near the Service and Resource Centre and City Hall in the downtown core (the “Property”, Attachment A).

The Property was traditionally used for parking by City Staff. It has an area of 1,733 sq.m. (18,654 sq.ft.) with the land gently sloping from the back of Wesley Street to Robson Street at the front. Servicing is available from Franklyn and Robson Streets and is zoned DT2 (Fitzwilliam), which supports residential and commercial uses.

On 2019-DEC-16, Council authorized the acquisition of 431 Dunsmuir Street and 424 Wesley Street (the “Dunsmuir Property”) for \$1,165,000. The Dunsmuir Property transferred to the City on 2020-JAN-31. City Staff parking has been relocated from the Property to the Dunsmuir Property and the Property is currently being used as a public parking lot for monthly pass holders.

Staff consider the Property to be surplus to City requirements and view the disposition as an opportunity to help revitalize the downtown core.



## **DISCUSSION**

The Official Community Plan (the “OCP”) recognizes the area around the Property as part of the Downtown Urban Node. The Downtown Urban Design Plan and Guidelines (the “Design Plan”) note the Property as an important redevelopment opportunity.

The Design Plan calls for the Property to allow for construction a building four stories in height, with a three-metre setback on the fourth floor. The Design Plan recommends a continuous façade along Franklyn Street and Robson Street similar to what was achieved by the Cardea Project at 238 Franklyn Street.

Redevelopment of the property will complete a gap in the urban fabric on Franklyn Street and Wesley Street.

The introduction of new residents to this area of the downtown core will help support downtown businesses and provide a more vibrant and diverse neighbourhood. Investment in the property will likely stimulate redevelopment of other underutilized properties along Wesley Street and Robson Street.

An appraisal of the Property identified the site as well suited for residential development with some ground floor commercial uses. The appraisal notes a market value of \$1,070,000.

### **Request for Offers**

Staff recommend Council dispose of the Property through a Request for Offers process to gauge interest from the development community in the Property. As the land is under City ownership, Council has an opportunity to help deliver a new benchmark for development in the area.

Staff have prepared the Request for Offers (Attachment B) on the Property. The request will be issued through the City’s Purchasing Section and will be posted on the City website, the local newspapers, and will be distributed to commercial brokers through the Vancouver Island Real Estate Board (VIREB) mailing list.

### **Proposed Evaluation Process**

In keeping with responsible procurement practices, Staff are proposing the following criteria be used to evaluate the proposals:

- Purchase price;
- Financial feasibility (financing arrangements and risk);
- Strength of the proponent and team (firm experience and capacity);
- Number of non-market housing units and number of adaptable units;
- Strength of the concept (the design and development can fit with the site and surroundings);
- Proposed conditions (exemptions and requirements of the City); and
- Value-added components (community and economic benefit, ability to catalyze and/or enhance surrounding development).

Preference will be given for proposals that include non-market housing, adaptable units, and incorporation of green building technologies. Staff recommend Council require the successful proponent to enter into an option to purchase agreement with the City, which would allow the City to repurchase the property should development on the site not occur in a timely manner. The Request for Offers notes the proponent would have two years to commence construction after the transfer of the property.

The Request for Offers will be issued on 2020-JUN-01, with responses due by 2020-JUL-31. The submissions will be evaluated by Staff and an evaluation summary contained in a Staff report will be brought back to Council seeking further direction.

## **OPTIONS**

1. That Council direct Staff to:
  1. issue a Request for Offers for the disposition of City-owned property at 350 and 398 Franklyn Street; and
  2. report back to Council with an evaluation summary of the responses for Council's consideration.
    - Advantages: Selling the Property will encourage investment in the neighbourhood and will help to further establish the Downtown Urban Node and fulfill the vision in the Downtown Urban Design Plan and Guidelines. A co-ordinated development of the site would lead to enhanced integration, interface, and transition within the site itself and the wider neighbourhood.
    - Disadvantages: Selling the Property will prevent Council from designating the land for another municipal purpose.
    - Financial Implications: If Council directs Staff to move forward with the Request for Offers for the Property, the City will potentially receive [REDACTED] from the sale. The proceeds of the sale will be returned to the Property Sales Fund to spur further acquisitions.
2. That Council deny the request to issue a Request for Offers for the disposition of 350 and 398 Franklyn Street.
  - Advantages: Denying the Request for Offers will allow Council to use the Property for another municipal purpose.
  - Disadvantages: In the short term, the property will remain undeveloped and will remain a missing piece in the redevelopment of this area of the downtown core.
  - Financial Implications: The City would not potentially receive [REDACTED] from the sale.

### **SUMMARY POINTS**

- 350 and 398 Franklyn Street (the 'Property') are City-owned properties located near City Hall in the downtown core. The Property is currently being used as a public parking lot for monthly pass holders.
- The Property is a key redevelopment site in the downtown core and is identified in the Downtown Urban Design Plan and Guidelines as suitable for a four-storey building. The redevelopment of the property will help to spur further investment on Wesley Street and Robson Street.
- Staff recommend the City sell the Property through a Request for Offers process to gauge interest from the development community.
- Staff have prepared a Request for Offers requiring proponents to provide Council with an indication of the value they see in the property based on their development proposal, a concept plan, timing, and financial feasibility.
- Preference will be given for proposals that include non-market housing, adaptable units, and incorporation of green building technologies.
- The Request for Offers will establish an asking price of \$1,070,000.
- The Request for Offers will be published on 2020-JUN-01, with response due by 2020-JUL-31.
- The submissions will be evaluated by Staff and a report will be brought back to Council with a summary of the responses and a request for further direction.

### **ATTACHMENTS**

ATTACHMENT A: Location Plan  
ATTACHMENT B: Request for Offers

#### **Submitted by:**

Bill Corsan  
Director, Community Development

#### **Concurrence by:**

Bill Corsan for Dale Lindsay  
General Manager, Development Services

Laura Mercer  
Director, Finance

### **INFORMATION RELEASE:**

To be released upon issuance of the Request for Offers on 2020-JUN-01.




# ATTACHMENT A



## REQUEST FOR OFFERS - FILE LD003843 LOCATION PLAN

CIVIC:350 & 398 FRANKLYN STREET

### Legend

 Subject Properties







## MIXED-USE RESIDENTIAL & COMMERCIAL SITE IN DOWNTOWN NANAIMO FOR SALE VIA REQUEST FOR OFFERS NO. XXXX

### 350 & 398 Franklyn Street, Nanaimo, British Columbia

**Legal Description:** Lots A, B and I, Section 1, Nanaimo District, Plan 5108 and the Southerly 66 Feet of Lot 1, Block 28, Section 1, Nanaimo District, Plan 584

**PIDs:** 006-037-674 (A), 006-037-682 (B), 006-037-712 (I) and 008-779-392

**Lot Size:** 0.173ha (0.43 acres)

**Zoning:** DT2 (Fitzwilliam)

**APPRAISED VALUE: \$1,070,000**

For more information on the property and submission process, please contact the Purchasing Department (250-756-5317) or visit: [www.nanaimo.ca>Business>BidOpportunities](http://www.nanaimo.ca/Business/BidOpportunities)

**Offers must be submitted no later than 3:00 pm on Friday, July 31, 2020.**

## LOCATION

The subject property is located at 350 & 398 Franklyn Street, situated within an area designated by the City of Nanaimo Official Community Plan (OCP) as the Downtown Urban Node. The site is located near the City Service and Resource Centre and City Hall.

The City believes the redevelopment of the property will enhance the urban fabric on Franklyn and Wesley Street and contribute to the further revitalization of downtown.





## SITE DESCRIPTION AND PREPARATION

The subject property is 0.173ha (0.43 acres) in size. The land gently slopes from the back of Wesley Street to Robson Street at the front. The property was traditionally used for City staff parking.

Servicing (water, sanitary and sewer) is available from Franklyn Street and Robson Street.

## ZONING AND DEVELOPMENT OPTIONS

The property is currently zoned DT2 (Fitzwilliam), which will support residential and commercial uses. The Downtown Urban Design Plan and Guidelines identifies the property as an important redevelopment opportunity.

The Design Plan calls for the property to be four stories in height with a 3-meter setback on the fourth floor. The property is well suited for residential development with limited ground floor commercial uses.

The development should have a continuous façade along Franklyn Street and Robson Street. Development options may include market housing, non-market housing, adaptable units, and incorporation of green building technologies.

## INCENTIVES

The City has a Downtown Revitalization Tax Exemption Program that this property is eligible for consideration, subject to Council approval. The Tax Exemption program provides a ten-year tax exemption on the municipal portion of the property taxes within the revitalization area. The developer must apply for the tax exemption before a building permit is issued. More information on the program can be found at:

<https://www.nanaimo.ca/docs/doing-business/economic-development/drte-brochure.pdf>

## TIMELY REDEVELOPMENT

The City wishes to see the property redevelop in a timely manner. The successful respondent will be required to grant the City an Option to Purchase on the property, should redevelopment of the site or construction commencement not begin within two years of the property transfer date.



## EVALUATION CRITERIA

Proposals will be evaluated against the following criteria:

- Purchase Price;
- Strength of the proponent and team (firm experience and capacity);
- Financial feasibility (financing arrangements and risk);
- Number of non-market housing units and number of adaptable units;
- Strength of the concept (the design and development can fit with the site and surroundings);
- Proposed conditions (exemptions and requirements of the City); and
- Value-added components (community and economic benefit, ability to catalyze and/or enhance surrounding development)

## CONTACT INFORMATION

All inquiries related to this Request for Offers are to be directed to the City of Nanaimo Purchasing Department.

Inquiries should not be directed to City Council members or the remainder of staff. Information obtained from any other source is not official and should not be relied upon.

**For more information, please contact:**

City of Nanaimo Purchasing Department  
2020 Labieux Road  
Nanaimo, BC V9T 6J9

**Telephone:** 250-756-5317

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

**Offers must be submitted no later than 3:00 pm on:**

**Friday, July 31, 2020**

**Submit completed response forms to:**

City of Nanaimo  
Attention: Purchasing Department  
2020 Labieux Road  
Nanaimo, BC V9T 6J9  
Email: [purchasinginfo@nanaimo.ca](mailto:purchasinginfo@nanaimo.ca) (max 8MB)  
Fax: 250-756-5327





## REQUEST FOR OFFERS NO.

### INFORMATION TO BE PROVIDED IN SUBMISSION

The attached response form must be completed in full. Offers will be evaluated based solely upon the information provided in the submission

### PLEASE FIND THE ATTACHED DOCUMENTS

- Appraisal
- City of Nanaimo Zoning Bylaw 4500—Part 11—Downtown
- Certificate of Title for 350 & 398 Franklyn Street

### REAL ESTATE COMMISSION

The City will pay a commission of 3% (plus applicable GST) on the purchase price to a licensed realtor/agent acting on behalf of a purchaser upon the sale of this property. The terms and conditions of the payment of commission will include:

- Commission is payable only after the sale has closed and title has been transferred
- In all cases, agents shall submit invoices for commission due to them before payment by the City.

### QUALIFICATIONS REVIEW COMMITTEE

Review of responses will be carried out by a committee formed by the City at its sole discretion.

### ACCEPTANCE OF RESPONSES

This Request for Offers is not an agreement to purchase goods or services. The City is not bound to enter into a contract with any respondent. The City will be under no obligation to receive further information, whether written or oral, from any respondent. The highest offer or any offer may not necessarily be accepted. The City of Nanaimo reserves the right to accept or reject any offers submitted. No agreement or contract of any kind shall arise from the submission of an offer to purchase unless and until that offer is accepted in writing by the City of Nanaimo. **Any purchase and sale agreement will be subject to final approval of City Council.**

### MODIFICATION OF TERMS

The City reserves the right to modify the terms of this document at any time in its sole discretion. This includes the right to cancel the Request for Offers at any time for any Reason whatsoever without entering into a contract.

### DEPOSIT

A deposit of \$5,000 will be required upon submission of an offer to purchase paid in certified funds to Stewart McDannold Stuart in Trust. The deposit is to be increased to an amount equal to

5% of the purchase price and is to be paid in certified funds to Stewart McDannold Stuart, in Trust, of 837 Burdett Avenue, Victoria, BC, V8W 1BC, in accordance with the Real Estate Development Marketing Act within 48 hours of acceptance of the offer by the City.

### ‘AS IS, WHERE IS’ AGREEMENT

The Request for Offers is made on an ‘as is, where is’ basis with no vendor representations or warranties other than as to ownership. Interested parties must satisfy themselves on all matters concerning the property including without limitation: its size, location, encumbrances, and fitness for any particular purpose.

### RESPONDENT COSTS

Respondents are solely responsible for their own expenses in preparing a response and for subsequent negotiations with the City.

### WRITTEN AGREEMENT

Upon acceptance of an offer, the parties will enter into a written agreement, the form of which will be determined by the City.

### STATUTORY NOTICE

The Request for Offers process is a statutory notice of Disposition pursuant to section 94 and 26 of the Community Charter and is not a tender.

### INQUIRIES

All inquiries related to this Request for Offers must be in writing and must be sent to the City of Nanaimo Purchasing Department. Inquiries must not be directed to City Council members or other members of City staff. Any information obtained from any other source is not official and should not be relied upon.

### TIE BREAKER PROCESS / REVIEW PROCESS

In the case of a tie, each of the proponents will be allowed an opportunity to increase the amount of its offer. The City will then determine a ranking of the offers based on the highest net price to the City. If subsequent discussions with the highest proponent as to specific terms/due diligence should cause that proponent to withdraw, the City would then contact the next highest ranked proponent.



## EXPRESSION OF INTEREST RESPONSE FORM

### CONTACT INFORMATION

Date \_\_\_\_\_

Prospective Purchaser \_\_\_\_\_

Contact Name (if different from Purchaser) \_\_\_\_\_

Contact Phone Number \_\_\_\_\_

Contact Email Address \_\_\_\_\_

Contact Street Address \_\_\_\_\_

City \_\_\_\_\_ Province State \_\_\_\_\_

Country \_\_\_\_\_ Postal/Zip Code \_\_\_\_\_

### PURCHASE PRICE

Proposed Purchase Price (please indicate the value seen in the property based on your development proposal):

\_\_\_\_\_

### FINANCING ARRANGEMENTS AND RISK (if any)

Provide information on the financial feasibility of your proposal.

\_\_\_\_\_  
\_\_\_\_\_

### PROPONENT AND TEAM INFORMATION

Provide information on the experience and capacity of the team.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### NUMBER OF NON-MARKET HOUSING UNITS AND NUMBER OF ADAPTABLE UNITS

\_\_\_\_\_

### CONCEPT

Describe in detail your intended future use of the property, including a proposal of your development concept.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## EXPRESSION OF INTEREST RESPONSE FORM

### PROPOSED CLOSING DATE

What is your preferred date to complete the transaction? \_\_\_\_\_

### PROPOSED CONDITIONS

Are there any other terms or conditions you would like to add to the pre-sale agreement? For example, do you require a time period for due diligence? Addition of terms are subject to acceptance by the City of Nanaimo. Final terms and conditions will be negotiated between the parties.

No.	Additional Terms and Conditions	Condition Removal Date
1		
2		
3		
4		
5		

### VALUE-ADDED COMPONENTS

What community and economic benefits will your project provide?

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**OFFERS MUST BE SUBMITTED NO LATER THAN 3:00 PM (PST) ON:  
FRIDAY, JULY 31, 2020.**

**Mail:**

City of Nanaimo  
Attention: Purchasing Department  
2020 Labieux Road, Nanaimo, BC V9T 6J9

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

**Fax:** 250-756-5327

## 350 and 398 Franklyn Street

### *Proposed Request for Offers for Disposition*

2020-MAY-25

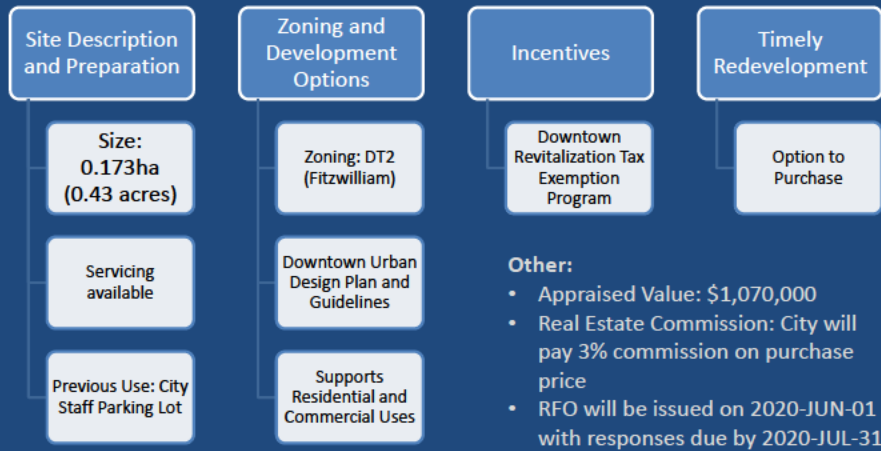


## Background

- 350 & 398 Franklyn Street are City-owned properties located near SARC and City Hall
- In December 2019, Council approved the acquisition of 431 Dunsmuir and 424 Wesley Street for the purpose of relocating City Staff parking from Franklyn Street
- Staff recommend disposing of 350 & 398 Franklyn Street through a Request for Offers process for a way to gauge interest from the development community



## Request for Offers Information



## Request for Offers

### *Proposed Evaluation Criteria*

- Purchase Price
- Financial Feasibility (Financing Arrangements and Risk)
- Strength of the Proponent and Team (Firm Experience and Capacity)
- Number of Non-Market Housing Units and Number of Adaptable Units
- Strength of Concept (Design and Development can fit with the Site and Surroundings)
- Proposed Conditions (Exemptions and Requirements of City)
- Value-Added Components (Community and Economic Benefit, Ability to Catalyze and/or Enhance Surrounding Developments)



## Recommendation

That Council direct Staff to:

- Issue a Request for Offers for the disposition of City-owned property at 350 and 398 Franklyn Street; and
- Report back to Council with an evaluation summary of the responses for Council's consideration



# In Camera Report for Decision

City of Nanaimo

File Number: LD003797

DATE OF MEETING [May 25, 2020]

AUTHORED BY [NANCY SKEELS, PROPERTY AGENT, REAL ESTATE]

SUBJECT [2230 BOXWOOD ROAD – LETTER OF INTENT]

## **OVERVIEW**

### **Purpose of Report**

To obtain Council approval to enter into a Letter of Intent with Island West Coast Developments for the disposition of a portion of City-owned property at 2230 Boxwood 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.

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

### **Recommendation**

That Council:

1. direct the Mayor and Corporate Officer to execute the Letter of Intent with Island West Coast Development; and
2. direct Staff to return to a future Council meeting, upon completion of negotiations, to present the Purchase and Sale Agreement for the disposition of a portion of City-owned property at 2230 Boxwood Road for Council's approval.

## **BACKGROUND**

### **Mid-town Gateway Project (formerly known as the Boxwood Connector)**

On 2010-NOV-01, the City acquired 2230 Boxwood Road and 2241 Bowen Road (the “Property”), Attachment A, for \$2.2 million, plus the costs for consultants and the closing for a total purchase price of \$2.5 million, to facilitate the Mid-town Gateway Project (the “City Project”). The Property is 3.44ha (8.49 acres) in size, 2230 Boxwood Road has R8 (Medium Density Residential) zoning and 2241 Bowen Road has COR3 (Community Corridor) zoning.

The Property was acquired to ease traffic congestion and improve safety at the intersection of Bowen Road and Northfield Road. Over the development of the City Project, several additional opportunities have become possible that have turned this into a signature brownfield redevelopment project. The wetland impacted by legacy industrial activity has been restored and now acts as a storm water detention facility. The Property is being remediated to address the historical contaminated soils. Two important active transportation links, the “Off Bowen Bikeway” along Boxwood Road and a connection between the Parkway Trail and Beban Park,



will be completed. Connecting Boxwood Road to Rosstown Road allows the Rosstown Road and Bowen Road intersection, which has poor sightlines, to be closed.

The Property has undergone extensive geotechnical and environmental improvements in 2019, including the placement of preload material that will be left for approximately two years to help compact the soil for the future roadway improvements. After the soils under the future roadways have stopped settling, the pre-load material will be removed from the Property and final ground improvement can be finished. Construction of the next phase of the project is scheduled to start in 2022.

### **Development Opportunity of Parcel and Surrounding Area**

Upon completion of the City Project, there is roughly 1.05ha (2.59 acres) of surplus City-owned land that can be repurposed for redevelopment (the “Parcel”). Island West Coast Developments (“IWCD”) have acquired the majority of the properties to the south of the Property between 2254 and 2220 Northfield Road.

In order to facilitate the development of the Parcel and the properties along Northfield Road, City Staff and IWCD met to discuss the opportunity for IWCD to acquire the Parcel, subject to the terms of the negotiations set out in a Letter of Intent (the “LOI”), [REDACTED]

The LOI includes the City and IWCD working together to adjust neighbouring property lines to create a suitable development parcel. The key property adjustment is with the property at 2221 Bowen Road, owned by Christ Community Church (the “Church”). The City will exchange lands with the Church, shown as the pink shaded area on Attachment C. This will provide the Church with an improved access to their property off the Boxwood Connector, rather than turning directly off Bowen Road. The area that the Church will exchange to the City will be consolidated with the Parcel and then sold to IWCD.

As a result of the land consolidation and rezoning of the Parcel, IWCD will be in the position to build a \$75M mixed-use development, including a grocery store, retail and office space, a 175-unit multi-family residential development with surface and underground parking (the “IWCD Proposal”). The redevelopment of the properties along this corridor and the Parcel will revitalize this area and provide a more inviting gateway into central Nanaimo.

It is likely this redevelopment will spur further redevelopment in the Northfield/Bowen Corridor, which is in line with the vision set out in the Official Community Plan, and would establish a new neighbourhood node, the Northfield Gateway.

### **Letter of Intent**

With approval of the Letter of Intent (LOI), IWCD will be in a position to complete the acquisition of the remaining properties along Northfield Road. IWCD can start planning the IWCD Proposal, submit a rezoning application and work on their development permit and building permit applications. Entering into the LOI will provide Staff with the approval to continue discussions with Christ Community Church for the completion of a land exchange, which has been at the exploratory stage to date.



Highlights from the terms of the LOI are:

*Purchase Price:*

- An updated fair market value assessment of the Parcel will be prepared, based upon the highest and best use, not more than 60 days prior to the Closing Date, for the purpose of determining the Purchase Price. An appraisal has been prepared by Cunningham and Rivard who has estimated the fair market value of the Parcel as of 2019-OCT-25 at [REDACTED]
- The Purchase Price will be adjusted by [REDACTED] in consideration of the additional site remediation that will be required to allow future rezoning and development of the Parcel. This deduction reflects the value to remove and dispose of the unsuitable geotechnical soils and contaminated soils on the property.
- Based on the the current appraised value, the disposition of the Property would net the City [REDACTED] from the sale, less costs.

*Preload Agreement*

- The City and IWCD will work together to develop a joint agreement around the removal of the preload situated on the Property prior to completion of the Purchase and Sale Agreement.

*Boundary Adjustment of City Lands - Church Land Exchange*

- If the City is unable to negotiate a land exchange with the Church, IWCD can proceed to purchase the Parcel without the Church's property.

*Commitments from the City:*

- The City will be responsible for and will bear the following costs:
  - Arranging the survey plan and application for the subdivision of the Parcel and the Church Land Exchange.
  - Costs for the notice or other requirements required under the *Community Charter*.
  - The City's legal and closing costs related to the property disposition, including the preparation of the Purchase and Sale Agreement.

*Commitments from IWCD*

- IWCD will be responsible for and will bear the following costs:
  - Their legal and closing costs arising from the purchase.
  - Any application fees and other costs arising from a rezoning. Amenity contributions with respect to the rezoning may be reduced or waived in the event the City is satisfied rezoning does not result in an increase in the value in exceedance of the Purchase Price.
  - Any fees or costs incurred in applying for and obtaining a Certificate of Compliance.
  - Any fees or costs arising from the installation of any applicable works and services that the City will require as part of the Project.

*Conditions:*

- The City's Approving Officer must have approved the subdivision plan.
- City Council must have approved the terms of a Purchase and Sale Agreement no later than 2020-NOV-30.

*Closing Date:*

- Satisfy all the conditions precedent by 2021-NOV-30.
- Complete the Parcel transfer on or before 2021-DEC-17.

**Next Steps:**

Should Council approve the LOI, Staff will work with IWCD to develop a Purchase Agreement and will return to Council for consideration for its approval. If negotiations with Christ Community Church are successful, Staff will bring a report for the land exchange to a future meeting for Council's consideration.

**OPTIONS**

1. That Council:

1. direct the Mayor and Corporate Officer to execute the Letter of Intent with Island West Coast Development; and
  2. direct Staff to return to a future Council meeting, upon completion of negotiations, to present the Purchase and Sale Agreement for the disposition of a portion of City-owned property at 2230 Boxwood Road for Council's approval.
- Advantages: Entering into the LOI will provide IWCD with more certainty to move forward with their IWCD Proposal and Staff can start discussions with the Church for the land exchange. IWCD is a willing partner and wants to collaborate with the City to see the Parcel and the properties along Northfield Road ultimately be developed into a comprehensive mixed-use development.
  - Disadvantages: Entering into the LOI does not legally bind the City into selling the Parcel; however, Council may choose to hold this property for other Council priorities as they arise during the term. Staff time can be allocated to other Council priorities.
  - Financial Implications: The Parcel has an appraised value of [REDACTED]. It is estimated the cost to remediate the site contamination will cost [REDACTED]. Based on the current appraised value, the disposition of the property could potentially net the City [REDACTED] less costs. Net proceeds from the sale will be deposited to the Property Sales Reserve Fund. An updated appraisal of the market value of the Parcel will be prepared closer to the completion date. The costs to complete the land exchange with the Church and the disposition of the Parcel are estimated at: surveying [REDACTED], legal [REDACTED], environmental [REDACTED], notices required under the *Community Charter* [REDACTED], appraisal fees [REDACTED] and subdivision application [REDACTED]. Total cost estimate: [REDACTED]. The City's costs will be paid out of the Property Reserve Fund, which has a balance of [REDACTED].

2. That Council deny support of the Letter of Intent with Island West Coast Developments.

- Advantages: Entering into the LOI does not legally bind the City into selling the Parcel; however, Council may choose to hold this property for other Council priorities as they arise during the term. Staff time can be allocated to other Council priorities.
- Disadvantages: It may become difficult for IWCD to build a comprehensive and impactful development with their properties along Northfield Road without the

acquisition of the Parcel and the Parcel may not be developed for many years. It will remain a brownfield and may be difficult to sell in the future.

- Financial Implications: The City will not incur the costs to dispose of the Parcel or complete the land exchange with the Church. The City could potentially not benefit [REDACTED] from the sale of the Parcel.

### **SUMMARY POINTS**

- The City acquired 3.44ha (8.49 acres) of land at 2230 Boxwood Road and 2241 Bowen Road in 2010 in advance of a scheduled road and utility project designed to alleviate traffic congestion and improve safety at the intersection of Northfield Road and Bowen Road.
- Over time, the Project has evolved from a 'simple' road project into a signature brownfield redevelopment project. This has included the restoration of a wetland habitat and environmental remediation in 2019. In 2022, the City Project is scheduled to include the originally proposed Bowen Road/Northfield Road intersection improvement and the newly proposed "Off Bowen Bikeway" and a Parkway Trail/Beban Park Connection.
- Upon completion of the City Project, there is roughly 1.05ha (2.59 acres) of surplus City-owned land that can be repurposed for redevelopment.
- Island West Coast Developments (IWCD) have acquired the majority of the land south of the Parcel and are interested in acquiring the City land to facilitate a \$75M mixed-use development with a grocery store, 175 units of residential development, and underground parking.
- This IWCD Proposal is consistent with the Official Community Plan and would establish a new neighbourhood node as the Northfield Gateway.
- Council is being presented with a Letter of Intent between the City and IWCD to transfer the City-owned lands to IWCD for market value minus the costs associated with the sites' geotechnical and environmental challenges [REDACTED]
- The City will also work with the adjacent property owner (Christ Community Church) to exchange lands to help improve the development potential of the IWCD Proposal.
- If Council provides approval to enter into the LOI, Staff will work with IWCD to prepare a formal Purchase and Sale Agreement and return to Council for approval.

**ATTACHMENTS**

ATTACHMENT A: Location Plan

ATTACHMENT B: Boxwood Connector Project

ATTACHMENT C: Sketch Plan for Letter of Intent



**Submitted by:**

Bill Corsan  
Director, Community Development

Poul Rosen  
Director, Engineering

**Concurrence by:**

Dale Lindsay  
General Manager, Development Services

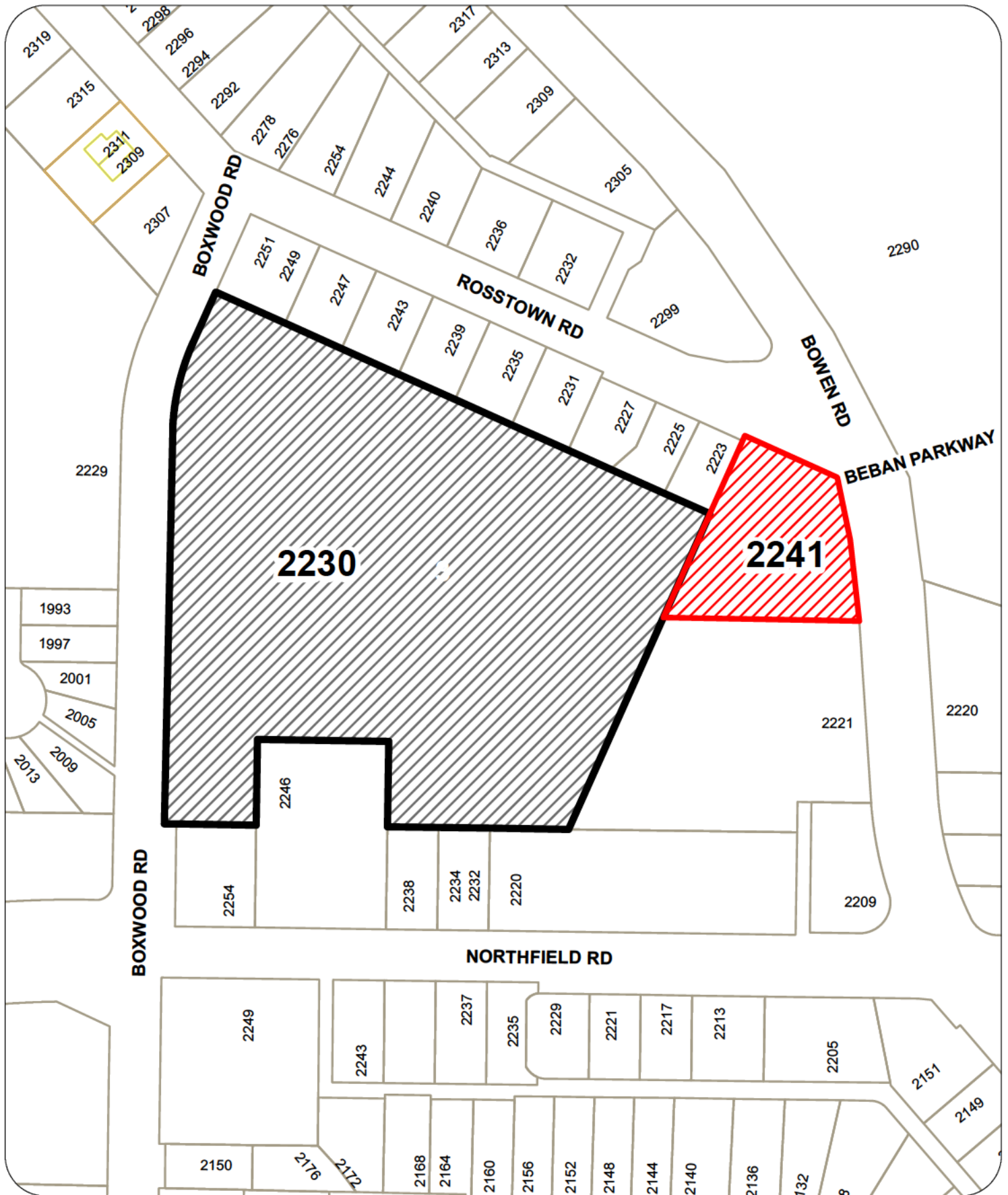
Bill Sims  
General Manager, Engineering & Public Works

Laura Mercer  
Director, Finance



**INFORMATION RELEASE:**

To be released upon completion of negotiations with the exception of the underlined text. .

# ATTACHMENT A



## Legend

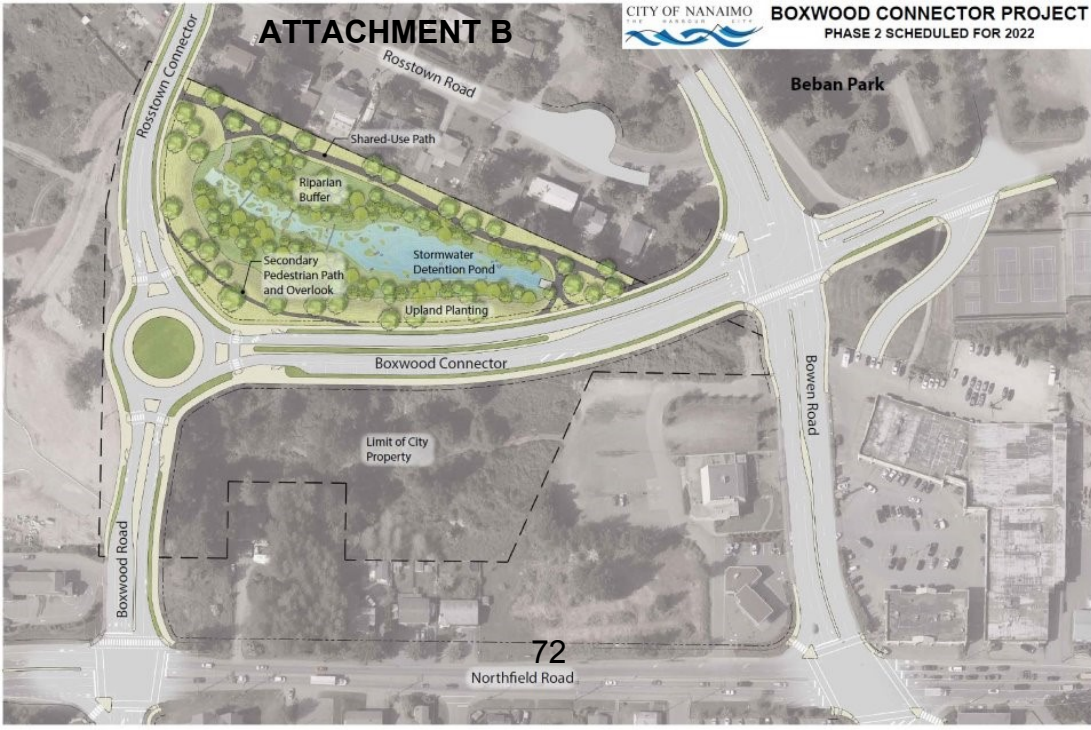
-  2230 BOXWOOD ROAD
-  2241 BOWEN ROAD

LETTER OF INTENET - FILE NO. LD003797

Civic: 2230 BOXWOOD ROAD & 2241 BOWEN ROAD



# ATTACHMENT B










# ATTACHMENT C



## Legend

-  2230 BOXWOOD RD - CITY LANDS
-  2221 BOWEN RD - CHURCH LANDS
-  CITY LANDS TO CHURCH
-  CITY LANDS TO DEVELOPER - PARCEL
-  CHURCH LANDS TO CITY - COMPLETION OF LAND EXCHANGE - TO BE TRANSFERRED TO DEVELOPER

## LETTER OF INTENT CITY OF NANAIMO AND ISLAND WEST COAST DEVELOPMENTS





## Mid-Town Gateway Project

### Letter of Intent – 2230 Boxwood Road

2020-MAY-25



## Mid-Town Gateway Project

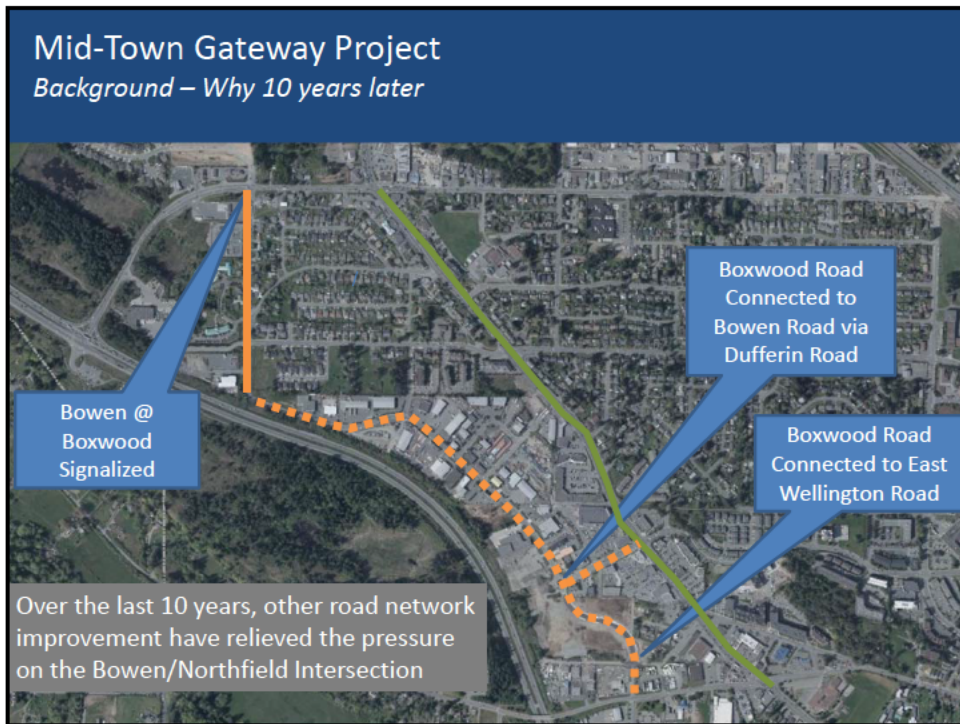
### Background – Original Purpose



- Identified over 10 years ago as a project to “Ease traffic congestion and improve safety at the intersection of Bowen & Northfield Road”
- City acquired 2230 Boxwood & 2241 Bowen Road to facilitate the Mid-Town Gateway Project (formerly the Boxwood Connector) in 2010

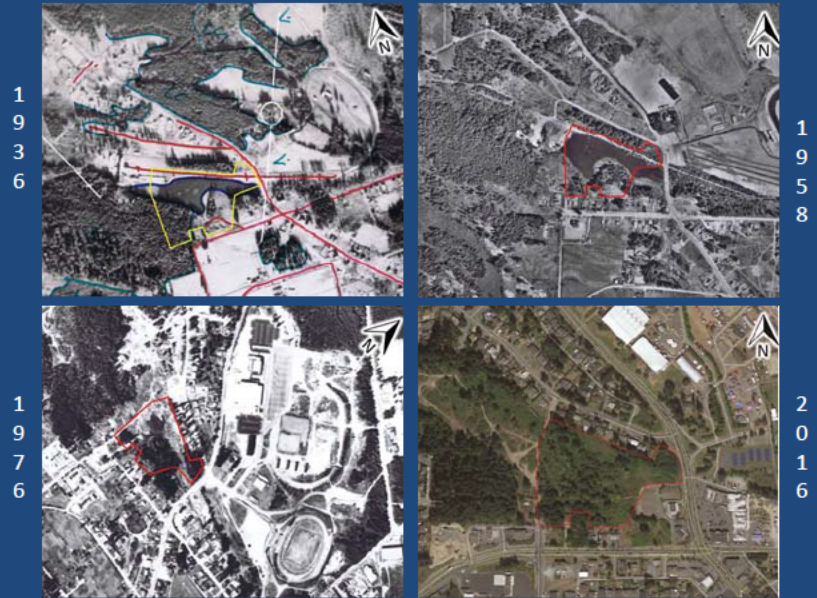






## Mid-Town Gateway Project

*Project Opportunities – Environmental Restoration*



## Mid-Town Gateway Project

*Project Opportunities – Environmental Restoration*







## Mid-Town Gateway Project *Timeline*

- Phase 1 Completed
- Preload needs 1-2 years



## Mid-Town Gateway Project *Phase 2 - Planned for 2022*





## 2230 Boxwood & 2241 Bowen Road

### *The Property*

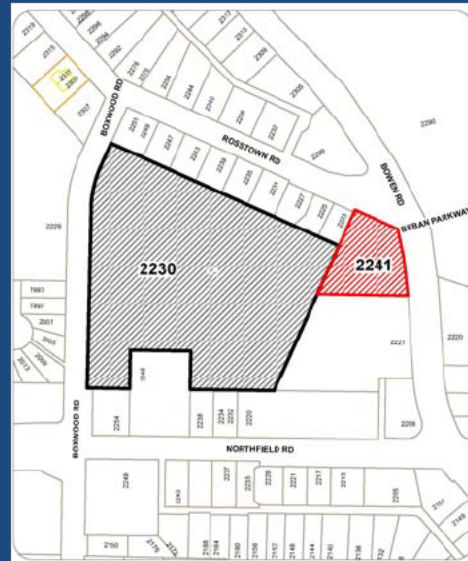
Purchased in 2010 for \$2.2 million to facilitate the Mid-Town Gateway Project

Size: 3.44ha (8.49 acres)

#### Zoning:

- 2230 Bowen: R8 (Medium Density Residential)
- 2241 Bowen: COR3 (Community Corridor)

Brownfield Site, with known areas of contamination and former wetland

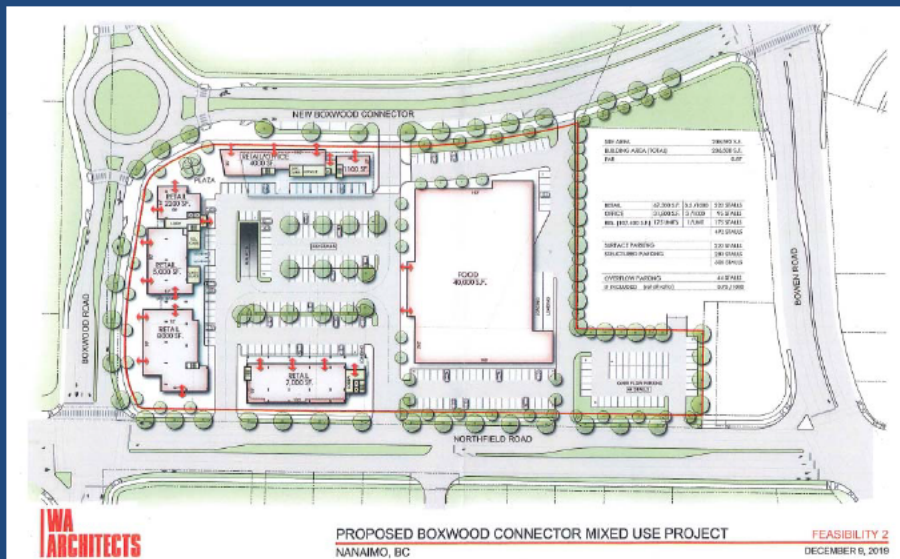


## IWCD Proposal

- After completion of the Mid-Town Gateway Project, there will be roughly 1.6ha (2.59 acres) of surplus City-owned land for redevelopment (the Parcel)
- Island West Coast Developments (IWCD) have met with City Staff to discuss the opportunity to acquire the parcel
- IWCD proposing to build: a \$75M mixed-use development, including a grocery store, retail and office space and a 175-unit multi-family residential development
- IWCD would benefit from a land exchange between the City and the Christ Community Church



## IWCD Current Development Concept



# Letter of Intent

Purchase Price:

- Appraised value of [REDACTED] as of 2019-OCT-25
- An updated fair market value assessment of the Parcel to be prepared no more than 60 days prior to the Closing Date
- Purchase Price to be adjusted by [REDACTED] in consideration of additional site remediation (the value to remove and dispose of unsuitable geotechnical soils and contaminated soils)
- Based on current appraised value, the Property would net the City [REDACTED] from the sale, less costs.



## Letter of Intent

### Church Land Exchange

- If a land exchange with the Church isn't possible, IWCD can proceed to purchase and redevelop the Parcel

### Closing Date

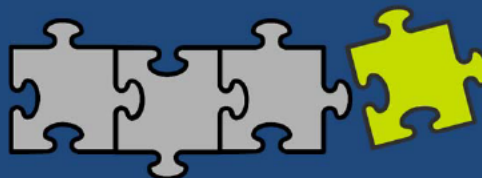
- Satisfy all conditions by 2021-NOV-30
- Complete the Parcel transfer on or before 2021-DEC-17

### Conditions

- The City's Approving Officer must approve the subdivision plan
- City Council must approve the Purchase and Sale Agreement no later than 2020-NOV-30

### Preload Agreement

- City and IWCD will develop a joint agreement around the removal of the preload situated on the Property, prior to completion of the Purchase and Sale Agreement



## Letter of Intent

### City Commitments

- Arrange the survey plan and application for the subdivision of the Parcel and the Church lands
- Costs for the notice and other requirements under the *Community Charter*
- The City's legal and closing costs, related to the property disposition, including preparation of the Purchase and Sale Agreement

### IWCD Commitments

- Legal and closing costs arising from purchase
- Any application fees and other costs arising from rezoning
- Any fees or costs incurred in applying for and obtaining a Certificate of Compliance
- Any fees or costs arising from installation of applicable works and services that the City will require



## Recommendation

That Council:

1. Direct the Mayor and Corporate Officer to execute the Letter of Intent with Island West Coast Developments; and
2. Direct Staff to return to a future Council meeting, upon completion of negotiations, to present the Purchase and Sale Agreement for the disposition of a portion of City-owned property at 2230 Boxwood Road for Council's approval.







**AGENDA**  
**SPECIAL "IN CAMERA" HEALTH AND HOUSING TASK FORCE**

Wednesday, May 6, 2020, 3:00 P.M. - 5:00 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 the Health and Housing Task Force, in accordance with the Community Charter, adopt the agenda as presented (or as amended).*

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

1. Adoption of Agenda

4(a) [REDACTED]

4(b) [REDACTED]

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 MINUTES:**

**a. Minutes**

1 - 4

Minutes of the Special "In Camera" Health and Housing Task Force Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2020-APR-22, at 3:00 p.m.

**4. REPORTS:**

**a.** [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

b.

[REDACTED]

[REDACTED]

5. ADJOURNMENT OF SPECIAL "IN CAMERA" MEETING:

**"IN CAMERA" MINUTES**  
SPECIAL HEALTH AND HOUSING TASK FORCE MEETING  
TO DISCUSS CONFIDENTIAL MATTERS  
BOARDROOM, SERVICE AND RESOURCE CENTRE, 411 DUNSMUIR STREET, NANAIMO, BC  
WEDNESDAY, 2020-APR-22 AT 3:00 P.M. – 5:00 P.M.

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Present: Councillor D. Bonner, Chair, (joined electronically)  
Councillor E. Hemmens (joined electronically)  
H. Hartman (joined electronically at 3:39 p.m.)  
J. Harrison (joined electronically)  
A. LaHue (joined electronically)  
S. Madden (joined electronically)  
E. Manson (joined electronically)  
J. McCormick (joined electronically)  
M. McNaughton (joined electronically)  
K. Smythe (joined electronically)  
L. McHaffie (joined electronically)  
L. Murphy (joined electronically at 3:12 p.m.)  
J. Fix (joined electronically at 3:12 p.m.)

Absent: K. Glynn

Staff: J. Rudolph, Chief Administrative Officer  
D. Lindsay, General Manager, Development Services  
B. Corsan, Director, Community Development  
L. Bhopalsingh, Manager of Community Planning  
K. Kronstal, Social Planner (joined electronically)  
F. Farroghi, Manager, Communications  
S. Gurrie, City Clerk  
S. Snelgrove, Recording Secretary

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

The Special "In Camera" Health and Housing Task Force Meeting was called to order at 3:11 p.m.

2. REPORTS:

(a) Island Health and BC Housing

Lisa Bhopalsingh, Manager, Community Planning, and Signy Madden, United Way, advised:

- Dr. Turner's work was originally scheduled to be completed in June
- Due to COVID-19 community consultations scheduled for March were cancelled and will resume later in the fall
- The working group is meeting to determine how to continue to use Dr. Turner's services in the short term

- The working group will determine financial models for permanent solutions to homelessness and support for vulnerable populations
- Dr. Turner's draft report, Integrated Needs Assessment, will be shared with the Task Force in a few weeks
- The report compiles all data collected and analyzed to date on what services exist or don't exist
- Information from the Homeless Point-in-Time count is included in the report

3. ADOPTION OF AGENDA:

It was moved and seconded that the Agenda, be adopted. The motion carried unanimously.

4. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Health and Housing Task Force Meeting held in the HR Training Room, City Hall, 455 Wallace Street, Nanaimo, BC, on Wednesday, 2019-NOV-27, at 3:00 p.m. be adopted as circulated. The motion carried unanimously.

2. REPORTS:

(a) Island Health and BC Housing (continued):

Task Force discussion took place regarding:

- Community's needs now versus when the Health and Housing Task Force (HHTF) was first formed
- [REDACTED]
- Local communities coming forward with recommendations for funding for long term solutions to homelessness
- [REDACTED]
- [REDACTED]
- Funding support for non-profits will be coming forward
- The government has been responsive to developing alternative funding vehicles in short order
- [REDACTED]

S. Gurrie vacated the Boardroom at 3:26 p.m.

- [REDACTED]
- No announcement expected this week for Nanaimo from provincial government
- [REDACTED]



- Health and Housing Task Force response to focus on fast tracking responses



- Managing messaging and communications work so community knows what is going on

H. Hartman joined via telephone at 3:39 p.m.

- Community members are upset what is happening downtown and that the HHTF is not supporting the most vulnerable people

S. Gurrie returned to the Boardroom at 3:40 p.m.



- Importance of pro-active communication



5. ADJOURNMENT:

It was moved and seconded at 3:49 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



AGENDA  
"IN CAMERA" COUNCIL MEETING

Monday, June 1, 2020

4:30 P.M. - 6:30 P.M.

SHAW AUDITORIUM, 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. Recreation Services Re-Opening Framework - 90(1)(c)

6 b. Chief Fry re: Fire Dispatch - 90(1)(c)

6 c. Fire Station #1 Update - 90(1)(k)

6 d. [REDACTED]

6 e. Revised Appointment to the Economic Development Task Force - 90(1)(a)

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

7 a. [REDACTED]

Section 90(1):

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

(c) labour relations or other employee relations;

(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); and,

Section 90(2):

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

**3. ADOPTION OF THE MINUTES:**

**4. PRESENTATIONS:**

**5. CONSENT ITEMS:**

**6. REPORTS**

a. Recreation Services Re-Opening Framework

4 - 14

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

*Purpose: To present the Draft Recreation Services Re-Opening Framework.*

Presentation:

1. Lynn Wark, Director, Parks and Recreation.

b. Chief Fry re: Fire Dispatch

Chief Fry to provide Council with a verbal update regarding Fire Dispatch.

c. Fire Station No. 1 - Next Steps

15 - 18

To be introduced by Bill Sims, General Manager, Engineering and Public Works.

*Purpose: To advise Council of the results of the Fire Station No. 1 Tender and its implications for the Financial Plan and future operations.*

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

e. Revised Appointment to the Economic Development Task Force

22 - 26

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 Economic Development Task Force.*

Recommendation: That Council appoint Dave Devana as the Nanaimo Airport representative, Robin McLay as the Vancouver Island University alternative representative, and Jason Michell as the Nanaimo Port Authority alternative representative on the Economic Development Task Force.

f. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

1. COVID-19 Update

7. NOTICE OF MOTION:

[REDACTED]

8. CORRESPONDENCE:

9. ADJOURNMENT OF "IN CAMERA" MEETING:

# **“In Camera” Information Report**

*City of Nanaimo*

DATE OF MEETING 6/1/2020

AUTHORED BY LYNN WARK, DIRECTOR OF RECREATION & CULTURE

**SUBJECT RECREATION SERVICES RE-OPENING FRAMEWORK**

## **OVERVIEW**

### **Purpose of Report**

To present the Draft Recreation Services Re-Opening Framework.

### **Reason for “In Camera”**

(c) labour relations or other employee relations.

## **BACKGROUND**

Since the BC Provincial Health Order, dated 2020-MAR-16, which prohibited gatherings in excess of 50 people, Nanaimo’s recreation facilities, and some parks amenities, have been closed. Since then, Staff have been busy dealing with the logistics of cancelling and refunding for programs, bookings and events, revising summer camp/program offerings, conducting deep cleans of the facilities, and using the closures to do routine, annual maintenance which is usually scheduled during different timeframes throughout the year.

On Thursday, 2020-MAY-07, the Province announced their Re-Start Plan which includes the phased lifting of some restrictions in relation to recreation service delivery. During the announcement, Premier Horgan mentioned that the Province has been working with the BC Recreation and Parks Association (BCRPA) to come up with a strategy for re-opening the province’s parks and recreation facilities. This strategy was submitted to the Province for approval on 2020-MAY-20 and will be provided to municipalities as a guiding document once approved.

The Draft Re-Opening Framework [REDACTED] has been prepared for Nanaimo recreation facilities based on these conversations and will be aligned with the BCRPA strategy once unveiled. It is backed up with much more detailed planning documents for each facility/service. If applicable, the framework can be applied to other City facilities as needed.

## **DISCUSSION**

The Parks, Recreation & Culture Division will be participating on the City-wide task force for re-opening. In relation to recreation facilities and services specifically, there are several key challenges to consider for re-opening facilities and resuming service delivery:

1. **Planning timelines** – Parks & Recreation facility bookings, programs and events are planned months/seasons/years in advance which makes short-term decision-making about re-opening challenging.
2. **Redeployments** – Many recreation Staff have been redeployed, will have to be called back to their regular positions, and in some cases to a more temporary position in Recreation.
3. **Temporary redeployments** will be necessary to staff summer camps which have been redesigned to adapt to the current situation.
4. **Lifeguard certifications** have lapsed and will need to be renewed and updated as per new standards being introduced by the Lifesaving Society.
5. **Service adaptations** – There is a substantial variety of programs, bookings and sports, which each need to be looked at individually, and evaluated for their ability to adapt and meet requirements to proceed safely.
6. **Changes in business practices** for bookings and programs will need to be communicated to the community.
7. **Financial impact** – Changes to business practices, necessary to comply with Provincial Health Regulations, Worksafe BC, and best practices as provided by various sport and recreation governing bodies, may impact service delivery structure and consequently have a financial impact.
8. **Reactivating staff and public** – In particular, ensuring comfort levels with return to work and return to facilities and programs/events.
9. **Public pressure** – There has already been pressure from the public to re-open, in particular from special interest groups. This pressure will only escalate as guidelines are released. A communication plan will need to be put in place so that the public is aware of the timeline needed to adapt service delivery, and of the decision-making factors involved in the start-up for various activities.

Knowing these challenges, Recreation & Culture Staff started working on the re-opening strategy almost immediately after the closures. Staff involvement in province-wide and regional conversations, and inter-departmental work to accommodate the closures, redeployments and changes, has led to the development of a phased approach to re-opening facilities, and providing programs and services.

In essence, this phased approach could be considered a pilot project to ensure that measures put in place are working to meet provincial, and other governing bodies, guidelines. Measures will include things such as:

- Changes to room capacities
- Sneeze guards at front counters
- Floor markings to maintain 2 meter physical distancing
- Additional hand washing/sanitizing stations
- Control of traffic flow into and out of buildings
- Additional deep cleaning and high touch point sanitizing
- Careful programming of space to manage participant numbers

## **Guiding Documents Available to Date**

In addition to the BCRPA Guidelines, there are several other governing bodies which have prepared guidelines for re-opening and are being used as resources by City Staff:

- viaSport – Return to Sport Guidelines
- Lifesaving Society – Guidelines for Reopening BC's Pools & Waterfronts
- BC Centre for Disease Control – COVID 19 Guidance to Retail Food and Grocery Stores
- Island Health – COVID 19 Guidance for Gyms and Fitness Centres in Island Health's Region
- BC Municipal Safety Association – Best Practices Guidelines
- Worksafe BC – COVID 19 Protocols
- Recreation Facilities Association of BC – COVID 19 Resources

These guidelines have been described as fluid, changing in some cases by the hour, adaptable to each organization's unique situations, and to be considered in association with provincial and local health authority requirements.

## **Timeline for Re-Opening**

The BCRPA guiding document was submitted to the Province for review on 2020-MAY-20. The turnaround time for approval and then release to recreation service providers is unknown. Regardless, once the document is released, at a minimum the following will need to happen:

- Review and analysis of guidelines and applicability to Nanaimo's unique facilities and services;
- review and refinement of preparation already done with facilities and procedures;
- impact analysis of reduced capacity and increased staffing requirements; and
- enhancement of training program for new staff in terms of changes to safety protocol, cleaning, equipment use, lifesaving protocols, etc.

## **CONCLUSION**

Recreation & Culture Staff will be participating on the City-wide task force for re-opening, and working collaboratively to make re-opening plans for all facilities as effective and efficient as possible. Recreation & Culture Staff will present a more formalized re-opening strategy, specific to recreation facilities and services, to Council after all guiding documentation has been received and reviewed. |

### **SUMMARY POINTS**

- Since the Provincial Health Order, dated 2020-MAR-16, which prohibited gatherings in excess of 50 people, Nanaimo's recreation facilities, and some parks amenities, have been closed, and a variety of programs and events have been cancelled or revised.
- On Thursday, 2020-MAY-07, the Province announced their Re-Start Plan which includes the phased lifting of some restrictions in relation to recreation service delivery. The Province has asked the BC Recreation and Parks Association (BCRPA)

to submit guidelines for the safe re-opening of recreation services to the Province for approval.

- Recreation & Culture Staff have been working on a phased Recreation Services Re-Opening Framework which will be aligned with the BCRPA guidelines once they are released to the Province.

## **ATTACHMENTS**

[REDACTED]

### **Submitted by:**

Lynn Wark  
Director of Recreation & Culture

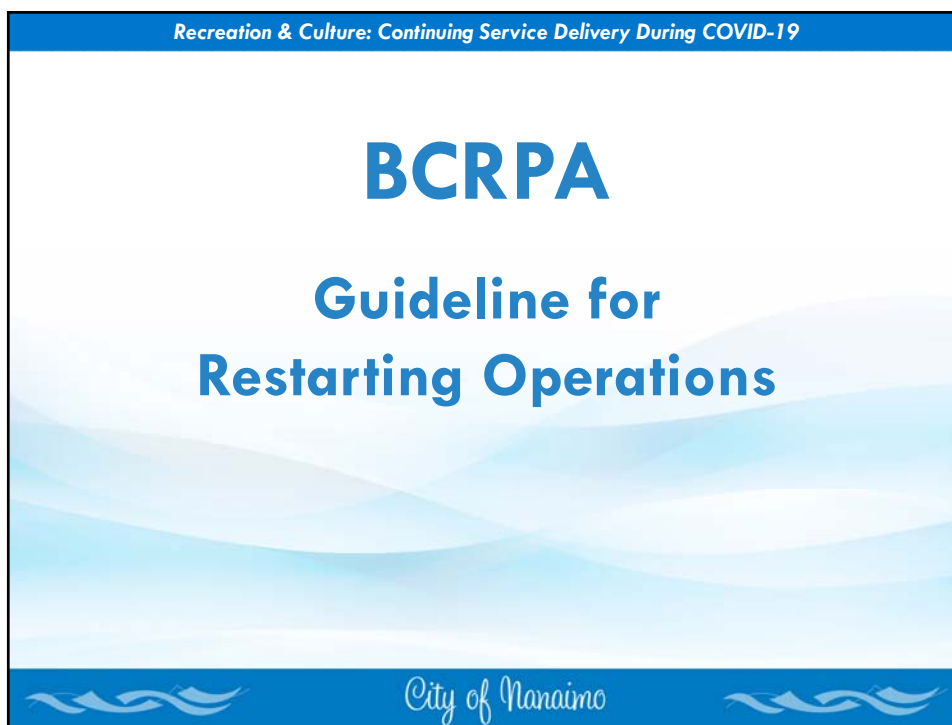
### **Concurrence by:**

Richard Harding  
General Manager of Parks, Recreation &  
Culture

## **INFORMATION RELEASE:**

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

[REDACTED]



Recreation & Culture: Continuing Service Delivery During COVID-19

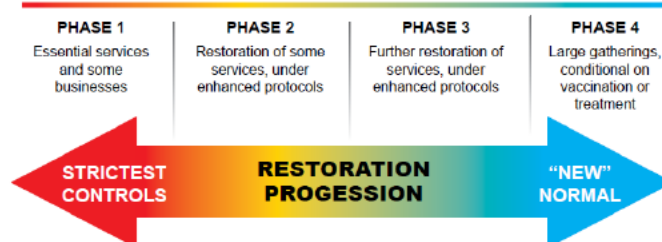
# Goals of the Guideline

- To provide information, tools, and strategies for local government decision-making regarding safe operations that will limit transmission of COVID-19 within the recreation and parks sector.
- To communicate a common approach that can be applied for the sector in Phases 1 through 3 of BC's Restart Plan, and that reflects a collaborative effort among the sector's key partners and agencies.
- To provide strategies for service areas which are flexible and adaptable to the varied needs of local governments, and a continuum of steps for communities to follow in restarting recreation and parks services (both the expansion and possibly retraction, depending upon the progress of the pandemic).
- To align the above goals with broader PHO guidelines and directives.

City of Nanaimo

## PROGRESSIVE PLANNING FRAMEWORK

### Province of BC "Next Steps" PHASES



### RECREATION LEVELS of increased restarting of operations

LEVEL 1	LEVEL 2	LEVEL 3	LEVEL 4
Limited # of outdoor facilities are open for casual use (e.g. sport fields, racquet courts, washrooms)	Expanded # of outdoor facilities are open for modified casual use (e.g. more washrooms, sport courts, table sports, some playgrounds)	Progressive expansion from some to all outdoor facilities open for modified casual use (e.g. sport groups begin to use amenities)	All outdoor facilities open for "New Normal" use
Indoor facilities closed	Limited access to indoor facilities where physical distancing can be achieved	Progressive expansion from some to all indoor spaces open with measures to ensure physical distancing	All indoor facilities open for "New Normal" use
Programming is all online	Programming is limited outdoor, continues online	Programming is expanded outdoor, is expanded indoor from limited to extensive, continues online	Full programming in "new normal" phase, continues online

Recreation & Culture: Continuing Service Delivery During COVID-19



## Facilities

City of Nanaimo

Recreation & Culture: Continuing Service Delivery During COVID-19



## Programs, Events and Rentals

City of Nanaimo



Recreation & Culture: Continuing Service Delivery During COVID-19



## Staff, Volunteers and Training

City of Nanaimo

Recreation & Culture: Continuing Service Delivery During COVID-19



## User Groups and Lease Holders

City of Nanaimo

Recreation & Culture: Continuing Service Delivery During COVID-19



## Communication and Marketing

*City of Nanaimo*


Recreation & Culture: Continuing Service Delivery During COVID-19



## Financial Analysis

*City of Nanaimo*

Recreation & Culture: Continuing Service Delivery During COVID-19



Timeline for Reopening

City of Nanaimo

Recreation & Culture: Continuing Service Delivery During COVID-19

Questions?

That we are getting  
That you have

City of Nanaimo

DATE OF MEETING June 1, 2020

AUTHORED BY BILL SIMS, GENERAL MANAGER, ENGINEERING AND PUBLIC WORKS

SUBJECT FIRE STATION NO. 1 – NEXT STEPS

## **OVERVIEW**

### **Purpose of Report**

To advise Council of the results of the Fire Station No. 1 Tender and its implications for the Financial Plan and future operations.

### **Reason for “In Camera”**

*Community Charter* Section 90(1) (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

### **Recommendation**

## **BACKGROUND**

A public tender for the Fire Station No. 1 Project was issued in January 2020, following extensive due diligence to ensure that the scope and budget for the project were within the approved amount. The pre-tender estimate for construction and demolition, required to be within budget before releasing the tender, was \$12.1 million.

On May 12, 2020, 9 tenders were received, an excellent response. The lowest bid price was \$15.4 million, with three others within 3% of this figure, indicating a high degree of accuracy in pricing. Unfortunately, the lowest bid price was \$2.8 million higher than can be afforded within the \$17 million budget. The tender is open for the City's acceptance by August 10, 2020.

## **DISCUSSION**

During the tender, bidders were instructed to allow for COVID-19 restrictions to continue through the duration of the contract. Any changes to the restrictions would be subject to negotiation in future. The cost consultants indicated that the 'COVID premium' seen across building projects in the lower mainland could be up to 20% for complex projects such as this

one. There was no extension to the construction schedule to accommodate issues arising from the Pandemic, which may have added some additional cost pressure.

While the longer term impact of the Pandemic on the construction industry remains unclear, Staff believe that the coincidence of the Pandemic with the tender period may have resulted in a 'COVID premium' driven by a number of factors aside from this future uncertainty, including:

- Supply chain disruption.
- Labour availability and resultant cost pressures.
- Labour productivity and resultant schedule pressures.
- Uncertain Health & Safety overhead (likely to gain clarity in coming weeks).

The resulting low bid construction cost is 25% higher than the estimated tender price. When considering the overall budget, the additional \$3 million funding recommended is approximately 17% higher than the approved budget of \$17 million. The \$3 million is inclusive of contingency to deal with the cost of post-contract risks retained under the contract, a necessity when dealing with a project of this magnitude and complexity.

In order to award the tender to the compliant bidder, the City must have the funds allocated to the project.

## **OPTIONS**

1.

- The advantages of this option include:
  - A competitive price has been received for this project, it is ready for construction, and the additional budget will allow it to move forward and open as planned in the fall of 2022.
  - This option will address the pressing need to replace the aging facility at the end of its useful life, and provide direction and certainty for the Fire Department's operations. Avoids costs of upgrades to the following:
    - New boiler
    - Roofing replacement
    - Flooring
    - Hose tower dismantling
    - Seismic retrofits
  - Proceeding with the project expedites the release of 580 Fitzwilliam for other space pressures, for example RCMP.
- The disadvantages of this option include:

- This option requires adjustment to the 2020-2024 Financial Plan.
  - Financial Implications: Should Council proceed with Option 1, Staff suggest amend the 2020-2024 Financial Plan as follows:
    - Savings in other general revenue funds in 2020 and 2021 projects to be used first (e.g. savings in projects).
    - Up to \$1.5 million from Asset Management Reserve in 2022.
    - Up to \$1.5 million from General Capital Reserve in 2022.
2. That Council direct Staff to cancel the tender and retender in the future.
- The advantages of this option include:
    - There may be lay person speculation that construction prices could decline in the next 1-2 years, but this does not reflect the opinion of industry experts or Staff
  - The disadvantages of this option include:
    - Canceling the project would cause the project to lose momentum.
    - There is no guarantee that a better price will be achievable in the future, and there is a risk that pricing may increase.
    - The City may suffer damage to its reputation as a tendering authority, and the market may choose to not engage to the same degree next time as a result of lost credibility.
    - Deferring construction by a decade is estimated to increase capital cost by \$8 million due to escalation.
  - Financial Implications:
    - There is \$1.5 million in sunk costs to date, some value of which would be lost.
    - In Staff's opinion, the net cost of the project would be higher, resulting in a similar or higher financial burden.
3. That Council direct Staff to cancel the tender and completely reconsider the project as part of a larger precinct strategy in the future.
- The advantages of this option:
    - Avoids spending the funds now,
    - Creates an opportunity to consider the project as part of a larger "Responder Precinct" project including the needs of the RCMP.
  - The disadvantages of this option:
    - This delays replacement of the Fire Station for several years. The existing station is past its useful life and does not meet current life safety or seismic codes. This creates serious concern, considering the Fire Department, Fire Dispatch and the Emergency Coordination Centre are housed in the building. These services would be disrupted in the event of structural failure.
  - Financial Implications:
    - Ongoing and increasing maintenance costs for the structure,
    - Potential temporary retrofits at an unknown cost. |

**SUMMARY POINTS**

- Accurate and competitive tender pricing was received for replacement and demolition of Fire Station No. 1. The project is shovel ready, pending acceptance by the City.
- An additional \$3 million could be added to the final construction year (2022) to fund the project; Staff have developed a funding strategy which includes offsetting by savings on other projects, and adjustment to the capital plan.
- Considerable due diligence on the part of the project team has kept the project within scope, and has secured the most reasonable price.
- Proceeding with the project is addressing the pressing need to replace the aging facility at the end of its useful life.

**Submitted by:**

Bill Sims  
General Manager,  
Engineering & Public Works |

**Concurrence by:**

Karen Fry  
Fire Chief

Shelley Legin  
General Manager, Corporate Administration |

**INFORMATION RELEASE:**

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

-  |

# In Camera Report for Decision

City of Nanaimo

File Number: CIL00408

DATE OF MEETING June 1, 2020

AUTHORED BY BILL CORSAN, DIRECTOR, COMMUNITY DEVELOPMENT

SUBJECT REVISED APPOINTMENT TO THE ECONOMIC DEVELOPMENT  
TASK FORCE

## **OVERVIEW**

### **Purpose of Report**

To obtain Council approval for the appointment of a revised list of representatives to the Economic Development 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 appoint Dave Devana as the Nanaimo Airport representative, Robin McLay as the Vancouver Island University alternative representative, and Jason Michell as the Nanaimo Port Authority alternative representative on the Economic Development Task Force.

## **BACKGROUND**

At the 2019-OCT-07 Council meeting, Council approved the creation of the Economic Development Task Force (the “Task Force”) along with a terms of reference (the “Terms of Reference”) for the Task Force (Attachment A).

The Task Force has two deliverables: to create an economic development strategy and to develop an external agency.

On 2020-APR-27 during its Council meeting, Council voted to exempt the Economic Development Task Force from the then-current suspension of committees in order to complete the City’s economic development strategy, to fully develop the external economic development agency, and to make further recommendations to Council, as necessary.

## **DISCUSSION**

Since the Task Force has now been re-established and is once again meeting regularly, Staff recommend its membership continue to be updated 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. Council must approve the appointment of all 13 members of the Task Force. This includes any alternates who may need to attend some meetings.



The Nanaimo Airport has advised they wish to replace Mike Hooper with recently appointed CEO Dave Devana, as Mike Hooper will be retiring from his position as CEO at the Nanaimo Airport.

Vancouver Island University has advised they wish to appoint Robin McLay as an alternative to Deborah Saucier on the Task Force.

The Nanaimo Port Authority has also advised they wish to appoint Jason Michell as an alternative to Ian Marr on the Task Force.

The below table will confirm the current membership of the Task Force:

<b>Member</b>	<b>Organization</b>
Jim Turley, Councillor	City of Nanaimo
Zeni Maartman, Councillor	City of Nanaimo
Erralyn Thomas	Snuneymuxw First Nation
Deborah Saucier <i>Alternate: Robin McLay</i>	Vancouver Island University
Kim Smythe	Greater Nanaimo Chamber of Commerce
Ian Marr <i>Alternate: Jason Michell</i>	Nanaimo Port Authority
Dave Devana	Nanaimo Airport
Jolynn Green	Community Futures
Andre Sullivan	At large Member
Bob Moss	At large Member
Cathy Carlile	At large Member
Chris Beaton	At large Member
Douglas Backhouse	At large Member

## **OPTIONS**

1. That Council appoint Dave Devana as the Nanaimo Airport representative, Robin McLay as the Vancouver Island University alternative representative, and Jason Michell as the Nanaimo Port Authority alternative representative on the Economic Development Task Force.
  - Advantages: Allows City Staff to ensure attendance at meetings is consistent and supports capacity of the identified organizations and representatives. Ensures the Task Force membership remains a suitable size to be effective. Responds to the Nanaimo Airport's request for a new representative in order to reflect organizational changes and capacity.
  - Disadvantages: None identified.
  - Financial Implications: None identified.
2. That Council provide alternative direction. |

### **SUMMARY POINTS**

- At the 2019-OCT-07 Council meeting, Council approved the creation of the Economic Development Task Force (the “Task Force”) along with a terms of reference (the “Terms of Reference”) for the Task Force (Attachment A).
- Since the Task Force has now been re-established and is once again meeting regularly, Staff are recommending its membership continue to be updated 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. Council must approve the appointment of all 13 members of the Task Force. This includes any alternates who may need to attend some meetings.
- The Nanaimo Airport has advised they wish to replace Mike Hooper with recently appointed CEO Dave Devana, as Mike Hooper will be retiring from his position as CEO at the Nanaimo Airport.
- Vancouver Island University has advised they wish to appoint Robin McLay as an alternative to Deborah Saucier on the Task Force.
- The Nanaimo Port Authority has also advised they wish to appoint Jason Michell as an alternative to Ian Marr on the Task Force.

### **ATTACHMENTS**

ATTACHMENT A: Terms of Reference |

#### **Submitted by:**

Bill Corsan  
Director, Community Development |

#### **Concurrence by:**

Bill Corsan for Dale Lindsay  
General Manager, Development Services

Sheila Gurrie  
Director, 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. |



## TERMS OF REFERENCE

### ECONOMIC DEVELOPMENT TASK FORCE

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#### **PURPOSE:**

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

#### **OUTPUTS:**

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

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

#### **TERM:**

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

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

#### **MEMBERSHIP:**

The membership of the Task Force will be as follows:

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

- 2 Council members
- 1 Snuneymuxw First Nation
- 1 Vancouver Island University
- 1 Nanaimo Chamber of Commerce
- 1 Nanaimo Port Authority
- 1 Nanaimo Airport
- 1 Community Futures
- 5 leaders from any of the following sectors:
  - Transportation and Warehousing
  - Construction
  - Health Care
  - Tourism
  - Labour Market
  - Recycling
  - Agriculture
  - Not-for-Profit
  - Manufacturing
  - Renewable Energy
  - Education
  - Technology
  - Commercial Real Estate
  - Film
  - Social Services

## **ELIGIBILITY:**

- Task Force members should be senior-level decision makers from each of the participating organizations.
- Members of the Task Force shall be appointed on the basis of their availability, business experience, and the expertise which they can bring to the work of the Committee.
- Task Force members will have no conflict of interest with Council or the Task Force and should advise the members when a potential conflict may exist on a specific issue and recuse themselves for the duration of the discussions to which they have declared a conflict of interest; and
- Task Force members will represent knowledge, experience and perspectives of various industry sectors.

## **MEETING FREQUENCY:**

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

## **STAFF SUPPORT:**

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

- Community Development
- Legislative Services
- Other Staff as required

## **OBSERVERS & COMMUNITY SUPPORTS:**

Non-voting representatives may be invited to attend the meeting specific to topics of shared interest.



ADDENDUM  
"IN CAMERA" COUNCIL MEETING

Monday, June 1, 2020

4:30 P.M. - 6:30 P.M.

SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE  
80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS 5:30 P.M.

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Pages

2. APPROVAL OF THE AGENDA:

- a. Add Community Charter Section - (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.

6. REPORTS

a. [REDACTED]

c. Fire Station No. 1 - Next Steps

2. *Replace Recommendation for Agenda Item 6(c) - Fire Station No. 1 - Next Steps, to read as follows:*

That Council:

1. support proceeding with the Fire Station No. 1 Project; and,
2. support amending the 2020 - 2024 Financial Plan to increase the budget in year three (2022) by \$3M from \$3,740,269 to \$6,740,269 with the addition funding from the General Capital Reserve and the General Asset Management Reserve.

And Further, that Staff be directed to forward the recommendations to the 2020-JUN-17 Finance and Audit Committee Meeting for

consideration.



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

Monday, June 15, 2020

4:30 P.M. - 6:30 P.M.

SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE

80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS AT 5:30 P.M.

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**Pages**

**1. CALL THE MEETING TO ORDER:**

**2. APPROVAL OF THE AGENDA:**

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

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

1. Adoption of Agenda

6(a) [REDACTED]

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

Section 90(1):

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

(c) labour relations or other employee relations;

(g) litigation or potential litigation affecting the municipality; and,

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

*Community Charter* Section 90(2):

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

**3. ADOPTION OF THE MINUTES:**

a. Minutes

3 - 8

Minutes of the "In Camera" Meeting of the Council of the City of Nanaimo held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-MAY-25 at 4:30 p.m.

b. Minutes

9 - 13

Minutes of the "In Camera" Meeting of the Council of the City of Nanaimo held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-JUN-01 at 4:30 p.m.

**4. PRESENTATIONS:**

**5. CONSENT ITEMS:**

**6. REPORTS**

a.



b. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

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**7. CORRESPONDENCE:**

**8. RISE AND REPORT:**

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



**"IN CAMERA" MINUTES**  
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,  
80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2020-MAY-25 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 (joined electronically, in person 6:14 p.m.)

Staff: J. Rudolph, Chief Administrative Officer  
R. Harding, General Manager, Parks, Recreation and Culture  
D. Lindsay, General Manager, Development Services  
B. Sims, General Manager, Engineering and Public Works  
S. Legin, General Manager, Corporate Services  
J. Van Horne, Director, Human Resources  
L. Mercer, Director, Finance  
B. Corsan, Director, Community Development  
L. Bhopalsingh, Manager, Community Planning  
D. Bailey, Manager, Accounting Services  
P. Stewart, Manager, Engineering Projects  
F. Farrokhi, Manager, Communications  
K. Robertson, Deputy City Clerk  
J. Vanderhoef, Steno (vacated 5:50 p.m.)  
S. Snelgrove, Recording Secretary

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

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

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

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

- Minutes of the "In Camera" Council Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-APR-27 at 4:30 p.m.
- Minutes of the "In Camera" Meeting held in the Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2020-MAY-04, at 4:30 p.m.

The motion carried unanimously.

4. CONSENT ITEMS:

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

(a) Advisory Committee Minutes

- Minutes of the Special "In Camera" Health and Housing Task Force Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2020-APR-22, at 3:00 p.m.

The motion carried unanimously.

5. REPORTS:



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(b) [REDACTED]

[REDACTED]



P. Stewart entered the Shaw Auditorium at 5:08 p.m.

(c) Proposed Request for Offers for Disposition of 350 and 398 Franklyn Street

Introduced by Dale Lindsay, General Manager, Development Services.

Presentation:

1. Bill Corsan, Director, Community Development, provided a presentation regarding the disposition of 350 and 398 Franklyn Street. Highlights included:
  - Appraised value is over \$1 million dollars
  - Request for offers will be publicized for a two month period
  - Proponents are asked to return with offers which will be presented to Council likely in August
  - Proposed evaluation criteria factors

Council discussion took place regarding:

- Council supporting the call for proposals
- Determining how to increase the economic benefit of the proposals
- Proposals not limited to present zoning although Staff are interested in seeing a project develop quickly
- Option for Council to have their suggestions for what they would like to see included in the development

Councillor Turley disconnected at 5:25 p.m.

- City is land poor in terms of developable sites
- Level of Step Code for building standards
- Potentially convene a Special Council Meeting between now and August to have a discussion around land
- Street design and drainage considerations

It was moved and seconded that Council direct Staff to:

1. issue a Request for Offers for the disposition of City-owned property at 350 and 398 Franklyn Street; and,
2. report back to Council with an evaluation and summary of the responses for Council's consideration.

The motion carried unanimously.

Councillor Bonner declared a conflict of interest as [REDACTED] 2230 Boxwood Road and vacated the Shaw Auditorium at 5:33 p.m.

The In Camera Council meeting recessed at 5:33 p.m.  
The In Camera Council meeting reconvened at 6:05 p.m.

(d) 2230 Boxwood Road - Letter of Intent

Introduced by Dale Lindsay, General Manager, Development Services.

Presentation:

1. Bill Corsan, Director, Community Development, and Phil Stewart, Manager, Engineering Projects, provided a presentation regarding the 2230 Boxwood Road - Letter of Intent. Highlights included:
  - Project has evolved from original intent as a connector to a gateway
  - Project identified over 10 years ago to improve congestion and safety
  - Other road network improvements have relieved pressure on the Bowen and Northfield Road intersection
  - Active transportation connections to Beban Park, walking trails, off-Bowen bikeway and Parkway Trail
  - Opportunity for environmental restoration, natural storm water management and brownfield remediation
  - Will take approximately 1-2 years to build the road

Councillor Turley entered the Shaw Auditorium at 6:14 p.m.

- City acquired 2230 Boxwood Road and 2241 Boxwood road in 2010
- Island West Coast Development (IWCD) provided proposal for plaza and discussions have been ongoing over multiple years
- Discussion have been ongoing with the church property at 2221 Bowen Road to make a rectangular property
- [REDACTED]
- Letter of intent is non-binding and sets out the intention of the agreement
- Environmental and geotechnical issues shared with IWCD, purchase price adjusted due to value to remove and dispose of unsuitable geotechnical soils and contaminated soils
- Council must approve the final purchase and sale agreement no later than 2020-NOV-30.

Council discussion took place regarding:

- Information publicized if approved
- City will notify partners such as School District 68 when appropriate
- Ability to assign housing based on rent-to-income and currently no conditions on the property
- Council having a further discussion regarding land use and development strategy

It was moved and seconded that Council:

1. direct the Mayor and Corporate Officer to execute the Letter of Intent with Island West Coast Development; and,
2. direct Staff to return to a future Council meeting, upon completion of negotiations, to present the Purchase and Sale Agreement for the disposition of a portion of City- owned property at 2230 Boxwood Road for Council's approval.

The motion carried unanimously.

Councilor Bonner returned to the Shaw Auditorium at 6:35 p.m.

(e) CAO and Council Matters:

Jake Rudolph, Chief Administrative Officer and Bill Sims, General Manager, Engineering and Public Works advised:

- [REDACTED]

Richard Harding, General Manager, Parks, Recreation and Culture spoke regarding:

- Returning to Council at a future meeting with options to reopen recreation centres and staffing implications
- Reopening guidelines provided from BC Recreation Council
- Reopening will be challenging with the pandemic ongoing as some areas may not be economically feasible to open

6. ADJOURNMENT:

It was moved and seconded at 6:47 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

CERTIFIED CORRECT:

\_\_\_\_\_  
CHAIR

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

**"IN CAMERA" MINUTES**  
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS  
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE,  
80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2020-JUN-01 AT 4:30 P.M.

---

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

Staff: J. Rudolph, Chief Administrative Officer  
R. Harding, General Manager, Parks, Recreation and Culture  
D. Lindsay, General Manager, Development Services  
B. Sims, General Manager, Engineering and Public Works  
S. Legin, General Manager, Corporate Services  
J. Van Horne, Director, Human Resources  
L. Wark, Director, Parks and Recreation  
K. Fry, Fire Chief  
A. Groot, Director, Facilities and Parks Operations  
W. Fulla, Manager, Manager, Business, Asset and Financial Planning  
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. INTRODUCTION OF LATE ITEMS:

(a) Agenda Item 2 - Approval of the Agenda – Add In Camera Reason:

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

(b)

(c) Agenda Item 6(c) – Fire Station No. 1 – Next Steps:

1. [REDACTED]
2. Replace Recommendation to read as follows:  
  
"That Council:
  1. support proceeding with the Fire Station No. 1 Project; and,
  2. support amending the 2020 - 2024 Financial Plan to increase the budget in year three (2022) by \$3M from \$3,740,269 to \$6,740,269 with the additional funding from the General Capital Reserve and the General Asset Management Reserve.

And further, that Staff be directed to forward the recommendations to the 2020-JUN-17 Finance and Audit Committee Meeting for consideration."

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

3. ADOPTION OF AGENDA:

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

4. REPORTS:

(a) Recreation Services Re-Opening Framework

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

Presentations:

1. Lynn Wark, Director, Parks and Recreation, provided Council with a presentation regarding the recreation services re-opening framework. Highlights included:
  - Parks and Recreation working group is creating a reopening strategy and working closely with the Regional District of Nanaimo, School District 68 and other community groups
  - Have received and are following the BC Recreation and Parks Association, Guideline for Restarting Operations
  - Review of the phased approach to re-opening and service levels at each phase



- Parks and Recreation has cancelled the production of the Activity Guide for the fall and winter of 2020 and will need to engage in other forms of communication and marketing
  - Review of the Financial Analysis and discussed the impact on the City, staffing, revenue and expenditures
2. John Van Horne, Director, Human Resources, provided Council with a verbal update regarding staffing for Parks and Recreations employees. Highlights included:
- The process for Parks and Recreation Staff to return to their previous positions
  - The process for assessing all City of Nanaimo facilities and service centers
  - Development of written protocols and plans for Staff returning to work

(b) Fire Station No. 1 – Next Steps

Introduced by Bills Sims, General Manager, Engineering and Public Works.



Council discussion took place. Highlights included:

- Primary drivers behind the increase in the budget
- COVID-19 effects on all major projects and the increase in budgets due to shipping, cost of supplies, supply chain and staffing
- How the original GFA was determined and why it was estimated so much lower than what is actually needed
- Savings to the City regarding inclusion or exclusion of the dispatch center in the new fire station

It was moved and seconded that Council:

1. support proceeding with the Fire Station No. 1 Project; and,
2. support amending the 2020 - 2024 Financial Plan to increase the budget in year three (2022) by \$3M from \$3,740,269 to \$6,740,269 with the additional funding from the General Capital Reserve and the General Asset Management Reserve.

And further, that Staff be directed to forward the recommendations to the 2020-JUN-17 Finance and Audit Committee Meeting for consideration.

The motion carried unanimously.

The In Camera Meeting recessed at 6:02 p.m.  
The In Camera meeting reconvened at 6:24 p.m.

(c)



The In Camera Meeting recessed at 6:44 p.m.  
The In Camera Meeting reconvened at 7:51 p.m.

(d)



(e) Revised Appointment to the Economic Development Task Force

Introduced Dale Lindsay, General Manager, Development Services.

It was moved and seconded that Council appoint Dave Devana as the Nanaimo Airport representative, Robin McLay as the Vancouver Island University alternative representative, and Jason Michell as the Nanaimo Port Authority alternative representative on the Economic Development Task Force. The motion carried unanimously.

(f) CAO and Council Matters:

Introduced by Jake Rudolph, Chief Administrative Officer



5. NOTICE OF MOTION:

(a)



6. ADJOURNMENT:

It was moved and seconded at 8:00 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



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

Monday, June 8, 2020, 1:00 P.M. - 4:00 P.M.  
Board Room, Service and Resource Centre,  
411 Dunsmuir Street, Nanaimo, BC

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Pages

**1. CALL THE MEETING 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)

4(a). District 68 Sports Field and Recreation Committee Terms of Reference - 90(1)(a)

4(b). [REDACTED]

5(a). [REDACTED]

5(b). CAO and Council Matters - 90(1)(a)(c) and 90(2)(b)

Section 90(1):

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

(c) labour relations or other employee relations;

(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;

(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. CONSENT ITEMS:

4. REPORTS:

a. District 68 Sports Field and Recreation Committee Terms of Reference

3 - 24

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

*Purpose: To request that Council establish a District 68 Sports Field and Recreation Committee, approve the associated terms of reference and appoint two Council representatives.*

Recommendation: That Council:

1. establish a District 68 Sports Field and Recreation Committee;
2. approve the attached Terms of Reference;
3. appoint two members of Council to the District 68 Sports Field and Recreation Committee for a term ending 2022-OCT-14.

And that Council rise and report the recommendations to the Regional District of Nanaimo and to the June 15, 2020 Regular Meeting of Council for information.

b.

[REDACTED]

5. OTHER BUSINESS:

a.

[REDACTED]

b. CAO and Council Matters

To be introduced by Jake Rudolph, Chief Administrative Officer.

1. [REDACTED]
2. [REDACTED]

6. ADJOURNMENT OF SPECIAL "IN CAMERA" MEETING:

DATE OF MEETING June 8, 2020

AUTHORED BY SKY SNELGROVE, STENO COORDINATOR/DEPUTY CORPORATE OFFICER

SUBJECT DISTRICT 68 SPORTS FIELD AND RECREATION COMMITTEE  
TERMS OF REFERENCE

## **OVERVIEW**

### **Purpose of Report**

To request that Council establish a District 68 Sports Field and Recreation Committee, approve the associated terms of reference and appoint two Council representatives.

### **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. establish a District 68 Sports Field and Recreation Committee;
2. approve the attached Terms of Reference;
3. appoint two members of Council to the District 68 Sports Field and Recreation Committee for a term ending 2022-OCT-14.

## **BACKGROUND**

In 2015, Council dissolved the Parks, Recreation and Culture Commission, in its place the Parks, Recreation and Wellness Committee was formed. Upon the official dissolution of the Parks, Recreation and Wellness Committee in April 2019, it was determined that an alternative working group or committee would need to be developed to facilitate the Regional District of Nanaimo having an ongoing voice in recreation service provision, in accordance with Section D of the District 68 Sports Field and Recreation Services Agreement.

The District 68 Sports Field and Recreation Committee (the Committee) if established, will meet the representation requirements to continue the partnership. The attached committee terms of reference have been developed in consultation with the Regional District of Nanaimo. The appointment term is until the end of Council's term.

## **DISCUSSION**

The Committee will make recommendations to Council and the Regional District of Nanaimo (RDN) Board on issues that fall within the agreement. The committee will meet twice per year. Four areas pay into the recreation and sports field function including the District of Lantzville

and Regional District of Nanaimo (RDN) Electoral Areas A, B and C. The table below shows the contributions to the City of Nanaimo over the last 5 years:

Year	Amount	Notes
2015	\$ 1,039,101	
2016	\$ 1,091,640	
2017	\$ 1,113,566	
2018	\$ 1,150,348	
2019	\$ 1,231,500	
2020	\$ 1,335,318	Amount will be received later this year but is confirmed by RDN

### **OPTIONS**

1. That Council:
  1. establish a District 68 Sports Field and Recreation Committee;
  2. approve the attached Terms of Reference;
  3. appoint two members of Council to the District 68 Sports Field and Recreation Committee for a term ending 2022-OCT-15.
  - The advantages of this option: Supporting this agreement enhances the City of Nanaimo and Regional District's strong working relationship. The committee meets the requirements outlined in the agreement for the Regional District of Nanaimo to provide input on recreation services.
  - The disadvantages of this option: None.
  - Financial Implications: The District of Lantzville and Regional District of Nanaimo Electoral Areas A, B and C will continue to provide monetary contributions.
2. That Council provide alternate direction.
  - The advantages of this option: Depending on the direction received Staff may request clarification.
  - The disadvantages of this option: A committee or similar avenue is required for the Regional District of Nanaimo to provide input on specific recreation services.
  - Financial Implications: Dependent on direction received.

### **SUMMARY POINTS**

- The District 68 Sports Field and Recreation Committee, if established will meet the representation requirements outlined in the District 68 Sports Field and Recreation Services Agreement.

- The Committee will make recommendations to Council and the RDN Board on issues that fall within the agreement.
- Four areas pay into the recreation and sports fields function including District of Lantzville and Regional District of Nanaimo Electoral Areas A, B and C.
- Approximately \$1.2 million is contributed annually from partner local governments.

## **ATTACHMENTS**

ATTACHMENT A – Draft Terms of Reference

ATTACHMENT B – District 68 Sports Field and Recreation Services Agreement |

### **Submitted by:**

Sky Snelgrove  
Steno Coordinator/Deputy Corporate Officer |

### **Concurrence by:**

Sheila Gurrie  
Director, Legislative Services

Richard Harding  
General Manager  
Parks, Recreation and Culture

Shelley Legin  
General Manager  
Corporate Services |

## **INFORMATION RELEASE:**

To be released upon appointment of members. |



## ATTACHMENT A



### TERMS OF REFERENCE

#### **CITY OF NANAIMO – REGIONAL DISTRICT OF NANAIMO DISTRICT 68 SPORTS FIELD AND RECREATION COMMITTEE**

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##### **PURPOSE:**

The purpose of the Committee is to provide for formal collaboration and communication between the City of Nanaimo, the District of Lantzville and Regional District of Nanaimo (RDN) Electoral Areas A, B and C in relation to the provision of Sport Field and Recreation Services within what is known as the Southern Community Recreation Services Area.

The Committee will work within the District 68 Sports Field and Recreation Services Agreement of May 6, 2011 and will make recommendations to Council and the RDN Board on issues within the Agreement. A copy of the Agreement is attached.

The Committee will also be a body that Council, District of Lantzville and RDN Electoral Areas can refer issues to regarding the Services provided within the agreement.

##### **MEMBERSHIP:**

The membership of the Committee will be as follows:

- Two (2) members of Council
- The RDN Director for Electoral Area A
- The RDN Director for Electoral Area B
- The RDN Director for Electoral Area C
- The RDN Director for the District of Lantzville

##### **ELIGIBILITY:**

Membership is not open to the public.

##### **MEETING FREQUENCY:**

The Committee will meet twice a year or upon the call of the Chair or the request of two Committee Members. The Committee must use their best efforts to meet prior to November 30<sup>th</sup> of each year.

## ATTACHMENT A

### **STAFF SUPPORT:**

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

- Parks, Recreation and Culture Department
- City Clerk
- Other Staff as required

Staff from the RDN Recreation and Parks Department and Finance Department will assist when 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.

**DISTRICT 68 SPORTS FIELD & RECREATION SERVICES AGREEMENT**

**THIS AGREEMENT** made this 6<sup>th</sup> day of May, 2011

BETWEEN:

**REGIONAL DISTRICT OF NANAIMO**

6300 Hammond Bay Rd.  
Nanaimo BC  
V9T 6N2  
("Regional District")

OF THE FIRST PART

AND:

**CITY OF NANAIMO**

455 Wallace Street  
Nanaimo, BC  
V9R 5J6  
("Nanaimo")

OF THE SECOND PART

**WHEREAS:**

- A. The Regional District established by Bylaw 1059 a service for pleasure, recreation and other community use known as the Southern Community Recreation Service which has as its participants the District of Lantzville and Electoral Areas A, B and C;
- B. By Agreement dated the 7th day of February, 1997 between Nanaimo and the Regional District, Nanaimo has provided access to Sports Fields (as defined herein) and recreational facilities and programs as a service to members of the general public residing within the District of Lantzville and Electoral Areas A, B and C;
- C. The Regional District wishes Nanaimo to continue providing access to Sports Fields and recreational services to members of the public residing outside of the boundaries of Nanaimo and within the boundaries of the District of Lantzville and Electoral Areas A, B and C;
- D. The Regional District and Nanaimo wish to continue to permit the Regional District to have an ongoing voice in recreation service provision through, among other things, participation by representatives of the Regional District on a Parks, Recreation and Culture Commission established by Nanaimo;

**NOW THEREFORE** in consideration of the premises and mutual covenants and agreements contained in this Agreement, the parties covenant and agree as follows:

## **1.0 DEFINITIONS**

In this Agreement:

- 1.1 **“Non-shareable costs”** shall generally mean the development of a new Sports Field or Recreation Facility and/or an upgrade to an existing Sports Field or Recreation Facility costing more than \$10,000 including but not limited to the construction of facilities or improvements, or the addition, replacement, repair or extension of fences, roofs, seating, irrigation systems, wells, drainage, lighting, backstops, goalposts, time clocks or similar game display signage or sod replacement.
- 1.2 **“Commencement Date”** means January 1, 2011.
- 1.3 **“Cost of Operation and Maintenance”** means:
- (a) in relation to Sports Fields, the Net Costs for Sports Fields for the items set out in Schedule “A”;
  - (b) in relation to Nanaimo Recreation Facilities, the Net Costs for Nanaimo Recreation Facilities for the items set out in Schedule “B”;
- but does not include Non-shareable costs or debt;
- 1.4 **“Electoral Areas”** means that portion of the Regional District included within the boundaries of Electoral Areas A, B, and C;
- 1.5 **“District 68”** means that portion of the Regional District included within the boundaries of Nanaimo, Lantzville and Electoral Areas A, B, and C;
- 1.6 **“Lantzville”** means the District of Lantzville;
- 1.7 **“Nanaimo”** means the City of Nanaimo;
- 1.8 **“Nanaimo Recreation Facilities”** means:
- (a) Beban Park;
  - (b) Bowen Park;
  - (c) Nanaimo Aquatic Centre;
  - (d) Nanaimo Ice Centre.
- 1.9 **“Net Cost”** means prior year actual expenditures for the Cost of Operation and Maintenance less cost recovery from fees and charges imposed for the use of Nanaimo Recreation Facilities and Sports Fields;
- 1.10 **“Participating Areas”** means Nanaimo, Lantzville and Electoral Areas A, B, and C of the Regional District of Nanaimo;
- 1.11 **“Recreation Services”** means recreation and community services offered at Nanaimo Recreation Facilities to residents of the Regional District Areas and Lantzville;

- 1.12 “**Regional District**” means the Regional District of Nanaimo;
- 1.13 “**Regional District Areas**” means that portion of the Regional District included within the boundaries of Lantzville, Electoral Areas A, B, and C;
- 1.14 “**Sports Field**” means land developed for the playing of baseball, softball and soccer and other sport activities which is owned and operated by either Nanaimo or the Regional District Areas and includes the following:

City of Nanaimo:

- a) Beban Park;
- b) Bowen West;
- c) McGirr Park;
- d) Elaine Hamilton Park;
- e) May Bennett Park;
- f) Caledonia Park;
- g) Robins Park;
- h) Gyro Park;
- i) Harewood Park;
- j) Pleasant Valley Park;
- k) Serausmen Sports Fields; and
- l) Comox Field.

Regional District of Nanaimo:

- a) Rollo McClay (EA ‘B’); and,
- b) Extension Sports Field (EA ‘C’).

Any Sports Field within Nanaimo, or the Regional District, which meets the criteria to be considered a Sports Field under Section 5.0;

- 1.15 “**Sports Field Services**” means:
- (a) operation and maintenance of Sports Fields in District 68; and
  - (b) permitting access to and use of Sports Fields by residents of the Participating Areas.
- 1.16 “**Term**” means the period of time from the Commencement Date to December 31, 2025.

## 2.0 INTERPRETATION

- 2.1 A reference in this Agreement to:
- (a) the singular includes the plural and the plural includes the singular, unless the context otherwise requires;
  - (b) the masculine, feminine or neuter includes a reference to the masculine, feminine or neuter, unless the context otherwise requires.
- 2.2 The headings of paragraphs, articles and sections of this Agreement are for convenience of reference only, do not form part of this Agreement and are not to be used in the interpretation of this Agreement.
- 2.3 This Agreement is to be governed and construed in accordance with the laws of the Province of British Columbia.

- 2.4 If any paragraph, article or section of this Agreement is declared or held invalid for any reason, the paragraph, article or section may be severed from the Agreement without affecting the validity of the remainder of the Agreement.

### 3.0 SERVICES

- 3.1 The Parties covenant and agree with each other to provide Sports Field Services during the Term of the Agreement.
- 3.2 Nanaimo covenants and agrees to provide Recreation Services during the Term of the Agreement.

### 4.0 PAYMENT

- 4.1 Commencing with 2011, payment to Nanaimo shall be made in accordance with the following:

(a) Cost share calculation:

Each party shall share in the Cost of Operation and Maintenance of Sports Fields and/or Recreation Services based on the percentage of use established by averaging data from the three most recent usage surveys. Surveys shall be conducted once every five (5) years with the next survey to be completed on or before October 30<sup>th</sup>, 2015, as set out in Section 6.0.

(b) Payment to Nanaimo:

Total costs reported by Nanaimo for cost sharing purposes	\$ xxxx
Less: the share calculated for Nanaimo under the formula in 4.1(a) above	\$( xxx )
Net amount payable to Nanaimo	\$ xxx

#### 4.2 Annual Budget

- (1) For the purpose of calculating annual contribution amounts under Section 4.1(b), in each year during the Term of this Agreement, Nanaimo and the Regional District respectively, shall provide to each other, on or before January 31st a statement of actual Costs of Operation and Maintenance compared to budget for the prior year ending December 31<sup>st</sup>. The costs to be shared shall consist of prior year actual costs of Nanaimo, budgeted current year Regional District costs net of any prior year surplus or deficit as reported by the Regional District for Sports Fields in the Regional District Areas.
- (2) For the purposes of preparing the Regional District's financial plan, Nanaimo shall also provide to the Regional District annually along with the budget information in 4.2(1) above an estimate of the Cost of Operation and Maintenance for Sports Fields and Recreation Facilities for the subsequent five year period.

**4.3 Payment Due Date**

The amount payable to Nanaimo under 4.1(b) shall be remitted on or before August 2<sup>nd</sup> in each year during the Term of this Agreement.

**4.4 Debt**

The cost of providing the Services under this Agreement is a debt owed to the party providing the Service.

**5.0 NEW SPORTS FIELDS/CITY RECREATION FACILITIES**

5.1 The Participating Areas shall use best efforts to agree which Sports Fields shall be included in the inventory of Sports Fields by November 30<sup>th</sup> of each year.

5.2 Where a new Sports Field or Recreation Facility within Nanaimo is added under this agreement the Cost of Operation and Maintenance for the first year shall be the average Cost of Operation and Maintenance for all Sports Fields or Recreation Facilities as the case may be, for the prior year. After the first year, the Cost of Operation and Maintenance shall be as reported by the Nanaimo under Section 4.2(1).

5.3 Where a new Sports Field within the Regional District Areas is added under this agreement the Cost of Operation and Maintenance for the first year shall be the average Cost of Operation and Maintenance for all Sports Fields in the Regional District Areas for the prior year. After the first year the Cost of Operation and Maintenance shall be as reported in the Regional District accounts under Section 4.2.

5.4 Where a new Recreation Facility is constructed, it shall not form part of this Agreement until a survey conducted pursuant to Section 4.1(a) is undertaken which demonstrates that 10% or more of the population from the Regional District Areas is attending public sessions at the facility.

**6.0 SURVEY**

6.1 The usage survey of Recreation Facilities and Sportsfields shall be:

- (a) conducted by the Regional District on or before October 31<sup>st</sup> in the years 2015, 2020 and 2025.
- (b) the survey shall collect street addresses for the purposes of identifying the participating area as follows:
  - (i) for aquatic centres the survey shall be based on drop-in public attendance, program registrations and group rentals
  - (ii) for ice arenas the survey shall be based on the addresses provided from team registrations and program registrations
  - (iii) for Sports Fields the survey shall be based on the addresses provided from team registrations
- (c) the data for aquatic centres shall be weighted as 50% from drop-in attendance, 40% from program registrations and 10% from facility rentals.
- (d) the data for arenas shall be weighted as 90% from team registrations and 10% from program registrations.

## **7.0 INDEMNITY**

- 7.1 A party to this Agreement (hereinafter called the “**Supplying Party**”) that provides the Services to another party to this Agreement (herein after called the “**Receiving Party**”), shall indemnify, defend and save harmless the Receiving Party and its elected and appointed officers, employees, agents, successors and assigns from all manner of actions, causes of action, suits, debts, losses, liabilities, costs, expenses, claims and demands whatsoever (collectively “**Liability**”) arising out of any wrongful act, omission or negligence on the part of the Supplying Party, its elected or appointed officers, employees, agents, successors and assigns arising out of the Services provided under this Agreement., except to the extent of a wrongful act, or the Liability is caused by the omission in negligence of the Receiving Party.

## **8.0 PAYMENT RATES**

- 8.1 The Parties acknowledge and agree that payments under Section 4.1 represent a fair and reasonable reimbursement of the costs of the Sports Field Services and Recreation Services to be provided under this Agreement.

## **9.0 COVENANTS OF THE PARTIES**

- 9.1 It is a condition precedent to the obligations of the Parties under this Agreement that:
- (a) during the Term, Nanaimo shall maintain a Parks, Recreation and Culture Commission established by bylaw, with a composition, procedures, duties and powers as outlined in Schedule “C”; and
  - (b) user or other rates shall not be charged, either directly or indirectly, for the use of Sports Fields or Recreation Services to residents of another Participating Area in excess of rates payable by or on terms other than those offered to residents of the Participating Area in which the Sports Fields are located or the Recreation Services are provided.
- 9.2 Nanaimo and the Regional District Areas shall consult with each other with respect to the planning and co-ordination of future Sports Field and Recreation Facility development.

## **10.0 MISCELLANEOUS**

### **10.1 Waivers**

The failure at any time of either party to enforce any of the provisions of this Agreement or to require at any time performance by the other party of any such provision shall not constitute or be construed to constitute a waiver of such provision, nor in any way to affect the validity of this Agreement or any parts thereof, or the right of either party thereafter to enforce each and every provision of this Agreement.

### **10.2 Statutory Powers**

Nothing in this Agreement is to be interpreted as affecting or restricting the exercise by Nanaimo, Lantzville or the Regional District of any statutory power, duty or function, which may be fully exercised as if this Agreement had not been executed by the parties.



10.3 Modification

No waiver, modification or amendment of any of the provisions of this Agreement shall be binding unless it is in writing and signed by the duly authorized representatives of both parties.

10.4 Assignment

No assignment of this Agreement shall be made by either party without the written consent of the other. A party's consent to assign will not release or relieve the party from its obligations to perform all the terms, covenants and conditions that this Agreement requires a party to perform and the party requesting the assignment shall pay the other party's reasonable costs incurred in connection with the party's request for consent.

10.5 Survival

The articles, sections, subsections and paragraphs providing for the limitation of, waiver of, or protection against liability of the parties hereto shall survive termination, cancellation or expiration of this Agreement.

10.6 Notice

All notices and demands required or permitted to be given hereunder shall be in writing and may be delivered personally, sent by facsimile or may be mailed by first class, prepaid registered mail to the addresses set forth below. Any notice delivered or sent by facsimile shall be deemed to have been given and received at the time of delivery. Any notice mailed as aforesaid shall be deemed to have been given and received on the expiration of 5 business days after it was posted, addressed as follows:

Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2  
Attention: General Manager, Recreation and Parks Services

City of Nanaimo  
455 Wallace Street  
Nanaimo, BC V9R 5J6  
Attention: City Clerk

or to such other address or addresses as may from time to time be provided in writing by the parties hereto. If there shall be, between the time of mailing and the actual receipt of a notice, a mail strike, slow down or other labour dispute which might affect the delivery of that notice by the mails, then the notice shall only be affected if actually received by the person to whom it was mailed.

10.7 Independent Contractor

Where a party to this Agreement (hereinafter called the "**Supplying Party**") provides Sports Field Services to another party to this Agreement (herein after called the "**Receiving Party**"), the Supplying Party shall be deemed to be an independent contractor and not the agent of the Receiving Party. Any and all agents, servants or employees of the Supplying Party or other persons, while engaged in the performance of any work or services required to be performed by one of the under this Agreement, shall not be considered employees of the Receiving Party and any and all claims that may or might arise on behalf of the Supplying Party, their agents, servants or employees as a

consequence of any act or omission on behalf of the Supplying Party, its agents, servants, employees or other person, shall not be the obligation or responsibility of the Receiving Party. The Receiving Party, their agents, servants or employees, respectively, shall be entitled to none of the rights, privileges or benefits of employees of the Supplying Party except as otherwise may be stated in this Agreement.

## 10.8 Entire Agreement

This Agreement shall constitute the entire agreement between the parties and shall supersede all prior written or unwritten negotiations, understandings and agreements.

## 10.9 Arbitration

All disputes arising out of or in connection with this Agreement, or in respect of any defined legal relationship associated therewith or derived therefrom, may at the instance of either party, be referred to a Court of competent jurisdiction or to arbitration by delivery of a Notice of Arbitration in writing. If the parties cannot agree on a choice of arbitrator then each party may appoint an arbitrator and the two arbitrators so appointed must appoint a third arbitrator failing which the third arbitrator must be appointed by a Judge of the Supreme Court of British Columbia. Arbitration will be governed by the Commercial Arbitration Act (British Columbia). The place of arbitration shall be Nanaimo, British Columbia, Canada and the costs shall be borne equally by the parties.

**IN WITNESS WHEREOF** the parties hereto have set their hands and seals as of the day and year first above written.

The Corporate Seal of the  
**REGIONAL DISTRICT OF NANAIMO**  
was hereto affixed in the presence


of its authorized signatories:

Chair

Mr. Saxe  
Officer Responsible for Corporate  
Administration

The Corporate Seal of the  
**CITY OF NANAIMO**  
was hereto affixed in the presence  
of its authorized signatories:

Mayor

  
Officer Responsible for Corporate  
Administration

Joan Harrison  
Manager of Legislative Services

## **SCHEDULE "A"**

### **Costs of Sports Field Operation and Maintenance**

Labour - includes wages and benefits;

Equipment - means all equipment involved in the maintenance or operation of Sports Fields, including lawnmowers and vehicles and includes costs of operating plus an amount for depreciation calculated in accordance with standard municipal accounting practices;

Materials - means all materials required to maintain and operate Sports Fields, including grass seed and fertilizer;

Field Houses - means change room and washroom facilities at each park and includes facility costs (cleaning, supplies, lighting, heating, etc.)

Water - means costs related to the irrigation of Sports Fields;

Electricity - for the operation of field lights at Sports Fields which are illuminated;

Fleet Maintenance - means the cost of repairing and maintaining vehicles used by parks staff at the facilities, which is reasonably attributable to operation and maintenance of Sports Fields, including depreciation calculated in accordance with standard municipal accounting practices;

Vandalism - means annual costs for removing the effects of vandalism or repairing vandalized property;

Garbage Collection - means collection of litter from Sports Fields;

Departmental Overhead - means the following administrative costs attributable to Sports Fields operation and maintenance:

- salaries of parks maintenance administrative staff
- staff training
- staff meetings
- costs related to operation of parks works yard
- other miscellaneous costs incidental to Sports Fields (e.g. photocopying, office supplies, office equipment rental, advertising, bank charges, etc.)

Costs attributed to Sports Field Operation and Maintenance do not include the construction of structures or improvements.

## **SCHEDULE “B”**

### **Beban Park, Bowen Park, Nanaimo Aquatic Centre and Nanaimo Ice Centre Costs of Operation and Maintenance**

Facilities – means all buildings, structures, swimming pools, arenas, play fields, etc. located at Bowen Park, Beban Park or the Nanaimo Aquatic Centre.

Labour – includes wages and benefits;

Equipment – means all equipment involved in the maintenance or operation of the Facilities, including lawnmowers and vehicles and includes costs of operating plus an amount for depreciation calculated in accordance with Nanaimo’s usual accounting practices;

Materials – means all materials required to maintain and operate the Facilities;

Utilities – means all utility costs required to operate the Facilities including, but not limited to: telephones, water fees, sewer fees, electricity, gas and oil.

Building Maintenance – means all costs that are required to maintain the Facilities in good operating condition, e.g. painting, flooring, HVAC, plumbing and electrical repairs, security, janitorial supplies;

Fleet Maintenance – means the cost of repairing and maintaining vehicles used by parks staff at the facilities, which is reasonably attributable to operation and maintenance of Nanaimo Recreation Facilities, including depreciation calculated in accordance with Nanaimo’s usual accounting practices;

Vandalism – means costs for removing the effects of vandalism or repairing vandalized property;

Garbage Collection – means collection of garbage from the Facilities;

Program Costs – means those costs incurred for the provision of recreational programs to the public at the Facilities. Costs may include contract staff and recreation supplies.

Departmental Overhead – means the following administrative costs of the Parks and Recreation Service of the City of Nanaimo attributable to the operation and maintenance of the Facilities;

- Salaries of parks and recreation administrative staff
- Staff training
- Staff meetings
- Costs related to the operation of the parks works yard
- Other miscellaneous costs incidental to the Nanaimo Recreation Facilities Service (e.g. photocopying, office supplies, office equipment rental, advertising, bank charges, etc.)

Costs of Sports Field Operation and Maintenance do not include construction of structures or improvements.

**SCHEDULE “C”**

**Composition, Procedures, Duties and Powers of  
Parks, Recreation and Culture Commission**

**“PARKS, RECREATION AND CULTURE COMMISSION BYLAW 2006 NO. 7020”**

*Consolidated Version*

2011-FEB-15

Includes Amendments: 7020.01, 7020.02, 7020.03

CITY OF NANAIMO

BYLAW NO. 7020

A BYLAW TO ESTABLISH A PARKS, RECREATION AND CULTURE COMMISSION

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WHEREAS the Council of the City of Nanaimo may, pursuant to Section 143(1) of the *Community Charter*, establish Commissions;

WHEREAS the Council of the City of Nanaimo has deemed it appropriate to establish a Parks, Recreation and Culture Commission;

THEREFORE BE IT RESOLVED that the Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. Title

This Bylaw may be cited as the "PARKS, RECREATION AND CULTURE COMMISSION BYLAW 2006 NO. 7020".

PART I - GENERAL

2. Interpretation

In this Bylaw unless the context requires otherwise:

"Director of Parks, Recreation and Culture"	means the person duly appointed as such from time to time, and includes any person appointed or designated by the Director to act on their behalf.
"Member"	means a member of the Parks, Recreation and Culture Commission.
"Council"	means the City Council of the City of Nanaimo.
"Commission"	means the Parks, Recreation and Culture Commission.

3. The Role of the Commission

The role of the Commission is to provide policy advice to Council for the planning, development and the provision of City Parks, Recreation and Culture services and facilities.

4. Quorum

A quorum of the Commission shall be six (6) members; a quorum of the Parks Committee shall be three (3) members; a quorum of the Recreation Program and Facilities Committee shall be three (3) members; a quorum of the Cultural Committee shall be six (6) members.

5. Appointment of Members

The Commission shall consist of twelve (12) members, each appointed by Council as follows:

- (a) three (3) members of Council;
- (b) five (5) “at large” members who shall each be a resident of the City of Nanaimo;
- (c) one (1) member nominated from each of three (3) Electoral Areas of the Regional District of Nanaimo and one (1) member from the District of Lantzville who participate in the Nanaimo Recreation Centre function.

6. Terms of Appointment

- 6.1 All appointments to the Commission shall be for a term of three (3) years without remuneration.
- 6.2 The Mayor will appoint a member of Council as Chair. The Chair shall serve a three (3) year term, with successive terms at the pleasure of the Mayor. The other two Council representatives will serve on a rotating basis as Acting Chair in the absence of the Chair. (Bylaw 7020.01)
- 6.3 Every member shall continue to hold office until a successor is appointed.
- 6.4 Council may, by an affirmative vote of not less than two-thirds (2/3) of the Council members, remove a member of the Commission from office at any time.
- 6.5 Upon the resignation, the removal from office, or the death of any member during their term of office, Council shall appoint a successor in accordance with the provisions by which the vacating member was appointed.

7. Inaugural Meeting

7.1 The Commission shall meet for its Inaugural meeting, at 7:00 p.m. on the fourth Wednesday of April following the Municipal Election. (Bylaw 7020.03)

7.2 At the Inaugural meeting of the Commission, the members shall from amongst their number appoint, by resolution, persons to serve on the:

- (a) Parks Committee (5 Commission members)
- (b) Recreation Committee (5 Commission members)
- (c) Cultural Committee (4 Commission members)

and representatives to other Committees as deemed appropriate. (Bylaw 7020.02)

7.3 At the Inaugural meeting, or any regular meeting of the Commission, the Commission may appoint Committees as it deems necessary.

8. Notice of Regular Commission Meetings

8.1 On the Friday afternoon prior to a regular meeting of Commission, the Commission Secretary will have available for members to pick up at the Parks, Recreation and Culture administration office, a meeting agenda setting out all items for consideration.

8.2 At least 72 hours before a regular meeting of Commission, the Commission Secretary will post notice of the time, place and date of the meeting by way of posting an agenda at the Parks, Recreation and Culture administration office.

9. Location and Time of Regular Commission Meetings

9.1 Regular meetings of the Commission shall be held at least once (1) in each month excluding August and December, on the fourth Wednesday, at 7:00 p.m. in the Bowen Complex Conference Room, unless otherwise specified.

9.2 Prior to the beginning of each year, a tentative Commission meeting schedule shall be produced and posted at the Parks, Recreation and Culture administration office and on the City's website.



10. Attendance of Public at Meetings

- 10.1 Except where the provision of Section 90(1) or (2) of the *Community Charter* apply, all Commission meetings shall be open to the public.
- 10.2 Where the Commission wishes to close a meeting to the public, it may do so by adopting a resolution in accordance with Section 92(a) and (b) of the *Community Charter*.

PART II – MEETINGS

11. The Chair

- 11.1 The Chair, when present, shall preside at all meetings of the Commission using Roberts Rules of Order to govern the meeting.
- 11.2 Where the Chair, or either Acting Chair, is not present at the time appointed for a meeting of Commission, the Commission shall by resolution appoint an Acting Chair for that meeting.
- 11.3 Every question submitted to a meeting shall be decided by a majority of the members present.

12. Delegations

- 12.1 All delegations requesting permission to appear before the Commission shall submit a written request, including a written synopsis clearly outlining their topic of concern.
- 12.2 Requests to appear as a delegation shall be submitted to the Commission Secretary by 1:00 p.m. on the Wednesday preceding the meeting for inclusion on the Commission agenda. These delegates will be allocated 10 minutes.
- 12.3 Requests to appear as a delegation received after 1:00 p.m. on the Wednesday, but prior to 1:00 p.m. on the Tuesday preceding the meeting, shall be included on the Late Correspondence Agenda, and allocated 10 minutes.

13. Correspondence

The deadline for the public to submit items to the Commission Secretary for inclusion on the Commission agenda shall be 1:00 p.m. on the Wednesday preceding the meeting. Items of correspondence received after that time will be included on the Late Correspondence Agenda.

14. Opening Procedures

- 14.1 Call Meeting to Order - At the hour set for a meeting to commence, and provided that a quorum is present, the Chair shall call the meeting to order.
- 14.2 Lack of Quorum - Should there be no quorum present within fifteen minutes after the time appointed for the meeting to commence, the Chair shall ask the Secretary to record the names of the members present and then adjourn the meeting.

15. Order of Business

- 15.1 The following headings and order of business shall be used:
- Presentations
  - Adoption of Minutes
  - Introduction of Late Items
  - Adoption of Late Correspondence Agenda
  - Receiving of Delegations
  - Chairman's Report
  - Receiving of Correspondence
  - Reports of Standing Committees
  - Director's Report
  - Committee/Commission Representative Reports
  - Items of General Information
  - Unfinished Business
  - Other Competent Business
  - Media Question Period
  - Public Question Period
  - Establish Next Meeting Dates
  - Adjournment
- 15.2 Notwithstanding the provisions under Section 15.1, it shall always be in order for the Commission to vary the order in which business on the Agenda shall be dealt with by a majority vote of the members present.

16. Special Meetings

- 16.1 A notice of the day, hour and place of a special meeting of the Commission, being a meeting other than a regular or adjourned meeting, shall be given at least 24 hours before the time of meeting by posting a copy of the notice at the regular Commission meeting place and by leaving one copy for each member of the Commission at the place to which they have directed notices to be sent. Notice may be waived by unanimous vote of all members of the Commission. Each copy of the notice shall be signed by the Chair or the Director of Parks, Recreation and Culture.
- 16.2 Any five (5) members of the Commission may, in writing, request the Chair to call a special meeting.

- 16.3 Where the Chair, within 24 hours after receiving the request, refuses or neglects to call the special meeting to be held within seven (7) days after they received the request, or where the Chair is absent, five (5) or more members of the Commission may call a special meeting and they shall sign the notice.
17. Minutes
- 17.1 Minutes of the proceedings of the Commission shall be legibly recorded in a minute book. The minutes shall be certified as correct by the Director of Parks, Recreation and Culture and signed by the Chair or other member presiding at the meeting or at the next meeting at which they are adopted.
- 17.2 The minutes shall be open for inspection by any person who may make copies and extracts at all reasonable times on payment each time of \$0.25 per page or as specifically provided for under Section 194(1)(c) of the *Community Charter*.
- 17.3 Section 17.2 does not apply to minutes of a special meeting from which persons were excluded under Section 10.
18. Unless otherwise stated in this bylaw, "COUNCIL PROCEDURE BYLAW 2005 NO. 7007" and all amendments thereto shall apply to meetings of the Commission.

PART III – REPEAL

19. "PARKS, RECREATION AND CULTURE COMMISSION BYLAW 2002 NO. 5564" and all amendments thereto are hereby repealed.



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

Monday, June 29, 2020, 1:00 P.M. - 3:00 P.M.  
Board Room, Service and Resource Centre,  
411 Dunsmuir Street, Nanaimo, BC

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Pages

**1. CALL THE MEETING TO ORDER:**

**2. APPROVAL OF THE AGENDA:**

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

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

1. Adoption of Agenda

3(a). [REDACTED]

3(b). [REDACTED]

Section 90(1):

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



4. RISE AND REPORT:
5. ADJOURNMENT OF SPECIAL "IN CAMERA" MEETING:



ADDENDUM  
SPECIAL "IN CAMERA" COUNCIL MEETING"

Monday, June 29, 2020, 1:00 P.M. - 3:00 P.M.  
Board Room, Service and Resource Centre,  
411 Dunsmuir Street, Nanaimo, BC

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Pages

3. REPORTS:

c. Add Report - Release of the BC Housing Memorandum of Understanding

2 - 62

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

*Purpose: To update Council on the planned 2020-JUL-11 announcement of the BC Housing Memorandum of Understanding and to provide for Council's information the associated communication strategy.*

Recommendation: That Council:

1. Approve the release of the Memorandum of Understanding with BC Housing that confirms intent to provide more affordable and supportive housing in partnership with the City of Nanaimo through the provision of land and other financial incentives; and
2. Receive the Communications Plan for information.

DATE OF MEETING June 29, 2020

AUTHORED BY KARIN KRONSTAL, SOCIAL PLANNER

**SUBJECT RELEASE OF THE BC HOUSING MEMORANDUM OF UNDERSTANDING**

## **OVERVIEW**

### **Purpose of Report**

To update Council on the planned 2020-JUL-11 announcement of the BC Housing Memorandum of Understanding and to provide for Council's information the associated communication 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.

### **Recommendation**

That Council:

- 1) Approve the release of the Memorandum of Understanding with BC Housing that confirms intent to provide more affordable and supportive housing in partnership with the City of Nanaimo through the provision of land and other financial incentives; and
- 2) Receive the Communications Plan for information.

## **BACKGROUND**

Council, at its 2019-JUL-22 "In Camera" Meeting, passed the following motion:

*"That Council endorse the Memorandum of Understanding with BC Housing to provide more affordable and supportive housing in partnership with the City of Nanaimo through the provision of land and other financial incentives subject to the approval of the Communication Strategy by Council at a future "In Camera" Council meeting."*

The Memorandum of Understanding ("MOU"), which the City signed on 2019-SEP-19, focuses on providing permanent housing to replace the two temporary emergency housing projects at 2060 Labieux Road and 250 Terminal Avenue through the provision of approximately 140-160 new permanent supportive housing units. The MOU also confirmed the intent to create approximately 120 new units of affordable rental housing for low- to moderate-income families and individuals.

This report provides the details of individual sites as well as the overall communications strategy developed by BC Housing and City Staff to support moving forward with these important projects.

## **DISCUSSION**

Consistent with the terms of the MOU, approximately 180 new supportive housing units will be created across four sites located at 702 Nicol Street, 355 Nicol Street, 285 Prideaux Street and 250 Terminal Avenue. Each site will have between 38 and 55 units and have on-site staff support.

Additionally, approximately 80 new affordable rental units for low- to moderate-income households will be created at 250 Terminal Avenue and 1425 Cranberry Avenue. These units are in addition to the 40+ units that will be added through the Te'tuxwtun project at 502 Howard Avenue.

These projects will create approximately 300 new affordable and supportive housing units. This unit count is in alignment with the terms of the MOU that identifies a commitment for BC Housing to build approximately 280 units.

City Staff have been working collaboratively with BC Housing staff through weekly meetings, during which BC Housing shares updates on site negotiations, discussions with potential operators, and options for community engagement. Due to the COVID-19 pandemic, BC Housing staff have adapted their engagement strategy to accommodate social distancing, replacing in-person meetings with virtual engagement opportunities. The City is augmenting these efforts by arranging hand delivery of notices to properties located within a 100m radius of the five sites, to be delivered on the morning of the proposed joint announcement. A full schedule of engagement activities is included as Attachment A.

In discussion with the Minister of Municipal Affairs and Housing, BC Housing identified 2020-JUL-11 as the preferred date for a joint announcement. Holding the event on a weekend, while unusual, will allow for political representatives to attend while the Provincial Legislature is still in session. At this time, the media will be provided with a joint press release from the Ministry of Municipal Affairs and Housing and the City of Nanaimo [REDACTED]

## **OPTIONS**

1. That Council:
  1. Approve the release of the Memorandum of Understanding with BC Housing that confirms intent to provide more affordable and supportive housing in partnership with the City of Nanaimo through the provision of land and other financial incentives; and
  2. Receive the Communications Plan for information.
    - Advantages: Allows the City and BC Housing to immediately move forward on replacing the two temporary emergency housing sites at 2060 Labieux Road and 250 Terminal Avenue with permanent supportive housing, as well as adding to the affordable housing stock of the city. Lays the foundation for further housing investments in Nanaimo by BC Housing. Helps implement the goals and objectives of the 2018 Affordable Housing Strategy and the Nanaimo Homelessness Coalition's Action Plan to End Homelessness.
    - Disadvantages: Proceeding at this time will require creativity to ensure COVID-19 safety measures while meeting public expectations for engagement.



2. That Council provide alternative direction.

- Disadvantages: Not proceeding at this time would compromise the ability of BC Housing to fulfill the terms of the MOU, and potentially jeopardize their ability to partner with the City on future projects.

#### **SUMMARY POINTS**

- On 2019-SEP-19, the City signed an MOU with BC Housing to take actions to build more affordable and supportive housing.
- BC Housing is ready to move forward with five development sites, and has identified 2020-JUL-11 as the preferred date for a joint announcement/press release.
- Staff is seeking Council approval to release the MOU.
- The Communications Strategy has been attached for information. .

#### **ATTACHMENTS**



#### **Submitted by:**

Lisa Bhopalsingh  
Manager, Community Planning

#### **Concurrence by:**

Bill Corsan  
Director, Community Development

Dale Lindsay  
General Manager, Development Services

#### **INFORMATION RELEASE:**





## **AGENDA**

### **SPECIAL "IN CAMERA" MAYOR'S TASK FORCE ON RECOVERY AND RESILIENCE**

Friday, June 5, 2020, 9:00 A.M. - 11:00 A.M.

Board Room, Service and Resource Centre,

411 Dunsmuir Street, Nanaimo, BC

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**Pages**

1. CALL THE MEETING TO ORDER:

2. APPROVAL OF THE AGENDA:

3. REPORTS:

a.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

4. ADJOURNMENT OF "IN CAMERA" MEETING:



## **AGENDA**

### **SPECIAL "IN CAMERA" MAYOR'S TASK FORCE ON RECOVERY AND RESILIENCE**

Friday, June 19, 2020, 10:00 A.M. - 12:00 P.M.

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

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#### **Pages**

**1. CALL THE MEETING TO ORDER:**

**2. APPROVAL OF THE AGENDA:**

**3. ADOPTION OF MINUTES:**

**a. Minutes**

**1 - 2**

Minutes of the Special "In Camera" Mayor's Task Force on Recovery and Resilience Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC on Friday, 2020-JUN-05 at 10:23 a.m.

**4. REPORTS:**

**a.**



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

**"IN CAMERA" MINUTES**  
SPECIAL MAYOR'S TASK FORCE ON RECOVERY AND RESILIENCE  
MEETING TO DISCUSS CONFIDENTIAL MATTERS  
BOARDROOM, SERVICE AND RESOURCE CENTRE,  
411 DUNSMUIR STREET, NANAIMO, BC  
FRIDAY, 2020-JUN-05 AT 10:23 A.M.

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Present: Mayor Krog, Chair  
Councillor T. Brown  
J. Byrne, Regional Managing Partner, Vancouver Island, MNP  
D. Hais, Board Chair, Nanaimo Port Authority  
S. Madden, Executive Director, United Way (joined electronically)  
I. Simpson, Chief Executive Officer, Petroglyph Development Group,  
Snuneymuxw First Nation

Absent: D. Saucier, President and Vice-Chancellor, Vancouver Island  
University

Staff: J. Rudolph, Chief Administrative Officer  
S. Legin, General Manager, Corporate Services  
D. Lindsay, General Manager, Development Services  
B. Corsan, Director, Community Development  
L. Bhopalsingh, Manager, Community Planning  
S. Snelgrove, Deputy Corporate Officer  
J. Vanderhoef, Recording Secretary

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

The Special "In Camera" Mayor's Task Force on Recovery and Resilience Meeting was called to order at 10:23 a.m.

2. ADOPTION OF AGENDA:

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

3. REPORTS:

(a) Sector Leaders

Introduced by Jake Rudolph, Chief Administrative Officer.

A discussion period ensued. Highlights included the following:

- During the previous meeting Task Force members were asked to submit names of sector leaders for engagement with the Mayor's Task Force on Recovery and Resilience (MTFRR)
- Options exist to align with the Economic Development Task Force engagement

- [REDACTED]
- The mandate of the MTFRR is broader than the Economic Development Task Force
- Individuals invited to the June 17<sup>th</sup> and 18<sup>th</sup> Economic Development sector focus group meetings were selected by Staff and a broader survey is going to be provided to the business community as a whole
- Economic Development Task Force has interviews with sector leaders planned as a starting point for input on economic strategy
- Avoiding duplicating the work of the Economic Development Task Force and potentially including questions from the MTFRR in that work
- Including the labour community to get a broader perspective
- Individual interviews versus survey questions and the best way to utilize talent, values and views
- Receiving the results of the engagement underway through the Economic Development Task Force to become better informed about economic options
- Work being done by various organizations/groups and clarifying the specific goal of the MTFRR
- MTFRR can review strategies from a very high level perspective
- Inviting sector leaders to speak to the MTFRR
- Potentially distributing a letter to sector leaders outlining the MTFRR mandate and asking for feedback/ideas based on the mandate
- The need to determine what the MTFRR wants to accomplish

4. ADJOURNMENT:

It was moved and seconded at 10:40 a.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



## ADDENDUM

### SPECIAL "IN CAMERA" MAYOR'S TASK FORCE ON RECOVERY AND RESILIENCE

Friday, June 19, 2020, 10:00 A.M. - 12:00 P.M.

Board Room, Service and Resource Centre,

411 Dunsmuir Street, Nanaimo, BC

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**Pages**

#### 4. REPORTS:

a.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]