#### **AGENDA**

### REGULAR COMMITTEE OF THE WHOLE MEETING SHAW AUDITORIUM, 80 COMMERCIAL STREET, NANAIMO, BC MONDAY, 2014-APR-07, AT 4:30 P.M.

1.	CALL THE REGULAR COMMITTEE OF THE WHOLE MEETING TO ORDER:						
2.	INTRO	INTRODUCTION OF LATE ITEMS:					
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-MAR-17 at 4:30 p.m.	Pg. 6-8				
	(b)	Minutes of the Special Open Committee of the Whole Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, on Tuesday, 2014-MAR-18 at 1:00 p.m.	Pg. 9-11				
	(c)	Minutes of the Special Open Committee of the Whole Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, on Wednesday, 2014-MAR-19 at 9:00 a.m.	Pg. 12-15				
	(d)	Minutes of the Special Open Committee of the Whole Meeting held in the Board Room, Service and Resource Centre, 411 Dunsmuir Street, on Thursday, 2014-MAR-20 at 1:00 p.m.	Pg. 16-19				
5.	PRESE	ENTATIONS:					
	(a)	Dr. Paul Hasselback, Medical Health Officer, Vancouver Island Health Authority, to provide a presentation regarding 2013 Local Health Area Profile data for Nanaimo.	Pg. 20-38				
6.	ADMINISTRATION:						

how Council will consider hosting an e-Town Hall meeting.

Staff Recommendation: That Council adopt Council Policy

Pg. 39-41

Purpose: To present a draft policy providing guidelines for when and

Policy for the Hosting of e-Town Hall Meetings

No. 1-0530-02 "Hosting of e-Town Hall Meetings".

(a)

### 7. CORPORATE SERVICES:

### (a) Appointment of Deputy Corporate Officers

Purpose: To obtain Council approval for the appointment of Deputy Corporate Officers for the City of Nanaimo and the establishment of the order in which the Deputy Corporate Officers perform those duties.

### Staff Recommendation: That Council:

Pg. 42-43

- appoint Ms. Kristin King, Steno/Coordinator, Legislative Services, and Mr. Guillermo Ferrero, Director of Information Technology and Legislative Services, as Deputy Corporate Officers, to fulfill the duties as set out in Section 148 of the Community Charter;
- 2. rescind the appointment of Mr. Brian Clemens, Director of Finance, as a Deputy Corporate Officer; and,
- 3. establish the order in which the Deputy Corporate Officers perform the duties in the absence of the Corporate Officer as follows:
  - (1) Ms. Kristin King, Steno/Coordinator, Legislative Services
  - (2) Mr. Guillermo Ferrero, Director of Information Technology and Legislative Services
  - (3) Mr. Ian Howat, General Manager of Corporate Services

### (b) Quarterly Direct Award Purchases

Purpose: To report direct award purchases made by Staff during the three month period ending 2014-MAR-31, as per Bylaw No. 7175.

<u>Staff Recommendation:</u> That Council receive for information the report regarding Quarterly Direct Award Purchases for the period ending 2014-MAR-31.

Pg.44-46

Pg. 47-48

### (c) Quarterly Single Submission Purchases

Purpose: To report single submission purchases made during the three month period ending 2014-MAR-31, as per Bylaw No. 7175.

<u>Staff Recommendation:</u> That Council receive for information the report regarding Quarterly Single Submission Purchases for the period ending 2014-MAR-31.

### (d) Draft 2014-2018 Financial Plan

Purpose: To update Council on the status of the draft 2014–2018 Financial Plan preparation and receive direction from Council on the level of tax increase in 2014.

<u>Staff Recommendation</u>: That Council provide direction on the *Pg. 49-51* 2014-2018 Financial Plan using one of the following options:

1. direct Staff to proceed with preparing the 2014 – 2018 Financial Plan using the assumptions that result in a 2.5% tax increase in 2014;

OR,

- 2. direct Staff to make the three changes shown below and prepare the 2014 2018 Financial Plan with a 2.2% tax increase in 2014:
  - a. delete the \$165,000 annual contribution to the Housing Legacy Reserve in 2014;
  - b. defer the \$80,000 Fire Pump for the Nanaimo Port Authority boat "Osprey" to 2015; and,
  - c. delete the \$50,000 for financial performance audits in 2014;

OR,

3. provide alternate direction.

#### 8. **COMMUNITY SERVICES:**

### (a) RCMP Quarterly Report (October – December 2013)

Purpose: To provide Council with quarterly police statistics for the period October – December 2013.

#### Presentation:

Supt. Mark Fisher, Officer In Charge, and Mr. Mike Dietrich, Manager, Police Support Services, RCMP Detachment, Nanaimo.

<u>Staff Recommendation</u>: That Council receive for information the report *Pg. 52-62* pertaining to the RCMP Quarterly Report for the period October – December 2013.

### (b) Millstone Sanitary Sewer Trunk Replacement Tender

Purpose: In accordance with the City's Purchasing Bylaw, this report is to advise Council of a public tender call of greater than \$250,000.

<u>Staff Recommendation:</u> That Council receive for information the report *Pg. 63-64* regarding the Millstone Sanitary Sewer Trunk Replacement Tender.

### (c) <u>25 Victoria Road Options</u>

Purpose: To obtain Council direction regarding the future operation and use of 25 Victoria Road.

<u>Staff Recommendation:</u> That Council direct Staff to issue a Request for *Pg. 65-67* Proposals to manage 25 Victoria Road as a small theatre space.

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

(a) Letter dated 2014-MAR-21 from Cathy and Allan Peters, providing *Pg.* 68-76 information regarding human trafficking.

#### 10. **NOTICE OF MOTION:**

### 11. OTHER BUSINESS:

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

- (a) Mr. Ron Corbeil, United Steelworkers, requesting Council's support of the Westray Criminal Code amendments related to workplace death and injury when employers fail to take reasonable steps to prevent bodily harm.
   (b) Mr. Jim Routledge requesting that Council consider delaying any motion to kill the idea of a waste-to-energy facility being built at Duke Pt. until at least the end of April 2014.
   (c) Mr. Adrian Hough regarding development at Oliver Woods.
- (d) Ms. June Ross regarding proposed changes to Council's Procedure *Pg. 86* Bylaw.
- (e) Ms. Joanne Jonas-McRae, regarding development in North Nanaimo *Pg.* 87 and the impact on nesting birds including possible solutions and fundraising ideas.

- (f) Ms. Dale Wik, regarding exploring Council's "growth and development" *Pg. 88* model.
- (g) Mr. Gabriel Bauman, regarding City of Nanaimo public messaging *Pg.* 89 regarding new development of previously undeveloped land.

### 13. **QUESTION PERIOD:** (Agenda Items Only)

### 14. **PROCEDURAL MOTION:**

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

- (c) labour relations or other employee relations;
- (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.

### 15. **ADJOURNMENT:**

ACTING MAYOR: COUNCILLOR JOHNSTONE 2014-MAR-10 to 2014-APR-27

### **MINUTES**

### REGULAR COMMITTEE OF THE WHOLE MEETING SHAW AUDITORIUM, 80 COMMERCIAL STREET, MONDAY, 2014-MAR-17 AT 4:30 P.M.

PRESENT: Mayor J. R. Ruttan, Chair

Members: Councillor G. Anderson (Arrived at 4:40 p.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

T. M. Hickey, General Manager of Community Services I. Howat, General Manager of Corporate Services T. P. Seward, Director of Social & Protective Services

B. E. Clemens, Director of Finance

D. Lindsay, Director of Community Development

M. Desrochers, Client Support Specialist

G. Ferrero, Director of Information Technology & Legislative Services

K. King, Recording Secretary

### 1. <u>CALL THE OPEN MEETING TO ORDER:</u>

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

### 2. INTRODUCTION OF LATE ITEMS:

(a) Councillor Kipp advised that Ms. Brunie Brunie was in attendance and wished to address Council as a late delegation regarding Linley Valley and that Mr. Leon and Ms. Christine Cake were in attendance and wished to address Council as a late delegation regarding the presentation from Mr. Gordon Gunn from KPMG.

It was moved and seconded that Ms. Brunie Brunie, Ms. Christine Cake and Mr. Leon Cake be permitted to address Council as late delegations with five-minute time limitations. The motion carried unanimously.

### 3. <u>ADOPTION OF AGENDA:</u>

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 following Committee of the Whole Meetings be adopted:

Monday, 2014-MAR-03 Wednesday, 2014-MAR-05 Thursday, 2014-MAR-06 Friday, 2014-MAR-07 Wednesday, 2014-MAR-12

The motion carried unanimously.

### 5. PRESENTATIONS:

(a) Mr. Gordon Gunn, Partner, KPMG, LLP, presented his findings related to the City's waterworks supplier procurement process as outlined in his report: *City of Nanaimo Procurement Process Review*.

Councillor Anderson entered the Shaw Auditorium at 4:40 p.m.

### **Delegations:**

- 1. Ms. Christine Cake
- 2. Mr. Leon Cake

#### CORPORATE SERVICES:

(a) <u>2014 Grants Advisory Committee Recommendation – Security Check Grant Fund</u>

It was moved and seconded that Council award the Loaves & Fishes Food Bank Foundation a grant in the amount of \$500 from the Security Check Grant fund. The motion carried unanimously.

(b) "Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw No. 975.61, 2014"

It was moved and seconded that Council consent to the adoption of "Regional District of Nanaimo Pump & Haul Local Service Amendment Bylaw No. 975.61, 2014" and that the Regional District of Nanaimo be notified accordingly. The motion carried unanimously.

### 12. DELEGATIONS (not related to a Report to Council):

(a) Ms. Brunie Brunie spoke regarding the Linley Valley.

MINUTES - COMMITTEE OF THE WHOLE 2014-MAR-17 PAGE 3

#### 14. 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):

- personal information about an identifiable individual who holds or is being (a) considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (c) labour relations or other employee relations;
- information that is prohibited, or information that if it were presented in a document (j) would be prohibited, from disclosure under Section 21 of the Freedom of Information and Protection of Privacy Act;
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the municipality if they were held in public; and,

Community Charter Section 90(2):

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 5:54 p.m.

Council moved out of "In Camera" at 7:25 p.m.

15.	ADJOURNMENT:					
	It was mov	ved and seconded sly.	at 7:25 p.m.	that the meeting	ng terminate.	The motio
СНА	I R					
CERT	IFIED CORRECT:					
CORP	ORATE OFFICER					
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#### **MINUTES**

### SPECIAL OPEN COMMITTEE OF THE WHOLE MEETING BOARD ROOM, SERVICE AND RESOURCE CENTRE, 411 DUNSMUIR STREET, TUESDAY, 2014-MAR-18 AT 1:00 P.M.

PRESENT: Mayor J. R. Ruttan, Chair

Members: Councillor G. Anderson (arrived at 1:12 p.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

T. M. Hickey, General Manager of Community Services
I. Howat, General Manager of Corporate Services
T. P. Seward, Director of Social & Protective Services

T. L. Hartley, Director of Human Resources & Organizational Planning

B. E. Clemens, Director of Finance

G. Ferrero, Director of Information Technology & Legislative Services

D. Lindsay, Director of Community Development Chief C. Richardson, Nanaimo Fire Rescue P. Cooper, Communications Manager D. Duncan, Manager of Financial Planning

W. Fulla, Manager of Finance, Community Services

C. Jackson, Manager of Legislative Services

B. Joiner, Manager of Infrastructure Planning & Energy

B. Prokopenko, Senior Manager of Engineering S. Samborski, Senior Manager of Culture & Heritage

D. Smith, Recording Secretary

### 1. CALL THE SPECIAL OPEN MEETING TO ORDER:

The Special Open Committee of the Whole Meeting was called to order at 1:07 p.m.

### 2. INTRODUCTION OF LATE ITEMS:

- (a) Item 4 (a) add Councillor Bestwick Proposed Motions
- (b) Item 4 (a) add background notes from City Manager
- (c) Item 4 (a)(9) add the following motion from Councillor Bestwick:

"It was moved and seconded that Council direct Staff to not fill the Deputy Chief of Operations position in the Fire Department in 2014."

(d) Item 6 – add Procedural Motion and renumber Adjournment as Item 7

### 3. <u>ADOPTION OF AGENDA:</u>

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

### 4. <u>CORPORATE SERVICES:</u>

(a) City of Nanaimo 2014-2018 Financial Plan - Decision Package - Projects and Service Level Increases (dated 2014-MAR-10)

### Councillor Bestwick - Proposed Motions

1. Reconsideration of 2014-MAR-06 Resolution re: Nanaimo Aquatic Centre Retrofit/Retheme

Councillor Anderson entered the Board Room at 1:12 p.m.

The Mayor exercised his right to bring back the motion for reconsideration by Council as per Section 131 of the *Community Charter*.

Councillor Greves vacated the Board Room at 1:42 p.m. Councillor Greves returned to the Board Room at 1:44 p.m.

It was moved and seconded that Council remove from the 2014-2018 Financial Plan ranked Item No. 245 "Nanaimo Aquatic Centre: Retrofit/Retheme". The motion was <u>defeated</u>.

Opposed: Mayor Ruttan, Councillors Anderson, Brennan, Greves, and Johnstone

2. Reconsideration of 2014-MAR-06 Resolution re: Beban Pool Retrofit/Retheme

It was moved and seconded that Council agree to suspend Section 33 "Reconsideration" of "Council Procedure Bylaw 2007 No. 7060" and permit introduction of the following motion as new business:

"That Council remove from the 2014-2018 Financial Plan ranked Item No. 246 "Beban Pool: Retrofit/Retheme"."

The motion was defeated.

Opposed: Mayor Ruttan, Councillors Anderson, Brennan, Greves, Johnstone, and Pattje

3. It was moved and seconded that Council remove from the 2014-2018 Financial Plan ranked Item No. 190 "Beban hot tub replacement". The motion was defeated.

Opposed: Mayor Ruttan, Councillors Anderson, Brennan, Greves, Johnstone, and Pattie

MINUTES – SPECIAL OPEN COMMITTEE OF THE WHOLE 2014-MAR-18 PAGE 3

It was moved and seconded that Council table consideration of Item 4(a) (4)-(9) until the Special Open Committee of the Whole Meeting to be held on Wednesday, 2014-MAR-19 at 9:00 a.m. in the Board Room, 411 Dunsmuir Street, Nanaimo. The motion carried. *Opposed: Councillor Johnstone* 

- 5. QUESTION PERIOD: (Agenda Items Only)
  - Mr. Ron Bolin re: Fire service response time and insurance requirements.

### 6. <u>ADJOURNMENT:</u>

It was moved and seconded at 2:15 p.m. that the meeting terminate. The motion carried unanimously.

CHAIR	
CERTIFIED CORRECT:	
CORPORATE OFFICER	

#### **MINUTES**

### SPECIAL OPEN COMMITTEE OF THE WHOLE MEETING BOARD ROOM, 411 DUNSMUIR STREET, NANAIMO, BC WEDNESDAY, 2014-MAR-19 AT 9:00 A.M.

PRESENT: Mayor J. R. Ruttan, Chair

Members:

Councillor M. D. Brennan Councillor G. E. Greves Councillor D. K. Johnstone Councillor J. A. Kipp Councillor J. F. K. Pattje

Absent: Councillor G. Anderson

Councillor W. L. Bestwick Councillor W. B. McKay

Staff: E. C. Swabey, City Manager

T. M. Hickey, General Manager of Community Services

I. Howat, General Manager of Corporate Services

B. E. Clemens, Director of Finance

G. Ferrero, Director of Information Technology & Legislative Services T. L. Hartley, Director of Human Resources & Organizational Planning

D. Lindsay, Director of Community Development

B. Prokopenko, A/Director of Engineering & Public Works

Chief C. Richardson, Nanaimo Fire Rescue

T. P. Seward, Director of Social & Protective Services

D. Duncan, Manager of Financial Planning

W. Fulla, Manager Finance, Community Services

S. Samborski, Senior Manager of Culture & Heritage

B. Joiner, Infrastructure Planning & Energy Manager

S. Snelgrove, Recording Secretary

### 1. CALL THE SPECIAL OPEN MEETING TO ORDER:

The Special Open Committee of the Whole Meeting was called to order at 9:04 a.m.

### 2. INTRODUCTION OF LATE ITEMS:

- Add agenda item 4 (a) Councillor Bestwick Proposed Motions and City Manager's Notes.
- Add agenda item 7 Procedural Motion.

### 3. ADOPTION OF AGENDA:

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

### 4. CORPORATE SERVICES:

(a) City of Nanaimo 2014-2018 Financial Plan – Decision Package – Projects and Service Level Increases (dated 2014-MAR-10)

#### Councillor Bestwick - Proposed Motions

It was moved and seconded that Council direct Staff to ensure a 4 man engine status is provided 100 percent of the time and that an International Association of Firefighters / City Management joint quarterly update be provided to Mayor and Council for information.

It was moved and seconded that Council table consideration of the motion to direct Staff to ensure a 4 man engine status is provided 100 percent of the time and that an International Association of Firefighters / City Management joint quarterly update be provided to Mayor and Council for information. The motion carried unanimously.

It was moved and seconded that Council direct Staff to add \$86,000.00 to the budget for the fiscal year 2014 to provide 4 member engine status and to continue discussions for integrated risk management and staffing. The motion carried unanimously.

It was moved and seconded that Council direct Staff to work towards a reduction in fuel consumption in City vehicles by 5 percent in 2014. The motion carried unanimously.

It was moved and seconded that Council direct Staff to:

- (1) undertake a review of the sale of the properties that house Firehall No. 1 and the Fire Personnel Office, and identify a new site on Third Street or alternatives, and postpone all major and minor improvement to either building; and,
- (2) with the proceeds of the sale of the two properties and the savings related to maintenance or capital improvements to Firehall No. 1, build a new fire hall with the proceeds.

The motion was <u>defeated</u>. <u>Opposed:</u> Mayor Ruttan, Councillors Brennan, Greves, Johnstone, Pattje

It was moved and seconded that Council direct Staff to move ranked item No. 397 "Sustainability: Fire station #1, Replace Boiler (natural gas)" from 2014 to 2015. The motion carried unanimously.

MINUTES – SPECIAL OPEN COMMITTEE OF THE WHOLE 2014-MAR-19 PAGE 3

Councillor Greves vacated the board room at 10:16 a.m.

It was moved and seconded that Council direct Staff to evaluate the cost benefit analysis of the Vancouver Island Emergency Response Academy and make a decision to continue or discontinue in 2015, based on its findings. The motion carried unanimously.

Councillor Greves returned to the Board Room at 10:18 a.m.

It was moved and seconded that Council direct Staff to place all Parks, Recreation & Environment custodians under the supervision of the Manager of Civic Facilities. The motion was defeated.

Opposed: Mayor Ruttan, Councillors Brennan, Greves, Johnstone, Pattje

### 5. PROCEDURAL MOTION:

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

- (c) labour relations or other employee relations;
- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and,
- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2).

The motion carried unanimously.

Council moved "In Camera" at 10:22 a.m.
Council moved out of "In Camera" at 10:43 a.m.

It was moved and seconded that Council direct Staff to proceed with preparation of the budget based on the decision packages that have been approved by Council as outlined in the 2014-2018 Financial Plan - Decision Packages - Projects and Service Level Increases document dated 2014-MAR-10. The motion carried.

<u>Opposed:</u> Councillor Kipp

It was moved and seconded that Council direct Staff to prepare a report on the implications of commencing a proposed yearly increase of annual per capita Cultural Operating Grant funding from \$2.25 to \$3.00 over a certain number of years. The motion carried unanimously.

MINUTES – SPECIAL OPEN COMMITTEE OF THE WHOLE
2014-MAR-19
PAGE 4

CORPORATE OFFICER

6.	ADJOURNMENT:	
	It was moved and seconded at 10:48 a.m. that the meeting terminate. T carried unanimously.	he motion
CHA	I R	
CERTI	IFIED CORRECT:	

#### **MINUTES**

### SPECIAL OPEN COMMITTEE OF THE WHOLE MEETING BOARD ROOM, SERVICE AND RESOURCE CENTRE, 411 DUNSMUIR STREET, THURSDAY, 2014-MAR-20 AT 1:00 P.M.

PRESENT: Mayor J. R. Ruttan, Chair

Members: Councillor G. Anderson

Councillor M. D. Brennan

Councillor G. E. Greves (vacated at 3:41 p.m.)

Councillor D. K. Johnstone

Councillor J. A. Kipp

Councillor W. B. McKay (vacated at 3:26 p.m.)

Councillor J. F. K. Pattje

Absent: Councillor W. L. Bestwick

Staff: E. C. Swabey, City Manager

T. M. Hickey, General Manager of Community Services

I. Howat, General Manager of Corporate Services

T. P. Seward, Director of Social & Protective Services

T. L. Hartley, Director of Human Resources & Organizational Planning

B. E. Clemens, Director of Finance

G. Ferrero, Director of Information Technology & Legislative Services

P. Cooper, Communications Manager

D. Duncan, Manager of Financial Planning

G. Foy, Traffic/Transportation Engineer (arrived 1:16 p.m.)

W. Fulla, Manager of Finance, Community Services

C. Jackson, Manager of Legislative Services

B. Joiner, Manager of Infrastructure Planning & Energy

B. Prokopenko, Senior Manager of Engineering

S. Samborski, Senior Manager of Culture & Heritage

D. Smith, Recording Secretary

#### 1. CALL THE SPECIAL OPEN MEETING TO ORDER:

The Special Open Committee of the Whole Meeting was called to order at 1:02 p.m.

### 2. INTRODUCTION OF LATE ITEMS:

(a) Item 4 (b) - Cultural Operating Grant Funding Options - add Staff background information

### 3. ADOPTION OF AGENDA:

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

### 4. <u>CORPORATE SERVICES:</u>

(a) City of Nanaimo 2014-2018 Financial Plan - Decision Package - Projects and Service Level Increases

### Councillor Anderson - Proposed Motion

It was moved and seconded that Council:

- 1. support development of the E&N Trail south from downtown to Seventh Street by 2019;
- 2. add from General Revenue \$50,000 in 2014 to undertake preliminary design routing work and provide cost estimates;
- 3. support the recommendations of the Parks, Recreation & Culture Commission and the Transportation Advisory Committee to allocate \$100,000 from the Trails Capital Budget beginning in 2015, requisite upon:
  - the Nanaimo Region Rail Trail Partnership providing matching or greater funding; and,
  - the Nanaimo Region Rail Trail Partnership and the City of Nanaimo identifying a common priority trail improvement project;
- 4. apply to the Regional District of Nanaimo Park Acquisition Fund for matching funding;
- 5. direct Staff to pursue senior government grant opportunities in cooperation with the Nanaimo Region Rail Trail Partnership; and,
- 6. consider, based on outcomes of the previous motions, utilizing City of Nanaimo General Revenue or exploring opportunities to use Roads Development Cost Charges to complete funding needs.

The motion carried.

Opposed: Councillors Kipp and McKay

(b) Cultural Operating Grant Funding Options

It was moved and seconded that Council:

- 1. approve an increase in the annual Cultural Operating Grant funding from \$2.30 to \$3.00 per capita over a period of three years, commencing in 2015; and,
- 2. approve an increase to the Art & Cultural Event Fund by 10 percent annually for 5 years, beginning in 2015.

The motion carried.

Opposed: Councillors Kipp and McKay

MINUTES – SPECIAL OPEN COMMITTEE OF THE WHOLE 2014-MAR-20 PAGE 3

Councillor McKay vacated the Board Room at 2:01 p.m. Councillor McKay returned to the Board Room at 2:02 p.m.

### (c) <u>Public Engagement Options for 2014-2018 Financial Plan</u>

Councillor Greves vacated the Board Room at 2:05 p.m. Councillor Greves returned to the Board Room at 2:12 p.m.

Councillor McKay vacated the Board Room at 2:12 p.m. Councillor McKay returned to the Board Room at 2:17 p.m.

It was moved and seconded that Council direct Staff to schedule an eTown Hall Budget Meeting in order to gather community input prior to Council starting the 2015 budget planning exercise. The motion carried unanimously.

Mayor Ruttan vacated the Chair and the Board Room at 2:16 p.m. Councillor Johnstone assumed the Chair.

Mayor Ruttan resumed the Chair at 2:19 p.m.

### 5. QUESTION PERIOD: (Agenda Items Only)

Mr. Ron Bolin re: provision of budget information to the public.

### 6. 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):

- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and,
- (n) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2).

The motion carried unanimously.

Councillor Anderson vacated the Board Room at 2:27 p.m. Councillor Anderson returned to the Board Room at 2:28 p.m.

Council moved into "In Camera" at 2:28 p.m. Council moved out of "In Camera" at 3:45 p.m.

MINUTES - SPECIAL OPEN COMMITTEE OF THE WHOL	E
2014-MAR-20	
PAGE 4	

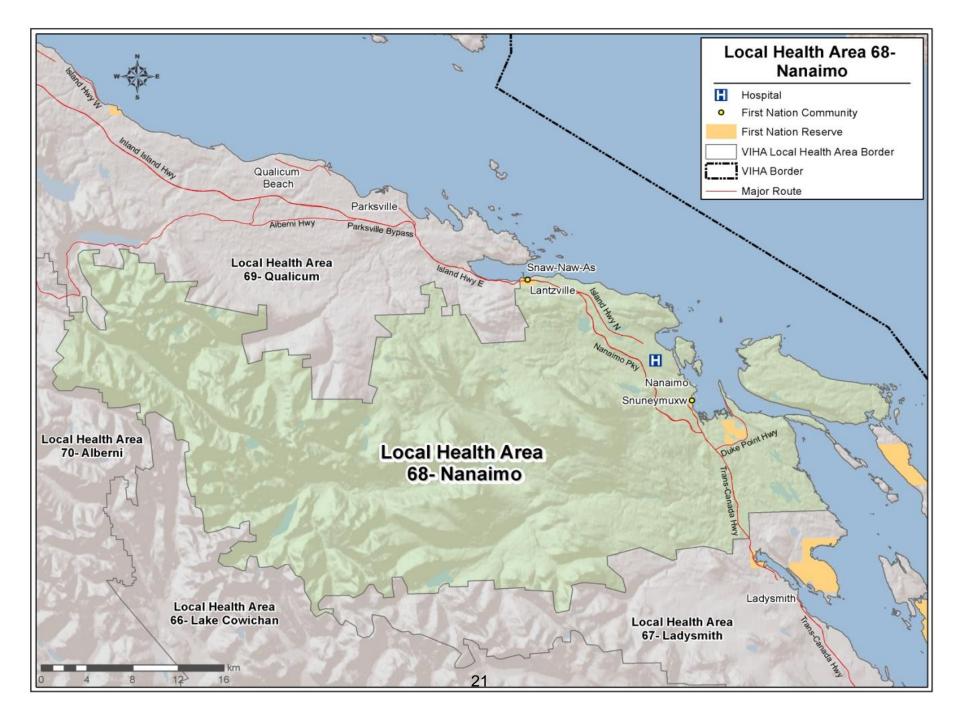
7.	ADJOURNMENT:

It was carried unanim	moved and nously.	seconded a	t 3:46 p.m.	that the	meeting ter	minate.	The motion
C H A I R							
CERTIFIED CORREC	CT:						
CORPORATE OFFIC	 ER						

### Medical Health Officer Report to: City of Nanaimo Committee of the Whole April 7, 2014

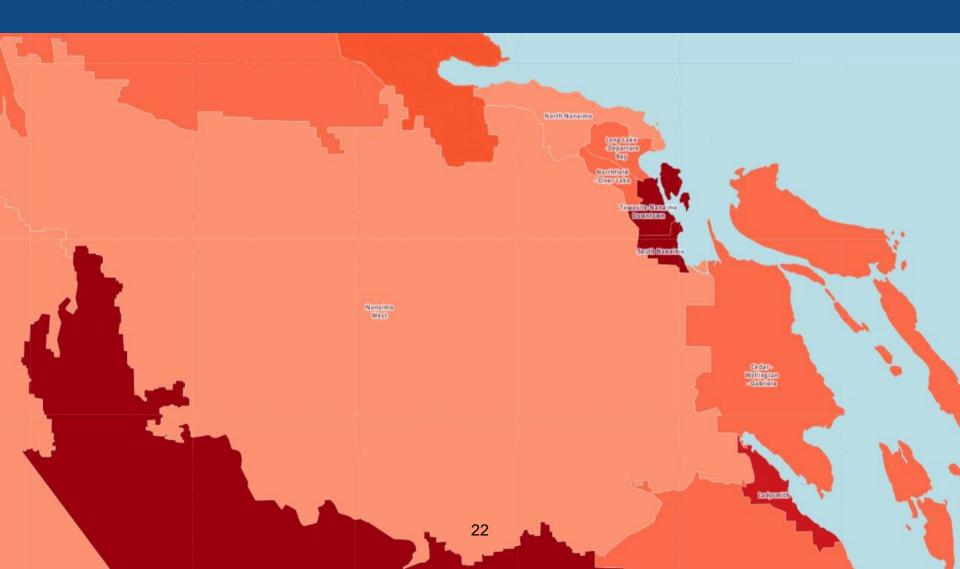
Paul Hasselback MD MSc FCRPC Medical Health Officer Central Vancouver Island





### SD 68 - Nanaimo-Ladysmith

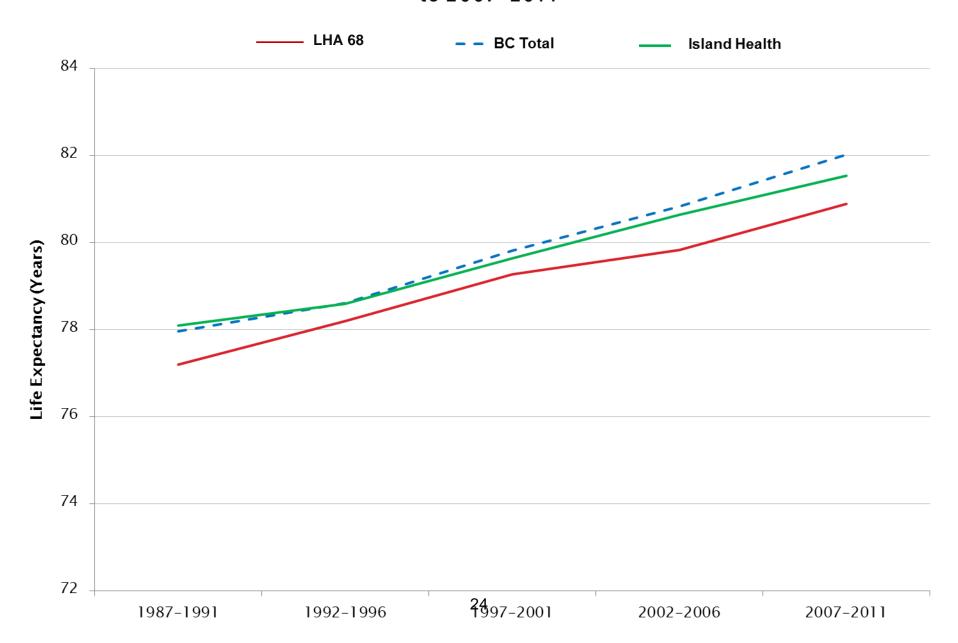
EDI Boundaries Lantzville = North Nanaimo



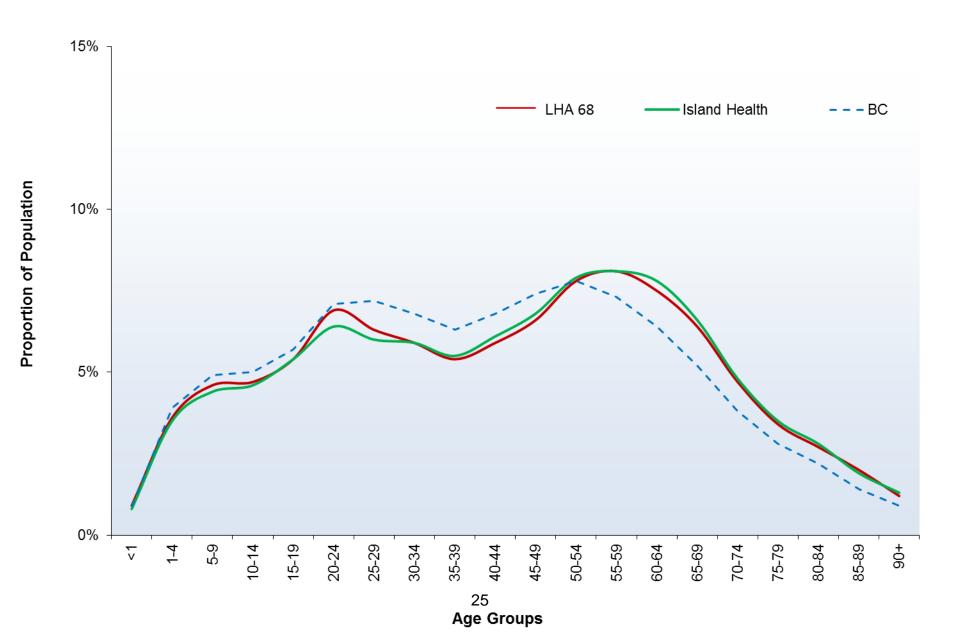
## Nanaimo, City - Census Subdivision



### Life Expectancy of LHA 68 Residents Compared to VIHA and BC 1987–1991 to 2007–2011



### Proportion of 2013 Population by 5-Year Age Groups Compared to VIHA and BC



# Celebration of Council Activities to Improve Health

- Participation and support of Early Years partnerships.
- Strong partnership with Integrated Health Network on chronic disease management.
- Support for development of NRGH campus.
- Effort to bring Nanaimo water to Canadian Drinking Water Quality standards.
- Regional food strategy.
- Incorporation of health and social planning in city strategic plan.



### LHA Profiles – Interpretive Notes

- Accessible on line.
- Data in profiles are presented differently important to carefully review data to understand.
- Generally measures to the right of zero show favourably when comparing LHA 68 to VIHA, measures to the left less favourably.
- Profile also compares LHA to BC as a whole.
- For most slides, Red is the most recent year,
   Green 2012, Blue 2011.

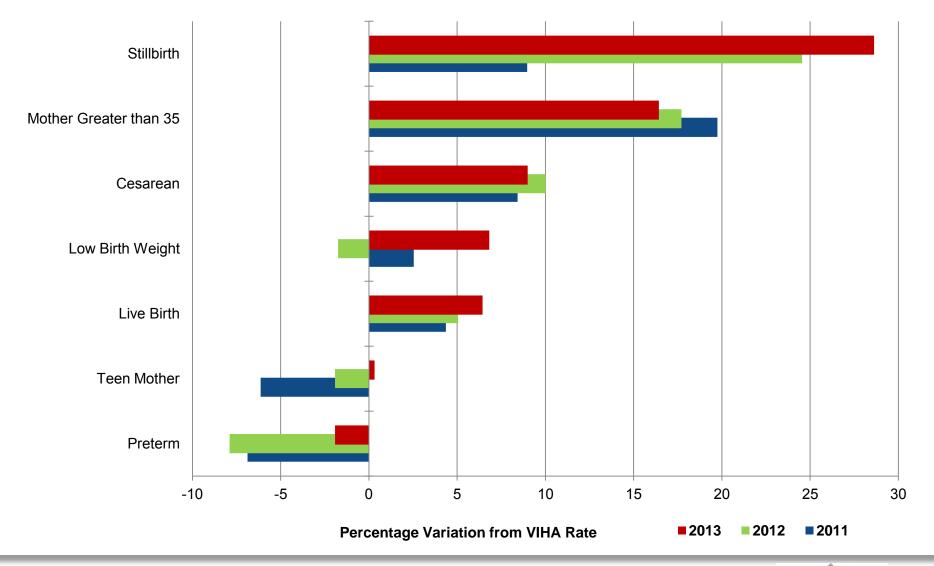


### National Household Survey (NHS)

- Data Tables based on geographic levels
  - Census metropolitan areas and census agglomerations.
  - Census subdivisions with 5,000 plus population estimate.
- NHS non-response rate 20.5%
  - Underrepresentation in lower economic groups.
  - Underrepresentation by single parent families.
  - Underrepresentation by Aboriginal peoples.
  - Likely underrepresentation of other ethnic groups.
- Data are compared to BC as a province as are not yet available island or Health area.

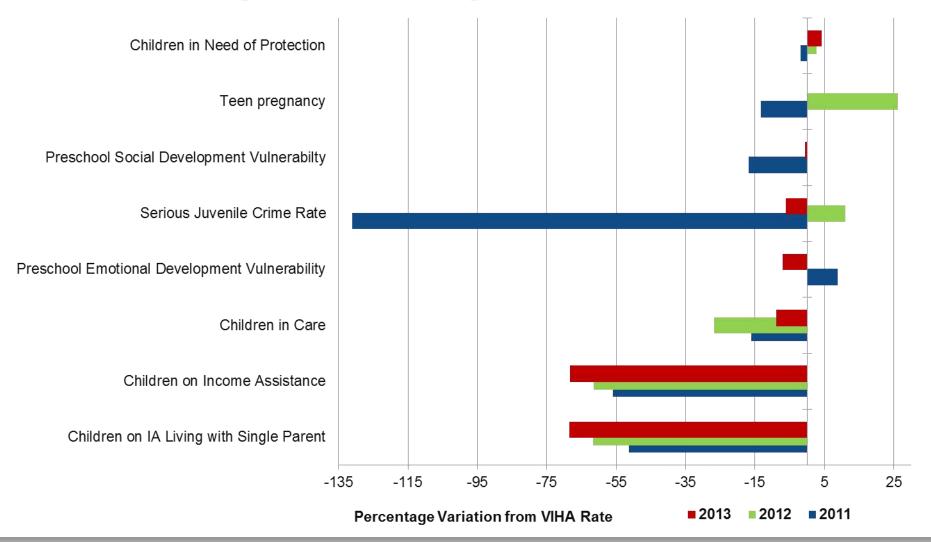


### **Birth Statistics**



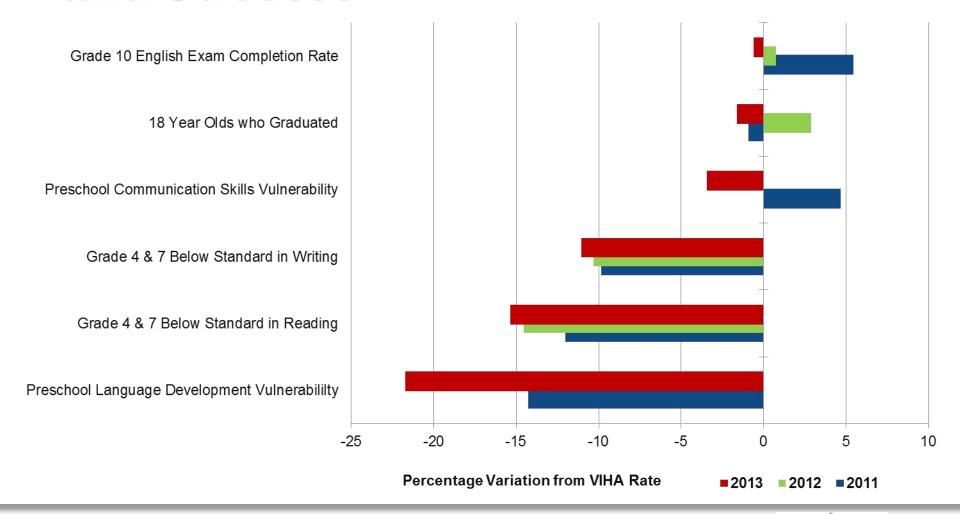


## **Healthy Development**



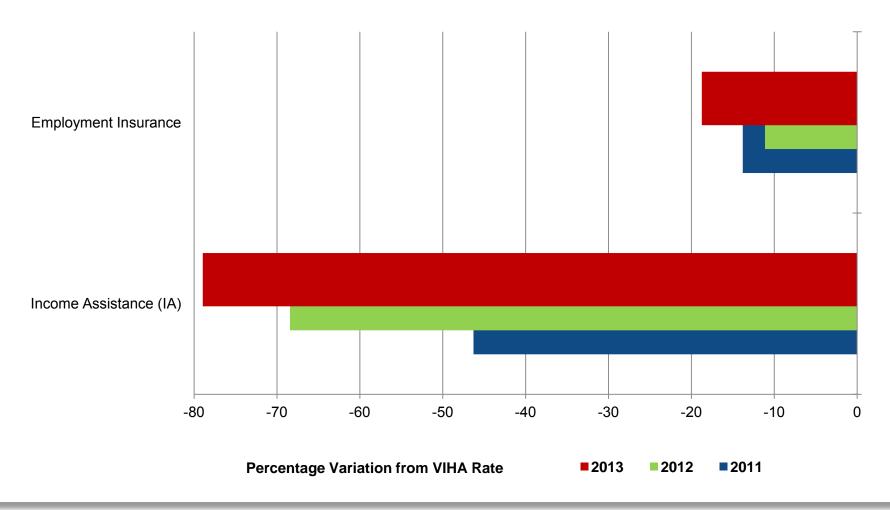


# Measures of Education Readiness and Success





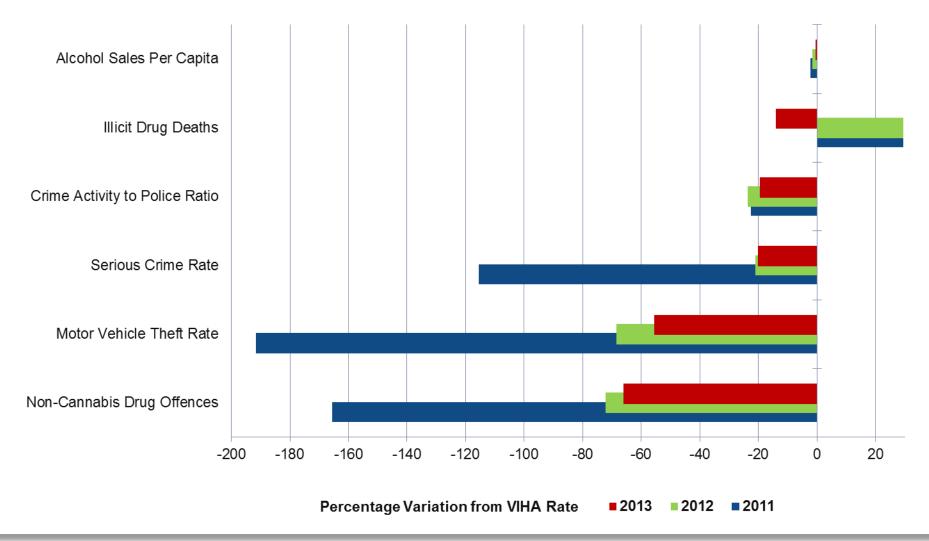
### Measures of Economic Wellbeing







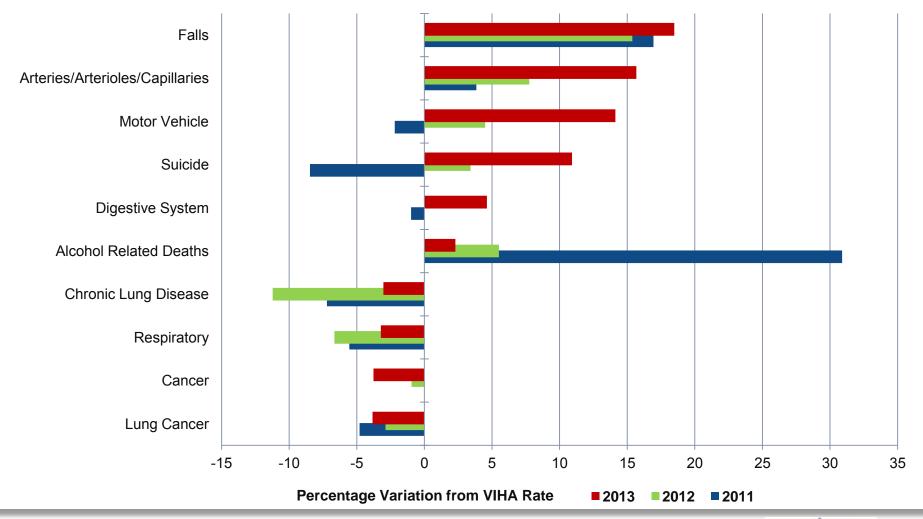
### **Social Behaviours**







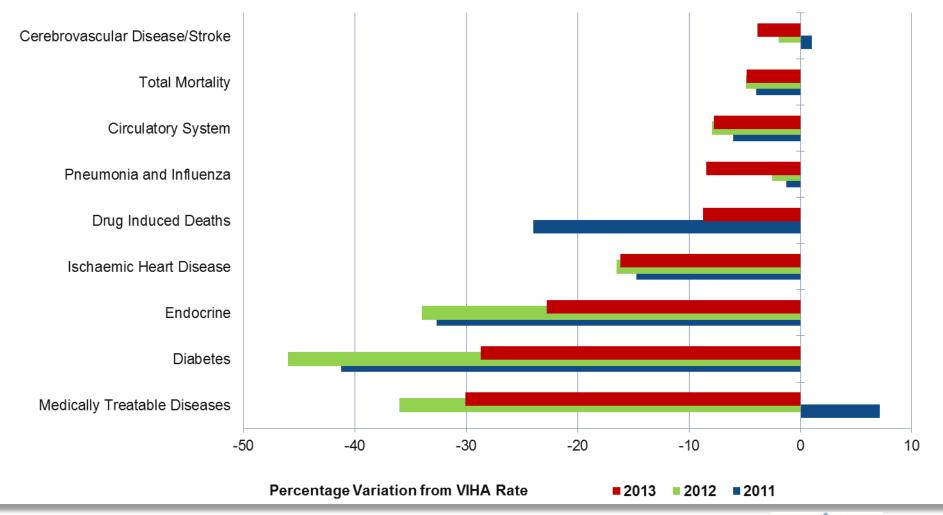
## Mortality as a Health Measure Slide 1





### Mortality as a Health Measure

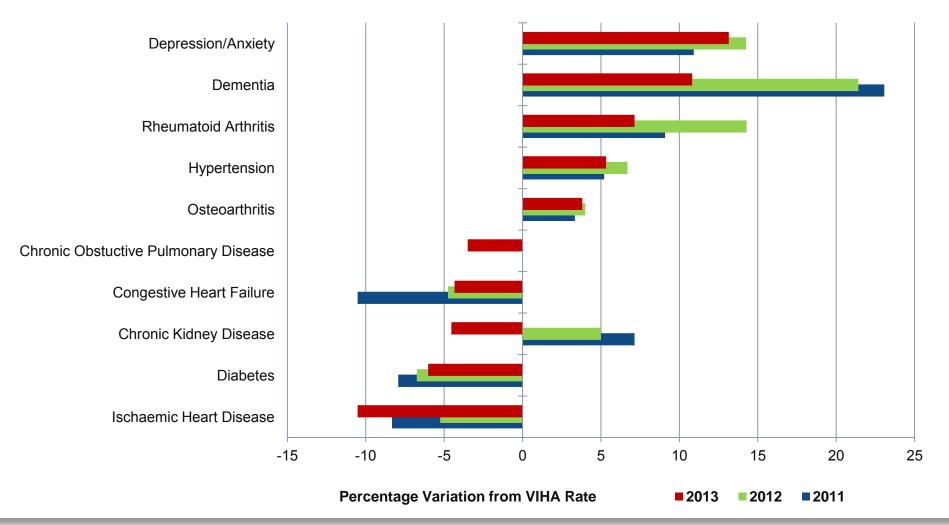
### Slide 2





### **Chronic Disease Prevalence**

### Not Age Adjusted

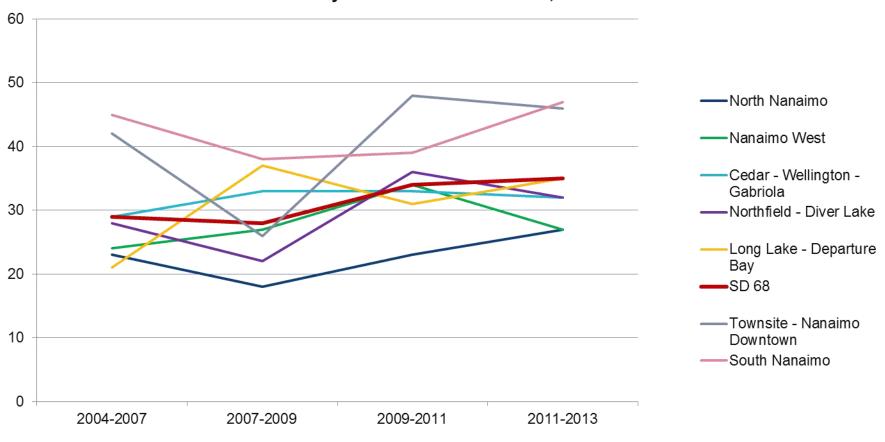






# Early Development Index 2004–2013

Vulnerability on One or More Scales, 2004 to 2013





Paul Hasselback MD MSc FRCPC 250.739.6304 paul.hasselback@viha.ca



DATE OF MEETING: 2014-APR-07

AUTHORED BY: PHILIP COOPER, COMMUNICATIONS MANAGER

RE: POLICY FOR THE HOSTING OF e-TOWN HALL MEETINGS

# **STAFF RECOMMENDATION:**

That Council adopt Council Policy No. 1-0530-02 "Hosting of e-Town Hall Meetings".

#### PURPOSE:

To present a draft policy providing guidelines for when and how Council will consider hosting an e-Town Hall meeting.

#### BACKGROUND:

In an effort to increase public participation during the annual budget review process, the City of Nanaimo in the spring of 2013 hosted an e-Town Hall meeting. Similar to previous years, members of the public were invited to attend a scheduled Council meeting to ask questions. However, in addition to in-person attendance at the meeting, the City also invited the public to participate by submitting questions to Council via the channels of Facebook, Twitter, web form or telephone. The result was a significant jump in both the number of questions answered as well as the diversity of questions asked. A second e-Town Hall meeting was held in early December 2013 and, similar to the spring meeting, public participation was again favourable.

While both e-Town Hall meetings held in 2013 were successful in achieving the goal of growing and diversifying public participation, there is currently no supporting policy outlining when and how these meetings will take place. As such, Council adopted the following motion at its 2013-NOV-25 Committee of the Whole Meeting:

"It was moved and seconded that Council direct Staff to draft a policy on when and how Council would consider using an e-Town Hall meeting".

The attached draft policy is intended to address this motion.

#### **DISCUSSION:**

At the time this report was prepared, the City of Nanaimo's experience hosting e-Town Hall meetings was drawn from two scheduled events, of which both events were relatively unique in Canadian local government. Obtaining a thorough understanding of how and when e-Town Hall meetings can be used – and with what long-term benefit – will consequently require additional



meetings. The proposed policy attached to this report provides a starting point for the planning and scheduling of future e-Town Hall meetings. Using this policy it is proposed that Council agree to host an e-Town Hall meeting when it is determined that:

- 1. The City has jurisdiction over the topic to be discussed.
- 2. Hosting the e-Town Hall meeting will improve the diversity of public feedback.
- 3. The City has a sufficient time window of no less than two weeks to promote the e-Town Hall meeting's topic, date and time.

# **STRATEGIC PLAN CONSIDERATIONS:**

The City of Nanaimo encourages the development of positive relationships, community engagement and participatory democracy based on effective consultation and open communication. Hosting e-Town Hall meetings supports this philosophy by scheduling topic focused meetings that encourage a range of residents to present a variety of ideas and questions to Council by combining the online connectivity Twitter, Facebook and web postings with the tradition of attending community meetings in person.

Respectfully submitted,

P. Cooper

Communications Manager

#### **CITY MANAGER COMMENT:**

I concur with the staff recommendation.

Drafted: 2014-MAR-04



Section:	Administration	1
Subsection:	Council - Meetings	0530
Title:	Hosting of e-Town Hall Meetings	02

#### **POLICY**

The City of Nanaimo encourages the development of positive relationships, community engagement and participatory democracy based on effective consultation and open communication. Hosting e-Town Hall meetings supports this philosophy by scheduling topic focused events that encourage a range of residents to present a variety of ideas and questions to Council by combining the online connectivity Twitter, Facebook and web postings with the tradition of attending community meetings in person. The information shared during the course of an e-Town Hall meeting encourages dialogue, facilitates learning and builds trust.

#### **REASON FOR POLICY**

To provide guidelines for when and how Council will consider hosting an e-Town Hall meeting.

#### **AUTHORITY TO ACT**

Retained by Council.

#### **PROCEDURE**

The following criteria will determine when Council should consider hosting an e-Town Hall.

- 1. The City has jurisdiction over the topic to be discussed.
- 2. Hosting the e-Town Hall meeting will improve the diversity of public feedback.
- 3. The City has a sufficient time window of no less than two weeks to promote the e-Town Hall meeting's topic, date and time.

An opportunity to host an e-Town Hall meeting may be identified either by an individual Councillor via a motion to Council or a recommendation proposed by Staff to Council.

Date:	Approved by:

# REPORT TO COUNCIL

DATE OF MEETING: 2014-APR-07

AUTHORED BY:

I. HOWAT, GENERAL MANAGER, CORPORATE SERVICES

RE:

APPOINTMENT OF DEPUTY CORPORATE OFFICERS

# STAFF RECOMMENDATION:

#### That Council:

- appoint Ms. Kristin King, Steno/Coordinator, Legislative Services, and Mr. Guillermo 1. Ferrero, Director of Information Technology and Legislative Services, as Deputy Corporate Officers, to fulfill the duties as set out in Section 148 of the Community Charter.
- 2. rescind the appointment of Mr. Brian Clemens, Director of Finance, as a Deputy Corporate Officer; and,
- establish the order in which the Deputy Corporate Officers perform the duties in the 3. absence of the Corporate Officer as follows:
  - Ms. Kristin King, Steno/Coordinator, Legislative Services
  - Mr. Guillermo Ferrero, Director of Information Technology and Legislative (2) Services
  - Mr. Ian Howat, General Manager of Corporate Services (3)

#### PURPOSE:

To obtain Council approval for the appointment of Deputy Corporate Officers for the City of Nanaimo and the establishment of the order in which the Deputy Corporate Officers perform those duties.

#### DISCUSSION:

Mr. Chris Jackson accepted the position of Manager of Legislative Services in December, 2013, and is serving as Corporate Officer as set out in Section 33 of the City's "Officers Appointment and Delegation Bylaw 2006 No. 7031" which states that "The person holding the office of Manager of Legislative Services is assigned the responsibilities of corporate administration. including the powers, duties and functions set out in section 148 of the Community Charter."



To provide coverage for signing documents within the Legislative Services Department in the absence of the Corporate Officer, Staff are recommending that Ms. King be appointed as a Deputy Corporate Officer.

As part of Mr. Ferrero's responsibilities as Director for Legislative Services, Staff are recommending that Mr. Ferrero be appointed as a Deputy Corporate Officer. The appointment of Mr. Ferrero is intended to replace Mr. Brian Clemens appointment, which will confine all the appointments of Deputy Corporate Officer to Staff affiliated with the Legislative Services Department.

Respectfully submitted,

I. Howat, Géneral Manager,

**Corporate Services** 

Drafted: 2014-MAR-11

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# REPORT TO COUNCIL

DATE OF MEETING: 2014-APR-07

AUTHORED BY: K. FELKER, MANAGER, PURCHASING AND STORES

RE: QUARTERLY DIRECT AWARD PURCHASES

# **STAFF RECOMMENDATION:**

That Council receive for information the report regarding Quarterly Direct Award Purchases for the period ending 2014-MAR-31.

#### **PURPOSE:**

To report direct award purchases made by Staff during the three month period ending 2014-MAR-31, as per Bylaw No. 7175.

## **BACKGROUND:**

Under Council's "Purchasing Power Delegation Bylaw 2013 No. 7175", a report to Council will be provided each quarter summarizing any direct award purchases between \$25,000 to \$250,000. Council approves any direct awards over \$250,000. This report covers the period between 2014-JAN-01 to 2014-MAR-31.

#### **DISCUSSION:**

Council adopted Bylaw No. 7175 in 2013 which gives authority for Staff to directly award a contract to a vendor if certain conditions are met. This bylaw also requires Staff to report on these direct awards valued at \$25,000 to \$250,000 each quarter.

According to the bylaw, the circumstances under which a direct award can be made are as follows:

- 1. to ensure compatibility with existing equipment, facilities or to maintain specialized products by the manufacturer or representative
- 2. one with which staff has specialized training and/or extensive experience
- 3. where there is an absence of competition and no acceptable alternative or substitute exists
- 4. for the purchase of used equipment or at auction
- 5. where it can be demonstrated the product or service is available only through one authorized manufacturer, distributor, dealer, or service provider
- 6. item is purchased for testing or trial use
- 7. for matters involving high security and/or to protect the confidentiality of the City
- 8. urgently required on an emergency basis (e.g. life/death, health, safety, critical equipment or facility breakdown)
- 9. a Notice of Intent to Direct Award is posted electronically and is not challenged
- 10. where there is demonstrated value to continue consultant services into the next project phase (i.e. from design to construction)

11. any other situation where it is clearly demonstrated there is only one viable source of supply

There were four (4) direct awards made during the three month period covered by the report. Details of these are given below.

Vendor:

Fournier Excavating Ltd

Amount:

\$54.600.59 + GST

Description:

Pine & Fifth St Mine Remediation

Reason:

Work performed on a time and materials basis as quantity of material to be

excavated was unknown.

Vendor:

Esri Canada

Amount:

\$171,000.00 + GST

Description:

Three Year Contract Renewal

Reason:

Proprietary software service only available from this vendor

Vendor:

Windley Contracting Ltd

Amount:

\$32,980.26 + GST

Description:

Fire Station #3 Rear Driveway

Reason:

Opportunity to construct Fire Station rear access in conjunction with the

Supportive Housing Project on Uplands Drive with a contractor already on the

Supportive Housing site.

Vendor:

Departure Bay Construction Ltd

Amount:

\$35,000.00 + GST

Description:

Cost Share to complete Arbot Road water main replacement

Reason:

Contractor is currently constructing works and services at the property at 2215

Arbot Road and is currently on site.

Respectfully submitted,

Kuti Feller

K. Felker

Manager, Purchasing & Stores

Concurrence by:

B. E. Clemens, Director of Finance

Ian Howat,

General Manager, Corporate Services

# **CITY MANAGER COMMENT:**

I concur with the staff recommendation.

G:\Reports\Quarterly Reports\2014\Direct Award\Quarter 1

# REPORT TO COUNCIL

DATE OF MEETING: 2014-APR-07

**AUTHORED BY:** 

K. FELKER, MANAGER, PURCHASING AND STORES

RE:

QUARTERLY SINGLE SUBMISSION PURCHASES

#### STAFF RECOMMENDATION:

That Council receive for information the report regarding Quarterly Single Submission Purchases for the period ending 2014-MAR-31.

#### **PURPOSE**:

To report single submission purchases made during the three month period ending 2014-MAR-31, as per Bylaw No. 7175.

#### BACKGROUND:

Under Council's "Purchasing Power Delegation Bylaw 2013 No. 7175", a report to Council will be provided each quarter summarizing any single submissions received after either publicly tendering or inviting at least three (3) vendors to bid on the work. The value of these purchases is between \$25,000 to \$250,000. Council approves any single submission purchases over \$250,000. This report covers the period between 2014-JAN-01 to 2014-MAR-31.

# **DISCUSSION:**

There was one (1) single submission award made during the three month period covered by the report. Details are given below.

Request for Quote No. 1504

Vendor:

Agrium Advanced Technologies

Amount:

\$41,506.50 + GST & PST

Description:

Fertilizer & Lime

Reason:

Single response to Request for Quotation. Request for Quotation was posted on

the City of Nanaimo website and was sent directly to one (1) firm.

Respectfully submitted,

Kurti Feller

K. Felker

Manager, Purchasing & Stores

Council
Committee 25 The Whole
Open Meeting
In-Camera Meeting
Meeting Date: 214-APR-07

Concurrence by:

B. E. Clemens, Director of Finance Ian Howat,

General Manager, Corporate Services

# **CITY MANAGER COMMENT:**

I concur with the staff recommendation.

G:\Reports\Quarterly Reports\2013\Single Submission\Quarter 3

# REPORT TO COUNCIL

DATE OF MEETING: 2014-APR-07

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

RE: DRAFT 2014 – 2018 FINANCIAL PLAN

#### STAFF'S RECOMMENDATION:

That Council provide direction on the 2014 – 2018 Financial Plan using one of the following options:

1. direct Staff to proceed with preparing the 2014 – 2018 Financial Plan using the assumptions that result in a 2.5% tax increase in 2014;

OR

- 2. direct Staff to make the three changes shown below and prepare the 2014 2018 Financial Plan with a 2.2% tax increase in 2014:
  - a. Delete the \$165,000 annual contribution to the Housing Legacy Reserve in 2014;
  - b. Defer the \$80,000 Fire Pump for the Nanaimo Port Authority boat "Osprey" to 2015; and,
  - c. Delete the \$50,000 for financial performance audits in 2014;

OR

3. provide alternate direction.

#### PURPOSE:

To update Council on the status of the draft 2014 – 2018 Financial Plan preparation and receive direction from Council on the level of tax increase in 2014.

#### **BACKGROUND:**

At a Special Open Committee of the Whole Meeting on 2013-AUG-29, staff had a discussion with Council about changing the way the that City of Nanaimo prepares and reviews the annual five year financial plan. The basic concept was to perform a service level review of the City's functions and facilitate discussion on these services. The process was developed by staff over the next few weeks.

facilitate discussion on these services. The process was providing Council with valuable information and would be extended to all departments.

Since then, Council has used a workshop format to review every department in the City with presentations on the organization structure, service levels, operating budgets and projects for each. The intention of the review process was to give Council a solid understanding of the levels of service

being provided throughout the City and for Council to have an opportunity to question these service levels. It also introduced Council to the lists of projects proposed for each City function. Council was informed that, at the end of the review process, Council would be given a prioritized list of decision packages (projects and other expenditures) for their consideration. Council would then be able to change priorities if desired and choose a level of taxation.

In order to meet deadlines for tendering projects and to meet operational staffing needs, Council was asked to provide early approval of a number of expenditures. This was done at the meeting on 2014-JAN-22, with one additional purchase being approved at the meeting on 2014-JAN-30.

At the meeting on 2014-JAN-30, staff introduced an agenda item for "Council Initiatives". The purpose of this agenda item was to provide a specific spot on the agenda for Council to put forward ideas that could be costed by staff and added to the list of decision packages. This item appeared on the four special meetings held in February.

The final departmental service level review session was held on 2014-MAR-05. During two full day sessions on March 6<sup>th</sup> & 7<sup>th</sup>, Council reviewed the remaining 400+ decision packages and provided Staff with direction on many of these packages, deleting some and deferring others to future years.

On 2014-MAR-12, Council provided direction for Staff to proceed with Caledonia Park upgrades in 2014.

Council met three more times the following week as the Committee of the Whole. At the meeting held 2014-MAR-20, Council completed their review and provided Staff with direction on which decision packages to include in the 2014 – 2018 Financial Plan. At this time, it was estimated that the property tax increase in 2014 would be 2.2% for all property tax classes.

The next step of the process was for Staff to enter all of the data into the City's financial systems to confirm the details of the budget and proposed tax increases. While undertaking this proofing process, Staff identified some minor errors in the model that was used to estimate the tax impact of the decisions that Council has been making regarding the budget. In particular, the asset management transfers were not done correctly.

The nature of this year's budget process was that Staff was creating new systems and frequently generating and updating information as it went along, without the opportunity to adequately test and confirm the systems that were being creating. For the 2015 budget cycle, the systems and models will be in place to support the process.

As part of the review process, Staff also made adjustments to some revenue based on new information. This resulted in increases to the estimated revenue from new construction and casino revenue.

Estimated property tax increases for the 2014 – 2018 Financial Plan are now:

	2014	2015	2016	2017	2018
2013 Plan	4.2%	3.6%	4.0%	3.9%	NA
2014 Current	2.5%	1.2%	2.2%	6.1%	0.1%

If Council wishes to keep the 2014 increase at the previously reported 2.2%, Staff recommend the following actions:

(a) Delete the \$165,000 annual contribution to the Housing Legacy Reserve in 2014. The unallocated balance of the reserve at the beginning of 2014 is about \$2.7 million.

- (b) Defer the Fire Pump for the Nanaimo Port Authority boat "Osprey" (rank #389 \$80,000) to 2015.
- (c) Delete the \$50,000 for financial performance audits to 2015 (rank #363). It would be added starting in 2015.

The above changes would affect the estimated tax increases as follows:

	2014	2015	2016	2017	2018
2014 Revised	2.2%	1.6%	2.1%	6.1%	0.1%

Staff request that Council provide direction on the draft 2014 – 2018 Financial Plan by selecting one of the following three options:

1. direct Staff to proceed with preparing the 2014 – 2018 Financial Plan using the assumptions that result in a 2.5% tax increase in 2014:

#### OR

- 2. direct Staff to make the three changes shown below and prepare the 2014 2018 Financial Plan with a 2.2% tax increase in 2014:
  - Delete the \$165,000 annual contribution to the Housing Legacy Reserve in 2014;
  - Defer the \$80,000 Fire Pump for the Nanaimo Port Authority boat "Osprey" to 2015;
     and
  - Delete the \$50,000 for financial performance audits in 2014;

# OR

3. provide alternate direction.

Respectfully submitted,

B. E. Clemens DIRECTOR FINANCE I. Howat

GENERAL MANAGER CORPORATE SERVICES

# **CITY MANAGER COMMENT:**

I concur with the staff recommendation.

Drafted: 2014-APR-02

BEC/tw

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# REPORT TO COUNCIL

DATE OF MEETING:

2014-Apr-07

AUTHORED BY:

MIKE DIETRICH, MANAGER POLICE SUPPORT SERVICES

RE:

RCMP QUARTERLY REPORT (OCT - DEC 2013)

#### STAFF RECOMMENDATION:

That Council receive the report.

#### **PURPOSE:**

To provide Council with quarterly police statistics for the period October - December 2013.

#### BACKGROUND:

Council's Annual Policing Priorities for 2013 for the RCMP Nanaimo Detachment are:

- 1. Crime Reduction;
- Substance Abuse (focussing on youth);
- 3. Traffic; and
- 4. Community Engagement for Public Safety.

The RCMP's annual policing priorities and the RCMP Nanaimo Detachment Strategic Plan dovetail into the Social Equity pillar of the City's Strategic Plan, a portion of which includes a partnership with RCMP on crime reduction, youth, traffic and downtown safety and a commitment to Community Policing, Victim Services, and Restorative Justice.

### DISCUSSION:

As included in Attachment "A".

Respectfully submitted,

Mike Dietrich

Manager Police Support Services

Social and Protective Services Department

Concurrence by:

Toby Seward DIRECTOR

Social and Protective Services

Department

Tom Hickey

GENERAL MANAGER

Community Services Division

#### CITY MANAGER COMMENT:

I concur with the staff recommendation.

Drafted: 2014-Apr-01

File string

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# Unclassified Attachment "A"

Quarterly Report - Q3 2013/14 For the period of: 01 OCT 13 to 31 DEC 13

The following information is provided using existing metrics examining the strategic priorities of Crime Reduction & Public Safety and Stewardship of Resources. This information serves as an indicator of the short and long-term performance of the Nanaimo RCMP-GRC, and summarizes the prevention, education and enforcement activity undertaken by the members, employees and volunteers that make up Nanaimo detachment.

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Crime Reduction & Public Safety		3
Crime Prevention - Objective B.1: Crime Severity		
Crime Prevention - Objective B.1: Violent Crime		
Crime Prevention - Objective B.1: Property Crim		
Crime Prevention - Objective B.1: Violence in Re		
Crime Prevention - Objective B.1: Offender Man		
Crime Prevention - Objective B.2: Youth	18.49~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	
Crime Prevention - Objective B.3: Traffic		
Crime Prevention - Objective B.4: Community El		
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Created on: 2014-03-17



# Attachment "A"

Quarterly Report – Q3 2013/14 For the period of: 01 OCT 13 to 31 DEC 13

# Crime Reduction & Public Safety

# Crime Prevention - Objective B.1: Crime Severity Index

The values below are based on the Statistics Canada methodology and provide a measure of crime severity for the Nanaimo jurisdiction; the values are labeled as a "relative measurement" as each was produced locally.

# Crime Severity Index - Total Score

Table 1 - Crime Severity Index Score - Nanaimo Jurisdiction - Year-to-Date

Year	Total CSI
2011	70.9
2012	67.2
2013	63.4

Target: 5% reduction

Measurement: 5.6% reduction

Result: 🗹

# Crime Severity Index – Violent Crime

Table 2 - Violent Crime Severity Index Score - Nanaimo Jurisdiction - Year-to-Date

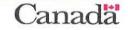
Year	Violent CSI
2011	52.2
2012	49.7
2013	45.2

Target: 5% reduction

Measurement: 9.1% reduction

Result: V





Created on: 2014-03-17



Attachment "A"

Quarterly Report - Q3 2013/14 For the period of: 01 OCT 13 to 31 DEC 13

Crime Severity Index - Non-Violent Crime

Table 3 - Non-Violent Crime Severity Index Score - Nanaimo Jurisdiction - Year-to-Date

Year	Non-Violent CSI
2011	78.1
2012	73.9
2013	70.4

Target: 5% reduction

Measurement: 4.7% reduction

Result: V

# Crime Prevention – Objective B.1: Violent Crime Rate

The violent crime rate is a measure of public safety based on occurrence rates of offences from the Crime Against the Person category. The rate itself does not provide an indicator of the specific offence nor severity; the percent change in the Violent CSI has been repeated below to provide some context.

Table 4 – Violent Crime Rate (per 1000 population) – Nanaimo Jurisdiction – Year-to-Date

Year	Rate
2011	9.9
2012	9.5
2013	9.7

Target: 5% reduction for rate + 5% reduction for severity

Measurement: 2.5% increase for rate & 9.1% decrease in severity

Result: 0







# Attachment "A"

Quarterly Report - Q3 2013/14 For the period of: 01 OCT 13 to 31 DEC 13

# Crime Prevention - Objective B.1: Property Crime Rate

The property crime rate is a measure of public safety based on occurrence rates of offences from the Crime Against Property category. The rate itself does not provide an indicator of the specific offence nor severity; the percent change in the Non-Violent CSI has been repeated below to provide some context.

Table 5 - Property Crime Rate (per 1000 population) - Nanaimo Jurisdiction - Year-to-Date

Year	Rate
2011	42.2
2012	41.5
2013	39.4

Target: 5% reduction for rate + 5% reduction for severity

Measurement: 5.1% decrease for rate & 4.6% decrease in severity

Result: V





Canada

# Unclassified Attachment "A"

Quarterly Report – Q3 2013/14 For the period of: 01 OCT 13 to 31 DEC 13

# Crime Prevention - Objective B.1: Violence in Relationships

Figure 1 – Violence in Relationships – Investigations by Quarter



\*Q4 2013: ~ 13% reduction in the number of founded Domestic Violence investigations

# Crime Prevention - Objective B.1: Offender Management

Nanaimo RCMP-GRC remains engaged as a key partner in the Prolific Offender Management program, helping to manage sixteen (16) clients with our criminal justice partners.

Nanaimo RCMP-GRC has undertaken two new initiatives in support of Offender Management:

- 1. Prioritization of habitual offenders, representing those individuals chronically impacting public safety with no intent to engage in intervention or diversion opportunities;
- 2. Improved information sharing amongst all law enforcement within the Vancouver Island Region regarding habitual offenders and their associated criminal activity.





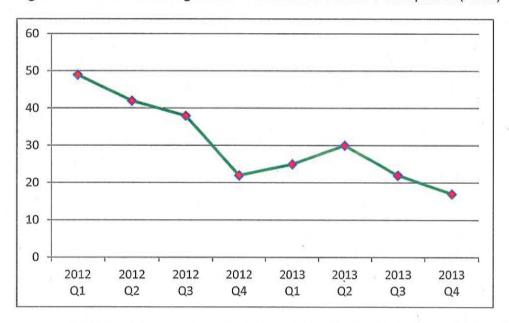




# Attachment "A"

Quarterly Report - Q3 2013/14 For the period of: 01 OCT 13 to 31 DEC 13

Figure 2 – Offender Management – Restorative Justice Participation (Adult)



\*Q4 2013: the number of adults participating in Restorative Justice fell by five (5) as compared to Q3 2013, from twenty two (22) to seventeen (17)





58

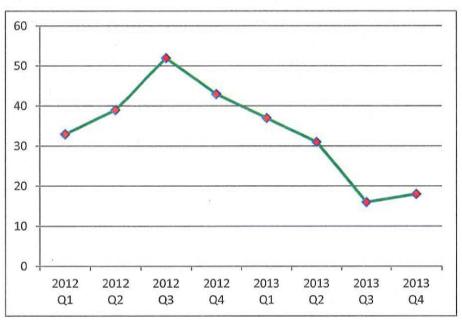


# Unclassified Attachment "A"

Quarterly Report - Q3 2013/14 For the period of: 01 OCT 13 to 31 DEC 13

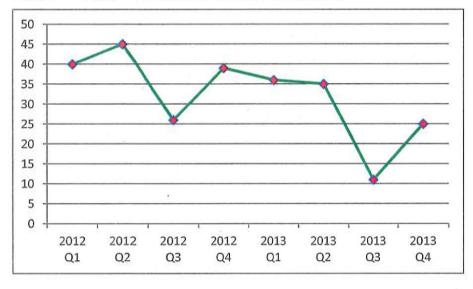
# Crime Prevention - Objective B.2: Youth

Figure 3 - Youth - Charges Resulting Against Youth



Q4 2013: the number of youth charged increased by two (2) as compared to Q3 2013, from sixteen (16) to eighteen (18)

Figure 4 - Youth - Restorative Justice Participation



Q4 2013: the number of youth participating in Restorative Justice increased by fourteen (14) as compared to Q3 2013, from eleven (11) to twenty five (25)

Created on: 2014-03-17



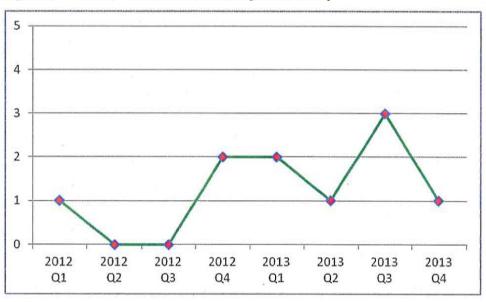


# Attachment "A"

Quarterly Report – Q3 2013/14 For the period of: 01 OCT 13 to 31 DEC 13

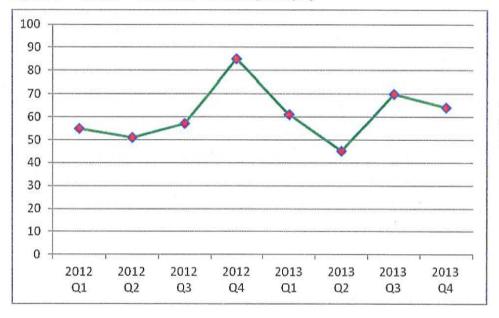
# Crime Prevention - Objective B.3: Traffic

Figure 5 - Traffic - Collisions Resulting in a Fatality



Q4 2013: the number of fatalities resulting from a collision decreased by two (2) as compared to Q3 2013, from three (3) to one (1)

Figure 6 - Traffic - Collisions Resulting in Injury



Q4 2013: ~ 8% reduction in the number of collisions resulting in injury

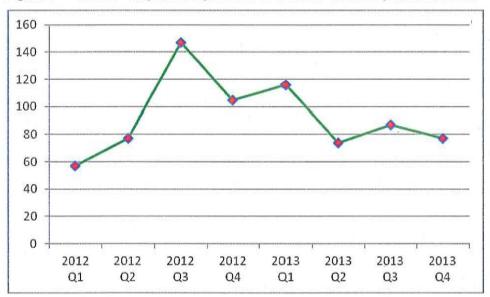




# Attachment "A"

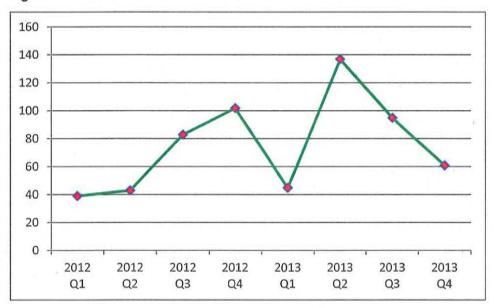
Quarterly Report – Q3 2013/14 For the period of: 01 OCT 13 to 31 DEC 13

Figure 7 - Traffic - Impaired Operation of a Motor Vehicle (Criminal Code + IRP)



Q4 2013: ~ 11% reduction in the number of individuals found impaired while operating a motor vehicle (includes criminal code, IRPs and refusals)

Figure 8 - Traffic - Distracted Driver Violation Tickets



Q4 2013: ~ 35% reduction in the number of violation tickets issued for distracted driving

Suitable For Public Dissemination

Canada

# Unclassified Attachment "A"

Quarterly Report - Q3 2013/14 For the period of: 01 OCT 13 to 31 DEC 13

# Crime Prevention – Objective B.4: Community Engagement

Community Policing Volunteer Programs

Community Policing volunteers (CPVs) contributed four hundred and fifty two (452) hours in patrols and other visible activity within the community:

- Reports by CPVs to the Nanaimo RCMP-GRC ranged from street racing to an incident involving youths with an imitation firearm;
- Several high crash intersections were monitored for speeding and distracted driving; ii.
- Numerous drivers received information on the importance of not leaving valuables in the vehicles. iii.

Two joint initiatives between the Traffic unit and the volunteers were conducted: pedestrian safety and vehicle speed relative to conditions.

Nanaimo RCMP-GRC volunteers are being brought under one Community Policing umbrella, in order to increase their effectiveness and expand the pool of volunteers available for authorized crime reduction and prevention duties.

**Nuisance Property Program** 

Members from the Nanaimo RCMP-GRC attended both Nuisance Property meetings held during this quarter. Members provided general feedback regarding criminality associated to various properties, and supported efforts to engage property owners and address factors contributing to police calls for services / public disorder.

#### SAFER Nanaimo Committee

The SAFER Nanaimo committee did not meet during this quarter.





Suitable For Public Dissemination



Created on: 2014-03-17

# REPORT TO COUNCIL

DATE OF MEETING: APRIL 7, 2014

AUTHORED BY: S. RICKETTS, MANAGER, CONSTRUCTION

RE: : MILLSTONE SANITARY SEWER TRUNK REPLACEMENT TENDER

#### STAFF RECOMMENDATION:

That Council receive for information the report regarding the Millstone Sanitary Sewer Trunk Replacement Tender.

# **PURPOSE:**

In accordance with the City's Purchasing Bylaw, this report is to advise Council of a public tender call of \$250,000 and above.

# **DISCUSSION:**

The Millstone Sewer Trunk and Laterals Master Plan was completed in 2012. The report recommended replacing the sanitary sewer main from Pryde Avenue to Bowen Road because of current capacity concerns. Design is almost complete and the project will be tendered in April.

This tender will construct approximately 450 metres of sanitary sewer main ranging in size from 525mm to 900mm in diameter. The project also includes 300 metres of storm sewer and connects the Trans Canada trail from Bowen Road to Buttertubs marsh.

Construction will occur between May and October. Traffic disruption will be limited to Buttertubs Drive and the end of Pryde Avenue. Staff have met with some residents to explain the project. Properties impacted by the construction will receive project notices prior to the start of construction.

The sewer project budget of \$3,077,805 was given early approval. The trail budget of \$165,000 does not have early approval but is included in the 5 Year Capital Plan. The trail will be tendered with the sewer project, but bidders will be advised the trail construction is subject to Council's budget approval.

#### Strategic Plan Consideration

This action supports Council's Strategic Plan for Asset Management and Transportation & Mobility.

Respectfully submitted,

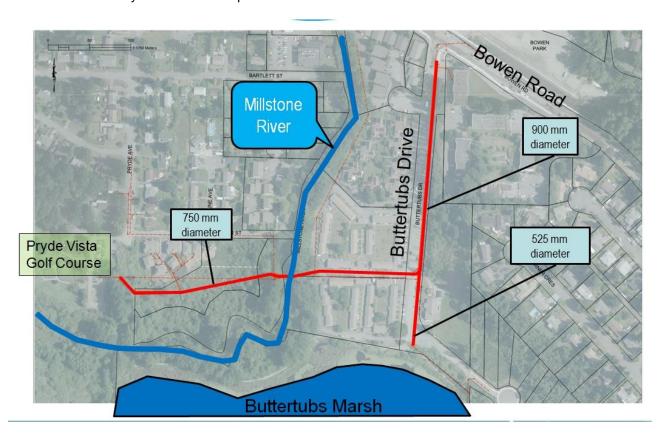
Concurrence by:

S. Ricketts, Manager Construction Department B. Prokopenko, Acting Director Engineering & Public Works

T. Hickey, General Manager Community Services

#### CITY MANAGER COMMENT:

I concur with the staff recommendation.





# REPORT TO COUNCIL

DATE OF MEETING: 2014-APR-07

AUTHORED BY: SUZANNE SAMBORSKI, SENIOR MANAGER

CULTURE AND HERITAGE DEPARTMENT

**RE: 25 VICTORIA ROAD OPTIONS** 

# **STAFF RECOMMENDATION:**

That Council direct Staff to issue a Request for Proposals to manage 25 Victoria Road as a small theatre space.

#### PURPOSE:

To obtain direction from Council regarding the future operation and use of 25 Victoria Road.

#### BACKGROUND:

At the 2013-NOV-06 meeting, Council directed Staff to prepare a comprehensive report to assist in determining future investment regarding 25 Victoria Road, and that the report include potential additional funding requirements and calculations regarding the number of users and associated costs to operate the facility

At the 2014-MAR-24 meeting, three options were presented to Council:

- 1) Allocate additional funds (\$41,000 in 2014, \$43,000 in 2015 and \$41,000 in 2016) and direct Staff to negotiate a three-year license of use agreement (including an option to renew for two additional years), with Centre of the Arts Nanaimo to manage 25 Victoria Road; or
- 2) extend the current license of use and funding levels with Centre of the Arts Nanaimo for management of 25 Victoria Road; or
- 3) initiate a Request for Proposal process for management of 25 Victoria Road.

At that meeting, Council passed a motion directing Staff to extend the current licence of use and funding levels for three years with Centre for the Arts Nanaimo for management of 25 Victoria Road.

The Centre for the Arts Nanaimo (CAN) board of directors met to consider the Council motion and on 2014-MAR-28, informed Council in writing that effective 2014-JUN-30, they would no longer manage 25 Victoria Road on the City's behalf. CAN has also indicated it will be

Report to Council – 2014-APR-07 RE: 25 Victoria Road Options

preparing a list of equipment and chattels it has purchased for the facility that it will be removing and/or selling to the City or another buyer. CAN has indicated there are no bookings, tentative or confirmed, in the facility past 2014-JUN-30.

Small rehearsal and performance spaces are identified as a high priority in the 2014-2020 Cultural Plan for a Creative Nanaimo. CAN demonstrated the need for these types of spaces when it provided Council with a list of current and past users. There are also a number of groups and organizations that have indicated a need for small rehearsal and performance spaces that do not currently use 25 Victoria Road.

At least two unknowns factor into the provision of a new small rehearsal and performance space. First, is to understand the actual hours and space requirements for users and the breakdown of this need between rehearsal and performance. The second is to understand the breakdown between community-based rehearsal and performance use and circuit performers looking for an available venue.

In an final effort to maintain 25 Victoria Road as a small theatre space, Staff recommend that a Request for Proposal to manage the building be issued with evaluation criteria that will include:

- proven facility and program management experience;
- a viable business plan; and
- the offer of a 3 year term with an additional 3 year option including an annual maximum subsidy of \$11,350 per year.

If Council does not receive any acceptable proposals, Council may then consider selling the property and have City staff and external cultural managers work with the 25 Victoria Road users to temporarily house them into alternate locations, including City-operated and City-owned facilities (Beban Social Centre, Bowen Park, Port Theatre, Museum, VICC, etc.), recognizing that 100% of user needs may not be met in the short-term.

Staff has evaluated the option of including 25 Victoria Road as a City-managed-and operated facility, similar to a community centre (e.g. Oliver Woods). This option is not recommended for reasons including:

- it limits the City's future contract management flexibility;
- it diverts existing staff from existing duties;
- it increases City liability with respect to artistic and content issues; and
- it is not consistent with the City of Nanaimo's strategic direction, which is to have Cityowned culture and heritage facilities managed and operated by others through use agreements.

As a part of a longer term strategy Council approved a recommendation that City staff provide support to the Port Theatre Society for its public process regarding the Port Theatre completion project. The process is schedule to run between April and September with a report outing the process findings coming to Council in late September or early October.

# Strategic Plan Considerations

As part of its 2012-2015 Strategic Plan, Council identified Cultural Vitality as one of its four pillars of sustainability. The recently adopted 2014-2020 Cultural Plan for a Creative Nanaimo identifies the need for small rehearsal and performance spaces as a priority for the creative sector.

Respectfully submitted,

Suzanne Samborski SENIOR MANAGER

**CULTURE AND HERITAGE DEPARTMENT** 

Concurrence by:

Tom Hickey

GENERAL MANAGER COMMUNITY SERVICES

# **CITY MANAGER COMMENT:**

I concur with the staff recommendation.

2014-MAR-31

G:\Admin - Council Reports\2014\2014 04 07 25 Victoria Road Options.doc

File: 7780-01-N02 Nanaimo Centre Stage (25 Victoria Road)

City of Nonaimo, Vec Sils As I emailed, I wented your council to have the RCMP human traffiching Kit and information on the topic. Joy Smith is Concode's expert on this issue. Please confirm with us that you received and looked at this pamphlet. Thank you, Sincerely (achy of Allon

RECEIVED

MAR 2 6 2014

LEGISLATIVE SERVICES

Council
Committee of the whole
Depen Meeting
In-Camera Meeting
Meeting Date: 2014. APR. O

# Smith: The flesh trade is Canada's dirty little secret

By Joy Smith, Calgary Herald March 14, 2013



Joy Smith

Each minute — every 60 seconds — two children are sold into sex trafficking. 1.2 million children are trafficked annually for the purposes of sexual exploitation. This crime, what has become well-known as modern-day slavery, is occurring in every city, town and community in each country across the globe.

What thoughts come to your mind as you hear the words "sex trafficking?" Many would think this phenomenon only occurs in areas of Southeast Asia, Central or South America and Eastern Europe. Surely, they say, this does not happen in a developed nation such as Canada, which is considered advanced in human rights, democracy and the rule of law ... a country built on the precepts of tolerance, acceptance and justice. Yet, as the number of sex trafficking cases continues to rise in Canada, and more victims speak out, it has become a reality that we can no longer ignore.

It is the reality for a young trafficked woman in Montreal, who was bravely testifying against her alleged pimp, Evgueni Mataev, until his trial was halted by the judge for reasons that cannot be disclosed.

The young woman alleged that she was forced to have sex with up to 40 men per night. Mataev still faces charges for the crimes of human trafficking, pimping and attempted murder. The Montreal Gazette reported that this young woman escaped from her life of abuse after she was forced to shoplift from a local pharmacy.

It is the reality for another victim, reported in a recent case by CBC News, in North Bay, Ont. The victim had the courage to tell a hotel concierge that she was being held against her will. A man was arrested last week in North Bay for drug possession and for living off the avails of prostitution and is now being charged with human trafficking.

It is also the reality for underage girls who are being targeted for exploitation in Calgary. Recently, police arrested two Calgary men and charged them with several criminal charges in relation to prostitution and human trafficking.

These are just a few instances in a sea of abuse perpetuated upon girls and young women annually who are forced to participate in pornography, dance in strip clubs and sell their bodies in virtually every Canadian city.

Sex trafficking is a \$32 billion dollar industry, greater than the profits of Nike, Google and Starbucks combined, according to UN News Centre, International Labour Office. The Canadian Security Intelligence

Service (CSIS) estimates domestic sex traffickers earn an average of \$280,000 annually from every victim under their control.

Unfortunately, trafficking is no different than any other industry, and thus, the laws of supply and demand apply. Men fuel the business of human trafficking by paying for pornography, frequenting strip clubs and soliciting sex with women for profit. As long as there are enormous sums of money to be made from selling sex, there are those who will seek to profit by supplying vulnerable women and girls.

Recent changes to Canadian legislation have been made. Bill C-49 amended the Criminal Code to specifically prohibit trafficking in persons in Canada. Bill C-268 created a new offence for child trafficking with a five-year mandatory penalty. Bill C-310 allows the Canadian government to prosecute Canadian citizens and permanent residents who engage in trafficking outside of Canada and also enhances the definition of exploitation in the trafficking of persons offence.

Canada's National Action Plan to Combat Human Trafficking was launched in June 2012. With participation from 18 federal departments, it is a comprehensive blueprint to guide the government of Canada's fight against the serious crime of human trafficking.

Although these are all steps in the right direction, Canadians must do more in the fight against this crime. The men and women who prey on innocent victims create a market that buys and sells our youth today in Canada. Men who pay to use the bodies of these young people fuel the profit and demand for this modern day slavery that is happening right here in our own backyards. Countries such as Norway and Sweden have made substantive progress toward eliminating human trafficking by targeting the market, eliminating the demand, supporting victims, and placing the ownership for these crimes on the perpetrators. Will Canadians call for a 'target the market' model so that our youth are no longer bought and sold?

Joy Smith is the Conservative MP for Kildonan – St. Paul, Manitoba.

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Read more:

 $\frac{http://www.calgaryherald.com/news/Smith+flesh+trade+Canada+dirty+little+secret/8100150/story.ht}{ml\#ixzz2S9ik6haC}$ 

# Help Combat Human Trafficking

# Educate yourself

- Read 'Invisible Chains' by Benjamin Perrin Canada's story of human trafficking
- Watch Hope For The Sold's Online Documentary on Human Trafficking in Canada
- Visit websites of National and International NGOs. List included with kit.

#### Educate others

- Set up small group meetings with community leaders
- Educate in schools
- Educate in churches places of faith
- Educate in community centres

Write to the Prime Minister of Canada and Justice Minister of Canada to ask that Canada fight sex trafficking by adopting the Nordic model of prostitution.

# Letters can be addressed to:

The Right Honourable Stephen Harper, P.C., M.P. Prime Minister of Canada 313-S Centre Block House of Commons Ottawa, ON K1A 0A2

Attorney General of Canada House of Commons Ottawa, ON K1A 0A6

The Hon. Reb-Micholson, P.C., Q.C., M.P. Peter Mackay

Write to the local and provincial leaders to ask that they take action to combat human trafficking.

- Premier
- Mayor
- City Councilors

Write a letter to the editor of your local paper or a national paper about human trafficking and how it is happening in Canada.

Talk to others about human trafficking and encourage them to make their voice heard.

Collect signatures and send in petitions on human trafficking to be presented in Parliament.

# Human Trafficking Resource Websites

These websites and organizations are a great source of additional information, news, videos, and resources on human trafficking.

# Canadian

Alliance Against Modern Slavery

Website: http://www.allianceagainstmodernslavery.org/

**ACT Alberta** 

Website: http://www.actalberta.org/

**Beyond Borders** 

Website: http://www.beyondborders.org/wp/

Chab Dai Canada

Website: www.chabdai.org/canada.html

Chrysalis Network & National Human Trafficking Support Line

Website: http://www.chrysalisnetwork.org/

Defend Dignity `

Website: http://www.defenddignity.ca/

End Modern Slavery - Canadian Advocacy

Website: http://www.endmoderndayslavery.ca/

Face It Canada

Website: http://www.faceitcanada.ca

FREE-tHEM

Website: http://www.freethem.ca/

Help Us Help The Children Anti-Trafficking Initiative (HUHTC-ATI)

Website: www.chornobyl.ca

Hope For The Sold

Website: http://www.hopeforthesold.com

International Justice Mission Canada

Website: http://www.ijm.ca/

Invisible Chains by Benjamin Perrin

Website: http://www.invisiblechains.ca

MAST - Men Against Sex Trafficking Website: <a href="http://mast-canada.com/">http://mast-canada.com/</a>

Ottawa Coalition to End Human Trafficking
Website: http://www.endhumantrafficking.net/

PACT Ottawa - Persons Against the Crime of Trafficking in Humans

Website: http://www.pact-ottawa.org/index.html

RCMP Human Trafficking National Coordination Centre Website: http://www.rcmp-grc.gc.ca/ht-tp/index-eng.htm

REED - Resist Exploitation Embrace Dignity Website: http://www.embracedignity.org/

Salvation Army Canada

Website: http://salvationist.ca/action-support/human-sexual-trafficking/

Sextrade 101

Website: http://www.sextrade101.com

The Future Group

Website: http://www.thefuturegroup.org/

The Ratanak Foundation

Website: http://www.ratanak.org

Walk With Me

Website: http://www.walk-with-me.org

Windsor Essex Fighting the International Growth of Human Trafficking

Website: http://westophumantrafficking.ca/

## **International**

Coalition to Abolish Slavery and Trafficking

Website: http://www.castla.org/

**ECPAT** 

Website: http://www.ecpat.net/

Free the Slaves

Website: http://www.freetheslaves.net/

Love 146

Website: http://love146.org/

Not For Sale Campaign

Website: http://www.notforsalecampaign.org/

Polaris Project

Website: http://www.polarisproject.org/

Stop Child Trafficking

Website: http://www.sctnow.org/

Stop the Traffik

Website: http://www.stopthetraffik.org/

Ukrainian World Congress Taskforce to Stop Human Trafficking

Website: www.ukrainianworldcongress.org (click on Councils and Committees)

## Progression of Canada's Human Trafficking Legislation



## Criminal Code

R.S.C., 1985, c. C-46



2005 - Original Offence Added

2010 - MP Joy Smith's Bill C-268

2012 - MP Joy Smith's Bill C-310

Offence in relation to trafficking in persons

4.11 Notwithstanding anything in this Act or any other Act, every one who, outside Canada, commits an act or omission that if committed in Canada would be an offence against section 279.01, 279.011, 279.02 or 279.03 shall be deemed to commit that act or omission in Canada if the person who commits the act or omission is a Canadian citizen or a permanent resident within the meaning of subsection 2(1) of the Immigration and Refugee Protection Act.

Trafficking in persons

279.01 (1) Every person who recruits, transports, transfers, receives, holds, conceals or harbours a person, or exercises control, direction or influence over the movements of a person, for the purpose of exploiting them or facilitating their exploitation is guilty of an indictable offence and liable

(a) to imprisonment for life if they kidnap, commit an aggravated assault or aggravated sexual assault against, or cause death to, the victim during the commission of the offence; or

(b) to imprisonment for a term of not more than fourteen years in any other case.

Consent

(2) No consent to the activity that forms the subject-matter of a charge under subsection (1) is valid.

Trafficking of a person under the age of eighteen years

279.011 (1) Every person who recruits, transports, transfers, receives, holds, conceals or harbours a person under the age of eighteen years, or exercises control, direction or influence over the movements of a person under the age of eighteen years, for the purpose of exploiting them or facilitating their exploitation is guilty of an indictable offence and liable

(a) to imprisonment for life and to a minimum punishment of imprisonment for a term of six years if they kidnap, commit an aggravated assault or aggravated sexual assault against, or cause death to, the victim during the commission of the offence; or

(b) to imprisonment for a term of not more than fourteen years and to a minimum punishment of imprisonment for a term of five years, in any other case.

Consent

(2) No consent to the activity that forms the subject-matter of a charge under subsection (1) is valid.

Material benefit

279.02 Every person who receives a financial or other material benefit, knowing that it results from the commission of an offence under subsection 279.01(1) or 279.011(1), is guilty of an indictable offence and liable to imprisonment for a term of not more than ten years.

Withholding or destroying documents

279.03 Every person who, for the purpose of committing or facilitating an offence under subsection 279.01(1), conceals, removes, withholds or destroys any travel document that belongs to another person or any document that establishes or purports to establish another person's identity or immigration status is guilty of an indictable offence and liable to imprisonment for a term of not more than five

Exploitation

279.04 (1) For the purposes of sections 279.01 to 279.03, a person exploits another person if they cause them to provide, or offer to provide, labour or a service by engaging in conduct that, in all the circumstances, could reasonably be expected to cause the other person to believe that their safety or the safety of a person known to them would be threatened if they failed to provide, or offer to provide, the labour or service.

- (2) In determining whether an accused exploits another person under subsection (1), the Court may consider, among other factors, whether the accused
  - (a) used or threatened to use force or another form of coercion;
  - (b) used deception; or
  - (c) abused a position of trust, power or authority.

(3) For the purposes of sections 279.01 to 279.03, a person exploits another person if they cause them, by means of deception or the use or threat of force or of any other form of coercion, to have an organ or tissue removed.

# torial comment

» Another View

not necessarily represent the r View' represent the stance y are unsigned because they discuss the editorial policies our position, we invite you ubmit a letter to the editor. t managing editor Mark A. sonal views of the writers. he newspaper, please con editorials that appear as ou have comment regardhe Nanaimo Daily News.

## tters policy

police without important legal stitutional. This ruling leaves organized crime and does not ot be accepted and submissions tters@nanaimodailynews.com nd last name. If you are a mem of a political or lobby group, on must declare so in your subses only. Letters must include d for the require your metown and a daytime phone ur first name (or two initials) reserve the right to edit letmes letters to the editor, but ission. Unsigned letters will e Nanaimo Daily News wel s for clarity, taste, legality, re best kept to 300 words or mber for verification purnail your submissions to wer. For the best results,

# complaint resolution

News is a member. Your written sublic about the conduct of the concern, accompanied by docuress in gathering and publish-S.C. Press Council. The council story we publish, contact the xamines complaints from the ng news. The Nanaimo Daily esolve your complaint about talking with the managing ditor or publisher does not

cial sex by targeting the buyers of sex. Countries that have legalized

and regulated have seen sexual

address the demand for commer

titution and sex trafficking is to

am convinced that the most effective route to tackling pros-

must be eliminated.

have seen a significant decrease it cross section of up to 150 counties and violence towards women and a 2012 comprehensive study of a revealed that legalizing prostitution increased sex trafficking. In and Norway, which have adopted the Nordic model of prostitution contrast, countries like Sweden exploitation, human trafficking girls increase drastically. In fact,

**Guest Opinion** 

prostitution and sex trafficking.

Canada has ruled that the

he Supreme Court of

Criminal Code offences

around prostitution are uncon

strong support programs for those is harmful to women, and finally zing the purchase of sexual services, a national awareness cam paign to educate the public that the purchase of sexual services The Nordic model of prostitu approaches: explicitly criminal ion is effective due to its three who seek to exit prostitution

tools to tackle sex trafficking and

reflect a 1990 Supreme Court of

Canada decision which stated

that the elimination of prostitu

tion through law was a valid

largest municipal force, mandates policing models reflecting the Nor workers as victims first.' Vancouver Police Department's Counter Toronto Police Service, Canada's Victims Section to recognize 'sex Exploitation Unit acknowledges that Aboriginal women are over girls and vulnerable populations women and focuses on assisting represented' among prostituted dic model approach that women, Canada have already shifted to are victimized and profoundly Many police services across their Sex Crimes Unit Special harmed by prostitution. The

recognize prostitution as an indus-

try that is inherently harmful to

women and girls and therefore

and finally those, like myself, who

inalize all aspects of the industry

industry, those who wish to crim-

to legalize and normalize the

settled. There are those who wish

around prostitution is hardly

Despite this ruling, the debate

tion Unit has also adopted 'victim Service's new Counter Exploita-The harm caused by prostitusex trade.' The Winnipeg Police young people escape from the first' driven investigations.

couver Rape Relief Society. These Assault Centres, Native Women's documented by women's and First prostitution would place women Association of Canada, and Vanorganizations presented compel Court of Canada that legalizing of Canada hearings, the majority the June 13, 2013 Supreme Court of interveners that were directly Canadian Association of Sexual women's organizations such as lating prostitution represented tion to women, girls and vulner opposed to legalizing and regu-Nations organizations. During able populations has been well tions at much greater risk of ling evidence to the Supreme girls and vulnerable populaexploitatio

Even the buyers of sex recognize indicated that they acknowledged 20 men interviewed, 8 of the men Buyer Beware, found that of the study on the buyers of sex called tion to women. A 2012 Canadian the woman and the buyer were that women were most harmed another 10 of the men felt both by their act of buying sex and harmed. Result — 90 per cent the harm caused by prostitu-

New prostitution law must target the buyers would warn a first time sex buyer against engaging in prostitution prostitution were harmed by act of prostitution. The same study ognized the women involved in of the men who bought sex rec revealed that all 20 sex buyers due to the harm caused

them to a commodity to be bought creates barriers that prevent them a direct attack on the fundamental girls and vulnerable people. In the inalize the women and vulnerable and sold. Legalizing prostitution ated because it dehumanizes and from escaping prostitution and same regard, continuing to crit rights and freedoms of women degrades humans and reduces populations being prostituted Prostitution must be elimin entrenches inequality.

out of sex work. Most importantly, side of history and women's equal pimps remain severely sanctioned mounting empirical evidence and will find themselves on the wrong and prostituted women and girls root of prostitution by targeting are not criminalized and instead ity. As a nation, we must ensure given meaningful escape routes Let's be clear: those who advo-Canada must focus on the real cate either approach ignore the buyers of sex

for » Joy Smith is the Conservative MP Kildonan-St. Paul, in Manitoba

# » Reader Feedback // visit us: www.nanaimodailynews.com

owning colling

Today's question: Will you be going

Source of E. To leave a comment

on our stories online, you must refrair

Ron Corbeil, United Steelworkers, has requested an appearance before council.

The requested date is Apr 7, 2014.

The requested meeting is: Committee of the Whole

Presenter's information

City: Burnaby

Province: British Columbia Email: rcorbeil@usw.ca

Business Phone: (604) 683-1117 Bringing a presentation: Yes

## Details of Presentation:

We are asking the Council to support our campaign to ensure that the Westray criminal code amendments are utilized by among other things ensuring there is greater coordination among regulators, police and Crowns so that health and safety regulators are trained to reach out to police when there is a possibility that Westray amendment charges are warranted.

The Westray amendments have been put in place to deal with workplace death and injury when employers fail to take reasonable steps to prevent bodily harm.

Council
Committee of the Whole
Copers Meeting
My Date 2014 APR 07

## **Enforce the Westray Amendments to Canada's Criminal Code**

**WHEREAS** it has been more than two decades since the Westray mine disaster in Nova Scotia and a decade since amendments were made to the Criminal Code of Canada to hold corporations, their directors and executives criminally accountable for the health and safety of workers; and

**WHEREAS** police and prosecutors are not utilizing the Westray amendments, and not investigating workplace fatalities through the lens of criminal accountability; and

WHEREAS more than 1,000 workers a year are killed at work

**THEREFORE BE IT RESOLVED** that this Council support a campaign to urge our provincial/territorial government, specifically the Attorney-General and Labour Minister, to ensure that:

- Crown attorneys are educated, trained and directed to apply the Westray amendments;
- Dedicated prosecutors are given the responsibility for health and safety fatalities;
- Police are educated, trained and directed to apply the Westray amendments;
- There is greater coordination among regulators, police and Crowns so that health and safety regulators are trained to reach out to police when there is a possibility that Westray amendment charges are warranted.

## **Corporate Criminal Liability 2004-2013**

By Robert Champagne, Legal Counsel

United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union

October 16, 2013



## **Summary**

Amendments passed in 2004 to the *Criminal Code* of Canada to make it easier to impose criminal liability on corporations for serious workplace injuries and fatalities are being woefully underutilized. There have been only three successful prosecutions under the Westray amendments to date. Sentences issued in these prosecutions have been paltry. Serious workplace injuries and fatalities continue to occur at alarming rates.

Governments can take concrete steps to better enforce the Westray amendments in order to hold corporations liable for their criminally negligent actions.

## **The Westray Mine Disaster**

In 1992, 26 miners died at the Westray mine in Pictou County, Nova Scotia as a result of an explosion caused by a build-up of methane gas and coal dust. Only 15 miners' bodies were ever recovered.

The Government of Nova Scotia called a Public Inquiry to investigate the causes of the disaster. Justice Peter Richard presided over the Public Inquiry, which heard 76 days of testimony.

Justice Richard's concluded that the explosions and the workers' deaths resulted from a combination of corporate neglect and mismanagement, as well as government bungling and indifference. His key findings were:

- the mine's Internal Responsibility System for health and safety had failed
- mine managers blatantly disregarded health and safety regulations
- mine managers intimidated and coerced miners with threats and firings
- mine management emphasized production at the expense of safety
- government inspectors and officials failed to carry out their oversight responsibilities

Justice Richard made more than 70 recommendations to improve workers' health and safety, including a recommendation that the Government of Canada amend the *Criminal Code* to ensure that corporations and corporate executives be held accountable for workplace safety.

## The Westray Amendments to the Criminal Code of Canada

No individual or corporation was ever successfully prosecuted for the workers' deaths at the Westray mine. At the time, Canada's *Criminal Code* made it difficult to hold corporate executives and corporations criminally liable for serious workplace injuries and fatalities.

For over a decade, Westray family survivors and the labour movement, particularly the United Steelworkers, lobbied the federal government and Members of Parliament to amend the *Criminal Code* to make it easier hold corporate executives and corporations criminally liable for serious workplace injuries and fatalities.

In 2004, Parliament unanimously adopted the Westray amendments to the *Criminal Code*. The Westray amendments are primarily focussed on the offence of criminal negligence.

The Westray amendments make it easier to hold corporations liable for criminal negligence by:

- creating a new legal duty (s.217.1) that all persons directing work, or having the authority to direct work, must take reasonable steps to prevent bodily harm arising from work, and
- creating rules (s. 22.1) for attributing liability to organizations for the acts of their representatives which are criminally negligent.

In brief, if a person with the duty to take all reasonable steps to prevent bodily harm to a worker fails to do so, and in failing to do so acts with wanton or reckless disregard for the life and safety of the worker, then that person is guilty of criminal negligence (s. 219).

If one or more representatives of a corporation commit criminal negligence and a senior officer (or officers) of the corporation departs markedly from the standard of care that could be reasonably expected to prevent the representative from committing criminal negligence, then a corporation can be convicted of criminal negligence (s.22.1).

Penalties for a conviction for the indictable offence of criminal negligence under the Westray amendments are:

## Individuals

- Injury 10 years in prison
- Death life in prison
- Unlimited fine and 15% victim surcharge

## Corporations

- Criminal record
- Probation
- Unlimited fine and 15% victim surcharge

## **Application of the Westray Amendments**

Between 2004 and 2013, the Westray amendments to the *Criminal Code* have been utilized in only 10 cases to bring criminal negligence charges in cases of serious worker injury and death. In those 10 cases, criminal negligence charges were brought against five corporations and twelve individuals.

As of mid-2013, there have been only three successful prosecutions under the Westray amendments – two in Quebec and one in Ontario. Those prosecutions resulted in the conviction of two corporations and one individual. Sentences have been relatively minor.

• R v. Transpave – employee of concrete product manufacturer crushed to death; disabled guarding system, no inspection system, inadequate safety training

Sentence: \$100,000 fine, plus \$10,000 victim surcharge

 R v. Scrocca – employee of landscape contractor crushed to death by backhoe; failure to maintain multiple braking systems
 Sentence: 2 years, less a day, to be served in the community, subject to conditions including a curfew

• R v. Metron – 4 employees killed, one seriously injured, after collapse of faulty swing stage scaffold; employees not wearing safety lifelines
Original sentence at trial: \$200,000 fine, plus \$30,000 victim surcharge
Sentence on appeal: \$750,000 fine, plus \$112,500 victim surcharge

Charges have been withdrawn in four cases; acquittals followed trials in two cases; charges in two cases were stayed by the Crown, including one charge laid as a result of a private prosecution brought by the United Steelworkers; one charge against an individual is pending.

## **Workplace Fatalities in Canada Continue at Alarming Rate**

Between 900 and 1000 workers die in workplace deaths in Canada every year.

• 1993 – 2011 : 17,062 workplace deaths (average of 898 workers deaths per year)

\* Source: Canadian Centre for Occupational Health and Safety

## Reasons Why the Westray Amendments Are Not Being Utilized More

Key reasons for the under-utilization of the Westray amendments:

- The consequences and criminal significance of serious workplace injuries and fatalities have not penetrated the consciousness of police, Crown attorneys, and provincial health and safety regulators. There is a prevalent belief that serious workplace injuries and deaths are matters for provincial regulatory response and not criminal sanction. The evolution of thinking on the need to prosecute impaired driving offences and domestic violence demonstrates an important parallel.
- Police and Crown attorneys face a lack of knowledge, education, training and resources in utilizing the Westray amendments.
- There is a lack of cooperation and coordination amongst health and safety regulators, police and Crown attorneys in the investigations of serious workplace injuries and fatalities.
- Governments and employers continue to push an agenda of deregulation which undercuts the desire and means to hold corporations liable for their criminally negligent actions which result in serious workplace injuries and deaths.

## What is Needed for Better Enforcement of the Westray Amendments?

- Health and safety regulators, police and Crown attorneys need education and training about the Westray amendments and their application.
- Attorneys General need to curtail Crown attorney discretion to not prosecute for criminal negligence in cases of serious workplace injuries and fatalities.
- Dedicated Crown prosecutors are needed to criminally prosecute cases involving serious workplace injuries and fatalities.
- Police investigations should be mandatory in all cases involving a serious workplace injury or fatality.
- Police need education and training in carrying out workplace accident investigations.
- Health and safety regulators must be directed to reach out to police when Westray amendment charges may be in order.
- A written protocol is needed to coordinate the efforts of health and safety regulators, police, and the Crown in dealing with cases of serious workplace injuries and fatalities.
- Dedicated and coordinated teams of health and safety regulators, police and Crown Attorneys should work on the application of the Westray amendments.
- Greater financial resources need to be provided to police and Crown attorneys to help ensure proper application of the Westray amendments.

Jim Routledge has requested an appearance before council.

The requested date is Apr 7, 2014.

The requested meeting is: Committee of the Whole

Presenter's information

City: Nanaimo

Province: British Columbia Bringing a presentation: No

Details of Presentation:

A request that Council consider delaying any motion to kill the idea of a waste-to-energy facility being built at Duke Pt. until at least the end of April 2014.

Adrian Hough has requested an appearance before council.

The requested date is Apr 07, 2014.

The requested meeting is: Council

Presenter's information

City: Nanaimo Province: BC

Bringing a presentation: No

Details of Presentation:

I will be presenting regarding the devastation at Oliver Woods

Council
Committee of the whole
Tipen Meeting
Tin-Camera Meeting
wheeling Date: 2014-1998-07

June Ross has requested an appearance before council.

The requested date is Apr 07, 2014.

The requested meeting is: FPCOW

Presenter's information

City: Nanaimo Province: BC

Bringing a presentation: No

Details of Presentation:

Commenting on the BYLAW Procedural changes proposal

Council

Committee of the whole

Copean Meeting

Meeting

My Date 2014 App. 07

Joanne Jonas-McRae has requested an appearance before council.

The requested date is Apr 07, 2014.

The requested meeting is: FPCOW

Presenter's information

City: Nanaimo Province: BC.

Bringing a presentation: Yes

Details of Presentation:

Information on nesting birds, wildlife, and current development in North Nanaimo, some fundraising ideas and thoughts. Images (photographs of birds and before and after wetland /woodland areas in North Nanaimo)

Council
Committee of the whole
De Open Meeting
In-Camera Meeting
Meeting Date: 2014-1992-07

Dale Wik has requested an appearance before council.

The requested date is Apr 07, 2014.

The requested meeting is: FPCOW

Presenter's information

City: Nanaimo Province: BC

Bringing a presentation: No

Details of Presentation:

I will be exploring council's "growth and development" model showing that it is an outmoded paradigm with roots in the mid-twentieth century.

I will encourage council to embrace a municipal governance model in line with current 21st century environmental realities.

Council
Committee of the Wale
Committee of t

Gabriel Bauman has requested an appearance before council.

The requested date is Apr 07, 2014.

The requested meeting is: FPCOW

Presenter's information

City: Nanaimo Province: BC

Bringing a presentation: Yes

Details of Presentation:

I will present concerns regarding the City of Nanaimo's public messaging about new development of previously-undeveloped land in our community.

Council
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