

AGENDA FOR THE "IN CAMERA" COMMITTEE OF THE WHOLE MEETING  
TO DISCUSS CONFIDENTIAL MATTERS, TO BE HELD IN  
THE DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET, NANAIMO, BC  
ON MONDAY, 2013-FEB-04, COMMENCING IMMEDIATELY FOLLOWING  
THE REGULAR COMMITTEE OF THE WHOLE

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1. **INTRODUCTION OF LATE ITEMS:**

2. **ADOPTION OF AGENDA:**

3. **ADOPTION OF MINUTES:**

- (a) Minutes of the "In Camera" Committee of the Whole Meeting held in the Douglas Rispin Room, 80 Commercial Street, on Monday, 2012-NOV-26 at 6:37 p.m. *Pg. 3-5*

4. **PRESENTATIONS:**

NONE

5. **ADMINISTRATION:**

NONE

6. **COMMUNITY SAFETY AND DEVELOPMENT:**

NONE

7. **CORPORATE SERVICES:**

NONE

8. **COMMUNITY SERVICES:**

- (a) **Minutes of the In Camera Parks, Recreation and Culture Commission Meeting held 2012-NOV-28**

To be introduced by PRCC Chair, Councillor Johnstone

Commission Recommendation: That Council receive the minutes of the In Camera Parks, Recreation and Culture Meeting held 2012-NOV-28.

*Pg. 6-8*

(b) **Progress Nanaimo and Successful Cities**

*Purpose: To review Progress Nanaimo as a committee of Council and the Chamber of Commerce's Successful Cities Model.*

Staff Recommendation: That Council:

*Pg. 9-17*

1. Proceed with partnering with the Chamber of Commerce and Vancouver Island University to explore with the community the merging of Successful Cities and Progress Nanaimo.
2. Instruct Staff to draft a Council Policy, for Council consideration, that establishes an annual ad hoc committee and procedures to assist Council in carrying out the Nanaimo Economic Development Corporation's (NEDC) Board Appointments.
3. Instruct Staff to establish a communications strategy with the Chamber of Commerce, and Vancouver Island University to advise Progress Nanaimo committee members and the public about this initiative.

9. **CORRESPONDENCE (not related to a Report to Council):**

NONE

10. **OTHER BUSINESS:**

(a) **Verbal Update re: VICC Hotel**

Letter dated 2013-JAN-28, from

*Pg. 18-19*

Letter dated 2013-JAN-29, from Mr. Raymond E. Young, QC, Young Anderson Barristers & Solicitors, regarding

*Pg. 20-21*

11. **ADJOURNMENT:**

**MINUTES OF THE "IN CAMERA"  
PARKS, RECREATION AND CULTURE COMMISSION MEETING  
HELD IN THE BOWEN PARK COMPLEX CONFERENCE ROOM  
ON WEDNESDAY, 2012-NOV-28, COMMENCING AT 8:19 P.M.**

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PRESENT: Commissioner D. Johnstone, Chair

Members: Commissioner T. Greves  
Commissioner F. Pattje  
Commissioner K. Alden  
Commissioner L. Avis  
Commissioner M. Beaudoin-Lobb  
Commissioner H. Houle  
Commissioner A. McPherson  
Commissioner G. Savage  
Commissioner I. Thorpe  
Commissioner M. Young

Regrets: Commissioner D. Rinald

Staff: R. Harding J. Ritchie  
S. Samborski C. Kuziw, recording

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

The "In Camera" Meeting was called to order at 8:19 p.m.

2. INTRODUCTION OF LATE ITEMS: (None.)

3. ADOPTION OF AGENDA:

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

4. ADOPTION OF MINUTES:

(a) Minutes of the "In Camera" Parks, Recreation and Culture Commission meeting held Wednesday, 2012-OCT-24 at 9:47 p.m. in the Bowen Complex Conference Room.

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

5. PRESENTATIONS: (None.)

6. CHAIR'S REPORT: (None.)

7. REPORTS OF ADVISORY BODIES: (None.)

8. STAFF REPORTS:

(a) **Naming of Trail in Chase River Estuary Park to Davies' Lane.**

- The Park Naming Policy was read by D. Johnstone.
- Discussion was had that there might be a street named Davies' Lane already within Nanaimo.
- An option could be Davies Trail instead of Davies Lane.
- Staff to contact the Southend Neighbourhood Association to see if more information can be found.

Delegations: (None.)

Correspondence: (None.)

Staff's Recommendation: *That the Parks, Recreation and Culture Commission's direction is sought.*

It was moved and seconded that more substantiated information be sought by Staff then refer the topic to the Parks Committee for consideration. The motion carried unanimously.

(b) **Naming of New Proposed Park in Cinnabar Valley**

Delegations: (None.)

Correspondence:

Staff's Recommendation: *That the Parks, Recreation and Culture Commission recommend that Council approve the naming of a new park located in a new subdivision in Chase River as Greenaway Park.*

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

9. CORRESPONDENCE: (not related to a Report to Commission) (None.)

10. NOTICE OF MOTION:

11. OTHER BUSINESS:

12. UNFINISHED BUSINESS:

(a) **25 Victoria Road – verbal update by Richard Harding.**

- R. Harding gave an update and reported that the Nanaimo Centre Stage – 25 Victoria Road was being brought forward to City Council on 2012-DEC-03.
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It was moved and seconded that Item (a) be removed from Unfinished Business. The motion carried unanimously.

13. QUESTION PERIOD:

14. ADJOURNMENT:

It was moved and seconded at 8:43 p.m. that the "In Camera" meeting adjourn, with the next "In Camera" Meeting of Commission to be held, if required, Wednesday, 2013-JAN-23, in the Bowen Park Complex Conference Room, following adjournment of the regular Commission meeting. The motion carried unanimously.

CERTIFIED CORRECT:



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D. Johnstone, Chair  
Parks, Recreation and Culture Commission

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R. Harding, Director  
Parks, Recreation and Culture

**City of Nanaimo**  
**IN CAMERA REPORT TO COUNCIL**

DATE OF MEETING: 2013-FEB-04

AUTHORED BY: Ian Howat, Director of Strategic Relationships

RE: Progress Nanaimo and Successful Cities

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**STAFF RECOMMENDATION:**

That Council:

1. Proceed with partnering with the Chamber of Commerce and Vancouver Island University to explore with the community the merging of Successful Cities and Progress Nanaimo.
2. Instruct staff to draft a Council Policy, for Council consideration, that establishes an annual ad hoc committee and procedures to assist Council in carrying out the Nanaimo Economic Development Corporation's (NEDC) Board Appointments.
3. Instruct staff to establish a communications strategy with the Chamber of Commerce, and Vancouver Island University to advise Progress Nanaimo committee members and the public about this initiative.

**PURPOSE:**

To review Progress Nanaimo as a committee of Council and the Chamber of Commerce's Successful Cities Model.

**BACKGROUND:**

**Why review the models?**

**Progress Nanaimo**

Progress Nanaimo is a committee of Council that was resurrected during the discussions about creating the Nanaimo Economic Development Corporation in the winter/spring of 2011. Its purpose is to provide a non-political body to evaluate and advise City Council on a variety of economic, environmental, social, and cultural performance indicators. Given the decision to create an arm's length corporation to carry out economic development for Nanaimo, the focus of the performance monitoring was expected to be on the NEDC, but remain in the context of the other City values (environment, culture, social). It is also the nominating body for the Nanaimo Economic Development Corporation Board of Directors.

Council  
 Committee *LOW*  
 Open Meeting  
 In-Camera Meeting  
Meeting Date: *2013-Feb-04*

Public opinion has displaced the written purpose and intent of Progress Nanaimo. This has possibly caused some confusion in the community and among the committee members about the mandate of Progress Nanaimo. Critical questions have arisen in the community about Progress Nanaimo's continued purpose given the various activities going on in the community many of which are Council driven.

Since the initial consideration of Progress Nanaimo a great deal has happened in Nanaimo. The City has undertaken performance monitoring through the "Balanced Scorecard", the community became more involved in the Vision Rally, Council undertook strategic planning, and the Chamber of Commerce commenced the Successful Cities initiative.

At the time, it was thought that Progress Nanaimo could fill a gap that could potentially address the City's need to evaluate its progress against its own goals, Regional, Provincial and Federal goals, and targets in relation to other regional centres.

Through the 2011 Vision Rally, the last local government election, the strategic planning process, and Successful Cities there are community wide expectations that the community as a whole will establish strategic direction, set goals, establish performance indicators, and measure performance. These expectations flow beyond only the confines of City Council yet are fully supported by Council in *Council's Strategic Priority: Community Building Partnerships*. In this particular case the community as a whole is holistically moving towards benchmarking and monitoring process on all aspects of the five pillars of success (social, environmental, economic, cultural and the built environment).

### Successful Cities

Successful Cities started a little over one year ago when the Chamber of Commerce launched an effort to overcome the stigma that Nanaimo is not "business friendly". Instead of looking for the negative attributes of Nanaimo, the initiative focussed on the characteristics of successful cities, and how Nanaimo meets those characteristics. A series of public events hosted by the Successful Cities Committee raised the community profile of this initiative leading to Council's incorporation of Successful Cities into the Strategic Plan. Successful Cities and Council's Strategic Plan have many overlapping principles and complement each other.

Successful Cities identifies what Nanaimo has, what it is doing well, and further identifies an action plan in a variety of areas to assist the community at large in furthering our Successful City status. Following the public events, City staff concluded that Successful Cities and Progress Nanaimo are essentially doing the same thing in the context of evaluating the community's performance in relation to economic, social, environmental, cultural, and in addition, the built environment and providing advice on how to further our success.

Successful Cities is an entity that has considerable momentum behind it and has grown into a significant community movement that has successfully developed beyond the mandate and the resourcing capabilities of the Chamber of Commerce.

The Chamber of Commerce faces similar challenges that the City faces in terms of how some see its mandate and focus. While the Chamber has recently modified its Vision to include a theme that links quality of life with economic well being, some see it as having a limited interest despite the advocacy for Successful Cities and the 12 Principles that include social, environmental, cultural, built environment as well as economic considerations. There is risk of political confusion about the Chamber's Board's role in the community and that of City Council.

### **Strategic Plan implications: Collaboration and partnerships**

Collaboration and Partnerships have become important to the community and fundamental to many recent successes where partnerships and collaboration has been embraced.

City Council has reflected the community's significance in this area through the Strategic Plan. City Council defined partnerships and collaboration through the Strategic Plan as follows: "*...alliances and partnerships are particularly useful when several organizations value and share similar outcomes, share constituents, and know that collaboration can bring synergy and enhanced impact. This enables the City Council to do more through leveraging capacity of these partners and alliances.*"

Successful Cities embraced similar results and defined the Culture of Collaboration as a key element of a Successful City. Successful Cities states: "*support for respectful and cooperative interdisciplinary processes and varied views to achieve common purpose*".

Council, the Chamber and its other Strategic Partners have a significant opportunity to demonstrate leadership in *Community Building Partnerships* by instilling confidence in the various community initiatives that are performing the role of monitoring and evaluating community success in the areas of environment, social fabric, culture, and economy and encourage collaboration to deliver a unified message to the community.

### **DISCUSSION:**

Given the strong perception of what Progress Nanaimo should be doing, this report is first addressing the accountability of the NEDC to the City of Nanaimo and NEDC Board appointments.

#### **NEDC Board appointments**

Council has an obligation to address the NEDC appointments annually; however, in practice Council could do this a number of ways. Staff recommend that Council adopt a policy that outlines the following:



- Annually, Council create an ad hoc NEDC Board nominating committee with the NEDC CEO, and City staff providing support and advice.
- The Nominating Committee seek nominations, using a variety of means, for interested and qualified candidates to act as Board members for the NEDC.
- The Nominating Committee review the applicants, and recommend to Council the candidates they feel best would serve the NEDC.
- Council request that any applicant commit to serving three years on the Board.
- To assist the NEDC in developing Board continuity and succession planning, Council by this proposed policy will consider one-third of the Board (the Board Members in their third year of office), unless more vacancies become apparent through attrition.
- Once Council receives the recommendations from the ad hoc nominating committee, Council will carry out the annual board appointments for one-third of the Board membership for renewal and the two-thirds remaining Board members to remain compliant with the NEDC Articles of Incorporation. This provides Council with the legal remedy to address any concerns about the Board if need be.
- Board members that have served three years and are up for renewal, may put their name forward for another three years and may do so a maximum of two times, or nine years in office.

#### Council oversight of the NEDC

City Council has various forms of oversight over many groups that City Council have delegated responsibilities to. Specifically with the NEDC the City has the following means to oversee the operations of the NEDC:

- City Council controls the City budget and resultantly the annual allocation of funds to the NEDC.
- A written agreement (attached) is in place that requires the NEDC to submit an annual budget and cash flow that establishes quarterly remittances from the City to the NEDC.
- The NEDC Board has adopted a comprehensive set of policies that include in-camera meetings, conflict of interest, financial reporting, purchasing, and Board member conduct. The Board policies are available to City Council for viewing.
- The NEDC has committed to provide quarterly updates to Council in open meetings.
- The NEDC is required to submit audited financial statements to the City of Nanaimo and provide the City with the necessary information to fulfil the City's requirements under the Statement of Financial Information.

**What are the options?**

**1. Recommendation: Expand and Merge the Two Dominant Structures**

In the spirit of the Strategic Plan and the efforts the Community has taken to eliminate duplication and collaborate among service delivery entities it is proposed that the two structures be merged into one. This new entity that would be supported by an administrative partnership made up of the City of Nanaimo, the Chamber of Commerce, and Vancouver Island University and hopefully Snuneymuxw First Nation. (At the writing of this paper SFN had not been contacted.)

### What's the new structure?

The proposed new structure is an administrative partnership made up of the City of Nanaimo, Vancouver Island University, Chamber of Commerce, and Snuneymuxw First Nations(?). The partnership would be responsible for resourcing the committee, providing meeting space, staff resources, etc. This partnership would provide support for a steering committee that would oversee the promotion of Successful Cities and provide ongoing monitoring and commentary of results from performance indicators collected by various agencies including the founding partners. The Steering Committee could be made up of community members representing the five pillars, stated above, of our community and the founding partners.

Committee membership could potentially see one or two member(s) from each of the founding partners, and one or two member(s) from the community representing culture, economy, environment, social services, and built environment. Specifically with Progress Nanaimo, the committee membership is representative of the five pillars of society and could easily transition into the new format if they chose to do so.

Part of the roll out and acceptance of this administrative model and Successful Cities is getting many of the public agencies to buy into the 12 principles of Successful Cities. This would be done through their respective Boards adopting the 12 Elements of Successful Cities just as the City of Nanaimo had done during the strategic planning process.

### Mandate

Promote merits of Successful Cities. Encourage agency and community development of performance indicators indicative of the five pillars of society represented by the 12 key elements of a Successful City and provide community commentary on the outcome of monitoring these performance indicators.

The Successful Cities partnership is not a "doer", or to use a term familiar throughout this paper, an "implementer", in the sense that it does not roll out programs or build anything; rather it relies on various other agencies in the community and region to carry out those roles. This places the Partnership in a good position to independently develop a community commentary on the performance indicators of those agencies in the context of the 12 elements of a successful city. There are many key implementers in the community, two of which have already been identified. A multitude of agencies are throughout the Nanaimo Region have niche roles representing various components of our society (i.e. NEDC, NALT) that are also "doers" or representative of their membership which may be the "doers". Most, if not all of these agencies, are measuring their performance.

By example, the City's Strategic Plan is effectively a long term plan that in some cases talks about principles to uphold in how we do things but largely is a plan of implementing actions and has tangible performance indicators that can be measured by the City. While strategic plans change as goals are completed and community needs change, the elements of successful cities have remained relatively static since 2003-04 when literature about successful cities hit more mainstream circulation.

Process Moving Forward

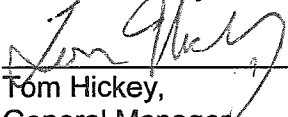
This report goes a long way in defining how the structure might look moving forward, but the desired process moving forward is to simply announce the roll out of the three parties working on what is next for Successful Cities and Progress Nanaimo, commence a public discussion about the future and how it would be structured and who would be involved. This is an action consistent with Successful Cities, Council's Strategic Plan, and the energy created in the community by the 2011 Vision Rally.

Respectfully submitted,



Ian Howat  
Director of Strategic Relationships

Concurrence by:



Tom Hickey,  
General Manager,  
Community Services

CITY MANAGER COMMENT:

I concur with the staff recommendation.

Drafted: 2012-JAN-29  
IH/jdk

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## NEDC - Financial & Communication Policies.

June, 2012

### Finances

THE NEDC shall present an annual budget to Council including required cash flow by quarter. The city will fund NEDC needs on a quarterly basis and the NEDC shall present its financial statements annually to Council. Additional draws beyond the quarterly planned funding must be requested in writing by the CEO and Chair of the Board to Council.

### Board Communication

In-camera meetings are to remain confidential to all NEDC board members and any non NEDC board members. If the Chair of the NEDC feel that Council should be aware of any in-camera discussion then this information shall only be shared in a Council in-camera meeting to legally protect all parties. The City Manager will contact the NEDC Chair to discuss any specific communications relating to the NEDC's In-Camera information that the City Manager intends to communicate with Council prior to the communication to Council taking place.

NEDC Executive

City of Nanaimo

\_\_\_\_\_  
AJ Hustins – Chair

\_\_\_\_\_  
Al Kenning – City Manager

\_\_\_\_\_  
Andre Sullivan – Vic Chair

\_\_\_\_\_  
Ian Howat – Director of Legislative Services

\_\_\_\_\_  
Moira Jenkins - Secretary

**"IN CAMERA" MINUTES**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS,  
DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET,  
MONDAY, 2013-FEB-04, AT 6:49 P.M.

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PRESENT: Mayor J. R. Ruttan, Chair

Members: Councillor G. Anderson  
Councillor W. L. Bestwick  
Councillor M. D. Brennan  
Councillor G. E. Greves  
Councillor D. K. Johnstone  
Councillor J. A. Kipp  
Councillor W. B. McKay  
Councillor J. F. K. Pattje

Staff: A. C. Kenning, City Manager  
D. W. Holmes, Assistant City Manager and General Manager of  
Corporate Services  
E. C. Swabey, General Manager of Community Safety and Development  
T. M. Hickey, General Manager of Community Services  
I. Howat, Director of Strategic Relationships  
T. L. Hartley, Director of Human Resources and Organizational Planning  
L. Coates, Manager Accounting Services  
T. P. Seward, Director of Development  
A. J. Tucker, Director of Planning  
T. Samra, Manager of Legislative Services  
D. Smith, Steno, (vacated 7:21 p.m.)  
S. Snelgrove, Recording Secretary

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

The "In Camera" Meeting was called to order at 6:49 p.m.

2. INTRODUCTION OF LATE ITEMS:

(a) Add email from \_\_\_\_\_ to Agenda Item 10 (a) Verbal Update re: VICC  
Hotel.

3. ADOPTION OF AGENDA:

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

4. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Committee of the Whole Meeting held Monday, 2012-NOV-26 at 6:37 p.m. in the Douglas Rispin Room, 80 Commercial Street, Nanaimo, BC, be adopted as circulated. The motion carried unanimously.

5. COMMUNITY SERVICES:

- (a) Minutes of the In Camera Parks, Recreation and Culture Commission Meeting held 2012-NOV-28

It was moved and seconded that Council receive the Minutes of the "In Camera" Parks, Recreation and Culture Meeting held 2012-NOV-28. The motion carried unanimously.

- (b) Progress Nanaimo and Successful Cities

It was moved and seconded that Council:

1. proceed with partnering with the Chamber of Commerce and Vancouver Island University to explore with the community the merging of Successful Cities and Progress Nanaimo;
2. instruct Staff to draft a Council Policy, for Council consideration, that establishes an annual ad hoc committee and procedures to assist Council in carrying out the Nanaimo Economic Development Corporation's (NEDC) Board Appointments; and,
3. instruct Staff to establish a communications strategy with the Chamber of Commerce, and Vancouver Island University to advise Progress Nanaimo committee members and the public about this initiative.

The motion carried.

Opposed: *Councillors Kipp, Mckay*

6. OTHER BUSINESS:

- (a) Verbal Update re: VICC Hotel

Letter dated 2013-JAN-28, from \_\_\_\_\_, regarding

Letter dated 2013-JAN-29, from Mr. Raymond E. Young, QC, Young Anderson Barristers & Solicitors,

Email dated 2013-FEB-04, from

Councillor Kipp vacated the Douglas Rispin Room at 7:47 p.m.

Councillor Kipp returned to the Douglas Rispin Room at 7:49 p.m.

7. ADJOURNMENT:

It was moved and seconded at 7:52 p.m. that the "In Camera" Meeting terminate.  
The motion carried unanimously.

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C H A I R

CERTIFIED CORRECT:

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CORPORATE OFFICER



**"IN CAMERA" AGENDA**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2013-FEB-25, IMMEDIATELY FOLLOWING  
THE REGULAR COMMITTEE OF THE WHOLE MEETING

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1. **INTRODUCTION OF LATE ITEMS:**

2. **ADOPTION OF AGENDA:**

3. **ADOPTION OF MINUTES:**

- (a) Minutes of the "In Camera" Committee of the Whole Meeting held in the Douglas Rispin Room, 80 Commercial Street, on Monday, 2013-FEB-04 at 6:49 p.m.

Pg. 3-5

4. **PRESENTATIONS:**

NONE

5. **ADMINISTRATION:**

NONE

6. **COMMUNITY SAFETY AND DEVELOPMENT:**

- (a) **Acquisition of a Portion of Canadian Pacific Railway Company Lands located at 7 Port Drive – Results of Due Diligence**

*Purpose: To inform Council of the results of Staff's due diligence regarding the acquisition of a portion of 7 Port Drive and obtain Council approval to proceed with the acquisition.*

Staff Recommendation: That Council:

Pg. 6-13

1. authorize Staff to notify CP Rail that the City is satisfied with the due diligence searches conducted for the acquisition of approximately 10.82 ha (26.7 acres) of land and water located at 7 Port Drive;
2. authorize the Mayor and Corporate Officer to execute the Purchase and Sales Agreement (PSA) and necessary documents to effect the transaction; and
3. direct Staff to prepare a press release regarding the acquisition.

7. **CORPORATE SERVICES:**

(a) **Quarterly Claims Report – Period Ending 2012-DEC-31**

*Purpose: To inform Council of the status of claims for the period ending 2012-DEC-31.*

Staff Recommendation: That Council receive the Quarterly Claims Report for the period ending 2012-DEC-31. Pg. 14-18

8. **COMMUNITY SERVICES:**

NONE

9. **CORRESPONDENCE (not related to a Report to Council):**

NONE

10. **OTHER BUSINESS:**

11. **ADJOURNMENT:**

# "In Camera"

## City of Nanaimo REPORT TO COUNCIL

DATE OF MEETING: 2013-FEB-25

AUTHORED BY: BILL CORSAN, MANAGER OF REAL ESTATE

RE: ACQUISITION OF A PORTION OF CANADIAN PACIFIC RAILWAY COMPANY LANDS  
LOCATED AT 7 PORT DRIVE – RESULTS OF DUE DILIGENCE

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### STAFF RECOMMENDATION:

That Council:

1. authorize Staff to notify CP Rail that the City is satisfied with the due diligence searches conducted for the acquisition of approximately 10.82 ha (26.7 acres) of land and water located at 7 Port Drive;
2. authorize the Mayor and Corporate Officer to execute the Purchase and Sales Agreement (PSA) and necessary documents to effect the transaction; and
3. direct Staff to prepare a press release regarding the acquisition.

### PURPOSE:

On 2012-OCT-01 Council directed Staff to proceed with the acquisition of a portion of 7 Port Drive, subject to the City being satisfied with the results of its due diligence. Staff has completed the due diligence and the findings are summarized in this report. Staff is recommending that Council proceed with the acquisition.

### BACKGROUND:

In January 2011, CP Rail listed 7 Port Drive (CP Wellcox Rail Lands) through Colliers International for a price of \$7.9 million. Numerous parties have shown interest in the property, but all have declined to complete the deal due to the myriad of issues associated with the property including environmental issues, perpetual rights of way, and the costs associated with subdivision.

The parent parcel is 21.6 ha (53.3 acres) in size and split-zoned 1-4 and P-4. The property is unique in that it includes a fee simple waterlot. The parcel is roughly rectangular in shape, running from the northern property line with the Gabriola Ferry, south to the border of Snuneymuxw First Nation Reserve #1. The land is largely flat and built on filled foreshore that dates back to the founding of the city. The land is bordered to the east by the Nanaimo Port Authority (NPA) Assembly Wharf property and to the west by Front Street and Esplanade Street.

Staff approached CP Rail to determine if there was a possibility of selling the northern portion of the property, 10.82 ha (26.7 acres) to the City. At the 2012-OCT-01 Special "In Camera" Council meeting, Council approved the acquisition for a price of \$3,400,000 subject to the City's conditions precedent being met.

Staff is returning to this Special “In Camera” Council to present the findings of the due diligence and to request that Council authorize the removal of the conditions precedent and proceed with the acquisition.

### **Rationale for Acquisition**

The following rationale is provided for the acquisition of the parcel:

- Access – at present access across the wooden trestle to the lands east of the railway tracks and the NPA Assembly Wharf lands is through a right of way agreement that does not grant public access. By the City owning the land, a public road can be dedicated which will ensure that the NPA has proper legal access. The City can work with the NPA to partner on the rebuilding of the existing bridge and internal road network.
- Transit Exchange – the Regional District of Nanaimo (RDN) and City have identified this area as the preferred location for the multi-modal transit exchange. The RDN has advised that it will have up to \$2,000,000 in funding available to acquire the unencumbered lands adjacent to Front Street for the transit exchange. Given the Island Ferries proposal, Island Corridor Foundation’s plans to commence passenger rail service from the Wellcox Railyard, and a need to relocate the inter-city bus service, this site has great potential to become a transportation hub.
- Master Plan – once the lands are under City ownership, a Master Planning Process can be undertaken to identify the community’s vision for the property. The master plan will provide the long term framework for the redevelopment of the area.
- Long Term Hold – the site must be viewed as a long term strategic hold given the major encumbrances. Staff will work with the existing holders of the rights of way to determine if the rights of way can be reduced. Once the lands are unencumbered, the City could consider options to sell or develop a portion of the site. The City is in the best position to address the long-term encumbrances.
- If the City does not acquire these lands, staff believe it is unlikely that positive progress in re-development on this prime downtown waterfront site will occur in the foreseeable future.
- Staff also believe that even if we are not the landowner, public uses such as a fast ferry and the cruise ship terminal will result in pressure to expend City funds to repair, upgrade or replace the trestle. Having control of the access points to those lands will assist in encouraging other partners to contribute to these infrastructure upgrades to support these access requirements.

### **Key Risks Associated with Acquisition**

Based on the due diligence, the following risks have been identified:

- Perpetual rights of way limit immediate redevelopment potential of the majority of the property. At present only 3.9 acres of land and 1.3 acres of water lot is unencumbered.
- The trestle must be replaced by 2016. Replacement with a two-lane bridge with pedestrian sidewalks is estimated to cost between \$3.7 and \$5.0 million. Though no specific design/costing has been undertaken, alternative access through Seaspan lands may be available at a cost of around \$3 million which would offset this expenditure. Bridge replacement costs and options for alternative access must be investigated immediately.
- Approvals from the Ministry of Environment are estimated to cost between \$500,000 and \$600,000 to obtain a Certificate of Compliance for the entire property. The 3-acre site on Front & Esplanade Streets are estimated to cost around \$100,000 to obtain the environmental approvals.

- Future subdivision will trigger the need for works and services on Front and Esplanade Street. No cost estimate is available at this time.
- The site has geotechnical issues associated with the filling of the foreshore that was undertaken to create the parcel. Any buildings constructed on the property will likely have to be built on piles, deep foundations or raft slab foundations. The site will be subject to liquefaction during an earthquake.

## DISCUSSION:

### **Due Diligence**

The due diligence conducted as part of this acquisition included the following:

- review of all leases, licences and rights of way and meetings with each of the tenants/chargeholders;
- an environmental assessment of the property to determine the level of contamination and the costs and process associated with redevelopment;
- a desktop geotechnical review to flag key issues;
- a structural assessment of the condition of the existing wooden trestle including replacement options and costs;
- a preliminary investigation into alternative access to the existing wooden trestle; and
- discussions with the RDN on the proposed transit exchange.

### **Review of Existing Registered and Unregistered Agreements on Title**

There are 5 registered and 6 unregistered agreements associated with the lands to be acquired by the City. Attachment A illustrates the location of the various areas where rights to the land have been reserved by the agreements.

#### Seaspan Ferries Corporation (Stat ROW EM109875 – modified by ET1322 and ET7033)

Seaspan Ferries Corporation (Seaspan) occupies 15.48 acres of land and water via a statutory right of way. The right of way was first registered in 1998. Pursuant to the right of way agreement, Seaspan can occupy the property in perpetuity as long as it continues to use the land for business purposes. The right of way area cannot be reduced by the City without the consent of Seaspan. Seaspan does not pay rent for the use of the area, but does pay property taxes.

Staff met with Seaspan representatives to discuss the long term plans for the site. Seaspan indicated that its intention is to continue to operate out of the downtown Nanaimo location for the foreseeable future. Seaspan (Duke Point Property Company ULC) recently acquired lands at 850 and 870 Jackson Road. These lands total 34 acres and when combined with the 37 acres of land owned by Seaspan at 650 Jackson Road, the company now has 71 acres of land at Duke Point. Seaspan is in the process of developing a concept plan and business model for these lands which may include roll-on, roll-off trailer service.

Seaspan has indicated a willingness to work with the City on the Master Planning Process. The concept of completing Front Street through the Seaspan right of way was discussed. Seaspan is open to exploring options as long as its operations are not adversely impacted.

#### Island Corridor Foundation & Southern Rail (Stat ROW EN2815, Team Tracks Licence Area, Trestle Licence and Triangle Area Sub-Licence)

Island Corridor Foundation (ICF) is the owner of the right of way that includes the Wellcox Railyard. ICF has an operating agreement with Southern Railway of BC (Southern) who

operate the freight services on Vancouver Island. Southern is a subsidiary of the Washington Marine Group (same parent owner as Seaspan). Seaspan Marine, a separate operating company provides a weekly rail barge/ferry service to deliver and pick up rail cars to and from Vancouver Island.

The City's acquisition area includes 2.53 acres of land encumbered by a right of way in favour of ICF which runs in perpetuity. ICF is responsible for payment of property taxes, but is exempt under the Permissive Tax Exemption granted by Council. The existing agreement does not permit passenger service and would have to be amended by the City if ICF wishes to move forward with this initiative.

A licence agreement also permits ICF to use an area known as the Team Tracks (2 acres in size) until such time as the owner (i.e. the City), relocates the tracks to the main railyard south of the trestle. A letter has been prepared on behalf of the City and ICF indicating that ICF will allow the City to terminate the licence agreement, as long as the City provides a rail stub into the future multi-modal transit hub.

ICF is open to exploring alternative layouts for the railyard and has agreed to work with the City through the Master Planning Process.

#### GADD Marine Constructors Ltd.

GADD Marine Constructors Ltd. (GADD) lease 2.14 acres of land and water within the acquisition area. This includes 0.82 acres of land and 1.32 acres of foreshore. The company undertakes marine works along the BC Coast and provides pile driving services throughout the province.

The current lease agreement runs from 2011-SEPT-01 to 2014-AUG-31. The annual rent is \$42,920 plus HST and property taxes.

GADD has expressed an interest in renewing its lease upon expiry. The company recently purchased an industrial property in Coombs to relocate to should the existing lease not be renewed.

#### Island Pallet Solutions Ltd.

Island Pallet Solutions (IPS) occupies approximately 1 acre of land facing Esplanade and Front Street. The company reconditions used pallets and supplies these to warehouses in the Lower Mainland. Pallets that are worn beyond reuse are recycled as wood chips.

The current lease agreement runs month to month, commencing 2012-SEPT-01. The annual rent, inclusive of HST and property taxes is \$29,444.40. IPS has indicated that when the City requires the land, IPS is willing to relocate to the lands south of the trestle.

#### Nanaimo Port Authority (Stat ROW J6271 and J6272)

The Nanaimo Port Authority (NPA) and its agents, servants and workers are permitted to pass over the existing trestle and south on the existing railyard through two statutory rights of way. The agreements do not permit the general public to use these access routes. The agreements specifically indicate that the grantor (City) is not liable directly or indirectly for any personal injury, including injury resulting in death.

An important objective of the acquisition of the subject lands is to provide public access to the NPA lands and to enable CP to subdivide its land further once a dedicated road is registered.

### Canadian Coast Guard

This lease permits the Canadian Coast Guard to place 2 poles and anchors within the Seaspan right of way area for marine aids to navigation. The lease can be terminated by either party with 3 months' notice. Total revenue from this lease is \$30 per annum.

### **Environmental Review of Existing Reports**

EBA Engineering Consultants (EBA) was hired by the City to complete a review of all existing environmental information on the Wellcox Railyard. The purpose of the review was to provide the City with an overview of the current environmental site conditions and an opinion on what the scope and potential estimated costs could be to complete further environmental investigation and remediation of the property.

The majority of the land included as part of the acquisition is filled foreshore made up of coal waste deposited across the site. Coal waste generally contains elevated metals and or Polycyclic Aromatic Hydrocarbon (PAH) concentrations. The previous reports have identified potential spills of hydrocarbons during filling and maintenance associated with locomotives on the lands south of the trestle which may pose an issue through migration. Historic sawmill activities on the NPA lands have also caused migration of wood treatment chemicals into the future alignment of Front Street, south of the trestle.

Once the Master Plan has been prepared for the property, a risk management strategy can be created. The strategy is estimated to cost between \$450,000 and \$580,000 and would take 13 to 21 months to complete. Once the studies are complete, the City would be free to subdivide and sell portions of the site which could be used to recoup the initial cost of the property and environmental studies. The total costs of risk management for the property are likely to be \$1 to \$2 million exclusive of the studies. These costs could be deferred until such time as the City has identified development partners.

If the City were to decide to solely subdivide and create a 3-acre parcel on Front Street for the RDN Transit Exchange, the costs to obtain environmental approvals is estimated to be \$100,000.

### **Desktop Geotechnical**

EBA was hired to undertake a desktop geotechnical review to determine the issues associated with building on the site. The assessment determined the following:

- the existing building used by IPS appears to be founded on solid bearing and likely the foundation could be used in connection with a new building (subject to test holes being excavated around the building);
- subsidence under existing parking/road areas has occurred over time though no sink holes or subsidence was identified that would prevent current uses from continuing;
- the shoreline has experienced some erosion and a longer term plan needs to be established to control erosion;
- past piling for marine operations may have determined the depth of solid bearing and should be investigated to assist with overall soil bearing analysis; and
- as much of the site is fill material, liquefaction could occur in a seismic event.

### **Bridge Condition Assessment**

Under the PSA, the City of Nanaimo will have full responsibility for the existing wooden trestle. The NPA and its tenants as well as CP's existing tenants have a right of way agreement that allows them to cross the trestle, with full liability placed on those parties using the bridge. The agreement is silent on who is responsible for the maintenance of the bridge.

As part of the due diligence, Herold Engineering Ltd. was engaged by the City to determine the condition of the bridge, to estimate its replacement date and to obtain order of magnitude costs for its replacement.

The key findings of the study are that the bridge requires \$30,000 to \$45,000 of annual maintenance. The bridge is rapidly deteriorating and will require replacement by the end of 2016. Replacement costs for a two-lane bridge with pedestrian sidewalks are in the order of \$3.7 to \$5 million. The City could defer these costs if an alternative access point could be established over the Seaspans or ICF right of ways by 2016.

Staff has identified an option of formally dedicating Front Street through the Seaspans right of way area. The cost estimate is \$3 million which includes \$1 million to distinguish the right of way for the road and \$2 million to construct the road and utilities. Under this option, the long term access to the site would be secured.

**Discussions with the Regional District of Nanaimo**

Staff has met with representatives from the Regional District of Nanaimo to discuss the timing, design and costs associated with relocating the transit exchange to Front and Esplanade Streets. The RDN and City will enter into a MOU outlining the exact timing and the method of compensation to the City for the sale of the parcel to the RDN. This information will be brought forward to a subsequent Council meeting.

**Funding**

Funding for this acquisition is drawn from the Property Acquisition Reserve Fund (\$2,600,000) and the Property Sales Reserve Fund (\$800,000). The RDN has advised that it has allocated up to \$2,000,000 for the land associated with the transit exchange. This money will be placed back into the Sales Reserve Fund.

**Next Steps**

If Council approves the acquisition, the following steps are anticipated:

- City to remove its conditions precedent by March 5, 2013;
- payment of second deposit (\$150,000) upon City’s satisfaction of due diligence information;
- closing date of 2013-MAR-29; and
- City to begin Waterfront Master Plan.

**Strategic Plan Considerations**

The acquisition of this parcel of land meets a number of the key priorities identified in the 2012-2015 Strategic Plan, including;

<b>Strategy</b>	
Waterfront Enhancement	<p><b>Outcomes Desired</b></p> <ul style="list-style-type: none"> <li>• Enhanced public access and use.</li> <li>• A continuous, uninterrupted and accessible waterfront trail/ connection from Departure Bay Beach to Nanaimo River Estuary.</li> <li>• A working waterfront that supports business, marine industries, transportation, connectivity, entertainment and tourism.</li> </ul>
Transportation and Mobility	<p><b>Potential Strategies and/or Initiatives</b></p> <ul style="list-style-type: none"> <li>• Work with RDN, NEDC, Chamber of Commerce, Nanaimo Port Authority, BC Ferries, BC Transit, Airport Authority, Island</li> </ul>



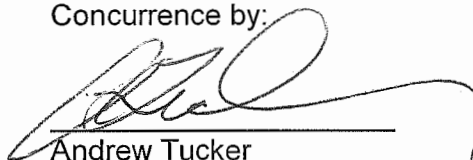
	<p>Corridor Foundation, advocates for and supports improvement of external connections: inter-city bus, ferries, fast foot ferry to downtown Vancouver, float planes, enhanced air connections.</p> <ul style="list-style-type: none"> <li>• Work with RDN on downtown transit exchange options that support overall outcomes, enhance waterfront connections, link to inter-city public transit options and support downtown development.</li> </ul>
<p>Taking Responsibility</p>	<p><b>Potential Strategies and/or Initiatives</b></p> <ul style="list-style-type: none"> <li>• Continuing to facilitate change and overall development consistent with vision and plans; taking action steps to be a catalyst or investment in the City's future.</li> </ul>

Respectfully submitted,

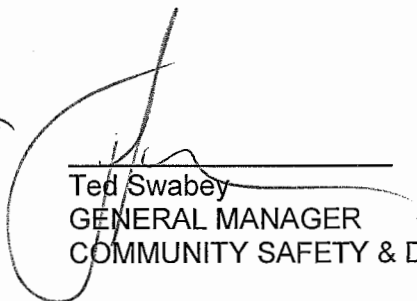


Bill Corsan  
 MANAGER  
 REAL ESTATE

Concurrence by:



Andrew Tucker  
 DIRECTOR  
 PLANNING



Ted Swabey  
 GENERAL MANAGER  
 COMMUNITY SAFETY & DEVELOPMENT

CITY MANAGER COMMENT:

I concur with the Staff recommendation.

Drafted: 2013-FEB-14  
 CIL00325  
 BC/tl



**"IN CAMERA" MINUTES**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2013-FEB-25, COMMENCING AT 6:08 P.M.

---

PRESENT: Mayor J. R. Ruttan, Chair

Members: Councillor G. Anderson  
Councillor W. L. Bestwick  
Councillor G. E. Greves  
Councillor D. K. Johnstone  
Councillor J. A. Kipp  
Councillor W. B. McKay  
Councillor J. F. K. Pattje

Absent: Councillor M. D. Brennan

Staff: A. C. Kenning, City Manager  
D. W. Holmes, Assistant City Manager and General Manager of  
Corporate Services  
E. C. Swabey, General Manager of Community Safety and Development  
T. M. Hickey, General Manager of Community Services  
T. L. Hartley, Director of Human Resources and Organizational Planning  
B. E. Clemens, Director of Finance  
T. P. Seward, Director of Development  
A. J. Tucker, Director of Planning  
T. Samra, Manager of Legislative Services  
S. Snelgrove, Recording Secretary

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

The "In Camera" Meeting was called to order at 6:08 p.m.

2. INTRODUCTION OF LATE ITEMS:

(a) Add a presentation to Agenda Item 6 (a) Acquisition of a Portion of Canadian Pacific Railway Company Lands Located at 7 Port Drive – Results of Due Diligence.

3. ADOPTION OF AGENDA:

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

4. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Committee of the Whole Meeting held Monday, 2013-FEB-04 at 6:49 p.m. in the Douglas Rispin Room, 80 Commercial Street, Nanaimo, BC, be adopted as circulated. The motion carried unanimously.

5. COMMUNITY SAFETY AND DEVELOPMENT:

- (a) Acquisition of a Portion of Canadian Pacific Railway Company Lands located at 7 Port Drive – Results of Due Diligence

Mr. E.C. Swabey, General Manager Community Safety and Development, provided a presentation regarding 7 Port Drive.

Councillor Greves vacated the Douglas Rispin Room at 6:54 p.m. on a conflict of interest as he is a board member of the Island Corridor Foundation.

It was moved and seconded that Council:

1. authorize Staff to notify CP Rail that the City is satisfied with the due diligence searches conducted for the acquisition of approximately 10.82 ha (26.7 acres) of land and water located at 7 Port Drive;
2. authorize the Mayor and Corporate Officer to execute the Purchase and Sales Agreement (PSA) and necessary documents to effect the transaction; and
3. direct Staff to prepare a press release regarding the acquisition.

The motion carried unanimously.

Councillor Greves returned to the Douglas Rispin Room at 7:09 p.m.

6. CORPORATE SERVICES:

- (a) Quarterly Claims Report – Period Ending 2012-DEC-31

It was moved and seconded that Council receive the Quarterly Claims Report for the period ending 2012-DEC-31. The motion carried unanimously.

7. ADJOURNMENT:

It was moved and seconded at 7:10 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

---

C H A I R

CERTIFIED CORRECT:

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CORPORATE OFFICER

**AMENDED "IN CAMERA" AGENDA**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2013-MAR-04, IMMEDIATELY FOLLOWING  
THE REGULAR COMMITTEE OF THE WHOLE MEETING

---

1. **INTRODUCTION OF LATE ITEMS:**

- Add Item 10 (a) - Other Business – Briefing regarding the VICC Hotel.

2. **ADOPTION OF AGENDA:**

3. **ADOPTION OF MINUTES:**

- (a) Minutes of the "In Camera" Committee of the Whole Meeting held in the Douglas Rispin Room, 80 Commercial Street, on Monday, 2013-FEB-25 at 6:08 p.m. *Pg. 3-4*

4. **PRESENTATIONS:**

NONE

5. **ADMINISTRATION:**

NONE

6. **COMMUNITY SAFETY AND DEVELOPMENT:**

NONE

7. **CORPORATE SERVICES:**

NONE

8. **COMMUNITY SERVICES:**

- (a) **South Fork Water Treatment Plant Tender**

*Purpose: To seek Council direction for moving forward with the water treatment plant general contract tender.*

Staff Recommendation: That Council:

*Pg. 5-15*

- 1.
2. pursue funding opportunities with the RDN, then amend the Five Year Financial Plan to allocate up to \$22.5 million in borrowing.
9. **CORRESPONDENCE (not related to a Report to Council):**  
NONE
10. **OTHER BUSINESS:**
  - (a) Mr. I. Howat, Director, Strategic Relationships, to provide a briefing on the VICC Hotel (Briefing notes will be distributed at the meeting).
11. **ADJOURNMENT:**

**"IN CAMERA" MINUTES**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2013-MAR-04, COMMENCING AT 6:37 P.M.

---

PRESENT: Mayor J. R. Ruttan, Chair

Members: Councillor G. Anderson  
Councillor W. L. Bestwick  
Councillor G. E. Greves  
Councillor D. K. Johnstone  
Councillor J. A. Kipp  
Councillor W. B. McKay  
Councillor J. F. K. Pattje

Absent: Councillor M. D. Brennan

Staff: A. C. Kenning, City Manager  
D. W. Holmes, Assistant City Manager and General Manager of  
Corporate Services  
E. C. Swabey, General Manager of Community Safety and Development  
T. M. Hickey, General Manager of Community Services  
I. Howat, Director of Strategic Relationships  
T. L. Hartley, Director of Human Resources and Organizational Planning  
B. E. Clemens, Director of Finance  
T. P. Seward, Director of Development  
S. Clift, Director of Engineering and Public Works (vacated 7:11 p.m.)  
A. J. Tucker, Director of Planning  
B. Sims, Manager, Water Resources (vacated 7:11 p.m.)  
P. Cooper, Communications Manager  
T. Samra, Manager of Legislative Services  
S. Snelgrove, Recording Secretary

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

The "In Camera" Meeting was called to order at 6:37 p.m.

2. INTRODUCTION OF LATE ITEMS:

(a) Add Agenda Item 10 (a) – Other Business – Briefing regarding the hotel.

3. ADOPTION OF AGENDA:

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

4. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Committee of the Whole Meeting held Monday, 2013-FEB-25 at 6:08 p.m. in the Douglas Rispin Room, 80 Commercial Street, Nanaimo, BC, be adopted as circulated. The motion carried unanimously.

5. COMMUNITY SERVICES:

(a) South Fork Water Treatment Plant Tender

Councillor Bestwick requested that the recommendations be considered separately.

It was moved and seconded that Council pursue funding opportunities with the RDN, then amend the Five Year Financial Plan to allocate up to \$22.5 million in borrowing. The motion carried.

*Opposed: Councillors Bestwick, Kipp*

6. OTHER BUSINESS:

(a) Mr. I. Howat, Director, Strategic Relationships, provided a briefing on the VICC Hotel.

7. ADJOURNMENT:

It was moved and seconded at 7:46 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

---

CORPORATE OFFICER



**AMENDED "IN CAMERA" AGENDA**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2013-MAR-18, IMMEDIATELY FOLLOWING  
THE REGULAR COMMITTEE OF THE WHOLE MEETING

---

1. **INTRODUCTION OF LATE ITEMS:**

- Add Item 8 (b) Cancellation of the Pont En Ore Letter of Intent *Pg.*

2. **ADOPTION OF AGENDA:**

3. **ADOPTION OF MINUTES:**

- (a) Minutes of the "In Camera" Committee of the Whole Meeting held in the Douglas Rispin Room, 80 Commercial Street, on Monday, 2013-MAR-04 at 6:37 p.m. *Pg. 3-4*

4. **PRESENTATIONS:**

NONE

5. **ADMINISTRATION:**

NONE

6. **COMMUNITY SAFETY AND DEVELOPMENT:**

NONE

7. **CORPORATE SERVICES:**

- (a) **Patron of the City – Mr. Charles Torhjelm and Ms. Kathy Torhjelm**

*Purpose: To obtain Council direction with respect to the nomination of Mr. Charles Torhjelm and Ms. Kathy Torhjelm for Patron of the City honours.*

Request for Council Direction: That Council provide direction with respect to the nomination of Mr. Charles Torhjelm and Ms. Kathy Torhjelm for Patron of the City honours.

*Pg. 5-16*

[NOTE: a two-thirds majority of Council is required in order to proceed with bestowing Patron of the City honours.]

8. **COMMUNITY SERVICES:**

(a) **Protocol Agreement Working Group Facilitator**

*Purpose: To obtain Council approval to appoint a facilitator and implement next steps for the Protocol Agreement Working Group.*

Staff Recommendation: That Council:

*Pg. 17-24*

1. support \_\_\_\_\_ as the facilitator for the Protocol Agreement Working Group, and
2. implement the next steps outlined in the report.

(b)

*Pg.  
24.1-24.17*

9. **CORRESPONDENCE (not related to a Report to Council):**

(a) Letter dated 2013-MAR-01, from Ms. Carmella Luvisotto, Band Director, Wellington Secondary Jazz Academy, requesting that Council consider awarding a Merit Award to student Mr. Daniel Ramos for his heroism and quick action to save a student from choking.

*Pg. 25-26*

(b) Letter dated 2013-JAN-31 from Mayor Jack de Jong, District of Lantzville, regarding water discussions between the City and Lantzville.

*Pg. 27*

10. **OTHER BUSINESS:**

11. **ADJOURNMENT:**

# "IN CAMERA"

## City of Nanaimo REPORT TO COUNCIL

DATE OF MEETING: 2013-MAR-18  
AUTHORED BY: TRACY SAMRA, MANAGER OF LEGISLATIVE SERVICES  
RE: PATRON OF THE CITY MR. CHARLES TORHJELM AND  
MS. KATHY TORHJELM

---

### REQUEST FOR COUNCIL DIRECTION:

That Council provide direction with respect to the nomination of Mr. Charles Torhjelm and Ms. Kathy Torhjelm for Patron of the City honours.

### PURPOSE:

To obtain Council direction with respect to the nomination of Mr. Charles Torhjelm and Ms. Kathy Torhjelm for Patron of the City honours.

### BACKGROUND:

Mr. Kenneth Joubert has submitted nomination forms (attached) requesting that both Mr. Charles Torhjelm and Ms. Kathy Torhjelm be awarded "Patron of the City" honours for their involvement and volunteerism with respect to the South Nanaimo community and Nanaimo generally. The nominations meet the criteria of the policy.

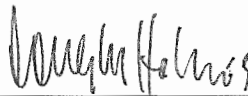
A two-thirds affirmative vote of Council is required for awarding a Patron of the City honour. The policy outlining the criteria is attached.

Respectfully submitted,

Concurrence by:



Tracy Samra  
Manager of Legislative Services  
Corporate Services Division



Douglas Holmes  
Assistant City Manager /  
General Manager of Corporate Services

### CITY MANAGER COMMENT:

I concur with the Staff recommendation.

Drafted: 2013-MAR-12

- Council
- Committee.....
- Open Meeting
- In-Camera Meeting

Meeting Date: 2013-MAR-18



# CITY OF NANAIMO

## COUNCIL POLICY MANUAL

Pages: 1 of 1  
Approval Date: 2002-JUL-08

<b>SECTION:</b> GENERAL ADMINISTRATION
<b>SUBJECT:</b> Honours – Patron of the City Companion of the City

### **Purpose:**

To honour an individual (patron) or group (companion) for an exceptional deed or activity, or provide recognition of a specific service, an outstanding achievement in a particular field of endeavor, or selfless volunteerism.

### **Selection Criteria:**

These honours are presented on a broader basis than the Freedom of the City Honour. The Patron of the City Honour or Companion of the City Honour are granted in recognition of an exceptional deed or activity, specific service, an outstanding achievement in a particular field of endeavor, or selfless volunteerism.

The activity/service must have been carried out in an outstanding professional manner and instilled pride in the community.

### **Selection Process:**

1. All nominations must be in writing and accompanied by an Honours Nomination Application Form which can be picked up in the Legislative Services Department.
2. Nominations will be considered at an "In Camera" meeting of Council.
3. A two-thirds majority of Council is required prior to a Patron or Companion of the City Honour being granted.

### **Presentation:**

The recipient/s will be honoured at a special ceremony during a Regular Council Meeting and will receive a citation summarizing the recipient's achievements. A copy of the citation will be entered in the Patron/Companion of the City Merit Book.

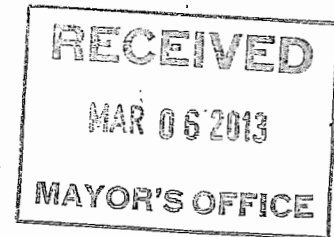
### **Privileges**

There are no special privileges connected with the Patron of the City or Companion of the City Honours, unlike the Freedom of the City Honour.

Previous Revision/s: None
---------------------------

**WELLINGTON****SECONDARY SCHOOL**

3135 Mexicana Road, Nanaimo, B.C. V9T 2W8  
 Telephone (250) 758-9191 Fax (250) 758-3352



2013-Mar-01

Mayor and Council  
 City of Nanaimo  
 455 Wallace Street  
 Nanaimo, BC V9R 5J6

Dear Mayor and Council:

I am writing to alert the City of Nanaimo about a grade 10 student, Daniel Ramos, from Wellington Secondary.

Daniel recently travelled with the Wellington Secondary Jazz Band to the Lionel Hampton Jazz Festival in Moscow, Idaho and returned as part of the award winning grade 9/10 jazz band that was picked to perform on the main stage. Not only is Daniel an excellent alto saxophonist he is also our band hero.

Due to Daniel's quick thinking and action he saved one of our students from choking. It was early in the evening after a 12-hour day of several performances that one of Daniel's peers began choking on a piece of pizza. Daniel immediately heard the cries for help and performed a very successful Heimlich maneuver on the student. The student made a full recovery with no lasting side effects due to the action of Daniel. Daniel is a fully certified with his first aid certificate and is on his way to becoming a lifeguard in Nanaimo.

I feel as Daniel's band teacher that he deserves to be recognized for his heroism and quick action. I hope this City of Nanaimo will support my letter and recognize grade 10 Wellington Secondary student Daniel Ramos.

Thank you for your consideration.

Carmella Luvisotto  
 Band Director  
 Wellington Secondary Jazz Academy  
 cluvisotto@sd68.bc.ca

Council  
 Committee COW  
 Open Meeting  
 In-Camera Meeting  
 Meeting Date: 2013-MAR-12



# CITY OF NANAIMO

## COUNCIL POLICY MANUAL

Pages: 1 of 1

Approval Date: 1981-JAN-15

<b>SECTION:</b> GENERAL ADMINISTRATION <b>SUBJECT:</b> Merit Awards - Design and Procedures
------------------------------------------------------------------------------------------------

*NOTE: On 2010-MAY-03 Council adopted a new policy entitled "Civic Sport Merit Awards and Arts / Culture Merit Awards" which supersedes Section 1 of this Policy.*

- ~~1. The design of medallions for winners of Canadian, Western Canadian and Provincial Championships shall be as follows:
  - ~~(a) Gold plated 2" square medallions with neck ribbons, one side to include maple leaf and place for year of award with the words "Canadian Championship" with the reverse side to include the City crest and the words "City of Nanaimo National Award".~~
  - ~~(b) Silver plated 2" diameter round medallions with blue neck ribbons, with the top side to include maple leaf and place for year of award with the words "Western Canadian Championship", with the reverse side to include the City crest and the words "City of Nanaimo Award".~~
  - ~~(c) Bronze 1 1/2" diameter round medallions with one side including the City crest and the words "City of Nanaimo Parks and Recreation" and the reverse side including the Parks and Recreation logo, place for year of award, and the words "Provincial Championship Award".~~~~
2. Before any public recommendation is made by any Council member, with respect to presentation of Merit Awards in recognition of the efforts of citizens involved in rescues or other meritorious actions, that the member submit the particulars for consideration "IN CAMERA" and that all such recommendations come forward as recommendations from the Committee.
3. Any recommendations, with respect to merit awards under 2, shall be made to the Committee "In Camera".

Previous Revision/s: 1979-JAN-29
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**"IN CAMERA" MINUTES**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2013-MAR-18 AT 6:09 P.M.

---

PRESENT: Mayor J. R. Ruttan, Chair (vacated 6:26 p.m.)

Members: Councillor G. Anderson  
Councillor M. D. Brennan  
Councillor G. E. Greves  
Councillor D. K. Johnstone  
Councillor W. B. McKay  
Councillor J. F. K. Pattje

Absent: Councillor W. L. Bestwick  
Councillor J. A. Kipp

Staff: A. C. Kenning, City Manager  
D. W. Holmes, Assistant City Manager and General Manager of  
Corporate Services (vacated 6:26 p.m.)  
E. C. Swabey, General Manager of Community Safety and Development  
T. M. Hickey, General Manager of Community Services  
I. Howat, Director of Strategic Relationships  
B. E. Clemens, Director of Finance  
S. Clift, Director of Engineering and Public Works  
A. J. Tucker, Director of Planning  
D. Lindsay, Acting Director of Development.  
T. Samra, Manager of Legislative Services  
S. Snelgrove, Recording Secretary

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

The "In Camera" Meeting was called to order at 6:09 p.m.

2. INTRODUCTION OF LATE ITEMS:

(a) Add Agenda Item 8 (b) Cancellation of the Pont En Ore Letter of Intent.

3. ADOPTION OF AGENDA:

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

4. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Committee of the Whole Meeting held Monday, 2013-MAR-04 at 6:37 p.m. in the Douglas Rispin Room, 80 Commercial Street, Nanaimo, BC, be adopted as circulated. The motion carried unanimously.

5. CORPORATE SERVICES:

(a) Patron of the City – Mr. Charles Torhjelm and Ms. Kathy Torhjelm

It was moved and seconded that Council award Mr. Charles Torhjelm and Ms. Kathy Torhjelm Patron of the City honours. The motion carried unanimously.

6. COMMUNITY SERVICES:

(a) Protocol Agreement Working Group Facilitator

It was moved and seconded that Council:

1. support Dr. Patrick Ross as the facilitator for the Protocol Agreement Working Group; and,
2. implement the next steps outlined in the report.

The motion carried unanimously.

(b)

7. CORRESPONDENCE (not related to a Report to Council):

- (a) Letter dated 2013-MAR-01, from Ms. Carmella Luvisotto, Band Director, Wellington Secondary Jazz Academy, requesting that Council consider awarding a Merit Award to student Mr. Daniel Ramos for his heroism and quick action to save a student from choking.

It was moved and seconded that Council award a Merit Award to Mr. Daniel Ramos for his heroism. The motion carried unanimously.

Mayor Ruttan vacated the Chair at 6:26 p.m. on a conflict of interest as he is a resident of the District of Lantzville.

Councillor Johnstone assumed the Chair.



Mr. D. W. Holmes vacated the Douglas Rispin Room at 6:26 p.m. on a conflict of interest as his wife is the Director of Finance for the District of Lantzville.

- (b) Letter dated 2013-JAN-31 from Mayor Jack de Jong, District of Lantzville, regarding water discussions between the City and Lantzville.

It was moved and seconded that Council defer discussion regarding the letter dated 2013-JAN-31 from Mayor Jack de Jong, District of Lantzville, until all members of Council are in attendance, and consideration of a motion to direct Staff to provide water to properties in upper Lantzville and that connections related to new development, such as the Foothills project, will be limited to 50 per year. The motion carried.

Opposed: *Councillor McKay*

8. ADJOURNMENT:

It was moved and seconded at 6:35 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

\_\_\_\_\_  
C H A I R

CERTIFIED CORRECT:

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

**"IN CAMERA" AGENDA**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2013-APR-15, IMMEDIATELY FOLLOWING  
THE REGULAR COMMITTEE OF THE WHOLE MEETING

---

1. **INTRODUCTION OF LATE ITEMS:**

2. **ADOPTION OF AGENDA:**

3. **ADOPTION OF MINUTES:**

- (a) Minutes of the "In Camera" Committee of the Whole Meeting held in the Douglas Rispin Room, 80 Commercial Street, on Monday, 2013-MAR-18 at 4:30 p.m. *Pg. 3-5*

4. **PRESENTATIONS:**

NONE

5. **ADMINISTRATION:**

NONE

6. **COMMUNITY SAFETY AND DEVELOPMENT:**

NONE

7. **CORPORATE SERVICES:**

NONE

8. **COMMUNITY SERVICES:**

(a) **Nanaimo Economic Development Corporation Board Nominations**

*Purpose: As per the NEDC's Articles of Incorporation, Council are to appoint the members of the NEDC Board annually.*

Nominating Committee Recommendation: That Council:

*Pg. 6-7*

1. appoint Mr. Dan Brady and Mr. Reinoud Hartman as new members of the Nanaimo Economic Development Corporation (NEDC); and,

2. renew the appointments of the following board members to the NEDC Board:
  - A.J Hustins
  - Andre Sullivan
  - Dan Kuchera
  - Moira Jenkins
  - Greg Baynton
  - Bob Bennie
  - Frank Crucil
  - Doug Kalcsics
  - Adrian Legin
  - Ralph Nilson
  - Charlie Parker
  - Bruce Williams
  - Bill Yoachim
  - Ian Howat – City Manager's designate
3. direct Staff to notify the NEDC Board, the new Board members, the unsuccessful applicants and prepare a media release advising of Council's appointments to the NEDC.

9. **CORRESPONDENCE (not related to a Report to Council):**

NONE

10. **OTHER BUSINESS:**

11. **ADJOURNMENT:**

ACTING MAYOR: Councillor Johnstone

2013-MAR-11 to 2013-APR-28

# City of Nanaimo

## IN-CAMERA REPORT TO COUNCIL

DATE OF MEETING: 2013-APR-15

AUTHORED BY: Councillor Diana Johnstone, Nominating Committee Chair

RE: Nanaimo Economic Development Corp. Board Nominations

---

### NOMINATING COMMITTEE RECOMMENDATION:

It is recommended that:

1. Council appoint Mr. Dan Brady and Mr. Reinoud Hartman as new members of the Nanaimo Economic Development Corporation (NEDC); and
2. That Council renew the appointments of the following board members to the NEDC Board:
  - A.J Hustins
  - Andre Sullivan
  - Dan Kuchera
  - Moira Jenkins
  - Greg Baynton
  - Bob Bennie
  - Frank Crucil
  - Doug Kalcsics
  - Adrian Legin
  - Ralph Nilson
  - Charlie Parker
  - Bruce Williams
  - Bill Yoachim
  - Ian Howat – City Manager’s designate
3. That Council direct staff to notify the NEDC Board, the new Board members, the unsuccessful applicants and prepare a media release advising of council’s appointments to the NEDC.

### PURPOSE:

As per the NEDC’s Articles of Incorporation, Council are to appoint the members of the NEDC Board annually.

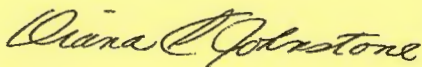
BACKGROUND:

Next year, the NEDC will be in its third year of operation, so several Board members will be up for renewal, and given the challenging year the Board had with the CEO turnover, it has been requested that City Council simply replace the vacancy left by Mr. Dumas' pending departure from the Board and address the wish to include the NEDC's Tourism Leadership Committee Chair, Mr. Dan Brady. Council is requested to renew the appointments of the balance of the existing Board members, which is consistent with Council's Policy and the NEDC Articles of Incorporation.

DISCUSSION:

[REDACTED]

Respectfully submitted,



---

Diana Johnstone,  
Chair NEDC Nominating Committee

**"IN CAMERA" MINUTES**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2013-APR-15 AT 8:14 P.M.

---

PRESENT: Mayor J. R. Ruttan, Chair

Members: Councillor G. Anderson  
Councillor W. L. Bestwick  
Councillor M. D. Brennan  
Councillor G. E. Greves  
Councillor D. K. Johnstone  
Councillor J. A. Kipp  
Councillor W. B. McKay  
Councillor J. F. K. Pattje

Staff: A. C. Kenning, City Manager  
D. W. Holmes, Assistant City Manager and General Manager of  
Corporate Services  
E. C. Swabey, General Manager of Community Safety and Development  
T. M. Hickey, General Manager of Community Services  
I. Howat, Director of Strategic Relationships  
T. L. Hartley, Director of Human Resources and Organizational Planning  
T. P. Seward, Director of Development  
S. Snelgrove, Recording Secretary

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

The "In Camera" Meeting was called to order at 8:14 p.m.

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Committee of the Whole Meeting held Monday, 2013-MAR-18 at 6:09 p.m. in the Douglas Rispin Room, 80 Commercial Street, Nanaimo, BC, be adopted as circulated. The motion carried unanimously.

4. COMMUNITY SERVICES:

(a) Nanaimo Economic Development Corporation Board Nominations

It was moved and seconded that Council:

1. appoint Mr. Dan Brady and Mr. Reinoud Hartman as new members of the Nanaimo Economic Development Corporation (NEDC); and,
2. renew the appointments of the following board members to the NEDC Board:
  - A.J Hustins
  - Andre Sullivan
  - Dan Kuchera
  - Moira Jenkins
  - Greg Baynton
  - Bob Bennie
  - Frank Crucil
  - Doug Kalcsics
  - Adrian Legin
  - Ralph Nilson
  - Charlie Parker
  - Bruce Williams
  - Bill Yoachim
  - Ian Howat – City Manager’s designate
3. direct Staff to notify the NEDC Board, the new Board members, the unsuccessful applicants and prepare a media release advising of Council’s appointments to the NEDC.

The motion carried unanimously.

5. ADJOURNMENT:

It was moved and seconded at 8:22 p.m. that the "In Camera" Meeting terminate.  
The motion carried unanimously.

\_\_\_\_\_  
C H A I R

CERTIFIED CORRECT:

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

**"IN CAMERA" AGENDA**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2013-AUG-26, IMMEDIATELY FOLLOWING  
THE REGULAR COMMITTEE OF THE WHOLE MEETING

---

1. **INTRODUCTION OF LATE ITEMS:**

2. **ADOPTION OF AGENDA:**

3. **ADOPTION OF MINUTES:**

- (a) Minutes of the "In Camera" Committee of the Whole Meeting held in the Douglas Rispin Room, 80 Commercial Street, on Monday, 2013-APR-15 at 8:14 p.m. Pg. 3-4

4. **PRESENTATIONS:**

NONE

5. **ADMINISTRATION:**

NONE

6. **COMMUNITY SAFETY AND DEVELOPMENT:**

NONE

7. **CORPORATE SERVICES:**

(a) **Quarterly Claims Report – Period Ending 2013-JUN-30**

*Purpose: To provide Council with an update on existing insurance claims.*

Staff Recommendation: That Council receive for information the Quarterly Claims Report for the period ending 2013-JUN-30. Pg. 5-9

(b) **Council Appointed Tax Sale Bidder**

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



Staff Recommendation: That Council authorize the Manager of Real Estate or designate to bid at the annual Tax Sale to be held 2013-SEP-30,

*Pg. 10-12*

8. **COMMUNITY SERVICES:**

NONE

9. **CORRESPONDENCE (not related to a Report to Council):**

NONE

10. **OTHER BUSINESS:**

11. **ADJOURNMENT:**

ACTING MAYOR: COUNCILLOR ANDERSON  
2013-JUN-10 – 2013-SEP-08

# "IN CAMERA"

## City of Nanaimo

### REPORT TO COUNCIL

DATE OF MEETING: 2013-AUG-26

AUTHORED BY: B. E. CLEMENS, DIRECTOR OF FINANCE

RE: COUNCIL APPOINTED TAX SALE BIDDER

---

#### STAFF RECOMMENDATION:

That Council authorize the Manager of Real Estate or designate to bid at the annual Tax Sale to be held 2013-SEP-30,

#### PURPOSE:

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

#### BACKGROUND:

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

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

Prior to Tax Sale, City staff makes many efforts to contact each owner to inform them of the process and urge them to make the necessary payments to avoid the sale. This is done by public announcements, letters and/or phone calls. Through these efforts, the list of properties is greatly reduced, ranging from 7 to 35 properties at the sale over the last 5 years.

#### City Bidder at Tax Sale

Section 406 of the *Local Government Act* allows Council to authorize a person to bid at Tax Sale up to a maximum amount. Should Council adopt this recommendation, each property at the sale would be bought by the City (unless outbid).

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

With the municipality as the purchaser and providing that there are improvements on the property, the one year redemption period may be extended if a 50% payment is made within that first year. This option was exercised in 2008 when a property on Bowen Road could only pay-over \$700 prior to the redemption period expiring. Fortunately, there were no third parties involved so the redemption period was extended per section 418 of the *Local Government Act* and the owner was able to redeem the property in the extended period.

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

The purpose of this recommendation is to remove this additional complication. The Council appointed bidder will bid on each property at the sale unless significant and relevant circumstances are brought to Council's attention prior to the sale. Council authorized a City bidder for the 2011 and 2012 tax sales and Staff believes that the outcome was very successful.

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

### Interest

The interest rate paid to the purchaser of a Tax Sale property is currently 6% as prescribed by the Province of BC. Interest is charged on the purchase price and must be paid prior to redemption. This interest amount is then payable to the purchaser. The unintended consequence of this recommendation is the interest amount payable could increase if there is a third party bidder who raises the bid over the upset price. Again, it would be the responsibility of the owner to pay this additional interest amount.

### Valuation

The total general taxable assessment is made up of land value plus improvements (e.g. A house).

Risk

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

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

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

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

If there are any circumstances in which Council would not want the City to bid on a tax sale property, specific guidelines will need to be provided to Staff.

Respectfully submitted,



B. E. Clemens,  
Director of Finance

Concurrence by:



I. Howat,  
Acting General Manager, Corporate Services

CITY MANAGER COMMENT:

I concur with the staff recommendation.

**"IN CAMERA" MINUTES**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2013-AUG-26 AT 6:48 P.M.

---

PRESENT: Mayor J. R. Ruttan, Chair

Members: Councillor G. Anderson  
Councillor W. L. Bestwick  
Councillor M. D. Brennan  
Councillor G. E. Greves  
Councillor D. K. Johnstone  
Councillor W. B. McKay  
Councillor J. F. K. Pattje

Absent: Councillor J. A. Kipp

Staff: A. C. Kenning, City Manager  
T. M. Hickey, General Manager of Community Services  
I. Howat, Acting General Manager of Corporate Services  
B. E. Clemens, Director of Finance  
T. P. Seward, Director of Development  
K. King, Acting Manager, Legislative Services  
D. Smith, Recording Secretary

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

The "In Camera" Meeting was called to order at 6:48 p.m.

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Committee of the Whole Meeting held Monday, 2013-APR-15 at 8:14 p.m. in the Douglas Rispin Room, 80 Commercial Street, Nanaimo, BC, be adopted as circulated. The motion carried unanimously.

4. CORPORATE SERVICES:

(a) Quarterly Claims Report – Period Ending 2013-JUN-30

It was moved and seconded that Council receive for information the Quarterly Claims Report for the period ending 2013-JUN-30. The motion carried unanimously.

(b) Council Appointed Tax Sale Bidder

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 2013-SEP-30,  
The motion carried unanimously.

5 OTHER BUSINESS:

(a) Personnel Issue

Councillor Johnstone vacated the Douglas Rispin Room at 6:55 p.m.

6. ADJOURNMENT:

It was moved and seconded at 6:56 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

\_\_\_\_\_  
C H A I R

CERTIFIED CORRECT:

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

**“IN CAMERA” AGENDA**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2013-SEP-30, IMMEDIATELY FOLLOWING  
THE REGULAR COMMITTEE OF THE WHOLE MEETING

---

1. **INTRODUCTION OF LATE ITEMS:**

2. **ADOPTION OF AGENDA:**

3. **ADOPTION OF MINUTES:**

- (a) Minutes of the "In Camera" Committee of the Whole Meeting held in the Douglas Rispin Room, 80 Commercial Street, on Monday, 2013-AUG-26 at 6:48 p.m. *Pg. 3-4*

4. **PRESENTATIONS:**

NONE

5. **ADMINISTRATION:**

- (a) Exempt Compensation - Discussion  
(b) Strategic Relations - Discussion

6. **COMMUNITY SAFETY AND DEVELOPMENT:**

NONE

7. **CORPORATE SERVICES:**

NONE

8. **COMMUNITY SERVICES:**

NONE

9. **CORRESPONDENCE (not related to a Report to Council):**

NONE

10. **OTHER BUSINESS:**

11. **ADJOURNMENT:**

ACTING MAYOR: COUNCILLOR BRENNAN

2013-SEP-09 to 2013-OCT-20



**"IN CAMERA" MINUTES**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2013-SEP-30 AT 4:47 P.M.

---

PRESENT: Mayor J. R. Ruttan, Chair

Members: Councillor G. Anderson  
Councillor W. L. Bestwick  
Councillor M. D. Brennan  
Councillor G. E. Greves  
Councillor D. K. Johnstone  
Councillor J. A. Kipp  
Councillor W. B. McKay

Absent: Councillor J. F. K. Pattje

Staff: E. C. Swabey, City Manager  
I. Howat, Acting General Manager of Corporate Services

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

The "In Camera" Meeting was called to order at 4:47 p.m.

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Committee of the Whole Meeting held Monday, 2013-AUG-26 at 6:48 p.m. in the Douglas Rispin Room, 80 Commercial Street, Nanaimo, BC, be adopted as circulated. The motion carried unanimously.

4. ADMINISTRATION:

(a) Exempt Compensation

Council and Staff discussion.

(b) Strategic Relations

Council and Staff discussion.

Mr. I. Howat, Acting General Manager of Corporate Services, vacated the Douglas Rispin Room at 6:30 p.m.

5. ADJOURNMENT:

It was moved and seconded at 7:29 p.m. that the "In Camera" Meeting terminate.  
The motion carried unanimously.

\_\_\_\_\_  
C H A I R

CERTIFIED CORRECT:

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

**"IN CAMERA" MINUTES**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
BOARD ROOM, SERVICE AND RESOURCE CENTRE, 411 DUNSMUIR STREET,  
NANAIMO, BC, WEDNESDAY, 2013-OCT-09 AT 10:04 A.M.

---

PRESENT: Mayor J. R. Ruttan, Chair

Members: Councillor W. L. Bestwick  
Councillor M. D. Brennan  
Councillor G. E. Greves  
Councillor D. K. Johnstone  
Councillor J. A. Kipp  
Councillor W. B. McKay  
Councillor J. F. K. Pattje

Absent: Councillor G. Anderson

Staff: E. C. Swabey, City Manager

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

The "In Camera" Meeting was called to order at 10:04 a.m.

2. ADMINISTRATION:

(a) Personnel Issue

Council discussed a personnel issue.

3. ADJOURNMENT:

It was moved and seconded at 10:50 a.m. that the "In Camera" Meeting terminate.  
The motion carried unanimously.

---

CHAIR

CERTIFIED CORRECT:

---

CORPORATE OFFICER

**SPECIAL “IN CAMERA” AGENDA**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
BOARD ROOM, 411 DUNSMUIR STREET, NANAIMO, BC  
WEDNESDAY, 2013-NOV-20, IMMEDIATELY FOLLOWING THE  
SPECIAL OPEN COMMITTEE OF THE WHOLE MEETING

---

1. **INTRODUCTION OF LATE ITEMS:**

2. **ADOPTION OF AGENDA:**

3. **PRESENTATIONS:**

- (a) Mr. E. C. Swabey, City Manager, to provide a presentation regarding a new organizational structure.

4. **CORPORATE SERVICES:**

(a) **IAFF Memorandum of Settlement**

*Purpose: To obtain a decision from Council with respect to the ratification of the IAFF Memorandum of Settlement dated 2013-NOV-15.*

Staff Recommendation: That Council ratify the IAFF Memorandum of Settlement as described in the report.

*Pg. 2-4*

5. **OTHER BUSINESS:**

6. **ADJOURNMENT:**

ACTING MAYOR: COUNCILLOR MCKAY

2013-OCT-21 to 2013-DEC-01

# IN CAMERA

## City of Nanaimo REPORT TO CITY COUNCIL

DATE OF MEETING: 2013-November 20

AUTHORED BY: Terry Hartley, Director of HR & Organizational Planning

RE: IAFF Memorandum of Settlement

---

### STAFF RECOMMENDATION:

That Council ratify the IAFF Memorandum of Settlement as described below.

### PURPOSE:

To seek a decision from Council with respect to the ratification of the IAFF Memorandum of Settlement dated November 15, 2013.

### BACKGROUND:

current Collective Agreement with the International Association of Firefighters, Local 905 ("IAFF") expired on March 31, 2010. The parties exchanged negotiating proposals on June 15, 2011. The bargaining teams met on 11 occasions following the exchange, including 3 days with a government appointed mediator.

### DISCUSSION:

The Memorandum of Settlement negotiated with IAFF contains the following substantive changes:

#### **Term:**

April 1, 2010-December 31, 2011 (21 months)

#### **Wages:**

April 1, 2010:	1.50%
October 1, 2010:	1.50%
April 1, 2011:	1.25%
October 1, 2011:	1.25%
<b>Total:</b>	<b>5.50% (Vancouver parity)</b>

Council  
 Committee: *of the whole*  
 Open Meeting  
 In-Camera Meeting  
Meeting Date: *2013-NOV-20*

**Sub-Package:**

The Employer agrees that:

- Effective July 1, 2014, IAFF members move from a Group 2 pension to a Group 5 pension; and
- Effective May 1, 2014, the 10th year rate increases to 103% of the new 5th year rate

The Union agrees that the above is contingent upon the following language changes and cost savings:

- Effective the date of ratification, amendments to the flex firefighter language intended to increase the number of flex firefighters and the manner in which they may be used;
- Effective January 1, 2014, reductions to dental, extended health and vision care plans;
- Effective February 1, 2014, decrease in sick leave gratuity from a maximum of 60 days to a maximum of 57 days;
- Effective on the date of ratification, amendments to the new firefighter rate of pay; and
- Effective July 1, 2014, the employer will change its policy so that the Municipal Pension Plan definition of pensionable salary applies to employees with a Group 5 pension (i.e. overtime will not be included in pensionable salary).

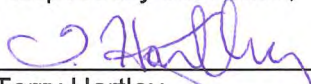
**Minimum Staffing:**

The Employer and Union agree to have Rod Germaine (interest arbitrator) decide whether or not the numbers in the minimum staffing clause in the Collective Agreement must be updated to the current staffing numbers. The hearing on this issue will occur on an agreeable date during the week of December 9, 2013 (the days originally set aside for interest arbitration).


**Summary**

Report to City Council – 2013 November 20  
RE: IAFF Memorandum of Settlement

Respectfully submitted,

  
\_\_\_\_\_  
Terry Hartley  
Director, HR & Organizational Planning

Concurrence by:

  
\_\_\_\_\_  
Ian Howat  
General Manager, Corporate Services

CITY MANAGER COMMENT:

I concur with the staff recommendation.

Drafted: November 18, 2013  
TH

**"IN CAMERA" MINUTES**  
SPECIAL COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
BOARD ROOM, 411 DUNSMUIR STREET, NANAIMO, BC  
WEDNESDAY, 2013-NOV-20 AT 9:13 A.M.

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PRESENT: Mayor J. R. Ruttan, Chair

Members: Councillor G. Anderson (entered at 10:00 a.m., vacated at 11:10 a.m.)  
Councillor W. L. Bestwick  
Councillor M. D. Brennan  
Councillor G. E. Greves  
Councillor D. K. Johnstone  
Councillor J. A. Kipp  
Councillor W. B. McKay  
Councillor J. F. K. Pattje

Staff: E. C. Swabey, City Manager  
I. Howat, General Manager of Corporate Services  
T. Hartley, Director of Human Resources and Organizational  
Planning (entered at 11:00 a.m.)

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

The Special "In Camera" Meeting was called to order at 9:13 a.m.

2. ADOPTION OF AGENDA:

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

3. PRESENTATIONS:

(a) Mr. E. C. Swabey, City Manager, provided a presentation regarding a new organizational structure, as follows:

Goals of Reorganization:

- Align staffing, budgets and priorities to Strategic Plan
- Flatten organization
  - make Directors more accountable
  - corporate thinking – break down silos
  - better communication
- Succession planning
- Cut costs
- Build trust
- Time to hit the reset button
- Avoid distraction, unnecessary and divisive core service review

Councillor Anderson entered the Board Room at 10:00 a.m.



It was moved and seconded that Council supports the goals of the reorganization as presented by the City Manager. The motion carried unanimously.

T. Hartley entered the Board Room at 11:00 a.m.

4. CORPORATE SERVICES:

(a) IAFF Memorandum of Settlement

Councillor Anderson vacated the Board Room at 11:10 a.m.

It was moved and seconded that Council ratify the IAFF Memorandum of Settlement as described in the Staff report. The motion carried unanimously.

It was moved and seconded that Council direct Staff to review the policy for Fire management wages and benefits and report back to Council. The motion carried unanimously.

5 ADJOURNMENT:

It was moved and seconded at 11:25 a.m. that the Special "In Camera" Meeting terminate. The motion carried unanimously.

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C H A I R

CERTIFIED CORRECT:

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CORPORATE OFFICER

**"IN CAMERA" AGENDA**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2013-NOV-25, IMMEDIATELY FOLLOWING  
THE REGULAR COMMITTEE OF THE WHOLE MEETING

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1. **INTRODUCTION OF LATE ITEMS:**

2. **ADOPTION OF AGENDA:**

3. **ADOPTION OF MINUTES:**

- (a) Minutes of the "In Camera" Committee of the Whole Meeting held in the Douglas Rispin Room, 80 Commercial Street, on Monday, 2013-SEP-30 at 4:47 p.m. Pg. 3-4
- (b) Minutes of the "In Camera" Committee of the Whole Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, on Wednesday, 2013-OCT-09 at 10:04 a.m. Pg. 5

*[Note: The minutes listed below will be distributed at the "In Camera" meeting.]*

- (c) Minutes of the Special "In Camera" Committee of the Whole Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, on Wednesday, 2013-NOV-20 at 9:13 a.m.

4. **PRESENTATIONS:**

- (a) Mr. Sukhbir Manhas, City Solicitor, to provide a presentation

5. **ADMINISTRATION:**

- (a) Strategic Relations

6. **COMMUNITY SAFETY AND DEVELOPMENT:**

NONE

7. **CORPORATE SERVICES:**

NONE

8. **COMMUNITY SERVICES:**

NONE

9. **CORRESPONDENCE (not related to a Report to Council):**

NONE

10. **OTHER BUSINESS:**

11. **ADJOURNMENT:**

ACTING MAYOR: COUNCILLOR MCKAY

2013-OCT-21 to 2013-DEC-01

**"IN CAMERA" MINUTES**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2013-NOV-25 AT 7:13 P.M.

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PRESENT: Mayor J. R. Ruttan, Chair

Members: Councillor W. L. Bestwick  
Councillor M. D. Brennan  
Councillor G. E. Greves  
Councillor D. K. Johnstone  
Councillor J. A. Kipp  
Councillor W. B. McKay  
Councillor J. F. K. Pattje

Other: Mr. Barry Williamson, Young Anderson Barristers and Solicitors

Absent: Councillor G. Anderson

Staff: E. C. Swabey, City Manager  
I. Howat, General Manager of Corporate Services  
T. L. Hartley, Director of Human Resources and Organizational Planning  
G. Ferrero, Director of IT & Legislative Services  
S. Snelgrove, Recording Secretary

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

The "In Camera" Meeting was called to order at 7:13 p.m.

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

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

- Minutes of the "In Camera" Committee of the Whole Meeting held on Monday, 2013-SEP-30 at 4:47 p.m.
- Minutes of the "In Camera" Committee of the Whole Meeting held on Wednesday, 2013-OCT-09 at 10:04 a.m.
- Minutes of the Special "In Camera" Committee of the Whole Meeting held on Wednesday, 2013-NOV-20 at 9:13 a.m.

The motion carried unanimously.

4. PRESENTATIONS:

(a) Mr. Barry Williamson, City Solicitor, provided a presentation regarding

It was moved and seconded that Council direct Staff to  
unanimously. The motion carried

5. ADJOURNMENT:

It was moved and seconded at 8:18 p.m. that the "In Camera" Meeting terminate.  
The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

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CORPORATE OFFICER

**"IN CAMERA" AGENDA**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2013-DEC-09, IMMEDIATELY FOLLOWING  
THE REGULAR COMMITTEE OF THE WHOLE MEETING

---

1. **INTRODUCTION OF LATE ITEMS:**

2. **ADOPTION OF AGENDA:**

3. **ADOPTION OF MINUTES:**

- (a) Minutes of the "In Camera" Committee of the Whole Meeting held in the Douglas Rispin Room, 80 Commercial Street, on Monday, 2013-NOV-25 at 7:13 p.m. Pg. 4-5

4. **PRESENTATIONS:**

NONE

5. **ADMINISTRATION:**

- (a) Strategic Relations (for discussion purposes when applicable)

6. **CORPORATE SERVICES:**

(a) **Potential Changes to 9-1-1 Service Delivery**

*Purpose: To provide Council with the previous information presented at Council's meeting of 2013-NOV-18 and provide additional information on the financial implications of each 9-1-1 option. Also to advise Council of the request to the RCMP for an extension to the 2013-DEC-31 deadline to make a decision on provision of 9-1-1 services.*

Mr. T. Seward, Director of Social & Protective Services, to provide a presentation regarding potential changes to 9-1-1 service delivery.

Staff Recommendation: That Council receive for information the report regarding potential changes to 9-1-1 service delivery. Pg. 6-18

(b)

Pg. 19-30

7. **COMMUNITY SERVICES:**

(a) **Cultural Award Recipients 2013**

To be introduced by PRCC Chair, Councillor Johnstone.

*Purpose: To obtain Council approval of the 2013 Cultural Award Recipients.*

Commission Recommendation: That Council:

Pg. 31-33

1. approve the following two additional Cultural Awards:
  - Lifetime Achievement Award, and that it be awarded in 2013 to Kenneth Gogo;
  - Emerging Cultural Leader Award, and that it be awarded in 2013 to Shayd Johnson, and;
2. approve the 2013 Cultural Award Recipients as follows:
  - 2013 Excellence in Culture Award to Pat Coleman;
  - 2013 Honour in Culture Award to Ian Niamath.

(b) Minutes of the Special "In Camera" Parks, Recreation and Culture Commission Meeting held 2013-JUN-26.

Pg. 34-35

8. **CORRESPONDENCE (not related to a Report to Council):**

NONE

9. **OTHER BUSINESS:**

(a) **Management Compensation**

*(This report will be distributed separately with limited distribution)*

10. **ADJOURNMENT:**

ACTING MAYOR: COUNCILLOR BESTWICK

2013-DEC-02 to 2014-JAN-19



**"IN CAMERA"**

**City of Nanaimo**

**REPORT TO COUNCIL**

DATE OF MEETING: 2013-DEC-09

AUTHORED BY: TOBY SEWARD, DIRECTOR, SOCIAL & PROTECTIVE SERVICES

RE: POTENTIAL CHANGES TO 9-1-1 SERVICE DELIVERY

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STAFF RECOMMENDATION:

That Council receive the report for information.

PURPOSE:

To provide Council with the previous information presented at Council's meeting of 2013-NOV-18 and provide additional information on the financial implications of each 9-1-1 option. Also to advise Council of the request to the RCMP for an extension to the 2013-DEC-31 deadline to make a decision on provision of 9-1-1 Services.

DISCUSSION:

Attached for Council's information are:

- A.) 2013 NOV-18 Council Report (Attachment A);
- B.) Financial analysis of 9-1-1 options (Attachment B); and
- C.) Summary of 9-1-1 options and Advantages & Disadvantages (Attachment C).

As noted in the 2013-NOV-18 report to Council, the RCMP has advised that if the City and its partners DO NOT sign a Memorandum of Understanding (MoU) by 2013-DEC-31, the RCMP will provide notice that they will terminate provision of 9-1-1 services as of 2014-DEC-31.

The RCMP has advised staff that they are currently addressing a number of other MoU agreements with partnerships throughout the province, many of which are weighing options similar to Nanaimo. Staff have discussed the issue with the RCMP program manager and have requested a six-month extension to the 2013-DEC-31 deadline. The RCMP has advised that they are meeting internally to discuss the status of MoUs they are pursuing throughout the province, including Nanaimo's request for an extension.

If the RCMP agrees to the extension Nanaimo has requested, the decision on which option to pursue can be delayed until the new year. If the RCMP does not agree to the extension, staff will bring a report forward to Council's meeting 2013-DEC-16, seeking direction on pursuing one of the three options available.

Council  
 Committee *CDW*  
 Open Meeting  
 In-Camera Meeting  
Meeting Date: 2013-DEC-09


Respectfully submitted,



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Toby Sewald, Director  
Social & Protective Services

Concurrence by:



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Tom Hickey, General Manager  
Community Services

CITY MANAGER COMMENT:

I concur with the staff recommendation.

Drafted: 2013-DEC-03  
TS/hp

# ATTACHMENT A

**"IN CAMERA"**

**City of Nanaimo**

## **REPORT TO COUNCIL**

DATE OF MEETING: 2013-NOV-18

AUTHORED BY: CRAIG RICHARDSON, DEPUTY CHIEF - OPERATIONS,  
NANAIMO FIRE RESCUE

RE: POTENTIAL CHANGES TO 9-1-1 SERVICE DELIVERY

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### STAFF RECOMMENDATION:

That Council receive the report.

### PURPOSE:

To advise Council of potential changes to the Public Safety Answering Point (PSAP) system affecting Nanaimo and central Vancouver Island.

### SUMMARY:

The Public Safety Answering Point (PSAP) for central Vancouver Island is operated by the Central Island 9-1-1 Service (CI911), a partnership of the Cowichan Valley Regional District, City of Nanaimo and the Regional District of Nanaimo. The partnership was established in 1994 to provide 9-1-1 services within these jurisdictions and is managed for the partners by the City of Nanaimo. Operationally, the PSAP is integrated into the provincially operated Nanaimo RCMP's Operational Communications Centre (OCC).

The Partnership has been advised by the RCMP that the PSAP function is no longer considered part of their core business, but they are willing to continue operating the PSAP for the partnership if the partners are willing to sign a Memorandum of Understanding (MOU) and pay for the service outside of the standard Municipal Police Unit Agreement (MPUA). If the partners do not accept the proposal by 2013-Dec-31, the RCMP has stated they will give notice to cease operating the PSAP effective 2014-Dec-31.

This report explores alternatives available to the partnership, including:

1. maintaining the current arrangement by signing the proposed RCMP MOU;
2. amalgamating the PSAP function into the fire dispatch service in the Nanaimo FireComm centre; or
3. contracting out the PSAP function to E-Comm 9-1-1 in Vancouver.

This report is being presented to Council for information only at this time. Additional research and analysis is being conducted by staff to further evaluate the options in this report and to determine if other short- or long-term options are available. This will be presented in another report in December. The Boards of the other two partners will also be receiving information reports from their staff.

**BACKGROUND:**

The primary Public Safety Answering Point (PSAP) for central Vancouver Island is operated by the Central Island 9-1-1 Service (CI911), a partnership of the Cowichan Valley Regional District (CVRD), City of Nanaimo and the Regional District of Nanaimo (RDN) (for electoral areas A, B & C and the District of Lantzville). The partnership was established on June 12, 1994 to provide PSAP services (9-1-1) within these jurisdictions and is managed for the partners by the City of Nanaimo. Operationally, the PSAP is integrated into the provincially operated Nanaimo RCMP Operational Communications Centre (OCC). Fire dispatch for the partnership was added in 2003 when the partners consolidated their independent fire dispatching services into an upgraded Nanaimo Fire Rescue (NFR) FireComm.

Current funding for the CI911 partnership is split three ways:

City of Nanaimo	45%
Cowichan Valley Regional District	45%
Regional District of Nanaimo	10%

CI911 is one of six 9-1-1 service providers in BC that have arranged for their local RCMP OCC to take the initial 9-1-1 calls. The RCMP have advised all PSAP service providers that the PSAP function is no longer considered part of the RCMP core business but they are willing to continue operating the respective PSAPs if the service providers are willing to sign a Memorandum of Understanding (MOU) and pay for the service outside of the standard Municipal Police Unit Agreement (MPUA). They have requested that each organization sign the MOU by 2013-Dec-31. CI911 is the only service provider that has not signed an MOU with the RCMP.

**DISCUSSION:**

The CI911 PSAP has been operated by the RCMP Nanaimo OCC since the service inception in 1994. CI911 has committed one (1) FTE 9-1-1 Operator per 12 hour shift within the Nanaimo OCC to accommodate 9-1-1 call answering. Thus, four (4) positions rotate around the clock and are augmented by an additional two (2) permanent part-time 9-1-1 Operators who backfill for illness and vacations (for a total of 5.2 FTE municipal positions in the OCC). No formal agreement has ever been signed with the RCMP regarding this service.

CI911 recently participated in a study of 9-1-1 call taking services in conjunction with the other municipal jurisdictions in BC that use an RCMP OCC for their PSAP function. POMAX Consulting Inc. conducted the study (attached as Appendix 'A') for the purpose of reviewing and rationalising the call taking resources required by jurisdictions utilising an RCMP OCC. For central Vancouver Island, the study found that 5.2 FTEs is the correct staffing level for our PSAP.

The catalyst for this discussion is the RCMP's requirement that the CI911 Partnership enter into a MOU in order to maintain the current operation. The following options are presented for Council's consideration:

**Option 1: RCMP OCC continues to operate the central Vancouver Island PSAP**

Currently, 9-1-1 calls for the central Vancouver Island area are answered in the Nanaimo RCMP OCC. Callers requiring a fire response are transferred to the Secondary PSAP located

within the NFR FireComm and the respective fire department is dispatched from there. Callers requiring ambulance attendance are downstreamed to the BC Ambulance Service dispatch centre who then dispatch an ambulance and notify FireComm if a First Responder is required (in areas where First Responder service exists). Police calls are handled by the Nanaimo OCC. Due to the complete integration of the PSAP into the OCC, the same person that answers the 9-1-1 call may also take the complaint and dispatch police members, or if the situation warrants, the call can be downstreamed within the OCC to other OCC staff who take the complaint and dispatch the police. The Nanaimo OCC is backed up by the Courtenay OCC and vice versa.

The RCMP have stated that they are willing to continue operating the central Vancouver Island PSAP; however, they will only do so if the Partnership signs an MOU and begins paying an amount toward the RCMP's cost of managing the PSAP on our behalf (currently estimated to be approximately \$25,000 annually). This agreement would be a 5-year commitment and would be outside of the current Municipal Police Unit Agreement (a.k.a. the police "contract"). The 5.2 FTE municipal positions would continue to be City of Nanaimo employees within the Canadian Union of Public Employees (CUPE) Local 401 bargaining unit. Under this option control of the PSAP function will be transferred to the RCMP and away from the CI911 Partnership. The MOU would extend for 5 years (although can be terminated with one (1) years notice from either party).

The RCMP are also independently reviewing their resourcing needs in the OCC and it is anticipated that they will request an additional FTE primarily to deal with the increasing volume of abandoned 9-1-1 calls.

There are no immediate labour relations implications with this option, as long as the status quo is maintained. Should the RCMP decide to consolidate their Vancouver Island OCCs and move out of Nanaimo, then depending upon the circumstances, this may be characterized as a successorship or contracting out situation in which article 32 of the CUPE Collective Agreement may be triggered.

The 2014 budget for the PSAP service is \$633,000. With the above-noted increases, this cost could rise to \$745,000, with no service improvements. Further, next generation service enhancements, such as 'Text to 9-1-1' will result in additional cost increases that are outside the control of the CI911 Partnership.

Advantages:

1. there is no impact on current operations;
2. the RCMP have been a reliable contractor for the 9-1-1 PSAP service since inception;
3. the PSAP function is fully integrated into the police complaint-taking and dispatch functions; and
4. RCMP provides supervision and training for employees in the OCC.

Disadvantages:

1. the MOU commits CI911 to a 5-year agreement;
2. potentially increases costs over \$100,000 per year;
3. limited control over policies and service levels;
4. cost of next generation 9-1-1 implementation will be an extra;
5. OCC consolidations could result in jobs leaving Nanaimo; and
6. handling of abandoned calls issue still requires resolution.

**Option 2: Relocate the PSAP function to NFR FireComm**

The CI911 FireComm facility has been planned so that the PSAP function could be accommodated within the same space. There are no technical issues preventing the PSAP from being moved to the FireComm centre. Under this scenario, 9-1-1 calls would be received by the Fire Dispatchers and then downstreamed to Police and Ambulance Secondary PSAPs or dispatched directly to one of the 27 Fire Departments already served by the Partnership.

The FireComm centre has sufficient work space to accommodate the additional positions for 9-1-1 call taking. The existing municipal staff from the Nanaimo OCC would be relocated to FireComm. The labour relations issues around International Association of Firefighters (IAFF) and CUPE would have to be addressed (see below).

Moving the 5.2 FTE municipal employees to FireComm would create a need for additional FireComm oversight and supervision. It is possible that a new management position would have to be created to oversee this service; however, with 3 staff on shift, it is anticipated that up to 0.5 FTE could be saved through improved shift scheduling, thereby offsetting some of the cost of a new management position.

The technical cost of relocating the call taking service will be similar to retaining it at the RCMP OCC. The cost of next generation (NexGen) 9-1-1 upgrades will be borne by CI911 and this is projected to be in the order of \$500,000 over the next several years (although these cannot be substantiated as the technology needs are still unknown).

The vision of consolidating PSAP and fire dispatch into a single service for all of Vancouver Island has guided our upgrades over the past 15 years. Consolidation with North Island 9-1-1 could also bring significant operational savings. Moving call taking into FireComm would be a step along this road and would enhance local and regional service. An Island consolidation; however, will not occur in the short term, as the two other Vancouver Island service providers have not expressed an interest in collaborating this way.

There are other initiatives under way that could benefit from a consolidation of call taking within FireComm. Most importantly are the current Provincial discussions regarding the provision of Emergency Medical Services. If the City were to take a greater role in EMS Services, the integration could reduce overall dispatch times, providing a higher overall service level.

Labour relations implications for this option are that the call taking work currently performed by CUPE employees in the OCC will be integrated with the fire dispatch work performed by the IAFF employees in FireComm. Each will take on the other duties as part of the combined team. In this situation, the Labour Relations Board (LRB) would be asked to make a determination on the appropriate bargaining unit; and the respective collective agreement and wages of that bargaining unit would apply. The likely result is that the CUPE employees would become IAFF members with corresponding wage rates.

**Advantages:**

1. retains the 5.2 FTE jobs in Nanaimo;
2. opportunities to increase functional control and enhance level of service;
3. technology and facilities are already in place; and
4. allows for flexibility to handle current unknowns related to NexGen service requirements.

Disadvantages:

1. labour relations impact will require discussions with IAFF and CUPE and the LRB which may create productivity issues and stress relationships during those discussions;
2. will require additional training for existing fire dispatchers and 9-1-1 Operators;
3. costs are status quo with future increases undetermined;
4. increased volume of calls and function (abandoned 9-1-1 calls need to be followed up before forwarding to police);
5. additional CAD costs along with computers; and
6. additional Management staff required.

**Option 3: Contract out the PSAP service**

9-1-1 call taking is an independent function that could readily be relocated to a call centre separate from the RCMP OCC or FireComm. CI911 could contract the call taking to E-Comm 9-1-1 in Vancouver. Technically, it is easy to make this change. Financially, this option provides a significantly lower cost. Functionally; however, there is less opportunity to control or develop procedures specific to the needs of the central Island region and local jobs would be eliminated.

E-Comm 9-1-1 has provided a formal proposal to the CI911 Partnership to operate our PSAP within their call centre in Vancouver. E-Comm 9-1-1 will answer the calls within the accepted National Emergency Number Association (NENA) standards and forward to the appropriate Secondary PSAP (i.e. police, fire, ambulance). They will also provide initial follow up to abandoned calls before forwarding to police.

The proposed solution provides a cost saving in excess of 50% compared to the above two options. E-Comm 9-1-1's cost to provide this service is \$280,000 per year. There is an initial \$16,000 setup fee, plus an inflation allowance in future years. A five-year agreement is required. E-Comm 9-1-1 will meet the same call handling standards that are offered by the OCC.

The E-Comm 9-1-1 proposal also addresses future upgrades for NexGen 9-1-1. CI911 would not be required to provide a large capital investment to implement the new technologies. E-Comm 9-1-1 will incur a \$200,000 capital investment to handle CI911 calls and they are proposing to amortize this cost over the term of the agreement (\$40,000 which is included in the \$280,000 annual fee). By doing this, they will then use the \$40,000 per year (beyond 2018) to fund future upgrades for NexGen 9-1-1 and other technology upgrades. CI911 will be shielded from any new costs required for future technology upgrades. CI911 net Call Answer Levy (CAL) revenues are projected to be \$460,000 for 2014. Accepting this E-Comm 9-1-1 proposal will provide a surplus for this component of 9-1-1 operation, rather than planning for a deficit or rate increase if pursuing Options 1 or 2.

E-Comm 9-1-1 has demonstrated over the past 15 years that they are a reliable emergency call centre and can effectively provide the service that is required. They currently handle approximately 1 million calls per year, so the 56,000 calls from CI911 will have minimal impact on their operational volumes.

Backup and recovery concerns have been addressed in the E-Comm 9-1-1 proposal as well. A hot backup site, also in Vancouver, is available, plus second backup site on Vancouver Island will be available if CI 9-1-1 proceeds with the 5-year agreement.

CI911 will need to enter into a formal agreement with E-Comm that defines the service level, backup and expectations in the event of a major service disruption. CI911 needs to be confident that, in any major disaster or province-wide emergency event that service will continue at the same level as provided to other customers.

Besides contracting to E-Comm 9-1-1, it may also be possible to contract the call taking to North Island 911 Corporation. NI911 already provides backup services for the OCC. This option has not been evaluated, but discussion could be initiated, if so directed.

Labour Relations implications for this option centre on Article 32 of the CUPE Collective Agreement which restricts the City from contracting out if it will result in a staff layoff. Layoff could be avoided if alternate work is found for affected permanent employees at the same rate of pay/same number of hours. This alternative work could be through another organization (i.e. E-Comm); however, since the employees would not be required to accept employment with another employer, the City would need to have back-up position(s) for these employees to move into.

**Advantages:**

1. minor impact on current operations;
2. significantly lower operating costs (in the order of 50%);
3. provides high level of commitment to existing and NexGen services;
4. provides for initial handling of Abandoned Calls before forwarding to police; and
5. existing CAL rate of \$0.47 sufficient to pay for the service.

**Disadvantages:**

1. loss of jobs in Central Island area;
2. labour relations issues around contracting out;
3. loss of control over the provision of this service and service level;
4. loss of local geographic knowledge; and
5. does not align with strategic vision for a consolidated Island 9-1-1 Service.

**POMAX Consulting Inc Report**

POMAX Consulting Inc. was retained by six BC 9-1-1 service providers to review and develop a rationale for the 9-1-1 call taking function within the RCMP OCC of the participating jurisdictions. The objective of the study was to develop a formula to calculate 9-1-1 call taking staff resources for the jurisdictions at various service levels. The participants wanted to verify that the staffing levels provided to the RCMP OCC for the call taking function was at the correct level. Overall, the study shows that the CI PSAP is provided with the correct level of resources to this function.

**Summary of Findings:**

1. The study used an industry standards (NENA) requiring 90% of calls to be answered within 10 seconds, and 95% within 20 seconds. For staffing levels, the telecommunications industry "Erlang C" traffic formula was used.
2. Call data covering a complete year from each call centre was analyzed to provide an overall assessment, along with assessment for each jurisdiction.




3. The average time for a 9-1-1 call is 46 seconds for the call taker to handle. This includes 10 seconds for wrap-up time.
4. Central Island handles 56,000 calls per year; average answer time is 4.9 seconds. Central Island exceeds the NENA standards for call handling, with 95.5% answered within 10 seconds and 98.4% within 20 seconds. This compares favourably to the other jurisdictions.
5. Analysis for Central Island suggests that the minimum staffing level should be 5.0 FTE. Central Island currently provides 5.2 FTE to the RCMP for this function.
6. The analysis identifies that a total of 33.8 FTE are collectively currently allocated to the call taking function at the 5 participating RCMP OCCs that were studied. If these were combined into a single 9-1-1 call taking centre to service the participating jurisdictions, then the total staff requirements could be reduced almost 50% to 16.8 FTEs.


**Conclusion:**

This report and the above options are predicated on CI911 being proactive and making a decision before the imposed RCMP deadline of 2013-Dec-31. CI911 currently does not have a formal written agreement with the RCMP. The RCMP have advised that, if the CI911 Partnership does not respond by 2013-Dec-31, they will provide notice to CI911 to remove the call taking function from the Nanaimo OCC by 2014-Dec-31.

Respectfully submitted,

*For*   
\_\_\_\_\_  
C. Richardson  
Deputy Chief - Operations

Concurrence by:

  
\_\_\_\_\_  
T. Seward  
Acting General Manager,  
Community Safety & Development

**CITY MANAGER COMMENT:**

I concur with the staff recommendation.

CITY OF NANAIMO

CI911 Service - cost summary of options

Attachment "B"

	2012 Actual	2013 Budget	2014 Budget Estimate	RCMP Option 1 2014	FireComm Option 2 2014	E-Comm (Vancouver) Option 3 2014
<b>Call Answer Centre - Police (PSAP)</b>						
Call Centre levy from Telus, Shaw, Rogers	573,326	545,670	550,000	550,000	550,000	550,000
Cell Phone call answer levy	0	0	0	0	0	0
Other Revenue	33,907	12,317	0	0	0	0
Total Revenue	607,233	557,987	550,000	550,000	550,000	550,000
All expenses	503,884	632,064	633,280	745,000	799,280	280,000
Net revenue (net funded from taxes)	103,349	(74,077)	(83,280)	(195,000)	(249,280)	270,000
<b>Call Answer - Fire (NFR FireComm)</b>						
Revenue from CVRD & RDN *	551,576	553,103	571,060	571,060	571,060	571,060
All expenses	1,056,736	1,006,640	1,038,290	1,038,290	1,038,290	1,038,290
Net revenue (net funded from taxes)	(505,160)	(453,537)	(467,230)	(467,230)	(467,230)	(467,230)
Net revenue (cost) of both functions	(401,811)	(527,614)	(550,510)	(662,230)	(716,510)	(197,230)
Cost of Next generation 911 (estimated around \$500,000)				Most Expensive	Fire only	No cost

\* Revenue from RDN and CVRD is 55% of costs of net 911 costs. Since PSAP is assumed to be at least break-even, the recovery is calculated as 55% of the actual costs of NFR FireComm.

**CITY OF NANAIMO**

**CI911 Service - cost summary of options**

Attachment "B"

Option 1: effectively the status quo. Costs are higher in PSAP because the RCMP would hire one additional FTE and there is an estimated cost of \$25,000 for Green Timbers.

Option 2: Changes affecting costs are:

- 1) New Fire manager to manage call centre scheduling = \$120,000
- 2) No additional dispatch staff - may be able to reduce staff by \$88,000 in future
- 3) RCMP ME's would convert to IAFF at 10% higher cost = \$46,000

Option 3: All existing PSAP costs are replaced with a \$280,000 fee for Ecomm Vancouver (\$240,000 operating + \$40,000 capital).

**OTHER FINANCIAL FACTORS:**

Cell phone call answer levy is theoretically revenue neutral, although it would prevent a loss of revenue in future years due to reducing number of land lines.

There is room to increase the Call Answer Levy rate under Options 1 and 2 to reduce the deficit. The surplus created in Option 3 might trigger a discussion about decreasing the rate.

The City has a 911 Reserve with a balance of \$488,000. In Options 1 and 2, it may contribute to the one time costs for next generation 911, although this may mean that there may not be enough funds to replace other equipment as needed.

**ATTACHMENT "C"**  
**911 SERVICE DELIVERY MODELS**  
**911 Cost Allocations – Nanaimo 45%, CVRD 45%, RDN 10%**

REMAIN AT RCMP	RELOCATE TO FIRE DEPT. (FIRECOMM)	RELOCATE TO VANCOUVER (E-COMM)
<ol style="list-style-type: none"> <li>1. RCMP operating the central Vancouver Island PSAP.</li> <li>2. Only if the Partnership signs an MOU and begins paying an amount toward the RCMP's cost of managing the PSAP on our behalf.</li> <li>3. Agreement would be a 5-year commitment and would be outside of the current Municipal Police Unit Agreement.</li> <li>4. The 5.2 FTE municipal positions would continue to be City of Nanaimo employees within CUPE.</li> <li>5. Under this option, control of the PSAP function will be transferred to the RCMP and away from the CI911 Partnership.</li> <li>6. The MOU would extend for 5 years although can be terminated with one (1) year notice from either party.</li> <li>7. The 2014 budget for the PSAP service is \$633,000 (Nanaimo \$285,000).</li> <li>8. With the above-noted increases, this cost could rise to \$745,000, with no service improvements.</li> <li>9. Next generation service enhancements, such as 'Text to 9-1-1' will result in additional cost increases that are outside the control of the CI911 Partnership.</li> </ol>	<ol style="list-style-type: none"> <li>1. The CI911 FireComm facility has been planned so that the PSAP function could be accommodated within the same space.</li> <li>2. Under this scenario, 9-1-1 calls would be received by the Fire Dispatchers and then downstreamed to Police and Ambulance Secondary PSAPs.</li> <li>3. The existing municipal staff from the Nanaimo OCC would be relocated to FireComm.</li> <li>4. The labour relations issues around International Association of Firefighters (IAFF) and CUPE would have to be addressed (see below).</li> <li>5. The technical cost of relocating the call taking service will be similar to retaining it at the RCMP OCC.</li> <li>6. The cost of next generation (NexGen) 9-1-1 upgrades will be borne by CI911 and this is projected to be in the order of \$500,000 over the next several years.</li> <li>7. Consolidating PSAP and fire dispatch into a single service for all of Vancouver Island could bring significant operational savings.</li> <li>8. Island consolidation will not occur in the short term.</li> </ol>	<ol style="list-style-type: none"> <li>1. CI911 could contract the call taking to E-Comm 9-1-1 in Vancouver.</li> <li>2. Financially, this option provides a significantly lower cost.</li> <li>3. Functionally; there is less opportunity to control or develop procedures specific to the needs of the central Island region and local jobs would be eliminated.</li> <li>4. E-Comm 9-1-1 has provided a formal proposal to the CI911 Partnership to operate our PSAP within their call centre in Vancouver.</li> <li>5. The proposed solution provides a cost saving in excess of 50% compared to the above two options. E-Comm 9-1-1's cost to provide this service is \$280,000 per year.</li> <li>6. A five-year agreement is required. E-Comm 9-1-1 will meet the same call handling standards that are offered by the OCC.</li> <li>7. The E-Comm 9-1-1 proposal also addresses future upgrades for NexGen 9-1-1. CI911 would not be required to provide a large capital investment to implement the new technologies.</li> <li>8. E-Comm 9-1-1 has demonstrated over the past 15 years that they are a reliable emergency call centre.</li> <li>9. Besides contracting to E-Comm 9-1-1, it may also be possible to contract the call taking to North Island 911 Corporation.</li> <li>10. Labour Relations implications for this option centre on Article 32 of the CUPE Collective Agreement which restricts</li> </ol>

REMAIN AT RCMP	RELOCATE TO FIRE DEPT. (FIRECOMM)	RELOCATE TO VANCOUVER (E-COMM)
<p>Advantages:</p> <ol style="list-style-type: none"> <li>1. there is no impact on current operations;</li> <li>2. the RCMP have been a reliable contractor for the 9-1-1 PSAP service since inception;</li> <li>3. the PSAP function is fully integrated into the police complaint-taking and dispatch functions; and</li> <li>4. RCMP provides supervision and training for employees in the OCC.</li> </ol> <p>Disadvantages:</p> <ol style="list-style-type: none"> <li>1. the MOU commits CI911 to a 5-year agreement;</li> <li>2. potentially increases costs over \$100,000 per year;</li> <li>3. limited control over policies and service levels;</li> <li>4. cost of next generation 9-1-1 implementation will be an extra;</li> <li>5. OCC consolidations could result in jobs leaving Nanaimo; and</li> <li>6. handling of abandoned calls issue still requires resolution.</li> </ol>	<p>Advantages:</p> <ol style="list-style-type: none"> <li>1. retains the 5.2 FTE jobs in Nanaimo;</li> <li>2. opportunities to increase functional control and enhance level of service;</li> <li>3. technology and facilities are already in place; and</li> <li>4. allows for flexibility to handle current unknowns related to NexGen service requirements.</li> </ol> <p>Disadvantages:</p> <ol style="list-style-type: none"> <li>1. labour relations impact will require discussions with IAFF and CUPE and the LRB which may create productivity issues and stress relationships during those discussions;</li> <li>2. will require additional training for existing fire dispatchers and 9-1-1 Operators;</li> <li>3. costs are status quo with future increases undetermined;</li> <li>4. increased volume of calls and function (abandoned 9-1-1 calls need to be followed up before forwarding to police);</li> <li>5. additional CAD costs along with computers; and</li> <li>6. additional Management staff required.</li> </ol>	<p>the City from contracting out if it will result in a staff layoff.</p> <p>Advantages:</p> <ol style="list-style-type: none"> <li>1. minor impact on current operations;</li> <li>2. significantly lower operating costs (in the order of 50%);</li> <li>3. provides high level of commitment to existing and NexGen services;</li> <li>4. provides for initial handling of Abandoned Calls before forwarding to police; and</li> <li>5. existing CAL rate of \$0.47 sufficient to pay for the service.</li> </ol> <p>Disadvantages:</p> <ol style="list-style-type: none"> <li>1. loss of jobs in Central Island area;</li> <li>2. labour relations issues around contracting out;</li> <li>3. loss of control over the provision of this service and service level;</li> <li>4. loss of local geographic knowledge; and</li> <li>5. does not align with strategic vision for a consolidated Island 9-1-1 Service.</li> </ol>

**“In Camera”**  
**City of Nanaimo**  
**REPORT TO COUNCIL**

DATE OF MEETING: 2013-DEC-09

AUTHORED BY: BILL CORSAN, MANAGER OF REAL ESTATE

RE: NANAIMO YACHT CLUB WATERFRONT WALKWAY UPGRADE

---

STAFF RECOMMENDATION:

PURPOSE:

SUMMARY:

Background:

The NPA and the City have a policy which requires property owners along the Newcastle Channel and downtown Harbourfront to build or upgrade the existing walkway at the time of redevelopment or upon issuance of a new lease. The recently completed Palms development at 1250 Stewart Avenue constructed a waterfront trail with an average width of 6 meters. The Waterfront Hotel has started construction on a 7 meter wide waterfront trail at 1000 Stewart Avenue.

NYC is currently in lease renewal discussion with the NPA. The NPA has requested that NYC upgrade the walkway to the current standard as outlined in the City's Trail Implementation Plan (Attachment D).

Under the plan, the Harbourfront Walkway section requires a 6 to 8 metre wide right of way. Each property owner/lessee uses the trail standard as a starting point when designing each individual section of the trail.

The existing lease between NYC and the City requires the City to partner on any walkway expansion projects within the City lease area or on NYC's fee simple water lot.

**Walkway Proposal**

To obtain a neutral opinion on the cost and design options for the waterfront walkway, Golder Associates Ltd. was hired to prepare a concept plan and cost estimate.

In preparing the options, Staff asked Golder Associates to look at the option of building the entire walkway on land as well as various fill, lock block and piling options.

The current preferred option is shown in Attachment B and will be further refined during detailed design. The plan calls for the existing walkway to be extended east towards the water as either a pile-supported deck, or cast-in-place wall and backfill. Pile-supported deck is proposed where the pathway extends more than 4.5 m beyond the existing top of slope which would reduce costs associated with piling and cast-in place wall.

The design includes improved lighting, vegetation buffer, extension of the cycle path from the Queen Elizabeth II Promenade, an enhanced pedestrian walkway, handrails and improvements to the intersection at the NYC dock head.

The cost estimate was broken down to reflect the costs attributed to the City and to NYC under the lease agreement. The detailed cost breakdowns are contained in Attachment C. The cost to the City is estimated to be \$670,000. The total cost to the NYC is \$579,000. This is the preferred approach as it splits the costs almost evenly between the City and NYC and delivers a more refined product.

Golder also examined a land only option which had a total cost of \$642,000. The City's share of the cost was \$532,436, a difference of \$137,564 under the preferred option. This option would result in the loss of 46 parking spaces to the NYC and was deemed unacceptable by NYC. Under this option, the majority of the costs are borne by the City.

NYC and Staff from the City have asked Golder to explore options of reducing the total project costs outlined in the preferred option.

The costs presented include improvements to the interface between the NYC/Townsite Marina (20 Townsite Road) lease areas at the north where a large planter restricts movements. The southern boundary of the study area would benefit from an improved connection to the Queen Elizabeth II Promenade. The cost analysis does not include additional works that will be necessary to ensure a functional pedestrian/cycling connection is achieved.

### **Funding**

Each year, the NPA provides the City with an annual community contribution payment of \$400,000 which is intended to fund upgrades to public waterfront projects. This money is generally rolled over from year to year and then put towards a major waterfront enhancement project such as the upgrades to Maffeo Sutton Park. Another funding source could be the \$97,197 in annual rent received from NYC which is currently directed to general revenue.

Council could earmark the project for a share of this funding and establish its priority in the 5 year capital plan.

### **Implementation**

NYC requires approval from its membership prior to proceeding with this project. NYC will need to identify a funding source and work with the City and NPA to determine a reasonable date to commence construction (i.e. within a 5-year timeframe).

NYC has indicated that it would like the City to be responsible for the final design, tendering and construction of the walkway.

### **Next Steps**

Staff will continue to work with NYC and NPA to refine the concept plan with the goal of achieving a lower overall project cost. A draft LOI between the three parties will be prepared and returned to an upcoming "In Camera" meeting for Council's consideration. Following approval of the draft LOI, a report will be brought to an open Council meeting for approval.

### **Strategic Plan Considerations**

The proposed enhancement to the waterfront walkway at the NYC meets three of the key priorities identified in the 2012-2015 Strategic Plan, including;

<b>Strategy</b>	<b>Potential Strategies and/or Initiatives</b>
Waterfront Enhancement	<ul style="list-style-type: none"><li>• A working waterfront that supports business, marine industries, transportation connectivity, entertainment and tourism.</li><li>• Enhanced public access and use.</li></ul>
Transportation and Mobility	<ul style="list-style-type: none"><li>• Increased shift and viability of active transportation options (pedestrian, cycling, disability travel) through improved infrastructure.</li></ul>
Taking Responsibility	<ul style="list-style-type: none"><li>• Continuing to facilitate change and overall development consistent with vision and plans; taking action steps to be a catalyst or investment in the City's future.</li></ul>



Respectfully submitted,



Bill Corsan  
Manager  
Real Estate

Concurrence by:



Dale Lindsay  
Director  
Community Development

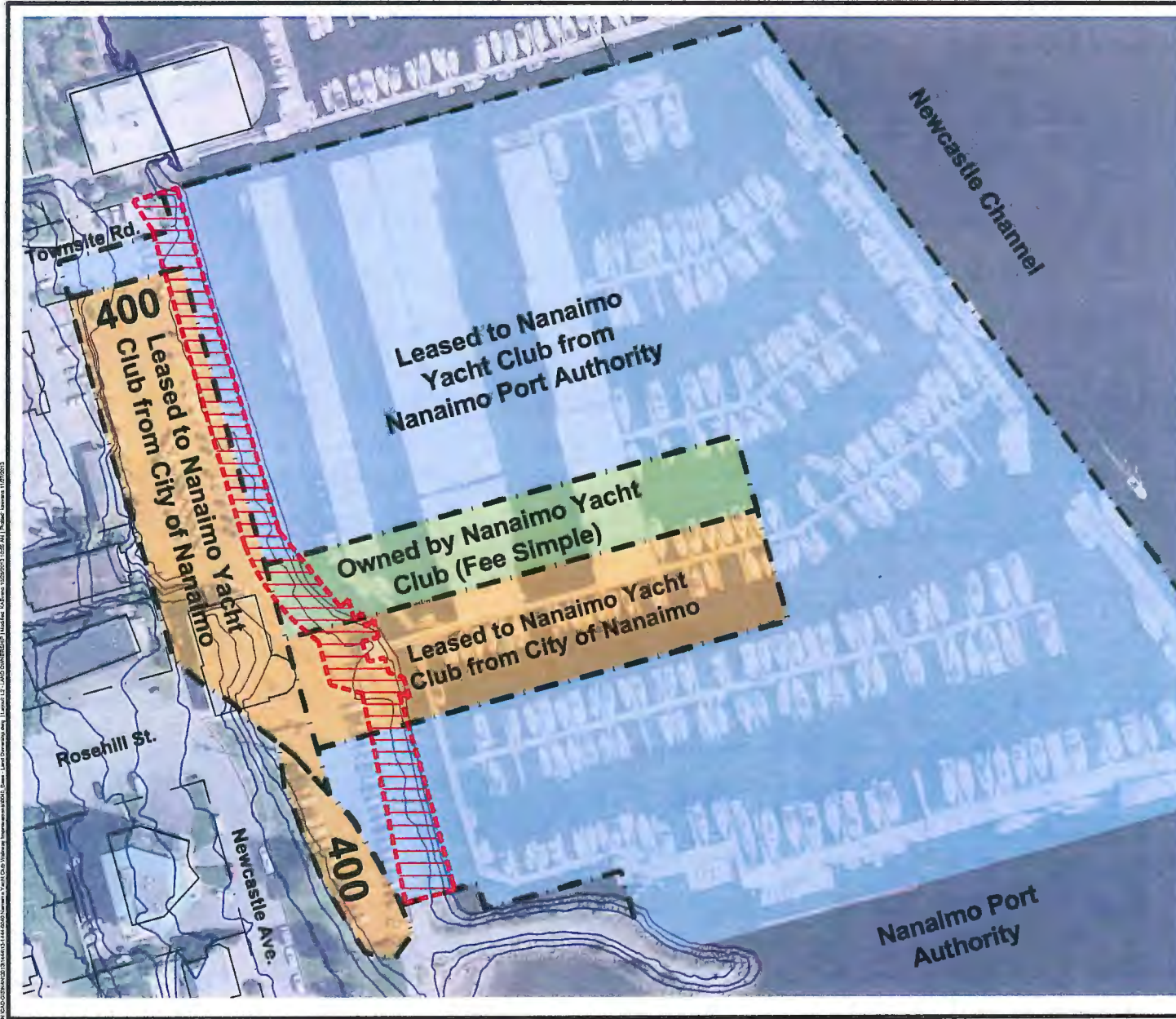


Ian Howat  
General Manager  
Corporate Services

CITY MANAGER COMMENT:


I concur with the Staff recommendation.

Drafted: 2013-NOV-27  
LD000323  
BC/tl



**LEGEND**

--- PROPERTY LINE

 PROPOSED PROJECT BOUNDARY

DRAFT

**REFERENCES**

ALL BASE LINEWORK PREPARED BY WILLIAMSON & ASSOCIATES SEPTEMBER 11, 2012.  
FILE 11096-1, BASE PLAN 07011 G.

**NOTES**

WATER AREA IMPROVEMENTS (DOCKS AND BOATHOUSE LOCATIONS) COMPILED FROM:  
 - AERIAL IMAGE FIELD PROOFED MAY 17, 2011;  
 - DOCK RECONFIGURATION PLANS SUPPLIED BY THE NANAIMO YACHT CLUB MAY 29, 2012 FIELD PROOFED SEPTEMBER 11, 2012 AND;  
 - JUNE 9, 2012 FIELD SURVEY OF PILES ADJACENT TO SOUTHERLY LEASE LIMIT.

FILL AREA IMPROVEMENTS (PUBLIC WALKWAY AND TOP OF FELL LOCATIONS) DERIVED FROM FIELD SURVEY OF APRIL 10, 2007 FIELD PROOFED MAY 31, 2011 AND FIELD SURVEY OF MAY 27, 2011.




27/11/12	REVISED FOR STAFF REPORT TO COUNCIL	KSE	SC	KSE	DR
24/10/13	SUBMISSION WITH MEMO	SC	SC	KSE	DR
REV	DATE	DES	CADD	CHK	INVT

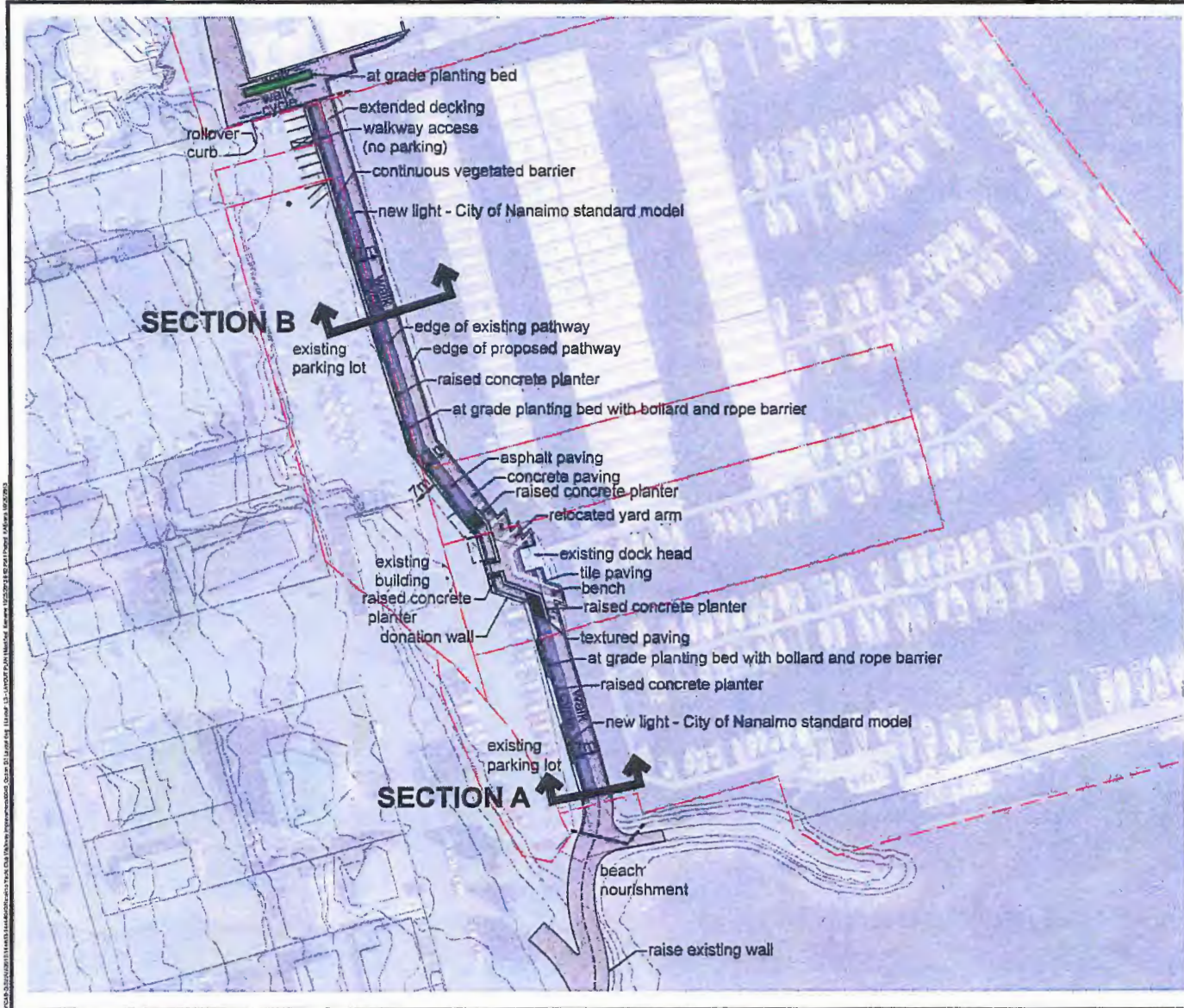
**PROJECT**

**NANAIMO YACHT CLUB  
WATERFRONT WALKWAY IMPROVEMENTS**

**TITLE**

**LOT OWNERSHIP AND CURRENT LEASE  
AGREEMENTS**

	PROJECT No.	13-1444-0045	FILE No: 0940_Base - Land Ownership	
	DESIGN	SC	24-10-13	
	CADD	SC	24-10-13	
	CHECK	DR	24-10-13	
	REVIEW	DR	24-10-13	
			SCALE	1:1000
			DRAWING	L2



**LEGEND**

- PROPERTY LINE
- EDGE OF EXISTING PATH
- PROJECT / ESTIMATE LIMIT
- CENTRE LINE
- BENCH
- ◆ YARD ARM
- EXISTING LIGHT
- RAISED CONCRETE PLANTER
- CONCRETE PAVING
- ASPHALT PAVING
- TILE PAVING
- TEXTURED PAVING

DRAFT

ATTACHMENT B1

**REFERENCES**  
 ALL BASE LINESWORK AND BASE AERIAL PHOTO FROM RDM, JULY 19, 2013.

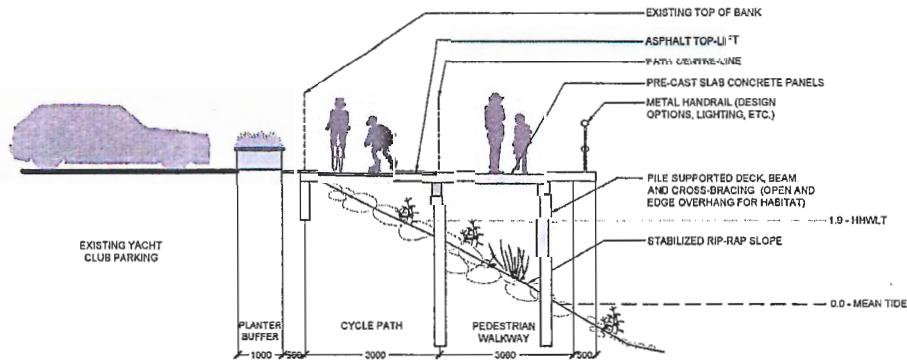
**SCALE BAR**  
 0 5 10 20m

△	12/04/10	PREFERRED CONCEPT ONLY SUBMISSION	SC	SC	KE	SK
△	08/09/12	CONCEPT REFINEMENTS	AC	SC	KE	SK
△	09/09/13	PRELIMINARY CONCEPT	AC	SC	BA	SK
REV	DATE	REVISION DESCRIPTION	DES	CADD	CWL	HWY

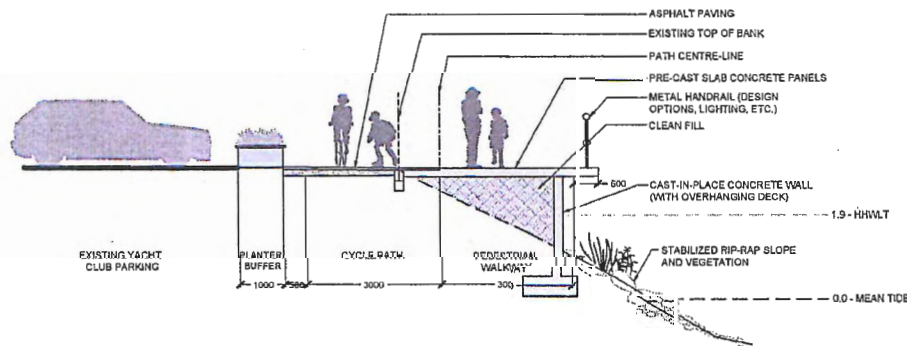
**PROJECT**  
 NANAIMO YACHT CLUB  
 WATERFRONT WALKWAY IMPROVEMENTS

**TITLE**  
 PREFERRED CONCEPT  
 LAYOUT PLAN

	PROJECT No.	13-1444-0040	P.R. E. No.	DD40_C0804 D3 LEV01	
	DESIGN	SC	21-01-10	SCALE	1:500
	CADD	SC	23-07-13	DRAWING	
	CHECK	DR	24-06-13		
	REVIEW	DR	24-06-13		<b>L3</b>



**CONCEPT SECTION A:**  
(Pile Supported with 6.5m Suspended Deck Beyond Existing Top of Bank)



**CONCEPT SECTION B:**  
(Cast-in-Place Concrete Wall with 4.5m Deck Beyond Existing Top of Bank)

NOTE:  
THE CONCEPT DESIGN IDENTIFIED FOR SECTION B IS FOR CAST-IN-PLACE WALL/PRE-CAST CONCRETE SLAB PANELS. A REVIEW IS WARRANTED AT DETAILED DESIGN OF ALTERNATE DESIGNS FOR SECTION B INCLUDING THE BENEFIT: COST OF LOCK BLOCK/PRE-CAST PANEL; OR CAST-IN-PLACE WALL & CANTILEVER/CAST-IN-PLACE WALKWAY OPTIONS.

**DRAFT**

ATTACHMENT B2

REFERENCES  
ALL BASE LINEWORK AND BASE AERIAL PHOTO FROM RDN, JULY 19, 2013.

131905	PRELIM	CD CONCEPT DRAFT SUBMITTAL	SC	SC	HC	DR
130613		CONCEPT NOTIFICATIONS	SD	SC	HC	DR
122613		PRELIMINARY CONCEPT	SC	SC	DR	DR
REV	DATE	REVISION DESCRIPTION	DES	CADD	CHK	REV

PROJECT  
**NANAIMO YACHT CLUB WATERFRONT WALKWAY IMPROVEMENTS**

TITLE  
**PREFERRED CONCEPT WALKWAY SECTIONS**

	PROJECT No.	13-1144-0040	FILE No.	0040_Option D3 Layout	
	DESIGN	SC	23-07-13	SCALE	1:100
	CADD	SC	23-07-13	DRAWING	
	CHECK	DR	24-08-13		
	REVIEW	DR	24-08-13		

L5

## ATTACHMENT C

**OVERALL CLASS 'D' ORDER OF MAGNITUDE COST ESTIMATE**  
**NANAIMO YACHT CLUB WATERFRONT WALKWAY**  
**CITY OF NANAIMO**

**DATE: October 25, 2013**  
**Golder Associates Ltd.**

ITEM	UNIT	QUANTITY	UNIT-COST	TOTALS
<b>1.0 MOBILIZATION AND SITE PREPARATION</b>				
Mobilization and Demobilization	LS	1	\$6,500.00	\$6,500.00
Remove Existing asphalt (all thicknesses), off-site disposal	sq.m.	1282	\$3.50	\$4,487.00
Remove Existing Pathway concrete curb, off-site disposal	l.m.	200	\$10.00	\$2,000.00
Remove Existing Catchbasin/Lawnbasin	Each	5	\$250.00	\$1,250.00
Remove Existing Light Standard, off-site disposal	Each	5	\$1,000.00	\$5,000.00
Relocate Existing Yard Arm	Each	1	\$750.00	\$750.00
Subgrade preparation	sq.m.	1720	\$3.00	\$5,160.00
<b>Subtotal, MOBILIZATION AND SITE PREPARATION</b>				<b>\$ 25,147</b>
<b>2.0 WALKWAY STRUCTURE</b>				
Typical Section A: Pile Supported (6.5m wide pre-cast deck)	l.m.	118	\$3,850.00	\$454,300.00
Typical Section B: Retaining Wall Supported (4.5m wide pre-cast deck)	l.m.	88	\$2,600.00	\$223,600.00
Typical Section C: Lock Block Wall Supported (4.5m wide pre-cast deck) - alternate	l.m.	-	\$2,100.00	-
<b>Subtotal, WALKWAY STRUCTURE</b>				<b>\$ 677,900</b>
<b>3.0 HARD LANDSCAPE &amp; DESIGN FEATURES</b>				
Textured Paving - traffic calming (supply and install)	sq.m.	40	\$110.00	\$4,400.00
Accent Paving Bands at Dockhead (supply and install)	l.m.	65	\$75.00	\$4,875.00
Concrete Curb Edge (supply and install, incl. base and reinforcement)	l.m.	165	\$80.00	\$13,200.00
Donor/Feature Wall - 200mm width (supply and install, incl. base and reinforcement)	l.m.	8	\$250.00	\$2,000.00
Raised Concrete Planter - 150mm width (supply and install, incl. base and reinforcement)	l.m.	335	\$150.00	\$50,250.00
Bench (supply and install)	each	4	\$1,200.00	\$4,800.00
Bollard (supply and install)	each	38	\$500.00	\$19,000.00
Waste Receptacle (supply and install)	each	1	\$1,200.00	\$1,200.00
Bike Racks (supply and install)	each	1	\$400.00	\$400.00
Walkway Traffic Signage c/w base	Each	2	\$500.00	\$1,000.00
<b>Subtotal, HARD LANDSCAPE &amp; DESIGN FEATURES</b>				<b>\$ 101,125</b>
<b>4.0 SOFT LANDSCAPE</b>				
Growing Medium - raised planters, 600mm Depth (supply and install)	cu.m.	81	\$75.00	\$6,052.50
Growing Medium - planters, 450mm Depth (supply and install)	cu.m.	35	\$75.00	\$2,617.50
Mulch for Planted areas - 75mm Depth after settlement (supply and install)	sq.m.	212	\$15.00	\$3,180.00
Shrub & Groundcover Planting - Planters (incl. installation & compost)	sq.m.	135	\$65.00	\$8,775.00
Shrub & Groundcover Planting - Native species (incl. installation & compost)	sq.m.	77	\$45.00	\$3,465.00
<b>Subtotal, SOFT LANDSCAPE</b>				<b>\$ 24,090</b>
<b>5.0 IRRIGATION</b>				
Supply & install water supply, water meter, appurtenances	each	1	\$4,000.00	\$4,000.00
Supply & install shut off valves, winterization inlets, double check backflow preventer, flow sensor,	each	1	\$2,000.00	\$2,000.00
Supply & install Irrigation sleeves (100mm diameter PVC SDR35)	l.m.	50	\$12.00	\$600.00
Supply & install quick couplers	each	3	\$110.00	\$330.00
Supply & install distribution piping, heads, related fittings and appurtenances, all sizes	sq.m.	212	\$12.50	\$2,650.00
<b>Subtotal, IRRIGATION</b>				<b>\$ 9,580</b>
<b>6.0 ELECTRICAL WORKS</b>				
Pedestrian Scale Lighting - 14' light pole c/w pedestrian LED fixture (supply and install)	each	5	\$4,750.00	\$23,750.00
Spot Flood Light - for Yard Arm/Dock Head Feature Area (supply and install)	each	4	\$1,200.00	\$4,800.00
<b>Subtotal, ELECTRICAL WORKS</b>				<b>\$ 28,550</b>
<b>7.0 ENVIRONMENTAL ALLOWANCES</b>				
Environmental Reporting and DFO Approvals Process	Allowance	1	\$15,000.00	\$15,000.00
Habitat Compensation Recommendations	Allowance	1	\$10,000.00	\$10,000.00
<b>Subtotal, ENVIRONMENTAL ALLOWANCES</b>				<b>\$ 25,000</b>
<b>Opinion of Probable Cost (not incl. applicable taxes)</b>				<b>\$ 891,392</b>
<b>Detailed Design &amp; Contract Administration (10%)</b>				<b>\$ 89,139</b>
<b>Class 'D' 30% Contingency</b>				<b>\$ 267,418</b>
<b>Opinion of Probable Cost (incl. Design &amp; Contingency)</b>				<b>\$ 1,247,949</b>

Notes: Prepared by Golder Associates Ltd.

This cost estimate is based on historical cost data. Actual costs can vary widely depending on industry labour and material availability.

**APPENDIX C**

**SHARING BREAKDOWN CLASS 'D' ORDER OF MAGNITUDE COST ESTIMATE**  
 NANAIMO YACHT CLUB WATERFRONT WALKWAY  
 CITY OF NANAIMO

**DATE: October 25, 2013**  
 Golder Associates Ltd.

<b>1.0 SHARED COSTS</b>				
ITEM	UNIT	QUANTITY	UNIT-COST	TOTALS
<b>1.1 MOBILIZATION AND SITE PREPARATION</b>				
Mobilization and Demobilization	LS	1	\$8,500.00	\$8,500.00
Remove Existing asphalt (all thicknesses), off-site disposal	sq.m.	1282	\$3.50	\$4,487.00
Remove Existing Pathway concrete curb, off-site disposal	l.m.	200	\$10.00	\$2,000.00
Remove Existing Catchbasin/Lawnbasin	Each	5	\$250.00	\$1,250.00
Remove Existing Light Standard, off-site disposal	Each	5	\$1,000.00	\$5,000.00
Relocate Existing Yard Arm	Each	1	\$750.00	\$750.00
Subgrade preparation	sq.m.	1720	\$3.00	\$5,160.00
<b>Subtotal, MOBILIZATION AND SITE PREPARATION</b>			<b>\$</b>	<b>25,147</b>
<b>1.2 WALKWAY STRUCTURE</b>				
Typical Section A: Pile Supported (6.5m wide pre-cast deck)	l.m.	17	\$3,850.00	\$65,450.00
Typical Section B: Retaining Wall Supported (4.5m wide pre-cast deck)	l.m.	86	\$2,600.00	\$223,600.00
Typical Section C: Lock Block Wall Supported (4.5m wide pre-cast deck) - alternate	l.m.	-	\$2,100.00	-
<b>Subtotal, MOBILIZATION AND SITE PREPARATION</b>			<b>\$</b>	<b>289,050</b>
<b>1.3 HARD LANDSCAPE &amp; DESIGN FEATURES</b>				
Concrete Curb Edge (supply and install, incl. base and reinforcement)	l.m.	87	\$80.00	\$6,960.00
Raised Concrete Planter - 150mm width (supply and install, incl. base and reinforcement)	l.m.	131	\$150.00	\$19,650.00
Boiard (supply and install)	each	14	\$500.00	\$7,000.00
<b>Subtotal, MOBILIZATION AND SITE PREPARATION</b>			<b>\$</b>	<b>33,610</b>
<b>1.4 SOFT LANDSCAPE</b>				
Growing Medium - raised planters, 600mm Depth (supply and install)	cu.m.	24	\$75.00	\$1,800.00
Growing Medium - planters, 450mm Depth (supply and install)	cu.m.	18	\$75.00	\$1,350.00
Mulch for Planted areas - 75mm Depth after settlement (supply and install)	sq.m.	80	\$15.00	\$1,200.00
Shrub & Groundcover Planting - Planters (incl. installation & compost)	sq.m.	40	\$65.00	\$2,600.00
Shrub & Groundcover Planting - Native species (incl. installation & compost)	sq.m.	40	\$45.00	\$1,800.00
<b>Subtotal, MOBILIZATION AND SITE PREPARATION</b>			<b>\$</b>	<b>8,750</b>
<b>1.5 IRRIGATION</b>				
Supply & install water supply, water meter, appurtenances	each	1	\$4,000.00	\$4,000.00
Supply & install shut off valves, winterization inlets, double check backflow preventer, flow sensor,	each	1	\$2,000.00	\$2,000.00
Supply & install Irrigation sleeves (100mm diameter PVC SDR35)	l.m.	50	\$12.00	\$600.00
Supply & install quick couplers	each	3	\$110.00	\$330.00
Supply & install distribution piping, heads, related fittings and appurtenances, all sizes	sq.m.	212	\$12.50	\$2,650.00
<b>Subtotal, MOBILIZATION AND SITE PREPARATION</b>			<b>\$</b>	<b>9,580</b>
<b>1.6 ELECTRICAL WORKS</b>				
Pedestrian Scale Lighting - 14' light pole w/ pedestrian LED fixture (supply and install)	each	3	\$4,750.00	\$14,250.00
<b>Subtotal, ELECTRICAL WORKS</b>			<b>\$</b>	<b>14,250</b>
<b>1.7 ENVIRONMENTAL ALLOWANCES</b>				
Environmental Reporting and DFO Approvals Process	Allowance	1	\$15,000.00	\$15,000.00
Habitat Compensation Recommendations	Allowance	1	\$10,000.00	\$10,000.00
<b>Subtotal, ENVIRONMENTAL ALLOWANCES</b>			<b>\$</b>	<b>25,000</b>
<b>SUBTOTAL SHARED COSTS</b>			<b>\$</b>	<b>405,387</b>
Detailed Design & Contract Administration (10%)			\$	40,539
Class 'D' 30% Contingency			\$	121,616
<b>TOTAL SHARED COSTS (incl. design &amp; contingency)</b>			<b>\$</b>	<b>567,542</b>
<b>CITY PORTION OF SHARED COSTS (50%)</b>			<b>\$</b>	<b>283,771</b>
<b>NANAIMO YACHT CLUB PORTION OF SHARED COSTS (50%)</b>			<b>\$</b>	<b>283,771</b>

2.0 CITY COSTS				
ITEM	UNIT	QUANTITY	UNIT-COST	TOTALS
<b>2.1 WALKWAY STRUCTURE</b>				
Typical Section A: Pile Supported (6.5m wide pre-cast deck)	Lm.	55	\$3,850.00	\$211,750.00
Typical Section B: Retaining Wall Supported (4.5m wide pre-cast deck)	Lm.	-	\$2,600.00	-
Typical Section C: Lock Block Wall Supported (4.5m wide pre-cast deck) - alternate	Lm.	-	\$2,100.00	-
Subtotal, WALKWAY STRUCTURE			\$	211,750
<b>2.2 HARD LANDSCAPE &amp; DESIGN FEATURES</b>				
Textured Paving - traffic calming (supply and install)	sq.m.	40	\$110.00	\$4,400.00
Accent Paving Bands at Dockhead (supply and install)	Lm.	65	\$75.00	\$4,875.00
Concrete Curb Edge (supply and install, incl. base and reinforcement)	Lm.	30	\$80.00	\$2,400.00
Donor/Feature Wall - 200mm width (supply and install, incl. base and reinforcement)	Lm.	8	\$250.00	\$2,000.00
Raised Concrete Planter - 150mm width (supply and install, incl. base and reinforcement)	Lm.	155	\$150.00	\$23,250.00
Bench (supply and install)	each	4	\$1,200.00	\$4,800.00
Bollard (supply and install)	each	16	\$500.00	\$8,000.00
Waste Receptacle (supply and install)	each	1	\$1,200.00	\$1,200.00
Bike Racks (supply and install)	each	1	\$400.00	\$400.00
Walkway Traffic Signage c/w base	Each	2	\$500.00	\$1,000.00
Subtotal, HARD LANDSCAPE & DESIGN FEATURES			\$	52,325
<b>2.3 SOFT LANDSCAPE</b>				
Growing Medium - raised planters, 600mm Depth (supply and install)	cu.m.	44	\$75.00	\$3,300.00
Growing Medium - planters, 450mm Depth (supply and install)	cu.m.	7	\$75.00	\$525.00
Mulch for Planted areas - 75mm Depth after settlement (supply and install)	sq.m.	88	\$15.00	\$1,320.00
Shrub & Groundcover Planting - Planters (incl. installation & compost)	sq.m.	73	\$65.00	\$4,745.00
Shrub & Groundcover Planting - Native species (incl. installation & compost)	sq.m.	15	\$45.00	\$675.00
Subtotal, SOFT LANDSCAPE			\$	10,528
SUBTOTAL CITY COSTS			\$	274,603
Detailed Design & Contract Administration (10%)			\$	27,460
Class 'D' 30% Contingency			\$	82,381
SUBTOTAL CITY COSTS (incl. design & contingency)			\$	384,444

3.0 NANAIMO YACHT CLUB COSTS				
ITEM	UNIT	QUANTITY	UNIT-COST	TOTALS
<b>3.1 WALKWAY STRUCTURE</b>				
Typical Section A: Pile Supported (6.5m wide pre-cast deck)	Lm.	46	\$3,850.00	\$177,100.00
Typical Section B: Retaining Wall Supported (4.5m wide pre-cast deck)	Lm.	-	\$2,600.00	-
Typical Section C: Lock Block Wall Supported (4.5m wide pre-cast deck) - alternate	Lm.	-	\$2,100.00	-
Subtotal, WALKWAY STRUCTURE			\$	177,100
<b>3.2 HARD LANDSCAPE &amp; DESIGN FEATURES</b>				
Concrete Curb Edge (supply and install, incl. base and reinforcement)	Lm.	48	\$80.00	\$3,840.00
Raised Concrete Planter - 150mm width (supply and install, incl. base and reinforcement)	Lm.	49	\$150.00	\$7,350.00
Bollard (supply and install)	each	8	\$500.00	\$4,000.00
Subtotal, HARD LANDSCAPE & DESIGN FEATURES			\$	15,190
<b>3.3 SOFT LANDSCAPE</b>				
Growing Medium - raised planters, 600mm Depth (supply and install)	cu.m.	13	\$75.00	\$990.00
Growing Medium - planters, 450mm Depth (supply and install)	cu.m.	10	\$75.00	\$742.50
Mulch for Planted areas - 75mm Depth after settlement (supply and install)	sq.m.	44	\$15.00	\$660.00
Shrub & Groundcover Planting - Planters (incl. installation & compost)	sq.m.	22	\$65.00	\$1,430.00
Shrub & Groundcover Planting - Native species (incl. installation & compost)	sq.m.	22	\$45.00	\$990.00
Subtotal, SOFT LANDSCAPE			\$	4,813
<b>3.4 ELECTRICAL WORKS</b>				
Pedestrian Scale Lighting - 14' light pole c/w pedestrian LED fixture (supply and install)	each	2	\$4,750.00	\$9,500.00
Spot Flood Light - for Yard Arm/Dock Head Feature Area (supply and install)	each	4	\$1,200.00	\$4,800.00
Subtotal, ELECTRICAL WORKS			\$	14,300
SUBTOTAL NANAIMO YACHT CLUB COSTS			\$	211,403
Detailed Design & Contract Administration (10%)			\$	21,140
Class 'D' 30% Contingency			\$	63,421
SUBTOTAL NANAIMO YACHT CLUB COSTS (incl. design & contingency)			\$	295,964

<b>2.0 CITY SUMMARY OF COSTS</b>		
	2.1 WALKWAY STRUCTURE	\$211,750
	2.2 HARD LANDSCAPE & DESIGN FEATURES	\$52,325
	2.3 SOFT LANDSCAPE	\$10,528
	Detailed Design & Contract Administration (10%)	\$27,460
	Class 'D' 30% Contingency	\$82,381
	CITY PORTION OF 1.0 SHARED COSTS (50%)	\$283,771
	<b>TOTAL CITY COSTS</b>	<b>\$668,215</b>
<b>3.0 NANAIMO YACHT CLUB SUMMARY OF COSTS</b>		
	3.1 WALKWAY STRUCTURE	\$177,100
	3.2 HARD LANDSCAPE & DESIGN FEATURES	\$15,190
	3.3 SOFT LANDSCAPE	\$4,813
	3.4 ELECTRICAL WORKS	\$14,300
	Detailed Design & Contract Administration (10%)	\$21,140
	Class 'D' 30% Contingency	\$63,421
	NANAIMO YACHT CLUB PORTION OF 1.0 SHARED COSTS (50%)	\$283,771
	<b>TOTAL NANAIMO YACHT CLUB COSTS</b>	<b>\$579,734</b>
<b>TOTAL OPINION OF PROBABLE COST (not incl. applicable taxes)</b>		<b>\$ 1,247,949</b>

Notes: Prepared by Golder Associates Ltd.

This cost estimate is based on historical cost data. Actual costs can vary widely depending on industry labour and material availability.



# Harbourfront Walkway:

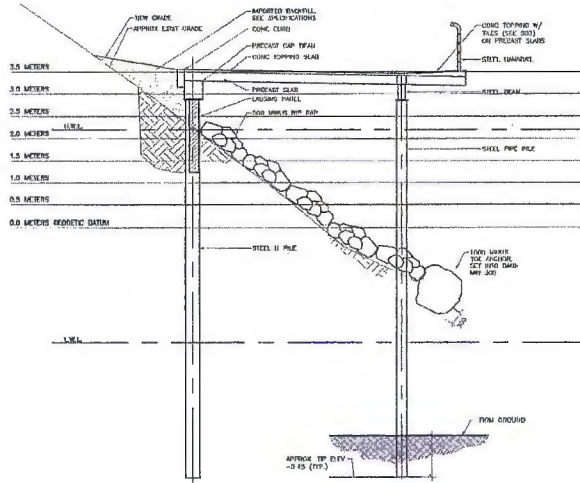
Level of use	Type of Use/ Accessibility	Surface	Width	Vegetation Clearance	Slope	Horizontal Curves	Barriers	Drainage	Residential Buffer	Level of Maintenance	Location	Comments/Variations	Example
Very high	<ul style="list-style-type: none"> <li>Walking</li> <li>Multi-use</li> <li>Jogging</li> <li>Cycling (in some locations)</li> <li>Stroller</li> <li>Roller-blading (in some locations)</li> <li>Wheelchair</li> <li>Universal accessibility</li> <li>Harbor-viewing</li> <li>Access to ferries and sea planes</li> </ul>	Concrete with decorative tiles	6-8m (on average)	<ul style="list-style-type: none"> <li>1.5m horizontal clearance minimum on either side</li> <li>3m vertical clearance</li> <li>Sightlines to water and through park also need to be considered (CPTED)</li> </ul>	<ul style="list-style-type: none"> <li>Maximum 3% grade sustained</li> <li>5% for 30m or less</li> <li>2% cross slopes</li> </ul>	<ul style="list-style-type: none"> <li>Minimize curves and ensure adequate sightlines on corners (see formulas in Bicycle Facility Design Guidelines (2.3-2.4))</li> </ul>	<ul style="list-style-type: none"> <li>Primarily, bollards and posts and sleeves in odd numbers</li> <li>Some no posts &amp; strategically placed planters in key vehicle accessible locations</li> </ul>	<ul style="list-style-type: none"> <li>Elevated walkway has inlets and/or catch basins in key locations</li> <li>Land based walkway has some culverts</li> </ul>	Varies Cameron Island has a 4m buffer	Moderate-High	<ul style="list-style-type: none"> <li>Links City level parks</li> <li>Special event access and observation</li> <li>The waterfront is attraction in itself</li> </ul>	<ul style="list-style-type: none"> <li>Well furnished with benches and garbage cans</li> <li>Well lit</li> <li>Public art in key locations</li> <li>Some ornamental plantings</li> <li>Materials vary. All sections are hard surfaced. Some areas are concrete aggregate with decorative tiles and steel railings. Other sections are asphalt with riprap or wood decking.</li> <li>Construction within ESA's must follow environmental standards</li> <li>In areas where walkway uses conflict, extra width may help to accommodate users</li> </ul>	Queen Elizabeth Promenade, McGregor Park and all other downtown harbourfront walkways



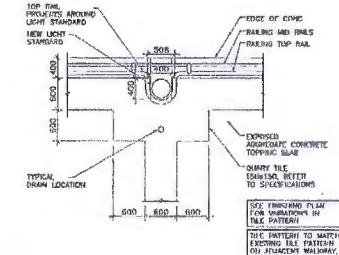
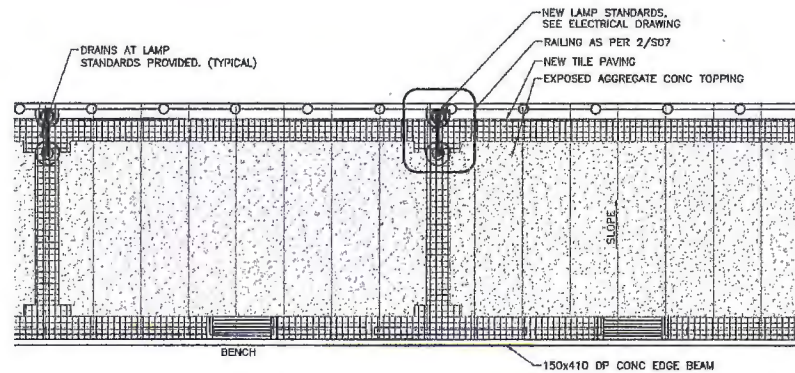
View along the commercial section of the Harbourfront Walkway.

ATTACHMENT D

## Trail Concept:



## Construction Details: Typical Elevated Walkway



# IN CAMERA

City of Nanaimo

## REPORT TO COUNCIL

DATE OF MEETING: 2013-DEC-09

AUTHORED BY: DIANA JOHNSTONE, CHAIR  
PARKS, RECREATION AND CULTURE COMMISSION

RE: CULTURAL AWARD RECIPIENTS 2013

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### RECOMMENDATION:

That Council:

1. Approve the following two additional Cultural Awards:
  - Lifetime Achievement Award, and that, it be awarded in 2013 to Kenneth Gogo;
  - Emerging Cultural Leader Award, and that, it be awarded to Shayd Johnson, and;
2. Approve the 2013 Cultural Award Recipients as follows:
  - 2013 Excellence in Culture Award to Pat Coleman;
  - 2013 Honour in Culture Award to Ian Niamath.

### PURPOSE:

To obtain Commission and Council approval of the 2013 Cultural Award Recipients.

### SUMMARY:

At their meeting held 2013-OCT-02, the Cultural Awards Project Committee recommended the creation of two new awards, the Lifetime Achievement Award and the Emerging Cultural Leader Award. The Lifetime Achievement Award for posthumous recipients be instituted and that the inaugural award be given to Kenneth Gogo.

The Cultural Awards Project Committee reviewed five nominations for the Excellence in Culture Award, eight nominations for the Honour in Culture Award and two nominations for the Emerging Cultural Leader Award at their meeting held 2013-NOV-20.

Council  
 Committee *of the whole*  
 Open Meeting  
 In-Camera Meeting  
Meeting Date: *2013-DEC-09*

## BACKGROUND:

Excellence in Culture Award: Each year, the Excellence in Culture award is presented to an organization or individual that has achieved regional and/or national recognition in the field of arts and culture. The recipient of this award would be well recognized as a "Nanaimo Artist," having demonstrated excellence in their field, and as being a significant inspiration to others.

It is recommended that the Excellence in Culture Award be awarded to Pat Coleman who is one of Canada's greatest jazz musicians and music educators. He is a world class performer, producer and writer who has brought some of the finest musicians from places such as New York and Toronto to perform and deliver clinics to local musicians and students.

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

It is recommended that the Honour In Culture Award be awarded to Ian Niamath for his many years of volunteer service and support for the arts and cultural sector including the Nanaimo Art Gallery, the Nanaimo Dragon Boat Festival and for his design and architectural work on many of Nanaimo's building projects, most notably Nanaimo's waterfront and the Harbourfront walkway.

Emerging Cultural Leader Award: The Emerging Cultural Leader Award is presented to an individual that is recognized as an up-and-coming, Nanaimo-based cultural leader that is under 25 years of age and has contributed significantly to the cultural life of Nanaimo and/or recognized for their excellence in an arts, culture or creative field.

It is recommended that the Emerging Cultural Leader Award be awarded to Shayd Johnson for his continuing efforts and relentless devotion to the creative industry and the cultural community. He spearheaded and co-founded the Green Light Project to create awareness for low barrier housing issues. He is a strong community advocate for technology and art initiatives in Nanaimo, providing employment opportunities for graduates of the VIU Design Program and leading the design concept for Nanaimo's first co-working space.

Lifetime Achievement Award: The Lifetime Achievement Award will be awarded as determined by the Cultural Committee, after reviewing nominations each year, to a posthumous recipient. This award may not be awarded every year.

It is recommended that the Lifetime Achievement Award be awarded to Kenneth Gogo for his many years of notable contributions to the musical and acting scene in Nanaimo. He was a native born son of Nanaimo and an active member of many local drama groups (Harewood Community Players, St. Peter's Players, Yellow Point Drama Group, Pacific Players, Nanaimo Theatre Group, Shakespeare Plus and the Nanaimo Film Commission). Ken's performances have been thoroughly enjoyed by audiences and he has been an inspiration for many of the next generation of performers. Kenneth Gogo, "Mr. Entertainment," gave a lifetime of talent and support to the cultural life of Nanaimo.

## STRATEGIC PLAN CONSIDERATIONS:

Community Building Partnerships: The Nanaimo Cultural Awards Program has been an important program for community building and partnerships since 1998. It brings awareness to the breadth and variety of the cultural activity in our community. It also builds pride in the cultural

accomplishments of individuals and organizations and pride in our community contributing to our Cultural Vitality.

Respectfully submitted,



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Diana Johnstone  
CHAIR  
PARKS, RECREATION AND CULTURE COMMISSION

2013-DEC-03

File: A4-1-2 / A2-4 / A2-11

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**SPECIAL "IN CAMERA" MINUTES**  
SPECIAL PARKS, RECREATION AND CULTURE COMMISSION MEETING  
SERVICE AND RESOURCE CENTRE BOARD ROOM  
WEDNESDAY, 2013-JUN-26, AT 9:33 P.M.

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PRESENT: Commissioner D. Johnstone, Chair

Members: Commissioner T. Greves  
Commissioner F. Pattje  
Commissioner K. Alden  
Commissioner L. Avis  
Commissioner M. Beaudoin-Lobb  
Commissioner H. Houle  
Commissioner A. McPherson  
Commissioner D. Rinald  
Commissioner G. Savage  
Commissioner I. Thorpe  
Commissioner M. Young

Staff: R. Harding, Director, Parks, Recreation and Culture  
S. Samborski, Senior Manager, Parks Recreation and Culture  
J. Ritchie, Senior Manager, Parks, Recreation and Culture  
J. Farrell, Recording Secretary

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

The "In Camera" Meeting was called to order at 9:34 p.m.

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Special "In Camera" Meeting of the Parks, Recreation and Culture Commission held Wednesday, 2013-JAN-23 at 8:15 p.m. in the Bowen Park Complex Conference Room be adopted as circulated. The motion carried unanimously.

4. CORRESPONDENCE: (not related to a Report to Commission)

- (a) Letter dated 2013-MAY-13 from Christina Saint Marché, Managing Director of the Saint Bernard Pass Charitable Foundation, regarding building Wally Buono's legacy in Nanaimo.

Delegations:

1. Debbie Trueman, Manager of the Nanaimo Museum, presented background info on the Saint Marchés and their involvement with the Wally Buono Award, including the Nanaimo Museum’s display.

It was moved and seconded that City Staff and the Nanaimo Museum Staff work with the Saint Marchés and return with more information. The motion carried unanimously.

12. ADJOURNMENT:

It was moved and seconded at 9:49 p.m. that the “In Camera” meeting terminate. The motion carried unanimously.

CERTIFIED CORRECT:



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D. Johnstone, Chair  
Parks, Recreation and Culture Commission

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R. Harding, Director  
Parks, Recreation and Culture

**"IN CAMERA" MINUTES**  
COMMITTEE OF THE WHOLE MEETING TO DISCUSS CONFIDENTIAL MATTERS  
DOUGLAS RISPIN ROOM, 80 COMMERCIAL STREET, NANAIMO, BC  
MONDAY, 2013-DEC-09 AT 7:20 P.M.

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PRESENT: Mayor J. R. Ruttan, Chair

Members: Councillor G. Anderson (arrived 7:24 p.m.)  
Councillor W. L. Bestwick  
Councillor M. D. Brennan  
Councillor G. E. Greves  
Councillor D. K. Johnstone (vacated 8:14 p.m.)  
Councillor J. A. Kipp

Absent: Councillor J. F. K. Pattje  
Councillor W. B. McKay

Staff: E. C. Swabey, City Manager  
T. M. Hickey, General Manager of Community Services  
T. P. Seward, Director of Social & Protective Services  
T. L. Hartley, Director of Human Resources and Organizational Planning  
D. Lindsay, Director of Community Development  
Chief R. Lambert, Nanaimo Fire Rescue (vacated 8:14 p.m.)  
R. J. Harding, Director of Parks, Environment & Recreation  
G. Ferrero, Director, Information Technology and Legislative Services  
M. Dietrich, Manager, Police Support Services (vacated 8:14 p.m.)  
C. Jackson, Manager, Legislative Services  
S. Snelgrove, Recording Secretary

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

The "In Camera" Meeting was called to order at 7:20 p.m.

2. ADOPTION OF AGENDA:

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

3. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the "In Camera" Committee of the Whole Meeting held Monday, 2013-NOV-25 at 7:13 p.m. in the Douglas Rispin Room, 80 Commercial Street, Nanaimo, BC, be adopted as circulated. The motion carried unanimously.

4. ADMINISTRATION:

(a) Strategic Relations

Mayor Ruttan provided an announcement regarding the Snuneymuxw First Nation election.

Councillor Anderson entered the Douglas Rispin Room at 7:24 p.m.

5. CORPORATE SERVICES:

(a) Potential Changes to 9-1-1 Service Delivery

Mr. T. Seward, Director of Social & Protective Services, provided a presentation regarding potential changes to the 9-1-1 Service Delivery.

It was moved and seconded that Council receive for information the report regarding potential changes to 9-1-1 service delivery. The motion carried unanimously.

Councillor Johnstone and Councillor Bestwick vacated the Douglas Rispin Room at 8:13 p.m.

Chief R. Lambert and Mr. M. Dietrich vacated the Douglas Rispin Room at 8:14 p.m.

Councillor Bestwick returned to the Douglas Rispin Room at 8:14 p.m.

(b) Nanaimo Yacht Club Waterfront Walkway Upgrade

It was moved and seconded that Council:

1. direct Staff to proceed with the proposed upgrade to the waterfront walkway as outlined and,
2. direct Staff to return to an upcoming "In Camera" Council meeting with a draft Letter of Intent outlining the commitments between the City and the Nanaimo Yacht Club.

The motion carried unanimously.

6. COMMUNITY SERVICES:

(a) Cultural Award Recipients 2013

It was moved and seconded that that Council:

1. approve the following two additional Cultural Awards:
  - Lifetime Achievement Award, and that it be awarded in 2013 to Kenneth Gogo;



- Emerging Cultural Leader Award, and that it be awarded in 2013 to Shayd Johnson, and;
2. approve the 2013 Cultural Award Recipients as follows:
- 2013 Excellence in Culture Award to Pat Coleman;
  - 2013 Honour in Culture Award to Ian Niamath.

The motion carried unanimously.

7. OTHER BUSINESS

(a) Management Compensation

It was moved and seconded that Council defer consideration of agenda item 9 (a) Management Compensation, until the next "In Camera" Meeting of Council. The motion carried unanimously.

8. ADJOURNMENT:

It was moved and seconded at 8:18 p.m. that the "In Camera" Meeting terminate. The motion carried unanimously.

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CHAIR

CERTIFIED CORRECT:

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CORPORATE OFFICER