

AMENDED AGENDA
REGULAR COMMITTEE OF THE WHOLE MEETING
SHAW AUDITORIUM, 80 COMMERCIAL STREET, NANAIMO, BC
MONDAY, 2014-DEC-08, AT 4:30 P.M.

1. **CALL THE REGULAR COMMITTEE OF THE WHOLE MEETING TO ORDER:**

2. **INTRODUCTION OF LATE ITEMS:**

- Item 9 (a) - Partial Update of the 2004 Market Feasibility Study for the Vancouver Island Conference Centre – add delegation from Mr. Robert Fuller

3. **ADOPTION OF AGENDA:**

4. **ADOPTION OF MINUTES:**

- (a) Minutes of the Regular Committee of the Whole Meeting held in the Shaw Auditorium, 80 Commercial Street, on Monday, 2014-NOV-17 at 4:30 p.m. Pg. 5-7

5. **PRESENTATIONS:**

NONE

6. **MAYOR'S REPORT:**

(a) **Acting Mayor Schedule**

Purpose: To provide Council with a proposed Acting Mayor schedule.

Mayor's Recommendation: That Council adopt the Acting Mayor schedule for 2015-2016 as follows: Pg. 8-9

Councillor Bestwick	December, 2014 – March, 2015
Councillor Kipp	April – June, 2015
Councillor Brennan	July – September, 2015
Councillor Yoachim	October – December, 2015
Councillor Pratt	January – March, 2016
Councillor Hong	April – June, 2016
Councillor Thorpe	July – September, 2016
Councillor Fuller	October – December, 2016

[Note: The Acting Mayor's duties include serving as Chair of Committee of the Whole meetings, Public Hearings and the associated Special Council meetings.]

7. **ADMINISTRATION:**

NONE

8. **CORPORATE SERVICES:**

(a) **Loaves & Fishes Grant Request**

Purpose: To provide Council with information related to a request for funding from Nanaimo Loaves & Fishes.

Presentation

1. Mr. Peter Sinclair, Executive Director, Loaves & Fishes Community Food Bank

Request for Council Direction: Council direction is sought.

Pg. 10-12

(b) **Bill 17 and Termination of Land Use Contracts**

Purpose: To update Council regarding recent changes to the Local Government Act and the termination of land use contracts on the “sunset” date of 2024-JUN-30.

Staff Recommendation: That Council receive for information the report regarding Bill 17 and termination of land use contracts.

Pg. 13-17

(c) **2015 SAP Software Annual Maintenance**

Purpose: To obtain Council approval of the 2015 SAP Software Annual Maintenance contract.

Staff Recommendation: That Council award the 2015 SAP Software Annual Maintenance to Open Business Process Inc. at a cost of \$281,138.04.

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9. **COMMUNITY SERVICES:**

(a) **Partial Update of the 2004 Market Feasibility Study for the Vancouver Island Conference Centre**

Purpose: To provide Council with updated information regarding industry trends and performance expectations for the Vancouver Island Conference Centre.

Delegations:

1. Mr. Robert Fuller

Staff Recommendation: That Council direct Staff to issue a Request for Proposals to complete a partial update of the 2004 Market Feasibility Study for the Vancouver Island Conference Centre.

Pg. 19-20

(b) **Sponsorship Policy for City of Nanaimo**

Purpose: To provide Council with a draft Corporate Sponsorship Policy for consideration.

Committee Recommendation: That Council:

Pg. 21-27

1. approve the Corporate Sponsorship Policy for the City of Nanaimo; and,
2. direct Staff to develop separate Naming Rights and Advertising Policies to be presented respectively to the Parks, Recreation & Environment Commission and Culture and Heritage Commission for feedback and recommendations prior to bringing forward to Council.

(c) **Chase River Activity Centre Seismic Funding and Ten-year Lease Option**

Purpose: To obtain Council approval to proceed with the seismic upgrade of the Chase River Activity Centre and obtain approval in principle for a 10-year lease to the Boys and Girls Clubs of Central Vancouver Island.

Committee Recommendation: That Council:

Pg. 28-30

1. approve proceeding with a seismic upgrade of the Chase River Activity Centre located at 1400 Cranberry Avenue, for an estimated cost of \$295,000, less a contribution from the Boys and Girls Clubs of Central Vancouver Island in the amount of \$100,000 (\$50,000 in 2014 and \$5,000 per year for a 10-year period, commencing in 2015);
2. provide approval in principle for a 10-year lease to the Boys and Girls Clubs of Central Vancouver Island for the Chase River Activity Centre with the terms as set out in the report; and,
3. direct Staff to publish a Notice of Disposition for the lease as required under Section 26 and 94 of the *Community Charter*.

- (d) Minutes of the Parks, Recreation and Culture Commission Meeting held 2014-OCT-22.

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

NONE

11. **NOTICE OF MOTION:**

12. **OTHER BUSINESS:**

13. **DELEGATIONS (not related to a Report to Council): (10 MINUTES)**

NONE

14. **QUESTION PERIOD:** *(Agenda Items Only)*

15. **PROCEDURAL MOTION:**

That the meeting be closed to the public in order to deal with agenda items under the *Community Charter* Section 90(1):

- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality; and,
- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2).

16. **ADJOURNMENT:**

MINUTES
REGULAR COMMITTEE OF THE WHOLE MEETING
SHAW AUDITORIUM, 80 COMMERCIAL STREET,
MONDAY, 2014-NOV-17 AT 4:30 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 (arrived 4:31 p.m.)
Councillor J. A. Kipp
Councillor W. B. McKay
Councillor J. F. K. Pattje

Staff: E. C. Swabey, City Manager
T. M. Hickey, General Manager of Community Services
B. E. Clemens, Director of Finance
G. Ferrero, Director of Information Technology & Legislative Services
D. Lindsay, Director of Community Development
G. Goodall, Director of Engineering & Public Works
P. Cooper, Communications Manager
C. Davis, Manager of Sanitation, Recycling and Public Works Administration
R. Davidson, Manager of Parking Services, Assistant Manager of Bylaw, Regulation and Security
E. Wilson, Water Resources Technologist
M. Desrochers, Client Support Specialist
S. Snelgrove, Recording Secretary

1. CALL THE OPEN MEETING TO ORDER:

The Regular Committee of the Whole Meeting was called to order at 4:30 p.m.

Councillor Johnstone entered the Shaw Auditorium at 4:31 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 Regular Committee of the Whole Meeting held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC, on Monday, 2014-NOV-03 at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

4. CORPORATE SERVICES:

(a) Loaves & Fishes Grant Request

It was moved and seconded that Council defer consideration of the Loaves & Fishes grant request to the 2014-DEC-08 Committee of the Whole Meeting. The motion carried unanimously.

(b) Request for Proposal - Animal Control

It was moved and seconded that Council approve issuing a Request for Proposal to select a provider for animal control services in the City. The motion was defeated.

Opposed: Mayor Ruttan, Councillors Anderson, Bestwick, Kipp, McKay

It was moved and seconded that Council extend the current animal control services contract, at the current rate, on a month to month basis for a maximum of 6 months. The motion carried unanimously.

5. COMMUNITY SERVICES:

(a) College Park Water Supply Main Capacity Upgrade – Engineering Work

It was moved and seconded that Council direct Staff to issue a Request For Proposals (RFP) for the engineering design, project management and construction administration of a duplicate water supply main on Dogwood Road from Nanaimo Lakes Road to College Park Reservoirs. The motion carried unanimously.

6. COUNCIL APPOINTMENTS

(a) Appointments to the Design Advisory Panel

Mayor Ruttan announced the appointment of the following individuals to the Design Advisory Panel:

- Mr. Gurdeep Minhas, Community-at-Large representative
- Mr. Raymond de Beeld, Architectural Institute of British Columbia representative
- Mr. David Reid, British Columbia Society of Landscape Architects representative

7. QUESTION PERIOD:

- Mr. Fred Taylor, re: Request for Proposal – Animal Control

8. PROCEDURAL MOTION:

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

- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2); and,

Community Charter Section 90(2):

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

The motion carried unanimously.

Council moved into "In Camera" at 4:55 p.m.

Council moved out of "In Camera" at 5:04 p.m.

9. ADJOURNMENT:

It was moved and seconded at 5:04 p.m. that the meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

CORPORATE OFFICER

City of Nanaimo

REPORT TO COUNCIL

DATE OF MEETING: 2014-DEC-08

AUTHORED BY: MAYOR McKAY

RE: ACTING MAYOR SCHEDULE

MAYOR'S RECOMMENDATION:

That Council adopt the Acting Mayor schedule for 2015-16 as follows:

- Councillor Bestwick December, 2014 – March, 2015
- Councillor Kipp April – June, 2015
- Councillor Brennan July – September, 2015
- Councillor Yoachim October – December, 2015
- Councillor Pratt January – March, 2016
- Councillor Hong April – June, 2016
- Councillor Thorpe July – September, 2016
- Councillor Fuller October – December, 2016

PURPOSE:

To provide Council with a proposed Acting Mayor schedule.

BACKGROUND:

- Section 10.1 of *Council Procedure Bylaw 2007 No. 7060* provides for the designation of Acting Mayor as follows:

10.1 Council must, on an annual basis, from amongst its members, designate Councillors to serve on a rotating basis as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.

- Other provisions of the Procedure Bylaw state that:

10.2 Each Councillor designated under Section 10.1 is responsible for fulfilling the duties of the Mayor in his or her absence.

25.7 The Acting Mayor shall be the Councillor designated to introduce and move each bylaw to be considered by Council.

38.3 The Acting Mayor shall act as Chairperson of the Committee of the Whole, unless otherwise determined by the Mayor.

☐ Council
☒ Committee of the Whole
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: 2014-DEC-08

Previously, the practice has been to develop a schedule where each Councillor shares the Acting Mayor duties equally over a one year period. I propose we expand the time period for each Councillor to serve as Acting Mayor for three months at a time. Over the four year term each Councillor will serve twice.

My hope is that this will allow each Councillor to have opportunity for a greater leadership role while gaining experience and knowledge over a longer period of time. I also appreciate that there will be occasions when both myself and the Acting Mayor may be absent. In such cases, the next Councillor on the schedule will provide the necessary back up as the need arises. This is also in keeping with our Procedure Bylaw.

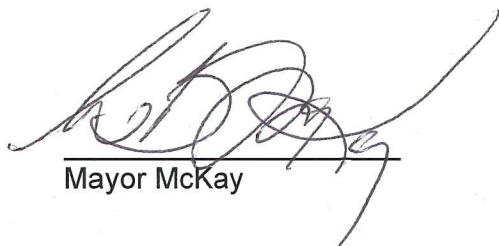
When developing the schedule, I listed those Councillors that have previous experience first and then arranged everyone in order of voter confidence. Having those Councillors with previous experience serving first, will provide opportunity for the others to have time and exposure to Council business before taking on these extra duties.

Acting Mayor Schedule	
Councillor Bestwick	December, 2014 – March, 2015
Councillor Kipp	April – June, 2015
Councillor Brennan	July – September, 2015
Councillor Yoachim	October – December, 2015
Councillor Pratt	January – March, 2016
Councillor Hong	April – June, 2016
Councillor Thorpe	July – September, 2016
Councillor Fuller	October – December, 2016

In December of 2016, after a full cycle, the schedule will be revisited and we can discuss the merits of continuing in this manner.

In addition to fulfilling the duties of Mayor during my absence, the Acting Mayor will be asked to introduce and move each bylaw for consideration, Chair Committee of the Whole meetings, and Chair Public Hearings and their associated Special Council meetings.

Respectfully,



Mayor McKay

City of Nanaimo
REPORT TO COUNCIL

DATE OF MEETING: 2014-DEC-08
AUTHORED BY: B. E. CLEMENS, DIRECTOR OF FINANCE
RE: LOAVES & FISHES GRANT REQUEST

STAFF RECOMMENDATION:

Council direction is requested.

PURPOSE:

To provide Council with information related to a request for funding from Nanaimo Loaves & Fishes.

BACKGROUND:

At the Committee of the Whole Meeting held 2014-NOV-03, Council received a presentation from Peter Sinclair, Executive Director for Loaves & Fishes in Nanaimo. The presentation provided background on the organization and the services that they provide the community, focusing on their current project which is to raise funds to purchase and renovate a warehouse. Council passed the following motion:

"It was moved and seconded that Council refer the request from Loaves and Fishes for a contribution of \$275,000 for a warehouse renovation to Staff to provide a report regarding funding options and that this report be included on the next meeting agenda."

DISCUSSION:

The presentation from Loaves & Fishes requested that Council "invest in the community in one of two ways:"

1. Provide \$275,000 over two years (2015 & 2016) which is equal to half of the budget for acquiring and renovating the warehouse; or,
2. Provide \$4,000 per month (\$48,000 annually) as ongoing operating funding.

There are a number of factors that Council may want to consider when making a decision on this request:

- The City of Nanaimo has a recent history of supporting this organization, including \$60,000 in funding in 2013 to purchase a truck;
- Although Loaves & Fishes does not require the funding until next year, they do need confirmation from Council in 2014 so that they can borrow against Council's commitment;

- The City does have \$90,000 in the budget each year from casino funds that is allocated to social service organizations. \$60,000 is allocated by Council with recommendations from the Social Planning Advisory Committee (SPAC) based on priorities established each year by SPAC, and the remainder is directed through the social planning budget. Council could divert this funding to the Loaves & Fishes request, but Staff do not recommend that because it would limit Council's ability to address emerging social issues in the future.

If Council chooses to contribute to the capital costs (\$275,000 over two years), then there are two possible options for funding: taxation or reserves. There is currently enough in the General Capital Reserve account to fund this request. Staff do not recommend this approach as unallocated reserves are relatively low and there are some large undetermined capital expenditures in the near future, e.g. Colliery Dam. The tax implication of adding this project in 2015 would be less than 0.2%. During the budget process Council will have the opportunity to cut or defer other projects if Council wishes to maintain the property tax increase at the projected 2.2% (or some other level as established by Council at the time).

If Council chooses instead to contribute to the operating costs (\$48,000 annually), there is no available funding unless Council chooses to reallocate money by reducing an existing service level. Adding \$48,000 annually to the City's operating budget has a relatively small tax impact (less than 0.1%).

When asked by staff, Loaves & Fishes have indicated that their preference would be for Council to provide the \$48,000 annual operating grant. This would allow them to go to the bank and borrow the capital funding against this new income stream.

Option 1:

If Council wishes to provide the capital costs, then staff recommends the following motion:

"That Council direct Staff to provide Loaves & Fishes with a capital grant of \$137,500 in each of 2015 and 2016 to support the purchase and renovation of a warehouse. Staff are directed to amend the 2014-2018 Financial Plan to reflect this decision."

Option 2:

If Council wishes to fund the operating grant instead, then staff recommends the following motion:

"That Council direct staff to provide Loaves & Fishes with an operating grant of \$48,000 per year beginning in 2015 and that Staff are directed to amend the 2014-2018 Financial Plan to reflect this decision."

Amending the existing Financial Plan gives staff the authority to pay over the grant amounts in 2015, as these are not currently included in the 2014 – 2018 Financial Plan. In the case of the capital funding, it may give Loaves & Fishes the certainty that they need in order to borrow against the future grant payment.

Note that the motions have been drafted on the assumption that Council will want to grant the full amount of the request.

Strategic Plan Considerations

Community Building Partnerships – one of the objectives in the 2012 – 2015 Strategic Plan is to build a strong, vital non-profit sector.

Respectfully submitted,



B. E. Clemens
DIRECTOR
FINANCE

CITY MANAGER COMMENT:

I concur with the staff recommendation.

Drafted: 2014-NOV-05
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BEC/tw

City of Nanaimo

REPORT TO COUNCIL

DATE OF MEETING: 2014-DEC-08

AUTHORED BY: SHEILA HERRERA, PLANNER, PLANNING & DESIGN SECTION

RE: BILL 17 AND TERMINATION OF LAND USE CONTRACTS

STAFF RECOMMENDATION:

That Council receive the report for information.

PURPOSE:

The purpose of this report is to update Council regarding recent changes to the *Local Government Act* and the termination of land use contracts on the "sunset" date of 2024-JUN-30.

BACKGROUND:

A land use contract, or LUC, is a land use tool that was permitted under the *Municipal Act* for a brief period of time in the late 1970's, prior to the introduction of development permits. LUC's were generally used to allow for site-specific development to occur that did not conform to the zoning bylaw. Where a land use contract exists the zoning bylaw does not apply, the LUC takes precedence. Thousands of parcels within the province are subject to land use contracts. However, LUC's have become increasingly inconsistent with zoning regulations for comparable lands.

The purpose of this report is to highlight recent changes to the *Local Government Act* that came into force on 2014-MAY-29 through the adoption of Bill 17 relating to the termination of land use contracts. Ultimately, the new legislation means that all LUC's within BC will terminate, and be replaced by a zoning bylaw, on the "sunset" date of 2024-JUN-30. The new legislation also includes, but is not limited to, the following provisions:

- Process for providing notification to land owners;
- Extends the current no-compensation provisions provided for with regard to land use decisions and land use bylaws;
- Once a LUC is terminated, the legislation provides non-conforming use status to land, buildings and structures that are on the land; and
- Allows local governments to undertake early termination of LUC's under certain conditions. Requirements for early termination are specified in the new legislation.

The following table demonstrates key dates provided in the new legislation:

☐ Council
☒ Committee *File whole*
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: 2014-DEC-08

Date	Requirement
2022-JUN-30	<ul style="list-style-type: none"> • Must provide notice to affected landowners that the LUC will terminate. • If zoning is not in place, this is the deadline for a municipality to put zoning in place. • Council cannot proceed with early termination of a LUC's after this date.
2024-JUN-30	All existing land use contracts will terminate.

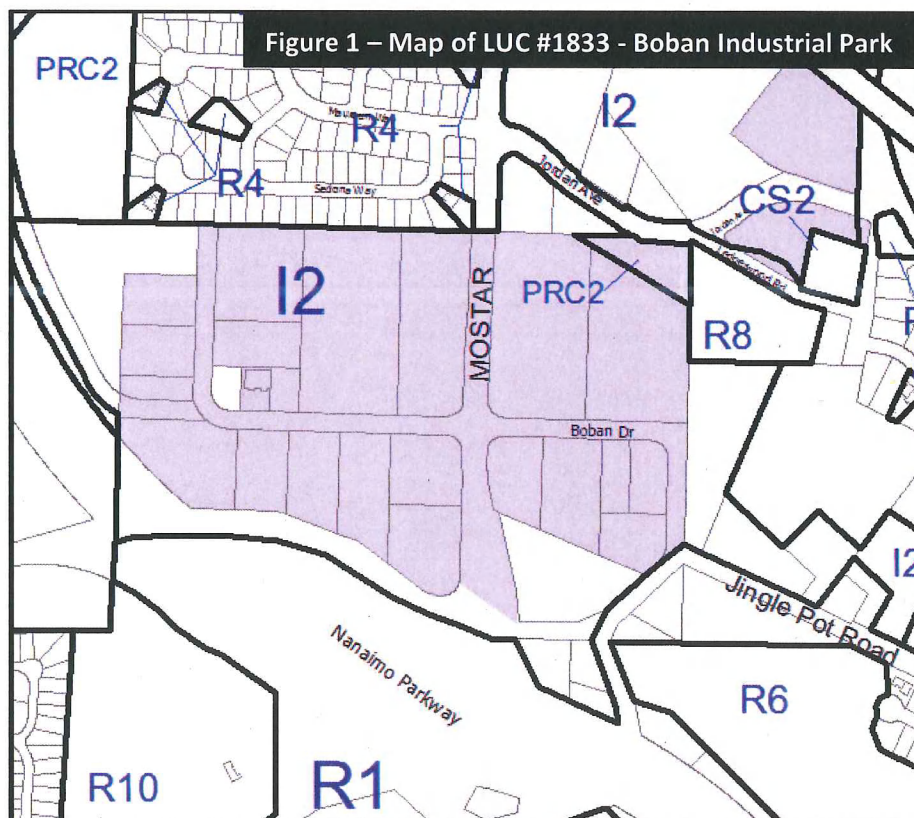
DISCUSSION:

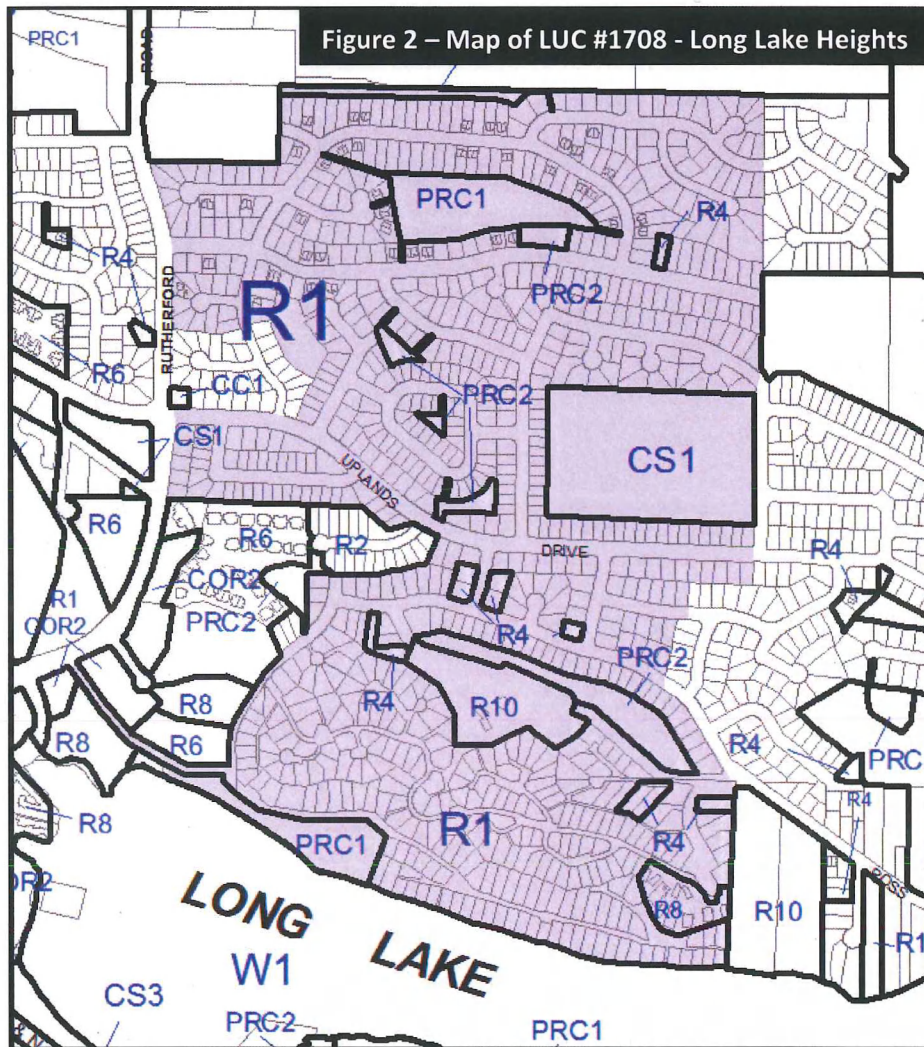
All land within the City of Nanaimo is zoned, regardless of whether a LUC is in place; however, where LUC's exist they take the place of zoning, thus superseding the underlying zone. The City has a total of 16 LUC's still in existence. The majority of LUC's are built-out sites that have maximized the use of the property. The following table lists all existing land use contracts within the municipality, their location, current use, and underlying zoning.

LUC #	Location	Current Use	Underlying Zone
1638	2367 Arbot Road	Tennis Club	CC6
1833	More than 1 property included in this LUC (Boban Industrial Park) <i>see Figure 1 for map of properties</i>	Industrial	I2 and PRC2
1695/1806	398 Bruce Avenue	Restaurant and Retail	CC1
1660	1681 Boundary Avenue	Multi-family	R1
1746	2129 Bowen Road	Retail (bike shop)	COR3
1700	2139 Bowen Road	Retail	COR3
1893	4810 Ledgerwood Road	Industrial	I2 and R1
1844	500 Comox Road	Vacant Lot	DT12
1660	1600 Dufferin Crescent	Multi-family	R1
69 and 1885	6631 Island Highway N.	Shopping Mall (Woodgrove Centre)	CC4

LUC #	Location	Current Use	Underlying Zone
1708	More than 1 property included in this LUC (Long Lake Heights) <i>see Figure 2 for map of properties</i>	Residential, Community Service and Park	R1, R4, R8, R10, CS1, PRC1, and PRC2
1770	6450 Metral Drive	Hotel	CC4
1805	255 Mt Benson Road	Vacant Building	R8
1834	1938 Northfield Road	Industrial	I3
52	230 Wakesiah Avenue	Multi-family	COR1
1893	4801 Wellington Road	Automotive Repair	I2

The three properties highlighted in yellow contain developments that clearly do not conform to the underlying zoning. There are also two properties listed with a current use of 'vacant land' and 'vacant building'. However, the majority of properties with existing LUC's appear to generally align with the underlying zoning and the current use of the lands. As the 'sunset' clause for LUC's is approximately 10 years away there are no immediate issues with the underlying zoning for any of the affected properties.





Next Steps:

The new legislation for the termination of land use contracts provides specific procedures and process requirements. Staff is reviewing all existing LUC's within the City and will provide Council with further information and recommendations at a future date.


Respectfully submitted,



B. Anderson
MANAGER
PLANNING & DESIGN SECTION

Concurrence by:



D. Lindsay
DIRECTOR
COMMUNITY DEVELOPMENT

T. SEWARD
* ACTING GENERAL MANAGER
COMMUNITY DEVELOPMENT AND
PROTECTIVE SERVICES

CITY MANAGER COMMENT:

I concur with the staff recommendation.

SH/pm

Drafted: 2014-NOV-24

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City of Nanaimo
REPORT TO COUNCIL

DATE OF MEETING: 2014-DEC-08

AUTHORED BY: Guillermo Ferrero, Director of Information Technology & Legislative Services

RE: 2015 SAP Software Annual Maintenance

STAFF RECOMMENDATION:

That Council:

Award the 2015 SAP Software Annual Maintenance to Open Business Process Inc. at a cost of \$281,138.04.

PURPOSE:

The City's Purchasing Policy requires Council authorization for contracts valued over \$250,000. This report seeks that authorization.

BACKGROUND:

SAP is our Enterprise Resource Management Software that provides Financials, Human Resources, Plant Maintenance and now Budget Planning, and was first implemented in 2002. The City pays its annual software maintenance via SAP's sole reseller in Western Canada. Open Business Process Inc. is sole provider of SAP software maintenance for the City of Nanaimo. Our existing agreement with Open Business Process Inc. includes an evergreen clause that extends the contract every year. For the coming year, our software maintenance rose above the \$250,000 limit requiring Council authorization.

Software maintenance is essential to keep software up-to-date and supported by SAP.

The following activities are included in software maintenance:

- Adaptive - modifying the system to cope with changes in the software environment
- Perfective - implementing new or changed user requirements which concern functional enhancements to the software
- Corrective - diagnosing and fixing errors
- Preventive - increasing software maintainability or reliability to prevent problems in the future

Respectfully submitted,



Guillermo Ferrero
Director of Information Technology & Legislative Services

CITY MANAGER COMMENT:

I concur with the staff recommendation.

Drafted: 2014-DEC-02

☐ Council
☒ Committee... of the whole
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: 2014-DEC-08

City of Nanaimo

REPORT TO COUNCIL

DATE OF MEETING: 2014-DEC-08

AUTHORED BY: SUZANNE SAMBORSKI, SENIOR MANAGER, CULTURE AND HERITAGE

RE: PARTIAL UPDATE OF THE 2004 MARKET FEASIBILITY STUDY FOR THE
VANCOUVER ISLAND CONFERENCE CENTRE

STAFF RECOMMENDATION:

That Council direct staff to issue a Request for Proposal to complete a partial update of the 2004 Market Feasibility Study for the Vancouver Island Conference Centre.

PURPOSE:

To provide Council with updated information regarding industry trends and performance expectations for the Vancouver Island Conference Centre (VICC).

BACKGROUND:

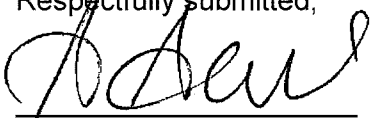
Prior to the development and operation of the VICC, the City contracted Grant Thornton in 2004 to update a Market Feasibility Study and Financial Projection completed in 2001 based on market and industry conditions in 2004.

To assist the City in evaluating future VICC performance, operating decisions and management contract terms staff recommend that an independent analysis be conducted that will provide a partial update to the 2004 Market Feasibility Study for the following:

- current market and community context;
- current industry trends;
- supply analysis (including competitor analysis);
- demand projections; and
- five-year financial thresholds (projections).

In order to have this analysis completed in time for Council's 2015-2019 budget discussions, a call for proposal will be put out in December. It is estimated that an update to the 2004 Market Feasibility Study will be \$25,000. There are funds available in the 2014 operating budget to complete this study.

Respectfully submitted,



Suzanne Samborski
SENIOR MANAGER
CULTURE AND HERITAGE

☐ Council
☒ Committee of the Whole
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: 2014-DEC-08

Concurrence by:



Tom Hickey
GENERAL MANAGER
COMMUNITY SERVICES

CITY MANAGER COMMENT:

I concur with the staff recommendation.

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City of Nanaimo

REPORT TO COUNCIL

DATE OF MEETING: 2014-DEC-08

AUTHORED BY: DIANE BRENNAN, CHAIR
CULTURE AND HERITAGE COMMISSION

DIANA JOHNSTONE, CHAIR
PARKS, RECREATION & ENVIRONMENT COMMISSION

RE: SPONSORSHIP POLICY FOR CITY OF NANAIMO

COMMITTEE RECOMMENDATION:

That Council :

1. approve the Corporate Sponsorship Policy for the City of Nanaimo; and
2. direct staff to develop separate Naming Rights and Advertising Policies to be presented respectively to the Parks, Recreation & Environment Commission and Culture and Heritage Commission for feedback and recommendations prior to bringing forward to Council.

PURPOSE:

To provide Council with a draft Corporate Sponsorship Policy for consideration.

BACKGROUND:

Sponsorships provide an effective means of generating new revenue streams and alternative resources to support facilities, events and programs for all organizations. Sponsorship agreements differ from donations, grants and / or gifts for which there is no recognition or compensation expected. In a sponsorship agreement, the corporate sponsor expects a return on investment based on a marketing strategy via name and brand recognition.

Through the budget review, Council indicated a desire to review the broader opportunities of sponsorship. As part of developing a sponsorship program, it was recommended under current best practices, that a first step is to establish a sponsorship policy to develop a standard City of Nanaimo usage and process that will also apply to groups and organizations operating in City of Nanaimo buildings or land.

At the 2013-NOV-06 Special Committee of the Whole Meeting, Council passed a motion directing staff to schedule a Special Committee of the Whole Meeting focusing on sponsorship, to be guided by a specialist in the industry.

☐ Council
☒ Committee of the Whole
☒ Open Meeting
☐ Special Meeting
2014-DEC-08

On 2013-DEC-17, Council attended a Special Committee of the Whole Meeting regarding a discussion on municipal sponsorship opportunities and challenges led by The Partnership Group. At that meeting, Council passed a motion that staff be directed to prepare a report to Council outlining the framework for future Council discussion regarding municipal sponsorship opportunities.

At the 2014-JUN-16 Council meeting, Council passed a motion that staff work with a working group comprised of members from the Parks, Recreation & Environment Commission and the Culture and Heritage Commission to create a draft Corporate Sponsorship Policy for the Commissions' review and recommendation to Council.

To address concerns raised by Council and the community that any formal sponsorship program consider Nanaimo's not-for-profits and community organizations' reliance on sponsorship and donations, it is recommended that Council direct staff to present the draft policy to the Parks, Recreation & Environment Commission and the Culture and Heritage Commission for feedback and recommendations.

Throughout the fall of 2014, staff worked with the working group to develop a draft policy (Attachment A). The group pulled ideas from other community's corporate sponsorship policies and included items that reflected values and principles specific to Nanaimo.

At the 2014-NOV-05 Culture and Heritage Commission meeting, the Commission passed a motion recommending that Council approve the Corporate Sponsorship Policy for the City of Nanaimo; and direct staff to develop separate Naming Rights and Advertising Policies as per this report.

At the 2014-NOV-26 Parks, Recreation and Culture Commission meeting, the Commission passed a motion recommending that Council approve the Corporate Sponsorship Policy for the City of Nanaimo; and direct staff to develop separate Naming Rights and Advertising Policies as per this report.

Based on this process, it is recommended that Council:

1. approve the Corporate Sponsorship Policy for the City of Nanaimo; and
2. direct staff to develop separate Naming Rights and Advertising Policies to be presented respectively to the Parks, Recreation & Environment Commission and Culture and Heritage Commission for feedback and recommendations prior to bringing forward to Council.

STRATEGIC PLAN IMPLICATIONS:

The concept of developing community partnerships and sponsorship arrangements is in line with the City of Nanaimo's Strategic Plan priorities including, Asset Management - the stewardship of Current Infrastructure and Facilities; and Community Building Partnerships.

Asset Management:

Creating additional revenue streams gives the City more financial capacity for capital projects.

Community Building Partnerships:

Sponsorship involves long-term relationship building between potential funders and the City of Nanaimo. These partnerships can be leveraged to assist other groups and organizations at the grass-roots levels through expanded funding opportunities as the relationship develops.

Respectfully submitted,



Ms. Diane Brennan
CHAIR
CULTURE AND HERITAGE COMMISSION



Ms. Diana Johnstone
CHAIR
PARKS, RECREATION & ENVIRONMENT
COMMISSION

2014-APR-29
File: 7710-01-S01 Sponsorship Policy
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ATTACHMENT A



COUNCIL POLICY MANUAL

Section:	
Subsection:	
Title:	

POLICY

1. Scope

1.1. This policy applies to all City divisions and departments.

1.2. This policy does not apply to:

- naming rights or advertising (these are governed by separate policies),
- sponsorship agreements currently in place that precede the adoption of this policy (Note: this policy does apply to renewals),
- independent foundations or registered charitable organizations that the City may receive benefit from,
- gifts or donations that are voluntarily provided by a third party to the City,
- funding obtained from formal grant programs administered by either the federal or provincial government,
- third parties who license or lease City property or hold permits with the City for activities or events.

2. Definitions

2.1. Sponsorship – a mutually beneficial business arrangement between the City and a third party, wherein the third party provides cash and/or value in-kind goods or services to the City in return for access to the commercial marketing potential associated with the City. Sponsorships may include sponsorship of one or more of the City's services, projects, events or activities.

2.2. Sponsorship Agreement – A mutually beneficial contractual agreement that reflects the business arrangement for the exchange of marketing benefits between the City and an external organization for a specified period of time.

2.3. Sponsor – A corporation or organization that enters into a sponsorship agreement and pays cash or value-in-kind goods or services in return for access to exploitable commercial potential associated with a City service, project, event, property or activity.

- 2.4. Value-in-kind – A sponsorship received in the form of goods and services rather than in cash.
- 2.5. Gift – A voluntary contribution to the City for which there is no return benefit expected or required from the City.
- 2.6. Donation – Similar to a gift; no return benefit is expected or required.

3. Principles

- 3.1. The City supports opportunities to enter into sponsorship agreements with third parties where these agreements are mutually beneficial to both parties in a manner that is consistent with the criteria outlined in this policy and/or any related or supporting City policies.
- 3.2. The City shall not relinquish to a sponsor any aspect of the City's right to manage and/or control a city service, project, event, property, activity or property.
- 3.3. The use of sponsorship funding will align with the City's priorities, as reflected in its Corporate Strategic Plan and supporting policies.
- 3.4. Sponsorships are intended to supplement existing city funding.
- 3.5. By entering into a sponsorship agreement, the City in no way endorses the products, services or ideas of any sponsor; likewise, sponsors are prohibited from implying that the City sanctions their products, services or ideas.
- 3.6. There is no obligation for the City to accept a proposed sponsorship agreement it has reviewed.
- 3.7. A sponsorship agreement cannot grant a personal benefit, directly or indirectly, to a City employee or Elected Official.
 - 3.7.1. Note: within normal business practices, and while acting in an Official Capacity, it is understood that some sponsorship agreements will grant City employees or Elected Officials free access to associated events or activities.
- 3.8. Any obligations assumed by the City through entry into a sponsorship agreement must not continue beyond the term of the agreement.
- 3.9. Sponsors shall conform to all applicable federal and provincial statutes as well as all applicable City bylaws, policies and practices. In addition, the City will refrain from entering into sponsorship agreements where there is evidence the sponsor has engaged in unlawful actions against individuals or groups based on race or ethnic origin, religion, disability, gender, age, status, or sexual orientation/gender identity. The City will also refrain from entering into sponsorship agreements with organizations that profit from the sale or distribution of dangerous products and goods or prohibited services.

3.10. A sponsorship agreement must recognize and/or not interfere with any existing commitment or contract held by the City.

3.11. To protect the privacy of Nanaimo's residents, sponsors cannot obtain access to personal information held by the City.

REASON FOR POLICY

4. Purpose

4.1. This policy establishes procedures supporting opportunities to enter into sponsorship agreements. The procedures outlined in this policy are intended to:

- protect the City from risk,
- provide employees with guidelines, and
- safeguard the City's assets and interests.

AUTHORITY TO ACT

5. Responsibilities

5.1. Council will:

- approve and revise this policy as necessary
- approve sponsorships over \$75,000

5.2. Coordination function will:

- oversee sponsorship business,
- provide guidance regarding the interpretation and application of the sponsorship policy,
- review and assist in the development of sponsorship agreements as requested,
- assist in the evaluation and pricing of sponsorship agreements.

5.3. Department contact will.

- approve sponsorship agreements up to \$5000.

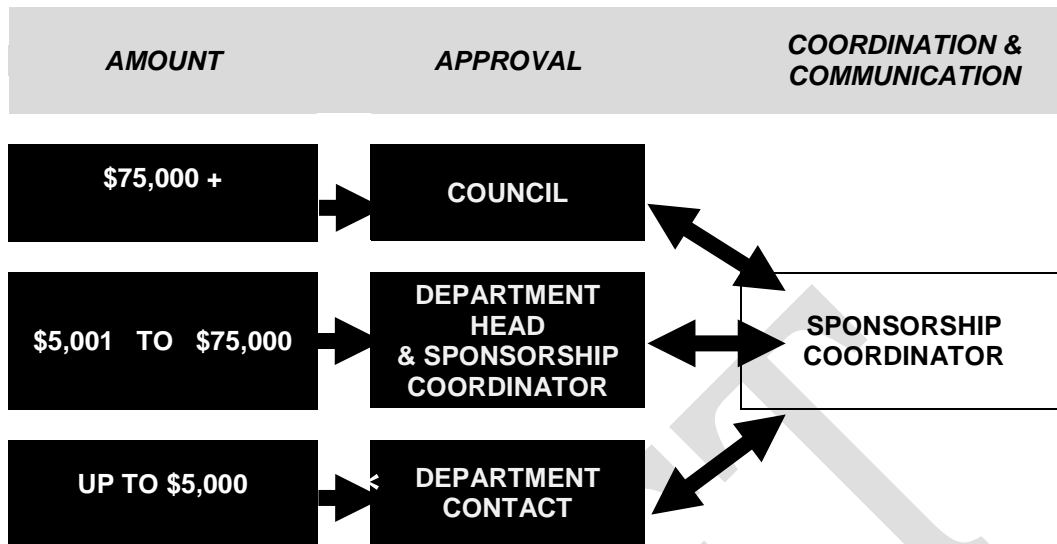
5.4. Department Heads will:

- approve sponsorship agreements ranging from \$5,001 to \$75,000,
- provide details of sponsorship agreements on an annual basis for the purpose of tracking,

5.5. General Managers will:

- report on the status of sponsorship agreements.

5.6. Responsibility chart:



REPORTING

6. Procedure

6.1. All sponsorship agreements will be reported to Council annually.

City of Nanaimo

REPORT TO COUNCIL

DATE OF MEETING: 2014-DEC-08

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

RE: CHASE RIVER ACTIVITY CENTRE SEISMIC FUNDING AND TEN-YEAR LEASE OPTION

RECOMMENDATIONS:

That Council:

1. approve proceeding with a seismic upgrade of the Chase River Activity Centre located at 1400 Cranberry Avenue, for an estimated cost of \$295,000, less a contribution from the Boys and Girls Clubs of Central Vancouver Island in the amount of \$100,000 (\$50,000 in 2014 and \$5,000 per year for a 10-year period, commencing in 2015);
2. provide approval in principle for a 10-year lease to the Boys and Girls Clubs of Central Vancouver Island for the Chase River Activity Centre with the terms as set out in the report; and,
3. direct Staff to publish a Notice of Disposition for the lease as required under Section 26 and 94 of the *Community Charter*.

PURPOSE:

To obtain Council approval to proceed with the seismic upgrade of the Chase River Activity Centre and obtain approval in principle for a 10-year lease to the Boys and Girls Clubs of Central Vancouver Island.

BACKGROUND:

At their meeting held on 2014-MAR-06 the Finance and Policy Committee of the Whole, by motion, directed Staff to prepare a report outlining options for ranked Item No. 135 "Chase River Hall Seismic Upgrade". The motion carried.

As instructed by Council, Staff worked with the Boys and Girls Clubs of Central Vancouver Island to develop funding options for the seismic upgrade of the Chase River Activity Centre. The 2014–2018 City Financial Plan includes \$295,000 from general taxation revenue for this project in 2014.

At their meeting of 2014-NOV-26, the Parks, Recreation and Culture Commission unanimously passed a motion supporting the above recommendations to Council.

DISCUSSION:

Chase River Activity Centre (built in 1950 as Chase River Fire Hall and activity centre for the Chase River Improvement District – transferred to the City of Nanaimo after amalgamation) is the #2 priority

building requiring seismic upgrade based on the June 2011 Seismic Screening Report. The building is two stories with total floor area of 4348 sq ft.

In March 2013 Herold Engineering Ltd completed a Seismic Identification report and made the following life-safety recommendations as well as budget pricing estimates:

- Upgrade foundations;
- Add new masonry walls in Fire Truck bays;
- Upgrade existing masonry walls this includes new rain screen exterior finish;
- Upgrade second-floor timber walls;
- Upgrade lower roof diaphragms - this includes new roofing membrane (due in Asset Management Plan in 2015);
- Upgrade floor diaphragm;
- Upgrade top of wall connections; and,
- Demolish unused hose tower.

TOTAL Seismic Upgrade cost is approximately \$295,000

There are also some hazardous materials to be aware of that will be upgraded with this project (e.g. asbestos, vermiculite insulation).

If approved to proceed, Staff would work with the Boys and Girls Club to undertake this work in 2015-2016. The facility would need to be closed for portions of the work to proceed and staff will work with the Club to find the best times operationally to commence work.

Current Use

Since 2000, the Boys and Girls Clubs of Central Vancouver Island have operated the Activity Centre portion of the facility and expanded operations to the entire building after the new Chase River Fire Hall was operational a few years ago. In lieu of rent for the facility, the Boys and Girls Club pay for all operating costs of the facility and pay for all internal upgrades and improvements to the building as well as making centre available for community.

The following provides a summary of activities that the Boys and Girls Club have provided over the years and plan to continue to provide at the Chase River Activity Centre:

- Started with 25 out of school care spaces
 - Currently - 41 out of school care spaces
 - 16 preschool spaces
 - 16 full time daycare spaces
 - Family Place program two days per week
 - Summer programming
 - Evening programming
 - A girl's empowerment program which currently has 30 spaces filled and eight youth on a waitlist.
- Girl Guides of Canada
 - Has operated in the building since 2000 on an average of two nights per week (Thursdays & Fridays)
- City of Nanaimo
 - Runs a Boot Camp for adults on Monday nights
- Community Member
 - Runs a Drop In Yoga program (Wednesday nights)

- Chase River Community Association
 - Meet once per month
- The building is also used by members of the community for birthday parties for their children.

The Boys and Girls Clubs of Central Vancouver Island (BGCCVI) Board of Directors approved contributing \$100,000 towards the cost of the seismic upgrades at 1400 Cranberry Avenue, Nanaimo. Specifically, the Board approved paying the City of Nanaimo \$50,000 by 2014-DEC-31, with the remaining \$50,000 to be paid to the City as part of a ten-year lease where BGCCVI will pay the City \$5,000.00 per year. Based on this contribution, BGCCVI requests a ten-year lease from the City of Nanaimo.

Currently, the Boys and Girls Club operates under a licence of use agreement with the City and Staff has recommended moving to a longer term lease of the building. The building and park are being used for park and recreation uses as the zoning and designation of the parkland permit and therefore a referendum or alternative approval process is not required.

If approved to proceed with developing a lease agreement, the Club will be responsible for the security system, internet, cable TV, electricity, natural gas, recycling, telephone, routine janitorial, interior maintenance and all operating costs of the facility.

The City will be responsible for maintenance, repair and upgrading of the building exterior, including the structure, cladding, roof and exterior electrical as required. The City will be responsible for major repairs of the HVAC system and the Club the yearly maintenance. Major repairs or upgrading may be cost-shared between the Lessee and the City and subject to approval in the 5 year City of Nanaimo Financial Plan.

STRATEGIC PLAN CONSIDERATIONS:

Community Building Partnerships:

Working with non-profit organizations (Boys and Girls Club) to provide community services in the Chase River Area.

Taking Responsibility:

Asset management of a City owned and community use facility.

Respectfully submitted,



Diana Johnstone
CHAIR
PARKS, RECREATION AND CULTURE COMMISSION

Drafted: 2014-NOV-27

File: A4-1-2 / A2-4 / C2-5 / E1-1 / J12-4

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MINUTES
REGULAR MEETING OF THE
PARKS, RECREATION AND CULTURE COMMISSION
HELD AT
BEACON HOUSE, PROTECTION ISLAND
WEDNESDAY, 2014-OCT-22, COMMENCING AT 5:30 P.M.

PRESENT: Commissioner F. Pattje, Acting Chair

Members: Commissioner K. Alden
Commissioner T. Greves
Commissioner H. Houle
Commissioner G. Savage
Commissioner I. Thorpe
Commissioner M. Young

Regrets: Commissioner L. Avis
Commissioner M. Beaudoin-Lobb
Commissioner D. Johnstone
Commissioner A. McPherson
Commissioner D. Rinald

Staff: R. Harding, Director, Parks, Recreation and Environment
M. Smith, Manager, Recreation Services
A. Groot, Manager, Facility Planning and Operations
R. Tweed, Recording Secretary

1. CALL THE OPEN MEETING TO ORDER:

The Regular Meeting was called to order at 5:32 p.m.

2. INTRODUCTION OF LATE ITEMS: (None.)

3. ADOPTION OF AGENDA:

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

4. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Regular Parks, Recreation and Culture Commission Meeting held Wednesday, 2014-OCT-01, at 6:01 p.m., in the Bowen Park Complex Conference Room be adopted as circulated. The motion carried unanimously.

5. PRESENTATIONS:

- (a) Jim Harris, Chair, Communication Committee, Doug Naylor, Chair, Building Committee, Lin Neufeld, Member, Communication Committee, and, Margaret Harris, Member, Fund Raising Committee, Protection Island Lion's Club, providing a presentation regarding the Beacon House Renovation Project and

requesting Approval in Principle for Phase 1 (upgrading of the existing Beacon House building) and Phase 2 (renovation of the upgraded building, resulting in an extension), and, funding approval for Phase 1. 2014 Survey Report and letter of support from the Protection Island Cultural Historical Society provided.

It was moved and seconded that the presentation be received. The motion carried unanimously.

It was moved and seconded that the Parks, Recreation and Culture Commission provide Approval in Principle for the Beacon House renovation project (Phase 1 & 2). The motion carried unanimously.

It was moved and seconded that the Beacon House renovation project (Phase 1) be added as a project to the five-year capital plan under the Parks, Recreation and Environment budget for 2015. The motion carried unanimously.

6. CHAIR'S REPORT: (None.)

7. REPORTS OF ADVISORY BODIES:

(a) Parks Committee: Commissioner Thorpe to report on the meeting held 2014-OCT-09.

i. Westwood Lake Park All-Weather Shelter & Bike Wash Station.

Parks Committee's Recommendation: That the Parks, Recreation and Culture Commission approve this project subject to further staff input, discussions and site visitations.

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

ii. Nanaimo Pickleball Club Request for Additional Pickleball Courts.

Parks Committee's Recommendation: That the Parks, Recreation and Culture Commission:

1. approve a one-year pilot project, to be defined subject to start date, to allow for two Pickleball courts within the confines of the tennis court located closest to Bowen Road at Beban Park; and,
2. direct staff to obtain feedback during the pilot and report back to the Commission with the results at the end of the pilot period.

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

Commissioner Thorpe extended thanks to Kirsty MacDonald for the walking tour of Maffeo Sutton. Next tours are 2014-NOV-08 (Beban Park) and 2014-NOV-09 (Maffeo Sutton).

It was moved and seconded that the report be received. The motion carried unanimously.

- (b) Recreation Committee: No meeting held.
- (c) Grants Advisory Committee: Commissioner Thorpe reported that no meetings have been held since 2014-OCT-01.

8. STAFF REPORTS:

(a) **BRECHIN BOAT RAMP UPDATE.**

Purpose: To provide the Parks, Recreation and Culture Commission with an update regarding steps taken to address community concerns regarding boat ramp traffic.

Staff Recommendation: That the Parks, Recreation and Culture Commission receive for information.

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

(b) **ITALIAN FOUNTAIN UPDATE.**

Purpose: To provide the Parks, Recreation and Culture Commission with an update regarding upgrades being conducted to the Italian Fountain.

Staff Recommendation: That the Parks, Recreation and Culture Commission receive for information.

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

(c) **Parks & Facilities Monthly Report – September 2014.**

It was moved and seconded that the report be received. The motion carried unanimously.

(d) **Recreation Services Monthly Report – September 2014.**

It was moved and seconded that the report be received. The motion carried unanimously.

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

- (a) Minutes of the Nanaimo Harbour City Seniors Board of Directors meeting, held 2014-OCT-03.

It was moved and seconded that the correspondence be received. The motion carried unanimously.

10. NOTICE OF MOTION: (None.)

11. OTHER BUSINESS: (None.)

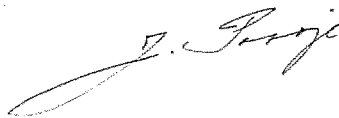
12. DELEGATIONS (not related to a Report to Commission): (None.)

13. QUESTION PERIOD: *(No questions.)*

14. ADJOURNMENT:

It was moved and seconded at 7:16 p.m. that the meeting adjourn. The motion carried unanimously.

CERTIFIED CORRECT:



F. Pattje, Acting Chair
Parks, Recreation and Culture Commission



R. Harding, Director
Parks, Recreation and Environment

2014-OCT-24
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