

AMENDED

AGENDA FOR THE REGULAR FINANCE / POLICY COMMITTEE OF THE WHOLE MEETING TO BE HELD IN THE SHAW AUDITORIUM, 80 COMMERCIAL STREET, NANAIMO, BC ON MONDAY, 2012-APR-02, COMMENCING AT 4:30 P.M.

1. **CALL THE REGULAR FINANCE / POLICY COMMITTEE OF THE WHOLE MEETING TO ORDER:**
2. **INTRODUCTION OF LATE ITEMS:**
 - Add Item 6 (b) – Delegations Pertaining to Agenda Items – Mr. Gordon Fuller regarding the structure of Plan Nanaimo Advisory Committee.
 - Replace Pages 55/56 – Item 9 (b) – Staff Reports – Revised planNanaimo Advisory Committee Mandate & Objectives.
 - Added to Procedural Motion – subsection 90(1): (a), (j) and (k).
3. **ADOPTION OF AGENDA:**
4. **ADOPTION OF MINUTES:**
 - (a) Minutes of the Regular Finance / Policy Committee of the Whole Meeting held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC, on Monday, 2012-MAR-05 at 4:30 p.m. *Pg. 5-9*
5. **PRESENTATIONS:**
 - (a) Mr. B. E. Clemens, Director of Finance, to provide a PowerPoint presentation regarding reserve funds.
6. **DELEGATIONS PERTAINING TO AGENDA ITEMS: (10 MINUTES)**
 - (a) Delegations Pertaining to the 2012 – 2016 Financial Plan.
 - (b) Mr. Gordon Fuller, 604 Nicol Street, Nanaimo, regarding the structure of Plan Nanaimo Advisory Committee. *Pg. 9.1*

7. COMMISSION REPORTS:

- (a) **Parks, Recreation and Culture Commission – Italian Fountain Park Improvement Plan** Pg. 10-12
Commission's Recommendation: That Council approve the draft Italian Fountain improvement planning process.
- (b) **Parks, Recreation and Culture Commission – Mansfield Park Improvement Plan** Pg. 13-15
Commission's Recommendation: That Council approve the draft Mansfield Park improvement planning process.
- (c) **Parks, Recreation and Culture Commission – Port Theatre Society/City of Nanaimo Co-Management Agreement** Pg. 16-32
Commission's Recommendations: That Council:
1. approve the five-year Co-Management Agreement between the Port Theatre Society and the City of Nanaimo;
 2. increase the 2012 Management fee by \$15,000; and,
 3. reduce the City's Capital contribution to the Port Theatre starting in 2013 from \$100,000 to \$75,000 and reallocate the \$25,000 to the Parks, Recreation and Culture Capital budget for the Port Theatre building.
- (d) **Parks, Recreation and Culture Commission – Travel Assistance Grant – Nanaimo Curling Club – 2012 Canadian Wheelchair Curling Championships, Thunder Bay, Ontario** Pg. 33-37
Commission's Recommendation: That Council approve the application for a Travel Assistance Grant by the Nanaimo Curling Club in the amount of \$200 for two members to participate in the 2012 Canadian Wheelchair Curling Championships in Thunder Bay, Ontario. The application meets all of the travel grant criteria.
- (e) **Parks, Recreation and Culture Commission – Travel Assistance Grant – Nanaimo Youth Choir – Pacific International Children's Choir Festival, Eugene, Oregon** Pg. 38-42
Commission's Recommendation: That Council approve the application for a Travel Assistance Grant for the Nanaimo Youth Choir in the amount of \$1,100 in order that the youth choir can attend the Pacific International Children's Choir Festival in Eugene, Oregon. The application meets all of the travel grant criteria.

- (f) **Parks, Recreation and Culture commission – Travel Assistance Grant – Wheatsheaf Fastball Club – 2012 Senior B Men's Western Canadian Fastball Championships, Abbotsford, British Columbia** Pg. 43-48

Commission's Recommendation: That Council approve the application for a Travel Assistance Grant to the Wheatsheaf Fastball Club in the amount of \$1,000 for 20 players to attend the 2012 Senior B Men's Western Canadian Fastball Championships being held in Abbotsford, British Columbia. The application meets all of the travel grant criteria.

8. **COMMITTEE REPORTS:**

NONE

9. **STAFF REPORTS:** (blue)

ADMINISTRATION:

- (a) **Fortis BC** Pg. 49-50

Staff's Recommendation: That Council provide a letter in support of the rate equalization initiative currently being undertaken by Fortis BC.

COMMUNITY SAFETY AND DEVELOPMENT:

- (b) **Revised planNanaimo Advisory Committee Mandate & Objectives** Pg. 51-57

Staff's Recommendation: That Council adopt the revised Mandate & Objectives for the Nanaimo Advisory Planning Committee (currently the planNanaimo Advisory Committee).

CORPORATE SERVICES:

- (c) **Reports / Meetings Working Group Recommendations** Pg. 58-68

Staff's Recommendation: That Council provide Staff with direction as per the Staff recommendations numbered 1 thru 17 included within the body of the report.

10. **INFORMATION ONLY ITEMS:**

- (a) Report from Mr. B. Sims, Manager of Water Resources, re: Number One Reservoir Energy Recovery / Equipment Tender. Pg. 69
- (b) Report from Ms. L. A. Coates, Manager of Accounting Services, re: 2011 Surplus Allocation. Pg. 70-71

11. **CORRESPONDENCE:**

NONE

12. **NOTICE OF MOTION:**

13. **OTHER BUSINESS:**

14. **DELEGATIONS PERTAINING TO ITEMS NOT ON THE AGENDA:
(10 MINUTES)**

NONE

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

16. **PROCEDURAL MOTION:**

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

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure might reasonably be expected to harm the interests of the municipality;
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*; and,
- (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.

17. **ADJOURNMENT:**

MINUTES OF THE REGULAR FINANCE / POLICY COMMITTEE OF THE WHOLE MEETING
HELD IN THE SHAW AUDITORIUM, 80 COMMERCIAL STREET, NANAIMO, BC
ON MONDAY, 2012-MAR-05 COMMENCING AT 4:33 P.M.

PRESENT: Mayor J. R. Ruttan, Chair

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

Staff: A. C. Kenning, City Manager
D. W. Holmes, Assistant City Manager and General Manager of Corporate Services
E. C. Swabey, General Manager of Community Safety and Development
T. M. Hickey, General Manager of Community Services
I. Howat, Director of Strategic Relationships
T. L. Hartley, Director of Human Resources and Organizational Planning
B. E. Clemens, Director of Finance
T. P. Seward, Director of Development
R. J. Harding, Director of Parks, Recreation and Culture
S. Cliff, Director of Engineering and Public Works
P. Kristensen, Director of Information Technology
J. Ritchie, Senior Manager of Parks and Civic Facilities
B. Anderson, Manager of Community Planning
B. Sims, Manager of Water Resources
S. Graham, Manager of Financial Planning and Payroll
J. Mongard, Engineering Construction Project Manager
D. Blackwood, Client Support Specialist
J. E. Harrison, Manager of Legislative Services
T. Wilkinson, Recording Secretary
L. Dennis, Recording Secretary

1. CALL THE OPEN MEETING TO ORDER:

The Regular Finance / Policy Committee of the Whole Meeting was called to order at 4:33 p.m.

2. INTRODUCTION OF LATE ITEMS:

- (a) Councillor McKay advised that he would be bringing forward an item under Notice of Motion regarding Acquisition of Linley Valley West.

- (b) Councillor Bestwick advised that he would be bringing forward a motion at the end of the Open Meeting to proceed to an "In Camera" Meeting.

3. ADOPTION OF AGENDA:

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

4. ADOPTION OF MINUTES:

It was moved and seconded that the Minutes of the Regular Finance / Policy Committee of the Whole Meeting held in the Board Room, City Hall on Monday, 2012-FEB-20 at 4:30 p.m. be adopted as circulated. The motion carried unanimously.

5. DELEGATIONS PERTAINING TO AGENDA ITEMS:

- (a) Delegations Pertaining to the 2012 – 2016 Financial Plan.

Mr. Robert Fuller, 3350 Hammond Bay Road, spoke against the Communications Manager position that was added to the 2012 – 2016 Financial Plan.

6. COMMISSION REPORTS:

- (a) Parks, Recreation and Culture Commission – 2012 Temporary Public Art Selections

It was moved and seconded that Council approve the 2012 Temporary Public Art selections. The motion carried unanimously.

- (b) Parks, Recreation and Culture Commission – Travel Assistance Funding – Proposed Grant Changes

It was moved and seconded that Council:

1. remove the criteria requiring that applicants must be traveling out of Province in order to qualify for a Travel Assistance Funding grant;
2. update the Travel Grant funding criteria to include an allowance for competitors traveling off Vancouver Island, within BC, to eligible Provincial, National or International competitions up to a maximum of \$50 per person to a maximum of \$1,000 per team;
3. add additional criteria ensuring the groups have applied for funding from their Provincial and/or National Sport Organization if applicable; and,

4. evaluate multi-year applications on a case by case basis to ensure the program does not become an ongoing or only source of travel fund.

The motion carried unanimously.

- (c) Minutes of the Parks, Recreation and Culture Commission Meeting held 2012-JAN-25
-

It was moved and seconded that Council receive the Minutes of the Parks, Recreation and Culture Commission Meeting held 2012-JAN-25. The motion carried unanimously.

7. STAFF REPORTS:

ADMINISTRATION:

- (a) Conflict Policy

It was moved and seconded that Council approve the conditions, parameters, process and roles contained in option 4 of the report as policy.

It was moved and seconded that Council refer this item to the next Regular Meeting of Council to be held on 2012-MAR-12. The motion was defeated.

Opposed: Mayor Ruttan, Councillors Bestwick, Brennan, Greves, Johnstone and Kipp

The vote was taken on the main motion.

The main motion carried.

Opposed: Councillor Anderson

CORPORATE SERVICES:

- (b) Council Expenses – Attendance at Out-of-Town Meetings

It was moved and seconded that Council amend Council Expenses / Attendance at Out-of-Town Meetings to add the following:

6. Members of Council may, without prior approval of Council, attend meetings and seminars related to municipal government that are within Canada and the costs are within the Council approved budget.

The motion carried unanimously.

- (c) RFP 1276 for SAP Budget Module

It was moved and seconded that Council award the contract to implement the SAP budget module to the lowest bidder, Open Business Process Inc. and Performance Analytics Corporation. The motion carried.

Opposed: Councillors Anderson and Kipp

(d) Strategic Community Investment Funds

It was moved and seconded that Council direct Staff to enter into an agreement with the Province of British Columbia for the Strategic Community Investment Fund to ensure that these funds are available to the City of Nanaimo from 2012 – 2014. The motion carried unanimously.

8. INFORMATION ONLY ITEMS:

- (a) Report from Mr. B. Sims, Manager of Water Resources, re: Water Audit Study – Preliminary Findings. (Mr. Sims provided a short PowerPoint presentation)
- (b) Report from Mr. J. Ritchie, Senior Manager of Parks and Civic Facilities, re: General Contractor Tender – Cliff McNabb Arena Project.

9. NOTICE OF MOTION:

Councillor McKay advised that he would be bringing forward the following motion for reconsideration at the Regular Meeting of Council to be held 2012-MAR-12:

"It was moved and seconded that Council refer Information Only Agenda Item 12 (a) – Acquisition of Linley Valley West, to Staff for a report on alternative funding mechanisms for the potential purchase of Linley Valley West, and direct Staff to approach the property owners to inquire if the properties are for sale, and to schedule a session for Council with Professor Deborah Curren of the Faculty of Law at the University of Victoria. The motion carried. Opposed: Councillor Greves"

10. QUESTION PERIOD:

- Fred Taylor, re: conflict of interest.
- Ron Bolin, re: notices of motion; FPCOW meetings.
- Gordon Fuller, re: "In Camera" meetings.
- Robert Fuller, re: conflict of interest.

11. PROCEDURAL MOTION:

It was moved and seconded that Council move "In Camera" in order to deal with the following matters under the *Community Charter* Section 90(1):

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

(g) litigation or potential litigation affecting the municipality.

The motion carried unanimously.

Council moved into "In Camera" at 6:11 p.m.

Council moved out of "In Camera" at 7:05 p.m.

12. ADJOURNMENT:

It was moved and seconded at 7:05 p.m. that the meeting terminate. The motion carried unanimously.

CHAIR

CERTIFIED CORRECT:

MANAGER,
LEGISLATIVE SERVICES

RECEIVED

APR 02 2012

LEGISLATIVE SERVICES

Gord Fuller has requested an appearance before council.

The requested date is Apr 02, 2012.

The requested meeting is:
FPCOW

Presenter's information

Address: 604 Nicol St.
City: Nanaimo
Province: BC
Postal Code: V9R4T9
Business Phone: 250-797-0531

Details of Presentation:

Speak to the committee structure of PNAC

☐ Council
☒ Committee FPCOW
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: 2012-APR-02

REPORT TO: MAYOR AND COUNCIL

FROM: DIANA JOHNSTONE, CHAIR, PARKS, RECREATION AND CULTURE COMMISSION

RE: ITALIAN FOUNTAIN PARK IMPROVEMENT PLAN

RECOMMENDATION:

That Council approve the draft Italian Fountain improvement planning process.

EXECUTIVE SUMMARY:

The Italian Fountain has been a landmark along the Island Highway and into downtown Nanaimo for the past fifty years. It is located at 626 Terminal Ave, a .1 ha (.3 acre) road right-of-way parcel held for park purposes. The fountain does not meet current health and safety codes and is posing several maintenance problems. In addition, the green space around the fountain is outdated, creates hiding spaces, and is causing complaints from merchants, the RCMP, and Parks Operation Staff.

BACKGROUND:

At their meeting held on 2012-MAR-08, the Parks Committee reviewed the Italian Fountain Park Improvement Plan presented by Staff and recommend that the Parks, Recreation and Culture Commission recommend that Council approve the draft Italian Fountain Park improvement planning process.

At their meeting held on 2012-MAR-28, the Parks, Recreation and Culture Commission passed a motion supporting this recommendation.

The Italian Fountain was built by Nanaimo's Italian community to celebrate BC's 100th anniversary. The fountain is constructed of local granite from Yellowpoint and reflects fountains commonly found in Italy. It depicts images of BC, such as the recurring life cycle of the salmon, in detailed mosaic tile designs and with the large jumping sculptures. Construction began in 1959 and ended in 1961.

Over the past fifty years, the context of this fountain has changed tremendously. The Island Highway has been regraded and realigned in relation to the fountain. Downtown revitalization is in full swing with the redevelopment of the Port Place Mall, Casino, and introduction of the Vancouver Island Conference Centre. In addition, social pressures on the green space are evident with shelters, drug paraphernalia, and litter frequently seen in the green space. For the most part, the site has become a drive-by site that is appreciated by the public from adjacent roadways.

As a result of an increasing number of complaints from merchants, the RCMP, and park operations staff working on this site, staff would like to begin a park improvement process to improve the Italian Fountain Park site.

☐ Council
☒ Committee: *FLPCOW*
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: *2012-APR-02*

Suggested goals for this park improvement process are as follows:

- Update the fountain structure and mechanical and electrical components for optimal maintenance, aesthetics, safety, and cost effectiveness;
- Update the surrounding green space for optimal maintenance, aesthetics, safety, and cost effectiveness;
- Visually improve this historic gateway to downtown Nanaimo;
- Respect the Italian community's contribution to Nanaimo;
- Educate the public about this historic fountain and legacy; and,
- Ensure crime prevention through environmental design guidelines is followed.

The suggested process for this park improvement plan is as follows:

- March 2012—begin discussions with stakeholders about the strengths and weaknesses of the fountain and green space. Stakeholders would include the Italian community through the Cavalotti lodge; RCMP, DNBIA and adjacent businesses, MOTM, VIHA, parks operation staff;
- April 2012—develop a concept design and phasing plan to improve and update the fountain and green space;
- April 2012—present the draft improvement plan to the Parks, Recreation and Culture Commission;
- May 2012—begin a communications plan to draw attention to the fountain improvements and legacy; and,
- Work with stakeholders to seek out funding partners to assist in the improvements.

Yours truly,



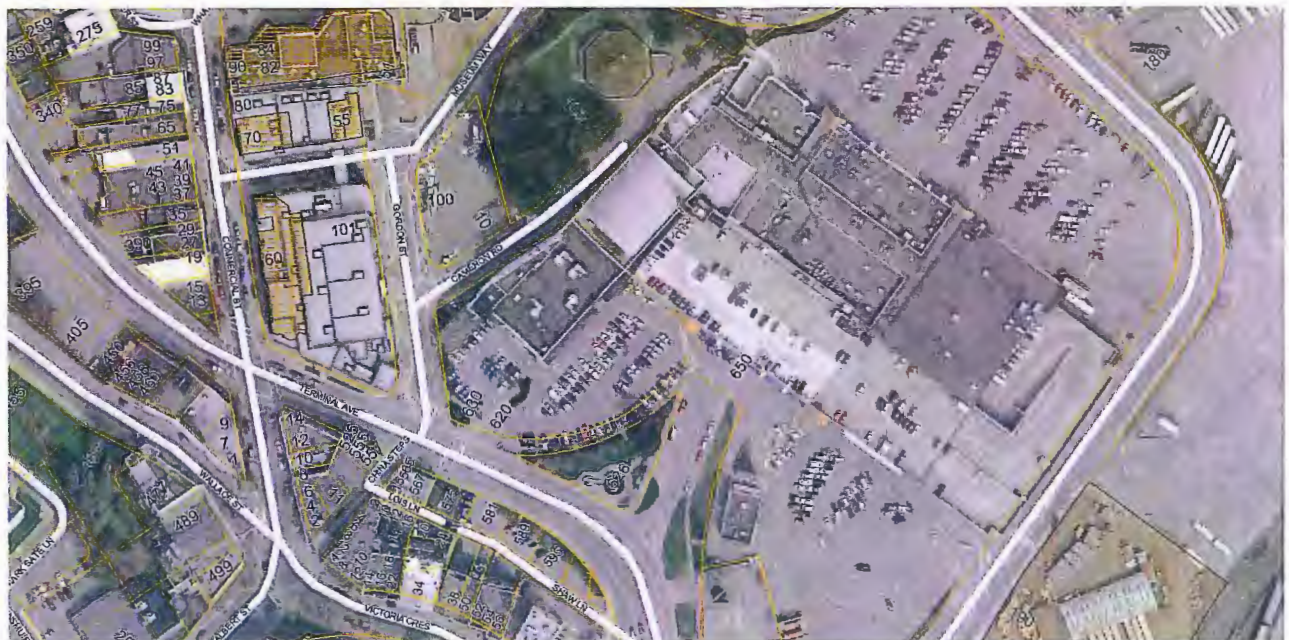
Diana Johnstone, Chair
Parks, Recreation and Culture Commission

Attachment

2012-MAR-28

File: A4-1-2 / A2-4 / A2-5 / D1-5-22

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REPORT TO: MAYOR AND COUNCIL

FROM: DIANA JOHNSTONE, CHAIR, PARKS, RECREATION AND CULTURE COMMISSION

RE: MANSFIELD PARK IMPROVEMENT PLAN

RECOMMENDATION:

That Council approve the draft Mansfield Park improvement planning process.

EXECUTIVE SUMMARY:

Mansfield Park has been a popular park in the hospital area for over 50 years. It is well-used by families in all seasons and is a popular parks and recreation day camp destination in summer months. Many of the existing park amenities are old and in need of updating.

BACKGROUND:

At their meeting held on 2012-MAR-08, the Parks Committee reviewed the Mansfield Park Improvement Plan presented by Staff and recommend that the Parks, Recreation and Culture Commission recommend that Council approve the draft Mansfield Park improvement planning process. At their meeting held on 2012-MAR-28, the Parks, Recreation and Culture Commission passed a motion supporting this recommendation.

Mansfield Park, located at 800 St Andrew's Street, was purchased by the City of Nanaimo in 1954 and is .9 ha. It is an accessible site with many park amenities such as playground equipment, basketball court, soccer field, small baseball diamond, lighting for the field, murals, field house with washrooms, picnic facilities, and irrigation. A wading pool also exists on site but has only been used as a spray feature in recent years.

Parks, Recreation and Culture Staff held a neighborhood meeting on 2007-JUN-07 with the hope of removing the wading pool prior to the summer of 2008. The idea was not well received and since has only been used as a spray feature with no improvements to the park.

Staff recently purchased some modern spray equipment from L'Ecole Ocean. The Francophone school had intended to install some spray features in the school playground, but was unable to overcome regulation difficulties. In addition, Mansfield Park has also been identified in our five-year playground capital plan as a site that needs upgraded equipment. Staff felt that this new spray equipment would enhance Mansfield Park and would like to revisit the idea of new spray features and overall playground and park improvements in 2012.

Suggested goals for this park improvement process are as follows:

- Remove the wading pool and add updated spray equipment in its place.
- Check in with the neighborhood about potential park improvements that would better meet current demographics.
- Update the park for optimal maintenance, aesthetics, safety, and cost effectiveness.

Council
Committee: F/PCoW
Open Meeting
In-Camera Meeting
Meeting Date: 2012-APR-02

The suggested process for this park improvement plan is as follows:

- Summer 2012 — begin discussions with recreation staff and summer park users in conjunction with the summer playground programs. Survey could be available and information signs will be posted about upcoming park improvements.
- September, 2012 — Host a neighbourhood meeting in partnership with recreation staff, inviting input into park improvements and checking in with neighborhood needs.
- Discuss park strengths and weaknesses with Park Operations and Recreation staff.
- October, 2012 — present improvement plan to Parks, Recreation and Culture Commission.
- Spring 2013 — implement park improvement plan and complete improvements by 2013-MAY-31.

Yours truly,



Diana Johnstone, Chair
Parks, Recreation and Culture Commission

Attachment

2012-MAR-28
File: A4-1-2 / A2-4 / A2-5 / D1-2-1
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REPORT TO: MAYOR AND COUNCIL

FROM: DIANA JOHNSTONE, CHAIR, PARKS, RECREATION AND CULTURE COMMISSION

RE: PORT THEATRE SOCIETY/CITY OF NANAIMO CO-MANAGEMENT AGREEMENT

Council
☐ Committee E/L/PRC
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: 2012-APR-02

RECOMMENDATIONS:

That Council:

1. approve the five-year Co-Management Agreement between the Port Theatre Society and the City of Nanaimo;
2. increase the 2012 Management fee by \$15,000; and,
3. reduce the City's Capital contribution to the Port Theatre starting in 2013 from \$100,000 to \$75,000 and reallocate the \$25,000 to the PR&C Capital budget for the Port Theatre building.

EXECUTIVE SUMMARY:

At its 2012-JAN-16 Finance/Policy Committee of the Whole meeting the Port Theatre Society made a presentation requesting Council:

- increase operating funding by \$90,000 annually;
- maintain the current annual City grant increase at 2%; and,
- Approve the transfer of existing Port Theatre capital reserves of \$74,500 to the 2011 operating deficit.

Council directed that staff prepare a report regarding the Port Theatre Society's request for Council's 2012-FEB-06 Finance/Policy Committee of the Whole meeting.

At the 2012-FEB-06 Finance/Policy Committee of Whole meeting Council approved the transfer of the Port Theatres capital reserve to offset a portion of the 2011 operating deficit and assist with cash flow.

As a next step, the 2012-FEB-06 Staff report to Council outlined a process that Port Theatre and City staff work to update the co-management agreement and to assess operating budget needs and opportunities with the long-term focus on energy efficiency, facility maintenance and programming. This work would be completed by mid-March for review by the Port Theatre Society Board, the Parks, Recreation and Culture Commission, and City Council prior to the adoption of the 2012 City budget in May.

At their meeting held 2012-MAR-28, the Parks, Recreation and Culture Commission passed a motion adopting the recommendation that Council: approve the five-year Co-Management Agreement between the Port Theatre Society and the City of Nanaimo; increase the 2012 Management fee by \$15,000; and, reduce the City's Capital contribution to the Port Theatre starting in 2013 from \$100,000 to \$75,000 and reallocate the \$25,000 to the PR&C Capital budget for the Port Theatre building.

The attached five-year Co-Management Agreement between the Port Theatre Society and the City of Nanaimo, as well as some operational items identified in this report, present an agreement and direction to ensure this community theatre is sustainable moving forward and managed as efficiently as possible.

DISCUSSION:

The Port Theatre has been in operation since 1998. The second five-year management agreement between the City of Nanaimo and Port Theatre Society ended 2011-NOV-30. To recognise the need for long-term sustainability of this community theatre a new co-management agreement has been developed to begin another five-year term between the City and the Port Theatre Society.

Proposed Changes in the new Co-Management Agreement

The City's Port Theatre has been well managed by the Port Theatre Society with cooperation from the City of Nanaimo for over 10 years now. However, what has become evident is that as the building ages the costs to maintain it are increasing. The primary change to this agreement from the previous five-year agreements is that it reflects a co-management structure where the maintenance and risk for the building infrastructure becomes primarily a City responsibility (similar to other City-owned and/or managed public facilities).

The following illustrates some key changes:

Theatre Operations

The Port Theatre Society is responsible for programming and operations of the building. The operating deficit of \$114,000 in 2011 was primarily because of reduced ticket sales and theatre rentals. To remedy this, the Port Theatre Society has reduced the number of events that it will be promoting in 2012 and possibly beyond – dependent on community demand. This action has both reduced operating expenses and the need to generate revenue through ticket sales and will enable the Port Theatre to operate within budget for the short-term.

The new agreement does not make any changes in regards to programming and operations. The Port Theatre Society is best suited to determine risk in regard to programming decisions and staffing levels; however, the City expects the Society's programming revenue to cover direct expenses as has been the case since 1998.

The Port Theatre Society has experienced decreased revenue from ticket sales, rentals, and memberships. In review of the Society's operations and service delivery staff recommend a \$15,000 increase in the Management fee that will enable the Society to maintain its service level to the community including:

- community-reduced user's rates to ensure access to the community owned facility.
- community programs such as "Theatre Angels", "Schools on Stage", and "EyeGo to the Arts".

Building Maintenance

On 2012-JAN-12, The Port Theatre proposed a request for \$90,000 increase to the management fee, with specific provision to reduce that amount through cost saving initiatives in collaboration with the City of Nanaimo. This is an area where substantial changes have been identified and are illustrated below:

Energy Savings

Energy costs for all City facilities have increased substantially over the last 10 years. Since 2002 the energy costs for the Theatre have increased over 50% - an increase of \$27,459.

Over the last year the City of Nanaimo Energy Manager has been working with the Port Theatre Staff to identify energy savings opportunities within the facility. The following table outlines three projects to be completed in 2012 which will result in an estimated cost saving of \$12,000 annually. These projects are financed from both the Port Theatre Capital and City of Nanaimo Capital budgets.

	Kwh	Cost estimate \$	Incentives \$	Savings \$
Lighting	26,310	9,154	3,500	1,750
HVAC VFD	18,700	16,000	possible	1,250
Office AC	150,000	30,000	possible	9,000
TOTAL	195,010	55,154		12,000

These costs savings will be realized completely in 2013.

Civic Buildings Maintenance Efficiencies

As a result of the 2010 City of Nanaimo reorganization initiatives, the responsibility of all Civic buildings (operated either by the City or partners like the Port Theatre) became the responsibility of the Parks, Recreation and Culture Department. Since that time the Department has been looking at means to find economies of scale in the maintenance and overall asset management of Civic buildings.

The following items have been identified as areas that the City will take on with direct savings to the Society and at an increased cost to the City:

- HVAC maintenance contract \$6,290.
- HVAC filter replacement and system testing \$3,845.
- Passenger Elevator inspections \$5,000.

Although these responsibilities represent an increased cost and risk to the City, some savings may be possible by combining this work with contracts for similar work in other City facilities. Also, the City is responsible for this maintenance in most City-owned buildings (either operated by the City or Partners) and their failure would be the responsibility of the City in any event.

In 2012, a review of how HVAC systems are maintained for all City facilities will be completed to find overall efficiencies. The 2012-2016 City Financial Plan already includes an \$11,000 increase in maintenance costs for these items.

Capital and Asset Planning for the Building

The Port Theatre is a City of Nanaimo owned community facility. Long-term asset planning for the facility is therefore important for both the City and the Society. During the discussions with Port Theatre Staff the area of capital planning for the facility presented a number of options.

Currently, the City is developing an asset management plan for all City-owned facilities. This plan, when completed and presented to Council, will outline 10-20 year asset planning for all community facilities. With this in mind, the new agreement transfers the Port Theatre's long-term capital planning for building infrastructure to the City. The Port Theatre will still be responsible for performance and public space improvements (sound equipment, stage apparatus, carpets, fixtures) while the City will be responsible for the building systems and infrastructure (example: roof, electrical, HVAC, windows, doors).

Currently the Society receives \$100,000 per year for capital. This will be reduced to \$75,000 starting in 2013 and those funds are to be added to City of Nanaimo Capital budget to reflect the transfer of responsibilities to the City for building infrastructure.

All Assets Transferred to City Ownership

It is proposed that ownership of most theatre assets be transferred to the City (office furniture and computer systems) in recognition that these items are as essential to operation of the theatre as much as the seating and audio equipment. This has no direct cost to the City but reduces amortization costs to the Society. All Capital purchases are itemized within the ongoing seven-year Capital plan.

Summary

- The Port Theatre Society will see annual savings to operations of \$27,000 through energy efficiencies (\$11,000), with the City taking on additional building maintenance responsibilities (\$15,000).
- These cost reductions will enable the Port Theatre Society to reinstate budgets for supplies and maintenance (\$13,500), and, staff costs (\$10,500).
- The 2012-2016 City Financial Plan now includes an \$11,000 increase in maintenance costs to compensate for the building maintenance responsibilities transferred from the Port Theatre.
- There is a \$25,000 reduction to the Port Theatre for capital but this will not be a reduction to the City's contribution as it will go towards the City's capital budget – no net change.
- If approved, there will be a \$15,000 increase in the Management fee that will enable the Society to maintain its service level to the community.
- The Port Theatre Society will still receive a 2% increase to the management fee each year.

Yours truly,



Diana Johnstone, Chair
Parks, Recreation and Culture Commission

Attachment

2012-MAR-28
File: A4-1-2 / A2-4 / C7-8 / D1-8-44-1 / M1-23
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CO- MANAGEMENT AGREEMENT

DATED THE _____ DAY OF _____, 2012

BETWEEN:

THE CITY OF NANAIMO
455 Wallace Street,
Nanaimo, British Columbia
V9R 5J6

(the "**Municipality**")

OF THE FIRST PART

AND

PORT THEATRE SOCIETY
125 Front Street
Nanaimo, British Columbia
V9R 6Z4

(the "**Society**")

OF THE SECOND PART

WHEREAS:

- A. The City of Nanaimo (herein called the "City") and the Port Theatre Society (herein called the "Society") by Agreement dated for reference the 30th day of April, 1996 agreed that there would be constructed upon the Remainder of Lot 1, Section 1, Nanaimo District and of the Bed of the Public Harbour, Plan VIP63076 (herein called the "Land") a theatre (herein called the "Theatre") under the terms and conditions set out in the Agreement of April 30, 1996.
- B. It was further agreed that the City shall be the owner of the Land and the Theatre and that the Theatre be managed and operated by the Society under terms and conditions of a Co- Management and Operating Agreement between the City and the Society.
- C. The City and the Port Theatre Society wish to enter into a Co-Management Agreement (herein called the "Agreement") whereby the Society undertakes responsibility for the operation and maintenance of the Port Theatre.
- D. This Agreement is intended to provide the Terms of Reference for the occupancy, operation and management of the Theatre and the obligations of the Society and City in that regard.
- E. This Agreement is intended to provide sufficient flexibility so as to satisfy the Society's mandate and the City's ownership of the Land and the Theatre.

NOW THEREFORE in consideration of the foregoing and the mutual covenant and Agreements set out in this Agreement, the parties covenant and agree each with the other as follows:

1. License to Occupy

The City hereby grants to the Society the right to occupy the Theatre upon the Land subject to all of the terms and conditions including earlier termination as set out in this Agreement.

2. Term

The Society shall have the right to occupy the Theatre for a term of five consecutive years commencing January 1st, 2012 and ending December 31st, 2017 unless earlier terminated in accordance with the terms and conditions of this Agreement at which date the right to occupy shall cease.

2.1 Renewal Options

Provided that the Society is not in default under this Agreement, the Society may, by delivering notice in writing to the City ninety (90) days before the 5th anniversary of the Commencement Date, renew this Agreement for a further term of five (5) years on the same terms and conditions as are herein contained save and except for the renewal option. The City and the Society shall meet at least one (1) year prior to the termination of the Agreement and negotiate the provisions for a further term, or terms, subject to the approval of City Council to renewal. If Agreement has not been reached by the expiry date of this Agreement, then the Society will continue to remain in occupation of the Theatre, on a month to month basis, on the terms and conditions set out in this Agreement.

3. Society as Manager and Operator

The City hereby grants to the Society the right to manage and operate the Theatre for the Term in accordance with and subject to the terms and conditions set forth in this Agreement. The City will designate a representative to deal on its behalf with the affairs of the Theatre, herein after called the City Representative.

3.1 Rules and Regulations

The Society shall make such policies and procedures as are required to provide for the proper operation and management of the Theatre provided that such rules and regulations shall not be inconsistent with:

- a) the bylaws of the Society;
- b) the provisions, terms and conditions of this Agreement; and
- c) all applicable Federal, Provincial and City laws, by-laws and regulations.

3.2 Access and Use

The Society shall use the Theatre to accommodate all types of performing arts, live entertainment, and public and private assembly activities. Access to and use of the Theatre by members of the Society and by the general public shall be in accordance with guidelines developed by the Society for the operation of the Theatre, drawing where appropriate on relevant guidelines contained in City documents.

3.3 Programming and Operation

The Society shall be responsible for all aspects of the operation of the Theatre (save those exclusively to be performed by the City as described in this Agreement) including without limitation:

- a) all programming and booking of events in the Theatre;
- b) all responsibilities and functions delegated by the Society to the General Manager of the Theatre, herein after called the General Manager.

4. Ownership

Any improvements carried out to the Theatre shall, upon their completion, become the property of the City and shall be left in the Theatre following termination of this Agreement, except as listed in attached Schedule B "Port Theatre Society Assets".

5. Powers and Duties of the Society

5.1 Negotiation and Signing of Agreements

The Society shall be responsible for the negotiation of all Agreements with third parties for the use or occupancy of the Theatre. Except as otherwise provided in this Agreement, the Society shall have the power to make any Agreement in respect of the Theatre which relates to the long term operation, use or occupancy of the Theatre during the period of time that the Society has the right to occupy the Theatre under this Agreement.

5.2 Appointment of Person as Manager

The Society will establish a Committee of at least three (3) persons, one of whom will be the City Representative or designate, for the purpose of selecting the General Manager for the Theatre.

5.3 Payment of Expenses and Operating Costs

The Society shall be responsible for the general administration of the Theatre and, without limiting the generality of the foregoing; this shall include all expenses incurred in the operation and management of the Theatre. The City Council may, pursuant to *the Community Charter*, grant the Society an exemption from taxation on the assessed land and improvements during the life of this Agreement.

6. Theatre Policy

All policy governing the operations of the Theatre shall be in accordance with the provisions of this Agreement and shall be approved and determined by the Society with the Society being responsible for initiating such policy. The Society shall inform the City Representative with respect to policy matters and shall keep the City Council advised as outlined in Item 13.2.

7. Repair and Maintenance of the Theatre

7.1 Repair & Maintenance

- (a) The Port Theatre Society is responsible for theatre repair and maintenance including, furnishings, fixtures and equipment.
- (b) The City is responsible for maintaining and repairing the roofs, exterior walls, external horticulture, outside sidewalks, foundations and electrical, heating, ventilation and air conditioning repairs or replacements greater than \$3,500.
- (c) Schedule A "Schedule of Operating Responsibilities" attached to this Agreement outlines in more detail these responsibilities.

7.2 Entrances, Sidewalks and Snow Removal

The City shall be responsible for the maintenance of and snow removal from the access roads, walkways, plaza and sidewalks.

8. Liens

In the event that any claim of builders lien is registered against the title of the Land pursuant to the provisions of the Builders Lien Act with respect to any work performed pursuant to Item 7.1 herein, then the Society shall, within 30 days notification thereof, cause any such claim to be discharged from the title of the Lands. Should the Society fail to discharge any such lien within the time aforesaid, the City shall have the right to make application pursuant to Section 32 of the Builders Lien Act to have sufficient funds paid into Court to cause any such lien to be discharged from the title of the Land and the Society shall be responsible for payment to the City of any such sum, together with the costs thereof calculated on a solicitor and own client basis.

9. Maintenance of Insurance

9.1 Property Insurance

The City shall insure the Theatre building and fixtures against the perils and under the terms and conditions that the City insures other similar types of buildings and fixtures owned by the City. The Society shall insure Society assets.

9.2 Liability Insurance

The Society shall provide and maintain comprehensive General Liability Insurance, with the City to be an additional named insured to cover the functions of both parties in the management and operation of the Theatre and its various facilities in the minimum amount of FIVE MILLION (\$5,000,000) DOLLARS. Such liability insurance shall be in the standard form carried by the City, and approved through the City Representative. The policy shall provide for 30 days notice to the City before cancellation and should such policy lapse or be canceled the City may, at the cost of the Society, place insurance as provided in this section.

9.3 Effects Insurance

The Society shall not, without the prior consent of the City, permit anything to be brought into the Theatre that would invalidate or increase the premium payable for policies of insurance held by the City or the Society in relation to the Theatre or that would injure or deface the Theatre. The Society in its contractual arrangements will undertake to assign culpability to contractual users of the Theatre, and ensure that adequate Effects Insurance is provided.

9.4 Indemnification of City

The Society will indemnify and save harmless the City from and against any and all liabilities, obligations, damages, penalties, claims, costs (including reasonable solicitors' fees), fines, suits, demands and causes of action to, by or on behalf of any person, group, firm or corporation arising from the occupation or use of the Theatre by the Society or its invitees, employees, agents, members or any other person or persons for whose acts the Society is liable in law, or from any breach of the Society of any covenant, term or provision of this Agreement by the Society or its members, servants or agents or that might arise during the occupancy of the Theatre by the Society under this Agreement; save and except where any such matter is the cause of an act by the City or anyone for whom the City is in law responsible.

9.5 Strikes

The Society in its contractual arrangements with users will absolve itself of liability arising out of strikes or lockouts and thereby release the City from any responsibility or liability whatsoever that might arise out of the City failing to provide the Theatre or any services to the Theatre under the terms of this Agreement arising out of any strike or lockout between the City and its employees or as a result of any other labour dispute, provided reasonable notice of any situation that might give rise to a labour action has been provided to the Society such that the Society has had the opportunity to modify its operations to minimize its risk.

10. Financial Records

Proper and separate books of account and financial records of the Theatre's operation, as required by the Society Act, shall be kept by the Society at its expense during the occupancy by the Society of the Theatre. The City Representative or any person authorized by the City shall have free access to the Society's financial records at all reasonable times.

11. Budget

The Society's Board of Directors shall approve its annual Operating and Capital Budgets. The budget and annual operations plan of the society including staffing complement and organizational structure shall be submitted to the City Representative.

12. Annual Audit Statement

The Society will prepare and deliver to the City on an annual calendar year basis an audited statement of expense and income with respect to all revenues from and expenses for the use and operation of the Theatre as well as an audited statement of all related assets and liabilities. The Society will cause such annual financial statements to be audited by its auditor and thereafter submitted to the City Representative for consideration no later than April 30th in each year.

13. Reports

13.1 The Society shall provide monthly unaudited financial statements to the City's Representative and Director of Finance.

13.2 The Society shall submit an annual report to the City Council's Parks, Recreation and Culture Commission stating the previous year's operating and capital results and the previous year's operation statistics.

14. City's Financial Contribution

14.1 The City will consider each year the inclusion in its budget a management fee to the Society to be paid in equal quarterly amounts at the beginning of the quarter. The portion of the City's contribution that pertains to capital improvements will be paid at the start of each year. The Society shall participate in the City budget preparation process through the City's Parks, Recreation and Culture Commission.

14.2 All revenue obtained from operations shall become the property of the Society. The Society covenants and agrees that all revenue shall be used exclusively for the Theatre operations.

14.3 Should there be a surplus in any year as a result of operating revenues and the City contribution exceeding operating costs, the Society shall be entitled to retain the surplus for operations and reserves. The Society will not incur a deficit in excess of available accumulated surpluses. The City will be aware of the Society's financial performance during a year through the monthly reporting mechanism outlined in Item 13.1.

14.4 The Society will build a capital reserve through a variety of fund mechanisms. Expenditures from this fund will be determined by the Society in consultation with the City as outlined in Item 7.

15. Termination

This Agreement may be terminated by the Society or the City upon giving to the other party six months notice of its intention to terminate, such notice to be given in writing on the last day of any month.

15.1 Termination for Breach

Upon breach by the Society of any term or condition of this Agreement, the City may give to the Society 30 days notice to commence action to correct such breach to the satisfaction of the City, and if such breach is not corrected within an agreed reasonable period, the City may without further notice declare this Agreement terminated and may enter into possession of the Theatre and retain all moneys received by the Society under this Agreement and may recover all fees, costs and damages due to the City under this Agreement by suit or otherwise.

15.2 Termination For Other Reasons

In the event that:

- (a) The Society shall make an assignment for the benefit of creditors; or
- (b) The Society, for an unjustifiable reason fails to hold a general meeting of members for a period of eighteen (18) months or longer; or
- (c) The Society becomes bankrupt or insolvent or takes the benefit of any Act now or hereafter in force for bankrupt or insolvent debtors; or
- (d) Any order shall be made for the winding up of the Society; or
- (e) The Society is struck off the Register by the Registrar for any just reason whatsoever;

the City may give to the Society 30 days notice to rectify the matter in question after which time, if the problem is not rectified to the satisfaction of the City, the right to occupy the theatre by the Society shall be terminated.

16. Vesting on Termination

In the event that the City terminates this Agreement in accordance with the terms and conditions contained herein, or in the event this Agreement expires without further renewals, then the City will assume all outstanding contractual obligations and debts.

17. Tenders

The Society agrees that it shall adhere to a competitive system of tendering for purchased goods and services for the Theatre. Purchasing Policy shall be as approved by the Society. The Society shall have the option of joining with the City on tenders or to purchase merchandise from City suppliers.

18. Amendments

All amendments proposed to the terms and conditions of this Agreement shall be submitted in writing for consideration.

19. Communications

All communications relating to this Agreement between the Society and the City (apart from the ongoing exchange of operating information), shall be done in writing.

20. Notices

Any notice herein provided or permitted to be given by the Society to the City shall be sufficiently given if delivered to the City at:

CITY OF NANAIMO

City Hall
455 Wallace Street,
Nanaimo, BC V9R 5J6
Attention: Director of Parks, Recreation and Culture

Any notice herein provided or permitted to be given by the City to the Society shall be sufficiently given if delivered to the Society addressed to:

PORT THEATRE SOCIETY

125 Front Street,
Nanaimo BC V9R 6Z4
Attention: General Manager

Either party may at any time give notice in writing to the other of any change of address of the party giving such notice and from and after the giving of such notice the address therein specified shall be deemed to be the address for such party for the giving of notice there under. The word "notice" in this paragraph shall be deemed to include any request, statement or other writing in this Agreement provided or permitted to be given by the City to the Society or by the Society to the City. Such notices may be given by personal delivery, mail or by fax and if given by mail shall be deemed to have been received five days after the date of mailing.

21. Conflict of Interest

Society Board Members and Staff shall be subject to the Society's "Conflict of Interest" policies.

22. Appeals

In the event that Agreement between the City Representative and the Society cannot be reached on matters involving the City's and/or Society's interests, the Society or the City Representative may appeal the matter to the City Council. A decision of the Council shall be final and be binding on all matters which require City consent or approval.

23. Agents

It is understood and agreed that the Society and all agents, servants and employees of the Society are not and shall not be deemed to be agents, servants or employees of the City.

24. Assignment

This Agreement shall enure to the benefit of and be binding upon the parties hereto. This Agreement is personal to the Society and cannot be assigned to any other person.

25. Interpretation

Wherever the singular and masculine are used throughout this Agreement the same shall be constructed as meaning the plural or feminine or the body corporate or politic as the context requires.

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

by its authorized signatories:

Mayor

Director of Legislative Services

by its authorized signatories:

Port Theatre Society

Port Theatre Society

SIGNED SEALED AND DELIVERED

in the presence of:

Witness (please print)

Address

Occupation

Witness Signature

SCHEDULE A

SCHEDULE OF OPERATING RESPONSIBILITIES

Both organizations take responsibility for notifying each other of any system failure, anticipated failures or damage in a timely fashion. Representatives from both organizations shall meet on a regular basis to ensure that communication and planning coordination is current.

All planning and execution of these repairs / replacement jobs shall be done by the Society, or in coordination with the Society, to ensure that operational impact is kept to a minimum.

As stated in the agreement the City of Nanaimo will be responsible for all mechanical and building maintenance issues exceeding \$3,500. The Society however will be responsible for capital improvements as illustrated in this schedule and the agreement. Capital planning for the Theatre and assets will be done in cooperation with the City and Society as outlined in this schedule and the co-management agreement. A 10 year capital plan will be established and updated by both organizations as outlined in the agreement.

1. Electrical

The City is responsible for:

- High voltage feed to the building up to and including the step-down transformers in the Port Theatre electrical vault.
- Backup generator maintenance and feed to Port Theatre including transfer panel.
- maintenance of all breaker panels

The Society is responsible for:

- All electrical equipment and distribution at 120volt.
- Installation of additional circuits as required.

2. HVAC

The City is responsible for all HVAC inspections, repair and maintenance.

3. Plumbing Water

The City is responsible for:

- high pressure water, up to and including pressure reduction valve, in the Port Theatre
- replacement and re-build of the commercial boilers
- Inspection and annual certification of boilers.

The Society is responsible for:

- ongoing maintenance of hot and cold water systems, for all plumbing fixtures and water distribution throughout the building
- replacement of domestic hot water tanks

4. Structural

The City is responsible for:

- maintaining and repairing exterior walls and building foundations

5. Roof

The City is responsible for:

- maintenance, repair and replacement of roofing membrane
- roof top fall arrest system and the annual inspection of anchors

6. Equipment

The Society is responsible for:

- furnishings, fixtures and equipment and to provide inventory information to the City for insurance purposes

7. Elevating Devices

The City is responsible for:

- Monthly inspections and annual certification of the public elevator(s).

The Society is responsible for:

- annual inspection and certification of the Stage Lift

8. Fire Suppression | Fire Alarm | Sprinkler

The City is responsible for:

- high pressure valves

The Society is responsible for:

- ongoing maintenance and care
- annual testing and inspection

9. Interior Surfaces

The Society is responsible for:

- maintenance and repair of all interior surfaces as required, including all interior doors and hardware

10. Exterior

The City is responsible for:

- all exterior wall finishes, plaster, paint
- all exterior doors, with the exception of the automatic door
- all exterior lighting fixtures, lamp replacement and maintenance
- all window repairs due to breakage and system failure
- window maintenance, trim and desiccant inserts
- landscaping and sidewalk maintenance
- garbage pick-up of sidewalk trash cans

- painting of all exterior handrails
- Snow removal on sidewalks and the loading bay – procedure will be worked out and added to City snow and ice and removal procedure.

The Society is responsible for:

- window cleaning
- garbage and recycling contract for removal
- maintenance of interior hardware on exterior doors including automatic doors

11. Alarm and Security

The Society is responsible for:

- repair and maintenance of alarm and security systems

SCHEDULE B

PORT THEATRE SOCIETY ASSETS

- Steinway 'D' Concert Piano
- Public space Artwork, other than Cultural Award photos
- Society files as per Society Act
- Intellectual Property- data
- Port Theatre staff personal items
- Operating supplies

REPORT TO: MAYOR AND COUNCIL

FROM: DIANA JOHNSTONE, CHAIR, PARKS, RECREATION AND CULTURE COMMISSION

**RE: TRAVEL ASSISTANCE GRANT – NANAIMO CURLING CLUB
2012 CANADIAN WHEELCHAIR CURLING CHAMPIONSHIPS
THUNDER BAY, ONTARIO**

RECOMMENDATION:

That Council approve the application for a Travel Assistance Grant by the Nanaimo Curling Club in the amount of \$200.00 for two members to participate in the 2012 Canadian Wheelchair Curling Championships in Thunder Bay, Ontario. The application meets all of the travel grant criteria.

EXECUTIVE SUMMARY:

The City of Nanaimo provides a contingency account for amateur sports and cultural groups and individuals to travel within BC (excluding travel on Vancouver Island) and out of province to a Regional, National or International Championship. These funds are available to sports and cultural groups winning Provincial or Regional competitions and the current policy provides \$50 per person to a maximum of \$1,000 per application for travel within BC or \$100 per person to a maximum of \$2,000 per application for travel outside of BC. Requests are considered on a first-come, first-served, basis as funds remain available.

On 2012-MAR-06, Staff reviewed a Travel Assistance Grant application submitted by the Nanaimo Curling Club requesting financial assistance for two Nanaimo curlers to assist them in participating at the 2012 Canadian Wheelchair Curling Championships in Thunder Bay, Ontario. The Nanaimo Curlers will join other curlers from BC and represent BC at this National competition. Staff determined that the application met all of the grant criteria and recommended that the Parks, Recreation and Culture Commission approve the application.

At their meeting held on 2012-MAR-28, the Parks, Recreation and Culture Commission passed a motion supporting the recommendation that Council approve the application for a Travel Assistance Grant by the Nanaimo Curling Club in the amount of \$200.00 for two members to participate in the 2012 Canadian Wheelchair Curling Championships in Thunder Bay, Ontario.

BACKGROUND:

Staff review all Travel Assistance Grant applications and forward the recommendation to the Parks, Recreation and Culture Commission for approval. Staff determined that the application did meet all of the grant criteria and recommended that the Parks, Recreation and Culture Commission approve the application in the amount of \$200.00. The Nanaimo curlers will be representing BC at the 2012 Canadian Wheelchair Curling Championships in Thunder Bay, Ontario.

Yours truly,



Diana Johnstone, Chair
Parks, Recreation and Culture Commission

☐ Council
☒ Committee *FIPLOW*
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: *2012-APR-02*

Attachments

City of Nanaimo
Department of Parks, Recreation & Culture

Travel Assistance Grant Evaluation

APPLICANT: Nanaimo Curling Club DATE: mar. 6, 2012.

CRITERIA	Meets Criteria (✓)	Does not meet Criteria (✓)	NOTES
A. Winner of a Regional, <u>Provincial</u> or National Championship (or equivalent)	✓		
B. Attending a Provincial, Regional, <u>National</u> , or International Championship	✓		
C. Traveling out of Province Max. \$100 per person up to \$2,000 per group	✓		
D. Traveling within BC(excluded: Van. Is.) Max. \$50 per person up to \$1,000 per group	N/A.		
E. Other sources of funding identified	✓		
F. Grant recipient(s) reside in Nanaimo	✓		
G. Application made by a local organization	✓		
H. Grant for participants only, not coaches or chaperones	✓		
I. Demonstrated financial need	✓		
J. Applicant is a non-profit organization	✓		
K. Budget & financial statements attached	✓		

RECOMMENDED FOR FUNDING (✓): ✓ AMOUNT: \$ \$ 200.00

OR

NO GRANT RECOMMENDED (✓): _____ DOES NOT MEET CRITERIA: _____

EVALUATOR: Liz Williams POSITION: Manager, Rec. & Culture Services.

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CITY OF NANAIMO
APPLICATION FOR TRAVEL ASSISTANCE

Office Use

ORGANIZATION: Nanaimo Curling Club.		DATE: Mar 7 2012	
ADDRESS: 106 Wall St Nanaimo BC V9R 1Z7		PRESIDENT: Denise Wood	
		SENIOR STAFF MEMBER: Fred Rumo	
		POSITION: 1st Vice President	
		CONTACT: Denise Wood	
TELEPHONE: 250 753-3474		TELEPHONE: 250 753-3474	
TOTAL NUMBER OF PERSONS TRAVELLING: 6	TOTAL NUMBER OF COMPETITORS TRAVELLING: 5	TOTAL NUMBER OF COMPETITORS RESIDING WITHIN THE CITY OF NANAIMO: 2	TOTAL AMOUNT REQUESTED: \$ 200.00
DESTINATION: Thunder Bay Ont.		DATE OF DEPARTURE: Mar 17/2012	
EVENT TO BE ATTENDED: Canadian Wheelchair Curling Championships			
PROVINCIAL/REGIONAL/NATIONAL CHAMPIONSHIP RECEIVED: 2012 Provincial Champion			
PLEASE LIST ALL OTHER SOURCES OF FUNDING FOR THIS TRIP:			
WHY SHOULD THIS TRIP RECEIVE CITY FUNDING? we are representing the Nanaimo Curling Club. we have secured the 2013 Provincial wheelchair Championships for Nanaimo this will bring 20-30 people to Nanaimo to use the local hotels & restaurants			
SIGNATURE: [Signature]	TITLE/POSITION: 2nd / curler	DATE: March 7/2012	
* IN SIGNING THIS DOCUMENT I CONFIRM THAT I HAVE READ AND UNDERSTAND THE CRITERIA *			
NOTE: A BUDGET OUTLINING REVENUES AND EXPENDITURES FOR THIS TRIP MUST BE ATTACHED FOR CONSIDERATION.			



March 4, 2012

City of Nanaimo
Parks, Recreation and Cultural Services
Nanaimo, BC

Attention: Diana Johnstone
Chair, PRC Commission

Dear Mrs. Johnstone and Members of the Commission

SUBJECT: TRAVEL ASSISTANCE GRANT

We have recently become aware that the City of Nanaimo's Parks, Recreation and Cultural Services Department offers travel grants to team members traveling from Nanaimo to national sporting events, to help defray costs for the athletes.

Our wheelchair curling team will soon be travelling to Thunder Bay, Ontario to represent both BC and the Nanaimo Curling Centre at the national competitions. Our expenses will be considerable – much more than able-bodied curlers usually experience. The attached document will give an overview of what we anticipate it will cost team members to attend.

Wheelchair curling team members may not all come from the same club, or indeed the same city. As you can appreciate, wheelchair curlers are not as high in numbers as other sports. However, our team is made up of two members from Nanaimo, and because of those numbers, we will be named as representing our city, much to our pride and delight.

We respectfully request the PRC Commission's consideration of a grant to assist with our travel. If you have any questions, I can be reached at 250-722-0099.

Thank you for your attention to this request.

Yours truly

A handwritten signature in dark ink, appearing to read "Ellis Tull", is written below the "Yours truly" text.

Ellis Tull

cc. Denise Wood, Manager, Nanaimo Curling Centre
Attach. (1)

Team BC 2012 National Wheelchair Curling Championships Thunder Bay Ontario, March 17 - 25

Team BC (Nanaimo)

Skip: Darryl Neighbour, Richmond, 2010 Paralympic Gold Medallist
 Third: Sonja Gaudet, Vernon, 2006 and 2010 Paralympic Gold Medallist
 Second: Gerry Austgarden, Kelowna, 2006 Paralympic Gold Medallist
 Lead: Corinne Jensen, Nanaimo, 2010 National Wheelchair Gold Medallist
 Alternate: Ellis Tull, Nanaimo

Fundraising Appeal

Team BC receives funding from the Canadian Curling Association (CCA) to cover return air travel to Thunder Bay for the Canadian Wheelchair Curling Competition and three hotel rooms for the duration of the event. Curl BC, the provincial association, pays for team uniforms, the coach's hotel room, and a \$500 stipend for food costs. Other, non-funded expenses will include:

Vehicles in Thunder Bay: two vans for 11 days	\$1,000.00
Fuel for vehicles	\$100.00
Medical equipment: (bathroom transfer benches, bed bars, commodes with handles)	\$350.00
Fifth hotel room: (CCA pays only for three rooms, which is not enough for five wheelchair athletes plus two helpers) 11 days	\$1,500.00
Food: (\$40-50 per person per day x 5 athletes for 11 days)	\$2,500.00
Ferry: (2 vehicles, round trip Nanaimo/Vancouver)	\$300.00
Total:	\$5,750.00

Values associated with each level of sponsorship

Gold \$2000: Corporate logo on right chest of Team BC jackets (only two sponsorships available). Mention in all interviews, corporate name in national event program as major sponsor, name and/or logo on Nanaimo Curling Centre and Pacific Sport web pages, lobby ad in Nanaimo Curling Centre. Opportunity for a complimentary corporate curling experience at the Nanaimo Curling Centre.

Silver \$1000: Corporate logo on right arm of Team BC jackets, mention in all interviews, corporate name in national event program as major sponsor, corporate name and/or logo on Nanaimo Curling Centre and Pacific Sport web pages, lobby ad in Nanaimo Curling Centre.

Bronze \$750: Corporate logo on team bags, mention in all interviews, name in national event program as major sponsor. Corporate name and/or logo on Nanaimo Curling Centre and Pacific Sport web pages.

Fan \$250: Corporate name and/or logo on Nanaimo Curling Centre and Pacific Sport Web pages.

REPORT TO: MAYOR AND COUNCIL

FROM: DIANA JOHNSTONE, CHAIR, PARKS, RECREATION AND CULTURE COMMISSION

**RE: TRAVEL ASSISTANCE GRANT – NANAIMO YOUTH CHOIR
PACIFIC INTERNATIONAL CHILDREN'S CHOIR FESTIVAL, EUGENE, OREGON**

RECOMMENDATION:

That Council approve the application for a Travel Assistance Grant for the Nanaimo Youth Choir in the amount of \$1,100.00 in order that the youth choir can attend the Pacific International Children's Choir Festival in Eugene, Oregon. The application meets all of the travel grant criteria.

EXECUTIVE SUMMARY:

The City of Nanaimo provides a contingency account for amateur sports and cultural groups and individuals to travel out of province to a Regional, National or International Championship. These funds are available to sports and cultural groups winning Provincial or Regional competitions and the current policy provides \$100 per person to a maximum of \$2,000 per application. Requests are considered on a first-come, first-served, basis as funds remain available.

On 2012-FEB-23, Staff reviewed a Travel Assistance Grant application submitted by the Nanaimo Conservatory of Music – Nanaimo Youth Choir requesting financial assistance so the youth choir can attend the Pacific International Children's Choir Festival. Nanaimo is one of nine choirs invited to attend the festival in 2012. Staff determined that the application met all of the grant criteria and recommended that the Parks, Recreation and Culture Commission approve the application.

At their meeting held on 2012-MAR-28, the Parks, Recreation and Culture Commission passed a motion supporting the recommendation that Council approve the application for a Travel Assistance Grant for the Nanaimo Youth Choir in the amount of \$1,100.00 in order that the youth choir can attend the Pacific International Children's Choir Festival in Eugene, Oregon.

BACKGROUND:

Staff review all Travel Assistance Grant applications and forward the recommendation to the Parks, Recreation and Culture Commission for approval. Staff determined that the application did meet all of the grant criteria and recommended that the Parks, Recreation and Culture Commission approve the application in the amount of \$1,100.00. The Nanaimo Youth Choir will be representing Nanaimo at the Pacific International Children's Choir Festival in Eugene, Oregon.

Yours truly,



Diana Johnstone, Chair
Parks, Recreation and Culture Commission

Attachments

☐ Council
☒ Committee ELPCOW
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: 2012-APR-02

Travel Assistance Grant Evaluation

Nanaimo Conservatory of Music

APPLICANT: Nanaimo Youth Choir

DATE: Feb 27, 2012.

CRITERIA	Meets Criteria (✓)	Does not meet Criteria (✓)	NOTES
A. Winner of a Regional, Provincial or National Championship (or equivalent)	✓ ✱		✱ Choirs don't qualify for competitions, they are 'recommended' to attend.
B. Attending a Regional, National, or International Championship	✓		invited to attend Pacific Inter. Choir Festival
C. Traveling out of Province	✓		
D. Maximum \$100 per person up to \$2,000 per group	✓		
E. Other sources of funding identified	✓		
F. Grant recipient(s) reside in Nanaimo	✓		
G. Application made by a local organization	✓		
H. Grant for participants only, not coaches or chaperones	✓		
I. Demonstrated financial need	✓		
J. Applicant is a non-profit organization	✓		
K. Budget & financial statements attached	✓		

RECOMMENDED FOR FUNDING (✓): ✓ AMOUNT: \$ \$1,100.

OR

NO GRANT RECOMMENDED (✓): — DOES NOT MEET CRITERIA: —

EVALUATOR: Liz Williams Williams POSITION: Manager, Recreation & Culture Services



CITY OF NANAIMO
APPLICATION FOR TRAVEL ASSISTANCE
FEB 24 2012

Office Use

ORGANIZATION: <i>Nanaimo Conservatory of Music - Nanaimo Youth Choir Program</i>		DATE: <i>Feb 23, 2012</i>	
ADDRESS: <i>375 Selby Street</i>		PRESIDENT: <i>Andrew Homzy</i>	
<i>Nanaimo, BC</i>		SENIOR STAFF MEMBER: <i>Kathleen Darby</i>	
<i>V9R 2R4</i>		POSITION: <i>Executive Director</i>	
		CONTACT:	
TELEPHONE: <i>250 7544611</i>		TELEPHONE: <i>250 754 716-0639</i>	
TOTAL NUMBER OF PERSONS TRAVELLING: <i>21</i>	TOTAL NUMBER OF COMPETITORS TRAVELLING: <i>17</i>	TOTAL NUMBER OF COMPETITORS RESIDING WITHIN THE CITY OF NANAIMO: <i>11</i>	TOTAL AMOUNT REQUESTED: <i>\$1,100</i>
DESTINATION: <i>Eugene, Oregon, WA</i>		DATE OF DEPARTURE: <i>June 25, 2012</i>	
EVENT TO BE ATTENDED: <i>Pacific International Children's Choir Festival (PICCFest)</i>			
PROVINCIAL/REGIONAL/NATIONAL CHAMPIONSHIP RECEIVED: <i>see attached</i>			
PLEASE LIST ALL OTHER SOURCES OF FUNDING FOR THIS TRIP: <i>see attached</i>			
WHY SHOULD THIS TRIP RECEIVE CITY FUNDING? <i>see attached</i>			
SIGNATURE: <i>[Signature]</i>	TITLE/POSITION: <i>Executive Director</i>		DATE: <i>Feb 23/12</i>
* IN SIGNING THIS DOCUMENT I CONFIRM THAT I HAVE READ AND UNDERSTAND THE CRITERIA *			
NOTE: A BUDGET OUTLINING REVENUES AND EXPENDITURES FOR THIS TRIP MUST BE ATTACHED FOR CONSIDERATION.			

Provincial and National Recognition

- 2010 – First Place Regionals– recommended to Provincials, First Place Provincials- recommended to Nationals.
- 2011 – First Place Regional – Recommended to Provincials, First Place Provincials and Award... recommended to Nationals – Second Place at Nationals.
- Note – Choirs do not travel to Provincial and National Competitions – when they place first in their region, the adjudicator may or may not recommend them to the Provincials. If recommended then they must record their submissions on a CD and sent to the competition. This is also the case for Provincial Competitions; if they place first they may or may not be recommended to Nationals by the adjudicator. If choirs do well at Provincial and National Competitions then they are invited to apply to attend National and International Festivals. Your chance of acceptance is much higher if you have received Provincial or National placements.

Other Funding Sources

- Bottle Drives
- Choir Performances and Concerts
- Applying to Service Clubs
- Thrifty Foods Smile Cards
- Beverage and Burger Night
- Grant Applications

Why Should Choir Receive Funding?

- The Nanaimo Youth Choir has had great success over the last two years. The more successful you are as a choir in Provincial and National Competitions the more opportunities you are provided to attend National and International Festivals.
- This choir is a very small group of 17 children. There is one family which has 4 children in the choir.
- Attending PICCFest will be a huge opportunity for these children to work with highly accomplished Children's choir conductors and 7 other international children choir.
- PICCFest organizers have made an exception for the Nanaimo Youth Choir to their acceptance policy of choir minimums of 20. NYC has 17 members.
- As choristers, these young people do much to encourage music and singing in their community. They are guests of many other groups and are always enthusiastic about what they love to do. They present concerts to school children each spring at the Port Theatre. These children are exceptionally dedicated young people who will represent their home town very well as they continue to put Nanaimo on the map and draw attention in the Choral Community.

Trip to PICCFest, Eugene, Oregon June 25 to July 2, 2012

Description	14 Choristers <16y	1 Chorister >16y	2 Accompanists (also choristers)	3 Chaperons	choir director
Cost to Piccfest	805.00	805.00	805.00	805.00	
Travel:					
* Ferry	14.00	25.00	25.00	25.00	25.00
* Shuttle Horseshoe Bay - Amtrack	26.00	26.00	26.00	26.00	26.00
* Amtrack	136.16	272.32	272.32	272.32	272.32
Medical Insurance	50.00	50.00	50.00	65.00	65.00
Meals & snacks en route	120.00	120.00	120.00	120.00	
Total cost	1151.16	1298.32	1298.32	1313.32	388.32
Accompanists & Chaperons pay 50%			649.16	656.66	
50% of Accompanist cost to choristers	86.55	86.55			
50% of Chaperons cost to choristers	131.33	131.33			
Director's cost	25.89	25.89			
Total cost to choristers	1394.93	1542.09			
Funds collected to date (\$7500/20)	375.00	375.00	375.00	375.00	
Updated cost to date	1019.93	1167.09	274.16	281.66	

	Overall Cost
Cost to Piccfest	16100.00
Travel:	
* Ferry	371.00
* Shuttle	546.00
* Amtrack	3812.48
Medical Insurance	1110.00
Meals & snacks on route	2400.00
Total Cost	24339.48
Funds collect to date	7500.00
Funds to be raised	16839.48

Except for PICCFest cost, all values are estimated and/or current cost (e.g. ferry)

REPORT TO: MAYOR AND COUNCIL

**FROM: DIANA JOHNSTONE, CHAIR
PARKS, RECREATION AND CULTURE COMMISSION**

**RE: TRAVEL ASSISTANCE GRANT – WHEATSHEAF FASTBALL CLUB
2012 SENIOR B MEN'S WESTERN CANADIAN FASTBALL CHAMPIONSHIPS
ABBOTSFORD, BRITISH COLUMBIA**

RECOMMENDATION:

That Council approve the application for a Travel Assistance Grant to the Wheatsheaf Fastball Club in the amount of \$1,000.00 for 20 players to attend the 2012 Senior B Men's Western Canadian Fastball Championships being held in Abbotsford, British Columbia. The application meets all of the travel grant criteria.

EXECUTIVE SUMMARY:

The City of Nanaimo provides a contingency account for amateur sports and cultural groups and individuals to travel within BC (excluding travel on Vancouver Island) and out of province to a Regional, National or International Championship. These funds are available to sports and cultural groups winning Provincial or Regional competitions and the current policy provides \$50 per person to a maximum of \$1,000 per application for travel within BC or \$100 per person to a maximum of \$2,000 per application for travel outside of BC. Requests are considered on a first-come, first-served, basis as funds remain available.

On 2012-MAR-08, Staff reviewed a Travel Assistance Grant application submitted by the Wheatsheaf Fastball Club requesting financial assistance for 20 players to attend the 2012 Senior B Men's Western Canadian Fastball Championships being held in Abbotsford, BC. Staff determined that the application met all of the grant criteria and recommended that the Parks, Recreation and Culture Commission approve the application.

At their meeting held on 2012-MAR-28, the Parks, Recreation and Culture Commission passed a motion supporting the recommendation that Council approve the application for a Travel Assistance Grant to the Wheatsheaf Fastball Club in the amount of \$1,000.00 for 20 players to attend the 2012 Senior B Men's Western Canadian Fastball Championships being held in Abbotsford, British Columbia.

BACKGROUND:

Staff review all Travel Assistance Grant applications and forward the recommendation to the Parks, Recreation and Culture Commission for approval. Staff determined that the application did meet all of the grant criteria and recommended that the Parks, Recreation and Culture Commission approve the application in the amount of \$1,000.00. The Wheatsheaf Fastball Club players will be representing British Columbia at the 2012 Senior B Men's Western Canadian Fastball Championships in Abbotsford, BC.

Yours truly,



Diana Johnstone, Chair
Parks, Recreation and Culture Commission

☐ Council
☒ Committee *FLPCOW*
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: *2012-APR-02*

Attachments

2012-MAR-28

File: A4-1-2 / A2-4 / A2-6 / B3-5-12

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City of Nanaimo
Department of Parks, Recreation & Culture

Travel Assistance Grant Evaluation

APPLICANT: Wheatshaf Fastball Club DATE: March 8, 2012.

CRITERIA	Meets Criteria (✓)	Does not meet Criteria (✓)	NOTES
A. Winner of a Regional, Provincial or National Championship (or equivalent)	✓		
B. Attending a Provincial, Regional, National, or International Championship	✓		western Canadians.
C. Traveling out of Province Max. \$100 per person up to \$2,000 per group	N/A		
D. Traveling within BC(excluded: Van. Is.) Max. \$50 per person up to \$1,000 per group	✓		
E. Other sources of funding identified	✓		
F. Grant recipient(s) reside in Nanaimo	✓		
G. Application made by a local organization	✓		
H. Grant for participants only, not coaches or chaperones	✓		
I. Demonstrated financial need	✓		
J. Applicant is a non-profit organization	✓		
K. Budget & financial statements attached	✓		

RECOMMENDED FOR FUNDING (✓): ✓ AMOUNT: \$ _____

OR

NO GRANT RECOMMENDED (✓): _____ DOES NOT MEET CRITERIA: _____

EVALUATOR: Liz Williams POSITION: Williams

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CITY OF NANAIMO
APPLICATION FOR TRAVEL ASSISTANCE

Office Use

ORGANIZATION: <u>Wheatsheaf Fastball Club</u>		DATE:	
ADDRESS: <u>2657 Labreux Rd</u>		PRESIDENT:	
<u>Nanaimo BC</u>		SENIOR STAFF MEMBER:	
<u>V9T 3N3</u>		POSITION:	
C/O Jesse Honkanen		CONTACT:	
TELEPHONE: <u>250 686 5830</u>		TELEPHONE:	
TOTAL NUMBER OF PERSONS TRAVELLING: <u>40</u>	TOTAL NUMBER OF COMPETITORS TRAVELLING: <u>20</u>	TOTAL NUMBER OF COMPETITORS RESIDING WITHIN THE CITY OF NANAIMO: <u>20</u>	TOTAL AMOUNT REQUESTED: <u>\$1000</u>
DESTINATION: <u>Abbotsford</u>		DATE OF DEPARTURE: <u>Aug 15/ 2012</u>	
EVENT TO BE ATTENDED: <u>2012 Senior B Men Western Canadian Fastball Championships</u>			
PROVINCIAL/REGIONAL/NATIONAL CHAMPIONSHIP RECEIVED: <u>Softball BC Provincials</u>			
PLEASE LIST ALL OTHER SOURCES OF FUNDING FOR THIS TRIP: <u>See Attached.</u>			
WHY SHOULD THIS TRIP RECEIVE CITY FUNDING? <u>See Attached</u>			
SIGNATURE: <u>[Signature]</u>	TITLE/POSITION: <u>Manager</u>	DATE: <u>Mar 8/12</u>	
* IN SIGNING THIS DOCUMENT I CONFIRM THAT I HAVE READ AND UNDERSTAND THE CRITERIA * NOTE: A BUDGET OUTLINING REVENUES AND EXPENDITURES FOR THIS TRIP MUST BE ATTACHED FOR CONSIDERATION.			

Budget
Wheatsheaf Fastball Club
Western Canadian Trip

Expenses

Hotel's 10 hotels @\$150 per night for 5 nights	7500.00
Ferry- 20 team members @ \$30 for roundtrip and 5 vehicles @ \$100.00 per round trip	1100.00
Gas	500.00
Total	\$9100.00

Revenues

Sport BC Travel Grant (applied for)	400.00
City of Nanaimo Travel Assistance (applied for)	1000.00
Remainder of the Funds that need to be raised (see attached letter)	7700.00
Total	\$9100.00

W heatsheaf Fastball Club
C/O Jesse Honkanen
2657 Labieux Rd.
(250) 686 5830
Nanaimo BC
V9T 3N3

Mar/08/2012

To City of Nanaimo Parks, Recreation and Culture Grant Committee

I am writing this application on behalf of the W heatsheaf Fastball Club for Travel Assistance to attend the Western Canadian Fastball Championships which are to be held in Abbotsford from august 9-12, 2012. This tournament will include teams from British Columbia, Alberta, Saskatchewan, Manitoba, North West Territories, and the Yukon Territories.

Our team won the right to attend this championship by winning the 2011 Senior B Softball BC Provincial Championships which were held this past summer in Victoria. As part of our planning process to attend this tournament we came up with the idea to apply to host the tournament as this year the tournament is held in BC. The tournament rotates between BC, Alberta, Saskatchewan, Manitoba, North West Territories and Yukon. Our thinking was that we could significantly reduce cost by hosting this in Nanaimo. We attended the Softball BC AGM in October and presented our bid to host. The city assisted us by helping with out bid presentation. Unfortunately we lost the bid to Abbotsford and now need to look at ways to generate funds to fund our trip to this prestigious tournament.

The W heatsheaf Fastball Club plays in the Nanaimo Senior Men's Fastball League which has teams from Duncan to Campbell River. The league has been in existence for many years and in 2004, Lantzville Atlas Truss was crowned Western Canadian Champions by winning the tournament we are entered in next year. We hope that by this time next year we will be Western Canadian Champions, but we can not do that with out financial support. The Championship next year is the highest level of Fastpitch Softball in the province as there is no longer a Senior A category in BC. Over the past few season our team has made efforts to grow the game of softball at the grass roots level. We have hosted softball clinics made available at no charge to minor softball players. We have partnered with the Nanaimo Minor Softball Association to make this available to all players in the City. We will continue to do this next year.

As you can see by our attached Budget we have a shortfall of \$7700.00 (if we get the two grants we have applied for). I have not included any other costs such as league fees, tournament entry fees, etc... as these are taken care of by the fee we charge our players to play every year. This year we will have significantly higher costs to attend the Western Canadian Championships and we hope to get the support of the City on Nanaimo to assist us in Representing Nanaimo. We are hosting the 4th Annual Art and Marion Hutt Memorial Tournament in May as a Fund raiser for

our trip. We will also be holding 2 "beer and burger" nights with the first one being March 31st. The final fundraiser we have planned this year is our annual raffle where local businesses donate items for the raffle. Last year we made \$700.00 on this event.

I would like to thank you for reviewing our application for Travel Assistance and we look forward to representing Nanaimo at next year's Western Canadian Championships



Jesse Honkanen
Manager
Wheatsheaf Fastball Club

STAFF REPORT

TO: A.C. KENNING, CITY MANAGER

FROM: D.W. HOLMES, ASSISTANT CITY MANAGER/
GENERAL MANAGER CORPORATE SERVICES

RE: FORTIS BC

STAFF'S RECOMMENDATION:

That Council provide a letter in support of the rate equalization initiative currently being undertaken by Fortis BC.

BACKGROUND:

The Agreement between the City of Nanaimo (and a number of other Vancouver Island and Sunshine Coast municipalities) and Fortis BC will expire at the end of 2012. The purpose of this report is to provide an update as to the status of the re-negotiation of the agreement as well as other issues surrounding the agreement.

At the Finance/Policy Committee of the Whole meeting held 2011-APR-04 Council passed the following motion:

That Council direct staff to continue discussions with Fortis, other interested local governments, AVICC and the Provincial Government to protect the City's maintenance and operational interests and to provide Council the future ability to access operating or franchise fees.

Staff have been working under the direction of the above motion with an update as follows below.

Operating Fees

Operating fees, sometimes referred to as franchise fees, are currently allowed in the existing agreement but prohibited by Section 7 of the *Vancouver Island Natural Gas Pipeline Act*. Municipal staff and representatives from Fortis have recently met with Ministry staff with the objective of ultimately removing the prohibition of operating fees or franchise fees from this legislation. These discussions are ongoing.

Agreement Negotiations

Nanaimo staff have been leading a group of employees from affected municipalities to determine the best language possible to put forward for the agreements. We have been working through this language with Fortis representatives.

☐ Council
☒ Committee *Flow*
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: *2012-APR-02*

Rate Equalization

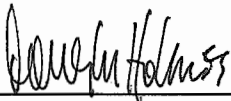
On 2012-MAR-08 Fortis BC requested that Councils on Vancouver Island consider providing letters of support respecting the initiative currently underway by Fortis to equalize gas rates for all gas customers across the Province. There are several reasons why it is in Council's interest to do so:

1. Approval of the rate stabilization initiative by the BC Utilities Commission is a necessary precursor to parallel discussions being undertaken by AVICC to obtain equity for local property taxpayers by permitting the collection of operating fees equivalent to those traditionally available to the rest of BC (currently all of BC outside METRO Vancouver and the area served by the Vancouver Island Gas Pipeline Project benefit from these payments, and have done so for decades). The purpose of these payments is to fund real costs associated with gas line installations in city streets. These costs are currently being subsidized by local property taxpayers whether or not they have, or will ever have, gas. Accordingly, the institution of operating fees will more closely align beneficiaries and cost and will provide an entirely new revenue source currently estimated on 2010 consumption levels at approximately \$700,000 (the collective benefit to Vancouver Island communities is on the order of \$5M per year).
2. The initiation of operating fees within the Vancouver Island Pipeline Service Area alongside of the rate stabilization initiative will result in a significant net lowering of current gas rates for citizens in the City of Nanaimo and elsewhere on Vancouver Island in 2013 (even with the operating fee included, residential rates are projected to decrease by well over 20% and commercial rates will decrease 30-40% on average). These decreases may, in turn, promote more utilization of gas as an environmentally friendly alternative.
3. For the same reasons outlined under 1 and 2 above, other jurisdictions within AVICC, are working to avail themselves of this opportunity to improve financial equity for taxpayers and secure a previously unavailable revenue source. AVICC is supporting these parallel initiatives and the City of Nanaimo is leading joint municipal discussions in this regard.

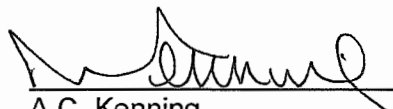
The Role of the Association of Vancouver Island and Coast Communities (AVICC)

As you know, the AVICC conference is coming up to be held 2012-APR-13-15. We understand that the draft agenda contains a brief presentation from a Fortis representative but this may not be enough time to properly update the municipalities on the contract negotiations. Accordingly, AVICC, with the assistance of Nanaimo staff may organize an information meeting for affected municipalities to take place likely in May.

Respectfully submitted,



D.W. Holmes,
Assistant City Manager,
GM, Corporate Services



A.C. Kenning,
City Manager

Finance/Policy Committee of the Whole: 2012-APR-02

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STAFF REPORT

REPORT TO: ANDREW TUCKER, DIRECTOR OF PLANNING
COMMUNITY SAFETY & DEVELOPMENT

FROM: BRUCE ANDERSON, MANAGER OF COMMUNITY PLANNING
COMMUNITY SAFETY & DEVELOPMENT

RE: REVISED planNANAIMO ADVISORY COMMITTEE MANDATE & OBJECTIVES

STAFF'S RECOMMENDATION:

That Council adopt the revised Mandate & Objectives for the Nanaimo Advisory Planning Committee (currently the planNanaimo Advisory Committee).

EXECUTIVE SUMMARY:

The planNanaimo Advisory Committee (PNAC) was established in order to provide Council with a community-based, comprehensive review of amendments and initiatives related to the Official Community Plan and Zoning Bylaw. In an effort to rejuvenate the efforts of the Committee, several changes are proposed to the PNAC membership structure. A renaming of the Committee to the Nanaimo Advisory Planning Committee (NAPC) is also proposed.

Currently, PNAC membership includes 21 representatives, including three Council members. To increase the efficiency and effectiveness of PNAC, staff are proposing to reduce the membership to 13 representatives to allow agency representatives to be invited to attend on an as-needed basis, and also to remove the duplication arising from cross committee appointments.

BACKGROUND:

The City of Nanaimo has been undertaking a number of initiatives to increase the effectiveness and efficiency of its advisory committees. A number of concerns have been expressed regarding the current operation of PNAC including: the current size and efficiency of PNAC at 21 representatives; and the role of the individual PNAC representatives. Therefore, proposed changes to PNAC to address these concerns represents another step in increasing the Committee's effectiveness.

The name of the Committee is proposed to be modified from the planNanaimo Advisory Committee to the Nanaimo Advisory Planning Committee (NAPC). The change acknowledges the Committee's responsibility for recommendations to Council related to both the Official Community Plan (planNanaimo) and the Zoning Bylaw (Bylaw No. 4500), and reflects the more typical reference of an Advisory Planning Committee as seen in other local governments.

With the adoption of the City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500" (planNanaimo) in September 2008, the PNAC Mandate and Objectives were subsequently amended to include additional representatives on the Committee. This was undertaken with the intent to provide broad based representation of community interests. New representation from agencies included the Snuneymuxw First Nation, Nanaimo Port Authority, Vancouver Island University, and School District 68. With the recent addition of two Council appointments, the

☐ Council
☒ Committee *IP Cow*
☒ Open Meeting
☐ In-Camera Meeting
 Meeting Date: *2012-APR-02*

Committee size has increased from 15 to 21 members; which has resulted in some issues around the function of the Committee. To provide for more productive discussion and a more effective advisory committee, staff propose the agency positions be removed from the PNAC membership.

Also of concern is the role of representatives who are on PNAC through appointment from other advisory committees. Committee appointments from those advisory committees (Social Planning Advisory Committee; Nanaimo Community Heritage Commission; Advisory Committee on Environmental Sustainability; and Parks, Recreation and Culture Commission) were originally intended to provide a link between PNAC and the other respective Committee. However, this in practice has proven to be a duplication, and there has been minimal discussion of PNAC issues at the other committee meetings. As well, these representatives are often unclear of their role in representation between the two. To mitigate these issues and avoid duplication of efforts, it is proposed these four representatives be removed from the PNAC membership.

Membership Revisions

A series of changes to the existing Committee structure are proposed (see Attachment A). With the proposed changes to membership, however, staff recognize that a number of agency representatives provide valuable input, but that this input may be more beneficial as it relates to specific items before the Committee. It is suggested these representatives be invited to attend on behalf of their organization, where input is considered relevant to a specific item being considered by the Committee. The specific interests to fall into this category include: Snuneymuxw First Nation; Vancouver Island University; Nanaimo Port Authority; and School District 68.

Current Membership

Proposed Membership

3	City Council
1	Snuneymuxw First Nation
1	Nanaimo Port Authority
1	Vancouver Island University
1	School District 68
1	Canadian Home Builders' Association
1	Vancouver Island Real Estate Board
1	Nanaimo Chamber of Commerce
3	Neighbourhood Association
1	Environment Community
1	Youth (under 25 years of age)
2	Community At Large
1	Social Planning Advisory Committee
1	Nanaimo Community Heritage Commission
1	Advisory Committee on Environmental Sustainability
1	Parks, Recreation and Culture Commission

Total = 21 Representatives

3	City Council
-	<i>Removed</i>
-	<i>Removed</i>
-	<i>Removed</i>
-	<i>Removed</i>
1	Canadian Home Builders' Association
1	Vancouver Island Real Estate Board
1	Nanaimo Chamber of Commerce
3	Neighbourhood Association
1	Environment Community
1	Youth (under 25 years of age)
2	Community At Large
-	<i>Removed</i>
-	<i>Removed</i>
-	<i>Removed</i>
-	<i>Removed</i>

Total = 13 Representatives

Process

Committee membership terms expire on a rotational basis. The School District 68 representative expired 2011-DEC-31; the Advisory Committee appointments (Social Planning Advisory Committee; Nanaimo Community Heritage Commission; Advisory Committee on Environmental Sustainability; and Parks, Recreation and Culture Commission) expire 2012-MAR-31; and three additional positions (Chamber of Commerce, one Neighbourhood Association and one Community At Large) will expire 2012-JUN-30. Advertising for the latter positions will take place in May 2012.

To address the upcoming appointments, staff suggest proposed amendments to the Committee structure be approved by Council such that no interference will occur for the upcoming Chair election process and advertising for Committee positions.

Respectfully submitted,

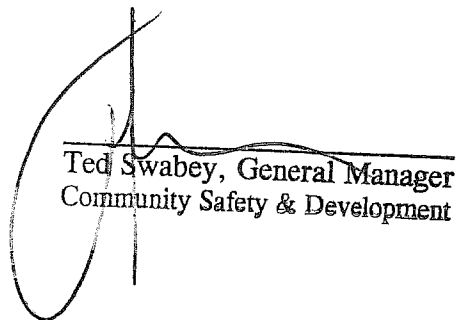


Bruce Anderson,
Manager of Community Planning
Community Safety & Development



Andrew Tucker,
Director of Planning
Community Safety & Development

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FPCOW Date: 2012-APR-02



Ted Swabey, General Manager
Community Safety & Development



**NANAIMO ADVISORY PLANNING COMMITTEE
MANDATE & OBJECTIVES**
(adopted _____)

Preamble

Of the many services provided by a municipality, it is most critical that decisions involving planning and development reflect the values, aspirations and priorities of the community; and while communities tend to have considerable policy documentation, managing the growth and change happens on an incremental basis as individual applications for development are considered.

The City of Nanaimo Official Community Plan (OCP) outlines a process for amending and auditing OCP policies and objectives, and which includes the participation of a Nanaimo Advisory Planning Committee. The Committee also has the opportunity to review and consider zoning amendment proposals, reflecting on the objectives and best interests of the residents, neighbourhoods and city as a whole.

Given the varied goals of community members and levels of interest, conflicting objectives are inevitable. The assistance of residents and design professionals working with Staff and City Council is essential to sift through the many objectives of the city's development. The Committee is one way to tap the community's priorities to assist Council in evaluating decisions about the community's development.

The mandate of the Committee is an invitation to city residents and design professionals to become involved in setting a direction and pace for the city's development.

Mandate

The Committee has a mandate to promote the community's wellbeing and to assist Council in setting priorities amid competing objectives. It is to bring a broad community based perspective to monitoring and protecting the integrity of the City's Official Community Plan and Zoning Bylaw, which represent the community vision, and make recommendations to Council on proposed amendments and initiatives related to the OCP and Zoning Bylaw, including development proposals involving zoning amendments. The OCP and zoning amendments may be submitted separately or jointly.

Objectives

The mandate of the Committee is supported by a series of objectives:

- To advocate on behalf of the community on land use issues.
- To measure the progress towards achieving OCP goals and objectives.

- To assess and monitor proposed changes to the OCP through an amendment and review process; and to review rezoning applications to ensure proposed developments comply with the policies and objectives of the OCP.
- To develop and initiate methods of public education as it pertains to land use, OCP policies, and City regulations related to managing growth and design.
- To bring the community perspective to the neighbourhood planning process as an active participant in neighbourhood and area planning.
- To consider and integrate economic, social, land use and environmental impacts through the decision process.
- To initiate changes to the OCP that reflect changing community circumstances.
- To provide recommendations regarding the City of Nanaimo Zoning Bylaw in order to ensure that it remains an effective and relevant document.
- To make recommendations that reflect and articulate community opinion, in all its diversity, on matters referred by City Council.

In order to achieve the objectives, the Committee will meet on a regular basis to:

- Review proposed OCP amendments and zoning amendments as per the amendment processes and make recommendations to Council;
- Monitor the effectiveness with which the City's OCP and Zoning Bylaws achieve their objectives and recommend changes to Council as necessary; and
- In addition to regularly scheduled meetings, members may meet more frequently to: assess proposed OCP amendments in an effort to ensure amendments to the OCP are considered in a timely manner; or to participate with Staff, Council and Council Committees on specific task forces or project Committees.

Specific tasks related to the scope of work include, but are not limited to, the following:

As Part of the Amendment Process

- educate and inform the community about the OCP and zoning amendment processes;
- receive OCP and zoning amendment applications from Council, external applicants, staff and other interests as part of the amendment processes; and
- consider Committee initiated proposed OCP amendments; a general, community wide, non-site specific OCP amendment may be initiated by the community through the Committee.

As Part of Community Education

- encourage neighbourhood planning to ensure the implementation of the OCP policies and commitment to the fundamental principles of the OCP, and
- educate and inform the community about OCP policies and zoning regulations.

As Part of the OCP Review

- every five years, beginning in 2013, a review of progress towards OCP goals will be prepared and published under the Committee's direction.
- the Committee will make recommendations on any changes to OCP goals, objectives and policies in order to reflect changing community circumstances.

Membership

The Committee must reflect a broad representation of community interests and a diversity of opinions in order to fulfill its mandate. *While it is difficult to guarantee a complete cross-section of the community, Council recognizes that certain groups are identifiable.*

- Three members of Council
- One member of Canadian Home Builders' Association of Central Vancouver Island
- One member of Vancouver Island Real Estate Board
- One member of Nanaimo Chamber of Commerce
- Three members of Neighbourhood Association
- One member of Environment Community
- One member of Youth (under 25 years of age)
- Two members of Community At Large

In addition to the NAPC members noted above, representatives from Snuneymuxw First Nation, Nanaimo Port Authority, Vancouver Island University, and School District 68 may be invited to attend on behalf of their respective organization, where their input is relevant to a given topic being considered by the Committee.

Three representatives may also be appointed by a Neighbourhood Association (*temporary appointments when an application to amend a neighbourhood plan is submitted, or when a new neighbourhood plan is being considered*) under the following conditions:

- attend the meetings where proposed OCP amendments relating to the neighbourhood plan are being discussed;
- comment on all aspects of the discussion about the proposed amendment;
- **not** participate in determining consensus or voting on the proposed amendment; and
- must **not** have a conflict of interest with any amendment proposed for the neighbourhood plan.

Appointment and Term

Members of the Committee will be appointed (or appointments ratified) by Council to serve overlapping three year terms. Each three year term is scheduled to expire on the last day of June, three years from the date of appointment. This structure of overlapping three year appointments will provide continuity and consistency in the OCP amendment process by providing a mix of past experience with planNanaimo and new representatives.

Meeting Procedures

Regular meetings will take place on a monthly basis. Special or ad hoc meetings shall be at the call of the Chair.

Individual applications submitted for review shall be dealt with in an open session. In each case, City Staff will initiate the review with a presentation of background information, including a summary of major policy issues applicable to the proposal.

Where OCP amendments or zoning amendments are under review, the applicant and/or agent and the public shall be given the opportunity to address the Committee, following which the

Committee members will have an opportunity to address questions to the applicant and Staff. The Committee will then formulate its position in relation to the proposal and provide its recommendation.

See also:

- Terms of Reference for Advisory Committees
- Council Procedures Bylaw

STAFF REPORT

REPORT TO: A.C. KENNING, CITY MANAGER AND D.W. HOLMES, ASSISTANT CITY
MANAGER / GENERAL MANAGER OF CORPORATE SERVICES

FROM: I. HOWAT, DIRECTOR OF STRATEGIC RELATIONSHIPS, AND
J. E. HARRISON, MANAGER OF LEGISLATIVE SERVICES

RE: REPORTS / MEETINGS WORKING GROUP RECOMMENDATIONS

STAFF'S RECOMMENDATIONS:

That Council provide Staff with direction as per the Staff recommendations numbered 1 thru 17 included within the body of this report.

BACKGROUND

The preparation of the recommendations included in this report resulted from the Organizational Planning Projects relating to Improving Council Relationship, particularly "Assisting Council in its Decision-Making Role (led by Ms. Joan Harrison) and Establishing Standards / Protocols for Staff – Council Interactions (led by Mr. Ian Howat).

An initial brainstorming session was held with staff representatives from various departments to identify options for the specific focus for these projects. Following the brainstorming session, Mr. Howat and Ms. Harrison limited the focus for these projects to the review of meetings and reports. Interviews were conducted by Ms. Harrison and Ms. Lisa Dennis with each Council member to further assist with determining the focus of these projects.

A Working Group was established to consider potential changes to the meetings structure and process and the report format. The Reports / Meetings Working Group includes Mr. Howat, Ms. Harrison, Councillor Bill Bestwick, former Councillor Loyd Sherry, Ms. Dennis, Ms. Suzanne Samborski and Mr. Andrew Tucker.

DISCUSSION

The working group met on four occasions and prepared recommendations for consideration. The City of Nanaimo Department Heads met on 2012-MAR-01 and provided their comments. Mr. Howat met with the Senior Leadership Team on 2012-MAR-15. The recommendations of the Working Group were supported by both groups with only minor changes. Those changes have been incorporated into the recommendations included in this report.

Some of the recommendations are of an administrative nature. Others, if approved, will require a bylaw amendment to either the Council Procedures Bylaw or the Delegation Bylaw. Sample agenda and report formats showing the recommended changes have been drafted and are attached for Council's information (see Attachments A & B).

Working Group Recommendations:

1. That Finance / Policy Committee of the Whole be re-named to Committee of the Whole (requires bylaw amendment).
2. That agendas include the notation "none" for all categories where no agenda items are being considered.
3. That agendas include a notation indicating when it is appropriate for a Council committee representative or staff member to introduce an item.
4. That the mover and seconder for all procedural motions (adoption of the agenda and minutes) be designated and noted on the agenda (i.e. Acting Mayor).
5. That the reports from Committees and Commissions be introduced and recommendations moved by the Chair or one of the Council reps on the Committee and noted on the agenda.
6. That the category "information only items" be eliminated (requires bylaw amendment).
7. That the various categories of bylaws be eliminated.
8. That the agenda be re-ordered to group items by topic (ie. For a Rezoning – delegation, staff report, PNAC report & bylaw listed together on agenda) and that the practice of having the Acting Mayor introduce all bylaws be discontinued (requires bylaw amendment).
9. That a chronology of all ongoing major projects or issues previously dealt with by Council be included as an attachment to staff reports.
10. That the wording "Request for Direction" be used instead of "Staff's Recommendation" when there is no specific recommendation being presented by staff. – This should only be required on rare occasions at the direction of the City Manager and should not supplant staff's professional obligation to provide advice to Council. This would be appropriate in the case where the issue is very political. Staff would provide viable options only and if possible, provide a draft motion for each option.
11. That all Proclamations be delegated to the Mayor's office (requires bylaw amendment).
12. That all "delegations pertaining to items not on the agenda" be moved to F/P COW (requires bylaw amendment).

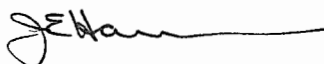
13. That staff be delegated authority, to the extent allowed under the legislation, to enforce the PROPERTY MAINTENANCE BYLAW, Section 57 (Unresolved Building Deficiencies - Notice on Title) and Sections 72 & 73 (Structure removal orders) with an appeal process to Council (requires bylaw amendment).
14. That the report format be changed to include the following:
 - a. The date of the meeting
 - b. Heading "Report to Council"
 - c. City Manager's comment – default is concurrence
 - d. "Purpose"
15. That all "in camera" staff reports include:
 - a. Clarification of what aspects of the report are confidential and what the impact of release would be and the process by which the topic of the report will be released from in camera (or not), and
 - b. A recommendation in that regard, i.e. that the topic be included in a future open staff report, that the report be posted on the City's website, that staff be directed to prepare a media release, that the topic remain in camera pending future staff reports, that the topic not be released from in camera.
16. That the use of blue paper for open staff reports be discontinued.
17. That a binder or series of binders be available in the Councillors' office that would hold upcoming agendas and minutes (draft to be replaced with adopted) for all City of Nanaimo committees, commissions and boards.

The attached sample report and agenda formats are not to be considered as being in their final form. There is additional discussion required with regard to the headings for reports. Also, the agenda format may change somewhat with the introduction of eSCRIBE. The attached are meant to serve only to demonstrate some of the proposed changes.

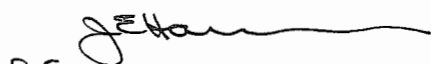
Respectfully submitted,



I. Howat
Director, Strategic Relationships



J. E. Harrison
Manager, Legislative Services



A. C. Kenning
City Manager



D.W. Holmes
Assistant City Manager / General Manager,
Corporate Services

AGENDA FOR THE REGULAR MEETING OF
THE COUNCIL OF THE CITY OF NANAIMO,
TO BE HELD IN THE SHAW AUDITORIUM, 80 COMMERCIAL STREET, NANAIMO, BC
ON MONDAY, 2012-FEB-XX, COMMENCING AT 7:00 P.M.

CHAIR: MAYOR RUTTAN

ACTING MAYOR: COUNCILLOR JOHNSTONE (2012-JAN-23 TO 2012-MAR-11)

1. **CALL THE REGULAR MEETING OF COUNCIL TO ORDER:**
2. **INTRODUCTION OF LATE ITEMS:**
3. **ADOPTION OF AGENDA: (Johnstone/Kipp)**
4. **ADOPTION OF MINUTES: (Johnstone/Kipp)**
 - (a) Minutes of the Regular Meeting of the Council of the City of Nanaimo held in the Shaw Auditorium, 80 Commercial Street, Nanaimo, BC, on Monday, 2012-JAN-23 at 7:00 p.m. Pg.
5. **PRESENTATIONS:**

NONE
6. **DELEGATIONS PERTAINING TO THE 2012-2016 FINANCIAL PLAN: (10 MINUTES)**
7. **MAYOR'S REPORT:**
 - (a) Mayor Ruttan to announce Green Nanaimo Awards category renaming.
8. **COMMUNITY SAFETY AND DEVELOPMENT:**
 - (a) Nanaimo Community Heritage Commission Annual Work Plan 2012 Pg.
To be introduced and moved by Councillor Brennan

Commission Recommendation: That Council endorse the Nanaimo Community Heritage Commission work plan for 2012.
 - (b) City Costs Incurred During "Occupy Nanaimo"
Staff Report to be introduced by Mr. A. J. Tucker

(i) Delegations:

- Mr. Matthew O'Donnell, Arbutus Avenue, Nanaimo Pg.
- Mr. Jess Anderson, 4 – 421 Selby Street, Nanaimo Pg.

(ii) Staff Recommendation: That Council receive the report for information. Pg.

(c) **Application for Exclusion from the Agricultural Land Reserve LR11 – 6571 Nathan Road** Pg.

Staff Report to be introduced by Mr. A.J. Tucker

Staff Recommendation: That Council forward a resolution to the Agricultural Land Commission recommending that the application for exclusion from the Agricultural Land Reserve (LR11 – 6571 Nathan Road) be refused, in accordance with subsection 2.7.4 of the City of Nanaimo "OFFICIAL COMMUNITY PLAN BYLAW 2008 NO. 6500".

(d) **General Amendments to "ZONING BYLAW 2011 NO. 4500"**

Staff Report to be introduced by Mr. A.J. Tucker (or introduced & moved by PNAC Chair)

(i) Presentation: Staff will be providing a PowerPoint Presentation regarding the general amendments to Bylaw 4500.

(ii) Staff Recommendation: That Council receive the report pertaining to "ZONING AMENDMENT BYLAW 2011 NO. 4500.012." Pg.

(iii) PNAC Recommendation: Pg.

(iv) "ZONING AMENDMENT BYLAW 2012 NO. 4500.012" (To reinstate zoning regulations omitted in error when Bylaw 4000 was replaced with Bylaw 4500, to provide further clarification to existing regulations or definitions and to correct minor typographical errors). Pg.

To be Moved by Councillor Johnstone:

That "ZONING AMENDMENT BYLAW 2012 NO. 4500.012" pass first reading.

That "ZONING AMENDMENT BYLAW 2012 NO. 4500.012" pass second reading.

(e) **Old City R-1 Zone Survey and Proposed Amendments to Zoning Bylaw 4500**

(i) Delegation:

Ms. Andrea Blakeman and Mr. Dean Forsyth on behalf of the Nanaimo Old City Association (NOCA). Pg.

(ii) Staff Recommendations: That Council direct Staff to: Pg.

1. prepare a Zoning Amendment Bylaw to be considered by Council that includes the following:

(a) maintain the minimum allowable lot size requirement for the R1 Zone located in the Old City Neighbourhood area at 500m², but remove the allowance in this area for a 450m² minimum lot area for lots abutting a lane; and,

(b) lower the maximum height allowance for accessory buildings containing a secondary suite from 7m to 4.5m - 5.5m, depending on roof pitch, in the Old City Neighbourhood area; and,

(f) **RA296 – 2046 Boxwood Road**

(i) Staff Recommendation: That Council receive the report pertaining to "ZONING AMENDMENT BYLAW 2012 NO. 4500.013." Pg.

(ii) PNAC Recommendation:

(iii) "ZONING AMENDMENT BYLAW 2012 NO. 4500.013" (RA286 - to rezone 2046 Boxwood Road from High Tech Industrial [I3] to Light Industrial [I2] in order to permit the use of "food and beverage processing"). Pg.

To be Moved by Councillor Johnstone:

That "ZONING AMENDMENT BYLAW 2012 NO. 4500.013" pass first reading.

That "ZONING AMENDMENT BYLAW 2012 NO. 4500.013" pass second reading.

(g) **"PROPERTY MAINTENANCE BYLAW 1990 NO. 3704"** (eliminate all unless there is a request to appeal) Pg.

It is requested that Council hear anyone wishing to speak with respect to property maintenance at the properties listed below:

Staff Recommendation: That Council, pursuant to "PROPERTY MAINTENANCE BYLAW 1990 NO. 3704", direct the owners of the following properties to remove the material as listed below from the premises within fourteen (14) days or the work will be done by the City or its agents at the owner's cost:

- (1) 519 Rosehill Street, graffiti
- (2) 198 Howard Avenue – derelict bus, derelict GMC pickup, derelict Jeep, car parts and miscellaneous debris.

9. **CORPORATE SERVICES:**

(a) **Mileage for Council** Pg.

- (i) City Manager Comment: ... (only include if not concurrence)
- (ii) Request for Direction: Council direction is required.

(b) **2012 – 2016 Financial Plan Bylaw** Pg.

Staff Report to be introduced by Mr. A.C. Kenning:

- (i) Staff Recommendation: That Council receive the report pertaining to "FINANCIAL PLAN BYLAW 2012 NO. 7144."
- (ii) "FINANCIAL PLAN BYLAW 2012 NO. 7144" (to confirm and adopt the Financial Plan). Pg.

To be moved by Councillor Johnstone:

That "FINANCIAL PLAN BYLAW 2012 NO. 7144" pass first reading.

That "FINANCIAL PLAN BYLAW 2012 NO. 7144" pass second reading.

That "FINANCIAL PLAN BYLAW 2012 NO. 7144" pass third reading.

10. **COMMUNITY SERVICES**

(a) **Parks, Recreation and Culture Commission – 2012 Temporary Public Art Selections** Pg.

Commission Report to be introduced by Councillor Johnstone

Commission Recommendation: That Council approve the 2012 Temporary Public Art selections.

(b) **Amendment to Parks, Recreation and Culture Regulation Bylaw - Smoking**

Staff Report to be introduced by Mr. R. J. Harding

(i) Staff Recommendation: That Council receive the report pertaining to "PARKS, RECREATION AND CULTURE REGULATION AMENDMENT BYLAW 2011 NO. 7073.05." Pg.

(ii) "PARKS, RECREATION AND CULTURE REGULATION AMENDMENT BYLAW 2011 NO. 7073.05" (To expand smoke-free zones in all City managed recreation properties, except designated smoking areas). Pg.

To be moved by Councillor Johnstone:

That "PARKS, RECREATION AND CULTURE REGULATION AMENDMENT BYLAW 2011 NO. 7073.05" pass first reading.

That "PARKS, RECREATION AND CULTURE REGULATION AMENDMENT BYLAW 2011 NO. 7073.05" pass second reading.

That "PARKS, RECREATION AND CULTURE REGULATION AMENDMENT BYLAW 2011 NO. 7073.05" pass third reading.

11. **RECONSIDERATION OF BYLAWS:**

To be Moved by Councillor Johnstone:

(a) That "ZONING AMENDMENT BYLAW 2012 NO. 4500.009" (RA283 - to rezone 2171 Salmon Road from Single Dwelling Residential [R1] to Duplex Residential [R4] in order to allow construction of two units on the lot) pass third reading. Pg.

(b) That "ZONING AMENDMENT BYLAW 2012 NO. 4500.010" (RA284 - to rezone 5412 Jeevans Road from Single Dwelling Residential [R1] to Duplex Residential [R4] in order to allow construction of two units on the lot) pass third reading. Pg.

(c) That "ZONING AMENDMENT BYLAW 2012 NO. 4500.011" (RA285 - to rezone 5341 Dunster Road from Single Dwelling Residential [R1] to Single Dwelling Residential – Small Lot [R2] in order to allow a two-lot subdivision) pass third reading. Pg.

BYLAW STATUS SHEET

Pg.

12. **CORRESPONDENCE:**

- (a) Letter dated 2012-FEB-04 from Ms. Kristy Tymos, Access Nanaimo Initiative, requesting that, due to issues of access to the second floor of the City Hall building, all public meetings be moved from the City Hall Board Room to another meeting place that can be safely and independently accessed by all citizens. Pg.

13. **COUNCIL APPOINTMENTS:**

NONE

14. **NOTICE OF MOTION:**

15. **OTHER BUSINESS:**

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

17. **ADJOURNMENT:**

City of Nanaimo
REPORT TO COUNCIL

DATE OF MEETING: (2012-AAA-XX)

AUTHORED BY: (AUTHOR) (TITLE)

RE: (TITLE OF REPORT)

STAFF RECOMMENDATION: (or REQUEST FOR DIRECTION: if no specific recommendation)

That Council

PURPOSE:

SUMMARY: (only used if long report)

BACKGROUND: (include resolution requesting report – if applicable)

DISCUSSION:

Respectfully submitted,

(Author)
(TITLE)
(DEPARTMENT)

Concurrence by:

Name
DIRECTOR
(DEPARTMENT)

Name
GENERAL MANAGER
(DEPARTMENT)

CITY MANAGER COMMENT:

I concur with the staff recommendation. (default wording)

Drafted: 2012-AAA-XX (date that the report was drafted)
File string
Initials

New page without header

Attachment A

Chronology of Project / Issue (to be used for ongoing major projects/issues only)

List Council resolutions and important milestones

SAMPLE

FOR INFORMATION ONLY

REPORT TO: S. CLIFT, DIRECTOR, ENGINEERING & PUBLIC WORKS

FROM: B. SIMS, MANAGER, WATER RESOURCES

RE: NUMBER ONE RESERVOIR ENERGY RECOVERY / EQUIPMENT TENDER

STAFF'S RECOMMENDATION:

That Council receive this report.

EXECUTIVE SUMMARY:

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

As part of the project to replace the No. 1 Reservoir, the associated control building will house energy recovery equipment to generate green power for sale to the BC Hydro power grid. The application process with BC Hydro is well underway. Construction tenders are expected to be called in late 2012, and construction will be complete by summer 2014.


The manufacture and delivery of the energy recovery equipment is expected to take several months. Staff propose to publicly call for tenders for the supply of the equipment now to ensure that construction can proceed on schedule. The details of the equipment are also required to complete the detailed design of the control building and to meet BC Hydro's needs.

The estimated costs for the energy recovery equipment is in the range of \$250,000. The total cost to include the energy recovery function in the control building is estimated to be \$671,000. The costs are 100% funded from the Gas Tax Innovative Fund Grant, and included in the 2012/2013 budget. Once operational, the facility is expected to generate \$90,000 - \$100,000 per year in revenue.

Respectfully submitted,



Bill Sims, Manager
Water Resources



Susan Clift, Director,
Engineering & Public Works



Tom Hickey, General Manager
Community Services

WS/fg
FPCOW: 2012-Apr-02

G:\Administration\Council Reports\2012\#1Reservoir_EnergyRecovery_EqpTender_info

☐ Council
☒ Committee *E/PCOW*
☒ Open Meeting
☐ In-Camera Meeting
 Meeting Date: 2012-APR-02

FOR INFORMATION ONLY REPORT

REPORT TO: B.E. CLEMENS, DIRECTOR OF FINANCE

FROM: L.A. COATES, MANAGER ACCOUNTING SERVICES

RE: 2011 SURPLUS ALLOCATION

STAFF'S RECOMMENDATION:

It is recommended that the Finance and Policy Committee of the Whole receive this report for information.

EXECUTIVE SUMMARY:

The City of Nanaimo General Revenue Fund unallocated surplus was approximately \$1.6 million for 2011 (compared to a range of \$1.2 to \$4.6 million in the previous five years). This represents about 1.5% of the City's operating budget. In order to complete the financial statements, this surplus has been allocated to various reserves as required. The majority (\$1.1 million) has been used to increase the General Capital reserve. The Council can reallocate these funds at any time.

BACKGROUND:

The 2011 draft financial statements are complete and the audit by KPMG LLP is in progress. In preparing the financial statements, staff allocates the 2011 surplus to various reserves based on operational requirements. The residual unallocated surplus is used to fund accruals or reserves for liability claims, uncollected taxes, bad debts and retirement benefits as needed and \$1.6 million remains for further reserve allocation.

Given that municipalities are not allowed to operate at a deficit, it is predictable that there will be a surplus of some amount every year. Each year, finance staff reviews the operating results to determine the source of the surplus. As in most years, a large part of the surplus was spread widely throughout the budget in areas where the surplus may not be repeated in the future.

These are areas where some of the larger variances can be identified:

- Wages and benefits were under budget by \$950,000 due to vacant positions. This was offset by actuarial adjustments for retirement benefits and sick leave obligations of \$456,000. Net impact to surplus is \$494,000.
- Contracted services, including repairs and maintenance under budget by \$1,085,000; RCMP contract over budget by \$328,000 for a net impact to surplus of \$757,000.
- Supplies under budget by \$194,000.
- Property insurance was under budget by \$68,000.

☐ Council
☒ Committee *F/Plow*
☒ Open Meeting
☐ In-Camera Meeting
Meeting Date: *2012-APR-02*

- Conferences, seminars, tuition and travel under budget by \$75,000.
- Heating and electricity over budget by \$104,000.
- Gas and oil for vehicles over budget by \$120,000; this variance does not impact the surplus as the net fleet operations are transferred to the Equipment Depreciation Reserve Fund.
- Unallocated contingency of \$220,000.
- Building inspection revenues under budget by \$276,000.
- Subdivision fees over budget by \$60,000.
- Business licence revenue over budget by \$54,000.
- Parks, Recreation and Culture revenues over budget by \$114,000
- Investment income exceed budget by \$158,000 as additional return was achieved by extending the investment term for the portfolio. Interest paid on tax accounts and property tax penalty revenue was under budget by \$123,000. Net impact to surplus is \$35,000.

The 2011 surplus has been allocated to reserves as follows:

General Capital Reserve	\$1,100,000
RCMP Contract Reserve	500,000
Accumulated Surplus	70,000

The \$1.1 million increase to the General Capital Reserve provides the Council with the maximum flexibility in the future. These funds could be used to reduce any borrowing needed for the new building. The RCMP contract costs may escalate due to a pending federal court case for a retroactive wage increase. As well, staffing levels are near the approved contract strength, which may result in costs above the historical 94% budget level. This allocation of surplus will bring the RCMP reserve account balance to \$1,257,000, which Council may reallocate if the funds are not needed for contract costs.

Surplus in the sewer fund was \$60,000 and increased accumulated surplus.

Due to reduced consumption in 2011, water revenues were under budget. \$750,000 was drawn from the user fees leveling reserve. The accumulated surplus was reduced by \$188,000 in the water fund.

Respectfully submitted,



✱ Lorrie A. Coates
Manager, Accounting Services



B.E. Clemens, Director of Finance



D.W. Holmes, Assistant City Manager/
General Manager, Corporate Services