



AGENDA "IN CAMERA" COUNCIL MEETING

Monday, October 1, 2018, 4:00 P.M. - 7:00 P.M.
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

Pages

1. ADOPTION OF 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). Discontent City Update - 90(1)(e) and 90(2)(b)
- 4(b). Shaw Go Wifi Service Agreement - 90(1)(k)
- 4(c). Telus - Memorandum of Understanding [REDACTED]
- 4(d). [REDACTED]
- 4(e). [REDACTED]

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;

(g) litigation or potential litigation affecting the municipality;

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

(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,

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.

2. ADOPTION OF MINUTES

a. Minutes

5 - 7

Minutes of the Special "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Thursday, 2018-SEP-06 at 5:30 p.m.

b. Minutes

8 - 12

Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2018-SEP-17 at 4:00 p.m.

c. Advisory Committee Minutes

1. Minutes of the Special "In Camera" Finance and Audit Committee Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2017-NOV-02 at 11:00 a.m.

13 - 15

2. Minutes of the Special "In Camera" Finance and Audit Committee Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2017-NOV-09 at 11:00 a.m.

16 - 17

3. Minutes of the Special "In Camera" Finance and Audit Committee Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2017-DEC-13 at 9:00 a.m. and continuing 2017-DEC-14 at 9:00 a.m.

18 - 23

3. PRESENTATIONS

4. REPORTS

a. Discontent City Update

To be introduced by Jake Rudolph, Chief Administrative Officer.

24 - 27

Purpose: To seek Council approval to enter into a five-year renewal agreement with Shaw Communications for their Shaw Go Wifi Service in City buildings and on City infrastructure.

Rise and Report:

28 - 49

Purpose: To seek Council approval to enter into a Memorandum of Understanding to facilitate the Telus 'Fibre to the Premise' Program in Nanaimo and to obtain approval

1. enter into a Memorandum of Understanding with Telus for the 'Fibre to the Premise' Program in Nanaimo; and

Rise and Report:

d.

[REDACTED]

[REDACTED]
[REDACTED]

e.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

5. ADJOURNMENT OF "IN CAMERA" MEETING

SPECIAL "IN CAMERA" MINUTES
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
THURSDAY, 2018-SEP-06 AT 5:30 P.M. – 7:00 P.M.

Members: Mayor W. B. McKay, Chair
Councillor S. D. Armstrong (arrived 5:33 p.m.)
Councillor W. L. Bestwick
Councillor Brennan (arrived 6:05 p.m.)
Councillor G. W. Fuller
Councillor J. A. Kipp
Councillor I. W. Thorpe

Absent: Councillor Hong
Councillor Yoachim

Staff: J. Rudolph, Chief Administrative Officer
R. J. Harding, Director of Parks and Recreation
D. Lindsay, Director of Community Development
B. Sims, Director of Engineering and Public Works
J. Van Horne, Director of Human Resources
Supt. C. Miller, OIC, Nanaimo Detachment RCMP
K. Fry, Fire Chief
L. Mercer, Manager Accounting Services
D. Laberge, Manager of Community Safety
S. Gurrie, City Clerk

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

The Special "In Camera" Meeting was called to order at 5:31 p.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) Discontent City Update

Jake Rudolph, Chief Administrative Officer, provided Council and with an update regarding Discontent City. Staff and Council are currently waiting on the Court's decision and Staff have been doing their due diligence, including continued Fire Safety checks and daily RCMP presence. Meetings are being held between Bylaws and the Parks and Recreation department regarding the use of park space as an alternative location. [REDACTED]

Council discussion took place regarding;

- communication between Staff and Council;
- the current status of affordable housing and securing a property or parcel of land;
- number of occupants in Discontent City and occupants coming from all over Canada;
- [REDACTED]
- criminal activity and how the RCMP are responding;
- the recent fire and subsequent injury; and,
- [REDACTED]

[REDACTED]

Staff will provide a further update during the "In Camera" meeting on September 17, 2018.

(b) Bylaw 7000

Jake Rudolph, Chief Administrative Officer provided Council with an update regarding Bylaw 7000 and stated that Staff will be providing Council with a full report during the next "In Camera" Council meeting, 2018-SEP-17. [REDACTED]

[REDACTED] Staff will provide a further update during the "In Camera" meeting on September 17, 2018.

(c) Nanaimo Port Authority City Representative

Jake Rudolph, Chief Administrative Officer, and Sheila Gurrie, City Clerk, provided Council with an update regarding the Nanaimo Port Authority City Representative and stated that during the "In Camera" meeting on 2018-SEP-17, two options will be presented to Council:

1. re-appoint current representative
- OR
2. direct Staff to advertise the position

Staff will provide further information during the "In Camera" meeting on September 17, 2018.

(d) Purchasing

Introduced by Jake Rudolph, Chief Administrative Officer.

Council discussion took place regarding:

- motions made during a previous meeting regarding Purchasing Cards;
- management and accountability of the purchasing policy and use of purchase cards;
- [REDACTED]
- recommendations contained within the Core Services Review and why these have not been implemented yet; and,
- [REDACTED]

Jake Rudolph, Chief Administrative Officer, spoke regarding the City of Nanaimo's policies around purchasing cards [REDACTED]

(e) Automated Waste

Introduced by Jake Rudolph, Chief Administrative Officer.

Council discussion took place regarding:

- delay in arrival of the different sized bins;
- effects on residents pick-up schedules when the trucks break down and the City needing to hire a third party collection agency;
- disposing of/or selling the old trucks; and,
- overtime and the ability of Staff to keep on schedule with the new trucks.

Bills Sims, Director of Public Works and Engineering, stated that the old trucks will be going to auction once there is no longer a need for them. [REDACTED]

[REDACTED] Mr. Sims also stated that Staff did not account for overtime and the issues with the recycling trucks to compact the material properly. Staff are dealing with these matters and will keep Council up-to-date on their progress.

4. ADJOURNMENT:

It was moved and seconded at 6:57 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
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2018-SEP-17 AT 4:00 P.M.

Members: Mayor W. B. McKay, Chair
Councillor S. D. Armstrong (via telephone, disconnected at 7:00 p.m.)
Councillor W. L. Bestwick
Councillor M. D. Brennan
Councillor G. W. Fuller (vacated 10:36 p.m.)
Councillor J. Hong
Councillor J. A. Kipp (vacated 10:36 p.m.)
Councillor I. W. Thorpe
Councillor W. M. Yoachim (arrived 4:09 p.m.)

Other:

Staff: J. Rudolph, Chief Administrative Officer
D. Lindsay, Director of Community Development
B. Corsan, Deputy Director, Community Development (arrived 10:36 p.m.)
J. Van Horne, Director of Human Resources (arrived 5:09 p.m., vacated 7:00 p.m.)
K. Fry, Fire Chief (arrived 4:02 p.m., vacated 5:07 p.m.)
L. Fletcher, Inspector, RCMP (arrived 4:02 p.m., vacated 5:07 p.m.)
S. Gurrie, City Clerk
S. Snelgrove, Recording Secretary

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

The "In Camera" Meeting was called to order at 4:01 p.m.

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

2. INTRODUCTION OF LATE ITEMS:

- (a) Agenda Item 4(e) – Add Report titled “1 Port Drive – Seaspans Right-of-Way Letter of Intent”

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. 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, 80 Commercial Street, Nanaimo, BC on Monday, 2018-AUG-13 at 1:00 p.m.
- Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, 80 Commercial Street, Nanaimo, BC on Monday, 2018-AUG-13 at 3:30 p.m.

[REDACTED]

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

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

- Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, 80 Commercial Street, Nanaimo, BC on Monday, 2018-AUG-13 at 1:00 p.m. as amended to include a notation that Councillor Kipp was concerned that Snuneymuxw First Nation was not consulted regarding the Lantzville Water Agreement.
- Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, 80 Commercial Street, Nanaimo, BC on Monday, 2018-AUG-13 at 3:30 p.m. as circulated.

The motion carried unanimously.

5. REPORTS:

(a) Discontent City Update

Introduced by Jake Rudolph, Chief Administrative Officer.

Staff provided an update on Tent City which included discussion regarding:

- expansion of Tent City onto Seaspan property to make room for people coming from Saanich Tent City
- Staff conducted their bi-weekly fire inspection walk-through and advised that in consultation with Seaspan the fence would be moved back to its original location
- Wednesday night some activists chained themselves to propane tanks and fences
- currently 195 structures on site, up 25 from last week
- [REDACTED]
- [REDACTED]

- residents of Tent City have open flames and propane cylinders in enclosed spaces
- property now contains several vehicles, more debris and more flammable materials

Councillor Yoachim entered the Douglas Rispin Room at 4:09 p.m.

Discussion continued regarding:

- carbon monoxide poisoning concerns
- [REDACTED]
- none of the residents are from Saanich
- [REDACTED]
- [REDACTED]
- [REDACTED]
- temporary housing versus permanent housing
- City's need to understand what client group would be provided housing in Nanaimo
- [REDACTED]
- [REDACTED]
- potentially putting housing on the new fire hall site
- City's communications plan and increasing communication on this topic
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

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

Karen Fry, Dale Lindsay, [REDACTED] [REDACTED] vacated the Douglas Rispin Room at 5:07 p.m.

(b) Council Appointed Tax Sale Bidder

Introduced by Sheila Gurrie, City Clerk

It was moved and seconded that Council authorize the Manager of Real Estate, or designate, to bid at the annual Tax Sale to be held 2018-SEP-24, [REDACTED] of the general taxable assessed value of each property. The motion carried unanimously.

Sheila Gurrie, vacated the Douglas Rispin Room at 5:08 p.m.
John Van Horne entered the Douglas Rispin Room at 5:09 p.m.

(c) Bylaw 7000 Amendments

Introduced by John Van Horne, Director of Human Resources.

John Van Horne provided an overview of proposed changes.

The In Camera Council meeting recessed for 10 minutes at 5:24 p.m.
The In Camera Council meeting reconvened at 5:36 p.m.

It was moved and seconded that Council proceed with amendments as outlined in the last paragraph of the report and make recommendations to the incoming Council regarding other amendments. The motion was defeated.

Opposed: Councillors Bestwick, Fuller, Hong, Kipp, Yoachim

It was moved and seconded that Council proceed with the proposed amendments and take Bylaw 7000 forward for three readings and adoption. The motion carried.

Opposed: Mayor McKay, Councillors Armstrong, Brennan, Thorpe

Sky Snelgrove vacated the Douglas Rispin Room at 6:26 p.m.

(d)

α	Number of nodes
0.0	85
0.1	75
0.2	65
0.3	55
0.4	45
0.5	35
0.6	25
0.7	15
0.8	10
0.9	10
1.0	10

Sky Snelgrove, Sheila Gurrie and Dale Lindsay returned to the Douglas Rispin Room at 6:46 p.m.
Sky Snelgrove vacated the Douglas Rispin Room at 6:47 p.m.

Response	Percentage
Yes	78%
No	18%
Don't know	4%

The In Camera Council Meeting recessed at 6:59 p.m. with the intention to reconvene after the Open Council Meeting.

The In Camera meeting reconvened at 10:36 p.m. in the Douglas Rispin Room

(e) Seaspan Update

Introduced by Bill Corsan, Deputy Director of Community Services.

Presentation:

1. Bill Corsan, Deputy Director of Community Services.

It was moved and seconded that Council direct the Mayor and Corporate Officer to execute the Letter of Intent with Seaspan Ferries Corporation for the discharge of the Seaspan Right-of-Way and direct Staff to return to the 2018-OCT-01 Open Council meeting for final approval. The motion carried unanimously.

Councillor Bestwick vacated the Douglas Rispin Room at 10:55 p.m.

Note: the following items were not dealt with due to time constraints:

- (f) [REDACTED]
- (g) City Representative to the Nanaimo Port Authority Board
- (h) [REDACTED]

6. ADJOURNMENT:

It was moved and seconded at 10:55 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

"IN CAMERA" MINUTES
SPECIAL FINANCE AND AUDIT COMMITTEE
MEETING TO DISCUSS CONFIDENTIAL MATTERS
BOARDROOM, SERVICE AND RESOURCE CENTRE,
411 DUNSMUIR STREET, NANAIMO, BC
THURSDAY, 2017-NOV-02, AT 11:00 A.M. – 1:00 P.M.

PRESENT: Councillor W. L. Bestwick, Chair

Members: Councillor S. D. Armstrong
Councillor M. D. Brennan
Councillor G. W. Fuller
Councillor J. Hong
Councillor J. A. Kipp

Absent: Mayor W. B. McKay
Councillor I. W. Thorpe
Councillor W. M. Yoachim

Staff: T. Samra, Chief Administrative Officer
V. Mema, Chief Financial Officer
D. Lindsay, Director of Community Development
P. Rosen, Senior Manager Engineering (vacated 12:25 p.m.)
J. Elliot, Senior Manager of Public Works
B. Sims, Manager, Water Resources
L. Mercer, Manager Accounting Services
W. Fuller, Manager, Finance – Business & Asset Planning
C. Davis, Manager of Sanitation, Recycling & Public Works
Administration
A. Coronica, Senior Financial Analyst
M. Loree, Financial Analyst
S. Snelgrove, Deputy Corporate Officer (vacated 10:15 a.m.)
J. Vanderhoef, Recording Secretary

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

The "In Camera" Finance and Audit Committee Meeting was called to order at 10:38 a.m.

2. INTRODUCTION OF LATE ITEMS:

(a) Agenda Item 4(a) – Review 2018 Municipal Service Objectives – add the following reports and presentations:

1. 2018-2022 Sewer Operating and Capital Objectives
2. 2018-2022 Water Utility Operating and Capital Objectives
3. 2018-2022 Sanitation Operating and Capital Objectives

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.

S. Snelgrove vacated the Boardroom at 10:15 a.m.

4. REPORTS:

(a) Review 2018 Municipal Service Objectives

Introduced by Victor Mema, Chief Financial Officer.

1. 2018-2022 Sewer Operating and Capital Objectives

Presentation:

John Elliot, Senior Manager of Public Works, provided a presentation regarding Sewer Operating and Capital Objectives.

Committee discussion took place regarding the costs associated with supporting the Regional District of Nanaimo, and other municipalities, when assistance is requested and the procedures for responding to these requests.

Councillor Kipp requested that a footnote to be added to this type of report showing a list of expenses and requisitions for the Regional District of Nanaimo from the previous year.

2. 2018-2022 Water Utility Operating and Capital Objectives

Presentation:

Bill Sims, Manager, Water Resources, provided a presentation regarding Water Utility Operating and Capital Objectives.

3. 2018-2022 Sanitation Operating and Capital Objectives

Presentation:

Charlotte Davis, Manager of Sanitation, Recycling and Public Works Administration, provided a presentation regarding Sanitation Operating and Capital Objectives.

P. Rosen vacated the Boardroom at 12:25 p.m.

It was moved and seconded that the following reports be received for information:

- 2018 – 2022 Sewer Operating and Capital Objectives report dated 2017-NOV-02;
- 2018 – 2022 Water Utility Operating and Capital Objectives report dated 2017-NOV-02; and,
- 2018 – 2022 Sanitation Operating and Capital Objectives report dated 2017-NOV-02.

The motion carried unanimously.

5. ADJOURNMENT:

It was moved and seconded at 12:28 p.m. that the "In Camera" Finance and Audit Meeting terminate. The motion carried unanimously.



CHAIR

CERTIFIED CORRECT:



CORPORATE OFFICER

"IN CAMERA" MINUTES
FINANCE AND AUDIT COMMITTEE
MEETING TO DISCUSS CONFIDENTIAL MATTERS
BOARDROOM, SERVICE AND RESOURCE CENTRE,
411 DUNSMUIR STREET, NANAIMO, BC
THURSDAY, 2017-NOV-09, AT 11:00 A.M. – 1:00 P.M.

PRESENT: Councillor W. L. Bestwick, Chair

Members: Mayor W. B. McKay (vacated 10:50 a.m.)
Councillor S. D. Armstrong (via telephone)
Councillor M. D. Brennan (vacated 10:53 a.m.)
Councillor G. W. Fuller
Councillor J. Hong
Councillor I. W. Thorpe

Absent: Councillor J. A. Kipp
Councillor W. M. Yoachim

Staff: T. Samra, Chief Administrative Officer
V. Mema, Chief Financial Officer (vacated 10:50 a.m.)
S. Snelgrove, Deputy Corporate Officer (vacated 10:50 a.m.)
J. Vanderhoef, Recording Secretary (vacated 10:50 a.m.)

1. CALL THE "IN CAMERA" FINANCE AND AUDIT COMMITTEE MEETING TO ORDER:

The "In Camera" Finance and Audit Committee Meeting was called to order at 10:46 a.m.

V. Mema, S. Snelgrove and J. Vanderhoef vacated the Boardroom at 10:50 a.m.
Mayor McKay vacated the Boardroom at 10:50 a.m.
Councillor Brennan vacated the Boardroom at 10:53 a.m.

It was moved and seconded that the Finance and Audit Committee defer the following Agenda Items due to the departure of Mayor McKay following his statement "this is ridiculous", and due to the departure of Councillor Brennan after not abiding with the Chair's ruling to review these items "In Camera":

1. 2018 - 2022 Public Works Operating and Capital Objectives
2. 2018 - 2022 Engineering Operating and Capital Objectives

The motion carried unanimously.

2. ADJOURNMENT:

It was moved and seconded at 10:57 a.m. that the "In Camera" Meeting terminate.
The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER

"IN CAMERA" MINUTES
SPECIAL FINANCE AND AUDIT COMMITTEE MEETING
TO DISCUSS CONFIDENTIAL MATTERS
BOARD ROOM, SERVICE AND RESOURCE CENTRE,
411 DUNSMUIR STREET, NANAIMO, BC
WEDNESDAY, 2017-DEC-13 AT 9:00 A.M., and continuing 2017-DEC-14 at 9:00 a.m.

PRESENT: Chair Councillor W. L. Bestwick

Members: Mayor W. B. McKay (arrived at 11:34 a.m.)
Councillor S. D. Armstrong
Councillor M.D. Brennan
Councillor G. W. Fuller
Councillor J. Hong
Councillor J. A. Kipp
Councillor I.W. Thorpe

Absent: Councillor B. W. Yoachim

Staff: T. Samra, Chief Administrative Officer
V. Mema, Chief Financial Officer
J. Van Horne, Director of Human Resources (vacated 9:24 a.m.)
K. Fry, Fire Chief
D. Lindsay, Director of Community Development
B. Anderson, Manager Cultural and Community Development
B. Sims, Manager Water Resources (vacated 10:38 a.m.)
J. Elliot, Senior Manager, Public Works (vacated 9:24 a.m.)
W. Fulla, Manager, Finance – Business & Asset Planning
P. Rosen, Manager Senior Manager Engineering
L. Mercer, Manager Accounting Services
J. Slater, Senior Accountant
M. Miller, Financial Analyst
S. Snelgrove, Deputy Corporate Officer
K. Gerard, Recording Secretary

1. CALL THE "IN CAMERA" FINANCE AND AUDIT MEETING TO ORDER:

The "In Camera" Meeting was called to order at 11:26 a.m.

The "In Camera" meeting recessed at 11:26 a.m.

The "In Camera" meeting reconvened at 11:31 a.m.

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Finance and Audit Committee Meeting held in the Boardroom Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, Thursday, 2017-NOV-09 at 11:00 a.m. be adopted. The motion carried unanimously.

Mayor McKay entered the Boardroom at 11:34 a.m.

4. PRESENTATIONS:

(a) 2018 – 2022 Financial Plan Workshop

Introduced by Victor Mema, Chief Financial Officer.

Committee discussion took place regarding the following:

- funding from the Strategic Infrastructure Reserve;
 - public plug-ins for electric scooters;
 - Allocation of funds from the Strategic Infrastructure Reserve Fund, on an annual basis, towards pedestrian safety;
 - Payment in Lieu of Taxes (PILTS);
 - [REDACTED]
 - Other potential revenue, such as Frank Crane Arena;
 - The installation of water turbines to create energy; and,
 - Negotiations between outlining municipalities and the City of Nanaimo for fees for service regarding the Parks and Recreation facilities.
- [REDACTED]

It was moved and seconded that the Finance and Audit Committee recess the "In Camera" meeting with the intention of reconvening on 2017-DEC-14, at 9:00 a.m. in the Service and Resource Centre Boardroom. The motion carried unanimously.

It was moved and seconded that the "In Camera" meeting, scheduled for 2017-DEC-13, reconvene on 2017-DEC-14, at 9:03 a.m. in the Service and Resource Centre Boardroom. The motion carried unanimously.

PRESENT: Chair Councillor W. L. Bestwick

Members: Mayor W. B. McKay
Councillor S. D. Armstrong
Councillor M. D. Brennan (entered 9:30 a.m.)
Councillor G. W. Fuller
Councillor J. Hong
Councillor J. A. Kipp

Absent: Councillor I. W. Thorpe
Councillor W. M. Yoachim

Staff: T. Samra, Chief Administrative Officer
V. Mema, Chief Financial Officer
J. Van Horne, Director of Human Resources
D. Lindsay, Director, Community Development (vacated 10:16 a.m.)
B. Sims, Manager, Water Resources (entered 10:17 a.m., vacated 10:38 a.m.)
K. Fry, Fire Chief/Acting Director, Public Safety (vacated 10:03 a.m.)
W. Fulla, Manager, Finance – Business & Asset Planning (vacated 10:38 a.m.)
J. Elliot, Senior Manager Public Works (vacated at 10:38 a.m.)
P. Rosen, Senior Manager Engineering (vacated 10:38 a.m.)
M. Miller, Financial Analyst (vacated 10:38 a.m.)
S. Snelgrove, Deputy Corporate Officer
K. Gerard, Recording Secretary

5. INTRODUCTION OF LATE ITEMS:

- (a) Councillor Kipp advised that he would be bringing forward an item under Agenda Item 5(b) - Presentations regarding "2018 – 2022 Financial Plan Bylaw No. 7253".

4. PRESENTATIONS: (continued)

- (a) 2018 – 2022 Financial Plan Workshop (continued)

Victor Mema, Chief Financial Officer, provided a recap of the "In Camera" Finance and Audit Committee Meeting held on 2017-DEC-13, and stated that the budget has increased to 2.7%.

Committee discussion took place regarding Jingle Pot Road Neighbourhood Plan's inclusion in the 2019 budget and priority items (such as the Hospital Area Neighbourhood Plan) in the budget for 2018.

Committee discussion took place regarding:

- The City of Nanaimo needs to be more realistic about its workload and have priorities in place; and,
- Suggestions included completing the Core Services Review suggestions, and have each Director select one or two of these suggestions they want to achieve in 2018;

- How much money as the City of Nanaimo saved since the decrease in the Medical Services Plan monthly payments;
- Basing the budget on competitive revenue; and,
- Frank Crane Arena being a spectator venue.

Victor Mema, Chief Financial Officer, stated that Phase Two of the Core Services Review focuses on contracts and the way the City of Nanaimo delivers services.

J Van Horne, P. Rosen, J. Elliot, B. Sims vacated the Boardroom at 9:24 a.m.

i. Public Safety

Committee discussion took place regarding the following:

- [REDACTED]
- Whether the new emergency services building could be open to other business options;
- [REDACTED]
- [REDACTED]
- If housing Fire, Ambulance and RCMP together in the new Emergency Services building is feasible in the future.

Tracy Samra, Chief Administrative Officer, announced that Karen Fry is now the Acting Director of Public Safety for the City of Nanaimo.

ii. Parking

Committee discussion took place regarding the following:

- Contracted security services for the parkades;
- Number of security personnel for the parkades;
- Costs to maintain the parking lot on Selby Street;
- Changing the parking downtown from 2 to 4 hours;
- Parking in parkades being post-pay (pay as you leave);
- [REDACTED]
- Cost of meters on Commercial Street and changing the meters to allow 4 hour parking.

Councillor Brennan entered the Boardroom at 9:30 a.m.

K. Fry, vacated the Boardroom at 10:03 a.m.

iii. Community Development

Committee members requested that on future budget worksheets they would like to see projects listed in order of priority.

[REDACTED]

D. Lindsay vacated the Boardroom at 10:16 a.m.
B. Sims entered the Boardroom at 10:17 a.m.

iv. Parks and Recreation

Committee discussion took place regarding the following:

- [REDACTED]
- The budget containing projects that carry forward for numerous years;
- Cost of landscaping;
- [REDACTED]
- Adding more funding to Beban Park complex or consideration of demolishing and rebuilding; and,
- [REDACTED]

Tracy Samra, Chief Administrative Officer, stated part of the Core Services Review involves standardizing our agreements with our facility centres. Landscaping will also be reviewed in the Core Services Review.

v. Legislative Services

Committee discussion took place regarding what comprises the legal expenses within the Legislative Services Department.

Tracy Samra, Chief Administrative Officer, stated that Freedom of Information requests and Claims for Damage make up the majority of the legal expenses in Legislative Services. She added that the City of Nanaimo is considering hiring in-house legal Counsel.

[REDACTED]



6. ADJOURNMENT:

It was moved and seconded at 10:53 a.m. that the "In Camera" Meeting terminate.
The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

In Camera Report for Decision

City of Nanaimo

File Number: LD002628

DATE OF MEETING OCTOBER 1, 2018

AUTHORED BY BILL CORSAN, DEPUTY DIRECTOR, COMMUNITY DEVELOPMENT
AND TOM ROTHOEHLER, MANAGER, IT TECHNICAL & CLIENT
SERVICES

SUBJECT SHAW GO WIFI SERVICE AGREEMENT

OVERVIEW

Purpose of Report

To seek Council approval to enter into a five-year renewal agreement with Shaw Communications for their Shaw Go Wifi Service in City buildings and on City infrastructure.

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 harm the interests of the municipality if they were held in public.

Recommendation

That Council direct the Mayor and Corporate Officer to execute a five-year renewal agreement with Shaw Communications for the Shaw Go Wifi Service.

Resolution to Rise and Report

To be released after presentation of this report

BACKGROUND

Shaw Communications ("Shaw") approached Staff in 2013 seeking approval to install Shaw Go WiFi on City infrastructure. Their purpose for the install was to establish a value-added wireless service. At the 2013-JUN-24 Regular Council meeting, Council directed Staff to negotiate an agreement for a full commercial offering with Shaw Communications to allow for the implementation of the Shaw Go WiFi Service on City infrastructure.

Shaw had already implemented a limited portion of their WiFi service by negotiating separate agreements with multiple businesses in the city and installing access points on these premises. Shaw anticipated installing up to [REDACTED] access points consisting of [REDACTED] indoor access points and [REDACTED] outdoor access points on City infrastructure for a potential annual revenue of [REDACTED]

To date, Shaw has installed [REDACTED] outdoor access points and [REDACTED] indoor access points as part of this project. The City is receiving an annual revenue of [REDACTED] for each outdoor attachment point and [REDACTED] for each indoor attachment point).

Staff had minimal involvement with the "build-out" of this service, and little Staff time is required to continue administering this service.

The agreement the City and Shaw entered into in 2013 is set to expire and Shaw is requesting Council enter into another five-year agreement based on the same following terms that were within the original agreement:

- Non-exclusive five-year agreement;
- WiFi for Shaw customers only;
- Annual licence fee: [REDACTED] for each outdoor attachment point and [REDACTED] for each indoor attachment point;
- City public WiFi has priority over Shaw's in case of conflict;
- Access to City facilities for service is to be scheduled with City Staff;
- New permits are required to install new equipment and the City has final decision on each installation, including restriction of access to secure areas;
- "White-listing" of the City's website to allow all residents access to the City of Nanaimo's sites anywhere a Shaw access point is deployed on a City asset. This "white-listing/walled garden" approach limits internet use to specified websites only.
- No Shaw signage.

OPTIONS

1. That Council provide approval to enter into an agreement with Shaw Communications for the continuation of Shaw Go WiFi Service on City infrastructure.
 - **Budget Implication:** The City receives [REDACTED] in annual revenue. Shaw is responsible for all costs to install, operate, and maintain the service. A small amount of Staff time is required to administer generating annual invoices.
 - **Legal Implication:** The City solicitor has reviewed the licence agreement.
 - **Policy Implication:** Goal 4 of the Official Community Plan (the "OCP") is to 'Promote a Thriving Economy'.
 - **Engagement Implication:** If approval is received, Staff will advise Shaw.
 - **Strategic Priorities Implication:** The continuation of Shaw Go WiFi ties in with the Economic Health component of the City's Community Values.
 - **Political Implication:** [REDACTED] of Nanaimo residents are Shaw customers, allowing the continuation of this service would be viewed positively by the community.
2. That Council not provide approval to enter into an agreement with Shaw Communications for the continuation of Shaw Go Wifi Service on City infrastructure.
 - **Budget Implication:** The discontinuation of the service will results in a loss of [REDACTED] in annual revenue. Shaw will incur costs to remove the access points.
 - **Policy Implication:** Not entering into an agreement would be inconsistent with Goal 4 of the OCP, 'Promote a Thriving Economy'.
 - **Engagement Implication:** Should Council choose not to enter into a new agreement, Staff will advise Shaw and they will have 180 days to remove the access points.
 - **Strategic Priorities Implication:** Not continuing with Shaw Go WiFi would be inconsistent with the Economic Health component of the City's Community Values.

- **Political Implication:** [REDACTED] of Nanaimo residents are Shaw customers and the community may view this negatively if the service is disconnected.

SUMMARY POINTS

- At the 2013-JUN-24 Regular Council meeting, Council directed Staff to negotiate an agreement for a full commercial offering with Shaw Communications to allow the implementation of the Shaw Go WiFi Service on City infrastructure. Their purpose for the install was to establish a value-added wireless service within Nanaimo.
- Shaw installed [REDACTED] outdoor access points and [REDACTED] indoor access points as part of this project. The City is receiving an annual revenue of [REDACTED]
- The agreement is set to expire and Shaw is requesting Council enter into a five-year renewal agreement based on the same terms that were within the original agreement: Non-exclusive 5-year agreement; WiFi for Shaw customers only; Annual licence fee: [REDACTED] for each outdoor attachment point and [REDACTED] for each indoor attachment point.
- [REDACTED] of Nanaimo residents are currently Shaw customers.
- Should Council choose not to enter into a new agreement, Staff will advise Shaw and they will have 180 days to remove the access points.
- Staff recommend Council enter into another five-year agreement with Shaw.

ATTACHMENTS

[REDACTED]

Submitted by:

Bill Corsan
Deputy Director, Community Development

Submitted by:

Tom Rothoehler
Manager, IT Technical & Client Services

Concurrence by:

Dale Lindsay
Director, Community Development

In Camera Report for Decision

City of Nanaimo

File Number: CLL00074

DATE OF MEETING OCTOBER 1, 2018

AUTHORED BY BILL CORSAN, DEPUTY DIRECTOR, COMMUNITY DEVELOPMENT
AND TOM ROTHOEHLER, MANAGER, IT TECHNICAL & CLIENT
SERVICES

SUBJECT TELUS – MEMORANDUM OF UNDERSTANDING [REDACTED]
[REDACTED]

OVERVIEW

Purpose of Report

To seek Council approval to enter into a Memorandum of Understanding to facilitate the
Telus 'Fibre to the Premise' Program in Nanaimo and to obtain approval [REDACTED]
[REDACTED]

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 harm the interests of the municipality if they were held in public.

Recommendation

That Council:

1. enter into a Memorandum of Understanding with Telus for the 'Fibre to the Premise'
Program in Nanaimo; and
[REDACTED]
[REDACTED]

Resolution to Rise and Report

To be released once Telus makes a final investment decision [REDACTED]
[REDACTED]

BACKGROUND

Municipalities across BC are investing in telecommunications infrastructure to ensure their
businesses can compete on a global stage.

'Fibre to the Premise'

Telus started the 'Fibre to the Premise' (the "FTTP") program in 2013 with eight communities
across BC and Alberta. By 2017, over 90 communities were under this program, including
Burnaby, Surrey, White Rock, Vancouver, Port Coquitlam, Chilliwack, Abbotsford, and Mission.

Currently, around 10% of homes in North America have a direct fibre optic connection. The installation of the Telus 'PureFibre' network provides a number of competitive advantages:

Business	Health	Education	Innovation
Cloud computing	Increased reliability	Digital textbooks	Internet of things
Telecommuting	Faster diagnostics	Video conferencing	Smart Cities
Improved wireless speed and capacity	High-speed video connections	Interactive whiteboards	Retention of knowledge workers
	Electronic prescribing		

Telus is interested in implementing the FTTP program within the City of Nanaimo. The program would deliver a high-speed fibre optic internet service to 90% of homes and businesses within the city. The fibre optic infrastructure is delivered at no cost to the City. Installation of the FTTP is anticipated to cost Telus between [REDACTED] and construction would start in 2020 and take approximately one year to complete.

At the 2018-JUN-18 "In Camera" Council Meeting, Council provided approval to enter into a Non-Disclosure Agreement (NDA) with Telus. In order to proceed with the FTTP program, Telus requires municipalities to enter into a Memorandum of Understanding (MOU)

[REDACTED] Staff have completed negotiations with Telus to develop an MOU for Council's consideration. Representatives from Telus will present the 'Fibre to the Premise' program and [REDACTED] to Council at tonight's meeting and will be available to answer questions.

Terms for Memorandum of Understanding for FTTP

- [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

OPTIONS

A. That Council:

1. enter into a Memorandum of Understanding with Telus for the 'Fibre to the Premise' Program in Nanaimo; and

- **Budget Implication:**

- MOU: Telus will be the sole investor in the FTTP project. They are not requesting funding from the City of Nanaimo. Staff time will be required to implement the project and Telus is willing to fund a position, if warranted, by the program. There would be opportunities for the City to use the Fibre Optic network to support the City's Information Technology (IT) infrastructure.

- **Legal Implication:** The City solicitor has reviewed the NDA, MOU and [REDACTED]. Under the NDA, Council and Staff are obligated to keep the information pertaining to the Fibre to the Premise program in confidence until Telus makes a formal announcement to the public.
- **Policy Implication:** Goal 4 of the OCP is to 'Promote a Thriving Economy'. The PureFibre network would provide residents and businesses with world-class connectivity and provide the city with a competitive advantage over most communities in North America.
- **Engagement Implication:** As part of the implementation of the program, Telus will inform and educate residents on the benefits of the infrastructure upgrades.
- **Strategic Priorities Implication:** The installation of the PureFibre network and [REDACTED] with the Economic Health component of the City's Community Values.
- **Political Implication:** The installation of the fibre optic network to 90% of homes and businesses in Nanaimo and the increase in cellular coverage where there currently is none or is limited would be viewed positively by the community.

B. That Council not:

1. enter into a Memorandum of Understanding with Telus for the "Fibre to the Premise" Program in Nanaimo; and

- **Budget Implication:** There are no budget implications.
- **Legal Implication:** There are no legal implications of not entering into the MOU and [REDACTED]
- **Policy Implication:** Not entering into the MOU and [REDACTED] would be inconsistent with Goal 4 of the OCP, 'Promote a Thriving Economy'.
- **Political Implication:** The community may view this as a 'missed opportunity' should Council decided to not provide support for the program [REDACTED]

SUMMARY POINTS

- Municipalities across BC are investing in telecommunications infrastructure to ensure their businesses can compete on a global stage.
- Telus is proposing to install its PureFibre network to 90% of homes and business within the city of Nanaimo at no cost to the City or residents. Telus anticipates that the network build will take approximately one year to complete and will cost [REDACTED] to install. [REDACTED]
- At the 2018-JUN-18 "In Camera" Council Meeting, Council provided approval to enter into a Non-Disclosure Agreement (NDA) with Telus. Under the NDA, Council and Staff are obligated to keep the information pertaining to the 'Fibre to the Premise' program in confidence until Telus makes a formal announcement to the public.
- Staff have now completed negotiations with Telus and are bringing forward this report for Council's consideration and approval to enter into a Memorandum of Understanding (MOU) for the installation of the 'Fibre to the Premise' [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- Representatives from Telus will present the 'Fibre to the Premise' program [REDACTED] to Council at tonight's meeting and will be available to answer questions.

ATTACHMENTS

[REDACTED]

Submitted by:

Bill Corsan
Deputy Director, Community Development

Submitted by:

Tom Rothoehler
Manager, IT Technical & Client Services

Concurrence by:

Dale Lindsay
Director, Community Development



ADDENDUM
"IN CAMERA" COUNCIL MEETING

Monday, October 1, 2018, 4:00 P.M. - 7:00 P.M.
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

Pages

4. REPORTS

c. Telus - Memorandum of Understanding [REDACTED]

1. [REDACTED]



AGENDA SPECIAL "IN CAMERA" COUNCIL MEETING

Wednesday, October 3, 2018

3:00 P.M. - 4:30 P.M.

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

Pages

1. ADOPTION OF 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] - 90(1)(e) and 90(2)(b)

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;

(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.

2. REPORTS

a.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

3. ADJOURNMENT OF SPECIAL "IN CAMERA" MEETING



AGENDA SPECIAL "IN CAMERA" COUNCIL MEETING

Friday, October 12, 2018

11:00 A.M. - 1:00 P.M.

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

Pages

1. ADOPTION OF 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. Discontent City - 90(1)(e)(i) and 90(2)(b)

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;

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

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

Section 90(2):

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

2. REPORTS

- a. Discontent City

To be introduced by Jake Rudolph, Chief Administrative Officer.

3. ADJOURNMENT OF SPECIAL "IN CAMERA" MEETING



AGENDA

"IN CAMERA" COUNCIL MEETING

Monday, October 15, 2018, 5:00 P.M. - 7:00 P.M.
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC
SCHEDULED RECESS AT 6:00 P.M.

Pages

1. ADOPTION OF 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). Discontent City Update - 90(1)(e) and 90(2)(b)

4(b). 5290 Rutherford Road - Results of Request for Offers (90)(1)(e)

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;

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

2. ADOPTION OF MINUTES

- a. Minutes 3 - 5

Minutes of the Special "In Camera" Council Meeting held in the Douglas Rispin Room, 80 Commercial Street, Nanaimo, BC, on Monday, 2018-SEP-24, at 3:00 p.m.

- b. Minutes 6 - 11

Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, 80 Commercial Street, Nanaimo, BC, on Monday, 2018-OCT-01, at 4:00 p.m.

3. PRESENTATIONS

4. REPORTS

- a. Discontent City Update

To be introduced by Dale Lindsay, Director of Community Development, and Karen Fry, Fire Chief.

- b. 5290 Rutherford Road - Results of Request for Offers 12 - 16

To be introduced by Dale Lindsay, Director of Community Development.

Purpose: To provide Council with the results of the Request for Offers received for the five-lot subdivision of City-owned property at 5290 Rutherford Road.

Recommendation: That Council:

1. approve the disposition of Lot 2 at 5290 Rutherford Road to [REDACTED] for [REDACTED]
2. direct the Mayor and Corporate Officer to execute the necessary documents to effect the transaction; and
3. direct Staff to return to a future Special 'In Camera' meeting as the remaining Expressions of Interest are received.

Rise and Report:

To be released after presentation of this report [REDACTED]
[REDACTED]

5. ADJOURNMENT OF "IN CAMERA" MEETING

SPECIAL "IN CAMERA" MINUTES
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2018-SEP-24 AT 3:00 P.M.

Members: Mayor W. B. McKay, Chair
Councillor S. D. Armstrong
Councillor W. L. Bestwick (arrived 3:04 p.m.)
Councillor M. D. Brennan
Councillor G. W. Fuller (arrived 3:04 p.m.)
Councillor J. Hong
Councillor I. W. Thorpe
Councillor W. M. Yoachim (arrived 3:10 p.m.)

Absent: Councillor J. A. Kipp

Staff: J. Rudolph, Chief Administrative Officer
D. Lindsay, Director of Community Development
B. Sims, Director of Engineering and Public Works
Supt. C. Miller, OIC, Nanaimo Detachment RCMP (vacated 3:34 p.m.)
L. Fletcher, Operation Support Officer, Nanaimo Detachment, RCMP
(vacated 3:34 p.m.)
K. Fry, Fire Chief (vacated 3:34 p.m.)
S. Gurrie, City Clerk
K. Gerard, Recording Secretary

Others: Trish Webb, Communications Coordinator, City of Nanaimo
[REDACTED] [REDACTED]

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

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

Councillors Bestwick entered the Douglas Rispin Room at 3:04 p.m.

Councillor Fuller entered the Douglas Rispin Room at 3:04 p.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) [REDACTED]
[REDACTED]

[REDACTED]

Councillor Yoachim entered the Douglas Rispin Room at 3:10 p.m.

Jake Rudolph, Chief Administrative Officer, advised:

- numerous meetings have taken place between City Staff, Bylaw department, RCMP, service providers, and shelter operations in Nanaimo;
- new Parks Bylaws is being drafted that will provide more details and specific rules regarding tents and overnight campers in parks; and,
- more details and site locations for the occupants of Discontent City will be coming forward at the next "In Camera" meeting, 2018-OCT-01.

Council discussion included:

- [REDACTED]
- Bylaw Department assistance in the removal and clean-up;
- homeless people in Nanaimo who are not living in Discontent City; and,
- budget for Discontent City and tracking of expenditures to date.

J. Rudolph, Chief Administrative Officer, stated that Staff would report to Council soon regarding funding, costs for clean-up of Discontent City, Provincial contributions and the City's need for more Bylaw Officers.

Supt C. Miller, K. Fry, and L. Fletcher, vacated the Douglas Rispin Room at 3:34 p.m.

K. Gerard vacated the Douglas Rispin Room at 4:15 p.m.

(b) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The "In Camera" meeting recessed at 4:28 p.m.
The "In Camera" meeting reconvened in the Douglas Rispin Room at 7:12 p.m.

[REDACTED]

4. ADJOURNMENT:

It was moved and seconded at 7:34 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

"IN CAMERA" MINUTES
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2018-OCT-01 AT 4:00 P.M. – 7:00 P.M.

Members: Mayor W. B. McKay, Chair (vacated 6:30 p.m.)
Councillor S. D. Armstrong
Councillor W. L. Bestwick (arrived 4:06 p.m.)
Councillor M. D. Brennan
Councillor G. W. Fuller
Councillor J. Hong
Councillor J. A. Kipp
Councillor I. W. Thorpe
Councillor W. M. Yoachim

Others:

Staff: J. Rudolph, Chief Administrative Officer
B. Sims, Director of Engineering and Public Works (vacated 6:03 p.m.)
J. Van Horne, Director of Human Resources (arrived 6:52 p.m.)
B. Corsan, Deputy Director of Community Development (vacated 6:29 p.m.)
Supt. C. Miller, OIC, Nanaimo Detachment RCMP (vacated 6:03 p.m.)
D. Laberge, Manager, Community Safety (vacated 6:03 p.m.)
L. Mercer, Acting Director of Finance (vacated 6:04 p.m.)
A. Groot, Manager, Facility Planning and Operations
S. Gurrie, City Clerk (vacated 6:52 p.m.)
S. Snelgrove, Recording Secretary (vacated 6:46 p.m.)

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

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

2. INTRODUCTION OF LATE ITEMS:

(a)

Council recessed the "In Camera" Meeting at 4:01 p.m.
Council reconvened the "In Camera" Meeting at 4:02 p.m.

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. ADOPTION OF MINUTES:

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

- Minutes of the Special "In Camera" Council Meeting held Thursday, 2018-SEP-06 at 5:30 p.m. in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC; and,
- Minutes of the "In Camera" Council Meeting held Monday, 2018-SEP-17 at 4:00 p.m. in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC.

The motion carried unanimously.

(a) Advisory Committee Minutes

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

- Minutes of the Special "In Camera" Finance and Audit Committee Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2017-NOV-02 at 11:00 a.m.
- Minutes of the Special "In Camera" Finance and Audit Committee Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Thursday, 2017-NOV-09 at 11:00 a.m.
- Minutes of the Special "In Camera" Finance and Audit Committee Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Wednesday, 2017-DEC-13 at 9:00 a.m. and continuing 2017-DEC-14 at 9:00 a.m.

The motion carried unanimously.

5. REPORTS:

(a) Discontent City Update

Introduced by Jake Rudolph, Chief Administrative Officer.

Council and Staff discussion took place regarding:

- Deadline for people to leave tent city is October 12, 2018 at midnight.
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- Staff need to anticipate resourcing issues

Councillor Bestwick entered the Douglas Rispin Room at 4:06 p.m.

- [REDACTED]
- Additional needle pick up, garbage pickup, downtown security increases, downtown cleaning increases, street sweeping, increase pressure washing
- Security contract increased to have one security guard in downtown core 24 hours a day
- Thefts from vehicles has increased
- [REDACTED]
- Having a dedicated information liaison officer to deal with businesses
- Meeting held last week with downtown partners and residents, reviewed the homeless situation downtown and discussed a City response and broad steps the City is taking to mitigate homelessness,
- When the site is vacated Engineering and the RCMP will be involved
- [REDACTED]
- Site may be regraded, top dressing and lime applied to disinfect site.
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Presentation:

1. Jake Rudolph, CAO, provided a presentation regarding:
 - Park supports outside of downtown,
 - Proactive to anticipate closure of the site,
 - [REDACTED]
 - [REDACTED]
 - Staff have identified three park locations for tent areas
 - [REDACTED]
 - Campsites would be used until trailers are available in November
 - [REDACTED]
 - Site options include Beban Park near BMX track, Bowen Park near volleyball courts, Fifth Street near Howard Avenue.

The In Camera Council meeting recessed at 4:42 p.m.

The In Camera Council meeting reconvened at 4:44 p.m.

- Campsites are a stop gap measure between October 12 and when modular units are put in,
- Issues around if the City is setting precedence if people are permitted on campsites
- [REDACTED]

Sheila Gurrie returned to the Douglas Rispin Room at 4:48 p.m.

The In Camera Council meeting recessed at 4:48 p.m.

The In Camera Council meeting reconvened at 4:49 p.m.

- [REDACTED]

It was moved and seconded that Council authorize the expenditures of up to \$301,800 as outlined in the presentation for the closure plan of DisContent City with the required funding to be drawn from the 2018 surplus. The motion carried.

Opposed: Councillors Bestwick, Fuller, Kipp, Yoachim

The In Camera Council Meeting recessed at 5:40 p.m.
The In Camera Council Meeting reconvened at 5:57 p.m.

It was moved and seconded that Council rise and report on slides 5 and 6 and the total amount of costs during the Mayor's Report at the open Council Meeting October 1, 2018. The motion carried. *Opposed: Councillors Bestwick, Yoachim.*

Bill Sims, Dave Laberge, Supt. Miller and Jake Rudolph vacated the Douglas Rispin Room at 6:03 p.m.

_____ entered the Douglas Rispin Room at 6:03 p.m.
Laura Mercer vacated the Douglas Rispin Room at 6:04 p.m.

(b) Telus - Memorandum of Understanding

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A horizontal bar chart showing the percentage of respondents who believe the U.S. should take action to address climate change, broken down by age group. The x-axis represents the percentage from 0 to 100. The y-axis lists age groups. The bars are gray. The data is as follows:

Age Group	Percentage
18-29	100%
30-49	100%
50-69	40%
70+	45%
18-29	100%
30-49	100%
50-69	35%
70+	60%
18-29	70%
30-49	70%
50-69	75%
70+	80%
18-29	100%
30-49	100%
50-69	90%
70+	40%

██████████ vacated the Douglas Rispin Room at 6:15 p.m.

It was moved and seconded that Council:

- enter into a Memorandum of Understanding with Telus for the 'Fibre to the Premise' Program in Nanaimo; and
- [REDACTED]

The motion carried unanimously.

Jake Rudolph returned to the Douglas Rispin Room at 6:17 p.m.

It was moved and seconded that Council release the report titled "Telus - Memorandum of Understanding [REDACTED] once Telus makes a final investment decision [REDACTED]
The motion carried.

Opposed: Councillor Bestwick

(c) Shaw Go Wifi Service Agreement

Introduced by Bill Corsan, Deputy Director of Community Development.

It was moved and seconded that Council direct the Mayor and Corporate Officer to execute a five-year renewal agreement with Shaw Communications for the Shaw Go Wifi Service. The motion carried.

Opposed: Councillors Bestwick, Kipp

It was moved and seconded that Council rise and report regarding the Shaw Go Wifi Service Agreement after presentation of the report titled "Shaw Go Wifi Service Agreement" [REDACTED] The motion carried unanimously.

B. Corsan vacated the Douglas Rispin Room at 6:29 p.m.

Mayor McKay vacated the Douglas Rispin Room and Councillor Kipp assumed the Chair at 6:30 p.m.

(d) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

It was moved and seconded that the "In Camera" Council Meeting terminate.

Councillor Brennan challenged the Chair. The question was called "Shall the Chair be sustained?" The motion carried. Opposed: Mayor McKay, Councillors Armstrong, Bestwick, Brennan, Fuller, Hong, Thrope, Yoachim. The Chair was not sustained and the meeting continued.

Sheila Gurrie vacated the Douglas Rispin Room at 6:52 p.m.

John Van Horne entered the Douglas Rispin Room at 6:52 p.m.

(e) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

7. ADJOURNMENT:

It was moved and seconded at 7:00 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER

In Camera Report for Decision

City of Nanaimo

File Number: LD003221

DATE OF MEETING OCTOBER 15, 2018

AUTHORED BY NANCY SKEELS, PROPERTY AGENT, COMMUNITY DEVELOPMENT

SUBJECT 5290 RUTHERFORD ROAD – RESULTS OF REQUEST FOR OFFERS

OVERVIEW

Purpose of Report

To provide Council with the results of the Request for Offers received for the five-lot subdivision of City-owned property at 5290 Rutherford Road.

Reason for “In Camera”

Community Charter Section 90(1):

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

Recommendation

That Council:

1. approve the disposition of Lot 2 at 5290 Rutherford Road to [REDACTED]
2. direct the Mayor and Corporate Officer to execute the necessary documents to effect the transaction; and
3. direct Staff to return to a future Special ‘In Camera’ meeting as the remaining Expressions of Interest are received.

Resolution to Rise and Report

To be released after presentation of this report [REDACTED]

BACKGROUND

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

At the 2017-JUL-10 “In Camera” Council meeting, Staff were directed to subdivide the remainder of the Property to create five fee-simple lots (Attachment B) and dispose of them individually through a Request for Offer process.

At the 2018-JUL-09 “In Camera” Council meeting, Staff provided Council with an update on the marketing of the lots and provided information on the Request for Offers process. A fair market

appraisal for each lot was prepared. Lots 1 to 4 were appraised at \$300,000; Lot 5 is estimated to market at \$360,000, for a total disposition value of \$1,560,000. The cost of preparing the land is estimated to be \$425,000. Funding for this work was included in the 2017-2021 Financial Plan.

The Request for Offers process completed on 2018-SEP-27 and one Expression of Interest Response Form for Lot 2 was received from [REDACTED] (the "Purchasers"). The Purchasers are willing to enter into a Pre-Sale Agreement with the City and have provided a deposit of [REDACTED]. Upon entering into the Pre-Sale Agreement, the deposit will be increased to [REDACTED]. The Purchasers have requested that the Pre-Sale Agreement be subject to them qualifying for and receiving satisfactory financing in an amount sufficient to cover the purchase price. The Purchasers will remove this condition by 2018-OCT-31.

Staff are requesting Council provide approval to dispose of Lot 2 to the Purchasers for the purchase price of [REDACTED]. It is anticipated that Lot 2 will transfer to the Purchasers by the end of December 2018.

Staff will continue to market the remaining lots and will return to Council when the remaining Expression of Interest Response Forms are received.

OPTIONS

A. That Council:

1. approve the disposition of Lot 2 at 5290 Rutherford Road to [REDACTED]
2. direct the Mayor and Corporate Officer to execute the necessary documents to effect the transaction; and
3. direct Staff to return to a future Special 'In Camera' meeting as the remaining Expressions of Interest are received.
 - **Budget Implication:** The City will receive [REDACTED] from the sale. The funds from the disposition of the lands will go back into the Property Reserve Fund, which can be used to support other Council property acquisitions.
 - **Legal Implication:** The City solicitor will prepare the Pre-Sale Agreement and will undertake the conveyance once the subdivision is registered.
 - **Policy Implication:** Staff have published a Notice of Disposition as required by Section 26 of the *Community Charter*. The subdivision is consistent with the neighbourhood plan and the zoning.
 - **Political Implication:** Providing approval to dispose Lot 2 would be consistent with Council's past decisions.

B. That Council:

1. *Not* approve the disposition of Lot 2 at 5290 Rutherford Road to [REDACTED]
 - **Budget Implication:** The City would not receive [REDACTED]. The lot will remain undeveloped and owned by the City.
 - **Political Implication:** Not providing approval to dispose Lot 2 would be inconsistent with Council's past decisions.

SUMMARY POINTS

- The City acquired 5290 Rutherford Road on 2015-DEC-18 for \$850,000.
- The purpose of the acquisition was to facilitate a new roundabout and access road to the Linley Valley West lands at the intersection of Rutherford Road and Nelson Road.
- The project was completed in fall 2017, which has resulted in 0.42ha (1.04 acres) of surplus land that the City can dispose of.
- At the 2017-JUL-10 "In Camera" Council meeting, Council provided approval to subdivide the surplus property into four single-family lots and one multi-family lot and dispose of them individually through a Request for Offer process.
- At the 2018-JUL-09 "In Camera" Council meeting, Staff provided Council with an update on the marketing of the lots and provided information on the Request for Offers process.
- The Request for Offers process completed on 2018-SEP-27 and one Expression of Interest Response Form for Lot 2 was received.
- Staff are requesting Council provide approval to dispose of Lot 2 to [REDACTED]. It is anticipated that Lot 2 will transfer by the end of December 2018.
- Staff will continue to market the remaining lots and will return to Council as the remaining Expressions of Interest are received.

ATTACHMENTS

ATTACHMENT A: Location Plan
ATTACHMENT B: Proposed Subdivision Plan

Submitted by:

Bill Corsan
Deputy Director, Community Development

Concurrence by:


Dale Lindsay
Director, Community Development

ATTACHMENT A



LOCATION PLAN

Civic: 5290 Rutherford Road

 Subject Property



ATTACHMENT B



PROPOSED SUBDIVISION PLAN

Civic: 5290 Rutherford Road





AGENDA "IN CAMERA" COUNCIL MEETING

Monday, November 19, 2018, 4:00 P.M. - 7:00 P.M.
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC
SCHEDULED RECESS AT 5:30 P.M.

Pages

1. 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. Tent City Update - 90(1)(e)(i)(j) and 90(2)(b)
3. Appointment of City Representative on the Nanaimo Port Authority Board - 90(1)(a)
4. [REDACTED]
5. [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;

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

(g) litigation or potential litigation affecting the municipality;

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

(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under Section 21 of the Freedom of Information and Protection of Privacy Act;

(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.

2. ADOPTION OF THE MINUTES:

- | | | |
|----|--|---------|
| a. | <u>Minutes</u> | 5 - 7 |
| | <p>Minutes of the Special "In Camera" Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Tuesday, 2018-OCT-03, at 3:00 p.m.</p> | |
| b. | <u>Minutes</u> | 8 - 11 |
| | <p>Minutes of the "In Camera" Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Thursday, 2018-OCT-04, at 7:23 p.m.</p> | |
| c. | <u>Minutes</u> | 12 - 15 |
| | <p>Minutes of the Special "In Camera" Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC on Friday, 2018-OCT-12, at 11:00 a.m.</p> | |
| d. | <u>Minutes</u> | 16 - 21 |
| | <p>Minutes of the "In Camera" Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2018-OCT-15, at 5:00 p.m.</p> | |

3. PRESENTATIONS:

4. CONSENT ITEMS:

5. REPORTS

- | | | |
|----|--|----------|
| a. | <u>Tent City Update</u> | 22 - 48 |
| | <p>To be introduced by Dale Lindsay, Director, Community Development.</p> <p><i>Purpose: To provide Council an update with respect to Tent City and the associated plans for temporary modular housing.</i></p> <p>Recommendation: That the report "Tent City Update" dated, 2018-NOV-19, be received for information.</p> <p><u>Rise and Report:</u></p> <p>To be released after presentation of this report [REDACTED]</p> <p>[REDACTED]</p> | |
| b. | <u>Appointment of City Representative on the Nanaimo Port Authority Board</u> | 49 - 103 |

Purpose: To appoint a City Representative on the Nanaimo Port Authority Board.

Rise and Report:

C.

The image is a grayscale representation of a document page. It features several horizontal bars of different lengths and positions, which appear to be redacted text or a stylized graphic. The bars are distributed across the page, with some appearing as solid blocks and others as thin lines. The overall layout suggests a structured document, possibly a list or a table, where certain information has been obscured.

d.

Government	Percentage
Current government	85%
Previous government	15%



6. CORRESPONDENCE:

7. ADJOURNMENT OF "IN CAMERA" MEETING:

SPECIAL "IN CAMERA" MINUTES
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
BOARDROOM, SERVICE AND RESOURCE CENTRE,
411 DUNSMUIR STREET, NANAIMO, BC
TUESDAY, 2018-OCT-03, 3:00 P.M. TO 4:30 P.M.

Members: Mayor W. B. McKay, Chair
Councillor S. D. Armstrong
Councillor W. L. Bestwick (arrived 3:16 p.m., vacated 4:29 p.m.)
Councillor M. D. Brennan
Councillor G. W. Fuller (arrived 4:08 p.m.)
Councillor J. Hong
Councillor J. A. Kipp (vacated 3:42 p.m.)
Councillor I. W. Thorpe
Councillor W. M. Yoachim (vacated 4:27 p.m.)

Staff: J. Rudolph, Chief Administrative Officer
B. Sims, Director of Engineering and Public Works
K. Fry, Fire Chief
A. Groot, Manager, Facility Planning and Operations
D. LaBerge, Manager, Community Safety (arrived 3:07 p.m.)
T. Doyle, Deputy Fire Chief - Operations
T. Webb, Communications Coordinator
S. Gurrie, City Clerk
K. Gerard, Recording Secretary

Others: [REDACTED]

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

The "In Camera" Meeting was called to order at 3:00 p.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. The motion carried.

Opposed: Councillor Kipp

3. REPORTS:

(a) Discontent City

Jake Rudolph, Chief Administrative Officer, provided Council with an update regarding Discontent City, [REDACTED]

[REDACTED]

D. LaBerge entered the Boardroom at 3:07 p.m.

[REDACTED]

Councillor Bestwick entered the Boardroom at 3:16 p.m.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Councillor Kipp vacated the Boardroom at 3:42 p.m.
Councillor Fuller entered the Boardroom at 4:08 p.m.

It was moved and seconded that Council agree to close Discontent City on October 12, 2018, offer 24/7 camping in Beban and Bowen parks as outlined in Option 2 below:

- set up fence to delineate camping area within the park
- set up 50 flame resistant tents in the camping area
- set up a hose, porta potties, garbage, sharps bin
- set up a covered area for meal and connecting to outreach workers
- security to observe overnight.

The motion was defeated unanimously.

Opposed: Mayor McKay, Councillors Armstrong, Bestwick, Brennan, Fuller, Hong, Thorpe and Yoachim.

Councillor Yoachim vacated the Boardroom at 4:27 p.m.

Councillor Bestwick vacated the Boardroom at 4:29 p.m.

It was moved and seconded that Council agree to close Discontent City using a structured camp clean up and closure as outlined in Option 3 below:

- obtain a list of people/occupants of Discontent City
- develop, communicate and enforce camp rules
- limit access to new people after October 12
- implement a cleanup and vehicle removal plan

The motion carried.

Opposed: Councillors Fuller and Hong

It was moved and seconded that Council direct Staff to rise and report on the following motion:

"It was moved and seconded that Council agree to close Discontent City using a structured camp clean up and closure as outlined in Option 3 below:

- obtain a list of people/occupants of Discontent City
- develop, communicate and enforce camp rules
- limit access to new people after October 12
- implement a cleanup and vehicle removal plan"

The motion carried unanimously.



4. ADJOURNMENT:

It was moved and seconded at 4:37 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

CERTIFIED CORRECT:

CHAIR

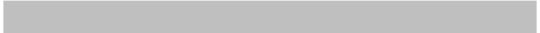

CORPORATE OFFICE

"IN CAMERA" MINUTES
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
THURSDAY, 2018-OCT-04 AT 7:23 P.M.

Present: Mayor W. B. McKay
Councillor S. D. Armstrong
Councillor W. L. Bestwick (vacated 7:59 p.m.)
Councillor M. D. Brennan (arrived 7:24 p.m.)
Councillor J. Hong
Councillor J. A. Kipp

Absent: Councillor G. W. Fuller
Councillor I. W. Thorpe
Councillor W. M. Yoachim

Staff: J. Rudolph, Chief Administrative Officer
B. Corsan, Deputy Director of Community Development
T. Doyle, Deputy Fire Chief - Operations
L. Fletcher, Inspector, Nanaimo Detachment RCMP
S. Gurrie, City Clerk
S. Snelgrove, Deputy Corporate Officer
J. Vanderhoef, Recording Secretary

Other:  

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

The "In Camera" Meeting was called to order at 7:23 p.m.

Councillor Brennan entered the Douglas Rispin Room at 7:24 p.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) 



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Councillor Bestwick vacated the Douglas Rispin Room at 7:59 p.m.

[REDACTED]

[REDACTED]

[REDACTED]

4. ADJOURNMENT:

It was moved and seconded at 8:32 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

C H A I R

CERTIFIED CORRECT:

CORPORATE OFFICER

SPECIAL "IN CAMERA" MINUTES
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
BOARDROOM, SERVICE AND RESOURCE CENTRE,
411 DUNSMUIR STREET, NANAIMO, BC
FRIDAY, 2018-OCT-12, 11:00 A.M.

Members: Mayor W. B. McKay, Chair
Councillor S. D. Armstrong (arrived 11:03 a.m.)
Councillor W. L. Bestwick (vacated 12:37 p.m.)
Councillor M. D. Brennan (arrived 11:04 a.m.)
Councillor G. W. Fuller
Councillor J. Hong
Councillor J. A. Kipp (vacated 12:03 p.m.)
Councillor I. W. Thorpe
Councillor W. M. Yoachim (joined via teleconference 11:00 a.m., disconnected 12:40 p.m.)

Staff: J. Rudolph, Chief Administrative Officer
D. Lindsay, Director of Community Development
K. Fry, Fire Chief
L. Fletcher, Inspector, RCMP
L. Mercer, Acting Director of Finance
A. Groot, Manager, Facility Planning and Operations
T. Webb, Communication Coordinator
S. Gurrie, City Clerk
K. Gerard, Recording Secretary

Others: [REDACTED] [REDACTED]

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

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

2. ADOPTION OF AGENDA:

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

Councillor Armstrong entered the Boardroom at 11:03 a.m.
Councillor Brennan entered the Boardroom at 11:04 a.m.

3. REPORTS:

(a) [REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Councillor Kipp vacated the Boardroom at 12:03 p.m.

[REDACTED]

Trish Webb, Communications Consultant, City of Nanaimo, stated that Council must address the public regarding Discontent City, and state what we are doing today and how the Council and the City will proceed in the near future.

Councillor Bestwick vacated the Boardroom at 12:37 p.m.

Councillor Fuller vacated the Boardroom at 12:48 p.m.

It was moved and seconded that Council defer full closure of Discontent City until after the Court's decision, regarding an extension application by defense counsel, on 2018-OCT-19. The motion carried.

Opposed: Councillors Hong and Yoachim

Councilor Fuller entered the Boardroom at 12:54 p.m.

It was moved and seconded that Council rise and report regarding the following motion:

"It was moved and seconded that Council defer full closure of Discontent City until after the court's decision, regarding an extension application by defense counsel, on 2018-OCT-19."

The motion carried.

Opposed: Councillor Hong

Councillor Yoachim disconnected at 12:40 p.m.

It was moved and seconded that Council direct Trish Webb, Communication Consultant, along with Staff to draft a press release, which will announced by Mayor McKay, stating that the City of Nanaimo remains committed to public safety, and the compassionate, respectful and phased closure of Discontent City. The motion carried unanimously.

[REDACTED]

4. ADJOURNMENT:

It was moved and seconded at 1:15 p.m. that the Special "In Camera" Meeting terminate. The motion carried unanimously.

CERTIFIED CORRECT:



C H A I R

CORPORATE OFFICER

"IN CAMERA" MINUTES
COUNCIL MEETING TO DISCUSS CONFIDENTIAL MATTERS
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE,
80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2018-OCT-15 AT 5:00 P.M. – 7:00 P.M.

Members: Mayor W. B. McKay, Chair
Councillor S. D. Armstrong
Councillor W. L. Bestwick (arrived 5:05 p.m., vacated 6:59 p.m.)
Councillor M. D. Brennan
Councillor G. W. Fuller (vacated 6:59 p.m.)
Councillor J. Hong
Councillor W. M. Thorpe
Councillor J. A. Kipp (vacated 6:59 p.m.)
Councillor W. M. Yoachim (vacated 6:59 p.m.)

Staff: D. Lindsay, Acting Chief Administrative Officer
B. Sims, Director of Engineering and Public Works
Supt. C. Miller, OIC, Nanaimo Detachment RCMP
L. Fletcher, Inspector, RCMP Nanaimo Detachment
K. Fry, Fire Chief
T. Webb, Communications Consultant
S. Gurrie, City Clerk
K. Gerard, Recording Secretary (vacated 6:46 p.m.)

Others:  

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

The "In Camera" Meeting was called to order at 5:00 p.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. ADOPTION OF MINUTES:

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

- Minutes of the Special "In Camera" Council Meeting held in the Douglas Rispin Room, 80 Commercial Street, Nanaimo, BC, on Monday, 2018-SEP-24 at 3:00 p.m.
- Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, 80 Commercial Street, Nanaimo, BC, on Monday, 2018-OCT-01, at 4:00 p.m.

The motion carried unanimously.

It was moved and seconded that Agenda Item 6(b) – 5290 Rutherford Road – Results of Request for Offers be moved to Agenda Item 6(a) and Agenda Item 6(a) – [REDACTED] be moved to Agenda Item 6(b). The motion carried unanimously.

4. REPORTS:

(a) 5290 Rutherford Road - Results of Request for Offers

Introduced by Dale Lindsay, Director of Community Development.

It was moved and seconded that Council:

1. approve the disposition of Lot 2 at 5290 Rutherford Road to [REDACTED]
2. direct the Mayor and Corporate Officer to execute the necessary documents to effect the transaction;
3. direct Staff to return to a future Special "In Camera" meeting as the remaining Expressions of Interest are received.

The motion carried.

Opposed: Mayor McKay

It was moved and seconded that the report titled "5290 Rutherford Road - Results of Request for Offers", dated 2018-OCT-15, be released after presentation of this report with the exception of the underlined text. The motion carried unanimously.

Councillor Bestwick entered the Douglas Rispin Room at 5:05 p.m.

[REDACTED]

(b)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The "In Camera" meeting recessed at 5:45 p.m.

The "In Camera" meeting resumed at 6:10 p.m.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



K. Gerard vacated the Douglas Rispin Room at 6:46 p.m.

It was moved and seconded that Council oppose the extension application filed by Noah J. Ross, Huntsmann Law, defense counsel for Discontent City, however; should the Court consider the extension application that the Court impose the following conditions:

1. No vehicles, trailers or structures are permitted at the Tent City located at 1 Port Way in the City of Nanaimo ("Tent City").
2. No person under the age of 19 are permitted at the Tent City AT ALL TIMES.
3. All persons remaining at Tent City after October 19, 2018 cannot claim against the City or its agents for any harm, injury or damage that may arise from their attendance at Tent City.
4. The Fire Department and its agents are authorized to remove all Fire Hazards outlined in its reports with the exception of tarps by Tuesday, October 23, 2018.
5. By 5:00 p.m., on Thursday, October 25, 2018, any occupant seeking to remain at Tent City, is genuinely homeless, and seeks transition to housing which may be provided by the Province a ("Qualifying Occupant") must identify themselves to the City or its agents, by

- a. showing picture identification acceptable to the City; or
 - b. if the occupant has no satisfactory picture identification, by consenting to being photographed and providing a full legal name and, if possible, social insurance number, which such information used and retained only for the purpose of verifying the identity of the occupant as a Qualifying Occupant.
6. Any time after 5:00 p.m., Thursday, October 25, 2018, all occupants except Qualifying Occupants shall vacate the Tent City, and any occupant who remains and is not a Qualifying Occupant may be escorted off the Property and be liable to arrest by the Royal Canadian Mounted Police.
 7. This order will be in the form of a Final Order as all parties have agreed that there are no outstanding Charter issues. As such, paragraph 1 in my Order dated September 21, 2018 ("Interim Order") is vacated.
 8. By 2:00 p.m. on Friday, November 23, 2018, the Tent City will be permanently shut down.
 9. Pursuant to paragraph 6 in the Interim Order, this court is not seized on the issue of costs.

The motion carried unanimously.

Councillor Bestwick vacated the Douglas Rispin Room at 6:59 p.m.
Councillor Fuller vacated the Douglas Rispin Room at 6:59 p.m.
Councillor Kipp vacated the Douglas Rispin Room at 6:59 p.m.
Councillor Yoachim vacated the Douglas Rispin Room at 6:59 p.m.

It was moved and seconded that Council direct Staff to rise and report on the following motion:

"It was moved and seconded that Council oppose the extension application filed by Noah J. Ross, Huntsmann Law, defense counsel for Discontent City, however; should the Court consider the extension application that the Court impose the following conditions:

1. No vehicles, trailers or structures are permitted at the Tent City located at 1 Port Way in the City of Nanaimo ("Tent City").
2. No person under the age of 19 are permitted at the Tent City AT ALL TIMES.
3. All persons remaining at Tent City after October 19, 2018 cannot claim against the City or its agents for any harm, injury or damage that may arise from their attendance at Tent City.
4. The Fire Department and its agents are authorized to remove all Fire Hazards outlined in its reports with the exception of tarps by Tuesday, October 23, 2018.

5. By 5:00 p.m., on Thursday, October 25, 2018, any occupant seeking to remain at Tent City, is genuinely homeless, and seeks transition to housing which may be provided by the Province a ("Qualifying Occupant") must identify themselves to the City or its agents, by
 - a. showing picture identification acceptable to the City; or
 - b. if the occupant has no satisfactory picture identification, by consenting to being photographed and providing a full legal name and, if possible, social insurance number, which such information used and retained only for the purpose of verifying the identity of the occupant as a Qualifying Occupant.
6. Any time after 5:00 p.m., Thursday, October 25, 2018, all occupants except Qualifying Occupants shall vacate the Tent City, and any occupant who remains and is not a Qualifying Occupant may be escorted off the Property and be liable to arrest by the Royal Canadian Mounted Police.
7. This order will be in the form of a Final Order as all parties have agreed that there are no outstanding Charter issues. As such, paragraph 1 in my Order dated September 21, 2018 ("Interim Order") is vacated.
8. by 2:00 p.m. on Friday, November 23rd, 2018, the Tent City will be permanently shut down.
9. pursuant to paragraph 6 in the Interim Order, this court is not seized on the issue of costs."

The motion carried unanimously.

5. ADJOURNMENT:

It was moved and seconded at 7:01 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

CERTIFIED CORRECT:

CHAIR

CORPORATE OFFICE

DATE OF MEETING [November 19, 2018]

AUTHORED BY [DALE LINDSAY, DIRECTOR, COMMUNITY DEVELOPMENT]

SUBJECT [TENT CITY UPDATE]

OVERVIEW

Purpose of Report

To provide Council with an update with respect to Tent City and the associated plans for temporary modular housing. |

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;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and,
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under Section 21 of the *Freedom of Information and Protection of Privacy Act*; and,

[Community Charter Section 90(25)

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

Recommendation

[That the report “Tent City Update” dated 2018-NOV-19, be received for information. |

Resolution to Rise and Report

To be released after presentation of this report [REDACTED]
[REDACTED]

BACKGROUND

On 2018-MAY-17, individuals trespassed onto City-owned lands at 1 Port Drive with the intention of establishing a protest camp. What began as a protest camp quickly grew to what has been referred to as Tent City. While there was no formal count of occupants, it was estimated that at its peak, there were between 250 and 300 occupants and approximately 300 tents or structures. As of the time of this report, the number of occupants is estimated at 115 persons within approximately 160 tents.

As per the most recent interim Court order, the Tent City is to close on Friday, 2018-NOV-30.

DISCUSSION

Camp Management and the Role of the City

Since the establishment of the encampment on May 17, the City has been heavily involved, including formal legal action, supports within the camp, bylaw enforcement, enforcement of fire orders, coordination with RCMP, various Provincial ministries and external agencies, and the planning for camp closure. A summary timeline of major Tent City-related events and Council decisions is included as Attachment A.

In late July, BC Housing engaged Canadian Mental Health Association (CMHA) to assist with onsite management of the camp. In more recent months, the Portland Hotel Society has also been hired by BC Housing to further assist CMHA in site management and liaising with camp occupants. These agencies have been working closely with the City over the past number of months with the management of the camp and provision of services.

In June, Island Health issued a Hazard Abatement and Prevention Order requiring that the City provide solid waste removal services, potable water, and portable toilets. The City complied with the order, and will continue to provide these services until the encampment is closed.

As per Council's direction of 2018-MAY-25, the City filed a petition at the BC Supreme Court seeking an order to have the Tent City closed and for the occupants to leave the site. On September 21, the court granted an interim injunction and directed that the camp be closed by 2018-OCT-13. In response to a request for extension from the lawyer representing camp residents, the courts provided a second interim order that extended the closure date until 2018-NOV-30. In addition to the revised closure date, the interim order included the following conditions:

- No vehicles, trailers or structures permitted on the property;
- No persons under the age of 19 are permitted on the site;
- The Fire Department is authorized to remove all fire hazards except tarps; and
- In order to remain on the property, occupants must register for alternative housing.

In recent weeks, the City has led major initiatives to ensure compliance with the order and to reduce fire hazards within the camp. This work has resulted in the successful removal of all structures, vehicles, and trailers from the site along with large volumes of refuse. In limited cases, it became necessary for the RCMP to arrest individuals in order to facilitate this work.

Ministry staff and outreach workers are on the site daily to assist clients and prepare them for moving. On 2018-NOV-06, a temporary shelter was located on the site to facilitate outreach work, food service to occupants, and to operate as a potential warming shelter. This temporary structure, which was obtained by CMHA, will remain on the site until such time that the camp is closed.

At present, BC Housing is funding 24-hour security services to monitor the perimeter of the encampment. The security, which was initiated in mid-October, is anticipated to continue until the camp is closed.

BC Housing has been responsible for the registration of persons interested in securing alternative housing. To date, approximately [REDACTED]

Financial Implications

[REDACTED]

In addition to those costs directly associated with Tent City, Council, at their In Camera meeting of 2018-OCT-01, did authorize additional resources to support the downtown and parks in anticipation of the impacts related to the closure of the camp. [REDACTED]

Alternative Housing

BC Housing is in the process of establishing two temporary modular housing sites to accommodate approximately 170 residents. The first site will be on land that the Ministry purchased at 250 Terminal Avenue. The second site is on a portion of the City of Nanaimo Public Works Yard at 2020 Labieux Road. Council, at their In Camera meeting of 2018-SEP-24, directed that the northern portion of the works yard be offered to BC Housing for use as temporary housing.

BC Housing has indicated that they will be using their authority as the Province to facilitate the rapid development of housing. As a result, BC Housing will not be seeking compliance with City bylaws with respect to these temporary units. BC Housing has publicly stated they intend to comply with all City bylaws and processes during the planning and construction of future permanent housing.

The temporary modular housing units are repurposed workforce housing. BC Housing has identified two operators to run these facilities:

- Pacifica Housing will operate the Labieux Road site (Public Works site), and
- Island Crisis Care Society will operate the units at 250 Terminal.

Both facilities are proposed to be managed and staffed 24 hours/day every day with a minimum of three workers on site, in addition to outreach and other service providers. The operators and BC Housing have confirmed they intend to provide site security for the transition period.

All community engagement regarding the temporary housing projects is to be led by BC Housing. To date, the outreach has been in the form of smaller meetings with interest groups from around the project sites. At the time of this report, no formal date for a larger information session has been confirmed. BC Housing and the operators have committed to establishing neighbourhood liaison groups in order to hear from and address the concerns of neighbours post-occupancy.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Notice of Civil Claim

On 2018-NOV-02, the City was served notice of a civil claim. The claim, which also names the Island Crisis Care Society and BC Housing, is seeking declaration that the lands at 250 Terminal Avenue are subject to the City of Nanaimo "Zoning Bylaw 2011 No. 4500" and, as such, require rezoning and a public hearing.

As noted above, BC Housing is using their authority as the Province (paramountcy) in order to allow the developments to proceed without the necessary local government approvals. [REDACTED]

[REDACTED]

For Council's information, the properties known as 250 Terminal are currently split-zoned with over half of the lands currently appropriately zoned for the proposed use.

Next Steps

In the coming weeks, it is anticipated that every occupant within Tent City who has registered for alternative housing will be provided an option for shelter. In the interim, the City will continue to support the site and assist in the planning for site closure and transition. Once the site is clear, the property will be cleared of any debris by the City of Nanaimo Public Works Department and secured.

As noted above, the housing projects at Terminal and Labieux are intended to provide temporary housing until such time that permanent housing has been built. While the Province has indicated that they intend to build permanent housing on 250 Terminal no additional lands have been identified at this time. Staff anticipate that BC Housing will be seeking the City's

assistance in identifying and possibly securing additional sites for permanent housing. It is estimated that a minimum of three additional sites will be required in order to build sufficient permanent housing for those individuals who will be accommodated within the two temporary housing projects.

ATTACHMENTS

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ATTACHMENT C: Outline of additional resources

ATTACHMENT D: Court Order dated 2018-SEP-21

ATTACHMENT E: Court Order dated 2018-OCT-19

[REDACTED]

[REDACTED]

Submitted by:

[REDACTED]

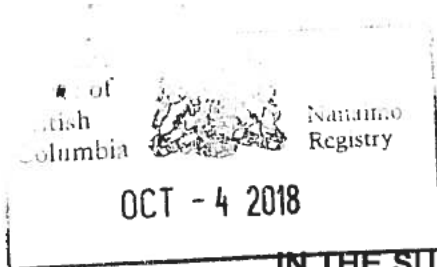
Dale Lindsay
Director, Community Development

ATTACHMENT C

IO# 30151 - Tent City Closure Plan
Invoices Processed to November 7, 2018

Downtown Supports			
<i>Needle Pick Up - City Staff</i>		Actual	Budget Variance
	Wages	3,799	30,000 26,201
	Wages to November 2		
	Materials and Supplies	23	
 <i>Downtown Parks Garbage Collection</i>			
Contractor -		-	10,800 10,800
 <i>Downtown Security</i>			
Contractor - Footprints Security Patrol Inc		-	50,000 50,000
 <i>Downtown Cleaning - City Staff</i>			
Litter Pick Up	Wages:	-	50,000 50,000
	Fleet Allocations:		
Power Washing	Wages:	-	50,000 50,000
	Fleet Allocations:		
Total Downtown Supports		3,822	190,800 187,001
Parks Supports - outside of downtown			
<i>Parks Custodians - City Staff</i>		Actual	Budget Variance
	Wages:	17,968	90,000 72,032
	Fleet Allocations:		
	Wages to November 7		
 <i>Parks Auxillary Workers - City Staff</i>			
	Wages:	-	21,000 21,000
	Fleet Allocations:		
Total Parks Supports		17,968	111,000 93,032
Grand Total		21,790	301,800 280,033

ATTACHMENT D



No. S-S-84809
Nanaimo Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

THE CITY OF NANAIMO

PETITIONER

AND:

MERCEDES COURTOREILLE, GINA WATSON, MIKE PINDAR, MYSTIE
WINTONEAK, KENT SEXTON, DEAN KORY, JANE DOE, JOHN DOE, and OTHER
UNKNOWN PERSONS

RESPONDENTS

ORDER

BEFORE THE HONOURABLE)	FRIDAY, THE 21 st DAY
MR. JUSTICE SKOLROOD)	OF SEPTEMBER 2018
)	

ON THE APPLICATION of the Petitioner, coming on for hearing at Nanaimo, British Columbia, on July 17th and 18th 2018 and August 13th, 2018, and on hearing Troy J. DeSouza and Jarrett A. Plonka, lawyers for the Petitioner, and Noah Ross, lawyer for Gina Watson, Mike Pindar, Mystie Wintoneak and no one else appearing, and judgment being reserved to this date;

THIS COURT ORDERS that:

1. Pursuant to Supreme Court Civil Rule 22-1(7)(d), Nanaimo's petition is referred to the trial list.

2. The respondents and all persons having knowledge of this Order shall, within 21 days of the date of this Order:

a. vacate and cease the continuous occupation of the Property located at 1 Port Drive, Nanaimo, British Columbia, legally described as:

PID: 029-036-500

Lot A, Section 1 and

Part of the Bed of the Public Harbour of Nanaimo

Nanaimo District Plan EPP27507;

b. remove all items of personal property and all structures, tent, shelters, shopping carts, stoves, rubbish, objects, personal chattels, and other things on the Property; and

c. refrain from re-entering the Property except as authorized by the Petitioner.

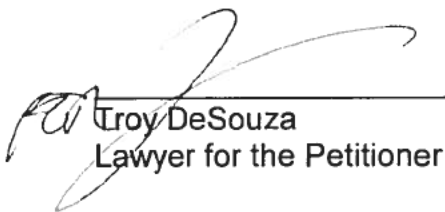
3. Upon the expiry of 21 days from the date of this Order, Nanaimo, through its employees, agents or contractors, shall be authorized to remove and dispose of all structures, tents, shelters, shopping carts, stoves, rubbish, objects, personal chattels and any other things remaining on the Property in contravention of this Order, without recourse to Nanaimo.

4. Upon the expiry of 21 days from the date of this Order, any police officer with the Nanaimo Division of the Royal Canadian Mounted Police ("RCMP") is authorized to arrest and remove any person who has received notice of or has knowledge of this Order and who the RCMP have reasonable and probable grounds to believe is contravening the terms of this Order.

5. If additional terms are sought or required to make the enforcement clause in paragraph 4 of this order effective, the parties may apply for further directions.
6. If the parties cannot agree on costs, they may make arrangements to speak to the issue.

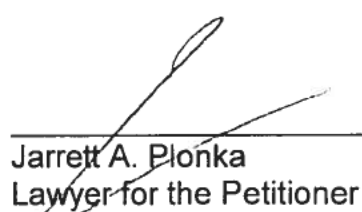
**THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND
CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS
BEING BY CONSENT.**


BY THE COURT


Troy DeSouza
Lawyer for the Petitioner




Registrar


Jarrett A. Plonka
Lawyer for the Petitioner


Noah Ross
Counsel for Gina Watson, Mike Pindar,
Mystie Wintoneak



ATTACHMENT E

No. S-S-84809
Nanaimo Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

THE CITY OF NANAIMO

PETITIONER

AND:

MERCEDES COURTOREILLE, GINA WATSON, MIKE PINDAR, MYSTIE
WINTONEAK, KENT SEXTON, DEAN KORY, JANE DOE, JOHN DOE, and OTHER
UNKNOWN PERSONS

RESPONDENTS

ORDER

BEFORE THE HONOURABLE) FRIDAY, THE 19th DAY
MR. JUSTICE SKOLROOD) OF OCTOBER 2018
)

ON THE APPLICATION of the Respondents, coming on for hearing at Nanaimo, British Columbia, on October 19th, 2018 and on hearing Noah Ross, lawyer for Cori Mitchell, Rod Boisclair and Rob Barker and Troy J. DeSouza lawyer for the Petitioner and no one else appearing, and judgment being reserved to this date;

THIS COURT ORDERS that:

1. Paragraphs 2, 3, and 4 of the September 21, 2018 Order are varied by replacing the 21 day period previously set out with the date of Friday November 30, 2018 pursuant to the following conditions.

2. No vehicles, trailers or structures are permitted at the Property.
3. No persons under the age of 19 are permitted at the Property at any time.
4. The City of Nanaimo's Fire Department and its agents with assistance of the RCMP or its agents are authorized to remove all fire hazards outlined in the Fire Services Orders of May 30, 2018 and September 13, 2018, except for tarps covering individual tents, commencing at 9:00 a.m. on Friday, October 26, 2018.
5. By 5:00 p.m. on Friday, October 26, 2018, any occupant seeking to remain at the Property and to transition to alternate housing provided by the Province (a "Qualifying Occupant") must identify themselves to the City or to B.C. Housing or their agents by:
 - 1) Showing picture identification acceptable to the City; or
 - 2) If the occupant has no satisfactory picture identification, by agreeing to be photographed and providing their full legal name, which information is to be used and retained solely for the purpose of verifying the identity of the occupant as a Qualifying Occupant.
6. By 5:00 p.m. on Friday, October 26, 2018, all occupants of the Property, except Qualifying Occupants, must vacate the Property and, the City, its agents and employees, including the RCMP, are authorized to prevent any person who is not a Qualified Occupant from taking up residence or continuing to reside at the Property.
7. All occupants, including Qualified Occupants, must cease occupying the Property by 2:00 p.m. on Friday, November 30, 2018 at which time the Property will be dismantled in accordance with the terms of the September 21, 2018 Order.

8. Paragraphs 27 (h) and (l) in the City's Application Response are not granted.
9. Parties may make arrangements to speak to costs if necessary.

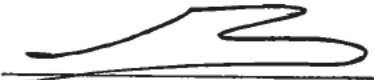
**THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND
CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS
BEING BY CONSENT.**



Troy DeSouza
Lawyer for the Petitioner

BY THE COURT

Registrar



Noah Ross
Counsel for Cori Michell, Rod Boisclair and
Rob Barker

In Camera Report for Decision

City of Nanaimo

File Number: 0400-60

DATE OF MEETING | NOVEMBER 19, 2018 |

AUTHORED BY | SHEILA GURRIE, CITY CLERK |

SUBJECT | APPOINTMENT OF CITY REPRESENTATIVE ON THE NANAIMO
PORT AUTHORITY BOARD |

OVERVIEW

Purpose of Report

To appoint a City Representative on the Nanaimo Port Authority Board.

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 one City of Nanaimo representative to serve on the Nanaimo Port Authority Board, for the term effective immediately until 2021-JUN-30; and, that Council announce the appointment at a future open meeting of Council.

Resolution to Rise and Report

That Council rise and report regarding the appointment at the 2019-NOV-19 open meeting of Council.

BACKGROUND

The three year term of the current City of Nanaimo representative to the Nanaimo Port Authority Board, Dr. Michelle Corfield, expired on 2018-JUN-30. Accordingly, Staff advertised in the local newspaper, on the City's public notice board and website for interested applicants to serve a three year term commencing immediately. The deadline for submissions was 4:30 p.m. on Wednesday, 2018-OCT-31. Nine (9) applications were received from the individuals listed below and are attached for Council's information. The space to the right of the names is intended as a place where Council may make notes and prepare for deliberations.

In accordance with the *Canada Marine Act*, the City of Nanaimo appoints one individual as a director on the Nanaimo Port Authority Board. The *Act* states that the term of a director is for any term not more than three years, renewable twice only, and a person may serve no more than nine consecutive years on the Board. | |

Applicants Name	Notes of Deliberations
[REDACTED]	
[REDACTED]	
[REDACTED]	
Michelle Corfield	
[REDACTED]	

SUMMARY POINTS

- City of Nanaimo appoints a citizen of Nanaimo as the City's representative on the Nanaimo Port Authority Board every three years.
- The term for the current representative for the City of Nanaimo on the Nanaimo Port Authority Board expired 2018-JUN-30.
- Staff have advertised for the position and nine (9) applications were received.]

ATTACHMENTS

Attachment A – Applications to Nanaimo Port Authority Board. |

Submitted by:]

Sheila Gurrie
City Clerk]

||



AGENDA "IN CAMERA" COUNCIL MEETING

Monday, December 3, 2018, 4:00 P.M. - 6:50 P.M.
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC
SCHEDULED RECESS 5:30 P.M.

Pages

1. 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. Tent City and Temporary Modular Housing Update - 90(1)(e)(i)(j) and 90(2)(b)
3. Council Remuneration - 90(1)(c)
4. [REDACTED]

(c) labour relations or other employee relations;

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

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

(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under Section 21 of the Freedom of Information and Protection of Privacy Act;

(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.

2. ADOPTION OF THE MINUTES:

3. PRESENTATIONS:

5. REPORTS

C.

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11/11/2011

[REDACTED]

6. CORRESPONDENCE:

7. 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, 2018-NOV-19 AT 4:00 P.M.

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

Absent: Councillor S. D. Armstrong

Staff: J. Rudolph, Chief Administrative Officer (vacated 8:50 p.m.)
D. Lindsay, Director of Community Development
B. Sims, Director of Engineering and Public Works (vacated 6:09 p.m.)
K. Fry, Fire Chief
L. Mercer, Acting Director of Finance
L. Bhopalsingh, Manager, Community and Cultural Planning
D. Laberge, Manager of Community Safety
T. Webb, Communications Coordinator
S. Gurrie, City Clerk
K. Gerard, Recording Secretary

Others:



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

The "In Camera" Meeting was called to order at 4:03 p.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. 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 Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC, on Tuesday, 2018-OCT-03, at 3:00 p.m.

- Minutes of the "In Camera" Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Thursday, 2018-OCT-04, at 7:23 p.m.
- Minutes of the Special "In Camera" Meeting held in the Boardroom, Service and Resource Centre, 411 Dunsmuir Street, Nanaimo, BC on Friday, 2018-OCT-12, at 11:00 a.m.
- Minutes of the "In Camera" Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2018-OCT-15, at 5:00 p.m.

The motion carried unanimously.

4. REPORTS:

(a) Tent City Update

Introduced by Dale Lindsay, Director, Community Development.



[REDACTED]

Council and Staff discussion took place regarding:

- [REDACTED]
- City of Nanaimo plans for community engagement and speaking with the community on a regular basis
- Mayor, Council and Staff receiving a tour of facilities before they open

Dale Lindsay, Director, Community Development, provided Council with an update regarding Tent City which included a summary of the start-up, growth of Tent City, court decisions, and the appeal process.

Karen Fry, Fire Chief, provided Mayor and Council with an overview of how Fire and RCMP have dealt with Tent City from the beginning up to present day. Ms. Fry provided Council with the following statistics:

Since Tent City opened RCMP, Ambulance and Fire Rescue have dealt with:

- 2 fire orders,
- 2 overdose deaths
- fire department has responded to 79 incidents
- 11 burning complaints
- 57 medical calls
- 6 fires
- 4 serious tent fires

Bill Sims, Director, Engineering and Public Works, provided Council with an overview of the Public Works department role and services provided at Tent City.

David Laberge, Manager of Safety, provided Council with an update as to the clean-up process, illegal activity and the approval of the Fire Order, which allowed RCMP and Fire Staff to go in and remove known fire hazards.

Trish Webb, Communications Coordinator, provided Council with an overview regarding how media releases and communication to the public were created and delivered to the community.

Council and Staff discussion took place regarding the importance of communication to City of Nanaimo residents and businesses from Mayor and Council. Council asked if the City has a strategy and spokesperson for communication with the public regarding the interim housing and all related matters.

It was moved and seconded that Mayor Krog be the key spokesperson for any issues regarding interim housing and related issues. The motion carried unanimously.

The "In Camera" meeting recessed at 5:30 p.m.
The "In Camera" meeting reconvened at 5:44 p.m.

Dale Lindsay, Director, Community Development continued with an update regarding Tent City, which included:

- [REDACTED]
- Staff have had regular meetings with the consultants for BC Housing, Snuneymuxw First Nations, RCMP, Fire and other service providers
- [REDACTED]
- City of Nanaimo Staff will be there with Public Works crews, RCMP and Fire and will clean up as people move out
- any persons who remain on site are violating the court order and can be removed and/or arrested by the RCMP

Lisa Blopalsingh, Manager, Community and Cultural Planning spoke regarding the need for additional shelter beds and how this need is being met. Ms. Blopalsingh stated that while the rental supplements will help a lot of homeless people lack of available and suitable accommodations is a concern.

B. Sims and D. Laberge vacated the Douglas Rispin Room at 6:09 p.m.

Council discussion took place regarding communications related to Tent City, interim housing and any related matters.

Trish Webb, Communications Coordinator, will provide Council with some policies, suggestions and examples of answers and talking points regarding Tent City and other topics that may come forward from the public. Ms. Webb will create a document including some question and answer examples.

The "In Camera" Council meeting recessed at 6:27 p.m. and Council moved into the Shaw Auditorium.

The "In Camera" Council meeting reconvened at 8:05 p.m., in the Douglas Rispin Room.

It was moved and seconded that the report "Tent City Update", dated 2018-NOV-19, be received for information. The motion carried unanimously.

It was moved and seconded that Council direct Staff to release this report [REDACTED]
[REDACTED] The motion carried unanimously.

(b) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

(c)

J. Rudolph vacated the Douglas Rispin Room at 8:50 p.m.

(e) Appointment of City Representative on the Nanaimo Port Authority Board

Introduced by Sheila Gurrie, City Clerk.

It was moved and seconded that Council appoint Michelle Corfield as the City of Nanaimo representative to serve on the Nanaimo Port Authority Board, for the term effective immediately until 2021-JUN-30; and, that Council announce the appointment at a future open meeting of Council. The motion carried.

Opposed: *Councillor Turley*

It was moved and seconded that Council rise and report regarding the appointment to the Nanaimo Port Authority Board, at a future open meeting of Council. The motion carried unanimously.

5. ADJOURNMENT:

It was moved and seconded at 9:25 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER



AGENDA
SPECIAL "IN CAMERA" COUNCIL MEETING

Monday, December 10, 2018

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

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

SCHEDULED RECESS AT 6:00 P.M.

Pages

1. 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). [REDACTED]

4(b). Tent City Update - 90(1)(e)(i)(j) and 90(2)(b)

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;

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

(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under Section 21 of the *Freedom of Information and Protection of Privacy Act*;

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

2. ADOPTION OF THE MINUTES:

a. Minutes

3 - 7

Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2018-DEC-03 at 4:00 p.m.

3. CONSENT ITEMS:

4. REPORTS:

a.

b. Tent City Update

To be introduced by Jake Rudolph, Chief Administrative Officer, and Dale Lindsay, Director of Community Development.

5. CORRESPONDENCE:

6. ADJOURNMENT OF SPECIAL "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, 2018-DEC-03 AT 4:00 P.M.

Present: Mayor L. Krog
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
D. Lindsay, Director of Community Development (vacated 4:16 p.m.)
B. Sims, Director of Engineering and Public Works (vacated 4:16 p.m.)
J. Van Horne, Director of Human Resources (arrived 4:42 p.m., vacated 6:15 p.m.)
K. Fry, Fire Chief (vacated 4:16 p.m.)
L. Mercer, Acting Director of Finance (arrived 4:16 p.m., vacated 4:42 p.m.)
S. Gurrie, City Clerk (vacated 6:26 p.m.)
K. Gerard, Recording Secretary (vacated 5:16 p.m.)

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

The "In Camera" Meeting was called to order at 4:00 p.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. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Council Meeting held in the Douglas Rispin Room, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC, on Monday, 2018-NOV-19 at 4:00 p.m., be adopted as circulated. The motion carried unanimously.



4. REPORTS:

(a) Tent City and Temporary Housing Update

Dale Lindsay, Director, Community Development, provided Council with an update regarding Tent City and temporary housing, which included:

- [REDACTED]
- 35 – 40 Tent City occupants have been moved to the temporary housing on Labieux Road
- The Labieux Road and Terminal site are in various stages of construction but should be completed soon
- All occupants, that registered for housing, should be placed by Friday, December 7, 2018
- [REDACTED]
- Final clean up and closure of Tent City should happen next week, December 10th to 14th, 2018
- [REDACTED]

Karen Fry, Fire Chief, updated Mayor and Council regarding medical emergencies and incidents that occurred at Tent City over the weekend including an explosion which resulted in two people going to the hospital and four other separate medical issues.

Council discussion regarding Tent City and Temporary Modular Housing included:

- Cost of cleanup and remediation
- Tent City occupants that are not registered for or not be providing housing,
- What happens to those who refuse assistance or housing?
- [REDACTED]

It was moved and seconded that verbal report regarding Tent City and Temporary Modular Housing, be received for information. The motion carried unanimously.

D. Lindsay, K. Fry and B. Sims vacated the Douglas Rispin Room at 4:16 p.m.
L. Mercer entered the Douglas Rispin Room at 4:16 p.m.

(b) Council Remuneration

To be introduced by Jake Rudolph, Chief Administrative Officer.

Laura Mercer, Acting Director, Financial Services, provided Council with a presentation regarding Council Remuneration, which included:

- A summary of Council spending and Amenities Policy 1-0530-05 adopted on May 2, 2016
- Adoption dates and a summary of policies adopted by previous Councils
- Current issues including remuneration increase per policy, elimination of the one-third exemption portion of salary and current policy language regarding salary increases
- Council needs to determine:
 1. If Council "Spending and Amenities Policy 1-0530-05" should be amended to include CPI increases; and,
 2. If Council remuneration review should be completed before the end of Councils term.

Council discussion included:

- Rate of pay for both Mayor, Acting Mayor and Councillors
- Loss of the 1/3 tax exemption portion of salary
- Review of Mayor, Acting Mayor and Council remuneration and when this review should take place
- Public perception of any increases to Mayor and Councillor salary
- Staff recommendations and research into Council remunerations and comparisons to other municipalities of equal size
- Suggestion of reviewing Council remuneration mid-way through the present Council's term and setting a precedent for future Council's review schedule

L. Mercer vacated the Douglas Rispin Room at 4:42 p.m.

J. Van Horne entered the Douglas Rispin Room at 4:42 p.m.

(c) [REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

J. Rudolph and K. Gerard vacated the Douglas Rispin Room at 5:16 p.m.

2. [REDACTED]

[REDACTED]

[REDACTED]

The "In Camera" meeting recessed at 6:05 p.m.

The "In Camera" meeting reconvened at 6:26 p.m.

S. Gurrie vacated the Douglas Rispin room at 6:26 p.m.

3. Organizational Update

Jake Rudolph, Chief Administrative Officer, provided Council with a verbal update regarding the City of Nanaimo organizational structure.

It was moved and seconded that Council receive, for information, the verbal report from Jake Rudolph, Chief Administrative Officer, regarding the City of Nanaimo organizational structure. The motion carried unanimously.

5. ADJOURNMENT:

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

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER



AGENDA
SPECIAL "IN CAMERA" COUNCIL MEETING

Wednesday, December 12, 2018

Following the Open Special Council Meeting

DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE

80 COMMERCIAL STREET, NANAIMO, BC

Pages

1. APPROVAL OF THE AGENDA:

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

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

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

3(a) [REDACTED]

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).

2. REPORTS:

a. [REDACTED]

3. ADJOURNMENT OF SPECIAL "IN CAMERA" MEETING:



AGENDA "IN CAMERA" COUNCIL MEETING

Monday, December 17, 2018, 5:00 P.M. - 6:55 P.M.
DOUGLAS RISPIN ROOM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

Pages

1. APPROVAL OF THE AGENDA:

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

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

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

5(a) [REDACTED]

5(b) 2019 Culture and Heritage Awards Recipients - 90(1)(b)

5(c) Appointments to the Board of Variance - 90(1)(a)

5(d) Update on Tourism Services - 90(1)(k)

5(e) [REDACTED]

Section 90(1):

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

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

(c) labour relations or other employee relations;

(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; and,

(n) the consideration of whether a Council meeting should be closed under a provision

of this subsection or subsection (2).

2. **ADOPTION OF THE MINUTES:**

3. **PRESENTATIONS:**

4. **CONSENT ITEMS:**

5. **REPORTS**

a.

[REDACTED]

b. 2019 Culture and Heritage Award Recipient Recommendations

23 - 55

To be introduced by Dale Lindsay, Director, Community Development.

Purpose: To obtain Council endorsement of the 2019 Culture & Heritage Award recipient recommendations.

Recommendation: That Council approve Mr. Dean Chadwick for the 2019 Honour in Culture award, the Nanaimo Historical Society for the 2019 Honour in Heritage award, and Mr. Nico Rhodes for the 2019 Emerging Cultural Leader award.

Rise and Report:

To be released upon approval by Council.

c. Appointments to the Board of Variance

56 - 63

To be introduced by Sheila Gurrie, City Clerk.

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

Recommendation: That Council appoint two members to the Board of Variance for a three-year term ending 2021-DEC-16.

Rise and Report

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

d. Update on Tourism Services

64 - 102

To be introduced by Richard Harding, Director, Parks and Recreation.

Purpose: To provide information to Council regarding the delivery of Tourism Services.

Recommendation: That the report titled "Update on Tourism Services", dated 2018-DEC-17, be received for information.

Rise and Report

To be released once contract has been fully executed.

e.



6. **CORRESPONDENCE:**

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

DATE OF MEETING DECEMBER 17, 2018

AUTHORED BY CHRIS BARFOOT, CULTURE & HERITAGE COORDINATOR

SUBJECT 2019 CULTURE & HERITAGE AWARD RECIPIENT
RECOMMENDATIONS

OVERVIEW

Purpose of Report

To obtain Council endorsement of the 2019 Culture & Heritage Award recipient recommendations.

Reason for “In Camera”

Community Charter Section 90(1)(b):

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

Recommendation

That Council approve Mr. Dean Chadwick for the 2019 Honour in Culture award, the Nanaimo Historical Society for the 2019 Honour in Heritage award, and Mr. Nico Rhodes for the 2019 Emerging Cultural Leader award.

Resolution to Rise and Report

To be released upon approval by Council.

BACKGROUND

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

A call for nominations was advertised in early September 2018 and closed on 2018-OCT-27. A total of five nominations were received by the deadline. A peer/staff panel reviewed the nominations and recommended that three categories proceed for consideration.

Recipients will be honoured at a special awards ceremony to be held at the Port Theatre in April of 2019.

2019 Honour in Culture Award – Mr. Dean Chadwick

The Honour in Culture Award is presented to an individual, group, or corporation that is known for its dedication and support of the development of the cultural fabric of Nanaimo. It is recommended that Mr. Dean Chadwick be named the 2019 Honour in Culture award recipient for his passion, skills and love of the arts.

Past recipients of this award include literary arts supporter Ms. Thora Howell, The Nanaimo Theatre Group, Arts Alive Summer School of the Fine Arts, arts advocate Ms. Sandra Thomson, Mr. Ian Niamath, and Ms. Debbie Truman of the Nanaimo Museum.

2019 Honour in Heritage Award – Nanaimo Historical Society

The Honour in Heritage Award is presented to an individual group or corporation who demonstrates outstanding support, advocacy, promotion, or interpretation of Nanaimo’s heritage and history. It is recommended that the Nanaimo Historical Society be named the 2019 Honour in Heritage award recipient for their dedication and effort to provide an essential link with the community’s past and its present.

Established in 1953, the Nanaimo Historical Society is the longest running history and heritage organization in the city. For over 65 years, the Society has honoured and promoted Nanaimo history through book publications, speaker series, walking tours, local issue advocacy, and by their crucial role in establishing the Nanaimo Museum, Nanaimo Community Archives, and the City’s Heritage Advisory Committee.

This is a new award category created in 2018. Past recipients of this award include Jan Peterson, award-winning author.

2019 Emerging Cultural Leader Award – Mr. Nico Rhodes

The “Emerging Cultural Leader” Award is presented to a Nanaimo-based cultural leader that is under 30 years of age and has contributed significantly to the cultural life of Nanaimo and/or is recognized for their excellence in an arts, culture or creative field. It is recommended that Mr. Nico Rhodes be named as the 2019 Emerging Cultural Leader award recipient for his award-winning work as a musician, arranger, composer, and musical director who shares his talents generously with all ages and skill levels.

Past recipients include Shayd Johnson, photographer; Alyssa Glassford, local artist; and Amanda Scott, owner of the Vault Café.

OPTIONS

1. That Council approve Mr. Dean Chadwick for the 2019 Honour in Culture award, the Nanaimo Historical Society for the 2019 Honour in Heritage award, and Mr. Nico Rhodes for the 2019 Emerging Cultural Leader award.
 - **Strategic Priorities Implication:** The Culture & Heritage awards ensure that Nanaimo has a strong and vibrant culture, which promotes Nanaimo's arts, creativity, heritage, cultural traditions and community wellness, leading to greater popularity as a place to visit, live, work and play, furthering goals of the Cultural Vitality pillar of the Strategic Plan.
2. That Council provide Staff with alternative direction.

SUMMARY POINTS

- The Culture & Heritage Awards have been an important program for community building and partnerships in Nanaimo since 1998. It brings awareness to the breadth and variety of the cultural activity in our community.
- It is recommended that Council approve Mr. Dean Chadwick as the 2019 Honour in Culture award recipient, the Nanaimo Historical Society as the 2019 Honour in Heritage award recipient, and Mr. Nico Rhodes as the 2019 Emerging Cultural Leader award recipient.
- Recipients will be honoured at a special awards ceremony to be held at the Port Theatre in April of 2019.

ATTACHMENTS

Submitted by:

Lisa Bhopalsingh
Manager, Community & Cultural Planning

Concurrence by:

Dale Lindsay
Director, Community Development

DATE OF MEETING | DECEMBER 17, 2018 |

AUTHORED BY | SHEILA GURRIE, CITY CLERK & CORPORATE OFFICER |

SUBJECT | APPOINTMENTS TO THE BOARD OF VARIANCE |

OVERVIEW

Purpose of Report

To obtain Council approval for appointments to the Board of Variance.

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 Board of Variance for a three-year term ending 2021-DEC-16.

Resolution to Rise and Report

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

BACKGROUND

Due to the resignation of two of the five members of the Board of Variance (BOV), Legislative Services has advertised members at large positions to fill these vacancies.

These vacancies were advertised through the City website, social media, news releases and notices in the Nanaimo News Bulletin on 2018-DEC-04 and 2018-DEC-06. The term of appointment for the BOV is a legislated three year term, ending December 16, 2021. The BOV is governed by the *Local Government Act* and “Board of Variance Bylaw 2015 No. 7213”.

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

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

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

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

Board of Variance Applicant	Notes
Allan Dick	
Kenneth Hample	

OPTIONS

1. That Council appoint two member to the Board of Variance for a three year term ending 2021-DEC-16.
2. That Council provide alternate direction. |

SUMMARY POINTS

- Due to two of the five members resigning from the Board of Variance, advertising commenced to fill these positions.
- Term of appointment for the Board of Variance is until December 16, 2021. |

ATTACHMENTS

|

Submitted by:

Sheila Gurrie,
City Clerk and Corporate Officer |

|

DATE OF MEETING December 17, 2018

AUTHORED BY ELIZABETH WILLIAMS, MANAGER, RECREATION SERVICES
PARKS AND RECREATION

SUBJECT UPDATE ON TOURISM SERVICES

OVERVIEW

Purpose of Report

To provide information to Council regarding the delivery of Tourism Services.

Reason for “In Camera”

(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 the report titled “Update on Tourism Services,” dated 2018-DEC-17, be received for information.

Resolution to Rise and Report

To be released once contract has been fully executed.

DISCUSSION

In the fall of 2016, Council approved recommendations to change how publicly-funded tourism services, previously administered by the Nanaimo Economic Development Corporation (NEDC), were to be delivered in Nanaimo. During the transition period, Tourism Services for Nanaimo was contracted to Tourism Vancouver Island (TVI) to provide destination marketing and development services. Temporary measures were put in place for visitor information services, at first through internal staffing, and then later, as an addition to TVI's contract. Visitor services are provided at two locations, the Visitor Centre located at Northfield Road and in the summer months at the historic Bastion.

As per the Council motion made on 2016-NOV-28, the Tourism Advisory Committee (TOURAC) was formed and members appointed by Council in the spring of 2017. This Committee was tasked with examining options for a long-term governance model for tourism services. The consulting firm Twenty31 was hired by the committee to facilitate the process and identify governance structure options that would work best for Nanaimo.

At the Special In-Camera Council meeting held 2017-NOV-06, TOURAC presented the final report from Twenty31 and recommended Option 2.1. At that meeting, Council passed a motion receiving the report for information (Attachment A).

To maintain continuity and consistency in the delivery of Tourism Services, Staff began working on a RFP to provide those services. In May 2018, Staff, working with a consultant [REDACTED] developed the Terms of Reference for the Tourism Services Request for Proposal document (RFP). Scope of work includes Destination Marketing, Destination Development and Visitor Information Services under a five-year contract beginning in 2019. The RFP was issued in September 2019 (Attachment B). Staff are currently in final negotiations with the successful proponent.

SUMMARY POINTS

- Tourism Services were transitioned from NEDC to a contractor in 2017.
- Tourism Vancouver Island is the current contractor for Destination Marketing, Development Marketing and Visitor Services, contract ending on 2019-MAR-31.
- Staff are negotiating a new 5-year contract for Tourism Services to deliver Destination Marketing, Destination Development and Visitor Services.

ATTACHMENTS

Attachment A: Excerpt from Minutes of Special In-Camera Meeting held 2017-NOV-06.
Attachment B: RFP No. 2267 – City of Nanaimo Tourism Marketing and Visitor Services

Submitted by:

Elizabeth Williams
Manager, Recreation Services

Concurrence by:

Richard Harding
Director, Parks and Recreation

EXCERPT IC MINUTES – NOVEMBER 6, 2017 – SPECIAL IN CAMERA MEETING

(a) Tourism Advisory Committee Update

Introduced by Tracy Sama, Chief Administrative Officer.

Henry Traa, Chair, and Jenn Houtby-Ferguson, Vice Chair, of the Tourism Advisory Committee provided a presentation regarding the Tourism Advisory Committee's recommendations. The Committee recommends Option 2.1 as follows:

Create a New, Full Service Separate Entity Professional Destination Management Organization (DMO)

- Organization would be new, incorporated not for profit society charged with the delivery of tourism services Nanaimo's tourism industry;
- A separate board of directors with the oversight of organization, hiring, firing and performance management of the CEO, strategy and accountable measures; and,
- Delivery of tourism services the discretion of the entity; through RFP or conducted in-house.

H. Traa, J. Houtby-Ferguson, and E. Williams vacated the Shaw Auditorium at 4:33 p.m.

23817 It was moved and seconded that the report titled Tourism Advisory Committee Update dated 2017-NOV-06 be received for information. The motion carried.
Opposed: *Councillors Armstrong, Bestwick and Fuller*

[REDACTED]



REQUEST FOR PROPOSAL No. 2267

City of Nanaimo Tourism Marketing and Visitor Services

DATE ISSUED: September 27, 2018

Closing Location:

Purchasing Department
2020 Labieux Road
Nanaimo, BC
V9T 6J9

CLOSING DATE AND TIME:

Proposals must be received prior to:

November 2, 2018; 3:00 pm (15:00 hrs) Pacific Time

INQUIRIES:

Jane Rushton, Purchasing Manager
purchasinginfo@nanaimo.ca

Late Submissions will not be considered

And

Submissions will not be opened publicly

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

TABLE OF CONTENTS

Section 1.0	Overview.....	5
1.1	Project Overview	5
1.2	Intended Term of Agreement.....	5
1.3	Intention of Award.....	5
1.4	Fiscal Funding Out.....	5
1.5	Definitions.....	5
Section 2.0	Instructions to Proponents.....	7
2.1	RFP Closing Date and Submission Instructions.....	7
2.2	RFP Schedule.....	7
2.3	Signature.....	8
2.4	Inquiries and Clarifications Related to this RFP	8
2.5	Addenda.....	8
2.6	Withdrawal of Proposals	8
2.7	Examination of RFP Proposal Documents and Facilities	8
2.8	Liability for Errors	9
2.9	Litigation Clause.....	9
2.10	Proponent Expenses	9
2.11	Amendment to Agreement Documents	9
2.12	Changes to RFP Document	9
2.13	Changes to the Proposal Wording and Content.....	10
2.14	Acceptance and Rejection of Proposals	10
2.15	Freedom of Information and Privacy Protection Act (FOIPPA)	10
2.16	Ownership of Proposals.....	10
2.17	Working Language	10
2.18	Not a Binding Agreement	10
2.19	Debriefing	11
2.20	Opening of Proposals.....	11
Section 3.0	General Terms and Conditions.....	12
3.1	Acceptance of Terms	12
3.2	The City Reserve Rights	12

3.3	Notification of Award	12
3.4	Form of Agreement	12
3.5	Indemnity.....	13
3.6	Insurance Requirements.....	13
3.7	WorkSafe BC	14
3.8	Business License	14
3.9	Licenses and Permits	15
3.10	Laws of British Columbia	15
3.11	Damage and Defects.....	15
3.12	Assignment Sub-Contracting of Agreement.....	15
3.13	Termination of Agreement	15
3.14	Cancellation	16
3.15	Force Majeure.....	16
3.16	Gifts and Donations	16
3.17	Dispute Resolution.....	16
3.18	Independent Contractor	17
3.19	Time is of the Essence.....	17
Section 4.0	Evaluation and Selection Process.....	18
4.1	Proposal Eligibility and Mandatory Submission Requirements.....	18
4.2	Evaluation Criteria	18
4.3	Proposal Content	18
4.4	Evaluation of Proposals	18
4.5	Conflict of Interest	19
4.6	RFP Provisions.....	19
Section 5.0	Scope of Services and Requirements	20
5.1	Background	20
5.2	Experience	20
5.3	Scope of Services Part A: General.....	21
5.4	Scope of Services Part B: Marketing Services.....	21
5.5	Scope of Services Part C: Visitor Servicing.....	22
5.6	Optional Future Services	22



**City of Nanaimo Tourism Marketing and Visitor Services
REQUEST FOR PROPOSAL 2267**

5.7 Marketing Report.....	22
Section 6.0 Proposal Format/Template	23
Section 7.0 Proponent’s Information Form	29
APPENDIX A – Detailed Scope of Services for Visitor Services	33
APPENDIX B - Optional Future Services (subject to available funding).....	35

Section 1.0 Overview

1.1 Project Overview

The City invites Proposals from qualified organizations or companies to provide tourism marketing and visitor services for Tourism Nanaimo.

1.2 Intended Term of Agreement

The term of the Agreement will be for five (5) years from date of award.

1.3 Intention of Award

The intention of the City maybe to award to one Proponent.

1.4 Fiscal Funding Out

The Proponent acknowledges that the City cannot make financial commitments beyond the City's current fiscal year. In this regard, the City shall annually make bona fide requests of its approving authority for appropriations of sufficient funds to make payments covered by this Agreement.

Should the approving authority not appropriate such funds, the City will notify the Proponent, as set forth below, of its intention to terminate the goods or services. This notice will also state that unless further funds are appropriated prior to the expiry of the period of the notice, the services are to be terminated and that the City shall not replace the service with substitute or comparable service by another party. If further funding is appropriated within twelve (12) months from the date of termination, the City will either; renew the award to the Proponent or if the City and Proponent are unable to reach agreement on the terms of a renewed award the City will issue a new RFP. If further funds are appropriated more than twelve months after the date of termination, the City will issue a new RFP.

Such termination will take effect thirty (30) calendar days from the date of notification and will not constitute an event of default.

1.5 Definitions

The following definitions apply to the interpretation of this document:

- a) "Addendum / Addenda" means a change, or addition, or correction significant enough to be formally made to this RFP. Addenda are posted on the City websites.
- b) "Agreement" means a legal document and any attachments that bind the City and all other parties subject to the provisions of the document(s).
- c) "Business Day" means any day from Monday to Friday inclusive, excluding statutory or civic holidays observed in British Columbia.
- d) "City" means the City of Nanaimo.
- e) "Closing Date and Time" means the deadline for the submission of Proposals as set out herein.

- f) "Closing Location" means the location that all Proposals for this RFP will be accepted at.
- g) "Contractor" means the Successful Proponent who enters into an Agreement with the City for the goods and services requested herein.
- h) "Mandatory Requirements" means those requirements described herein, which shall be fully satisfied in order for any Proposal to be considered by the City as a qualified Proposal.
- i) "May" used in this document denotes permissive.
- j) "Meeting Start Time" means the time the site meeting is scheduled to start. Proponents that are not in attendance at the starting time of a mandatory meeting will be excluded from participating in the Proposal process.
- k) "Proponent" means the Person, Company or Corporation providing a response to this RFP.
- l) "Request for Proposal" (RFP) means the document issued by the City used to solicit submissions to provide goods, services or construction for the City.
- m) "Shall" or "Will" or "Must" used in this document denotes imperative.
- n) "Sub-Contractor" means a legal entity approved by the City that may undertake the execution of a part of the Work pursuant to an Agreement with the Proponent, and may include both "brokers" and "Sub-Contractors".
- o) "Submission" or "Proposal" means the information submitted by a Proponent in response to this RFP.
- p) "Successful Proponent" means a Proponent who the City may award the agreement to, as a result of this RFP document.
- q) "Work" means the total goods and or services required by the RFP.

Section 2.0 Instructions to Proponents

2.1 RFP Closing Date and Submission Instructions

It is the sole responsibility of the Proponent to submit their Proposal to the Purchasing Department at or before the established Closing Date & Time.

The Proposals may be delivered by one of the following two methods:

- i. Hand/courier delivery: Proponents should submit one (1) original hard copy and one (1) electronic version in MS Word/PDF format submitted on an external flash drive. The Proposal should be enclosed and sealed in an envelope/package clearly marked: **RFP 2267 City of Nanaimo Tourism Marketing and Visitor Services: Attention: Jane Rushton, Purchasing Manager** and delivered and addressed to the Purchasing Department, City of Nanaimo, 2020 Labieux Road, Nanaimo, BC V9T 6J9. The time clock in the Purchasing Department Office is the official timepiece for the receipt of all Proposals delivered by hand/courier.
- ii. Electronic Bid Opportunity Portal: follow this hyperlink; <https://www.nanaimo.ca/bid-opportunities/>. Click the submit button for **RFP 2267 City of Nanaimo Tourism Marketing and Visitor Services**, register by providing all the required information; upload the submission document(s) and click submit.
 - An email confirmation will be sent to the email address that has been registered.
 - Registration is required for each submission.

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

Late Proposals or Proposals received by facsimile will not be considered. In addition, Proposals delivered to an incorrect location will not be considered.

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

2.2 RFP Schedule

Task	Date
Issue Date of RFP	September 27, 2018
Question Deadline	October 18, 2018
Answer Posting Date	October 25 2018
Closing Date and Time	November 2, 2018 @ 3:00 p.m.

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

2.3 Signature

The Proposal must be signed by a person authorized to legally bind the Proponent to the statements made in the Response to this RFP.

2.4 Inquiries and Clarifications Related to this RFP

All inquiries regarding this RFP are to be directed in writing or by email to the following person(s):

Jane Rushton, Purchasing Manager; purchasinginfo@nanaimo.ca

Information obtained from any other source is not official and no verbal communication will modify the terms of this RFP.

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

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

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

2.5 Addenda

If the City determines that an Addendum is necessary, the City will post an Addendum on the City website, and shall become part in parcel part of the RFP Document(s). Upon submitting a Proposal, Proponents are required to sign each of the Addenda and include them with the submission.

It is the responsibility of the Proponent to ensure that it has retrieved any and/or all Addenda and or questions and answers as issued prior to the Closing Date and Time.

2.6 Withdrawal of Proposals

Proponents may withdraw their Proposal at any time prior to the Proposal Closing Date and Time by submitting a written withdrawal request to the Purchasing Department via email: purchasinginfo@nanaimo.ca, Attention: Jane Rushton, Purchasing Manager;

2.7 Examination of RFP Proposal Documents and Facilities

It is the responsibility of each Proponent to examine the RFP Document(s) thoroughly. The Proponent may not claim, after the submission of a Proposal, that there was any misunderstanding with respect to the Services or Work and conditions imposed by the City.

There will be no opportunity to make any additional claim for compensation or invoice for additional

charges that were not considered and included in the Proposal Fee submitted, unless the City, at its sole discretion, deems that it would be unreasonable to do so, or there are additional Work requirements due to unforeseen circumstances and as approved by the City.

2.8 Liability for Errors

While the City has taken considerable effort to ensure an accurate representation of information in this RFP, the information contained is supplied solely as a guideline for Proponent. The information is not guaranteed or warranted accurate by the City, nor is it necessarily comprehensive or exhaustive. Nothing in this RFP is intended to relieve the Proponent from forming their opinions and or conclusions with respect to the Work as described in this RFP.

2.9 Litigation Clause

The City may, in its sole discretion reject a Proposal submitted by Proponents if the Proponent, or any officer or director of the Proponent is or has been engaged either directly or indirectly through another corporation in a legal action against the City, its elected or appointed officers and employees in relation to:

- a. Any other Agreement and or contract for works or Services; or
- b. Any matter arising from the City's exercise of its powers, duties or functions under the *Local Government Act* for another enactment

Within five years of the date of this Request for Proposal.

In determining whether to reject a Proposal under this clause, the City will consider whether the litigation is likely to affect the Proponent's ability to work with the City, its consultants or representatives. In addition, whether the City's experience with the Proponent indicates that the City is likely to incur increased staff and legal costs in the administration of this Agreement if it is awarded to the Proponent.

2.10 Proponent Expenses

Proponents are solely responsible for their own expenses in preparing and submitting Proposals, and for any sample requests, meetings, negotiations or discussions with or presentations to the City or its representatives and consultants, relating to or arising from this RFP.

2.11 Amendment to Agreement Documents

Both the City's designated project manager and the Successful Proponent shall not amend the RFP Documents except as specifically agreed upon in writing and signed.

2.12 Changes to RFP Document

Proponent must not alter any portion of this RFP document, with the exception of adding the information as requested where necessary. To do so may invalidate the submission of its Proposal.

2.13 Changes to the Proposal Wording and Content

The Proponent is not allowed the opportunity to change the wording or content of its Proposal after the Closing and Time, and no words will be added to the Proposal, including changing the intent or content of the presentation of the Proposal, unless requested by the City (e.g. minor clarifications).

2.14 Acceptance and Rejection of Proposals

This RFP does not commit the City, in any way to select any Proponent or accept any Proposal and the City reserves the right in its sole discretion to postpone or cancel this RFP at any time for any reason whatsoever and to proceed with the Services in some other manner separate from this RFP process.

Proponents are advised that the lowest or any Proposal may not necessarily be accepted and the City reserves the right to reject or accept any or all Proposals in whole or in part at any time without further explanation.

Proponents are cautioned to carefully read and follow the instructions stated herein, as the City reserves the right to disqualify any Proposal that fails to meet any of the requirements of this RFP.

If any Proposal contains a deficiency or fails in some way to comply with any requirement of the RFP, which in the opinion of the City is not material, the City may waive the defect and accept the Proposal. The determination of whether or not to disqualify or otherwise remove any Proposal from the evaluation process will be made in the sole discretion of the City.

2.15 Freedom of Information and Privacy Protection Act (FOIPPA)

The contents of the Proposal are subject to the Freedom of Information and Privacy Protection Act (FOIPPA). The Proponent should note within its Proposal whether it considers any part of the Proposal as proprietary or trade secret. The City attempts to keep, to the best of its ability, proprietary or trade secret material confidential, only to the extent permitted by law. Notwithstanding the foregoing, the City has the sole discretion in determining whether any part(s) of Proponent Proposals contain information that is exempt from FOIPPA legislation.

2.16 Ownership of Proposals

All Proposals submitted, other than any Proposal withdrawn prior to the Closing Date and Time of Proposals or any late Proposals, become the property of the City and will not be returned to Proponents.

2.17 Working Language

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

2.18 Not a Binding Agreement

Issuance of this RFP, the Proponent's preparation of a Proposal, and the subsequent receipt and evaluation of the Proposal by the City does not obligate the City in any manner whatsoever, including

awarding an Agreement to any Proponent. Only the full execution and delivery of the final Agreement Documents between all parties will obligate the City in accordance with the Agreement terms and conditions.

2.19 Debriefing

Proponents may request a debriefing which may be made available at the City's convenience and must be made within fifteen (15) calendar days of notification of award. The intent of the debriefing is to aid the Proponent in presenting a stronger Proposal in subsequent procurement opportunities. Any debriefing provided is not for the purpose of providing an opportunity to challenge the procurement process. The City will provide a debriefing upon request, after an Agreement award has been completed.

2.20 Opening of Proposals

Proposals will not be opened publicly.

Section 3.0 General Terms and Conditions

3.1 Acceptance of Terms

All the terms and conditions of this RFP are assumed to be accepted by the Proponent and incorporated in its Proposal, except those revisions that are proposed or requested in the Proposal and accepted by the City.

3.2 The City Reserve Rights

The City reserves the right to:

- a. Waive any irregularity or insufficiency in any Proposal;
- b. Accept the Proposal which is deemed most favourable to the interest of the City;
- c. Accept any Proposal in whole or in part;
- d. Seek Proposal clarification with the any or all of the Proponents to assist in the evaluation;
- e. To request clarification from one or more than one Proponent with regard to pricing that is obviously unbalanced;
- f. Negotiate with the selected Proponent;
- g. Reject any or all Proposals;
- h. Contact references other than, and or in addition to, those furnished by the Proponent;
- i. Modify the terms of the RFP at any time in its sole discretion; up to the Closing Date and Time; and
- j. Internally publish the names of Proponents and any summary cost information deemed appropriate by the City.

3.3 Notification of Award

The Successful Proponent will be notified in writing and required agreeable obligations will need to be fulfilled before the Work can begin. All Proponents are directed to regularly check the City's website for results of the opportunity as unsuccessful Proponents will not be notified in writing.

3.4 Form of Agreement

The City's preferred form of Agreement Documents, whether attached or not, will consist of the following:

- a. The RFP document and all addenda, and attachments;
- b. The Successful Proponent's Submission;
- c. The City of Nanaimo Business License or Inter-Community Business License;
- d. Certificate of Insurance;
- e. WorkSafe BC Clearance Letter;
- f. The City's official purchase order(s); and
- g. Those parts not referenced above but maybe required and agreed upon by both Parties.

The City is not obligated to any Proponent in any manner until a Purchase Order has been issued and signed by the City's designate.

3.5 Indemnity

The Successful Proponent agrees to indemnify, defend and save harmless the City, including and without limitation, to its Council Members, agents, and employees. This will be from and against all suits, claims, demands, losses, damages, expenses and costs made against or incurred, suffered or sustained by the City at any time, either before or after the expiration or termination of the Agreement. Where the same or any of the aforementioned are based upon or arise out of or from anything done or omitted to be done by the Successful Proponent or by any employee, officers, director or Sub-Contractor, the Successful Proponent pursuant to the Agreement excepting any liability out of the independent acts of the City.

3.6 Insurance Requirements

The Successful Proponent shall, without limiting its obligations or liabilities herein and at its own expense, provide and maintain throughout the Agreement term hereby granted the following insurance with insurers licensed in the Province of British Columbia and in forms and amounts acceptable to the City of Nanaimo. The policy shall include The City of Nanaimo as an additional insured in respect of all operations performed by or on behalf of the Successful Proponent.

Commercial General Liability Insurance in an amount not less than two million (\$2,000,000) inclusive per occurrence against bodily injury, personal injury and property damage and including liability assumed under this Agreement and this insurance must:

- i. Include the City of Nanaimo as an additional insured;
- ii. Be endorsed to provide the City of Nanaimo with (30) days advance written notice of cancellation or material change; and
- iii. Include a cross liability clause.
- iv. **Automobile Liability Insurance** covering both owned and non-owned automotive vehicles. This policy shall be written with a minimum two million (\$2,000,000) inclusive and shall provide coverage for this amount against legal liability for bodily injury or death or damage to property of others and passenger hazard.

Professional Liability Insurance (Errors & Omissions). The Successful Proponent providing professional services is expected to carry E & O in at a minimum of five hundred thousand (\$500,000) per occurrence and one million (\$1,000,000) aggregate. In addition, each policy is expected to be evidenced by certificate(s) of insurance including the undertaking to give at least 30 days prior notice to the City by registered mail in the event of cancellation of or reduction in coverage.

All insurance must be primary; and not require the sharing of any loss by an insurer of the City.

If the insurance policy(ies) expire before the end of the term of the Agreement, the Successful Proponent must provide within ten (10) working days of expiration, evidence of new or renewal policy(ies) of all expired insurance in a form acceptable to the City.

The Successful Proponent shall provide, maintain, and pay for, any additional insurance which is required by law to carry, or which it considers necessary to cover risks not otherwise covered by insurance specified in this section in its sole discretion.

The Successful Proponent shall place and maintain, or cause any of its Sub-Contractors to place and maintain, such other insurance or amendments to the foregoing policies as the City may reasonably direct.

The Successful Proponent hereby waives all rights of recourse against the City for loss or damage to the Contractor's property.

It is the responsibility of the Successful Proponent to supply valid insurance certifications to cover the project Work schedule and or potential term of Agreement.

3.7 WorkSafe BC

The Successful Proponent and any approved Sub-Contractors must be registered in good standing with WorkSafe BC, in which case WorkSafe BC coverage must be maintained for the duration of the Agreement. The Successful Proponent agrees and shall:

- a. Provide at its own expense the necessary WorkSafe BC compensation coverage for all its employees and partners employed or engaged in the execution of the Work;
- b. Remain current with all assessment reporting and payments due there under and shall comply in every respect with the requirement of the WorkSafe BC Act and Regulations; and
- c. Be solely responsible for to ensure that all Sub-Contractors have proper WorkSafe BC coverage.

The Successful Proponent will ensure compliance with and conform to all health and safety laws, by-laws or regulations of the Province of British Columbia, including without limitation the *Workers Compensation Act* and Regulations pursuant thereto.

The Successful Proponent understands and undertakes to comply with the entire Workers' Compensation Board Occupational Health and Safety Regulations for hazardous materials and substances, and in particular with the "Workplace Hazardous Materials Information System (WHMIS)" Regulations. All "Safety Data Sheets (SDS)" will be shipped along with the Goods and any future SDS updates will be forwarded.

3.8 Business License

At its own expense, the Successful Proponent shall obtain and maintain a current City of Nanaimo or Inter-Community Business License for the duration of the Agreement term.

3.9 Licenses and Permits

The Successful Proponent will provide and pay for all licenses and permits required to carry out the work.

3.10 Laws of British Columbia

Any Agreement resulting from this RFP will be governed by and will be construed and interpreted in accordance with the laws of the Province of British Columbia.

3.11 Damage and Defects

The Successful Proponent shall use due care so that no persons are injured, or no property damaged or lost in providing the Work. The Successful Proponent shall be solely responsible for all loss, damages, costs and expenses in respect of any injury to persons, damage of property, or infringement of the rights of others incurred in the performance of the Work or caused in any other manner whatsoever by the Successful Proponent or its employees. The Successful Proponent shall rectify any loss or damage for which, in the opinion of the City, the Successful Proponent is responsible, at no charge to the City and to the satisfaction of the City.

Alternatively, the City may repair the loss or damage and the Successful Proponent shall pay to the City the costs of repairing the loss or damage upon demand from the City. Where, in the opinion of the City, it is not practical or evaluation to repair the loss or damage, the City may estimate the cost of the loss or damage and deduct such estimated amount from the amount owing to the Successful Proponent.

3.12 Assignment Sub-Contracting of Agreement

The Successful Proponent shall not assign or Sub-Contract its obligations under the Agreement, if any, in whole or in part, without prior written approval of the City's designated project manager.

3.13 Termination of Agreement

The City reserves the right, at its sole discretion, to terminate the Agreement, in whole or in part, if the Successful Proponent receives three (3) written notices for any one or more of the following reasons:

- a. Failure to deliver the promised goods and or services at the required time and location;
- b. Failure to provide qualified personnel to provide the or perform the goods and or services;
- c. Failure to provide satisfactory Work;
- d. Fails to meet the City's standard of expected and agreed level of Services and performance;
- e. Performing unsafe acts while on City property that could pose a threat to the safety of the City Staff or Public;
- f. Safety infractions;
- g. Places unknown personnel, Sub-Contractors or assignment of the Services to others;
- h. Is found to be in default or arrears standing at WorkSafe BC;
- i. Fails to provide the necessary insurance;

- j. Expired business license; or
- k. Any other reason considered appropriate, at the sole discretion of the City.

Upon termination of the Agreement, the City will be under no further obligation to the Successful Proponent, except to pay any outstanding amounts that the Successful Proponent may be entitled to receive up to the date of termination. Such termination will not result in any penalty to the City.

3.14 Cancellation

The Agreement may be cancelled by either party for any reason without cause or penalty upon one hundred and twenty (120) calendar day's written notice, or as mutually agreeable.

3.15 Force Majeure

Neither party will be liable for any failure or delay to perform that party's obligations resulting from any cause beyond that party's reasonable control. This will include but not be limited to fires, explosions, floods, strikes, Work stoppages, slowdowns, or other industrial disputes, accidents, riots or civil disturbances, acts of civil or military authorities.

3.16 Gifts and Donations

The Successful Proponent will ensure that no representative of the Successful Proponent will offer or extend any entertainment, gift, gratuity, discount, or special service, regardless of value, to any employee of the City. The Successful Proponent will report any attempt by any employee of The City to obtain such favours to the City of Nanaimo's Chief Administrative Officer or designate.

3.17 Dispute Resolution

The parties will make reasonable efforts to resolve any dispute, claim, or controversy arising from the Agreement; using the dispute resolution procedures set out in this section or otherwise agreeable.

- a. **Negotiation:** The parties will make reasonable efforts to resolve any Disputes by amicable negotiations and will provide frank, candid and timely disclosure of all relevant facts, information and documents to facilitate negotiations.
- b. **Mediation:** If all or any portion of a Dispute cannot be resolved by good faith negotiations within (30) days, either party may by notice to the other party refer the matter to mediation. Within (7) days of delivery of the notice, the parties will mutually appoint a mediator. If the parties fail to agree on the appointment of the mediator, then either party may apply to the British Columbia International Commercial Arbitration Centre for appointment of a mediator. The parties will continue to negotiate in good faith to resolve the Dispute with the assistance of the mediator. The place of mediation will be Nanaimo, British Columbia. Each party will equally bear the costs of the mediator and other out-of-pocket costs, and each party will bear its own costs of

participating in the mediation.

- c. **Litigation:** If within (90) days of the request for mediation the Dispute is not settled, or if the mediator advises that there is no reasonable possibility of the parties reaching a negotiated resolution, then either party may without further notice commence litigation.

3.18 Independent Contractor

The Successful Proponent, it's Sub-Contractors, the officers, directors, shareholders, partners, personnel, affiliates and agents of the Successful Proponent and Sub-Contractors are not, nor are they to be deemed to be partners, appointees, employees or agents of the City.

3.19 Time is of the Essence

The Proponent acknowledges that time is of the essence with respect to the Work requirements contained herein.

Section 4.0 Evaluation and Selection Process

To assist in receiving similar and relevant information, and to ensure your Proposal receives fair evaluation, the City asks Proponents to provide the following information.

4.1 Proposal Eligibility and Mandatory Submission Requirements

In order for Proposals to be eligible, they must meet the following mandatory requirements:

- a) Be received on or before the established Closing Date and Time at the Closing Location specified; and
- b) Include a copy of the Section 7.0 Proponent's Information Form signed by an individual authorized to do so on behalf of the Proponent.

PROPOSALS NOT IN COMPLIANCE WITH THESE TWO MANDATORY REQUIREMENTS WILL NOT BE CONSIDERED.

4.2 Evaluation Criteria

The following criteria identify the key components on which Proposals to this RFP will be evaluated.

Item	Evaluation Criteria	Point Value
1.	6.1 Company Profile, 6.2 Experience, 6.3 General Scope	25
2.	6.4 Marketing Services Approach and Experience	30
3.	6.5 Visitor Services Approach and Experience	20
4.	Cost	25
	TOTAL	100

4.3 Proposal Content

In order to ensure Proposals can be evaluated it is important the Proponent provide clear responses to all the requested information as outlined in Section 6 and Section 7.

4.4 Evaluation of Proposals

Proposals will be evaluated on a category basis as follows:

Stage 1 – Proposal Eligibility

The City will examine all Proposals that meet the mandatory eligibility requirements as set out herein.

Stage 2 – Weighted Evaluation

The City will evaluate the eligible Proposals based on the Evaluation Criteria in 4.2 using a weighted evaluation scoring method. Proposals will be evaluated using a scoring scale of 1-5 with the resulting

score then multiplied by the pre-determined weighted evaluation value for each particular criterion. The weighted score for each item will be added together to arrive at an aggregate (total) score for the evaluation and ranking for all Proposals. The City will assign scores at the sole discretion of the City.

Where priced Proposals are required, the following equation will be used to allocate the points. The lowest proposed price will receive the full value of the allocated points. Each additional Proponent will receive a percentage of the total possible points by dividing the proposed price into the lowest price. i.e. lowest proposed price is \$10.00 from Proponent A and the allocated points for pricing is 10 points. Proponent A receives 10 points. Proponent B submits a proposed price of \$12.00. Proponent B receives 8 points ($\$10.00/\$12.00 \times 10 = 8$)

Stage 3 – Proposal Clarification

The City may at their sole discretion, invite one or more Proponents for an interview, presentation or request further clarification to address any questions or clarifications relating to Proposals. Proponents will be responsible for any costs associated with the preparation for, and attendance at, the interview, to take place at a specified location within the City. An interview can be by a format selected by the City (i.e. in-person, phone, conference call, or other.)

The City may conduct credit and reference checks as part of the evaluation process, and may request additional financial information from any Proponent, at The City's sole discretion.

Stage 4 – Re-evaluation and Adjusted Scores

The City may, if necessary, re-evaluate and assign adjusted scores to the previously determined scores of the Proponents invited for an interview based on the new or updated information received.

4.5 Conflict of Interest

Proponents are to include a statement in their Proposal indicating whether or not the firm or any individuals proposed to work on the Agreement has a possible conflict of interest, and, if so, the nature of that conflict. The Municipality reserves the right to cancel the award if any interest disclosed from any source could either give the appearance of a conflict or cause speculation as to the objectivity of the project to be developed by the awarded respondent. The Municipality's determination regarding any questions of conflict of interest shall be final.

4.6 RFP Provisions

Proponents need to identify any specific provisions contained in this RFP with which it is unwilling or unable to comply. Proposed changes are subject to City review and approval and may not be accepted in whole or in part.

Section 5.0 Scope of Services and Requirements

5.1 Background

In the fall of 2016, Nanaimo City Council approved recommendations to change how publicly-funded tourism services, previously administered by the Nanaimo Economic Development Corporation (“NEDC”), were to be delivered in Nanaimo. Following this approval by Council, the City signed a service agreement with Tourism Vancouver Island (“TVI”) for destination marketing, visitor servicing and development services. The agreement, which commenced on February 1st, 2017, will expire in March 2019. A key objective of this new arrangement was to strengthen collaboration between and integration across all parts of Nanaimo’s tourism sector.

Given that the current agreement will be expiring in March 2019, the City is conducting a competitive process to engage a fully-qualified consultant/organization to provide the services specified in this RFP for a five-year term commencing on April 1st, 2019.

The operating name “Tourism Nanaimo” will continue to be used for the purposes of delivering the services specified in this RFP. The Successful Proponent will report directly to the City’s designated Project Manager.

The required experience and scope of services are delineated in Sections 5.2 through Sections 5.7 below.

5.2 Experience

The Successful Proponent needs to demonstrate their experience in the following areas (see Section 6.0 which provides a template for Proponents’ responses).

- 5.2.1 The Successful Proponent must have in depth experience delivering professional destination marketing and visitor services. Solid cross-industry relationships are required for the successful delivery of tourism services. The Successful Proponent must have a solid track record working in close collaboration with industry leaders and stakeholders. This engagement will require strong collaboration with entities such as the Nanaimo Hospitality Association, the Vancouver Island Conference Centre, the Nanaimo Port Authority, the Snuneymuxw First Nation, the Regional District of Nanaimo and/or its component communities.
- 5.2.2 The Successful Proponent must be very knowledgeable about the latest marketing, destination development and visitor service programming developments of Destination Canada, Destination BC and the Tourism Association of Vancouver Island. The Successful Proponent is expected to fully utilize such programs and meet standard requirements of such programs, as appropriate.
- 5.2.3 The Successful Proponent must be very knowledgeable about leading best practices with regard to Destination Marketing/Management Organization marketing, destination development and visitor servicing. The Successful Proponent is expected to fully

incorporate these best practices in Tourism Nanaimo's planning and operations, as appropriate.

5.3 Scope of Services Part A: General

The general scope of services is described below. To assist in receiving similar and relevant information, and to ensure your proposal receives fair evaluation, the City asks Proponents to demonstrate how they will deliver these services (see Section 6.0 which provides a template for presenting responses).

- 5.3.1 Provide necessary, qualified personnel to augment the staff complement of the Proponent's existing organization, as necessary, to fulfill the scope of services outlined in Sections 5.4 through 5.8.
- 5.3.2 Provide monthly activity reports for marketing, visitor servicing, conference/convention/meetings sector activities, value-of-tourism presentations, and financial updates by the 15th day of each month throughout the term of the contract.

5.4 Scope of Services Part B: Marketing Services

The scope of services related to Marketing is described below. To assist in receiving similar and relevant information, and to ensure your Proposal receives fair evaluation, the City asks Proponents to demonstrate how they will deliver these services (see Section 6.0 which provides a template for presenting responses).

Five-Year Destination Marketing Strategy

- 5.4.1 Develop and implement a five-year destination marketing strategy for the period of April 1st, 2019 to March 31st, 2024, which will include, at a minimum, the following:
 - 5.4.1.1 Brand development and management;
 - 5.4.1.2 Advertising content design and creation;
 - 5.4.1.3 Annual marketing initiatives and associated targets that will be used to guide annual marketing plans; and
 - 5.4.1.4 Measureable outputs and outcomes to support the City's monitoring and evaluation of results.

Annual and Ongoing Marketing Services

- 5.4.2 Each year, develop a detailed annual marketing plan and associated targets, using the five-year destination marketing strategy as a framework.
- 5.4.3 Continue the development of a strong brand and strong brand awareness in key markets and encourage the conditions necessary to incite a committed purchase by clients.
- 5.4.4 Develop and submit an application to Destination BC for co-op marketing funds each year of the term for the period of April 1st through March 31st (for as long as this program of Destination BC continues).

- 5.4.5 Select and manage vendors for graphic design and media buying.
- 5.4.6 Extend and continue the development of the “Nanaimo Brand” (see Appendix xx for information on the Nanaimo Brand) to the Meeting and Conference audience.
- 5.4.7 Provide leadership to help ensure that the marketing and business development efforts of the Vancouver Island Conference Centre and other meeting and event venues are well-coordinated with the accommodation sector (i.e., develop and implement a holistic and well-coordinated approach to marketing Nanaimo as a conference/convention/meetings destination to existing and potential clients).

5.5 Scope of Services Part C: Visitor Servicing

The scope of services related to Visitor Servicing is described below. To assist in receiving similar and relevant information, and to ensure your proposal receives fair evaluation, the City asks Proponents to demonstrate how they will deliver these services (see Section 6.0 which provides a template for presenting responses).

- 5.5.1 Provide visitor information services for the period of April 1st, 2019 to March 31st, 2024 (see Appendix “A” for detailed scope of visitor information services that must be fulfilled).
- 5.5.2 Innovate and continue visitor servicing at both static and roaming locations, including cruise ship hospitality.
- 5.5.3 Include training and coordination of the Nanaimo Ambassador Program which is a corps of volunteers who provide hospitality services at various events.

5.6 Optional Future Services

As outlined in Appendix B, the parties may, subject to written agreement between the Successful Proponent (Consultant) and the City, agree to future additional services to be provided to the City. If the City requests future additional services from the Consultant, the Consultant shall promptly prepare an additional services proposal for the City’s consideration. Unless otherwise agreed to by the parties, the Consultant shall prepare the proposal at no additional charge to the City.

Adding services will be at the sole discretion of the City and no penalties shall be imposed if no additional services are requested.

5.7 Marketing Report

Within thirty (30) days or the earlier of the Termination or the expiration of the Agreement, the Consultant shall prepare and deliver a marketing report summarizing marketing actions taken throughout the term of the Agreement, and stating any rationale for actions taken, and recommended modifications based on the success or failure of the Consultant’s marketing initiatives.

Section 6.0 Proposal Format/Template

Please use the following format/template to present the information requested for the noted sections. Maximum points per section are indicated below and in the right-hand columns of each section table.

6.1 Company Profile

Company Profile	Response
<ul style="list-style-type: none"> • Provide details regarding your company/organization, including: • Description of legal entity (e.g., limited partnership, incorporated company, non-profit organization, etc.); • Years in business; • Description of the type of work your company/organization performs; • Number of employees; and, • Physical location and mailing address. 	<p><i>Please expand if more space is needed.</i></p>
<p>Identify the key members of the proposed team including any sub-consultants, if any, and highlight the relevant qualifications and experience. Include copies of resumes of the key personnel.</p>	<p><i>Please expand if more space is needed.</i></p>
<p>Describe up to two (2) Agreements / Contracts of similar or greater magnitude and have been successfully completed or are in progress within the past ten (10) years. Provide two references, including names and contact information. References may be contacted and their response may be used to form part of the evaluation score.</p>	<p><i>Please expand if more space is needed.</i></p>

Company Profile

Response

6.2 Proponent's Response Experience

Experience Category

Response

Indicate the number of years your company has been engaged in providing professional destination marketing services and visitors services. Describe your company's experience in delivering these services.

Please expand if more space is needed.

Describe your company's/organization's approach to and track record working in close collaboration with industry leaders and stakeholders.

Please expand if more space is needed.

In a brief paragraph, describe your company's/organization's knowledge about the latest marketing, destination development and visitor service programming developments of Destination Canada, Destination BC and the Tourism Association of Vancouver Island.

Please expand if more space is needed.

In a brief paragraph, describe your company's/organization's knowledge about leading best practices with regard to Destination Marketing/Management Organization marketing, destination development and visitor servicing.

Please expand if more space is needed.

Experience Category

Response

6.3 Proponent's Response Part A – General Scope

Part A – General Scope

Proponent's Approach to Achieve This

Describe how you will staff your organization to ensure you have the necessary, qualified personnel to fulfill the scope of services outlined in this RFP.

Please expand if more space is needed.

Describe how your organization will provide monthly activity reports for marketing, visitor servicing, conference/convention/meetings sector activities, value-of-tourism presentations, and financial updates by the 15th day of each month throughout the term of the contract. Please provide one sample of a similar activity report that you have developed in the past. You may "white out" proprietary information, as necessary.

Please expand if more space is needed.

6.4 Proponent's Approach Part B - Marketing Services Scope

Part B – Marketing Services Scope

Proponent's Approach to Achieve This

Five-Year Destination Marketing Strategy

Describe how your organization would develop and implement a three-year destination marketing strategy for the period of April 1st, 2019 to March 31st, 2024, which will include, at a minimum, the following:

- Brand development and management;
- Advertising content design and creation;
- Annual marketing initiatives and associated targets that will be used to guide annual marketing plans; and
- Measureable outputs and outcomes to support the City's monitoring and evaluation of results.

Please expand if more space is needed.

Describe how your organization will develop a detailed annual marketing plan and associated targets, using the three-year destination marketing strategy as a framework.

Please expand if more space is needed.

Describe how your organization will continue the development of a strong brand and strong brand awareness in key markets and encourage the conditions necessary to incite a committed purchase by clients.

Please expand if more space is needed.

Part B – Marketing Services Scope

Proponent’s Approach to Achieve This

Describe how your organization will develop and submit an application to Destination BC for co-op marketing funds each year of the term for the period of April 1st through March 31st (for as long as this program of Destination BC continues).

Please expand if more space is needed

Describe how your organization will select and manage vendors for graphic design and media buying.

Please expand if more space is needed.

Describe how your organization will extend and continue the development of the “Nanaimo Brand.”

Please expand if more space is needed.

Describe how your organization will provide leadership to help ensure that the marketing and business development efforts of the Vancouver Island Conference Centre and other meeting and event venues are well-coordinated with the accommodation sector and other relevant meeting space providers.

Please expand if more space is needed.

6.5 Proponent's Approach Part C - Visitor Services Scope

Part C – Visitor Services Scope

Proponent's Approach to Achieve This

Describe how your organization will provide visitor information services for the period of April 1st, 2019 to March 31st, 2024 (see Appendix "A" for detailed scope of visitor information services that must be fulfilled).

Please expand if more space is needed.

Describe how your organization will innovate and continue visitor servicing at both static and roaming locations, including cruise ship hospitality.

Please expand if more space is needed.

Describe how your organization will include training and coordination of the Nanaimo Ambassador Program which is a corps of volunteers who provide hospitality services at various events. *Please expand if more space is needed.*

Section 7.0 Proponent's Information Form

Proponents must complete this form and include with the Proposal Submission.

Please ensure all information is in ink and legible.

1.	Legal Company Name	
2.	Contact Person	
3.	Address (include postal code)	
4.	Office Phone #	
5.	Cellular #	
6.	Email address	

Proponent: _____ Date _____

Signature: _____

Note: All forms that require a signature must be signed by a person authorized to legally bind the Proponent to statements made in response to this RFP.

The Proponent hereby acknowledges that:

1. it understands and agrees with the RFP process as described in this RFP; and, in addition; and
2. verifies the information included in the Proposal is correct, and it has thoroughly reviewed, and has complied with the documents making up their Proposal, including all specifications as may be listed in the index, and any addenda or questions and answers as posted.

7.1 Proponent's Cost Information Form

Firm pricing is required for the full five (5) year term and will include all costs associated with the services as outlined herein.

7.2 Total Costs

In the schedule below, provide **total costs** for all services for the five-year period.

Total Costs	Five Year Total
7.3 Annual Costs: Marketing Services	
7.4 Annual Costs: Visitor Services	
GST	
Total Costs	

Mathematical discrepancies will be corrected by the City by appropriate means to arrive at the correct total proposed cost. Where an error has been made in transferring an amount from one part of the Submission to another, the amount shown before transfer shall be taken to be correct, and the amount shown after transfer and the total bid price shall be corrected accordingly.

Legal Company Name

Representative initials

7.3 Annual Costs: Marketing Services

In the schedule below, provide **annual costs** for the stated marketing services.

Requirements	Costs (including disbursements, excluding GST)
Five-Year Destination Marketing Strategy	
Develop and implement a five-year destination marketing strategy for the period of April 1 st , 2019 to March 31 st , 2024, which will include, at a minimum, the following:	Year 1: _____
a. Brand development and management;	Year 2: _____
b. Advertising content design and creation;	
c. Annual marketing initiatives and associated targets that will be used to guide annual marketing plans; and	Year 3: _____
d. Measureable outputs and outcomes to support the City's monitoring and evaluation of results.	Year 4: _____
e. Extend and continue the development of the "Nanaimo Brand"	Year 5: _____
f. Provide leadership to help ensure that the marketing and business development efforts of the Vancouver Island Conference Centre and other meeting and event venues are well-coordinated with the accommodation sector and other relevant meeting space providers	
	TOTAL : _____

7.4 Annual Costs: Visitor Services

In the schedule below, provide **annual costs** for the stated visitor services.

Requirements	Costs (including disbursements, excluding GST)
a. Provide visitor information services for the period of April 1 st , 2019 to March 31 st , 2024 (see Appendix "A" for detailed scope of visitor information services that must be fulfilled)	Annual costs, including disbursements, for a – c as noted in the column to the left. Year 1: _____
b. Innovate and continue visitor servicing at both static and roaming locations, including cruise ship hospitality.	Year 2: _____
c. Include training and coordination of the Nanaimo Ambassador Program which is a corps of volunteers who provide hospitality services at various events.	Year 3: _____ Year 4: _____ Year 5: _____
	TOTAL : _____

APPENDIX A – Detailed Scope of Services for Visitor Services

Financial

- Provide input into the operational budget for the Visitor Centres.
- Apply to and adhere to funding guidelines set by the Canada Summer Jobs Program and Destination BC's ("DBC") Baseline Funding Program (note that DBC may make changes to the Baseline Funding Program which could take effect after 2021).
- Oversee Racking Sales of brochures and rack cards, and other printed materials.
- Implement and supervise retail systems and work to grow retail revenue opportunities.

Destination BC

- Adhere to the DBC Visitor Services Network Program and General Services Agreements for Base Funding.
- Collect and maintain accurate statistical reports to be provided to DBC and other stakeholders.
- Liaise with DBC and the City regarding DBC's communication with the Ministry of Transportation and Infrastructure ("MOTI") to ensure proper signage and locations meet MOTI's guidelines.

Supervising Staff and Volunteers

- Coordinate and participate in recruiting and interviewing of visitor centre staff and volunteers.
- Supervise and schedule staff and volunteers to ensure a high quality of visitor service experience is consistently provided.
- Train all staff and volunteers using the Tourism Visitor Counsellor Training ("TVIC") training program and SuperHost® Training.
- Uphold Tourism Nanaimo service expectations.
- Uphold workplace health and safety guidelines for staff and volunteers.

Visitor Servicing, Outreach and Stakeholder Engagement

- Supervise the operation of the main Visitor Centre to ensure that the Visitor Centre Network requirements set by DBC are met.
- Oversee the maintenance and auxiliary duties performed by contractors to ensure they meet the City's standards.
- Supervise the operation of the seasonal visitor servicing at the Bastion Building and year-round racking of brochures, maps, etc. at the Vancouver Island Conference Centre.

- Supervise an inventory control system for publications and maintain the brochure racking and acceptance program.
- Provide customer service to locals and visitors in a professional and friendly manner.
- Research relevant information and develop itineraries that may be of interest to visitors.
- Respond to visitor enquiries by mail, phone, fax, email and in person.
- Create an extensive tourism stakeholder database and profiles.
- Organize Familiarization Tours of Nanaimo and the surrounding areas for staff and volunteers.
- Help facilitate cruise ship arrivals, events, conferences and other visitor services and programs by working closely with relevant stakeholders to deliver high quality visitor experiences.
- Partner with other volunteer programs where possible.
- Organize Tourism Nanaimo's online presence and positive reputation by reviewing social media channels and responding in a timely manner to visitor inquiries, forum questions and information needs from visitors travelling to Nanaimo and the Region. Where required, forward inquiries to other communities' visitor information counsellors for response.
- Assist with online and social media content creation and curation as needed.
- Act as a liaison on Tourism Nanaimo programs and services and attend relevant meetings.
- Work as part of the Tourism Nanaimo team to develop and implement visitor products and services.
- Assist with the distribution program of official Tourism Nanaimo visitor publications to stakeholders, other Visitor Centres, potential visitors and other organizations that will distribute the guides on behalf of Tourism Nanaimo.

APPENDIX B - Optional Future Services (subject to available funding)

Funding may not be available for the following three service areas. If funding does become available, the Successful Proponent will be offered an opportunity to develop a proposal to address these three service areas.

Scope of Services – Destination Development Fund (TDF)

The scope of services related to The Destination Development Fund is described below.

- Support business tourism development through the continuation of the Tourism Development Fund
- Funds may be available to support strategic tourism development by investing in new or growth-oriented tourism products and/or development initiatives that improve Nanaimo's competitive appeal as a preferred multi-night destination. Funding requested is incremental and complementary; i.e. the project should/would not be able to proceed (without significant financial risk) without the support of TDF funding.
- The program seeks to leverage matching funding and incremental investment by providing 50% reimbursement of successful applicants' eligible activities expenses, to a maximum TDF contribution of \$15,000 per application. In instances where multiple applications rank favorably, partial funding may be awarded in order to accommodate the support of multiple applications.
- The TDF does not support demand generation efforts (i.e. marketing, advertising and promotions), but rather it focuses on growing and enhancing the quality and supply of products, experiences and infrastructure that attract visitors to Nanaimo by supporting new or significantly redesigned development initiatives and/or increasing incremental capacity to grow and/or enhance existing initiatives.

Scope of Services – Destination Development

The scope of services related to Destination Development is described below. There may be an opportunity in the future to include these services in the contract, should funding become available.

- Collaborate with key stakeholders to implement relevant tactics of the South Central Island 10-Year Destination Development Strategy, as appropriate.
- Develop strategies and tactics that will increase the number of tourism businesses operating in the Nanaimo Region, and that strengthen and enhance existing marketplace offerings.

Scope of Services – Event and Sport Tourism

The scope of services related to the Event and Sport Tourism sector is described below. There may be an opportunity in the future to include these services in the contract, should funding become available.

- Provide sports tourism sales servicing on behalf of the City of Nanaimo and the Nanaimo Hospitality Association, including:

- Conducting activities that are consistent with the priority initiatives contained in the 2018 *Nanaimo Sport and Event Tourism Strategy*;
- Extending the “Nanaimo Brand” to the sport tourism market;
- Seeking out, responding to and initiating opportunities to host large sporting events;
and
- Providing visitor servicing to sports teams and associations when they are in the area.